



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
SAVANNAH DISTRICT
100 WEST OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3604

April 18, 2019

Regulatory Branch
SAS-2011-00952

**JOINT PUBLIC NOTICE
Savannah District**

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

Application Number: SAS-2011-00952

Applicant: Mr. Joe Fant
Three Bear Creek RTR, LLC.
3158 Piney Wood Road
Hogansville, GA 30230

Agent: Mr. Mark Ballard
Ecological Solutions, Inc.
630 Colonial Park Drive, Suite 200
Roswell, GA 30075

This public notice does not imply, on the parts of the US Army Corps of Engineers (USACE) 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 proposed site is located approximately 6.6 miles southeast of the city of Hogansville along Piney Woods Road, in Meriwether County, Georgia (Latitude 33.0983, Longitude -84.8437).

Description of the Mitigation Bank: The proposed bank plans several areas of work: Approximately 117.9 acres of proposed slope wetland restoration in the eastern portion of the Bear Creek Tract. This will be accomplished through the filling of man-made ditches across the site (the majority of which will occur in WR 1 and WR 2), ceasing mowing operations, and planting of appropriate tree species within the restoration areas. Approximately 70.6 acres of riverine wetland preservation is proposed in the northwest property corner along Bear Creek. Approximately 21.3 acres of riverine wetland preservation is proposed along the southern property boundary of the Piney Woods Tract. Approximately 1.3 acres of slope wetland preservation in the in the

northeast and southeast corners of the Bear Creek Tract. Proposed 50-foot upland buffer consisting of approximately 52.3 acre along wetland restoration and preservation areas.

Geographic Service Area: The Bear Creek property is located within the South Atlantic-Gulf Hydrologic Unit Code 03130002 of the Middle Chattahoochee – Lake Harding River Basin. This location enables the proposed mitigation bank to serve the Middle Chattahoochee River Basin Primary Service Area. The Secondary Service Area consists of the Upper Chattahoochee River Basin (South of Buford Dam), Upper Flint River Basin, and Upper Tallapoosa River Basin.

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 prescribed 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, USACE 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 USACE pursuant to Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act. The USACE 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 USACE 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 seen at the US Army Corps of Engineers, Savannah District, Regulatory Branch, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777, and/or via the Savannah District’s “Bank & ILF Sites” link on the Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) website. Written comments received will be considered by the USACE 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.

