



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT**  
**4751 BEST ROAD, SUITE 140**  
**COLLEGE PARK, GEORGIA 30337-5600**

March 14, 2023

Regulatory Division  
SAS-2002-15050

**30-DAY PUBLIC NOTICE**  
**Savannah District**

The District Engineer has received a proposal to modify the boundaries of the Rum Creek Mitigation Bank (RCMB), a sole-source, non-commercial stream and wetland mitigation bank, approved on January 14, 2003, which was established to provide compensation for adverse impacts to aquatic resources resulting from projects sponsored by the Henry County Water and Sewerage Authority (HCWSA) and authorized by Federal and/or State permits. To date, all approved compensatory mitigation bank credits have been released for use, though a portion of previously released credits remain available on the bank's ledger for future use.

The comment period for the proposed modification will close 30 days from the date of this public notice. Written comments, including suggestions for modifications or objections to the proposal, stating reasons thereof, are being solicited from anyone having interest in this proposal, and must be submitted so as to be received on or before the last day of the comment period. Written comments concerning the modification request must reference the bank Sponsor's name and the Regulatory File Number, and be forwarded to the U.S. Army Corps of Engineers (Corps) at the above address, or via the email listed at the end of this notice.

Authority: A public notice regarding this mitigation bank instrument modification request is being evaluated under Title 33 Code of Federal Regulations Part 332.8, entitled "Compensatory Mitigation for Losses of Aquatic Resources, Final Rule", as published in the Federal Register on April 10, 2008.

Regulatory File Number: SAS-2002-15050

Bank Sponsor: Mr. Tony Carnell  
HCWSA  
1695 Highway 20 West  
McDonough, Georgia 30253

This public notice does not imply, on the parts of the Corps or other agencies, either favorable or unfavorable opinion of the proposed Banking Instrument (BI) modification, but is issued to solicit comments regarding the factors on which final decisions will be based.

Location of Project: The existing 62-acre sole-source mitigation bank site is located northeast of the intersection of Interstate-75 and Rum Creek, and west of Rock Quarry Road, in Stockbridge, Henry County, Georgia (latitude 33.5157, longitude -84.2353). The proposed modification is associated with an estimated 0.237-acre encroachment into the eastern boundary of the bank property along approximately 575 linear feet of the western edge of Rock Quarry Road, generally coincident with and to the north of, the road crossing over Rum Creek.

Description of Proposed Modification: Rock Quarry Road is a two-lane roadway forming the eastern RCMB boundary, and has an existing variable right-of way width of 50 to 100 feet. Rock Quarry Road is an urban minor arterial roadway that serves as the connector between Interstate-75 and the City of Stockbridge. Based on existing traffic volume and the high percentage of heavy truck traffic (>9%) associated with the Vulcan Materials quarry, two concrete plants and a solid waste transfer station, Rock Quarry Road is considered heavily congested, experiencing higher than average traffic accident rates. Henry County Special Purpose Local Option Sales Tax (SPLOST) Department's assessment has identified the subject section of Rock Quarry Road as having an existing Level of Service (LOS) Rating E, indicative of an operating condition at or near capacity with unstable traffic flow and frequent short stops.

As a result, SPLOST intends to widen Rock Quarry Road to establish a four-lane divided roadway with eleven-foot travel lanes and a 20-foot raised median with curb and gutter to improve the LOS rating ranging from A to B, and reduce the severity and the current predominance of rear end collisions associated with the current stop and start condition (LOS Rating A: free flow of traffic with individual users virtually unaffected by the presence of others in the traffic stream; LOS Rating B: stable traffic flow with a high degree of freedom to select speed and operating conditions but with some influence from other users). The reconstructed right-of-way width would be variable, ranging from 100 to 125 feet, to include a sidewalk, grass strips and a multi-use path. In addition, the project includes the establishment of a variable width permanent easement with a maximum width of approximately 60 feet required for the construction and maintenance of roadside slopes and post-construction stormwater controls.

