

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2018-126 (JLH)

NOTICE DATE:
April 6, 2018

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
May 6, 2018

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: Irucka Embry
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243
(615) 253-5297

PURPOSE: The applicant proposes to replace two existing bridges on State Route (SR) 196 and improve existing road safety conditions between the two bridges. The purpose of the project is to replace two deficient bridges, realign the existing road, widen the travel lanes, and expand the shoulders to allow for increased safety along the roadway.

LOCATION: The project site extends along Tennessee State Route 196 from the Shaw's Creek bridge to the overflow bridge. The approximate center coordinates are N35.074697° / W-89.603489° as shown on Attachment 1.

DESCRIPTION OF WORK: The applicant's proposed project would include widening of the roadway from two 11-foot travel lanes with 2-foot shoulders to two 12-foot wide travel lanes with 8-foot wide shoulders. The project would include replacing the existing bridge at Shaws Creek and at the overflow. The construction corridor measures 0.54 miles long by a maximum of 150 feet wide. Drawings depicting the applicant's proposed plans are included in Attachments 2-5.

The overall project would require the permanent filling of 3.07 acres of wetlands and temporary impacts to 1.74 acres of wetlands. Portions of the impacts to wetlands are within the Wolf River Mitigation Bank. Under the current design plans, no streams would be impacted by the project.

AVOIDANCE/MINIMIZATION: According to the applicant, efforts were made during the planning and design phase to avoid impacts to waters of the U.S. to the greatest extent possible and to minimize impacts where impacts are unavoidable.

MITIGATION: The applicant has proposed wetland mitigation by debiting available credits from the Wolf River Mitigation Bank and the Ducks Unlimited Mt. Tena Wetland Mitigation Bank. The Memphis District is evaluating the proposal prior to making a formal decision on mitigation.

WATER QUALITY CERTIFICATION: The applicant is required to 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: The Memphis District conducted a review of the IPaC database maintained by the US Fish and Wildlife Service. IPaC listed no critical habitats within the project area, but did show two threatened and one endangered species. The woodstork (*Mycteria americana*) and northern long-eared bat (*Myotis septentrionalis*) are both listed as threatened in this general area, and the Indiana bat (*Myotis sodalis*) is listed as endangered in this area. The applicant is conducting a bat survey of the proposed project area. The Memphis District is coordinating this application 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 has received a cultural resource survey from the applicant and information from the Tennessee State Historic Preservation Office indicating 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 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 impacts including cumulative effects 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 Ms. Jennifer L. Harty using the information below:

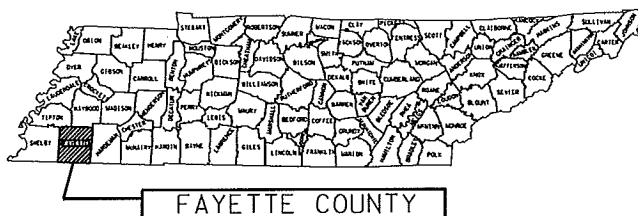
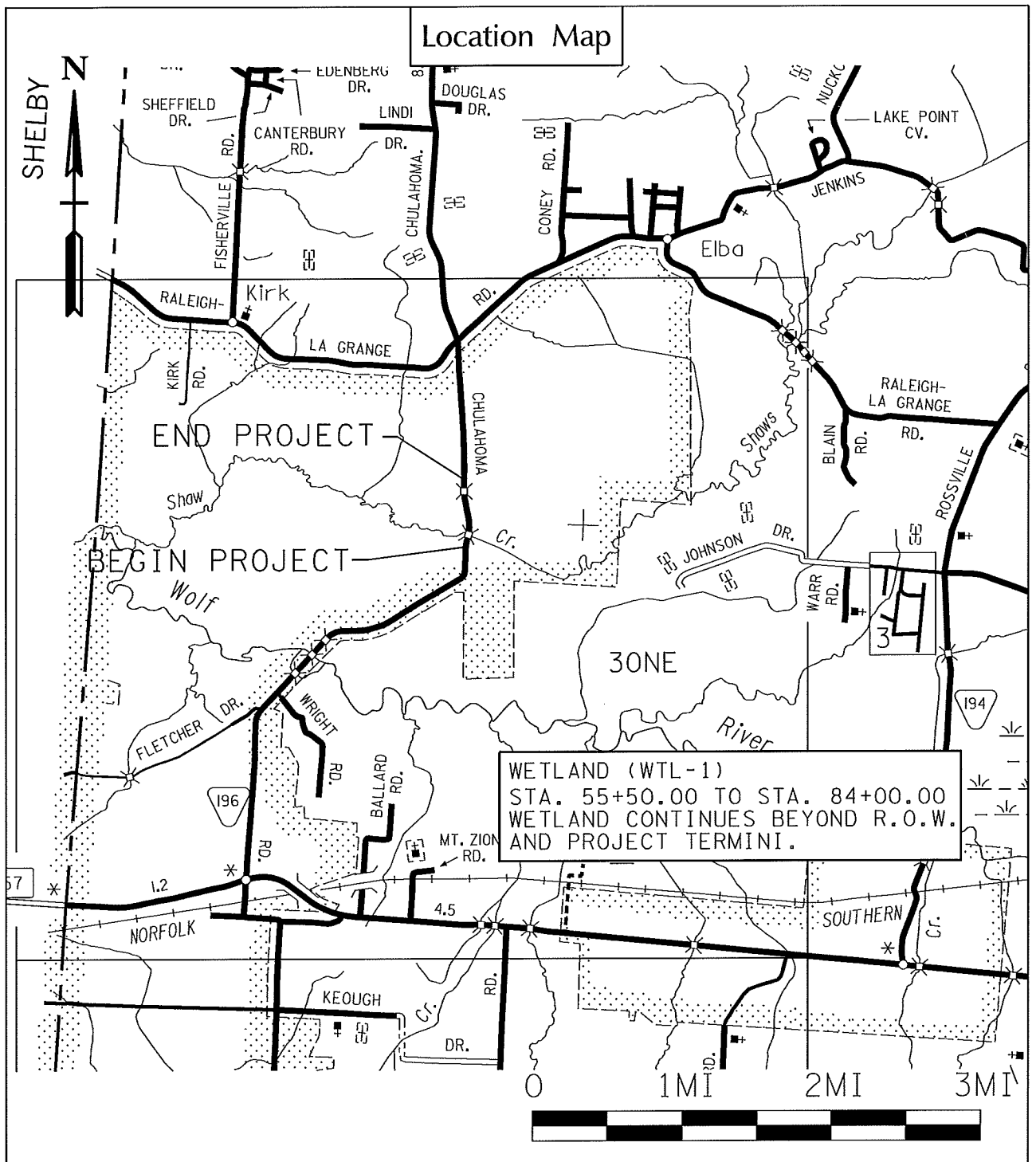
U.S. Army Engineer District - Memphis
ATTN: Jennifer Harty
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: jennifer.l.harty@usace.army.mil
Phone: (901) 544-3473
Fax: (901) 544-0211

