



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
PUBLIC NOTICE NO. SAM-2013-00427-MBM

March 19, 2014

**JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**

**PROPOSED LOCUST FORK MITIGATION BANK IN
BLOUNT 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 **Locust Fork Mitigation Bank**. Please communicate this information to interested parties.

**BANK SPONSOR: Locust Fork Mitigation Bank
Westervelt Ecological Services
Attention: Mr. John McGuire
2128 Moores Mill Road, Suite B
Auburn, Alabama 36830**

Westervelt Ecological Services is proposing to establish the 111.4-acre Locust Fork commercial mitigation bank to generate wetland and stream mitigation credits for purchase by interested Department of Army (DOA) permit applicants in order to fulfill compensatory mitigation requirements for various project-related wetland and stream impacts and losses subject to U.S. Army Corps of Engineers (Corps) regulatory authority pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors 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. This mitigation bank is located in the Locust Fork Watershed (HUC 03160111) in Blount County, Alabama. More specifically the project is located in Section 34, Township 10 South, Range 2 East, at 34°07'27.29" N, 86°25'34.64" W, approximately 1.5 miles west of Snead, Alabama. The property is adjacent to the Locust Fork River which is a tributary to the Black Warrior River. The proposed mitigation bank site contains 7,781.4 linear feet of stream within 5 unnamed tributaries to Locust Fork, 3,831.9 linear feet of riparian area along one side of Locust Fork River, 7.5 acres of wetlands, and 51.9 acres of uplands. The proposed

service area would be the Locust Fork Watershed. Use of the mitigation bank outside of designated service area would require authorization on a case-by-case basis and the use of the Mobile District Proximity Factor Method.

The mitigation bank site has been impacted by historical farming operations and is currently open cattle pastures and incised stream channels. Wetland hydrology is currently being evaluated using groundwater monitoring wells. The 7.4 acres of wetlands within the proposed Locust Fork Mitigation Bank will be enhanced by replanting trees to return a regionally specific Sycamore-Sweetgum-American Elm forested ecosystem. Of these wetlands, 3.4 acres will be used to generate wetland mitigation credits. The remainder of wetlands is located within stream riparian zones. The site contains 51.9 acres of uplands that are proposed to be replanted back to a regionally specific Shortleaf Pine-Oak forested ecosystem. The applicant states that reference sites will be used to develop ecological success criteria for both habitat types. The Mobile District Mitigation Banking Interagency Review Team (IRT) is currently evaluating the proposed mitigation strategy.

The mitigation bank proposes in-stream work on 4 of the 5 unnamed tributaries to Locust Fork. Within these streams, the banker proposes to accomplish Priority 1 (along 5,227.8 linear feet), and Priority 3 (along 867.2 linear feet) stream channel restoration/enhancement to restore the current "G" stream channel types back to the target "B and C" stream channel types. The stream channel restoration/enhancement activities will restore the pattern, profile, and dimension of the stream channels to mimic similar unimpacted reference stream channel types in the watershed. Along these tributaries, stream mitigation credits will be generated by enhancing the upland and wetland riparian buffers by planting trees to return the previously mentioned regionally specific forested ecosystems. One unnamed tributary will generate stream mitigation credits through 386.5 linear feet of riparian buffer preservation along existing "B" stream channel type. Along the Locust Fork River, stream mitigation credits will be generated by 2,305.1 linear feet of riparian buffer preservation and 1,526.8 linear feet of riparian buffer enhancement on one side of the river. The IRT is currently evaluating the proposed riparian buffer enhancement strategy.

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

March 19, 2014

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 of 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, referred to as the 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.

Correspondence concerning this notice should refer to Public Notice Number SAM-2013-00427-MBM and should be directed to the District Commander, U.S. Army Engineer District, Mobile, Attention: Regulatory Division, Post Office Box 2288, Mobile, Alabama 36628-0001, with a copy to the Alabama Department of Environmental Management, Mobile Branch, Coastal Section, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608.

Comments concerning this Public Notice should be received no later than 30 **days** from the date of this public notice. If you have any questions concerning this publication, you may contact the project manager, Mr. Michael Moxey, at (251) 694-3771 or via e-mail at michael.b.moxey@usace.army.mil.

