



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

January 18, 2023

Regulatory Division
SAS-2020-00806

PUBLIC NOTICE
Savannah District

The District Engineer has received a Prospectus describing the establishment and operation of a proposed wetland compensatory mitigation bank (Black Creek Phase II Mitigation Bank) with the requirement for Federal and State permits as described below:

Application Number: SAS-2020-00806

Bank Sponsor: Mr. Sue Christian
Black Creek Forest, LLC
875 George Road
Brooklet, GA 30415

Bank Agent: Mr. Joel Price
Sligh Environmental Consultants, Inc.
31 Park of Commerce Way, Suite 200B
Savannah, GA 31405

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 144.6-acre proposed Black Creek Phase II Wetland Mitigation Bank (BCP2) is located 2.25 miles northwest of the intersection of Interstate 16 and State Route 119, approximately five miles south of the City of Stilson, in Bulloch County, Georgia (Latitude 32.2493, Longitude -81.5561). The project area is within the Lower Ogeechee Watershed (8-Digit Hydrologic Unit Code (HUC) 03060202). Please refer to the enclosed Location Vicinity, 12-Digit HUC, United States Geological Survey (USGS) Topographic, County Road Map, Tax Parcel Map, and Ortho Aerial Photograph Maps (Figures 1-6) for more detailed information on the location of the proposed bank.

Objective: The applicant is proposing the restoration and enhancement of bottomland hardwood wetland habitat in the Ogeechee Watershed. This would be achieved through restoration of wetland vegetation, restoration/enhancement of wetland hydrology, wetland preservation, and upland buffer preservation. The conceptual

mitigation plan for the property would generate wetland mitigation credits to be sold on the open market in the Ogeechee River Watershed.

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. The proposed primary service area would include hydrologic unit codes (HUCs) 03060201, 03070107, 03060203, 03060202, and 03060204. The secondary service area would consist of HUCs 03060106, 03060108, 03060109, 03070203, 03070106, and 03070102, (see attached Figure 9).

Description of Mitigation Bank: The proposed mitigation plan for the BCP2 consists of the following onsite mitigation prescriptions: (Area A) 54.3 acres of vegetative and hydrology restoration; (Area B) 27.3 acres of hydrology and vegetative enhancement; (Area C) 2.7 acres of vegetative and hydrology enhancement; and (Area D) 7.5 acres of hydrology enhancement. Vegetative restoration and enhancement will consist of removing monoculture species and replanting native bottomland hardwood species. Hydrologic restoration and enhancement will consist of removing a dike and plugging forestry ditches. Upland buffers would be established around wetlands in an effort to protect wetland functionality by acting as a filter for nutrients, sedimentation, etc. (see attached Figure 14).

Upon approval, a restrictive covenant and conservation easement would be established. The covenant will provide for the proposed mitigation activities and the preservation of BCP2 in perpetuity. The conservation easement would be held by a conservancy group or nonprofit organization to ensure long-term protection of BCP2.

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 Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act for projects located within the prescribed GSA.

Oversight of this mitigation bank 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 is typically 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 and Coastal Resources Division.

The actual approval of the use of this mitigation bank for a specific project is the decision of the Corps pursuant to Section 10 of the Rivers and Harbors Act and/or Section 404 of the Clean Water Act. The Corps 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 development of the proposed BCP2 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 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 mitigation bank. The complete prospectus can be viewed and downloaded online from our Regulatory Information Banking and In-Lieu Fee Tracking System (RIBITS) website at https://ribits.ops.usace.army.mil/ords/f?p=107:278:2762663088824:::RP,278:P278_BAN_K_ID:6537. If you are unable to view or download the prospectus, please contact Mr. Tyler Brock, Coastal Branch, at tyler.j.brock@usace.army.mil or by phone at 912-652-5139. 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.

