



**US Army Corps
of Engineers**

Public Notice

Public Notice No. **04-35**

Date: **25 May 2004**

Nashville District

Application No. **2003-01317**

Please address all comments to:

Nashville District Corps of Engineers, Regulatory Branch

(Attn: Kathleen J. Kuná)

3701 Bell Road, Nashville, TN 37214

kathleen.j.kuna@usace.army.mil

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
STATE OF TENNESSEE

SUBJECT: Proposed Discharge of Fill Material into 4.03 acres of emergent wetlands for the construction of the Siegel Soccer Complex and Environmental Education Area in Rutherford County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a Department of the Army Permit pursuant to **Section 404 of the Clean Water Act** (CWA). Before a permit can be issued, certification must be provided by the Tennessee Department of Environment & Conservation, pursuant to Section 401(a)(1) of the CWA, that applicable water quality standards will not be violated. By copy of this notice, the applicant hereby applies for the required certification.

APPLICANT: **City of Murfreesboro**
Mr. Ken Hayes, Director of Engineering
City Hall, Second Floor
111 West Vine Street
Murfreesboro, TN 37130

LOCATION: 130-acre parcel in the SW corner of the intersection of US 231 and Cherry Lane, Murfreesboro, Rutherford County, TN. The wetlands are contiguous to two unnamed tributaries to the East Fork Stones River at Mile 9.2 Left Bank. USGS Walterhill Quad Map; Latitude N35°55' 26.12", Longitude W86°23' 30.29".