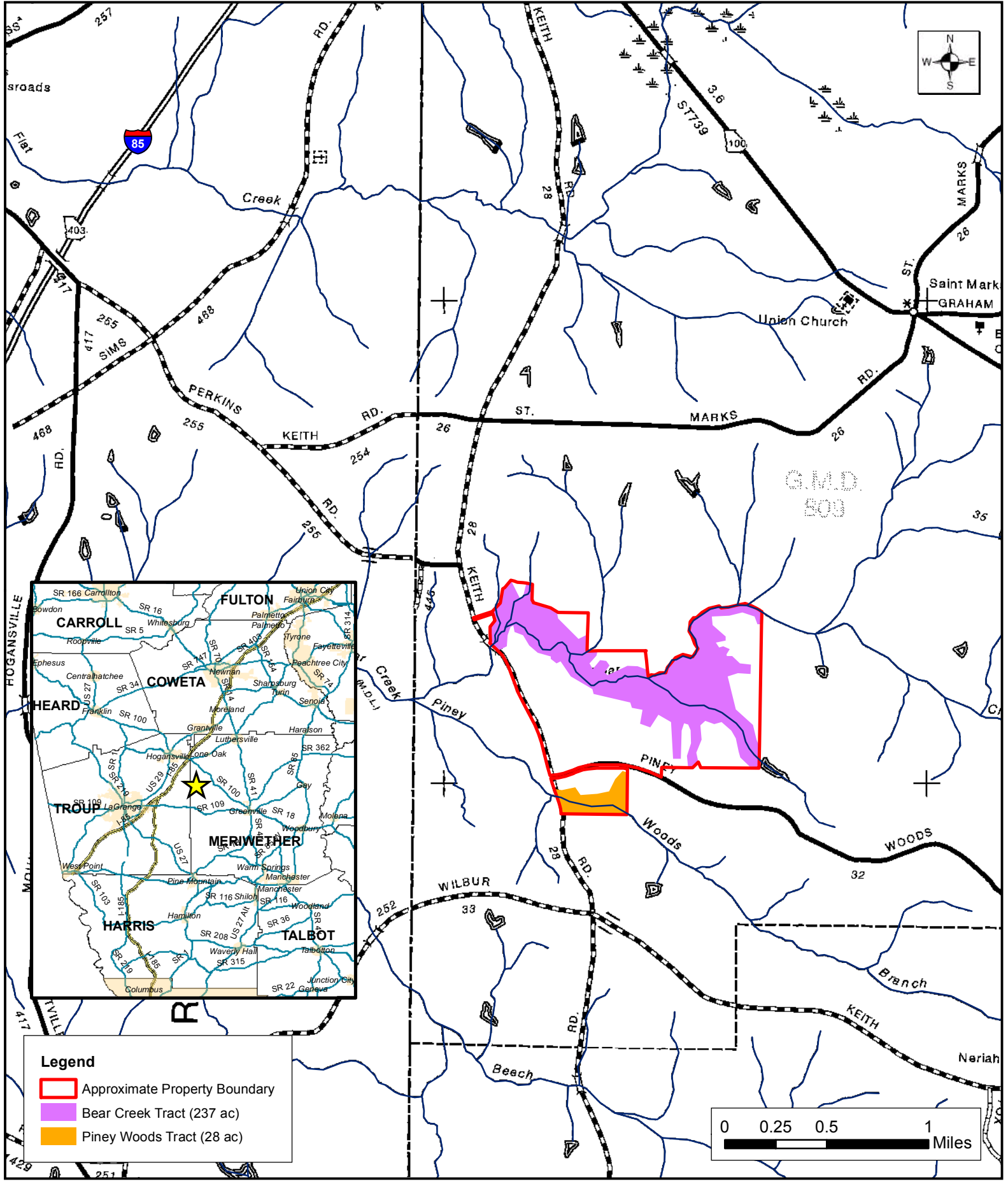
Preliminary review, provided by the bank's sponsor, indicates that: 1) No species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) would be affected; and 2) No cultural or historical resources considered eligible or potentially eligible for listing on the National Register of Historic Places would be affected according to a 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, Attention: Ms. Holly Ross, 1104 North Westover Boulevard, Suite 9, Albany, Georgia 31707 or in an email to holly.a.ross@usace.army.mil, no later than 30 days from the date of this notice. Please refer to the applicant's name and the application number in your comments.

If you have any further questions concerning this matter, please contact Ms. Holly Ross at 678-422-2727 or holly.a.ross@usace.army.mil.

Enclosures:

1. Vicinity and Road Map
2. Aerial Imagery Site Location Map
3. Topo Site location
4. Proposed Service Areas – overview
5. Existing Aquatic Resources
6. Conceptual Restoration Plan



