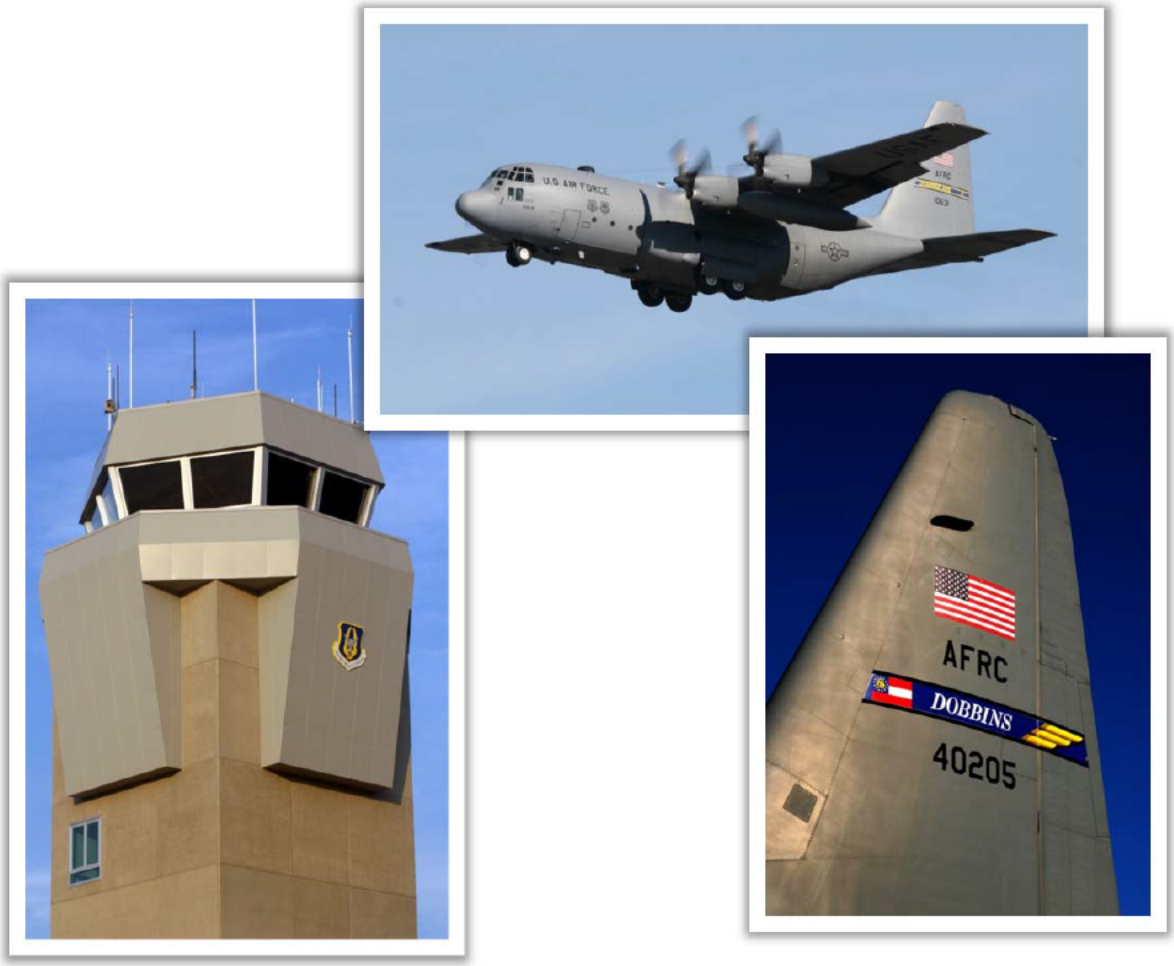
DRAFT

ENVIRONMENTAL ANALYSIS

FENCE CROSSING REPAIR AT TRIBUTARY STREAM TO ROTTENWOOD CREEK PROJECT, 12-0043

DOBBINS AIR RESERVE BASE, GEORGIA



JULY 2015

DEPARTMENT OF THE AIR FORCE
AIR FORCE RESERVE

31 July 2015

MEMORANDUM FOR DISTRIBUTION

FROM: 94 MSG/CE
884 Industrial Drive
Dobbins ARB, Georgia 30069

SUBJECT: Public Notice on the Environmental Analysis for the Fence Crossing Repair at Tributary Stream to Rottenwood Creek, Dobbins ARB, Georgia
Project Number: 12-0043

1. The Air Force Reserve Command (AFRC) is proposing to repair the Fence Crossing at the Tributary Stream to Rottenwood Creek at Dobbins Air Reserve Base (ARB).

2. Background: The attached analysis is provided to support this action. Upon identification of the failing structure, a project was proposed to repair the structure. An Air Force Environmental Impact Analysis Process (EIAP) was completed when the structure failure was identified. At this time, EIAP analysis 13-09 was completed. Once the decision was made to move forward with the final design of the project, EIAP analysis, 15-07 was completed. As part of this process, a U. S. Army Corps of Engineers permit was obtained. These documents are provided for your review and comments.

3. The purpose of the Proposed Action is to repair the Fence Crossing at the Tributary Stream to Rottenwood Creek. The existing structure has failed. Extreme bank erosion and scour has occurred on the left bank of the stream which undercut the concrete base thus requiring replacement of the structure with an acceptable engineering solution. In addition during high rain events, debris accumulates at the posts effectively damming up the stream causing further bank erosion.

4. In accordance with the No Action Alternative, Dobbins ARB would not repair the crossing structure. The extreme bank erosion and scour which is occurring on the stream will continue to undercut the concrete base of the current structure. During heavy storm water events, additional sediment will be deposited downstream. The security of the base will continue to be compromised at this location.

5. This analysis was prepared to evaluate the Proposed Action and the No Action Alternative. The resources that will be considered in the impact analysis are: noise, land use, air quality, geological resources, water resources, biological resources, cultural resources, infrastructure, hazardous materials, waste management, and safety.

6. The environmental impact analysis process for the Proposed Action and appropriate alternatives is being conducted by Headquarters Air Force Reserve Command in accordance with the Council on Environmental Quality's guidelines pursuant to the requirements of the National Environmental Policy Act (NEPA). The U.S. Air Force's implementing regulation for NEPA is its *Environmental Impact Analysis Process* that is detailed in 32 Code of Federal Regulations Part 989, as amended.

7. In accordance with Executive Order 11988, Floodplain Management, we are providing this environmental analysis for your review and comments. We request your comments and information for consideration. Please send directly to the undersigned at 94th Airlift Wing Public Affairs Office, 94 AW/PA, 1430 First Street, Dobbins ARB, Georgia, 30069 or by email to 94aw.pa@us.af.mil within 10 days from the date of this letter.