For additional information about our Regulatory Program, Please visit our web site at: www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

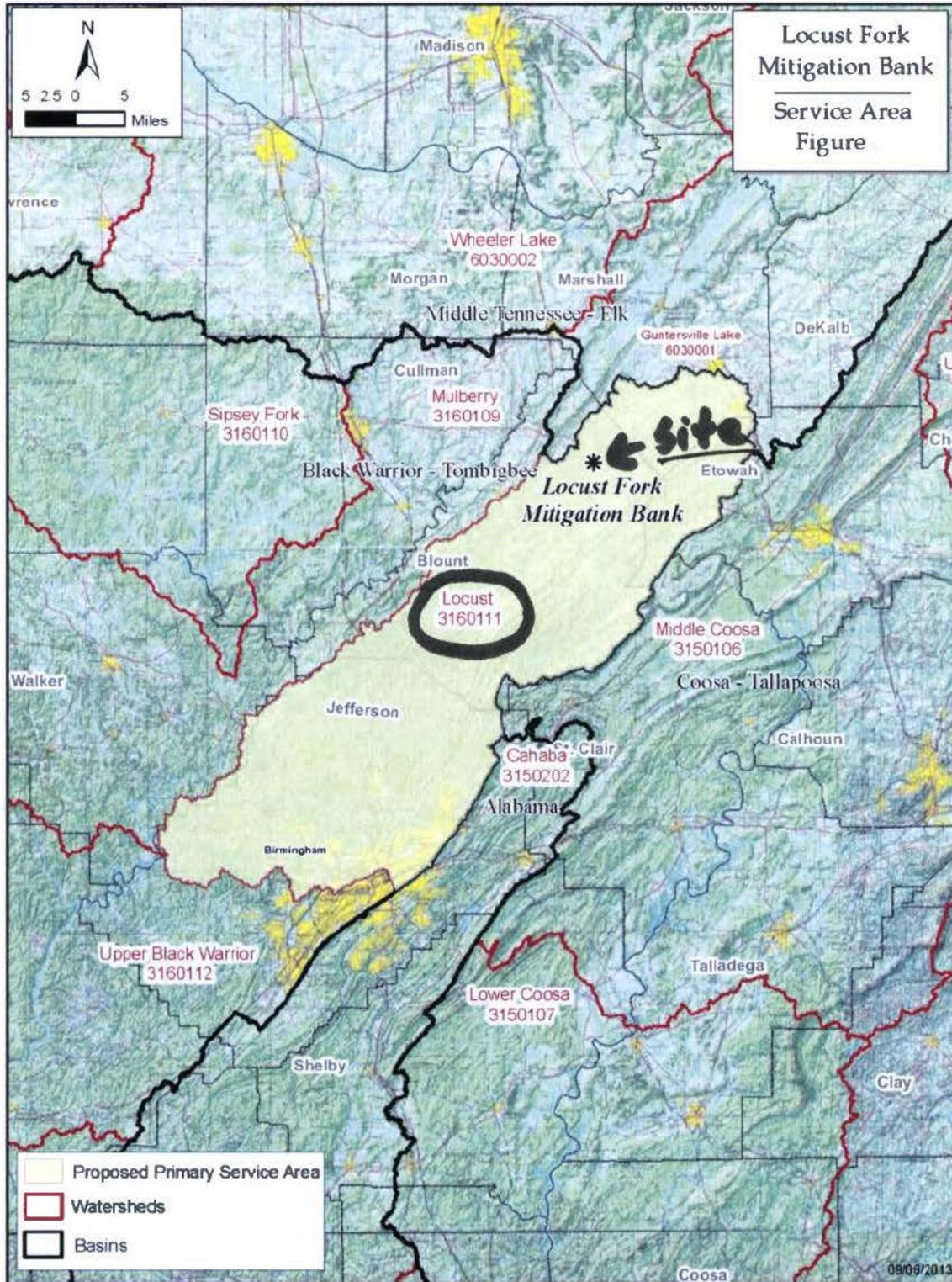
111.4 acres

34.124° N -86.424 W

Range 2 East, Section 34, Township 10 South

Blount Co., AL

HUC 03160111

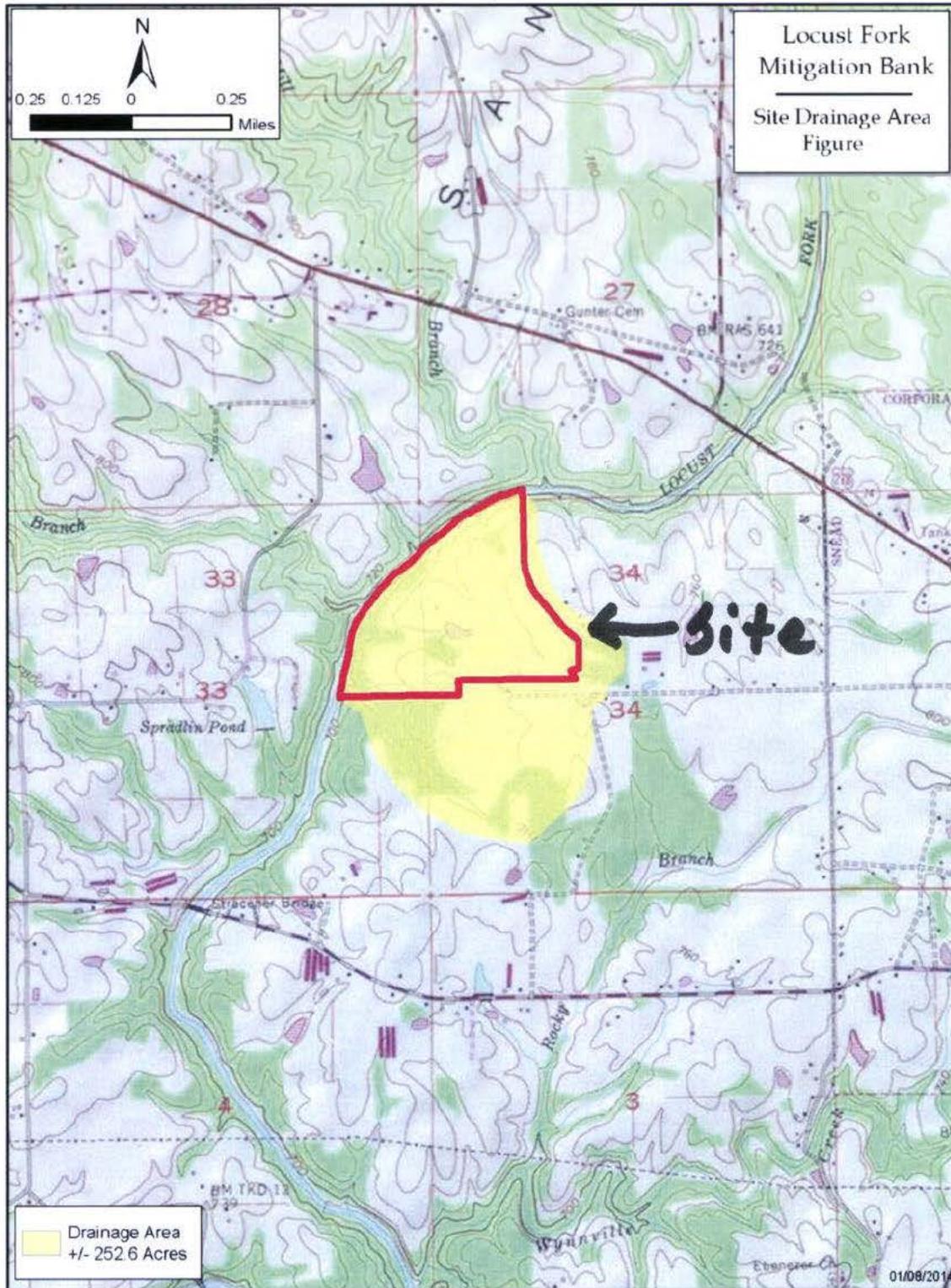


