

ENVIRONMENTAL PROTECTION DIVISION
PUBLIC NOTICE
WATERSHED PROTECTION BRANCH

March 24, 2026
Notice Issue Date

Gilmer County
City / County

April 23, 2026
Notice Close Date

SAS-2006-00590
Control Number

Sec. 401 Water Quality Certification
Ellijay Quarry Expansion – US Army Corps of Engineers Sec. 404 Permit Application

This notice is issued to inform the public that a request has been received for water quality certification (WQC) in accordance with Section 401 of the Clean Water Act. The public is invited to comment during this 30-day period on the proposed activity. Information pertaining to the project is attached to this notice. Since the request is specific to the WQC, only comments pertaining to water quality are considered under the certification review process. Comments may be submitted via e-mail to: EPD.WQC@dnr.ga.gov. Comments may also be provided in writing to: Program Manager, Wetlands Unit, 2 Martin Luther King, Jr. Dr. SE, Suite 1052 East, Atlanta, GA 30334. Include the words “Water Quality Certification Comment” and the Control Number above in the e-mail subject line or at the top of the first page of written comments to ensure that your comments will be forwarded to the appropriate staff. For additional information, contact Yaling Covey at yaling.covey@dnr.ga.gov.

Type of Permit Application: 401 Water Quality Certification

Applicable Law: Federal Clean Water Act, 33 U.S.C. § 1341

Applicable Rules: 40 CFR part 121

Description and Location of Proposed Activity:

Vulcan Materials Company is seeking a Section 401 Water Quality Certification for aquatic resource impacts associated with the progression of an existing quarry pit and expansion of overburden storage areas to provide enough material for an additional 20 years of quarry operations. The existing 683-acre quarry is located at 58 White Path Spring Road in Ellijay, Gilmer County, Georgia (34.741556, -84.416882). According to the 404 application, the proposed project includes expanding the extraction pit, providing additional overburden storage, and providing appropriately sized sediment ponds.

The project, as currently proposed, requires a USACE Section 404 permit and entails permanently impacting 2,229 linear feet of ephemeral stream and 1,965 linear feet of intermittent stream. To offset the loss in aquatic function associated with the intermittent stream impacts, the applicant has proposed the purchase of a total of 12,474.00 legacy stream credits or 1,732.50 2018 Standard Operating Procedure stream credits from a U.S. Army Corps of Engineers approved mitigation bank servicing the project area.

Name and Address of Permit Applicant: Karissa McFadden
Vulcan Materials Company
300 Colonial Center Pkwy
Roswell, Georgia 30076



October 25, 2025

Ms. Yaling Covey
Environmental Protection Division
Georgia Department of Natural Resources
19 M.L.K. Jr. Drive SW
Atlanta, GA 30334

**Re: Ellijay Quarry
Clean Water Act Section 401 Water Quality Certification
Pre-Filing Meeting Request
HHNT Project No.:8022-056**

To Whom It May Concern:

On behalf of Vulcan Construction Materials, LLC (Vulcan), Hodges, Harbin, Newberry & Tribble, Inc., (HHNT) has submitted an Individual Permit application for the Ellijay Quarry in Gilmer County, Georgia on September 24, 2025. The entire Quarry property is approximately 683.27 acres. Significant portions of the area are either an active aggregate Quarry or the working plant site. The proposed development area makes up approximately 346.73 acres of the total Quarry property. Associated with the Individual Permit Application, the project will require an Individual Water Quality Certification from the Environmental Protection Division, Watershed Protection Branch of the Georgia Department of Natural Resources. HHNT requested a pre-filing meeting regarding the Water Quality Certification on September 25, 2025 and held a pre-filing meeting on October 14, 2025, and is providing supplemental information for your review.

With regards to past property use, Vulcan is unaware of any previous industrial use other than the current land use. HHNT has prepared a historical aerial photograph which is included (Figure 1).

