



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

February 9, 2024

Regulatory Division
SAS-2023-00178

PUBLIC NOTICE
Savannah District

The Savannah District has received a Prospectus describing the establishment and operation of a proposed commercial stream and wetland compensatory mitigation bank (Diamond C Ranch 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 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-2023-00178

Bank Sponsor: Mr. Scott Smith, President
Habitat Partners, LLC
566 Bankstown Road
Brooks, Georgia 30205

Project Agent: Mr. Scott Smith, CEO
The Barn Group Land Trust, Inc.
566 Bankstown Road
Brooks, Georgia 30205

Location of Proposed Work: The Diamond C Ranch Mitigation Bank is proposed on an approximately 273-acre site located directly south of the intersection of Diamond Hill Road and State Route 52/Gillsville Road, and north of Diamond Hill Church Road, within the northernmost portion of Jackson County, Georgia (centered at approximately latitude 34.2803, longitude -83.6121). A reach of Candler Creek flows through the central portion of the site. The project is located in the Upper Oconee River basin (8-

digit hydrologic unit code (HUC) 03070101), within the Candler Creek watershed (12-digit HUC 030701010403). Please refer to the enclosed Site Location Map and Figure 6: Topographic Map for more detailed information concerning the location of the proposed mitigation bank.

Geographic Service Area: The Geographic Service Area (GSA) is the defined area within which this mitigation bank can reasonably be expected to provide appropriate compensation for impacts to aquatic resources.

The proposed primary service area (Upper Oconee River basin) would serve the following 8-digit HUC and portions of the listed counties:

- *Upper Oconee River (03070101):* Baldwin, Banks, Barrow, Clarke, Greene, Gwinnett, Hall, Hancock, Jackson, Jasper, Jones, Madison, Morgan, Newton, Oconee, Oglethorpe, Putnam, Taliaferro, and Walton Counties.

The proposed secondary service areas would serve the following 8-digit HUCs and portions of the listed counties:

- *Broad River (03060104):* Banks, Clarke, Elbert, Franklin, Habersham, Hall, Hart, Jackson, Lincoln, Madison, Oglethorpe, Stephens, and Wilkes Counties;
- *Little River (03060105):* Columbia, Greene, Lincoln, McDuffie, Oglethorpe, Taliaferro, Warren, and Wilkes Counties;
- *Upper Ocmulgee River (03070103):* Bibb, Butts, Clayton, Crawford, DeKalb, Fulton, Gwinnett, Henry, Houston, Jasper, Jones, Lamar, Monroe, Newton, Peach, Rockdale, Spalding, Twiggs, Upson, and Walton Counties.

The Sponsor's proposed GSA for this bank is depicted on the enclosed Figure 5: Service Area Map.

Description of Mitigation Bank: The Bank Sponsor has requested approval to develop a new mitigation bank to serve as compensatory stream and wetland mitigation for the proposed primary and secondary service areas (as described above). The Sponsor describes the project site as is currently operating as a cattle farm, which includes multiple manmade ponds, drainage ditches, grazing pastures, corn and hay fields, and a feed lot. The pastures are grazed by beef cattle that are rotated among multiple enclosures and have full access to the stream channels and adjacent riparian areas. Wetland function has been severely degraded due to a system of drainage ditches and channel incision, which has limited floodplain connectivity. The Sponsor has delineated existing aquatic resources on the proposed project site, identifying approximately 24,473 linear feet of five perennial streams and 6,489 linear feet of six intermittent streams, including the main stem of Candler Creek, as well as un-named tributaries for

which the Sponsor has assigned unique names for this proposal, and approximately 8.8 acres of four wetlands and 3,687 linear feet of two “wetland ditches”. Existing site conditions are depicted on the enclosed Figure 15: Delineated Waters of the U.S. Map and Figure 19: USDA Soils Map.

As currently conceptualized, the proposed project would involve approximately 23,673 linear feet of stream restoration, 4,076 linear feet of stream enhancement, 23 acres of wetland restoration, 1.9 acres of wetland enhancement, 6.9 acres of wetland preservation, and 156 acres of riparian buffer restoration. Collectively, the proposed conceptual mitigation plan for the project consists of the actions depicted on the enclosed Figure 20: Proposed Mitigation Map. Proposed functional improvements to stream resources on the project site would primarily be accomplished through the application of Natural Channel Design methods ("Priority 1, 2, 3 restoration, and perennial enhancement"), in addition to the establishment of 75-foot riparian buffers along design stream channels. Proposed functional improvements to wetland resources on the project site would primarily be accomplished through the filling of existing agricultural ditches and the establishment of a hydrophytic vegetative community. While the Prospectus has not specifically targeted the hydrogeomorphic wetland type(s) for this project, the Sponsor has clarified that existing wetlands identified as riverine are considered streams for the purpose of the proposal.

The Sponsor intends to identify suitable reference sites to inform the proposed stream mitigation treatments, and to utilize the proposed preservation wetland onsite as the reference for proposed wetland mitigation treatments, in addition to serving as a hydrologic control for the project. In order to objectively evaluate functional improvements achieved by the proposed project, the Sponsor intends to collect baseline data for comparison with post-project monitoring for seven (7) years following completion of construction as conceptualized on the enclosed Figure 24: Proposed Monitoring Plan and Figure 25: Proposed Vegetation Monitoring Plan.

