



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM-2023-034 (JKN)

NOTICE DATE:
February 23, 2023

EXPIRATION
DATE:
Attn: Postmaster,
Please Post Until  **March 24, 2023**

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: Khalid Ahmed
Suite 900, James K Polk Building
505 Deadrick Street
Nashville, TN 37243
(615) 253-0021

PURPOSE: According to the applicant, the primary purposes of the project are to address the expressed concerns of citizens and local government to provide a highway facility that is compatible with the existing and planned land use activities adjacent to or nearby the improvement, is able to meet present and future traffic demands, and provides local and regional motorists with improved connections to other major highways.

LOCATION: The project site is located at 35.3977°N, -89.7282°W in Shelby County, Tennessee, as shown on the attached map (Attachment 1).

DESCRIPTION OF WORK: The proposed project will widen SR 14 from two lanes to four. This also includes the crossing or impacting of six streams, five wetlands, and three ponds, all associated drainage improvements, utility relocations, Erosion Prevention and Sediment Control (EPSC) and Best Management Practice (BMP) implementations. The total proposed length of roadway construction and improvements equals 4.260 miles and as shown in the table below will result in a total of 4.445 acres of permanent wetland fill and 1.176 acres of temporary wetland fill within five crossings and a total of 0.393 acres of stream impacts at six crossings.

	Coordinates	Brief Description	Stream Impacts (Acres)
Stream 5	35.3731, -89.7580	Culvert Replacement	.096
Stream 6	35.3755, -89.7556	Culvert Replacement & Channel Relocation	.086
Stream 7	35.3818, -89.7495	Culvert Replacement	.026
Stream 8	35.3976, -89.7282	Culvert Replacement	.120
Stream 9	35.4001, -89.7251	Bridge Replacement	None
Stream 11	35.4039, -89.7191	Culvert Replacement	.065
Total			.393

	Coordinates	Temporary Wetland Impacts (Acres)	Permanent Wetland Impacts (Acres)
Wetland 10	35.3889, -89.7415	None	.637
Wetland 11	35.3977, -89.7288	.287	.008
Wetland 12	35.3984, -89.7270	.666	3.307
Wetland 13	35.4039, -89.7203	.223	.134
Wetland 14	35.4032, -89.7196	None	.359
Total		1.176	4.445

In addition to the waters described above, there are approximately 4,118 linear feet of features identified as Wet Weather Conveyances and 1.57 acres of non-jurisdiction Ponds located on the project site. The applicant has asserted that these features do not meet the definition of waters of the United States and are therefore not jurisdictional under Section 404 of the Clean Water Act. Impacts to any features that the Corps of Engineers determines are waters of the United States would increase the total impacts described above (Attachments 6-9).

AVOIDANCE/MINIMIZATION: According to information submitted with the application, the proposed project's roadway alignment was selected in order to avoid existing environmental features to the greatest extent practicable. Where environmental features are unavoidable, the proposed project has been designed to ensure that impacts to these features have been minimized as much as possible. Proposed roadway embankment slope lines have been reduced where possible, thus minimizing impact to adjacent environmental features. Also, where practicable, span bridges/bottomless culverts have been proposed instead of box culverts; implementing these structure types minimizes the amount of stream channel impact and allows the existing natural channel to flow under the proposed roadway system. Additionally, EPSC and BMP measures will be installed and maintained during roadway construction. One of the streams, STR-6, will require a Natural Stream Design for the realignment of the stream to tie to the proposed structure (Attachments 2-5). In addition, Tennessee Department of Transportation will purchase mitigation credits from the Loosahatchie Wetland Mitigation Bank to offset permanent wetland impacts associated with the project.

MITIGATION: The applicant is proposing to mitigate for the unavoidable loss of 4.445 acres of wetlands through the purchase of available credits from the Loosahatchie Wetland Mitigation Bank. In-kind Permittee Responsible Mitigation is proposed for Stream 6. The Memphis District is evaluating the plans against the project impacts prior to making a formal decision on mitigation.

WATER QUALITY CERTIFICATION: The Clean Water Act (CWA) Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 certification is limited to assuring that a discharge from a federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying agency.

ENDANGERED SPECIES: This application has also been coordinated by the Federal Highways Administration (FHWA) with the U.S. Fish and Wildlife Service. Any comments they have submitted as well as additional information received in response to this notice 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 documentation within the submitted application reflecting the Tennessee State Historic Preservation Office's concurrence with FHWA's determination 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 flood plain 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 Joanna Neu using the information below:

