DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 WEST OGLETHORPE AVENUE, SUITE 338
SAVANNAH, GEORGIA 31401

REPLY TO ATTENTION OF:

March 15, 2013

Regulatory Division
SAS-2012-00729

Mr. Chris Hayes
TPA Realty Services, LLC
3350 Riverwood Parkway
Atlanta, Georgia 30339

Dear Mr. Hayes:

I refer to a January 30, 2013 request submitted on your behalf by Mr. Micah Whiteside, Chattz Ecology Group, LLC, requesting modification of Department of the Army permit number SAS-2012-00729. This revised permit, dated June 2, 2010, authorized discharges of fill material into 4.51 linear feet of perennial stream, as part of a multi-phase commercial development. The project site is located in the City of Peachtree Corners, Gwinnett County, Georgia (Latitude 33.981182, Longitude -84.226805).

In accordance with this request, I am hereby authorizing the following modifications to Department of the Army permit number SAS-2012-00729:

AUTHORIZED MODIFICATION: The completion date for work authorized under Department of the Army permit number SAS-2012-00729 is extended from June 30, 2018 to June 30, 2022.

This permit modification is subject to all the terms and conditions of the June 2, 2010 permit. You will not depart from the approved location or plans without obtaining prior approval from the Department of the Army.

This authorization does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property, invasion of rights, or any infringement of federal, state, local laws, or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity described herein. It does not affect your liability for any damages that may be caused by the work.

If this permit modification is agreeable to you, sign both the original and duplicate copies. Please retain the original for your records and return the signed duplicate to this office. Please be advised that this permit modification is valid only if the signed

duplicate copy is received in our office within 60 days from the date of this letter. **If we do not receive the signed duplicate copy from you within the 60-day timeframe, this permit modification will automatically expire.**

If you object to this decision due to certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of the enclosed form and return the form to the District Engineer at the address shown above.

In order for an RFA to be accepted, the U.S. Army Corps of Engineers must determine that it is complete, that it meets the criteria for appeal under 33 C.F.R. § Part 331.5, and that it has been received by the District Engineer within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by this deadline.

It is not necessary to submit an RFA form to the District Office if you do not object to the permit decision.

A copy of this letter is being provided to the following parties: Mr. Micah Whiteside, Chattz Ecology Group, LLC., 3225 South Cherokee Lane, Building 600, Woodstock, Georgia, 30189.

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 your taking the time to complete a survey each time you have interaction with our office.

If you have any questions, please call Shelly Mosteller at (678) 422-6871.

For Steven L. Griffin, P.E.
Colonel, U.S. Army
Commanding

Enclosure

(Permittee) hereby accepts the terms and conditions of this instrument.

(Permittee) (Date)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities with compliance with its terms and conditions, the permittee and transferee must sign and date below.

(PERMITTEE-Printed Name)

(PERMITTEE-Signature) (DATE)

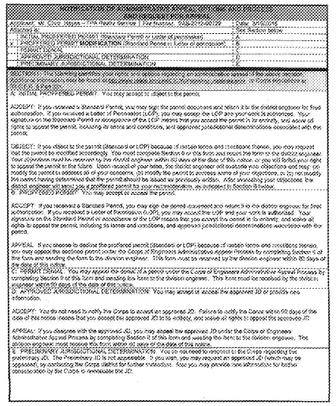
(TRANSFERREE-Printed Name)

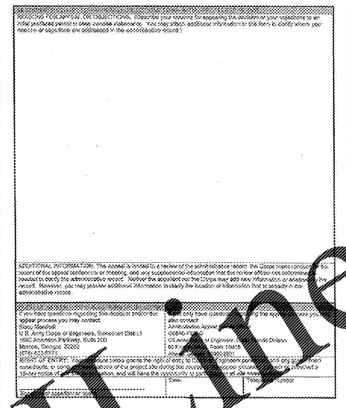
(TRANSFERREE-Signature) (DATE)

By signature below, the U.S. Army Corps of Engineers hereby validates the transfer of the permit from the permittee named above to the transferee named above.

