



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-2009-886-MBM

February 22, 2010

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

**PROPOSED GRAND BAY SAVANNA MITIGATION BANK, MOBILE 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 **Grand Bay Savanna Mitigation Bank**. Please communicate this information to interested parties.

BANK SPONSOR: Grand Bay Savanna Mitigation Bank
Alabama Department of Conservation and Natural Resources
State Lands Division
Attention: Mr. Doug Deaton
64 North Union Street
Montgomery, Alabama 36130

The Alabama Department of Conservation and Natural Resources, State Lands Division, is proposing to establish 75-acre Grand Bay Savanna 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 north of Portersville Bay in Bayou La Batre, Sections 21 and 28 of Township 7 South, Range 3 West, Mobile 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 Grand Bay Savanna Mitigation Bank proposes the restoration of 53.8 acres of wet pine flats/pine savanna, and the enhancement of 21.2 acres of bottomland hardwood drain wetlands. In order to develop mitigation credits, the bank sponsor will perform various pine

February 22, 2010

savannah and bottomland hardwood wetland restoration and enhancement activities within the degraded areas as specified in the bank prospectus. These activities include, but are not limited to; tree removal, bed leveling, tree planting, exotic species removal, and aggressive prescribe burn management in the pine savannah habitat to restore species composition, density and diversity of historic native pine savannah systems.

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-2009-886-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