Comments may be sent via mail or E-mail. 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 W. Williams
Chief
Regulatory Branch

Attachments



APPLICATION BY:

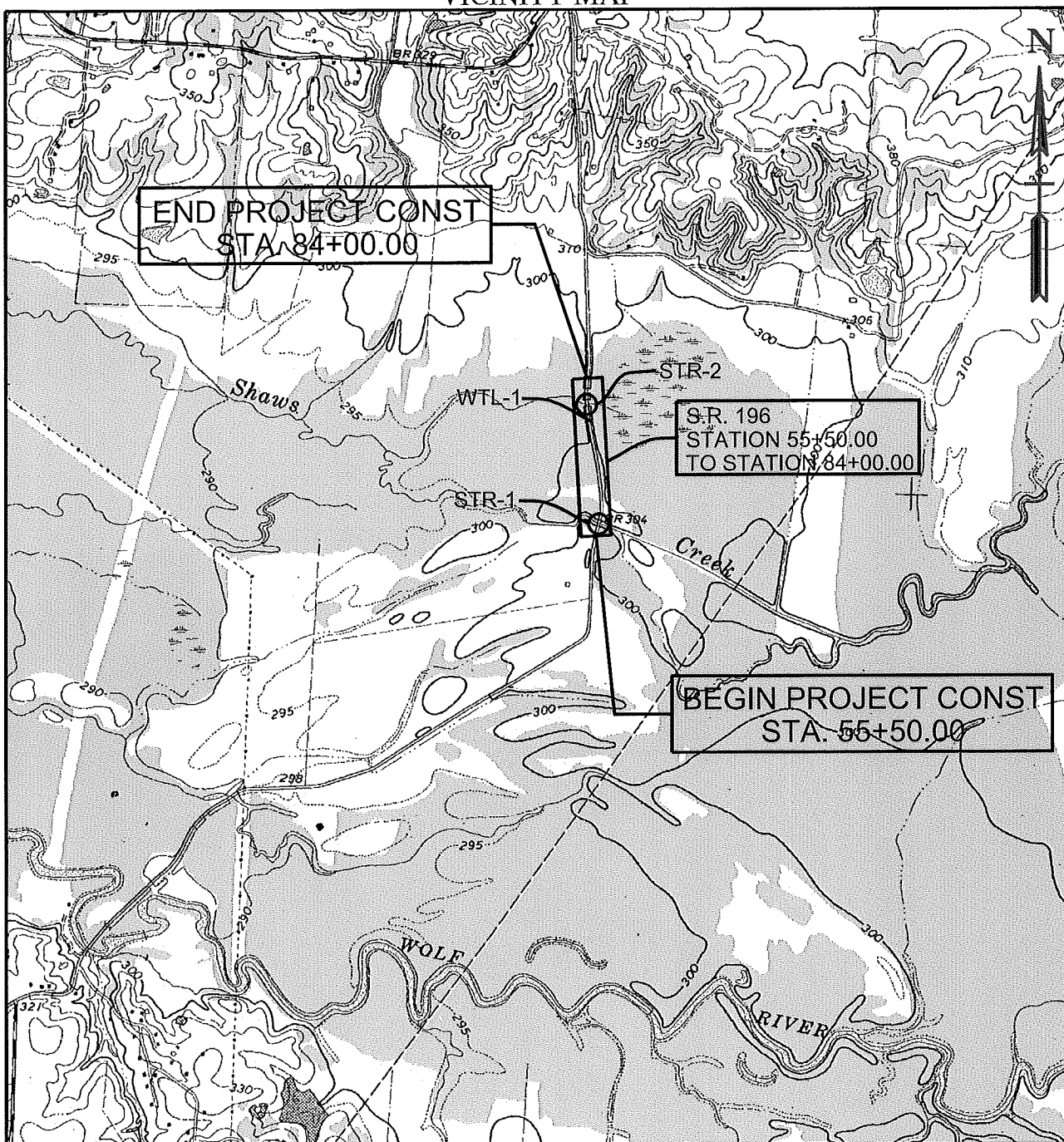
TENNESSEE DEPARTMENT OF TRANSPORTATION
 PE # 24017-1233-94; 97024-1217-04
 PIN # 101895.01; 117506.00
 STATE ROUTE 196
 BRIDGES OVER SHAW CREEK
 L.M. 6.80 AND OVERFLOW L.M. 7.11
 FAYETTE COUNTY