Issued for and in behalf of:
Marvin L. Griffin, P.E.
Colonel, U.S. Army
Commanding

(DATE)





Order Plans @ WWW.LDILine.com

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
100 WEST OGLETHORPE AVENUE, SUITE 338
SAVANNAH, GEORGIA 31401

REPLY TO ATTENTION OF:

Regulatory Division
SAS-2012-00729

Mr. Chris Hayes
TPA Realty Services, LLC
3350 Riverwood Parkway, Suite 750
Atlanta, Georgia 30339

Dear Mr. Hayes:

I refer to your letter dated May 14, 2010, requesting modification of Department of the Army permit number SAS-2012-00729. This permit authorized the construction of two commercial retail sites, comprised of two eight-bay parcels. Development of both parcels was addressed in a single permit action due to project plans balancing the earthwork cut and fill between the two parcels. Those authorized impacts to aquatic resources for development of both parcels were 681.7 linear feet of stream and 0.04 acre of wetland. Impacts to 666.6 linear feet of stream, and 0.04 acre of wetland were authorized on the western parcel, and impacts to 435.3 linear feet of stream were authorized on the eastern parcel. The project site is located in the two-mile south of the city of Peachtree Corners and two miles northeast of the city of Norcross, Gwinnett County, Georgia (latitude 33.961182, longitude -84.226805).

The modification request cites changes in market demands since the permit was issued on July 11, 2012. The permittee will pursue development of the eastern parcel, and therefore ownership of the western parcel will be transferred to the City of Peachtree Corners. Consequently, impacts to aquatic resources on the western parcel will not occur. Subsequent to authorization, project plans on the eastern parcel were redesigned to avoid intermittent tributary Stream 2a, and reduce impacts on Stream 2. Currently, the proposed cumulative impacts to aquatic resources on the eastern parcel are 411 linear feet of intermittent stream. Compensatory mitigation for the reduced impacts was reevaluated on May 11, 2010, using the Savannah District Adverse Impact Formula for Riverine Systems Worksheet, and required the purchase of 2,096.1 stream credits as shown in the updated Special Condition 11, below.

In accordance with your request, I am hereby authorizing the following modifications to Department of the Army permit number SAS-2012-00729:

AUTHORIZED MODIFICATIONS:

a. As a result of increasing all wetland impact, the 0.30 wetland mitigation credits identified in Special Condition 12 are no longer required.

b. The purchase of compensatory mitigation credits for stream impacts outlined in Special Condition 12 is hereby modified to reflect the reduced impacts as a result of project redesign as follows:

Prior to commencement of any work in jurisdictional waters of the United States for this activity, you will purchase 2,096.1 stream credits from Southern Cross Ranch Mitigation Bank (SAS-2006-01443). You or the mitigation bank sponsor must provide this office with documentation of this purchase before any work may commence. The notice should reference the U.S. Army Corps of Engineers file number assigned to this project.

c. The original and revised project plans were prepared by Planners & Engineers Collaborative, project number 11054.00. The enclosed revised plans entitled "Revised Stream Piping Plan" dated May 2, 2016, supersede the original permit plans, entitled "Peachtree Parkway (141) at Technology Parkway", dated July 15, 2012.

This permit modification is subject to the terms and conditions of the original permit and subsequent modifications. You will not depart from the approved location or plans without obtaining prior approval from the Department of the Army.

This authorization does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property, invasion of rights, or any infringement of federal, state, local laws, or regulations, nor does it obviate the requirement to obtain State or local assent required by law for the activity described herein. It does not affect your liability for any damages that may be caused by the work.

If this permit modification is agreeable to you, sign both the original and duplicate copies. Please retain the original for your records and return the signed duplicate to this office. Please be advised that this permit modification is valid only if the signed duplicate copy is received in our office within 60 days from the date of this letter. If we do not receive the signed duplicate copy from you within the 60-day timeframe, this permit modification will automatically expire.

If you object to this decision due to certain terms and conditions therein, you may request that the permit be modified under our regulations at 33c 33 Code of Federal Regulations (33 CFR) Part 331. Enclosed you will find a Notification of Appeal Process (NAP) Fact Sheet and Request for Appeal (RFA) Form. To request that the permit be modified you must complete Section II of the enclosed form and return the form to the District Engineer at the address shown above.

In order for an RFA to be accepted, the U.S. Army Corps of Engineers must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5, and that it has been received by the District Engineer within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received at the above address by this deadline.

It is not necessary to submit an RFA form to the District Office if you do not object to the permit decision.

