

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2021-071 (CDK)

NOTICE DATE:
March 4, 2021

Attn: Postmaster,
Please Post Until



EXPIRATION DATE:
April 5, 2021

Public Notice U.S. Army 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:

Tennessee Department of Transportation
Attn: Khalid Ahmed
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243
(615) 253-0021

PURPOSE: The purpose of the proposed project is to improve safety and increase traffic capacity. Existing design deficiencies include insufficient roadway traffic capacity, substandard vertical alignment, sight distance issues, inadequate or non-existent turning lanes, and substandard bridge rail and approach guardrail.

LOCATION: The project site is located approximately 0.4 miles south of Atwood, Tennessee from State Route 76 west of Cades-Atwood Road in Gibson County, Tennessee, to east of State Route 77 in Carroll County, Tennessee, as shown on the maps within Appendix One.

DESCRIPTION OF WORK: The applicant's proposed project would entail the placement of fill material into wetlands and other waters of the United States in association with the widening and relocation of State Route 76 from west of Cades-Atwood Road to east of State Route 77. This would convert the existing two-lane highway to a highway with four 12-foot wide travel lanes (two in each direction), a 48-foot wide median, and 12-foot wide outside shoulders with ditches as required. Drawings depicting the applicant's proposed plans are included as Appendix Two.

The overall project would include stream reroutes, installation/expansion of culverts, and bank stabilization in those areas where necessary. Current construction plans would include the permanent filling of wetlands and impacts to streams as described in the following table. (Please note that certain impacts may meet the requirements of one of the Nationwide Permits.)

Site/Station	Impacts to Wetlands (acres)	Impacts to other Waters of U.S. (acres)	Existing Stream Length (feet)	Proposed Stream Length (feet)
1 / 117+54.09	None	0.02	158	145
2 / 120+11	None	0.07	338	265
3 / 119+42 to 125+15	None	0.09	632	725
4 / 161+27	None	0.10	350	275

5a / 178+84 to 183+75 and 186+50 to 193+31	None	0.91	2,261	1,492
5b / 55+25 (Church St.)	None	0.06	150	150
6 / 202+15 to 204+35	None	0.04	625	591
7 / 249+36	None	0.024	206	206
8 / 157+42	None	0.005	53	53
9 / 186+78 to 190+86	None	0.025	138	512
10 / 131+8	0.660	None	N/A	N/A
11 / 295+50	0.020	None	N/A	N/A
12 / 237+65	0.009	None	N/A	N/A

AVOIDANCE/MINIMIZATION: According to the applicant, because of the location and nature of the project, disturbance to wetlands could not be avoided during construction of the project.

MITIGATION: The applicant has proposed to mitigate for wetland losses through the purchase of available credits at the Obion Wetland Mitigation Bank near Kenton, Tennessee. In addition to the purchase of mitigation credits, the applicant has proposed on-site in-kind mitigation of impacted streams within the project alignment. The Tennessee Stream Quantification Tool was used to determine stream impacts and appropriate mitigation at each location. The Memphis District is evaluating the plans against the project impacts prior to making a formal decision on mitigation.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency. In accordance with Certification Rule part 121.6, the Corps of Engineers will determine the reasonable period of time for the certifying agency to act upon the certification and provide written notification.

ENDANGERED SPECIES: The Indiana Bat (*Myotis sodalis*) and Northern Long-Eared Bat (*Myotis septentrionalis*) are listed as endangered or threatened by U.S. Fish and Wildlife Service in Gibson and Carroll Counties. This application has also been coordinated by the Federal Highways Administration (FHWA) with the U.S. Fish and Wildlife Service. Any comments they have submitted 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 has received documentation within the submitted application reflecting the Tennessee State Historic Preservation Office's concurrence with FHWA's determination that no historic properties would be adversely affected by the proposed action. The Memphis District will evaluate this information as well as additional information received from Tribal entities and the public prior to making a formal determination.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Floodplain administrators should review the proposed public notice and notify 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. If a public hearing is held, it will be for the purpose of obtaining additional information that we could not otherwise obtain through a public notice process; not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Charles Keating using the information below:

U.S. Army Engineer District - Memphis
ATTN: Charles D. Keating
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: charles.d.keating@usace.army.mil
Phone: (901) 544-0733
Fax: (901) 544-0211

Comments may be sent via mail or email. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the applicant for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

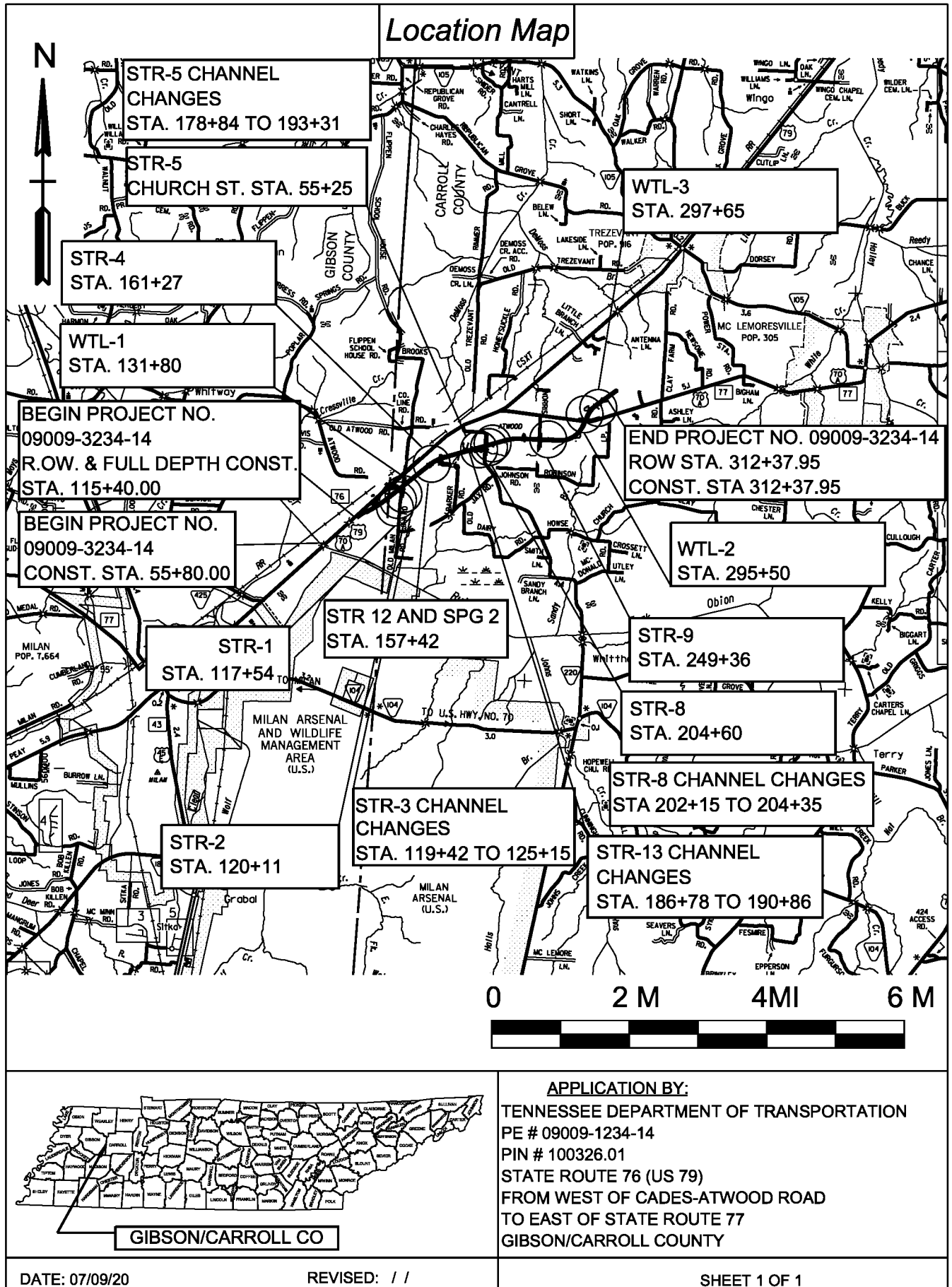
For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-

Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the "Pending IP" tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Division office for examination.

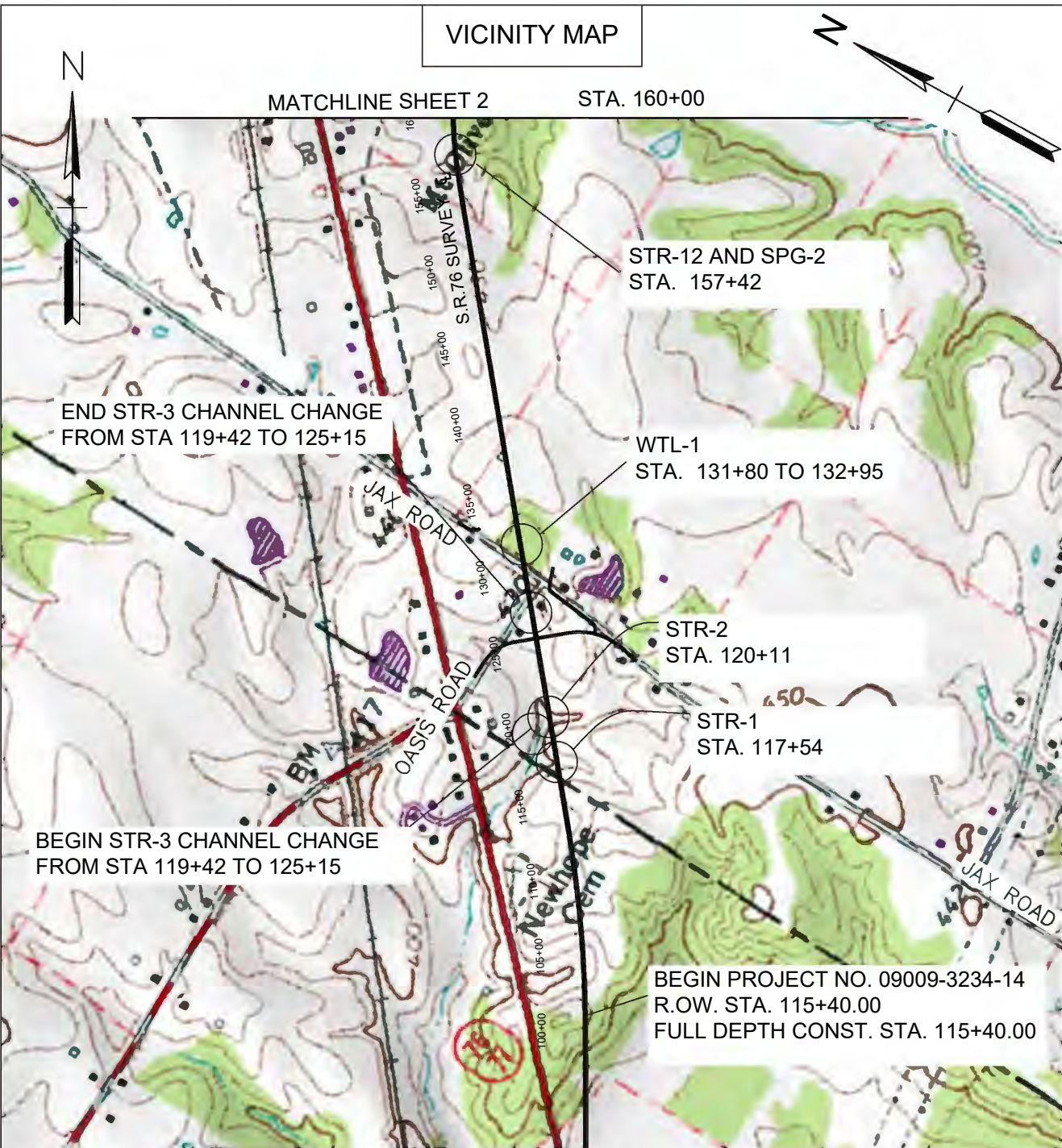
Gregg W. Williams
Chief
Regulatory Division

