



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

June 5, 2023

Regulatory Division
SAS-2022-00889

PUBLIC NOTICE
Savannah District

The Savannah District has received a Prospectus describing the establishment and operation of a proposed wetland compensatory mitigation bank (Yellow River Wetland Mitigation Bank) 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 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-2022-00889

Sponsor: Mr. Gregory Smith
Yellow River Mitigation, LLC
1305 Lakes Parkway, Suite 110
Lawrenceville, Georgia 30043

Agent: Ms. Jennifer Pahl
Corblu Ecology Group, LLC
1305 Lakes Parkway, Suite 110
Lawrenceville, Georgia 30043

Location of Proposed Work: The project is proposed on a 134.83-acre site located south of Interstate 20, north of the Yellow River and east of East Dollar Circle, approximately 2.1 miles east of Covington, in Newton County, Georgia (centered at approximately latitude 33.6065, longitude -83.9038).

Description of Mitigation Bank: The Sponsor proposes to establish a commercial wetland mitigation bank on the site. As currently conceptualized, the project would involve 13.64 acres of restoration, 52.19 acres of enhancement, and 37.43 acres of preservation, in order to improve hydrologic function through removal and/or breaching of elevated forest roads, and fill/grade previously excavated areas; improve vegetative function through removal of existing invasive species and planting of native woody hydrophytic species; install and maintain large woody debris; and establish and maintain upland buffers. 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.

Geographic Service Area: The proposed 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 GSA for this bank would include the Upper Ocmulgee River watershed, Hydrologic Unit Code (HUC) 03070103, as the Primary service area, and the Upper Oconee River HUC 03070101, as the Secondary service area.

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 Sections 404 and 401 of the Clean Water Act for projects located within the approved GSA.

State-owned Property and Resources: The Applicant may also require assent from the State of Georgia, which may be in the form of a license, easement, lease, permit or another appropriate instrument.

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 US Environmental Protection Agency, US 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.

Authority: 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.

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 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 Yellow River Wetland 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 bank’s 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.