Oversight: This compensatory 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 compensatory 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 comprised State and Federal resources agencies including 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/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.

Authority: A public notice regarding the development of the proposed Diamond C Ranch 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=107:0:14725484526232:APPLICATION_PROCESS=AP_DB_DOC::AI_STRING,AI_ID:inline,135344. If you are unable to view or download the Prospectus, please contact Mr. Adam White, Lead Biologist, Special Projects Team, at adam.f.white@usace.army.mil, or by phone at 678-422-2730. Written comments received will be considered by the Corps in evaluating this proposal.

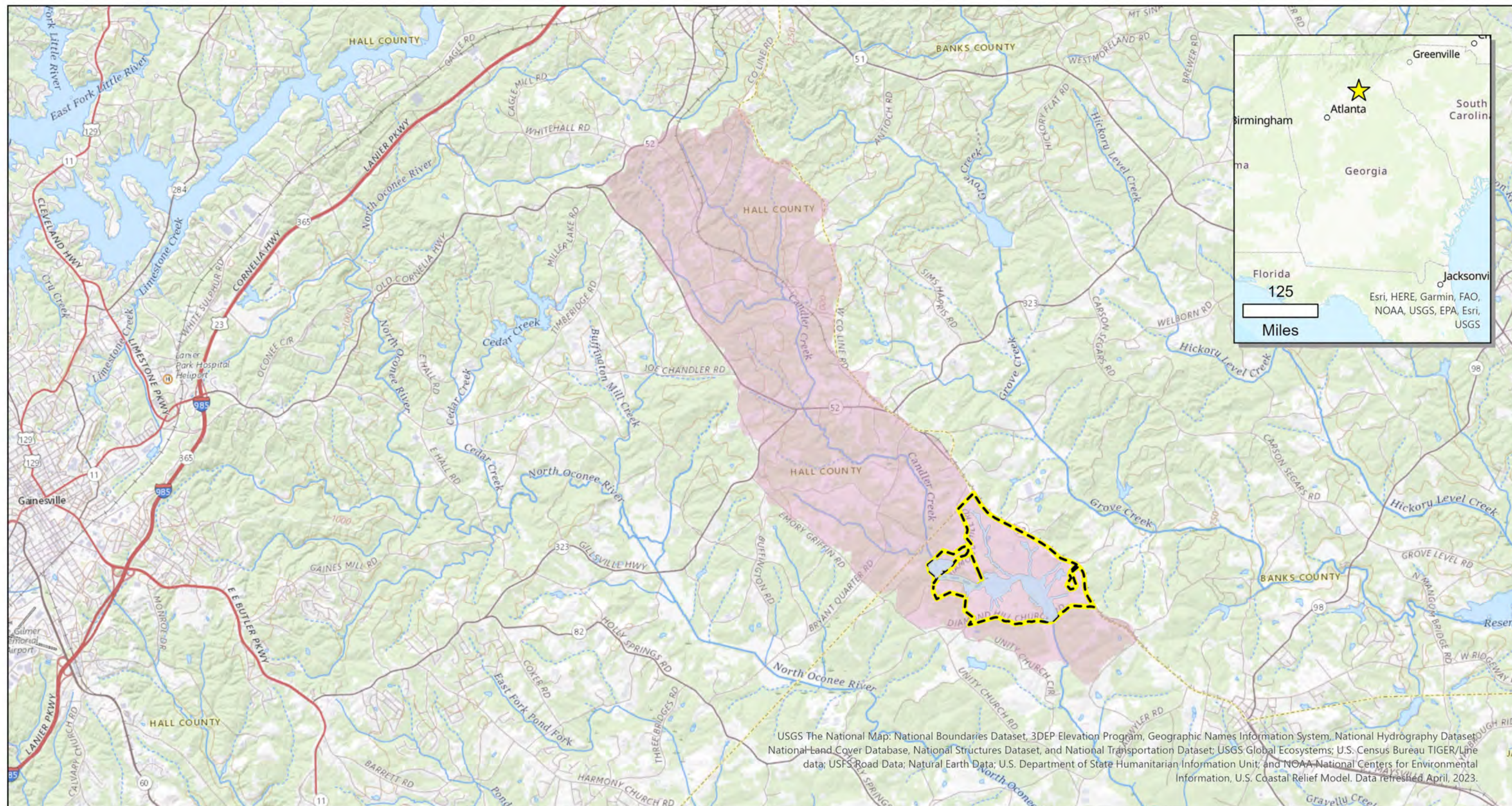
Preliminary review of the Prospectus indicates that: 1) An environmental impact statement will not be required; 2) No species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; and, 3) No cultural 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 adam.f.white@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. 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 Project Name (Diamond C Ranch Mitigation Bank) and the Regulatory Division file number (SAS-2023-00178) in your comments.

If you have any further questions concerning this matter, please contact Mr. Adam White, at 678-422-2730, or via e-mail at adam.f.white@usace.army.mil.