Attachments

Appendix One - Project Location



Appendix One - Project Location



TN QUADRANGLE ATWOOD (445-NW)

0 500 1000 2000



CARROLL COUNTY

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 09009-1234-14

PIN 100326.01
S.R. 76 (U.S. 79)

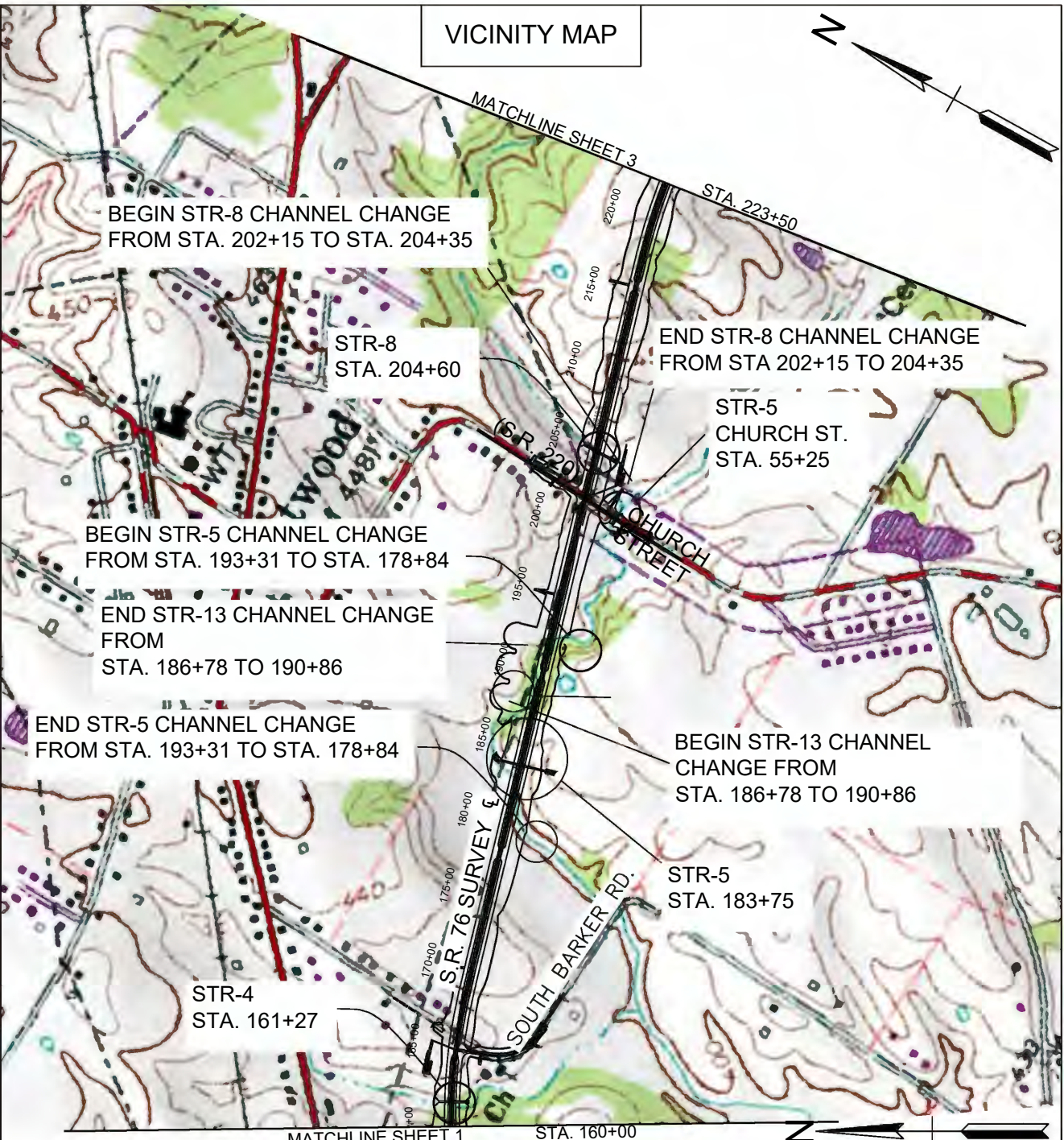
FROM WEST OF CADES-ATWOOD ROAD TO
EAST OF S.R. 77, NEAR ATWOOD
CARROLL COUNTY

DATE: 07/09/20

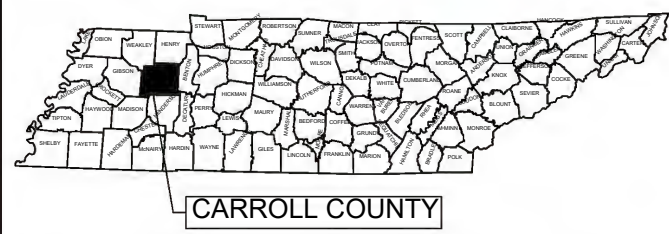
REVISED: __/__/__

SHEET 1 OF 4

Appendix One - Project Location

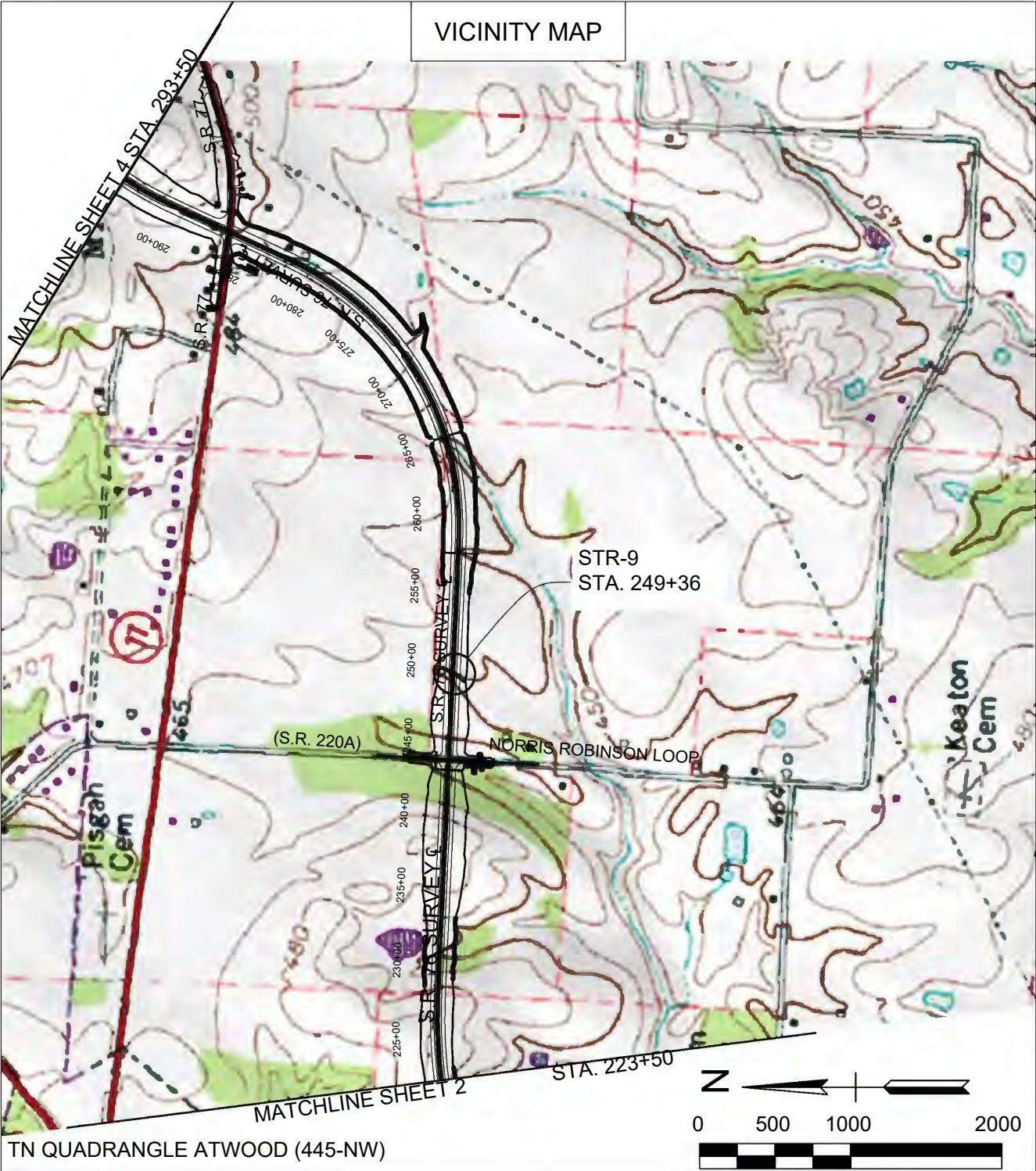


TN QUADRANGLE ATWOOD (445-NW)