Proposed GBSMB Service Area

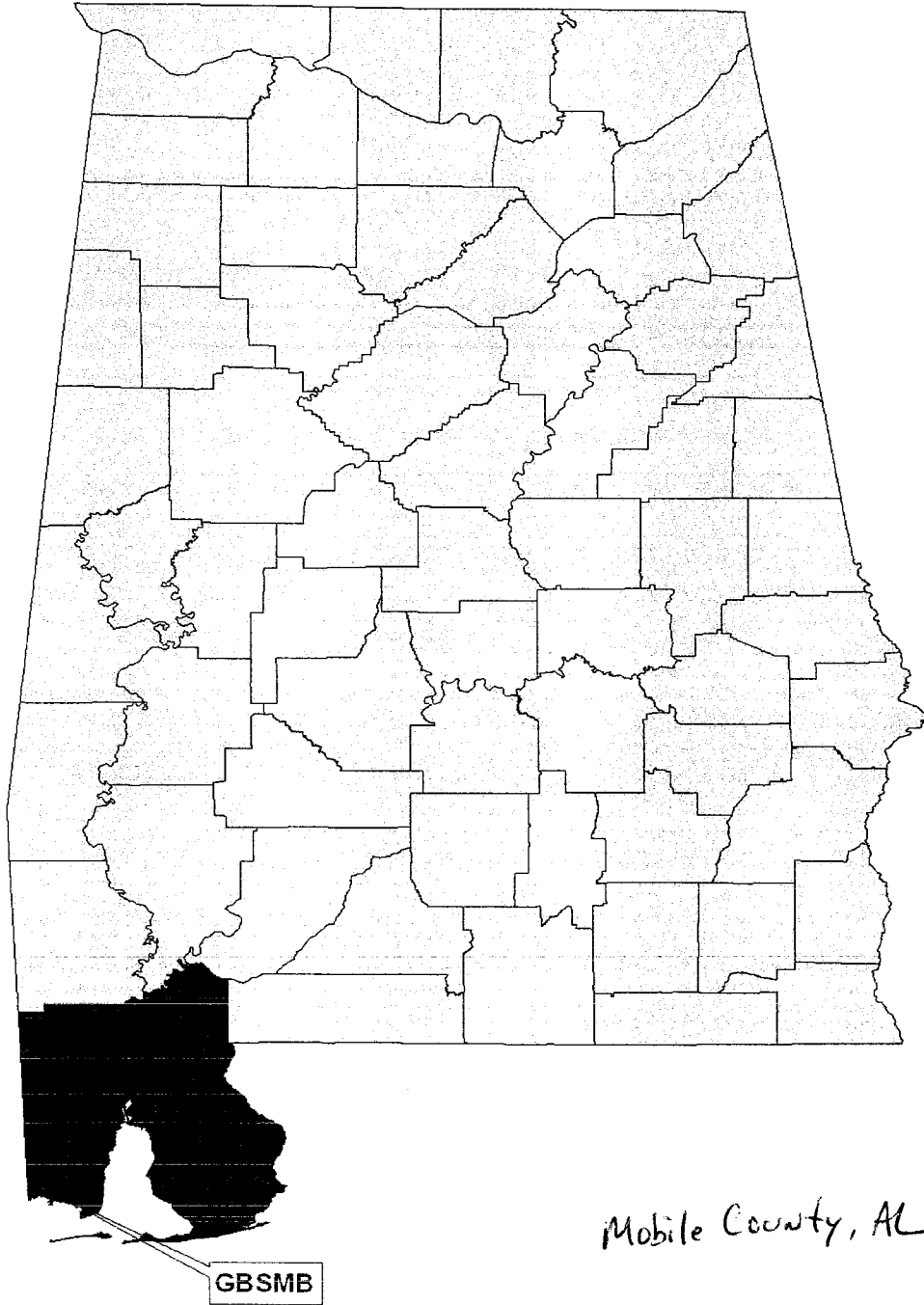
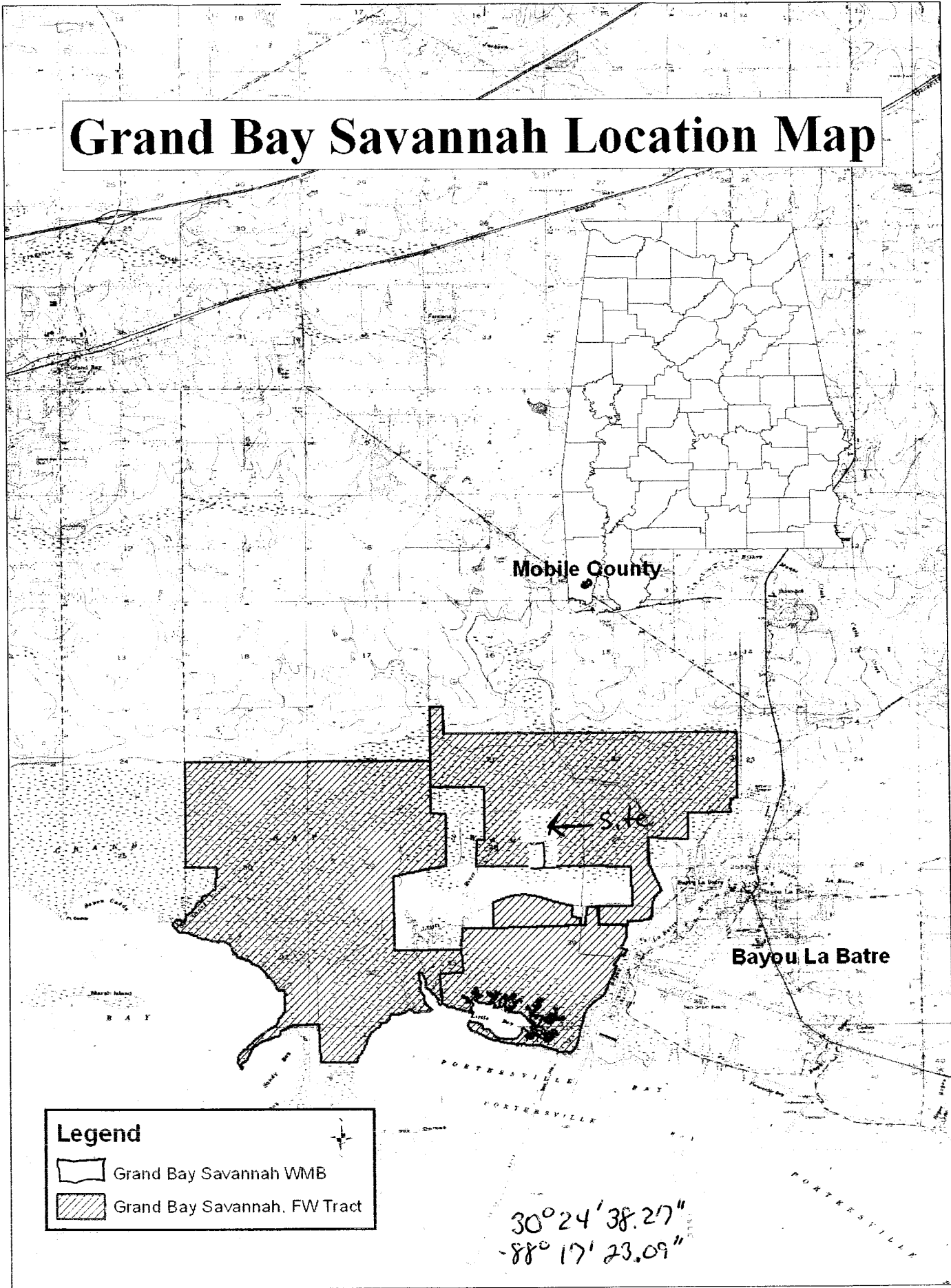


