



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

July 5, 2023

Regulatory Division  
SAS-2023-00401

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

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

Application Number: SAS-2023-00401

Bank Sponsor: Mr. Matt Butler  
Water and Land Solutions  
1859 Summerville Avenue, Suite 770  
Charleston, South Carolina 29405

Bank Agent: Mr. Tory Grayson  
Water and Land Solutions  
1859 Summerville Avenue, Suite 770  
Charleston, South Carolina 29405

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 proposed Cross Bay Mitigation Bank consists of approximately 710-acres within a 1,006-acre tract located adjacent to the north side of United States Army, Fort Stewart and south of Highway 204, Bryan County, Georgia (Latitude 32.099016, Longitude -81.53345). The project area is within the Lower Ogeechee Watershed (Hydrologic Unit Code 03060202). Please refer to the enclosed Parcel Map, 8 Digit Hydrologic Unit Code (HUC) Map, Service Area Map, and Section 303(d) Map (Figures xx) for more detailed information on the location of the proposed bank.

Objective: Per the applicant, "The mitigation activities on the Cross Bay Tract are intended to preserve approximately 206 acres of highly functional wetland, and enhance or restore the hydrologic, vegetative, and biogeochemical functionality of approximately 356 acres of wetlands, and preserved/enhance approximately 145 acres of adjacent upland buffer (Figure 8). The proposed Cross Bay Mitigation Bank will also complement

the Army Compatible User Buffer (“ACUB”) Program and build upon the existing federally protected species habitat known to exist within Fort Stewart.”

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 areas will serve all portions of the following watersheds located in the State of Georgia: Upper Ogeechee 03060201, Lower Ogeechee 03060202, Ohoopsee 03070107, Canoochee 03060203, and Ogeechee Coastal 03060204 watersheds. These watersheds include all or portions of the following counties: Bryan, Bulloch, Burke, Emanuel, Glascock, Green, Hancock, Jefferson, Jenkins, Talliaferro, Warren, and Washington. The site’s secondary service areas will serve all portions of the following watersheds located in the State of Georgia: Brier 03060108, Middle Savannah 03060106, Lower Savannah 03060109, Lower Oconee 03070102, Altamaha 03070106, and Cumberland St. Simons 03070203 watersheds. These watersheds include all or portions of the following counties: Burke, Chatham, Columbia, Effingham, Jefferson, Jenkins, McDuffie, Richmond, Screven, and Warren. Bryan, Bulloch, Burke, Emanuel, Glascock, Green, Hancock, Jefferson, Jenkins, Talliaferro, Warren, and Washington (see attached Service Area map).

Description of Mitigation Bank: Water & Land Solutions has requested authorization to develop a new wetland mitigation bank. The proposed mitigation plan for the bank consists of the following onsite prescriptions:

Per the applicant, there are three focuses to the Mitigation bank which include preservation, enhancement, and the preservation and enhancement of adjacent upland buffer. The focus includes 243.16-acres of vegetative enhancement, 89.12 acres of hydrology enhancement, 23.3-acres of vegetation and hydrology enhancement, 205.94 acres of wetland preservation, and 144.92 acres of upland buffers.

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. In accordance with the 2008 Mitigation Rule (see 332.3(f)(2) and 332.3(h)(2), as this will be primarily a preservation only bank, the Corps proposes that no more than 50% of the required mitigation for any particular project be debited from this mitigation bank, with the rest being provided from other mitigation banks that serve a particular project area or from in-lieu fee or permittee responsible mitigation consistent with the mitigation hierarchy presented in the Mitigation Rule.

Authority: A public notice regarding the development of the proposed Cross Bay 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 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=107:278:15915430746750:::RP,278:P278\\_BA\\_NK\\_ID:6637](https://ribits.ops.usace.army.mil/ords/f?p=107:278:15915430746750:::RP,278:P278_BA_NK_ID:6637). If you are unable to view or download the prospectus, please contact Mr. Tyler J. Brock, Project Manager, at [tyler.j.brock@usace.army.mil](mailto: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 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.

