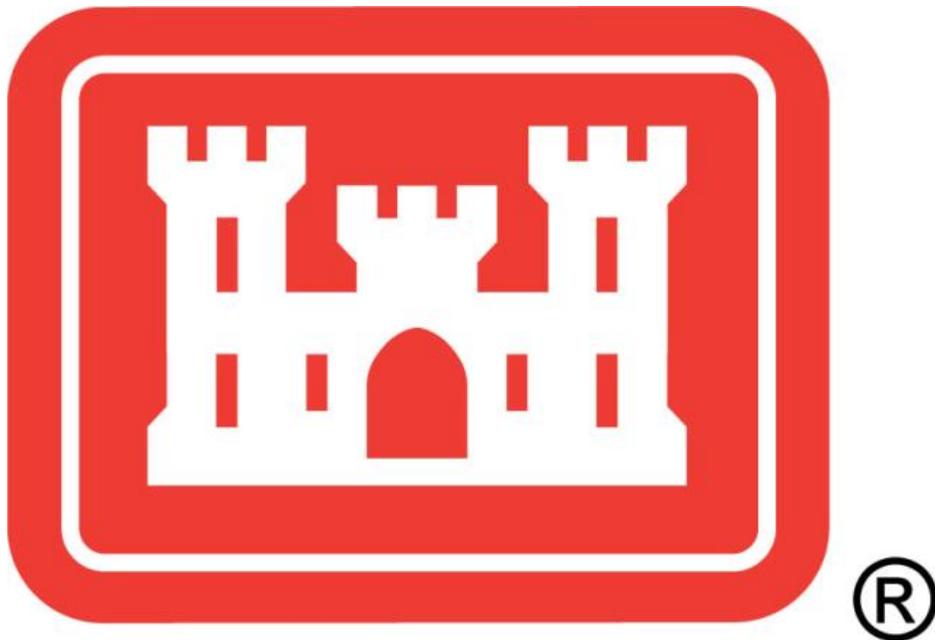


**DRAFT**

**ENVIRONMENTAL ASSESSMENT**

**PROPOSED TANYARD CREEK  
PARK LEASE  
TO CITY OF ACWORTH,  
GEORGIA**



## ENVIRONMENTAL ASSESSMENT

### PROPOSED TANYARD CREEK PARK LEASE TO CITY OF ACWORTH, GEORGIA

#### 1. INTRODUCTION:

a. General: This Environmental Assessment (EA) was prepared utilizing a systematic, interdisciplinary approach integrating the natural and social sciences and the design arts with planning and decision-making. The proposed action and its alternatives are evaluated in multiple contexts for short-term and long-term effects and for adverse and beneficial effects. This EA indicates the effects on the human environment that are well known and do not involve unique or unknown risks. It is not anticipated that this is a precedent-setting action, nor does it represent a decision in principle about any future consideration. This EA follows the standards set forth in the U.S. Army Corps of Engineers Regulation ER 200-2-2, "Procedures for Implementing NEPA."

b. Location: The proposed lease site is located on U.S. Army Corps of Engineers (Corps) land along Tanyard Creek upstream from Lake Allatoona. The lease site is approximately 38.13 acres and is adjacent to Tanyard Creek Park, extending from Highway 92 southeast to Cherokee Street along Tanyard Creek (Figure 1).

c. Proposed Action: The proposed action is the lease of land from the Corps to allow the City of Acworth, Georgia to continue to operate and maintain areas adjacent to Tanyard Creek Park, an existing recreational facility that currently includes the Amos Durr softball field, several outbuildings associated with the ball field, an unpaved parking area, and undeveloped wooded park areas for recreational use. The City of Acworth proposes to add the following amenities in the future: 1) a paved entrance drive and parking area in the location of the existing unpaved parking area and 2) construct an approximately 10-foot wide concrete multi-use trail through the undeveloped portions of the park (Figure 2).

d. Purpose and Need for the Proposed Action: The Corps owns the property that would be leased to the City of Acworth. The City of Acworth has operated and maintained Tanyard Creek Park and adjacent Corps property since 2004. The City has agreed to enter into a lease of the property. This would relieve the Corps of the need for day-to-day oversight and administration of these facilities. The park would provide recreational and educational opportunities for the public in a "natural" setting.

e. Authority: Title 16 of the United States Code (USC) Section 406(d) approved December 22, 1944, as amended, authorizes the Secretary of the Army to lease lands at Water Resources Development projects if those leases are in the best interest of the general public. Additionally, federal actions (i.e. leasing of land) require the preparation of

National Environmental Policy Act of 1969 (NEPA)<sup>1</sup> documentation in order to evaluate the potential environmental impacts of the proposed action.

## 2. ENVIRONMENTAL SETTING WITHOUT THE PROJECT:

### a. General Environmental Setting

(1) Environmental Documentation: There have been no previous environmental studies or documentation for the subject property that were made known to MACTEC Engineering and Consulting, Inc. (MACTEC) during the preparation of the EA. However, the project area is located within the Allatoona Lake study area that has been surveyed extensively for cultural resources as discussed in Section 2.b.(9) below. The *Allatoona Lake Master Plan Update* of August 1983 designated the proposed lease area as an area of intensive forest management, which is defined in the document as lands that can be used “for multiple purpose low density recreational use, and/or wildlife use, and for the maximum yield of timber or other forest products.”

(2) Location: The lease site is approximately 33 miles north-northwest of Atlanta, Georgia, within the City of Acworth in Cobb County. The park is located between Highway 92 and Cherokee Street along Tanyard Creek. Amos Durr softball field is accessed from a parking area on McLain Circle (Figure 1).

(3) Purpose: The park provides outdoor recreational and educational opportunities for the general public.

(4) Size: The park consists of approximately 38.13 acres and would contain approximately 2,000 linear feet of Tanyard Creek.

(5) Geographic Area: The site is located within the Piedmont Physiographic Province of Georgia, and is within the Coosa-Alabama River drainage which terminates in Mobile Bay. This drainage basin includes northwestern Georgia, and north and central Alabama.

### b. Significant Resource Description

(1) Setting: The proposed lease site consists of floodplain and uplands along Tanyard Creek (Figure 3). Slopes range from 0-3% in the lower lying areas along Tanyard Creek to 10-25% in upland areas. Elevations range from 850 to 880 feet above mean sea level.

Two sanitary sewer easements are located on the property, one on each side of Tanyard Creek. The sewer lines run parallel with Tanyard Creek.

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<sup>1</sup> (Pub. L. 91-190, 42 U.S.C. 4321-4347, January 1, 1970, as amended by Pub. L. 94-52, July 3, 1975, Pub. L. 94-83, August 9, 1975, and Pub. L. 97-258, §4(b), September 13, 1982).

(2) Geology and Soils: According to the U.S. Department of Agriculture Natural Resources Conservation Service soil survey, there are seven general soils mapped on the site (Figure 4):

AmC	Appling sandy loam is a well drained soil found in upland areas on ridges and sideslopes.
AmD	This soil has 6 to 15% slopes, medium to moderately rapid runoff, and is rated as only a slight erosion hazard. Appling soils are formed from weathered granite, gneiss, and schist.
Cah	Cartecay soils are somewhat poorly drained soils found along floodplains. This soil has 0 to 2% slopes, slow runoff, and is rated as only a slight erosion hazard. The soils are formed from alluvium. Cartecay soils may have inclusions of hydric soils.
Csw	Chewacla soils are somewhat poorly drained soils found along floodplains. This soil has 0 to 2% slopes, slow runoff, and is rated as only a slight erosion hazard. The soils are formed from alluvium. Runoff is slow with moderate permeability. Chewacla soils may have inclusions of hydric soils.
LkE	Louisa gravelly sandy loam is a somewhat excessively well drained soil found in upland areas on ridges and sideslopes. This soil has 10 to 25% slopes, moderately rapid runoff, and is rated as a slight erosion hazard. Louisa soils are formed from weathered mica schist, quartz mica schist, and gneiss.
LnE	Louisburg sandy loam is a well drained soil found in upland areas on ridges and sideslopes. This soil has 10 to 25% slopes, moderately rapid to rapid runoff, and is rated as a slight erosion hazard. Louisburg soils are formed from weathered granite and gneiss.
MDC3	Madison clay loam is a well drained soil found in upland areas. This soil has 6 to 10% slopes, moderately rapid runoff, and is rated as a severe erosion hazard. Madison soils are formed from weathered quartz mica schist, granite gneiss, and mica schist.
MsD3	Madison and Pacolet soils are well drained soils found in upland areas. These soils have 10 to 15% slopes, moderately rapid runoff, and are rated as only a slight erosion hazard. The Madison series is formed from weathered quartz mica schist, granite gneiss, and mica schist, and the Pacolet series is formed from weathered gneiss, mica schist, and granite.

(3) Erosion: The majority of the proposed lease area is within a wooded area with no existing erosion concerns. Most of the soils are moderately stable based on their erosion hazard given above. However, some of the soil types may present limitations to intensive use and care must be taken in design, location, construction, and maintenance of future amenities.

(4) Water Quality: Tanyard Creek and an unnamed intermittent tributary flow through the lease site. Tanyard Creek is designated as an impaired waterway on the Georgia Environmental Protection Division (GA EPD) 303(d) list because of fecal coliform levels that exceed GA EPD standards.

(5) Wetlands and Waters of the U.S.: The U.S. Department of the Interior National Wetlands Inventory map for the Acworth quadrangle indicated that palustrine forested wetlands may exist along the Tanyard Creek overbanks near Highway 92. A jurisdictional waters delineation was conducted in August, 2007. Tanyard Creek is a perennial stream, and an unnamed intermittent tributary drains to Tanyard Creek on the lease site near the eastern property boundary. Tanyard Creek varies in width from 10 to 15 feet on the lease site. The unnamed tributary is approximately 4 feet wide. The streams on the property are

also subject to State of Georgia streambank buffer requirements as regulated by GA EPD. One wetland area was delineated in the left overbank of Tanyard Creek near Highway 92. Wetland and stream areas are depicted on Figure 8.