DESCRIPTION: The proposed action is the discharge of approximately 6,500 cubic yards of clean fill material into 4.02 acres of farmed wetlands associated with the construction of the proposed City Park. There are a total of 19.67 acres of wetlands located within the property boundaries.

The proposed site has been used for agriculture for approximately 50 years and has been actively ditched to attempt to drain the hydric soils in the east and northeast portion of the property. The site is currently used for hay production and cattle grazing.

In addition to the wetlands, there are two perennial streams and two drainage ditches located on the site (see attached drawings). There will be no construction impacts to the two streams. One of the streams has been highly degraded by livestock watering and will be restored as part of the mitigation package.

MITIGATION: The applicant proposes the following on-site mitigation for the loss of 4.03 acres of prior converted wetlands:

Restoration of 3.43 acres of stream & riparian zone
Enhancement of 15.86 acres of existing wetlands
Creation of 1.51 acres of new wetlands
Total On-site Mitigation - 20.80 acres

Plans of the proposed work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer.

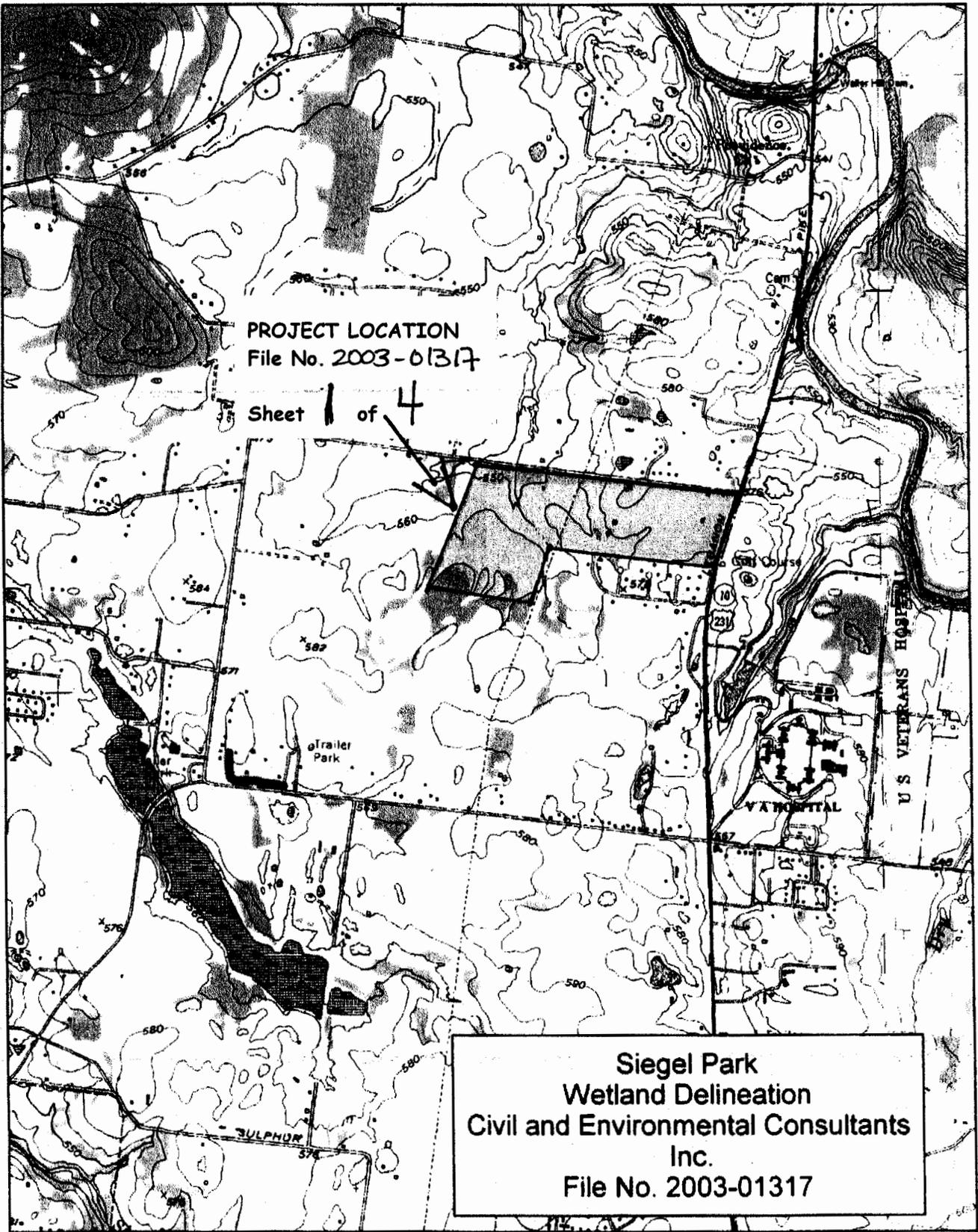
Based on available information, the proposed work will not destroy or endanger any federally-listed, threatened, or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