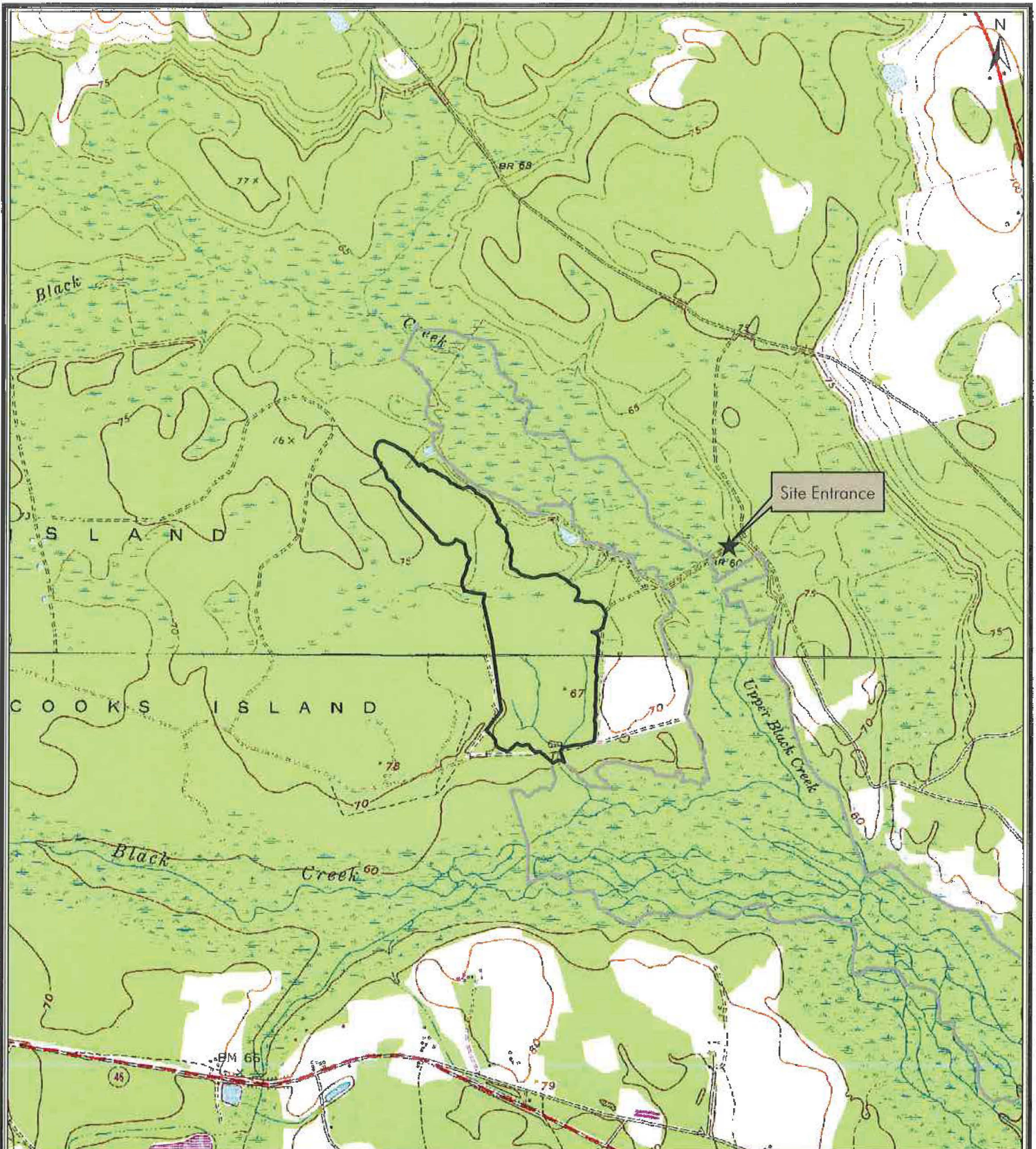
Preliminary review indicates that: 1) An environmental impact statement will not be required; 2) No species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be adversely affected; and, 3) No cultural or 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 by email to tyler.j.brock@usace.army.mil. Alternatively, you can submit comments in writing by mail to: Commander, U.S. Army Corps of Engineers, Savannah District, Regulatory Division, Attention: Mr. Tyler J. Brock, 100 W. Oglethorpe Ave, Savannah, Georgia 31401-3640, no later than 30-days from the date of this notice. Please refer to the Project Name (Black Creek Phase II Mitigation Bank) and the Regulatory Division file number (SAS-2020-00806) in your comments.

If you have any further questions concerning this matter, please contact Mr. Tyler J. Brock, at 912-652-5139, or via e-mail at tyler.j.brock@usace.army.mil.

