

US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2019-025 (RDM)

NOTICE DATE:
July 10, 2019

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
August 09, 2019



Public Notice

U.S. Army Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 332.8(d)(4) (Mitigation banks and in-lieu fee programs, public review and comment), this notice announces a prospectus submitted for the development of the Gilead Spring Stream and Wetland Mitigation Bank.

BANK SPONSOR: Wetland and Stream Restoration Services, LLC (WSRS)
713 Melpark Drive
Nashville, TN 37204
Attn: Tom Rice

BANK AGENT: Kimley-Horn
115 N. Liberty Street
Jackson, TN 38301
Contact: Dusty Mays

LOCATION: The Gilead Spring Stream and Wetland Mitigation Bank Site (hereinafter referred to as the “Bank” or the “Site”) is in western Tennessee, approximately 24 miles northeast of Jackson in Henderson County Tennessee along the Middle Fork Forked Deer River in the North Fork Forked Deer watershed (HUC 08010204). The Site lies adjacent to Interstate 40 (I-40) and can be accessed from Mt Gilead Ln (35.750462°N/-88.552753°W). (Figures 1 & 2)

BACKGROUND: WSRS proposes to develop and sponsor the Bank. The proposed stream mitigation activities on-site will consist of the re-establishment of approximately 1,691 linear feet of stream that has been impacted by cattle and ditching. Wetlands currently present within the northern portion of the Site have been historically drained, clear-cut, and altered for agricultural purposes. Areas that are historically wetlands but are not currently functioning, identified by hydric soil conditions and topography, are proposed for restoration (1.7 acres) that will re-establish the natural hydrologic and vegetative characteristics commonly found in bottomland hardwood forests through a combination of grading, ditch removal along the outer edges of the Site, and planting. The existing wetlands on Site will be enhanced (12.2 acres) to reestablish bottomland hardwood vegetative communities to improve the biodiversity and stability of the riparian wetland system and provide continuity of habitat and hydrologic function that has been disturbed by regular agricultural use and clearing. The wetlands on the southern portion of the property are proposed as preservation (14.0 acres) in accordance with the federal Mitigation Rule (33 CFR 332.3 (h)) which allows for preservation credit where the preservation criteria are met. (Figures 3 & 4)

PURPOSE: The purpose of this notice is to inform the public of the proposed Gilead Spring Stream and Wetland Mitigation Bank that would generate credits that would be used to meet compensatory mitigation requirements for permits issued under Section 404 of the Clean Water Act for the deposition of dredged or fill material into waters of the United States or under Section 10 of the Rivers and Harbors Act of 1899 for work within navigable waters of the United States. If approved, this mitigation site would also be used to satisfy permitting requirements of the Tennessee Department of Environment and Conservation under the Tennessee Water Quality Control Act. The following is a summary of the prospectus for this project; please contact the Memphis District (see contact information on page 3) for further information.

OBJECTIVES: The stated objectives are to improve overall ecological function and stability of the unnamed tributary and provide ecological and water quality benefits within the Middle Fork Forked Deer River – Griffen Creek (080102040102) watershed within the North Fork of the Forked Deer River basin. The Bank will consist of the restoration of the unnamed tributary using natural channel design techniques to provide functional lift capable of restoring natural channel hydrology, hydraulic, geomorphic, physicochemical, and biological characteristics as well as the restoration, enhancement, and preservation of bottomland hardwood forests.