DATE: 07/24/17

REVISED: / /

SHEET 1 OF 8

VICINITY MAP



APPLICATION BY:
 TENNESSEE DEPARTMENT OF TRANSPORTATION
 PE # 24017-1233-94; 97024-1217-04
 PIN 101895.01; 117506.00
 FED. CONST. PROJ. # BR-STP-196(7);
 NHTSA-HE-196-10
 QUAD: 416SE (ROSSVILLE, TN)

STATE ROUTE 196
 BRIDGES OVER SHAW CREEK
 L.M. 6.80 AND OVERFLOW L.M. 7.11
 COUNTY: FAYETTE
 NEAR: ROSSVILLE, TN

DATE: 07/24/17

REVISED: 2/13/18

SHEET 2 OF 8

SCALE = 1:24000
 CONTOUR INTERVAL 20 FEET

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

WETLAND IMPACTS (WTL-1) Permit Sketch

STATE OF TENNESSEE
312 8TH AVE
NASHVILLE, TN 37243

55+00

(97024-3217-04)
NHTSA-HE-196(10)
(24017-3233-94)
BEGIN PROJ. BR-STP-196(7) (CONST.)

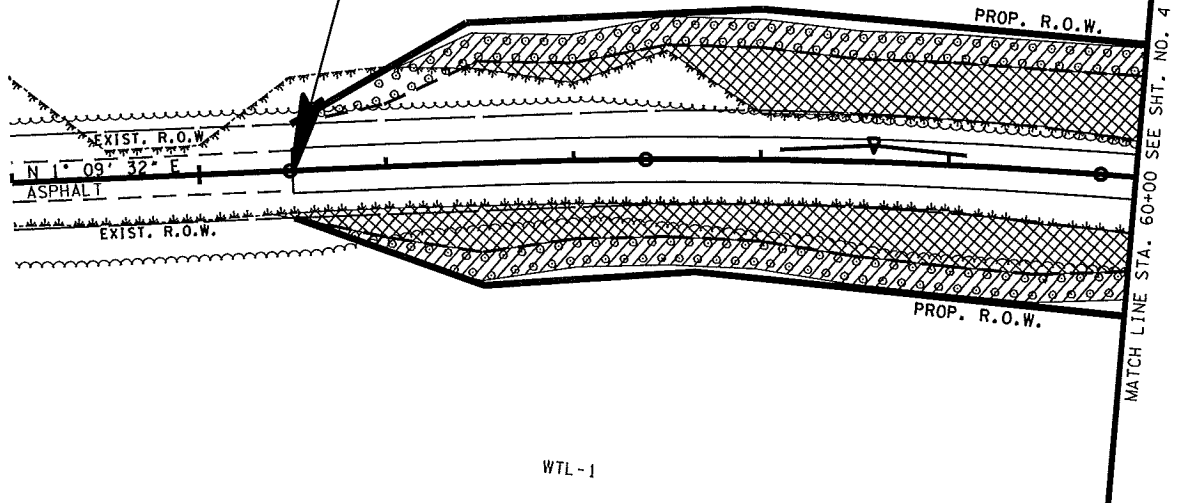
55+50.00
N 291626.8060
E 892428.8853

60+00

(97024-2217-04)
NHTSA-HE-196(10)
(24017-2233-94)

BEGIN PROJ. BR-STP-196(7) (R.O.W.)

55+50.00
N 291626.8060
E 892428.8853



WTL-1

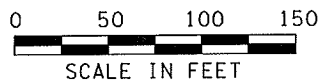
SWAMP

TREES

RALEIGH-LAGRANGE LLC
985 REDDOCH COVE
MEMPHIS, TN 38119

LEGEND	WETLAND IMPACTS (WTL-1)
	AREA OF PERMANENT IMPACT = 3.07 AC. VOLUME OF PERMANENT IMPACT = 4953 C.Y.
	AREA OF TEMPORARY IMPACT = 1.74 AC. VOLUME OF TEMPORARY IMPACT = 2807 C.Y.

WETLAND (WTL-1)
STA. 55+50.00 TO STA. 84+00.00
WETLAND CONTINUES BEYOND R.O.W.
AND PROJECT TERMINI.



