



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
4751 BEST ROAD, SUITE 140
COLLEGE PARK, GEORGIA 30337

March 19, 2025

Regulatory Division
SAS-2025-00130

Mr. Rob Scott
RAC Properties of Athens, Incorporated
2891 Monroe Highway
Athens, Georgia 30622

Dear Mr. Scott:

I refer to the Pre-Construction Notification received on February 13, 2024, submitted on your behalf by Ecological Solutions, Incorporated, requesting verification for use of Nationwide Permit No. 29 (NWP 29) for permanent impacts to 107 linear feet (0.009-acre) of perennial stream for the construction of a single road crossing to service a new single family residential community. The approximately 42.2-acre project site is located north of Aiken Road, south of Atlanta Highway, east of Whitehead Road, and west of South Burson Avenue, in Bogart, Oconee County, Georgia (Latitude: 33.9442, Longitude: -83.5407). This project has been assigned number SAS-2025-00130 and it is important that you refer to this number in all communication concerning this matter.

We understand that the proposed project will involve the discharge of fill resulting in permanent impacts to 107 linear feet (0.009-acre) of perennial stream. Delineation limits and construction plans for the project review area are depicted in the enclosed exhibits entitled: "Figure 7.00 Whispering Oaks Subdivision, Oconee County, GA, Environmental Survey Findings", "Whispering Oaks Subdivision, Oconee County, GA, Environmental Survey Findings Technical Drawings", both prepared by Ecological Solutions, Inc. and "Sheet 1 Site & Grading Plan, Whispering Oaks Residential S/D", as prepared by ATG Civil, LLC, dated May 17, 2024. The aquatic resources were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual. Please note, should this delineation require reverification, it is subject to change based on site conditions at the time of reevaluation.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are U.S. Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

We have completed coordination with other federal and state agencies as described in Part C (32)(d) of our NWP Program, published in the January 13, 2021, Federal Register, Vol. 86, No. 8, Pages 2744-2877 (86 FR) and/or the December 27, 2021, Federal Register, Vol. 86, No. 245, Pages 73522-73583 (86 FR). The NWPs and Savannah District's Regional Conditions for NWPs can be found on our website at <http://www.sas.usace.army.mil/Missions/Regulatory/Permitting/GeneralPermits/NationwidePermits.aspx>. During our coordination procedure, no adverse comments regarding the proposed work were received.

As a result of our evaluation of your project, we have determined that the proposed activity is authorized as described in Part B of the NWP Program. Your use of this NWP is valid only if:

- a. The activity is conducted in accordance with the information submitted and meets the conditions applicable to the NWP, as described at Part C of the NWP Program and the Savannah District's Regional Conditions for NWPs.
- b. You shall notify the Corps, in writing, at least 10 days in advance of commencement of work authorized by this permit.
- c. You fill out and sign the enclosed certification and return it to our office within 30 days of completion of the activity authorized by this permit.

This proposal was reviewed in accordance with Section 7 of the Endangered Species Act. Based on the information we have available, we have determined that the project would have no effect on any other threatened or endangered species nor any critical habitat for such species. Authorization of an activity by a NWP does not authorize the "take" of threatened or endangered species. In the absence of separate authorization, both lethal and non-lethal "takes" of protected species are in violation of the Endangered Species Act. See Part (C) of 86 FR for more information.

This verification is valid until the NWP is modified, reissued, or revoked. All of the existing NWPs are scheduled to expire on March 14, 2026. It is incumbent upon you to remain informed of changes to the NWPs. Furthermore, if you commence or are under contract to commence this activity before the date that the relevant NWP is modified or revoked, you will have 12 months from the date of the modification or revocation of the NWP to complete the activity under the present terms and conditions of this NWP.

This authorization should not be construed to mean that any future projects requiring Department of the Army authorization would necessarily be authorized. Any new

proposal, whether associated with this project or not, would be evaluated on a case-by-case basis. Any prior approvals would not be a determining factor in making a decision on any future request.

Revisions to your proposal may invalidate this authorization. In the event changes to this project are contemplated, I recommend that you coordinate with us prior to proceeding with the work.