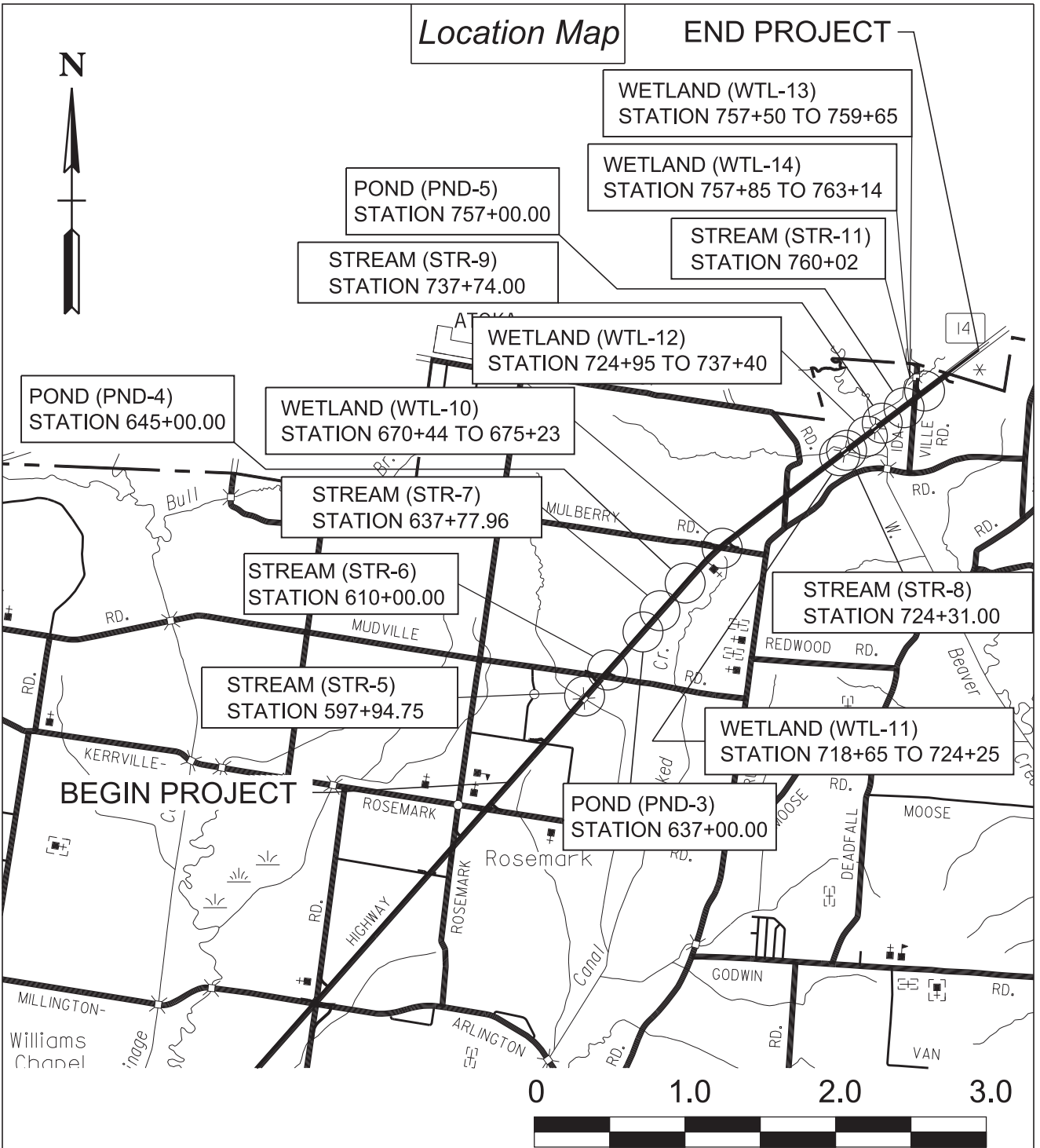
U.S. Army Engineer District - Memphis
ATTN: Joanna Neu
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
E-mail: joanna.k.neu@usace.army.mil
Phone: (901) 544-0731

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: <https://www.mvm.usace.army.mil/About/Offices/Regulatory/Public-Notices/> . 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 Division office for examination.

Gregg W. Williams
Chief
Regulatory Division

Attachments



SHELBY-TIPTON COUNTIES

APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 79024-1286-04
PIN 100341.01
S.R. 14 (AUSTIN PEAY HWY.)
FROM EAST OF KERRVILLE-ROSEMARK ROAD
TO TIPTON COUNTY LINE (1A)
SHELBY - TIPTON COUNTIES

Stream Relocation with Structure
(STR-6) Permit Sketch

607

TRACT NO. 96

JOHN A. ROUNTREE &
WIFE, KATHRYN W. ROUNTREE

PRES. R.O.W.

TRACT NO. 90

JOSEPH C. MATTHEWS

EXIST. S.R. 14 (ASP.)

PROTECTED AREA SIGNS
(100' SPACING) ITEM
NO. 209-03.99.

BANK FULL
EL-331.69

TRACT NO. 91

JAMES E. GRAGG, JR.

TRIBUTARY TO
CROOKED CREEK

PROP. R.O.W.

WVC-18

INV-331.94

EXISTING PIPE
TO BE REMOVED/
REPLACED

EXISTING BOX CULV.
TO BE PLUGGED

STR-6

TOP OF BANK

TOP OF BANK

119' OF
8'x4' RCBC

220.8' OF 10'x6' RCBC

OUT. EL. 332.20

OUT. EL. 329.10

END STR-6 IMPACT
STA. 607+73

PROP. R.O.W.