(6) Fishery Resources: No known fish studies have been conducted in Tanyard Creek. Tanyard Creek is a perennial stream and provides suitable habitat for fish species within the subject area. The unnamed tributary that drains to Tanyard Creek is an intermittent stream and does not provide suitable habitat for fish. The Georgia DNR Natural Heritage Program has no records of protected fish species occurring in Tanyard Creek in the vicinity of the project.

(7) Wildlife Resources and Habitat: Habitat within the project area consists of single and multi-family residential, church properties, mixed hardwood forest, and maintained park activity areas and mowed lawns. Overstory species in the wooded areas along the property include loblolly pine (*Pinus taeda*), sweetgum (*Liquidambar styraciflua*), yellow poplar (*Liriodendron tulipifera*), sycamore (*Platanus occidentalis*), and water oak (*Quercus nigra*). Subcanopy and understory species include saplings of overstory species and black cherry (*Prunus serotina*), dogwood (*Cornus florida*), *Vaccinium* sp., and privet (*Ligustrum sinense*). Along Tanyard Creek, species also include red maple (*Acer rubrum*), river birch (*Betula nigra*), and boxelder (*Acer negundo*).

Numerous game and non-game species utilize the area. The structural diversity within the forested area (large overstory hardwood trees, many openings with shrubs, hardwood midstory, and Tanyard Creek) provides good habitat for a variety of birds, fish, mammals, and other animals.

(8) Protected Species: A total of 13 federally listed protected species possibly occur within Cobb and the surrounding Georgia counties of Bartow, Cherokee, Douglas, Fulton, and Paulding (Attachment 1). No federally listed species are known to occur within the proposed lease area. The Georgia DNR Natural Heritage Program has no records of protected species occurring in the immediate vicinity of the project. The United States Fish and Wildlife Service (USFWS) Critical Habitat Portal indicates that no critical habitat for threatened and endangered species occurs within the project area (USFWS Critical Habitat Portal, <http://criticalhabitat.fws.gov/>, accessed November, 2008).

Although there were no federal or state protected animal species observed within the project area, three protected fish species have habitat ranges within Cobb County: 1) Etowah darter (*Etheostoma etowahae*), federally listed as endangered; 2) Cherokee darter (*Etheostoma scottii*), federally listed as threatened; and 3) amber darter (*Percina antesella*), federally listed as endangered. Tanyard Creek can be characterized as a medium-sized warm-water creek with slow moving water and occasional shallow riffle habitats, which could provide suitable habitat for Cherokee darter. USFWS determined that a survey for the species was not necessary; coordination with USFWS regarding the Cherokee darter is described in Section 4.

Suitable habitat for two plant species, Michaux's sumac (*Rhus michauxii*) and white fringeless orchid (*Platanthera integrilabia*), was observed in the lease area during a protected species survey in August, 2007. However, neither species were observed during the protected species survey.

(9) Historic and Archeological Resources: The *Cultural Resources Survey of Allatoona Lake Area, Georgia, 1987*, by Southeastern Archeological Services, Inc. identified approximately 1,063 potentially significant historic and prehistoric sites on Corps property surrounding Allatoona Lake. Further, more detailed, investigations by Corps staff have determined that no significant archeological or historic sites are located within the proposed leased area. Two archeological sites are recorded within 0.5 mile of the proposed project (Figure 7 below).

Additionally, the National Register of Historic Places (NRHP) was reviewed to determine if any NRHP-listed properties were located within the proposed project area. There are four NRHP-listed properties located within 0.5 mile of the proposed project that would not be affected by this undertaking (Figure 7 and Table 1, below). The four historic resources and two archeological sites are described in Table 1 below.

(10) Recreation: The area is currently maintained by the City of Acworth as a recreational park. The park contains open greenspace, parking, and a community softball field.

(11) Forest: Within the project area, the floodplain area along to Tanyard Creek consists primarily of hardwood bottomland species such as river birch, boxelder, American sycamore, and sweetgum. Upland areas within the site consist of a hardwood–loblolly pine mixed forest.

(12) Prime and Unique Farmland: No prime farmland soil types were located within the project area. Two soils, Cartecay and Chewacla, are listed as farmland of statewide importance. None of the park area is currently used for agricultural purposes.

(13) Socioeconomic: The following community indicators are based on the most data from the U.S. Census Bureau website, factfinder.census.gov. The populations of the City of Acworth and Cobb County are 13,422 and 653,715 respectively. Cobb County had a 9.2% population growth from 2000-2005. In 2005 the per capita income for Cobb County was \$31,631 compared to \$23,982 for the State of Georgia. Per capita income for the City of Acworth in 1999 was \$21,956. The 2005 unemployment rate for Cobb County was 5.3% compared to 7.4% for the State of Georgia.

(14) Hazardous and Toxic Materials: The Corps and the City of Acworth have no records or other evidence indicating use or disposal of hazardous and toxic waste on this site.

(15) Floodplains: Most of the lease area is within the designated Federal Emergency Management Agency (FEMA) 100-year floodplain as shown on the Flood Insurance Rate

Map for the City of Acworth (8/18/1992, Figure 6). The project has been designed to have minimal impact on flood elevations along Tanyard Creek.

### 3. DESCRIPTION OF THE PROPOSED ACTION

The Corps would lease about 38.13 acres to the City of Acworth for use as a recreational park. Based on 16 USC 406(d), the Secretary of the Army is authorized to lease lands if those leases are in the best interest of the general public. Future development on the subject property would include conversion of an existing gravel parking area to a paved parking area, and construction of a multi-use pathway through the park. The new parking area would be constructed mostly on property owned by the City of Acworth, but a small portion of the parking area would need to be located on property leased from the Corps. The multi-use trails would consist of approximately 3,500 linear feet of 10-foot wide concrete trail and would be constructed mostly on Corps property.

### 4. ENVIRONMENTAL IMPACT OF THE PROPOSED ACTION

a. Biological and Physical Impacts: In general, minimal impacts are anticipated from use and maintenance of the existing park facilities, from the new parking area, and from new trails if constructed in the future. A potential direct, short-term, but minor impact of the project would consist of soil erosion during construction. However, erosion and sedimentation measures would be implemented prior to construction and maintained during construction to minimize erosion.

b. Land Use Changes: The existing land use consists of recreational access which would continue to be allowed under the proposed action; however, the proposed trail construction would result in increased pedestrian and bicycle traffic. The *Proposed Land Use Plan, Allatoona Lake Master Plan Update* of October 1984 designated the proposed lease area as an area of intensive forest management, which includes low density recreational use. A multi-use trail is consistent with the resource designation.

c. Historic and Archeological Resources: There are no historic or prehistoric sites located within the boundaries of the proposed project area that are eligible or potentially eligible for the National Register of Historic Places. Therefore, there would be no effect on cultural properties within the area of the proposed lease and resultant recreational activities. The coordination letter from the Georgia Historic Preservation Division is included as Attachment 6.

d. Protected Species: Georgia Department of Natural Resources (GDNR) records do not indicate any protected species occurrences in the project vicinity (Attachment 2). The Cherokee darter was the only protected animal species having suitable habitat within the proposed project boundaries. MACTEC was unable to locate any specific information regarding the presence or absence of this species in Tanyard Creek. USFWS determined that a survey for Cherokee darters and additional formal consultation would not be necessary since the plans incorporate USFWS recommendations to minimize impacts of increased impervious surface and road crossings on any potential occurrence of Cherokee

arters. The proposed project would not be detrimental to this species or its preferred habitat due to the limited amount of habitat degradation expected from construction. Protected plant species were not observed in the study area. Therefore, the proposed lease and resultant recreation uses would have no adverse effects on endangered or threatened species or their habitat. Attachment 3 documents conversations with USFWS and Attachment 4 contains the supporting documentation provided to USFWS.

e. Recreation: The proposed lease would allow current recreation activities to continue under the oversight and management of the City of Acworth. The lease would have no adverse effects on recreation.

f. Air Quality: The lease and resultant continuation of recreational activities at the site would have no adverse effects on air quality.

g. Water Quality: Proposed construction of a parking lot and multi-use trails could result in short-term and negligible increases in turbidity and sedimentation within the streams on the site; however, silt fence, grass seeding, and other erosion and sediment control measures as specified by the State of Georgia would be used to minimize erosion. Any multi-use trail bridge crossings would be established and designed to reduce impacts to waters. Nationwide Permit No. 42 would be used to permit the construction of bridges and boardwalks within wetland/stream areas. There would be no long-term degradation of water quality resulting from the proposed park. Rather, establishment of the park would protect the area from future development and the elimination of any detrimental and unauthorized use, thus resulting in a potential long-term enhancement to water quality in the area.

A Georgia streambank buffer variance application is required for the proposed project, as the proposed pedestrian bridges are located within the 25-foot streambank buffer. A letter from the City of Acworth confirming that a variance application is required for the project is included as Attachment 5. The variance application would be submitted upon finalization of construction plans.

h. Wetlands: Construction of the parking lot would not impact jurisdictional waters or wetland areas. Multi-use trails have been designed to avoid or minimize impacts to jurisdictional waters or wetlands (Figure 9). The trail would cross Tanyard Creek at two locations (pedestrian bridges #1 and #2) and would cross the unnamed intermittent stream at one location (pedestrian bridge # 3). The trail also crosses a wetland area near Hwy 92 (pedestrian bridge #5). Two additional pedestrian bridges (#4 and #6) will cross non-jurisdictional ditches. Total impacts to jurisdictional areas consist of 0.06 acres to open water and wetland areas, and approximately 94 linear feet of stream channel. Table 2 summarizes the proposed impacts to jurisdictional areas.