Enclosures

1. Location/Vicinity Map (Figure 1)
2. County Road Map (Figure 2)
3. Tax Parcel Map (Figure 3)
4. 12 Digit HUC Map (Figure 4)
5. USGS Topographic Map (Figure 5)
6. Ortho Aerial Photograph Map (Figure 6)
7. Service Area Map (Figure 9)
8. Wetland Restoration – Enhancement Exhibit (Figure 14)



Project Boundary
 Black Creek Mitigation Bank

Prepared By:
sligh environmental consultants, inc.
 31 Park of Commerce Way, Suite 200B
 Savannah, Georgia 31405
 phone (912) 232-0451
 fax (912) 232-0453

Figure 1 - U.S. Geological Survey
 Lanier and Stilson Quadrangles
 Black Creek Phase II Mitigation Bank
 Bulloch County, Georgia

0 1,000 2,000
 Feet
 Scale: 1 inch = 2,000 feet

Job Number: 01-05-060

Drawn By: DJP

Reviewed By: SF5

Exhibit Date: July 5, 2022



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Figure 2 - County Road Map
 Black Creek Phase II Mitigation Bank
 Bulloch County, Georgia

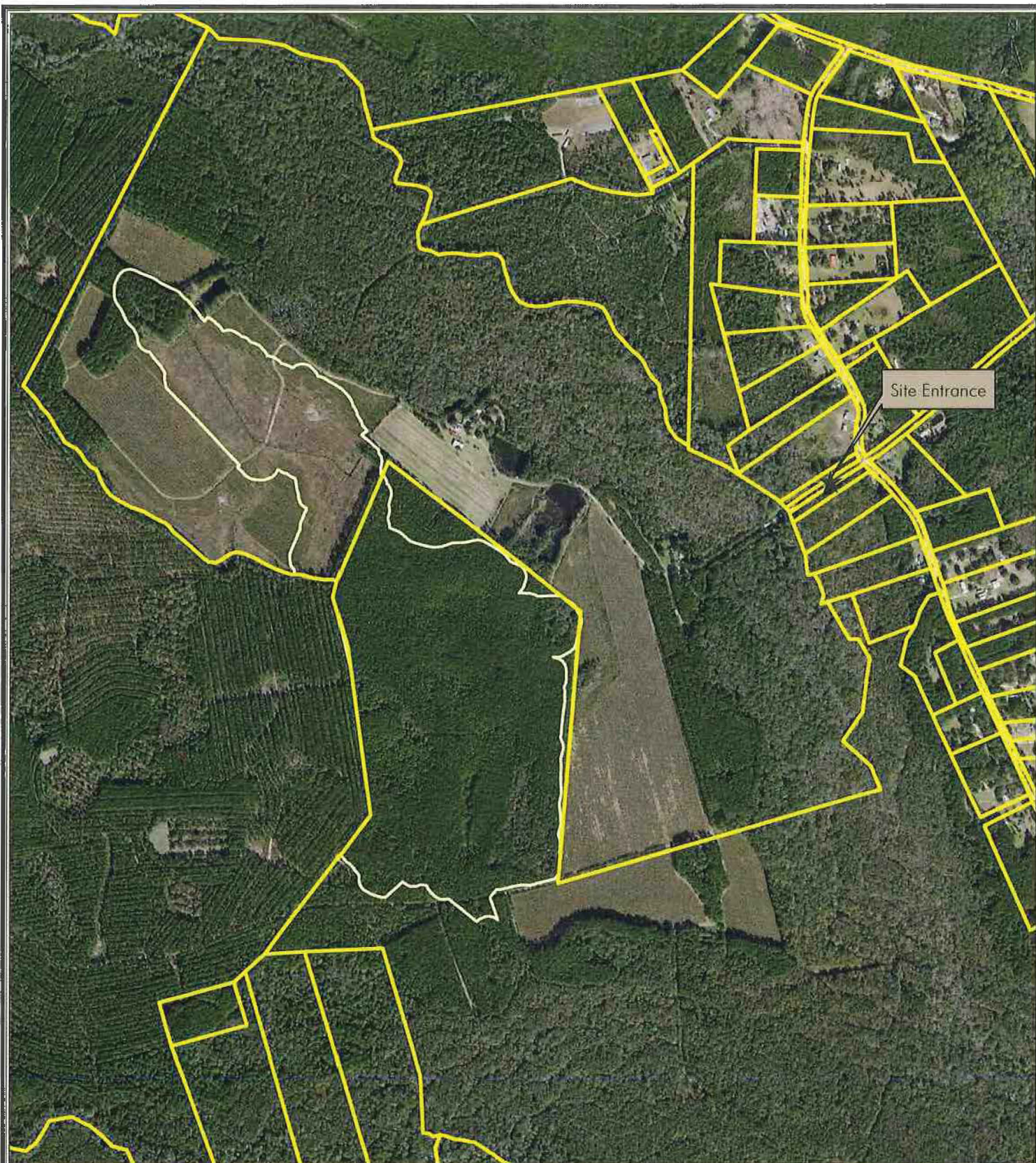
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 Feet
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Figure 3 - Tax Parcel Map
Black Creek Phase II Mitigation Bank
Bulloch County, Georgia

