Draft Finding of No Significant Impacts and Environmental Assessment

Perimeter Berm Improvements R.M. Clayton Water Reclamation Center
City of Atlanta, Fulton County, Georgia

Prepared By:

U.S. Army Corps of Engineers

Mobile District

Mobile, Alabama

July 2021

US Army Corps
of Engineers
Mobile District

FINDING OF NO SIGNIFICANT IMPACT

PERIMETER BERM IMPROVEMENTS R.M. CLAYTON WATER RECLAMATION CENTER

ATLANTA, FULTON COUNTY, GEORGIA

The U.S. Army Corps of Engineers (USACE), Mobile District has conducted an environmental analysis in accordance with the National Environmental Policy Act of 1969, as amended. The draft Environmental Assessment (EA) dated **1 July 2021**, for the **Perimeter Berm Improvements R.M. Clayton Water Reclamation Center** addresses **surface overtopping floodwaters of the Chattahoochee River and its tributaries caused by the September 2009 flood event** and opportunities at the **R.M. Clayton Water Reclamation Center in the City of Atlanta, Georgia**.

The EA, incorporated herein by reference, evaluated various alternatives that would **reduce flooding at the R.M. Clayton Water Reclamation Center** in the study area.

1. PROPOSED ACTION. The Proposed Action is for the design and construction contract consists of tree removal, placing additional earthen fill, security fence installation, storm drain piping and culvert outlet modifications, Bolton access road modification, removal of abandoned guard station, and raising of the berm by either earthen fill or structural of three segments, two of which are along the Chattahoochee River approximately 1,550 linear feet (approximately 1,000 linear feet upstream of Marietta Boulevard, and approximately 550 linear feet downstream of Marietta Boulevard) and the third along Bolton Road approximately 1,250 linear feet. The design elevation for the berm shall be the greatest of either the modeled 0.01 annual exceedance probability (AEP) water surface elevation at the upstream extent of the existing berm, plus 3 feet, or 778 feet-North American Vertical Datum of 88 (NAVD 88). The crest of the existing perimeter berm averages approximately 4 feet in height. As part of the design effort, the contractor shall complete a risk assessment on the design at the 35% percent submittal.

The design and construction consists of raising three perimeter berms of two segments along the Chattahoochee River and the backflow prevention for five stormwater outfalls, along with all associated site work including, but not limited to: clearing, grubbing, tree removal, fill material, site grading, berm and/or floodwall construction, pavement replacement, and sod and landscaping. Construction staging areas will utilize existing lots in the main plant area and the secondary plant area in close proximity to the berms.

The third existing perimeter berm segment is an option to construct located along Bolton Road. This option consist of raising the existing berm, along with all associated site work including, but not limited to; clearing, grubbing, tree removal, fill material, site grading, berm and/or floodwall construction, pavement replacement, and sod and landscaping.

The existing Bolton gate access road located on the R.M. Clayton Water Reclamation Center property will be modified by raising to meet design flood elevation requirements. The roadway must meet the current roadway width and roadway features that include curb and gutter and storm drainage modifications. The roadway shall be raised and designed to allow a new automatic access control gate to be installed. The new roadway grade must be level to allow for delivery style pickup trucks to access this location while on grade. The roadway modifications and raising will impact an existing abandoned guard station and it will be removed as part of the roadway modifications. The roadway modifications will also impact an adjacent plant parking lot that will be re-graded as necessary to provide for smooth transitions from the parking lot to the roadway area.

Table 1 identifies the rough estimate of site quantities of the proposed action:

Table 1: Rough Estimate of Site Quantities

Item	**Quantities**
Tree Removal and Derooting	40,500 Square Feet
Security Fence Removal and Replacement	1,300 Linear Feet
Fence Pedestrian Gates Removal and Replacement or Reinstall	3 Each
Flood Gate or Stop Log Type Flood Protection at Access Points	30 Linear Feet
Double Leaf 8-Foot Manual Gate	2 Each
Automatic Sliding Gate 20-Foot Long	1 Each
Unclassified Excavation	1,000 Cubic Yards
Structural Fill	3,500 Cubic Yards
Roadway Pavement (Bolton Road)	45 Tons
Parking Lot Pavement	15 Tons
Plant Road Patching	15 Tons
Roadway Crushed Aggregate Base Course	135 Cubic Yards
Prime Surface Treatment	100 Gallons
Topsoil (4” Thick)	7,250 Square Yards
Solid SOD	85,000 Square Feet
10-foot Wide Sidewalk Removal and Replacement	1,000 Linear Feet
18” Curb and Gutter	600 Linear Feet
Raising and Adjusting Site Utilities	1 Lump Sum
Erosion and Sediment Control	1 Lump Sum
50-Square Foot Gate Guard Shack Removal	1 Each
Crushed Aggregate Temporary Construction Access Road	1,500 Square Yards

2. ALTERNATIVES.

No Action Alternative: With the No Action Alternative, the existing perimeter berm will remain unchanged. The berm will continue to experience surface overtopping from the Chattahoochee River and its tributaries. There would be no protection for the water reclamation center during the 100-year flood events. There will be a continued threat to personnel safety at the facility. There is a risk of berm safety and maintenance due to the trees situated along the system. Therefore, this alternative was not further considered.

3. FACTORS CONSIDERED IN DETERMINING THAT NO ENVIRONMENTAL IMPACT STATEMENT IS REQUIRED. Based on the Environmental Assessment, the Proposed Action will not significantly affect human health and the environment. The

proposed project is in compliance with all applicable environmental laws and regulations.

4. CONCLUSIONS. The environmental analysis supports the conclusion that the proposed project will not significantly impact health and the human environment; consequently, an Environmental Impact Statement is not required.

DATE:_____ _____

Jeremy J. Chapman, P.E.
Colonel, U.S. Army
District Commander

Draft Environmental Assessment

Perimeter Berm Improvements R.M. Clayton Water Reclamation Center, City of Atlanta, Fulton County, Georgia

Table of Contents

Tables

Figures

1.0 Introduction

The U.S. Army Corps of Engineers, Mobile District (USACE) has prepared this Environmental Assessment (EA) to analyze the potential environmental effects of the design and construction of improvements to raise the perimeter berm for the City of Atlanta R.M. Clayton Water Reclamation Center located in Atlanta, Georgia. It also documents compliance with the National Environmental Policy Act (NEPA) of 1969 and includes input from the non-federal sponsor the City of Atlanta, stakeholders, and the public.

