



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
1025 BUFORD DAM ROAD
BUFORD, GEORGIA 30518

April 1, 2024

Regulatory Division
SAS-2011-00779

PUBLIC NOTICE
Savannah District

The District Engineer has received a request to modify the Georgia-Alabama Land Trust's In-Lieu-Fee (ILF) Instrument as compensatory mitigation for Federal and State permits as described below:

Application Number: SAS-2011-00779

ILF Program Sponsor: Mr. Michael Heneghan
Georgia-Alabama Land Trust
226 Old Ladiga Road
Piedmont, Alabama 36272

ILF Project Sponsor: Mr. Trey Evans
Jackson Farms Holdings, LLC
931 Monroe Drive, Suite A-102 #302
Atlanta, Georgia 30308

This public notice does not imply, on the parts of the Savannah District, U.S. Army Corps of Engineers (Corps) or other agencies, either favorable or unfavorable opinion of the work to be performed but is issued to solicit comments regarding the factors on which final decisions will be based.

Location of Proposed Work: The 80-acre Jackson Farms Mitigation Site (JFMS) is an ILF Program Mitigation Site, located northeast of the intersection of the Hurst Tate Road and Big Creek Road, approximately one (1) mile northeast of the City of Meigs, in Mitchell County, Georgia (Latitude 31.0930, Longitude -84.0813). The project is situated within the Ochlockonee River Basin watershed (Hydrologic Unit Code (HUC) 03120002). Please refer to the enclosed Vicinity, Project Location, HUC8 Watershed, and Topographic Maps (Maps 1 through 4) for more detailed information on the location of the JFMS.

Description of Requested Modification: The JFMS was originally approved as a modification to the ILF Program on December 12, 2019, to fulfill previously sold advance stream mitigation credits by the ILF program within the Withaloochee River Service Area (HUCs 03120002 and 03110204, and portions of 03120001, 03120003, 03110103, 03110201, 03110202, and 03110203 that are within the State of Georgia).

The JFMS was approved with the potential to generate a total of 130,241.52 legacy stream credits at final performance. The ILF Program Sponsor (Georgia-Alabama Land Trust (GALT)) and ILF Project Sponsor (Jackson Farms Holdings, LLC) have requested authorization to modify the credit generation, performance standards, and the credit release schedule within the approved mitigation plan for the JFMS (see the enclosed Request for Interim Streamlined Modification (dated February 21, 2024)) as follows:

- Amend credit generation for Gasline Branch and Medium Creek Lower by 34 percent, as these reaches are not meeting approved interim macro-invertebrate performance standards. These reaches are currently approved to potentially generate 6,515.78 and 21,678.77 in-stream legacy stream credits, respectively. The Sponsor is proposing to reduce the potential credit generation for these reaches to 4,300.41 and 14,307.99 in-stream legacy stream credits, respectively. This reduction would result in the permanent removal of 9,586.17 legacy stream credits from the total credit potential of the JFMS. The proposed revised total potential for the JFMS would be 120,655.35 legacy stream credits. Please refer to the Site Overview and Biological Stream Monitoring Maps (Maps 5 and 8) for more details on the location of these subject mitigation reaches.
- Amend the macro-invertebrate performance standards for Gasline Branch and Medium Creek (Lower) to a “non-degradation” standard from baseline conditions at final performance.
- Amend the credit release schedule for the JFMS (per Table 4, below).

Table 4. Proposed credit release schedule.

Event	Credit Release Schedule	Cumulative Credit Released
Mitigation Plan Approval & Recording of Restrictive Covenant	32,560.38	32,560.38
Completion of Construction / Planting / As-Built Submittal	26,251.52	58,811.90
Post-Final Planting	6,308.86	65,120.76
Satisfaction of Interim Success Performance Standards	25,370.75	90,491.51
Satisfaction of Final Success Performance Standards; Issuance of Final Project Compliance Statement	30,163.84	120,655.35
Total	120,655.35	

Oversight: This ILF Program may be considered as one of a number of practicable alternatives available to applicants to compensate for unavoidable impacts associated with permits issued under the authority of Section 404 of the Clean Water Act for projects located within the prescribed service areas.

Oversight of the ILF program and JFMS will be by a group of Federal and State agency representatives collectively referred to as the Interagency Review Team (IRT). The IRT is chaired by the Corps and further comprised of representatives from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, National Marine Fisheries Service, and the Georgia Department of Natural Resources, Environmental Protection Division.

Authority: A public notice regarding this major modification of the approved ILF Program Instrument and JFMS are required pursuant to Title 33 Code of Federal Regulations Parts 325 and 332 and Title 40 Code of Federal Regulations Part 230, entitled "Compensatory Mitigation for Losses of Aquatic Resources, Final Rule", published in the Federal Register on April 10, 2008.