This communication does not relieve you of any obligation or responsibility for complying with the provisions of any other laws or regulations of other federal, state, or local authorities. It does not affect your liability for any damages or claims that may arise as a result of the work. It does not convey any property rights, either in real estate or material, or any exclusive privileges. It also does not affect your liability for any interference with existing or proposed federal projects. If the information you have submitted and on which the Corps bases its determination/decision of authorization under the NWP is later found to be in error, this determination may be subject to modification, suspension, or revocation.

An electronic copy of this letter is being provided to the following party: Mark Ballard, Ecological Solutions, Incorporated, at markballard7112@att.net.

Thank you in advance for completing our on-line Customer Survey Form located at http://corpsmapu.usace.army.mil/cm_apex/f?p=regulatory_survey. We value your comments and appreciate you taking the time to complete a survey each time you interact with our office.

If you have any questions, please contact Heidi Bailey at (770) 919-6143 or Heidi.I.Bailey@usace.army.mil.

Sincerely,

Amy K. Egoroff

Amy K. Egoroff
Lead Biologist, Piedmont Branch

Enclosures

Regulatory Division

CERTIFICATION OF COMPLIANCE
WITH
DEPARTMENT OF THE ARMY
NATIONWIDE PERMIT 29

PERMIT FILE NUMBER: SAS-2025-00130

PERMITTEE/ADDRESS: Mr. Rob Scott, RAC Properties of Athens, Incorporated, 2891 Monroe Highway, Athens, Georgia 30622

LOCATION OF WORK: The approximately 42.2-acre project site is located north of Aiken Road, south of Atlanta Highway, east of Whitehead Road, and west of South Burson Avenue, in Bogart, Oconee County, Georgia (Latitude: 33.9442, Longitude: -83.5407).

PROJECT DESCRIPTION: The applicant is requesting verification for use of NWP 29 for the construction of a single road crossing to service a new single family residential community.

ACRES AND/OR LINEAR FEET OF WATERS OF THE UNITED STATES IMPACTED: The proposed project would result in permanent impacts to 107 linear feet (0.009-acre) of perennial stream

DATE WORK IN WATERS OF UNITED STATES COMPLETED: _____

COMPENSATORY MITIGATION REQUIRED: N/A

DATE MITIGATION COMPLETED OR PURCHASED (include name of bank): N/A

I understand that the permitted activity is subject to a U.S. Army Corps of Engineers' Compliance Inspection. If I fail to comply with the permit conditions at Part C of the Nationwide Permit Program, published in the January 13, 2021, Federal Register, Vol. 86, No. 8, Pages 2744-2877 (86 FR) and/or the December 27, 2021, Federal Register, Vol. 86, No. 245, Pages 73522-73583 (86 FR), it may be subject to suspension, modification, or revocation.

I hereby certify that the work authorized by the above referenced permit as well as any required mitigation (if applicable) has been completed in accordance with the terms and conditions of the said permit.

