



DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GA 30260-1777

REPLY TO
ATTENTION OF

JAN - 4 2016

Regulatory Division
SAS-2015-00220

PUBLIC NOTICE Savannah District

The District Engineer has received a Prospectus describing the establishment and operation of the Owl Creek compensatory mitigation bank (Owl Creek Mitigation Bank) for Federal and State permits as described below:

Application Number: SAS-2015-00220

Applicant: Mr. Trey Evans
Owl Creek, LLC
931 Monroe Drive NE
Suite A-102 #302
Atlanta, Georgia 30328

Agent: Mr. Sean Miller
Mitigation Management, LLC
96 S. Berner Avenue
Forsyth, Georgia 31029

This public notice does not imply, on the parts of the U.S. Army Corps of Engineers 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 project site located approximately 5.5 miles south of the City of Hiawassee and 1.6 miles west of the intersection of State Route 17 at Owl Creek Road, south of the City of Hiawassee, Towns County, Georgia (latitude: 34.8673, longitude: -83.7424). The bank site is comprised of three separate tracts: the northwestern tract is approximately 4.2 acres, the northeastern tract is approximately 30 acres, and the southern tract is approximately 78 acres (Figure 3). The site is bisected by Owl Creek Road and is bordered by the surrounding Chattahoochee National Forest to the north and south and agricultural lands to the east and west. See the enclosed Vicinity Maps (Figures 4 and 5) and USGS Topographic Quadrangle Map (Figure 6).

Description of Mitigation Bank: The bank sponsor proposes to establish and operate a 110-acre commercial wetland and stream mitigation bank. The site has approximately 3.27 acres of existing jurisdictional scrub-shrub wetland areas and approximately 6,131 linear feet of jurisdictional perennial/intermittent stream channels. Occurrence Creek, Buzz Branch, Ambrose Creek, Bierce Branch and Owl Creek run through the property boundaries. The conceptual plan for this bank site would include the preservation and restoration/enhancement for both stream and wetland components. Preliminary restoration/enhancement totals include 5.24 acres of wetland area and 3,743 linear feet of stream channel. The on-site streams with high levels of impairment are proposed to be restored through a mixture of Priority 1, 2 and 3 restoration treatments. Additionally, riparian restoration may be proposed for areas not receiving Priority 1, 2, or 3 restoration. Once the associated stream and wetland buffers have been established, the bank site would comprise 50% of the combined 110 acres once the associated stream and wetland buffers have been established.

Geographic Service Area: The Geographic Service Area (GSA) is the defined area within which this bank can reasonably be expected to provide appropriate compensation for impacts to aquatic resources in the State of Georgia. This bank site is primarily located within the Middle Tennessee-Hiwassee River Basin. The GSA for this bank would include the Middle Tennessee-Chickamauga Creek, Toccoa River, Hiwassee River, Middle Bear Creek, and Upper Sevier watersheds within the Primary service area (Hydrologic Unit Codes 06020001, 06020003, 06020002, 06010202, and 06030001, respectively); and the Conasauga River, Coosawattee River, Upper Coosa River, and Oostanaula River watersheds within the Secondary service area (Hydrologic Unit Codes 03150101, 03150102, 03150105, and 03150103, respectively) (Figures 1 and 2). An alternate Secondary service area was also created using a watershed/ecoregion approach and includes HUC-12 watersheds (Figures 1b and 2b). This 12-digit HUC designation is number 060200020102, which is part of the Tennessee River Watershed.

Oversight: This mitigation bank may be considered one of a number of practicable alternatives available to applicants to compensate for unavoidable impacts associated with permits issued under the authority of Sections 404 and 401 of the Clean Water Act for projects located within the prescribed GSA.

Oversight of this compensatory mitigation bank will be by a group of Federal and State agency representatives collectively referred to as the Interagency Review Team (IRT). The IRT shall be chaired by the Savannah District, U.S. Army Corps of Engineers and is 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.

The actual approval of the use of this mitigation bank for a specific project is the decision of the U.S. Army Corps of Engineers pursuant to Section 404 of the Clean Water Act. The U.S. Army Corps of Engineers provides no guarantee that any

particular individual or general permit will be granted authorization to use this compensatory mitigation bank to compensate for unavoidable impacts associated with a proposed permit, even though mitigation from this bank may be available.

Authority: A public notice regarding the proposed mitigation bank is 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 U.S. Army Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate this proposed mitigation bank. The Prospectus can be reviewed at the U.S. Army Corps of Engineers, Savannah District, Regulatory Division, 1590 Adamson Parkway, Suite 200 Morrow, Georgia 30260-1777. Written comments received will be considered by the U.S. Army Corps of Engineers 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, provided by the bank's sponsor, 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. Joseph Rivera, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777 no later than 30 days from the date of this notice. Please refer to the mitigation bank name (Owl Creek Mitigation Bank) and the Regulatory Division file number (SAS-2015-00220) in your comments.

If you have any further questions concerning this matter, please contact Mr. Joseph Rivera, Project Manager, of the Piedmont Branch at 678-422-2723.