KENNETH W. WILLIAMS
Base Civil Engineer

Attachments:
1. EIAP Analysis 13-09
2. EIAP Analysis 15-07
3. USACE Permit SAS-2014-00789

REQUEST FOR ENVIRONMENTAL IMPACT ANALYSIS

Report Control Symbol
RCS: 13-09

INSTRUCTIONS: *Section I to be completed by Proponent; Sections II and III to be completed by Environmental Planning Function. Continue on separate sheets as necessary. Reference appropriate item number(s).*

SECTION I - PROPONENT INFORMATION

1. TO *(Environmental Planning Function)*	2. FROM *(Proponent organization and functional address symbol)*	2a. TELEPHONE NO.
94 MSG/CEV	94 MSG/CEC	678-655-3529

3. TITLE OF PROPOSED ACTION
13-09, Culvert at Tributary Stream to Rottenwood Creek, 12-0043

4. PURPOSE AND NEED FOR ACTION *(Identify decision to be made and need date)*
See continuation sheet

5. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES *(DOPAA) (Provide sufficient details for evaluation of the total action)*
See continuation sheet

6. PROPONENT APPROVAL *(Name and Grade)*	6a. SIGNATURE	6b. DATE
JOHN HARRIS, GS-11	HARRIS.JOHN.JR.1203242200 Digitally signed by HARRIS.JOHN.JR.1203242200 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USAF, cn=HARRIS.JOHN.JR.1203242200 Date: 2013.03.21 10:51:04 -04'00'	21-Mar-13

SECTION II - PRELIMINARY ENVIRONMENTAL SURVEY. *(Check appropriate box and describe potential environmental effects Including cumulative effects) (+ = positive effect; 0 = no effect; - = adverse effect; U= unknown effect)*	+	0	-	U
7. AIR INSTALLATION COMPATIBLE USE ZONE/LAND USE *(Noise, accident potential, encroachment, etc)*	☐	☑	☐	☐
8. AIR QUALITY *(Emissions, attainment status, state implementation plan, etc)*	☐	☑	☐	☐
9. WATER RESOURCES *(Quality, quantity, source, etc)*	☑	☐	☐	☐
10. SAFETY AND OCCUPATIONAL HEALTH *(Asbestos/radiation/chemical exposure, explosives safety quantity-distance, bird/wildlife aircraft hazard, etc)*	☐	☑	☐	☐
11. HAZARDOUS MATERIALS/WASTE *(Use/storage/generation, solid waste, etc)*	☐	☑	☐	☐
12. BIOLOGICAL RESOURCES *(Wetlands/floodplains, threatened or endangered species, etc)*	☑	☐	☐	☐
13. CULTURAL RESOURCES *(Native American burial sites, archaeological, historical, etc)*	☐	☑	☐	☐
14. GEOLOGY AND SOILS *(Topography, minerals, geothermal, Installation Restoration Program, seismicity, etc)*	☐	☑	☐	☐
15. SOCIOECONOMIC *(Employment/population projections, school and local fiscal impacts, etc)*	☐	☑	☐	☐
16. OTHER *(Potential impacts not addressed above)*	☐	☑	☐	☐

SECTION III - ENVIRONMENTAL ANALYSIS DETERMINATION

17. ☑ PROPOSED ACTION QUALIFIES FOR CATEGORICAL EXCLUSION (CATEX) # A2.3.7 and A2.3.9 ; OR
☐ PROPOSED ACTION DOES NOT QUALIFY FOR A CATEX; FURTHER ENVIRONMENTAL ANALYSIS IS REQUIRED.

18. REMARKS

Attention: See items 9 and 12 of the AF Form 813 Continuation Sheet

CATEX A2.3.7. Continuation or resumption of pre-existing actions, where there is no substantial change in existing conditions or existing land uses and where the actions were originally evaluated in accordance with applicable law and regulations, and surrounding circumstances have not changed.

CATEX A2.3.9. Repairing and replacing real property installed equipment.

19. ENVIRONMENTAL PLANNING FUNCTION CERTIFICATION *(Name and Grade)*	19a. SIGNATURE	19b. DATE
Mark D. Floyd, GS-11	Mark D. Floyd Digitally signed by FLOYD.MARK.D.1231175004 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USAF, cn=FLOYD.MARK.D.1231175004 Date: 2013.03.21 11:03:16 -04'00'	21-Mar-13

SECTION I - PROPONENT INFORMATION

1. To (Environmental Planning Function): 94 MSG/CEV

2. From (Proponent organization and functional address symbol): 94 MSG/CEC

2a. Telephone No: 678.655.3529

3. Title of Proposed Action: 13-09, Culvert at Tributary Stream to Rottenwood Creek, 12-0043

4. Purpose and Need for Action (Identify decision to be made and need date)**:** The project is necessary to ensure Force Protection security standards are met and maintain at Dobbins ARB. This project will also ensure that the appearance of the base is kept at a high level**.** Currently there is a failed grate like structure across the unnamed tributary. The existing structure consists of galvanized post placed vertically across the stream bed for approximately 48 feet. On top of the post sits the chain linked fence. Bank erosion and scour undercut the concrete base has necessitated the replacement of the structure with a culvert based solution. Extreme bank erosion has occurred on the left bank. In addition during high rain events, debris accumulates at of the posts effectively damming up the stream causing further bank erosion. The site is [redacted]. in a northeast direction from building 486.

5. Description of Proposed Action and Alternatives: All work necessary to repair failed grate structure and replace with a culvert base type structure. The replacement structure shall be designed and installed using the latest flood event data available. Replacement structure will also support vehicular traffic and prevent unauthorized access the base. Project will also replace perimeter fence as required.

> **No Action:** The failed grate structure and missing fence components will continue to subtract from the aesthetic qualities and security of the base. The fence will continue to corrode and the creek bank will continue to erode, allowing trespassers and stray animals to enter the base illegally.

SECTION II - PRELIMINARY ENVIRONMENTAL SURVEY.

7. AIR INSTALLATION COMPATIBLE USE ZONE/LAND USE
(Noise, accident potential, encroachment, etc.) No impact identified.

8. AIR QUALITY ***(Emissions, attainment status, state implementation plan, etc.)***
No impact identified.

9. WATER RESOURCES ***(Quality, quantity, source, etc.)*** The project will help improve water quality by restricting the rate of erosion currently occurring along this water body. Ideally, the project should re-establish the flood plain for this water course; but this is a step in the right direction. Additionally, base security, which is currently compromised, will be restored. **NOTE:** Significant federal (NPDES USACE Nationwide permitting), state, and local (GA Erosion and Sedimentation Act and Cobb County Stream buffer and land disturbance permitting) regulatory interaction will be required in this project.