Water quality certification from the state of Tennessee Department of Environmental Conservation (TDEC) in accordance with Section 401(a)(1) of the CWA.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before June 25, 2004, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Kathleen Kuná, at the above address, telephone (615) 369-7506, or at kathleen.j.kuna@usace.army.mil



PROJECT LOCATION
File No. 2003-01317

Sheet 1 of 4

Siegel Park
Wetland Delineation
Civil and Environmental Consultants
Inc.
File No. 2003-01317

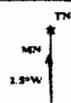
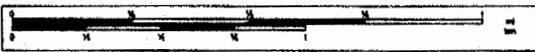
DeLORME

© 2001 DeLorme, Topo (USA) 3.0

Zoom Level: 13-1 Datum: WGS84

Scale 1 : 24,000

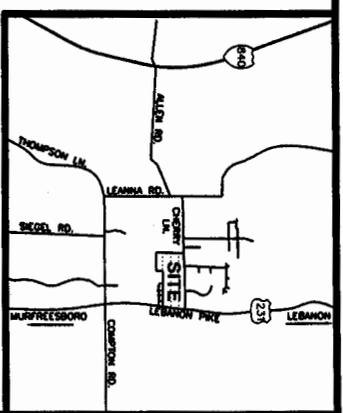
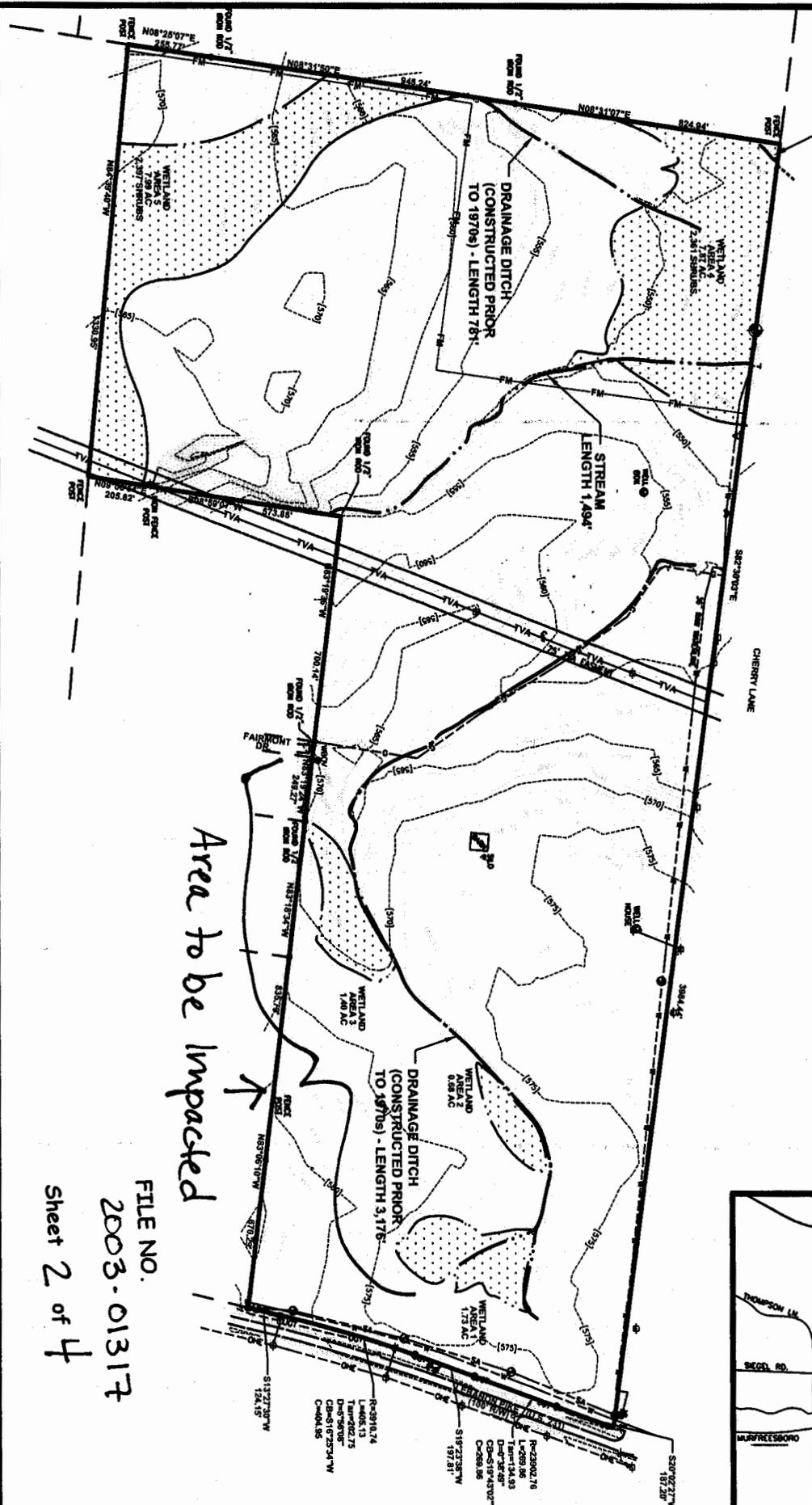
1" = 2,000.04 ft



STREAM LENGTH 70'

STREAM LENGTH 1,494'

STREAM LENGTH 3,175'



Area to be impacted

FILE NO.
2003-01317
Sheet 2 of 4

CEC PROJECT NUMBER
231-007

DATE: 04-19-04
DWN. BY: CSW

CHKD. BY: JC
SCALE: 1" = 450'