The bank Sponsor has evaluated potential project alternatives to the proposed encroachment into the approved compensatory mitigation bank, but has determined that there are no less adverse practicable alternatives to the proposed work that would meet the proposed transportation project's need and purpose. The proposed encroachment into the approved bank would result in the loss of an area which generated 0.4954 legacy wetland credits and 62.5 legacy stream credits. In order to accommodate the longitudinal encroachment into the existing mitigation bank property, the bank Sponsor

is proposing to amend the eastern bank boundary to remove the area of proposed encroachment and to deduct the equivalent of the previously released credits from their bank ledger, through a proposed modification of the approved Banking Instrument. The bank Sponsor would record an amendment to the existing declaration of covenants and restrictions protecting the site, reflecting the corresponding revision to the boundaries for the bank to be recorded on the final plat map. In addition, we understand that the bank Sponsor has preliminarily entered into an agreement with the Southern Conservation Trust to establish and record a conservation easement for perpetual protection of the bank site, as a condition of the requested BI modification.

Other Governmental Authorizations: The Interagency Review Team responsible for the review and approval of the proposed mitigation bank modification include representatives from the Corps, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, and the Georgia Environmental Protection Division of the Department of Natural Resources. The modification would not require authorization under Section 404 of the Clean Water Act.

Environmental Resource Review: Preliminary review indicates that: 1) An environmental impact statement would 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) would be affected; and, 3) No cultural or historical resources considered eligible or potentially eligible for listing on the National Register of Historic Places would be affected according to a website review of known listed properties. Additional information may change any of these preliminary findings.

Other Evaluation Factors: The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors. Comments are used in the evaluation of the proposed mitigation Banking Instrument modification per 33 CFR Part 332.8.

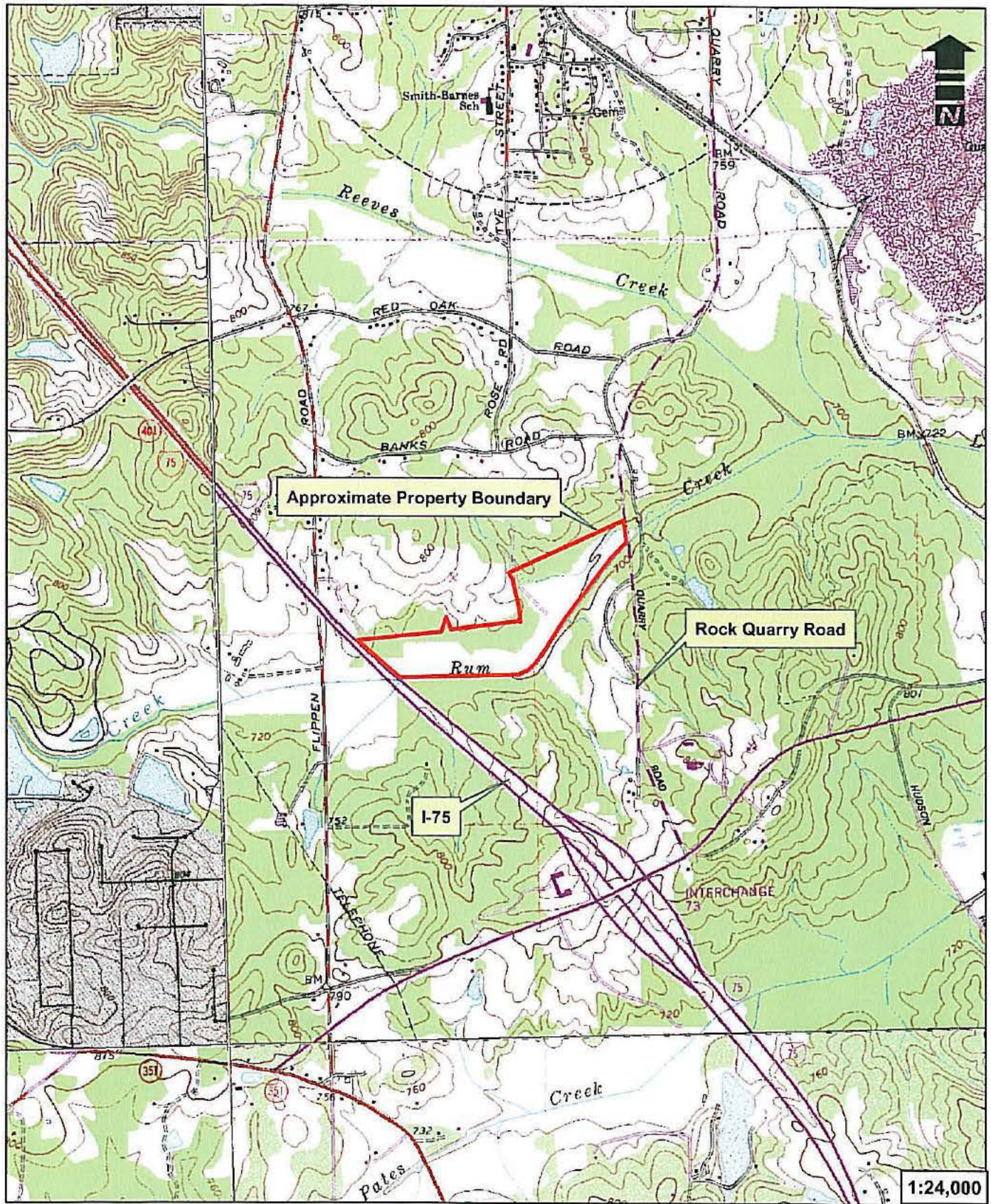
Comment Period: Anyone wishing to comment on this proposal should submit comments via email to [adam.f.white@usace.army.mil](mailto:adam.f.white@usace.army.mil), or in writing to: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Adam White, 4751 Best Road, Suite 140, College Park, Georgia 30337-5600, no later than **30-days from the date of this notice**. Please refer to the mitigation bank name (Rum Creek Mitigation Bank) and the Regulatory Division file number (SAS-2002-15050) in your comments.

