



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
1025 BUFORD DAM ROAD
BUFORD, GEORGIA 30518

September 30, 2020

Regulatory Division
SAS-2011-00779

PUBLIC NOTICE
Savannah District

The District Engineer has received a request to modify the Georgia-Alabama Land Trust's In-Lieu-Fee Instrument as compensatory mitigation for Federal and State permits as described below:

Application Number: SAS-2011-00779

Applicant: Alex Robertson
Georgia-Alabama Land Trust
226 Old Ladiga Road
Piedmont, Alabama 36272

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 approved in-lieu fee (ILF) program is authorized to provide compensatory mitigation for unavoidable impacts to waters of the United States in the following service areas: wetland impacts in the Upper Savannah River Service Area (Hydrologic Unit Codes [HUCs] 03060102, 03060103, 03060104, and 03060105); stream impacts in the Withlacoochee River Service Area (HUCs 03120001, 03120002, 03120003, 03110103, 03110201, 03110202, 03110203, and 03110204); stream impacts in the Lower Flint River Service Area (HUC 03130006); stream impacts in the Satilla River Service Area (HUC 03070204); wetland impacts in the Upper Chattahoochee River Service Area (HUC 03130001); wetland impacts in the Upper Coosa River Service Area (HUCs 03150101, 03150102, 03150103, and 03150105); wetland impacts in the Etowah River Service Area (HUC 03150104); and, wetland and stream impacts in the Tennessee River Service Area (HUCs 06010202, 06020001, 06020002, 06020003, and 06030001).

Advance credits have been allocated in each of the service areas referenced above. Authorization from the Corps is required prior to use of ILF for compensatory mitigation. The program details can be viewed on the Regulatory In-lieu Fee and Bank Information Tracking System located at: <https://ribits.ops.usace.army.mil/ords/f?p=107:2:.....> On the home page, select Savannah District as a filter, click on the ILF Programs tab, and

select the Georgia-Alabama Land Trust link. The number of advance credits available in each service area is shown under the program Ledger and the instrument is available to view in the Cyber Repository.

Description of Requested Modification: The Georgia-Alabama Land Trust proposes to modify the approved ILF instrument for the release of additional advance credits to meet a two-year projected need in the following ILF Primary Service Areas: 2,112 intermittent stream credits, 2,112 perennial stream credits (< 3 square miles), and 269 perennial stream credits (>3 square miles) in the Withlacoochee Primary Service Area; 665 intermittent stream credits, 665 perennial stream credits (< 3 square miles), and 146 perennial stream credits (>3 square miles) in the Lower Flint Primary Service Area; and, 1.70 slope wetland credits, and 1.70 riverine wetland credits in the Upper Ocmulgee Primary Service Area. The Georgia-Alabama Land Trust proposes the release of these advance credits due to the unavailability of stream and wetland credits from commercial mitigation banks serving the respective service areas.

As part of this modification, Georgia-Alabama Land Trust is also requesting modification of the boundary of the ILF's Lower Flint Primary Service Area to include HUCs 03130006, 03130007, 03130008, 03130009, 03130010, and 03130011.

Oversight: This ILF 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 prescribed service areas.

Oversight of this ILF program will 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, National Marine Fisheries Service, and the Georgia Department of Natural Resources, Environmental Protection Division.

The actual approval of the use of this ILF for a specific project is the decision of the Corps pursuant to 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 of ILF to compensate for unavoidable impacts associated with a proposed permit, even though mitigation from this option may be available.

Authority: A public notice regarding the major modification of the approved ILF 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 in order to consider and evaluate this proposed modification of the approved ILF. The modification can be seen at the Corps, Regulatory Division, 1025 Buford Dam Road, Buford Georgia, 30518. 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 in writing to the Commander, U.S. Army Corps of Engineers, Savannah District, Regulatory Division, Attention: Mr. Justin Hammonds, 1025 Buford Dam Road, Buford, Georgia 30518, no later than 30-days from the date of this notice. Please refer to the ILF name (Georgia-Alabama Land Trust's In-Lieu-Fee Program) and the Regulatory Division file number (SAS-2011-00779) in your comments.

If you have any further questions concerning this matter, please contact Mr. Justin Hammonds, at 678-804-5227, or via electronic mail (e-mail) at justin.a.hammonds@usace.army.mil.