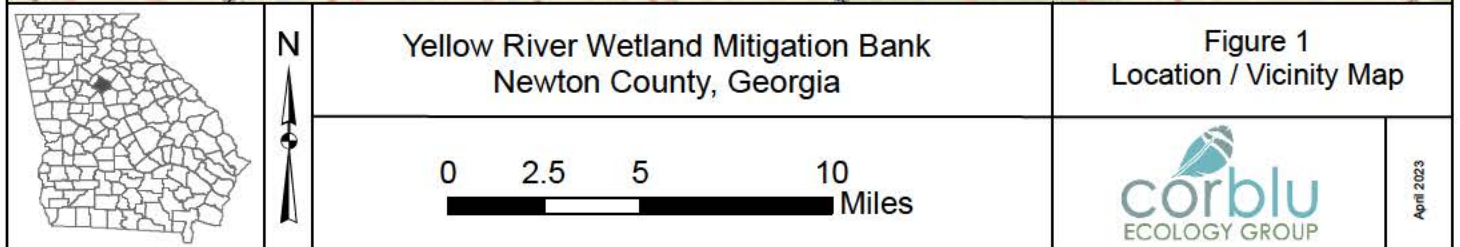
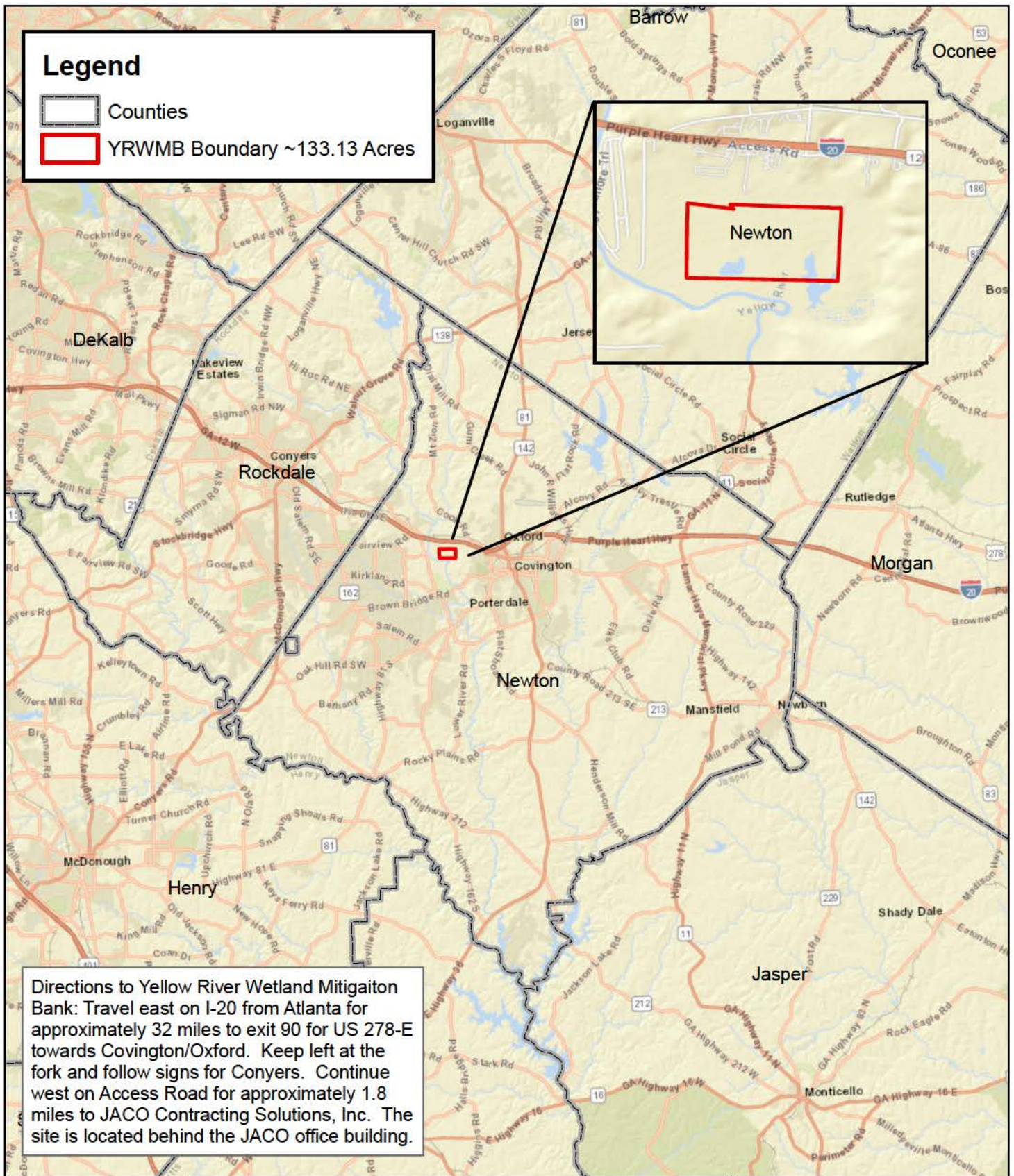
Comment Period: Anyone wishing to comment on this application for a Department of the Army Permit should submit comments via email to adam.f.white@usace.army.mil or in writing to: Commander, U.S. Army Corps of Engineers, Savannah District, Attention: Adam White, 4751 Best Road, Suite 140, College Park, Georgia 30337-