Enclosures

1. Proposed HUC-8 Service Area Maps (Figures 1-1b)
2. Proposed HUC-8 and HUC-12 Service Area Maps (Figures 2-2b)
3. Property Plat Map (Figure 3)
4. Vicinity Maps (Figures 4-5)
5. USGS Topographic Quadrangle Map (Figure 6)
6. Aerial Photography (Figure 7)
7. Jurisdictional Features Delineation Map (Figure 23)
8. Conceptual Mitigation Plan (Figure 29)

Legend



-  Project Location
-  Primary Service Areas
-  Secondary Service Areas
-  Georgia HUC8 Watersheds

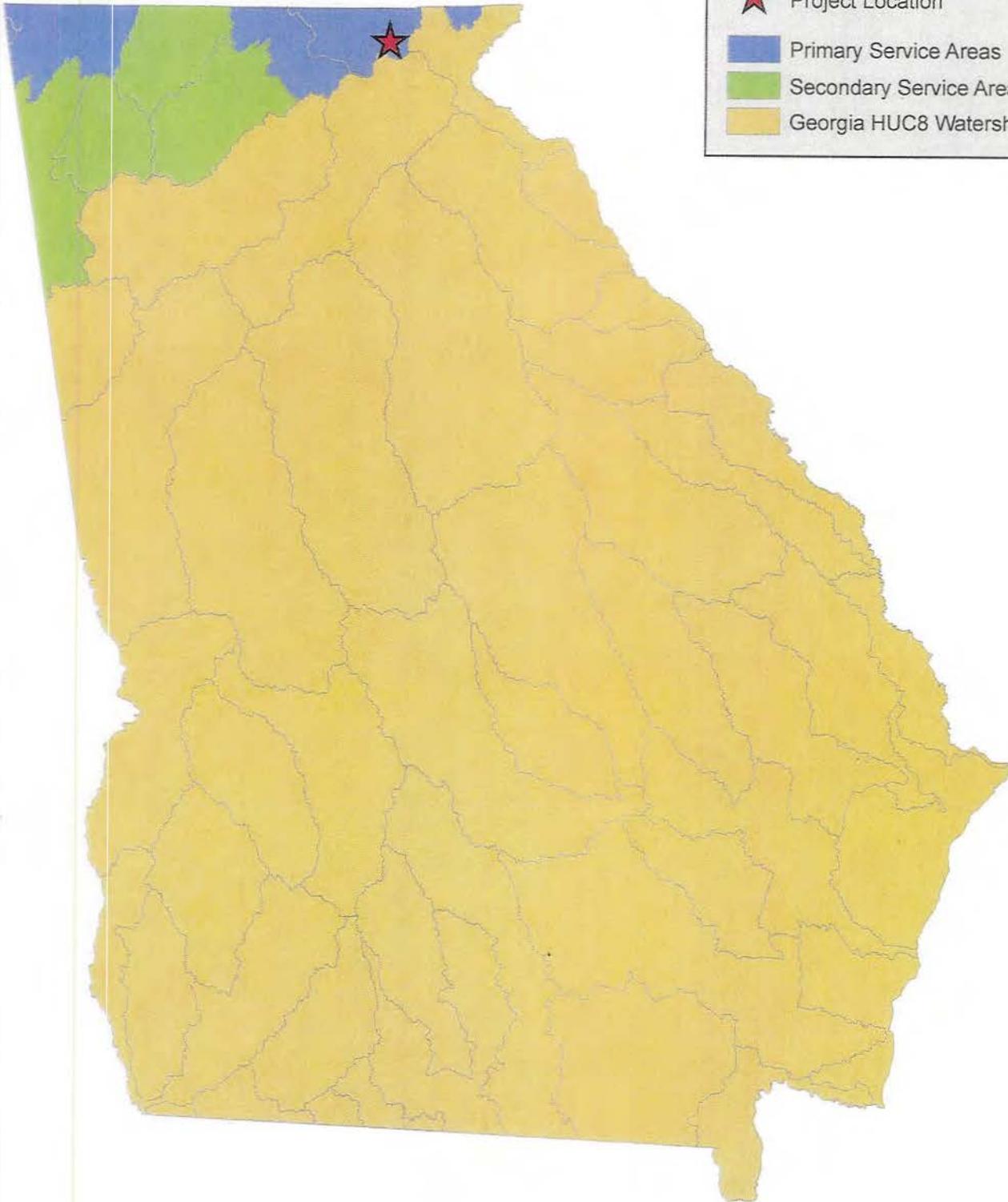


FIGURE 1
PROPOSED HUC8 SERVICE AREAS
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS

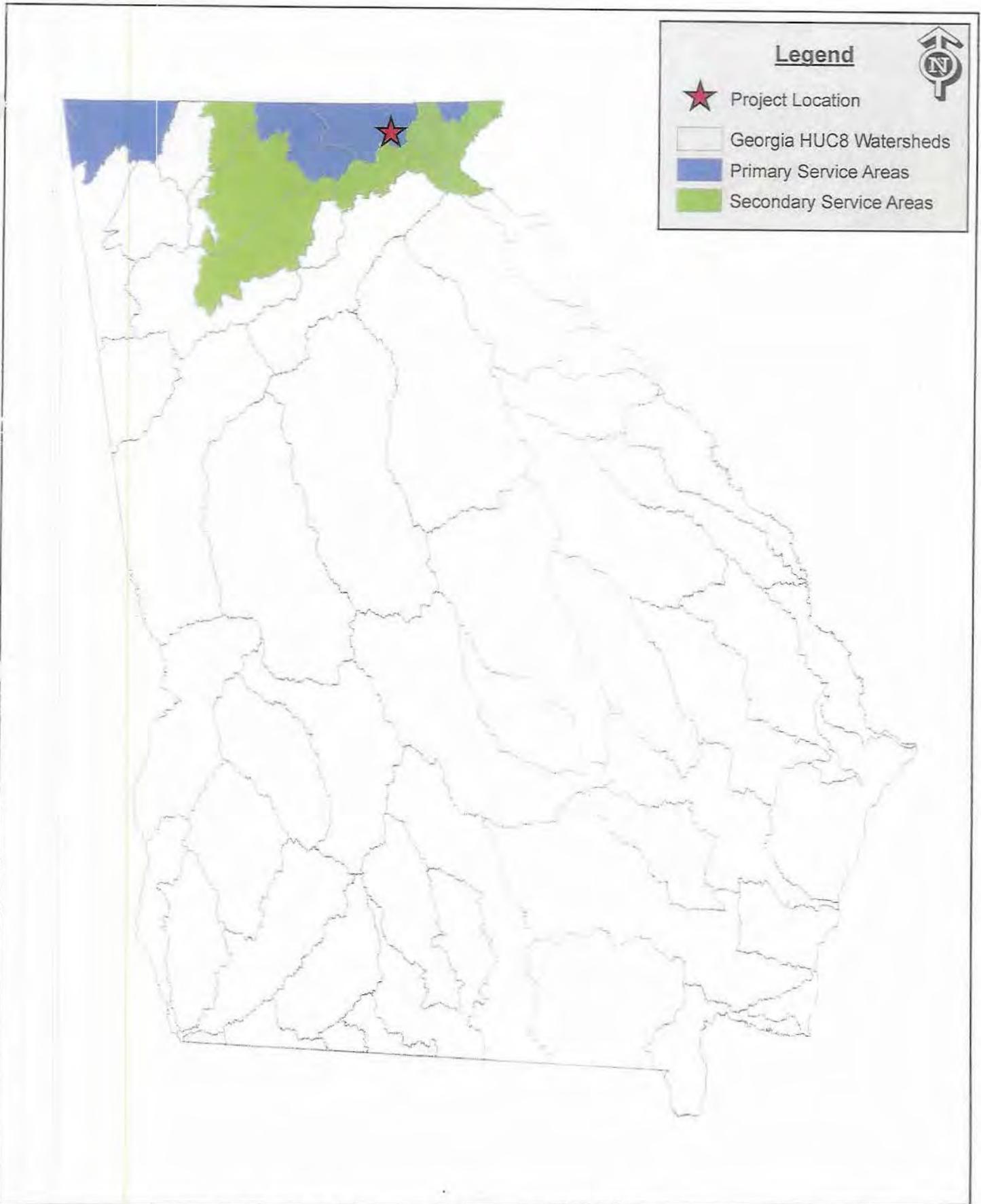


FIGURE 1b
PROPOSED HUC8 SERVICE AREAS
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS



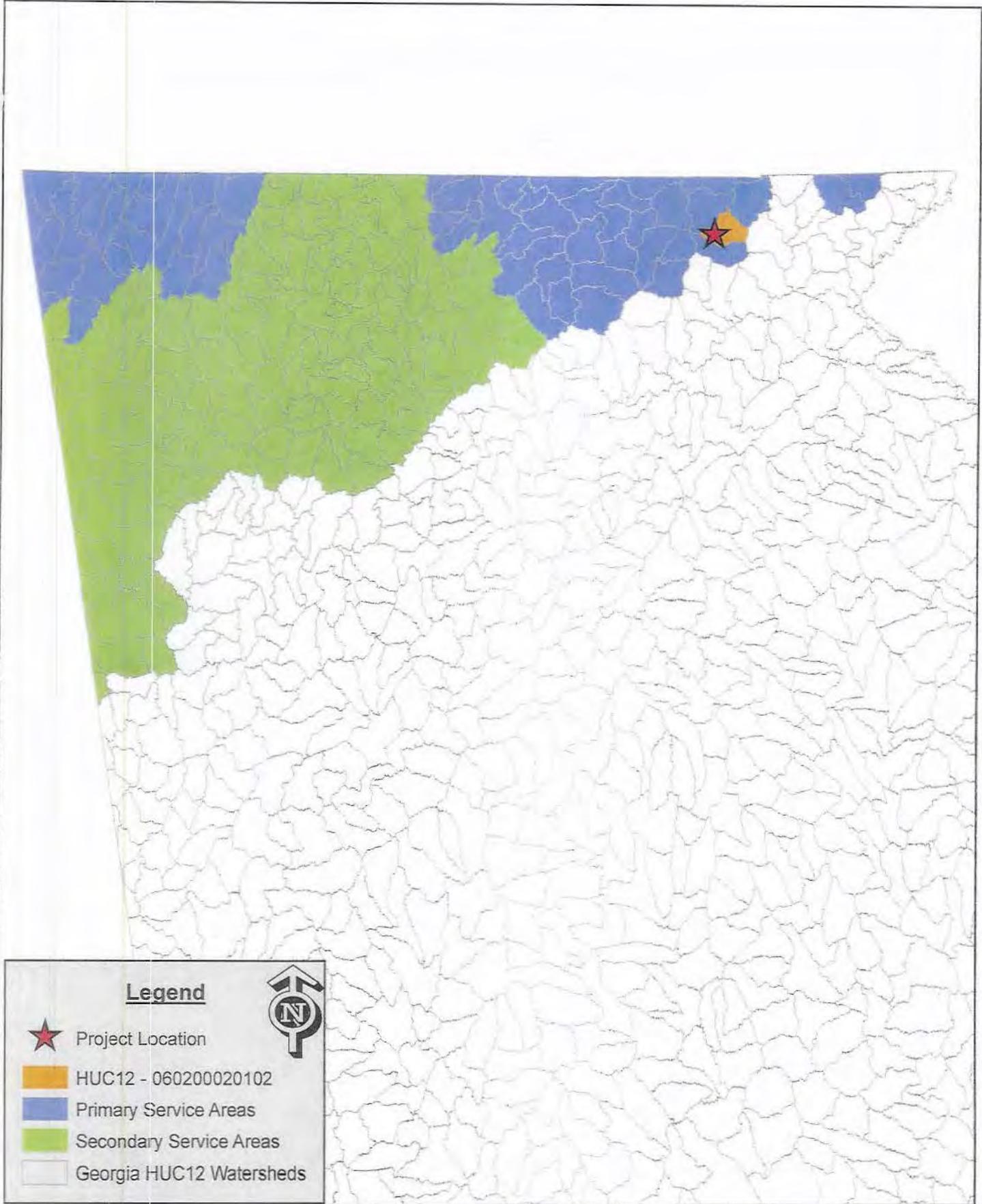
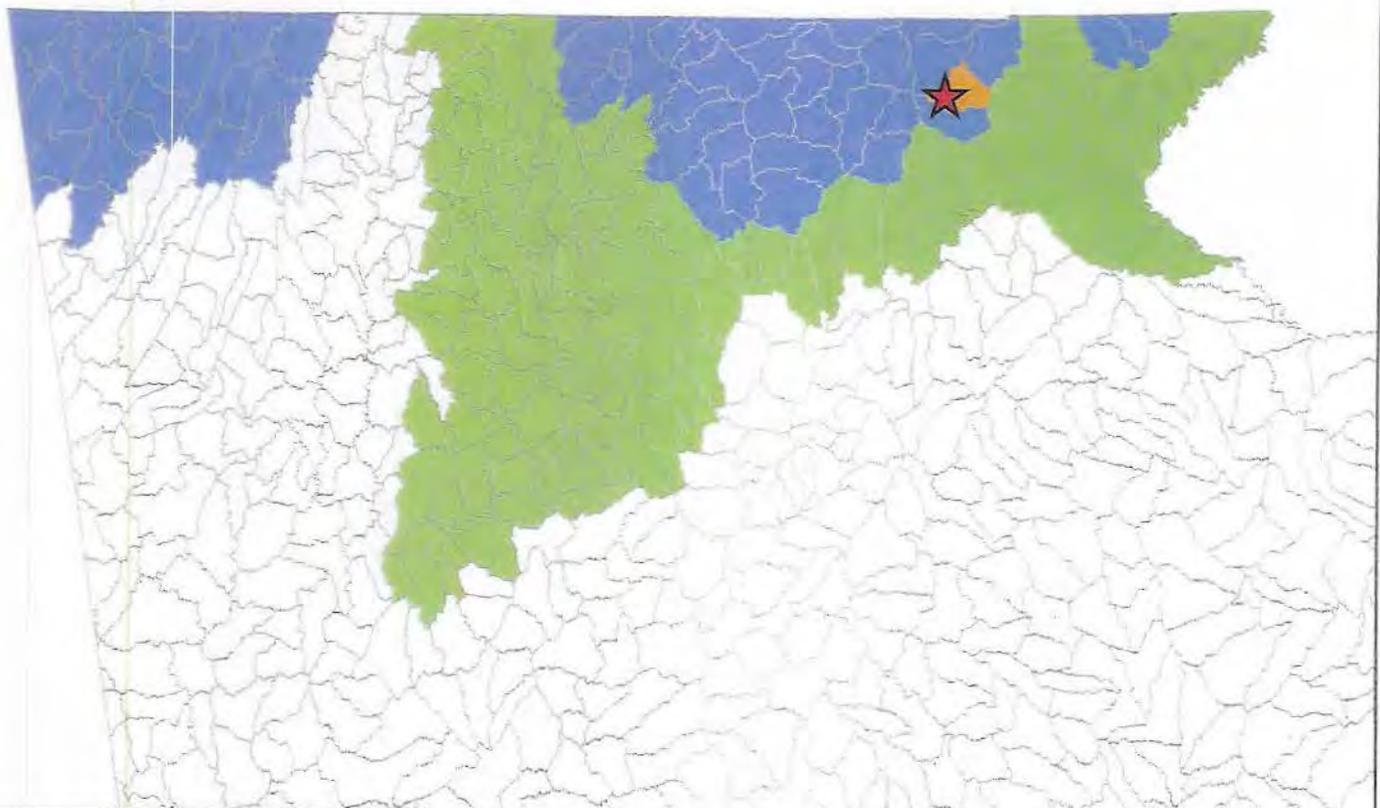