Township 10 S, Range 2 E, Section 34

34.124 N -86.424 W

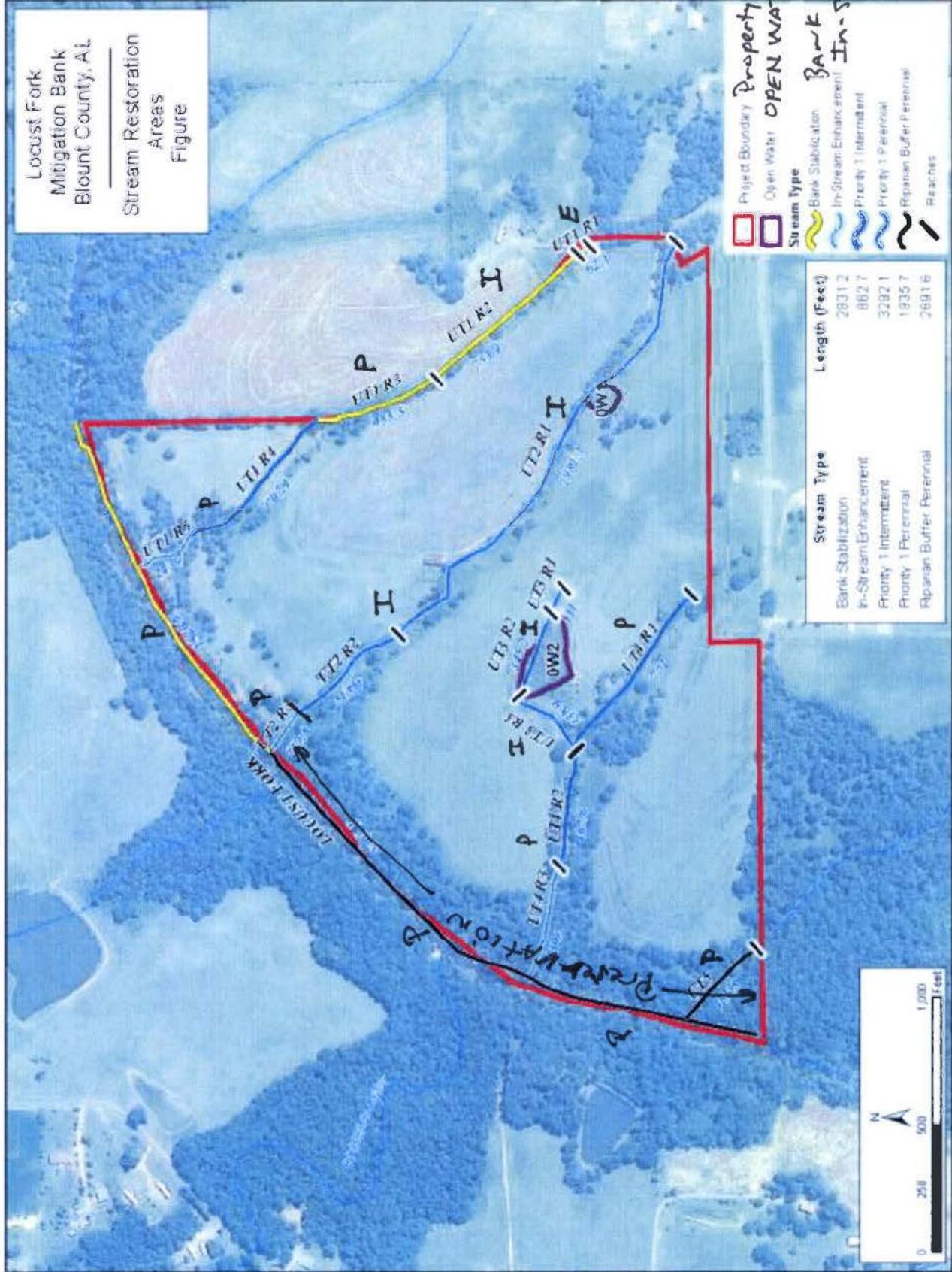
Blount Co., AL

111.4 Acres



Locust Fork
Mitigation Bank
Blount County, AL
Stream Restoration
Areas
Figure

P-Perennial
I-Intermittent
E-Ephemeral



Property Boundary
OPEN WATER
Bank Stabilization
In-Stream
In-Stream

- Project Boundary
- Open Water
- Stream Type
- Bank Stabilization
- In-Stream Enhancement
- Priority 1 Intermittent
- Priority 1 Perennial
- Riparian Buffer Perennial
- Reaches

Stream Type	Length (Feet)
Bank Stabilization	2831.2
In-Stream Enhancement	862.7
Priority 1 Intermittent	3292.1
Priority 1 Perennial	1935.7
Riparian Buffer Perennial	2891.6