The Council on Environmental Quality (CEQ) published its Final Rule: Update to the Regulations Implementing the Procedural Provisions of the National Environmental Policy Act (NEPA) in the Federal Register July 16, 2020. The new CEQ NEPA Regulations went into effect September 14, 2020. Preparation of this EA commenced after the enactment of the new NEPA regulations and are in accordance with the 2020 CEQ NEPA regulations, as well as relevant USACE regulations and guidance.

1.1 Location

The City of Atlanta R.M. Clayton Water Reclamation Center is located on the east bank of the Chattahoochee River within the incorporated areas of Atlanta, in Fulton County, Georgia. The R.M. Clayton Water Reclamation Center is south of Peachtree Creek. Figures 1 and 2 illustrate the vicinity of the project area and the site overview.

1.2 Proposed Action

The Proposed Action of the design and construction contract consists of tree removal, placing additional earthen fill, security fence installation, storm drain piping and culvert outlet modifications, Bolton Access Road modification, removal of abandoned guard station, and raising of the berm by either earthen fill or structural of three segments, two of which are along the Chattahoochee River approximately 1,550 linear feet (approximately 1,000 linear feet upstream of Marietta Boulevard, and approximately 550 linear feet downstream of Marietta Boulevard) and the third along Bolton Road approximately 1,250 linear feet. The design elevation for the berm shall be the greatest of either the modeled 0.01 annual exceedance probability (AEP) water surface elevation at the upstream extent of the existing berm, plus 3 feet, or 778 feet-North American Vertical Datum of 88 (NAVD 88). The crest of the existing perimeter berm averages approximately 4 feet in height. As part of the design effort, the contractor shall complete a risk assessment on the design at the 35% percent submittal.

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construction, pavement replacement, and sod and landscaping. Construction staging areas (laydown areas) will utilize existing lots in the main plant area and the secondary plant area in close proximity to the berms.

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1.3 Purpose and Need

The purpose of the Proposed Action is to raise the perimeter berm over the 100-year flood elevation at the City of Atlanta R.M. Clayton Water Reclamation Center along the Chattahoochee River and Bolton Road segments. The project is needed to protect the water reclamation center from surface overtopping floodwaters of the Chattahoochee River and its tributaries caused by the September 2009 flood event.

1.4 Authority

The City of Atlanta R.M. Clayton Water Reclamation Center project is being conducted under the authority of Section 219 of the Water Resources Development Act (WRDA) of 1992, as amended, in subsection *"c (2) Atlanta, Georgia. – A combined sewer overflow treatment facility for the City of Atlanta, Georgia."* In 1996, this authority was *"modified to include watershed restoration and development in the regional Atlanta watershed, including Big Creek and Rock Creek" and to provide "(e) AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION ASSISTANCE. – They are authorized to be appropriated for providing construction assistance under this section – (5) $25,000,000 for the project described in subsection (c)(2)."*