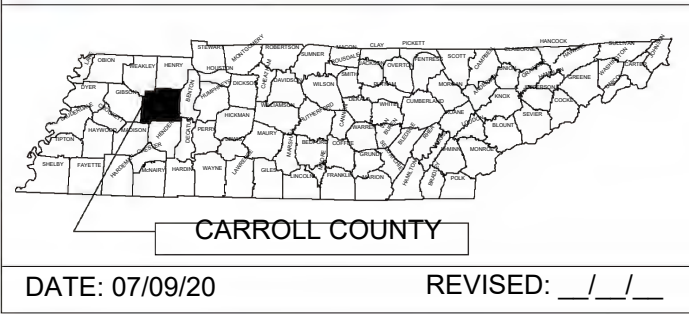


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TENNESSEE DEPARTMENT OF TRANSPORTATION
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CARROLL COUNTY

Appendix One - Project Location



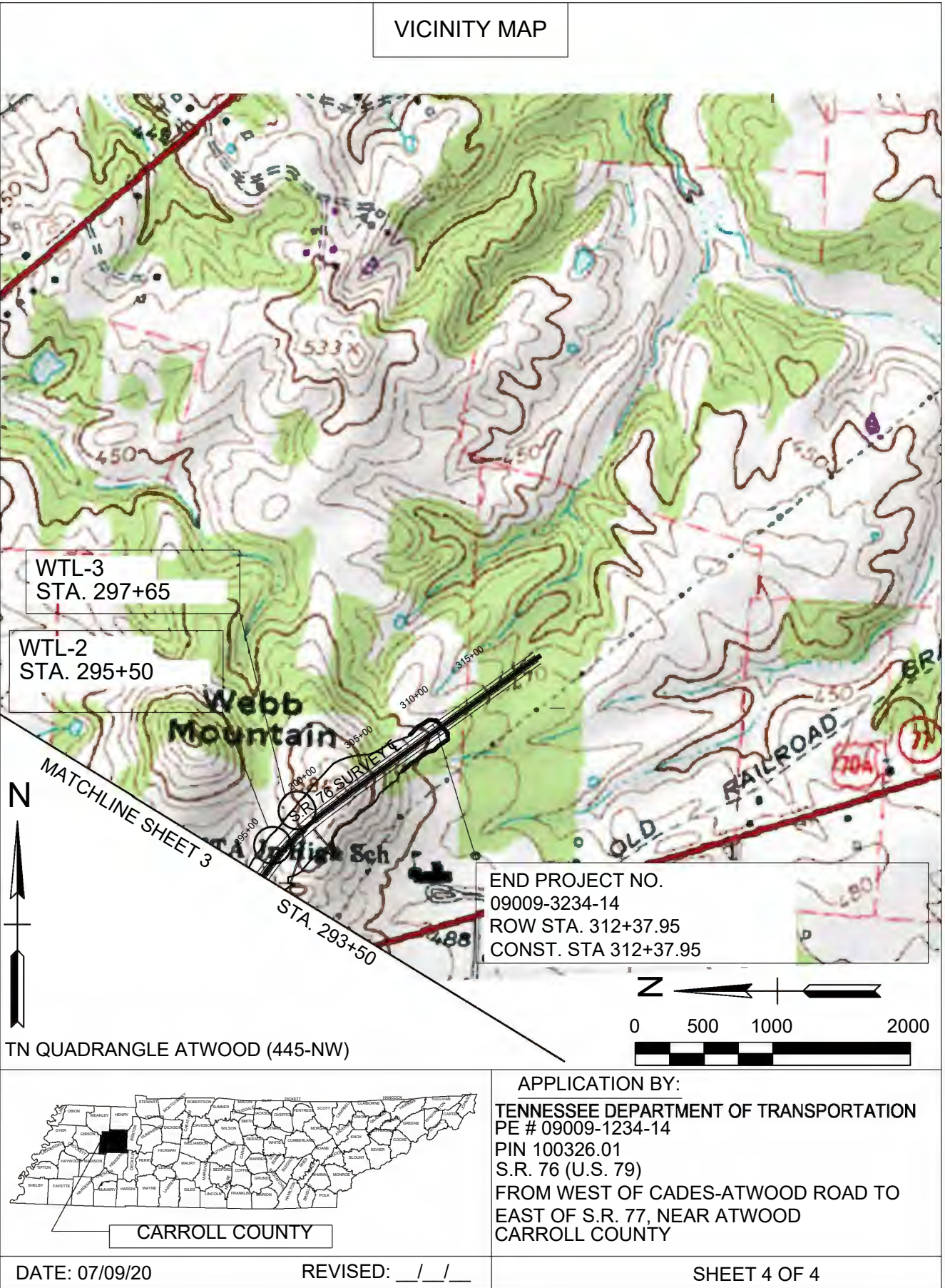
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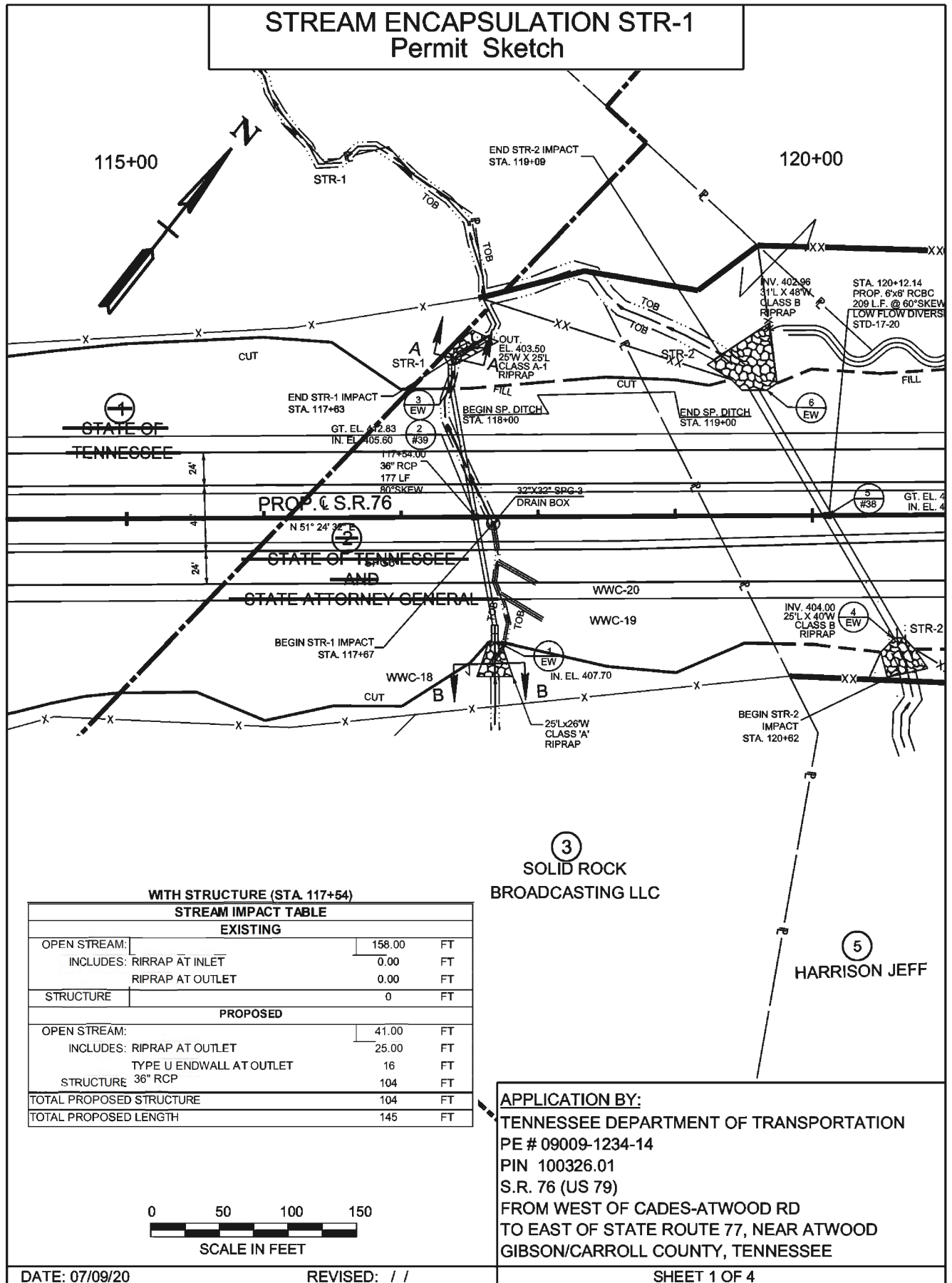
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SHEET 3 OF 4

