

**GEORGIA STATE CLEARINGHOUSE MEMORANDUM
EXECUTIVE ORDER 12372 REVIEW PROCESS**

TO: MS. HALEY FLEMING
ATLANTA REGIONAL COMMISSION
40 COURTLAND STREET, NE
ATLANTA, GA 30303

FROM: Barbara Jackson
Georgia State Clearinghouse

DATE: 3/2/2007

SUBJECT: Executive Order 12372 Review

APPLICANT: Scenic Promenade, LLC

PROJECT: JPN: Develop 270,000 plus sqft (approx 6 acres) shopping center on 42 acres
(located City of Snellville, Gwinnett County, GA)

CFDA NO.:

STATE ID: GA070302004

IMPORTANT! REVIEW COMMENTS DUE BY OR BEFORE: 3/23/2007

A copy of the Standard Federal Application package, Environmental Information, or Direct Federal Development project is enclosed for your review and comment. Your review should focus on the projects compatibility with those state or regional goals, policies, plans, fiscal resources, criteria for Developments of Regional Impact (DRI), environmental impacts, or inconsistencies with federal executive orders, acts and/or rules and regulations with which your agency is concerned. Negative environmental impacts or provision for protection of the environment and possible duplication of the proposed project with programs presently in place should be pointed out.

Any major points of conflict identified by you during the review process immediately should be brought to the attention of the Administrator, Georgia State Clearinghouse. The Administrator will attempt to mediate these concerns prior to completing the review of the project. The Clearinghouse telephone number is (404) 656-3855.

Please have your comments typed (or hand-printed) and dated on the enclosed Form SC-3. An additional sheet may be used if additional space is needed. Your comments will be summarized in a single state position or a composite that reflects both the state and regional recommendations and be returned to the applicant/sponr. They in turn will forward a copy to the federal agency if necessary.

Form SC-2
May 2004



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

FEB 28 2007

Regulatory Division
200602425

JOINT PUBLIC NOTICE
Savannah District/State of Georgia

The Savannah District has received an application for a Department of the Army Permit, pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), as follows:

Application Number: 200602425

Applicant: Scenic Promenade, LLC.
Attention: Mr. Maxie Price
P.O. Box 2149
Loganville, Georgia 30052

Agent: Law Office of Wm. Thomas Craig
Attention: Mr. Dargan Scott Cole
PO Box 1587
Covington, Georgia 30015

Location of Proposed Work: The proposed project site is located on the West side of Georgia Highway 124, just north of the intersection of Highway 124 and Tree Lane, and south of the intersection of Highway 124 with Ridge Drive. The project is located at latitude 33° 52' 57" north and longitude 84° 00' 47" west, in the City of Snellville, Gwinnett County, Georgia.

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers: Scenic Promenade, LLC proposes to develop a 270,000 plus square foot (approximately 6 acres) shopping center on a 42 acres located in the City of Snellville, Georgia. The development would feature primarily small and medium box retailers in shopping center and stand-alone formats. There would also be space for local merchants and specialty shops that would augment the existing commercial and retail opportunities in the area. This development would provide a more comprehensive shopping experience enhancing the existing mix of large national retailers with locally owned businesses providing activities and amenities not currently available in the trade area. The proposed project would permanently impact 0.1 acres of wetland, 1,920 linear feet of stream.

Prior to the approval of the purchase of credits from a commercial mitigation bank, the applicant must demonstrate through documentation to the US Army Corps of Engineers that the option of mitigation on-site and within basin has been thoroughly investigated, with no potential sites located.

BACKGROUND

This Joint Public Notice announces a request for authorizations from both the US Army Corps of Engineers and the State of Georgia. The applicant's proposed work may also require local Governmental approval.

STATE OF GEORGIA

Water Quality Certification: The Georgia Department of Natural Resources, Environmental Protection Division, intends to certify this project at the end of 30 days in accordance with the provisions of Section 401 of the Clean Water Act, which is required by an applicant for a Federal Permit to conduct an activity in, on, or adjacent to the waters of the State of Georgia. Copies of the application and supporting documents relative to a specific application will be available for review and copying at the office of the Georgia Department of Natural Resources, Environmental Protection Division, Water Protection Branch, 4220 International Parkway, Suite 101, Atlanta, Georgia 30354, during regular office hours. A copier machine is available for public use at a charge of 25 cents per page. Any person who desires to comment, object, or request a public hearing relative to State Water Quality Certification must do so within 30 days of the State's receipt of application in writing and state the reasons or basis of objections or request for a hearing. The application can also be seen in the Savannah District US Army Corps of Engineers, Regulatory Branch, Piedmont Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia.

