



US Army Corps  
of Engineers  
Memphis District

# Public Notice

**REPLY TO ATTN:** Randy Clark  
U.S. Army Corps of Engineers  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Telephone: (901) 544-0735  
Fax: (901) 544-0211  
EMail: James R. Clark@usace.army.mil  
**POSTMASTER PLEASE POST UNTIL:**

**PUBLIC NOTICE NO:**  
MVM-2008-406 (RC)

**PUBLIC NOTICE DATE:**  
December 19, 2008

**EXPIRATION DATE:**  
January 19, 2009

## PUBLIC NOTICE Corps of Engineers

**AUTHORITY:** Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

**APPLICANT:** Mr. Jimmy Hargett  
703 Irvin Tucker Road  
Bells, Tennessee 38006  
Telephone (731) 656-4141

**LOCATION:** The proposed project is located west of Buck Creek in Crockett County, Tennessee at N 35.8468° and W 089.10390° on the Alamo, TN quadrangle (see attached map).

**PURPOSE:** The purpose of the proposed project is to convert a previously wooded wetland to agricultural land to accommodate a center pivot irrigation path.

**DESCRIPTION OF WORK:** Recently Mr. Hargett cut the timber on approximately 15.1 acres of land. The activity was part of a normal silvicultural practice. The stumps however, still remain on site. Mr. Hargett proposes to remove the stumps in a 3.3 acre portion to accommodate the tire path for a center pivot irrigation system. Mitigation for the impacts are addressed in a mitigation plan developed by the Natural Resources Conservation Service (NRCS) and will occur on site. Mitigation will consist of developing a shallow depressional wetland on a 4.5 acre tract, the breaching of a levee along Buck Creek and a construction of a levee north of the property. The newly constructed levee will be in a non-wetland area. In addition, 11 acres of previously logged wetlands will be allowed to revegetate naturally. Tree species associated with the wooded wetland include red maple, box elder, overcup oak, willow oak, and hickory.

**WATER QUALITY CERTIFICATION:** The applicant should request water quality certification from the Tennessee Department of Environment and Conservation, Division of Water Pollution Control that the activity will comply with applicable requirements set forth in 33 U.S.C. and 134(a)(1) of the Clean Water Act and the State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

**ENDANGERED SPECIES:** No endangered or threatened species, or their critical habitat, are known to exist in the project area. However, this application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

**CULTURAL RESOURCES:** The Memphis District will evaluate information provided by the State Historic Preservation Officer, Federally-recognized Tribes, and the public in response to this public notice and we may conduct or require a survey of the project area.

**FLOOD PLAIN:** In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

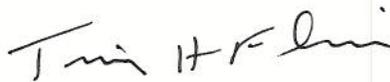
wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Federally recognized Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

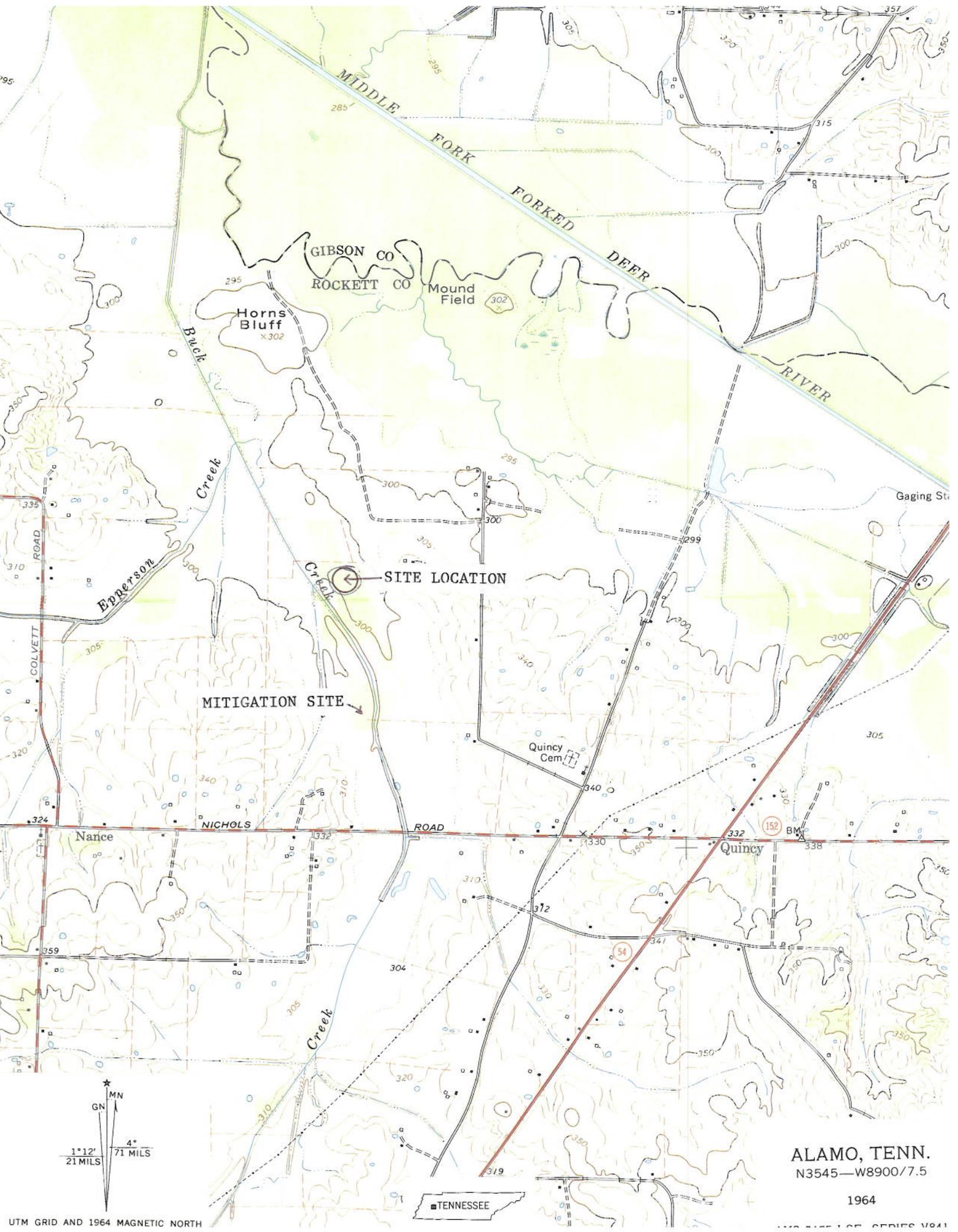
**PUBLIC HEARING:** Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

**COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION:** If you wish to obtain additional information or to submit comments on the application, please contact Randy Clark at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0735. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by January 19, 2009.

  
for Larry D. Watson  
Chief  
Regulatory Branch

Attachments



MIDDLE FORK DEER RIVER

GIBSON CO  
ROCKETT CO

Mound Field

Horns Bluff  
x302

SITE LOCATION

MITIGATION SITE

Quincy Cem

Quincy

Nance

NICHOLS ROAD

Creek

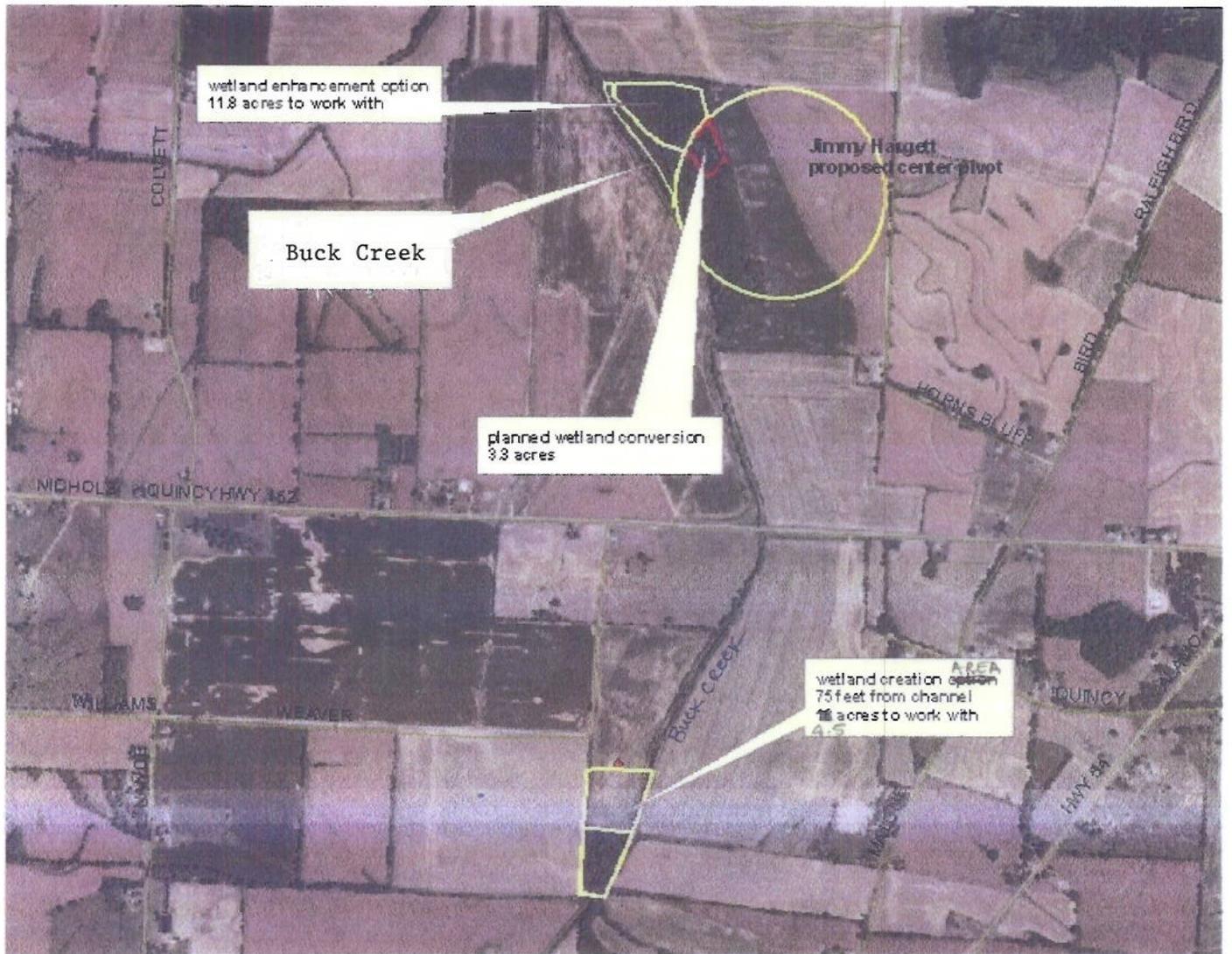


ALAMO, TENN.  
N3545—W8900/7.5

1964

UTM GRID AND 1964 MAGNETIC NORTH

1:50,000 SCALE



7095

UN1  
Wetland  
15.15 acres

Estimated  
Center Pivot Outside Wheel

Area to be converted  
and mitigated  
Approximately 3.3 acres

Jimmy Hargett Wetland Determination

HORNS BLUFF RD

