



**GEORGIA POWER COMPANY  
GENERATION PROCUREMENT PROGRAMS**

# **ENVIRONMENTAL ASSURANCES GUIDANCE DOCUMENT**

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## I. OVERVIEW

This Environmental Guidance Document outlines the environmental requirements applicable to each RFP participant (“**Participant**”) in any Georgia Power Company (“**GPC**”) Generation Procurement Request for Proposal (“**RFP**”) process. It is intended to help each prospective Participant understand and incorporate these requirements into its RFP submission (“**Submission**”) and project execution strategy. Participant’s compliance with the state requirements is critical to Submission evaluation and advancement. This document also contains additional environmental considerations, information, and resources to support Participant as a project progresses through construction to operation. However, Participants must still complete a thorough and independent review of all applicable site- or project-specific legal requirements.

Participant must comprehensively evaluate each Submission site to confirm either: (i) no past or present environmental concerns exist; or (ii) any identified concern can be avoided through generation technology or site configuration. Where the potential for environmental impacts exists, Participant must fully address impacts through avoidance, minimization, regulatory permitting compliance, or mitigation.

GPC strongly recommends that Participants avoid sites that have significant environmental impacts. From an environmental perspective, and in GPC’s view, the best property for siting generation or storage resources is property that has been comprehensively evaluated and determined to either have no past or present environmental concerns, or if concerns are identified, that can be avoided through generation technology or site configuration. GPC will scrutinize and may release a Submission offering a site with significant environmental impacts that have not been approved or accepted by the appropriate regulatory authority.

GPC also recommends that Participant share this document with Participant’s environmental and cultural resources specialists and consultants. Participants are encouraged to ask questions and seek clarifications through the applicable RFP independent evaluator website before submitting environmental assurances.

GPC is committed to environmental stewardship, including protection of valuable natural resources, such as waters and wetlands, cultural resources, sensitive habitats, and species of concern. GPC engages in broad landscape-level conservation initiatives involving external stakeholders. Maintaining GPC’s reputation and relationships with these stakeholders is a high priority. Therefore, GPC’s evaluation of any Submission will include an assessment of the Submission’s impact on Southern Company’s biodiversity principles as well as GPC’s conservation and stewardship goals.

GPC reserves this right to update this Environmental Assurances Guidance Document at any time and in GPC’s discretion. Participants should consult the applicable GPC RFP for more information concerning the requirements applicable to a Submission under any specific RFP.

*NOTE: This document is intended to help guide development of projects that are in the state of Georgia. If the project is located outside of Georgia, please follow this same outline utilizing the regulations in the state and regulatory districts in which the project is located. GPC requires the same environmental assurances regardless of the state the proposed facility is located within.*

## II. RFP SUBMISSION REQUIREMENTS

Each Participant must submit for each Submission: (i) an environmental compliance affidavit; and (ii) environmental assurances. Participant must submit this information by the deadlines specified in the applicable RFP. If Participant fails to timely submit required information, GPC may release the Submission from further consideration.

### A. Environmental Compliance Affidavit

Participant must submit with each Submission a signed and notarized environmental compliance affidavit in the form included as Attachment A (*Environmental Assurances Compliance Affidavit Form*). The environmental compliance affidavit is a legally binding document and confirms that

Participant has thoroughly considered and understands the environmental conditions, permitting, and potential mitigation required for Participant's project site. It also serves as a Participant acknowledgement that Participant's failure to demonstrate compliance with RFP requirements, including applicable regulations, may result in an incomplete or rejected Submission. GPC may require that Participant provide additional or updated affidavits before executing any awarded contract. Awarded contracts also may mandate a yearly compliance certificate to confirm that the site has met all environmental obligations and has no outstanding violations.

## **B. Environmental Assurances**

Participant must provide, for each unique site, environmental assurances documentation and information to demonstrate: (i) each proposed project has been, or will be, developed in accordance with applicable environmental laws, regulations, and permitting standards; and (ii) Participant will observe and comply with all applicable laws and standards during the awarded contract term. Participant's environmental assurances must include, at a minimum, an assessment of each of the following environmental factors:

1. General project siting;
2. Waters of the U.S.;
3. State waters (including tidally influenced, where applicable);
4. 100-Year Floodplains;
5. NPDES Construction Stormwater Permitting;
6. Federal and State Protected Species and Species of Special Concern;
7. Cultural Resources (Archaeology and Historical Architecture);
8. Spill Prevention, Control, and Countermeasures (SPCC) Compliance;
9. Any contamination or potentially contaminated soil or groundwater (a Phase I Environmental Site Assessment may be required);
10. Air Quality (e.g., permitting of timber/other open burning, proximity to non-attainment areas); and
11. Local government permitting, ordinances, and restrictions.

## **III. ENVIRONMENTAL ASSURANCES REQUIREMENTS**

*This Section III includes detailed requirements for each environmental factor that Participant must address in its environmental assurances submission.*

Environmental assurances help GPC understand and assess the extent of environmental and cultural resources impacts that may occur on the project site. In addition, they provide insight into challenges a Participant may face in executing its project within an RFP timeline. Many environmental requirements and permits are long-lead items, taking months or possibly years, to resolve. GPC is not a regulator, but through the environmental assurances review, GPC can evaluate the challenges of a proposed project and assess whether a Participant has a timely plan to meet them. It is in Participant's best interest to provide accurate and detailed information. Where information is lacking, GPC will request additional information or clarifications.

Each Participant must provide and address each of the items listed below as it pertains to Participant's specific project site to demonstrate that Participant has appropriately planned the proposed project with respect to environmental conditions and legal obligations. If a specific requirement does not apply, Participant must explain why and provide supporting documentation. Incomplete or unresponsive environmental assurances submissions will not meet RFP requirements and may lead to Submission disqualification.

## **A. Preliminary Site Plan**

Each Participant must submit a preliminary site plan that: (i) shows all known, field-verified environmental and cultural resources; and (ii) is overlaid with planned equipment and construction/disturbance zones. If a project includes non-adjacent parcels, Participant must include an index map showing parcel locations in relation to each other. An example preliminary site plan is provided in Attachment D (*Example Site Plan Depicting Environmental Sensitivities*). GPC acknowledges that preliminary plans may need to be modified. GPC will consider modifications if avoidance and minimization objectives are still met and any change complies with RFP requirements.

## **B. Waters of the U.S. (WOTUS)**

Each Participant must consider the presence and constraints of any jurisdictional Waters of the U.S. (WOTUS) that may be impacted by the project. Participant's environmental assurances submission must include or address each of the following items:

1. A field delineation for WOTUS and findings report completed: (i) by a qualified environmental professional; and (ii) under the federal regulation and definition of WOTUS that is in effect at the time of Submission. Tidally influenced wetlands must be identified separately from freshwater wetlands (if present). Delineations must be no older than 5-years from date of the environmental assurances submission.
  - a. A qualified professional (e.g., consultant) is any individual who has experience with WOTUS delineation and permitting within the region within which the site is located. A list of qualified consultants, provided by USACE Savannah District, can be found in Attachment E (*USACE Savannah District Environmental Consultant List*).
2. A preliminary site plan depicting the proposed facility layout or areas of disturbance in relation to field delineated waters. An example is provided in Attachment D (*Example Site Plan Depicting Environmental Sensitivities*).
3. Any agency coordination, at the time of environmental assurances submission, associated with WOTUS, including jurisdictional verifications, permitting, or mitigation efforts.
4. If WOTUS impacts are or were required, Participant must provide its permitting strategy and any available documentation or communication that has occurred with USACE at the time of environmental assurances submission.
  - a. If the project will have impacts to WOTUS, Participant must provide GPC with a copy of the approved, signed permit from USACE before ground disturbance begins.
  - b. For sites that are under construction or have already been constructed, Participant must provide documentation that any WOTUS impact has been permitted through USACE.
5. Jurisdictional Verification.
  - a. If the project will impact non-regulated (or non-jurisdictional) waters, an approved jurisdictional verification (AJD) must be completed and provided to GPC before ground disturbance occurs. While a jurisdictional verification is not required for the initial environmental assurances submission, Participant must provide updates on the status of jurisdictional verifications as they are available. Additionally, GPC requires Participant to identify any proposed impacts to WOTUS and/or other water features, the acreages proposed for impact, and a brief permitting strategy for those impacts. *Please note that the USACE is the only entity who can provide an official determination on whether a water is regulated or not.*
  - b. If the project will avoid all waters (regulated and non-regulated), formal verification may not be necessary; however, it is a best practice. To meet RFP requirements, Participant may demonstrate avoidance through the preliminary site plan and a written statement from Participant describing intended avoidance.

- c. Jurisdictional verifications are long-lead items as they can take upwards of 8-12 months to obtain.

**C. State Waters, Protected Buffers, and Stream Buffer Variances**

Participant must identify and address whether the proposed project will impact any state waters (as defined by the state in which the project is or will be located). In Georgia, impacts to protected buffers may require a Stream Buffer Variance from the Georgia Environmental Protection Division (GA EPD).

1. If the project is subject to regulations that require waters to have protective buffers, Participant's preliminary site plan must show those buffers appropriately (example provided in Attachment D (*Example Site Plan Depicting Environmental Sensitivities*)).
2. If impacts to buffers are required and cannot be avoided, Participant must provide a statement acknowledging and outlining any permitting that may be required.

