



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2018-217 (JME)

NOTICE DATE:
June 26, 2018

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
July 26, 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: Deborah Wiseman
Suite 900, James K. Polk Building
505 Deaderick Street
Nashville, Tennessee 37243-1402
Ph: (615) 532-4554

PURPOSE: The purpose of this project is to place fill material into wetlands and other waters of the United States, associated with the construction of a segment (Section 7) of I-69. The overall purpose of the project is to improve linkage to existing transportation systems. The upgrading of U.S. HWY 51 between Dyersburg, Tennessee and Fulton, Kentucky would provide an interstate-level facility linking the project area to I-55 at Dyersburg, Tennessee; Interstates 55 and 40 at Memphis, Tennessee and West Memphis, Arkansas; and Interstate 57 north of Cairo, Illinois.

LOCATION: The proposed roadway alignment is near Union City in Obion County, Tennessee, as shown on the Union City, TN and Harris, TN 7.5-minute United States Geological Survey quadrangle maps (Attachment 1). More specific locations are provided below.

DESCRIPTION OF WORK: The applicant proposes to construct a 4.129-mile segment of Interstate 69 along a new alignment. The roadway would begin 0.2 mile south of SR-5 (US-51) to 0.2-mile south of US 45W. The resulting roadway would consist of two 12-foot lanes, 12-foot outside shoulders, 6-foot inside shoulders, an outside slope ratio of 6:1 and a median width of 88 feet.

The deposition of fill material into waters of the U.S., including streams and wetlands, requires authorization from the Corps of Engineers. Although the Corps of Engineers has not completed a jurisdictional determination at this point, the applicant provided documentation that the features labeled "WWCs" (shown on Attachment 2) do not display ordinary high water mark indicators and would therefore not be considered waters of the United States. Impacts at some of these sites described below would require individual permit authorization (IP), while impacts at other sites may be authorized by nationwide permits (NWP). Site specific project impacts for proposed actions requiring an IP are detailed below. Our office has determined that the remaining proposed impacts may be authorized by NWP 14 (Linear Transportation Crossings), pursuant to the Federal Register Volume 82, Number 4, dated January 6, 2017, upon issuance of Section 401 Water Quality Certification from the State of Tennessee. Specific details concerning the NWP authorizations are not included as part of this public notice but are available upon request.

| <u>Site #1</u> | |
|--|---|
| Sta. 624+60 L to Sta. 629+00 R (Plan Sheets 1 and 1A) | Longitude -89.0459°, Latitude 36.4680° <u>Proposed Impact: Wetland (WTL-1)</u> <u>(I404)</u> Permanent Impacts = 1.207 ac. Temporary Impacts = 0.00 ac. |

Mitigation: As mitigation for the permanent impact of above wetland, TDOT proposes to debit, at a 2:1 ratio, 2.41 acres from available wetland credits from the Obion Wetland Mitigation Bank.

Alternatives and Impact Minimization: Efforts were made during the planning and design phases of this project to avoid impacts to waters of the U.S. to the extent practicable and to minimize impacts that were not avoidable. The applicant provided a detailed list of several alternatives for this project within their NEPA evaluation.

| <u>Site #2</u> | |
|--|--|
| Sta. 636+00 L to Sta. 641+00 R (Plan Sheets 2 and 2A) | Longitude -89.0420°, Latitude 36.4682° |
| | <u>Proposed Impact: Wetland (WTL-2)</u> (I404) Permanent Impacts = 0.529 ac. Temporary Impacts = 0.00 ac. |
| <u>Mitigation:</u> As mitigation for the permanent impact of above wetland, TDOT proposes to debit, at a 2:1 ratio, 1.06 acres from available wetland credits from the Obion Wetland Mitigation Bank. | |
| <u>Alternatives and Impact Minimization:</u> Efforts were made during the planning and design phases of this project to avoid impacts to waters of the U.S. to the extent practicable and to minimize impacts that were not avoidable. The applicant provided a detailed list of several alternatives for this project within their NEPA evaluation. | |

In addition to the impacts listed above, the applicant requests that all proposed outfall structures (ditches, pipes, etc.) associated with the proposed bridge crossing and that potential temporary stream crossing at each permit site be authorized or approved by any final permit document. Outfall structures may meet the criteria of Nationwide Permit 7. Temporary crossings will be located within existing right-of-way or easements.