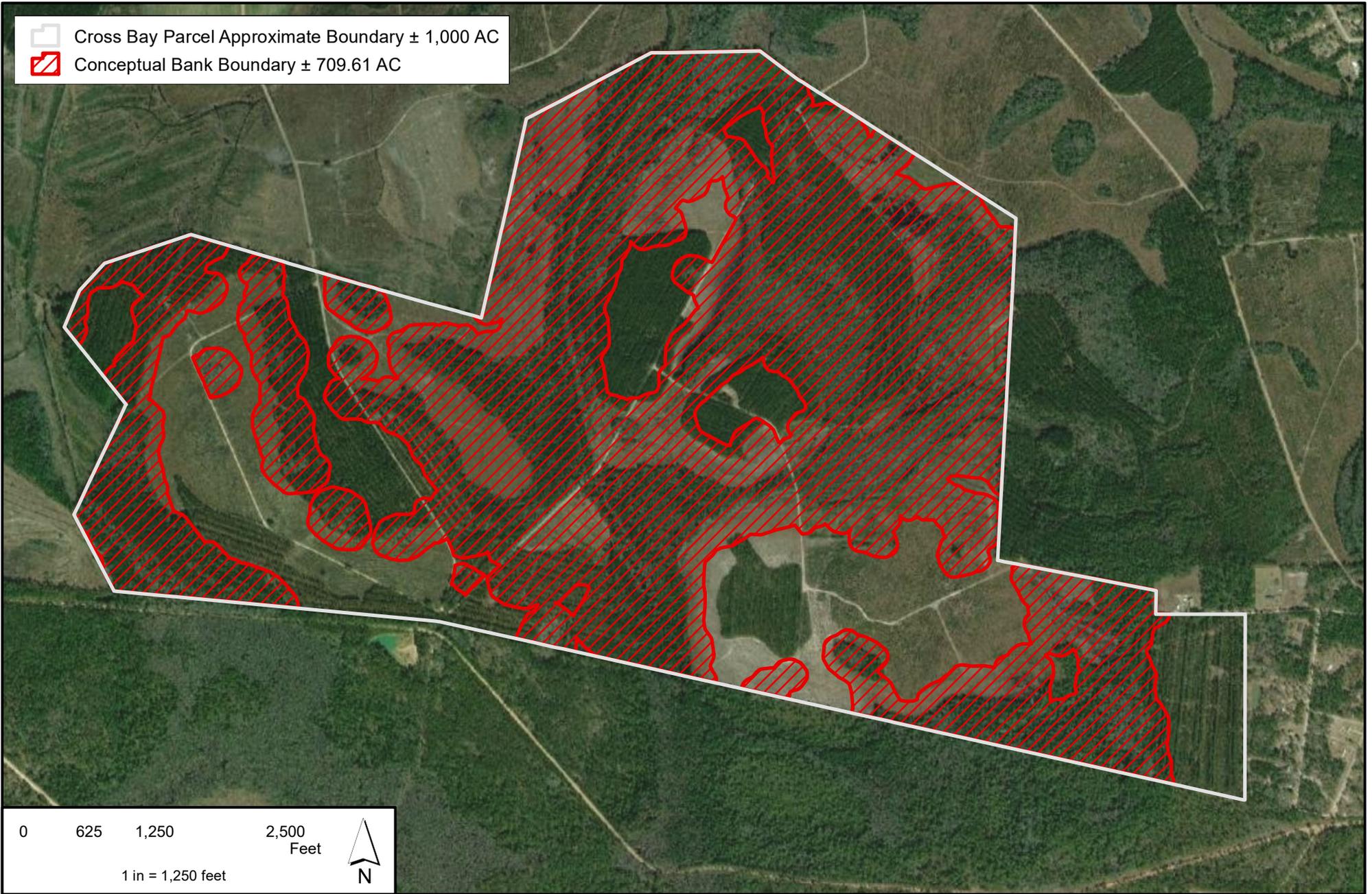
Comment Period: Anyone wishing to comment on this proposal should submit comments by email to [tyler.j.brock@usace.army.mil](mailto:tyler.j.brock@usace.army.mil). Alternatively, you can submit comments in writing by mail to: Commander, U.S. Army Corps of Engineers, Savannah District, Regulatory Division, 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 (Cross Bay Mitigation Bank) and the Regulatory Division file number (SAS-2023-00401) 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](mailto:tyler.j.brock@usace.army.mil).

