



REPLY TO
ATTENTION OF:

DEPARTMENT OF THE ARMY
U.S. ARMY ENGINEER DISTRICT, MOBILE DISTRICT
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

CESAM-RD-I
PUBLIC NOTICE: SAM-2012-00144-MBM

November 15, 2012

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT
PROPOSED BLACKWATER RIVER MITIGATION BANK,
BALDWIN COUNTY, ALABAMA

TO WHOM IT MAY CONCERN:

This District has received a complete mitigation banking prospectus for the establishment of a mitigation bank referred to as the **Blackwater River Mitigation Bank**. Please communicate this information to interested parties.

BANK SPONSOR: Blackwater River Mitigation Bank
Rock Creek Capital
C/o Wetland Sciences Incorporated
Attention: Mr. Craig Martin
1829 Bainbridge Avenue
Pensacola, Florida 32507

Rock Creek Capital, through Wetland Sciences Incorporated (consultant), is proposing to establish the 1,072-acre Blackwater River commercial mitigation bank to generate wetland mitigation credits for purchase by interested Department of Army (DOA) permit applicants in order to fulfill compensatory mitigation requirements for various project-related wetland impacts subject to U.S. Army Corps of Engineers (Corps) regulatory authority pursuant to Section 404 of the Clean Water Act. Approval for DOA permittees to use mitigation bank credits would be determined on a case-by-case basis at the time of permit evaluation. The mitigation bank is sited in Sections 29, 30, and 32 of Township 6 South, Range 6 East, and Section 5 of Township 7 South, Range 6 East, at 31.495964 N -87.495938 W, in Baldwin County, Alabama. The site is located along the western bank of the Blackwater River in the southeastern portion of Baldwin County, approximately 3 miles east of Lillian, Alabama. The service area for the proposed mitigation bank includes Mobile and Baldwin Counties and the Perdido Watershed (HUC 03140107). Use of bank outside of designated service area may be authorized on a case-by-case basis and would require the use of the Mobile District Proximity Factor Method.

The proposed Blackwater River Mitigation Bank would generate wetland mitigation credits through the restoration of 393.8 acres of pine savannah wetlands, enhancement of 630.1 acres of bayhead drain wetlands, and the enhancement of 48.9 acres of Atlantic White Cedar wetlands. The pine savannah wetlands are currently managed for commercial silviculture purposes and contain a high density of planted slash pine (Pinus elliotti). The bayhead drain wetlands are currently being impacted by pine silviculture practices but also contain clear-cut areas dominated by dense stands of black titi (Cliftonia monophylla). The Atlantic White Cedar (Chamaecypris thyoides) wetlands are found along the banks of the Blackwater River and require active management to control exotic invasive species including Chinese tallow (Triadica sebiferum) and privet (Ligustrum sinense). Proposed land management activities include, but are not limited to; removal of undesirable pine trees, eradication of exotic invasive species, planting target tree species in the bayhead drain wetlands, and the implementation of a prescribe burn management plan to restore the pine savannah wetlands. Success criteria for each wetland habitat will be based on the Mobile District habitat specific success criteria.

On 10 April 2008 the U.S. Army Corps of Engineers and the U.S. Environmental Protection Agency issued new regulations, in the Federal Register, Vol. 73, No. 70, governing compensatory mitigation for losses of aquatic resources. The new regulation, 33 CFR 332 – Compensatory Mitigation for Losses of Aquatic Resources, establishes performance standards and criteria for mitigation projects including mitigation banks. Part 33 CFR 332.8 addresses requirements for establishing, operating, and maintaining mitigation banks that provide credits to satisfy mitigation requirements of the Clean Water Act, Section 404 permit program. Recognizing the potential benefits mitigation banking offers for streamlining the permit evaluation process and providing more effective mitigation for authorized impacts to wetlands, the agencies encourage the establishment and appropriate use if mitigation banks in the Section 404 program. This guidance became effective 9 June 2008.

An interagency group of Federal and State regulatory and resource agency representatives, as appropriate given the projected use for the bank, referred to as the Interagency Review Team (IRT), is signatory to a banking instrument and oversees the establishment, use and operation of a mitigation bank. Information provided in the prospectus will serve as the basis for establishing a banking instrument which will describe in detail the physical and legal characteristics of the bank and how the bank will be established and operated.