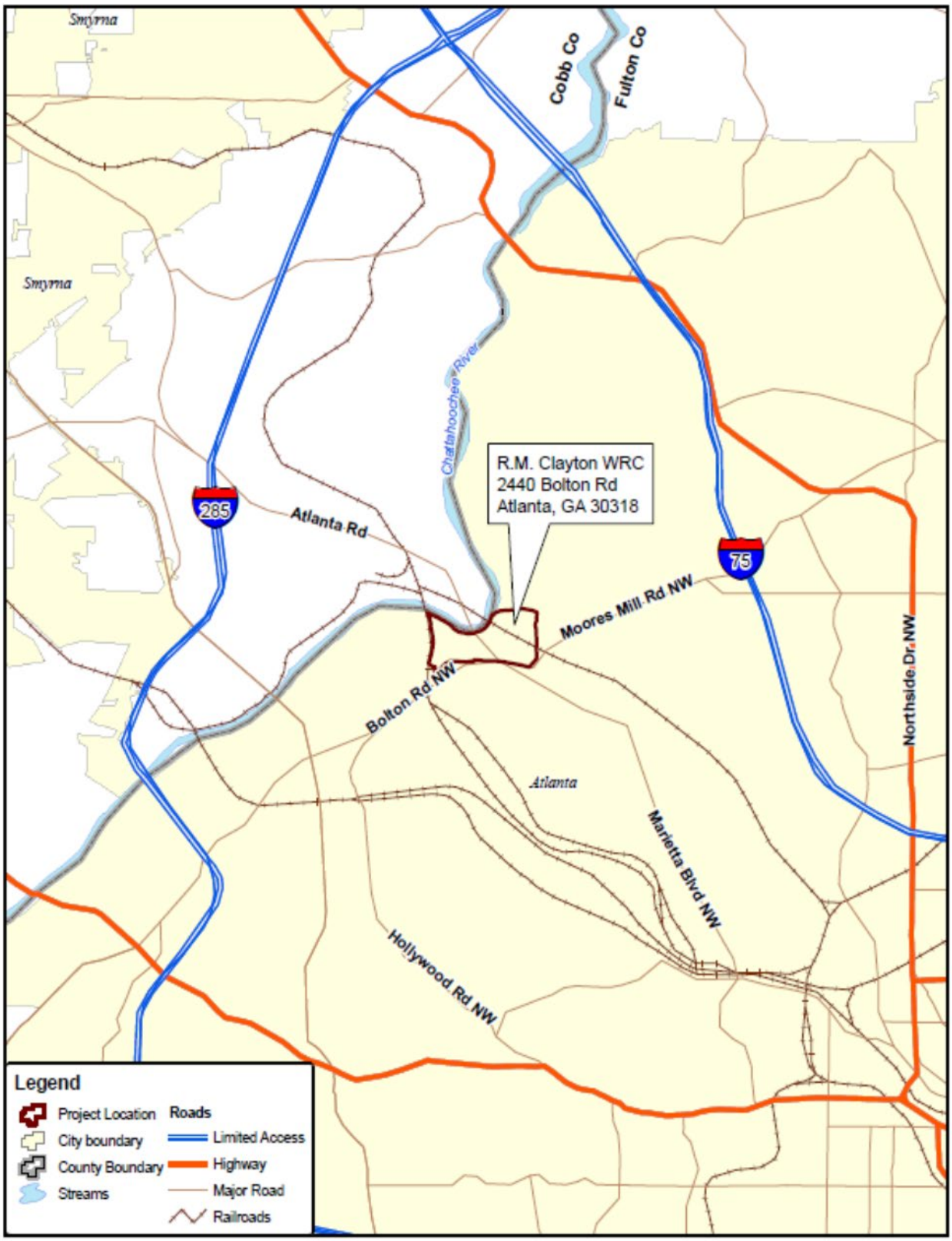

Figure 1: R.M. Clayton Water Reclamation Center Vicinity Map

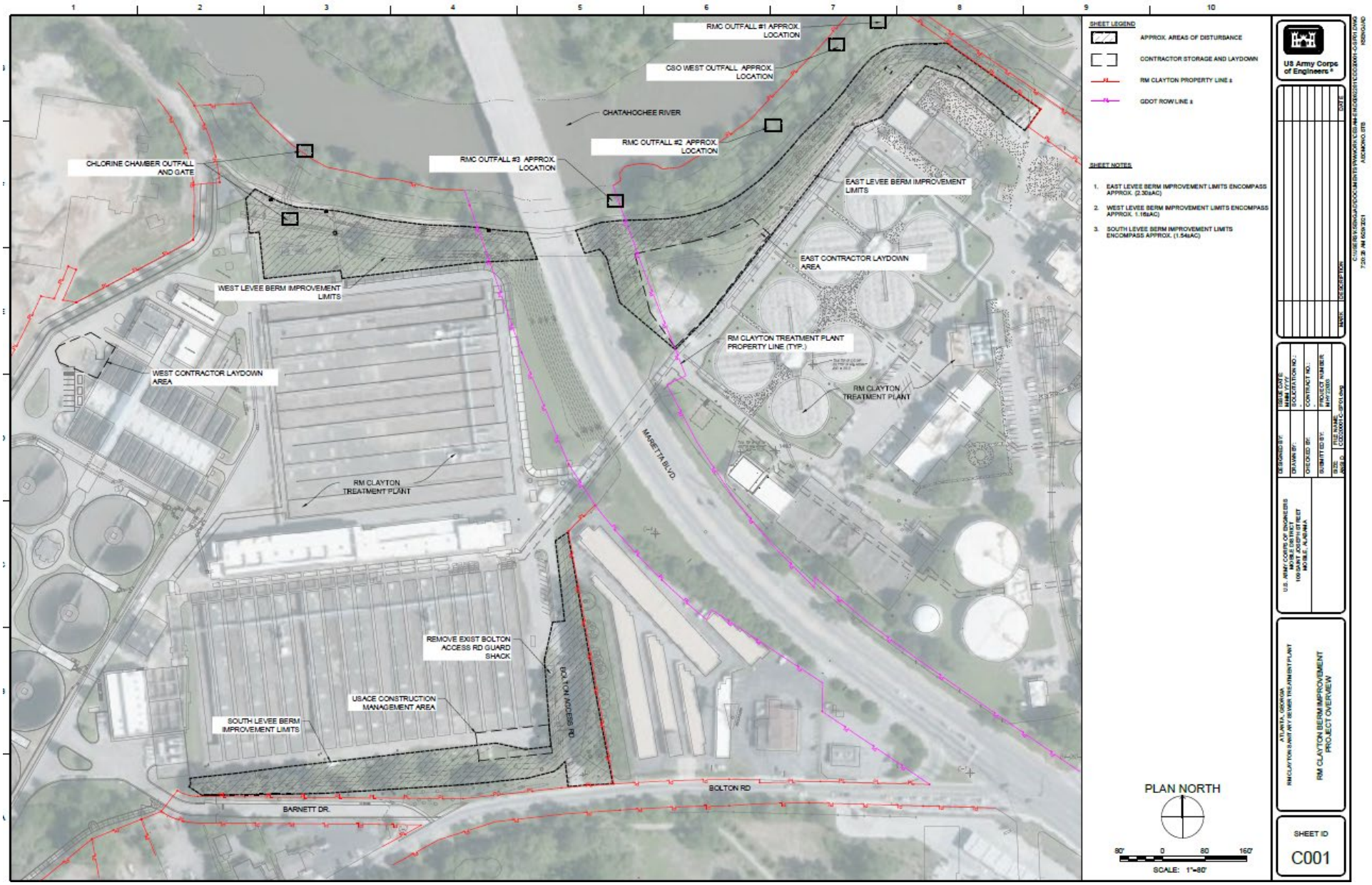

Figure 2: R.M. Clayton Water Reclamation Center Site Overview

2.0 Alternatives to the Proposed Action

2.1 No Action Alternative

Under the No Action Alternative, the existing perimeter berm would remain unchanged. The existing perimeter berm would continue to experience surface overtopping from the Chattahoochee River and its tributaries. There would be no protection for the water reclamation center during the 100-year flood events. Additionally, there will be a continued threat to personnel safety at the facility. There is a risk of berm safety and maintenance due to the trees situated along the system.

3.0 Existing Environment and Potential Environmental Impacts

This section summarizes the general conditions of the physical and biological environment and the socioeconomic resources in the project area. The information is used to assess potential impacts resulting from implementation of the Proposed Action. The environmental impacts expected without project implementation (the No Action Alternative) are also summarized in this section. The existing environment was described in the 2012 Chattahoochee Raw Water Improvement and Defoors Island Bank Stabilization EA and the document is incorporated by reference within this EA. Only those aspects of the existing environment of the project area that have changed since the EA was prepared or require elaboration to facilitate analysis of the potential environmental impacts of the proposed action are presented.

3.1 Land Use

The proposed project area current and future land use type is identified as industrial by the City of Atlanta. Other land use types surrounding the project area include low density commercial, low density residential, office/institution, medium density residential, open space, and private open space. Additionally, Fulton County has a land area of approximately 526.64 square miles and a population density of 1,748 persons per square mile.

3.1.1 Potential Environmental Impacts to Land Use

Proposed Action Alternative

Implementation of the Proposed Action will not affect any land use types in the project area and surrounding area. All land disturbances resulting from this project will be limited to the land side of the Chattahoochee River. The Proposed Action will not facilitate growth in the project area. No adverse impacts to land use will occur.

No Action Alternative

Under the No Action Alternative, conditions will remain unchanged. No impacts to land use will result from the No Action Alternative.

3.2 Air Quality

The U.S. Environmental Protection Agency's (USEPA) Office of Air Quality Planning and Standards (OAQPS) has set National Ambient Air Quality Standards (NAAQS) in accordance with the Clean Air Act (CAA) "for pollutants considered harmful to public health and the environment." The CAA identifies two types of NAAQS: primary and secondary. Primary standards provide public health protection and secondary standards provide public welfare protection. The OAQPS has set NAAQS for six principal pollutants called criteria pollutants. These pollutants are carbon monoxide, nitrogen dioxide, ozone, lead, fine particle particulate matter (PM_{10} and $PM_{2.5}$), and sulfur dioxide. The State of Georgia has adopted the NAAQS as the state's air quality criteria.