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: United States Fish and Wildlife Services (USFWS) previously reviewed this project and determined in a letter, dated July 21, 2016 the project would "not likely to adversely affect" federally listed species. This application is being coordinated with USFWS. Any additional 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: A Section Memorandum of Agreement has been executed by the State Historic Preservation Officer (SHPO) and Federal Highway Administration to implement stipulations that minimize and mitigate the adverse effects of the project to a historic resource with implementation of the proposed project. The Memphis District will evaluate any additional information provided by the SHPO and the public in response to this public notice and we may conduct, or require a survey of the project area. We are 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 and Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Mr. James M. Elcan using the information below:

U.S. Army Engineer District – Memphis
ATTN: James Elcan
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: james.m.elcan@usace.army.mil
Phone: (901) 544-0737
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

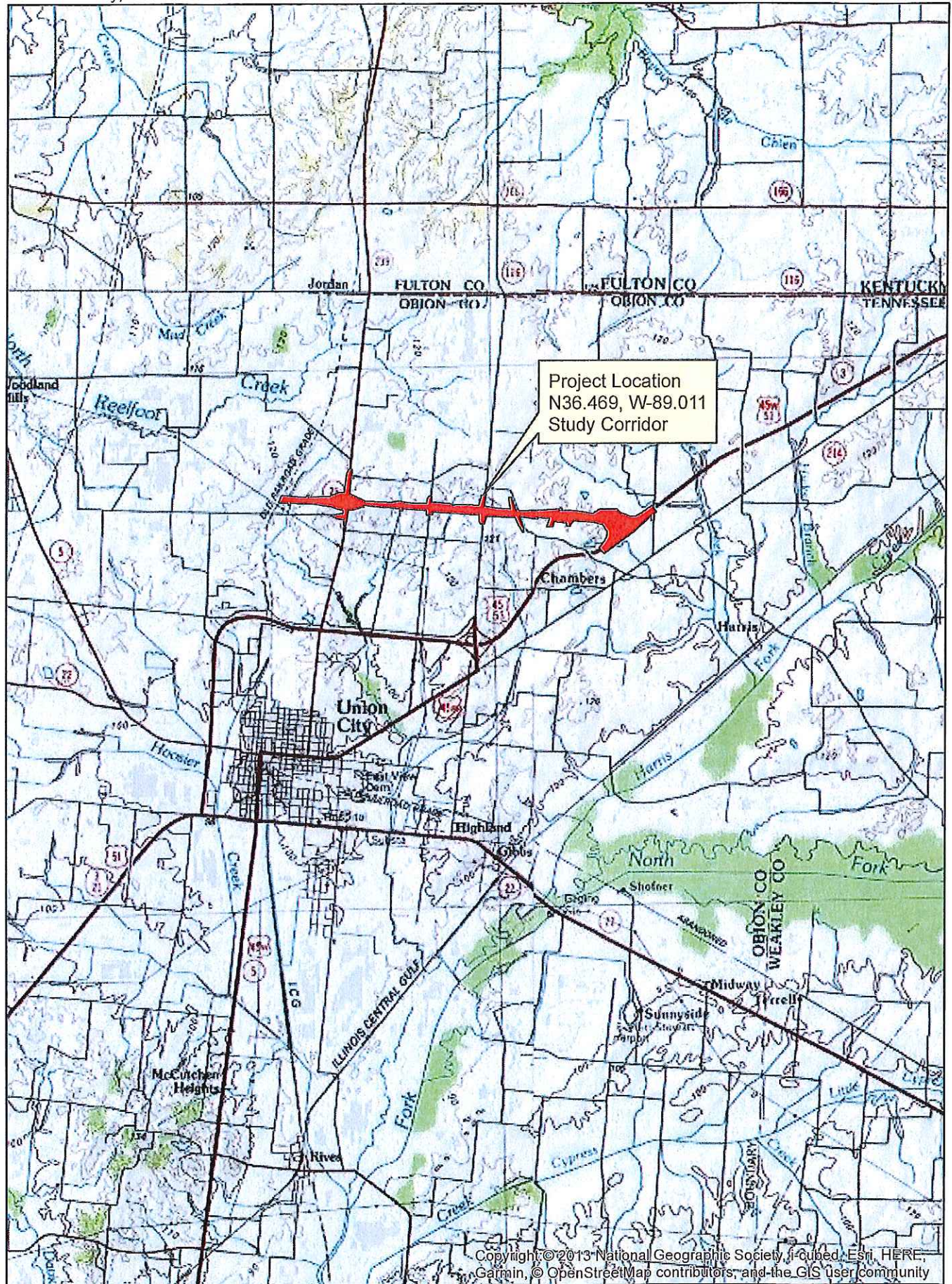
where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.

