



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

REPLY TO
ATTENTION OF:

September 17, 2014

Regulatory Division
SAS-2012-00385

Ms. Hiral Patel, P.E.
Georgia Department of Transportation
Office of Environmental Services
One Georgia Center, 16th Floor
600 W. Peachtree Street, NW
Atlanta, Georgia 30308-3607

Dear Ms. Patel:

I refer to the Georgia Department of Transportation (Georgia DOT) Projects CSNHS-0009-00(156)(157), P.I. Numbers 0009156/0009157, in Clayton and Henry Counties, and the Pre-Construction Notification submitted on June 17, 2014, requesting our verification for the use of Nationwide Permit Number 14 (NWP 14) to impact waters of the US for the construction of intelligent transportation system (ITS) infrastructure improvements and reversible, barrier separated, express toll lanes (ETL) along Interstate-75 (I-75) and I-675. The 17-94-mile total project corridor length begins two miles south of State Route 155 (SR 155) and ends 2.1 miles north of SR 138 along I-75 and 2.1 miles north of SR 138 along I-675, in Clayton and Henry Counties, Georgia (midpoint coordinates are at latitude: 33.4893, longitude: -84.2262). This project has been assigned number SAS-2012-00385 and it is important that you refer to this number in all communication concerning this matter.

The project corridor will require a total of 572 linear feet (0.19-acre) of permanent impacts and 297 linear feet (0.13-acre) of temporary impacts to perennial stream channel, 248 linear feet (0.04-acre) of permanent impacts to intermittent stream channel, 99 linear feet (0.01-acre) of permanent impacts to ephemeral stream channel, and 1.12 acres of permanent and 1.46 acres of temporary impacts to wetland areas.

The project will result in impacts to seven perennial stream channels (Streams 2, 2l, 3, 12, 12g, 12j and 23), three intermittent stream channels (Streams 12l, 19 and 24), one ephemeral stream channel (Ephemeral Channel 19f) and 10 wetland areas (Wetlands 1k-1, 1k-3, 2c, 2f, 2g, 12a, 12f, 12i, 12k, and 18). The project will include the construction of permanent walls made of concrete or mechanically stabilized earth (MSE) to reduce the roadway footprint by eliminating the need for fill slopes; the construction of additional retaining walls; the realignment of the Jonesboro Road Access bridge bents to avoid Stream 12e; and the realignment of the I-675 managed lane ramp from I-75 northbound to avoid permanent impacts to Streams 23 and 23e.

From SR 155 to approximately one mile south of Mt. Carmel Road, a single ETL will be constructed. The single lane will then transition into two reversible lanes, continue to the north and then diverge, providing access to the I-75 general purpose lanes and a direct single lane connection to the median of I-675, where the lane will then connect to the I-675 general purpose lanes.

We have completed an expanded 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 14, 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. Prior to the commencement of permitted work in streams, wetlands or other waters of the United States, you shall purchase 4,627.8 stream mitigation credits and 19.2 wetland mitigation credits from any of the following banks: Honey Creek, Little Sandy Creek 1, Little Sandy Creek 2, Little Sandy Creek 3, Martin Heights, Snapfinger Creek, and/or the White Creek Mitigation Banks. When submitting these credit purchases to the Corps, all documentation must reference the Corps file number

assigned to this project. If all or a portion of the required credits are not available from any of these banks, you must obtain written approval from the Corps prior to purchasing any credits from an alternate mitigation bank.

c. You shall obtain and comply with all appropriate federal, state, and local authorizations required for this type of 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, as amended. Information concerning variances can be obtained by visiting Georgia EPD's website at www.gaepd.org or by calling (404) 463-1463.

d. All work conducted under this permit shall be located, outlined, designed, constructed and operated in accordance with the minimal requirements of the Georgia Erosion and Sedimentation Control Act of 1975, 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 aforementioned minimal requirements.

e. You 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, as amended, 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. Authorization would be required from the US Army Corps of Engineers prior to installing any erosion control measures in waters of the United States.

f. You shall install and maintain erosion and sediment control measures for all 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, as amended, and permanently stabilize fill areas at the earliest practicable date.

g. You shall notify the Corps in writing, at least 10 days in advance of commencing any fill activities as authorized by this permit.

h. You fill out and sign the enclosed Certification of Compliance Form and return it to our office within 30 days of completing any activities as authorized by this permit.

i. The permittee shall ensure that culverts installed in perennial streams, including replacement culverts, are constructed in accordance with the following conditions:

1. The width of the base flow culvert shall be approximately equal to the average width of the stream channel immediately above and below the culvert installation site. Culverts shall not permanently widen or constrict the channel, or reduce or increase stream depth. Multi-pipe culverts may not be used to pass base flows. Culverts shall be sized to maintain the existing bankfull cross-sectional area and to accommodate bankfull stream flows.