**D. Georgia Erosion and Sedimentation Control and National Pollutant Discharge Elimination System (NPDES) Program Erosion and Sedimentation Control & NPDES Program**

Participant must identify and address: (i) the total acreage disturbed or to be disturbed; (ii) any necessary NPDES permits; and (iii) anticipated erosion and sedimentation control requirements.

1. If the project is not yet under construction (i.e., no ground disturbance is occurring), construction stormwater design and information may not be required as a part of the environmental assurances submission, but GPC reserves the right to request this information.
2. If a project is under construction or has already been constructed, Participant must provide all relevant documents that demonstrate the site complies with EPD requirements. This includes any notices of violation (NOVs) and documented resolution of those violations.

**E. Federal and State Protected Species, Species of Concern, and Habitats of Elevated Concern**

Participant must consider and address impacts on protected species and other species and habitats of concern when developing a project site. Participant must also evaluate during initial site scoping and planning the potential for habitat and the presence of protected species and species of concern. This process becomes increasingly complex with the degree of impact, so selection and design of sites with little or no impact to species of concern greatly simplifies the process. Recognizing and planning for site constraints can help ensure a project is feasible within the timeframe of any given RFP.

Please note that RFP requirements for species and habitat information are separate from the timelines needed for state or federal permitting. The RFP requirements allow GPC to fully evaluate the potential impacts of a site on species of concern and how any impact aligns with GPC's conservation and stewardship initiatives. If the proposed site development may affect species of concern, future surveys may be required to support permitting efforts for take and/or relocation.

Beyond regulatory compliance, GPC and Southern Company dedicate time and resources to stewardship initiatives aimed at managing and protecting unique natural resources, recovering protected species, and preventing the need for additional species listings. Much of this stewardship is conducted in partnership with external stakeholders and natural resource agencies. Therefore, avoiding and minimizing impacts on protected species and species of concern is a priority for Southern Company and GPC, and we expect Participants to recognize this priority. GPC may release any Submission that proposes a project with significant impacts to natural or cultural resources or protected species.

In general, Participant must: (i) thoroughly demonstrate species of concern have been considered in project siting and planning; and (ii) provide assurances that any agency-prescribed recommendation, relocation, permitting, or mitigation can be accomplished in a fashion that will not impact construction timelines or project commercial operation. GPC encourages Participants

to consider species included on a priority list within a state wildlife action plan or similar document that serves as a blueprint for conserving the nation's fish and wildlife and helping to preclude the need for additional federal listings. GPC does evaluate project impacts to all federal, state, and other high priority species.

Species surveys may require protocols that are seasonal and can only be conducted during specific times of the year. In addition, the necessary agency engagement can take months to complete. Advanced planning will be required to meet RFP timelines. Participant must ensure data is available as a part of its environmental assurances submission. Statements of intent to provide information later or conduct surveys in the future will not meet RFP requirements.

In addition, Participant's environmental assurances submission must address or include each of the following items:

1. General evaluation for species of concern, including the applicable steps of the following general progression:
  - a. Review existing sources;
  - b. Identify suitable habitat on-site;
  - c. Comprehensive (100%) field survey within suitable habitat;
  - d. Identify avoidance/impacts;
  - e. Coordinate with agencies if impacts are required;
  - f. Obtain appropriate agency feedback;
  - g. Address agency feedback; and
  - h. Provide assurances that all proposed mitigation or relocation actions can be accomplished without impacting MWs proposed within its Submission, the project's construction timeline, and ultimately commercial operation.
2. Review of available online databases, species range maps, and other relevant data to determine suitable habitat for species of concern and/or what species of concern may be present on the project site. A list of known occurrences for the immediate vicinity of a project site (e.g., quarter quad topographic map) does not necessarily include all species that might potentially be on site.
  - a. Online reviews and formal species lists are valid for 12 months from the date the Submission advances to the conforming list, competitive tier, or target list, as applicable. The data utilized and submitted by Participant for determining potential on-site species habitat must be no older than 12 months to meet RFP requirements. Participant must review online databases and resources before the environmental assurances submission to account for any new species listings that may apply to the site since initial review. Field surveys are acceptable for up to 24 months from the date the Submission advances to the conforming list, competitive tier, or target list, as applicable, unless site conditions have changed or new species listings apply. If a survey is older than 24 months, but still accurately reflects site conditions, Participant may submit a justification statement from a qualified professional to support this conclusion.
3. A comprehensive field survey completed by a qualified professional to determine the presence or confirm the apparent absence of federal and state protected species, as well as species of special concern, in all potential habitats that will be impacted by project construction.
  - a. The field survey must cover 100% of suitable habitats and include justification for habitat identification.
  - b. The field survey must include presence/absence for species habitat and species locations that are known to occur on the project site and/or if the species is a high priority to the State of Georgia or the state in which the facility will be located.

- c. At the time of environmental assurances submission, a 100% field survey of suitable habitat must be completed in areas in which ground disturbance will occur within the project site. This includes, but is not limited to, panels, access roads, transmission infrastructure, substation infrastructure, and stormwater management controls (such as ponds).
  - d. Participant must conduct all field surveys based on the specific protocols, methodologies, and seasons for each species that may be present on the project site. Participant must understand what these protocols are and make sure surveys are completed appropriately before submission of environmental assurances. Participant must describe its survey methodology and account for reasonable variability in species presence. Stating that surveys will be conducted in the future will not meet RFP requirements.
  - e. Species survey protocols may require specialized survey seasons to determine presence. Participant must be aware of these timelines and plan to ensure all data is available at the time of environmental assurances submission. Promises to provide information later or conduct future surveys will not meet RFP requirements.
  - f. A qualified professional is any individual (e.g., consultant) who is familiar with the identified species of concern as well as experience working in the ranges in which those species occur.
4. If Participant has adequately determined that species are not present on-site, Participant must provide documentation and/or a statement, in each case from a qualified professional, of the methodologies utilized to reach Participant's conclusion.
  5. A preliminary site plan depicting the proposed facility layout, or areas of disturbance, in relation to known protected species and species habitat. The preliminary site plan must show the identified potential habitat, locations of known species occurrences, and avoidance or proposed impacts. An example is provided in Attachment D (*Example Site Plan Depicting Environmental Sensitivities*).
  6. Engagement of appropriate federal and state agencies when the potential for species of concern is present and implementation of agency recommendations, including additional surveys, avoidance, habitat conservation plans, mitigation, construction best management practices<sup>1</sup>, etc. If Participant has adequately determined that its project will have no effect to species of concern, agency coordination may not be necessary. If this is the case, Participant may provide documentation and/or a statement, in each case from a qualified professional, on the methodologies utilized to reach such conclusion.
    - a. Engagement requires receiving project-specific technical assistance on survey findings and methodologies, avoidance and mitigation measures, permit requirements, and any other pertinent factor.
      - (i) Providing a U.S. Fish & Wildlife Service, Information for Planning and Consultation (USFWS IPaC) report is not considered agency engagement.
      - (ii) Obtaining an official species list from an agency is not considered agency engagement.
    - b. Participant must supply the appropriate agency with field survey findings and the preliminary site plan as described above.
    - c. Written commitment to post-construction best management practices, as recommended or required by the agencies.

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<sup>1</sup> Examples may include wildlife friendly fencing, inclusion of native plantings, wildflower or pollinator-friendly design, wider panel spacing to improve groundwater recharge and decrease run-off, and designs that incorporate agrivoltaics.

- d. If avoidance of species of concern is not possible, and relocation or take is proposed, Participant must provide the following items as part of its environmental assurances submission:
    - (i) Draft plan for relocation, take, or any mitigation, prepared by a qualified professional and submitted to the appropriate agency;
    - (ii) Documentation of agency feedback on the draft plan, demonstrating the agency is receptive or confirming that the action can be completed within a timeline that aligns with Participant's proposed construction schedule and will not impact the commercial operation of the facility. Participant statements that schedules will not be impacted must be supported by agency feedback and correspondence;
    - (iii) Documentation of Participant's written commitment to implement agency feedback;
    - (iv) If agency feedback includes tasks such as addressing fragmentation, implementing a habitat conservation plan, site redesign, or other significant mitigation measures, Participant must document its progress on these tasks. This includes providing a concrete timeline for task completion, ensuring that these tasks will not hinder construction or commercial operation timelines, confirming that the proposed MWs will not be compromised, and verifying that changes in site plans will not impact other environmental or cultural resources on the site. Participant's statements must be supported by agency feedback and documentation; and
    - (v) **Participant must resolve any agency-recommended site redesign before submitting environmental assurances.** If site redesign is recommended by the agency, and Participant has not provided that within the Submission or environmental assurances submission, GPC will not advance the Submission for further consideration until Participant cures its environmental assurances submission to appropriately meet the agency request as well as to accurately reflect the feasibility of the site.
  - e. Participant must provide the agency with proposed or known recipient sites as well as any future conservation agreements or plans for future conservation of the recipient sites.
7. For sites that are under construction or have already been constructed, Participant must provide documentation that surveys for species of concern were completed as appropriate and that any impact was permitted or mitigated appropriately.

#### **F. Cultural Resources – Archaeology, Historic Architecture, and Cemeteries**

Participants must identify and assess cultural resources that are affected by development activities and avoid or mitigate adverse effects to those resources. This process becomes increasingly complex depending on the type and number of potential cultural risks present and the extent of avoidance. Selection of sites with little or no impacts to cultural resources of concern (defined as a cemetery or a resource that is listed in or eligible for the National Register of Historic Places (NRHP) or is or of unknown NRHP eligibility) greatly simplifies the process. In addition to federal protections for certain human remains (burial sites) and grave markers/goods, states and local municipalities may also have protections. Burial sites must be avoided to prevent disturbance.