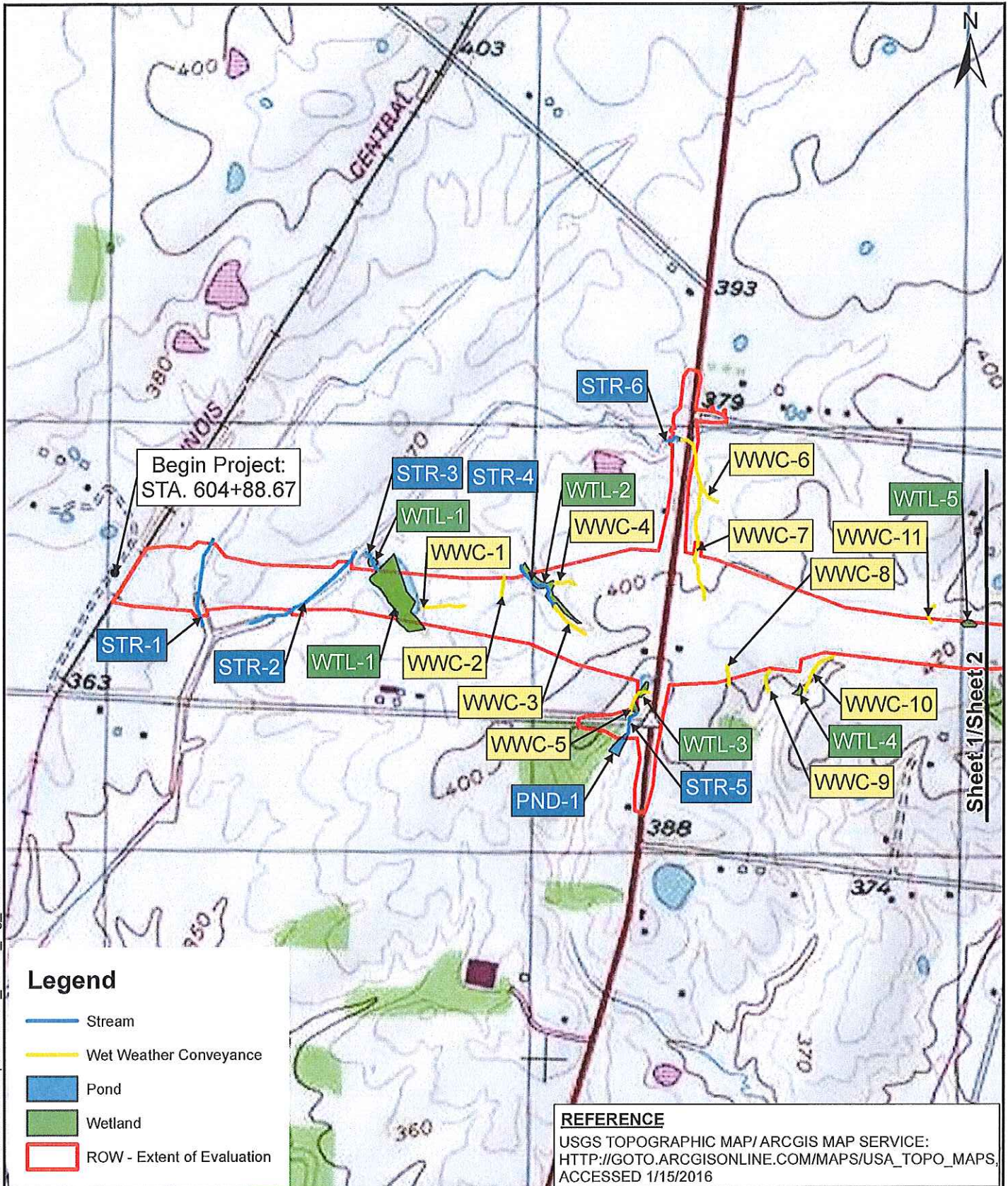
A handwritten signature in black ink, appearing to read "Gregg W. Williams". The signature is fluid and cursive, with a large initial "G" and "W".

