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**Appendix M**  
**Wetland Report**

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# Flat Creek Watershed Aquatic Ecosystem Restoration Project: Wetland Report

USACE Mobile District

September 1, 2010

## Purpose

The U.S. Army Corps of Engineers (USACE) Mobile District has proposed an aquatic ecosystem restoration project in the Flat Creek watershed, under Section 206 of the Water Resources Development Act of 1996, as amended. The Tentatively Selected Plan for Flat Creek includes two Alternative Sites within the Flat Creek watershed (Figure 1). This technical memorandum (TM) presents findings from a site visit conducted at these sites, which include Alternatives 32 and 33. The site visit was conducted to evaluate the presence of jurisdictional wetlands or other waters of the United States that require delineation and potential permitting in accordance with Section 404 of the Clean Water Act (CWA), administrated by the USACE Savannah District Regulatory Division. The Savannah District would verify the report findings and determine if wetlands and other waters of the United States would require permitting under Section 404 of the CWA. CH2M HILL conducted an evaluation of the Tentatively Selected Plan Alternative Sites on June 16, 2010. This TM represents the professional opinion of CH2M HILL regarding the presence or absence of wetlands and their boundaries within the study areas. In accordance with USACE-Mobile District directions, non-wetland areas in this TM will refer to any such areas as defined in the 1987 Manual (USACE, 1987), but not Flat Creek and its tributaries.

## Wetland Determination Methodology

### Wetland Definition

Wetlands for the purpose of this study were defined as:

*"...those areas inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas"* (USACE, January 1987, pg. 12).

This definition identifies three essential characteristics possessed by wetlands: 1) hydrophytic vegetation; 2) hydric soils; and 3) wetland hydrology.

### Waters of the United States

The term "waters of the United States" has broad meaning and incorporates both deepwater aquatic habitats and special aquatic sites, including wetlands, as follows (33 *Code of Federal Regulations* [CFR] Part 328.3(a)):

1. *All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;*
2. *All interstate waters including interstate wetlands;*
3. *All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate or foreign commerce including any such waters:*
  - Which are or could be used by interstate or foreign travelers for recreational or other purposes; or*
  - From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; or*
  - Which are used or could be used for industrial purpose by industries in interstate commerce;*
4. *All impoundments of waters otherwise defined as waters of the United States under the definition;*
5. *Tributaries of waters identified in paragraphs (a)(1)-(4) of this section;*
6. *The territorial seas;*
7. *Wetlands adjacent to waters, (other than waters that are themselves wetlands) identified in paragraphs (a)(1)-(6) of this section;*
8. *Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of the Clean Water Act (other than cooling ponds as defined in 40 CFR 123.11 (m) which also meet the criteria of this definition) are not waters of the United States.*
9. *Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area's status as prior converted cropland by any other federal agency, for the purposes of the Clean Water Act, the final authority regarding Clean Water Act jurisdiction remains with the EPA."*

For the purpose of this TM, discussion of "waters of the United States" occurring within the project area will be separated into wetlands and non-wetland waters. Non-wetland waters refer to all waters that do not meet the wetland criteria (hydrophytic vegetation, hydric soils, and hydrology), as defined in the 1987 Manual (USACE, 1987). In accordance with USACE-Mobile District directions, non-wetland areas in this TM will refer to any such areas as defined in the Manual, but not Flat Creek and its tributaries. Lakes, ponds, impoundments, sedimentation basins having no vegetation, and permanent and intermittent streams outside of wetlands are commonly included as non-wetland waters. However, the determination of CWA jurisdiction lies with the USACE.

## Alternative Site Descriptions

All of the proposed Alternative Sites are within the Flat Creek watershed, which is located in the Chattahoochee River Basin in Hall County, Georgia. Flat Creek flows to the south through central Hall County and the City of Gainesville before draining into Lake Sidney Lanier. The

Flat Creek watershed is located in Hall County, which is part of the Upper Piedmont physiographic province. The watershed encompasses 7,337 total acres (698 acres of which are inundated by Lake Lanier) and contains a total of 31 stream miles (6 miles of main stem and 25 miles of tributaries).

Alternatives 33 and 32 are sections of Flat Creek that include the creek bed and a 50 foot buffer on both banks. Alternative 33 is the 700-foot section between Hilton Road and Highland Terrace. Alternative 32 is the 1,800-foot stream section located between Dorsey Street and Atlanta Highway (see Figure 1).

