

**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: 3/26/2008

SUBJECT: Executive Order 12372 Review

APPLICANT: Brand Properties and Gwinnett Convention & Visitors Bureau

PROJECT: JPN: Construct the "Gwinnett Braves Stadium Development" on 62.5-acre site  
(located near city of Suwanee, Gwinnett Co., GA)

CFDA NO.:

STATE ID: GA080326002

**IMPORTANT! REVIEW COMMENTS DUE BY OR BEFORE: 4/16/2008**

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 SC3. 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/sponsor. They in turn will forward a copy to the federal agency if necessary.

***NOTE: Please do not return this SC-2 form or the full material back to this office. Keep the copy for your files or dispose of if not needed.***

Form SC-2  
May 2007



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

**MAR 26 2008**

Regulatory Division  
200800046

**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: 200800046

Applicants: Brand Properties  
Attention: Mr. Brand Morgan  
3475 Piedmont Road, N.E.  
Suite 900  
Atlanta, Georgia 30305

Gwinnett Convention and Visitors Bureau  
Attention: Mr. Preston Williams  
6400 Sugarloaf Parkway  
Duluth, Georgia 30097

Agent: Red Oak Ecological  
Attention: Mr. Jason Morrell  
350 Research Court  
Norcross, Georgia 30092

Location of Proposed Work: The proposed project is located at Latitude 34° 02' 20" North and Longitude 83° 59' 32" West, south of the intersection of Buford Drive and Tech Center Parkway, near the city of Suwanee, Gwinnett County, Georgia. Please see the attached Site Location Map (Figure 1).

Description of Work Subject to the Jurisdiction of the US Army Corps of Engineers:  
Brand Properties (Brand) and Gwinnett Convention and Visitors Bureau (GCVB) propose to construct the "Gwinnett Braves Stadium Development" on a 62.5-acre site. The development would include the construction of a 10,000 seat baseball stadium (home of the Gwinnett Braves, Class AAA affiliate of the Atlanta Braves), and 16 retail buildings (approximately 259,000

square feet). The development will also include attendant infrastructure such as driveways, surface parking areas, storm water treatment systems, and two open space parks.

The applicant states: "The purpose of the proposed project is to provide a mixed-use development, centered on a minor league baseball stadium that provides sports, entertainment, retail, and dining services to north Gwinnett County and the surrounding area. The minor league baseball facility will be the central component of the mixed-use development and will provide an outdoor stadium for the sports and entertainment uses, which is not currently present in north Gwinnett County. Annual operation of the proposed ballpark is anticipated to generate \$8.2 to \$11.6 million in total output, provide 100 to 150 full and part-time jobs, and generate \$448,000 to \$633,000 in tax revenue. In addition, the retail shops and restaurants will enhance the economic benefit of the proposed project while promoting pedestrian use and reducing traffic and suburban sprawl by providing multiple uses within one cohesive development

The goal of the GCVB and Brand is to provide a mixed-use development centered on a minor league baseball stadium that is consistent with the Mall of Georgia Overlay District and enhances the existing activity center in north Gwinnett County. The proposed development will offer sports, entertainment, shopping, and dining opportunities to the rapidly growing population of north Gwinnett County. In addition, the Stadium development will serve as an attraction to area visitors, thereby increasing tourism and associated benefits to the local economy."

Initial Field investigations revealed five streams, three wetlands, two ponds, and two ephemeral drains. Of the five streams identified onsite, four were considered intermittent systems (Streams I1, I2, I3, and I4) with the remaining stream being considered a perennial system. All of the streams onsite are unnamed tributaries to Little Suwanee Creek. Of the three wetlands identified onsite, two (W1 and W2) were identified as emergent/scrub shrub wetlands. The remaining wetland (W3), located abutting the footprint of Pond 2, was classified as scrub/shrub/forested system. Ponds 1 and 2 (P1 and P2) are the result of two dams constructed on Stream I1. Approximately 2,187 linear feet of stream channel, 0.37 acres of wetland, 2.40 acres of open water, and 0.02 acres of ephemeral drains were delineated onsite. Please see the attached Jurisdictional Waters Map (Figure 2).