**Table 2 Proposed Impacts to Jurisdictional Waters**

Impact	Impact area (acres)	Type of impact	Stream impact (linear feet)
Pedestrian Bridge #1	0.017	Perennial stream	26

Pedestrian Bridge #2	0.021	Perennial stream	26
Pedestrian Bridge #3	0.010	Intermittent stream	26
Pedestrian Bridge #4	0.000	None (crosses non-jurisdictional ditch)	0
Pedestrian Bridge #5	0.012	Wetland and channel	16
Pedestrian Bridge #6	0.000	None (crosses non-jurisdictional ditch)	0
TOTAL	0.060		94

Pedestrian bridge # 1 and # 2 would be of a steel truss design with concrete decking. Pedestrian bridge # 3 would be a wood-construction, full span pedestrian bridge. Pedestrian bridge #5 would be a wooden boardwalk.

Bridge abutments would be pre-cast concrete. Construction limits for the installation of bridges and abutments shall be a maximum of 8' beyond the outside edges of the trail (total 26' wide). The bridge lengths are as follows: bridge #1: 29'; bridge #2: 36'; bridge #3: 17'-6"; bridge #5: 20'-3". All bridges are full span.

Erosion control measures would include double-row SD1-C erosion control fencing and stream bank stabilization. Stream bank stabilization shall be a bed of rip rap set along the bridge abutments at a maximum slope of 2:1 and tapering to the existing streambank slope within the construction limits of 8' outside the trail edge. Additional trail construction details can be found in Attachment 4.

Nationwide Permit No. 42 can authorize pedestrian bridge construction within these jurisdictional areas. A pre-construction notification (PCN) would be submitted to CESAS-RD to document proposed project impacts to waters under USACE jurisdiction. The PCN would be submitted upon finalization of construction plans. CESAS-RD must authorize impacts to jurisdictional wetlands and streams prior to any construction within these jurisdictional areas.

i. Noise Impacts: Construction and maintenance of the proposed parking area would use conventional construction equipment (bulldozers, dump trucks, and similar vehicles) and small motorized equipment. Construction and maintenance on the proposed multi-use trails would be performed using hand labor and small motorized equipment. These activities should cause only minor and temporary noise. Other park uses are generally non-motorized and relatively quiet.

j. Aesthetics: Currently, the park has a parking area, ball field, and undeveloped wooded areas for recreation (Figure 1). Additionally, two sanitary sewer lines and manholes are visible along each side of Tanyard Creek. Short-term construction would negatively affect aesthetics; however, construction of well-maintained trails would enhance aesthetic qualities within the park. The trail routes would be selected to provide users with an aesthetically appealing experience.

k. Prime and Unique Farmland: As indicated in section 2 b (12) there are no prime or unique farm lands in the project area. None of the project area is currently used for agricultural purposes. Therefore, this project should not require a prime farmland evaluation (USDA Form 1006) by the Natural Resources Conservation Service. Therefore, this category is considered “no effect.”

l. Socioeconomic: Under the proposed lease, recreational use would continue to benefit the citizens of the city of Acworth and others that use the park facilities. The leased area would continue to offer opportunities for outdoor exercise and improve the quality of life. Improved quality of life would ultimately facilitate the continued growth and prosperity that the city currently enjoys.

m. Environmental Justice and Protection of Children: Executive Order (EO) 12898 of February 11, 1994 requires addressing, as appropriate, disproportionately high and adverse human health or environmental effects of Federal action on minority and low-income populations. This proposed action would not adversely affect these populations. EO 13045 of April 21, 1997 requires, to the extent permitted by law and mission, identifying and assessing environmental health and safety risks to children posed by the proposed action. This proposed action would not adversely affect the health and safety of children.

n. Floodplains: Most of the lease area is within the designated FEMA 100-year floodplain as shown on the Flood Insurance Rate Map for the City of Acworth (8/18/1992, Figure 5). Per EO 11988 and Department of the Army Regulation No. 1165-2-26 regarding floodplain management, the project was designed to avoid and minimize floodplain impacts. A hydrology assessment of the Tanyard Creek floodplain was prepared in 2008, and based on the results of the assessment, the two pedestrian bridges over Tanyard Creek were redesigned to minimize the impacts to the 100-year flood. Because most of the existing park is located within the floodplain and is on both sides of Tanyard creek, there are no practicable alternatives to trail construction that would avoid use of floodplain areas. The slight changes (0.2 feet or less) in floodplain elevations are generally considered allowable by FEMA and will be permitted under state and local floodplain regulations.

## 5. IRREVERSIBLE OR IRRETRIEVABLE COMMITMENTS OF RESOURCES WHICH WOULD BE INVOLVED SHOULD THE PROPOSED ACTION BE IMPLEMENTED:

Any irreversible or irretrievable commitments of resources involved in the proposed action have been considered. No irreversible or irretrievable commitments of resources are anticipated at this time.

## 6. ADVERSE ENVIRONMENTAL IMPACTS WHICH CANNOT BE AVOIDED

A minor and short-term increase in stream turbidity is expected during construction. Proper sedimentation and erosion control efforts would occur during the park construction;

and any impacts (i.e., sedimentation or turbidity) to Tanyard Creek and surrounding areas are unavoidable and considered insignificant.

## 7. THE RELATIONSHIP BETWEEN SHORT-TERM USES OF MANS' ENVIRONMENT AND MAINTENANCE AND ENHANCEMENT OF LONG-TERM PRODUCTIVITY

The proposed lease would accommodate an on-going local short-term use of man's environment for recreational purposes. The short-term construction impacts (i.e., erosion and sedimentation) of the proposed project are anticipated to be mitigated by the long-term positive impacts upon water quality and the human environment (i.e., socioeconomics and recreation). No long-term negative or cumulative effects are anticipated as a result of continued use of the project area as a recreational park.

## 8. ALTERNATIVES TO THE RECOMMENDED PLAN, INCLUDING THE NO-ACTION ALTERNATIVE

a. “No Action Alternative”: If the leasing action cannot occur, the site must be closed and allowed to revert to its natural state. A popular recreation area would no longer be available for public recreational use. The major advantage to this alternative would be the lack of soil and vegetation disturbance along the proposed trail. The major disadvantages are: 1) the land would not be utilized for recreational and educational opportunities; 2) the area owned by the Corps would be subject to misuse, which potentially would continue to degrade wildlife habitat and water quality; and 3) there would be a loss of the potential enhancement of socioeconomic factors from increased tourism and an overall attractiveness of the area for business and residential development.

b. Minimum Development Alternative: The minimum development alternative considered would provide for foot trails only and would not provide a paved parking lot. Foot trails are three to five-foot-wide dirt trails that are not wide enough for two-way biking traffic; foot trails would provide access for walking and jogging. The concrete multi-use trail would be excluded as part of this alternative. The major advantage to this alternative would be reduced soil and vegetative disturbance along the proposed multi-use trail route. Additionally, the land could be utilized for limited recreational and educational opportunities. The major disadvantage would be that the park would not be handicapped accessible and would not provide biking (biking on the dirt foot trails would not be permitted due to safety concerns) or skating opportunities. Therefore, the potential enhancement of socioeconomic factors would be lessened because the park would not have as broad a range of appeal to some user groups such as the handicapped, bikers, and skaters. Also, long-term erosion along the dirt trails could contribute to the reduction of water quality in Tanyard Creek.

c. Other Trail Alternatives: Limited trail realignment alternatives exist because of the location of existing roads, vehicle parking and park amenities, existing sidewalks and pedestrian access points, and existing sanitary sewer facilities in the park. The proposed trail would tie to existing pedestrian park access points for ease of access. Slight shifts in

the trail location would not change the biological and physical impacts of the project, affect air, noise, or water quality, further minimize impacts to wetlands or floodplains, or change the aesthetics or recreational experience for potential park users.

## 9. CUMULATIVE IMPACTS

The Council on Environmental Quality (CEQ) defines cumulative effects as “the impact on the environment which results from the incremental impact of the action when added to other past, present, and reasonably foreseeable future actions regardless of what agency or person undertakes such other actions (40 CFR 1408.7).”

The primary impacts of the proposed improvements would include minor noise and short term water quality impacts, and an increase in the recreational use of the resource. The proposed lease area is surrounded by residential neighborhoods and is adjacent to two recreational parks. Foreseeable cumulative impacts to shared resources include an increase in recreational use of the adjacent recreational areas and sediment and noise impacts from proposed and any nearby future development in surrounding areas.

City and county land development regulations, USACE restrictions on the type of development on public lands, and sedimentation controls during development would likely minimize the cumulative environmental impacts of proposed and future developments on and around the proposed lease area.

## 10. COORDINATION

Coordination for the project includes the following attachments:

Attachment 2 documents coordination with GDNR Georgia Natural Heritage Program for federal and state protected species.

Attachments 3 and 4 document coordination with USFWS regarding potential occurrence of Cherokee darter.

Attachment 5 documents coordination with the City of Acworth regarding the necessity of a Georgia streambank buffer variance application.

Attachment 6 documents coordination with the Georgia Department of Natural Resources, Historic Preservation Division.