FIGURE 2
PROPOSED HUC8 AND HUC12 SERVICE AREAS
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS



Legend

-  Project Location
-  HUC12 - 060200020102
-  Georgia HUC12 Watersheds
-  Primary Service Areas
-  Secondary Service Areas



FIGURE 2b
PROPOSED HUC8 AND HUC12 SERVICE AREAS
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS



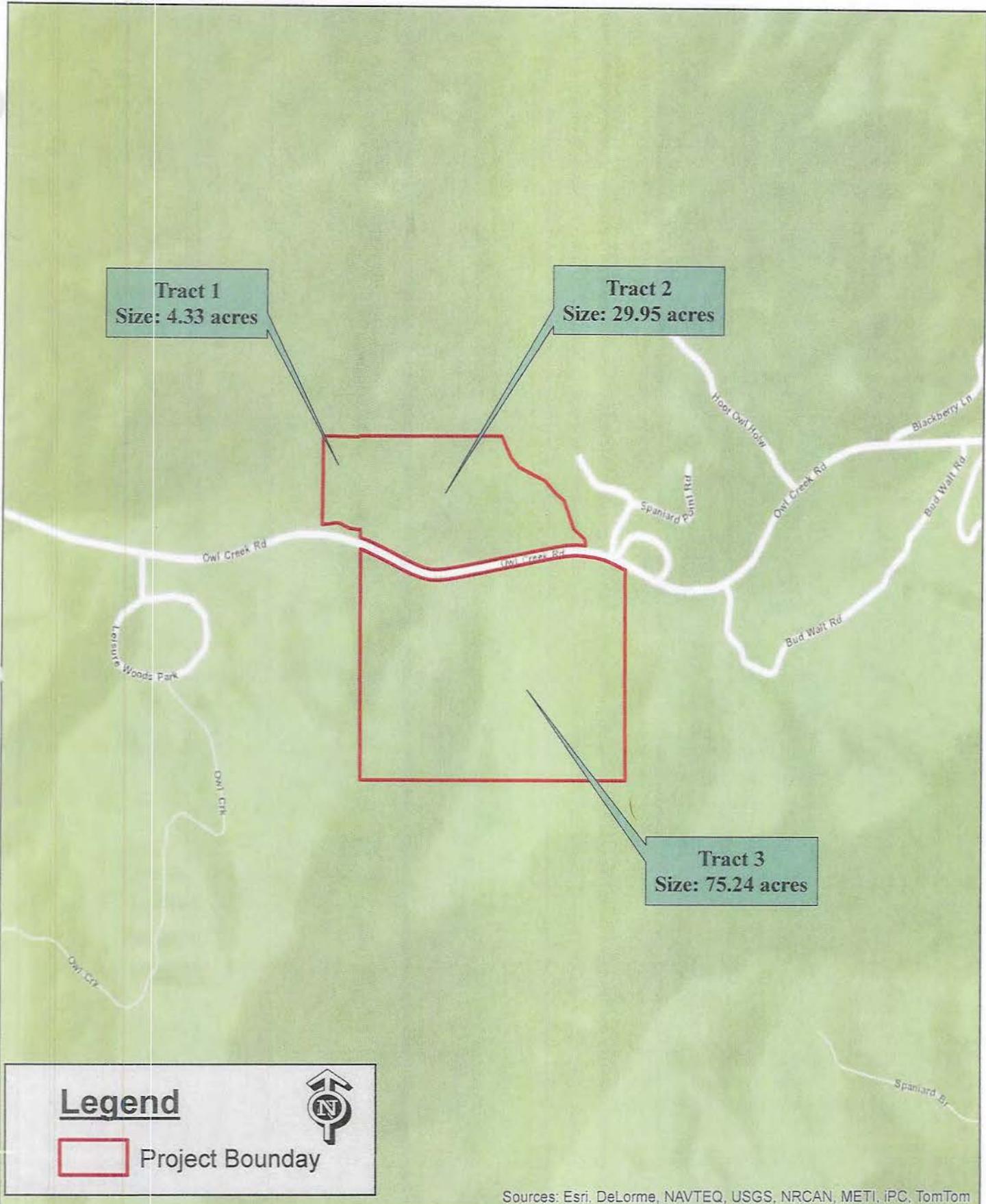
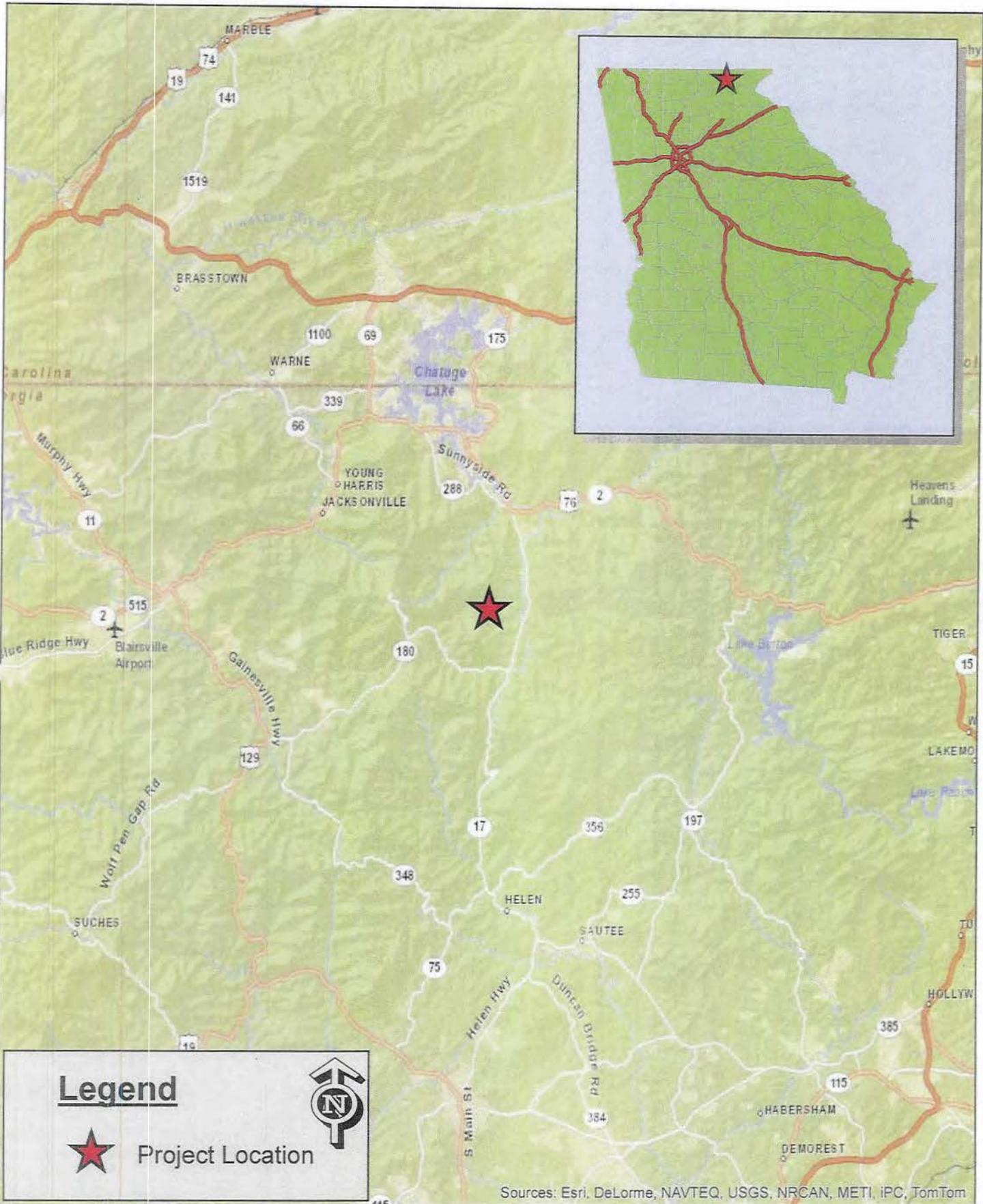


