



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:
Public Notice Number: NAN-2014-00955-WCA
Issue Date: September 9, 2014
Expiration Date: October 8, 2014

To Whom It May Concern:

The New York District, Corps of Engineers has received a mitigation bank prospectus to establish the Evergreen Mill Creek Point Mitigation Bank. This notice is to inform interested parties of the proposed activities and solicit comments.

AUTHORITY: Issuance of a public notice regarding a proposed mitigation bank prospectus is required pursuant to the "Compensatory Mitigation for Losses of Aquatic Resources; Final Rule," (Rule) as published in April 10, 2008, Federal Register, Vol. 73, No. 70, Pages 19594-19705 (33 Code of Federal Regulations, Parts 325 and 332). The authorization of the proposed wetland mitigation bank may be reviewed under a separate future permit action pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Evergreen Environmental, LLC
Attn: Mr. Mark Renna
425 Darby Paoli Road
Wayne, Pennsylvania 19087

ACTIVITY: The prospective mitigation bank sponsor, Evergreen Environmental, LLC, is in the process of requesting Department of the Army authorization to establish and maintain a 24 acre area that would consist of a tidal emergent marsh, mudflat, open water, and upland preservation, within Mill Creek, a tidal tributary to the Hackensack River.

All aspects associated with the objectives, establishment, operation, monitoring/maintenance, and long term management of the proposed bank is discussed in the "Evergreen Mill Creek Point Mitigation Bank Prospectus" dated July 2014. To view the Prospectus please visit the Public Notices section of the New York District's Regulatory Branch page online at: www.nan.usace.army.mil/PublicNotices and select the public notice labeled NAN-2014-00955-WCA.

The proposed mitigation bank may be one of a number of practicable options available to applicants to compensate for unavoidable impacts to aquatic resources associated with Department of the Army permits issued under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

The mitigation bank prospectus will be reviewed by the New York District of the U.S. Army Corps of Engineers in consultation with a group of federal and state agency representatives known as the Interagency Review Team (IRT). The New York District of the U.S. Army Corps of Engineers is the chair of the IRT.

The proposed mitigation bank sponsor is in the process of preparing mitigation bank design plans for the site which will be submitted to the U.S. Army Corps of Engineers for consideration as part of a Department of the Army permit application pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Section 404 of the Clean Water Act (33 U.S.C. 1344).

**CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2014-00955-WCA**

WATERWAY: Mill Creek, (Hackensack River Watershed)

LOCATION: Town of Secaucus, Hudson County, New Jersey

FEDERAL EVALUATION OF THE PROPOSAL: 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 this proposed mitigation bank. The New York District Corps of Engineers in evaluating this proposal will consider any comments received. Comments will be used to assess the potential for the proposed mitigation bank to provide appropriate compensatory mitigation for activities authorized by Department of the Army permits.

ALL COMMENTS REGARDING THE PROSPECTUS MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8412 and ask for Jim Cannon.

In order for us to better serve you, please complete our Customer Service Survey located at <http://www.nan.usace.army.mil/Missions/Regulatory/CustomerSurvey.aspx>.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>.



Jodi M. McDonald
Chief, Regulatory Branch