SERVICE AREA: The proposed primary service area for the bank includes the North Fork Forked Deer watershed (HUC 08010204). The proposed secondary service area includes the following watersheds: South Fork Forked Deer (HUC 08010205), Forked Deer (HUC 08010206), Obion (HUC 08010202) within the State of Tennessee, and South Fork Obion (HUC 08010203). (Figure 5)

PROPOSED OWNERSHIP AND LONG-TERM MANAGEMENT: The property is owned by Tom Rice. A Conservation Easement will be placed on the Site that will restrict conflicting activities within the mitigation area that may compromise the functions and services of the aquatic resources. WSRS will maintain financial responsibility of the mitigation Site throughout the monitoring phase until final approval and closure of the Site by the Interagency Review Team. Once final approval is granted, and the Site is closed, an endowment fund will be available for protection and maintenance of the mitigation Site, consistent with the Conservation Easement. After the required monitoring period is complete, performance standards are met, and the project is formally closed out, the long-term stewardship of this project will be the responsibility of WSRS. The long-term steward will focus on ensuring easement integrity is maintained and that the landowner is observing the established restrictions for the easement. Long-term management consists of annual inspection of projects to assure that conservation easements or other site protection management agreements are not being violated. Sufficient funds will be retained to cover the costs of the annual site inspections, and for enforcing land use restrictions through litigation if necessary.