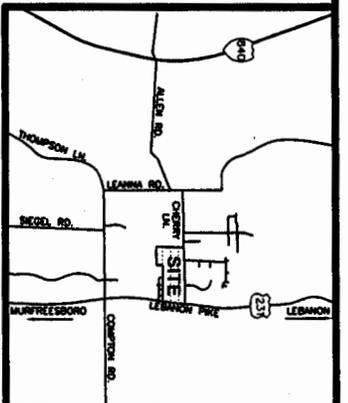
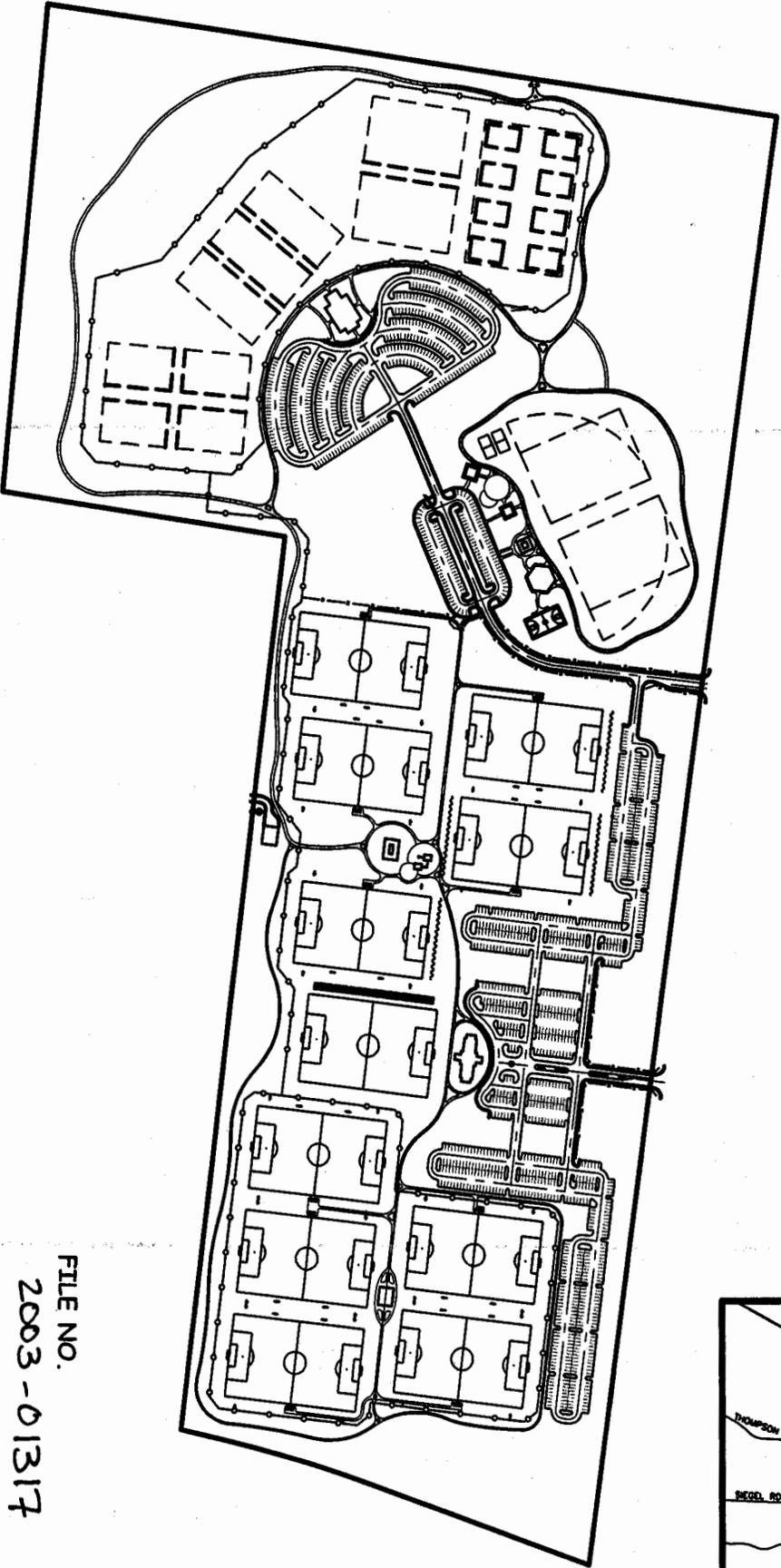
SHEET 1 OF 3

EXISTING CONDITIONS



Civil & Environmental Consultants, Inc.

624 Greenmore Park Drive
Nashville, TN 37211
(615) 333-7797 (800) 763-2326
Pittsburgh, PA Cincinnati, OH Columbus, OH
Indianapolis, IN Chicago, IL Export, PA St. Louis, MO



FILE NO.

2003-01317

Sheet 3 of 4

CEC PROJECT NUMBER
231-007

DATE: 04-19-04

DWN. BY: CSW

CHKD. BY: JC

SHEET 3 OF 3

SCALE: 1" = 450'

PROPOSED DEVELOPMENT



Civil & Environmental Consultants, Inc.