FIGURE 3
PROPERTY PLAT MAP
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS





Legend

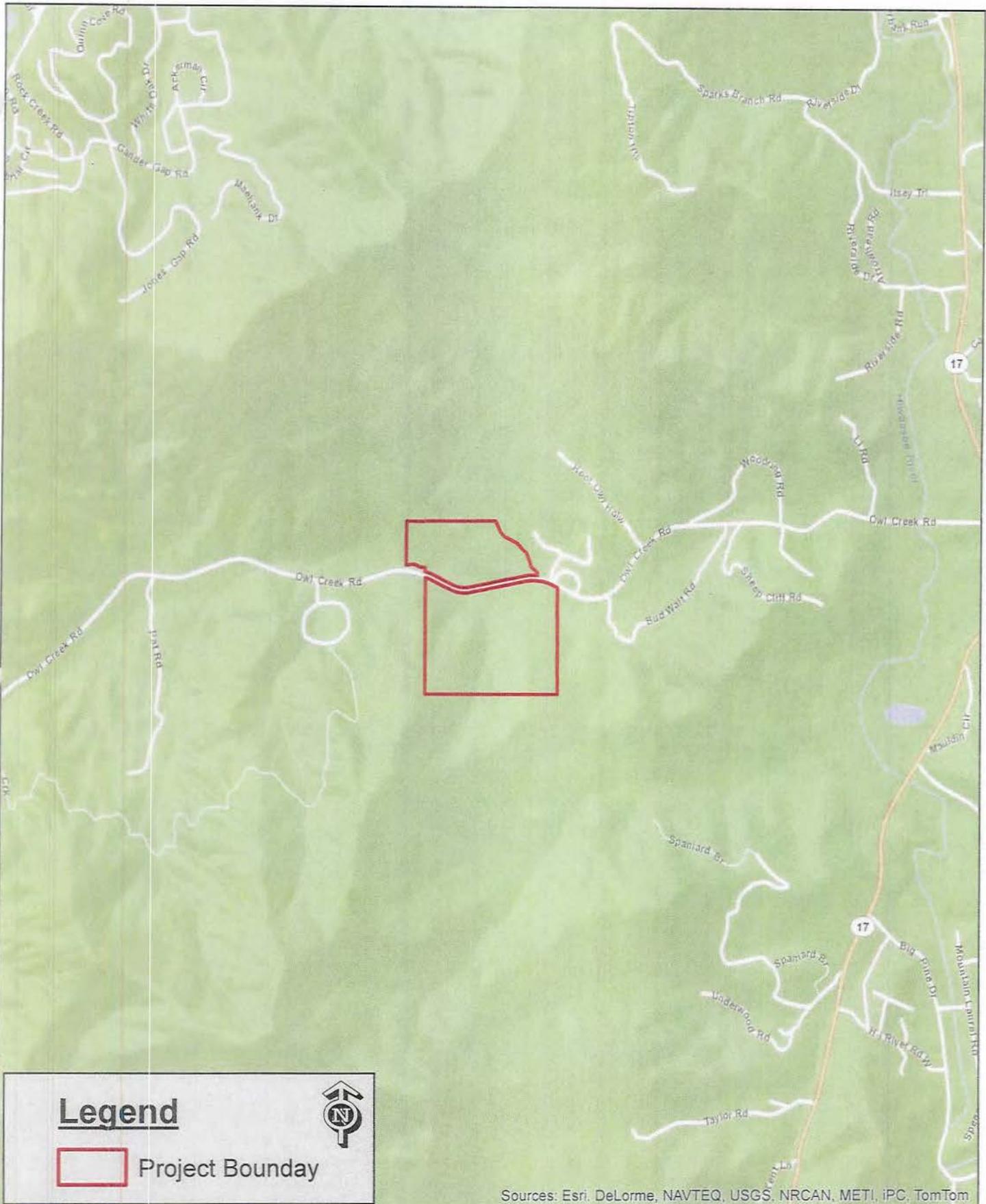
 Project Location



Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom

**FIGURE 4
VICINITY AND ROAD MAP
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS**





Legend

 Project Bounday



Sources: Esri, DeLorme, NAVTEQ, USGS, NRCAN, METI, IPC, TomTom

FIGURE 5
TOWNS COUNTY VICINITY ROAD MAP
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS



MITIGATION
MANAGEMENT

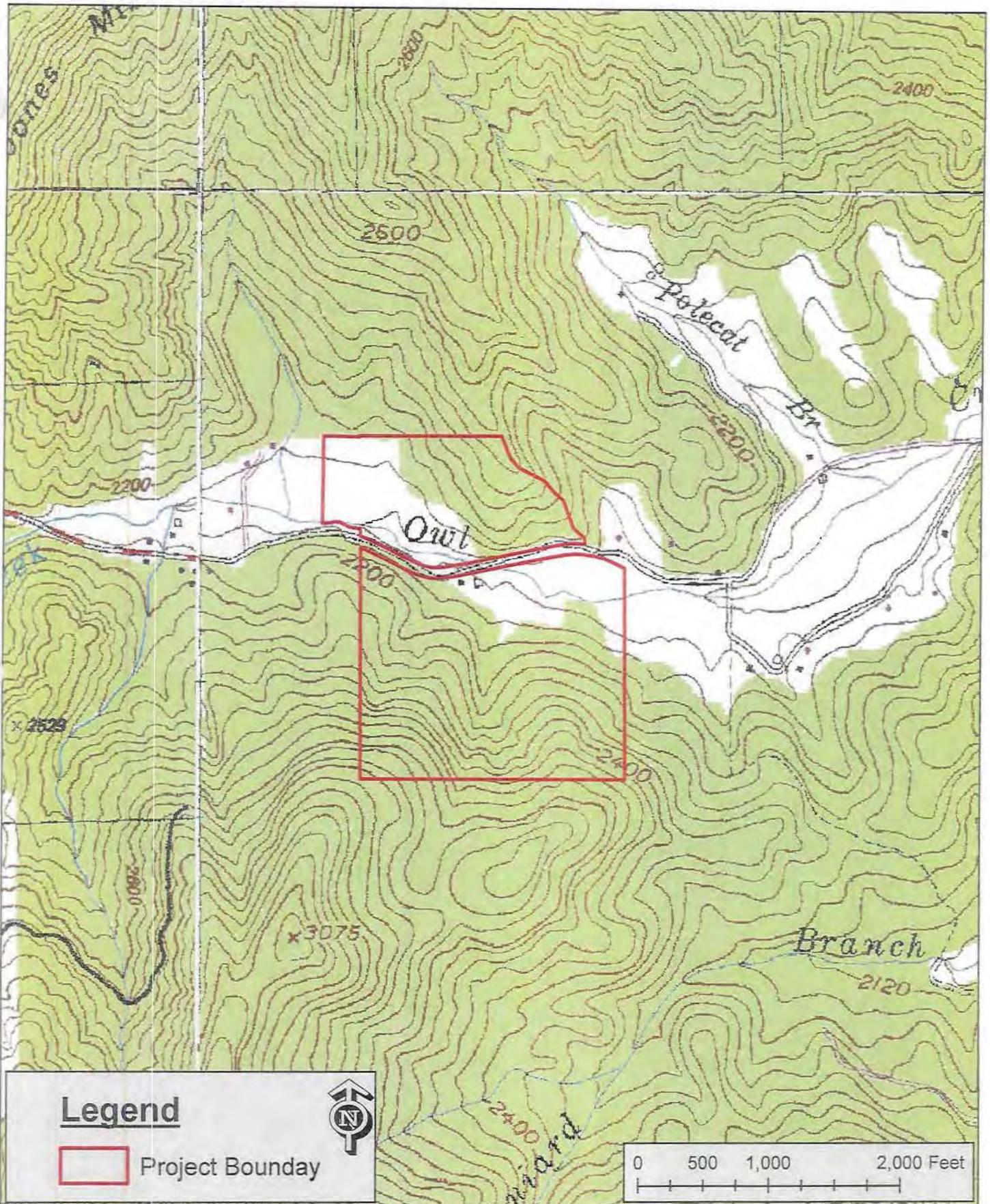


FIGURE 6
 USGS TRAY MOUNTAIN QUAD TOPOGRAPHIC MAP
 OWL CREEK MITIGATION BANK
 TOWNS COUNTY, GEORGIA
 PROSPECTUS





Legend

 Project Bounday

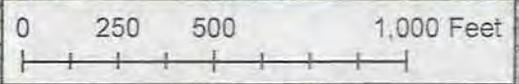
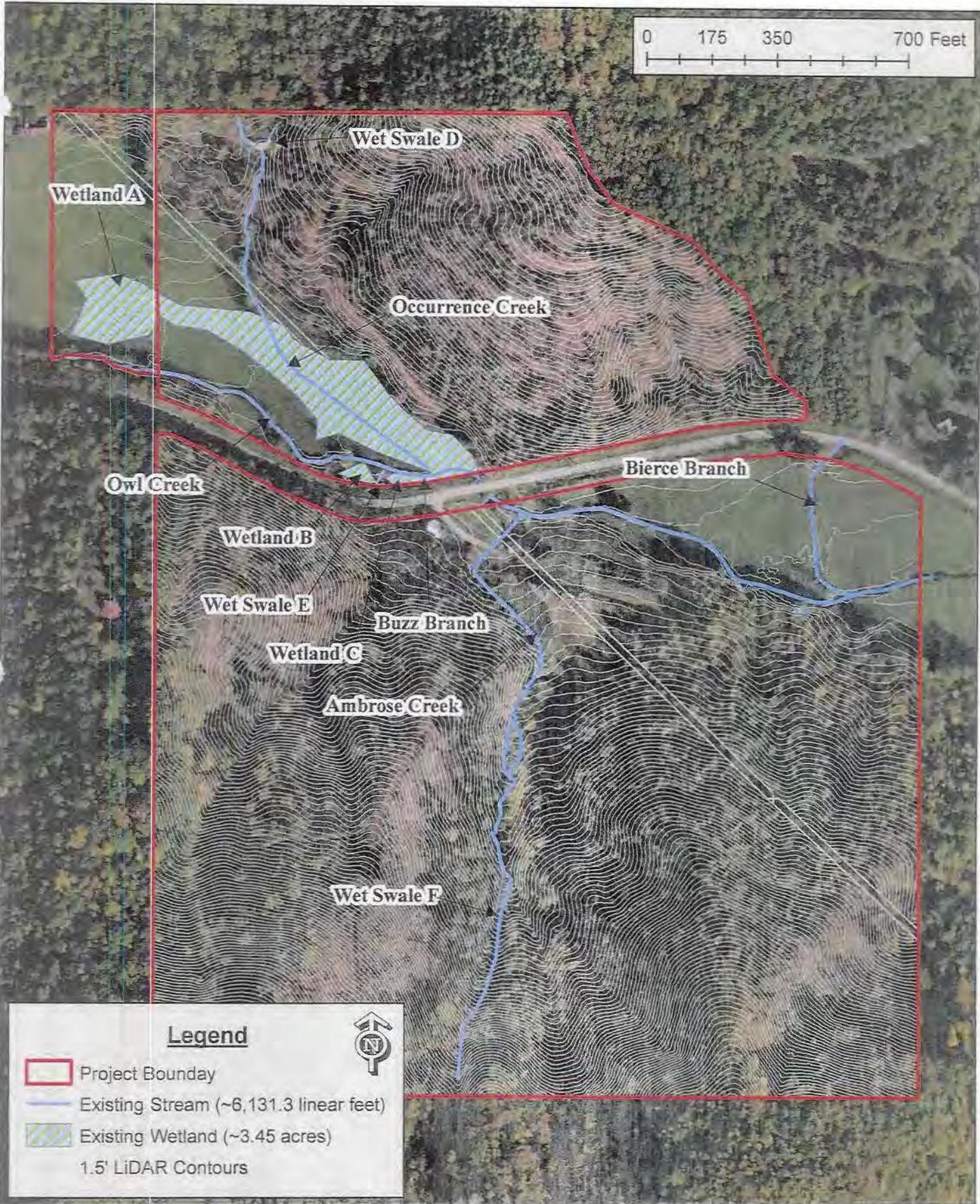
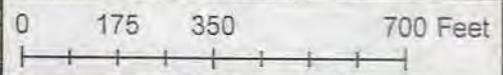