10. SAFETY AND OCCUPATIONAL HEALTH (*Asbestos/radiation/chemical exposure, explosives safety quantity-distance, bird/wildlife aircraft hazard, etc.)* No impact identified.

11. HAZARDOUS MATERIALS/WASTE ***(Use/storage/generation, solid waste, etc.)***
No impact identified.

12. BIOLOGICAL RESOURCES ***(Wetlands/floodplains, threatened or endangered species, etc.)***
For this project, a Clean Water Act (CWA) Section 404 permit will be required for all impacts to jurisdictional streams, wetlands and flood plains.

Impacts will occur on Stream S-10. The project may impact Wetland 107 and the associated flood plain (Reference: 13-09 Site Map).

The US Army Corp of Engineers (USACE), through the Regulatory Program, administers and enforces Section 404 of the Clean Water Act (CWA). Under CWA Section 404, a permit is required for the discharge of dredged or fill material into waters of the United States. Many water bodies and wetlands in the nation are waters of the United States and are subject to the USACE regulatory authority.

Work on this project may be completed under a USACE Nationwide permit (NWP) only if the activity satisfies all of the NWP's terms and conditions.

USACE NWP Site: http://www.sas.usace.army mil/Missions/Regulatory/Permitting.aspx

The USACE has 45 days from receipt of a completed Section 404 permit application package to issue the authorized permit. Work within the Waters of the U.S. cannot begin until all USACE approved permits are received by DARB.

The project will help improve water quality by restricting the rate of erosion currently occurring along stream S-10.

13. CULTURAL RESOURCES ***(Native American burial sites, archaeological, historical, etc.)***
No impact identified.

14. GEOLOGY AND SOILS ***(Topography, minerals, geothermal, Installation Restoration Program, seismicity, etc.)*** No impact identified.

15. SOCIOECONOMIC ***(Employment/population projections, school and local fiscal impacts, etc.)***
No impact identified.

16. OTHER ***(Potential impacts not addressed above.)***
No impact identified.

General Conformity

This action has been reviewed for General Conformity with the Georgia State Implementation Plan (SIP). This review concluded that the requirements of General Conformity do not apply to this action because:

( ) The action is exempt under 40 CFR 93.153.
( ) The action is presumed to conform as specified in 40 CFR 93.153 (f) and (g).
( ) The maximum annual total direct and indirect emissions of this action have been estimated to be below the de minimis levels.
(X) The maximum annual total direct and indirect emissions of this action have been estimated to be below de minimis levels based on the size and scope of the action.

And the action is not regionally significant based on annual regional emissions for the region around Dobbins ARB. Emission estimates and supporting documentation are:

( ) Attached.
(X) Filed in Dobbins Environmental File 24-C-10.
( ) Included in the EIAP/NEPA.
( ) Other:

REQUEST FOR ENVIRONMENTAL IMPACT ANALYSIS

Report Control Symbol
RCS: 15-07

INSTRUCTIONS: *Section I to be completed by Proponent; Sections II and III to be completed by Environmental Planning Function. Continue on separate sheets as necessary. Reference appropriate item number(s).*

SECTION I - PROPONENT INFORMATION

1. TO *(Environmental Planning Function)*	2. FROM *(Proponent organization and functional address symbol)*	2a. TELEPHONE NO.
94 MSG/CEV	94 MSG/CEC	678-655-4804

3. TITLE OF PROPOSED ACTION
15-07, CATEX-FONPA for 12-0043, Culvert at Tributary Stream to Rottenwood Creek

4. PURPOSE AND NEED FOR ACTION *(Identify decision to be made and need date)*
See continuation sheet

5. DESCRIPTION OF PROPOSED ACTION AND ALTERNATIVES *(DOPAA) (Provide sufficient details for evaluation of the total action)*
See continuation sheet

6. PROPONENT APPROVAL *(Name and Grade)*	6a. SIGNATURE	6b. DATE
Joseph E. Pollard, Jr., GS-12	POLLARD.JOSEPH.EDWARD.JR.1119639375 Digitally signed by POLLARD.JOSEPH.EDWARD.JR.1119639375 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USAF, cn=POLLARD.JOSEPH.EDWARD.JR.1119639375 Date: 2015.07.22 09:11:53 -04'00'	22-Jul-15

SECTION II - PRELIMINARY ENVIRONMENTAL SURVEY. *(Check appropriate box and describe potential environmental effects Including cumulative effects) (+ = positive effect; 0 = no effect; - = adverse effect; U= unknown effect)*	+	0	-	U
7. AIR INSTALLATION COMPATIBLE USE ZONE/LAND USE *(Noise, accident potential, encroachment, etc)*	☐	☑	☐	☐
8. AIR QUALITY *(Emissions, attainment status, state implementation plan, etc)*	☐	☑	☐	☐
9. WATER RESOURCES *(Quality, quantity, source, etc)*	☑	☐	☐	☐
10. SAFETY AND OCCUPATIONAL HEALTH *(Asbestos/radiation/chemical exposure, explosives safety quantity-distance, bird/wildlife aircraft hazard, etc)*	☐	☑	☐	☐
11. HAZARDOUS MATERIALS/WASTE *(Use/storage/generation, solid waste, etc)*	☐	☑	☐	☐
12. BIOLOGICAL RESOURCES *(Wetlands/floodplains, threatened or endangered species, etc)*	☑	☐	☐	☐
13. CULTURAL RESOURCES *(Native American burial sites, archaeological, historical, etc)*	☐	☑	☐	☐
14. GEOLOGY AND SOILS *(Topography, minerals, geothermal, Installation Restoration Program, seismicity, etc)*	☐	☑	☐	☐
15. SOCIOECONOMIC *(Employment/population projections, school and local fiscal impacts, etc)*	☐	☑	☐	☐
16. OTHER *(Potential impacts not addressed above)*	☐	☑	☐	☐

SECTION III - ENVIRONMENTAL ANALYSIS DETERMINATION

17. ☑ PROPOSED ACTION QUALIFIES FOR CATEGORICAL EXCLUSION (CATEX) # A2.3.7 and A2.3.9 ; OR
☐ PROPOSED ACTION DOES NOT QUALIFY FOR A CATEX; FURTHER ENVIRONMENTAL ANALYSIS IS REQUIRED.

18. REMARKS

Attention: See attached AF Form 13-09 and USACE Permit SAS-2014-00789 for supporting EIAP documentation on this action.

CATEX A2.3.7. Continuation or resumption of pre-existing actions, where there is no substantial change in existing conditions or existing land uses and where the actions were originally evaluated in accordance with applicable law and regulations, and surrounding circumstances have not changed.

CATEX A2.3.9. Repairing and replacing real property installed equipment.