#### Enclosures

1. Parcel Map (Figure 1)
2. 8 Digit HUC Map (Figure 3)
3. Wetland Delineation (Figure 4)
4. Wetland Classification (Figure 5)
5. Mitigation Activities Map (Figure 8)

 Cross Bay Parcel Approximate Boundary ± 1,000 AC  
 Conceptual Bank Boundary ± 709.61 AC



**Cross Bay Mitigation Bank**  
HUC 8 - 03060202  
Bryan County, Georgia

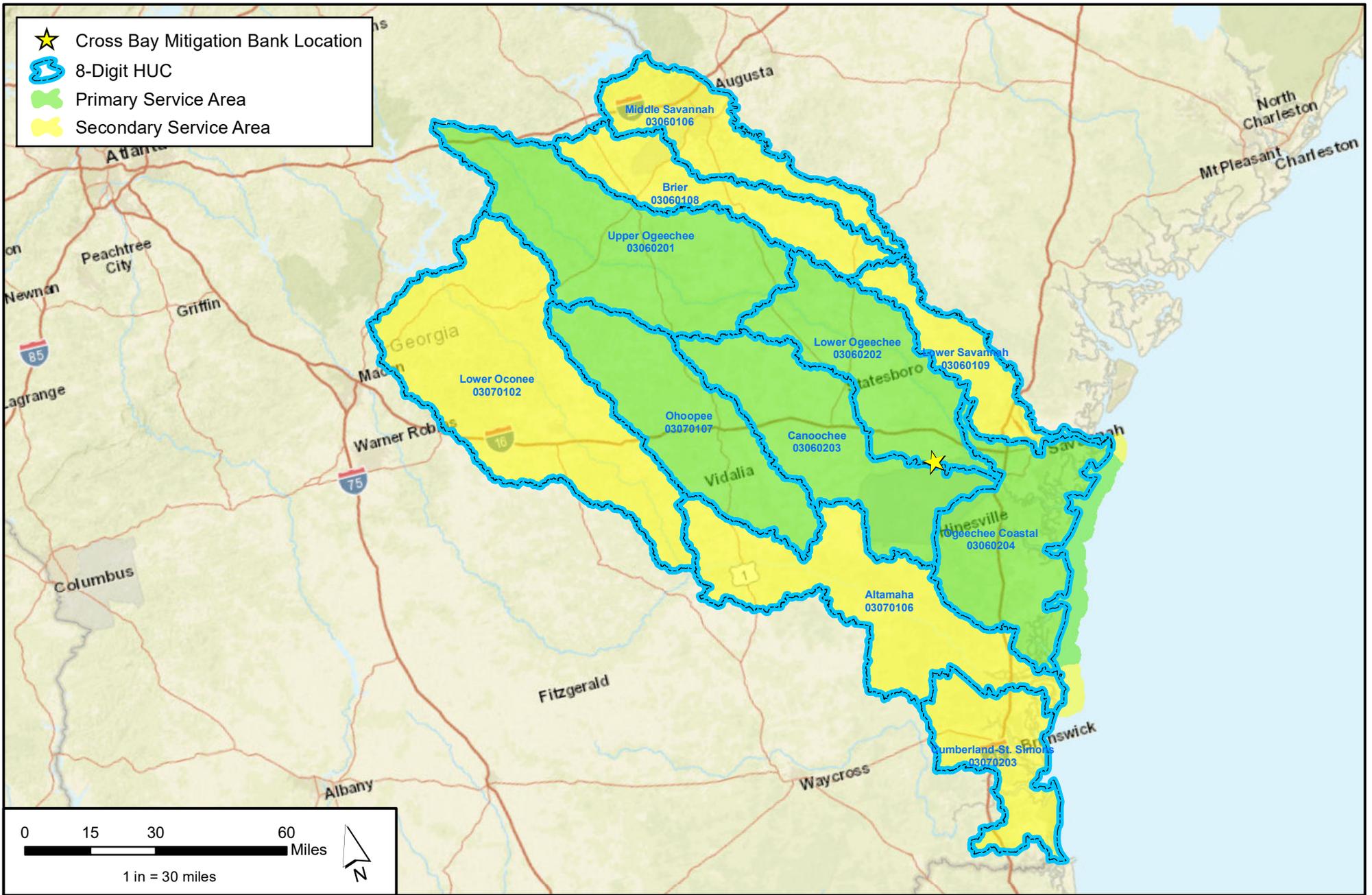
Map Projection: NAD\_1983\_StatePlane\_NC\_FIPS\_3200\_Feet

