



US Army Corps  
of Engineers  
Memphis District

# Public Notice

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REPLY TO ATTN: Roger Allan  
U.S. Army Corps of Engineers  
167 North Main Street, Room B-202  
Memphis, Tennessee 38103-1894  
Telephone: (901) 544-3682  
Fax (901) 544-0211  
E-Mail: Roger.S.Allan@usace.army.mil  
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:  
MVM-1995-1353-RSA

PUBLIC NOTICE DATE:  
September 22, 2004

EXPIRATION DATE:  
October 13, 2004

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Joint Public Notice  
Corps of Engineers  
and  
State of Tennessee

**AUTHORITY:** Pursuant to the Federal Guidance for the Establishment, Use and Operation of Mitigation Banks (Federal Register: November 28, 1995 {Volume 60, Number 228}, Pages 58605-58614), this notice announces a prospectus submitted for the expansion of the existing Wolf River Mitigation Bank.

**BANK SPONSOR:** Wolf River Mitigation Bank, LLC

**AGENT:** Breedlove, Dennis, Young & Associates; attn: Richard Young  
133 Holiday Court, Suite 210  
Franklin, Tennessee 37067  
(615) 599-1996

**LOCATION:** The proposed bank addition is located immediately east of the existing Wolf River Mitigation Bank, which is located east of Chulahoma Road in Fayette County, Tennessee. The approximate latitude and longitude of the bank site are 35.0897° and -89.5793°, respectively. A location map, based on the Rossville, TN, 7.5 minute quadrangle, is attached.

**PURPOSE:** The purpose of the project is to add approximately 253 acres to the existing Wolf River Mitigation Bank. This would bring the total area of the bank from approximately 769 acres (existing) to approximately 1,022 acres (as proposed). Approximately 118 acres within the proposed addition consists of existing agricultural fields; the bank sponsor has requested to receive mitigation credits for restoring this portion of the bank to wetland conditions.

**DESCRIPTION OF WORK:** The bank sponsor has proposed to add approximately 253 acres to the existing Wolf River Mitigation Bank. Approximately 118 of the 253 acres consist of existing agricultural fields that will be restored to wetland conditions. Wetland restoration methods will include a combination of hydrologic alterations, tree planting and preservation. (The preservation of approximately 135 acres of existing woodlands will not result in additional credits for the bank.) The proposed hydrologic restoration will consist of the construction of substantial plugs within ditches and drainage pathways in the areas targeted for restoration. Additionally, non-forested ditches will be contoured as shallow swales that retain water without draining the adjacent bottomland hardwood wetlands. The existing croplands will be rough-plowed or disked, and a series of terraces and earthen berms will be constructed to detain water on portions of the fields. The bank sponsor has proposed to plant bottomland hardwood tree seedlings on approximately 3.75-m centers within the restored wetlands. Tree species to be planted include overcup oak (*Quercus lyrata*), water oak (*Q. nigra*), pin oak (*Q. palustris*) and cherrybark oak (*Q. pagoda*).

The bank sponsor has requested that the proposed addition be approved pursuant to the terms and conditions of the existing Wolf River Mitigation Bank. These conditions are contained in the Memorandum of Agreement for the establishment of the WRMB; this document was signed in November of 2001 by the following agencies: U.S. Army Corps of Engineers, Memphis District; U.S. Environmental Protection Agency; Tennessee Department of Environment and Conservation, Division of Water Pollution Control; Tennessee Wildlife Resources Agency; and Natural Resources Conservation Service.

The complete prospectus for the proposed expansion is available for review in the District office. Please contact Roger Allan at (901) 544-3682 if you wish to schedule an appointment to review this prospectus.

**ENDANGERED SPECIES:** No endangered or threatened species, or their critical habitat, are known to exist in the project area. This project 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 and the public in response to this public notice and we may conduct or require a reconnaissance 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.

**PUBLIC INTEREST REVIEW:** The purpose of this public notice is to advise all interested parties of the proposed activities and to solicit comments and information necessary to evaluate the probable impact on the public interest.

The decision whether to authorize the expansion of the mitigation bank will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, 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; Indian Tribes; and other interested parties in order to consider and evaluate the proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to authorize this request. 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 Roger Allan at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-3682. Copies of all comments, including the names and address of commenters, may be provided to the bank sponsor for consideration and response prior to a decision by the Corps.

Comments should be received by October 13, 2004.



