



US Army Corps
of Engineers
Memphis District

Public Notice

REPLY TO ATTN: Tim Flinn
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone: (901) 544-0738
Fax: (901) 544-0211
Email: Tim.H.Flinn@usace.army.mil
POSTMASTER PLEASE POST UNTIL:

PUBLIC NOTICE NO:
MVM-2007-495 THF

PUBLIC NOTICE DATE:
October 15, 2007

EXPIRATION DATE:
November 15, 2007

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. John L. Hewitt
Tennessee Department of Transportation
Environmental Permits Office
Suite 900, J.K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-0334
(615) 253-2477

LOCATION: The project is located along the new alignment for State Route 385 from approximately 1,300 feet south of Macon Road to approximately 4,900 feet north of Macon Road on the Eads USGS 7 ½ minute quadrangle map. The project is located along the county line of Shelby and Fayette Counties, Tennessee. This reach will impact two wetland areas (W15 and W16 on the attached map). W15 is located at Lat 35.1583 Long 89.6383°; W16 is located at Lat 35.1571°, Long 89.6383°.

PURPOSE: The applicant's stated purpose of the proposed project is to place fill material for new road construction.

DESCRIPTION OF WORK: The proposed project involves the placement of fill material into wetlands in conjunction with constructing the new reach of State Route 385 near Macon Road. As proposed, this project would entail the following impacts:

Site 1 (W15) (Station 462+15 to Station 464+90): The applicant proposes to place approximately 2,270 cubic yards of fill material into approximately 0.76 of an acre of wetlands and temporarily impact approximately 0.10 of an acre of wetlands. The wetlands in this area are dominated by natlie grass, false nettle, Impatiens caperous, American elm. Additional details are shown on attachment 7.

Site 2 (W16) (Station 459+20 to Station 462+10): The applicant proposes to place approximately 280 cubic yards of fill material into approximately 0.53 of an acre of permanent wetland impacts and 0.06 of an acre of temporary wetland impacts. The wetlands within this area are dominated by American elm, jewelweed and false nettle. Additional details are shown on attachments.

Mitigation for the project is proposed debit 2.58 acres from the available credits at the Wolf River Wetland Mitigation Bank which is a 2:1 ratio.

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 1341(a)(1) of the Clean Water Act and all 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: This area is considered the geographic habitat of the Indiana bat and the turgid-blossom pearly mussel. It is not believed that this project will have an impact on these species however; this application is being coordinated with the U.S. Fish and Wildlife Service. Any

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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. A preliminary search of in-house records indicated no sites have been recorded within the project area. However, the lack of recorded sites may be due to lack of cultural surveys around 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 activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

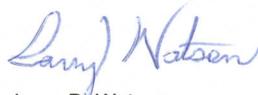
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may 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; 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.

