



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-C
PUBLIC NOTICE: SAM-2009-1343-MBM

February 22, 2010

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

PROPOSED PERDIDO 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 **Perdido Mitigation Bank**. Please communicate this information to interested parties.

BANK SPONSOR: Perdido Mitigation Bank, L.L.C.
PMB, L.L.C.
40150 State Hwy 59
Bay Minette, AL. 36507

The Perdido Mitigation Bank, L.L.C. is proposing to establish a 530-acre commercial wetland mitigation bank to generate wetland mitigation credits for purchase by interested Department of Army (DOA) permit applicants in order to fulfill compensatory wetland 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 bank mitigation credits would be determined on a case-by-case basis at the time of permit evaluation. The mitigation bank is sited northeast of Bay Minette along Reedy Branch, Sections 26 and 27 of Township 1 South, Range 4 East, Baldwin County, Alabama. The service area for the proposed mitigation bank would be Mobile and Baldwin Counties and all remaining watersheds within the basin 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 proposed Perdido Mitigation Bank proposes the restoration of 342 acres of wet pine flats/pine savanna, and the preservation of 183 acres of bottomland hardwood drain wetlands. In order to develop mitigation credits, the bank sponsor will perform various pine savannah restoration activities within the current pine silviculture areas as specified in the bank prospectus. These activities include, but are not limited to; tree removal, bed leveling, tree planting, exotic species removal, as well as aggressive prescribe burn management to restore species composition, density and diversity of historic native pine

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savannah systems. The bottomland hardwood wetlands serve as riparian buffer along Reedy Branch and will be preserved. All wetland credit calculations will be determined using the Mobile District Ratio Method.

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 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, 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-2009-1343-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, at michael.b.moxey@usace.army.mil or telephone number (251) 690-2658.

