



REPLY TO
ATTENTION OF:

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

CESAM-RD
PUBLIC NOTICE NO.: SAM-2009-127-MBM

January 7, 2010

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS

MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF POLLUTION CONTROL

MISSISSIPPI DEPARTMENT OF MARINE RESOURCES

PROPOSED LOWER 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 **Lower Devils Swamp Mitigation Bank (LDSMB)**. Please communicate this information to interested parties.

BANK SPONSOR: Lower Devils Swamp Mitigation Bank
Gulf Coast Wetland Mitigation Answers L.L.C.
Attention: Mr. Martin O'Neal
Post Office Box 217
McHenery, Mississippi 39561

LOCATION OF WORK: The proposed LDSMB is located south of Waveland, at 30.2790 North, -89.466 West, in Section 10 of Township 9 South, Range 15 West, Hancock County, Mississippi. The site is adjacent to an existing approved wetland mitigation bank.

WORK DESCRIPTION: Gulf Coast Wetland Mitigation Answers L.L.C. proposes to establish a 320-acre commercial wetland mitigation bank in Hancock County, Mississippi, to generate mitigation credits for purchase by interested Department of Army (DA) 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 goal of the proposed LDSMB includes the restoration of 146 acres of pine savannah wetlands, and enhancement of 156 acres of bottomland hardwood wetlands. The site also contains 18 acres within a utility line easement and roads. The pine savannah wetland habitat is suitable for wetland restoration and has been historically been managed for pine plantation through prior hydrologic alteration, soil bedding, dense tree

plantings, and lack of prescribe burn management. The bottomland hardwood habitat has been managed for timber production. The In order to develop mitigation credits, the bank sponsor will perform various pine savannah wetland restoration and bottomland hardwood wetland enhancement 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 the natural species composition, density and diversity of historic native pine savannah systems. Activities within the bottomland hardwood habitat include tree thinning, tree planting, and exotic species control to restore the natural species composition, density and diversity of historic bottomland hardwood wetlands.

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.

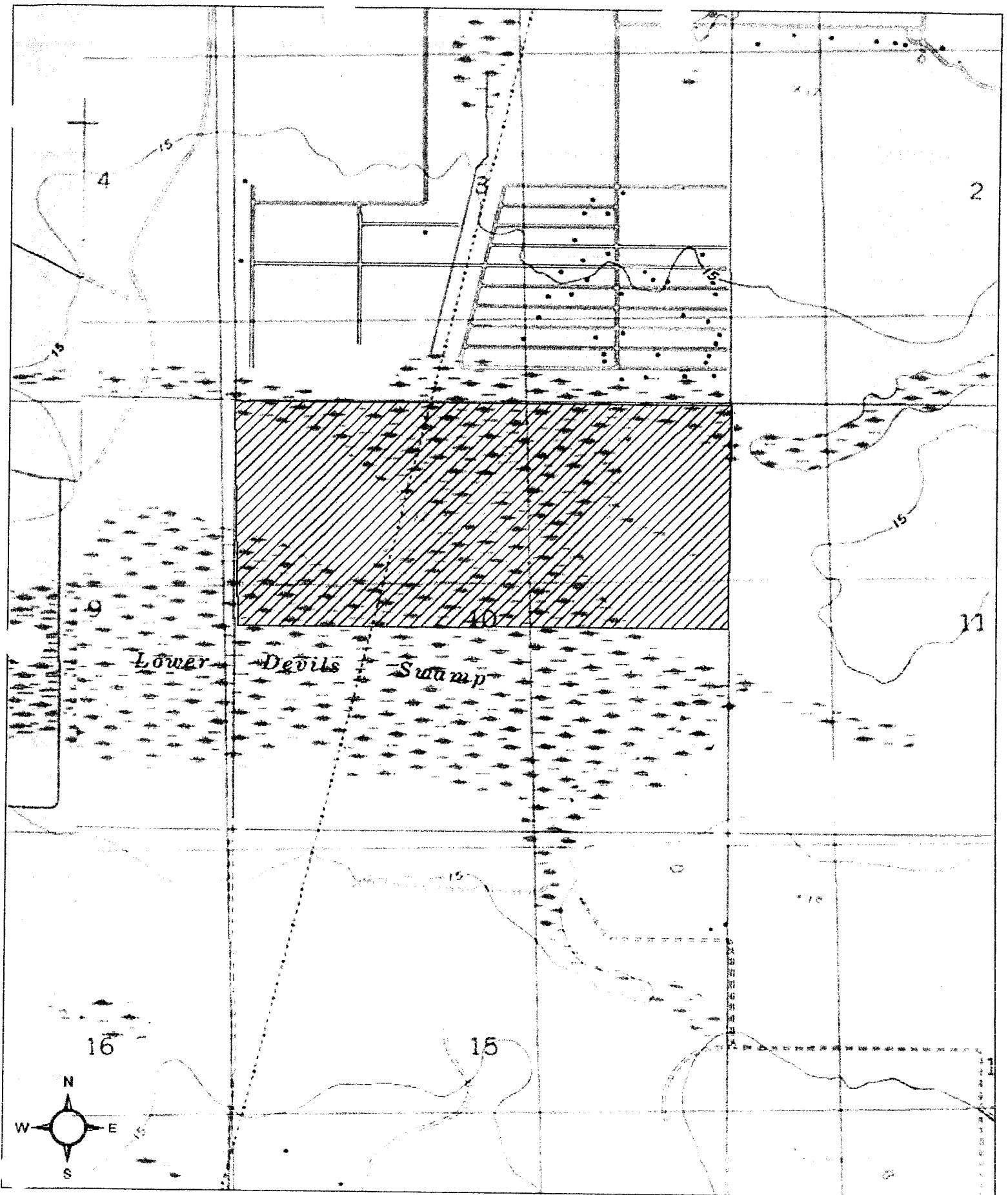
An interagency group of Federal and State regulatory and resource agency representatives, as appropriate given the projected use for the bank, referred to as the Interagency Review Team (IRT), is signatory to a banking instrument and oversees the establishment, use and operation of a mitigation bank. 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.