Signature of Permittee

Date



LEGEND

- SURVEYED AREA
- ACCESS ROAD
- EPHEMERAL STREAM
- INTERMITTENT STREAM
- PERENNIAL STREAM
- WETLAND

WETLAND 01	0.15 ac
------------	---------

INTERMITTENT 01	310 ft
PERENNIAL 01	1514 ft
PERENNIAL 02	690 ft

EPHEMERAL STREAM 01	34 ft
EPHEMERAL STREAM 02	19 ft
EPHEMERAL STREAM 03	80 ft
EPHEMERAL STREAM 04	20 ft



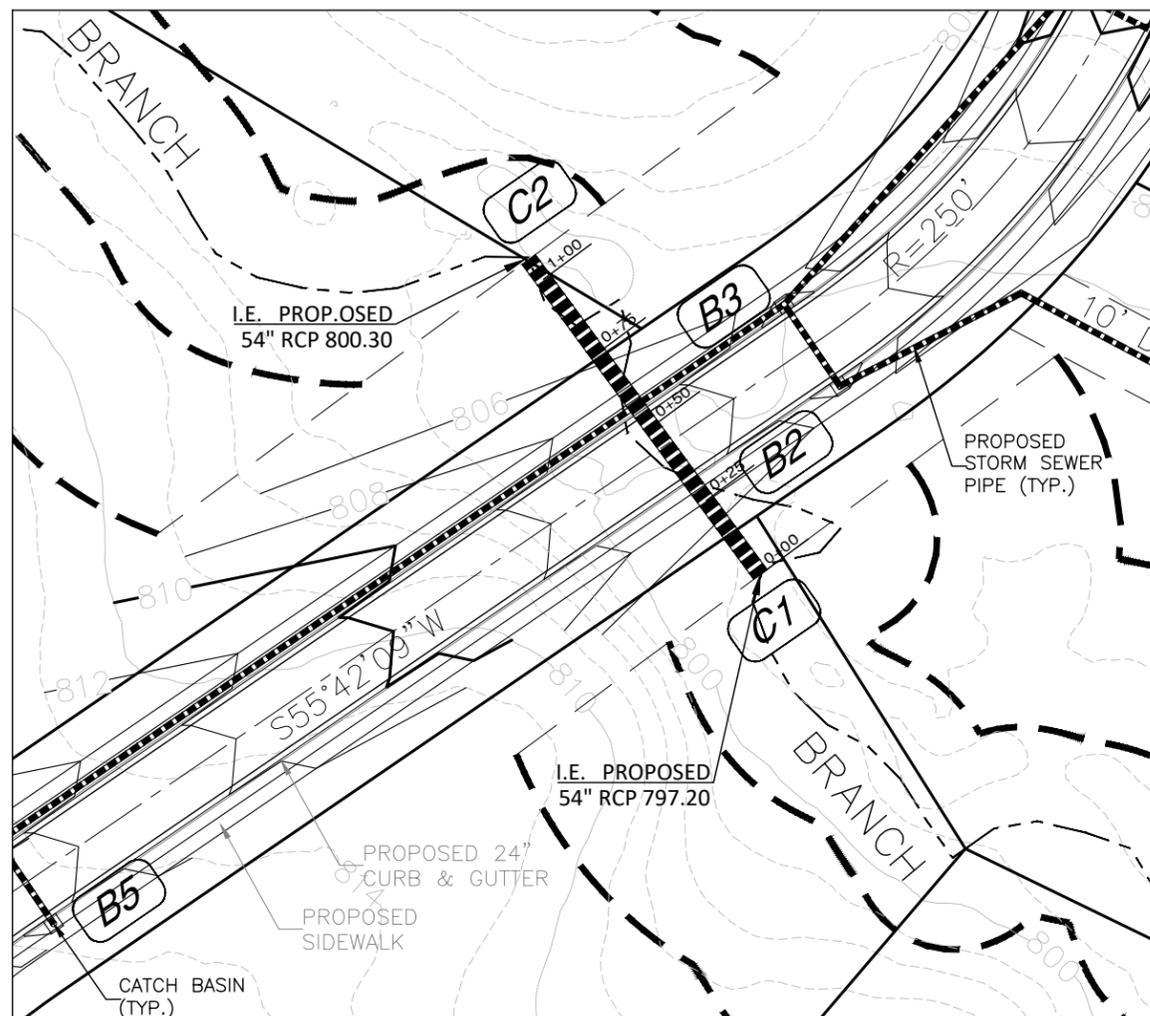
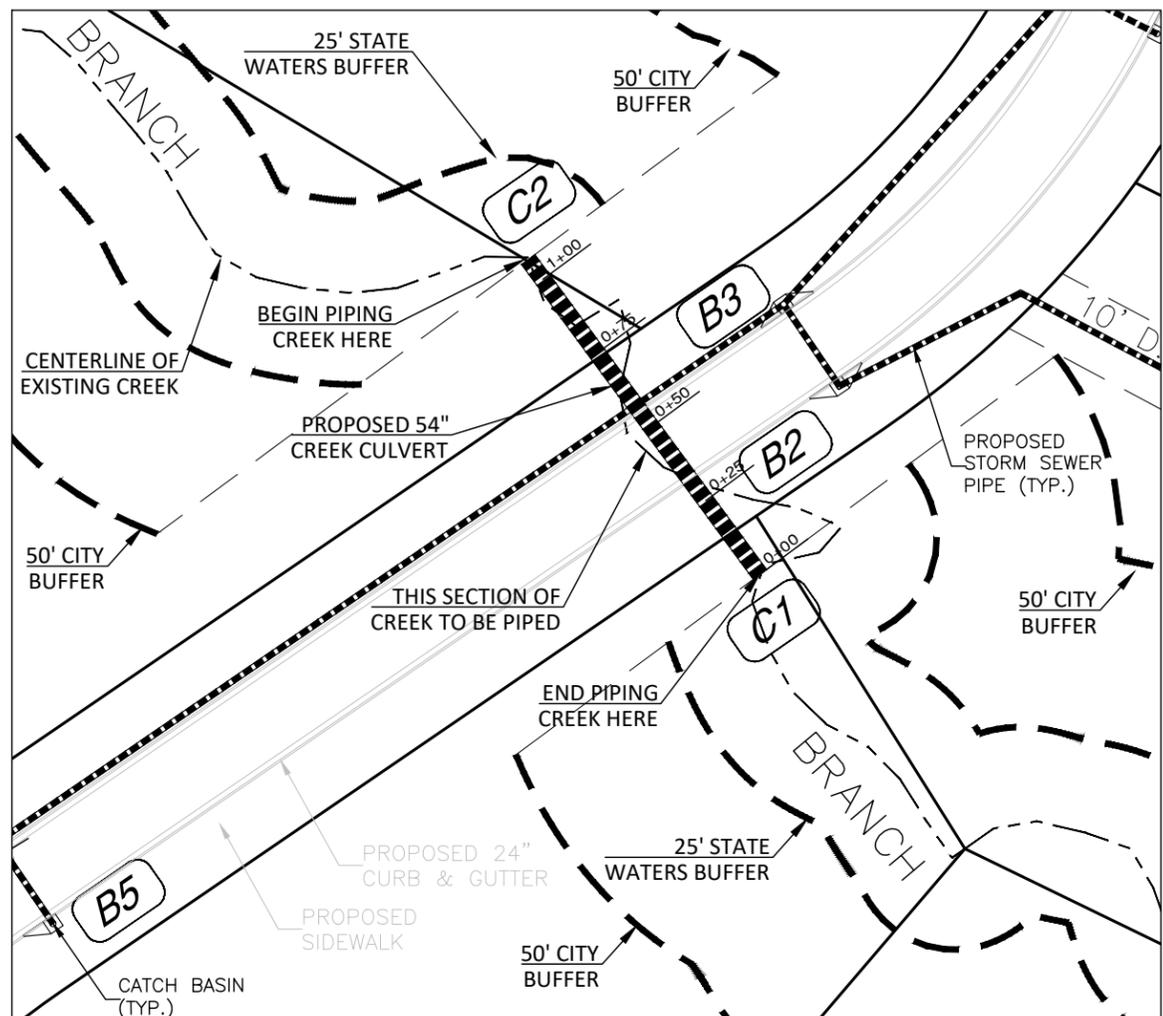
WHISPERING OAKS SUBDIVISION
OCONEE COUNTY, GA

ENVIRONMENTAL SURVEY FINDINGS



FIGURE 7.00





1415 Nunnally Farm Rd. Phone: 404-610-2096
 Monroe, Georgia 30655 ggarnett_15@yahoo.com
 © 2024

This drawing and any permitted reproductions, in whole or part, are the sole property of ATG Civil, LLC and shall not be reproduced or conveyed in any way without the written permission of ATG Civil, LLC.



SITE & GRADING PLAN
WHISPERING OAKS RESIDENTIAL S/D

42.226 ACRES
 PARCEL ID: B 01 073
 LAND LOTS
 G.M.D. 240
 WHITEHEAD ROAD
 BOGART, GA

05-17-2024
 SCALE: 1" = 50'

OWNER / APPLICANT
 SAPPHIRE PROPERTIES, LP
 2891 MONROE HWY
 SUITE 103
 BOGART, GA 30622

24 HOUR - EMERGENCY CONTACT
 ROB SCOTT
 706-621-2050

REVISIONS

DATE	DESCRIPTION
1	
2	

JOB: WHITEHEAD ROAD
SHEET 1