In addition, Participant's environmental assurances submission must address or include each of the following items:

- 1. General evaluation for cultural resources, including the applicable steps of the following general progression:
  - a. Desktop review completed by a qualified professional;

- b. Identification of potential cultural resource risks and recommendations;
  - c. Field survey if a federal nexus is present, or to clarify the status of potential cultural risks or the extent of avoidance needed;
  - d. Identify areas of avoidance/impacts;
  - e. Coordinate with agencies if impacts are required;
  - f. Obtain appropriate agency feedback;
  - g. Address agency feedback; and
  - h. Provide assurances that all proposed mitigation and/or avoidance actions can be accomplished without impacting MWs proposed within Submission, the project's construction timeline, and ultimately commercial operation.
2. A desktop review for previously identified cultural resources, including archaeology, historic architecture, and cemeteries. The review must be completed by a Secretary of Interior-qualified professional.
- a. At a minimum, the desktop review must include:
    - (i) An inquiry of the applicable state's archaeological database (e.g., Georgia Natural, Archaeological, and Historic Resources Geographic Information System [GNAHRGIS], Alabama State Site File) for previous surveys and known archaeological resources in the area of the project site;
 

*Access to archaeological information in Georgia is limited to personnel meeting qualifications outlined by the Georgia Archaeological Site File. Inquiries in other states will need to be conducted by personnel who meet the requirements held by that state, if any.*
    - (ii) An inquiry of the National Register of Historic Places (NRHP) – maintained by the National Park Service and the applicable State Historic Preservation Office (SHPO) – and applicable state listings; and
    - (iii) Additional Resources, including, but not limited to. Georgia Association of Regional Commissions, available historic maps and aerial photography, Find-A-Grave and other cemetery aggregate sites, public tax parcel information for potential historic architectural resources and cemeteries, and the American Battlefield Preservation Program and Civil War Sites Advisory Commission. Note that some states maintain a separate cemetery database, although Georgia is not one of these.
3. A completed field cultural resource study is required for any known eligible or potentially eligible resources that may be located within areas of ground disturbance. Outside of this specific requirement, a completed field cultural resource study is recommended.
- a. Any completed cultural resources study must conform to the Georgia Council of Professional Archaeologists' *Georgia Standards and Guidelines for Archaeological Investigations* (2019) or the applicable state's guidance, industry standard practices, and any applicable state standards for architectural surveys.
  - b. If no field cultural resources study is completed, documentation of why it was not completed is required.
4. If a cultural resource of concern (defined as a cemetery or a resource that is listed in or eligible for the NRHP or is of unknown NRHP eligibility) will be affected by the proposed project, coordination through the SHPO (Section 106) and/or the State Archaeologist (due diligence) is encouraged.
5. If there are known cultural resources of concern at the site (defined as a cemetery or a resource that is listed in or eligible for the NRHP, or is of unknown NRHP eligibility), a detailed site plan or figure of sufficient scale to show avoidance is required. An example is provided in

Attachment D (*Example Site Plan Depicting Environmental Sensitivities*). Note that an unanticipated discoveries plan will not be considered sufficient for the environmental assurances if there are planned impacts to a cemetery or to a resource that has been previously recommended or found to be eligible for the NRHP.

6. GPC requires that each Participant develop an unanticipated discoveries plan for their project. This plan must be completed by a Secretary of Interior-qualified professional.
7. For sites that are under construction or have already been constructed, Participant must provide documentation demonstrating cultural resources due diligence was completed appropriately before ground disturbance began.

#### **G. Federal Emergency Management Agency (FEMA) 100-year Floodplains**

At a minimum, Participant must consider the 100-year floodplain and evaluate its impact on the project site. A Conditional Letter of Map Revision (CLOMR) may be required by FEMA.

#### **H. Potential Soil and/or Groundwater Contamination (Phase I Environmental Site Assessment)**

Completion of appropriate environmental due diligence by a qualified environmental professional is required. Participant must provide: (i) a Phase I Environmental Assessment completed by a qualified professional; and (ii) a plan to address any recognized environmental condition and/or any other identified remediation needs. A statement of avoidance is acceptable.

If a Phase II Assessment is recommended or required for the project site, Participant must complete the Phase II Assessment and provide that documentation to GPC upon completion before ground disturbance.

Participant must follow regulatory guidelines and industry standards to manage risks associated with the purchase of and/or operation on sites impacted with regulated constituents or petroleum.

#### **I. Water Withdrawal and Discharges**

Depending on Submission and generation type, an analysis of water availability (groundwater/surface water) may be necessary. If applicable, Participant must provide:

1. An analysis of the assimilative capacity of the receiving water to ensure that any proposed discharge can comply with water quality standards, Total Maximum Daily Loads (TMDLs), and the designated use of the waterbody.; and
2. Verification of available capacity and acceptance of discharge for discharges to a Publicly Owned Treatment Works (POTW).

#### **J. Spill Prevention, Control, and Countermeasure (SPCC) Compliance**

Participant must provide SPCC plans if required by law and available. If a plan is required but not yet available, Participant must provide (i) information on expected oil storage and containment on-site; and (ii) Participant's expected timeline to develop the SPCC plan.

The SPCC Rule issued by the U.S. Environmental Protection Agency is found at [40 CFR Part 112](#). It requires an SPCC Plan be developed and implemented for facilities where the total oil and/or petroleum-based fluid storage capacity equals or exceeds 1,320 gallons. For the purpose of this total, only those containers (drums, tanks, and operational equipment) with at least 55 gallons of storage capacity are included.

#### **K. Air Quality Regulations**

Participants must consider both fugitive dust and open burning requirements in the Georgia EPD Existing Air Quality Rules during all phases of the project or other regulations and standards applicable to the state in which the project is or will be located. Before construction, Participant must also evaluate and obtain an air quality permit, as necessary, for any applicable sources, such as fuel burning equipment, engines, etc.

**L. Local Government Permitting, Ordinances, and Restrictions.**

Local requirements may be more restrictive than, or may complement, certain state and federal permitting/compliance requirements (such as zoning requirements, floodplain stream buffer variances, impacts and cultural resource area preservation).

Of important note, in Georgia, only Public Service Commission-regulated utilities are exempt from Local Issuing Authorities (LIAs). Non-regulated utilities are subject to local regulations and ordinances and Participants must understand and demonstrate compliance with those requirements.

**M. Any Existing Relevant and Reasonably-Available Property Environmental Information**

Participant must also address or provide any prior and current/ongoing site environmental studies/documents, assessments, surveys, corrective action plans, natural resource inventories, or similar documents in Participant's possession.

**N. General Compliance with Applicable Law**

Participant must provide any other information or documentation reasonably necessary to demonstrate that the proposed site and project comply with all applicable law.

**IV. HELPFUL RESOURCES**

*General Note: Hyperlinks in this document are not managed by GPC; and it is possible they may change or become broken.*

**A. WOTUS Resources**

- The U.S. Army Corps of Engineers, Savannah District, has compiled a list of environmental consultants that can assist with WOTUS delineation. Many of these consulting firms can also assist with surveys for protected species assessments, Phase I Environmental Assessments, and other environmental due diligence needs (Attachment E (*USACE Savannah District Environmental Consultant List*)).
- National Wetland Inventory Database  
<https://www.fws.gov/wetlands/>
- U.S. Army Corps of Engineers  
[Environmental -- Headquarters U.S. Army Corps of Engineers](#)
- U.S. Army Corps of Engineers – Savannah District Regulatory  
[Savannah District > Missions > Regulatory > Regulatory Program \(army.mil\)](#)
- U.S. Army Corps of Engineers – Mobile District Regulatory  
[Mobile District > Missions > Regulatory \(army.mil\)](#)
- U.S. Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey  
<https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
- U.S. Environmental Protection Agency; Section 404 of the Clean Water Act  
[Section 404 of the Clean Water Act: Permitting Discharges of Dredge or Fill Material | US EPA](#)
- U.S. Environmental Protection Agency, Waters of the United States  
[Waters of the United States | US EPA](#)
- U.S. Geological Services (USGS) Online Map Viewer  
[USGS Map Viewer | U.S. Geological Survey](#)

## **B. Protected Species, Species of Concern and Habitats of Elevated Concern Resources**

- [The Nature Conservancy Low Impact Solar Siting Tool](#) is a useful resource during initial site evaluation to guide projects towards less impactful locations. This tool is an independent resource and results should be applied for initial planning only. Use of this tool is not a substitute for on-site reconnaissance and due diligence and does not replace federal or state agency consultations.
- Georgia Department of Natural Resources, Rare Species & Natural Community Data  
<https://georgiawildlife.com/conservation/species-of-concern>
- Georgia Department of Natural Resources, Wildlife Resource Division  
<https://georgiawildlife.com/>
- Georgia Department of Natural Resources, Environmental Review Website  
[Environmental Review | Department Of Natural Resources Division \(georgiawildlife.com\)](#)
- Georgia Department of Natural Resources, Wildlife Resource Division, “Recommended Practices for the Responsible Siting and Design of Solar Development in Georgia”  
[Recommended Practices for the Responsible Siting and Design of Solar Development in Georgia](#)
- Georgia Department of Natural Resources, Wildlife Resources Division “Georgia Recommended Practices Webinar Recording”  
[Recommended Practices for Responsible Siting and Design of Solar Development in Georgia - Zoom](#)
- Georgia Department of Natural Resources, Wildlife Resources Division, “August 2024 Solar & Wildlife Webinar”  
[August 2024 Solar Webinar | Powered by Box](#)
- U.S. Fish & Wildlife Service  
[U.S. Fish and Wildlife Service \(fws.gov\)](#)
- U.S. Fish & Wildlife Service Georgia Ecological Services Project Planning and Review  
<https://www.fws.gov/office/georgia-ecological-services/project-planning-review>  
*Email Contact: GAES\_Assistance@FWS.gov*
- U.S. Fish & Wildlife Service, Information for Planning and Consultation (USFWS IPaC)  
<http://ecos.fws.gov/ipac/>