19. ENVIRONMENTAL PLANNING FUNCTION CERTIFICATION *(Name and Grade)*	19a. SIGNATURE	19b. DATE
Mark D. Floyd, GS-11	Mark D. Floyd Digitally signed by FLOYD.MARK.D.1231175004 DN: c=US, o=U.S. Government, ou=DoD, ou=PKI, ou=USAF, cn=FLOYD.MARK.D.1231175004 Date: 2015.07.22 09:34:56 -04'00'	22-Jul-15

SECTION I - PROPONENT INFORMATION

1. To (Environmental Planning Function): 94 MSG/CEV

2. From (Proponent organization and functional address symbol): 94 MSG/CEC

2a. Telephone No: 678.655.3529

3. Title of Proposed Action: 15-07, CATEX-FONPA for 12-0043, Culvert at Tributary Stream to Rottenwood Creek

4. Purpose and Need for Action (Identify decision to be made and need date)**:** The project is necessary to repair the failed grate like structure stretching across the unnamed tributary at Dobbins Air Reserve Base (DARB).

Current situation: The existing structure consists of galvanized posts placed vertically across the stream bed for approximately 48 feet. On top of the posts sits the chain linked fence. Extreme bank erosion and scour has occurred on the left bank of the stream which undercut the concrete base thus requiring replacement of the structure with an acceptable engineering solution. In addition during high rain events, debris accumulates at the posts effectively damming up the stream causing further bank erosion. The repair project will also implement U.S. Air Force (USAF) Force Protection (FP) security standards for this location.

5. Description of Proposed Action and Alternatives: DARB is in need of replacing an existing security fence and associated vertical post structure that crosses an unnamed tributary to Rottenwood Creek at its property line. The project area is located in the northeast corner of the Base [redacted] northeast of Building 486.

The existing vertical post structure consists of vertical galvanized posts [redacted]. The posts were anchored by a concrete foundation across the stream bed. Severe erosion and scouring have undercut the concrete foundation, causing it to fail and to be in a state of disrepair. As a result, unauthorized personnel are able to access the base at this location.

Alternative 1: Rock Ford Crossing

Install a rock ford crossing within the stream at the location of the perimeter fence/patrol corridor stream crossing. To allow the ford to be crossed by four-wheel drive vehicles, streambanks at the ford location would be "1aid back" at approximately six-to-one slopes to the current elevation of the streambed. In the area designated for vehicular passage, the stream bottom would be excavated approximately two feet in depth, and then built back up using large riprap underlain with a geotextile fabric. Typically, the surface of the ford is then topped with gravel to create a smoother surface for vehicular access. After construction of the ford, the perimeter fence could be reconfigured to run along the six-to-one slopes. To prevent stream flow from damaging the fence, it would need to span the streambed to allow stream flow under the fence. Rebar or similar structures would then be driven into the stream bed to prevent pedestrian access under the fence.

Utilization of this method would require earth-moving activities outside of the DARB property. To improve stability of the ford, the six-to-one slopes would need to be blended into the existing topography. Therefore, we estimate [redacted] earth moving [redacted] to match existing grades. This would necessitate earth-moving both upstream and downstream of the ford location, which would be located at the DARB property boundary. Further, due to the size of the creek, the ford will likely become impassable to vehicular traffic during high-water events. Additionally, this method will require the removal of a large amount of material. Unless there is a demand for fill material within DARB, it is anticipated this material will need to be hauled off-site.

Rock Ford Crossing Maintenance Requirements:

• A rock ford crossing would require regular and continuous maintenance by DARB personnel and/or contractors. Specific maintenance actions would include:

• Removing debris along the fence. It is anticipated that organic debris (i.e., fallen logs, leaf litter, etc.) will be deposited at the fence location. If not removed, this debris will place additional burden on the fence, which could jeopardize the fence's integrity.

• Cleaning out sediment deposits. As described above, we believe the stream is entrenched, or isolated from its adjacent floodplain; therefore, during rain events water elevation within the channel is expected to rise significantly from baseflow conditions. At these times, the stream is likely to inundate the gradual slopes of the ford. Along these re-shaped streambanks, instream velocity will be reduced, which will reduce the sediment carrying capacity of the water. The result will be sediment deposition on the re-shaped streambanks. If not regularly cleaned out, these sediments could deposit in a manner that makes vehicular access through the ford difficult.

• Replenishing top gravel. Unlike the sloped streambanks of the ford, the velocity in the streambed is expected to remain high during rainfall events, causing erosive conditions. During these high-flow events, the top layer of gravel may be washed away, leaving the angular riprap below. Although most all-terrain vehicles could cross the ford without the top layer of gravel, access with standard four-wheel drive vehicles and trucks may become difficult.

Alternative 2: Install Box Culverts

To remedy the situation DARB is proposing to replace the fence and associated vertical post structure with a four barrel (8’ x 9’ barrels) box culvert. The box culvert is designed to prevent unauthorized access onto the base while allowing for pedestrian traffic for security personal to patrol the fencing perimeter. In addition, the culvert will be designed so that it conveys a minimum 25 year flood event and allows for aquatic life passage.

The proposed repair will remove the failed grate structure and replace with a culvert base type structure. The replacement structure shall be designed and installed using the latest flood event data available. Replacement structure will also support vehicular traffic and prevent unauthorized access the base. Project will also replace perimeter fence as required.

No Action Alternative: The extreme bank erosion and scour which is occurring on the left bank of the stream will continue to undercut the concrete base of the current structure. During heavy stormwater events additional sediment will be deposited downstream. The security of the base will continue to be compromised at this location.

Preferred Alternative: Alternative 2 is the preferred action.

SECTION II - PRELIMINARY ENVIRONMENTAL SURVEY.

7. AIR INSTALLATION COMPATIBLE USE ZONE/LAND USE
(Noise, accident potential, encroachment, etc.)

No adverse impacts anticipated.

Construction Noise. Noise from construction activities varies depending on the type of equipment being used, the area that the action would occur in, and the distance from the noise source. As shown in the table below, construction usually involves several pieces of equipment (e.g., trucks and bulldozers) that can be

used simultaneously. Under the proposed action, the cumulative noise from the construction equipment, during the busiest day, was estimated to determine the total impact of noise from construction activities at a given distance. These sound levels were predicted at 50, 100, 200, 400, 800, and 1,200 feet from the source of the noise.

Predicted Noise Levels from Construction Activities

Distance from Noise Source	Predicted Noise Level
50 feet	89 dBA
100 feet	83 dBA
200 feet	77 dBA
400 feet	71 dBA
800 feet	65 dBA
1,200 feet	61 dBA

The noise from construction equipment would be localized, short-term, and intermittent during machinery operations. Heavy equipment would be used periodically during construction; therefore, noise levels from the equipment would fluctuate throughout the day.