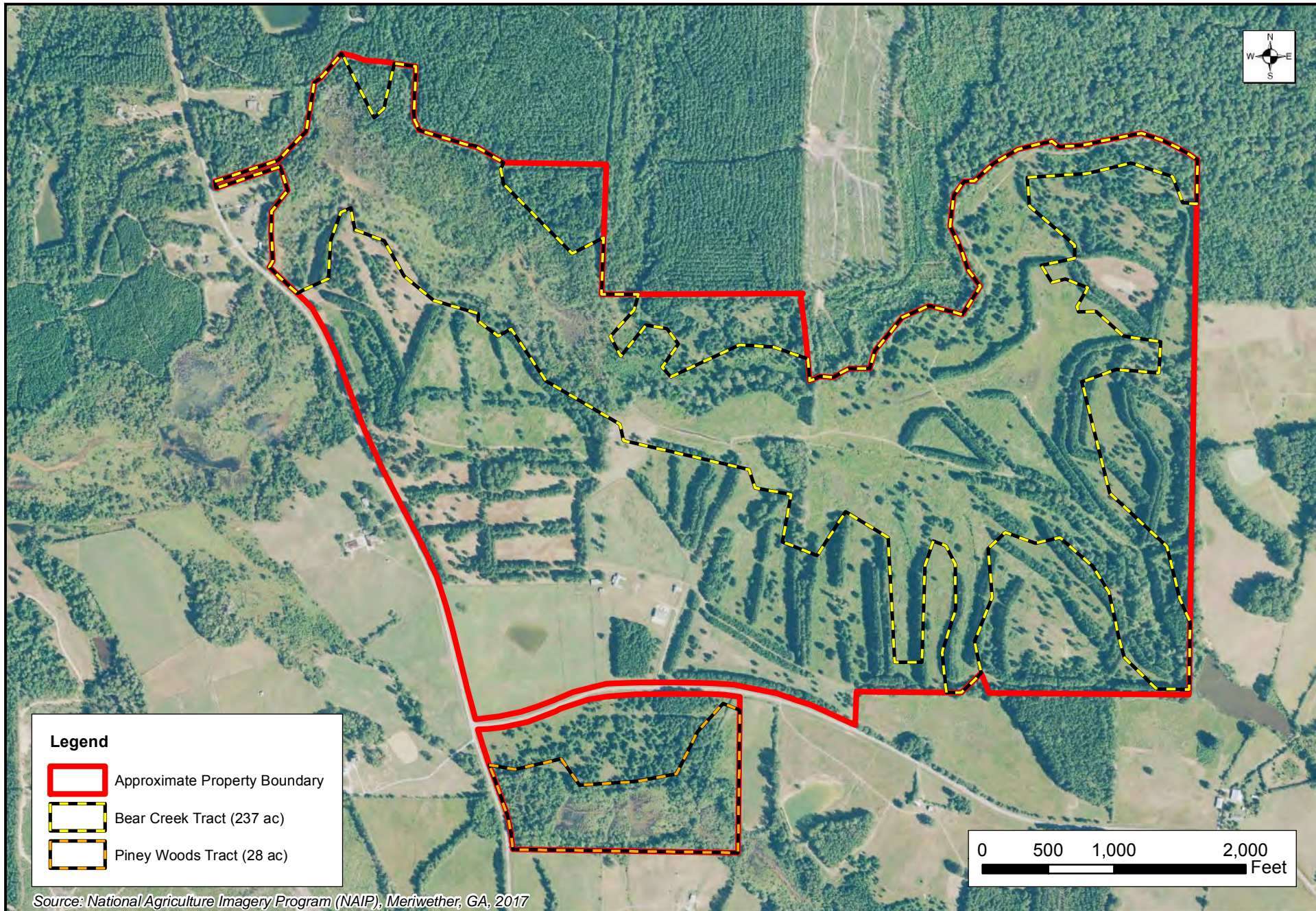
Bear Creek Mitigation Bank
 Meriwether County, Georgia