Consideration of Public Comments: The Corps is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties to consider and evaluate this proposed modification of the approved ILF Program Instrument. The modification can be seen at the Corps, Regulatory Division, 1025 Buford Dam Road, Buford Georgia, 30518; or, via our Regulatory Information Banking and In-Lieu Fee Tracking System (RIBITS) website (https://ribits.ops.usace.army.mil/ords/f?p=107:378:14627640156331::NO::P378_PROG_RAM_ID:1501). Written comments received will be considered by the Corps in evaluating this proposal. Comments are used to assess impacts on endangered species, historic properties, conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards and flood plain values (in accordance with Executive Order 11988), land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and, in general, the needs and welfare of the public.

Preliminary review indicates that: 1) An environmental impact statement will not be required; 2) No species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and, 3) No cultural or historical resources considered eligible or potentially eligible for listing on the National Register of Historic Places will be affected according to a website review of known listed properties. Additional information may change any of these preliminary findings.

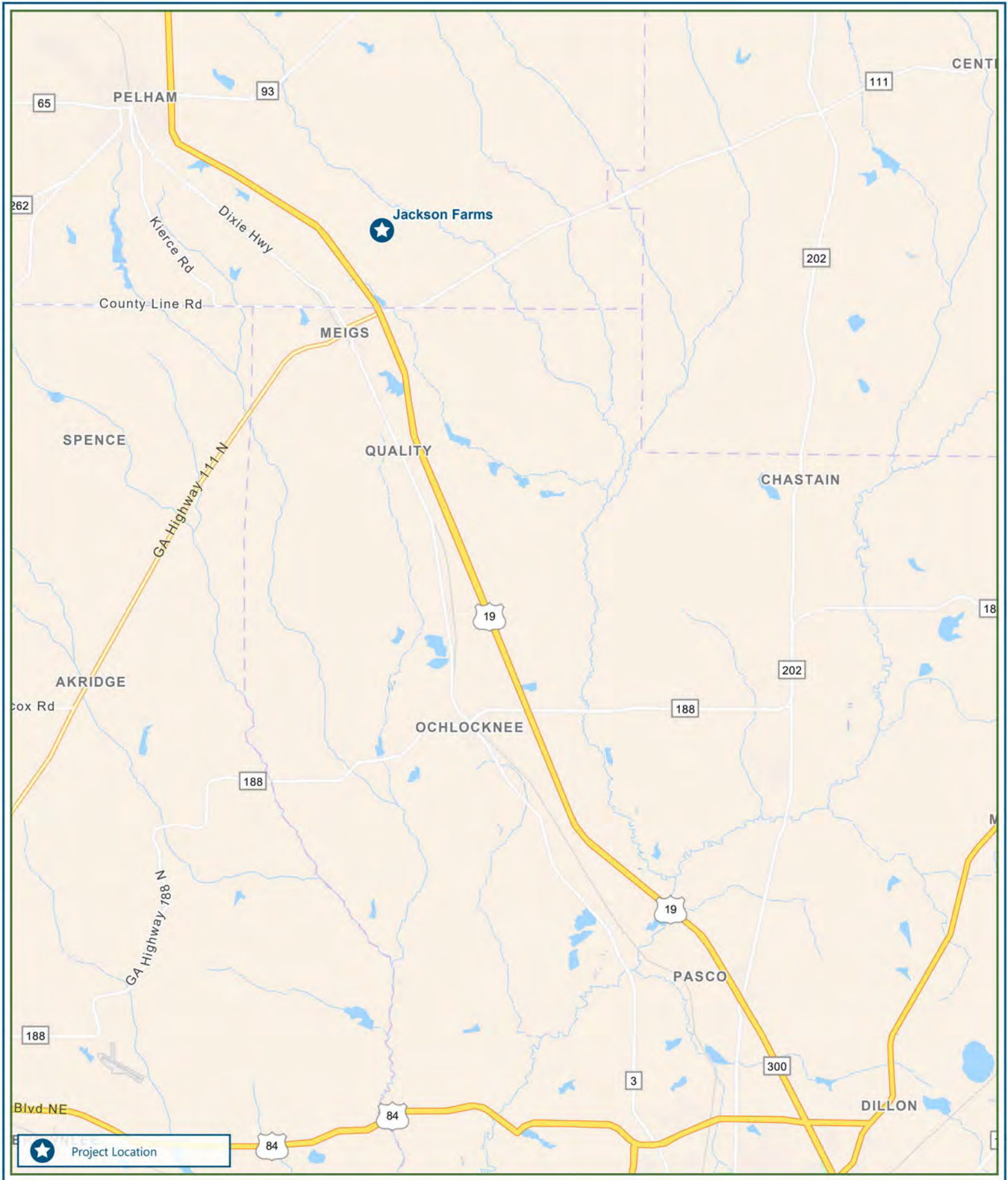
Comment Period: Anyone wishing to comment on this proposal should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Regulatory Division, Attention: Mr. Justin Hammonds, 1025 Buford Dam Road, Buford, Georgia 30518, no later than 30 days from the date of this notice. Please refer to the ILF Program and Project Names (Georgia-Alabama Land Trust's In-Lieu-Fee