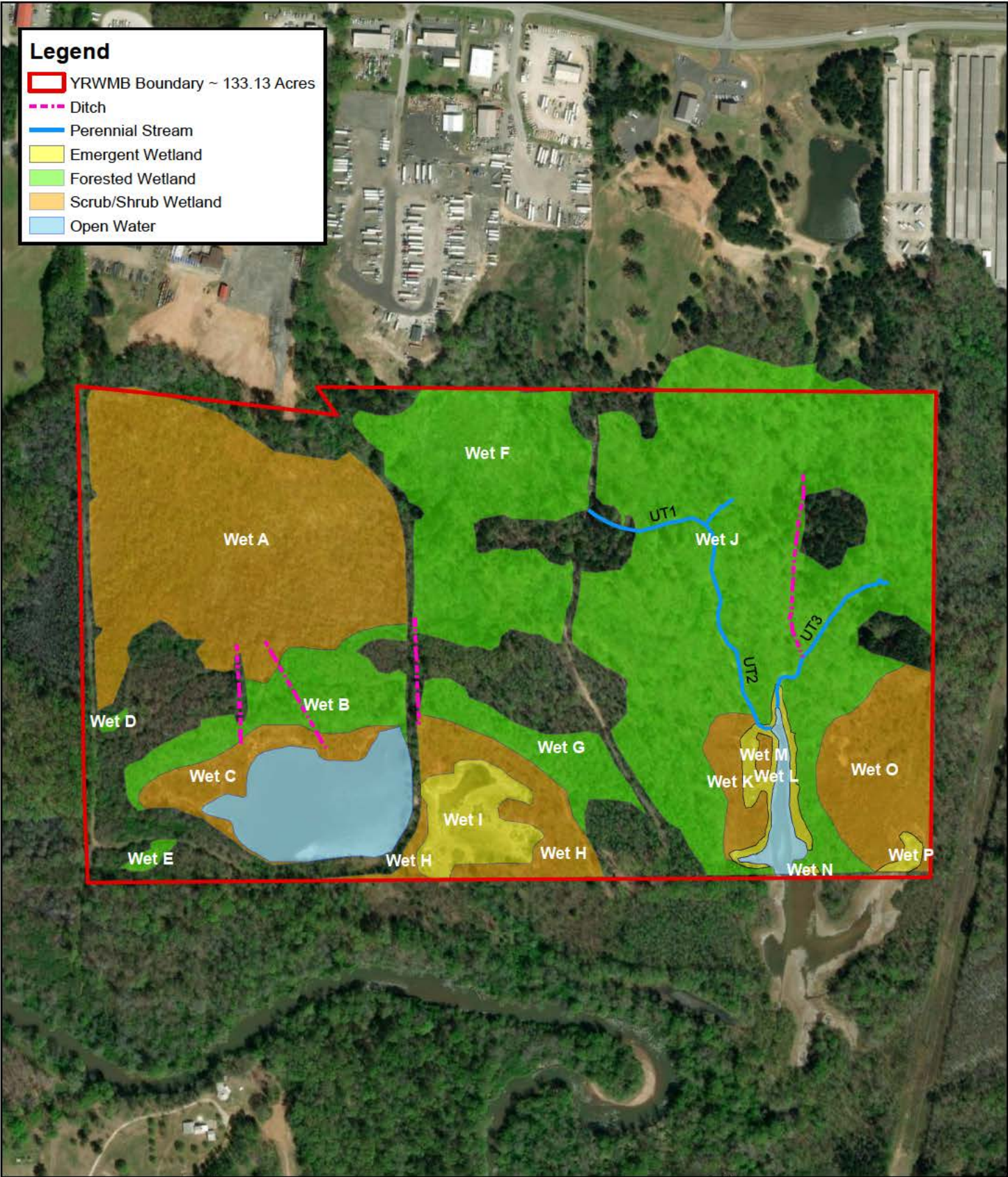
5600, no later than **30 days** from the date of this notice. Please refer to the Applicant's name (Yellow River Mitigation, LLC) and the assigned Regulatory file number (SAS-2022-00889) in your comments.

If you have any further questions concerning this public notice, please contact Adam F. White, Project Manager, Piedmont Branch at 678-422-2730, or adam.f.white@usace.army.mil.

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1. Figure 1: Location / Vicinity Map
2. Figure 2: County Road Map
3. Figure 14: Delineated Waters Map
4. Figure 19: Proposed Mitigation Areas Map
5. Figure 25: Conceptual Earth Work Map





Legend

- YRWMB Boundary ~ 133.13 Acres
- Ditch
- Perennial Stream
- Emergent Wetland
- Forested Wetland
- Scrub/Shrub Wetland
- Open Water