Cross Bay  
Parcel Map

Date: 3/23/2023

Figure

**1**



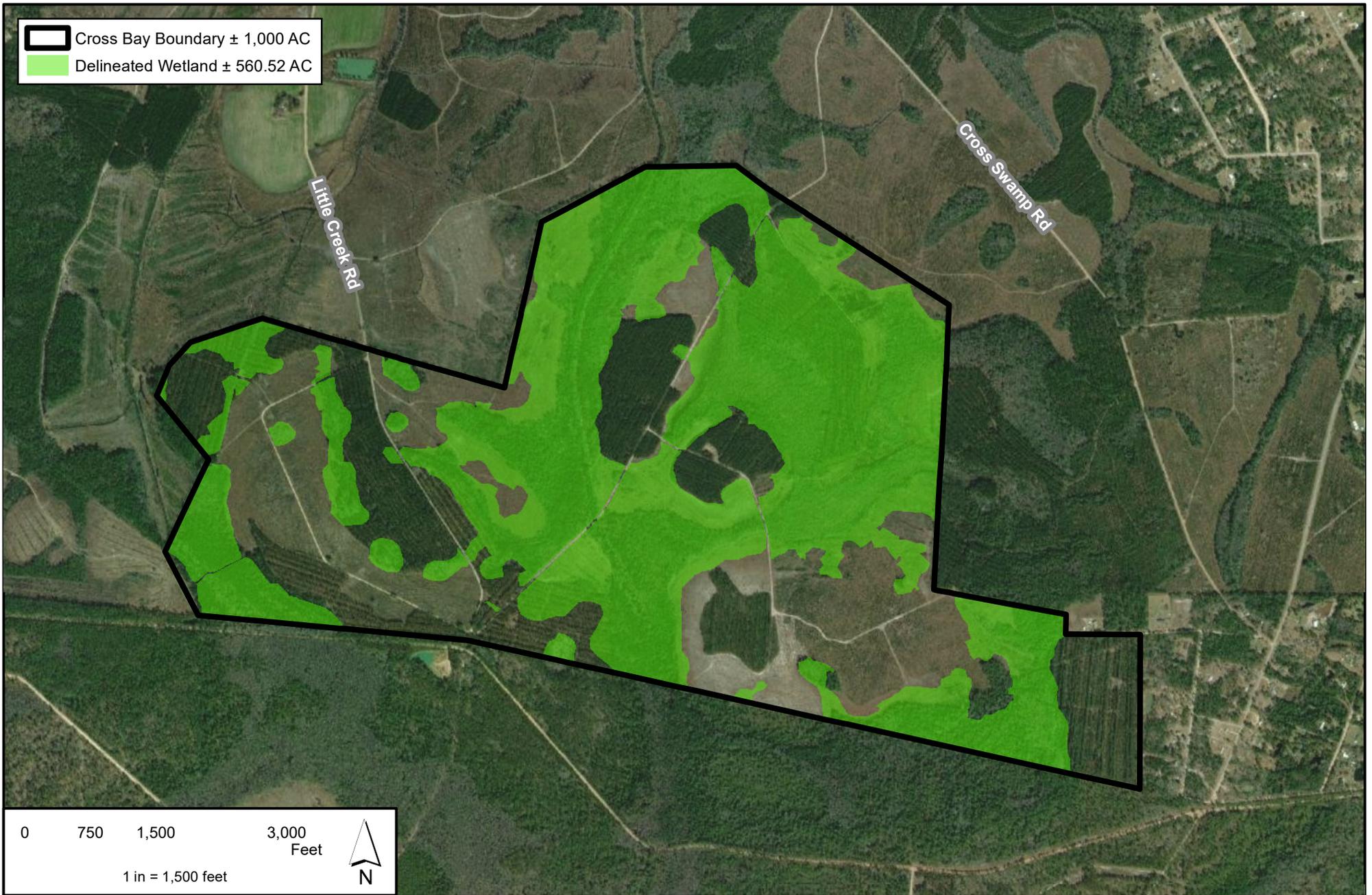
**Cross Bay Mitigation Bank**  
HUC 8 - 03050202  
Bryan County, Georgia