Enclosures

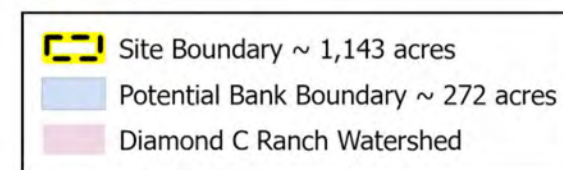
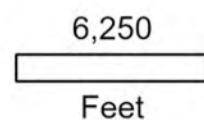
1. Site Location Map
2. Figure 6: Topographic Map
3. Figure 5: Service Area Map
4. Figure 15: Delineated Waters of the U.S. Map
5. Figure 19: USDA Soils Map
6. Figure 20: Proposed Mitigation Map
7. Figure 24: Proposed Monitoring Plan
8. Figure 25: Proposed Vegetation Monitoring Plan

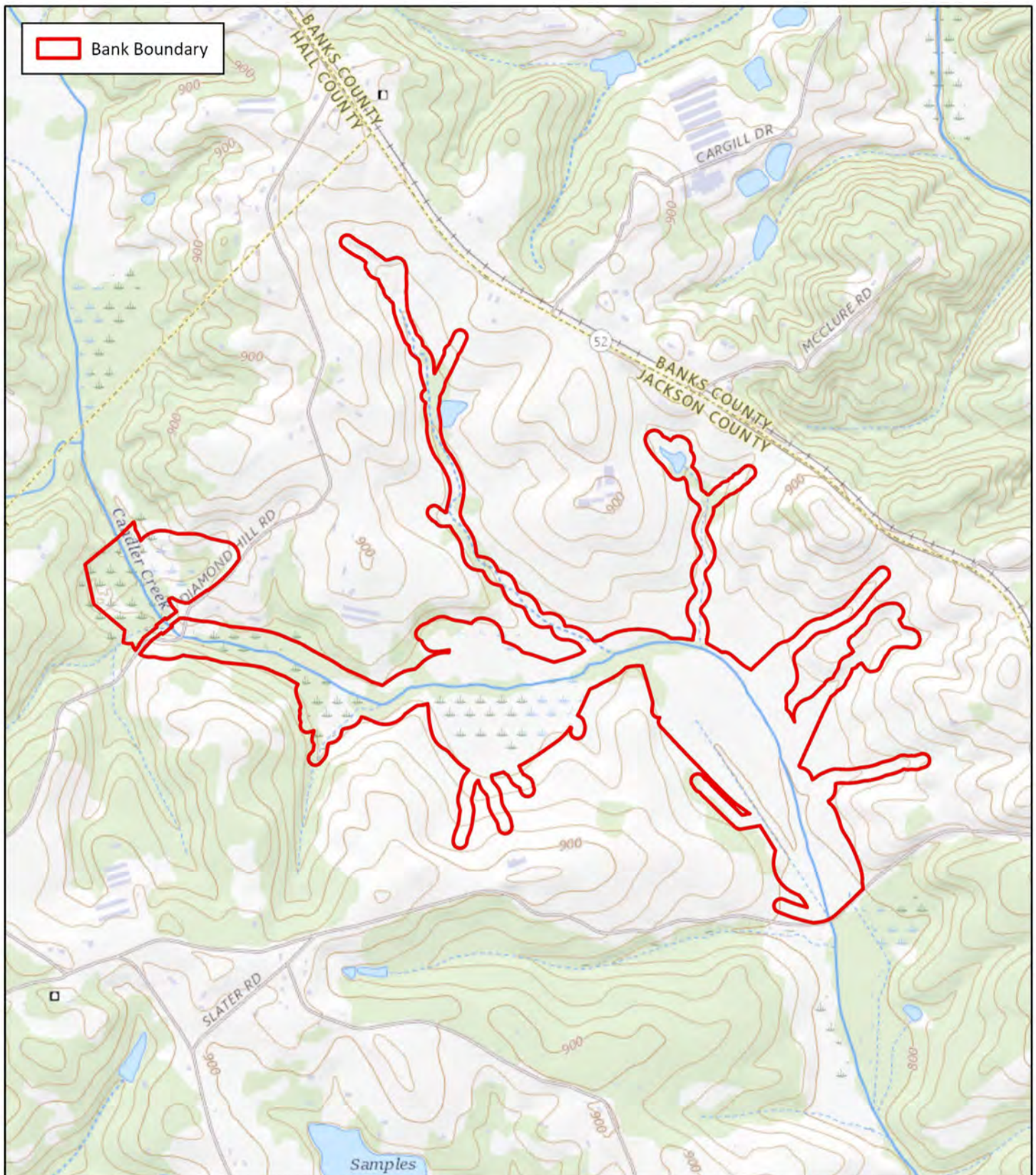


Site Location Map

Diamond C Ranch Mitigation Bank
Jackson County, GA

October 2023

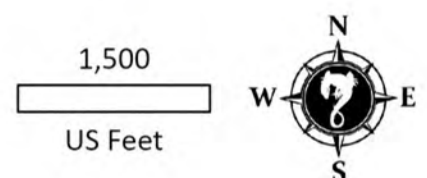




**Figure 6: Topographic Map
Diamond C Ranch Mitigation Bank**

Jackson County, Georgia

November 2023



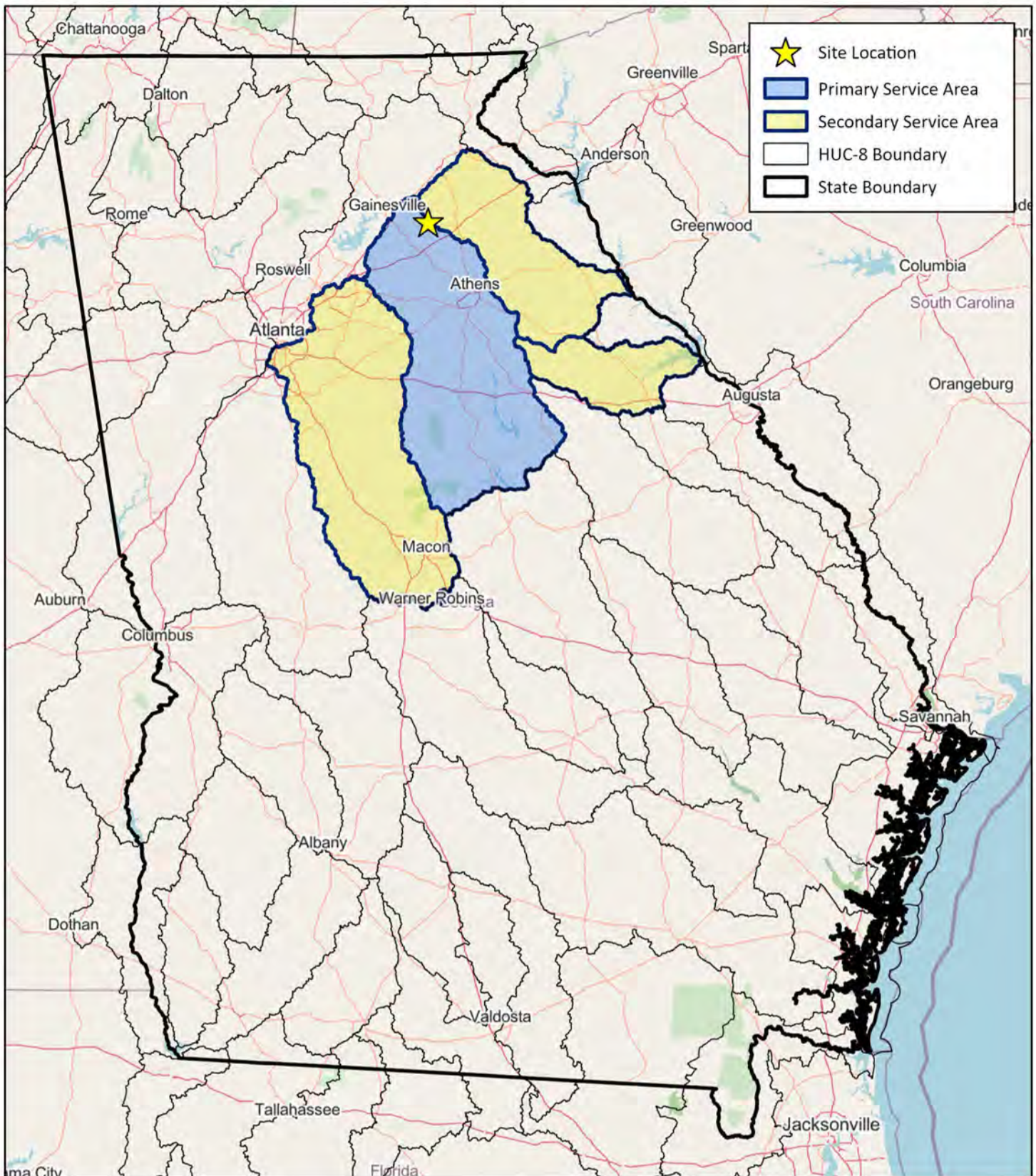
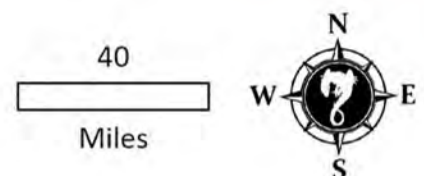
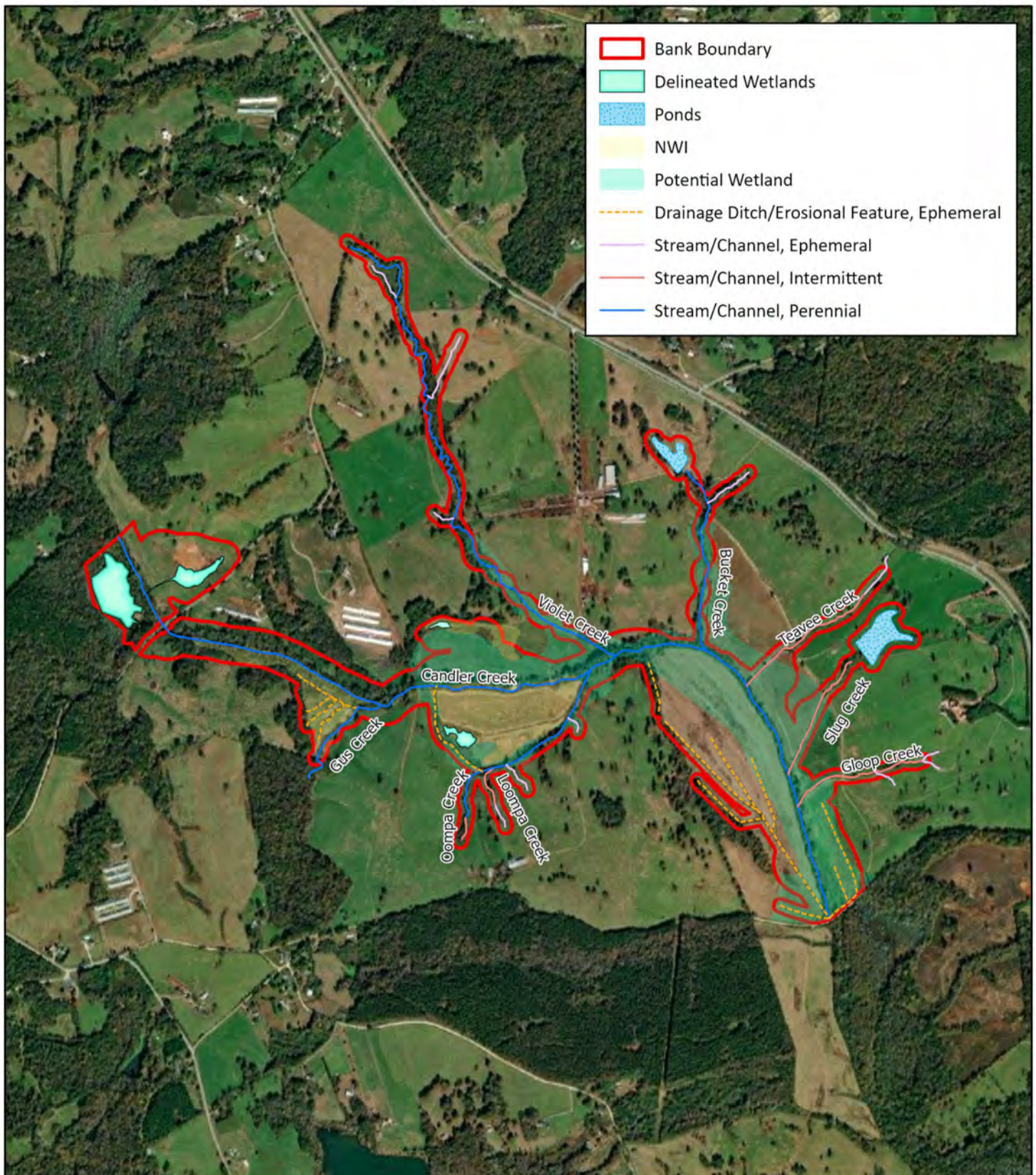