## **C. Cultural Resources – Archaeology, Historic Architecture, and Cemeteries**

- American Battlefield Protection Program  
<https://www.nps.gov/orgs/2287/index.htm>
- Find-A-Grave  
<https://www.findagrave.com/>
- Georgia Archaeological Site File  
[Policies | UGA Archaeology](#)
- Georgia Council of Professional Archaeologists  
<https://thegcpa.org/>
- Georgia Department of Community Affairs, Historic Preservation Division (SHPO)

<https://www.dca.ga.gov/georgia-historic-preservation-division>

- Georgia Department of Community Affairs, Historic Preservation Division – Historic Preservation Consultants Directory

[Georgia Department of Natural Resources – Historic Preservation Division \(ga.gov\)](https://www.dnr.ga.gov/historic-preservation-division)

- Georgia Department of Natural Resources, Office of the State Archaeologist

<https://gastateparks.org/Archaeology>

- Georgia's Natural, Archaeological, and Historic Resources GIS Portal

<https://www.gnahrgis.org>

- National Register of Historic Places

<https://www.nps.gov/subjects/nationalregister/index.htm>

- QPublic.net (online tax parcel information)

<https://qpublic.schneidercorp.com/>

- Secretary of the Interior Professional Qualification Standards

[The Secretary of the Interior Professional Qualifications Standards | U.S. Department of the Interior \(doi.gov\)](https://www.doi.gov/secretary-of-the-interior-professional-qualifications-standards)

- U.S. Geological Services (USGS) Online Map Viewer

[USGS Map Viewer | U.S. Geological Survey](https://www.usgs.gov/online-map-viewer)

#### **D. Potential Soil and/or Groundwater Contamination (Phase I Environmental Site Assessment)**

- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process

<https://www.astm.org/e1527-21.html>

- Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process for Forestland or Rural Property, ASTM E2247-16

<https://www.astm.org/e2247-16.html>

- Standard Practice for Environmental Site Assessments: Phase II Environmental Site Assessment Process ASTM E1903-19

<https://www.astm.org/e1903-19.html>

#### **E. Georgia Erosion & Sedimentation Control and National Pollutant Discharge Elimination System (NPDES) Program Resources**

- Erosion and sedimentation control and construction stormwater are regulated by GA EPD permits that authorize discharge under the NPDES program.

- Applicable permit - GAR100001 Stand-Alone Construction General Permit

*Any construction activity disturbing at least one acre of land at an existing facility or the construction of a new facility will be regulated by the Stand-Alone Construction General Permit.*

- Permit requirements typically include, but may not be limited to:

- Complete Erosion Sedimentation, and Pollution Control Plans (ES&PCP) by a Level II Georgia Soil and Water Conservation Commission (GSWCC) Certified Design Professional;

- Submittal of Notice of Intent (NOI);

- Land Disturbance Fee payment;
  - 7-Day Design Professional Inspection;
  - Inspections Performed by a Level 1 Certified GSWCC Inspector (Daily, Weekly, Post-Qualifying Rain Event, & Monthly);
  - Rainfall Log;
  - Turbidity Sampling & Analysis; and
  - Submittal of Notice of Termination (NOT)
- If the development of the site requires disturbance that will exceed 50 acres at one time, then a 50 Acre Disturbance request must be submitted to GA EPD. Written authorization from the appropriate EPD district office must be obtained and the ES&PCP must include 4 additional BMPs listed in Part III.C.2 of the Construction General Permit or in Appendix 1 to the GSWCC Plan Checklist. Guidance has been provided in Attachment F (*Erosion & Sedimentation Control 50+ Acre Disturbance Guidance Document*).
  - Please note that in June of 2022 GA EPD issued guidance to the Local Issuing Authorities (LIA) that solar projects are not necessarily exempt from local permitting. This communication reversed 2014 guidance that did provide exemption from local land disturbance and stream buffer permitting.
- Georgia Environmental Protection Division, Watershed Protection Branch  
[Watershed Protection Branch | Environmental Protection Division \(georgia.gov\)](https://georgia.gov/watershed-protection-branch)
  - Georgia Environmental Protection Division, Watershed Protection Branch, Field Guide for Determining the Presence of State Waters that Require a Buffer  
[Microsoft Word - Brochure for State Waters Guidance 4-5-17 \(georgia.gov\)](https://georgia.gov/microsoft-word-brochure-for-state-waters-guidance-4-5-17)
  - Georgia Environmental Protection Division, Watershed Protection Branch, NPDES Construction General Permit GAR100001 Stand Alone Permit  
[NPDES Construction Storm Water General Permits | Environmental Protection Division \(georgia.gov\)](https://georgia.gov/npdes-construction-storm-water-general-permits)
  - Georgia Environmental Protection Division, “Submitting a Request to EPD to disturb 50 Acres or Greater” Guidance Document (Attachment F (*Erosion & Sedimentation Control 50+ Acre Disturbance Guidance Document*)).
  - Georgia Soil and Water Conservation Commission Documents List  
*includes ES&PCP Checklist*  
[Documents List | Georgia Soil and Water Conservation Commission](https://georgia.gov/documents-list)
  - Georgia Soil and Water Conservation Commission, Technical Guidance  
[Technical Guidance | Georgia Soil and Water Conservation Commission](https://georgia.gov/technical-guidance)

#### **F. Air Quality Resources**

- Georgia Environmental Protection Division, Air Branch  
[Existing Air Quality Rules](https://georgia.gov/existing-air-quality-rules)

#### **V. DISPOSAL INFORMATION**

It is recommended that Participants support the state-wide goal of waste reduction through waste minimization and recycling.

## VI. ENVIRONMENTAL ASSURANCES FREQUENTLY ASKED QUESTIONS

### ***Why do GPC RFPs have an environmental assurances review?***

GPC conducts an environmental assurances review to ensure that potential providers have thoughtfully sited and planned projects to avoid and minimize impacts on environmental sensitivities. Additionally, GPC needs to know that Participants are engaged with the appropriate environmental agencies. For project sites under construction or already operational, environmental assurances must demonstrate compliance with all applicable laws and regulations and the absence of significant violations, stop work orders, or non-compliance issues that cannot be promptly mitigated.

While Participant is responsible for its site's environmental compliance, avoidance, and mitigation, GPC must understand any environmental concern and if any proposed impact aligns with GPC's environmental protection, biodiversity principles, and stewardship goals (Attachment B (*GA Power Company & Southern Company Biodiversity Principles*)). GPC will also assess how any proposed impact on environmental and cultural resources might affect GPC's image.

GPC prioritizes ensuring that Participants fully understand their site's environmental conditions, applicable laws and regulations, and any required permitting or mitigation measures for construction and operation. GPC regularly engages with federal, state, local, and other external stakeholders to maintain positive relationships and uphold high environmental compliance standards, aiming to be a leader in the utility industry. Southern Company and GPC are committed to protecting natural resources through stewardship initiatives (Attachment B (*GA Power Company & Southern Company Biodiversity Principles*)). The information provided by Participants in environmental assurances submissions allows GPC to independently evaluate these aspects and determine site alignment with GPC's objectives. This information is crucial in the Submission evaluation process.

The environmental assurances also help GPC ensure that a Participant can complete its project and achieve commercial operation within the timeframe specified in the RFP and associated agreements. Many environmental requirements and permits are long-lead items that can take years to address. As GPC is not a regulator, GPC relies on feedback from regulatory agencies and GPC's own professional experience with permitting impacts to assess if a site might face delays in meeting the required commercial operation date due to environmental reasons.

### ***Who completes the environmental assurances reviews?***

GPC Environmental Affairs professionals support all GPC operations and manage GPC's environmental compliance and stewardship programs. The department is made up of seven groups: air, water, natural resources, waste & remediation, laboratory, regulatory & strategy, and compliance assurance.

The Environmental Affairs RFP Evaluation Team consists of experienced wildlife biologists, water professionals, remediation specialists, cultural resources professionals, and air professionals. Each environmental assurance requirement is evaluated by an internal subject matter expert in the specific environmental discipline.

### ***Environmental Assurances Review Process***

GPC's environmental assurances review involves a thorough examination of the documentation and information provided by Participants. It is in Participant's best interest to supply accurate and detailed information about its project site. If information is lacking, GPC will request additional details or clarifications. If the necessary information is not provided, GPC may use its own resources and expertise to conduct a desktop review of the site to formulate its own recommendations for the project. GPC does not perform independent field reconnaissance and relies solely on Participant-provided information, public data, and professional expertise.