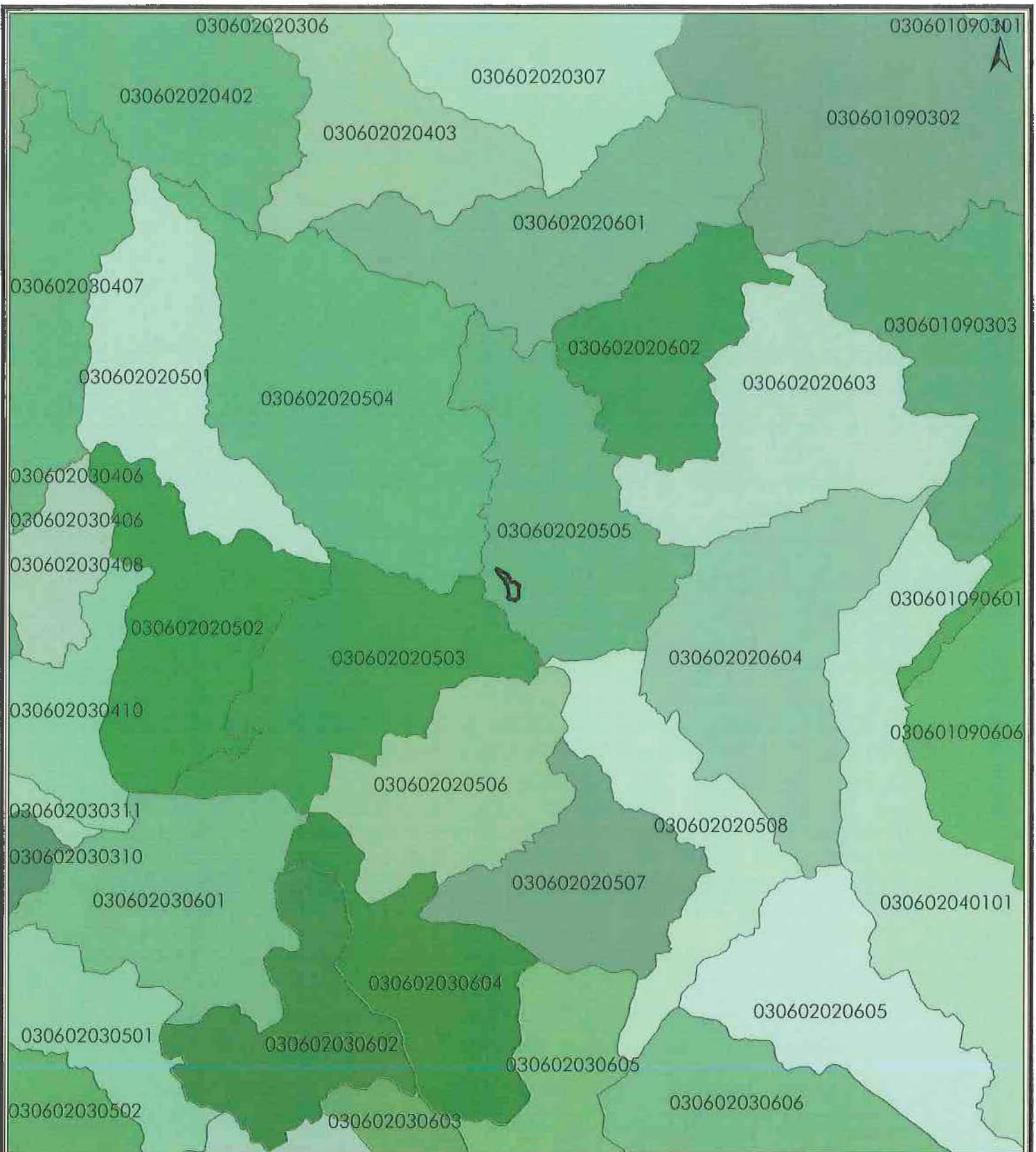
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Scale: 1 inch = 1,000 feet