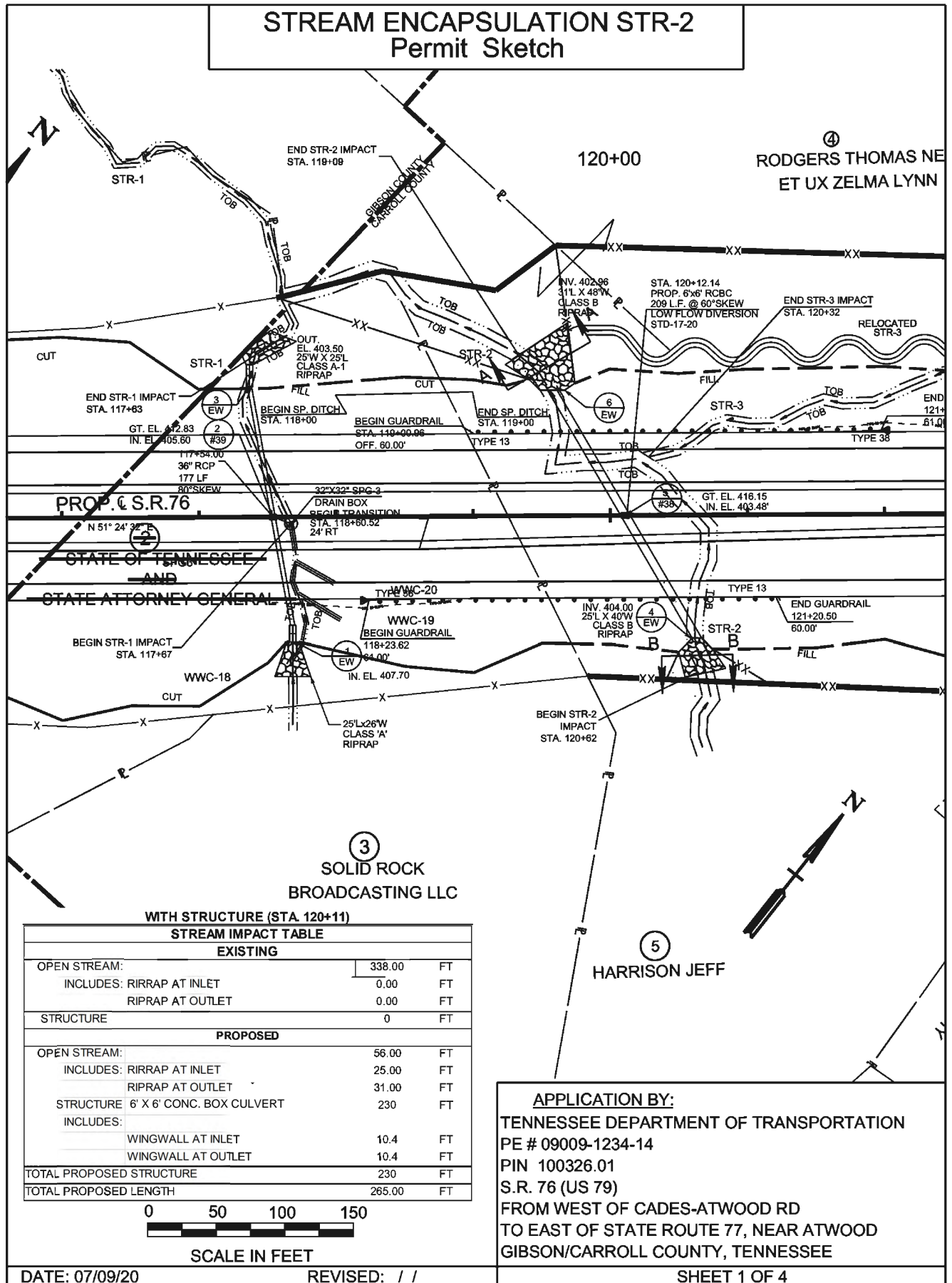
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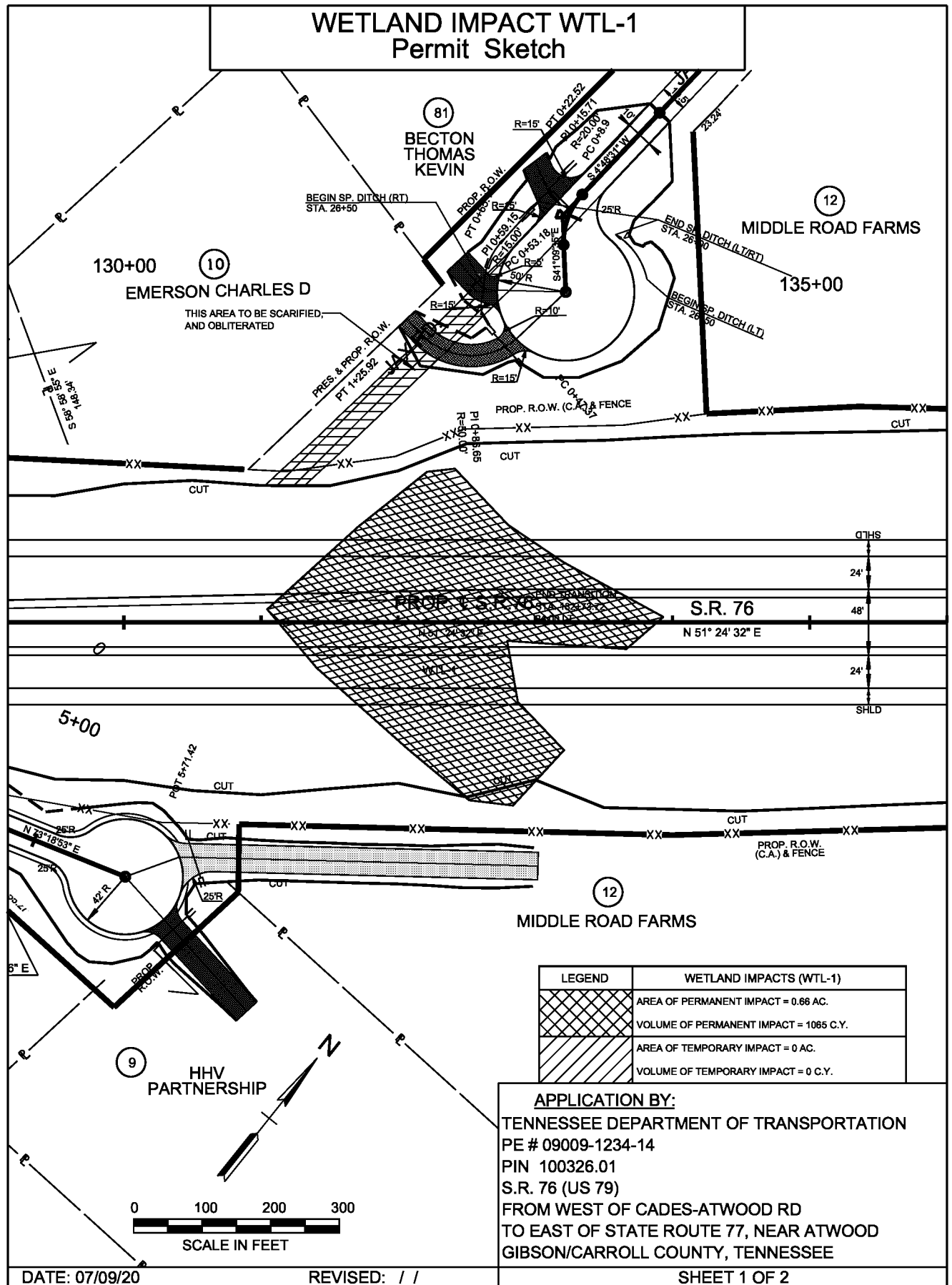
Appendix Two - Permit Sketches