Program – 2024 Modification for the Jackson Farms Mitigation Site) and the Regulatory Division file number (SAS-2011-00779) in your comments.

If you have any further questions concerning this matter, please contact Mr. Justin Hammonds, at 678-804-5227, or via electronic mail (e-mail) at justin.a.hammonds@usace.army.mil.

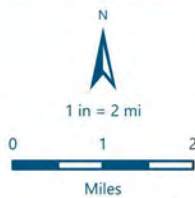
Enclosures

1. Vicinity Map (Map 1)
2. Project Location (Map 2)
3. HUC8 Watershed (Map 3)
4. Topographic Map (Map 4)
5. Site Overview (Map 5)
6. Biological Stream Monitoring (Map 8)
7. Request for Interim Streamline Modification (dated February 21, 2024)



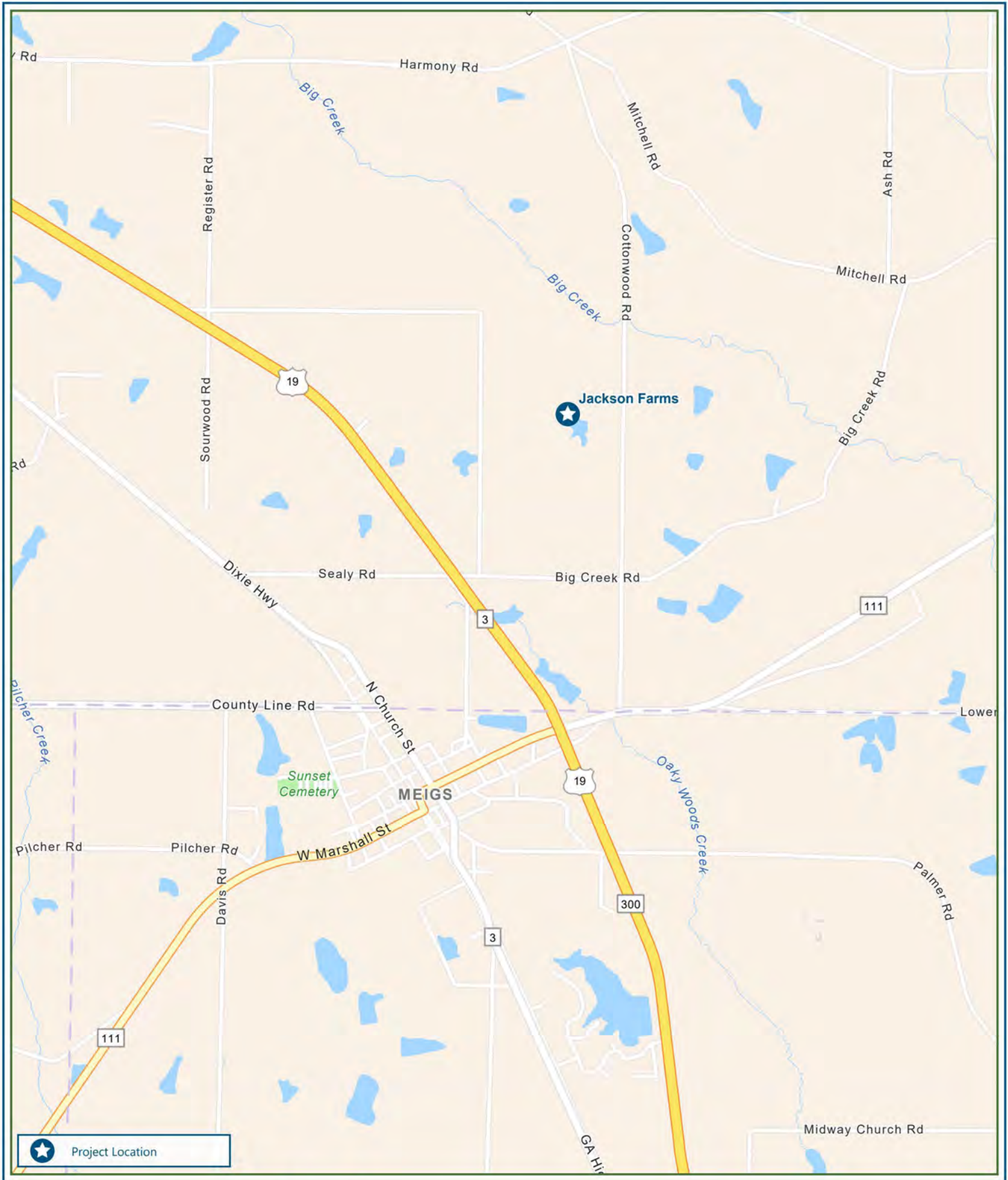
Map 1
Vicinity Map

Jackson Farms Mitigation Site
Year 3 Monitoring Report
Mitchell County, GA



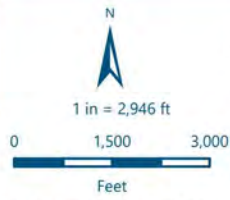
Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.
Spatial Reference:
NAD 1983 2011 StatePlane Georgia West FIPS 1002 Ft US
Date Exported: 12/21/2022





