



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

CESAM-PD-EI
PUBLIC NOTICE NO. FP13-SL01-13

11 March 2013

**PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS**

**LEASE OF U.S. ARMY CORPS OF ENGINEERS FEE PROPERTY FOR PLACEMENT
OF LINWOOD WATER RECLAMATION FACILITY RECLAIMED WATER
PIPELINE AND DIFFUSER
CITY OF GAINESVILLE, GEORGIA**

A FEDERALLY AUTHORIZED PROJECT

Interested persons are hereby notified that the United States Army Corps of Engineers (USACE), Mobile District intends to grant an easement for the proposed construction of a reclaimed water pipeline and diffuser to the City of Gainesville, Georgia across government fee lands for the purpose of improving the discharge quality and increasing treatment capacity at the Linwood Water Reclamation Facility (LWRF). The City of Gainesville, Georgia is currently upgrading the LWRF to both comply with new discharge standards and to accommodate projected future wastewater treatment capacity needs.

The recipient of this notice is requested specifically to review the proposed action as it may impact federal lands. We also ask your comment on any other potential impact.

LOCATION: Lake Sidney Lanier (Lake Lanier), Georgia.

PROJECT AUTHORIZATION: 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) documentation in order to evaluate the potential environmental impacts of the proposed action.

DESCRIPTION OF THE PROPOSED ACTION: The City of Gainesville proposes to construct, operate and maintain a new 36-inch reclaimed water pipeline and diffuser along a similar alignment to the existing pipeline and diffuser into Lake Lanier. The proposed action involves a new pipeline that will transport reclaimed water from the LWRF to an improved diffuser placed at the bottom of Lake Lanier. The new pipeline and diffuser will be constructed perpendicular to the shoreline of the lake and will be located parallel to and approximately 400

feet to the north of the existing effluent outfall and diffuser. The new pipeline and diffuser will extend approximately 860 feet into the lake. Of the 860 feet, approximately 495 feet consist of piping and approximately 365 linear feet is the actual diffuser structure. Construction of the project would require excavation of earth and rock below the 1073-foot contour line of Lake Lanier. Construction of the outfall would require opening a trench within the lake for approximately 865 linear feet. While open-cut construction would occur, portions of the outfall piping would be laid directly on the lakebed in an effort to reduce impacts. While the exact method of excavation to be used by the contractor is unknown, it is anticipated that a traditional clamshell bucket will be used to excavate the trench. A total of approximately 630 cubic yards of material will be excavated. The clamshell will operate from a barge and material excavated from the trench will be removed to upland areas and disposed offsite at a regulated landfill. The pipe will be bedded in gravel and the trench will be backfilled with crushed stone.

WATER QUALITY CERTIFICATION: The proposed action is subject to regulation through the USACE, Mobile District, under Section 404 of the Federal Water Pollution Control Act of 1972, as amended, commonly called the Clean Water Act (CWA). The diffuser would be placed in Lake Lanier, which is subject to Section 404 jurisdiction. A Section 404 Nationwide Permit (NWP) has been issued by the USACE for construction of the pipeline and diffuser through the Section 404 jurisdictional area. In the USACE NWP Program in 33 CFR Part 330, NWP 12 authorizes the construction of pipelines and associated outfall structures.

USE BY OTHERS: Implementation of the proposed project may have a temporary impact on recreation during construction. Construction noise associated with the installation of the pipeline will be temporary and minor due to project design.

NATIONAL ENVIRONMENTAL POLICY ACT (NEPA) CONSIDERATIONS: In addition the proposed water pipeline and diffuser project was addressed in a Draft Environmental Assessment (EA). This Draft EA indicated an environmental impact statement for the proposed project is not needed. The EA is available for review at the USACE Mobile District webpage: <http://www.sam.usace.army.mil/Missions/PlanningEnvironmental/EnvironmentalAssessments.aspx>. Upon completion of the coordination period set forth in this notice, comments received will be incorporated into the EA and a final determination of NEPA documentation requirements made. The final determination of this document will be posted on the USACE Mobile District webpage for future reference.

HISTORIC PROPERTY CONSIDERATIONS: As per requirements outlined in Section 106 of the National Historic Preservation Act of 1966 as amended (NHPA), and its implementing regulations at 36 CFR 800, the Mobile District must consider the effects of the proposed action on historic properties. Historic properties are defined as cultural resources determined to be eligible for inclusion on the National Register of Historic Places (NRHP). A literature and background check for previously recorded cultural resource sites and surveys was made of the project Area of Potential Effect (APE). In addition to the background research, one prehistoric archaeological site was identified during field surveys; however the site is recommended ineligible for listing in the NRHP due to poor integrity as a result of plowing and erosion. No cultural resource sites or areas considered to have potential for historic properties were identified within the project APE. Therefore, the Mobile District has

determined no historic properties affected by the proposed project in the City of Gainesville, Georgia as per 36 CFR 800.4(d)(1).

ENDANGERED/THREATENED SPECIES: There is no potential habitat for any Federally-listed threatened and endangered species with potential to exist in the proposed project area. However, the proposed project area provides potential foraging habitat for Bald eagles (*Haliaeetus leucocephalus*), and although they are not Federally listed as threatened or endangered they are still protected under the Bald Eagle Protection Act of 1940. The level of development and human presence proximate to the proposed project area would make it highly unlikely that bald eagles utilize the proposed project area. The proposed project would not “take” bald eagles, as defined by the Bald and Golden Eagle Protection Act.

EVALUATION: The decision whether to proceed with the proposed action will be based on the evaluation of the probable impact, including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which may be reasonably expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are general environmental setting, soils, wetlands, floodplain, flora, fauna, endangered and threatened species, cultural resources, noise, air quality, water quality, groundwater, recreation, and hazardous and toxic materials/wastes.

In as much as the proposed work would involve the discharge of materials into waters of the United States, designation of the proposed discharge site associated with this federal project is being made through application of guidelines promulgated by the Administrator of the Environmental Protection Agency in conjunction with the Secretary of the Army.

COORDINATION: The USACE is soliciting comments from the general public; Federal, State, and local agencies, and officials; American Indian Tribes, and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be used by the USACE to determine whether or not to proceed with the proposed action. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above.

Among the agencies receiving copies of this public notice are:

Region IV, U. S. Environmental Protection Agency
Field Supervisor, Fish and Wildlife Service
Georgia Department of Natural Resources, Environmental Protection Division
Georgia Department of Natural Resources, Wildlife Resources Division
Georgia State Historic Preservation Officer

You are requested to communicate the information contained in this notice to any other parties who may have an interest in the proposed action.

CORRESPONDENCE: Correspondence concerning this Public Notice should refer to **Public Notice Number FP13-SL01-13** and should be directed to the Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628, Attention: CESAM-PD-EI (Mr. Matthew Horton) within 30 calendar days from the date of this public notice. Mr. Matthew Horton may be contacted at telephone number (251) 694-4636 or e-mail address matthew.w.horton@usace.army.mil for additional information.



CURTIS M. FLAKES
Chief, Planning and Environmental
Division