TRIBUTARY TO
CROOKED CREEK

STR-6

STREAM IMPACT TABLE

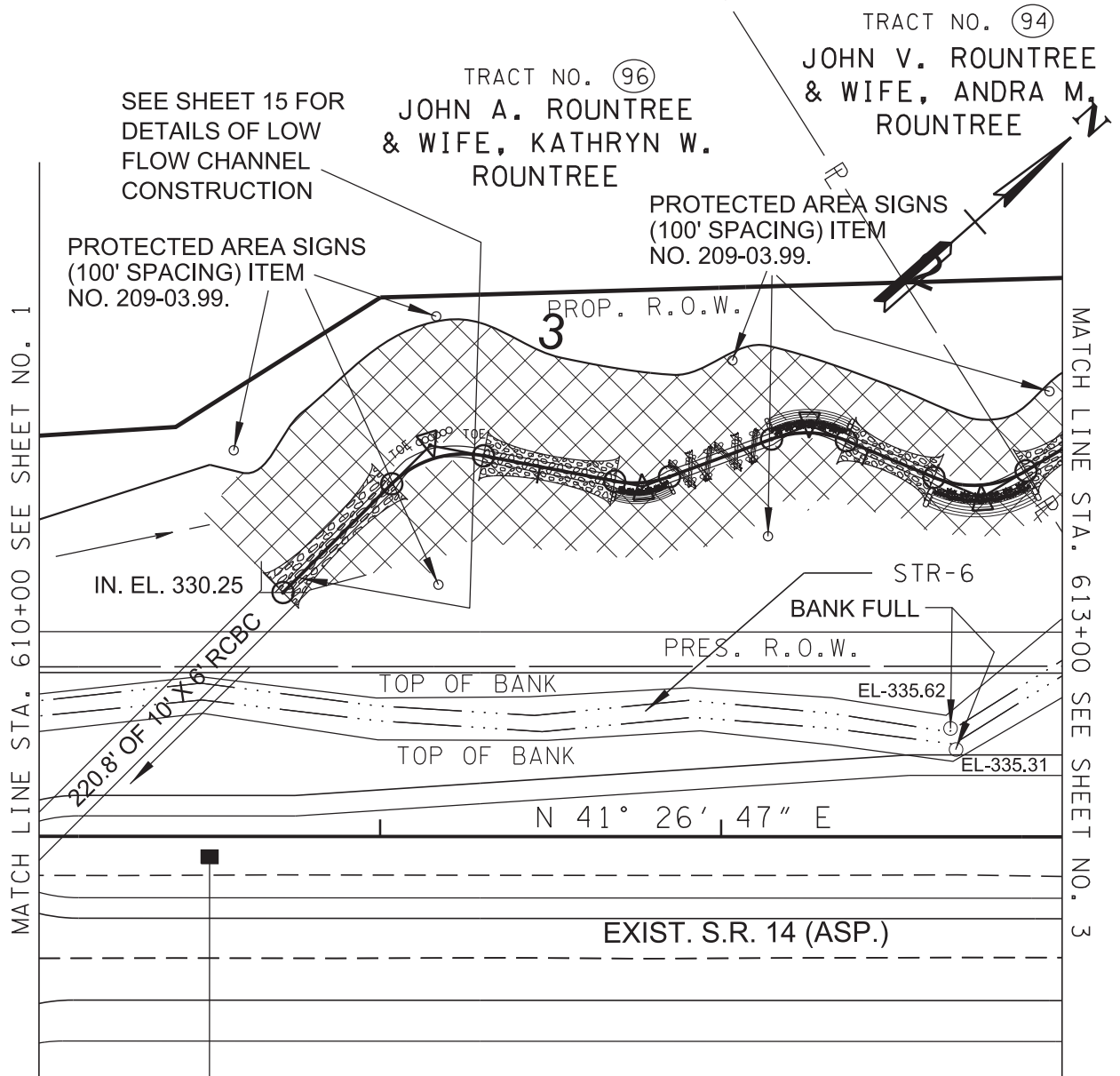
MATCH LINE STA. 610+00 SEE SHEET NO. 2

STREAM IMPACT TABLE			
EXISTING			
OPEN STREAM			627 FT.
STRUCTURE	8 FT X 4 FT RCBC		122 FT.
INCLUDES:	CONCRETE WINGWALL AT INLET	3 FT.	
TOTAL EXISTING STRUCTURE			122 FT.
TOTAL EXISTING LENGTH			749 FT.
PROPOSED			
OPEN STREAM			532.7 FT.
INCLUDES:	NATURAL STREAM DESIGN AT INLET	380.7 FT.	
	NATURAL STREAM DESIGN AT OUTLET	152 FT.	
STRUCTURE	10 FT X 6 FT RCBC		239.3 FT.
INCLUDES:	CONCRETE WINGWALL AT INLET	10.5 FT.	
	IN NATURAL STREAM DESIGN		
	CONCRETE WINGWALL AT OUTLET	8 FT.	
	IN NATURAL STREAM DESIGN		
TOTAL PROPOSED STRUCTURE			239.3 FT.
TOTAL PROPOSED LENGTH			772 FT.

REVISÉD:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 79024-1286-04
PIN 100341.01
STATE ROUTE 14
FROM: EAST OF KERRVILLE-ROSEMARK ROAD
TO: TIPTON CO LINE (1A)
SHELBY COUNTY

Stream Relocation with Structure (STR-6) Permit Sketch



APPLICATION BY:

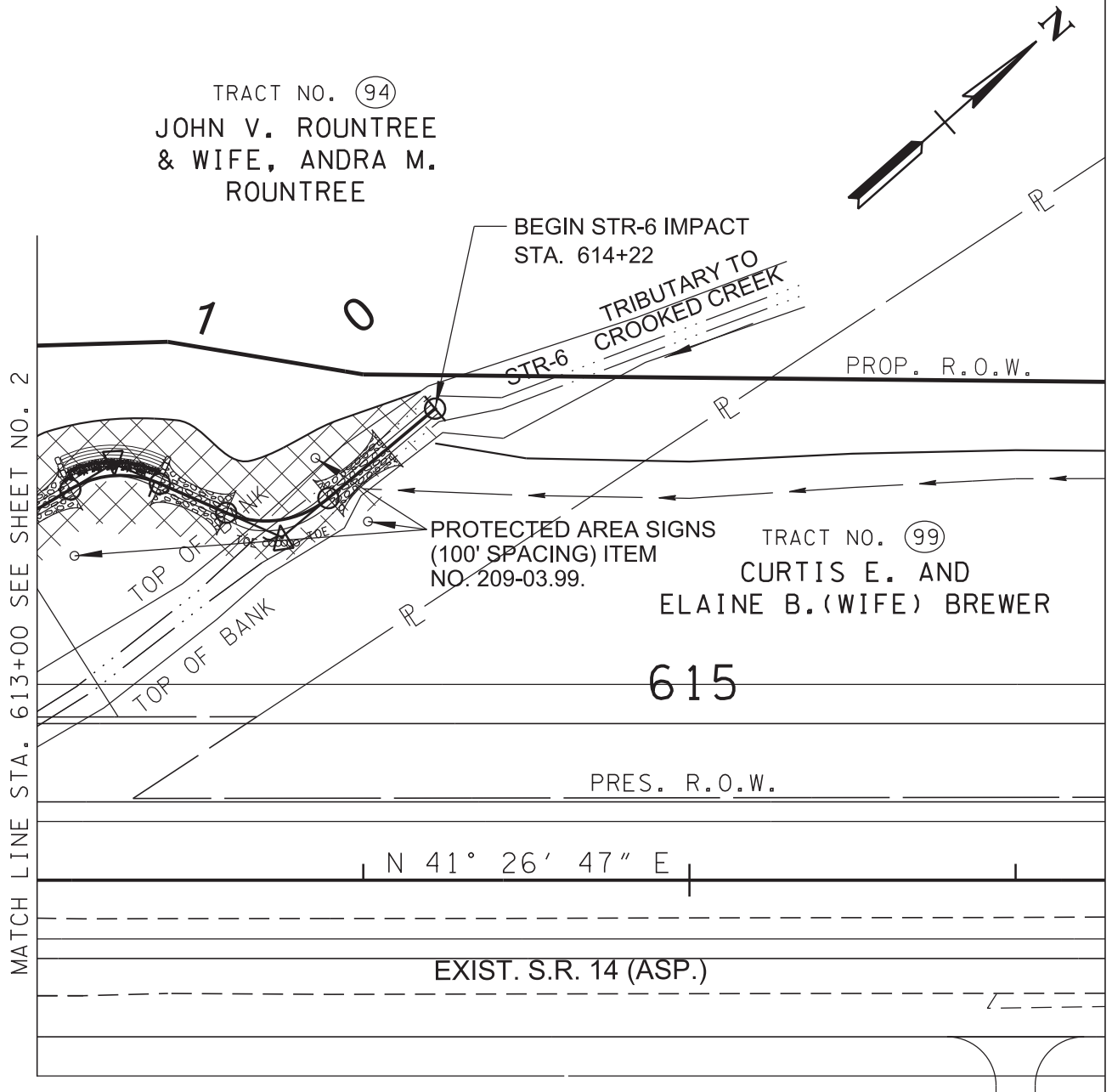
TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 79024-1286-04
PIN 100341.01
STATE ROUTE 14
FROM: EAST OF KERRVILLE-ROSEMARK ROAD
TO: TIPTON CO LINE (IA)
SHELBY COUNTY

DATE: 12/19/22

REVISED:

SHEET 2 OF 15

Stream Relocation with Structure (STR-6) Permit Sketch



APPLICATION BY:

TENNESSEE DEPARTMENT OF TRANSPORTATION
PE # 79024-1286-04
PIN 100341.01
STATE ROUTE 14
FROM: EAST OF KERRVILLE-ROSEMARK ROAD
TO: TIPTON CO LINE (IA)
SHELBY COUNTY