The closest 305b / 303d listed stream is Whitepath Creek. The designated use is fishing, and this reach is listed as not supporting due to Bio F. The Total Maximum Daily Load (TMDL) listed for sediment is 233.2 tons/day according to the 2016 TMDL report. However, appropriate Best Management Practices will be put into place to ensure that sediment does not impact Whitepath Creek.

Additionally, we have included a copy of the Individual Permit application which has been submitted to the USACE for the proposed project. Please see below:

40 CFR 121.5 – Request for certification.

- (a) Where a project proponent is seeking certification from any certifying authority, the request for certification shall include the following minimum contents:

(1) If the request for certification is for an individual license or permit, it shall be in writing, signed, and dated and shall include the following:

- (i) A copy of the Federal license or permit application submitted to the Federal agency; and **The submitted application is included in Appendix B.**
- (ii) Any readily available water quality-related materials that informed the development of the application.

Included in Appendix A is a map depicting 303(b) listed waters and their status as supporting or not supporting.

(b) If the certifying authority has not identified contents of a request for certification in addition to those identified in 121.5(a), the project proponent must include the additional contents identified in 121.5(b), as applicable, if they are not already included in the minimum contents for a request for certification.

(1) A description of the proposed activity, including purpose of the proposed activity and types of discharge that may result from the proposed activity

On behalf of Vulcan Construction Materials, LLC, Hodges, Harbin, Newberry & Tribble, Inc., is submitting an Individual Permit application pursuant to Section 404 of the Clean Water Act (Appendix B). The applicant is seeking an Individual Permit to impact aquatic resources in order to develop their aggregate quarry and overburden storage capacity; doing so will require new sediment ponds. The Ellijay Quarry is located at 58 White Path Springs Road, Ellijay, GA and is a permitted surface mining facility operating under the Georgia Environmental Protection Division Surface Mining Land Use Plan (SMLUP) Permit Number 600-15. The entire Quarry Property (Property) is approximately 683.27 acres. Significant portions of the area are either an active aggregate Quarry or the working plant site, but the majority of the property is currently forested.

The Quarry property is owned by Vulcan Materials Company and their subsidiaries. The proposed Project Review Area (Project Area) is a ~346.73-acre area encompassing the eastern portion of the Quarry boundary of which Vulcan wishes to develop and make improvements within. The purpose of the Project is to extend the life of the Quarry by progressing the pit and increasing overburden storage capacity while improving sedimentation/erosion controls (Appendix B, Figures 7a-c). Vulcan proposes to progress the pit as described on the facility's SMLUP further to the south and west and an associated sediment pond as well as overburden storage expansion and two associated sediment ponds to the north. These areas are located within the SMLUP Permit Boundary. These operational additions will allow the quarry to continue mining aggregate material for approximately 20 additional years.

The Quarry is a major producer of aggregates for the north Georgia area. In order to extract valuable mineral resources, the overburden must be removed from the surface and stored elsewhere on-site. With the overburden removed, reserves are accessible. Rock that is removed from the Quarry pit is transported via haul truck to the processing plant where it is then crushed and screened into various sizes of aggregate for sale. The resulting product is used in road maintenance and new construction.

The Project Area is comprised of either forested land or previously disturbed land, which consists of clearcut regrowth. HHNT visited the site to delineate the wetland and stream boundaries within the Project Area on multiple dates from January to April 2023. The delineation identified ~5,417 linear feet of ephemeral channel, ~14,140 linear feet of intermittent stream, and ~14,919 linear feet of perennial stream as well as ~2.58 acres of wetlands within the Property. HHNT has submitted multiple US Army Corps of Engineers (USACE) approvals for the Quarry, including an Aquatic Resource Delineation Review (ARDR) and Nationwide Permit for a culvert crossing repair for the main haul road, an ARDR for the entire property, and a follow-up Approved Jurisdictional Determination for the ephemeral channels and isolated wetlands identified on the ARDR. All correspondence has occurred under the USACE File No. SAS-2006-00590 and are included in the Individual Permit Application. Please note that there was a slight discrepancy in the boundaries utilized for the delineation and the surveyed property boundary. This discrepancy does not affect the Permit, as no areas are to be impacted which would increase in quantity based on the shifted boundary. The streams affected by this discrepancy are streams SSBT, SSBU, SRAB, and Stream 1 (Whitepath Creek).