ATTACHMENTS:

- Figure 1: Location Map
- Figure 2: Conceptual Drawing
- Figure 3: USGS Topographic Map
- Figure 4: USDA – NRCS Soil Survey Map
- Figure 5: National Wetlands Inventory
- Figure 6: Floodplains
- Figure 7: Cultural Resources Map
- Figure 8: USACE Jurisdictional Areas
- Figure 9: Site Plan

Attachment 1: Federal Protected Animal and Plant Species Occurring within Cobb and the Surrounding Counties of Bartow, Cherokee, Douglas, Fulton, and Paulding Counties, Georgia

Attachment 2: GDNR Georgia Natural Heritage Program Letter

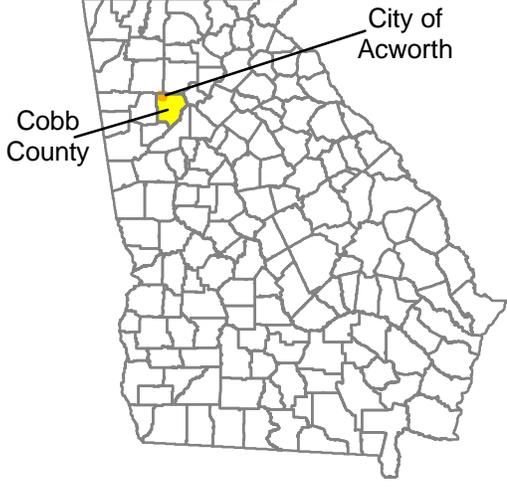
Attachment 3: USFWS e-mails from Robin Goodloe

Attachment 4: Supporting Information Submitted to USFWS Regarding Project Impacts

Attachment 5: Streambank Buffer Variance Letter from City of Acworth

Attachment 6: Letter from Georgia Department of Natural Resources, Historic Preservation Division

INSET



City of Acworth

Cobb County

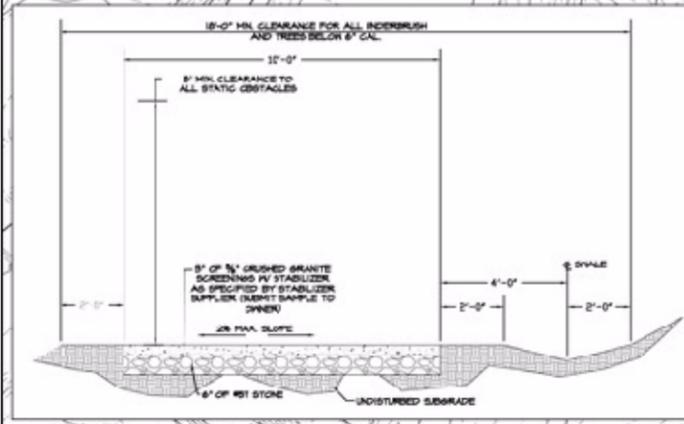


**Legend**

- Acworth Parcels
- USACE Property



Environmental Assessment Tanyard Creek Park Acworth, GA	
Location Map	
Prepared by-Date: THP-4/09/07 Checked by-Date: JAB-4/09/07 Project Number: 6129070001	
<b>Figure Number:</b> 1	



Environmental Assessment  
Tanyard Creek Park  
Acworth, GA

Conceptual Drawing

Prepared by-Date:  
THP-4/09/07

Checked by-Date:  
JAB-4/09/07

Project Number:  
6129070001

Figure Number:  
2

REV	DATE	BY	SUBAPP	DESCRIPTION

DESIGNED K. HUFFMAN	CITY OF ACWORTH COBB COUNTY, GEORGIA MACTEC Engineering and Consulting, Inc. 3200 TOWN POINT DRIVE, SUITE 100 KENNESAW, GEORGIA 30144 (770) 421-2400
DRN S. JEWELL	
CHECKED K. HUFFMAN	
IN CHARGE S. JOHNSON	
DATE 3-20-06	

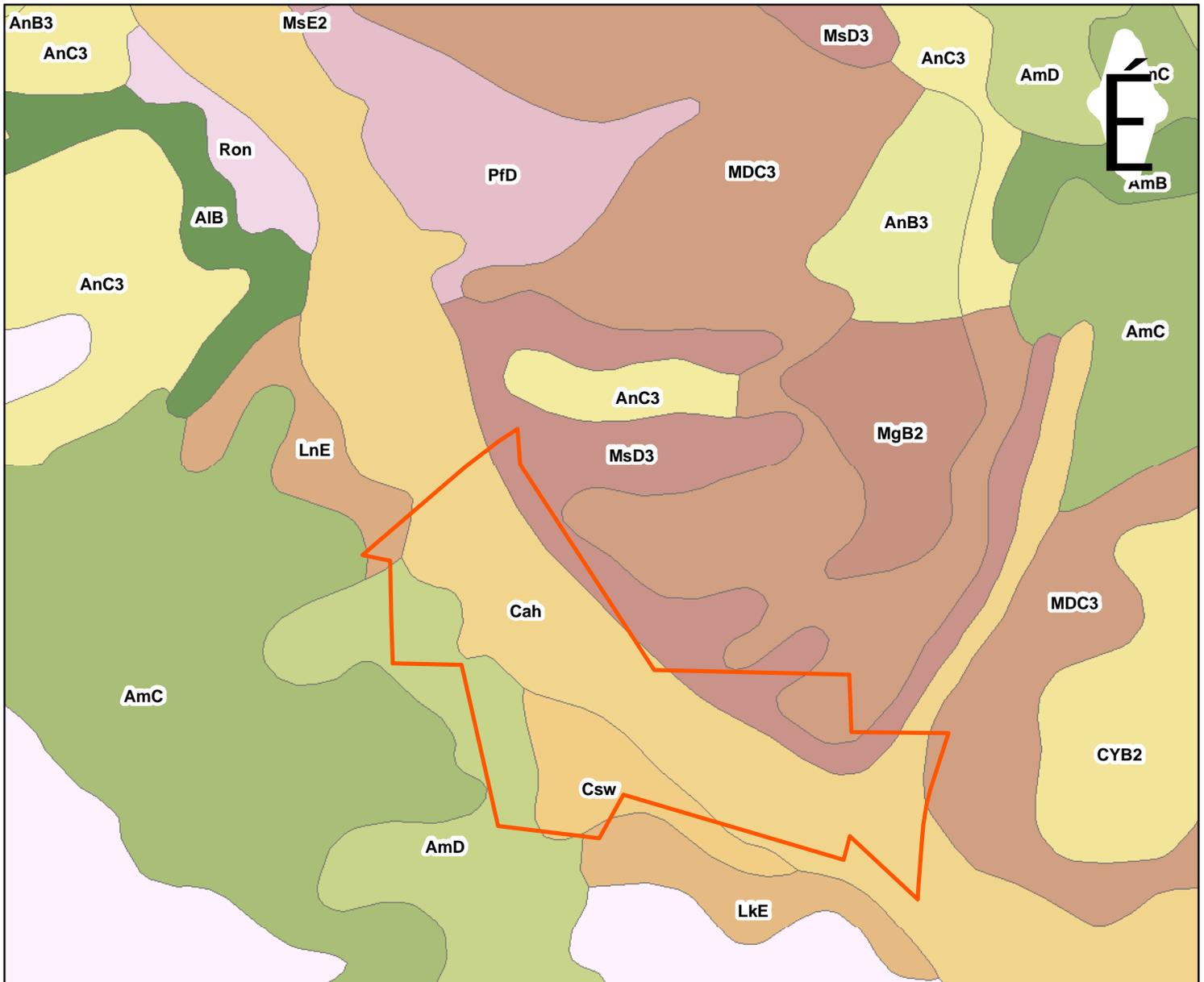
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**Legend**  
 — USACE Property

0 400 800 1,600  
 Feet

Environmental Assessment Tanyard Creek Park Acworth, GA	
<b>USGS Topographic Map</b>	
Prepared by-Date: THP-4/09/07	
Checked by-Date: JAB-4/09/07	
Project Number: 6129070001	
<b>Figure Number:</b> 3	

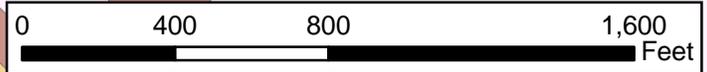


**Legend**

Acworth Parcels

**Soil Survey**

- AIB, Altavista sandy loam, 0 to 4 percent slopes
- AmB, Appling sandy loam, 2 to 6 percent slopes
- AmC, Appling sandy loam, 6 to 10 percent slopes
- AmD, Appling sandy loam, 10 to 15 percent slopes
- AnB3, Appling sandy clay loam, 2 to 6 percent slopes, severely eroded
- AnC3, Appling sandy clay loam, 6 to 10 percent slopes, severely eroded
- CYB2, Cecil sandy loam, 2 to 6 percent slopes, eroded
- CYC2, Cecil sandy loam, 6 to 10 percent slopes, eroded
- Cah, Cartecay soils
- Csw, Chewacla soils, wet variants
- LkE, Louisa gravelly sandy loam, 10 to 25 percent slopes
- LnE, Louisburg sandy loam, 10 to 25 percent slopes
- MDC3, Madison clay loam, 6 to 10 percent slopes, severely eroded
- MgB2, Madison sandy loam, 2 to 6 percent slopes, eroded
- MsD3, Madison and Pacolet soils, 10 to 15 percent slopes, severely eroded
- MsE2, Madison and Pacolet soils, 15 to 25 percent slopes, eroded
- PfD, Pacolet sandy loam, 10 to 15 percent slopes
- Ron, Roanoke silt loam
- UhC, Urban land-Madison complex, 2 to 10 percent slopes
- USACE Property