Map Projection: NAD\_1983\_StatePlane\_NC\_FIPS\_3200\_Feet

Service Area  
Map

Date: 4/19/2023

Figure  
**3**



Cross Bay Boundary ± 1,000 AC  
 Delineated Wetland ± 560.52 AC

Little Creek Rd

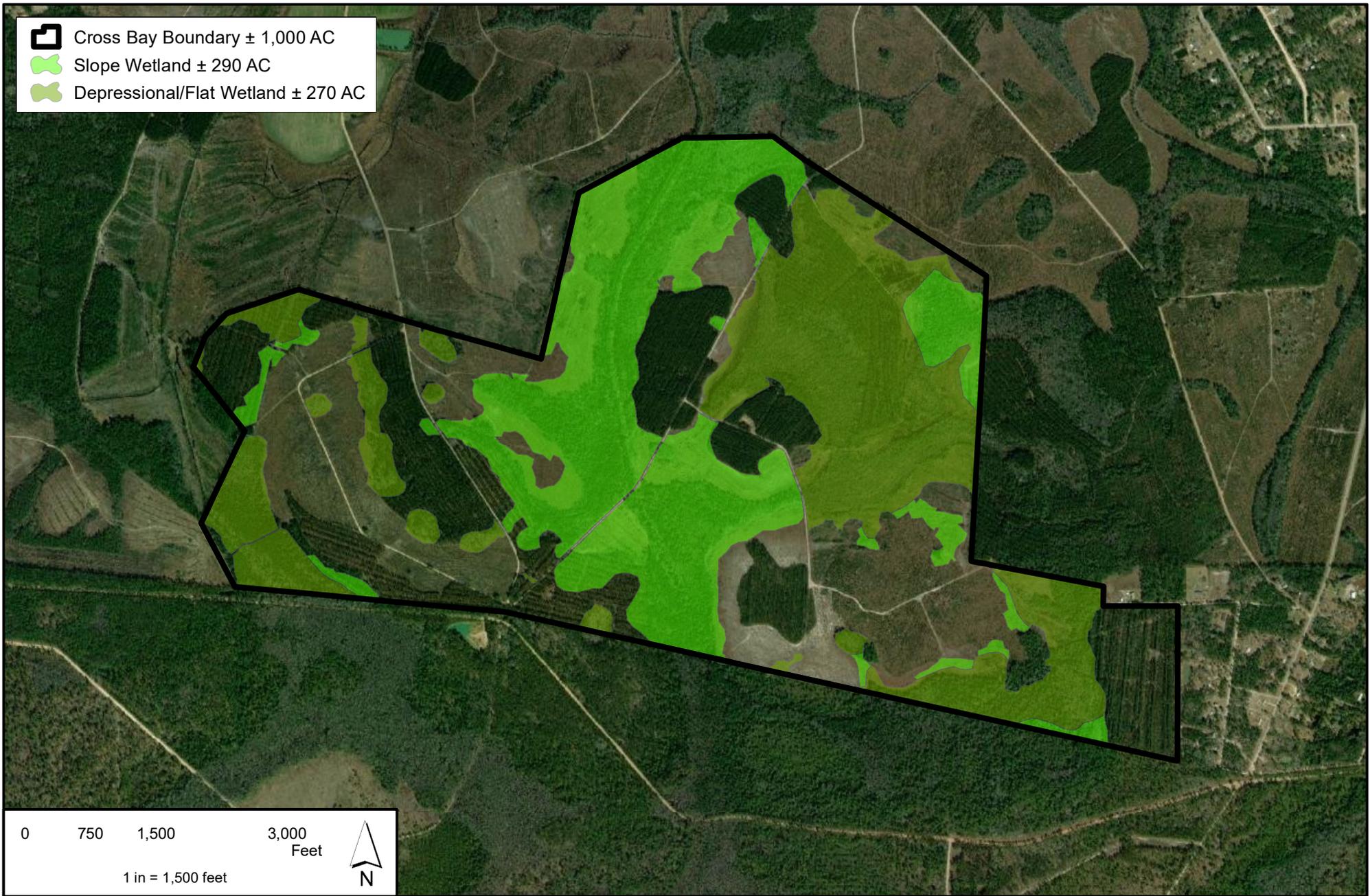
Cross Swamp Rd

0    750    1,500    3,000  
 Feet  
 1 in = 1,500 feet



	<b>Cross Bay</b> HUC 8 Lower Ogeechee 03060202 Bryan County, Georgia	Wetland Delineation Map	Figure <b>4</b>
	<small>Map Projection: NAD_1983_StatePlane_Georgia_East_FIPS_1001_Feet</small>	<small>Date: 3/23/2023</small>	

-  Cross Bay Boundary ± 1,000 AC
-  Slope Wetland ± 290 AC
-  Depressional/Flat Wetland ± 270 AC