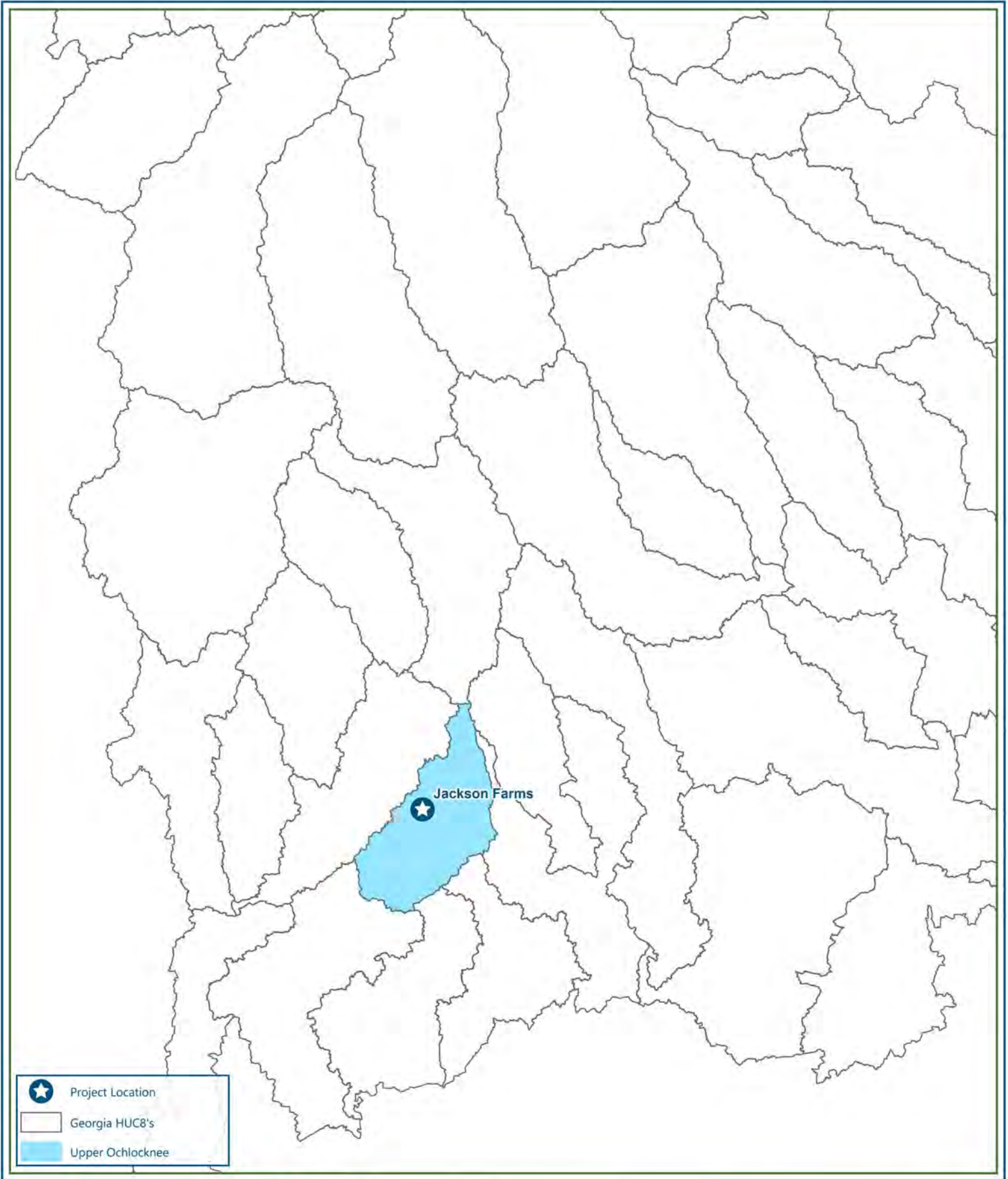
Map 2
Project Location




Jackson Farms Mitigation Site
Year 3 Monitoring Report
Mitchell County, GA



Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.
 Imagery Source: GoogleMaps, 2022
 Spatial Reference: NAD 1983 StatePlane Georgia West FIPS 1002
 Date Exported: 12/21/2022