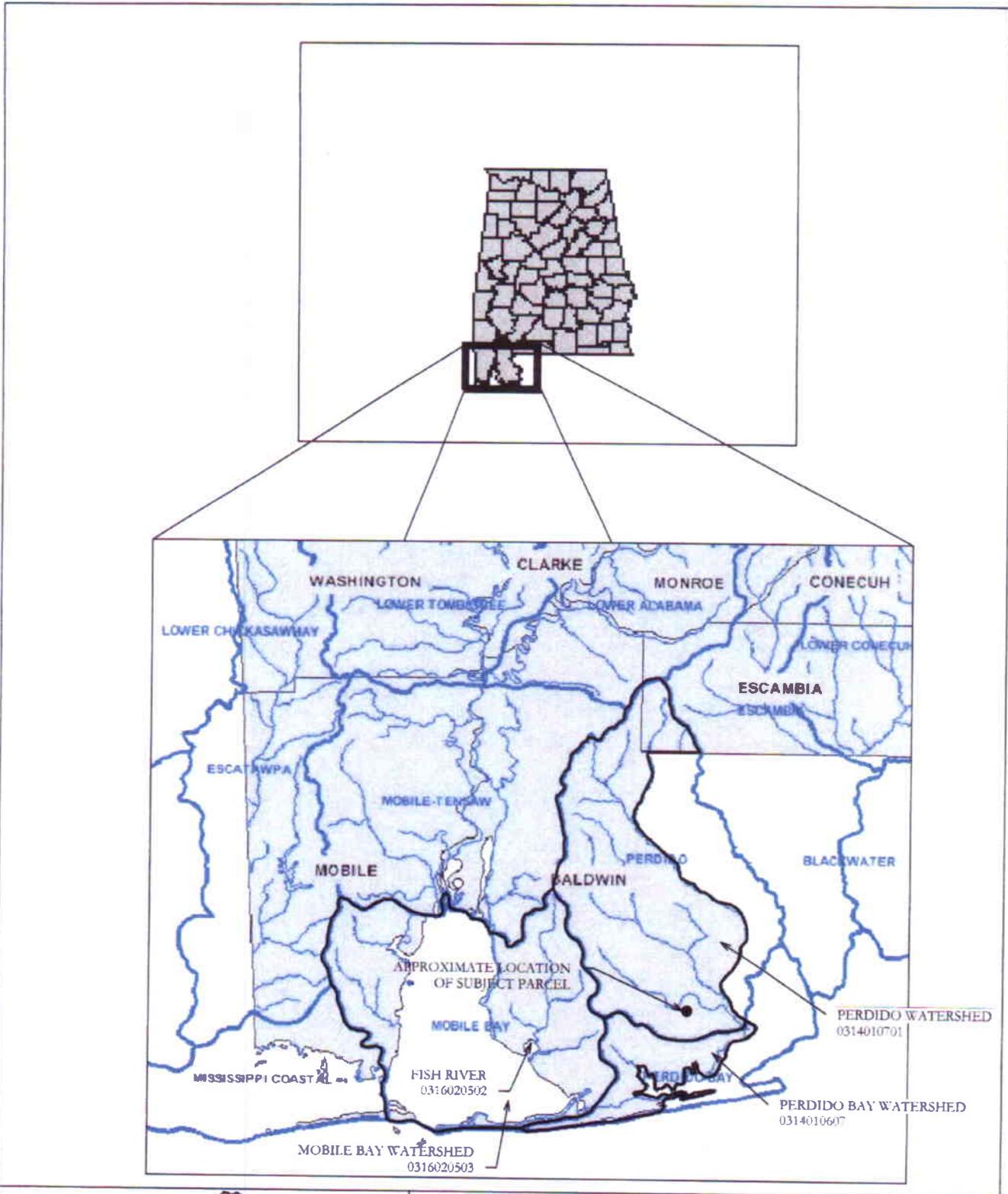
The Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties for consideration while evaluating this proposed activity. Copies of all comments received will be distributed to the other members of the IRT and the bank sponsor for full consideration in the development of the mitigation bank.