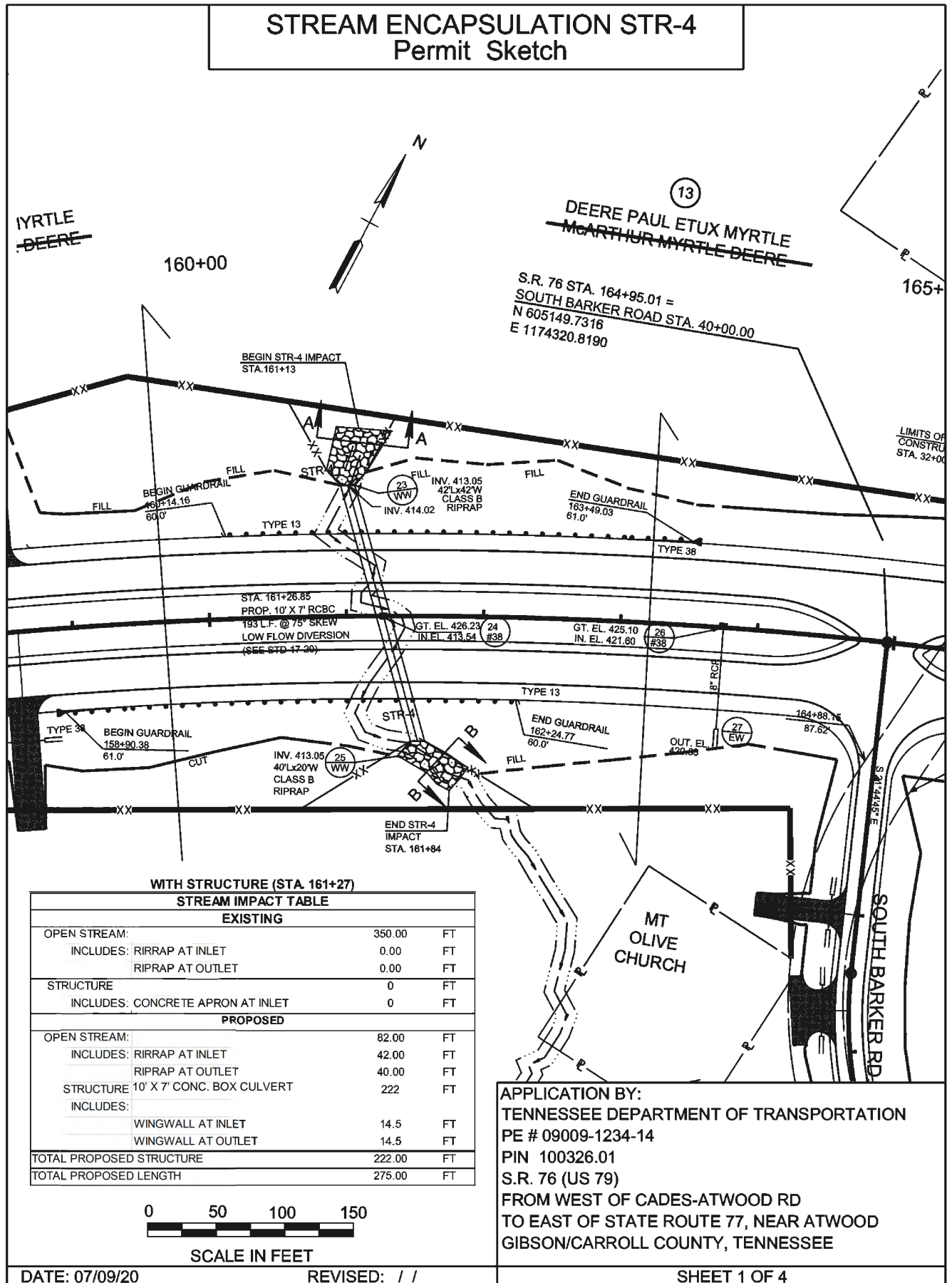
Appendix Two - Permit Sketches



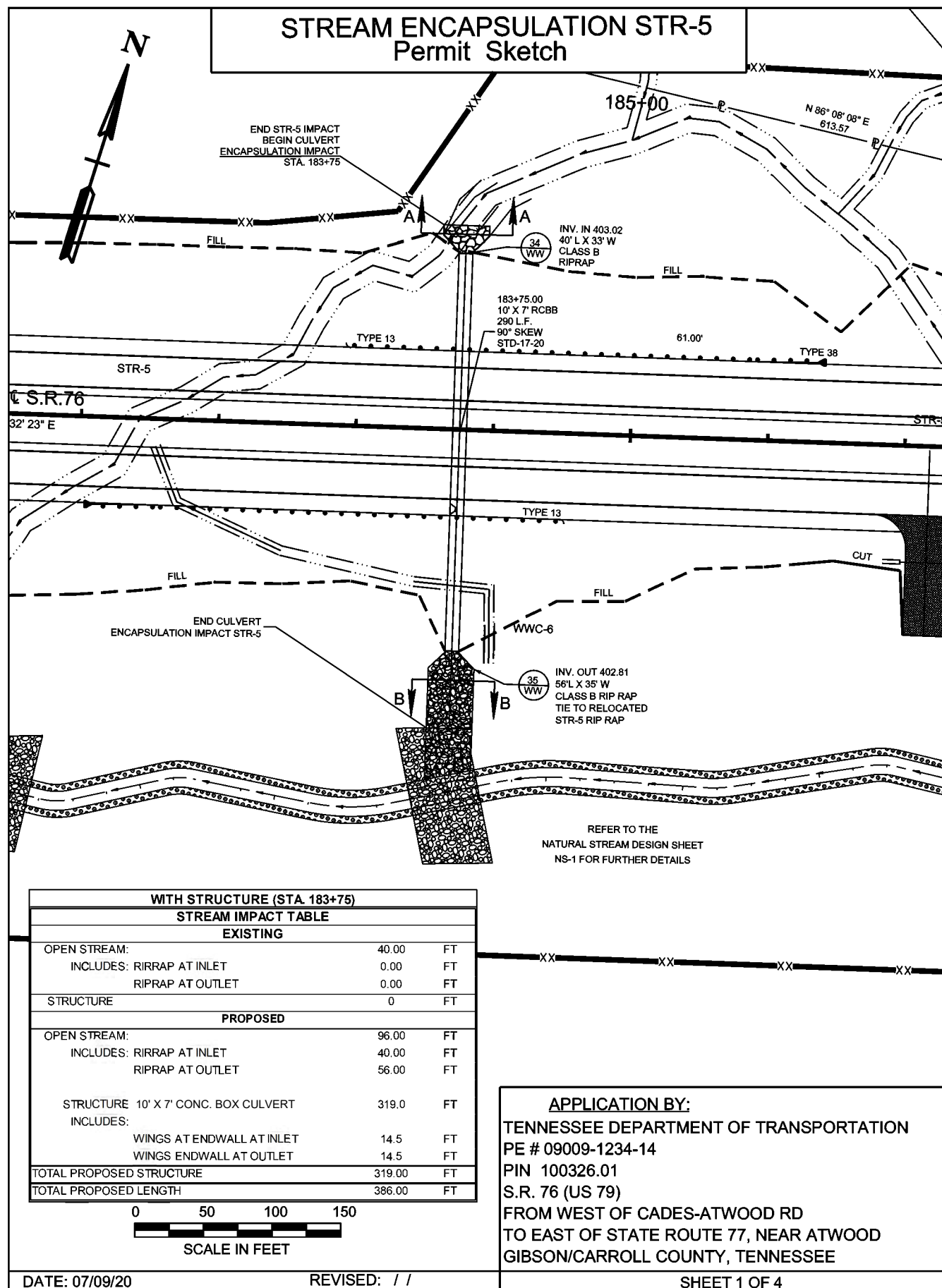
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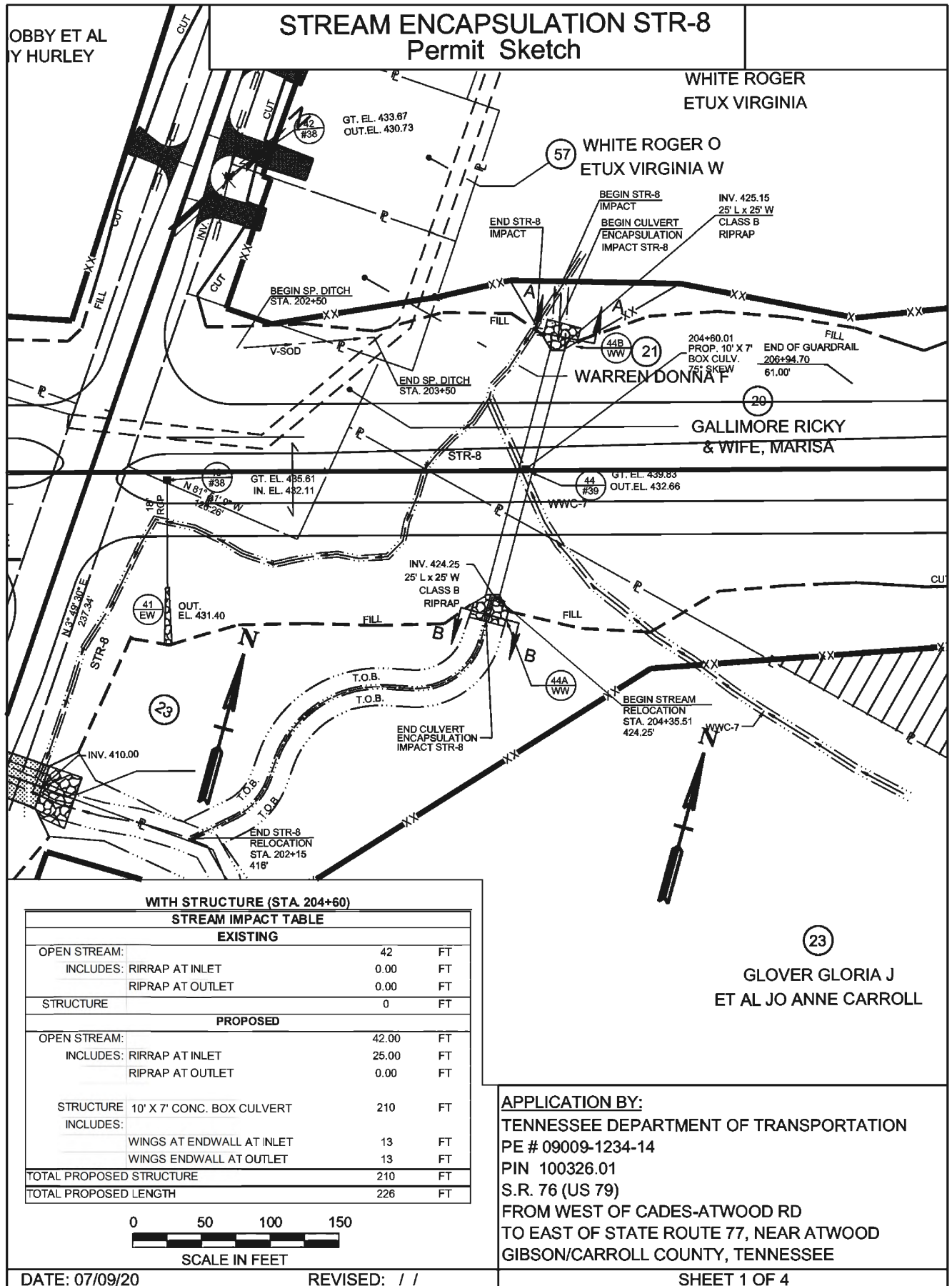
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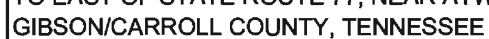


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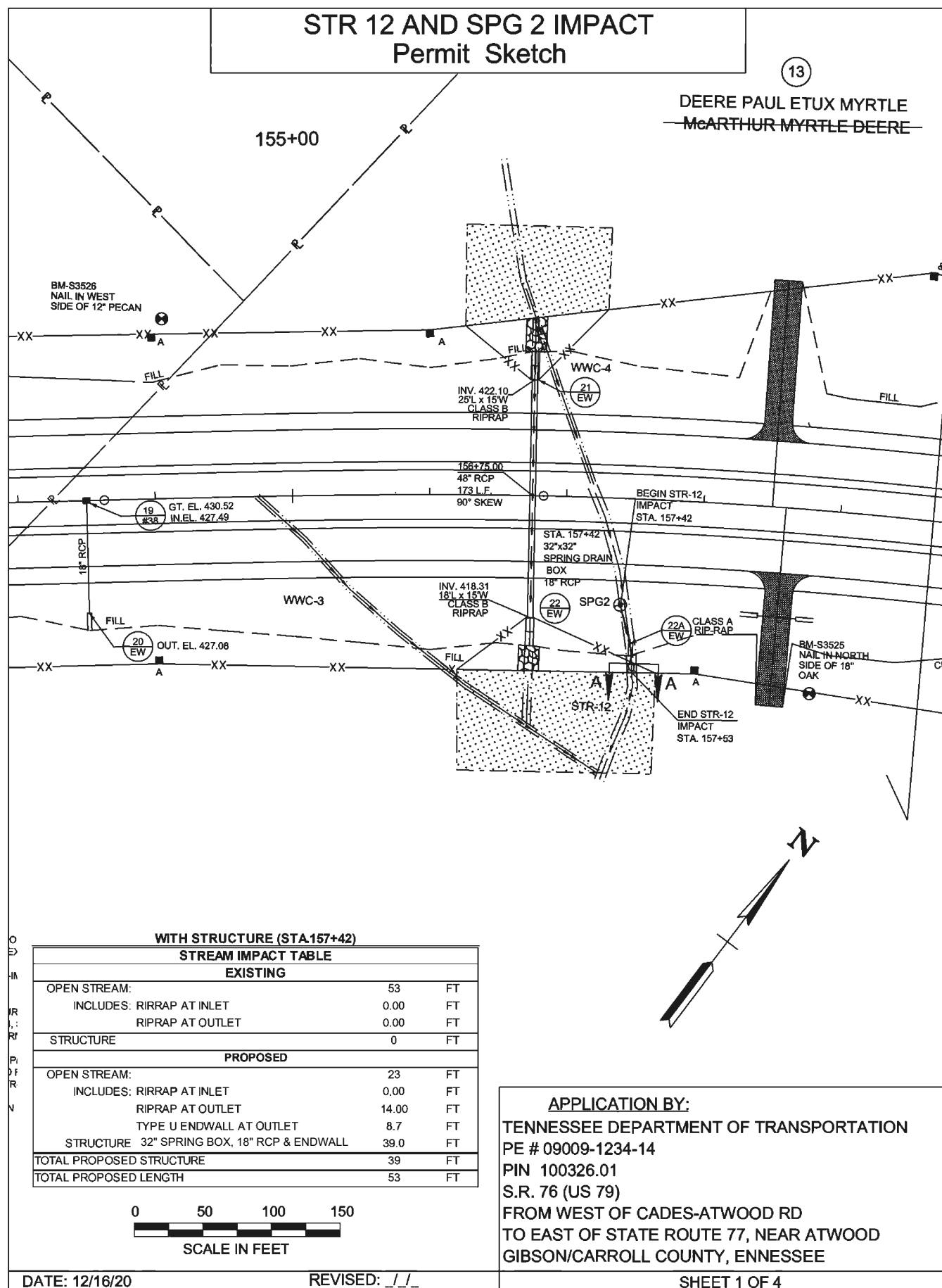