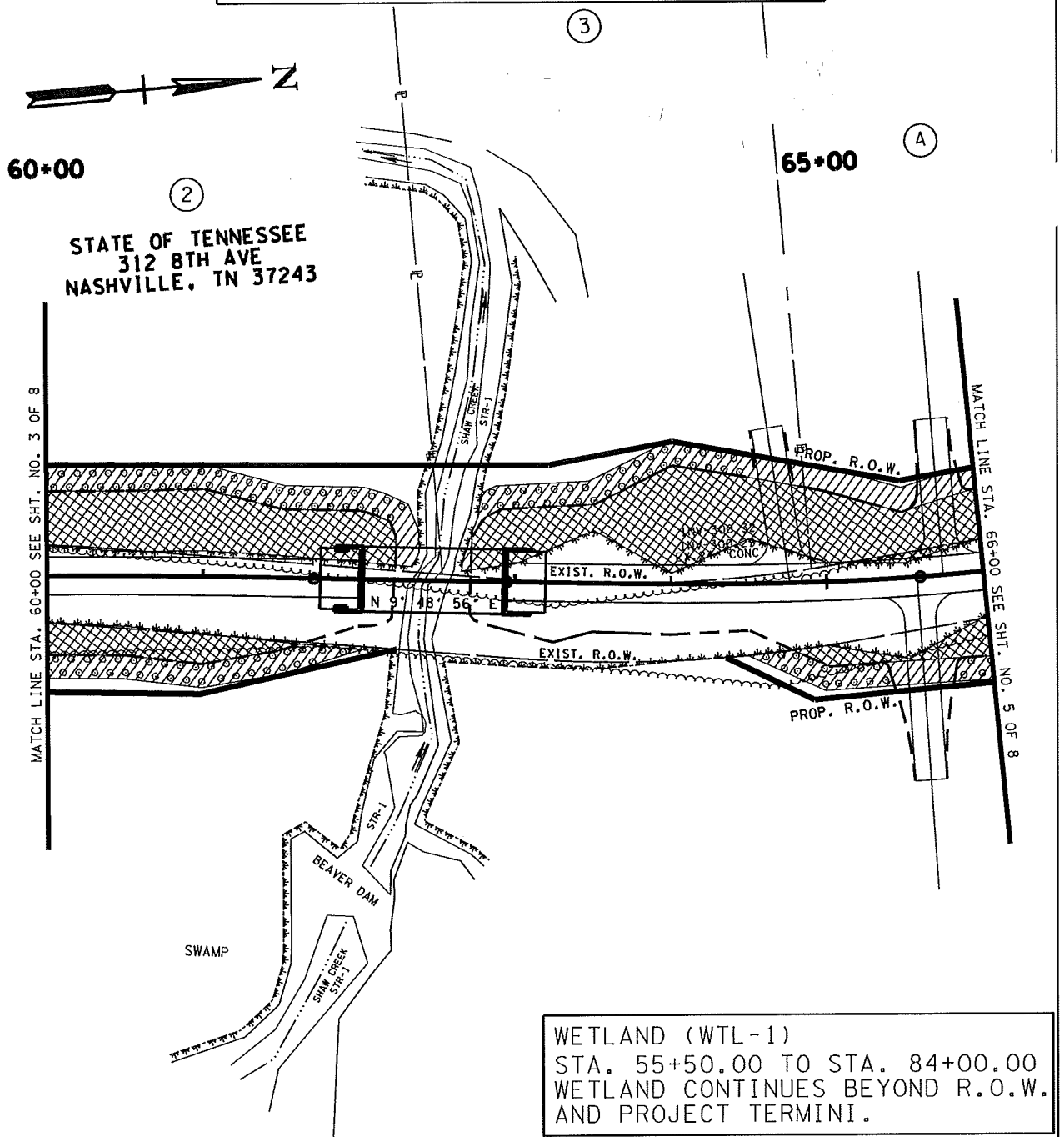
APPLICATION BY:
TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 24017-1233-94; 97024-1217-04
PIN # 101895.01; 117506.00
S.R. 196
BRIDGES OVER SHAW CREEK
L.M. 6.80 AND OVERFLOW L.M. 7.11
FAYETTE COUNTY