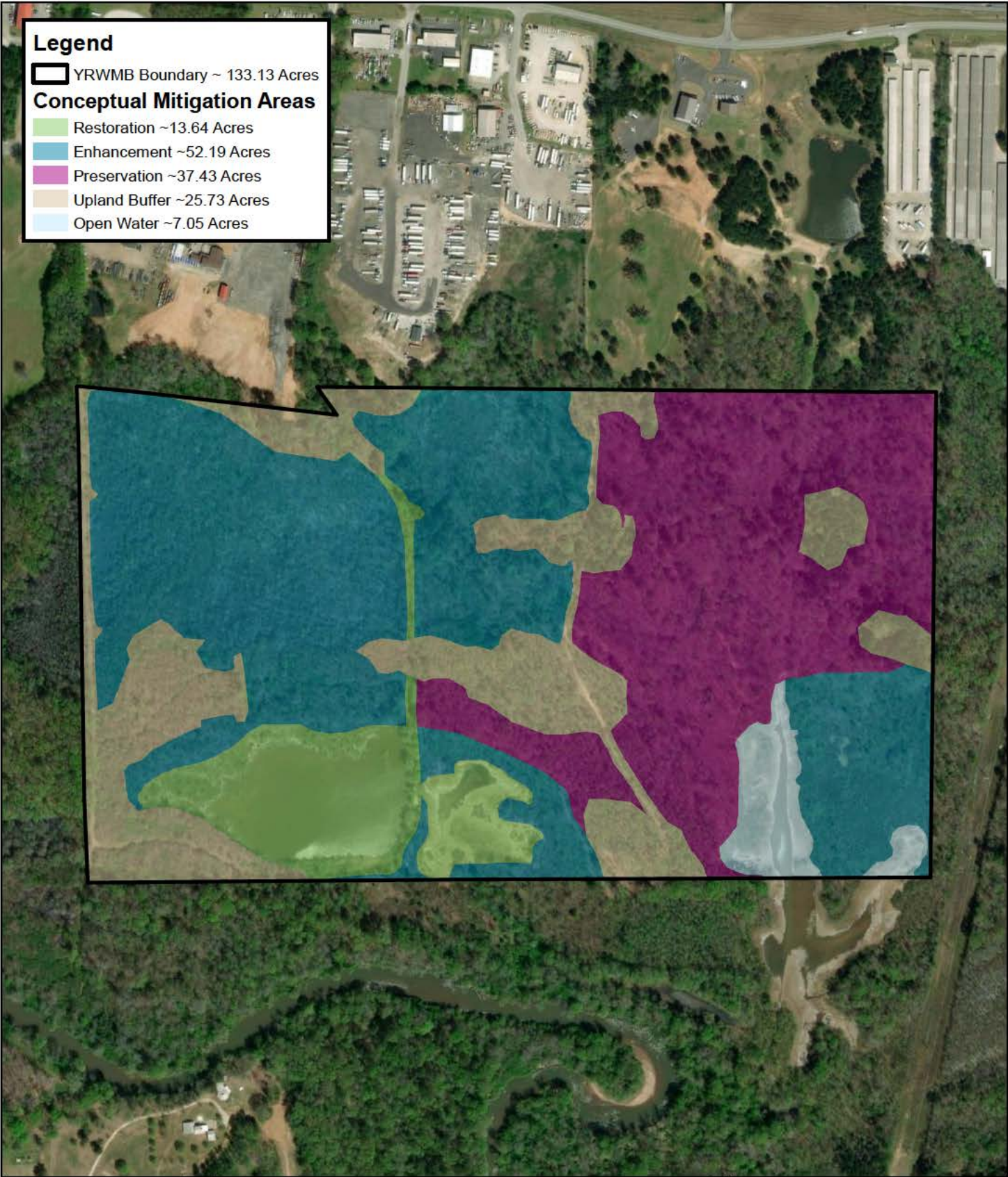
Yellow River Wetland Mitigation Bank
Newton County, Georgia