-  Project Location
-  Georgia HUC8's
-  Upper Ochlocknee

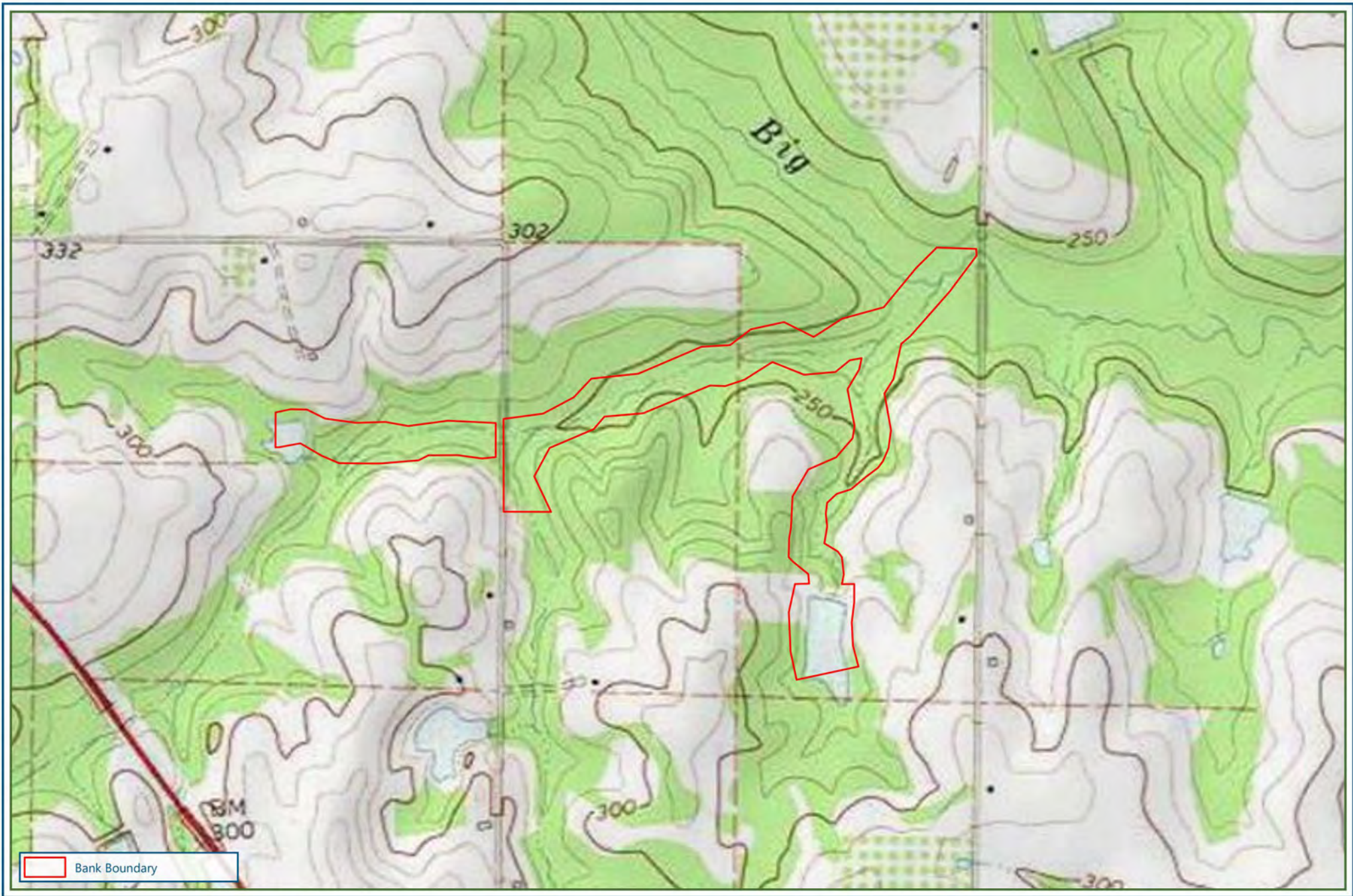
Map 3
HUC8 Watershed

Jackson Farms Mitigation Site
 Year 3 Monitoring Report