PROSPECTUS: The complete prospectus for the proposed Gilead Spring Stream and Wetland Mitigation Bank is available online at <https://www.mvm.usace.army.mil/About/Offices/Regulatory/Public-Notices/> or on the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) at https://ribits.usace.army.mil/ribits_apex/f?p=107:278:16427461058618::NO:RP,278:P278_BANK_ID:5279.

ENDANGERED SPECIES: There are two federally listed species that are known to have ranges that include the project area. They are the federally endangered Indiana bat (*Myotis sodalis*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). This project is being coordinated with the United States 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, federally-recognized Tribes 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 apprise 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 proposed activities and to solicit comments and information necessary to evaluate the probable impact on the public interest. The decision whether to authorize this mitigation plan 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 proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to authorize this request. 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 prospectus. 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 and 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 Damon McDermott using the information below:

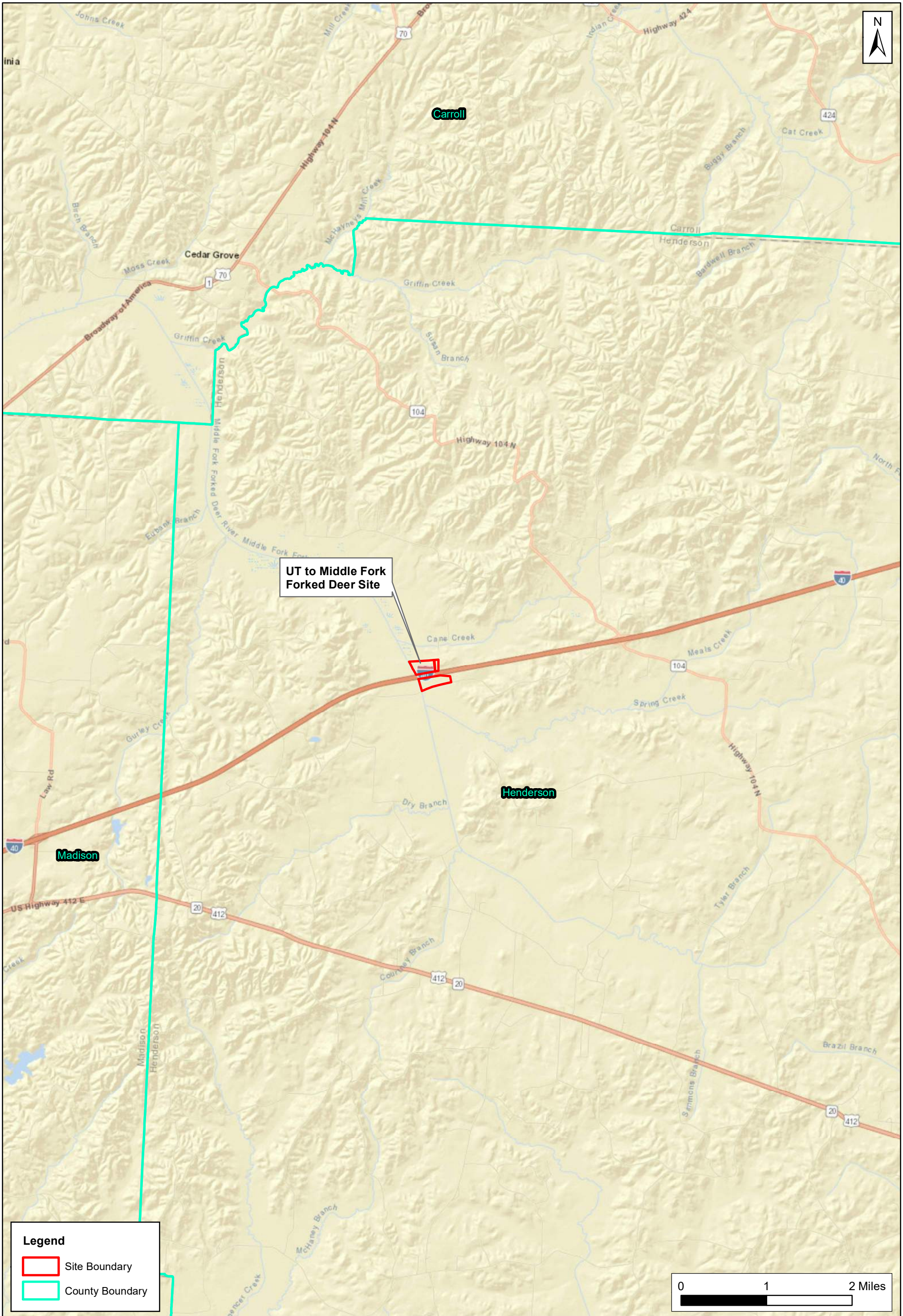
Damon McDermott
Corps of Engineers – Memphis District
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
Email: robert.d.mcdermott@usace.army.mil
Phone: (901) 544-0732
Fax: (901) 544-0211