Job Number: 01-05-060

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Figure 4 - 12-Digit HUC Map Black Creek Phase II Mitigation Bank Bulloch County, Georgia

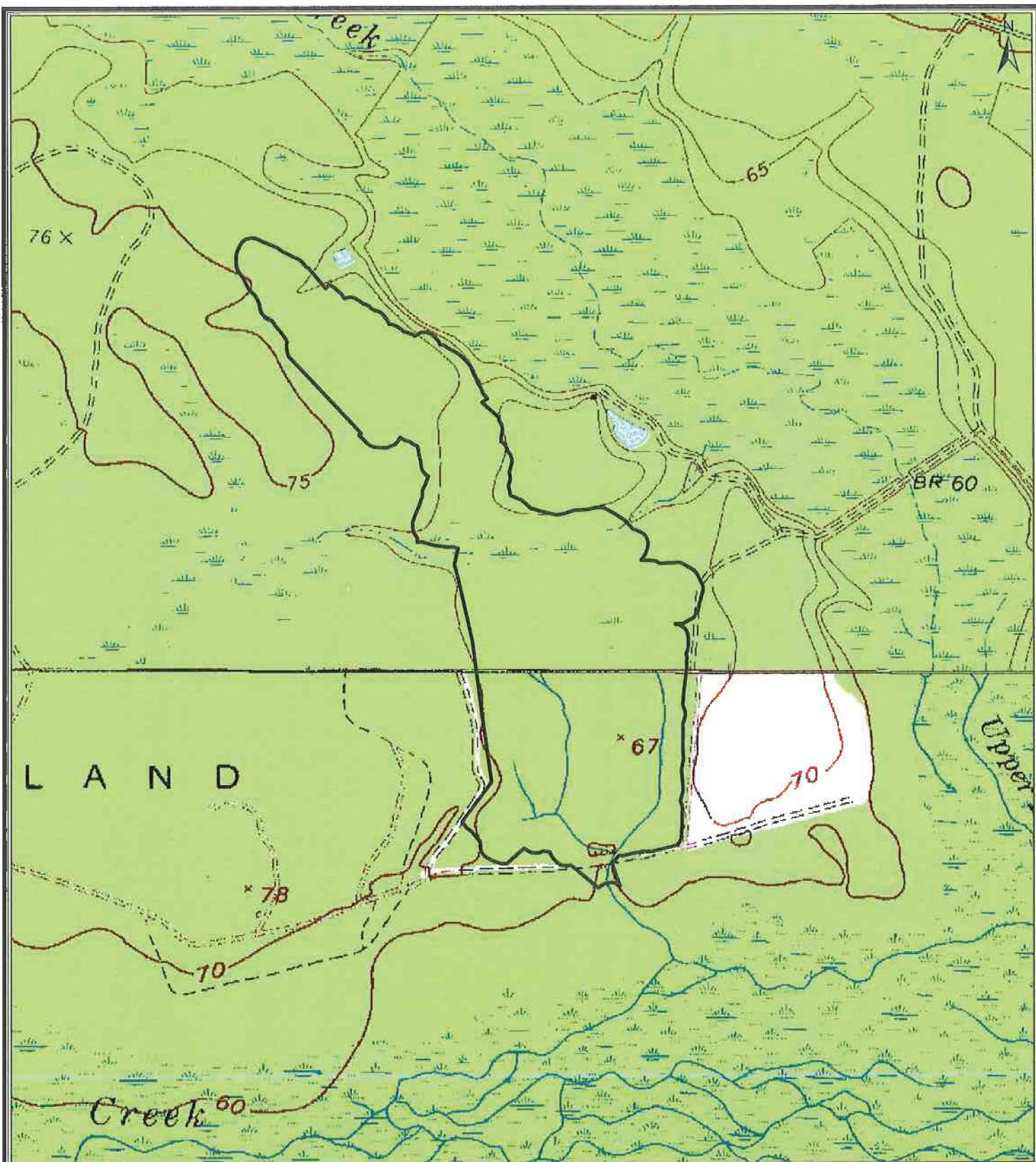
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 Scale: 1 inch = 20,000 feet