MOBILE DISTRICT
U.S. Army Corps of Engineers

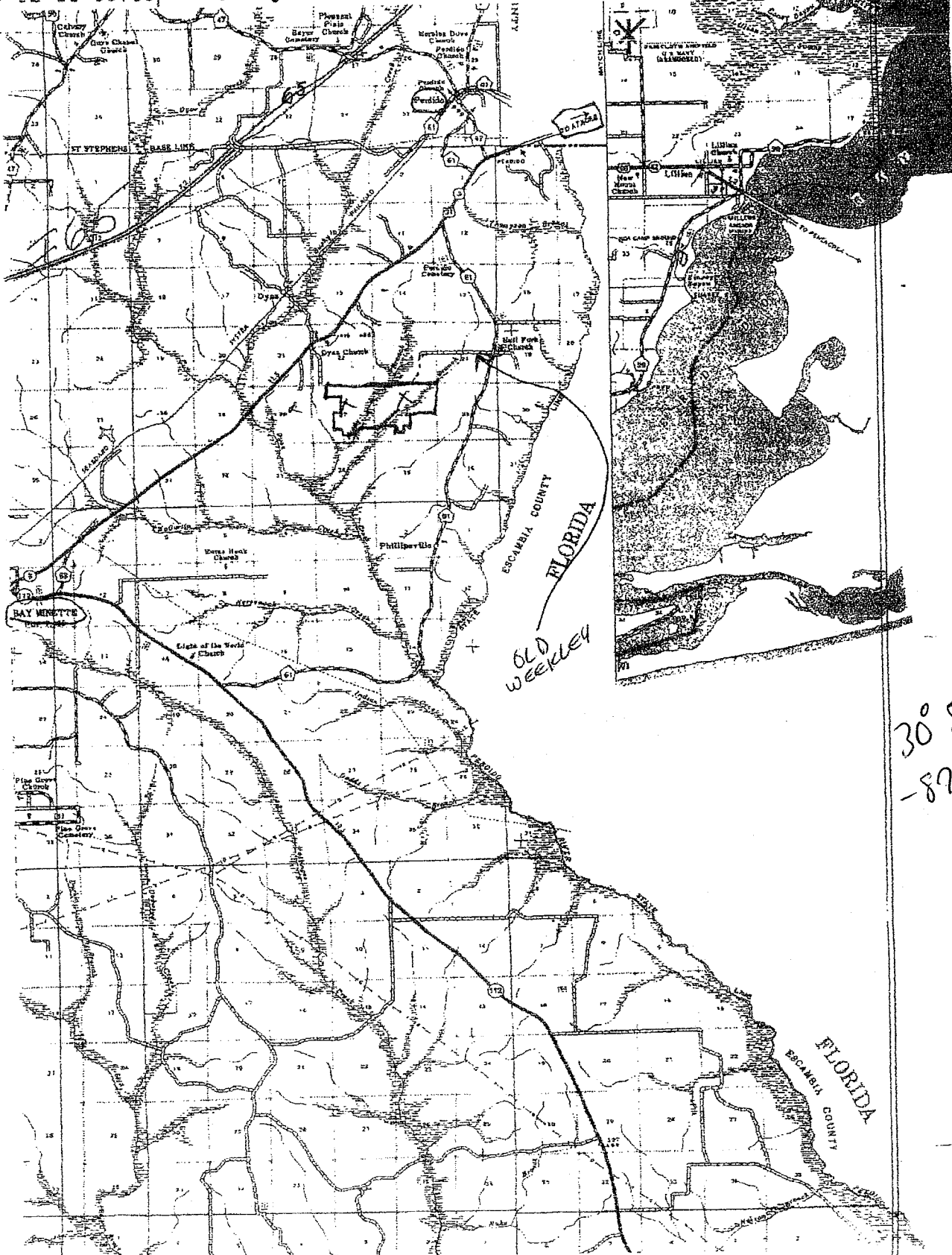
Enclosures

Dec 12 08 08:31p

Larry Hubbard

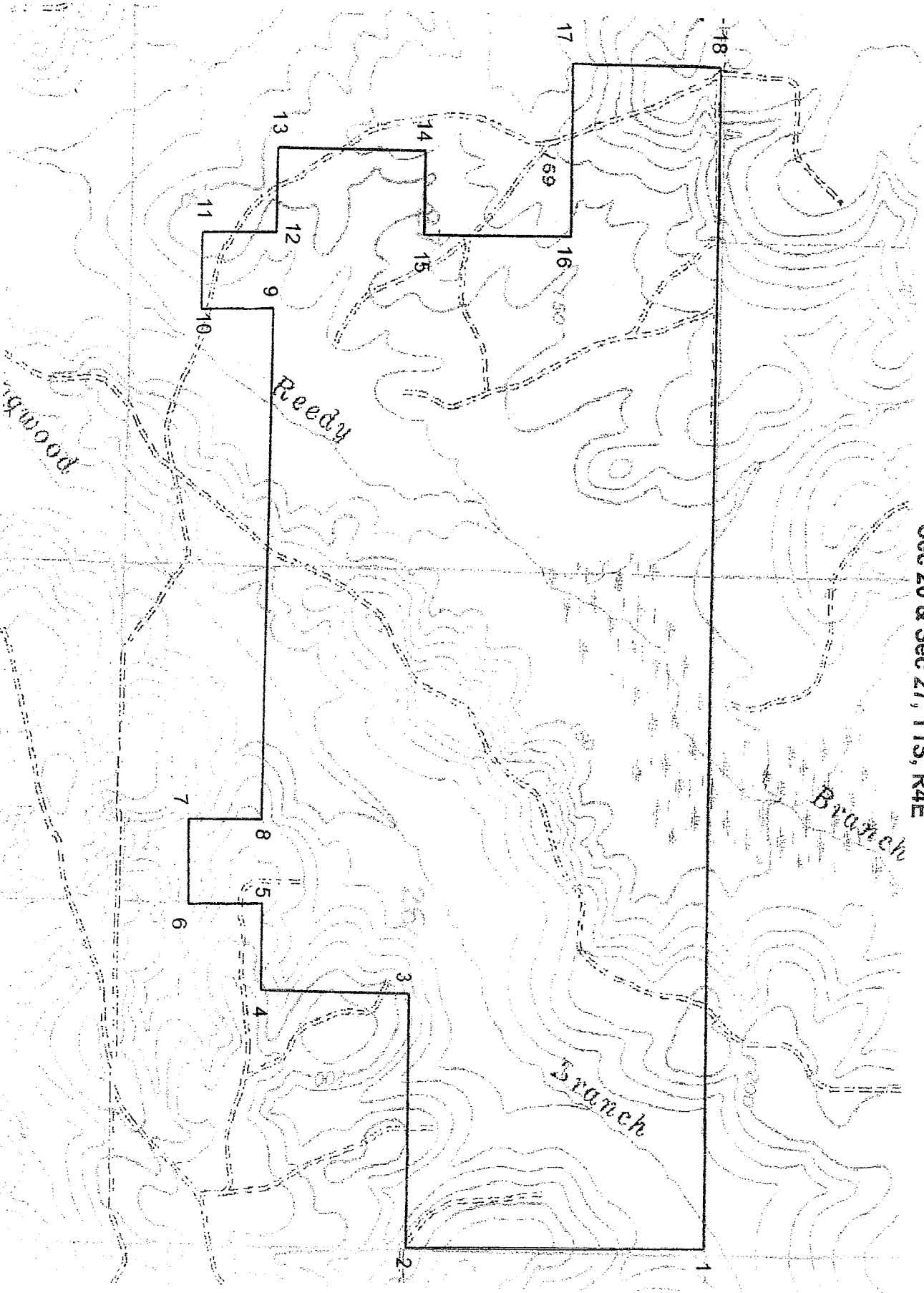
2518473727

p.3



30° 56' 40.77"
 -87° 38' 52.88"

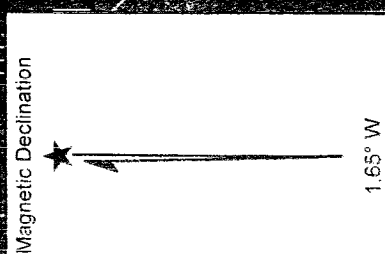
Larry Hubbard 750.2 Acres
Sec 26 & Sec 27, T1S, R4E





Location: 030° 56' 04.88" N 087° 38' 52.56" W NAD27
Caption: Proposed Perdido Mitigation Bank: Approximate Polygon Locations

Name: DYAS SE, AL FL
Date: 9/20/2009
Scale: 1 inch equals 1000 feet



Current estimates based on soils survey. Actual types and acreage may change after the site has been physically delineated. Total bank land area is 530 +/- acres with @220 acres of uplands interspersed throughout the site.

Polygon 1: Plummer Loamy Sand.
Approximately 160 acres Pine Savanna Restoration

Polygon 2: Hyde, Bayboro, and Muck Soils
Approximately 107 acres Hardwood Bottom Preservation

Polygon 3: Plummer Loamy Sand.
Approximately 12.5 acres Pine Savanna Restoration

Polygon 4: Plummer Loamy Sand.
Approximately 75 acres Pine Savanna Restoration

Polygon 5: Plummer Loamy Sand.
Approximately 70 acres Pine Savanna Restoration

Polygon 6: Hyde, Bayboro, and Muck Soils
Approximately 68 acres Hardwood Bottom Preservation

Polygon 7: Plummer Loamy Sand.
Approximately 15 acres Pine Savanna Restoration

Polygon 8: Plummer Loamy Sand.
Approximately 6 acres Pine Savanna Restoration

Polygon 9: Plummer Loamy Sand.
Approximately 14 acres Pine Savanna Restoration