DATE: 07/24/17

REVISED: 2/13/18

SHEET 3 OF 8

WETLAND IMPACTS (WTL-1) Permit Sketch



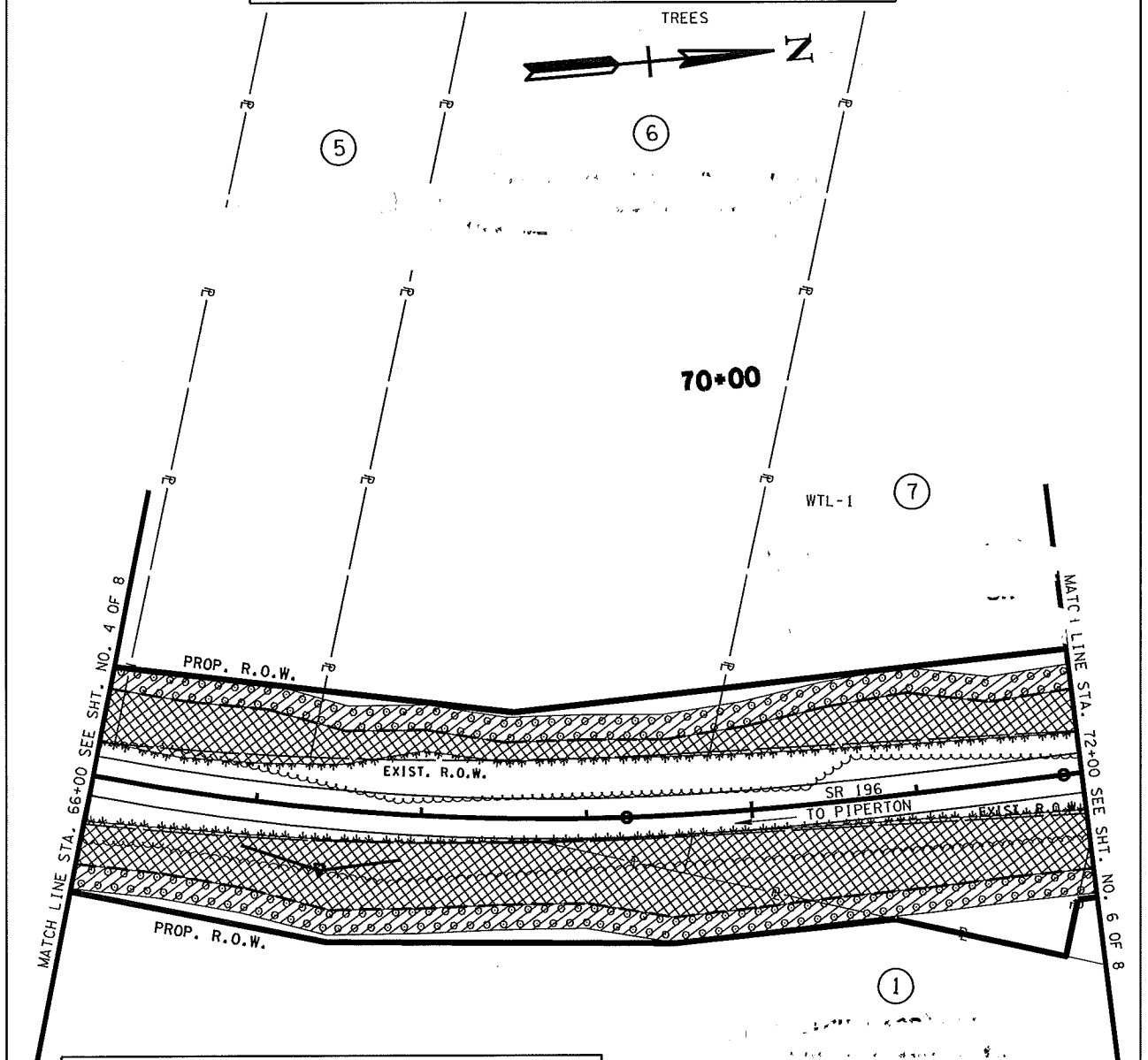
LEGEND	WETLAND IMPACTS (WTL-1)
	AREA OF PERMANENT IMPACT = 3.07 AC.
	VOLUME OF PERMANENT IMPACT = 4953 C.Y.
	AREA OF TEMPORARY IMPACT = 1.74 AC.
	VOLUME OF TEMPORARY IMPACT = 2807 C.Y.

0 50 100 150
SCALE IN FEET

WETLAND (WTL-1)
STA. 55+50.00 TO STA. 84+00.00
WETLAND CONTINUES BEYOND R.O.W.
AND PROJECT TERMINI.

APPLICATION BY:
TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 24017-1233-94; 97024-1217-04
PIN # 101895.01; 117506.00
S.R. 196
BRIDGES OVER SHAW CREEK
L.M. 6.80 AND OVERFLOW L.M. 7.11
FAYETTE COUNTY

WETLAND IMPACTS (WTL-1) Permit Sketch



WETLAND (WTL-1)
STA. 55+50.00 TO STA. 84+00.00
WETLAND CONTINUES BEYOND R.O.W.
AND PROJECT TERMINI.

LEGEND	WETLAND IMPACTS (WTL-1)
	AREA OF PERMANENT IMPACT = 3.07 AC. VOLUME OF PERMANENT IMPACT = 4953 C.Y.
	AREA OF TEMPORARY IMPACT = 1.74 AC. VOLUME OF TEMPORARY IMPACT = 2807 C.Y.