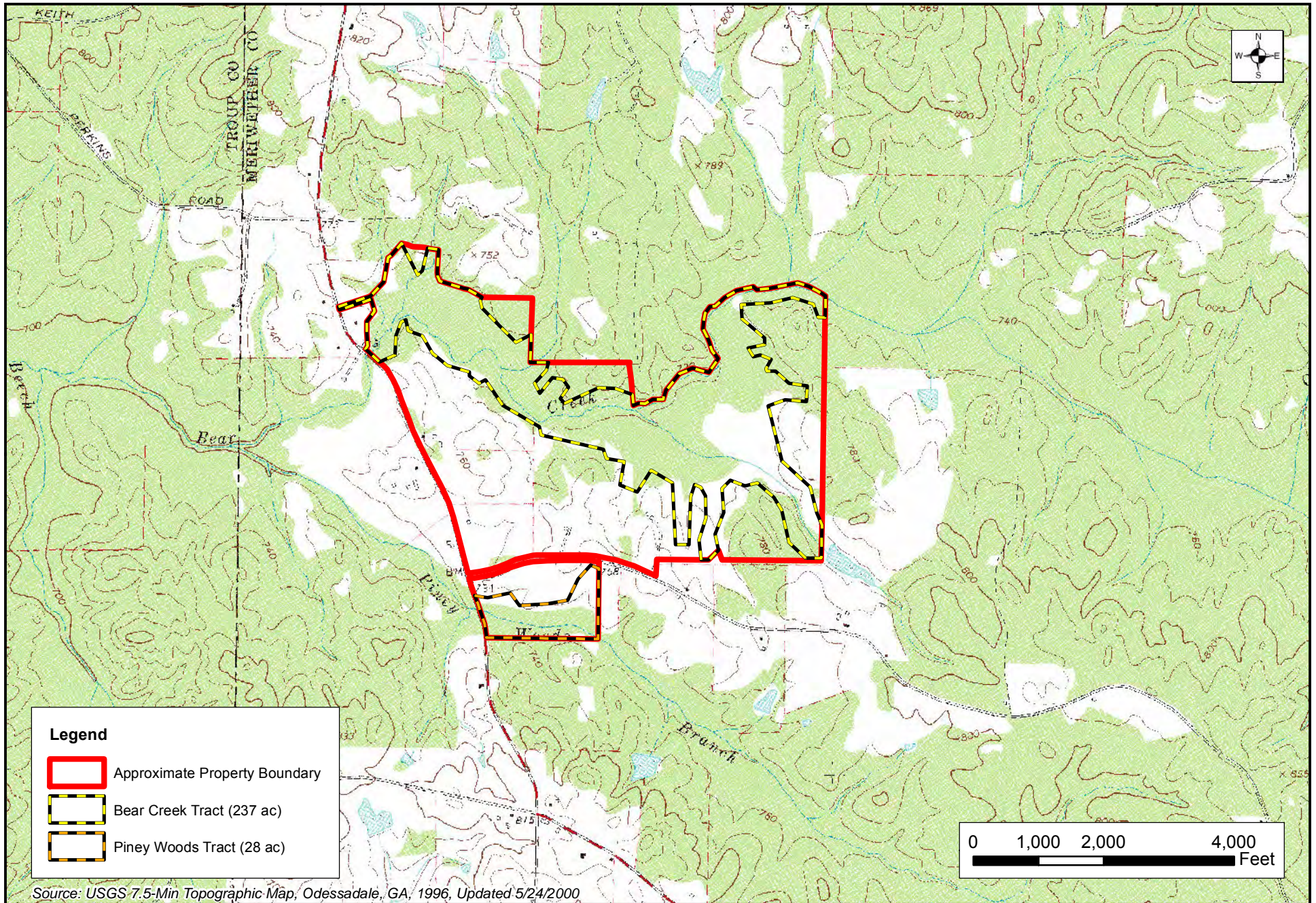
February 2019
 30792-001



Project Location

Figure 1.01





Bear Creek Mitigation Bank
 Meriwether County, Georgia

February 2019
 30792-001

**USGS 7.5-Minute Odessadale, Georgia
 Topographic Map**

Figure 1.07



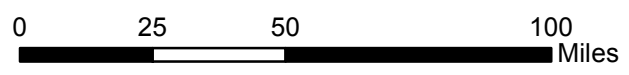
