



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2017-217 (RC)

NOTICE DATE:
July 19, 2017

Attn: Postmaster,
Please Post Until  **EXPIRATION DATE:**
August 18, 2017

Joint Public Notice
U.S. Army Corps of Engineers
And
Commonwealth of Kentucky

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.

Sponsor:

West Kentucky Wetwoods Mitigation Bank, LLC
458 Beacon Street, Apt. 5
Boston, Massachusetts 02115

AGENT:

Mr. Neil Guthals
Redwing Ecological Services, Inc.
1139 South Fourth Street
Louisville, Kentucky 40203
(502) 625-3009

PURPOSE: According to the applicant, the purpose of this project is to modify the existing Mitigation Banking Instrument (MBI) associated with the West Kentucky Wetwoods Mitigation Bank 2 (WKWMB) to include the expansion into the adjacent WKWMB-West parcel, which will consist of a natural area complex providing wetland restoration, wetland establishment, and upland buffer restoration. The proposed 40-acre parcel is located immediately west of the existing 86-acre mitigation bank.

LOCATION: The project site is located within the floodplain of Obion Ditch approximately 1.5 miles northeast of Nichols, Hickman County, Kentucky, at coordinates of N36.7025° / W-88.8478°, as shown on Figure 1.

DESCRIPTION OF WORK: The applicant proposes to establish an additional approximate 40-acre site west of the existing WKWMB. The site currently consists of, and is surrounded by, active cropland, with adjacent wetland forest to the northeast and southeast. Full development of the site is expected to provide 32.4 acres of wetland mitigation credits (27.8 acres of bottomland hardwood forest wetland restoration (27.8 credits), 4.0 acres bottomland hardwood forest wetland establishment (4.0 credits) and 6.5 acres of upland forest buffer (0.6 credits). Site work will consist of grading to a lower elevation in the western portion of the site, cover seeding with native wetland grass/forb mix, and planting native bottomland hardwood trees and shrubs on the remainder of the site.

AVOIDANCE/MINIMIZATION: According to the applicant, other sites were investigated, but those alternative sites had less potential for wetland restoration. The proposed site is composed entirely of an agricultural field, would have the least environmental impact, and is adjacent to the existing mitigation bank.

MITIGATION: The project upon completion will provide 32.4 acres of new wetland mitigation credits.

ENDANGERED SPECIES: No effects to threatened or endangered species are expected. However, this notice is being coordinated with the U.S. Fish and Wildlife Service (USFWS). Any comments USFWS may have regarding endangered or threatened wildlife or plants or their critical habitat in response to this public notice 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 survey of the

project area. We are also soliciting input from federally recognized Tribes who have stated an interest in the area in which the project is located.

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 floodplain development permit is required. Floodplain administrators should review the proposed public notice and notify this office of any floodplain 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 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Mr. Randy Clark using the contact information provided. In addition, copies of comments should also be sent to the Kentucky Department of Environmental Protection, Division of Water, at the following address:

U.S. Army Engineer District – Memphis
ATTN: Randy Clark
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: james.r.clark@usace.army.mil
Phone: (901) 544-0735
Fax: (901) 544-0211

Ms. Joyce Fry
Commonwealth of Kentucky
Department of Environmental Protection
Division of Water
200 Fair Oaks Lane, 4th Floor
Frankfort, Kentucky 40801
(502) 564-3410

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.

