



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2015-377 (BSP)

NOTICE DATE:
October 22, 2015

Attn: Postmaster,
Please Post Until **EXPIRATION DATE:**
➡ **November 23, 2015**

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:

Mr. Allan Sterbinsky
The City of Stanton Tennessee
8 Main Street
Stanton, Tennessee 38069
(731) 548-2565

AGENT:

Mr. Shawn Winberry
TLM Associates, Inc.
117 E. Lafayette Street
Jackson, Tennessee 38301
(731) 988-9840

PURPOSE: The applicant proposes to stabilize stream banks, repair severe stream bank erosion, and prevent further property damage as part of a plan to improve the drainage system for the City of Stanton, Tennessee.

LOCATION: The project site is located west and east of Highway 179 in an unnamed tributary to Muddy Creek in Stanton, Haywood County, Tennessee, with approximate center coordinates of N35.4629° / W-89.3938° as shown on Attachment 1.

DESCRIPTION OF WORK: The applicant proposes to stabilize 600 linear feet of stream bank west of Highway 179 and 1,300 linear feet east of Highway 179 along an unnamed tributary to Muddy Creek. The severely eroded bank will be graded relatively smooth to remove severe bank erosion and re-establish the original stream bank section. Once grading is complete, the area will be seeded and stabilized with a geotextile and rip-rap system using a turf reinforcement Mat for protection. The earthwork will be performed to the stream bank only and the streambed will remain intact. Once project is complete 1.5-inch caliper hardwood trees will be planted 15 to 20 feet beyond the top bank of the channel. A site plan depicting the proposed project layout is provided as Attachment 2.

This stream bank stabilization project is to be performed on an unnamed tributary to Muddy Creek. The deposition of fill material into waters of the U.S., including streams and wetlands, requires authorization from the U.S. Army Corps of Engineers. At this time, it is our preliminary jurisdictional determination that the subject stream is considered jurisdictional. No wetlands are to be impacted by the project.

AVOIDANCE/MINIMIZATION: For this stream bank stabilization project, different types of hardened non-degradable solutions were evaluated which would withstand the velocities during rain events and provide long term stabilization. The types of solutions included gabion baskets, geocells, and rip-rap. Rip-rap was chosen based on contractor familiarity, ease of installation, cost, the fact that some rip-rap already exists as a liner, and minimal impact to the stream itself.

Stabilization solutions for above the rip-rap elevation needed to provide long term stabilization, resistance to velocities of the occasional heavy rain events, while still allowing planting to develop a more natural looking bank. These solutions included; sod with no reinforcement, turf reinforcement mats (TRM), coir mat, sprayed

on mulch with embedded seed. The solution chosen was a TRM with soil embedment and sod over the top. This decision is based on this solution being a simple, fast and cost effective solution.

MITIGATION: Mitigation will not be required for this project.

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: The Indiana Bat (*Myotis Sodalis*) and Northern Long Eared Bat (*Myotis Septentrionalis*) is listed endangered by U.S. Fish and Wildlife Service in Haywood County. This application is being coordinated 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 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.

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 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. Benjamin S. Pitcock using the information below:

U.S. Army Engineer District - Memphis
ATTN: Benjamin Pitcock
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894

E-mail: benjamin.s.pitcock@usace.army.mil
Phone: (901) 544-3468
Fax: (901) 544-0211

Comments may be sent via mail or E-mail. The Corps 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.