The current development plan for the Gwinnett Braves development will require impacts to 888 linear feet of intermittent stream, 0.37 acres of wetland, 2.40 acres of open water, and 0.02 acres of ephemeral drain associated with the grading and construction of the stadium and numerous building pads, road crossings, and parking facilities throughout the project area. In accordance with the Savannah District's Standard Operating Procedure (SOP) for Compensatory Mitigation, the above impacts will require a total of 3,996 stream credits and 16.38 wetland credits as compensatory mitigation. Please see the attached Proposed Site Plan (Figure 7). According to Red Oak Ecological (applicant's consultant), the applicant proposes to purchase the above required credits from an approved compensatory mitigation bank that services the project area.

## 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.

**Cultural Resources Assessment:** Pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended, we request the Georgia Historical Preservation Division (GAHPD) or any other interested party review the latest published version of the National Register of Historic Places (NRHP) to determine if the property has or has not any registered properties or properties listed as eligible for inclusion located at the site or in the area affected by the proposed work. Presently unknown archaeological, scientific, prehistorical, or historical data may be located at the site and could be affected by the proposed work.

The applicant has completed a Phase I Cultural Resources survey for this project. USACE is in the process of reviewing this information to ensure that the proposed project will be in

compliance with Section 106 of the National Historic Preservation Act of 1966. Following our review of the project documentation, we will forward our comments to GAHPD for review and comment.

**Endangered Species:** Pursuant to Section 7(c) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.), we request from the US Department of the Interior, Fish and Wildlife Service and the US Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, or any other interested party, information on whether any species listed or proposed for listing may be present in the area.

The applicant's consultant indicated that there will be no impacts to threatened and endangered species as a result of the proposed project.

**Public Interest Review:** The decision whether to issue a permit will be based on an 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 benefit which reasonably may be 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 conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

**Consideration of Public Comments:** The US Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the US Army Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. 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. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact 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. Justin Hammonds, 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 (Brand Properties and Gwinnett Convention and Visitors Bureau) and the application number (200800046) in your comments.