Construction activities under the proposed action would result in short-term, minor, adverse impacts on the noise environment in the vicinity of construction activities. However, noise generation would last only for the duration of construction activities and would diminish as they moved farther away from the receptor. Noise generation could be minimized by restricting construction to normal working hours (i.e., between 7:00 a m. and 5:00 p.m.) and the use of measures such as equipment exhaust mufflers. It is not anticipated that the short-term increase in ambient noise levels from the proposed action would cause significant adverse effects on the surrounding populations.

8. AIR QUALITY ***(Emissions, attainment status, state implementation plan, etc.)***

No adverse impacts anticipated.

Construction Emissions Estimates. Short-term, adverse effects on air quality would be expected from the construction associated with the repair; however, the effects would not be significant. The construction activities associated with the repair would generate air pollutant emissions from site-disturbing activities such as grading, filling, compacting, trenching, and operation of construction equipment. Construction activities would also generate particulate emissions as fugitive dust from ground-disturbing activities and from the combustion of fuels in construction equipment and hauling of materials to the site. Fugitive dust emissions would be greatest during the initial site preparation activities and would vary from day to day depending on the work phase, level of activity, and prevailing weather conditions. The quantity of uncontrolled fugitive dust emissions from a construction site is proportional to the area of land being worked and the level of activity. Construction activities would incorporate best management practices (BMPs) and control measures (e.g., frequent use of water to suppress dust from dust-generating activities) to minimize fugitive particulate matter emissions.

General Conformity. This action has been reviewed for General Conformity with the Georgia State Implementation Plan (SIP). This review concluded that the requirements of General Conformity do not apply to this action because the maximum annual total direct and indirect emissions of this action are estimated to be below de minimis levels based on the size and scope of the action. The action is not regionally significant based on annual regional emissions for the region around Dobbins ARB.

This review concluded that the requirements of General Conformity do not apply to this action because:

( ) The action is exempt under 40 CFR 93.153.
( ) The action is presumed to conform as specified in 40 CFR 93.153 (f) and (g).
( ) The maximum annual total direct and indirect emissions of this action have been estimated to be below the de minimis levels.
(X) The maximum annual total direct and indirect emissions of this action have been estimated to be below de minimis levels based on the size and scope of the action.

And the action is not regionally significant based on annual regional emissions for the region around Dobbins ARB. Emission estimates and supporting documentation are:

( ) Attached.
(X) Filed in Dobbins Environmental File 24-C-10.
( ) Included in the EIAP/NEPA.
( ) Other:

9. WATER RESOURCES *(Quality, quantity, source, etc.)*

The preferred action will result in an improved and more sustainable storm water management system infrastructure. However, impacts to Waters of the U.S. and adjacent floodplains are anticipated. Dobbins ARB will minimize these impacts by adhering to conditions set forth in the attached US Army Corp of Engineers (USACE) Permit SAS-2014-00789. The project will help improve water quality by restricting the rate of erosion currently occurring along this water body.

10. SAFETY AND OCCUPATIONAL HEALTH (*Asbestos/radiation/chemical exposure, explosives safety quantity-distance, bird/wildlife aircraft hazard, etc.)*

Positive impacts include reduced Bird-Aircraft Strike Hazard Reduction (BASH) hazards. The repair project will improve drainage and help minimize any standing water problems on the runway or water impoundments in the infield area that attract birds which are a hazard to aircraft.

11. HAZARDOUS MATERIALS/WASTE *(Use/storage/generation, solid waste, etc.)*

No adverse impacts anticipated.

No known or anticipated activities, including construction activities, are expected to use more than small quantities of fuels and lubricants, for use in on-site equipment during the project. Impacts will be negligible. All current Dobbins ARB solid waste management procedures will be followed. Thus, the proposed Action will not result in adverse impacts to workers or to the environment resulting from the use of hazardous materials or the generation of solid wastes. The only wastes anticipated to be generated will be construction debris.

12. BIOLOGICAL RESOURCES *(Wetlands/floodplains, threatened or endangered species, etc.)*

The project will help improve water quality by restricting the rate of erosion currently occurring along the stream bank.

No federally listed threatened, endangered, or candidate species or Georgia DNR special concern species have been documented within the site location. Therefore, no impacts on federally or state-listed species would be expected from the implementation of the proposed action.

The project location is sited in a 100 year floodplain. The preferred action repair is designed to minimize harm to the floodplain. For this project, a Clean Water Act (CWA) Section 404 permit (USACE Permit SAS-2014-00789) has been obtained from the US Army Corp of Engineers (USACE).

13. CULTURAL RESOURCES ***(Native American burial sites, archaeological, historical, etc.)***

No adverse impacts anticipated.

There are no cultural resources within the site location. Thus, no significant impacts on cultural resources are expected.

14. GEOLOGY AND SOILS ***(Topography, minerals, geothermal, Installation Restoration Program, seismicity, etc.)***

No adverse impacts anticipated.

The proposed action is a repair/improvement of an existing structure. Therefore, impacts on geology and soils would be insignificant. The project site is not located near any known installation restoration program sites.

15. SOCIOECONOMIC ***(Employment/population projections, school and local fiscal impacts, etc.)***

No adverse impacts anticipated.

The proposed action will not result in adverse impacts to the local economy, low-income or minority population.

16. OTHER ***(Potential impacts not addressed above.)***

No other potential impacts are expected.

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

REPLY TO
ATTENTION OF:

February 4, 2015

Regulatory Division
SAS-2014-00789

Mr. Mark Floyd
94 MSG.CEV, 901 Industrial Drive
Building 510
Dobbins, Air Reserve Base 30069

Dear Mr. Floyd:

I refer to the Pre-Construction Notification submitted on October 21, 2014, requesting verification for use of Nationwide Permit Nos. 3a, 3b and 13 (NWPs 3a, 3b and 13) for impacts to 220 linear feet of perennial stream to perform maintenance and bank stabilization activities. The project site is located in the northeast corner of the base [redacted], in Marietta, Cobb County, Georgia [redacted]). The request was submitted on your behalf by Tidewater Environmental Services, Inc. This project has been assigned number SAS-2014-00789 and it is important that you refer to this number in all communication concerning this matter.

The permittee proposes to impact approximately 220 linear feet of perennial stream. The peremittee will impact 98 linear feet of stream to install the box culverts, structural bollards and vegetated gabion baskets. The permittee will remove the existing galvanized posts and replace them with four (4) 8'x9' box culverts. The permittee will also complete bank stabilization activities which includes the installation of vegetated gabion sidewalls. To assist with stabilization the permittee will remove approximately 310 cubic yards of accumulated sediment. During construction the permittee will temporarily divert the channel to work in dry conditions, temporarily impacting approximately 20 linear feet of stream. The permittee will remove the temporary rock filter dam, turbidity curtain and sediment trap within five (5) calendar days of the project's completion.