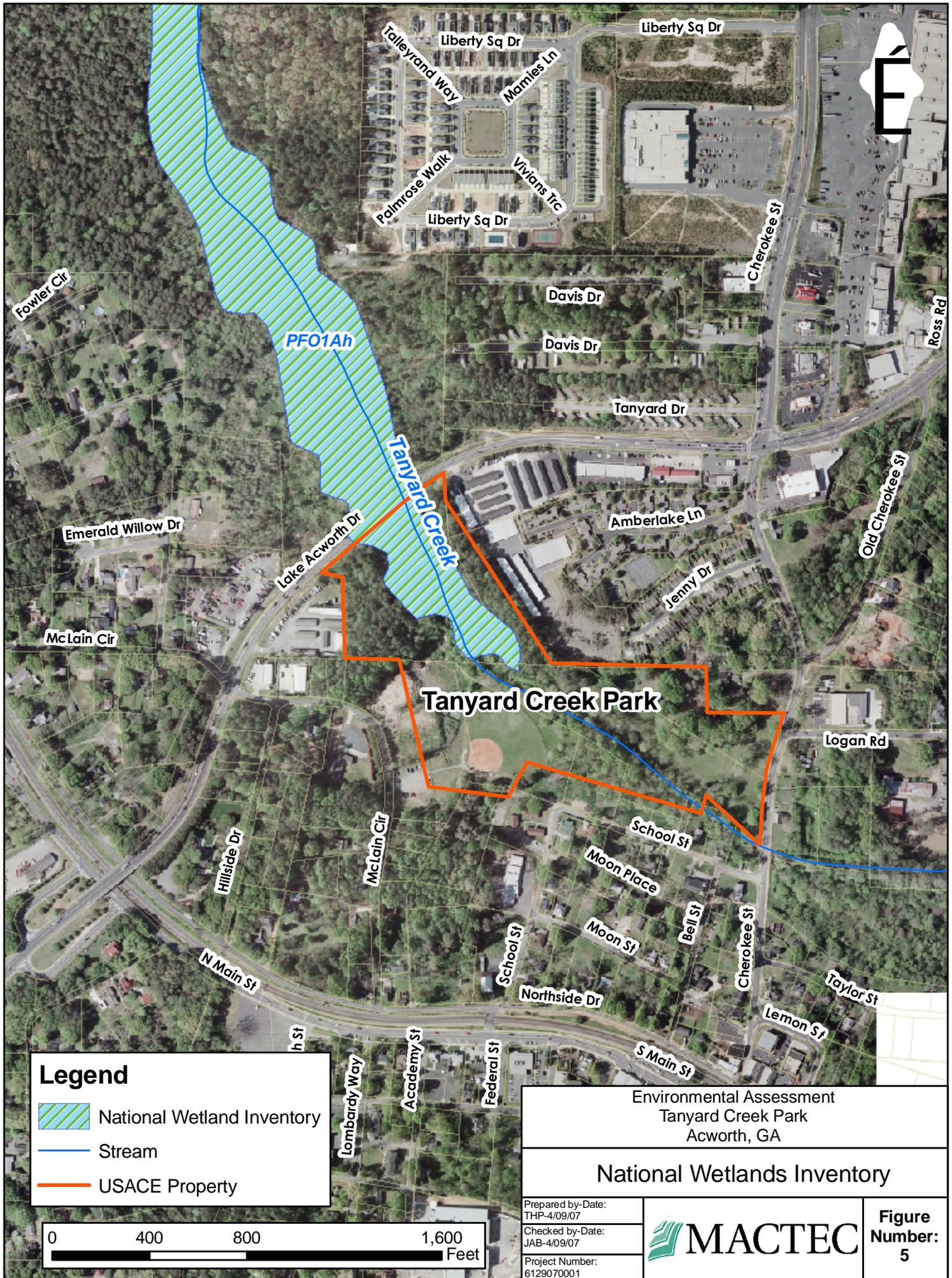
Environmental Assessment  
Tanyard Creek Park  
Acworth, GA

**USDA - NRCS Soil Survey Map**

Prepared by-Date:  
THP-4/09/07  
Checked by-Date:  
JAB-4/09/07  
Project Number:  
6129070001



**Figure Number:**  
**4**



**Legend**

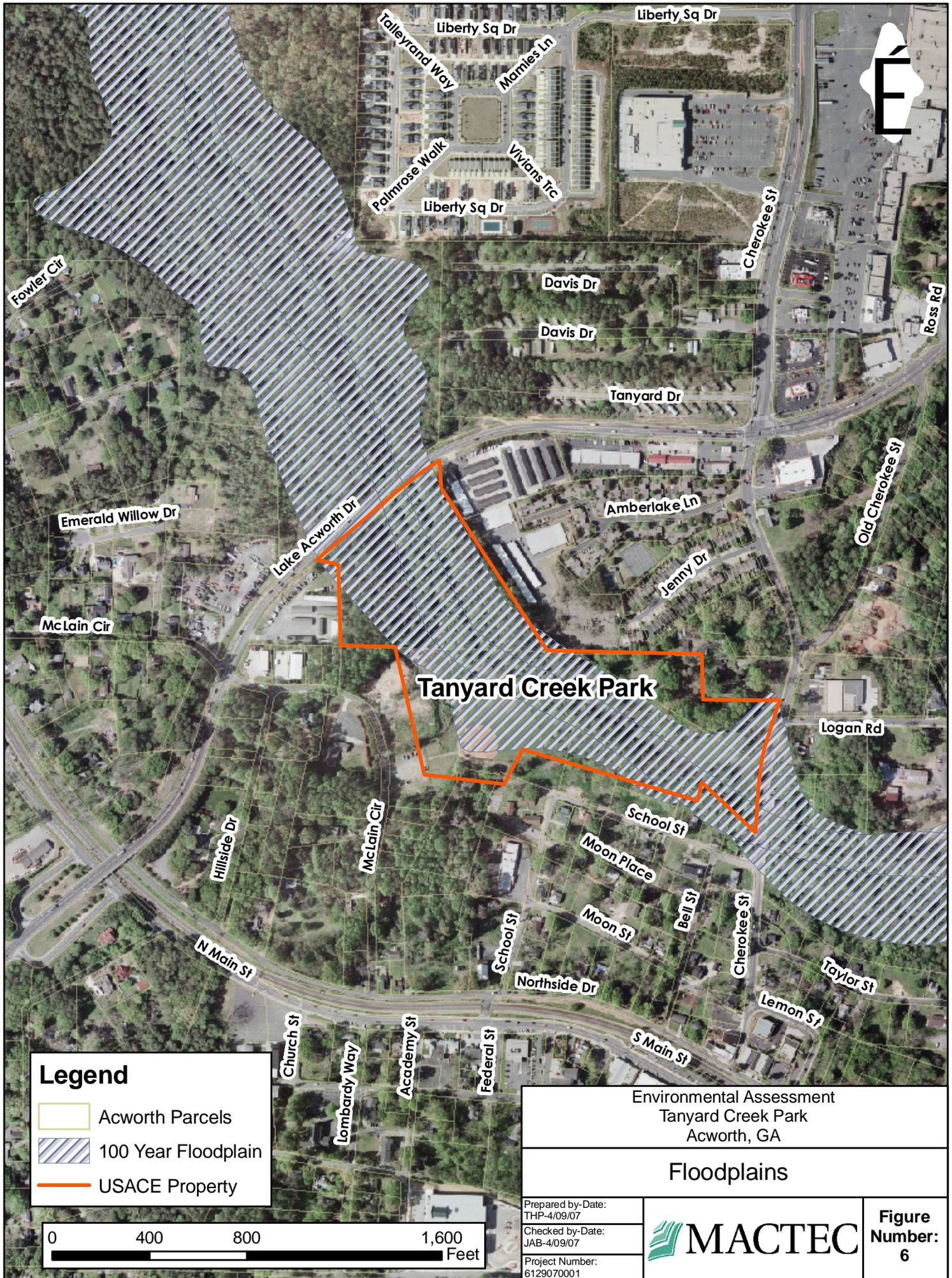
-  National Wetland Inventory
-  Stream
-  USACE Property



Environmental Assessment  
Tanyard Creek Park  
Acworth, GA

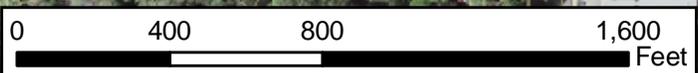
**National Wetlands Inventory**

Prepared by-Date: THP-4/09/07		<b>Figure Number:</b> 5
Checked by-Date: JAB-4/09/07		
Project Number: 612907001		



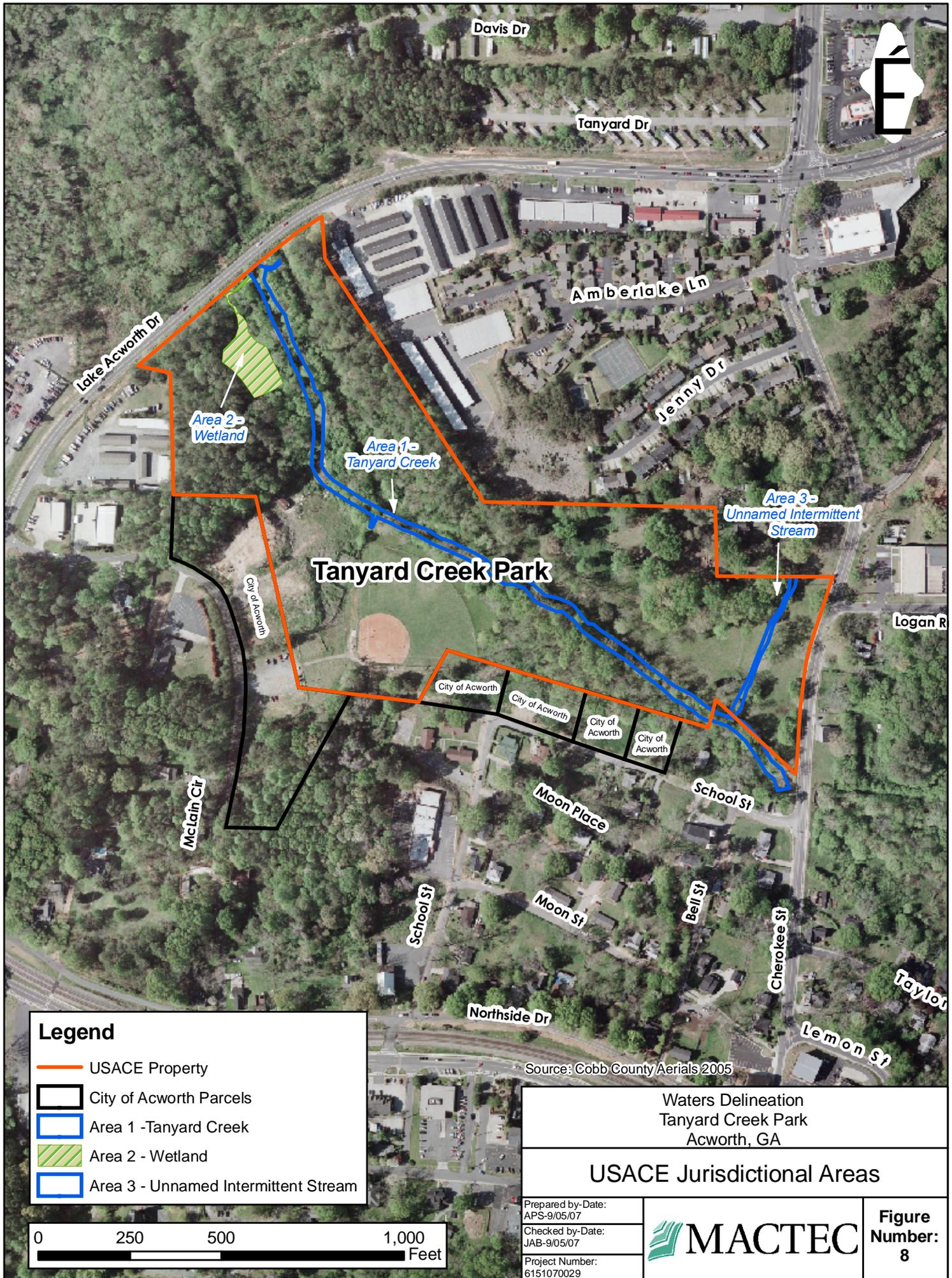
**Legend**

- Acworth Parcels
- 100 Year Floodplain
- USACE Property



Environmental Assessment Tanyard Creek Park Acworth, GA	
Floodplains	
Prepared by-Date: THP-4/09/07	
Checked by-Date: JAB-4/09/07	
Project Number: 6129070001	
Figure Number: 6	