The General Conformity Rule published by the USEPA on 11/30/1993 designates and implements Section 176(c) of the CAA for geographic areas in CAA non-attainment areas for criteria pollutants and in those attainment areas subject to maintenance plans required by CAA Section 175(a). The CAA General conformity Rule applies to Federal actions.

The project area is located in nonattainment area for ground level Ozone standard, and the Fine Particle Particulate Matter ($PM_{2.5}$) standard (USEPA, 2021).

3.2.1 Potential Environmental Impacts to Air Quality

Proposed Action Alternative

Construction of the Proposed Action will have short-term emissions results, but impacts will cease when construction is complete. Construction activities can generate fugitive dust, but impacts will be limited through the use of appropriate Best Management Practices (BMPs), such as sprinkling/irrigation, vegetative cover, and mulching, to minimize dust production. Significant impacts will be avoided through timing of construction activities to avoid any severe air quality alert days. Additional measures to minimize short-term impacts include properly maintaining equipment and reducing the amount of equipment involved to the extent possible, so that (where applicable) no equipment is left idling for prolonged periods of time.

No Action Alternative

Under the No Action Alternative, no construction will occur. No impacts to air quality will result from the No Action Alternative.

3.3 Noise

The proposed project area is commercial, industrial, office/institution, residential and open space and noise levels in typical urban areas range from 58 decibels (dB) to 72 dB.

3.3.1 Potential Environmental Impacts to Noise

Proposed Action Alternative

Noise associated with construction of the proposed perimeter berm raising, tree removal, modifications to storm drain piping and culvert outlet, raising of access road and removal of abandoned guard station will be generated by various trucks, backhoes, bulldozers, and other heavy equipment required. Construction activities will be limited to typical working hours, minimizing exposure to nearby businesses and residents, to reduce the effects of noise in the project area. No work will be done at night, so there would be no sleep disturbance. Any impacts from noise will be short-term and negligible.

No Action Alternative

Under the No Action Alternative, no construction will occur. No impacts to noise will result from the No Action Alternative.

3.4 Physiography, Geology, and Soils

3.4.1 Physiography

The Proposed Action is located in the Southern Outer Piedmont ecoregion of Georgia. Loblolly-shortleaf pine is the major forest type, with less oak-hickory and oak-pine than in the Southern Inner Piedmont. The southern boundary of the ecoregion occurs at the Fall Line.

3.4.2 Geology

Geology in the Piedmont Ecoregion consists primarily of Precambrian and Paleozoic metamorphic and igneous rocks. Metamorphic rock types include biotite gneiss, schist, slate, quartzite, phyillite, and amphibolite. Igneous rocks consist primarily of granite, but also include gabbro, mafic rocks, and diabase dikes. Overall, gneiss, schist, and granite are the dominant rock types.

3.4.3 Soils

Soil types found in the proposed project area include Congaree-Cartecay and Urban Land. The Congaree-Cartecay complex (0 to 2 percent slopes; occasionally flooded) is classified as well drained and is composed of sandy loam and loam materials. The Urban Land is classified as soils found in watersheds that provide drinking water, food, waste utilization, and natural resources to communities. Urban soils also are located within cities in park areas, recreation areas, community gardens, green belts, lawns, septic absorption fields, sediment basins and other uses.

3.4.4 Potential Environmental Impacts to Physiology, Geology, and Soils

Proposed Action Alternative

The Proposed Action will have no impact on physiography and geology. Some disturbance to soils will occur from the construction of the proposed perimeter berm raising, tree removal, modifications to storm drain piping and culvert outlet, raising of the access road and removal of the abandoned guard station. Heavy equipment will be used to move and compact soils, and remove debris in construction areas. Disturbed areas will be minimized, and the work will be confined to the final site boundaries. Sedimentation and erosion controls will be implemented to minimize erosion of surrounding soils due to soil/ground disturbance. Potential impacts to soils will be controlled and avoided through the use of appropriate BMPs and soil stabilization/grass re-vegetation techniques following construction. Appropriate BMPs will be selected based on site-specific conditions and could include, but are not limited to, sediment barriers (silt fence or straw bales), grade stabilization with seed and mulch, and geotextile slope stabilization.

The grading plans will also provide information regarding when earthwork will start and stop, establish the degree and length of finished slopes, and specify where and how excess material will be disposed of where borrow materials will be obtained if needed. Berms, diversions, and other stormwater practices that require excavation and filling will also be incorporated into the grading plan. Erosion, sediment control and stormwater management goals will be considered in the grading plan. Grading crews will be supervised by USACE personnel to ensure the plans are implemented as intended.

No Action Alternative

Under the No Action Alternative, no land disturbance or construction would take place. Therefore, no impacts to geology, soils or topography would result from the No Action Alternative.

3.5 Aesthetics

Aesthetics is an approach to assign appreciation of natural environments. The general aesthetics of the proposed project area segments is industrial with grass and trees along the existing perimeter berm.

3.5.1 Potential Environmental Impacts to Aesthetics

Proposed Action Alternative

Impacts to aesthetics associated with the Proposed Action will be negligible. Raising the existing berms will have little to no change on the aesthetics of the area due to it being an industrial site. The removal of trees along the perimeter berm segments are necessary for berm safety and maintenance.

No Action Alternative

Under the No Action Alternative, no changes will occur, and there would be no changes to aesthetics.

3.6 Water Resources

3.6.1 Surface Water

Georgia Environmental Protection Division (GAEPD) identifies segments of State streams in Georgia's 305(b)/303(d) List of Waters in accordance with Section 305(b) of the Clean Water Act. Section 305(b) requires states to monitor and report water quality conditions on a biannual basis. The 305(b)/303(d) List of Waters provides an assessment of surface water quality by listing assessed waters as either "supporting" or "not supporting" their designated use, and for waters not supporting their designated use, identifying the criterion violated and potential causes of impairment. The list places waters not supporting their designated use into one of five categories, which indicate the status of development by GAEPD of total maximum daily loads (TMDLs), a determination of the amount of a pollutant which can be introduced to a stream without causing the stream to violate its designated use.

The Chattahoochee River segment of the proposed project area is on Georgia's 305(b)/303(d) list of waters for not supporting the "fishing" water use classification and for violating fecal coliform and polychlorinated biphenyls (PCBs) standards (GAEPD, 2021).