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Figure 5 - USGS Map
 Lanier and Stilson Quadrangles
 Black Creek Phase II Mitigation Bank
 Bulloch County, Georgia

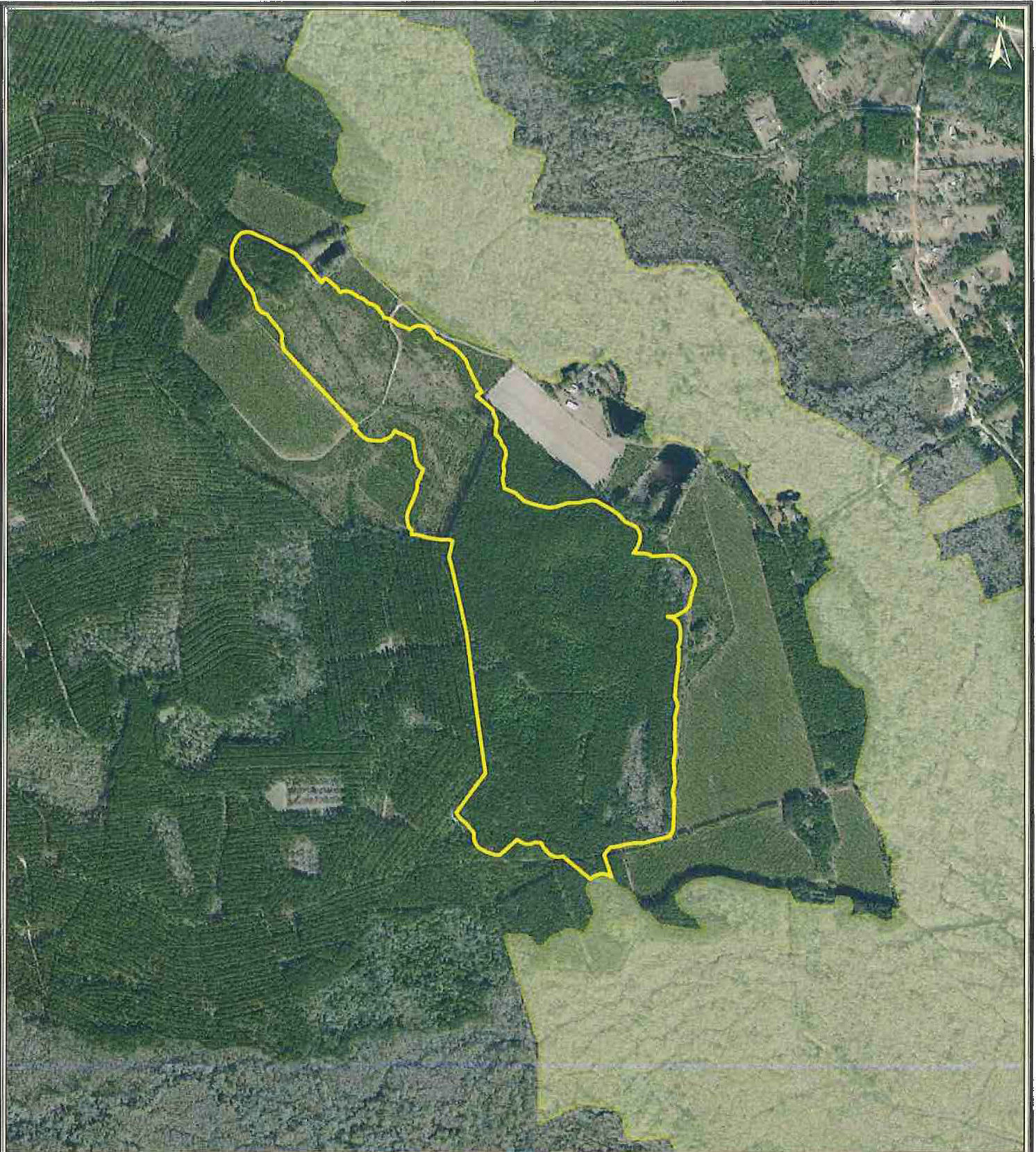
0 500 1,000
 Feet
 Scale: 1 inch = 2,000 feet