Currently, Vulcan needs additional areas to store overburden as the existing overburden storage has been almost entirely consumed. Without additional overburden storage, Vulcan will no longer be able to continue to extract mineral resources. Vulcan plans to utilize mostly upland areas in the northern portion of the Property to store overburden material; however, due to the extreme topography of the site, overburden must be stored utilizing the valleys on-site as placing overburden solely on upland slopes is both unsafe and inefficient. To avoid halting mining operations at the Quarry or siting a new Quarry elsewhere, Vulcan needs to begin storing overburden elsewhere on the property. When reviewing locations to store future overburden, Vulcan exhausted all options prior to expanding into areas containing aquatic resources. As discussed in Section 7, off-site alternatives were assessed but deemed to be not feasible for this project. The need for further overburden storage is due to the continued progression of the proposed mine pit. This pit itself does not impact jurisdictional aquatic resources as it expands on the existing pit to the south and west.

The extent of the impacts is determined by the placement of sediment ponds for both the pit and the overburden storage areas. The sediment pond (Proposed Pond 8) to be utilized for the pit was designed to avoid all impacts to jurisdictional aquatic resources. The two overburden storage area sediment ponds (Proposed Pond 1 and 7) are required to be placed in valleys which contain intermittent streams. These ponds cannot be placed adjacent to the streams due to the steep topography. The benefit of these ponds includes effective Best Management Practices (BMPs) which will eliminate downstream sedimentation issues associated with the runoff from the overburden stockpile.

In order to progress the pit and store associated overburden material, the applicant proposes to impact a total of ~2,229 linear feet of ephemeral channel and ~1,965 linear feet of intermittent stream. Additionally, the Final Rule excludes ephemeral streams and wetlands lacking a direct surface connection. Therefore, impacted ephemeral channels which have an existing Approved Jurisdictional Determination are not proposed to be offset with mitigation. In total, ~1,965 linear feet of intermittent stream impact will require compensatory mitigation.

Overburden storage areas and their associated sediment ponds have been engineered by HHNT. Sediment ponds are properly sized to retain discharge from the overburden stockpiles and the associated watershed for a 100-year storm event. The associated ponds and overburden designs will be included on the Georgia SMLUP and will require an amendment to be approved through the Georgia Environmental Protection Division. The SMLUP amendment associated with their 10-year plan will be submitted under separate cover.

In order to determine necessary compensatory mitigation, HHNT ecologists conducted stream assessments on each reach utilizing the Qualitative Worksheet for Stream Adverse Impacts form for stream impacts on-site.

Options for permittee responsible mitigation were explored both on-site and off-site. These options were not feasible due to the current mining activity and lack of available options or property off-site. Additionally, the preference established by regulators is to purchase credits from a mitigation bank. Therefore, Vulcan plans to purchase credits from within the same Hydrologic Unit Code (HUC) as the Project Review Area, the Coosawattee Watershed (HUC8 03150102). If no credits are available within this HUC, Vulcan will explore mitigation options in adjacent HUCs, such as the Oostanaula (03150103). A total of 12,474.00 legacy stream credits or 1,732.50 2018 Standard Operating Procedure stream credits will also be purchased from an approved mitigation bank to off-set the stream impacts.

(2) The specific location of any discharges that may result from the proposed activity

As listed above, the landfill expansion will impact approximately ~1,965 linear feet of jurisdictional intermittent stream.

(3) Map or diagram of the proposed activity site, including proposed activity boundaries in relation to local streets, roads, and highways

Figures of the proposed activity site can be found in the Individual Permit application included in Appendix B.

(4) Description of current activity site conditions, including, but not limited to relevant site data, photographs that represent current site conditions, or other relevant information.

