



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
SAVANNAH DISTRICT, CORPS OF ENGINEERS
1590 ADAMSON PARKWAY, SUITE 200
MORROW, GEORGIA 30260-1777

JANUARY 23 2013

Regulatory Division
SAS-2012-00681

PUBLIC NOTICE
Savannah District

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

Application Number: SAS-2012-00681

Applicant: Mr. Trey Evans
Etowah River Holdings, LLC
10405 Old Alabama Road Connector, Suite 201
Alpharetta, Georgia 30022

Agent: Mr. Dan Rice
Ecological Solutions, Inc.
630 Colonial Park Drive, Suite 200
Roswell, Georgia 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 project site is an approximately 175-acre property located directly south of the intersection of Etowah River Road and New Bethel Church Road, bounded to the south by the Etowah River, approximately 4.5 miles east of the City of Dawsonville, Dawson County, Georgia. A reach of Russell Creek flows immediately to the west of the site and a reach of Proctor Creek flows into the site from the northeast (latitude 34.3970, longitude -84.0453). The bank site is located in the Etowah River Basin. See the enclosed Vicinity Map.

Description of Mitigation Bank: The bank sponsor proposes to establish a commercial stream and wetland mitigation bank. Wetland restoration has been subdivided into five distinct areas: WR1 (22.1 acres), WR2 (27.0 acres), WR3 (10.0 acres), WR4 (6.9 acres), and WR5 (8.8 acres). All wetlands on the property have been hydrologically and vegetatively impaired. The floodplain has been altered by the due to the entrenchment of adjacent streams. Wetland

hydrology will be reestablished by plugging the existing agricultural ditches, restoring the adjacent stream channels, and redirecting flow back to the floodplain. The vegetative community will be improved by removing nuisance and exotic vegetation followed by supplemental planting of appropriate wetland tree species. There are four existing stream reaches (RS-1, RS-2, RS-3, and RS-4) consisting of a total of 8,199.4 linear feet of perennial stream. All four stream reaches are tributaries located upstream of the Etowah River. The streams are deeply entrenched and have little sinuosity. The streams will be restored by creating new stream channels based on natural channel design principles. Successful completion of mitigation activities within the proposed bank will result in a total of approximately 74.8 acres of restored wetlands and 9,839.3 linear feet of restored streams. See the enclosed Conceptual Mitigation Plan.

Geographic Service Area: The 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 will include the Etowah River watershed, Hydrologic Unit Code 03150104, as the Primary service area and the Conasauga River, Coosawattee River, Oostanaula River, Upper Coosa River, and Upper Tallapoosa River watersheds, Hydrologic Unit Codes 03150101, 03150102, 03150103, 03150105 and 03150108, respectively, as the Secondary service area in Georgia. See the enclosed Standard Service Area Map.

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 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, USACE and is comprised of representatives from the US Environmental Protection Agency, US 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 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 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 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 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 seen at the US Army Corps of Engineers, Savannah District, Regulatory Division, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777. 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.