November 15, 2012

Comments concerning this Public Notice should be received within 30 days of the date of this public notice and should refer to number **SAM-2012-00144-MBM** and direct your correspondence to the District Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division; with a copy to the Alabama Department of Environmental Management, Coastal Section, 4171 Commanders Drive, Mobile, Alabama 36615. If you have any questions concerning this publication, please contact Mr. Michael Moxey, Project Manager and Mitigation Bank Interagency Review Team Chair, at michael.b.moxey@usace.army.mil or telephone number (251) 690-2658.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



SITE LOCATION & HUC MAP

PROJECT #2011-060

DATE: OCTOBER 2011

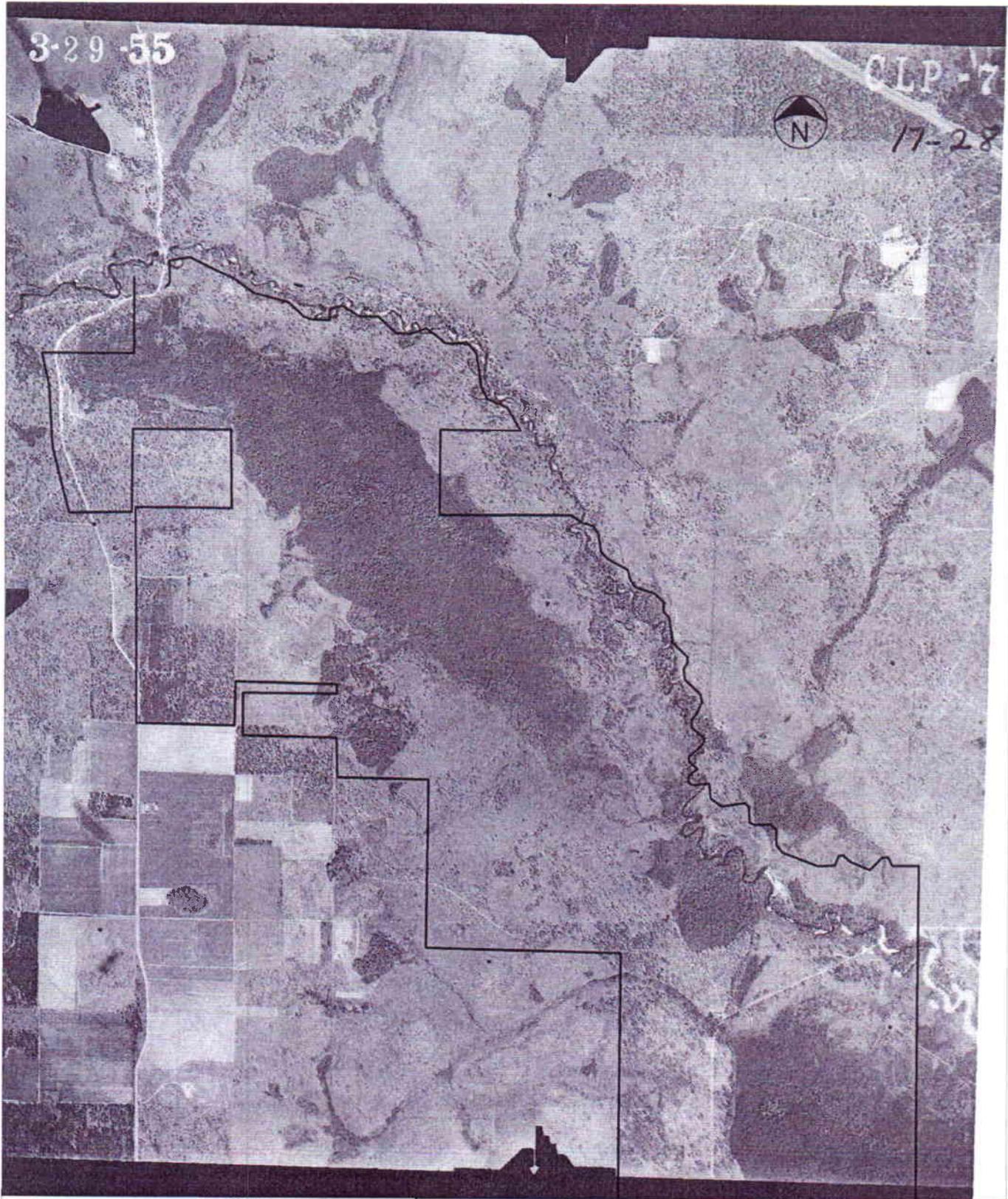
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3-29-55