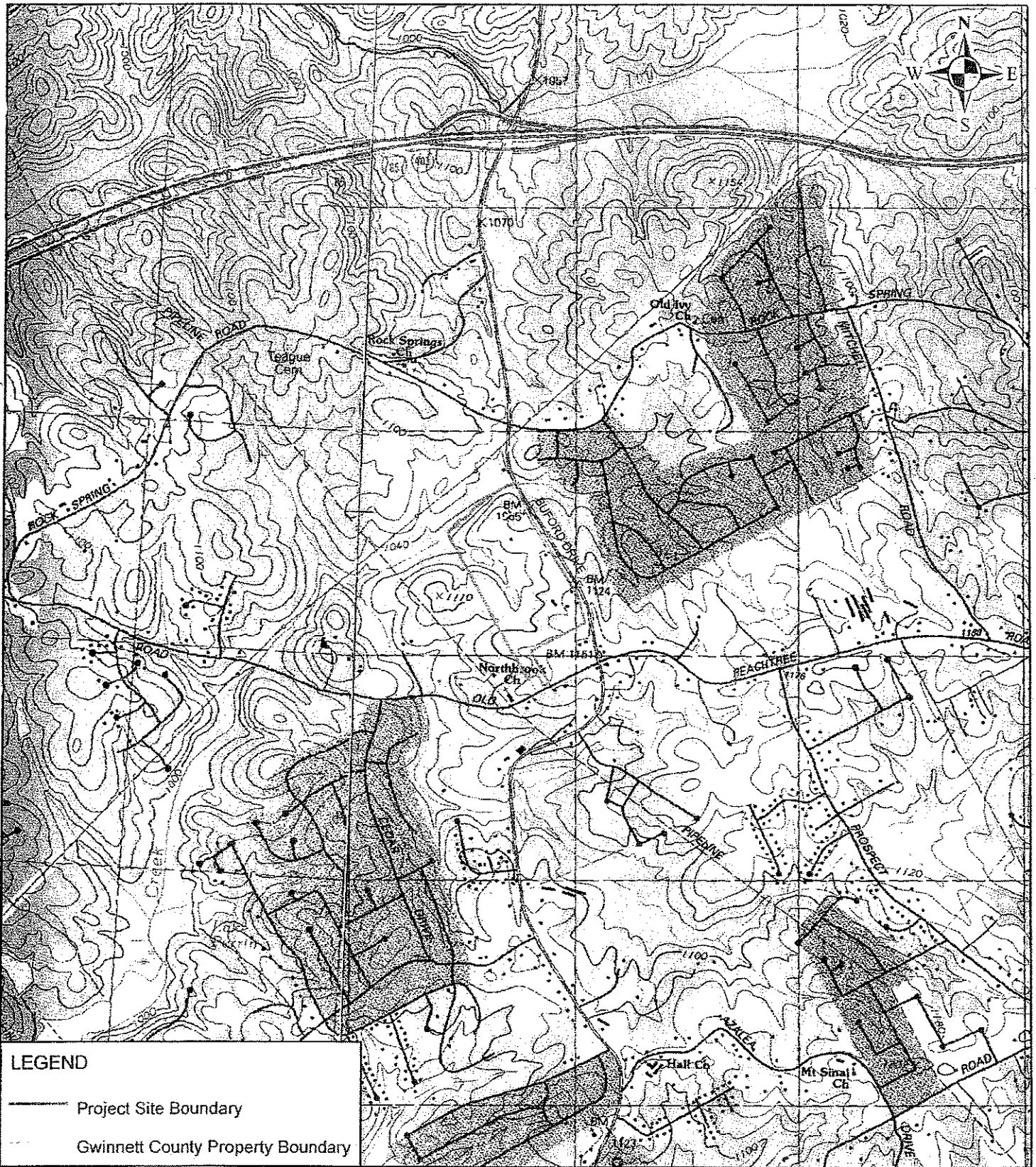
If you have any further questions concerning this matter, please contact Mr. Justin Hammonds at (770) 904-2365.

**3 Enclosures**

**Figure 1: Site Location Map (1 page)**

**Figure 2: Jurisdictional Waters Map (1 page)**

**Figure 7: Proposed Site Plan (1 page)**



Base Map Source: U.S. Geological Survey 7.5-Minute Topographic Quadrangles: Hog Mountain and Suwanee, Georgia 1996.