We have completed a preliminary Jurisdictional Determination (JD) for the site pursuant to our March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers." I have enclosed a "JD Check Sheet," which summarizes the JD, delineation verification and appeals process.

The wetlands/other waters on the subject property may be waters of the United States within the jurisdiction of Section 404 of the Clean Water Act (33 United States Code (U.S.C.) 1344) and/or Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403). The placement of dredged or fill material into any waterways and/or their adjacent wetlands or mechanized land clearing of those wetlands could require prior Department of the Army authorization pursuant to Section 404.

We have completed coordination with other federal and state agencies as described in Part C (31)(d) of our NWP Program, published in the February 12, 2012, Federal Register, Vol. 77, No. 34, Pages 10184-10290 (77 FR). The NWPs and Savannah District's Regional Conditions for NWPs can be found on our website at http://www.sas.usace.army.mil/Missions/Regulatory/Permitting/GeneralPermits/NationwidePermits.aspx. During our coordination procedure, no adverse comments regarding the proposed work were received.

As a result of our evaluation of your project, we have determined that the proposed activity is authorized under NWP 3a, 3b and 13, as described in Part B of the NWP Program. Your use of this NWP is valid only if:

a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Savannah District's Regional Conditions for NWPs.

b. Unless specifically authorized by this permit, no construction, discharge of fill material, excavation, mechanized land clearing, tree or other vegetation removal, stockpiling of fill material or other work/activity shall occur in waters of the United States.

c. Prior to any land disturbing activity on the project site, the permittee shall clearly mark all waters of the U.S. that are authorized to be impacted (impact-waters). Acceptable forms of marking include high visibility orange construction fencing or flagging at eye level, at intervals of 25 feet or less along the entire jurisdictional boundary. Pin flags or other ground level marking is not acceptable. In addition, the permittee shall clearly mark waters of the U.S. that are not to be impacted (no-impact-waters), if they are located within 50 feet of any construction activities. The boundaries of impact-waters and no-impact-waters shall be marked differently, to ensure that these areas are clearly identifiable to equipment operators. All no-impact-waters marking shall be maintained until the entire project has been completed.

d. Construction debris, uncured concrete, demolition debris, or other waste materials shall not be discharged into streams, wetlands, or other open waters; or placed at sites near such areas, where migration into waters of the United States could be anticipated.

e. The permittee shall minimize bank erosion and sedimentation in construction areas by utilizing Best Management Practices for stream corridors, installing and maintaining significant erosion and sediment control measures, and providing daily reviews of construction and stream protection methods. Check dams and riprap placed in streams and wetlands as erosion control measures are considered a fill and not authorized under this permit unless they were specifically authorized by this permit.

f. All work conducted under this permit shall be located, outlined, designed, constructed and operated in accordance with the requirements of the Georgia Erosion and Sedimentation Control Act of 1975 (Georgia ESCA), as amended. Utilization of plans and specifications contained in the "Manual for Erosion and Sediment Control, (Latest Edition)," published by the Georgia Soil and Water Conservation Commission, will aid in achieving compliance with the Georgia ESCA.

g. The permittee shall install and maintain erosion and sediment control measures in upland areas of the project site, in accordance with the Georgia Erosion and Sedimentation Control Act of 1975 to minimize the introduction of sediment into and the erosion of streams, wetlands and other waters of the United States. This permit does not authorize installation of check-dams, weirs, riprap, bulkheads or other erosion control measures in streams, wetlands or other waters of the United States. The permittee shall obtain Corps authorization prior to installing any erosion control measures in waters of the United States.

h. The permittee shall install and maintain erosion and sediment control measures in fill material that is authorized to be discharged in streams, wetlands and other waters of the United States, in accordance with the Georgia Erosion and Sedimentation Control Act of 1975; and permanently stabilize fill areas at the earliest practicable date.

i. Once the project site is sufficiently stabilized through re-vegetation, the permittee shall remove all silt fencing and other non-biodegradable erosion control measures from stream banks, riparian areas, wetlands and upland areas immediate adjacent to other waters of the United States within five (5) calendar days of sufficient stabilization.

j. The permittee shall obtain and comply with all applicable Federal, state and local authorizations required for the authorized activity. A stream buffer variance may be required from the Georgia Department of Natural Resources, Environmental Protection Division (Georgia EPD), as defined in the Georgia Erosion and Sedimentation Control Act of 1975. Information concerning variances can be obtained from Georgia EPD on their website at www.gaepd.org, or by calling (404) 463-1463.

k. If you or your contractors discover any federally listed threatened or endangered species and/or their habitat while accomplishing the activities authorized by this permit, you must immediately STOP work and notify the Corps within 24 hours. The Corps will contact with the US Fish and Wildlife Service and/or the National Marine Fisheries Service to determine if the species and/or habitat warrant further consultation.

l. Every effort shall be made to minimize damage to shoreline vegetation, and only the fallen trees are to be removed. The removed trees cannot be placed in close proximity to the river in which they were removed from unless they are used as live stake material for the bank re-establishment. Damages resulting from any restorative activities must be restored to the satisfaction of the US Army Corps of Engineers.

m. The work authorized by this permit shall also conform to all regulations outlined in the Cobb County Erosion and Sediment Control Ordinance.

n. The permittee shall minimize upstream, downstream and construction area bank erosion and sedimentation. Check dams placed installed as erosion control measures are considered as fill and are not authorized under this permit.

o. This permit does not verify the piling of stone/rock rip-rap but rather a bio-engineered approach. In the instance of stone/rock rip-rap piling the permittee will have to remove it within 30 days of report and must stabilize the bank with a more natural bank stabilization method as intended by this verification letter.

p. You fill out and sign the enclosed certification and return it to our office within 30 days of completion of the activity authorized by this permit.

This proposal was reviewed in accordance with Section 7 of the Endangered Species Act. Based on the information we have available, we have determined that the project would have no effect on any threatened or endangered species nor any critical habitat for such species. Authorization of an activity by a NWP does not authorize the "take" of threatened or endangered species. In the absence of separate authorization, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. See Part (C) of 77 FR for more information.

This verification is valid until the NWP is modified, reissued or revoked. All of the existing NWPs are scheduled to expire on March 18, 2017. It is incumbent upon you to remain informed of changes to the NWPs. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have twelve (12) months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

This authorization should not be construed to mean that any future projects requiring Department of the Army authorization would necessarily be authorized. Any new proposal, whether associated with this project or not, would be evaluated on a case-by-case basis. Any prior approvals would not be a determining factor in making a decision on any future request.