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act.

If you have any further questions concerning this proposed modification, please contact Adam F. White, Project Manager, Piedmont Branch at 678-422-2730, or [adam.f.white@usace.army.mil](mailto:adam.f.white@usace.army.mil).

3 Encls

1. Figure 1 Site Location Map, Rum Creek Mitigation Bank, Henry County, Georgia
2. Henry County Water and Sewerage Authority Property Map Rock Quarry Road Widening
3. Rum Creek Mitigation Bank Encroachment (Sheet 2)



Base Map Source: USGS 7.5-Minute Topographic Quadrangles: Hampton, Jonesboro, McDonough, and Stockbridge, Georgia

**Rum Creek Mitigation Bank**  
**Henry County, Georgia**

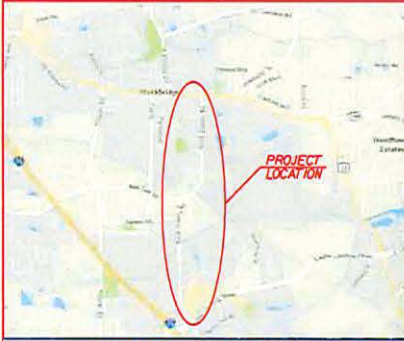
  
**WETLAND & ECOLOGICAL  
 CONSULTANTS, LLC**  
 Woodstock, Georgia

**Figure 1**  
**Site Location Map**  
**WEC Project No. 02-013101-106**

# HENRY COUNTY WATER AND SEWERAGE AUTHORITY PROPERTY MAP

## ROCK QUARRY ROAD WIDENING

GDOT P.L.NO. 00/509D







LOCATION SKETCH

THIS PROJECT HAS BEEN PREPARED USING THE HORIZONTAL GEORGIA COORDINATE SYSTEM OF 1984 (NAD 1983) WEST ZONE, AND THE NORTH AMERICAN VERTICAL DATUM (NVD) OF 1988.

LAND LOT NO:  
4,5,12,13  
LAND DISTRICT:12  
G.M.D.775



### LEGEND

-  (0.037 AC) REQUIRED TEMPORARY EASEMENT (DRIVEWAY) WITHIN RCMB & RC
-  (0.176 AC) REQUIRED PERMANENT EASEMENT WITHIN RCMB & RC
-  (0.209 AC) REQUIRED PERMANENT EASEMENT WITHIN RCMB
-  (0.041 AC) REQUIRED RIGHT-OF-WAY WITHIN RCMB

NOTE:  
RUM CREEK MITIGATION BANK (RCMB) CONSISTS ENTIRELY OF PARCEL 26; THE RESTRICTED COVENANT (RC) CONSISTS ENTIRELY OF PARCEL 26 LESS ANY SANITARY SEWER EASEMENT CONTAINED WITHIN PARCEL