OLP-7

17-28



WETLAND
SCIENCES
INCORPORATED

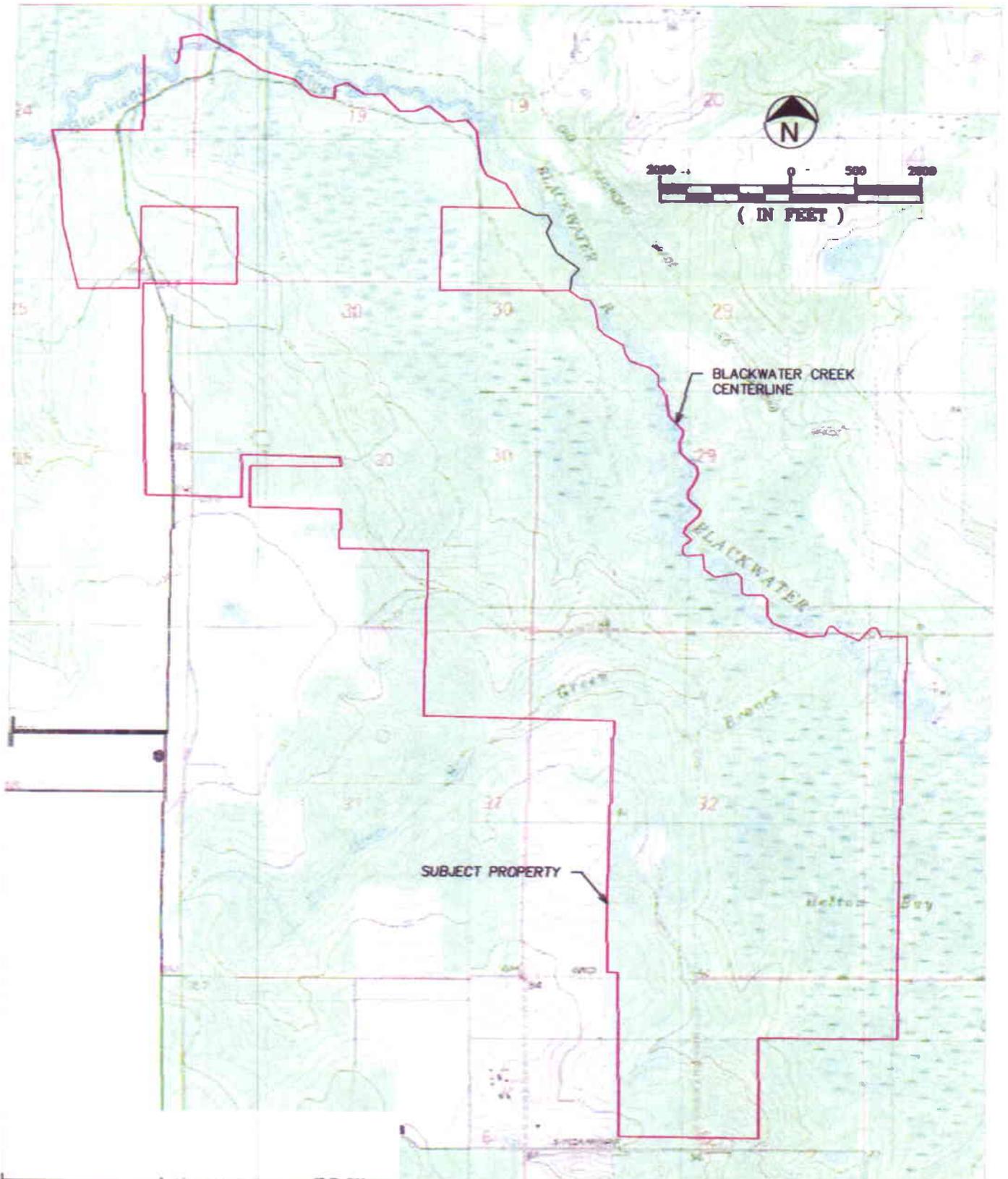
1955 BLACK & WHITE AERIAL

PROJECT #2011-060

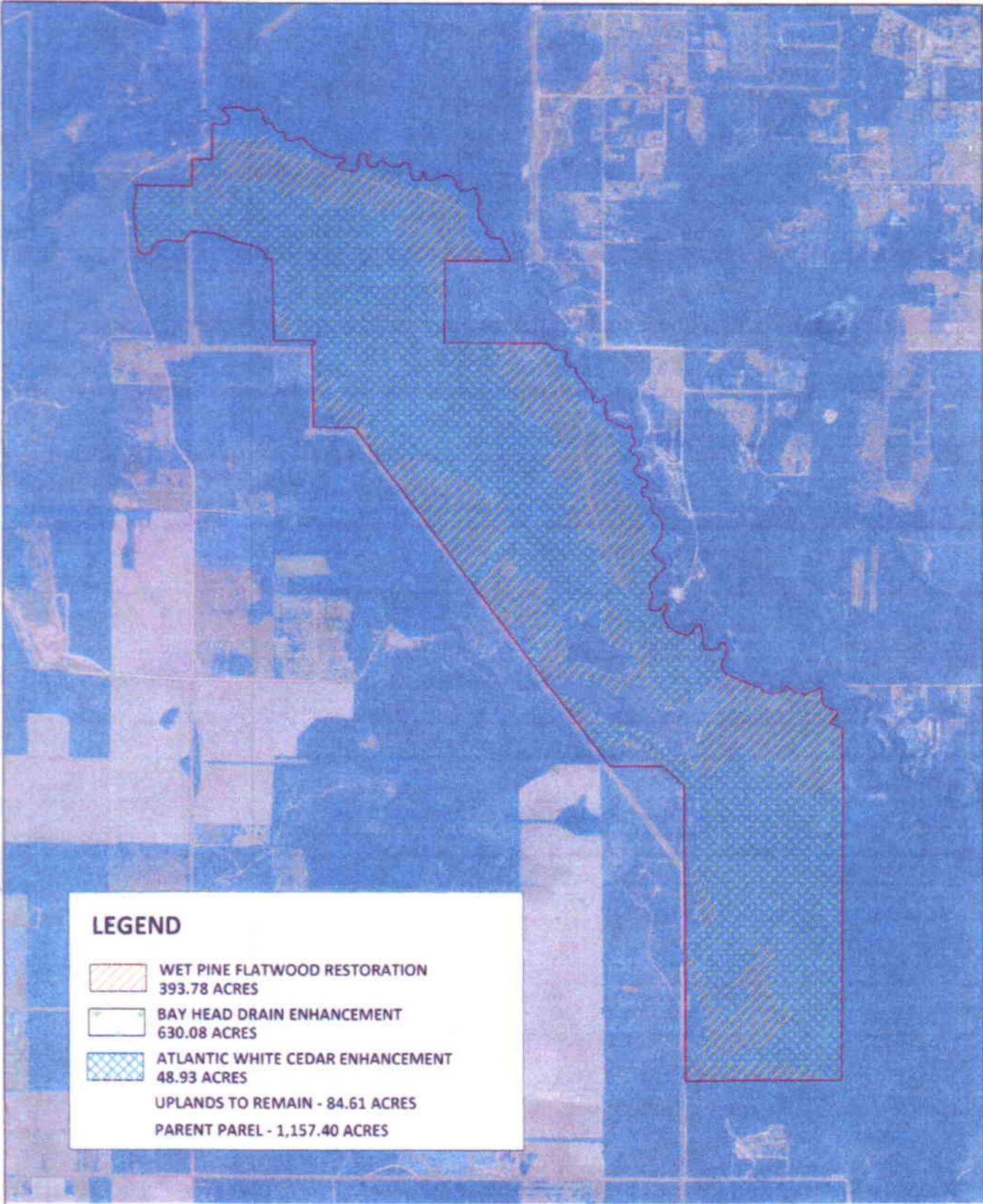
DATE: OCTOBER 2011

DRAWN BY: KDJ

SCALE: 1" = 2,000'



WETLAND SCIENCES INCORPORATED	BLACKWATER MITIGATION PARCEL OVERLAID ONTO USGS QUAD	
	PROJECT #2011-060 DRAWN BY: KDJ	DATE: OCTOBER 2011 SCALE: 1" = 2,000'



LEGEND

-  WET PINE FLATWOOD RESTORATION
393.78 ACRES
-  BAY HEAD DRAIN ENHANCEMENT
630.08 ACRES
-  ATLANTIC WHITE CEDAR ENHANCEMENT
48.93 ACRES

UPLANDS TO REMAIN - 84.61 ACRES
PARENT PAREL - 1,157.40 ACRES

WETLAND
SCIENCES
INCORPORATED

**BLACKWATER RIVER
MITIGATION BANK CONCEPT**

DATE: AUGUST 2012	PROJECT #: 2011-060
SCALE: 1" = 2,000'	DRAWN BY: KDJ