3.6.2 Groundwater

The identification of groundwater recharge areas is important for identifying alternative water sources. The Department of Natural Resources makes available its Hydrologic Atlas 18 database which identifies significant groundwater recharge areas in Georgia. Areas of thick soils are identified by aquifer type across the State based on testing conducted by the State, and on outcrop area, lithology, soil type, slope, density of lithologic contacts, geologic structure, the presence of karst, and potentiometric surfaces. A few very small areas are classified as "probable areas of thick soils;" however no groundwater recharge areas are present within the Chattahoochee River Basin.

3.6.3 Floodplains

Typically, floodplains are designated and mapped by the National Flood Insurance Program, which is administered by the Federal Emergency Management Agency (FEMA). Official floodplain maps prepared by FEMA delineate intermediate regional flood zones (areas inundated by a flood having an average frequency of occurrence once in 100 years). The effective flood zone designation for the proposed project area is "Zone AE", a Special Flood Hazard Area (SFHA) with designated base flood

elevations. An SFHA is an area subject to flooding during the 1-% annual chance event, also known as the “base flood”. The Chattahoochee River also has a designated floodway within the revision area.

3.6.4 Wetlands

According to the National Wetland Inventory, there were no wetlands found in the proposed project area and staging areas. However, riverine wetland was identified due to the Chattahoochee River. It is important to understand that wetlands provide a critical habitat for a number of species, are a valuable land cover, and should be protected because they maintain average river levels, and they filter and purify surface water. Wetlands also reduce the frequency and intensity of flooding by storing water during storms and slowly releasing it. Especially significant is the ability of wetlands to filter pollutants from urban runoff, leaking septic systems, agricultural runoff, and heavy metals from industrial sites. Due to the important role these areas play in the ecosystem, wetlands are provided appropriate protection through current federal and state regulations.

3.6.5 Stormwater

Urban stormwater runoff has been identified as a major source of stressors such as oxygen demanding waste and fecal coliform bacteria in the Chattahoochee basin; however, there are no issues with stormwater in the vicinity of the project area. Stormwater may flow directly to streams as a diffuse, nonpoint process, or may be collected and discharged through a storm sewer system.

Pollutants typically found in urban stormwater runoff include pathogens (such as bacteria and viruses from human and animal waste), heavy metals, debris, oil and grease, petroleum hydrocarbons and a variety of compounds toxic to aquatic life. In addition, the runoff often contains sediment, excess organic material, fertilizers (particularly nitrogen and phosphorus compounds), herbicides, and pesticides which can upset the natural balance of aquatic life in lakes and streams. Stormwater runoff may also increase the temperature of a receiving stream during warm weather, which is particularly threatening to the valuable trout fishery in the Chattahoochee River Basin. All of these pollutants, and many others, influence the quality of stormwater runoff. There are also many potential problems related to the quantity of urban runoff, which can contribute to flooding and erosion in the immediate drainage area and downstream.

3.6.6 Potential Environmental Impacts to Water Resources

Proposed Action Alternative

Surface Water

Construction activities may lead to short-term water quality effects, including increased sedimentation and nonpoint source pollution. Additionally, modified surface water runoff patterns resulting from land disturbance may result in hydrologic impacts. However, any water quality and hydrologic impacts that could occur would be temporary and

would end upon completion of construction. To limit the degree of impact to the Chattahoochee River, proper BMPs for sediment and erosion control will be used, in accordance with the Georgia Erosion and Sedimentation Act and local erosion and watershed protection ordinances.

If any work triggers compliance with Section 10 of Rivers and Harbor Act (RHA) or Section 404 of the Clean Water Act (CWA), permit will be obtained from USACE, Savannah District Regulatory Program. Under RHA Section 10, a permit is required for work or structures in, over or under navigable waters of the United States. Under CWA Section 404, a permit is required for the discharge of dredge or fill material into waters of the United States. Many waterbodies and wetlands in the nation are waters of the United States and are subject to the USACE regulatory authority.

Geotechnical investigations will be conducted to summarize the subsurface conditions and provide specific recommendations for the design of the sheet pile walls and/or any other retaining structures. As part of the investigations, soil sampling and dewatering requirements will be determined. The exact location of the soil borings has the potential to take place in various locations along the existing berm locations as well along the riverbank. Soil samples testing required for computation of, but not limited to: slope stability analysis, seepage analysis, settlement calculations, lateral earth pressure calculations, temporary and permanent dewatering designs (if applicable), and limits of uncut, etc.

If temporary construction dewatering is required due to a high-water table; a dewatering plan will be prepared. Any dewatering and discharge operations required to construct facilities shall be controlled at all times to maintain compliance with existing State water quality standards and designated uses of the surface water body. Groundwater produced from dewatering activities will not be discharged to surface waters. All permits pertaining to dewatering will be obtained and operate in compliance with the permit.

Section 401 of CWA Water Quality Certification and Stream Buffer Variance application permits will be required from GAEPD if it is determined any work associated with construction activities occurs in the water and within the 25-foot vegetative buffer. A Notice of Intent for a National Pollutant Discharge Elimination System (NPDES) Stormwater Construction Permit will be filed with GAEPD as the Proposed Action will disturb greater than one acre of land once the project goes to construction. A Metropolitan River Protection Act certificate application will be filed with the City of Atlanta and forwarded to the Atlanta Regional Commission for land-disturbing activities in the Chattahoochee River corridor.

There will be long-term positive impacts from the implementation of the proposed action. Projected long-term effects to surface water include improvements to water quality in the Chattahoochee River and its tributaries from raising the perimeter berm height at the water reclamation center from surface overtopping floodwaters and the potential for surface water contamination once water recedes from a 100-year flood elevation.

Groundwater

Construction will be limited to near surface areas and will not involve any harmful materials and/or potential pollutants. The Proposed Action is not expected to impact groundwater resources. However, if it is determined that temporary construction dewatering is required due to a high-water table; a dewatering plan will be prepared. Any dewatering and discharge operations required to construct facilities will be controlled at all times to maintain compliance with existing State water quality standards and designated uses of the surface water body. Groundwater produced from dewatering activities will not be discharged to surface waters or stormwater systems. The release system will be designed to allow all produced groundwater to percolate into the soil onsite. All permits pertaining to dewatering will be obtained for any groundwater discharge off site and operate in compliance with the permit.

Floodplains

There will be no negative impacts to floodplains. There are potential long-term positive impacts from the implementation of the proposed action. The Proposed Action will raise the height of the perimeter berm over the 100-year flood elevation to reduce the risk to personnel safety at the facility.