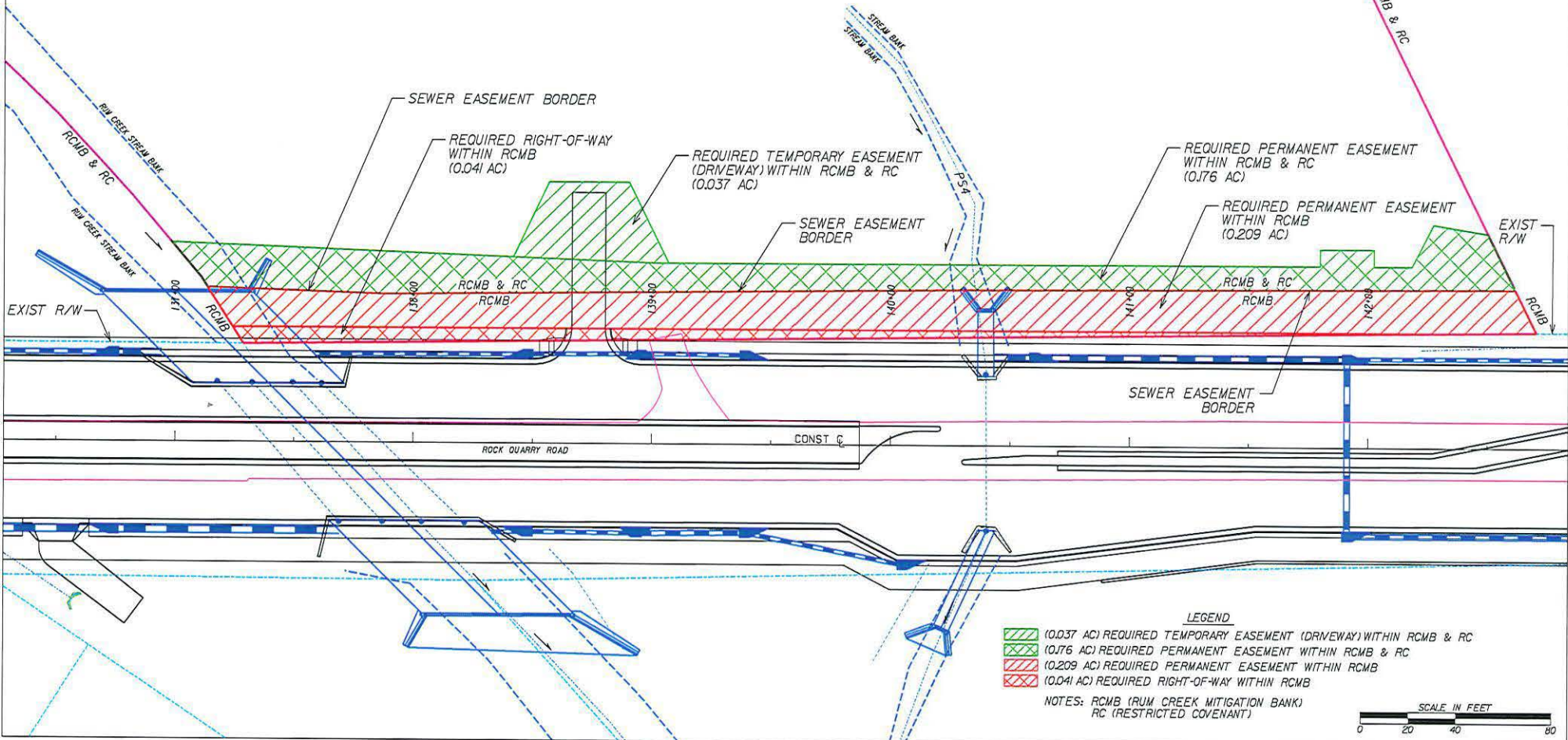


NOTES: RCMB (RUM CREEK MITIGATION BANK) RC (RESTRICTED COVENANT)

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 SANITARY SEWER EASEMENT CONTAINED WITHIN PARCEL  
 - GREEN REPRESENTS PROPOSED EASEMENT IMPACT WITHIN BOTH THE RCMB & RC  
 - RED REPRESENTS PROPOSED EASEMENT & ROW IMPACT WITHIN ONLY THE RCMB

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HENRY COUNTY WATER & SEWERAGE AUTHORITY  
 TAX ID: 031-01060001



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 RC (RESTRICTED COVENANT)

