



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**SAVANNAH DISTRICT**  
**100 WEST OGLETHORPE AVENUE**  
**SAVANNAH, GEORGIA 31401**

July 24, 2019

Regulatory Branch  
SAS-2017-00592

**PUBLIC NOTICE**  
**Savannah District**

The U.S. Army Corps of Engineers, Savannah District, Regulatory Branch (Corps) is proposing revisions to the mitigation service areas for the establishment and operation of stream and wetland compensatory mitigation projects pursuant to Section 404 of the Clean Water Act (33 USC 1344). This public notice is being distributed to all interested stakeholders to solicit public input for consideration in the development of these draft mitigation service areas.

The Corps is soliciting written comments on the proposed "2019 Mitigation Service Areas, U.S. Army Corps of Engineers, Savannah District, Regulatory Branch", dated June 12, 2019 (Draft). Once finalized, these mitigation service area guidelines would be incorporated into the compendium of documents that comprise the 2018 Standard Operating Procedure for Compensatory Mitigation, dated April 27, 2018, and apply to all regulatory actions requiring compensatory mitigation associated with mitigation banks, In-Lieu-Fee mitigation projects, and permittee responsible mitigation sites. The period for submittal of written comments will close 30 days from the date of this public notice.

**BACKGROUND:** The 2008 Mitigation Rule (Rule), [33 CFR 332.8 (d)(5)(ii)], states, "The service area is the watershed, ecoregion, physiographic province, and/or other geographic area within which the mitigation bank or in-lieu fee program is authorized to provide compensatory mitigation required by DA permits. The service area must be appropriately sized to ensure that the aquatic resources provided will effectively compensate for adverse environmental impacts across the entire service area. For example, in urban areas, a U.S. Geological Survey 8-digit hydrologic unit code (HUC) watershed or a smaller watershed may be an appropriate service area. In rural areas, several contiguous 8-digit HUCs or a 6-digit HUC watershed may be an appropriate service area. Delineation of the service area must also consider any locally-developed standards and criteria that may be applicable."

Pursuant to the mitigation service area requirements outlined in the Rule above, the Corps has locally-developed draft mitigation service areas to assist project sponsors with the evaluation and operation of stream and wetland compensatory mitigation projects in the State of Georgia.

COMMENTS: Anyone wishing to comment on this public notice should submit comments in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Regulatory Branch, Attention: Mr. Justin A. Hammonds, Post Office Box 528, Buford, Georgia 30515, no later than 60 days from the date of this notice. Please refer to project number SAS-2017-00592 in your comments.

If you have any further questions concerning this matter, please contact Mr. Justin A. Hammonds, Mitigation Liaison at (678) 804-5227 or Justin.A.Hammonds@usace.army.mil.

Enclosure

1. Appendix 11.3 - "2019 Mitigation Service Areas, U.S. Army Corps of Engineers, Savannah District, Regulatory Branch", dated July 24, 2019 (Draft).

## Appendix 11.3

### 2019 Mitigation Service Areas U.S. Army Corps of Engineers, Savannah District, Regulatory Branch

The Savannah District's 2019 Mitigation Service Areas are comprised of a single or multiple 8-digit hydrologic unit codes (HUCs) that have either been aggregated based on a watershed and eco-regional approach, or delineated along the established inland extent of the ebb and flow of tide influence<sup>1,2</sup>. Each of the 8-digit HUCs are either partially or wholly situated within the State of Georgia. Two separate service area maps have been provided. Each map applies to a distinct set of resource types based on the presence or absence of the tide, as follows: a) Non-tidal Mitigation Service Areas including non-tidal wetlands and streams (please refer to Figure 1); and b) Tidal Mitigation Service Areas including tidal wetlands (please refer to Figure 2). Portions of the Non-tidal Mitigation Service Areas and Tidal Mitigation Service Areas Map overlap within the 11 coastal counties of Georgia, where both non-tidal and tidal resources are located. These mitigation service areas are developed as the primary geographic extent to which a commercial mitigation project (e.g., mitigation bank, In-Lieu-Fee mitigation site) may serve as compensatory mitigation for authorized and/or unauthorized impacts to aquatic resources. These guidelines also approve the sale and/or purchase of mitigation credits across state lines, where the primary service area boundaries are associated with HUCs that include portions of adjacent states. In the event there are no commercial mitigation alternatives to off-set regulated impacts within a given service area (to include both 2018 and grandfathered credit types), the District Engineer, at his/her discretion, may evaluate proposals to fulfill required compensatory mitigation from a mitigation source in an adjacent service area, provided that the mitigation source is located within the same Level IV eco-region as the impact site. Mitigation undertaken to offset permitted impacts from an adjacent service area or a secondary service area from a grandfathered mitigation bank shall be required to obtain up to an additional 25 percent<sup>3</sup> above the total mitigation credit requirement had the mitigation been provided in the same service area as the impacts.

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<sup>1</sup> The inland extent of the Tidal Mitigation Service Areas is based upon the spatial extent of tidal, lotic river features identified in the National Wetland Inventory Plus (NWI plus) Geodatabase. Georgia Department of Natural Resources. 2012. Wetlands of Coastal Georgia: Results of the National Wetlands Inventory and Landscape-level Functional Assessment. Coastal Resources Division, Brunswick, GA. 87 pp. plus appendices.

<sup>2</sup> The inland extent of the North Tidal Mitigation Service Area along the Savannah River is based upon the findings of the Corps' Savannah Harbor Expansion Project Final Environmental Impact Statement. USACE. 2012. Savannah Harbor Expansion Project Final EIS, Section 4, Affected Environment.

<sup>3</sup> The specific amount of additional compensation, up to 25 percent above the total mitigation credit requirement, is at the discretion of the Corps.

# Appendix 11.3

## Figure 1. 2019 Non-Tidal Mitigation Service Areas



This map was revised on July 24, 2019.

# Appendix 11.3

## Figure 2. 2019 Tidal Mitigation Service Areas