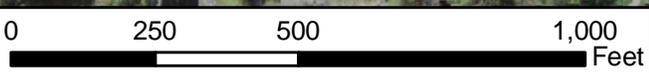




Map Document: (P:\gis\Projects\2007\tanyard\_park\wetland\_delineation\USACE.mxd)  
6/17/2008 -- 9:51:45 AM

**Legend**

-  USACE Property
-  City of Acworth Parcels
-  Area 1 - Tanyard Creek
-  Area 2 - Wetland
-  Area 3 - Unnamed Intermittent Stream



Source: Cobb County Aerials 2005

Waters Delineation Tanyard Creek Park Acworth, GA		
<b>USACE Jurisdictional Areas</b>		
Prepared by-Date: APS-9/05/07		
Checked by-Date: JAB-9/05/07		
Project Number: 6151070029		
		<b>Figure Number: 8</b>



PROJECT:  
**TANYARD CREEK TRAIL**

MACTEC PROJECT No.  
 6161-07-0028

**MACTEC**  
 MACTEC ENGINEERING AND CONSULTING, INC.  
 3800 TOWN POINT DRIVE NW,  
 SUITE 100  
 KENNESAW, GA 30144  
 TEL: (770) 428-3400

NO.	DATE	BY	APPROVED

SEAL

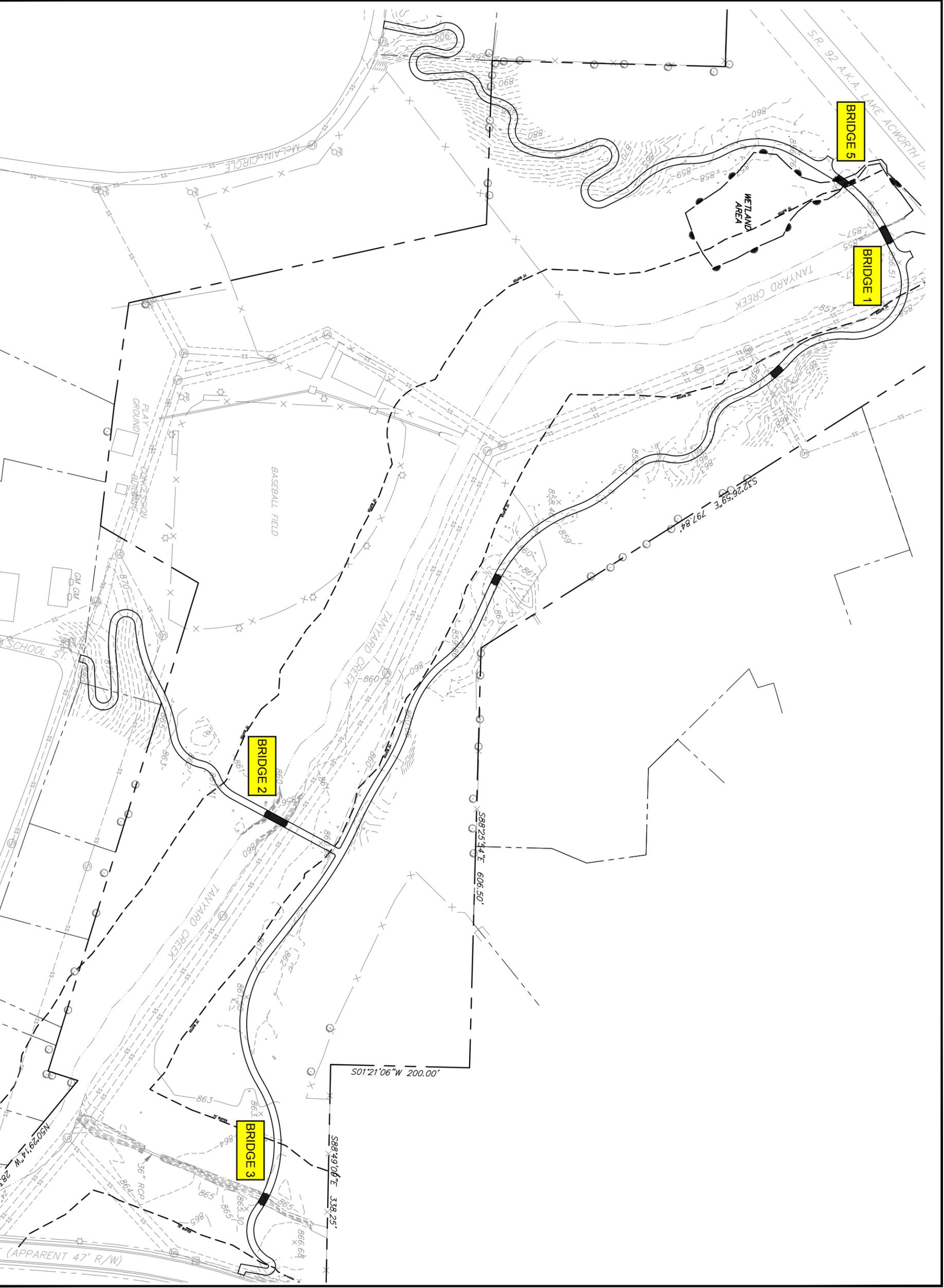
NOT VALID WITHOUT SIGNATURE AND DATE

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DESIGNED BY: MFD  
 DRAWN BY: MFD  
 CHECKED BY: JTH  
 APPROVED BY: RRH  
 DATE: 08/05/2008

SHEET TITLE:  
**SITE PLAN**

SHEET NUMBER: REV. •  
**FIGURE 9**



June 22, 2009

Attachment 1: Federal Protected Animal and Plant Species Occurring within Cobb and the Surrounding Counties of Bartow, Cherokee, Douglas, Fulton, and Paulding Counties, Georgia

**Attachment 1: Federal Protected Animal and Plant Species Occurring within Cobb and the Surrounding Counties of Bartow, Cherokee, Douglas, Fulton, and Paulding Counties, Georgia**

Species Name (Scientific Name)	County	Federal Status*	State Status**	Preferred Habitat	Habitat Available in Project Area
<b>BIRDS</b>					
Bald Eagle ( <i>Haliaeetus leucocephalus</i> )	All	T	E	Associated with coasts, rivers and lakes, usually nesting near bodies of water	No
<b>FISHES</b>					
Etowah darter ( <i>Etheostoma etowahae</i> )	Ba, Ch	E	E	Shallow riffle habitat, with large gravel, cobble, and small boulder substrates. Usually found in medium and large cool water creeks or small rivers (15-30 m wide) with moderate or high gradients and rocky bottoms.	No
Cherokee darter ( <i>Etheostoma scotti</i> )	Ba, Ch, Co, Fu, Pa	T	T	Shallow water (0.1-0.5 m) in small to medium warm water creeks (1-15 m wide) with predominantly rocky bottoms. Usually found in sections with reduced current, typically runs above and below riffles and at ecotones of riffles and backwaters.	Yes
Amber darter ( <i>Percina antesella</i> )	Ch	E	E	Gentle riffle areas over sand and gravel substrate that becomes vegetated (primarily with <i>Podostemum</i> ) during summer	No
<b>INVERTEBRATES</b>					
Cylindrical lioplax ( <i>Lioplax cyclostomaformis</i> )	Ba	E	NSS	Gill-breathing snail that lives in mud under large rocks in rapid currents over stream and river shoals. Historic population in Armuchee Creek, Floyd County, probably extirpated.	No
Gulf Moccasinshell Mussel ( <i>Medionidus penicillatus</i> )	Fu	E	E	Medium streams to large rivers with slight to moderate current over sand and gravel substrates; may be associated with muddy sand substrates around tree roots	No
Shiny-rayed pocketbook mussel ( <i>Lampsilis subangulata</i> )	Fu	E	E	Medium creeks to the mainstems of rivers with slow to moderate currents over sandy substrates and associated with rock or clay	No
<b>MAMMALS</b>					
Gray bat ( <i>Myotis grisescens</i> )	Ba	E	E	Colonies restricted to caves or cave-like habitats; forage primarily over water along rivers or lake shores	No

**Attachment 1, continued: Federal Protected Animal and Plant Species Occurring within Cobb and the Surrounding Counties of Bartow, Cherokee, Douglas, Fulton, and Paulding Counties, Georgia**

Species Name (Scientific Name)	County	Federal Status*	State Status**	Preferred Habitat	Habitat Available in Project Area
<b>PLANTS</b>					
Tennessee yellow-eyed grass ( <i>Xyris tennesseensis</i> )	Ba	E	E	Gravelly open, calcareous, seepy margins and wet meadows along spring-fed headwater streams	No
Georgia aster ( <i>Aster georgianus</i> )	Co, Pa	CS	T	Post oak savannah/prairie communities. Most remaining populations survive adjacent to roads, utility rights of way, and other openings.	No
Michaux's sumac ( <i>Rhus michauxii</i> )	Co	E	E	Sandy or rocky open woods, usually on ridges with a disturbance history (periodic fire, prior agricultural use, maintained right-of-ways); the known population of this species in Cobb County has been extirpated (last seen in county in 1900)	Yes
White fringeless orchid ( <i>Platanthera integrilabia</i> )	Co	CS	T	Red maple-blackgum swamps; also sandy damp stream margins; on seepy, rocky, thinly vegetated slopes. Also known as Monkey-face Orchid.	Yes
Pool sprite, snorkelwort ( <i>Amphianthus pusillus</i> )	Do	T	T	Shallow pools on granite outcrops, where water collects after rain; pools are less than 1-foot deep and rock rimmed	No

Source: [http://www.fws.gov/athens/endangered/counties\\_endangered.html](http://www.fws.gov/athens/endangered/counties_endangered.html) (April 5, 2007)

Listed by the U.S. Fish and Wildlife Service, Region 4, and the Georgia Department of Natural Resources.