Figure 5: Service Area Map
Diamond C Ranch Mitigation Bank
Jackson County, Georgia
November 2023

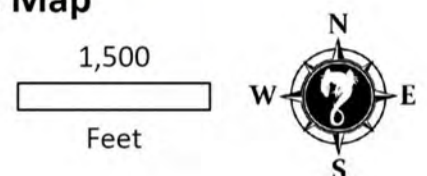




**Figure 15: Delineated Waters of the U.S. Map
Diamond C Ranch Mitigation Bank**

Jackson County, Georgia

November 2023



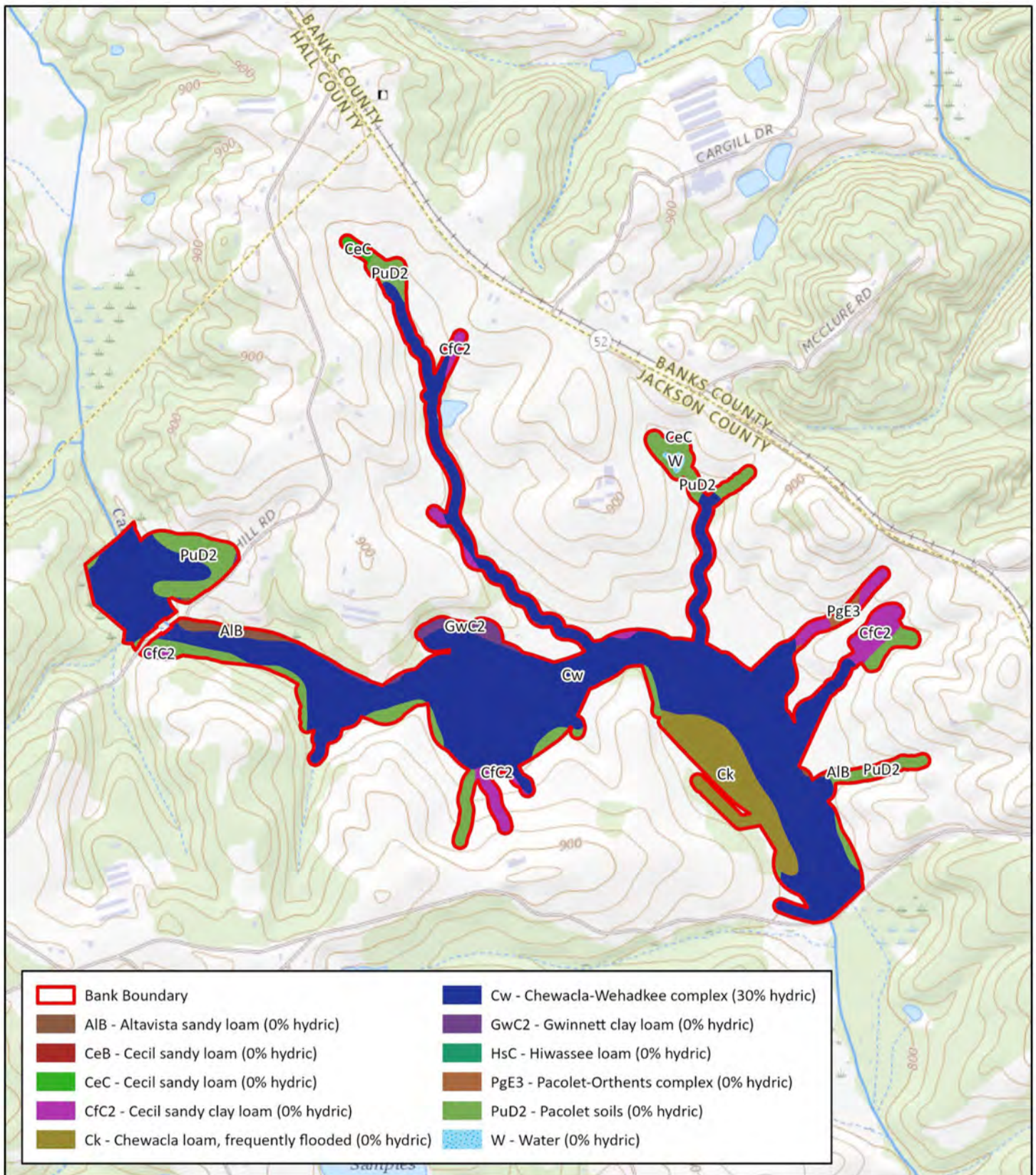
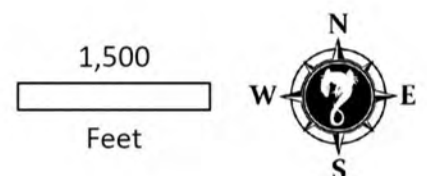
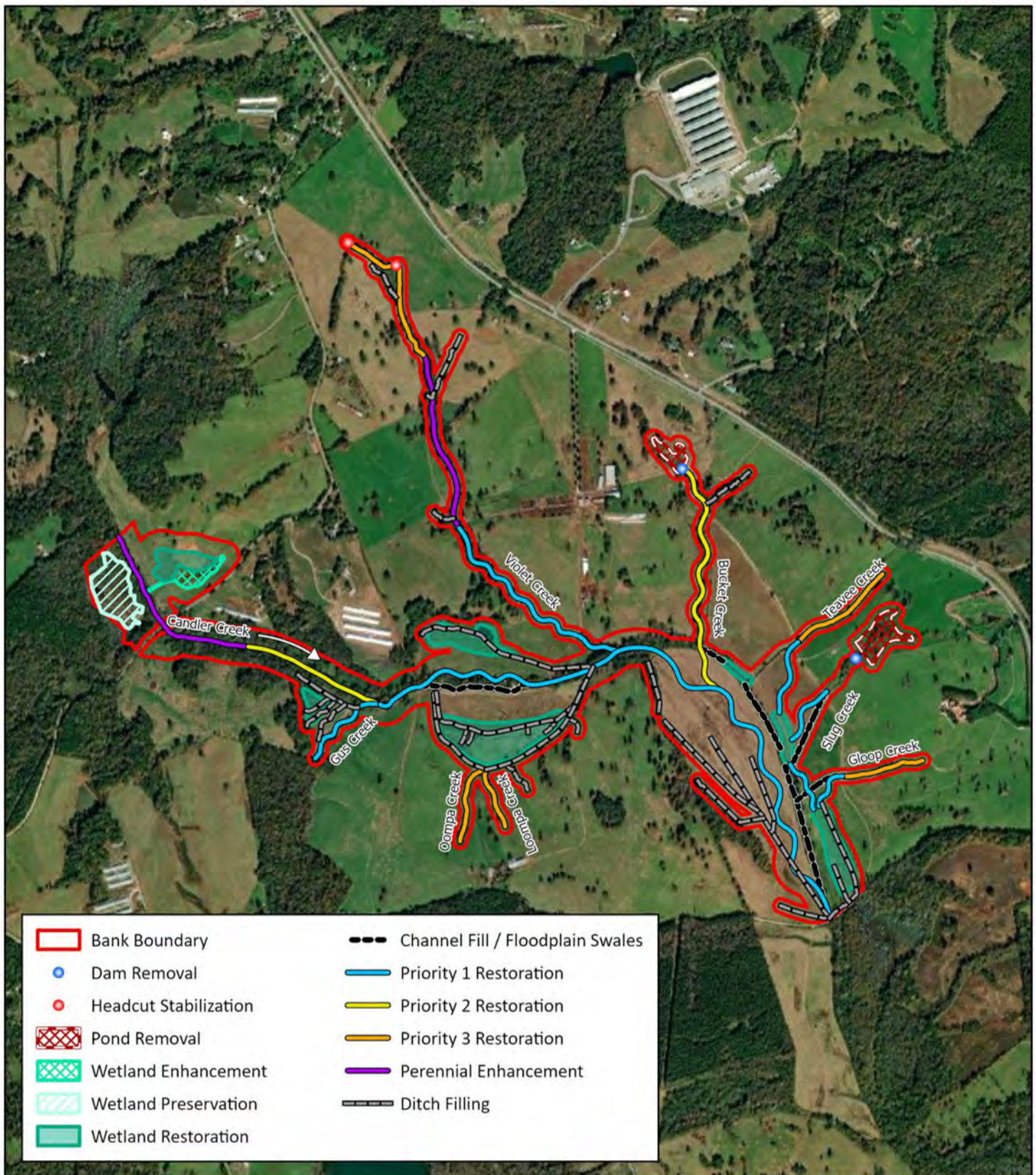


