



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

REPLY TO
ATTENTION OF:

MAY 20 2016

Regulatory Division
SAS-2016-00315

Mr. Eric Duff
State Environmental Administrator
Georgia Department of Transportation
600 West Peachtree Street, NW 16th Floor
Atlanta, Georgia 30308

Dear Mr. Duff:

I refer to the Pre-Construction Notification submitted on April 6, 2016, requesting verification for use of Regional General Permit (RGP) No. 1 for impacts to 0.31 acres of wetland, 456.9 linear feet of permanent impact to perennial streams, 10.9 linear feet of temporary impacts to perennial streams, 336.5 linear feet of permanent impacts to intermittent streams, 61.7 linear feet of temporary impacts to intermittent streams, and 140 linear feet of ephemeral stream channels to construct express lanes northbound on Interstate 85 beginning at Old Peachtree Road and terminating north of Hamilton Mill Road. The project site is located at latitude 34.0569 and longitude -83.9945, Gwinnett County, Georgia. The request was submitted on your behalf by Arcadis, U.S., Inc. This project has been assigned number SAS-2016-00315/P.I. 110600 and it is important that you refer to this number in all communication concerning this matter.

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 III of RGP 1, issued on September 30, 2013. This RGP can be found on our website at

<http://www.sas.usace.army.mil/Missions/Regulatory/Permitting/GeneralPermits/RegionalGeneralPermits.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 RGP 1. Your use of this RGP is valid only if:

a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the RGP.

b. Prior to the commencement of permitted work in streams, wetlands or other waters of the United States, you shall purchase 2.5 wetland mitigation credits from the Georgia In-Lieu Fee Program and submit documentation of this credit purchase to the U.S. Army Corps of Engineers. The credit purchase documentation must reference the Corps file number assigned to this project.

c. Prior to the commencement of permitted work in streams, wetlands or other waters of the United States, you shall purchase 2780.30 stream mitigation credits from Seven Branches Farms, Southern Cross Ranch, Three Creeks, Wauka Mountain, and Wauka Mountain II and submit documentation of this credit purchase to the U.S. Army Corps of Engineers. The credit purchase documentation must reference the Corps file number assigned to this project. If all or a portion of the required credits are not available from the above mentioned banks, you must obtain written approval from the Corps prior to purchasing any credits from an alternate mitigation bank.

d. 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 at the Georgia EPD's website at www.epd.georgia.gov, or by calling (404) 463-1511.

e. 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.

f. 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, bulkheads or other erosion control measures in streams, wetlands or other waters of the United States. Authorization would be required from the U.S. Army Corps of Engineers prior to installing any erosion control measures in waters of the United States.

g. 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.

h. You shall notify the Corps, in writing, at least 10 days in advance of commencement of work authorized by this permit.

i. You shall 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 RGP 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.

A Corps' letter verifying that a project is authorized by RP1 is valid for a period of five years from the date of the verification letter, or until the expiration of RP1, whichever occurs first. Extensions shall not be issued for RP 1 authorized projects. If an authorized project is not completed prior to the expiration of RP 1, the permittee must submit a new application and receive a new verification letter from the Corps, under the terms and conditions of any subsequently re-issued RP 1.

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 U.S. Army Corps of Engineers bases its determination/ decision of authorization under the RGP is later found to be in error, this determination may be subject to modification, suspension, or revocation.

Copies of this letter are being provided to the following parties: Georgia Environmental Protection Division, Attention: Mr. Will Smith, Water Protection Branch, 2 Martin Luther King Jr Drive, Suite 1152, Atlanta, Georgia 30334; US Fish and Wildlife Services, Attention Ms. Carrie Straight, 105 West Park Drive, Suite D, Athens, Georgia 30606 and Arcadis U.S., Inc. Attention: Ms. Melissa Rottenberg, 2410 Paces Ferry Road, Suite 400, Atlanta, Georgia 30339

Thank you in advance for completing our on-line Customer Survey Form located at http://corpsmapu.usace.army.mil/cm_ape/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 Natalie Edwards, Project Manager, Piedmont Branch, at (678) 804-5228.

Sincerely,



Edward B. Johnson, Jr
Chief, Piedmont Branch

Enclosures

Regulatory Division

CERTIFICATION OF COMPLIANCE
WITH
DEPARTMENT OF THE ARMY
REGIONAL GENERAL PERMIT 1

PERMIT FILE NUMBER: SAS-2016-00315/P.I. 110600

PERMITTEE ADDRESS: Mr. Eric Duff, State Environmental Administrator, Georgia
Department of Transportation, 600 West Peachtree Street, NW 16th Floor, Atlanta,
Georgia 30308

LOCATION OF WORK: The project site is located at latitude 34.0464 and longitude
-84.0054, Gwinnett County, Georgia.

PROJECT DESCRIPTION: To construct express lanes northbound on Interstate 85
beginning at Old Peachtree Road and terminating north of Hamilton Mill

ACRES AND/OR LINEAR FEET OF WATERS OF THE US IMPACTED: to 0.31 acres
of wetland, 456.9 linear feet of permanent impact to perennial streams, 10.9 linear feet
of temporary impacts to perennial streams, 336.5 linear feet of permanent impacts to
intermittent streams, 61.7 linear feet of temporary impacts to intermittent streams, and
140 linear feet of ephemeral stream channels

DATE WORK IN WATERS OF US COMPLETED:

COMPENSATORY MITIGATION REQUIRED: 2.5 wetland credits and 2,780.30 stream
credits

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

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 Parts I and II of
Regional General Permit 1, issued on September 30, 2013, 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