1:24,000

GWINNETT BRAVES STADIUM  
DEVELOPMENT

GWINNETT COUNTY, GEORGIA



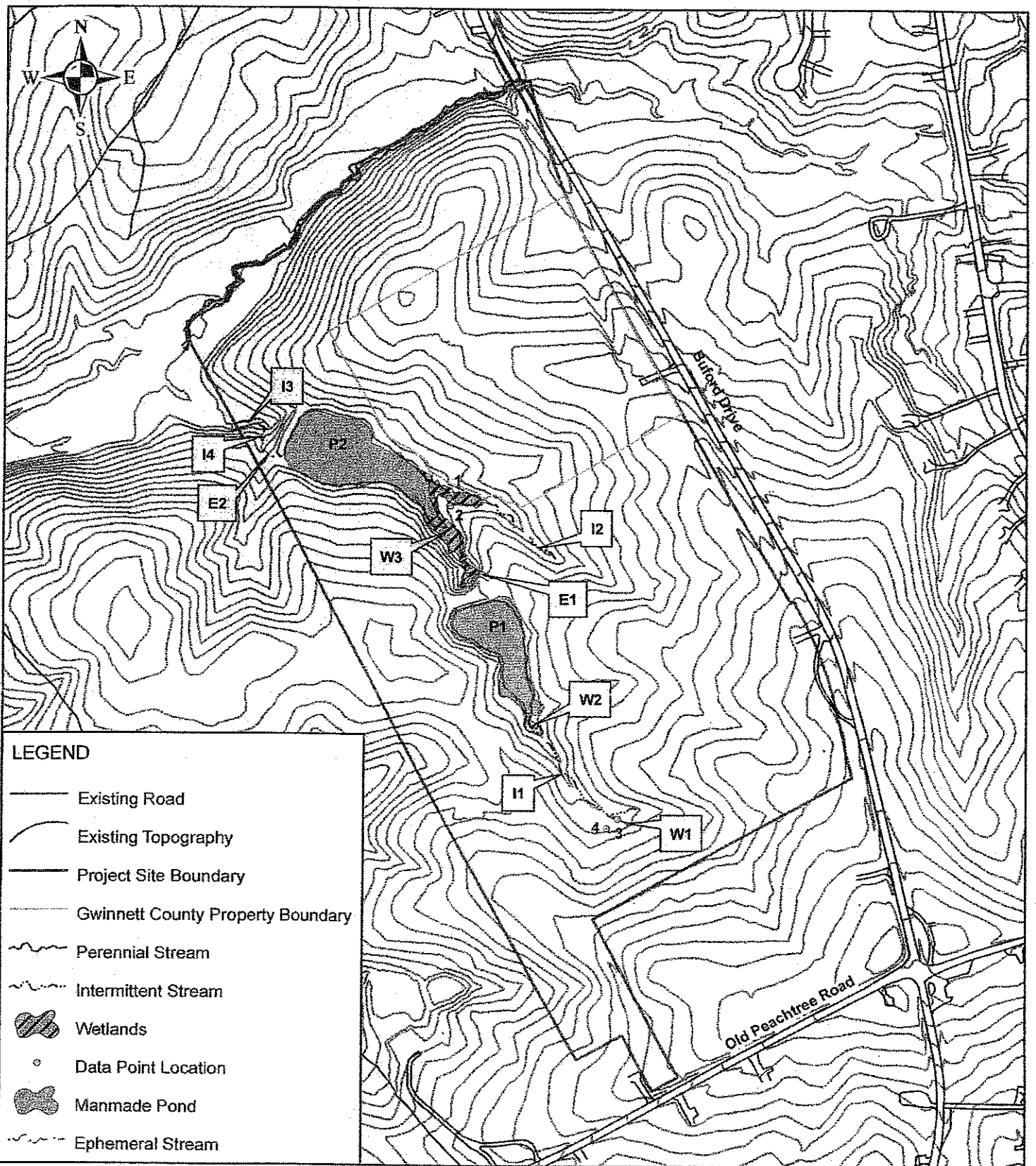
RED OAK  
ECOLOGICAL

AFFILIATION OF PLANNERS AND ENGINEERS  
COLLABORATIVE, INC.

FIGURE I

SITE LOCATION MAP

PEC PROJECT NO. 07I35.00



Base Map Sources: Gwinnett County GIS Data; Stream, wetland, and pond locations from Red Oak Ecological GPS survey 11/27/07