Section III details the typical information required in an environmental assurances submission. While GPC is aware of potential cost and time constraints, the information outlined in this section

is essential for a comprehensive evaluation of a site's potential environmental impact. Environmental assurances are usually due later in the Submission evaluation process, after initial screenings, to allow Participants time to finalize studies and prepare documentation. However, due to the long lead times for many environmental and cultural resource assessments, GPC advises Participants to begin their environmental studies and evaluations early. Statements of intent to complete assessments in the future will not meet RFP requirements.

***Environmental Assurances Internal Site Assessment Form***

To help Participants understand the environmental assurances internal review process, GPC has included an example of the form used to assess each project site (Attachment C (*Environmental Assurances Internal Site Assessment Form*)). Participants who submit an environmental assurances package as part of a conforming list, competitive tier, or target list will receive this or similar feedback from GPC.

Please note that this form is specific to each RFP and RFP cycle. Participants submitting to multiple RFPs or who have submitted in previous RFPs must re-evaluate their site to ensure that the data is up-to-date and meets the specific RFP requirements. A "yes requirements met" feedback in one RFP does not guarantee the same outcome for future or other RFPs.

**VII. ATTACHMENTS**

- Attachment A. Environmental Assurances Compliance Affidavit Form
- Attachment B. Georgia Power Company & Southern Company Biodiversity Principles
- Attachment C. Environmental Assurances Internal Site Assessment Form
- Attachment D. Example Site Plan Depicting Environmental Sensitivities
- Attachment E. USACE Savannah District Environmental Consultant List
- Attachment F. Erosion & Sedimentation Control (50+ Acre Disturbance Guidance Document)

## **ATTACHMENT A - ENVIRONMENTAL ASSURANCES COMPLIANCE AFFIDAVIT FORM**

Georgia Power Company  
241 Ralph McGill Blvd NE  
Bin No. 10196  
Atlanta, Georgia 30308

RE: Georgia Power Company's #RFPTitle ("RFP") – Environmental Assurances Compliance

Facility Address:

Generation Facility Type:

Contact person for the Site/Facility:

Ladies and Gentlemen:

In accordance with the provisions of the RFP, #ParticipantLegalName# ("Participant") offered a Submission to fulfill a portion of the RFP on behalf of #Participant OR #the counterparty that will execute an Awarded Contract with GPC ("Seller"). Capitalized terms used but not defined in this Affidavit have the meaning assigned in the RFP.

The Environmental Assurances Guidance Document provides various environmental requirements that, at a minimum, Participant must consider, address and document, as applicable, as part of its completed Submission. Participant acknowledges that failure to consider environmental permitting, compliance, and Site-related environmental factor impacts, or failure to provide documentation of the consideration, will be deemed a Deficient Submission and may preclude further consideration of the Submission.

### **Participant represents, warrants, or covenants the following:**

1. Participant is familiar with all applicable federal, state, and local environmental regulations regarding the Site/Facility and has considered and addressed each of the factors described in the Environmental Assurances Guidance Document;
2. The Site/Facility and #Seller OR #Participant will, #during the PPA Term OR #until Closing OR #during the Facility Design Life, comply with all applicable federal, state, and local environmental requirements, including obtaining or renewing all applicable state and federal environmental permits with respect to the design, construction, ownership, operation, maintenance, and decommissioning (if applicable) of the Facility. #Seller's OR #Participant's compliance with environmental laws includes: (i) performance of all studies required or recommended under environmental laws to assess the impacts of the Facility on the environment, wildlife, or cultural resources; and (ii) mitigation of any environmental impact, including all requirements to seek, obtain, maintain, comply with, and, as necessary, renew or modify from time to time, all applicable certificates, licenses, permits, governmental authority approvals, environmental certificates, and environmental impact analyses, and if applicable, the mitigation of environmental impacts, including any mitigation measures to reduce or avoid impacts to environmental, wildlife, or cultural resources, including any species conservation strategy or conservation agreement and any cultural resources treatment plan. #Seller OR #Participant will be responsible for all costs, expenses, charges, and fees in connection with same;
3. #Seller OR #Participant will maintain all required federal, state, and local environmental permits #during the PPA Term #OR #until Closing #OR #during the Facility Design Life;
4. Participant or Seller, as applicable, will promptly notify GPC in writing of any material change in the status of Participant's or Seller's environmental compliance during the RFP and, if applicable, #during the PPA Term OR #until Closing OR #during the Facility Design Life;
5. #Participant and Seller OR #Participant will avoid environmental impacts, if possible, and will mitigate unavoidable environmental impacts as required under federal and state regulations

#during the PPA Term **OR** #until Closing **OR** #during the Facility Design Life.

6. #Seller **OR** #Participant will not make any change fundamentally altering the preliminary Site plan of the Facility in a manner that will result in a significant environmental/cultural resource impact;
7. #Seller **OR** #Participant will #during the PPA Term **OR** #until Closing **OR** #during the Facility Design Life on a regular basis, or as otherwise may be required by any governmental authority, review and maintain and comply with all BMPs and any other environmental requirements in connection with the design, construction, ownership, operation, maintenance, and decommissioning (if applicable) of the Facility;
8. If #during the PPA Term **OR** #before Closing **OR** #during the Facility Design Life #Seller **OR** #Participant (i) is notified of its failure to comply with, (ii) fails to comply with, or (iii) otherwise becomes aware that it is not in compliance with any BMPs or any other environmental requirements, #Seller **OR** #Participant will take steps to regain compliance in accordance with any requirements of any applicable governmental authority or otherwise as promptly as commercially practicable. #Seller **OR** #Participant will review all updates to, and any new, BMPs or any other environmental requirements on a regular basis and will take steps as may be required to comply with any new or updated BMPs or any other environmental requirements;
9. If any species surveys or studies indicate that a direct or indirect taking of wildlife listed as threatened, endangered, or other special status under environmental laws, or any impacts to habitat of such wildlife, will occur as a result of development or construction activities (including due to grading, ground disturbance, tree clearing, or nest removal) or during operation of the Facility, Seller will consult with the relevant governmental authority to determine whether incidental take authorization or a species habitat conservation or management plan is required under environmental laws for the Facility or the Site. If required by any permit, #Seller **OR** #Participant will develop and share with GPC a plan for addressing those impacts. During development and construction of the Facility, any wildlife protected by environmental laws discovered on the Site will be reported in accordance with any applicable conservation or management plans; and
10. If this Submission advances to the conforming list, competitive tier, or target list, as applicable, Participant agrees to provide GPC Environmental Assurances by the due date noted in the Solicitation Schedule.

*Participant acknowledges that a statement from Participant that “this work is being completed” or that “work is being done according to appropriate guidelines” is insufficient to meet the environmental requirements for a completed Submission.*

### **Signature and Notarization on Next Page**

Participant does solemnly swear or affirm under penalty of perjury, that the information Participant has provided in this Affidavit is based on Participant's own personal knowledge and is true, complete, and correct. Participant acknowledges that any change in compliance status constitutes a change of information, notice of which Participant or Seller, as the case may be, must provide to GPC promptly. Participant further certifies that Participant personally examined and is familiar with all the information in this Affidavit, including any exhibit, attachment, or appendix, and further certifies that information to be true, correct, and complete.

**ParticipantLegalName#**

By: \_\_\_\_\_

Name  
Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

State of \_\_\_\_\_

County of \_\_\_\_\_

On this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, before me appeared \_\_\_\_\_, the person who signed the preceding Environmental Assurances Compliance Affidavit in my presence and who swore or affirmed that he/she understood the document and freely declared it to be truthful.

\_\_\_\_\_  
Official Signature of the Notary  
State of \_\_\_\_\_ County of \_\_\_\_\_  
Official Seal of the Notary  
My Commission Expires:

**ATTACHMENT B - GEORGIA POWER COMPANY & SOUTHERN COMPANY**  
**BIODIVERSITY PRINCIPLES**



Link: [Environmental Stewardship | Georgia Power](#)



[About](#) [Residential](#) [Business](#) [Our Impact](#) [News Hub](#) [Q](#)

[Our Impact](#) /



**We maintain and operate over 100,000 acres of land, 60,000 acres of water and more than 15 lake properties in Georgia.**

As such, we are committed to being good stewards for our state, and compliance with federal and state environmental requirements is only the beginning of our environmental commitment. Our education partnerships and projects work towards conservation, restoration and awareness, so that future generations will have a prosperous and beautiful place to call home.



**Improving Air Quality**

Our investments into reducing emissions and improve air quality



**Water Research**

Our efforts to reduce, conserve and improve the water that is returned from our plants



**Environmental Compliance**

Data and information about how we comply with federal regulations

We support environmentally-focused organizations and programs that are working to preserve the natural legacy of our state. We're investing to increase environmental awareness, improve air and water quality, preserve natural resources and protect endangered species.