STREAM ENCAPSULATION STR-9

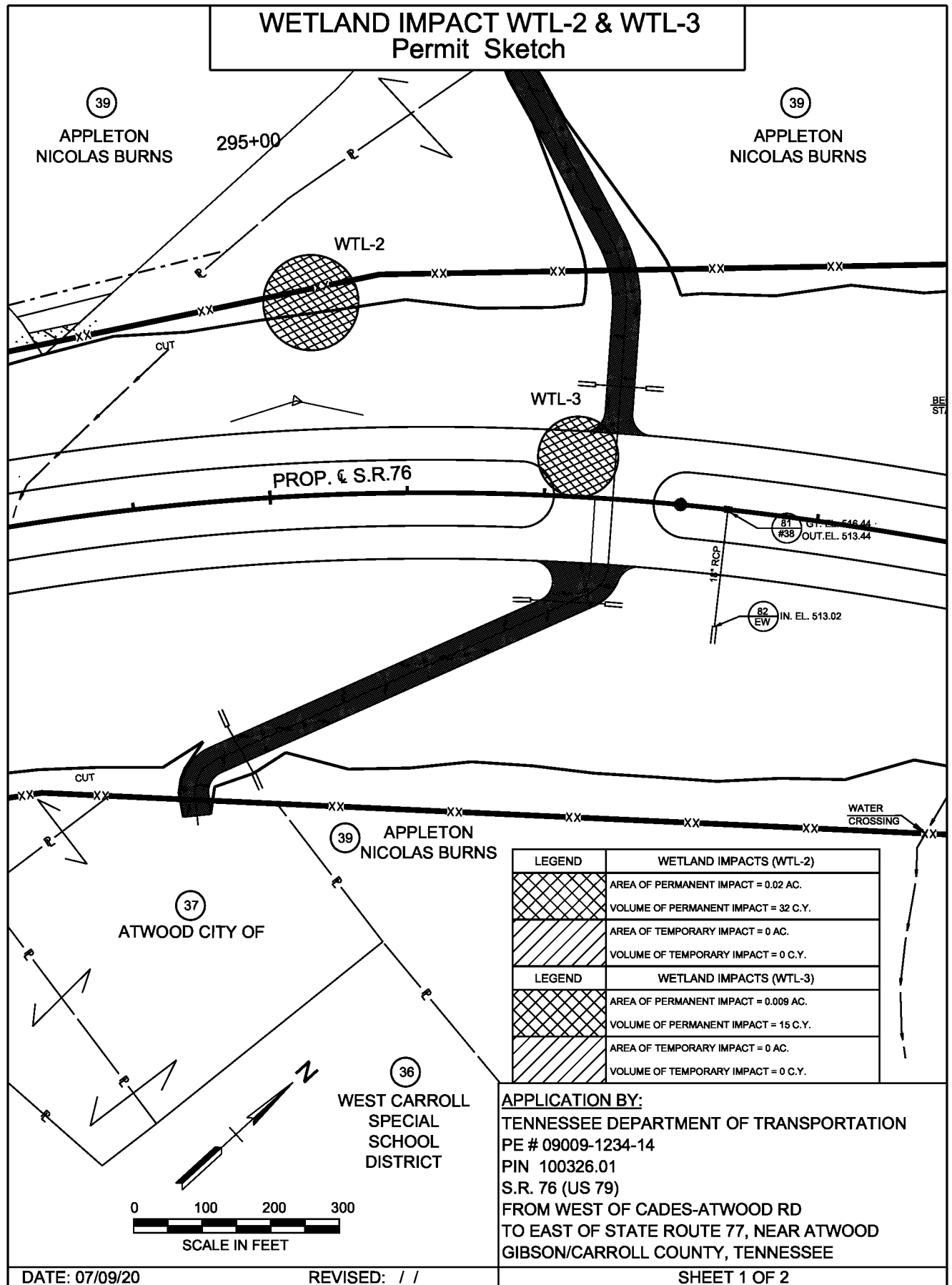
Permit Sketch



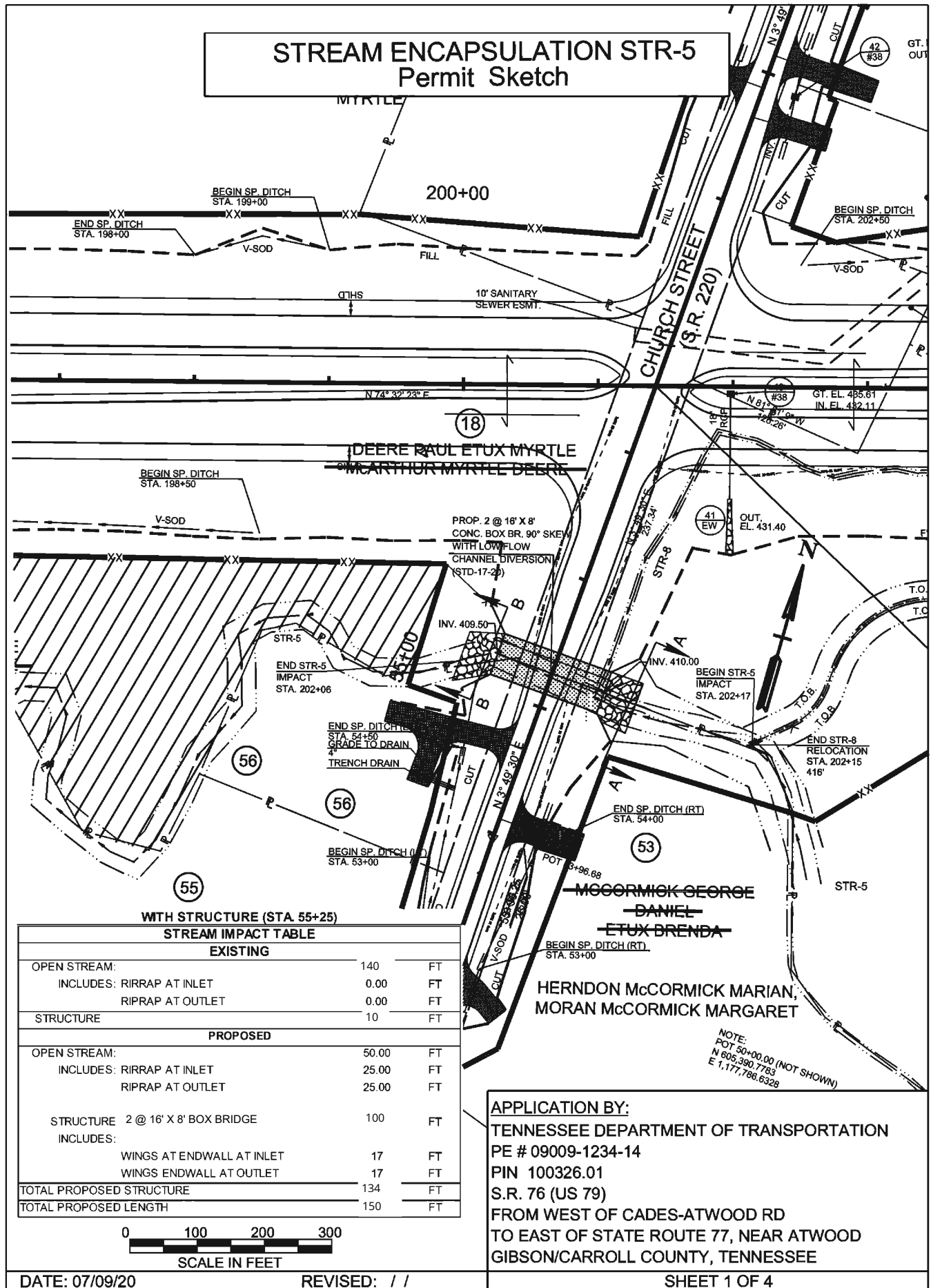
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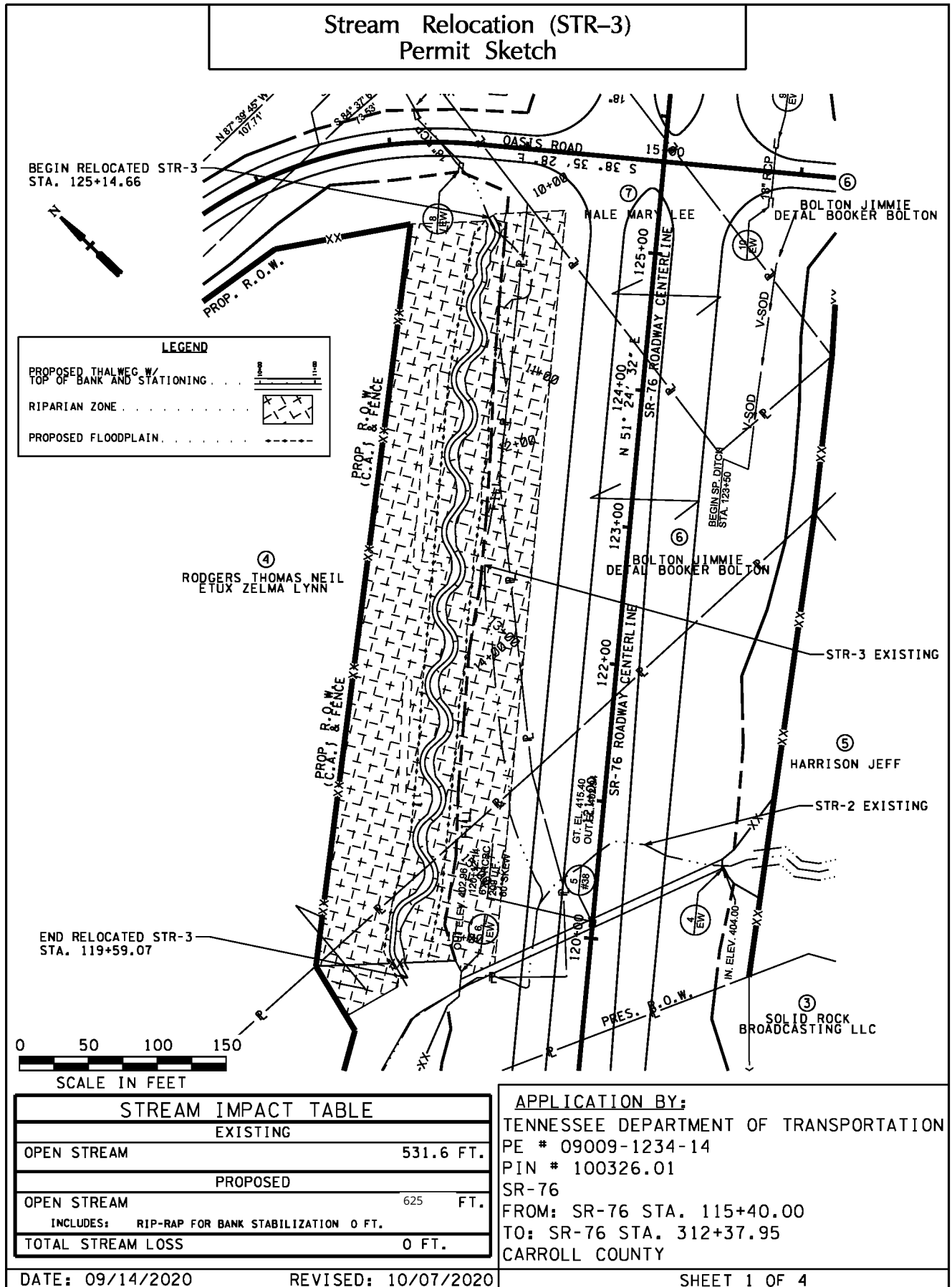
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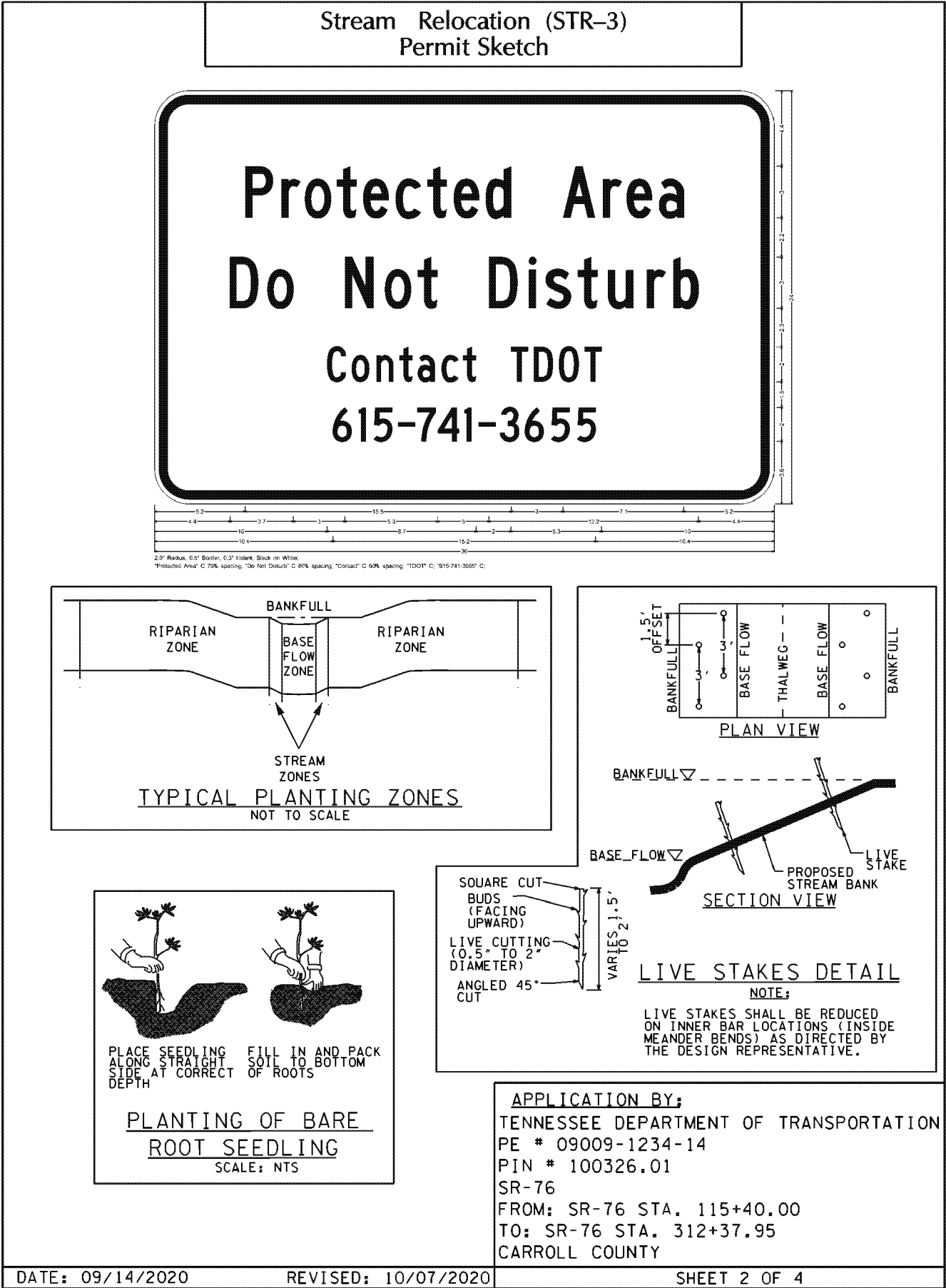