Figure 19: USDA Soils Map
Diamond C Ranch Mitigation Bank
 Jackson County, Georgia
 November 2023

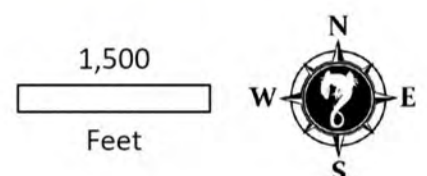


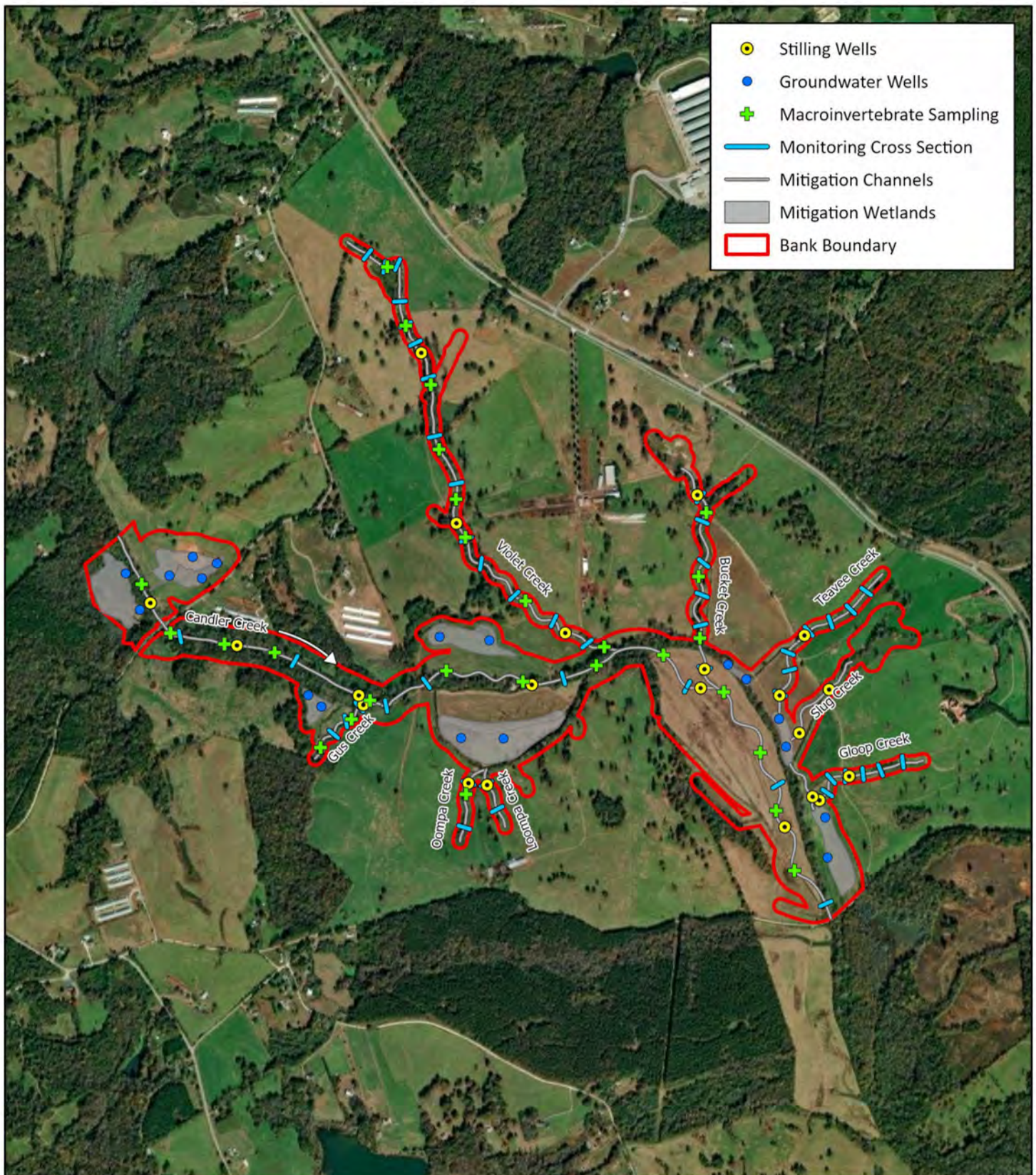


**Figure 20: Proposed Mitigation Map
Diamond C Ranch Mitigation Bank**

Jackson County, Georgia

November 2023