**ATTACHMENT C - ENVIRONMENTAL ASSURANCES INTERNAL SITE ASSESSMENT FORM**

**EXAMPLE ONLY**

Environmental Review Overall Risk Rating Summary							
Bid No.	Project Name	Bidder Name	RFP Requirements Met -Y/N	Assigned Risk (High, Medium, Low)	Risk ID	Date RAI Request Made	Date RAI Resolved & Final Risk Eval Provided/ Reconciled
				LOW	WOTUS		
				HIGH	SPECIES		
				MEDIUM	PHASE I		
					CULTURAL		
					MULTIPLE		
					SUFFICIENT INFO PROVIDED		
					LOW RISK - NO RED FLAGS IDENTIFIED		

**Please Note: The RFP component may vary depending on the specific GPC RFP layout and requirements.**

Competitive Tier Environmental Evaluation	
Bid Number:	
Project Name:	<b>EXAMPLE ONLY</b>
Bidder Name:	
Project Location:	
Date Last Updated:	

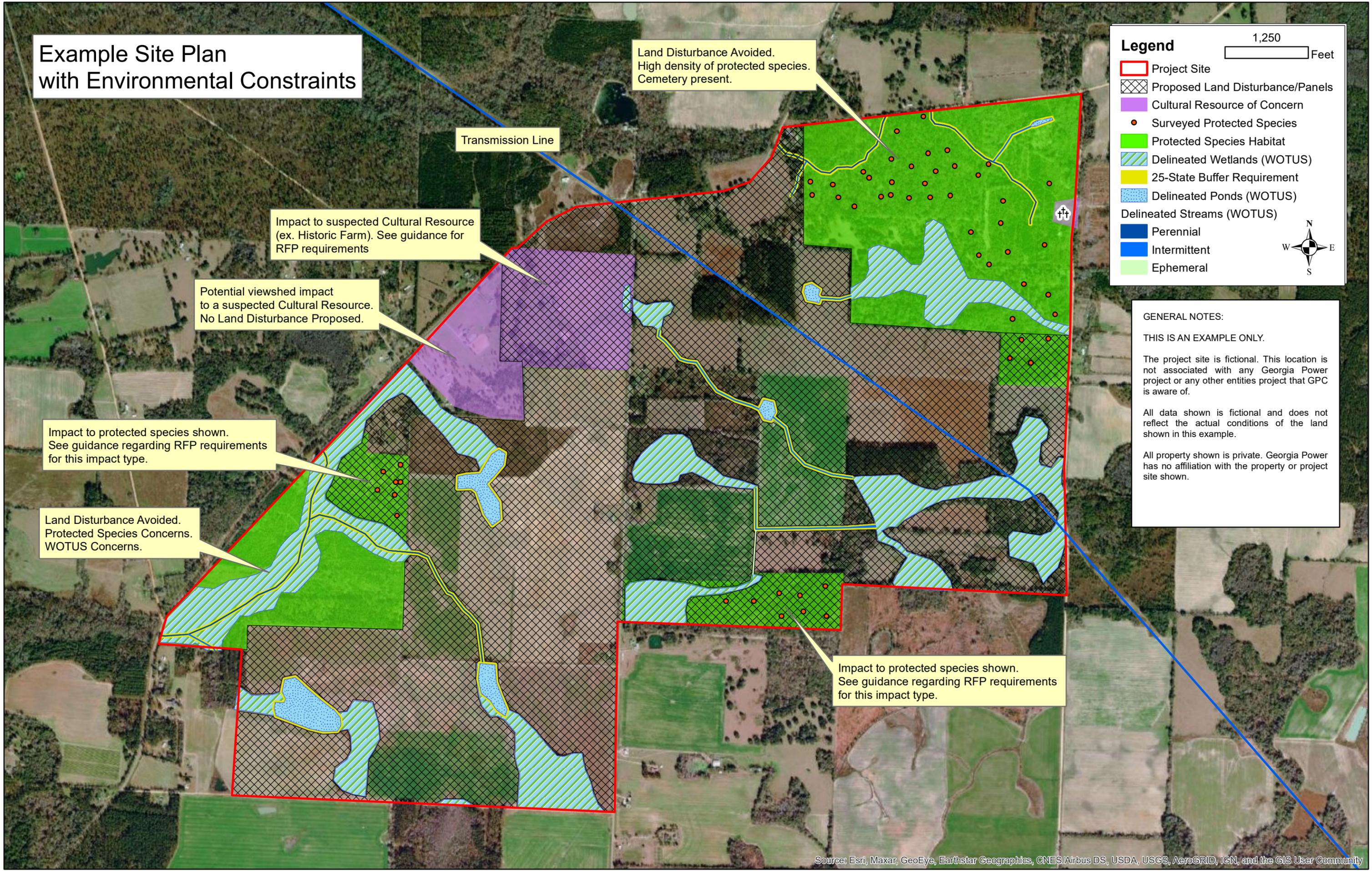
**Assigned Environmental Risk:**                      **Risk ID:**  
 (High, Medium, Low)                                      (Correlates to RFP Component)

RFP Component	RFP Requirement Met? (Y/N)	Risk to GPC H, M, L	Additional Items to be Provided to GPC	Comments
<b>A. Waters of the U.S.</b>				
A.1.a	NO	HIGH		
A.1.b	YES	MEDIUM		
A.1.c		LOW		
A.1.d				
<b>B. State Waters/Buffers</b>				
B.1				
B.2				
<b>C. Cultural Resources</b>				
C.1				
C.2				
C.3				
C.4				
<b>D. Species of Special Concern</b>				
D.1.				
D.2.				
D.3.				
D.4.				
D.5.				
D.6.				
<b>E. Phase I ESA</b>				
<b>F. Other Documents</b>				
<b>G. Document Types Provided</b>				
<b>H. APA &amp; BTA Submissions</b>				
H.1.				
H.2.				
H.3.				
H.4.				

**Please Note: The RFP component may vary depending on the specific GPC RFP layout and requirements.**

**ATTACHMENT D - EXAMPLE SITE PLAN DEPICTING ENVIRONMENTAL SENSITIVITIES**

# Example Site Plan with Environmental Constraints



Land Disturbance Avoided.  
High density of protected species.  
Cemetery present.

Impact to suspected Cultural Resource  
(ex. Historic Farm). See guidance for  
RFP requirements

Potential viewshed impact  
to a suspected Cultural Resource.  
No Land Disturbance Proposed.

Impact to protected species shown.  
See guidance regarding RFP requirements  
for this impact type.

Land Disturbance Avoided.  
Protected Species Concerns.  
WOTUS Concerns.

Impact to protected species shown.  
See guidance regarding RFP requirements  
for this impact type.

**Legend**

1,250 Feet

- Project Site
- Proposed Land Disturbance/Panels
- Cultural Resource of Concern
- Surveyed Protected Species
- Protected Species Habitat
- Delineated Wetlands (WOTUS)
- 25-State Buffer Requirement
- Delineated Ponds (WOTUS)
- Delineated Streams (WOTUS)
- Perennial
- Intermittent
- Ephemeral

N  
W —+— E  
S

**GENERAL NOTES:**

THIS IS AN EXAMPLE ONLY.

The project site is fictional. This location is not associated with any Georgia Power project or any other entities project that GPC is aware of.

All data shown is fictional and does not reflect the actual conditions of the land shown in this example.

All property shown is private. Georgia Power has no affiliation with the property or project site shown.

**ATTACHMENT E - USACE SAVANNAH DISTRICT ENVIRONMENTAL CONSULTANT LIST**

**ALABAMA****Auburn, AL**

Name of Firm:	Wildland Services, LLC	Name of Firm:	Goodwyn, Mills, and Cawood, Inc. (GMC)
Mailing Address:	P.O. Box 469	Mailing Address:	2701 1st Avenue South, Suite 100
Address Line 2:	Auburn, AL 36831	Address Line 2:	Birmingham, AL 35233
Contact:	Mr. William Neighbors	Contact:	Mr. Stuart Blackwell
Phone:	334-391-2005	Phone:	205-879-4462
Email Address:	<a href="mailto:will@wildland-services.com">will@wildland-services.com</a>	Email Address:	<a href="mailto:Stuart.Blackwell@gmcnetwork.com">Stuart.Blackwell@gmcnetwork.com</a>
Website:	<a href="http://www.wildland-services.com/">http://www.wildland-services.com/</a>	Website:	<a href="http://www.gmcnetwork.com/">http://www.gmcnetwork.com/</a>

**Birmingham, AL****Mobile, AL**

Name of Firm:	Aerostar SES LLC	Name of Firm:	Goodwyn, Mills, and Cawood, Inc. (GMC)
Mailing Address:	820 S. University Boulevard Suite 3H	Mailing Address:	11 North Water Street, Suite 15250
Address Line 2:	Mobile, Alabama 36609	Address Line 2:	Mobile, AL 36602
Contact:	Ms. Angela M. Rangel	Contact:	Ms. Melissa Mehaffey
Phone:	251-432-2664 (Office); 251-680-4332 (Mobile)	Phone:	251-460-4006
Email Address:	<a href="mailto:arangel@aerostar.net">mailto:arangel@aerostar.net</a>	Email Address:	<a href="mailto:Melissa.Mehaffey@gmcnetwork.com">Melissa.Mehaffey@gmcnetwork.com</a>
Website:	<a href="http://www.ses-grp.com/">http://www.ses-grp.com/</a>	Website:	<a href="http://www.gmcnetwork.com/">http://www.gmcnetwork.com/</a>

**Montgomery, AL**

Name of Firm:	Goodwyn, Mills, and Cawood, Inc. (GMC)	Name of Firm:	TTL
Mailing Address:	2660 EastChase Lane, Suite 200	Mailing Address:	2743B Gunter Park Drive West
Address Line 2:	Montgomery, AL 36117	Address Line 2:	Montgomery, AL 36109
Contact:	Mr. Rob Carlton	Contact:	Mr. Christopher Terrell, Ms. Cindy House-Pearson
Phone:	334-271-3200	Phone:	334-244-0766, 334-244-0766
Email Address:	<a href="mailto:Rob.Carlton@gmcnetwork.com">Rob.Carlton@gmcnetwork.com</a>	Email Address:	<a href="mailto:chpearson@ttlusa.com">chpearson@ttlusa.com</a>
Website:	<a href="http://www.gmcnetwork.com/">http://www.gmcnetwork.com/</a>	Website:	<a href="http://www.ttlusa.com/">http://www.ttlusa.com/</a>