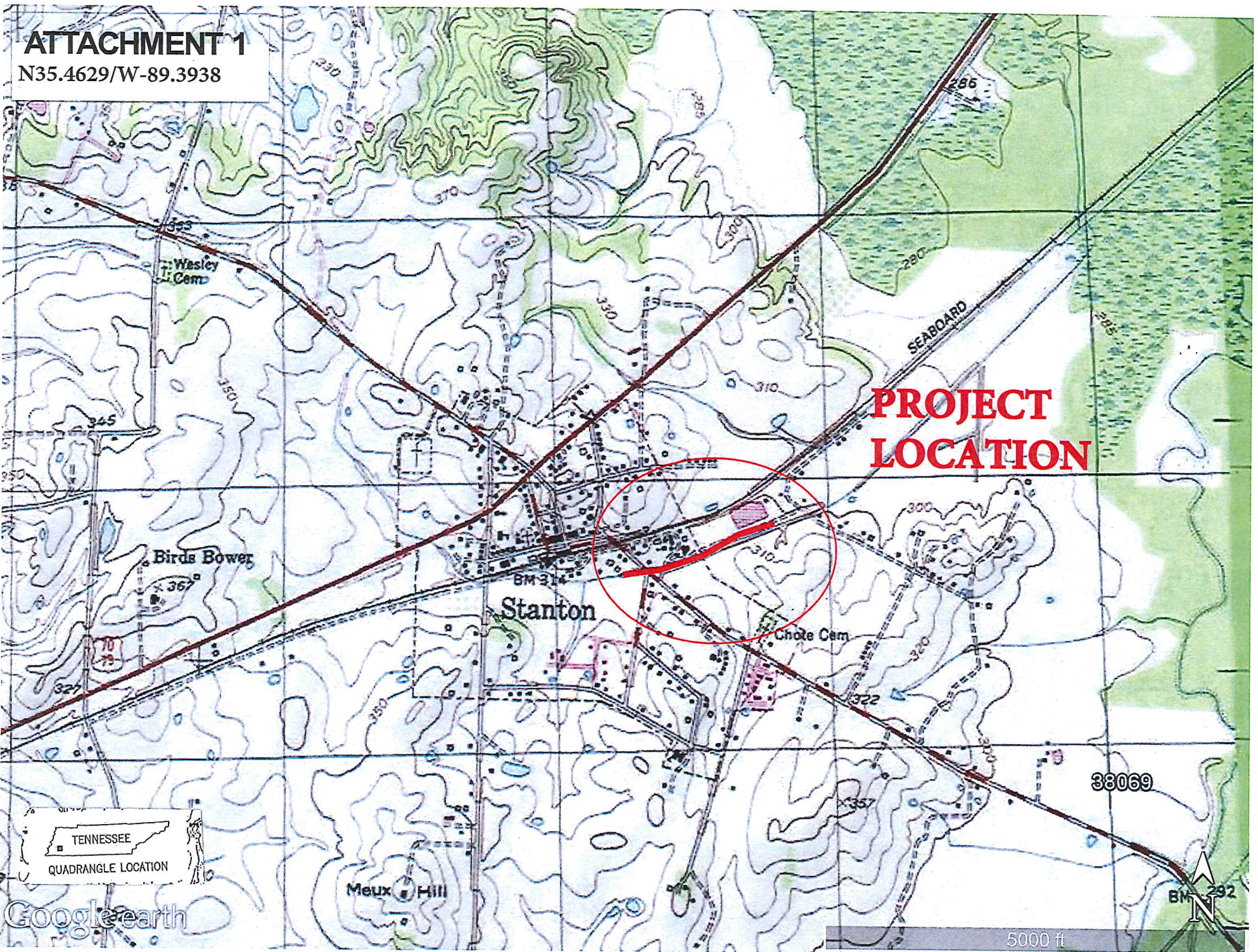
Gregg Williams
Chief, Regulatory Branch

Attachments

ATTACHMENT 1

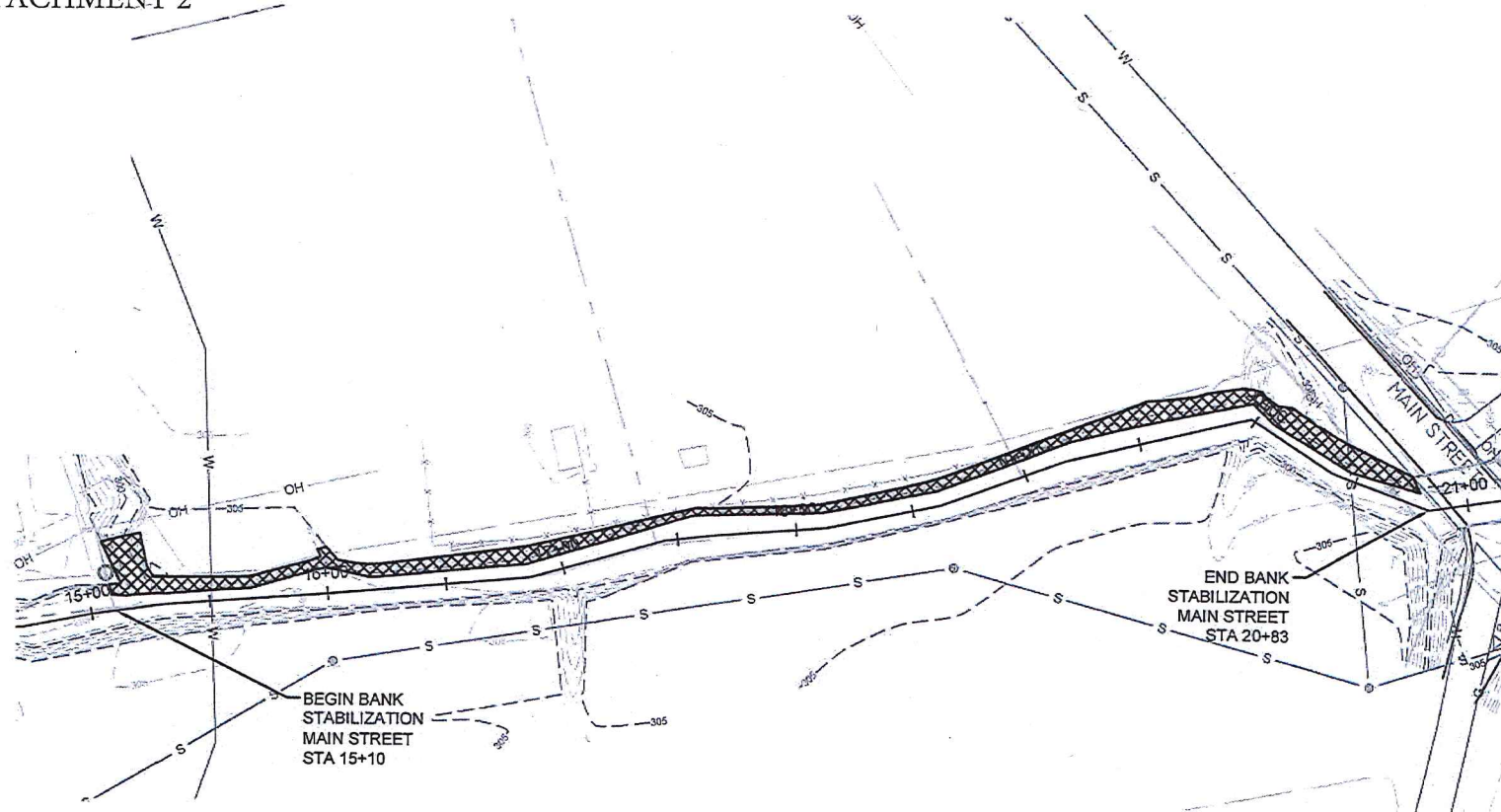
N35.4629/W-89.3938

**PROJECT
LOCATION**



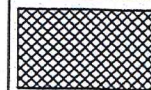
Google earth

ATTACHMENT 2



PLAN VIEW - MAIN STREET

LEGEND:



STREAM BANK TO BE STABILIZED WITH
TDOT CLASS "B" RIP RAP AND
LANDLOK 300 TRM OR EQUAL.

MATting SHALL BE SEEDED UNDERNEATH. SEED AND MULCH WITH
3-INCHES OF TOPSOIL SHALL BE APPLIED ON TOP OF MAT AFTER
INSTALLATION. ALL SEEDING SHALL BE BERMUDA.

SCALE
1 inch = 50 ft.