FIGURE 7
2013 NAIP AERIAL MAP
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS





Legend

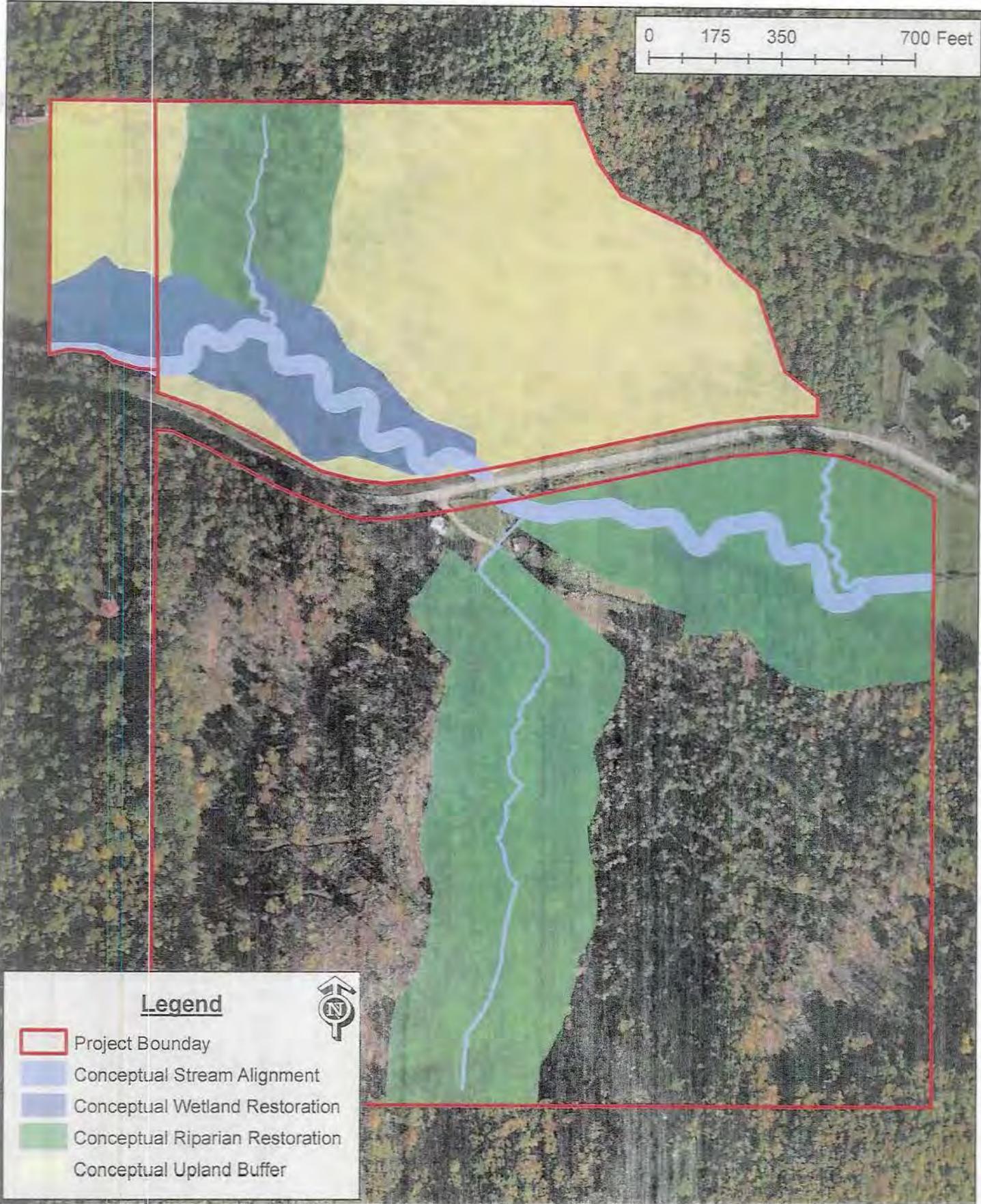
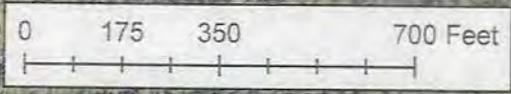
-  Project Boundary
-  Existing Stream (~6,131.3 linear feet)
-  Existing Wetland (~3.45 acres)
- 1.5' LiDAR Contours



FIGURE 23
JURISDICTIONAL FEATURES DELINEATION MAP
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS



MITIGATION
MANAGEMENT



Legend

-  Project Boundary
-  Conceptual Stream Alignment
-  Conceptual Wetland Restoration
-  Conceptual Riparian Restoration
-  Conceptual Upland Buffer

FIGURE 29
CONCEPTUAL MITIGATION PLAN
OWL CREEK MITIGATION BANK
TOWNS COUNTY, GEORGIA
PROSPECTUS