Appendix Two - Permit Sketches



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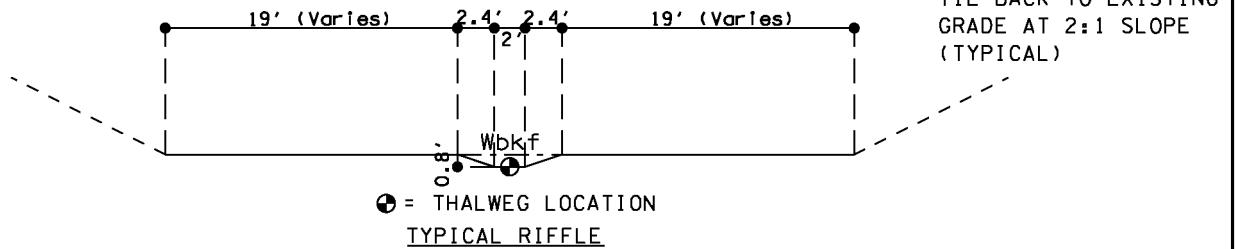




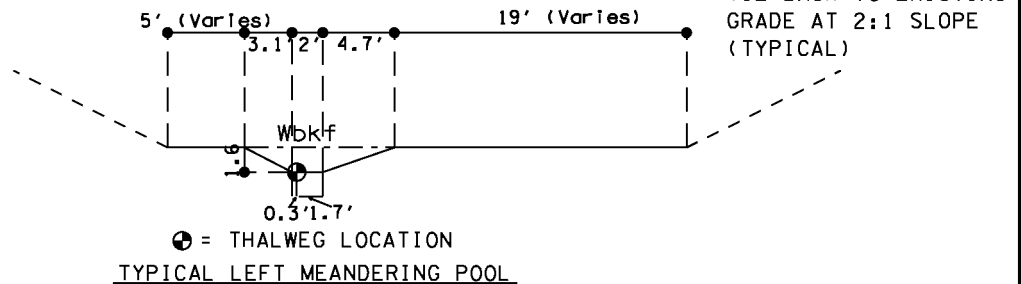
Appendix Two - Permit Sketches

Stream Relocation (STR-3) Permit Sketch

STR-3
TYPICAL CROSS-SECTIONS - 'C' TYPE
STA 10+00.00 TO STA 16+36.31



STR-3
TYPICAL CROSS-SECTIONS - 'C' TYPE
STA 10+00.00 TO STA 16+36.31



RIPARIAN PLANTING ZONE = 1.38 ACRES

12" - 18" BARE ROOT MATERIAL
680 STEMS/ACRE (8' X 8' SPACING)
* RANDOM SPECIES PLACEMENT *

COMMON NAME	SCIENTIFIC NAME	STATUS	% OF TOTAL	# OF PLANTS
PERSIMMON	DIOSPYROS VIRGINIANA	FAC	4	38
PIN OAK	QUERCUS PALUSTRIS	FACW	10	95
WILLOW OAK	QUERCUS PHELLOS	FACW	10	95
SHELLBARK HICKORY	CARYA LACINIOSA	FACW	10	95
RIVER BIRCH	BETULA NIGRA	FACW	3	29
AMERICAN HOLLY	ILLEX OPACA	FAC	3	29
COMMON WINTERBERRY	ILLEX VERTICILLATA	FACW	16.7	157
SPICEBUSH	LINDERA BENZOIN	FACW	16.7	157
AMERICAN SYCAMORE	PLATANUS OCCIDENTALIS	FACW	10	95
TAG ALDER	ALNUS SERRULATA	FACW	16.7	157
				947

STREAM ZONE = 0.09 ACRES

LIVE STAKES: 1.5' TO 2' LENGTHS, 1/2" TO 2" DIAMETER,
TWO STAGGERED ROWS AT 3' SPACING
* RANDOM SPECIES PLACEMENT *

COMMON NAME	SCIENTIFIC NAME	STATUS
BLACK WILLOW	SALIX NIGRA	OBL
SILKY WILLOW	SALIX SERICEA	OBL
SILKY DOGWOOD	CORNUS AMOMUM	FACW
ELDERBERRY	SAMBUCUS CANADENSIS	FAC

NOTES:

AT LEAST THREE OF THE LISTED SPECIES MUST BE
INSTALLED AND NO SINGLE LIVE STAKING SPECIES
SHALL COMPOSE MORE THAN 40% OF THE TOTAL
NUMBER OF LIVE STAKES TO BE INSTALLED.

LIVE STAKES WILL NOT BE INSTALLED ALONG LIVE
LIFT STRUCTURES.