An encroachment analysis will be completed to determine if a FEMA “no rise” certification for floodways is required for pre/post construction and will be submitted for permitting and processing.

Wetlands

The proposed project will have no effect on wetlands because none were found in the proposed project area or project staging areas. However, BMPs implemented during construction may include, but are not limited to, vegetation cover, slope stabilization, silt fences, construction of terraces, interceptor channels, sediment traps, inlet and outfall protection, diversion channels, and sedimentation basins to minimize the potential for indirect impacts to offsite wetlands.

Stormwater

Construction activities involved in the implementation of the proposed project will have no significant impacts on stormwater. Construction activities will comply with the Georgia Erosion and Sedimentation Act of 1975 and local erosion and watershed protection ordinances. Additionally, construction would comply with the Georgia Rules and Regulations for Water Quality Control, 391-3-6-18. Installation, use, and maintenance of appropriate stormwater controls will prevent impacts from construction site stormwater.

No Action Alternative

Under the No Alternative, no construction will occur so there will be no direct impacts to water resources.

3.7 Biological Resources

Biological resources in the area which have the potential to be impacted by the Proposed Action include flora and fauna, and endangered and threatened species common to the area.

3.7.1 Flora and Fauna

Flora

Typical plant species located in the proposed project area are tulip poplar (*Liriodendron tulipifera*), locust, willow (*Salix spp.*), sweetgum (*Liquidambar styraciflua*), water oak (*Quercus nigra*), elm (*Ulmus spp.*), hickory (*Carya spp.)*, pine (*Pinus spp*.), sycamore (*Platanus occidentalis*), magnolia (*Magnolia spp.*), dogwood (*Cornus spp*), redbud (*Cercis canadensis*), black gum (*Nyssa sylvatica*), cherry (*Prunus spp*), and hardwood. Invasive plant species in the proposed project area is the mimosa (*Albizia julibrissin*).

Fauna

Typical fish species that may occur in the Chattahoochee River Basin include the largemouth bass (*Micropterus salmoides*), smallmouth bass (*Micropterus dolomieu*), yellow perch (*Perca flavescens*), catfish (*Ictalurus punctatus*), rainbow trout (*Oncorhynchus mykiss*), brown trout (*Samo trutta*), and crappie (*Pomoxis nigtomaculatus*).

Typical bird species that may occur in the Chattahoochee River Basin include the Bald Eagle (*Haliaeetus leucocephalus),* Blue-winged Warbler (*Vermivora pinus*), Eastern Whip-poor-will (*Antrostomus vociferus*), Kentucky Warbler (*Oporornis formosus*), Prairie Warbler (*Dendroica discolor*), Prothonotary Warbler (*Protonotaria citrea*), Red-headed Woodpecker (*Melanerpes erythrocephalus*), Rusty Blackbird (*Euphagus carolinus*), and Wood Thrush (*Hylocichla mustelina*).

Other common animals that may occur in the Chattahoochee River Basin include the wood duck (*Aix sponsa*), Canada goose (*Branta canadensis*), belted kingfisher (*Megaceryle alcyon*), beaver (*Castor canadensis*), great blue heron (*Ardea Herodias*), muskrat (*Ondatra zibethicus*), river otter (*Lutra canadensis*), cottonmouth (*Agkistrodon piscivorus*), pond slider (*Chrysemys scripta*), Flaxen elimia (*Elimia boykiniana*), raccoon (*Procyon lotor*), white-tail deer (*Odocoileus virginianus*) and mayfly (*Ephemeroptera*).

3.7.2 Endangered and Threatened Species

According to the U.S. Fish and Wildlife Service (USFWS), Information for Planning and Consultation there are no threatened, endangered, or candidate species listed as occurring in the three segments of the proposed project area (USFWS, 2021).

3.7.3 Potential Environmental Impacts to Biological Resources

Proposed Action Alternative

Flora and Fauna

Common animals in the area of the Proposed Action have the potential to be impacted. Temporary displacement is expected during the construction phase of the proposed action.

The Migratory Bird Treaty Act (MBTA) makes it illegal to "take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter" a species identified in 50 CFR 10.13. The USFWS has statutory authority and responsibility for enforcing the MBTA under 16 U.S.C. 703-712. The USFWS recently proposed in the Federal Register (Vol. 83, No. 229, November 28, 2018) both adding and removing species. Migratory species protected by the MBTA are internationally protected through conventions between the U.S. and Canada, Mexico, Japan, and Russia. Any species protected through one or more of the four international conventions is qualified for protection under the MBTA. The proposed project area is located in the Atlantic Flyway zone. It is unknown if there are any stopover sites within the proposed project area; however, migratory birds, such as the Blue-winged Warbler (*Vermivora pinus*), Eastern Whip-poor-will (*Antrostomus vociferus*), Kentucky Warbler (*Oporornis formosus*), Prairie Warbler (*Dendroica discolor*), Prothonotary Warbler (*Protonotaria citrea*), Red-headed Woodpecker (*Melanerpes erythrocephalus*), Rusty Blackbird (*Euphagus carolinus*), and Wood Thrush (*Hylocichla mustelina*) occasionally utilize the proposed project area as a resource.

The Bald and Golden Eagle Protection Act (BGEPA) prohibits the "taking" of Bald Eagles (*Haliaeetus leucocephalus*) or Golden Eagles (*Aquila chrysaetos*) as defined in 16 U.S.C. 668-668c. "Take" is defined by the BGEPA as to "pursue, shoot, shoot at, poison, wound, kill capture, trap, collect, molest or disturb." "Disturb" is further defined as "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior." The BGEPA extends to activities occurring near nests when eagles are not present.

According to the National Bald Eagle Management Guidelines dated 5/1/2007, Bald Eagles primarily nest near aquatic habitat in mature or dead trees. Man-made structures such as power-poles and communication towers also serve as nesting sites for some Bald Eagles. Bald Eagle nests are distinctly large at four to six ft in diameter and three ft deep weighing more than 1,000 pounds. Nests are generally constructed with large sticks and lined with soft and pliable greenery such as moss, grass, or lichens.

It is unknown if any Bald Eagle nests are within the proposed project area. Bald Eagles primarily inhabit forested habitat adjacent to large river systems. The probability of active and inactive nests surrounding the Chattahoochee River is high.

The USFWS and Georgia Department of Natural Resources (GADNR) will be consulted regarding the probability of active and inactive bald eagle and migratory bird nests that may be located in the proposed project area.