The Project Area is made up mostly of steep forested uplands, as well as existing quarry infrastructure.

(5) Dates on which the proposed activity is planned to begin and end and, if known, the approximate dates when discharges may commence

Projected commencement of the project is dependent upon apprehension of all necessary permits, which are listed below in (6).

(6) A list of all other federal, interstate, tribal, state, territorial, or local agency authorizations required for the proposed activity and the current status of each authorization

In addition to obtaining 404 and 401 an SMLUP amendment has been submitted for the proposed project.

Ms. Yaling Covey

October 25, 2025

Page 5 of 5

(7) Documentation that a prefiling meeting request was submitted to the certifying authority in accordance with applicable submission procedures, unless the prefiling meeting request was waived

Please see attached prefiling meeting request (Appendix C).

Please let us know if you have any questions.

Sincerely,

HODGES, HARBIN, NEWBERRY & TRIBBLE, INC.



Rachael B. Sulkers, PWS
Senior Ecologist

RBS/fm

Enclosure

Appendix A: Figures

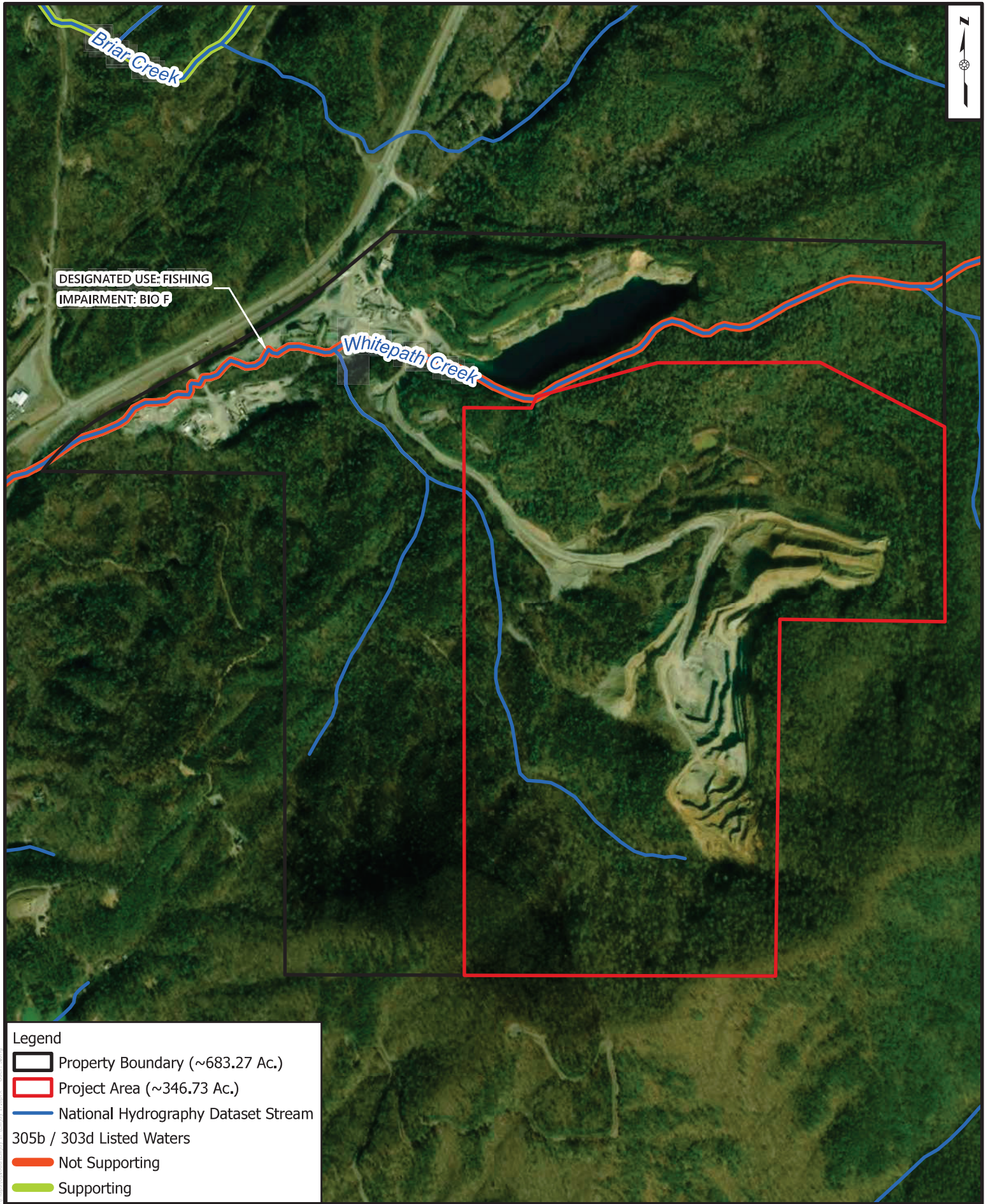
Figure 1 – Historical Image

Figure 2 - Impaired Streams Map

Figure 3 - Proposed Conditions Map

Appendix B: Individual Permit Application

Appendix C: Pre-Filing Meeting Request



DESIGNATED USE: FISHING
IMPAIRMENT: BIO F

Whitepath Creek

Briar Creek

Legend

- Property Boundary (~683.27 Ac.)
- Project Area (~346.73 Ac.)
- National Hydrography Dataset Stream 305b / 303d Listed Waters
- Not Supporting
- Supporting

DISCLAIMER:
This drawing and the information contained herein is for general presentation purposes only and is a compilation of shapefile(s) provided by various source(s). The source and accuracy of the file(s) has not been verified by HHNT and therefore the drawing is not intended for use as an engineering drawing or for design purposes.

