

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

October 2, 2023

Regulatory Division SAS-2011-00430

PUBLIC NOTICE Savannah District

The Savannah District has received a Prospectus describing the establishment and operation of a proposed wetland compensatory mitigation bank (Elbow Swamp Mitigation Bank (ESMB)) for Federal and State permits as described below:

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

This public notice does not imply, on the parts of the 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.

Application Number: SAS-2011-00430

<u>Sponsor</u> :	Mr. Hal Robinson Georgia Alabama Land Trust, Inc. 226 Old Ladiga Road Piedmont, Alabama 36272
Co- <u>Sponsor</u> :	Mr. Larry Carlile United States Army, Fort Stewart 1177 Veteran Parkway, Building 1145 Fort Stewart, Georgia 31314
<u>Agent</u> :	Mr. Mike Andersen American Mitigation Company 268 West Coleman Boulevard, Suite 201 Mt. Pleasant, South Carolina 29464

<u>Location of Proposed Work</u>: The project is proposed on an approximately 1,114-acre site located approximately one mile northwest of the intersection of Highway 17 and

Interstate 95, in Bryan County, Georgia (centered at approximately latitude 31.9264, longitude -81.3594). Please refer to the enclosed Vicinity Map (Figure 1) and Location Map (Figure 2), for more details on the project location.

Description of Mitigation Bank: The sponsor proposes that ESMB will be a singleuser mitigation bank for Fort Stewart and Hunter Army Airfield (FS-HAAF). ESMB is intended to offset unavoidable impacts associated with the maintenance, improvement, and operation of said installations. Resources within ESMB are in-kind to most resources on FS-HAAF. As proposed, ESMB would improve flatwoods, depressional wetlands and slope wetlands. The property is included in the FS-HAAF Army Compatible Use Buffer program (ACUB). ACUB is a program in which the Army purchases easements on adjacent parcels, which aids in preventing encroachment from incompatible development adjacent to the installation boundaries. While it precludes large scale residential and industrial development, the ACUB program does not limit the ability to clearcut, fill, or ditch wetlands. Restoration and subsequent protection with a conservation easement will ensure ESMB's resources are protected in perpetuity.

ESMB includes 774-acres of freshwater wetlands. These aquatic resources include 387.13-acres of slope wetlands, 472.29 acres of flatwoods, and 14.59-acres of depressional wetlands. The proposed mitigation plan has been developed to address the ecological needs of the watershed, ecoregion, and physiographic province.

Unit	Wetland Resource	AC	Method of Compensation
1	Bottomland Hardwoods/Depressional Wetlands	324.06	Preservation
2 a	Loblolly Pine	95.12	Vegetative Enhancement (Cypress/Longleaf)
2b	Loblolly Pine	45.06	Vegetative Enhancement (Bottomland Hardwoods)
2c	Loblolly Pine	277.84	Vegetative Enhancement (Longleaf Flatwoods)
2d	Loblolly Pine	8.27	Vegetative Enhancement (Depressional Hardwoods)
3	Bottomland hardwoods - Ponded	<mark>17.39</mark>	Hydrologic Enhancement (Ponding Reduction)
4	Loblolly Pine – Ponded	6.23	Hydrologic and Vegetative Enhancement (Bottomland Hardwoods)

Upland Buffers	182.79	Preservation
Total Wetland Preservation Acreage		324.06
Total Acres of Wetland Enhancement Acreage		449.91
Total Bank Acreage		956.97

The spatial configuration of the proposed conceptual restoration/enhancement treatments is provided on the Mitigation Unit Map (Figure 7). While a network of roads exists throughout the proposed bank boundary, these areas are not included in the total acreage of the project. The Sponsor has indicated that portions of these roads will be further evaluated and may potentially be proposed for removal as part of restoration design efforts that would be submitted in a Draft Banking Instrument.

The Sponsor has provided a list of project objectives for the ESMB, including the following: 1) re-establish appropriate hydrology and saturation duration of existing hydric soil within the proposed bank; 2) improve wetland groundwater interactions by restoring hydrologic connectivity of wetlands to adjacent streams and removal of anthropogenic barriers; 3) restore groundwater processes by filling agricultural and silviculture drainage ditches and increase floodplain connectivity through the removal of anthropogenic barriers which impede groundwater interactions with adjacent wetlands; 4) improve aquatic and terrestrial wildlife habitat and habitat connectivity within the proposed bank by re-establishing diverse natural vegetative communities via planting an appropriate structure and composition of forest, shrub, and/or herbaceous species characteristic of reference natural vegetative communities; 5) improve volume of large woody debris and contributing organic matter by reestablishing appropriate vegetative communities within the proposed bank to sustain these functions; 6) increase infiltration/baseflow to streams while slowing stormwater through the establishment of vegetative buffer zones; and 7) establish a mixture of vegetative preservation and restoration/enhancement of surrounding upland areas that will help maintain and protect functions regained through the wetland preservation and restoration/enhancement. The Sponsor has proposed to utilize the Savannah District's 2021 Standard Operating Procedure for Compensatory Mitigation but has not currently proposed an estimate of the potential mitigation credits that could be generated from the project.

<u>Geographic Service Area</u>: The proposed Geographic Service Area (GSA) is the defined area within which this bank can be expected to provide appropriate

compensation for impacts to aquatic resources. The proposed GSA for this bank would include the Lower Ogeechee Service Area, which consists of the following watersheds:

Name	Hydrologic Unit Code		
Primary Service /	Area HUCs		
Upper Ogeechee Watershed	03060201		
Ohoopee Watershed	03070107		
Canoochee Watershed	03060203		
Ogeechee Coastal Watershed	03060204		
Lower Ogeechee Watershed	03060202		
Secondary Serv	ice Areas		
Middle Savannah Watershed	03060106		
Brier Watershed	03060108		
Lower Savannah Watershed	03060109		
Lower Oconee Watershed	03070102		
Altamaha Watershed	03070106		
Cumberland-Saint Simons Watershed	03070203		

Please refer to the Service Area Map (Figure 15) for more details regarding the proposed Primary and Secondary Service Areas for the ESMB.

<u>Oversight</u>: 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 approved GSA.

Oversight of this compensatory mitigation bank would 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, Corps, and is comprised of representatives from the U.S. Environmental Protection Agency, U.S. Fish and Wildlife 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 Corps pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. The Corps provides no guarantee that any particular individual or general permit would 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.

<u>Authority</u>: 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.

<u>Consideration of Public Comments</u>: The Corps is soliciting comments from the public; Federal, State, and location 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 via the Savannah District's "Bank & ILF Sites" link on the Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) website, within the "Cyber Repository" for the Elbow Swamp Mitigation Bank.

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, provided by the Sponsor, indicates that: 1) 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 adversely affected; and 2) 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 literature review of known listed properties. Additional information may change any of these preliminary findings.

<u>Comment Period</u>: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments via email to <u>Amy.M.Flowers@usace.army.mil</u> in writing to: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Amy Flowers, 100 West Oglethorpe Avenue, Savannah, Georgia 31401, no later than **30 days** from the date of this notice. Please refer to the Sponsor's name (Georgia Alabama Land Trust) and the assigned Regulatory file number (SAS-2011-00430) in your comments. If you have any further questions concerning this public notice, please contact Amy Flowers, Project Manager, Special Projects Branch at 912-652-5048, or <u>Amy.M.Flowers@usace.army.mil</u>.

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- 1. Figure 1: Vicinity Map
- 2. Figure 2: Location Map
- 3. Figure 7: Mitigation Unit Map
- 4. Figure 15: Service Area Map