Long-term, the project may have a negative impact on migratory birds from the removal of the trees from the perimeter berm; however, the tree removal is necessary for berm safety and maintenance. Consultation with USFWS and GADNR will determine if there are active and/or inactive bald eagle and migratory bird nests in proposed project area and what measures are required to ensure compliance with National Bald Eagle Management Guidelines and MBTA.

Threatened and Endangered Species

There are no threatened and endangered species in the proposed project area. USACE, Mobile District has determined the Proposed Action will have no effect on threatened and endangered species.

No Action Alternative

Under the No Action Alternative, no changes will occur to biological resources in the proposed project area.

3.8 Cultural Resources

In accordance with Section 106 of the National Historic Preservation Act (NHPA) of 1966 (as amended) and its implementing regulations at 36 Code of Federal Regulations (CFR) § 800, the USACE must consider the potential effects of this project on historic properties (cultural resource sites potentially eligible for, or listed on, the National Register of Historic Places (NRHP). In addition, the USACE must provide State Historic Preservation Officers (SHPO), Native American Tribes, and other interested parties the opportunity to comment on its determination of effects to historic properties. To identify any historic properties within the R.M. Clayton property and determine the potential of this project to affect any properties, the USACE reviewed records and literature for information and data regarding the existing conditions within the project area.

The R.M. Clayton Perimeter Berm project will be constructed within the R.M. Clayton Water Reclamation Center situated along the southern bank of the Chattahoochee River. The USACE has been tasked with designing and constructing improvements to existing perimeter berms and outfall culverts to protect the facility from flooding from the Chattahoochee River and its tributaries. Work to improve the berm will include clearing vegetation and trees, raising the berm by adding additional earthen fill and installing sheet pile and concrete walls on top of the berm. The project will also include installing security fencing, modifying existing storm drain piping and culvert outlets, raising the Bolton Access Road, and removing an abandoned guard station.

The Area of Potential Effects (APE) includes four developed parcels within the R.M. Clayton Water Reclamation Center property including the West, East, and South Perimeter Berm Improvement Limits, and the West Contractor Laydown Area, the Bolton Access Road, and the abandoned guard station. The APE also includes five existing outfall locations situated north of the reclamation center along the bank of the Chattahoochee River. Figure 2 provides an overview of the R.M. Clayton Water Reclamation Center and shows the locations and boundaries of the different sections of the APE. The R.M Clayton reclamation facility was built between 1935 and 1945 and it is the largest sewage treatment plant serving Atlanta. The facility comprises various buildings, treatment tanks, paved roads, paved parking lots, berms, outflow culverts, utilities, and landscaped areas. Marietta Boulevard also runs through the reclamation facility and passes between the West and East Perimeter Berm Improvement Limits portions of the APE. Over the past 80 years, the plant has gone through multiple upgrades and expansions. This included the construction of new office and laboratory space, renovations to existing structures, and extensive landscaping in 2000 and major repairs of damages in 2011 from a 500-year flood event that occurred in 2009. More recently, two improvement projects were completed in 2018 and the construction of a biosolids dryer system was scheduled for completion in 2020 (City of Atlanta, Department of Watershed Management, 2021).

3.8.1 Archaeological Resources

According to Georgia's Natural, Archaeological, and Historic Resources GIS (GNAHRGIS) website (GNAHRGIS, 2021), the APE has not been surveyed or inventoried for the presence of archaeological sites. Just north of the APE, A 1975 archaeological survey was conducted of a route for the Peachtree Creek relief sewer line which connected to the northeast end of the water reclamation facility near the confluence of Peachtree Creek with the Chattahoochee River (Cannes et al. 1975). In 1979 a research design and archaeological overview of a 48 mile-long, 2 mile-wide corridor of the Chattahoochee River. This corridor started north of the APE from Peachtree Creek and extended north to Buford Dam was prepared by the National Park Service (Ehrenhard et al. 1979). Both the 1979 research design and the 1975 survey report note two important archaeological sites near the APE. The first site, 9CO1, is the historic Native American Village of Standing Peachtree located across the Chattahoochee River from the APE in Cobb County, Georgia which marked the boundary between Native American and early European settlements (Cannes et al. 1975:1—2). The second Site, 9FU10, was situated north of Peachtree Creek that runs along the northeastern boundary of the R.M. Clayton Water Reclamation Center. Site 9FU10 was a portion of the Standing Peachtree site in Fulton County, Georgia and was known as an important meeting place and possible border town dating to 1782. Two mounds that were reportedly built on each side of the river at 9CO1 and 9FU10, indicated a long pre-Contact Native American occupation of the area. Site 9FU10 was also where a fort and a small boatyard was built by George Gilmer in 1815 (Ehrenhard et al. 1979:10). The 1975 survey report indicated that industrial development and the construction of a water pumping station on the south bank of Peachtree Creek and north of the East Perimeter Berm Improvement Limits portion of the APE severely

altered the terrain. No artifacts were observed during the survey near the reported location of 9FU10, however, it was also noted in the survey report that the site could be buried and that any trenching or soil disturbance be monitored by an archaeologist (Cannes et al. 1975:1—2). The Georgia Archaeological Site form for 9FU10 indicates that the site has been destroyed and that the site is ineligible for listing on the NRHP.

3.8.2 Architectural Resources

Adjacent to the northwest end of the West Perimeter Berm Improvement Limits is a triangular shaped single-story industrial brick structure with a concrete foundation and wood, tar, and gravel roof (Figure 2). According GNAHRGIS, this building is the River Station Substation of the Atlanta Northern Railway Company. The GNAHRGIS map also shows the routes of two historic trolly tracks that ran along the both sides of the structure. One ran from the south, passed the building along its southwest side, then turned northwest and ran along the southwest bank of the Chattahoochee River along a portion of what is now Marietta Road NW. The second trolly route ran from the southeast through the current R.M. Clayton Water Reclamation Center, passed the River Station to the northwest, then turned north to cross the Chattahoochee River. The building is still present, is surrounded by a chain-link fence, and is in a good state of preservation. Recent aerial photography indicates that the historic trolly track that were likely associated with the River Station no longer exist. These were likely removed before construction of the R.M. Clayton Water Reclamation Center and the development or surrounding areas.