Prepared/Date: JAB 4/5/07

Checked/Date: MSM 4/10/07

County	Federal Status*	State Status**
Ba - Bartow	E = Endangered	E = Endangered
Co - Cobb	T = Threatened	T = Threatened
Ch - Cherokee	CS = Candidate Species	U = Unusual
Do - Douglas	NFS = No Federal Status	R = Rare
Fu - Fulton		NSS= No State Status
Pa - Paulding		

June 22, 2009

Attachment 2: GDNR Georgia Natural Heritage Program Letter

Georgia Department of Natural Resources  
Wildlife Resources Division

Nongame Conservation Section  
2065 U.S. Highway 278, S.E., Social Circle, Georgia 30025-4743  
(770) 918 6411

Received 5/21/07

May 9, 2007

Jonathan Bourdeau  
Senior Scientist  
Mactec Engineering and Consulting, Inc.  
3200 Town Point Dr. NW  
Suite 100  
Kennesaw, GA 30144

**Subject: Known Occurrences of Conservation Areas and Special Concern Animals and Plants On or Near Tanyard Creek Park; MACTEC Project #6129-07-0001.01, Cobb County, Georgia**

Dear Mr. Bourdeau:

This is in response to your request of April 9, 2006 (Received April 24, 2007). According to our records, within a three-mile radius of the project site there are the following Natural Heritage Database occurrences:

- US *Etheostoma scotti* (Cherokee Darter) in an Unnamed Tributary to Allatoona Reservoir
- US *Etheostoma scotti* (Cherokee Darter) in Butler Creek
- US *Etheostoma scotti* (Cherokee Darter) in Allatoona Creek and Tributaries
- US *Etheostoma scotti* (Cherokee Darter) approx. 1.5 mi. SE of site in Proctor Creek
- US *Etheostoma scotti* (Cherokee Darter) approx. 2.0 mi. N of site in Clark Creek
- US *Etheostoma scotti* (Cherokee Darter) approx. 2.0 mi. NE of site in Clark Creek
- US *Etheostoma scotti* (Cherokee Darter) approx. 2.0 mi. SE of site in Proctor Creek
- US *Etheostoma scotti* (Cherokee Darter) approx. 1.5 mi. SE of site in Proctor Creek
- US *Etheostoma scotti* (Cherokee Darter) approx. 2.5 mi. E of site in Clark Creek
- US *Etheostoma scotti* (Cherokee Darter) approx. 2.5 mi. S of site in Butler Creek
- US *Etheostoma scotti* (Cherokee Darter) approx. 3.0 mi. E of site in Clark Creek
- Hemidactylum scutatum* (Four-toed Salamander) approx. 3.0 mi. SW of site in Allatoona Creek
- Greenspace [Cobb County] approx. 0.5 mi. E of site

\* Entries above preceded by "US" indicates species with federal status (Protected, Candidate or Partial Status). Species that are federally protected in Georgia are also state protected; "GA" indicates Georgia protected species.

**Recommendations:**

We have no records of species of concern within the project boundary. We are glad to see protection of Greenspace in Cobb County. Please use best management practices during any construction and maintenance activities and there should be minimal impact on the surrounding

environment. Also, please be aware a federally listed species, *Etheostoma scotti* (Cherokee Darter) is within three miles of the site. Section 9 of the Endangered Species Act states that taking or harming of a listed species is prohibited. We recommend if any projects are proposed please consult with Robin Goodloe of the United States Fish and Wildlife Service before any work is begun (706-613-9493, ext.221 or Robin\_Goodloe@fws.gov).

### **New Data Available on the Nongame Conservation Section Website**

We have recently updated the Nongame Conservation Section Website!!! You can view the updated rare species and natural community information by Quarter Quad, County and HUC8 Watershed. To access this information, please visit our GA Rare Species and Natural Community Information page at:

<http://georgiawildlife.dnr.state.ga.us/content/displaycontent.asp?txtDocument=89>

An updated ESRI shape file of our rare species and natural community data by quarter quad and county is also available. It can be downloaded from:

<http://georgiawildlife.dnr.state.ga.us/assets/documents/gnhp/gnhpds.zip>

### **Disclaimer:**

Please keep in mind the limitations of our database. The data collected by the Nongame Conservation Section comes from a variety of sources, including museum and herbarium records, literature, and reports from individuals and organizations, as well as field surveys by our staff biologists. In most cases the information is not the result of a recent on-site survey by our staff. Many areas of Georgia have never been surveyed thoroughly. Therefore, the Nongame Conservation Section can only occasionally provide definitive information on the presence or absence of rare species on a given site. Our files are updated constantly as new information is received. **Thus, information provided by our program represents the existing data in our files at the time of the request and should not be considered a final statement on the species or area under consideration.**

If you know of populations of special concern species that are not in our database, please fill out the appropriate data collection form and send it to our office. Forms can be obtained through our web site (<http://www.georgiawildlife.com>) or by contacting our office. If I can be of further assistance, please let me know.

Sincerely,



Katrina Morris  
Environmental Review Coordinator

June 22, 2009

Attachment 3: USFWS e-mails from Robin Goodloe

## Bourdeau, Jonathan

---

**From:** Robin\_Goodloe@fws.gov  
**Sent:** Friday, November 21, 2008 9:17 AM  
**To:** Bourdeau, Jonathan  
**Subject:** RE: Tanyard Creek Park  
**Attachments:** 2008-1113 response to USFWS.pdf

Hi Jonathan,

I don't think a survey's necessary, since the plans incorporate all of FWS' recommendations to minimize impacts of increased impervious surface and road crossings on Cherokee darters. The Corps will coordinate with our office, when we'll review the final stormwater and bridge plans, and our office hydrologist, Eric Prowell, may suggest one or two tweaks, but, given the information in the attachment, we shouldn't have major concerns or require formal consultation,

Thanks to you and the City of Acworth for designing this so well,

Robin

"Bourdeau, Jonathan" <JBOURDEAU@mactec.com>

To <Robin\_Goodloe@fws.gov>

cc

Subject RE: Tanyard Creek Park

11/21/2008 08:25 AM

Good morning:

Attached is an e-mail you sent to us over a year ago for the proposed Tanyard Creek Park Trail project in Acworth, Georgia. The project has been on the back burner for a while, but we are now in the process of completing an environmental assessment (EA) for the project as it occurs on federally-owned land.

The Corps of Engineers, in their review of the draft EA, wanted us to confirm whether or not a Cherokee darter survey is required for the project. We've provided some additional information that hopefully will answer your questions in the attached PDF file. We need your opinion on whether a survey is required. Feel free to call or e-mail me if you need any additional information.

Jonathan Bourdeau | Senior Scientist | Natural Resources  
MACTEC Engineering and Consulting, Inc.  
3200 Town Point Drive NW, Ste. 100 | Kennesaw, GA 30144  
Office (770) 421-3361 | Fax (770) 421-3486  
Email jbourdeau@mactec.com | Web www.mactec.com

11/23/2008

-----Original Message-----

From: Robin\_Goodloe@fws.gov [mailto:Robin\_Goodloe@fws.gov]  
Sent: Wednesday, August 08, 2007 5:48 PM  
To: McClain, Mark  
Cc: Bourdeau, Jonathan  
Subject: Re: Tanyard Creek Park

Hi Mark,

I'm not sure if Tanyard Creek has Cherokee darters -- we have no survey data from anywhere in the basin -- but all the surrounding basins support this threatened fish, so I'm guessing it's in Tanyard too. I don't think the pedestrian bridges will be a problem, if they completely span the creek and any floodplain. I think the main things to address with the park would be:

- trail material -- do you know if the trail will be impervious surface,
- and if so, how stormwater will be managed?
- other impervious surfaces and stormwater management
- riparian buffer protection -- how far from the creek bank the trail will be located and what measures will be put in place to protect the existing riparian buffer.
- measures to be implemented to prevent 4-wheelers from accessing the creek.

Hope this helps,

Robin

June 22, 2009

Attachment 4: Supporting Information Submitted to USFWS Regarding Project Impacts

## **OVERVIEW**

Tanyard Creek Trail is funded under a Community Development Block Grant (CDBG) to provide an accessible pedestrian/bicycle link to city, county and federal parks within the city limits of Acworth, Georgia. The trail site lies within a suburban residential area immediately adjacent to downtown Acworth. Utilizing both City and Corps of Engineers property, Tanyard Creek Trail provides connectivity to Logan Farm Park and Amos Durr Park. Future trail phases will link downtown Acworth to 12 existing parks in the Acworth area.

Trail material for Tanyard Creek Trail is a 10-foot-wide concrete trail, as required under CDBG standards. The trail crosses Tanyard Creek at two points. Both creek-crossings utilize prefabricated bridges that fully span Tanyard Creek. Four small, wooden bridges are included in the trail design to span wetland areas and existing swales that limit accessibility. Beginning at the intersection of Logan Farm Rd. and Cherokee St., the trail meanders through shaded park areas to Amos Durr Park via a pedestrian bridge over Tanyard Creek. The trail also parallels Tanyard Creek for approximately 0.4 miles to a second pedestrian bridge. Crossing Tanyard Creek, the trail continues through scenic woodlands and terminates at McCain Circle. Construction is limited to the trail only; no additional facilities (parking, pavilions, etc.) are proposed. The total trail length is approximately 0.7 miles. The total disturbed area for the trail construction is 1.83 acres.