0 50 100 150
SCALE IN FEET

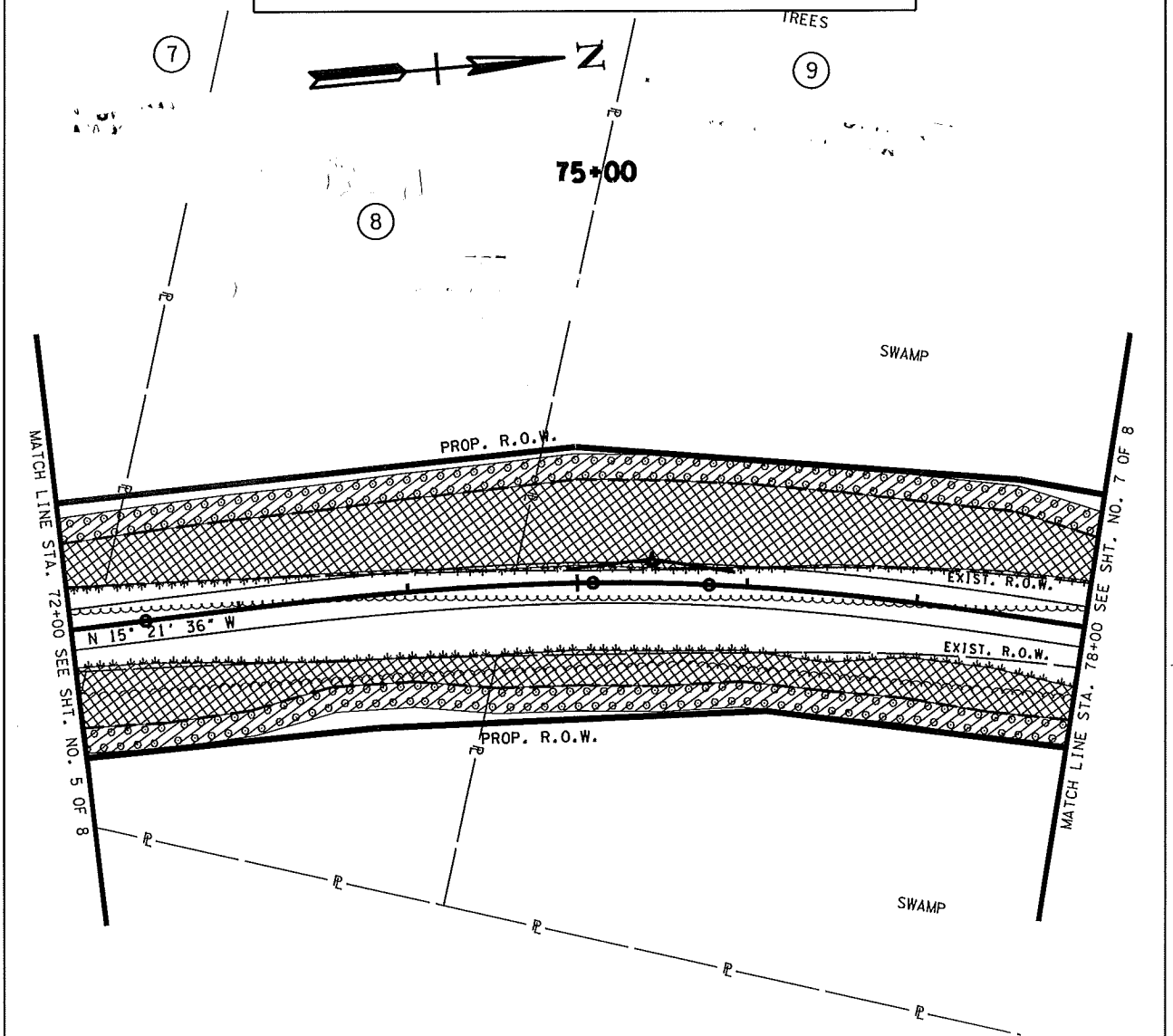
APPLICATION BY:
TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 24017-1233-94; 97024-1217-04
PIN # 101895.01; 117506.00
S.R. 196
BRIDGES OVER SHAW CREEK
L.M. 6.80 AND OVERFLOW L.M. 7.11
FAYETTE COUNTY

DATE: 07/24/17

REVISED: 2/13/18

SHEET 5 OF 8

WETLAND IMPACTS (WTL-1) Permit Sketch



WETLAND (WTL-1)
STA. 55+50.00 TO STA. 84+00.00
WETLAND CONTINUES BEYOND R.O.W.
AND PROJECT TERMINI.

LEGEND	WETLAND IMPACTS (WTL-1)
	AREA OF PERMANENT IMPACT = 3.07 AC. VOLUME OF PERMANENT IMPACT = 4953 C.Y.
	AREA OF TEMPORARY IMPACT = 1.74 AC. VOLUME OF TEMPORARY IMPACT = 2807 C.Y.

0 50 100 150
SCALE IN FEET

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 24017-1233-94; 97024-1217-04
PIN # 101895.01; 117506.00
S.R. 196
BRIDGES OVER SHAW CREEK
L.M. 6.80 AND OVERFLOW L.M. 7.11
FAYETTE COUNTY