 Mitchell County, GA



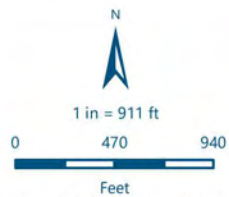
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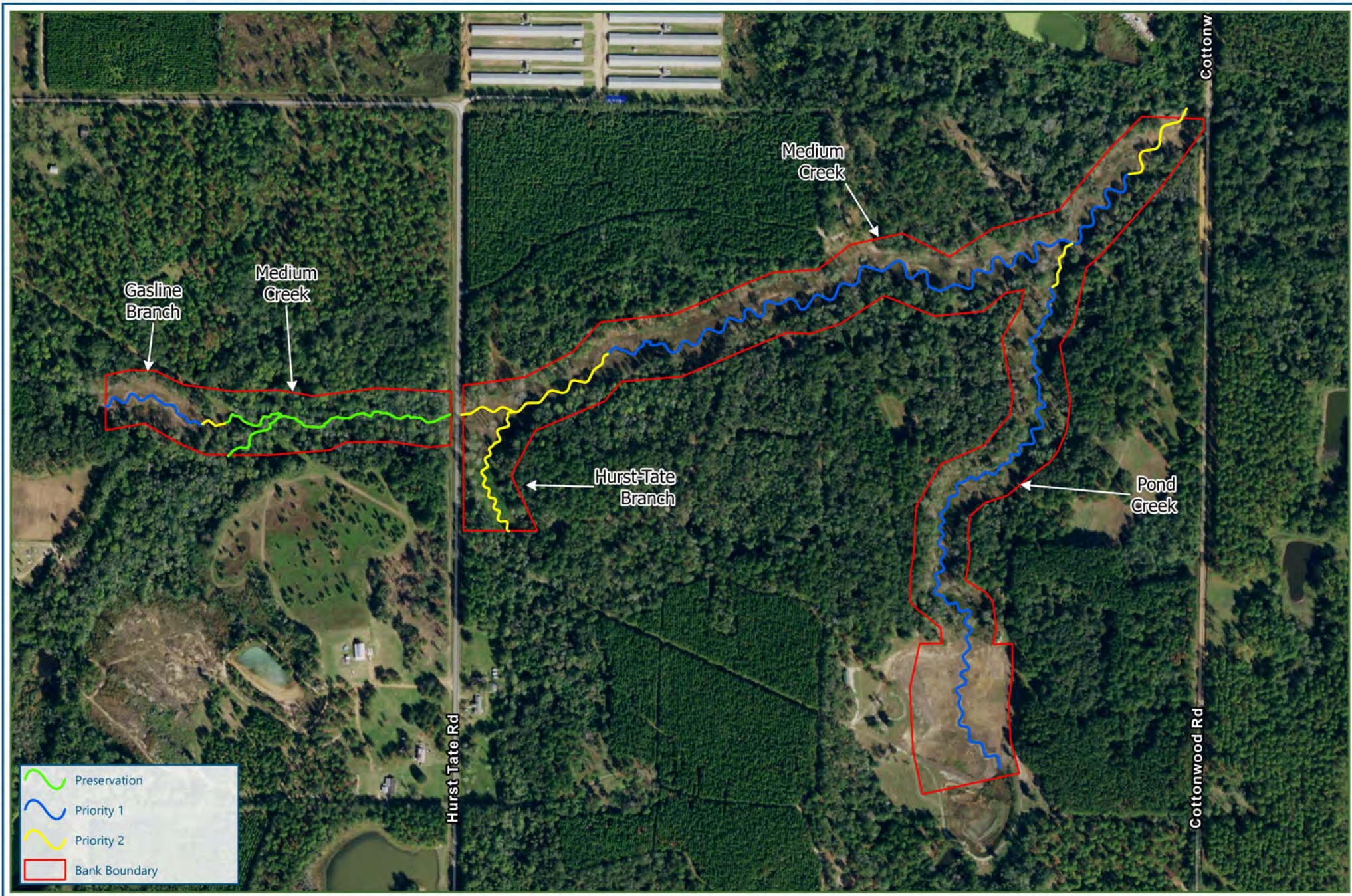
Map 4
 Topographic Map