2. The upstream and downstream invert of culverts (except bottomless culverts) shall be buried/embedded to a depth of twenty percent of the culvert height to allow natural substrate to colonize the structure's bottom and encourage fish movement.

3. Culvert slope shall be consistent with average slope of the stream in the immediate vicinity of the culvert installation site, but shall not exceed 4 percent.

4. Culverts shall be sized to adequately accommodate anticipated storm events. Where floodplain is adjacent to the stream, an equalizer culvert(s) shall be installed at floodplain elevation to accommodate flood events exceeding bankfull. Sufficient equalizer culverts shall be installed to accommodate normal floodplain sheet flow. Culverts shall be installed in a manner that does not cause flooding of adjacent uplands, with the exception of floodplains, or the disruption of hydrology in aquatic areas located up and downstream of the culvert.

5. Unless specifically stated in this permit, Installation of undersized culverts to attain storm water management or waste water treatment is not authorized.

6. A waiver from the above culvert specifications may be requested in writing. The waiver will only be issued if it can be demonstrated that the impacts of complying with these specifications would result in more adverse impacts to the aquatic environment or that such design is not practicable.

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 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.

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 contact Mr. Joseph Rivera, Regulatory Specialist, of the Piedmont Branch at (678) 422-6571.

Sincerely,



Edward B. Johnson, Jr.
Chief, Piedmont Branch

Enclosures

Regulatory Division

CERTIFICATION OF COMPLIANCE
WITH
DEPARTMENT OF THE ARMY
NATIONWIDE PERMIT NO. (14)

PERMIT FILE NUMBER: SAS-2012-00385

PERMITTEE ADDRESS: Ms. Hiral Patel, P.E., Georgia Department of Transportation,
Office of Environmental Services, One Georgia Center, 16th Floor,
600 W. Peachtree Street, NW, Atlanta, Georgia 30308-3607

LOCATION OF WORK: The 17.94-mile total project corridor length (ITS infrastructure)
begins two miles south of State Route 155 (SR 155) and ends 2.1 miles north of SR 138
along I-75 and 2.1 miles north of SR 138 along I-675, in Clayton and Henry Counties,
Georgia (midpoint coordinates are at latitude: 33.4893, longitude: -84.2262).

PROJECT DESCRIPTION: Georgia Department of Transportation (Georgia DOT)
Projects CSNHS-0009-00(156)(157), P.I. Numbers 0009156/0009157, in Clayton and
Henry Counties. To impact waters of the US for the construction of reversible, barrier
separated, express toll lanes (ETL) and an intelligent transportation system (ITS)
infrastructure along Interstate-75 (I-75).

ACRES AND/OR LINEAR FEET OF WATERS OF THE US IMPACTED: The project
corridor will require a total of 572 linear feet (0.19-acre) of permanent impacts and
297 linear feet (0.13-acre) of temporary impacts to perennial stream channel,
248 linear feet (0.04-acre) of permanent impacts to intermittent stream channel,
99 linear feet (0.01-acre) of permanent impacts to ephemeral stream channel, and
1.12 acres of permanent and 1.46 acres of temporary impacts to wetland areas.

DATE WORK IN WATERS OF US COMPLETED: _____

COMPENSATORY MITIGATION REQUIRED: This project will require the purchase of
4,627.8 stream mitigation credits and 19.2 wetland mitigation credits from any of the
following banks which service this project area: Honey Creek, Little Sandy Creek 1,
Little Sandy Creek 2, Little Sandy Creek 3, Martin Heights, Snapfinger Creek, and/or
White Creek Mitigation Banks.

DATE MITIGATION COMPLETED OR PURCHASED (please include name of banks):

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