



DEPARTMENT OF THE ARMY
MOBILE DISTRICT, CORPS OF ENGINEERS
P.O. BOX 2288
MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

MAY 29 2008

CESAM-RD-C
PUBLIC NOTICE NO.: SAM-2008-440-MBM

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PROPOSED DEVILS SWAMP MITIGATION BANK,
HANCOCK COUNTY, MISSISSIPPI

TO WHOM IT MAY CONCERN:

This District, has received a completed prospectus for the proposed establishment of a mitigation bank referred to as the **Devils Swamp Mitigation Bank**. Please communicate this information to interested parties.

BANK SPONSOR: Devils Swamp Mitigation Bank
Wetland Solutions, L.L.C.
Attention: Mr. Brandon Pike
14231 Seaway Road, Suite 7007
Gulfport, Mississippi 39503

Wetland Solutions proposes to establish a 3,430-acre commercial wetland mitigation bank to generate 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. The mitigation bank will utilize the Ratio Method functional assessment method. 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 service area for the mitigation bank will all portions of Pearl River, Stone, George, Hancock, Harrison, and Jackson Counties. Use of bank outside of designated service area may be authorized on a case-by-case basis using the Proximity Factor Method. The proposed Devils Swamp Mitigation Bank (DSMB) is located south of the Stennis Space Center, north of Interstate 10, and east of Highway 607 approximately 2 miles east of Pearl River. The tract is in Section 13, 14, 15, 21, 22, 23, 24, 27, and 28 of Township 8 South, Range 16 West, Hancock County, Mississippi. The goal of the proposed DSMB site includes the restoration of 2,751.3 acres of pine savannah wetlands and preservation of 608.4 acres of bottomland hardwood wetlands. To increase the marketability of the mitigation bank credits, the banker is limiting mitigation preservation credits for only 85 of the 608.4 bottomland hardwood acres. The major portion of the tract suitable for wetland restoration historically has been managed for pine plantation and has degraded through prior hydrologic

alteration, soil bedding, dense tree plantings, and lack of prescribe burn management. In order to develop mitigation credits, the bank sponsor will perform various pine savannah wetland restoration activities within the degraded areas as specified in the bank prospectus. These activities include, but are not limited to; hydrologic restoration of surface and groundwater, tree removal, bed leveling, and aggressive prescribe burn management to restore species composition, density and diversity of historic native pine savannah systems.

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 if 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.

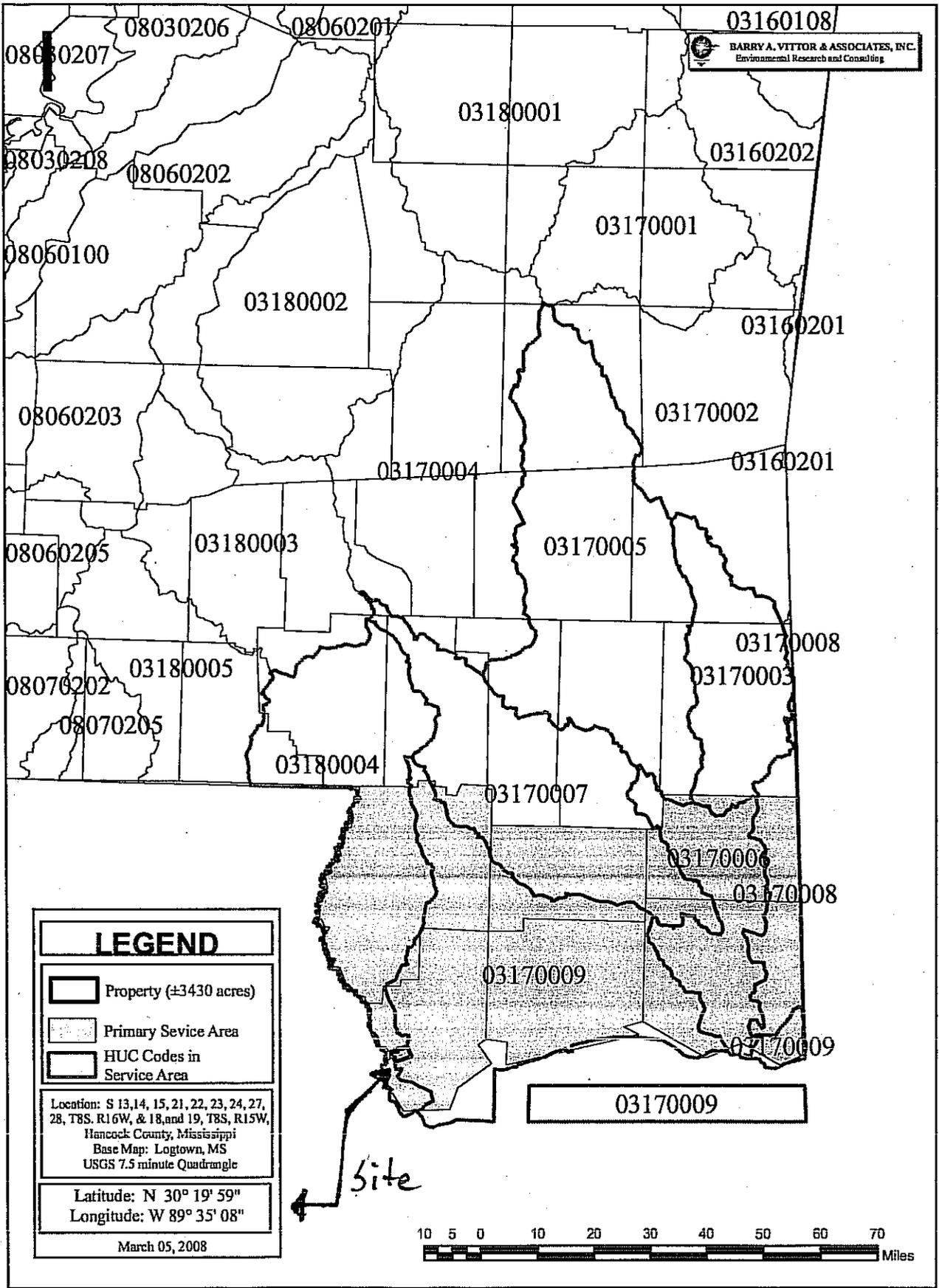
The Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties for consideration while evaluating this proposed activity. Copies of all comments received will be distributed to the other members of the MBRT and the bank sponsor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

Comments concerning this Public Notice should be received within 30 days of the date of this public notice and should refer to number **SAM-2008-440-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; and a copy to the Alabama Department of Environmental Management, Coastal Facility Section, 4171 Commanders Drive, Mobile, Alabama 36615.

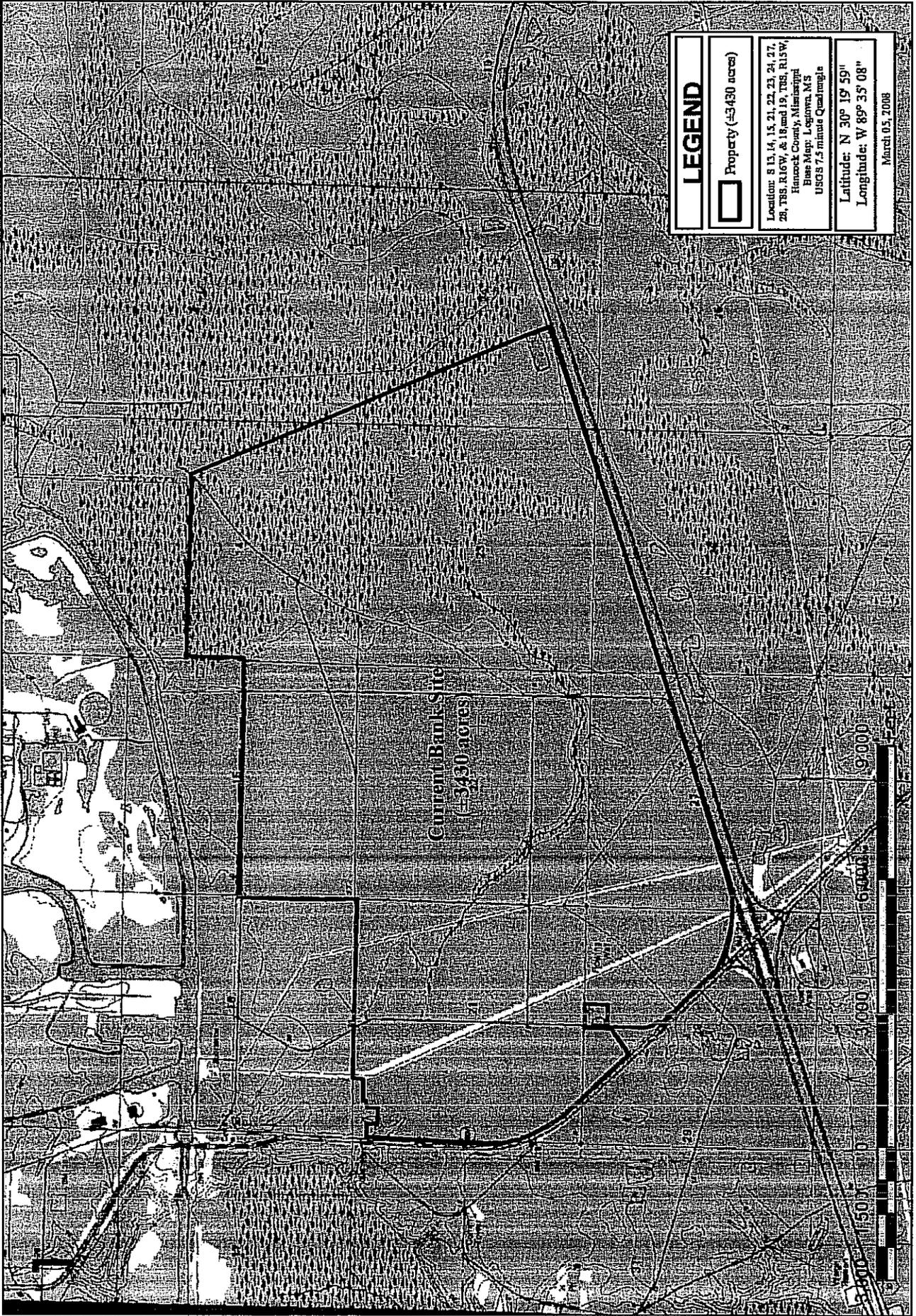
If you have any questions concerning this publication, please contact Mr. Michael Moxey, Project Manager, via e-mail at michael.b.moxey@sam.usace.army.mil or telephone number (251) 690-2658.

Enclosures

MOBILE DISTRICT
U.S. Army Corps of Engineers



Service Area Map.



USGS Topographic Quadrangle.

Pine Savannah (Dark)

Bottomland Hardwood (Light)



LEGEND	
	Property (±3430 acres)
	Uplands (±11.7 acres)
	Wet Pine Restoration (±2751.3 acres)
	Bottomland Hardwood (BH)
	Preservation (±85 acres)
	Beaver Damaged (BH) (±538.6 acres)
	Bottomland Hardwood (BH) (±523.4 acres)

Location: S 13.14, 15, 21, 22, 23, 24, 27,
 28, T8S, R16W, & 18 and 19, T8S, R15W,
 Hancock County, Mississippi
 Base Mgr: Logtown, MS
 USGS 7.5 minute Quadangle

Latitude: N 30° 19' 59"
 Longitude: W 89° 35' 08"

March 05, 2008

Figure 6. Management Polygons.