0 350 700 1,400
Feet

Figure 14
Delineated Waters Map



April 2023



Legend

YRWMB Boundary ~ 133.13 Acres

Conceptual Mitigation Areas

Restoration ~13.64 Acres

Enhancement ~52.19 Acres

Preservation ~37.43 Acres

Upland Buffer ~25.73 Acres

Open Water ~7.05 Acres



Yellow River Wetland Mitigation Bank
Newton County, Georgia


0 350 700 1,400
 Feet

Figure 19
Proposed Mitigation
Areas Map



April 2023

Legend

 YRWMB Boundary ~ 133.13 Acres


Conceptual Earth Work


 Complete or Partial Road Removal

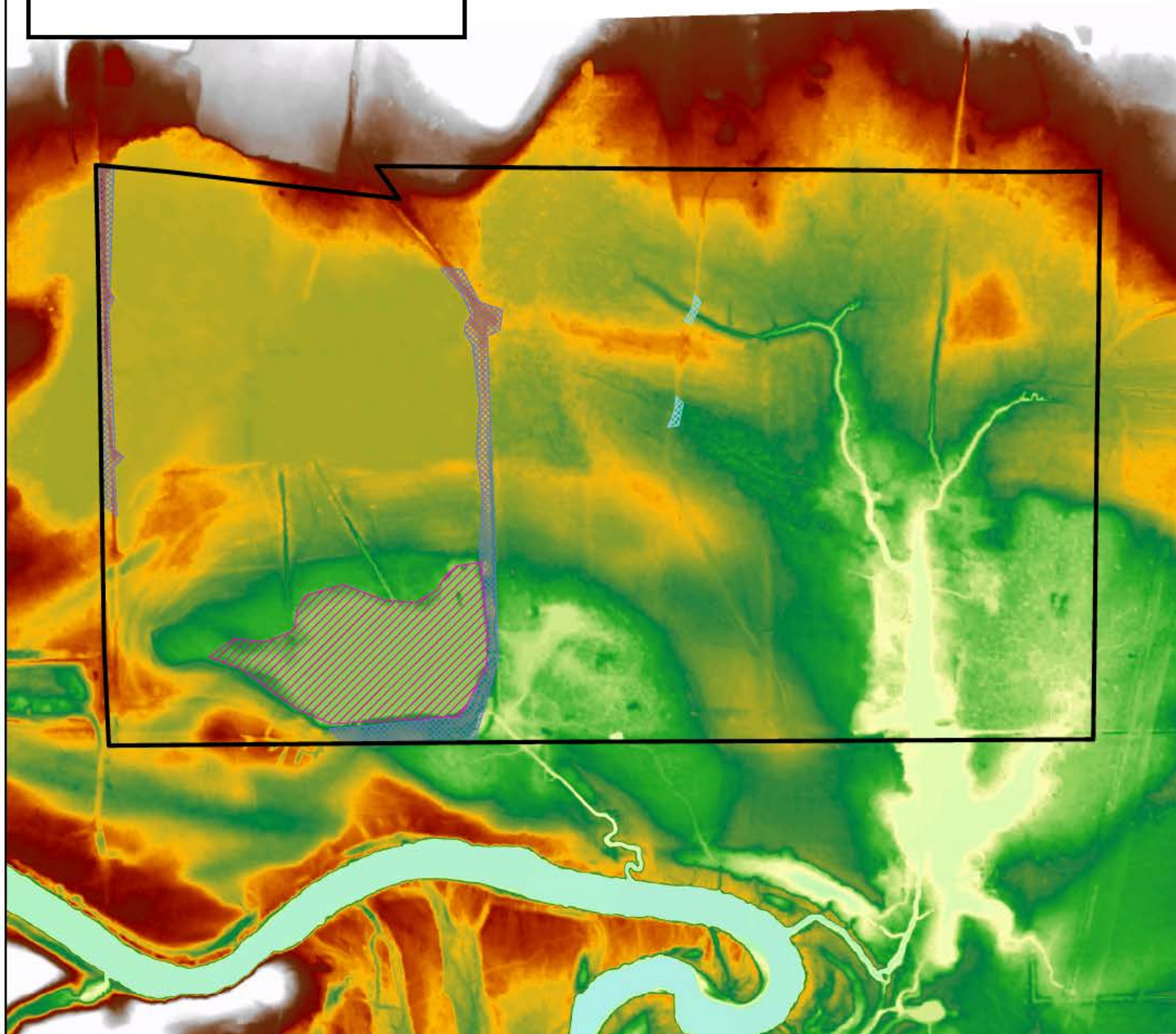
 Culvert Removal / Ford Crossing Installation

 Partial Fill / Grading

Elevation (ft)

 High : 640

 Low : 616.706



Yellow River Wetland Mitigation Bank
Newton County, Georgia

0 350 700 1,400
Feet

Figure 25
Conceptual Earth
Work Map



April 2023