Gregg W. Williams
Chief
Regulatory Branch

Attachments

MVM-2018-217
 TDOT PIN 101345.00
 I69, Construct from SR21 to SR3 (U.S. 51)
 Obion County, TN





0 250 500 1,000 Feet



ISSUED FOR: TDOT

ISSUED BY:



CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
325 Seaboard Lane, Ste 170, Franklin, TN 37067

DRAWN BY: CDH
APPROVED BY: TN *Hand signature

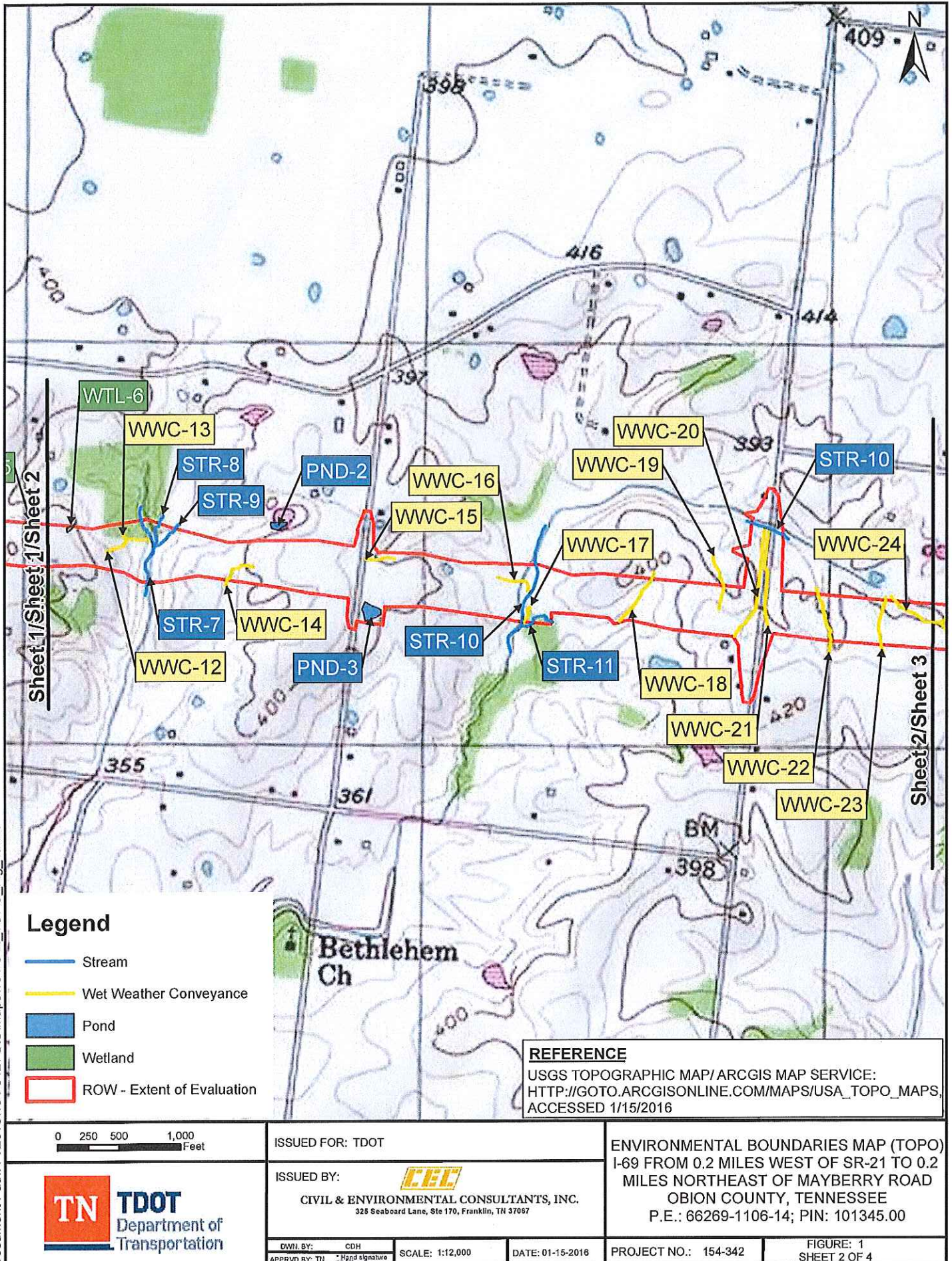
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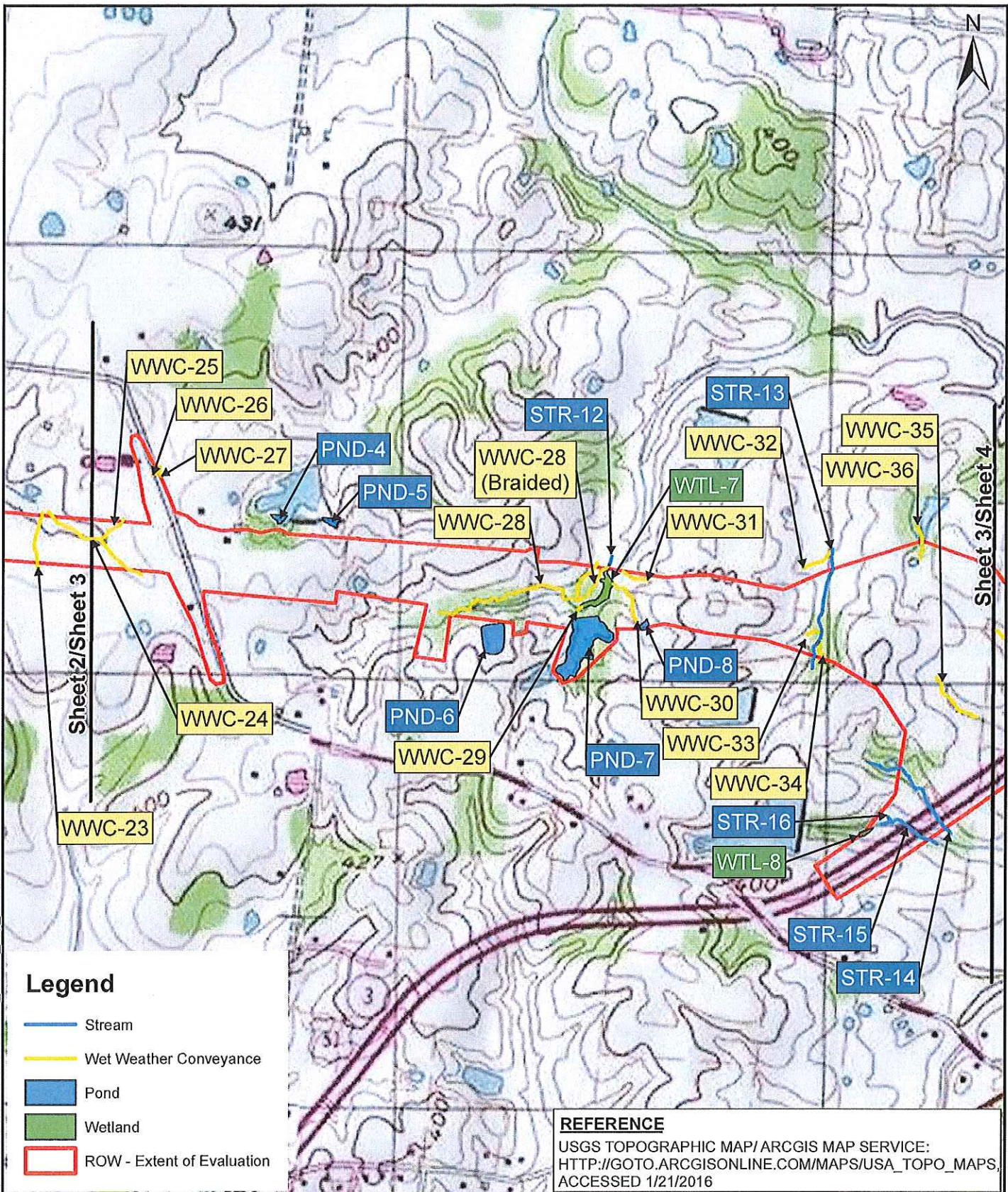
DATE: 01-15-2016