**FLORIDA****Boynton Beach, FL**

Name of Firm:	Earthology LLC	Name of Firm:	Environmental Resource Solutions
Mailing Address:	3611 High Ridge Way, # 306 Address	Mailing Address:	8711 Perimeter Park Boulevard, Suite 1
Address Line 2:	Boynton Beach, Florida 33426	Address Line 2:	Jacksonville, Florida 32216
Contact:	M. Raj Kamthe	Contact:	Mr. Jon Summerfield
Phone:	561-315-1085	Phone:	904-285-1397 (office); 904-285-1929 (fax)
Email Address:	<a href="mailto:mailto:Raj.kamthe@earthology.info">mailto:Raj.kamthe@earthology.info</a>	Email Address:	<a href="mailto:JSummerfield@ersenvironmental.com">JSummerfield@ersenvironmental.com</a>
Website:	<a href="http://www.earthology.info/">http://www.earthology.info/</a>	Website:	<a href="http://www.ersenvironmental.com/">http://www.ersenvironmental.com/</a>

**Jacksonville, FL****Jacksonville, FL (cont)**

Name of Firm:	Johnson Mirmiran & Thompson (JMT)	Name of Firm:	LG2 Environmental Solutions, Inc.
Mailing Address:	2008 Riverside Ave., Suite 200	Mailing Address:	10475 Fortune Parkway, Suite 201
Address Line 2:	Jacksonville, FL 32204	Address Line 2:	Jacksonville, FL 32256
Contact:	Mr. Jason Evert	Contact:	Mr. Paul Maggioni
Phone:	904-661-5840	Phone:	800-435-0072
Email Address:	<a href="mailto:jevert@jmt.com">jevert@jmt.com</a>	Email Address:	<a href="mailto:leegerald@lg2es.com">leegerald@lg2es.com</a>
Website:	Not provided	Website:	<a href="http://www.lg2es.com/">http://www.lg2es.com/</a>

**Sarasota, FL**

Name of Firm:	ecoGENESIS, LLC	Name of Firm:	Stantec Consulting Services Inc.
Mailing Address:	4152 Independence Court, Suite C7	Mailing Address:	6900 Professional Parkway East
Address Line 2:	Sarasota, FL 34234	Address Line 2:	Sarasota, FL 34240
Contact:	Not provided	Contact:	Ms. Jennifer Brunty
Phone:	941-351-0300	Phone:	941-907-6900
Email Address:	<a href="mailto:pfetterman@ecogenesisluc.com">pfetterman@ecogenesisluc.com</a>	Email Address:	<a href="mailto:Jennifer.Brunty@stantec.com">Jennifer.Brunty@stantec.com</a>
Website:	<a href="http://www.ecogenesisluc.com/">http://www.ecogenesisluc.com/</a>	Website:	<a href="https://stantec.com/">https://stantec.com/</a>

**Tallahassee, FL**

Name of Firm:	FELSI
Mailing Address:	221-4 Delta Court
Address Line 2:	Tallahassee, FL 32303
Contact:	Not provided
Phone:	850-385-6255 (office); 850-385-6355 (fax)
Email Address:	<a href="mailto:elvapeppers@felsi.org">elvapeppers@felsi.org</a>
Website:	<a href="http://www.felsi.net/">http://www.felsi.net/</a>

**GEORGIA****Acworth, GA****Albany, GA**

Name of Firm:	Contour Environmental, LLC	Name of Firm:	Goodwyn, Mills, and Cawood, Inc. (GMC)
Mailing Address:	4462 Bretton Court, NW, Suite 14	Mailing Address:	2547 Lafayette Plaza Drive, Suite E
Address Line 2:	Acworth, GA 30101	Address Line 2:	Albany, GA 31707
Contact:	Mr. Dana Spotts	Contact:	Mr. Robert Ramsey
Phone:	678-303-2600(business); 678-414-3026(cell)	Phone:	229-883-0332
Email Address:	<a href="mailto:dspotts@contourenv.com">dspotts@contourenv.com</a>	Email Address:	<a href="mailto:robert.ramsey@gmcnetwork.com">robert.ramsey@gmcnetwork.com</a>
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**Albany, GA (cont)****Alpharetta, GA**

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Website:	<a href="http://www.ttlusa.com">http://www.ttlusa.com</a>	Website:	<a href="http://www.eca-usa.com">www.eca-usa.com</a>

**Alpharetta, GA (cont)**

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**Alpharetta, GA (cont)****Atlanta, GA**

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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)**

Name of Firm:	HNTB Corporation	Name of Firm:	Hodges, Harbin, Newberry & Tribble, Inc.
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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)**

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**Atlanta, GA (cont)****Athens, GA**

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**Athens, GA****Augusta, GA**

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**Blue Ridge, GA****Braselton, GA**

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**Brunswick, GA**

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Website:	<a href="http://www.gmcnetwork.com/">http://www.gmcnetwork.com/</a>	Website:	<a href="https://gswesllc.com/">https://gswesllc.com/</a>

**Canton, GA****Claxton, GA**

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**College Park, GA**

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Website:	<a href="http://www.hydroecology.org/">http://www.hydroecology.org/</a>	Website:	<a href="http://foxlandwater.wix.com/foxlandwater">http://foxlandwater.wix.com/foxlandwater</a>

**Columbus, GA****Columbus, GA**

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**Dacula, GA****Dalton, GA**

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**Decatur, GA**

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**Douglasville, GA**

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**Duluth, GA****Duluth, GA**

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**Evans, GA****Flowery Branch, GA**

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**Forsyth, GA**

**Hortense, GA**

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**Hull, GA****Kennesaw, GA**

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Website:	<a href="http://www.crystalenvironmental.com/">http://www.crystalenvironmental.com/</a>	Website:	<a href="http://www.geohydro.com">www.geohydro.com</a>

**Kennesaw, GA (cont)**

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**Kennesaw, GA (cont)****Lawrenceville, GA**

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**Lilburn, GA****Logansville, GA**

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**Macon, GA**

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**Macon, GA (cont)**

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**Marietta, GA**

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**Marietta, GA (cont)**

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**Newnan, GA****Norcross, GA**

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**Norcross, GA (cont)**

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**Peachtree Corners, GA**

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**Peachtree Corners, GA (cont)****Perry, GA**

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Website:	<a href="http://www.pondco.com/">http://www.pondco.com/</a>	Website:	<a href="http://www.gwesllc.com/">http://www.gwesllc.com/</a>

**Ray City, GA****Rincon, GA**

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**Roswell, GA**

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**Roswell, GA (cont)****St. Simons Island, GA**

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**St. Simons Island, GA (cont)****Savannah, GA**

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**Savannah, GA (cont)**

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**Savannah, GA (cont)**

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**Savannah, GA (cont)**

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**Savannah, GA (cont)**

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**Savannah, GA (cont)**

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Website:	<a href="http://www.lg2es.com/">http://www.lg2es.com/</a>	Email Address:	<a href="mailto:rebecca@lksarchitects.com">rebecca@lksarchitects.com</a>
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**Savannah, GA (cont)**

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**Savannah, GA (cont)****Smyrna, GA**

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**Statesboro, GA****Stone Mountain, GA**

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**St Simons Island, GA****Suwanee, GA**

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**Tifton, GA**

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**Valdosta, GA****Watkinsville, GA**

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**Woodstock, GA****NORTH CAROLINA****Asheville, NC**

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Website:	<a href="http://www.alphaenviron.com/">http://www.alphaenviron.com/</a>	Website:	<a href="http://www.waldencreekenvironmental.com/">http://www.waldencreekenvironmental.com/</a>

**Charlotte, NC**

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**Kernersville, NC****Raleigh, NC**

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**SOUTH CAROLINA**

**Anderson, SC**

**Columbia, SC**

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**Columbia, SC (cont)**

**Greenville, SC**

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**Mount Pleasant, SC**

**North Charleston, SC**

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**TENNESSEE**

**Chattanooga, TN**

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Contact:	Mr. Philip R. Schofield	Contact:	Ms. Kelly Smith
Phone:	423-267-7613	Phone:	423-800-5350
Email Address:	<a href="mailto:pschofield@ctiengr.com">pschofield@ctiengr.com</a>	Email Address:	<a href="mailto:kelly.smith@stantec.com">kelly.smith@stantec.com</a>
Website:	<a href="http://www.ctiengr.com/">http://www.ctiengr.com/</a>	Website:	stantec.com

**Nashville, TN**

Name of Firm:	Goodwyn, Mills, and Cawood, Inc. (GMC)
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Contact:	Mr. Wesley Caputo
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**TEXAS**

**Houston, TX**

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**VIRGINIA**

**Fredericksburg, VA**

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Website:	<a href="http://www.marstel-day.com/">http://www.marstel-day.com/</a>

**ATTACHMENT F - EROSION & SEDIMENTATION CONTROL (50+ ACRE DISTURBANCE GUIDANCE DOCUMENT)**



## **Guidance for Requests to Disturb 50 Acres or More under the NPDES Construction Stormwater Permits**

The National Pollutant Discharge Elimination System Storm Water Discharges Associated With Construction For Stand Alone Construction Projects (GAR100001) and for Common Development (GAR100003) (collectively, the NPDES Permits) each mandate that the permittee shall limit the amount of disturbed area to less than 50 acres at any one time unless the permittee has received prior written authorization from the appropriate EPD District Office. The permittee for any such site (Site) must provide this information sufficiently in advance of disturbing 50 or more acres for EPD to evaluate the request and to determine what additional conditions will be applied to that activity. This Guidance outlines the review criteria and specifies design components expected for such requests.