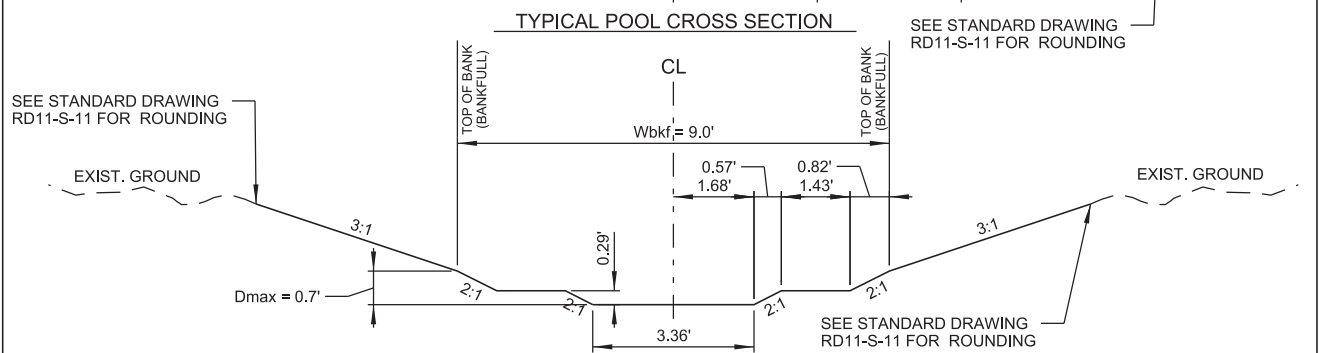
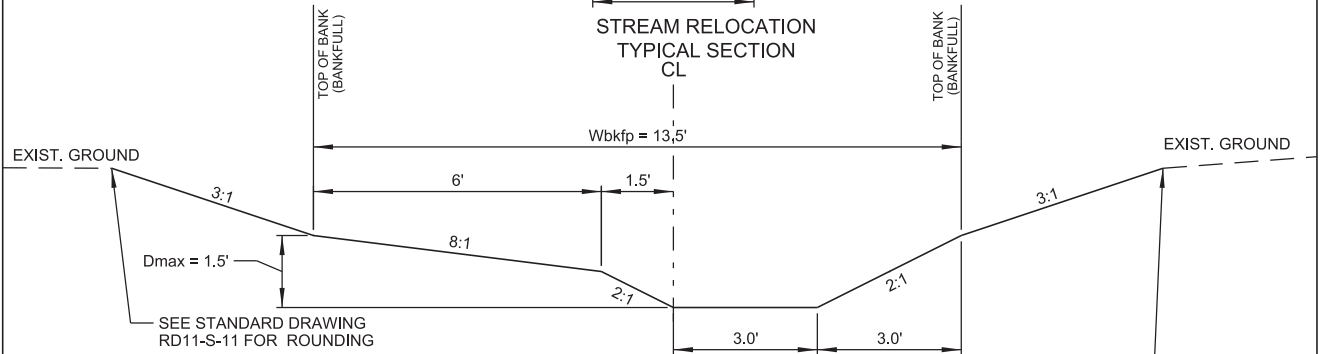
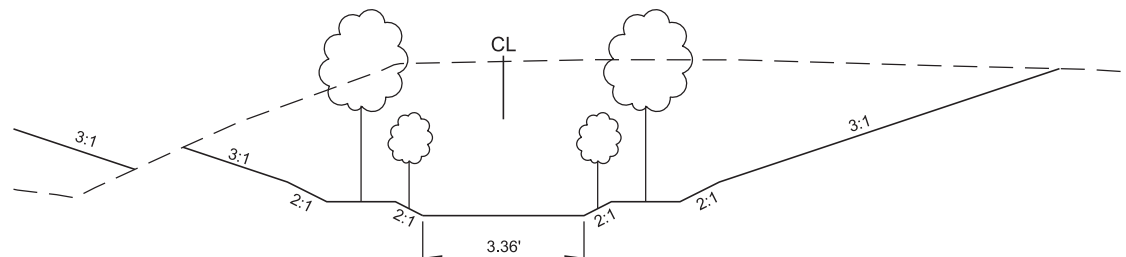
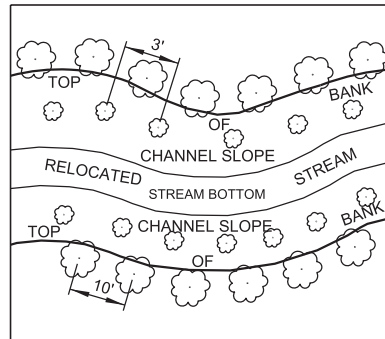
DATE: 12/19/22

REVISED:

SHEET 3 OF 15

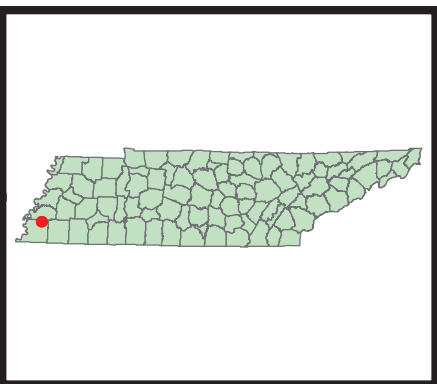
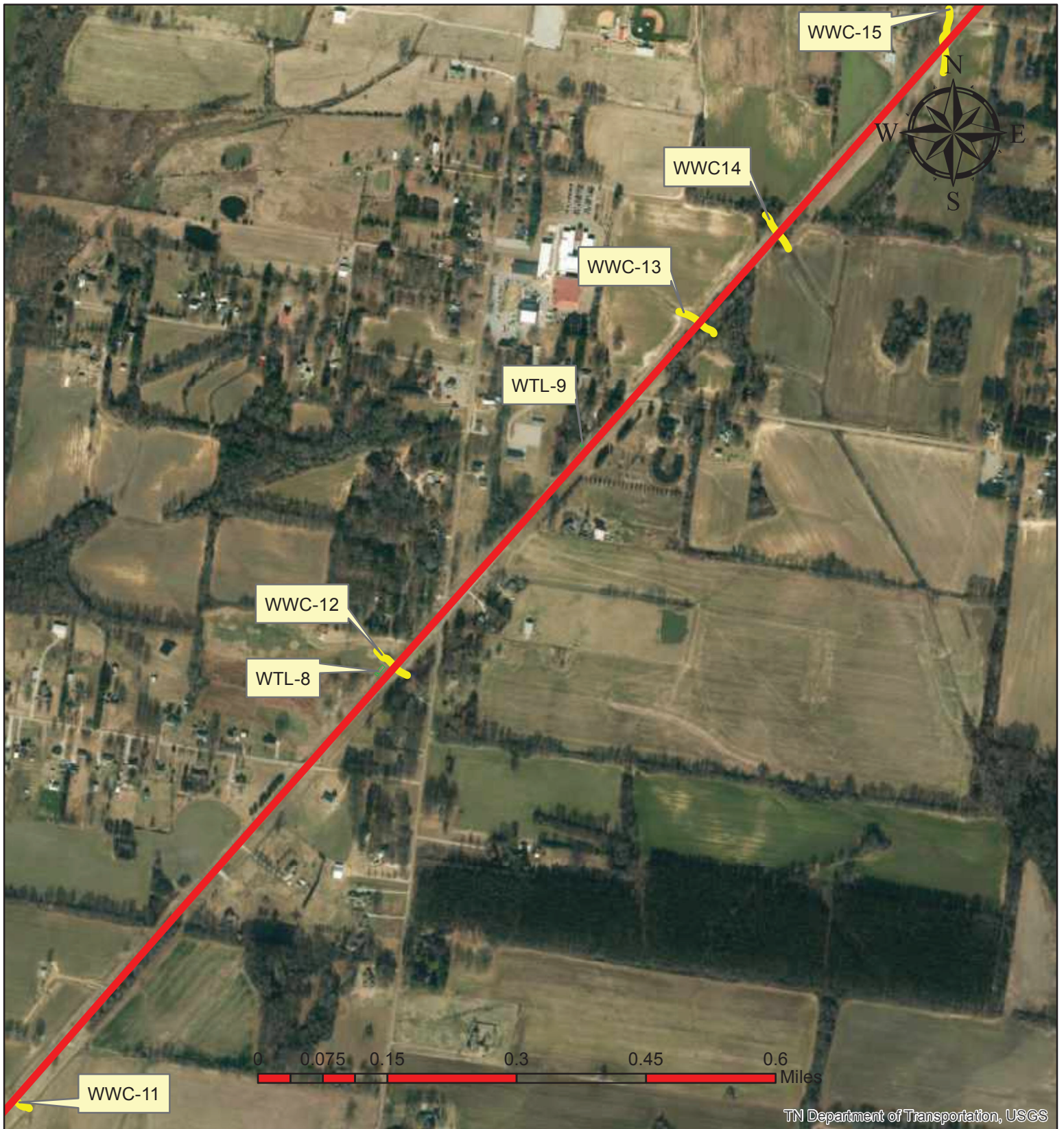
Stream Relocation with Structure (STR-6) Permit Sketch

PLAN VIEW



APPLICATION BY:

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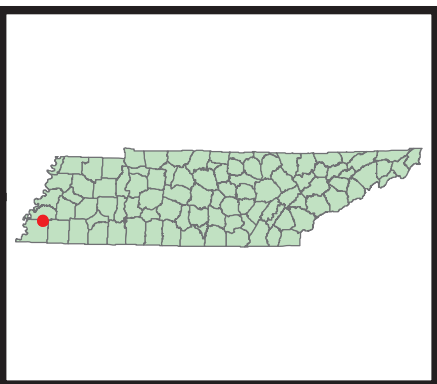
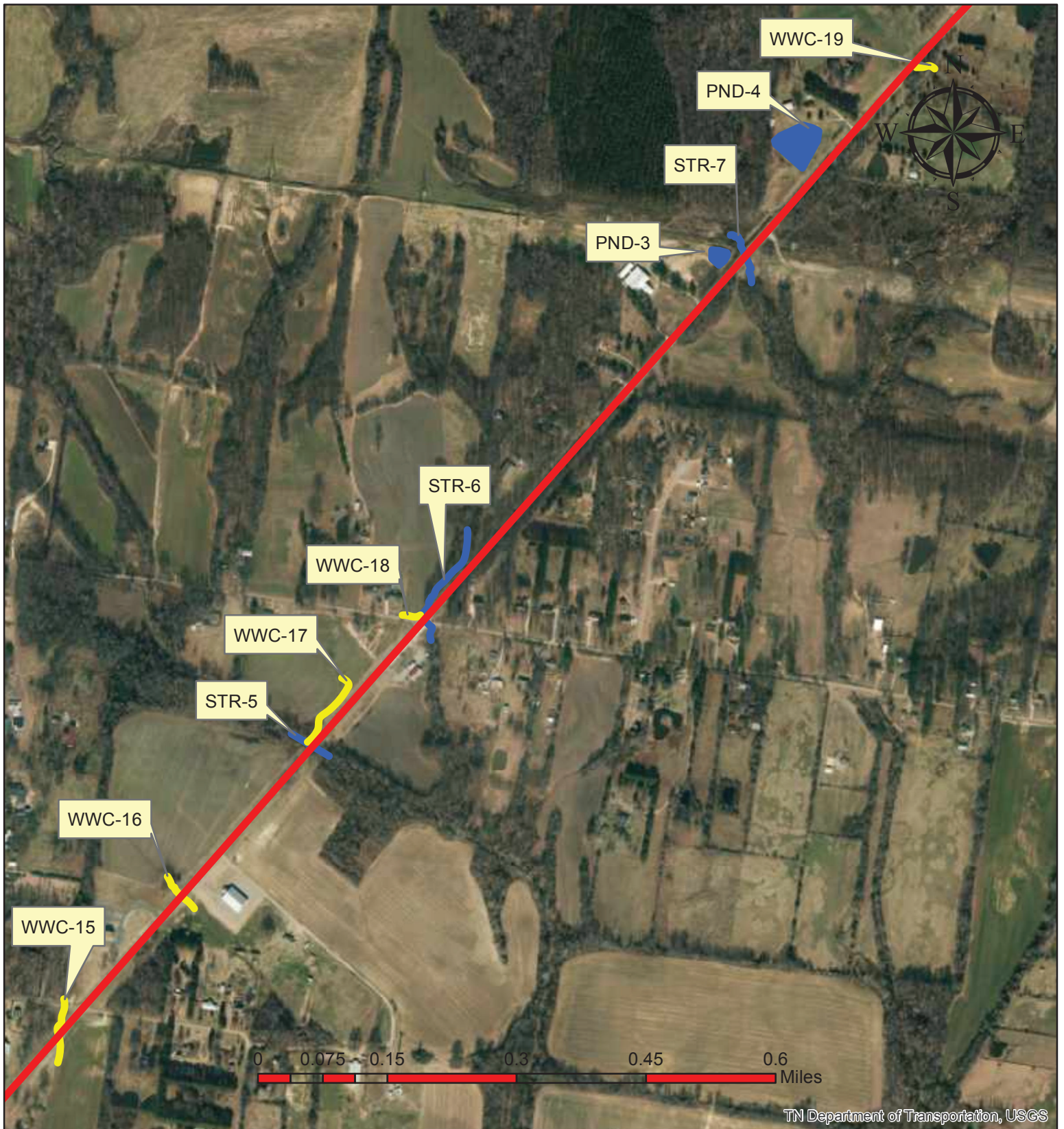