ENVIRONMENTAL BOUNDARIES MAP (TOPO)
I-69 FROM 0.2 MILES WEST OF SR-21 TO 0.2
MILES NORTHEAST OF MAYBERRY ROAD
OBION COUNTY, TENNESSEE
P.E.: 66269-1106-14; PIN: 101345.00

PROJECT NO.: 154-342

FIGURE: 1
SHEET 1 OF 4





Document Path: P:\2015\154-342\GIS\Maps\154-342_TOPO_Fig_1.mxd



ISSUED FOR: TDOT

ISSUED BY: **CEC**
 CIVIL & ENVIRONMENTAL CONSULTANTS, INC.
 325 Seaboard Lane, Ste 170, Franklin, TN 37067

DWN. BY: CDH
 APPRVD BY: TN *Hand signature on file

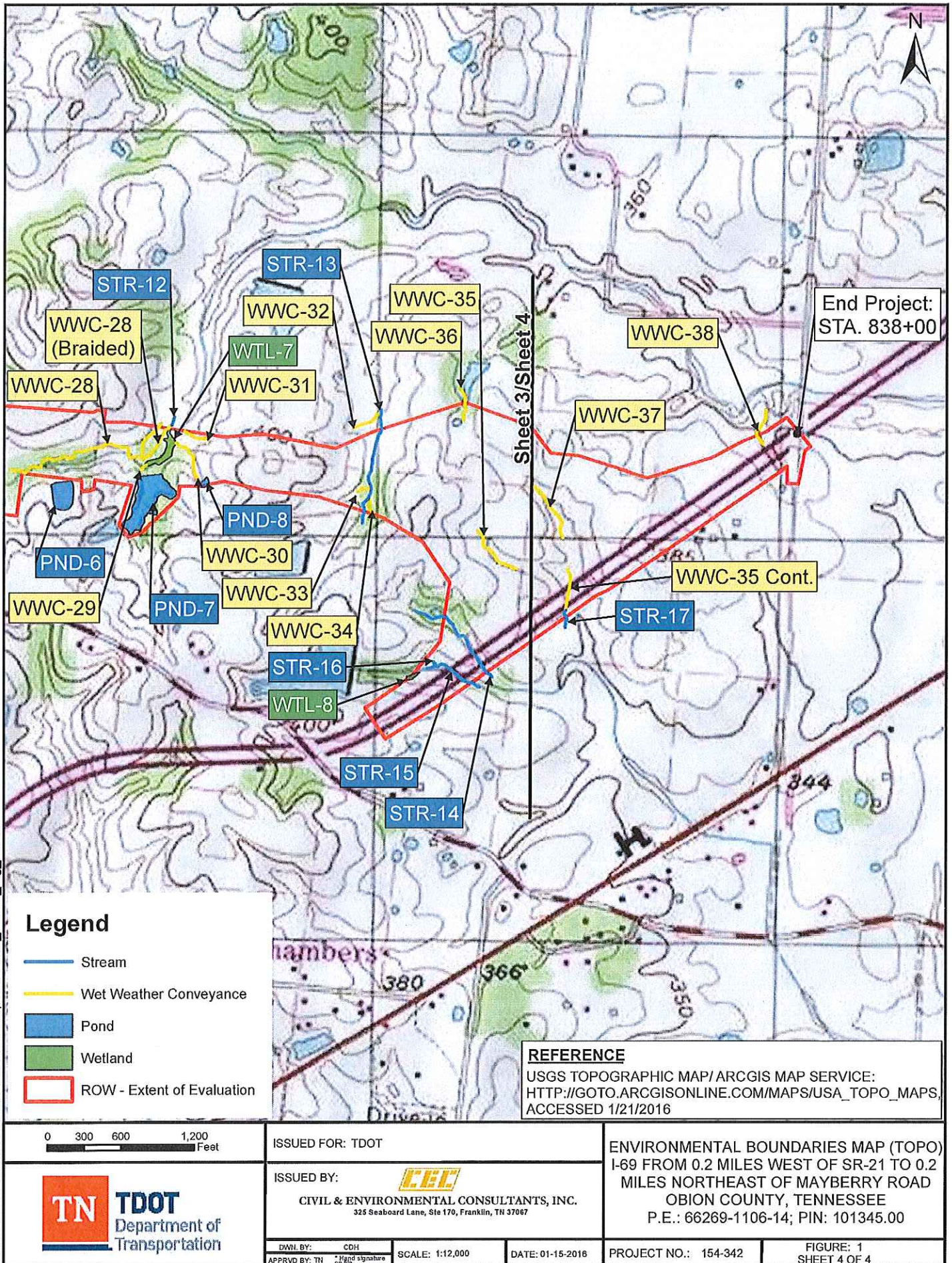
SCALE: 1:12,000

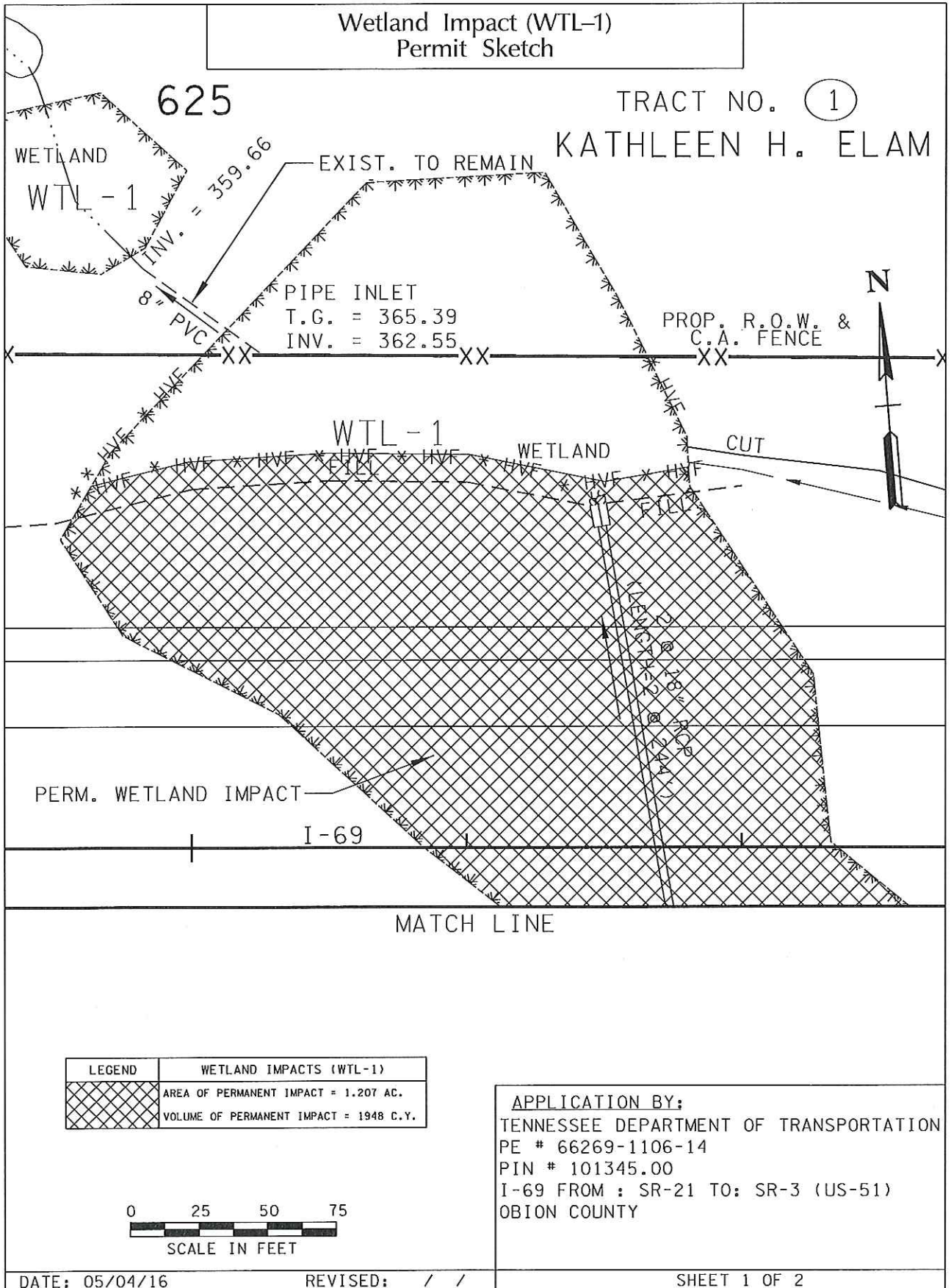
DATE: 01-15-2016