Figure 2. Service Area of Proposed GBSMB

Grand Bay Savannah Location Map



GBSMB-Habitat Management Polygons

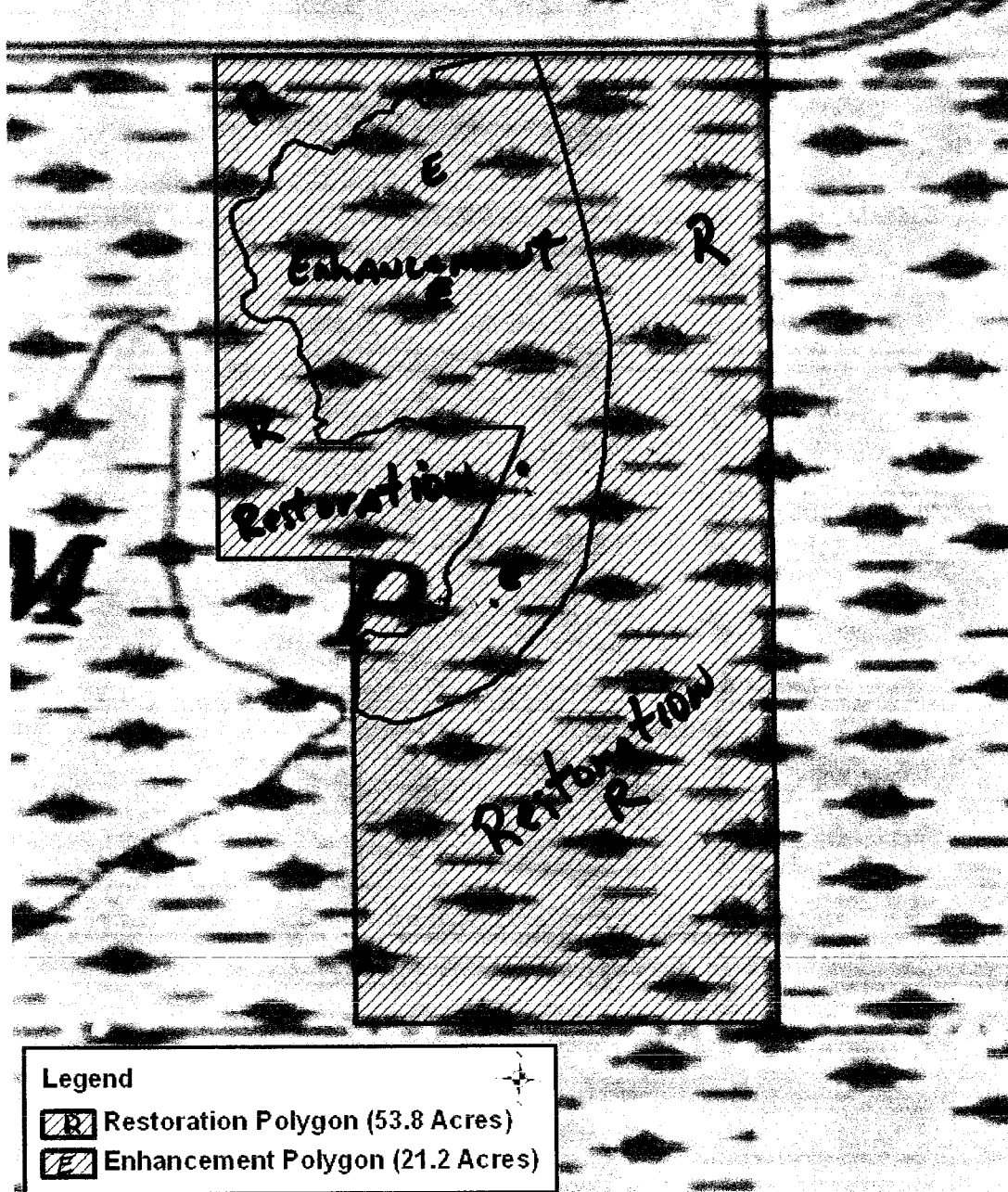


Figure 6. Habitat Management Polygons for Proposed GBSMB.