Shelby County; SR-14 from SR-385 (Paul Barrett Parkway) to Tipton County Line

P.E. 79024-1286-04
PIN 100341.00

7/3/17



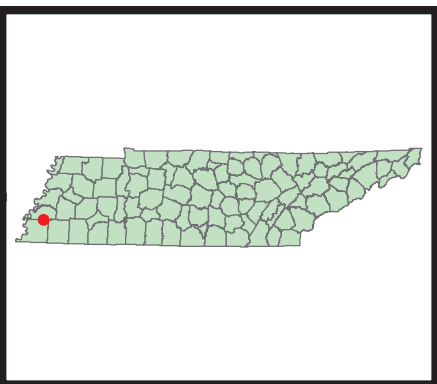
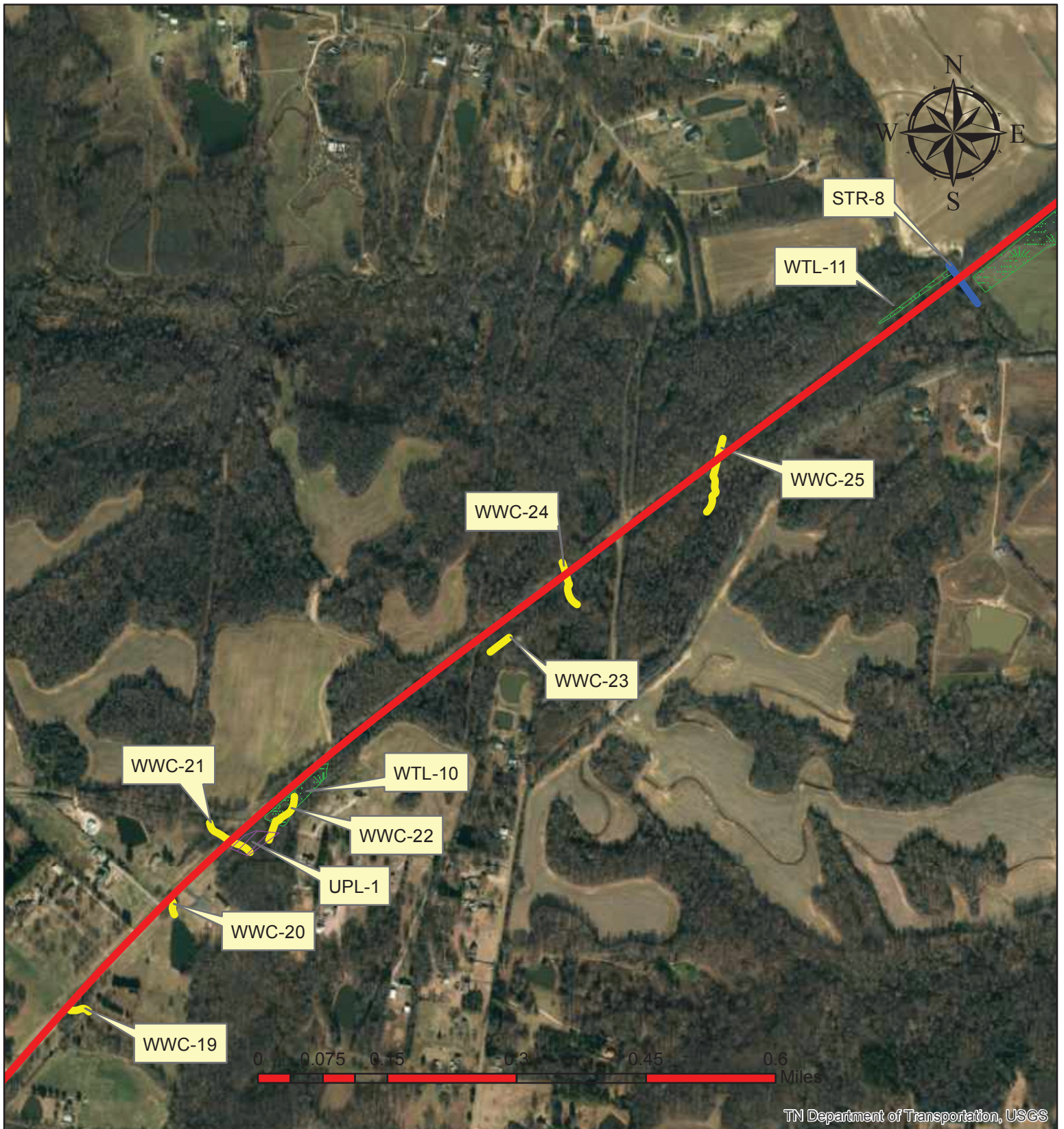