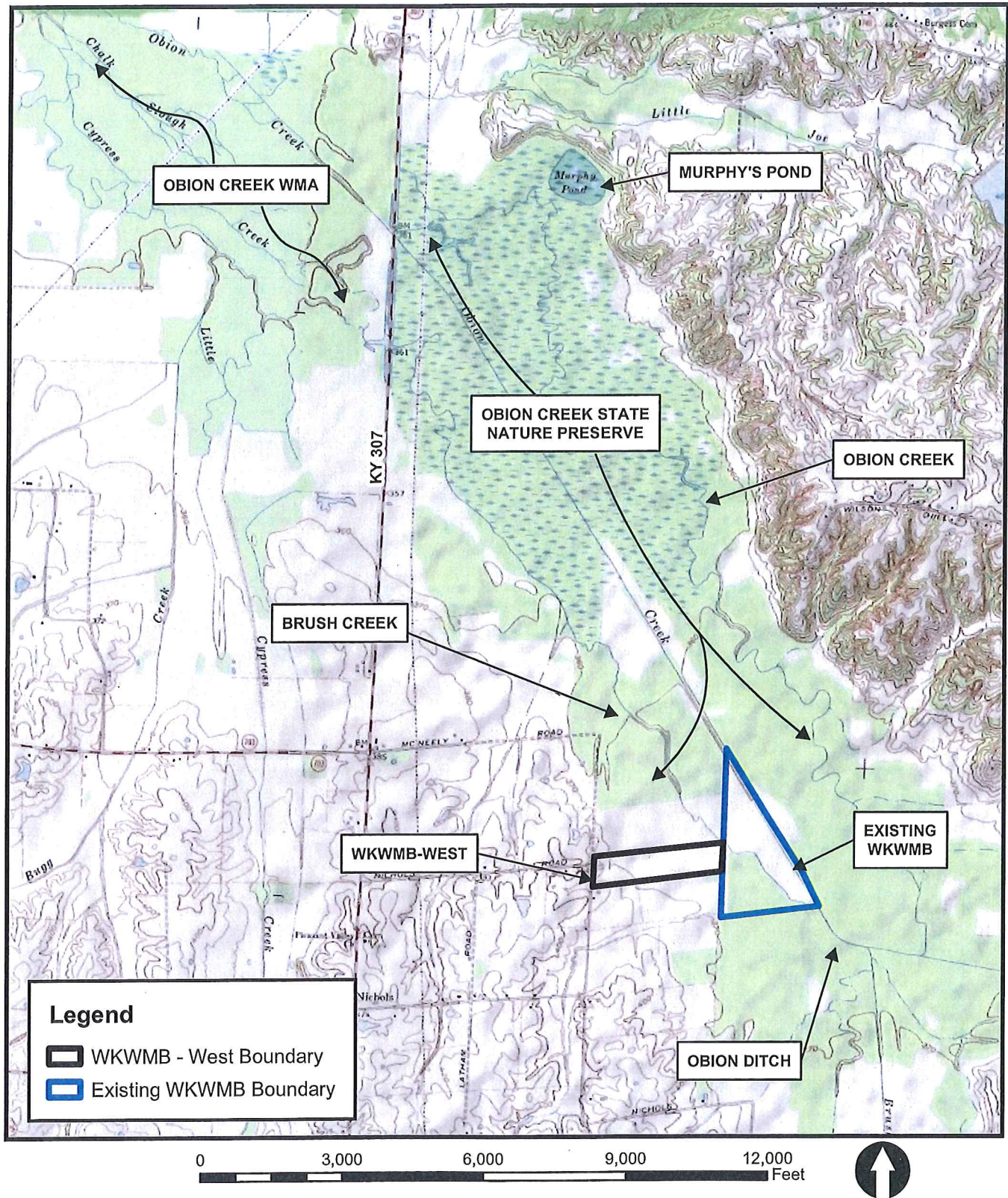
For Final Individual Permits actions in the Memphis District, go to the following link: <http://geo.usace.army.mil/egis/f?p=340:2:0::NO:RP>. Using the Filter by District drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending 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 Branch office for examination.



Gregg Williams
Chief
Regulatory Branch

Attachments

Source: USA Topo Maps, (2013) National Geographic Society, USGS 7.5-minute Topographic Map - Milburn, Fancy Farm, Clinton, Dublin, Kentucky Quadrangles.



WEST KENTUCKY
WETWOODS MITIGATION BANK - WEST
HICKMAN COUNTY, KENTUCKY



SITE LOCATION MAP

REVISED DATE: 01-15-16

DRAWN BY: BGC/EDB

FIGURE 1