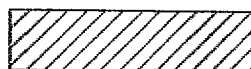
Comments concerning this Public Notice should be received within 30 days of the date of this public notice and should refer to number **SAM-2009-127-MBM** and direct your correspondence to the District Commander, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Division; with a copy to the Mississippi Department of Environmental Quality, Office of Pollution Control, Post Office Box 10385, Jackson, Mississippi 39289, and the Mississippi Department of Marine Resources, 1141 Bayview Avenue, Suite 101, Biloxi, Mississippi 39530. If you have any questions concerning this publication, please contact Mr. Michael Moxey, Project Manager, at michael.b.moxey@usace.army.mil or telephone number (251) 690-2658.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures

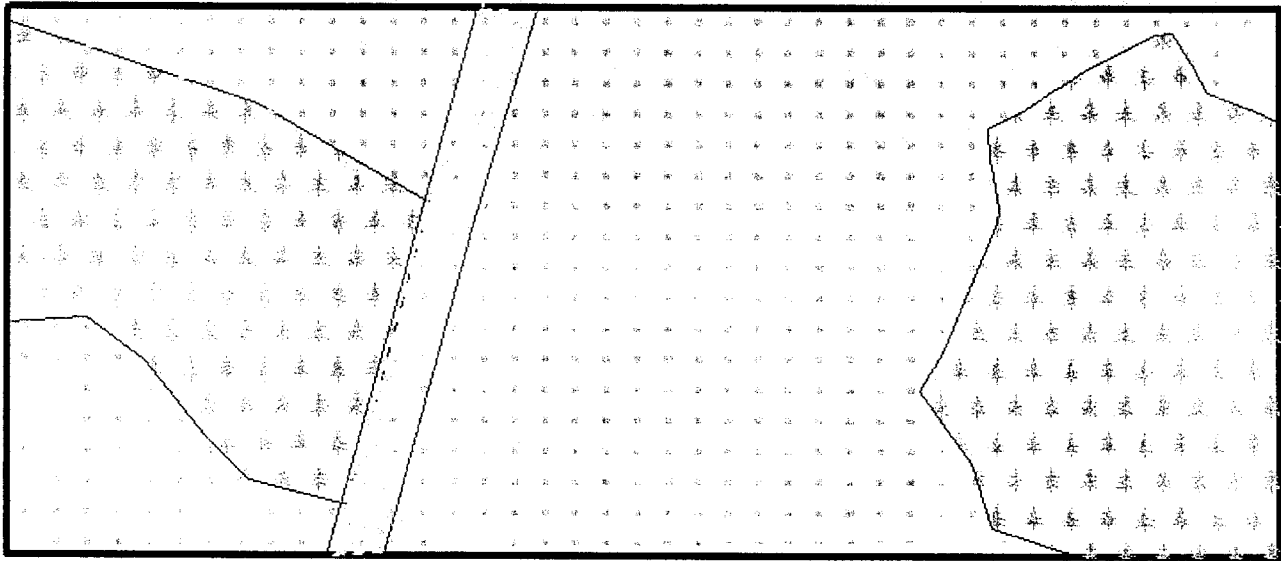





0 500 1,000 2,000 3,000 4,000 Feet



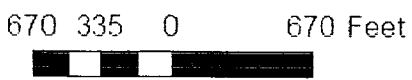
Wetlands

Gulf Coast Wetland Mitigation Answers, LLC
 Hancock County, Lower Devils Swamp
 Mitigation Bank
 Initial Wetland Determination
 Pine Savannah & Hardwood Drains



Legend	
	Property Boundary 320 Acres
	Forested Hardwood Bottom <i>Hardwood Bottom Enhancement 156 Acres</i>
	Pine Savannah <i>Cyperus-Pine Savannah Restoration 146 Acres</i>

-89.486 W
 30.2790 N
 Section 10, T9S, R15W



Gulf Coast Wetland Mitigation Answers, LLC
 Lower Devils Swamp Hancock County Tract
 Mitigation Bank