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Figure 6 - 2021 Aerial Photograph
Black Creek Phase II Mitigation Bank
Bulloch County, Georgia

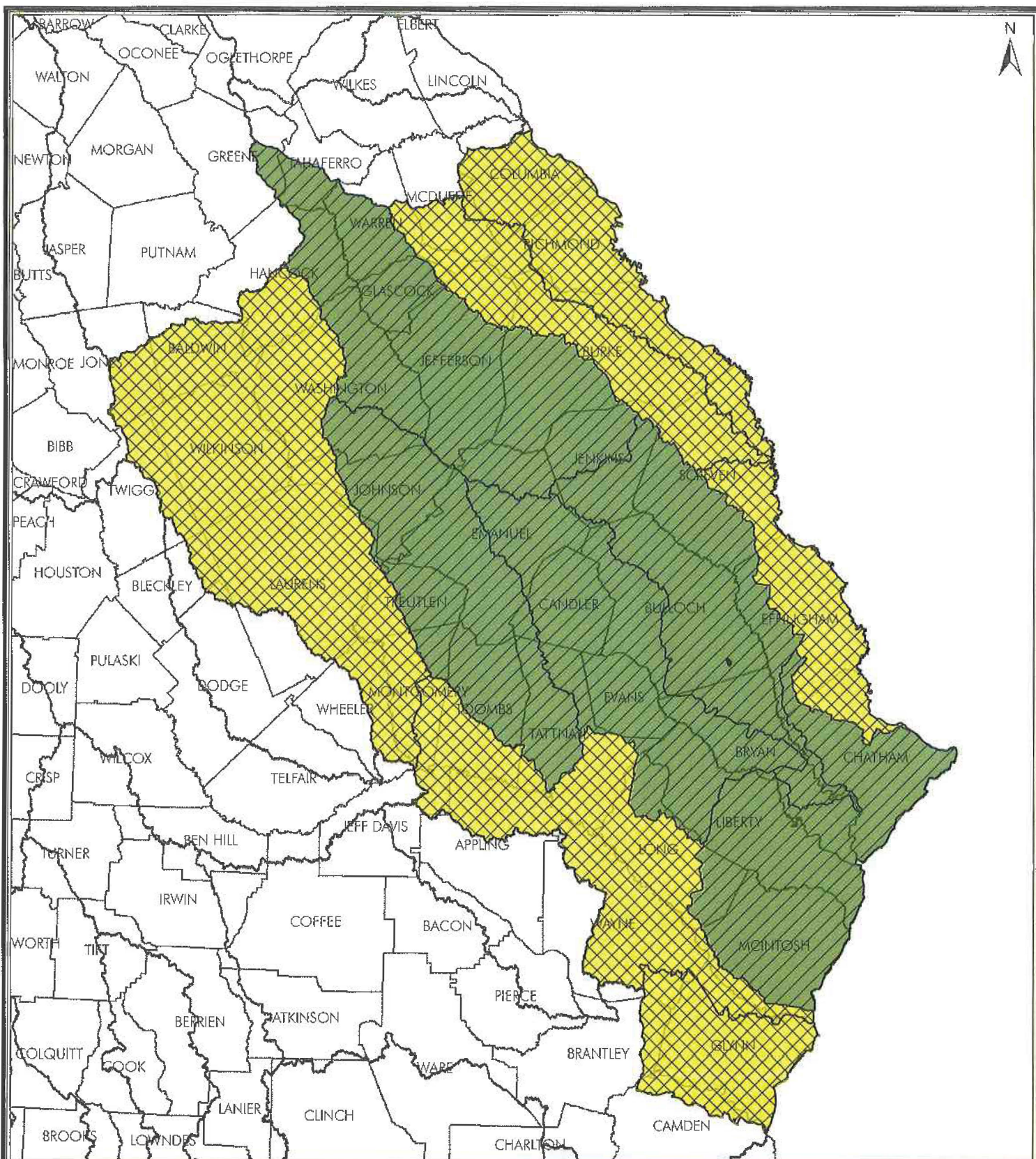
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Feet
Scale: 1 inch = 2,000 feet

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Primary Service Area
 Secondary Service Area
 Project Boundary

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Figure 9 - Service Area Map
 Black Creek Phase II Mitigation Bank
 Bulloch County, Georgia