Figure 2
9/24/2025

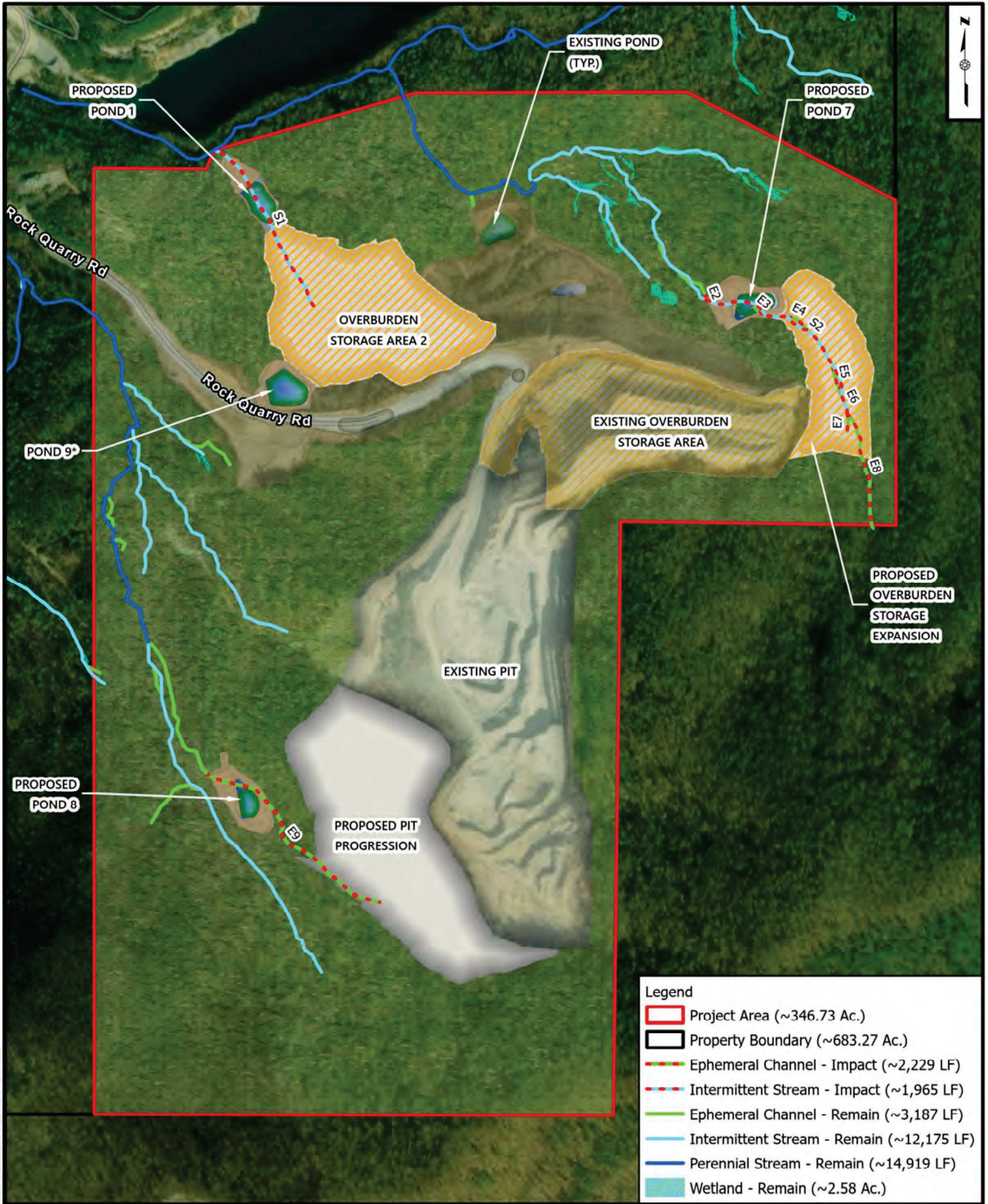
1 inch equals 1,000 feet

Impaired Streams Map
Ellijay Quarry
Vulcan Materials Company
Gilmer County, GA

Notes:
1. Imagery obtained from ESRI: Vivid, Maxar, dated February 2022.
2. Property boundary obtained from VMC Ellijay Quarry SMLUP.
3. Stream data obtained from USGS National Hydrography Dataset (NHD).
4. 305b / 303d Listed Waters obtained from Georgia Environmental Protection Division.

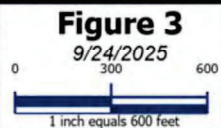


From: Ellijay Quarry, Gilmer County, Georgia
 User: d-1001



Legend	
	Project Area (~346.73 Ac.)
	Property Boundary (~683.27 Ac.)
	Ephemeral Channel - Impact (~2,229 LF)
	Intermittent Stream - Impact (~1,965 LF)
	Ephemeral Channel - Remain (~3,187 LF)
	Intermittent Stream - Remain (~12,175 LF)
	Perennial Stream - Remain (~14,919 LF)
	Wetland - Remain (~2.58 Ac.)

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Conceptual Impact Map
 Ellijay Quarry
 Vulcan Materials Company
 Gilmer County, GA

Notes:
 1. Imagery obtained from ESRI, Maxar, dated February 2022.
 2. Property boundary obtained from VMC Ellijay Quarry SP431P.
 3. Depicted site plan based on SP431P Modification. Conceptual site plan shown for informative display only. For details, please see plans included in Appendix C.
 4. Pond 9th exists but proposed to be enlarged.
 5. HNT has submitted an Aquatic Resource Determination Review (ARDR) and Approved Jurisdictional Determination for the depicted resources (USACE File No. SAG-2008-00390). The letters were received from the USACE January 11, 2024 and November 22, 2024.
 6. Please note that there was a slight discrepancy in the boundaries utilized for the delineation and the surveyed property boundary. This discrepancy does not affect the permit, as no areas are to be impacted which would increase in quantity based on the shifted boundary. The streams affected by this discrepancy are streams SBT, SBL, SRAB, and Stream 1 (Whitgath Creek).