The Etowah Habitat Conservation Plan (HCP), developed by communities that lie within the Etowah River watershed, establishes a set of ordinances to ensure that all development has minimal impact to protected aquatic species. The HCP established three Priority Areas within the Etowah Basin based on sensitivity of protected species. Priority Area 1 contains the most sensitive species and defines the most restrictive standards. Priority Area 2 supports less sensitive species and defines a less restrictive standard. Priority Zone 3 areas are identified in the HCP as 'parts of the Upper Etowah that do not currently provide significant habitat to any imperiled fish'. The Tanyard Creek Trail site lies within an area defined as Priority 3 according to the Etowah Aquatic Habitat Conservation Plan.

## **STORMWATER MANAGEMENT**

The trail site is 26 acres of green space that lies within the city limits of Acworth. The majority of the site's vegetation is covered with mature mixed hardwoods. Open play areas of maintained grass with intermittent large canopy trees occupy approximately 8 acres of the site. The total impervious surface area of the trail is 38,750 sf. However, this impervious surface occurs as a 10' wide band that lies perpendicular to existing sheet flow of stormwater heading toward Tanyard Creek. Tanyard Creek Trail has been designed to facilitate stormwater such that no concentrated flow occurs as a result of trail construction. Excluding two perpendicular creek-crossings, the trail is outside of the 75-foot Stream Buffer. Because no motorized vehicles are allowed on the trail, concerns regarding the washoff of pollutants such as grease, oil and brake-pad dust (i.e. zinc) are not applicable to this project.

## **RIPARIAN BUFFER PROTECTION**

The City of Acworth has imposed a 75-foot buffer along each side of Tanyard Creek. Tanyard Creek Trail penetrates the riparian buffer at two points with perpendicular crossings (see illustration). Otherwise, no impact to the riparian buffer is proposed. Erosion control practices utilized during construction include: Type 'C' silt fence (double row fencing within buffer and in locations where trail is within 20' of buffer), disturbed area stabilization with mulching, temporary seeding and permanent vegetation, matting and blankets on fill slopes, haybale check-dams at base of fill slopes, and streambank stabilization with permanent vegetation. Additionally, a re-vegetation plan is included with the construction documents. 116 tree specimens are to be planted, at 2-inch caliper size, within the disturbed area created by the construction of the trail. Species include Red Maple, Redbud, Dogwood, Green Ash, Magnolia, Black Gum, Sourwood, Virginia Pine, White Oak, Scarlet Oak.

## **ACCESSIBILITY**

Developed under CDBG standards, Tanyard Creek Trail will provide pedestrian connectivity in accordance with accessibility standards defined under the American Disability Act. Removable bollards are to be installed at the ends all bridges to prohibit motorized vehicular access.





Photo #1 – Trailhead at Cherokee Street



Photo #2 – View across open play area



Photo #3 – View toward open play area



Photo #4 – View of proposed bridge crossing location



Photo #5 – Adjacent residential lot



Photo #6 – Tanyard Creek at proposed creek-crossing



Photo #7 – Bottomland hardwood area



Photo #8 – View of existing ball field from School Street trail head



Photo #9 – View across proposed trail location toward adjacent homes



Photo #10 – Tanyard Creek



Photo #11 – Upland hardwoods

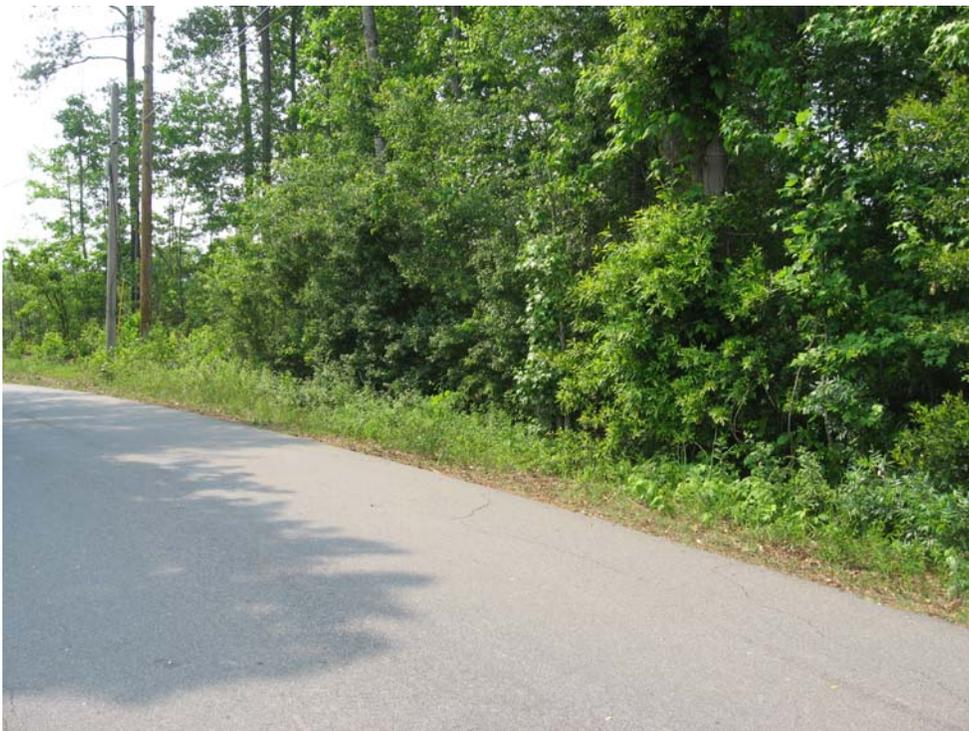


Photo #12 – Trail head location at McLain Circle

June 22, 2009

Attachment 5: Streambank Buffer Variance Letter from City of Acworth

Tommy Allegood, Mayor

Board of Aldermen:

Tim Houston  
Albert L. Price  
Gene Pugliese  
Tim Richardson  
Bob Weatherford



Brian M. Bulthuis, City Manager  
Douglas R. Haynie, City Attorney  
Regina R. Russell, City Clerk  
4415 Senator Russell Avenue  
Acworth, Georgia 30101

(770) 974-3112  
Fax (770) 917-0590  
www.acworth.org

Georgia Department of Natural Resources  
Environmental Protection Division  
Watershed Protection Branch  
Non-Point Source Program  
4220 International Parkway, Suite 101  
Atlanta, GA 30354

11 Nov. 2008

Re: Tanyard Creek Trail, City of Acworth

To Whom It May Concern,

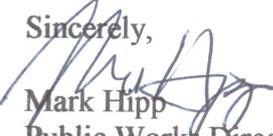
This letter is in reference to a state waters determination and related stream buffers as per Chapter 391-3-7.05(2) (f) of the Erosion and Sedimentation Act of 1975 as amended, O.C.G.A. 12-7-6(b) (15). Specifically, determination is for a proposed pedestrian trail, stream crossing and stream buffer encroachment(s) along Tanyard Creek. Anticipated work will be on leased Corps of Engineer property, all within the confines of the City of Acworth, Ga.

As a local issuing authority, the site was inspected and state waters were found to be present. Based on review of planned future construction and current state law, a twenty five foot (25') stream buffer variance from Georgia EPD will be required, as per 391-37.05(3) (f) of Erosion and Sedimentation Act of 1975. Application for variance/permit will be requested prior to any construction. The City's additional fifty foot (50') stream buffer, per City ordinance will be waived to allow for construction of the trail.

The City will award the construction contract, monitor all construction activities and inspect and enforce all soil erosion BMP's. Reviewed proposed construction plans show adequate BMP's to minimize any impacts to the creek. Currently there is no firm schedule for construction.

If you have any questions, please contact the undersigned at 770 975-0679.

Sincerely,

  
Mark Hipp  
Public Works Director  
City of Acworth

Copy to:  
Acworth Parks and Recreation  
Mactec Engineering

June 22, 2009

Attachment 6: Letter from Georgia Department of Natural Resources, Historic  
Preservation Division

# Georgia Department of Natural Resources

## Historic Preservation Division

Noel Holcomb, Commissioner

W. Ray Luce, Division Director and Deputy State Historic Preservation Officer  
34 Peachtree Street NW, Suite 1600, Atlanta, Georgia 30303-2316  
Telephone (404) 656-2840 Fax (404) 657-1040 <http://www.gashpo.org>

### MEMORANDUM

TO: Jon T. Hart, ASLA  
Senior Landscape Architect  
MACTEC Engineering and Consulting, Inc.  
3200 Town Point Drive, NW  
Kennesaw, Georgia 30144

FROM: Elizabeth Shirk *ecs*  
Environmental Review Coordinator  
Historic Preservation Division

RE: Finding of "No Historic Properties Affected"

PROJECT: Lease Land to City of Acworth for park, Tanyard Creek Park  
**HP-090112-003**

COUNTY: Cobb County, Georgia

DATE: February 10, 2009

The Historic Preservation Division has reviewed the additional information received concerning the above-mentioned project. Our comments are offered to assist the U.S. Army Corps of Engineers and its applicants in complying with the provisions of Section 106 of the National Historic Preservation Act of 1966, as amended (NHPA).

Based on the information submitted, HPD concurs that no archaeological resources or historic structures that are listed in or eligible for listing in the National Register of Historic Places (NRHP) will be affected by this undertaking, as defined in 36 CFR Part 800.4(d)(1) due to the nature of the project. HPD understands that the existing park will remain a park, with the addition of a paved entrance and parking area and a multi-use trail. Please note that historic and/or archaeological resources may be located within the project's area of potential effect (APE), however, at this time it has been determined that they will not be impacted by the above-referenced project. Furthermore, any changes to this project as proposed will require further review by our office for compliance with the Section 106 process.

If we may be of further assistance, please contact me at (404) 651-6624, or Jackie H. Tyson, Environmental Review Historian at (404) 651-6777. Please refer to the project number assigned above in any future correspondence regarding this project.

ES:jht

cc: Le'Var Rice, ARC