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GWINNETT BRAVES STADIUM  
DEVELOPMENT  
GWINNETT COUNTY, GEORGIA



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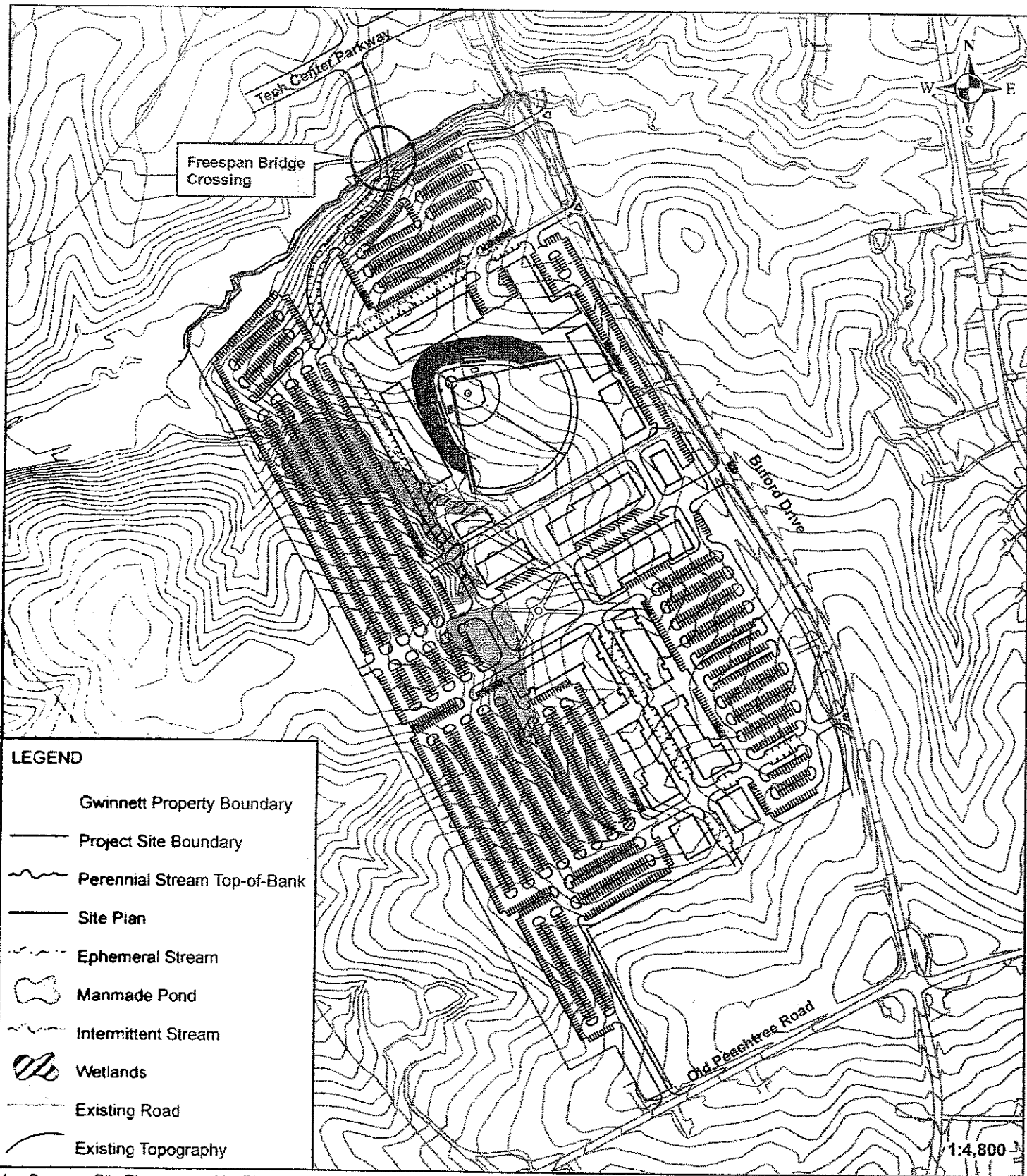
A DIVISION OF PLANNERS AND ENGINEERS  
COLLABORATIVE, INC.

FIGURE 2

JURISDICTIONAL WATERS MAP

PEC PROJECT NO. 07135.00





Map Sources: Site Plan prepared by Planners and Engineers Collaborative, Inc.; Site Topography and Road Locations from Gwinnett County GIS Data

GWINNETT BRAVES STADIUM  
DEVELOPMENT  
GWINNETT COUNTY, GEORGIA

 **RED OAK**  
**ECOLOGICAL**

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FIGURE 7  
PROPOSED SITE PLAN  
PEC PROJECT NO. 07135.00