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.

Gregg Williams
Chief
Regulatory Branch

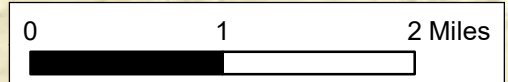
Attachments



UT to Middle Fork
Forked Deer Site

Legend

- Site Boundary
- County Boundary



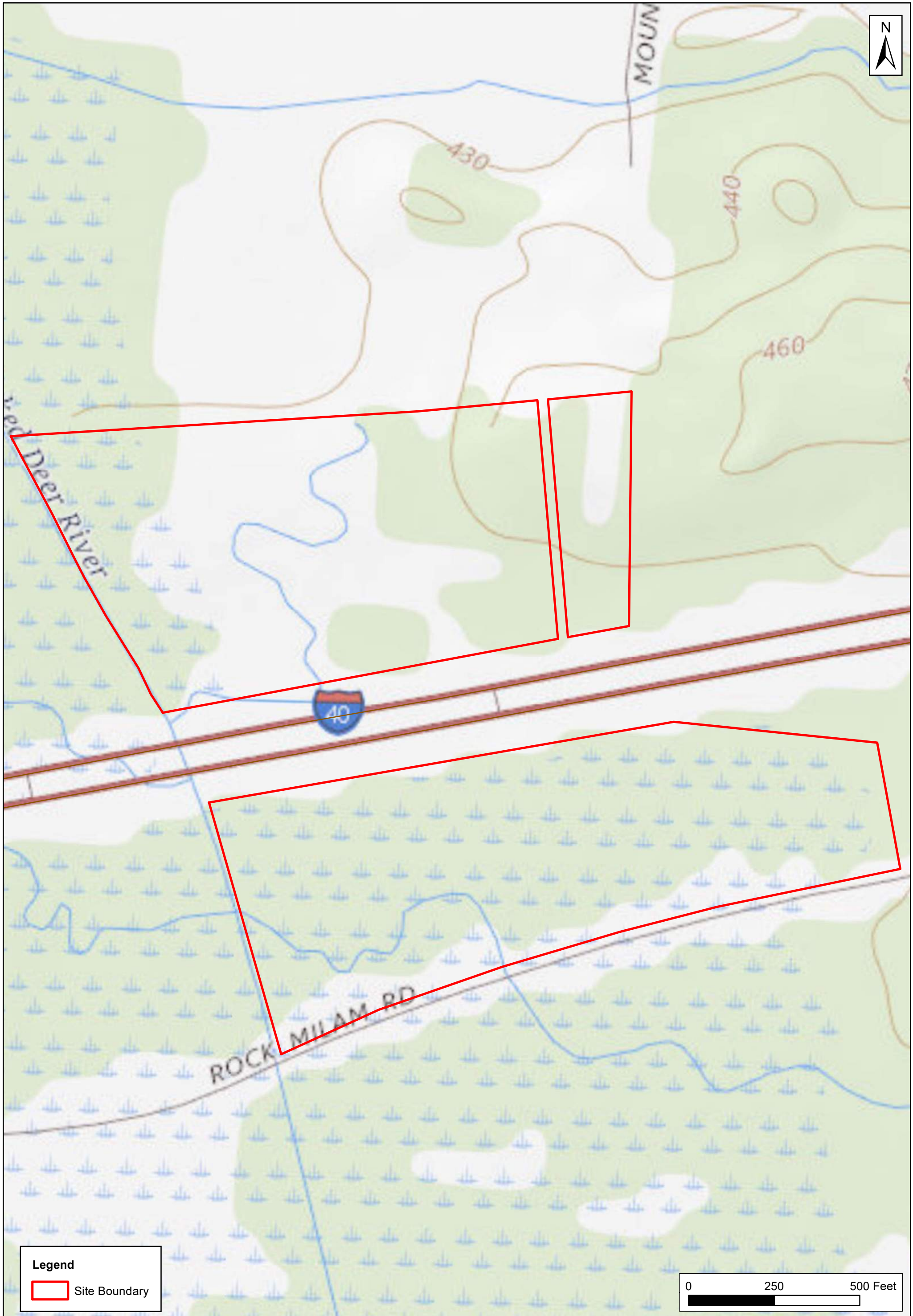
Prepared By:
Kimley»Horn

Prepared For:
**Stream and Wetland
Restoration
Services LLC**

**Gilead Spring
Stream and Wetland Mitigation Bank**

Site Vicinity

Figure 1
Henderson County, TN



Prepared By:

Kimley»Horn

Prepared For:

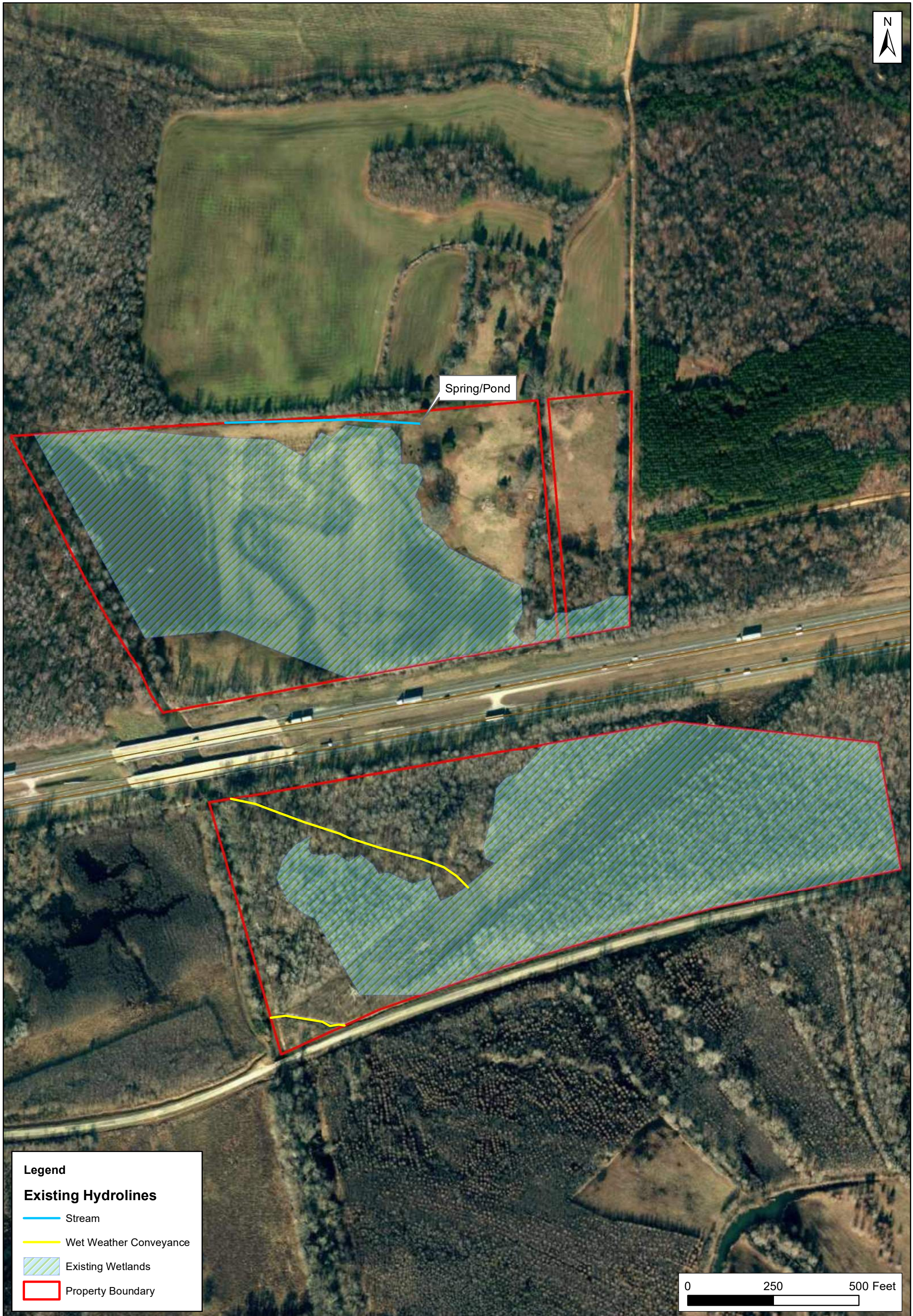
Stream and Wetland
Restoration
Services LLC

Gilead Spring Stream and Wetland Mitigation Bank

USGS Topography

Figure 2

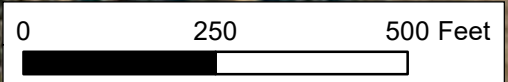
Henderson County, TN



Legend

Existing Hydrolines

- Stream
- Wet Weather Conveyance
- Existing Wetlands
- Property Boundary



Prepared By:
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Gilead Spring Stream and Wetland Mitigation Bank

Existing Conditions

Figure 3
Henderson County, TN



Wetland Mitigation Approach

- Ditch Plug
- Restoration (Priority I)
- ▭ Property Boundary
- ▨ Riparian Buffer (4.1 Ac)

Wetland Mitigation Approach

- ▨ Preservation (14.0 Ac)
- ▨ Restoration (1.7 Ac)
- ▨ Enhancement (12.2 Ac)

Prepared By:

Kimley»Horn

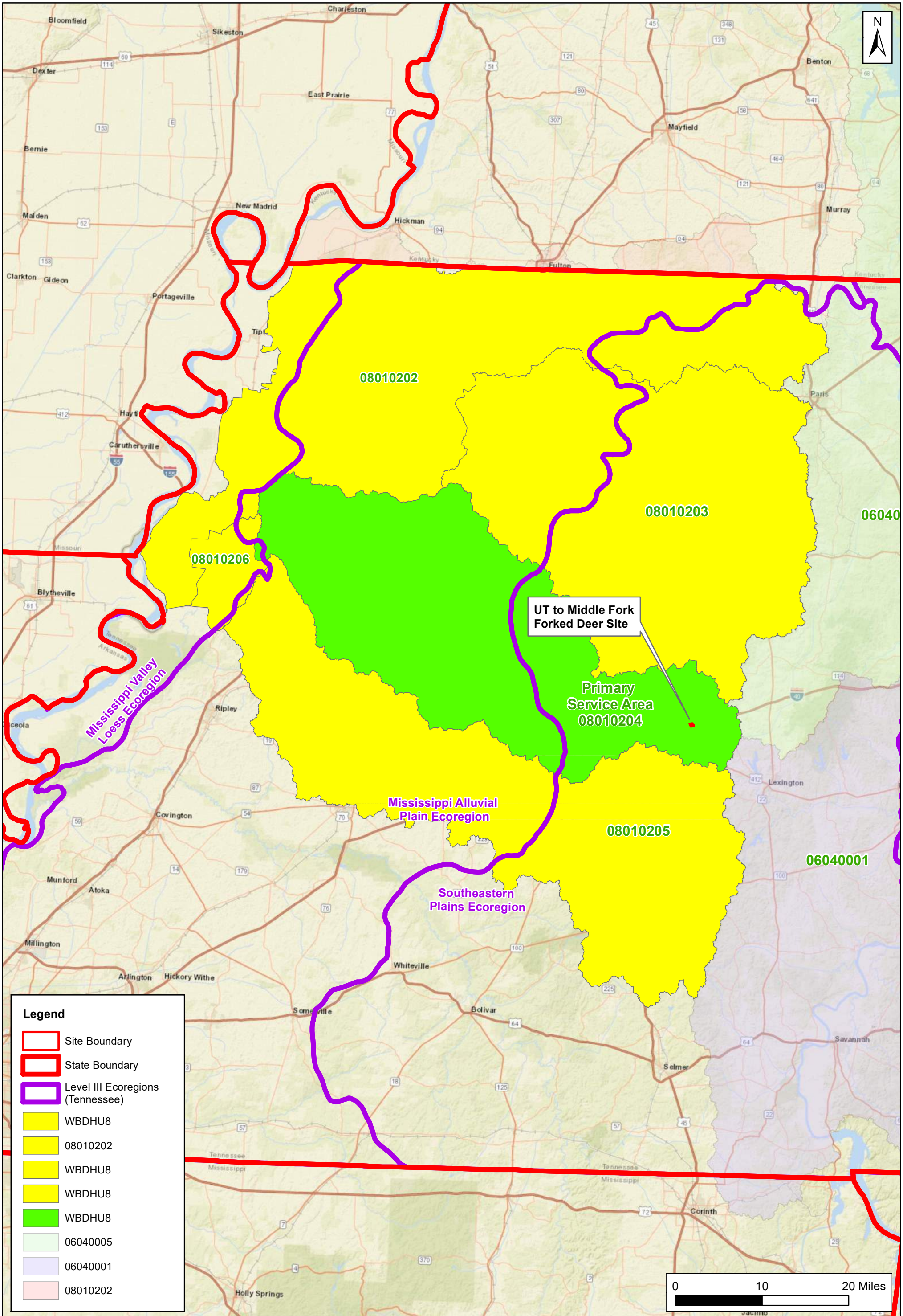
Prepared For:

**Stream and Wetland
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



**Gilead Spring
Stream and Wetland Mitigation Bank**

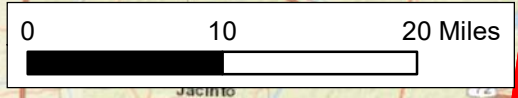
Proposed Mitigation

Figure 4
Henderson County, TN



Legend


-  Site Boundary
-  State Boundary
-  Level III Ecoregions (Tennessee)
-  WBDHU8
-  08010202
-  WBDHU8
-  WBDHU8
-  WBDHU8
-  06040005
-  06040001
-  08010202



Prepared By:


Prepared For:
 Stream and Wetland
 Restoration
 Services LLC

**Gilead Spring
 Stream and Wetland Mitigation Bank**

Service Area

 Henderson County, TN