Revisions to your proposal may invalidate this authorization. In the event changes to this project are contemplated, I recommend that you coordinate with us prior to proceeding with the work.

This communication does not relieve you of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state or local authorities. It does not affect your liability for any damages or claims that may arise as a result of the work. It does not convey any property rights, either in real estate or material, or any exclusive privileges. It also does not affect your liability for any interference with existing or proposed federal projects. If the information you have submitted and on which the Corps bases its determination/ decision of authorization under the NWP is later found to be in error, this determination may be subject to modification, suspension, or revocation.

A copy of this letter is being provided to the following party: Mr. Chris Tidewater, Environmental Services, Inc., Post Office Box 21415, Charleston, South Carolina 29413.

Thank you in advance for completing our on-line Customer Survey Form located at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. We value your comments and appreciate your taking the time to complete a survey each time you have interaction with our office.

If you have any questions, please call Ms. Chikita' M. Sanders, Regulatory Specialist, Piedmont Branch, at 678-422-6570.

Sincerely,

Philip A. Shannin
Chief, Permits Section

Enclosures

Regulatory Division

CERTIFICATION OF COMPLIANCE
WITH
DEPARTMENT OF THE ARMY
NWPs 3a, 3b and 13

PERMIT FILE NUMBER: SAS-2014-00789

PERMITTEE ADDRESS: Mr. Mark Floyd, 94 MSG.CEV, 901 Industrial Drive, Building 510, Dobbins, Air Reserve Base 30069.

LOCATION OF WORK: The project site is located in the northeast corner of the base [redacted], in Marietta, Cobb County, Georgia [redacted]

PROJECT DESCRIPTION: The permittee proposes to impact 220 linear feet of linear feet of perennial stream to perform maintenance and bank stabilization activities.

ACRES AND/OR LINEAR FEET OF WATERS OF THE US IMPACTED: 220 linear feet of perennial stream.

DATE WORK IN WATERS OF US COMPLETED:_____

COMPENSATORY MITIGATION REQUIRED: NONE as permit is issued

DATE MITIGATION COMPLETED OR PURCHASED (include name of bank): N/A

I understand that the permitted activity is subject to a U.S. Army Corps of Engineers' Compliance Inspection. If I fail to comply with the permit conditions at Part C of the Nationwide Permit Program, published in the February 12, 2012, Federal Register, Vol. 77, No.34, Pages 10184-10290, it may be subject to suspension, modification or revocation.

I hereby certify that the work authorized by the above referenced permit as well as any required mitigation (if applicable) has been completed in accordance with the terms and conditions of the said permit.

_____ _____

Signature of Permittee Date

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3604

REPLY TO
ATTENTION OF:

JURISDICTION DELINEATION CHECK SHEET
USACE FILE NUMBER: SAS-2014-00789
DATE: February 4, 2015

A. SECTION 1 - PRELIMINARY JURISDICTIONAL DETERMINATIONS

1. JURISDICTIONAL DETERMINATION (JD). A "preliminary JD" form was completed for the site in accordance with the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers." The form details whether streams, wetlands and/or other waters present on the site may be subject to the jurisdiction of the US Army Corps of Engineers (USACE). In summary, the USACE has determined the following with regard to waters present on the site:

_____ There may be navigable waters of the United States within Rivers and Harbors Act (RHA) jurisdiction present.

_____There may be waters of the United States within Clean Water Act (CWA) jurisdiction present.

2. DELINEATION VERIFICATION. With regard to the location and extent of potentially jurisdictional areas present on the site, the USACE has made the following determinations:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____Drawings submitted with a Pre-Construction Notification (or other application) depict the approximate location/boundaries of all potentially jurisdictional waters on the project site. The USACE has verified the accuracy of the depicted boundaries of potentially jurisdictional waters in only the immediate vicinity of waters to be impacted. A complete jurisdictional delineation request, including a jurisdictional waters survey, would be required in order for the USACE to consider final verification of all other jurisdictional boundaries on the project site.

_____The drawing entitled "_____," dated _____is an acceptable sketch of the approximate location/boundaries of all the potentially jurisdictional waters in the project area. This sketch can be used for initial real estate planning; projects with temporary impacts to waters; projects involving minor amounts of

fill in waters; or work only subject to our jurisdiction pursuant to Section 10 of the Rivers and Harbors Act of 1899. A complete jurisdictional delineation request, including a jurisdictional waters survey, would be required in order for the USACE to consider final verification of all other jurisdictional boundaries on the project site.

3. APPEALS OF PRELIMINARY JURISDICTIONAL DETERMINATIONS: The preliminary JD is a "non-binding" written indication that there may be waters of the United States on a parcel. Preliminary JDs are advisory in nature and may not be appealed (See 33 CFR 331.2)." If you are not in agreement with this preliminary JD, then you may request an approved jurisdictional determination for your project site or review area.

B. SECTION - EXPANDED PRELIMINARY JURISDICTIONAL DETERMINATIONS:

1. JURISDICTIONAL DETERMINATION (JD). An "expanded preliminary JD" form was completed for the site in accordance with the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers." The form details whether streams, wetlands and/or other waters present on the site may be subject to the jurisdiction of the USACE. In summary, the USACE has determined the following with regard to waters present on the site:

_____ There may be navigable waters of the United States within Rivers and Harbors Act (RHA) jurisdiction present.

__X__ There may be waters of the United States within Clean Water Act (CWA) jurisdiction present.

2. DELINEATION VERIFICATION. With regard to the location and extent of potentially jurisdictional areas present on the site, the USACE has made the following determinations:

__X__ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

__X__ The Global Positioning System (GPS) delineation entitled "FIGURE 6: AERIAL PHOTOGRAPH WITH AQUATIC FEATURES", dated OCTOBER 2014, is an accurate delineation of the location/boundaries of all the potentially jurisdictional waters on the site. If you have not already done so, I recommend that you place a statement on this delineation to the effect that, **"WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE POTENTIALLY UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2014-00789. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO**

THESE WATERS WITHOUT PROPER AUTHORIZATION." This delineation will remain valid for a period of 5 years unless new information warrants revision prior to that date.

_____The survey entitled "_____"", dated _____, and signed by Registered Land Surveyor _____ is an accurate delineation of the location/boundaries of all the potentially jurisdictional waters on the site. If you have not already done so, I recommend that you place a statement on the final surveyed property plat to the effect that, **"WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE POTENTIALLY UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2014-00789. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE WATERS WITHOUT PROPER AUTHORIZATION."** This delineation will remain valid for a period of 5-years unless new information warrants revision prior to that date.