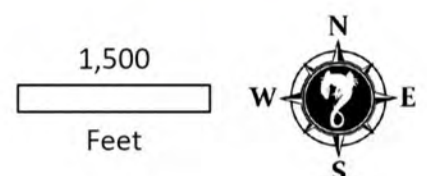


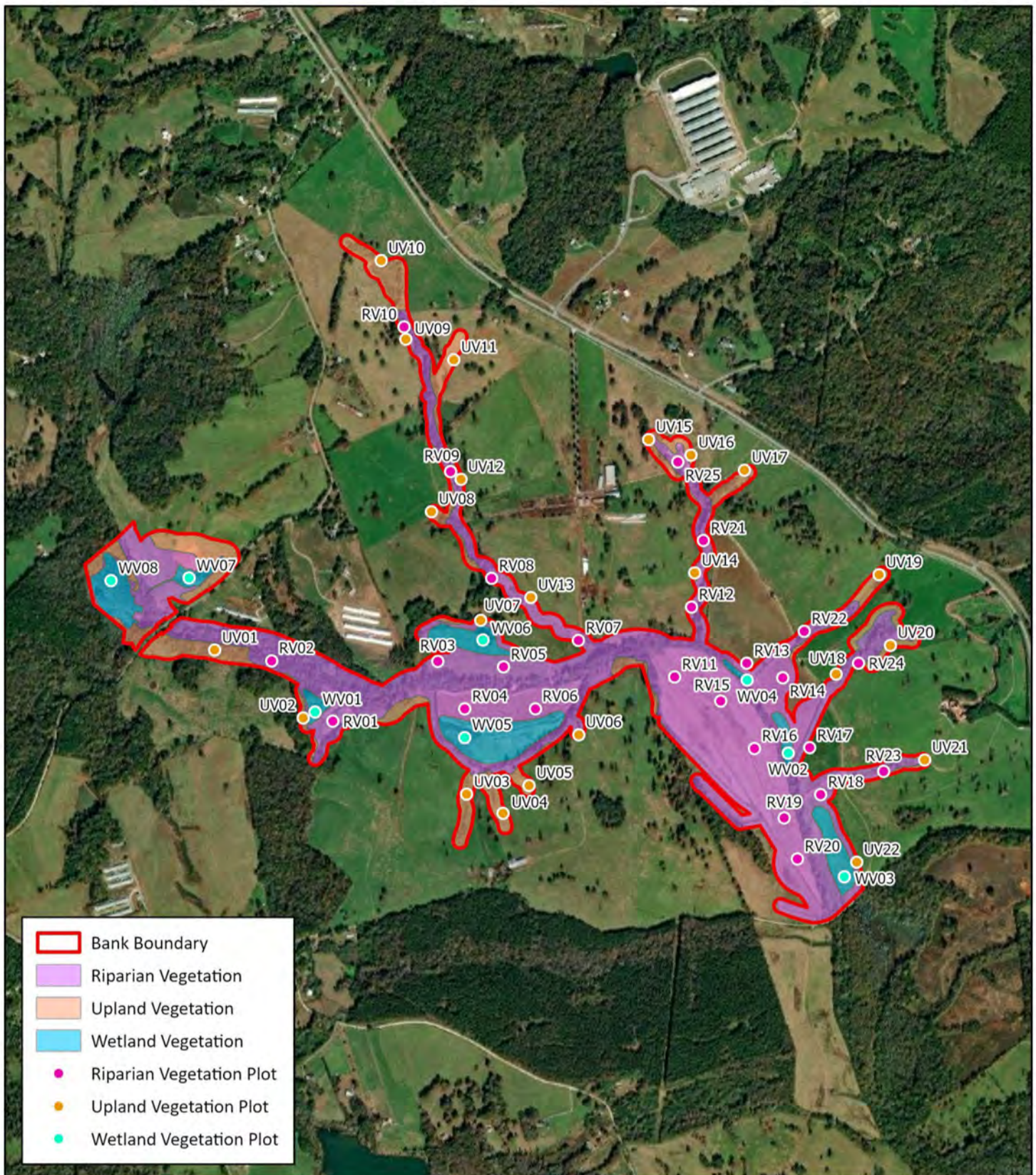


**Figure 24: Proposed Monitoring Plan
Diamond C Ranch Mitigation Bank**

Jackson County, Georgia

November 2023





**Figure 25: Proposed Vegetation Monitoring Plan
Diamond C Ranch Mitigation Bank**

Jackson County, Georgia

November 2023