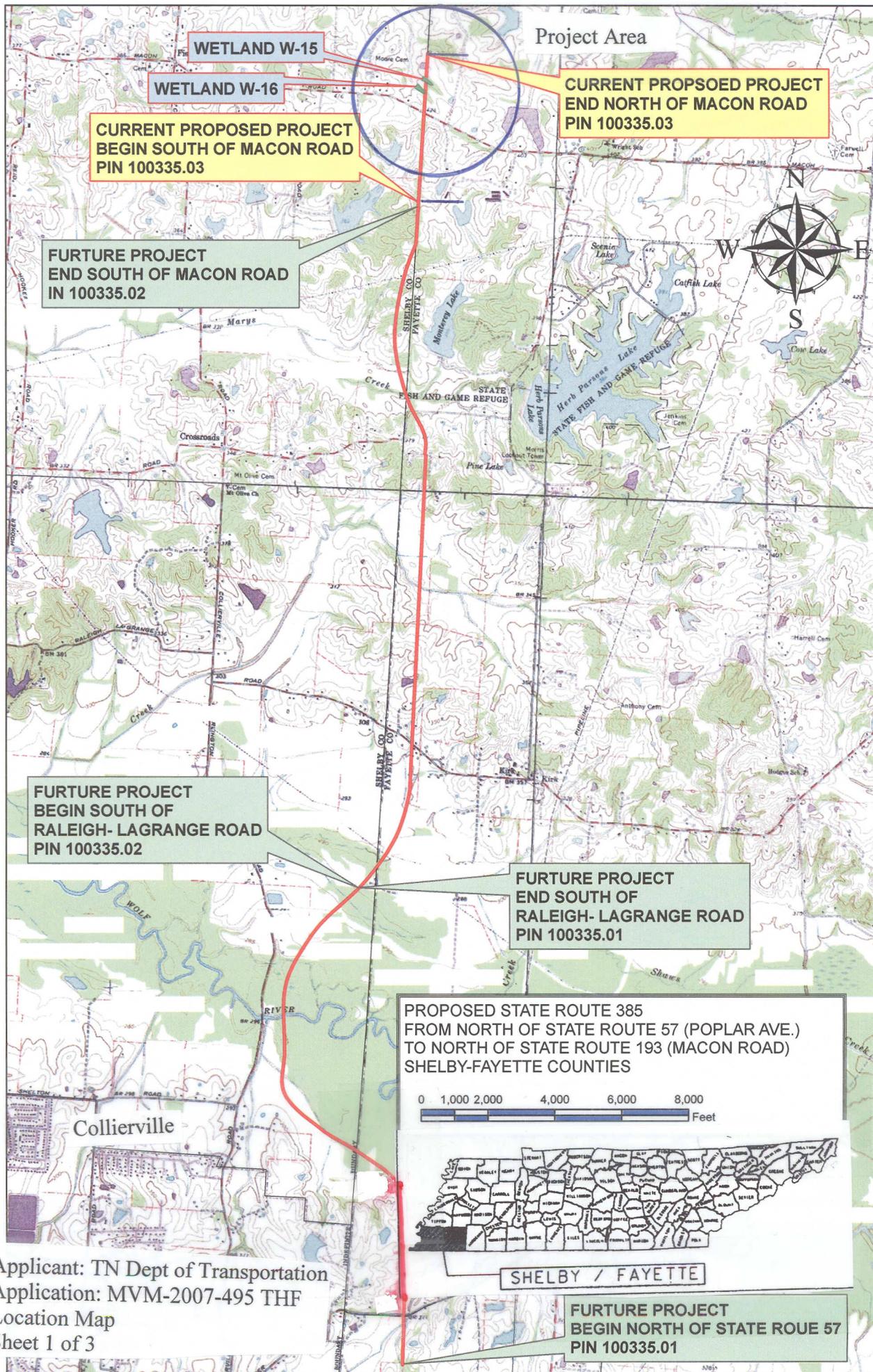
COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Tim Flinn at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0738. Copies of all 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 November 15, 2007.



Larry D. Watson
Chief
Regulatory Branch

Attachments



Applicant: TN Dept of Transportation
 Application: MVM-2007-495 THF
 Location Map
 Sheet 1 of 3

PROPOSED STATE ROUTE 385
 FROM NORTH OF STATE ROUTE 57 (POPLAR AVE.)
 TO NORTH OF STATE ROUTE 193 (MACON ROAD)
 SHELBY-FAYETTE COUNTIES