3. APPEALS OF PRELIMINARY JURISDICTIONAL DETERMINATIONS: The expanded preliminary JD is a "non-binding" written indication that there may be waters of the US on a parcel. Expanded Preliminary JDs are advisory in nature and may not be appealed (See 33 CFR. 331.2)." If you are not in agreement with this expanded Preliminary JD, then you may request an approved jurisdictional determination for your project site or review area.

C. SECTION 3 - APPROVED DETERMINATIONS: As defined in Regulatory Guidance Letter 08-02, an approved JD is an official Savannah District determination that jurisdictional "waters of the United States" or "navigable waters of the United States," or both, are either present or absent on a particular site. An approved JD precisely identifies the limits of those waters on the project site determined to be jurisdictional under the Clean Water Act (CWA) and/or the Rivers and Harbors Act (RHA).

1. JURISDICTIONAL DETERMINATION (JD). An "approved JD" form was completed for the site pursuant to the June 5, 2007, "US Army Corps of Engineers (USACE) JD Form Instructional Guidebook." The form details whether streams, wetlands and/or other waters present on the site are subject to the jurisdiction of the USACE. In summary, the USACE has determined the following with regard to waters present on the site:

_____ There are navigable waters of the United States within (RHA) jurisdiction present.

_____ There are waters of the United States within (CWA) jurisdiction present.

_____ There are non-jurisdictional waters of the United States located in the project area.

_____ There are no jurisdictional waters of the United States located in the project area.

2. APPROVED DETERMINATION - ISOLATED, NON-JURISDICTIONAL WATERS. If Appendix E of the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers" was submitted, you have requested that the USACE verify the presence of isolated, non-jurisdictional waters located at the project site or within the review area. The completed Appendix E form is available at https://sasweb.sas.usace.army.mil/JD/, under the above listed file number. You may also request that a printed copy of the form be mailed to you. This isolated, non-jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date. In summary, the USACE has determined the following with regard to isolated, non-jurisdictional waters that are present on the site:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ There are isolated non-jurisdictional waters present that are not subject to CWA jurisdiction. Specifically, wetland(s) [letter of wetlands here], as identified on the exhibit entitled "_____" is/are isolated, non-jurisdictional wetlands. Department of the Army authorization, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), is not required for dredge and/or fill activities in these areas.

3. APPROVED DETERMINATION. (other than isolated, non-jurisdictional waters): If Appendix B of the March 4, 2009, Public Notice entitled, "Characterization of Jurisdictional Determinations: Purpose, Application and Documentation Requirements as Defined by the Savannah District, US Army Corps of Engineers" was submitted, you have requested that the USACE verify the presence of jurisdictional waters located at the project site or within the review area. The completed Appendix B form is available at https://sasweb.sas.usace.army.mil/JD/, under the above listed file number. You may also request that a printed copy of the form be mailed to you. This jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date. In summary, the USACE has determined the following with regard to isolated, non-jurisdictional waters that are present on the site:

_____ Wetlands were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual.

_____ The Global Positioning System (GPS) delineation entitled "_____", dated _____, is an accurate delineation of all the jurisdictional boundaries on the site. If you have not already done so, I recommend that you place a statement on this delineation to the effect that, **"JURISDICTIONAL WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER #FOLDER_DA_NUMBER#. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION."** This approved jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date.

_____ The survey entitled "_____", dated _____, and signed by Registered Land Surveyor _____, is an accurate delineation of all the jurisdictional boundaries on the site. If you have not already done so, I recommend that you place a statement on the final surveyed property plat to the effect that, **"JURISDICTIONAL WETLANDS AND OTHER WATERS SHOWN ON THIS DRAWING ARE UNDER THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS AS SHOWN IN USACE FILE NUMBER SAS-2014-00789. OWNERS MAY BE SUBJECT TO PENALTY BY LAW FOR DISTURBANCE TO THESE JURISDICTIONAL AREAS WITHOUT PROPER AUTHORIZATION."** This approved jurisdictional determination will remain valid for a period of 5-years unless new information warrants revision prior to that date.

4. APPEALS FOR APPROVED JURISDICTIONAL DETERMINATIONS: You may request an administrative appeal for any approved geographic jurisdictional determination under USACE regulations at 33 Code of Federal Regulation (CFR) Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal (RFA) Form.

If you request to appeal this/these determination(s) you must submit a completed RFA form to the South Atlantic Division Office at the following address:

US Army Corps of Engineers, South Atlantic Division
Attention: CESAD-PDS-O, Administrative Appeal Review Officer
60 Forsyth Street, Room 10M15
Atlanta, Georgia 30303-8801

In order for a RFA to be accepted by the USACE, the USACE must determine that it is complete, that it meets the criteria for appeal under 33 CFR, part 331.5, and that it has been received by the Division Office within 60 days of the date of this form. It is not necessary to submit an RFA form to the Division Office if you do not object to this jurisdictional determination.

D. SECTION 4 - APPLIES TO ALL OF THE ABOVE.

- US DEPARTMENT OF AGRICULTURE (USDA) PROGRAM PARTICIPANTS.
This delineation/determination has been conducted to identify the limits of USACE CWA jurisdiction for this site. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service prior to starting work.

Attachments:

_____ Verified Survey of Jurisdictional Streams, Wetlands and/or Other Waters

_____Verified GPS Delineation of Jurisdictional Streams, Wetlands and/or Other Waters

___X___Drawing of Approximate Location of Streams, Wetlands and/or Other Waters

_____Approved Jurisdictional Determination Form(s)

___X___Notification of Administrative Appeal Options and Process and Request for Appeal Form

Chikita Sanders

Ms. Chikita M. Sanders
Regulatory Specialist, Piedmont Branch

02.04.15
DATE

NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL		
Applicant: Mr. Mark Floyd	File Number: SAS-2014-00789	Date: February 4, 2015
Attached is:		See Section below
INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)		A
PROFFERED PERMIT (Standard Permit or Letter of permission)		B
PERMIT DENIAL		C
APPROVED JURISDICTIONAL DETERMINATION		D
X PRELIMINARY JURISDICTIONAL DETERMINATION		E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://www.usace.army.mil/CECW/Pages/reg_materials.aspx or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit.

ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.

APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.

APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. The division engineer must receive this form within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact: Ms. Chikita Sanders US Army Corps of Engineers, Savannah District 1590 Adamson Parkway, Suite 200 Morrow, Georgia 30260-1777 678-422-6570	If you only have questions regarding the appeal process you may also contact: Administrative Appeal Review Officer CESAD-PDS-O US Army Corps of Engineers, South Atlantic Division 60 Forsyth Street, Room 10M15 Atlanta, Georgia 30303-8801

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation, and will have the opportunity to participate in all site investigations.

_____ Signature of appellant or agent.	Date:	Telephone number: