



REPLY TO  
ATTENTION OF:

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

Regulatory Division  
PUBLIC NOTICE NO. SAM-2008-328-MBM

May 30, 2008

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

**BROADVIEW MITIGATION BANK, MACON COUNTY, ALABAMA**

TO WHOM IT MAY CONCERN:

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

**BANK SPONSOR: Broadview Mitigation Bank  
C/o Goodwyn, Mills & Cawood, Inc.  
Attention: Mr. Lee Walters  
2660 Eastchase Lane, Suite 200  
Montgomery, Alabama 36117**

**Mr. Kenneth Hood has established a 164-acre commercial stream mitigation bank to generate mitigation credits for purchase by interested Department of Army (DOA) permit applicants in order to fulfill compensatory stream mitigation requirements for various project-related stream 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 bank mitigation credits would be determined on a case-by-case basis at the time of permit evaluation. The bank's service area will include all portions of the Lower Tallapoosa Watershed (USGS Hydrologic Unit Code 03150110) as well as remaining watersheds within the 031501 USGS Hydrologic Unit Code basin in Alabama using the Mobile District proximity factor method. Use of bank outside of designated service area may be authorized on a case-by-case basis. The Broadview Mitigation Bank contains 113,341.7 linear feet of stream, of which the mitigation bank will improve riparian buffer and perform in-stream restoration on 67,551.4 linear feet of stream. The mitigation bank site is located off Interstate 85 situated between Tuskegee and Auburn, near the Macon County and Lee County Line. The mitigation bank site is located in Sections 34 and 35 of Township 18 North, Range 24 east, Macon County, Alabama. Miles Creek meanders along the eastern**

**boundary to the Broadview Mitigation Bank, separating the site from the adjacent Tuskegee National Forest. The Broadview Mitigation Bank contains 4 perennial streams and 2 intermittent streams on the site. The mitigation bank will restore cattle pastures back to riparian buffer on all 6 streams and perform in-stream natural channel design restoration on 55,056.2 linear feet of perennial stream and 12,459.2 linear of intermittent stream. The stream systems have been severely degraded due to cattle and agricultural land-use practices. In order to develop mitigation credits, the bank sponsor will perform various restoration activities within the degraded streams and riparian buffers as specified in the mitigation banking instrument. All stream credit calculations were determined using the Mobile District's March 2005 Standard Operating Procedures Compensatory Stream Mitigation Guidelines.**

On 28 November 1995 the Corps, U.S. Environmental Protection Agency, National Resources Conservation Service, U.S. Fish and Wildlife Service and National Marine Fisheries Service issued, in the Federal Register, Vol. 60, No. 228, final policy guidance regarding the establishment, use and operation of mitigation banks for the purpose of providing compensation for adverse impacts to wetlands and other aquatic resources. The purpose of the guidance was to clarify the manner in which mitigation banks may be used to satisfy mitigation requirements of the Clean Water Act, Section 404 permit program and the wetland conservation provisions of the Food Security Act (i.e., "Swampbuster" provisions). 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 and "Swampbuster" programs. This guidance became effective 28 December 1995.

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 Mitigation Bank Review Team (MBRT), 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. **The Alabama Historical Commission provided their concurrence by letter dated 15 June 2007 under AHC-07-0832.** Copies of all comments received will be distributed to the other members of the MBRT and the bank sponsor for full consideration in the development of the mitigation bank.

Comments concerning this Public Notice should be received within 30 days of the date of this public notice and should refer to number **SAM-2008-328-MBM** and direct your correspondence to the District Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile,

Regulatory Division  
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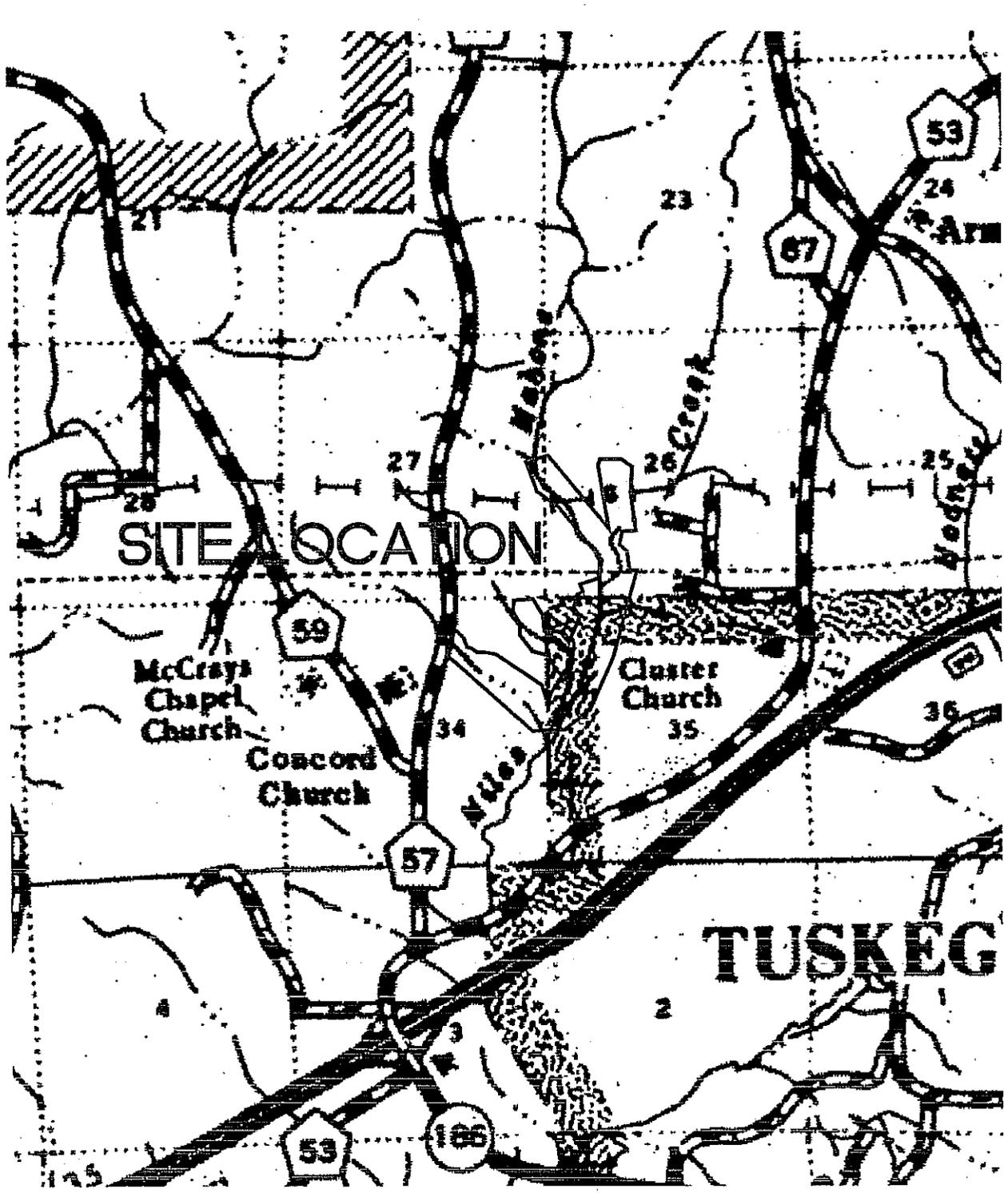
Alabama 36628-0001, Attention: Regulatory Division; and a copy to the Alabama Department of Environmental Management, Coastal Facility Section, 4171 Commanders Drive, Mobile, Alabama 36615.

If you have any questions concerning this publication, please contact Mr. Michael Moxey, Project Manager, via e-mail at [michael.b.moxey@sam.usace.army.mil](mailto:michael.b.moxey@sam.usace.army.mil) or telephone number (251) 690-2658.

MOBILE DISTRICT  
U.S. Army Corps of Engineers

Enclosures





FIGURE

Goodwyn, Mills & Cawood, Inc.

P. O. Box 242126  
 2660 East Chase Lane, Suite 200  
 Montgomery, Alabama 36124

TITLE: SITE LOCATION MAP

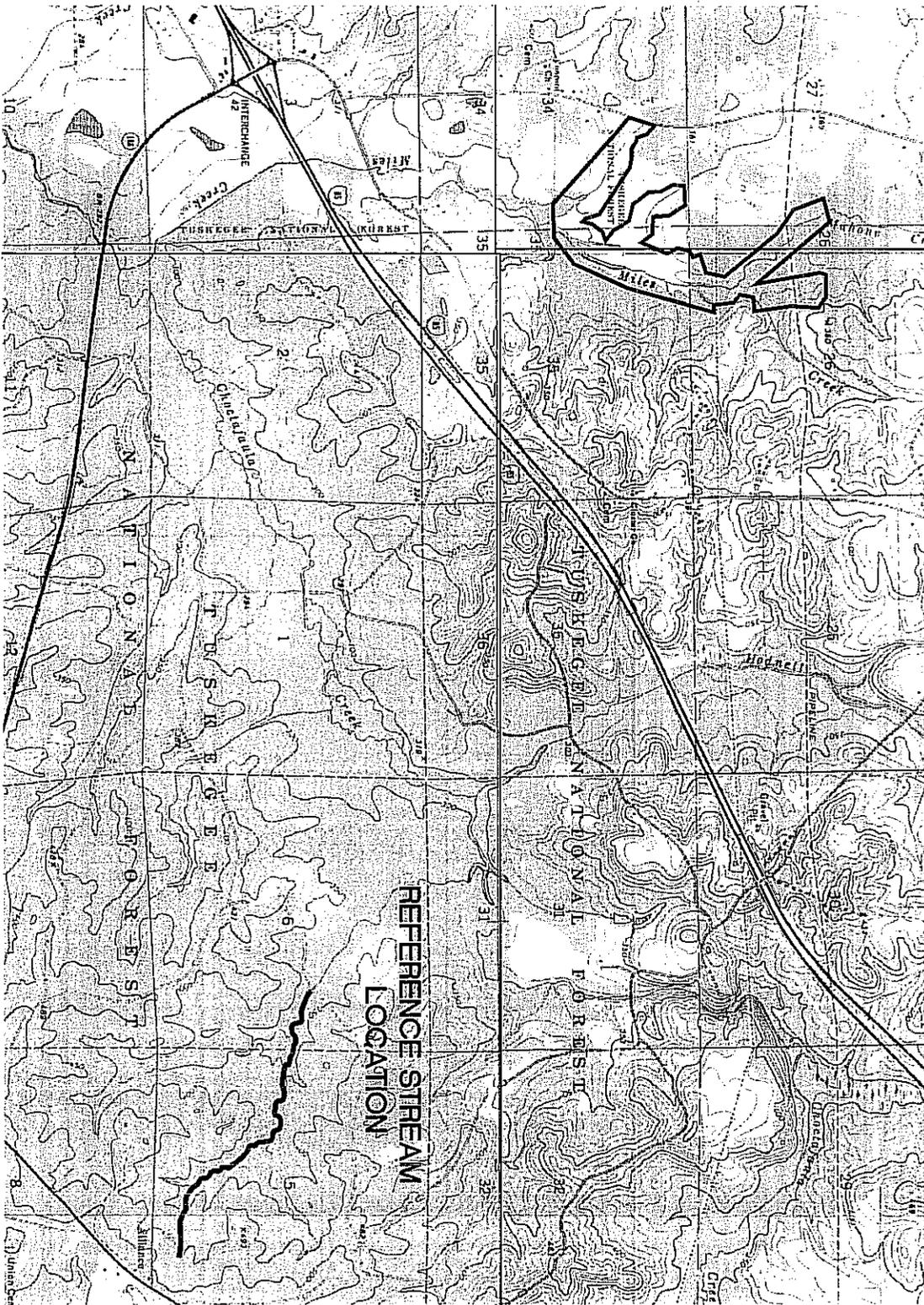
PROJECT: BROADVIEW MITIGATION BANK

DESIGNED:

DRAWN: JNB

SCALE: 1" = 3000'

DATE: 03/25/08



SHEET TITLE:

REFERENCE  
STREAM  
LOCATION

CLIENT:

HOOD  
PROPERTY

PROJECT:

BROADVIEW  
MITIGATION BANK

Goodwyn, Mills & Cawood  
Inc.

P.O. Box 242128  
2660 East Chase Lane, Suite 200  
Montgomery, AL 36117

DESIGNED:

DRAWN:

SCALE:

DATE:

FIGURE NO.:

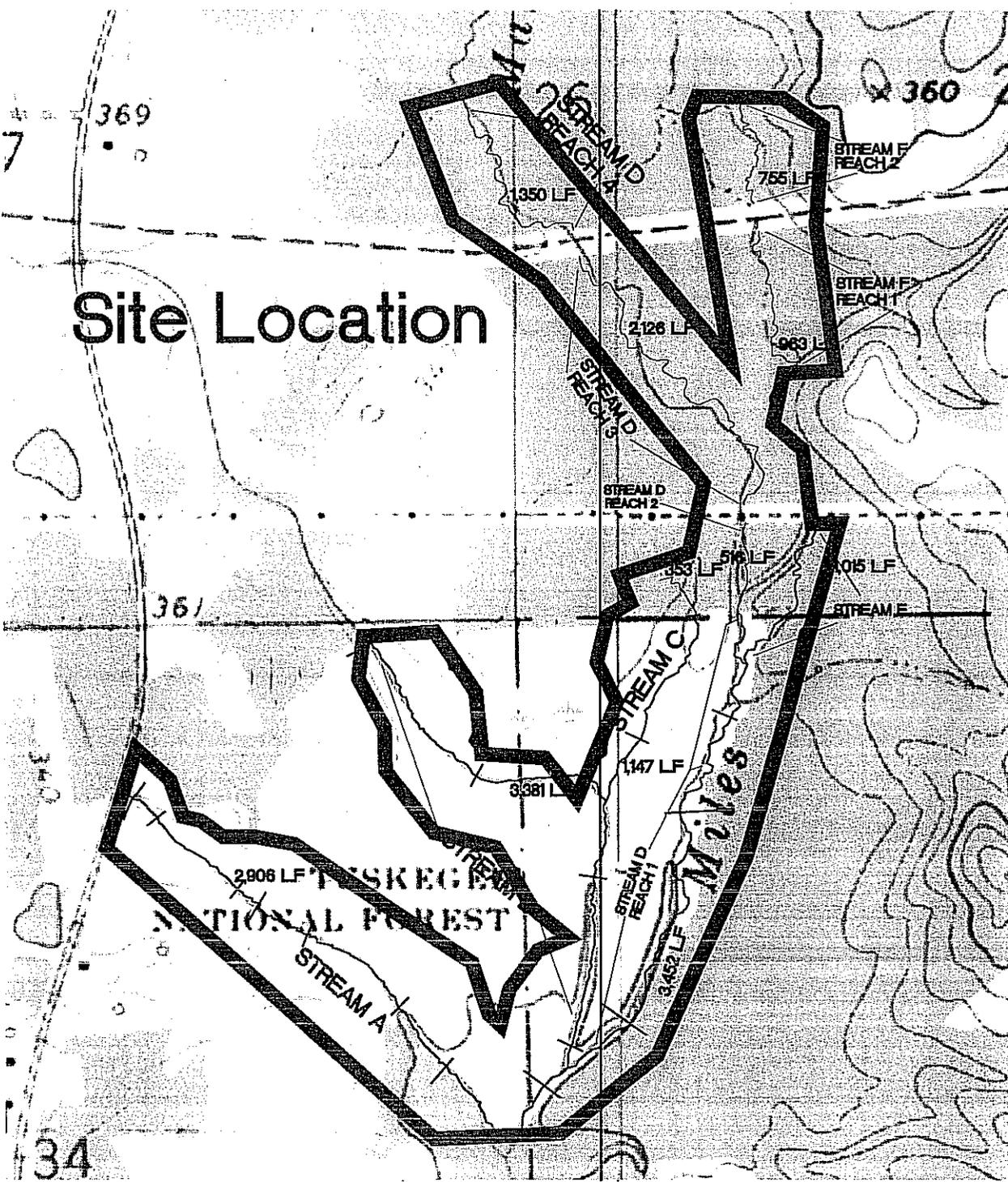
REV. NO. DATE:

JNB

1" = 2000'

07/02/07

FIGURE NO.:



# Site Location

————— = CROSS SECTIONS

FIGURE

Goodwyn, Mills & Cawood, Inc.

P. O. Box 242128  
2660 East Chase Lane, Suite 200  
Montgomery, Alabama 36124

TITLE: QUADRANGLE MAP  
DEPICTING  
CROSS SECTION LOCATIONS

PROJECT: BROADVIEW  
MITIGATION BANK

DESIGNED:

DRAWN: JNB

SCALE: 1" = 1,000'

DATE: 06/29/07