Jackson Farms Mitigation Site
 Year 3 Monitoring Report
 Mitchell County, GA



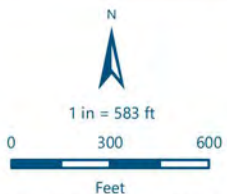
Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.
Data Source: 2022
Spatial Reference: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
Date Exported: 12/21/2022





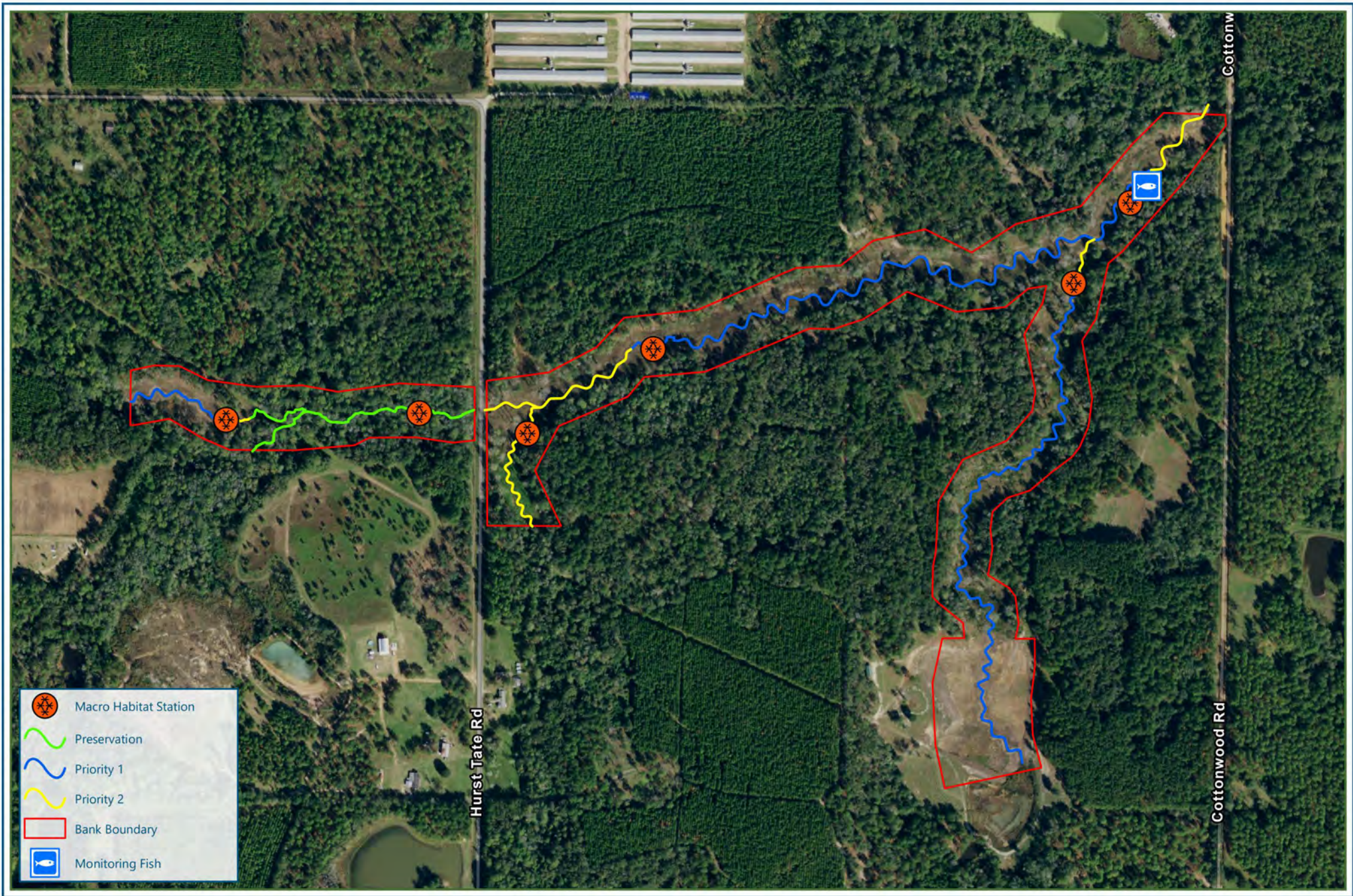
Map 5
Site Overview

Jackson Farms Mitigation Site
Year 3 Monitoring Report
Mitchell County, GA

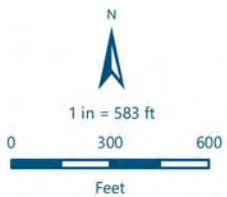


Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.
Data Source: 2022
Spatial Reference: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
Date Exported: 12/21/2022