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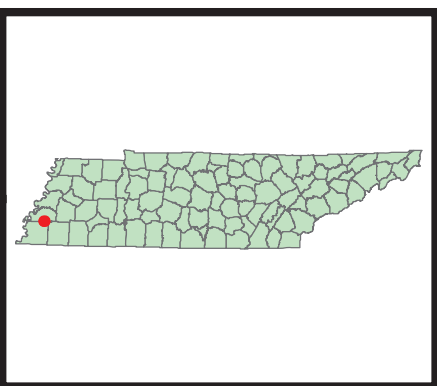
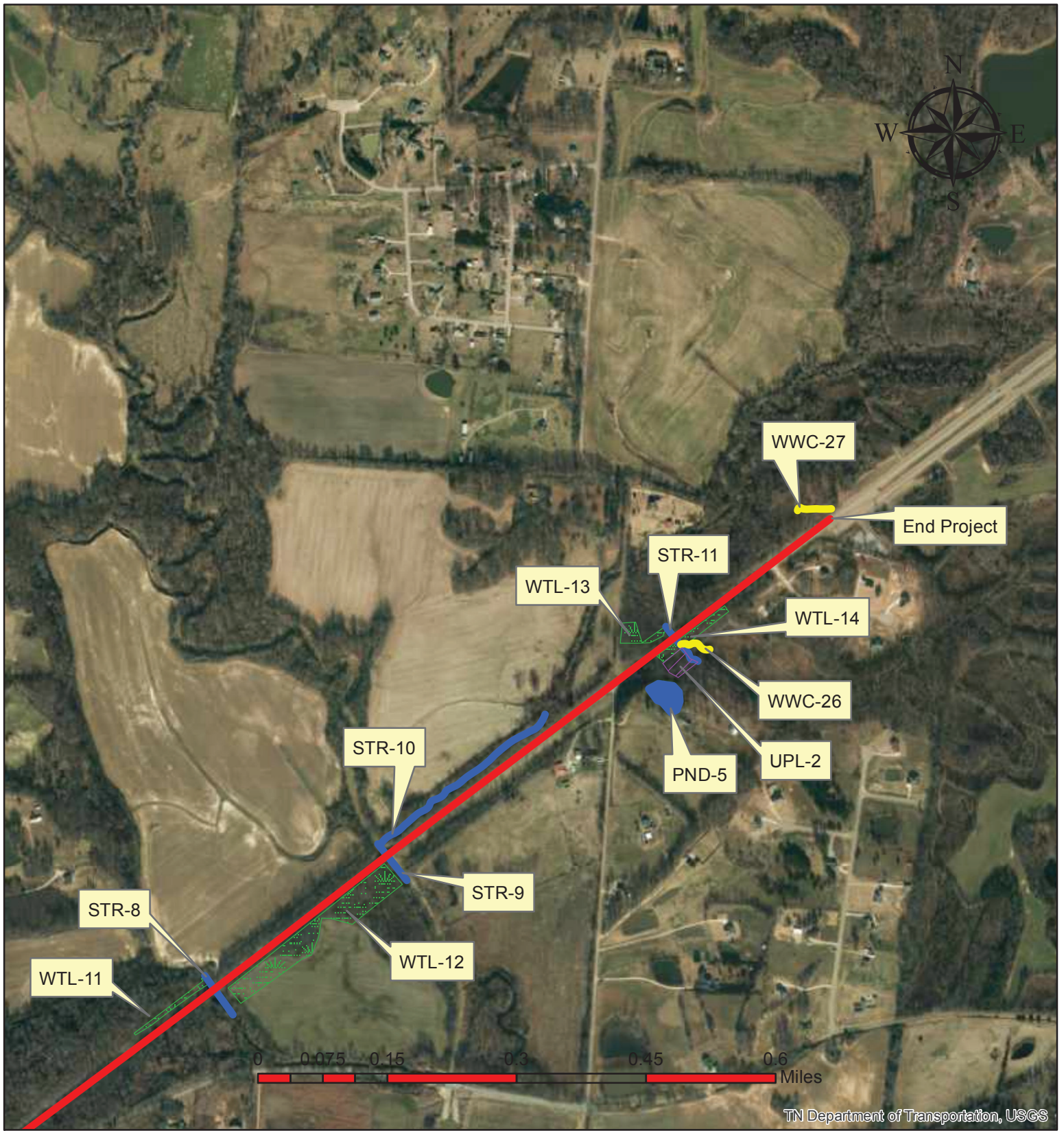


Shelby County; SR-14 from SR-385 (Paul Barrett Parkway) to Tipton County Line

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7/3/17





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