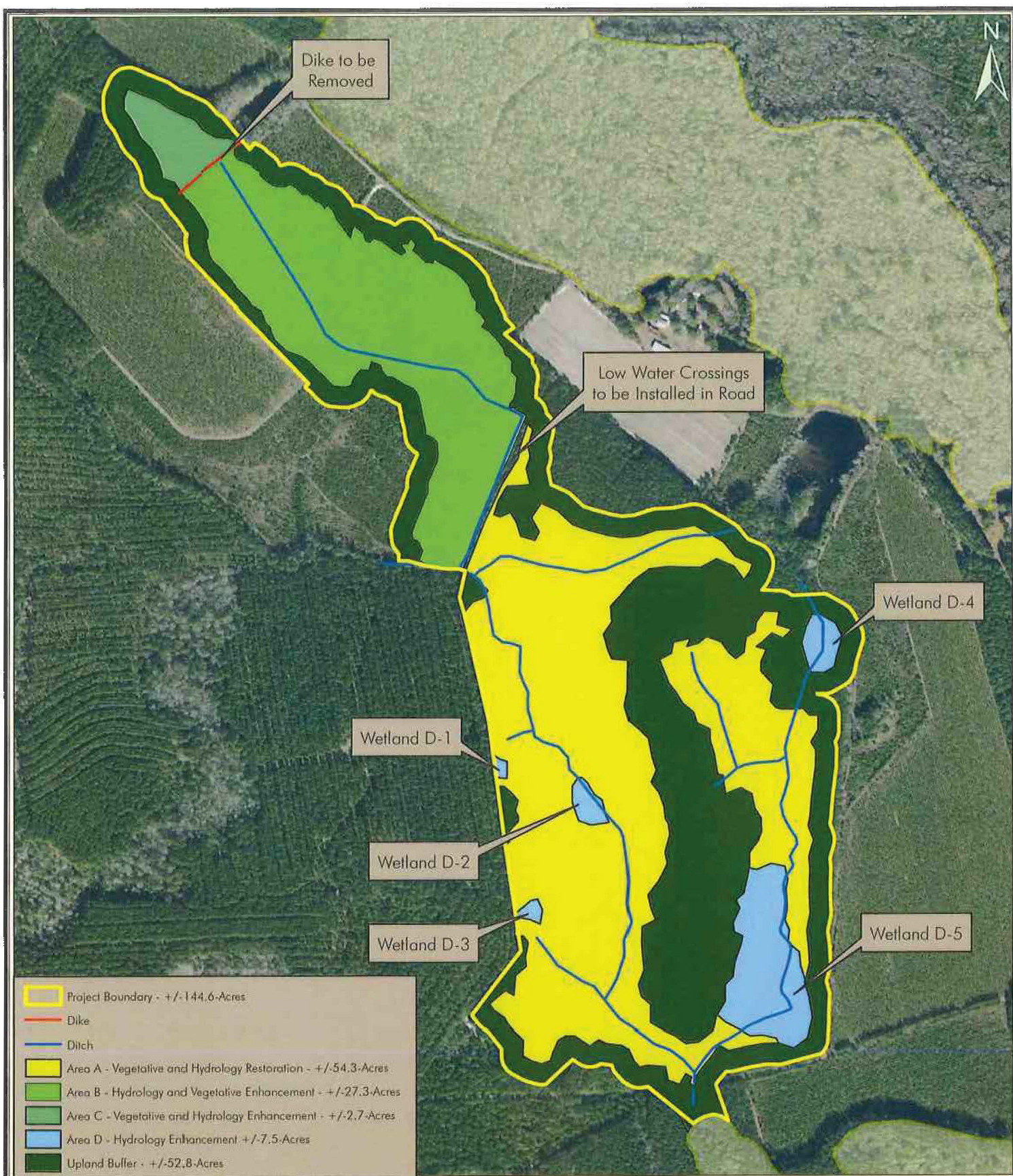
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 Scale: 1 inch = 125,000 feet

Job Number: 01.05.060

Drawn By: DJP

Reviewed By: SFS

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Figure 14 - Wetland Restoration -
 Enhancement Exhibit
 Black Creek Phase II Mitigation Bank
 Bulloch County, Georgia

0 300 600
 Feet
 Scale: 1 inch = 600 feet
 Job Number: 01-05-060
 Drawn By: DJP
 Reviewed By: SFS
 Exhibit Date: July 19, 2022