624 Grossingers Park Drive

Nashville, TN 37211

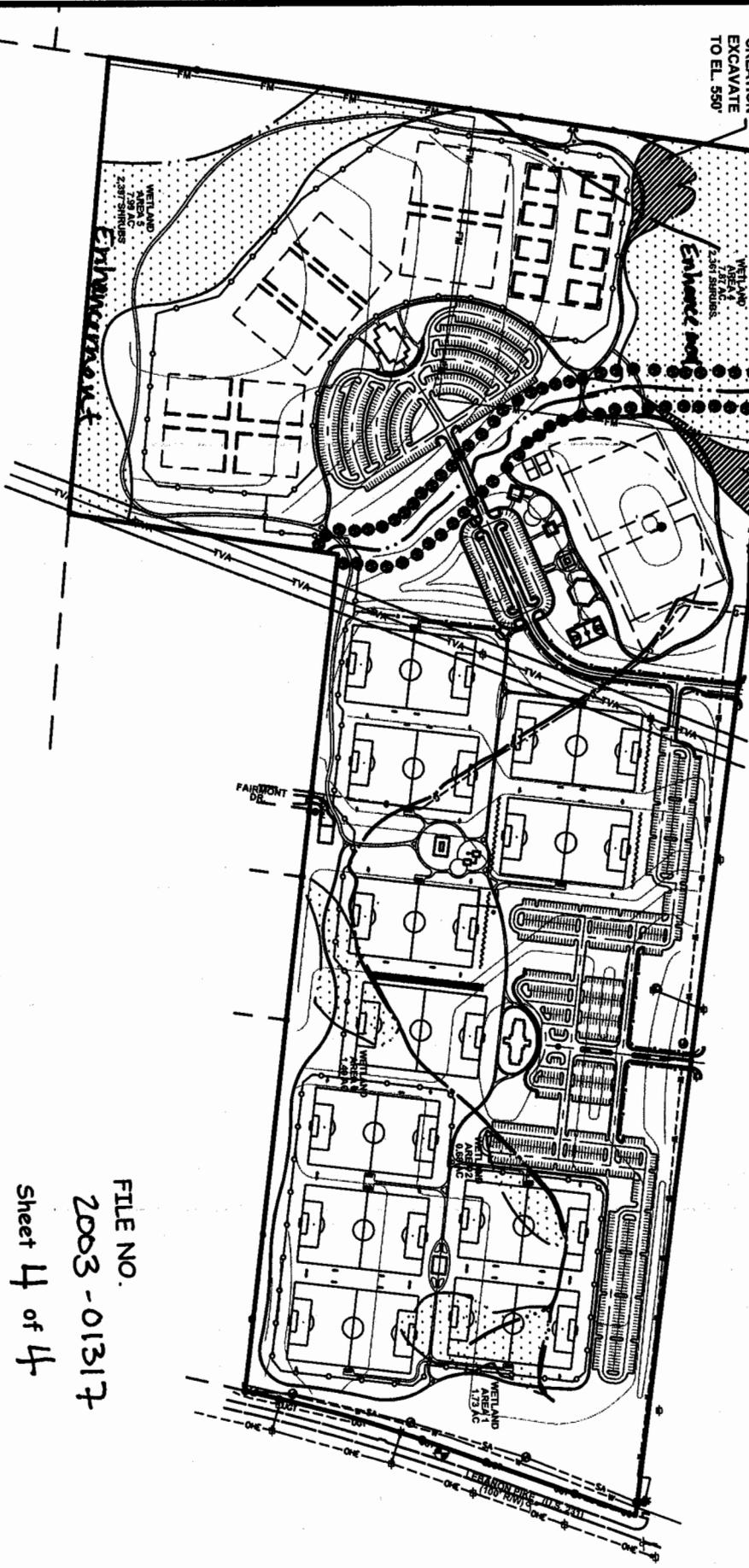
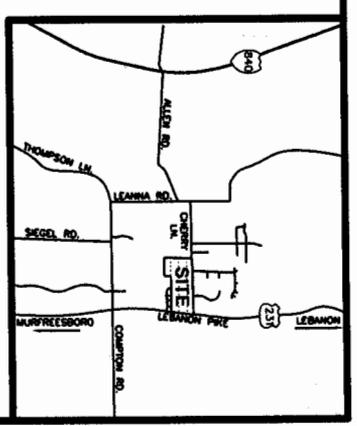
(615) 333-7797 (800) 783-2326

Pittsburgh, Pa. Cincinnati, OH Columbus, OH
Indianapolis, IN Chicago, IL Export, PA St. Louis, MO

No construction
 impact to streams.
 Restoration only
 to stream B

(A) (B)

- LEGEND:
- FENCE
 - TRAIL
 - PROPERTY LINE
 - FORCE MAIN
 - WATER LINE
 - PLANTINGS: SWAMP OAK
 BLACK GUM, WINGED ELM
 SUMAC, BALD CYPRESS



FILE NO.
 2003-01317
 Sheet 4 of 4

CEC PROJECT NUMBER
 231-007
 SHEET 2 OF 3

DATE: 04-19-04
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 CHKD. BY: JC
 SCALE: 1" = 450'

PROPOSED CONDITIONS,
 GRADING PLAN
 & MITIGATION



Civil & Environmental Consultants, Inc.
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 Nashville, TN 37211
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 Indianapolis, IN Chicago, IL Export, PA St. Louis, MO