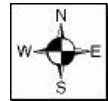
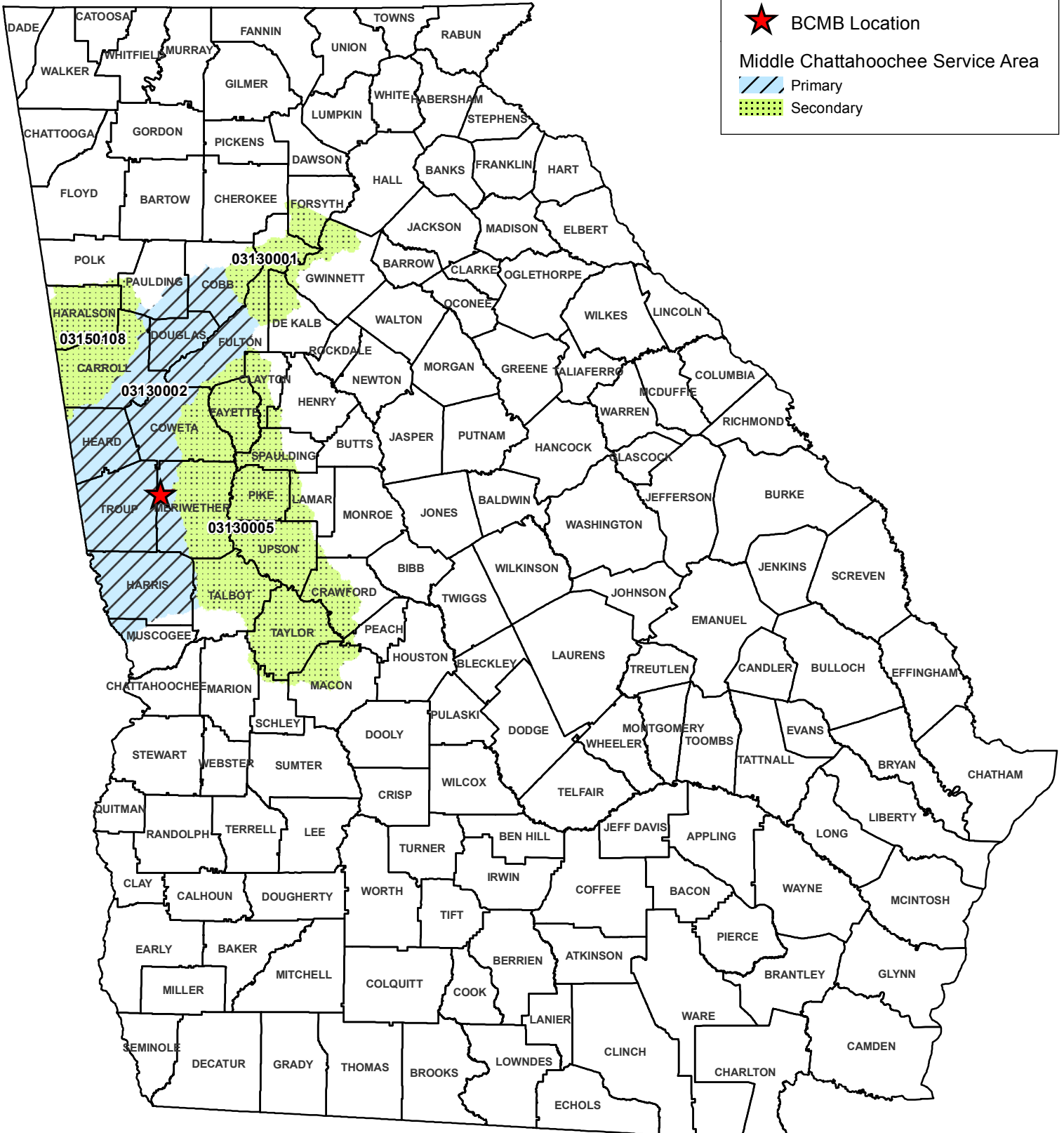
Legend

★ BCMB Location

Middle Chattahoochee Service Area

▨ Primary

▨ Secondary



Bear Creek Mitigation Bank
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Middle Chattahoochee Service Area

Figure 1.03