This Guidance may also inform consideration by EPD and by Local Issuing Authorities (LIAs) of factors to evaluate when considering compliance of sites with 50 or more acres of disturbance with the Georgia Erosion and Sedimentation Control Act (GESA), O.C.G.A. § 12-7-1 *et seq.* and local land disturbance permits issued by LIAs.

EPD approval will be based on site-specific design criteria. Applicants may incorporate alternative design criteria from those specifically outlined below, with the understanding that the plan must be deemed equally protective, and the applicant must demonstrate that the alternate design criteria when considered with the totality of site specific criteria is equally protective.

- 1. Request and Review Process.** Note that EPD has developed a “50+ Acre Clearing Decision Rationale” (Rationale) which is used to assess these requests. This Rationale requires site-specific information that is used, along with other material, to determine whether such requests will be approved or denied.
  - A.** A request for the Site must be submitted in advance of conducting any land disturbing activity to the EPD District Office where the Site is located. Information about the assigned counties for each EPD District Office may be found here: <https://epd.georgia.gov/about-us/epd-district-offices>.
  - B.** The following information must be included in the request:
    - i.** The technical justification of why it is necessary to grade 50 or more contiguous acres or to grade 50 or more acres of a project site at any one time.
    - ii.** Total planned acres of disturbance.

- iii. The Owner’s legal name, address, and telephone number or the Operator’s legal name, address, and telephone number.
- iv. A project description including all of the following:
  - 1. The site/project name.
  - 2. Latitude and longitude of the property in the form of decimal degrees. The site location information must be sufficient to accurately locate the proposed construction site.
  - 3. The nature of the proposed construction activity.
  - 4. Any additional information the requester feels is relevant to justify the request.
- v. A list of the certified site inspectors for the Site and their certifications.
- vi. A site map showing all of the following:
  - 1. The Site in relation to surrounding property(ies).
  - 2. The proposed limits of disturbance at the Site, including any proposed phases for conducting such disturbance, if applicable.
  - 3. Soil types and delineation.
  - 4. Site topography.
  - 5. All state waters on the Site and within 200 feet of borders of the Site
  - 6. Any stream segments on the Site or within one (1) linear mile upstream of and within the same watershed as any portion of stream segment identified as “not supporting” its designated use(s) (Impaired Stream Segment), as shown on the most up to date version of Georgia’s “305(b)/303(d) List Documents (Final)” if the Impaired Stream Segment has been listed for either of the following criteria: a) “Bio F” (Impaired Fish Community); or b) Bio M” (Impaired Macroinvertebrate Community), and is within Category 4a, 4b or 5, and the potential cause is either “NP” (nonpoint source) or “UR” (urban runoff). The most current 303/305 list is available here:  
<https://epd.georgia.gov/https%3A/epd.georgia.gov/assessment/water-quality-georgia>.
  - 7. Proximity of the Site to sensitive areas such as drinking water intakes, marshes, and trout streams, etc.

## **2. Conditions Applicable to All Sites Receiving Approval.**

- A. Total acreage disturbed at any one time during the project should be minimized. Disturbance should be segmented (i.e., staged into smaller sections of the overall planned disturbance), using naturally existing land characteristics or drainage basins wherever possible.

- B. No more than 400 acres may be disturbed at any one time unless EPD's approval for the Site explicitly approves a disturbance in excess of 400 acres.
- C. As outlined in part IV.D.3. of the NPDES Permit, Sites that have been approved to disturb 50 acres or more at any one time must include at least four (4) of the best management practices listed in Part III.C.2. in the design of the Erosion and Sedimentation Pollution Control Plan (ESPCP). Incorporation of additional BMPs above and beyond the minimums in the NPDES Permit is encouraged.

### **3. Additional Considerations for Certain Types of Sites.**

- A. For all Sites disturbing a total of 150 acres or more, as well as any Site where EPD determines topography or other considerations dictate, the below applies to the additional BMPs required in part IV.D.3. of the NPDES Permit.
  - i. The following three (3) BMPs from the list in Part III.C.2 of the NPDES Permit should be incorporated in the ESPCP for each Site:
    - 1. Increase all temporary sediment basins and retrofitted stormwater management basins to provide sediment storage of at least 3600 cubic feet (134 cubic yards) per acre drained.
    - 2. Conduct inspections and prepare a seven (7) day letter during the intermediate grading and drainage BMP phase and during the final BMP phase of the project by the design professional who prepared the Plan in accordance with Part IV.A.5. of the permit. (Note: This needs to be done for each segment of the Site.)
    - 3. Install Post Construction BMPs which remove 80% TSS as outlined in the Georgia Stormwater Management Manual known as the Blue Book or an equivalent or more stringent design manual.
  - ii. At least one (1) of the following BMPs from the list in Part III.C.2 of the NPDES Permit should be incorporated in the ESPCP for each Site:
    - 1. During all construction activities as defined in this permit, double the width of the 25-foot undisturbed vegetated buffer along all State waters requiring a buffer and the 50 foot undisturbed vegetated buffer along all State waters classified as "trout streams" requiring a buffer. During construction activities, EPD will not grant variances to any such buffers that are increased in width pursuant to this section.
    - 2. Use baffles in all temporary sediment basins and retrofitted stormwater management basins to at least double the conventional flow path length to the outlet structure.
    - 3. Use tackifiers and/or mulch to stabilize all areas left disturbed for more than seven (7) calendar days in accordance with Part III.D.1. of the permit.
    - 4. Conduct turbidity sampling after every rain event of 0.5 inch or greater within any 24-hour period, recognizing the exceptions specified in Part IV.D.6.d. of the permit.

5. Use mulch filter berms, in addition to a silt fence, on the site perimeter wherever construction stormwater (including sheet flow) may be discharged. Mulch filter berms cannot be placed in waterways or areas of concentrated flow.
6. Use alternative BMPs whose performance has been documented to be superior to conventional BMPs as certified by a Design Professional (unless disapproved by EPD or the Georgia Soil and Water Conservation Commission).

**B. Solar Facilities.** The following considerations apply for all solar facility construction, in addition to, where applicable, the considerations in part 3.A. of this guidance.

- i. The request for approval submitted to EPD must include a construction schedule for development of the Site. That construction schedule must be developed to ensure the completion of all land disturbance (including trenching, foundation installation, and superstructure installation) and the establishment of, at minimum, temporary stabilization on all disturbed acreage before the installation of solar panels can be completed. The schedule must include the Site's intent to:
  1. Establish, at minimum, temporary stabilization for the entire project before the installation of solar panels, OR
  2. Establish, at minimum, temporary stabilization on each segment of the site before the installation of panels and the commencement of the next segment.
- ii. Solar panels are to be considered impervious areas when determining the calculations. The post-construction impervious area shall be calculated as 70% of the square footage of the solar panels.<sup>1</sup>

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<sup>1</sup> Note that this requirement was included in Part IV.D.2 of the version of the Permits issued in 2023, which went through all required public notice and comment procedures. Due to the administrative appeal of those Permits on other, unrelated, grounds, those Permits are stayed effective July 2023 and the 2018 permits remain in effect until the case is resolved. See O.C.G.A. § 12-2-2(c)(2). For purposes of clarity, EPD is referencing this requirement in this guidance.

## 50+ Acre Clearing Decision Rationale

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Note: This rationale is a general tool for the review of information submitted by an applicant. Due to the d circumstances may arise where additional review is required, even if the rationale scores an approval.

Permittee: \_\_\_\_\_ Project Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Project County: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Telephone: \_\_\_\_\_ Specialist: \_\_\_\_\_

### Basic Qualifiers

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- Does the Permittee have outstanding enforcement action(s)?  
(0=No, 1=Yes)
- Is the project a single 50+ acre cut and fill?  
(0=No, 1=Yes)
- Is the project a 50+ acre building footprint?  
(0=No, 1=Yes)
- If the project is going to disturb 150 acres or more, are they going to incorporate 4 a  
(0=No, 1=Yes or N/A)
- Is the project going to disturb less than 400 acres at one time?  
(0=No, 1=Yes)
- Is the site a Solar Facility that has a construction schedule as outlined in Part 3.B.i. o  
(0=No, 1=Yes or N/A)

### Potential Environmental Harm

- Proximity to state waters?  
(0=Over 200 ft, 1=Within 200 ft, 2=Onsite)
- Proximity to sensitive areas (trout stream, drinking water intakes, marshes)  
(0=Over 200 ft, 1=Within 200 ft, 2=Onsite)
- Does project fall under Impaired Stream requirements of Permit?  
(No=0, Yes=1)
- Topography  
(Flat=0, Rolling=1, Steep=2)
- Soil Erodibility

(Low=0, Moderate=1, High=2)

Calculated Cumulative Environmental Harm Score

**Resolution: DENIED**

ynamic nature of large-scale development,

additional BMPs outlined in Part 3.A. of the guidance document?

f the guidance document?