State-owned Property and Resources: The applicant may also require assent from the State of Georgia which may be in the form of a license, easement, lease, permit, or other appropriate instrument.

US ARMY CORPS OF ENGINEERS

The Savannah District must consider the purpose and the impacts of the applicant's proposed work, prior to a decision on issuance of a Department of the Army Permit.

Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Application of Section 404(b)(1) Guidelines: The proposed activity involves the discharge of dredged or fill material into the waters of the United States. The Savannah District's evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under the authority of Section 404(b) of the Clean Water Act.

Public Hearing: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application for a Department of the Army Permit. Requests for public hearings shall state, with particularity, the reasons for requesting a public hearing. The decision whether to hold a public hearing is at the discretion of the District Engineer, or his designated appointee, based on the need for additional substantial information necessary in evaluating the proposed project.

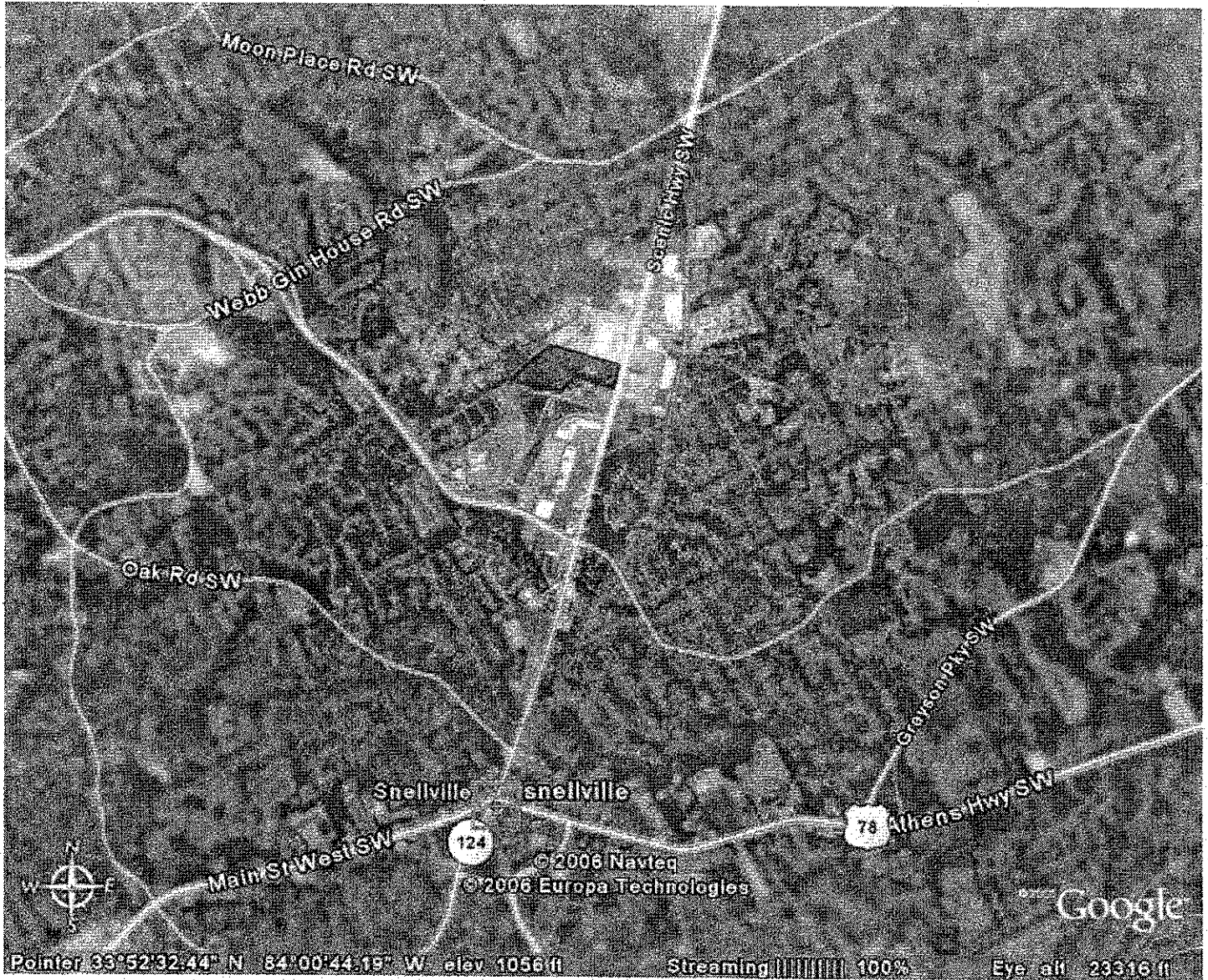
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments in writing to the Savannah District, US Army Corps of Engineers, Piedmont Branch, Attention: Mr. Gary L. Craig, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, no later than 30 days from the date of this notice. Please refer to the applicant's name (Scenic Promenade, LLC) and the application number (200602425) in your comments.