RELOCATED STREAM (STR-3) - PLANTING QUANTITIES
SEE SHEET 2 FOR PLANTING DETAILS

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 09009-1234-14

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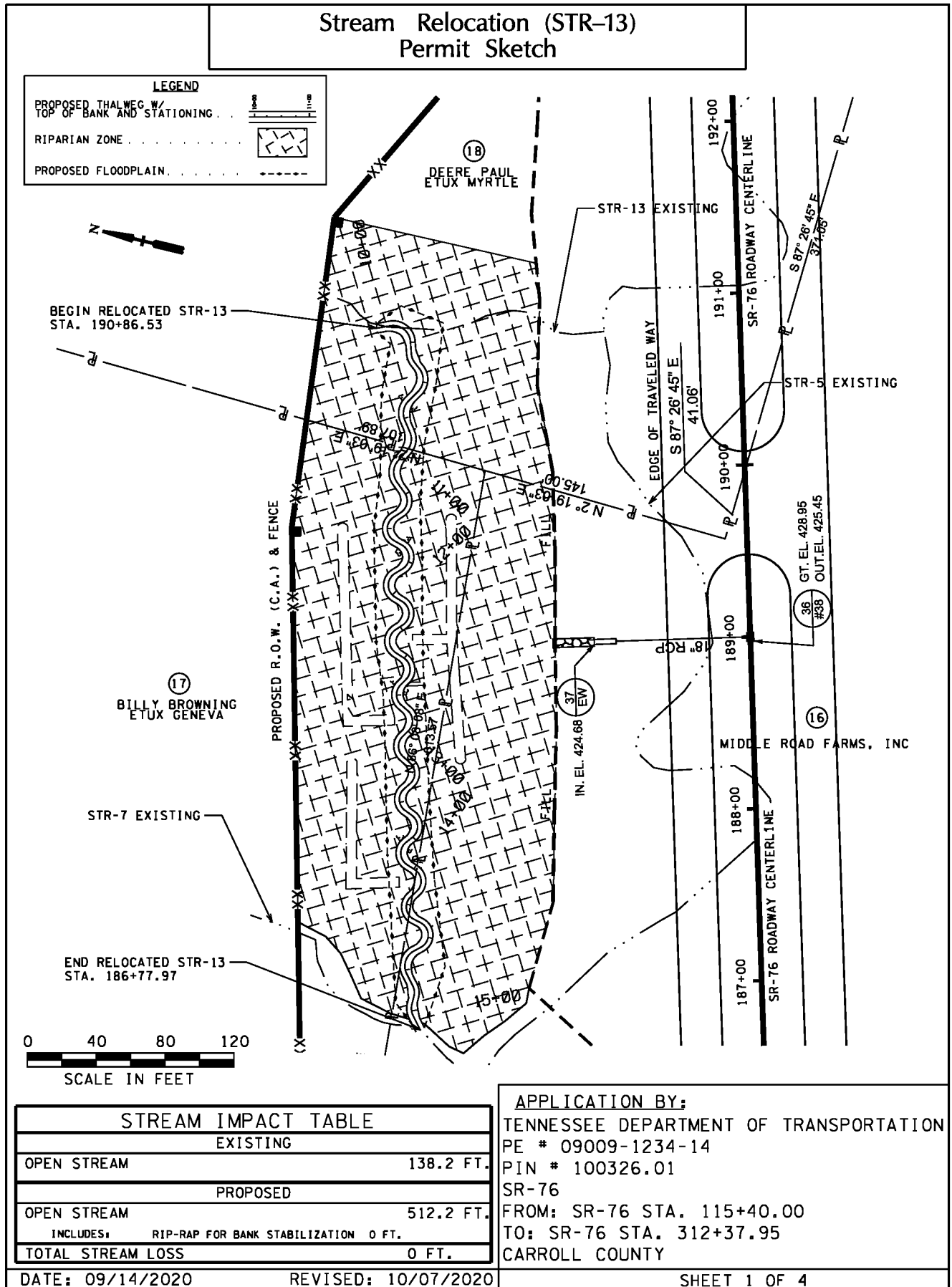
SR-76

FROM: SR-76 STA. 115+40.00

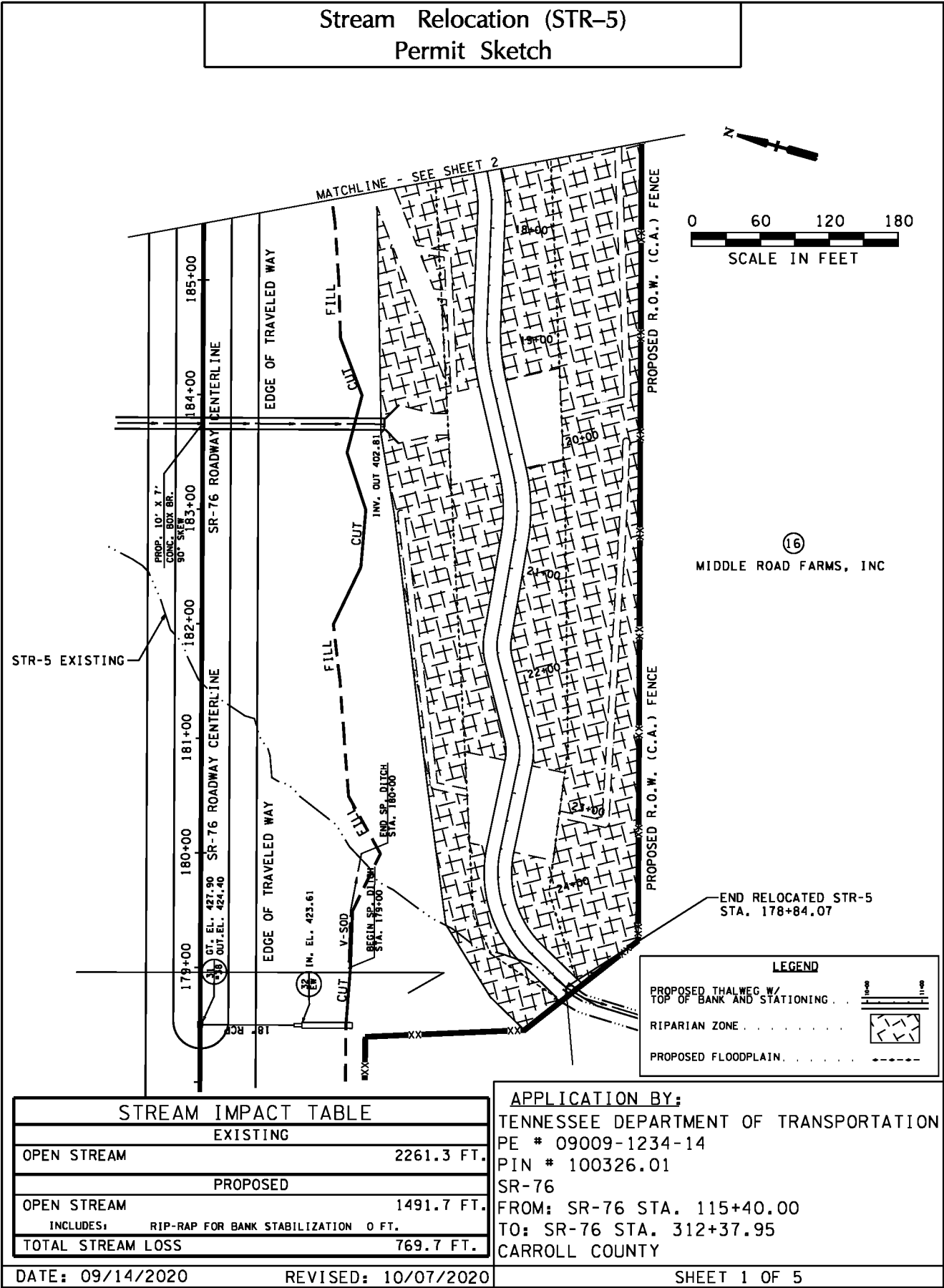
TO: SR-76 STA. 312+37.95

CARROLL COUNTY

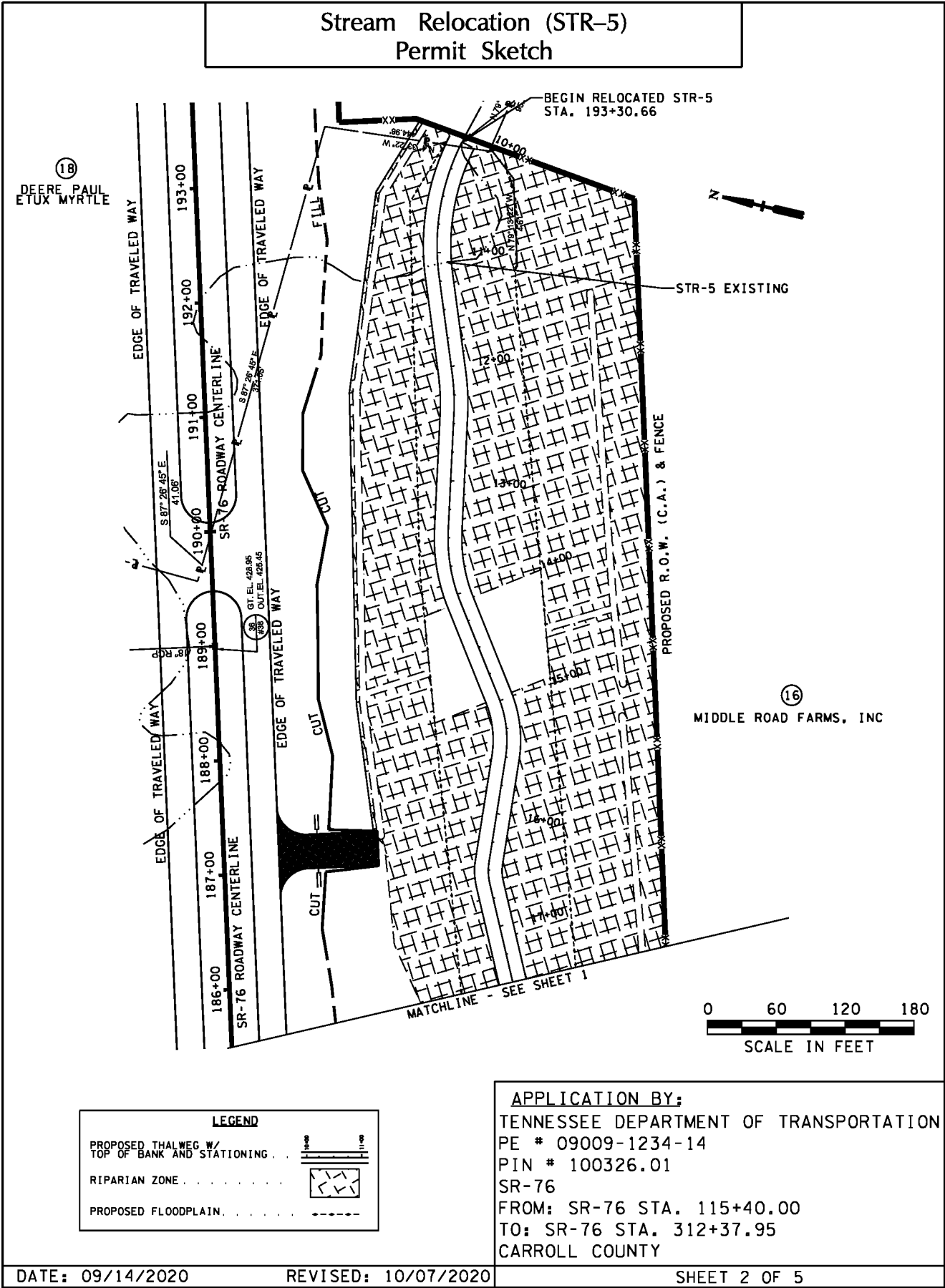
Appendix Two - Permit Sketches



Appendix Two - Permit Sketches



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