A copy of this letter is being provided to the following parties: Mr. Micah Whiteside, Chattz Ecology Group, LLC., 3225 South Cherokee Lane, Building 600, Woodstock, Georgia, 30189.

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 your taking the time to complete a survey each time you have interaction with our office.

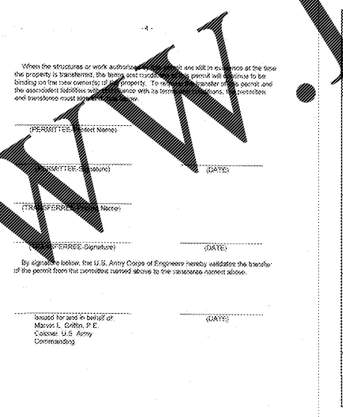
If you have any questions, please call Holly Rose at 678-422-2727.

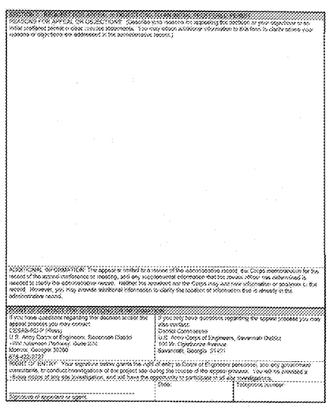
For Marvin L. Griffin, P.E.
Colonel, U.S. Army
Commanding

forcosscare

Permittee hereby accepts the terms and conditions of this instrument.

(Permittee) (Date)





GP-101GH

Georgia Department of Natural Resources
Environmental Protection Division
2 Martin Luther King Jr. Dr., Suite 1152 Atlanta Georgia 30334
Judson H. Turner, Director
(404) 656-4713

August 1, 2013

Mr. Rees Waite
TPA Realty Services, LLC
3550 Engineering Drive
Suite 250
Norcross, Georgia 30092

Re: Request for Variance under Provisions of O.C.G.A. 12-7-6(b)(15)
Technology Park Commercial Development
City of Peachtree Corners

Dear Mr. Waite:

Your stream buffer variance request for the above referenced project has been reviewed by the Georgia Environmental Protection Division's Watershed Protection Branch. The review was conducted to consider the potential impact of the proposed project's encroachment on State waters within the context of the Georgia Erosion and Sedimentation Act. Pursuant to Water Rule 391-3-7-.05(2)(j), a variance is hereby granted to encroach within the 25 foot stream buffer established for the above referenced project subject to the following conditions:

1. As per your application and supplemental data dated [illegible];
2. All graded slopes 3:1 or greater must be [illegible] and vegetated per Georgia DOT approved practices, including the use of fiber matting. If not hydroseeded, Georgia DOT approved mulch must be applied at the appropriate with wood and tackifier must be [illegible] to the property prior to [illegible] a permanent vegetative cover is established;
3. [illegible] amount of [illegible] disturbance must be kept to a [illegible] at any given time;
4. All [illegible] areas must be [illegible] and mulched on score as the final surface is achieved. After these disturbed areas must be protected until adequate vegetation is established;
5. [illegible] Georgia [illegible] "C" silt fences or an approved high performance silt fence must be installed on the site perimeter wherever the stormwater runoff may be discharged, and a double row must be installed between the land disturbing activities and State waters;

6. Buffer variance conditions must be incorporated into any [illegible] Activity Permit which may be issued by the Environmental Protection Division for this project;
7. Any project impacts not specifically listed above or [illegible] to the approved project plans must receive prior approval from the Land Disturbing Activity Permitting Authority before they are constructed. [illegible] Peachtree Corners for this project;
8. Post-construction stormwater management systems must be maintained to maintain [illegible] protection.

The granting of a variance does not relieve you of any obligation or responsibility for compliance with the provisions of any other law or regulations of any federal, local or administrative State authority, nor does it obligate any of the above-mentioned to permit this project if they do not concur with its concept of erosion control. As a designated "Issuing Authority," the City of Peachtree Corners is expected to assure that the stream buffer variance requirements are met for this project and to respond to be more restrictive in this regard.

If you have any questions concerning this letter, please contact Peggy Chambers, Erosion and Sedimentation Control Unit, NonPoint Source Program, at (404) 656-6240.