Map 8
Biological Stream Monitoring
Jackson Farms Mitigation Site
 Year 3 Monitoring Report
 Mitchell County, GA



Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.
Data Source: 2022
Spatial Reference: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
Date Exported: 12/21/2022





February 21, 2024

Mr. Justin Hammonds
U.S. Army Corps of Engineers
Savannah District
1025 Buford Dam Rd.
Buford, Georgia 30515

**RE: Jackson Farms Mitigation Site (GALT Program: SAS-2011-00779)
Request for Interim Streamline Modification**

Dear Mr. Hammonds:

On behalf of the Project Sponsor, Jackson Farms Holdings, LLC, RES is pleased to submit this request for a streamline modification to the approved mitigation plan for the Jackson Farms Mitigation Site (JFMS) located in Mitchell County, Georgia.

Streamline Modification Request

The bank sponsor is proposing a streamline modification to:

- Amend the credit generation for Gasline Branch and Medium Creek Lower
- Amend the performance standards for Gasline Branch and Medium Creek Lower
- Amend the credit release schedule for the JFMS

Governing Document

The formerly approved (June 19, 2018) mitigation plan would remain the controlling document for the JFMS (as amended). Upon approval of this modification request, any adjustments documented herein (e.g., credit generation, etc.) would supersede the approved mitigation plan. Additionally, where language between the two documents is conflicting, this modification would replace and supersede the language contained in the approved mitigation plan. Language not addressed or altered by this modification would remain in effect as specified in the originally approved mitigation plan.

Credit Generation

The credit generation for Gasline Branch is proposed to be reduced by 34% due to this reach not meeting interim macro-invertebrate standards. This reach is currently approved to potentially generate 6,515.78 in-stream credits. The sponsor is proposing to reduce this potential credit generation to 4,300.41 in-stream credits.

The credit generation for Medium Creek Lower is proposed to be reduced by 34% due to this reach not meeting interim macro-invertebrate standards. This reach is currently approved to potentially generate 21,678.77 in-stream credits. The sponsor is proposing to reduce this potential credit generation to 14,307.99 in-stream credits (Table 1).

Table 1. Revised credit generation by stream reach.

Stream Reach	Approved Credit Generation	Proposed Credit Generation by Reach (66%)
Gasline P1	5,425.25	3,580.67
Gasline P2	1,090.53	719.75
Medium Creek P1 (1/2 of Priority 1 Reach)	17,174.90	11,335.44
Medium Creek P2 Lower	4,503.87	2,972.55



Performance Standards

The interim macro-invertebrate performance standard for Gasline Branch and Medium Creek Lower are proposed to be removed in connection with the 34% credit reduction.

The final macro-invertebrate performance standard for Gasline Branch and Medium Creek Lower are proposed to be “non-degradation” from baseline conditions.

Credit Release Schedule

Tables 2-4 present the approved, 2019 modified and proposed 2024 modified credit release schedule for the JFMS.

Table 2. Credit release schedule as found on Table 56 of the approved Final Mitigation Plan.

Milestone	Stream Percent Release	Stream Credit Release Amount
Mitigation Plan Approval	0%	0.00
Filing of Restrictive Covenant	25%	32,560.38
Completion of Construction/Planting/As-built Submittal/Filing of CE	25%	32,560.38
Meeting all Interim Performance Standards	25%	32,560.38
Meeting all Final Performance Standards	25%	32,560.38
Total	100%	130,241.52

Table 3. Credit release schedule approved in Dec 2019 Modification.

Milestone	Stream Percent Release	Stream Credit Release Amount	Stream Credit Cumulative Release Amount
Mitigation Plan Approval	0%	0.00	0.00
Filing of the Restrictive Covenant	25%	32,560.38	32,560.38
Completion of Construction / Partial Planting / As-built Submittal / Filing of CE	20%	26,251.52	58,811.90
Post Construction Final Planting	5%	6,308.86	65,120.76
Meeting all Interim Performance Standards	25%	32,560.38	97,681.14
Meeting all Final Performance Standards	25%	32,560.38	130,241.52
Total	100%	130,241.52	130,241.52

Table 4. Proposed credit release schedule.

Event	Credit Release Schedule	Cumulative Credit Released
Mitigation Plan Approval & Recording of Restrictive Covenant	32,560.38	32,560.38
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3 Industrial Park Court, Suite B
Forsyth, GA 31029

We greatly appreciate the time and effort the USACE and IRT have spent on this project. If you should have any questions or comments, please do not hesitate to contact Ethan Roberson (eroberson@res.us).