Larry D. Watson  
Chief  
Regulatory Branch

Attachment

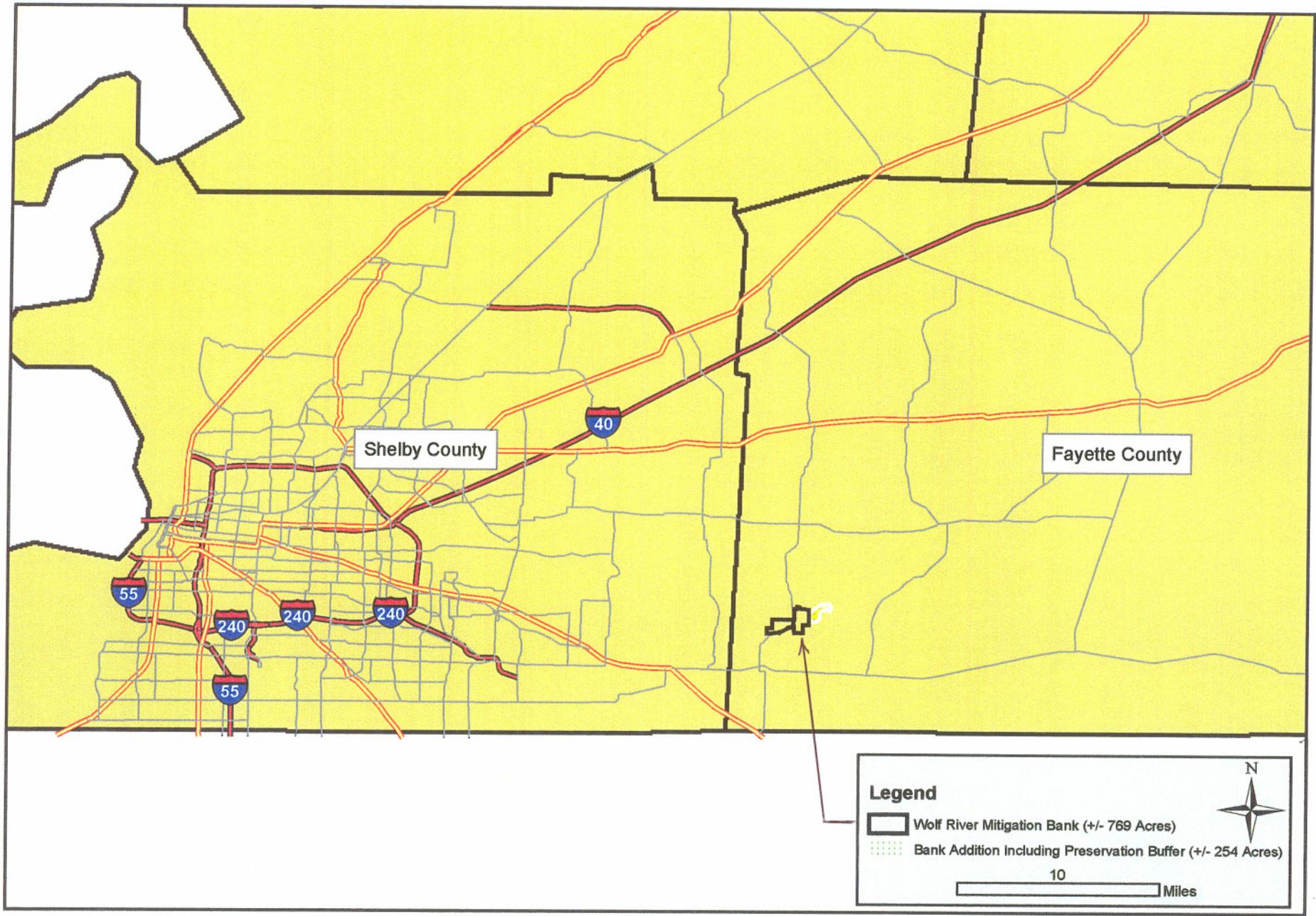


Figure 2. Location of proposed Wolf River Mitigation Bank Addition in Fayette County, Tennessee.

**ROSSVILLE, TENN.**

SE/4 COLLIERVILLE 15' QUADRANGLE  
35089-A5-TF-024  
PHOTOINSPECTED 1981  
1965  
PHOTOREVISED 1973  
AMS 3054 II SE—SERIES V841