ENVIRONMENTAL BOUNDARIES MAP (TOPO)
 I-69 FROM 0.2 MILES WEST OF SR-21 TO 0.2
 MILES NORTHEAST OF MAYBERRY ROAD
 OBION COUNTY, TENNESSEE
 P.E.: 66269-1106-14; PIN: 101345.00

PROJECT NO.: 154-342

FIGURE: 1
 SHEET 3 OF 4





**Wetland Impact (WTL-1)
Permit Sketch**

TRACT NO. ①

PERM. WETLAND IMPACT — MATCH LINE KATHLEEN H. ELAM

WTL-1
WETLAND

WTL-1
WETLAND

HIGH VISIBILITY FENCE (S-F-1) SHALL BE PLACED AROUND ALL NON-IMPACTED SECTIONS OF WATER QUALITY FEATURES WITHIN THE ROW OR EASEMENTS.

PROTECT WETLAND AREAS LOCATED BEYOND THE LIMITS OF THE IMPACTS SHOWN. THE CONTRACTOR SHALL USE ANY MEASURE NECESSARY TO ENSURE THAT CONSTRUCTION AND CONSTRUCTION EQUIPMENT WILL NOT ENTER ANY PORTION OF WETLAND AND THAT WETLAND AND SURROUNDING VEGETATION WILL NOT BE DISTURBED AND ARE PROTECTED FROM SEDIMENT AND OTHER POLLUTANTS.

| LEGEND | WETLAND IMPACTS (WTL-1) |
|--------|--|
| | AREA OF PERMANENT IMPACT = 1.207 AC. |
| | VOLUME OF PERMANENT IMPACT = 1948 C.Y. |

0 25 50 75
SCALE IN FEET

| |
|--|
| APPLICATION BY: TENNESSEE DEPARTMENT OF TRANSPORTATION PE # 66269-1106-14 PIN # 101345.00 I-69 FROM: SR-21 TO: SR-3 (US-51) OBION COUNTY |
|--|

Plan Sheet 1A