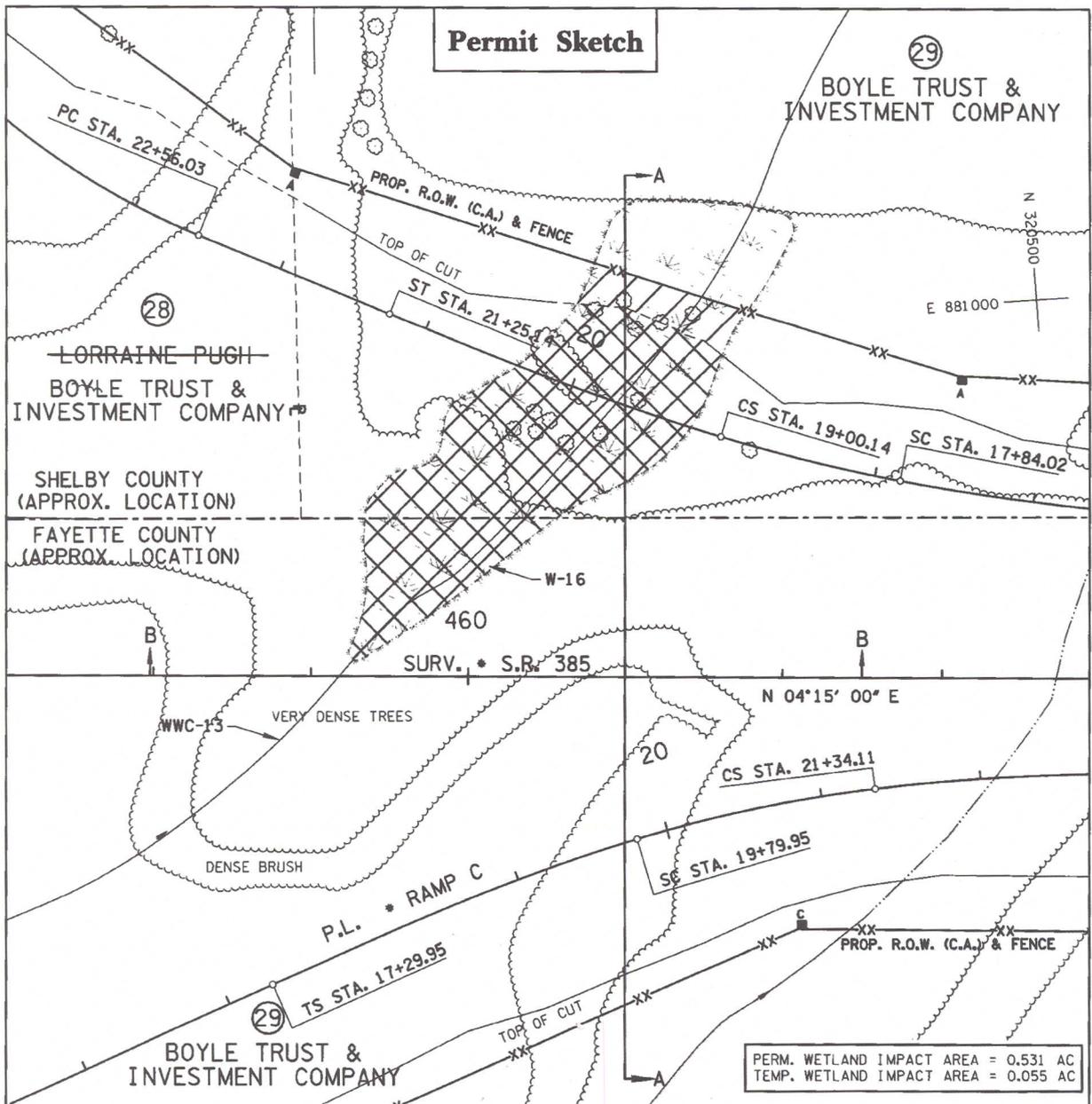
0 1,000 2,000 4,000 6,000 8,000
 Feet



SHELBY / FAYETTE

FUTURE PROJECT
 BEGIN NORTH OF STATE ROUE 57
 PIN 100335.01

Permit Sketch



PERM. WETLAND IMPACT AREA = 0.531 AC
 TEMP. WETLAND IMPACT AREA = 0.055 AC

-  PERMANENT WETLAND IMPACT AREA
-  TEMPORARY WETLAND IMPACT AREA

DETAIL ①

S.R. 385
 STA. 461+00
 W-16

ADJACENT PROPERTY OWNERS:

② BOYLE TRUST &
 INVESTMENT COMPANY
 5900 POPLAR AVE.
 MEMPHIS, TN 38119

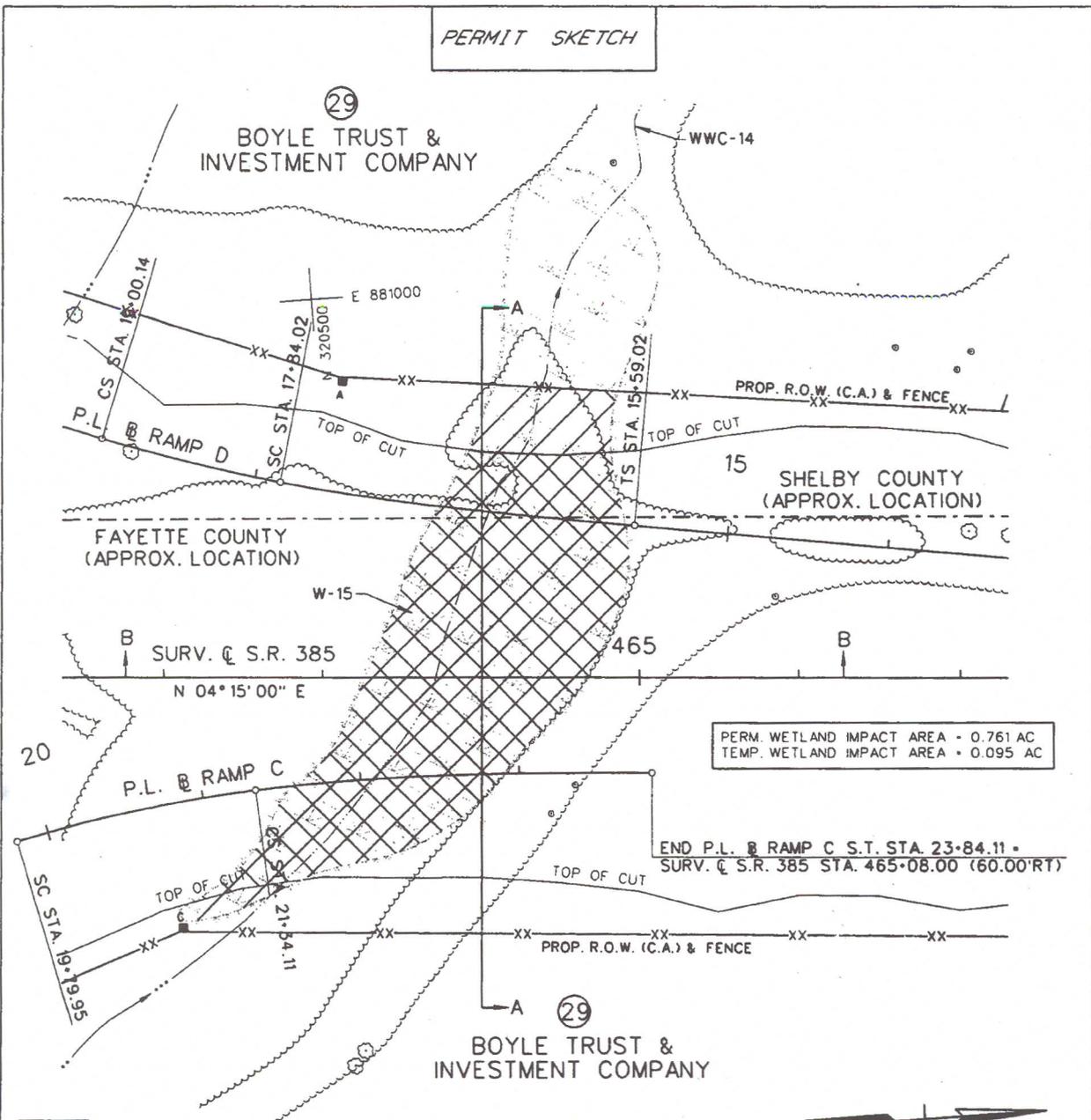
APPLICATION BY: T.D.O.T.
 TENNESSEE DEPARTMENT OF TRANSPORTATION
 PROJECT No. STP-385(22); 79185-1217-04;
 24385-1204-04
 PIN 100335.02
 S.R. 385
 FROM: 1305' SOUTH OF MACON ROAD
 TO: 4890' NORTH OF MACON ROAD
 AT: COLLIERVILLE

DATE: 06/21/07

REVISED: 08/24/07

Applicant: TN Dept of Transportation
 Application: MVM-2007-495 THF
 Details for Site W 16
 Sheet 2 of 3

PERMIT SKETCH



PERM. WETLAND IMPACT AREA - 0.761 AC
 TEMP. WETLAND IMPACT AREA - 0.095 AC

END P.L. RAMP C S.T. STA. 23+84.11 -
 SURV. C S.R. 385 STA. 465+08.00 (60.00'RT)

-  PERMANENT WETLAND IMPACT AREA
-  TEMPORARY WETLAND IMPACT AREA

DETAIL ④

S.R. 385
 FROM STA. 464+00
 W-15

ADJACENT PROPERTY OWNERS:

②⑨ BOYLE TRUST & INVESTMENT COMPANY
 5900 POPLAR AVE.
 MEMPHIS, TN 38119

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 TENNESSEE DEPARTMENT OF TRANSPORTATION
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Applicant: TN Dept of Transportation
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 Details for site W 15
 Sheet 3 of 3