3.8.3 Potential Environmental Impacts to Cultural Resources

Proposed Action Alternative

Aside from the removal of the guard station, that is not a historic structure, all construction activities will involve modifying an improving existing berms and outflow culverts. The original construction of these features and the intensive development of the R.M. Clayton Water Reclamation Center and surrounding areas has resulted in widespread disturbance and the destruction of Site 9FU10, that was located north of the APE. As all ground disturbing activities will involve improvements to existing features and will be conducted in previously disturbed areas, the USACE, Mobile District has determined that this action will result in no adverse effect to cultural resources in accordance with 36 CFR §800.4(d)(1). The USACE, Mobile's determination of effect will also be coordinated with both the Georgia SHPO and Federally Recognized Tribes.

No Action Alternative

Under the No Action Alternative, no land disturbance or construction would take place. Therefore, no direct impacts to cultural resources would result from the No Action Alternative. There would be no indirect negative impacts to cultural resources.

3.9 Socioeconomics

This section addresses the socioeconomic issues associated with the proposed project area. The socioeconomic indicators used include employment, wages, demographic characteristics, and housing costs. Recreational areas, as well as environmental justice and protection of children, are also described in this section. The socioeconomic statistics provided describe Fulton County as a whole.

3.9.1 Employment

According to 2010 U.S. Census (vintage year V2019), the largest industry in Fulton County is merchant wholesaler sales. The remaining industries are split amongst retail sales, manufacturer's shipments, federal spending and accommodation and food services sales in Fulton County.

3.9.2 Wages

In 2019, the Fulton County median per capita income was $47,163. The median household income was $69,673. There is 13.8% persons living in poverty in Fulton County.

3.9.3 Demographics and Housing

The project would not result in the movement of people into or out of the region or impact housing costs. There would be no change in regional demographics or housing demand. Therefore, these resource areas are excluded from analysis in the EA.

3.9.4 Protection of Children

Executive Order 13045, The Protection of Children from Environmental Health Risks and Safety Risks, was issued 4/23/1997. Executive Order 13045 applies to significant regulatory actions that concern an environmental health or safety risk that could disproportionately adversely affect children. Environmental health risks or safety risks refer to risks to health or to safety that are attributable to products or substances that the child is likely to come in contact with or ingest.

The Proposed Action will not create any impacts to the health and safety of children due to the nature of the project and its location.

3.9.5 Environmental Justice

Executive Order 12898, Federal Actions to Address Environmental Justice in Minority and Low-Income Populations dated 2/11/1994 directs all Federal agencies to determine whether a "proposed action" would have a disproportionately high and adverse impact on minority and/or low-income populations.

The Proposed Action will not displace any portion of the population in the area nor create any environmental hardships for any portion of the population due to the location of the construction being in an industrial area.

3.9.6 Potential Environmental Impacts to Socioeconomics

Proposed Action Alternative

The Proposed Action will have a temporary minor positive impact on socioeconomic factors. There will be temporary construction employment and associated wages. Suppliers in the surrounding area will have a short-term increase in the sale of construction-related materials. There will be no long-term impacts on employment or income in the area of the proposed action.

No Action Alternative

There will be no change in current socioeconomic conditions under the No Action Alternative. There will be no short-term increase in construction-related jobs and wages, and no associated increase in local sales of construction-related materials. There would be no changes to demographics, housing costs, children, minorities, or low-income populations.

3.10 Hazardous, Toxic and Radiological Waste

In the area surrounding the Proposed Action, numerous commercial and industrial facilities manufacture, store, or handle toxic chemicals and are regulated by one or more USEPA permit programs. According to the USEPA MyEnviroMapper, no spills or releases have occurred on the property.

3.10.1 Potential Environmental Impacts to Hazardous, Toxic and Radiological Waste

Proposed Action Alternative

The Proposed Action may result in the generation, transport, treatment, storage, or disposal of hazardous or toxic waste by the Design Build Contractor. Any hazardous material brought on site by the Contractor will be stored in lockers specially made for storage of hazardous materials and utilize material safety data sheets. The Contractor will comply with all federal and state regulations regarding the generation, storage, and disposal of hazardous waste. An approved hazardous waste management plan is required before any work commence. The Contractor is responsible for properly labeling, containing, transporting, and disposing of all hazardous waste in accordance with an USEPA approved treatment storage disposal facility.

No Action Alternative

Implementation of the No Action Alternative will maintain current conditions of the proposed project area. There would be no impact to hazardous or toxic waste.

4.0 Other NEPA Considerations

4.1 Any Irreversible or Irretrievable Commitments of Resources Which Would Be Involved Should the Recommended Plan Be Implemented

Any irreversible or irretrievable commitments of resources involved in the Proposed Action have been considered and are either unanticipated at this time or have been considered and determined to present minor impacts. The Proposed Action is reversible, albeit costly. Reclamation, if needed, will include removal of either the earthen or structural (sheet pile wall or concrete wall) berm.

4.2 Adverse Environmental Effects Which Cannot Be Avoided

Any adverse environmental effects which cannot be avoided should the Proposed Action be implemented are expected to be minor individually and cumulatively. These include land-disturbance and suitable habitat for migratory birds.

4.3 The Relationship Between Local Short-Term Uses of the Human Environment and Maintenance and Enhancement of Long-Term Productivity

The Proposed Action constitutes a short-term use of man's environment, will result in minimal environmental impacts, and is not anticipated to affect long-term productivity. The Proposed Action will prevent surface overtopping from the Chattahoochee River and its tributaries.

5.0 Coordination

As required by the National Environmental Policy Act, the USACE, Mobile District and the City of Atlanta coordinated this project with various local, state and Federal agencies. During the early stages of development, the Chattahoochee River Keepers, the National Park Service, Georgia Department of Transportation, City of Atlanta, and USACE, Savannah District Regulatory Division were consulted to inform of the proposed action; determine if project was in their jurisdiction; and invited to participate in a stakeholders meeting. Consultation with the USFWS, GADNR, Georgia State Historic Preservation Officer, and Tribal Nations will be solicited for their comments and/or concerns regarding the proposed project. Final coordination is ongoing.

Coordination with the general public will be accomplished by making the Environmental Assessment available through means of a 15-day notice of availability being placed on the U.S. Army Corps of Engineers, Mobile District website and emailing to interested parties. Comments received from the public and agencies on the proposed action will be reviewed and those of substantive incorporated into the Environmental Assessment.

6.0 List of Preparers

Table 2 identifies members of the Project Delivery Team (PDT) and/or team members assisting the PDT member that provided information for preparation of the Draft EA.

Table 2: List of Preparers

Personnel	Discipline
Bailey, Joshua	Structural Technician
Defalco, James	Civil Engineer
Diaz, Velma	Environmental
O'Day, Patrick	Archeologist
Ortiz, Juan	Structural Engineer

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