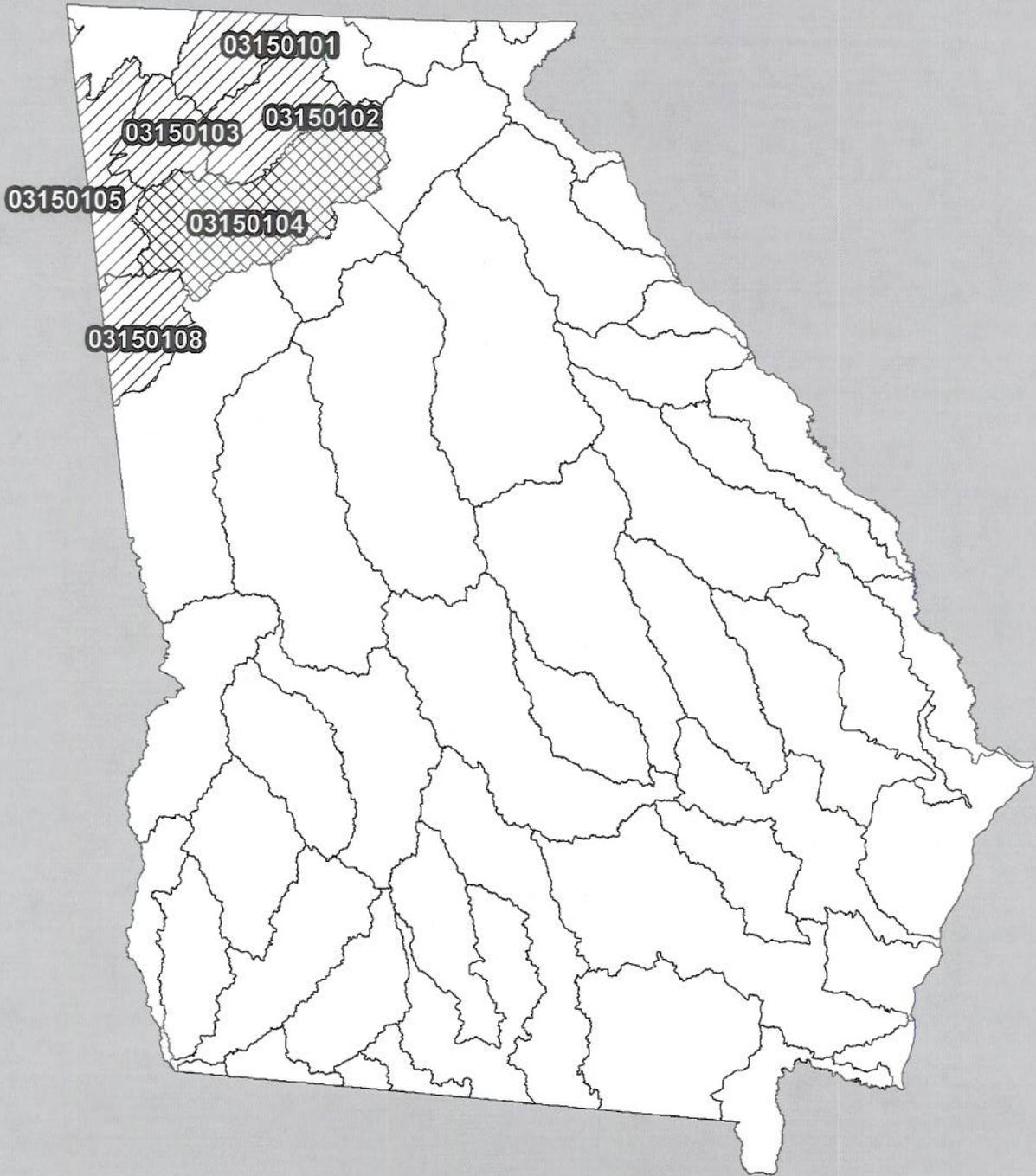
Preliminary review, provided by the bank's sponsor, indicates that: 1) An environmental impact statement will not be required; 2) No species of fish, wildlife, or plant (or their critical habitat) listed as endangered or threatened under the Endangered Species Act of 1973 (PL 93-205) will be affected; 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, US Army Corps of Engineers, Savannah District, Regulatory Division, Attention: Mr. Adam F. White, 1590 Adamson Parkway, Suite 200, Morrow, Georgia 30260-1777 no later than 30-days from the date of this notice. Please refer to the mitigation bank name (Etowah River Road Mitigation Bank) and the Regulatory Division file number (SAS-2012-00681) in your comments.

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

3 Encls

1. Vicinity Map
2. Conceptual Mitigation Plan
3. Standard Service Area Map



Base Map Source: 8-digit HUC, Georgia

-  Primary Service Area
-  Secondary Service Area

43
 Miles
 1 in = 43 miles



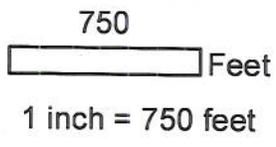
Etowah River Rd.
Dawson County, Georgia
SAS-2012-00681



Figure 9
Standard Service Area Map



SDA National Agriculture Imagery Program: Dawson County, Georgia 2009



Etowah River Rd.
Dawson County, Georgia
SAS-2012-00681



Figure 19
Conceptual Mitigation Plan