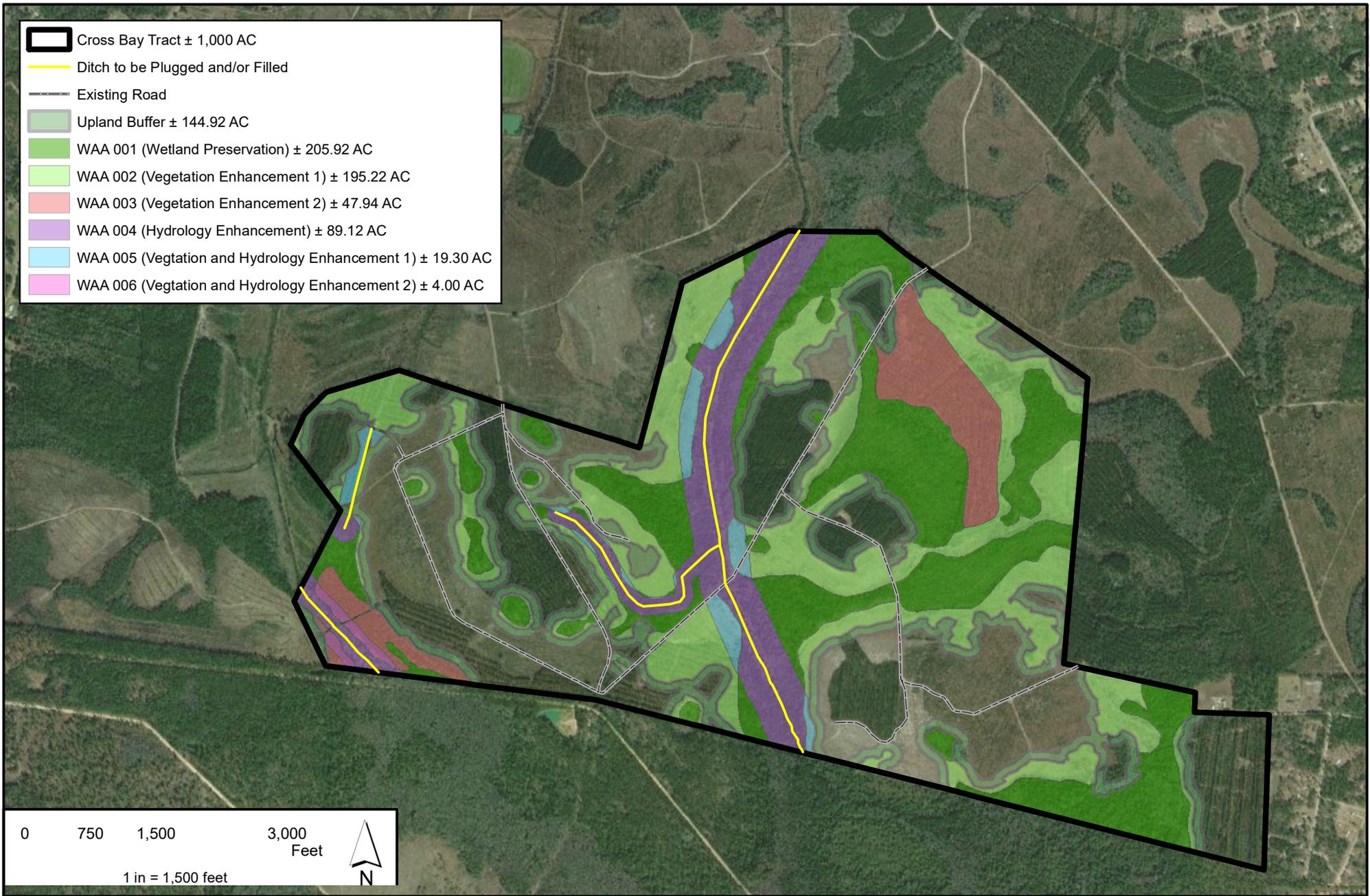
**Cross Bay**  
 HUC 8 Lower Ogeechee 03060202  
 Bryan County, Georgia

Map Projection: NAD\_1983\_StatePlane\_Georgia\_East\_FIPS\_1001\_Feet

Approximate Wetland  
 Classification Map

Date: 3/29/2023

Figure  
5



**Cross Bay**  
 HUC 8 Lower Ogeechee 03060202  
 Bryan County, Georgia

Map Projection: NAD\_1983\_StatePlane\_Georgia\_East\_FIPS\_1001\_Feet

Conceptual  
 Mitigation Plan

Date: 3/24/2023

Figure  
**8**