Sincerely,

Judson H. Turner
Director

JHT:pc

cc: Honorable Billie Mason
Micah Whiteside
Kenneth Wood
Jeff Thomas
Jenny Seaton
Bart Langley

File: BV-082-12-13

Mr. Rees Waite
Page 2
August 1, 2013

[illegible]

7. [illegible]

[illegible]

Chestatee Mitigation, LLC
1230 Peachtree Street NE
Suite 3500
Atlanta, GA 30309

September 6, 2018

U.S. Army Corps of Engineers, Savannah
Regulatory Branch, Southern Section
Attention: Regulatory Branch
100 West Ogletheorpe Avenue
Savannah, Georgia 31401

RE: Southern Cross Ranch Credit Sales Statement

In accordance with the U.S. Army Corps of Engineers (USACE) Savannah District's instructions for reporting credit sales, we are providing the following information:

Mitigation Bank	Southern Cross Ranch Mitigation Bank
Mitigation Bank Permit Number	SAS-2006-01443
Date of Credit Sale	9/4/2018
USACE Permit No.:	SAS-2012-00729
Permittee Name	TPA Realty Services, LLC
County	Gwinnett
Watershed/HUC	03130001
Credit Type Sold	Stream
Number Credits Sold	2,096.10
Appropriate Service Area Used	Primary

A copy of the updated credit sales ledger has also been enclosed with this letter. Please feel free to contact me at 770-683-9733 if you have any questions or need any additional information.

Sincerely,

Gregory P. Smith
For Chestatee Mitigation, LLC

Enclosure

Chestatee Mitigation, LLC
1230 Peachtree Street NE
Suite 3500
Atlanta, GA 30309

September 6, 2018

TPA Realty Services, LLC
Attn: Mr. Michael Mueller
3350 Riverwood Parkway, Suite 750
Atlanta, Georgia 30339

Subject: Confirmation and Transfer of Compensatory Stream Mitigation Credits for a Project Located in Gwinnett County, Georgia.
USACE Permit No.: SAS-2012-00729

Dear Mr. Mueller:

Chestatee Mitigation, LLC confirms the purchase and transfer of 2,096.10 compensatory stream mitigation credits from the Southern Cross Ranch Mitigation Bank (SCRMB) for your project located in Gwinnett County, Georgia (USACE Permit No.: SAS-2012-00729). The project is located in Hydrologic Unit Code (HUC) 03130001.

This credit transfer letter certifies the transfer of 2,096.10 compensatory stream mitigation credits from the SCRMB for SAS-2012-00729. The SCRMB operates under USACE Permit No. SAS-2006-01443.

We appreciate the opportunity to assist you with your compensatory mitigation requirements. Please call me at (770) 683-9733 if you have any questions or need any additional information.

Sincerely,

Gregory P. Smith
For Chestatee Mitigation, LLC

cc: Micah Whiteside, CEO via email

CONTACT RACETRAC PETROLEUM, INC. PROJECT MANAGER PRIOR TO ANY REVISIONS TO THE PLAN SUPPLIED BY RACETRAC PETROLEUM, INC.

NO.	DATE
1	02/25/19
9	08/07/19
11	10/02/19

1 JURISDICTIONAL COMMENTS
9 CORPS RESPONDS & JURISDICTIONAL COMMENTS
11 JURISDICTIONAL COMMENTS

Columbia Engineering
3151 BRECKINRIDGE BOULEVARD
SUITE 200
DULUTH, GEORGIA 30096
(770) 925-0001

GEORGIA REGISTERED No. 036674 PROFESSIONAL ENGINEER KEVIN N. LOSURDO

THESE PLANS ARE SUBJECT TO FEDERAL COPYRIGHT LAWS ANY USE OF SAME WITHOUT WRITTEN PERMISSION OF RACETRAC PETROLEUM, INC. IS PROHIBITED

RaceTrac

RACETRAC PETROLEUM, INC.
200 GALLERIA PARKWAY,
SUITE 900, ATLANTA, GA 30339
(770) 431-7600

USACOE PERMIT & GA EPD VARIANCE

PEACHTREE CORNERS RACETRAC

5780 PEACHTREE PARKWAY
PEACHTREE CORNERS, GEORGIA
GWINNETT COUNTY
DIST. 6, LL 284, PARCELS: 6-284-16, 18, 40, 56

DRAWN-BY	JCW
DATE	01/15/2018
SCALE	N/A
DRAWING NAME: 4607.00.dwg	
GR-4	1
SHEET NO.	VERSION