If you have any further questions concerning this matter, please contact Mr. Gary L. Craig at (678) 422-6571.

Enclosures

1. Aerial Photograph
2. Figure 1: Location Map (USGS Quad Map)
3. Exhibit 1: Existing Conditions Map
4. Exhibit 2: Overall Site Plan
5. Exhibit 3: Stream and Wetland Impact Map

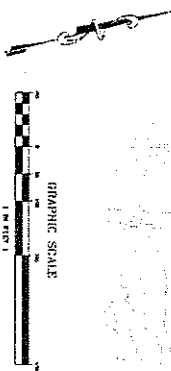
AERIAL PHOTOGRAPH
SCENIC PROMENADE RETAIL DEVELOPMENT
SNELLVILLE, GEORGIA



NOTES

1. EXISTING RECORDS, MEMORANDA, LETTERS, AND ATTACHED INFORMATION OF THIS FILE WAS TAKEN FROM A SERVER INSTALLED 1/20/06 & REPAIRED BY CALDWELL ENGINEERING 2/23/0709 CHENIERE RD, SUITE 100 BIRMINGHAM, AL 35207
TEL (205) 963-0537
FAX (205) 963-3549
2. EXISTING INFORMATION SHOWN IN THIS FILE WAS TAKEN FROM CALDWELL ENGINEERING'S INFORMATION.

For a full and complete picture of the best available information and its "quality," we reviewed the available data and considered requirements:



**CIVIL ENGINEERS • LAND PLANNERS
LANDSCAPE ARCHITECTS • SURVEYORS**

EX-1	CH 10000000
DATE	10/10/10
TIME	10:10
LOCATION	10:10
REMARKS	10:10

EXHIBIT 1
EXISTING
CONDITIONS

[illegible]

APPROVED FOR CONSTRUCTION

PROJECT
SCENIC PROMENADE
GEORGIA HIGHWAY 124
SNELLVILLE, GEORGIA

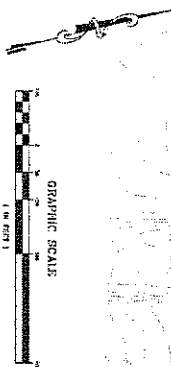
CLIENT
SCENIC PROMENADE, LLC
1200 ABERNATHY ROAD, SUITE 600
DUBLIN, GEORGIA 30128

COLUMBIA
ENGINEERING
2165 MEADOW CREEK RD
SUITE 100
DUBLUTH, GEORGIA 30067
(770) 425-0357

NOTES

1. EVENING CONSIDERED, ROOMING, STIPAL, AND
STIPAL INCREASATION ON THIS PLAN WAS TAKEN
FROM A SHORT REVEAL 11/20/06 & PREPARED BY
COLLEEN, CHICAGO, ILL.
2. EVENING CONSIDERED, ROOMING, STIPAL, AND
STIPAL INCREASATION ON THIS PLAN WAS
TAKEN FROM SHORT REVEAL, CHICAGO, ILL.

IMPACT DATA	
TECHNICAL STREAM	1,720 CF
ONSHORE/IN STREAM	200 CJ
CRITICAL/IN STREAM	0.13 AC
WETLANDS	0.18 AC



THIS SITE PLAN HAS BEEN PREPARED BASED ON BEST AVAILABLE INFORMATION AND IS SUBJECT TO CHANGE DUE TO FURTHER SURVEY DATA AND JURISDICTIONAL REQUIREMENTS.

[illegible]

MEMBERS DATE

PROJECT

SCENIC PROMENADE
GEORGIA HIGHWAY 124
SNELLVILLE, GEORGIA

CLIENT

SCENIC PROMENADE, LLC
1200 ABERNATHY ROAD, SUITE 500
ATLANTA, GA 30328

COLUMBIA
ENGINEERING
2163 KEELEYS CHURCH RD
SUITE 100
IDAUI, GEORGIA 30007
(478) 824-0387