## Wetland Delineation Results

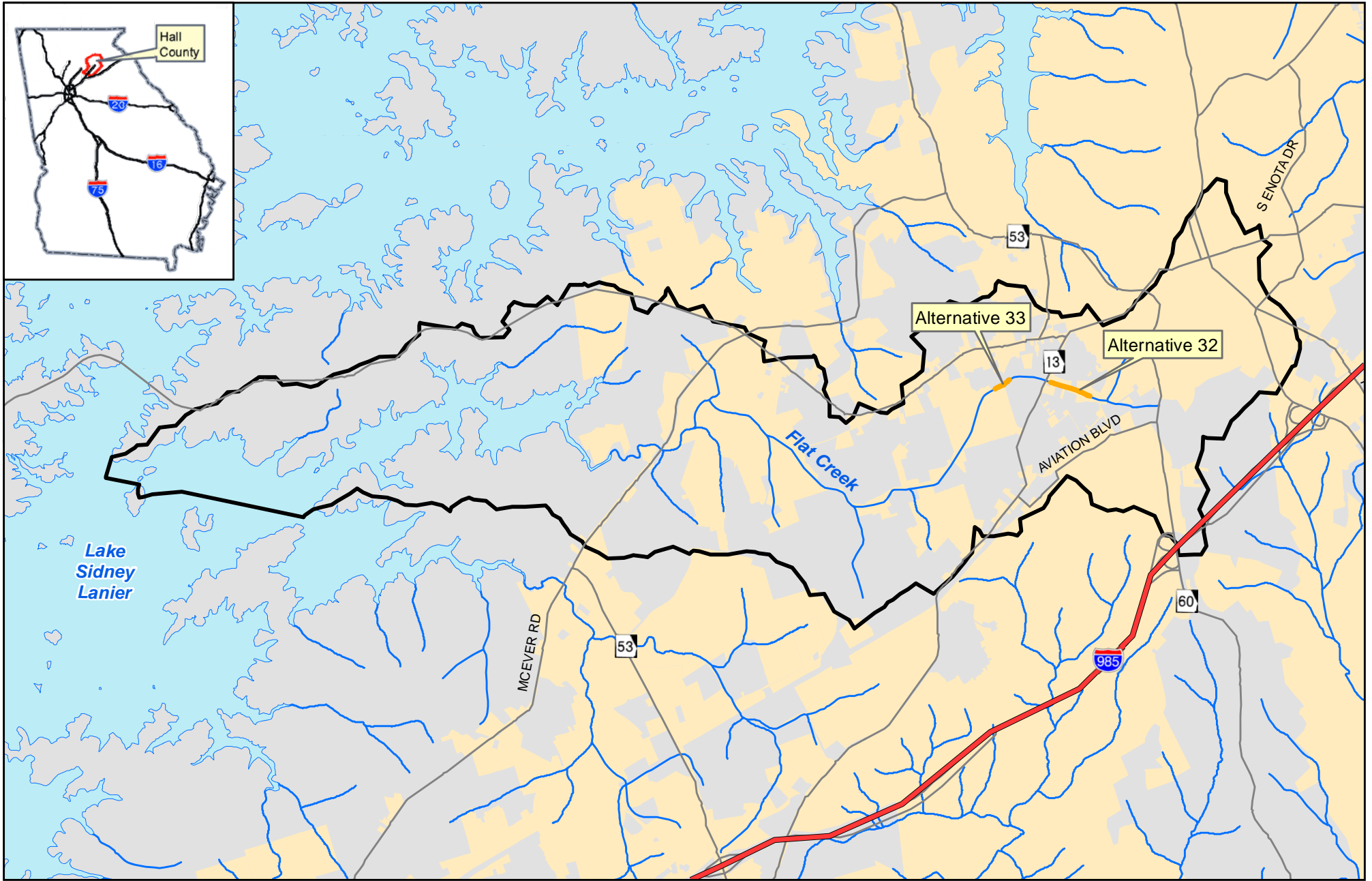
No jurisdictional wetlands were identified at the two Alternative Sites.

## Conclusions and Permitting Requirements

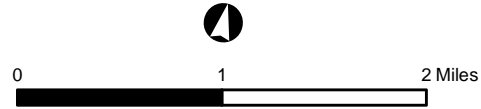
After performing the field investigation, CH2M HILL concluded that no jurisdictional wetlands occur at the two Alternative Sites. The USACE Mobile District has proposed stream restoration for Alternatives 33 and 32. A USACE wetland permit is not required to complete the proposed actions as planned.

## References

U.S. Army Corps of Engineers. January 1987. *Corps of Engineers Wetlands Delineation Manual*. Environmental Laboratory, Department of the Army.



- Alternative Site
- Flat Creek Watershed
- ~ River / Stream
- City of Gainesville
- = Interstate
- Highway



**FIGURE 1**  
 Project Location  
*Flat Creek Wetland Delineation TM*

Source: Environmental Systems Research Institute, 2010

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