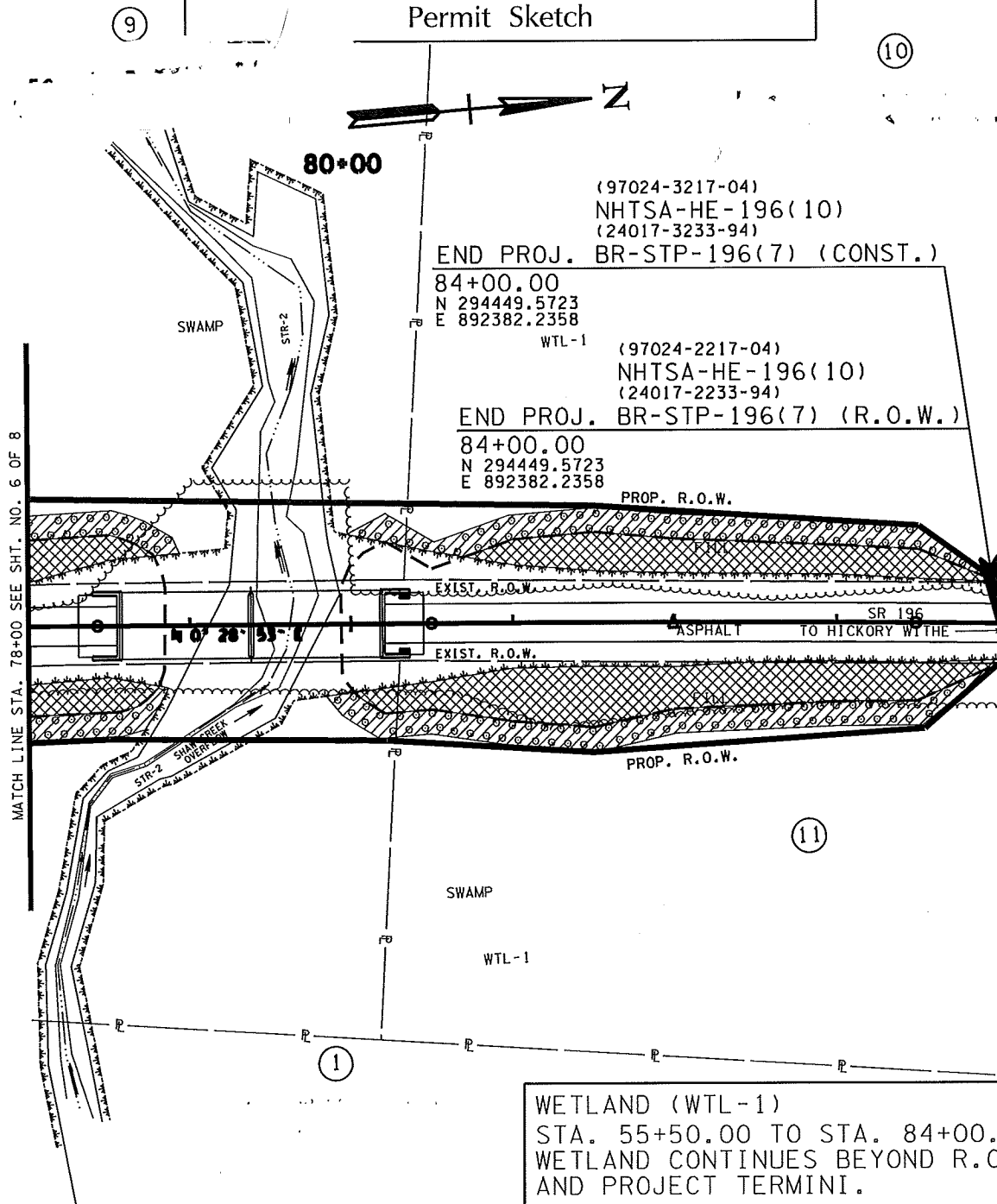
DATE: 07/24/17

REVISED: 2/13/18

SHEET 6 OF 8

WETLAND IMPACTS (WTL-1)

Permit Sketch



LEGEND	WETLAND IMPACTS (WTL-1)
	AREA OF PERMANENT IMPACT = 3.07 AC. VOLUME OF PERMANENT IMPACT = 4953 C.Y.
	AREA OF TEMPORARY IMPACT = 1.74 AC. VOLUME OF TEMPORARY IMPACT = 2807 C.Y.

0 50 100 150
SCALE IN FEET

WETLAND (WTL-1)
STA. 55+50.00 TO STA. 84+00.00
WETLAND CONTINUES BEYOND R.O.W.
AND PROJECT TERMINI.

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 24017-1233-94; 97024-1217-04
PIN # 101895.01; 117506.00
S.R. 196
BRIDGES OVER SHAW CREEK
L.M. 6.80 AND OVERFLOW L.M. 7.11
FAYETTE COUNTY

DATE: 07/24/17

REVISED: 2/13/18

SHEET 7 OF 8

WETLAND IMPACTS (WTL-1) Permit Sketch

ENVIRONMENTAL MITIGATION NOTES

- (1) THE CONTRACTOR SHALL USE ANY MEASURE NECESSARY TO ENSURE THAT CONSTRUCTION EQUIPMENT WILL NOT ENTER ANY PORTION OF (STR-1, STR-2, AND WTL-1) AND THAT THE STREAM AND WETLAND AND SURROUNDING VEGETATION WILL NOT BE DISTURBED AND ARE PROTECTED FROM SEDIMENT AND OTHER POLLUTANTS EXCEPT AT THE PERMITTED LOCATIONS.
- (2) PLANT ALL TREE / SHRUB SPECIES ON 10 FOOT CENTERS.
- (3) FOR THE TEMPORARY WETLAND IMPACT THE CONTRACTOR SHALL REMOVE APPROXIMATELY 1 FOOT OF TOPSOIL AND STOCKPILE. AFTER CONSTRUCTION, THE TEMPORARY WETLAND IMPACT AREA SHALL BE RESTORED TO PRE-CONSTRUCTION ELEVATION AND AS SOON AS POSSIBLE BY USING THE STOCKPILED TOPSOIL, ENSURING THAT THE ELEVATION WILL NOT ALLOW DRAINAGE OF THE REMAINING WETLAND. ONCE THE AREA HAS BEEN RESTORED TO PRE-CONSTRUCTION ELEVATION, TREES SHALL BE PLANTED ACCORDING TO THE PROPOSED MITIGATION PLAN, TEMPORARY STABILIZATION SHOULD ALSO OCCUR.
- (4) NO SUBSTITUTIONS OF TREE SPECIES SHALL BE ALLOWED WITHOUT THE WRITTEN APPROVAL OF TDOT ENVIRONMENTAL DIVISION. TREES SHALL BE OF THE VARIETY REQUESTED, BETWEEN 2 AND 5 FEET IN HEIGHT, CONTAINERIZED, AND FIRST QUALITY. BARE ROOT TREES SHALL BE OF THE VARIETY REQUESTED, WELL BRANCHED, AND FIRST QUALITY. BARE ROOTS MUST BE KEPT MOIST AT ALL TIMES. NO CLONES OR CULTIVARS WILL BE ACCEPTED. ANY FOUND TO BE INCORRECT SPECIES, OR IMPROPERLY PLANTED, AT ANY TIME PRIOR TO TERMINATION OF THE CONTRACT SHALL BE REMOVED AND REPLACED AT THE CONTRACTOR'S EXPENSE. STAKES AND WIRES SHALL BE REMOVED IMMEDIATELY PRIOR TO CONTRACT TERMINATION, UNLESS OTHERWISE DIRECTED BY ENVIRONMENTAL DIVISION. THE CONTRACTOR SHOULD ARRANGE SEVERAL MONTHS AHEAD OF TIME TO OBTAIN THE CORRECT TREE SPECIES, AS SOME MAY REQUIRE SOME TIME TO LOCATE.
- (5) DO NOT CLEAR TREES FROM WETLAND AREAS WITHIN ROW AND WITHIN THE PERMITTED BOUNDARIES UNLESS NECESSARY FOR CONSTRUCTION.
- (6) THE FOLLOWING DO NOT DISTURB SIGNS SHALL BE PLACED POST CONSTRUCTION ON APPROXIMATE 300' SPACING AT SLOPE LIMIT:

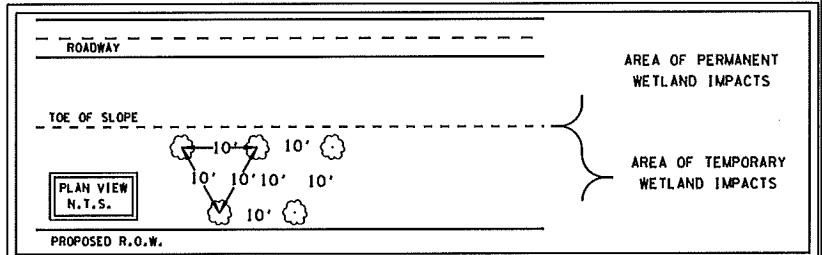
NOTES:

THE PROTECTED AREA SIGN SHALL BE WHITE WITH BLACK LETTERING.
LINES 1, 2, 3 & 4 SHALL BE 2 INCHES IN HEIGHT.
LINES 5 & 6 SHALL BE 1 INCH IN HEIGHT.
PROTECTED AREA SIGN SHALL BE PAID FOR UNDER ITEM NO. 713-16.20, PROTECTED AREA SIGN, PER EACH, AS SHOWN IN DETAIL ON THIS SHEET. PAYMENT SHOULD INCLUDE ALL MATERIALS, EQUIPMENT, AND LABOR NECESSARY TO CONSTRUCT AS SHOWN IN DETAIL. LOCATION AND NUMBER OF SIGNS TO BE DETERMINED IN THE FIELD OR AS DIRECTED BY THE ENGINEER.

PROTECTED AREA
NO TREE CLEARING
OR CUTTING OR
MOWING ALLOWED

CONTACT TDOT ENVIRONMENT DIVISION
(615) 741-3655

TREE PLANTING SCHEME FOR TEMPORARY WETLAND IMPACT AREAS



ESTIMATED TREE QUANTITIES

ITEM NO.	DESCRIPTION	UNIT	QUANTITY
OPEN WATER AREAS			
802-11.20	NYSSA AQUATICA (SWAMP TUPELO 2-5FT CNTNR GRWN)	EACH	105
802-11.42	TAXODIUM DISTICHUM (BALD CYPRESS 2-5FT CNTNR GRWN)	EACH	105
802-13.03	CEPHALANTHUS OCCIDENTALIS (BUTTONBUSH 2-5FT CNTNR GRWN)	EACH	105
802-13.04	CORNUS AMOMUM (SILKY DOGWOOD 2-5FT CNTNR GRWN)	EACH	105
DRIER AREAS			
802-11.07	BETULA NIGRA (RIVER BIRCH 2-5FT CNTNR GRWN)	EACH	90
802-11.18	LIQUIDAMBER STYRACIFLUA (SWEETGUM 2-5FT CNTNR GRWN)	EACH	90
802-11.26	PLATANUS OCCIDENTALIS (SYCAMORE 2-5FT CNTNR GRWN)	EACH	90
802-11.38	QUERCUS PHELLOS (WILLOW OAK 2-5FT CNTNR GRWN)	EACH	90
802-13.01	ALNUS SERRULATA (HAZEL ALDER 2-5FT CNTNR GRWN)	EACH	90
802-13.37	VIBURNUM NUDUM (POSSUMHAW VIBURNUM 2-5 FT CNTNR GRWN)	EACH	90

LEGEND	WETLAND IMPACTS (WTL-1)
	AREA OF PERMANENT IMPACT = 3.07 AC. VOLUME OF PERMANENT IMPACT = 4953 C.Y.
	AREA OF TEMPORARY IMPACT = 1.74 AC. VOLUME OF TEMPORARY IMPACT = 2807 C.Y.

0 50 100 150
SCALE IN FEET

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 24017-1233-94; 97024-1217-04
PIN # 101895.01; 117506.00
S.R. 196
BRIDGES OVER SHAW CREEK
L.M. 6.80 AND OVERFLOW L.M. 7.11
FAYETTE COUNTY

DATE: 07/24/17

REVISED: 2/13/18

SHEET 8 OF 8