



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-I
PUBLIC NOTICE: SAM-2011-421-MBM

September 9, 2011

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

**PROPOSED ALABAMA RIVER MITIGATION BANK IN
WILCOX AND MONROE 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 **Alabama River Mitigation Bank**. Please communicate this information to interested parties.

**BANK SPONSOR: Alabama River Mitigation Bank
Westervelt Ecological Services
Attention: Mr. Sean McGary
2128 Moores Mill Road, Suite B
Auburn, Alabama 36830**

Westervelt Ecological Services is proposing to establish the 1,030-acre Alabama River commercial wetland and stream mitigation bank to generate wetland and stream mitigation credits for purchase by interested Department of Army (DOA) permit applicants in order to fulfill compensatory mitigation requirements for various project-related wetland and stream impacts subject to U.S. Army Corps of Engineers (Corps) regulatory authority pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors 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 located within Wilcox and Monroe Counties, at 31°50'6.31" N 87°23'29.31" W, approximately 20 miles north of Monroeville near Hybart, Alabama. The east side of the proposed bank is adjacent to the Tallatchee Creek which is a perennial tributary to the Alabama River. The proposed service area is the two watersheds the bank is located within, the Middle Alabama Watershed (HUC 03150203) and Lower Alabama Watershed (HUC 03150204) in the Alabama River Basin. Use of bank outside of designated service area would be authorized on a case-by-case basis and would require the use of the Mobile District Proximity Factor Method.

The proposed Alabama River Mitigation Bank proposes to generate wetland mitigation credits through the restoration of 598.8 acres and enhancement of 81.8 acres of bottomland hardwood wetlands. The bottomland hardwood restoration areas have been impacted by pine silviculture operations, and the enhancement areas have been timbered and are recovering with very low species diversity. The applicant proposes to enhance 26 acres of shrub-scrub habitat to a target hardwood system. Hydrology on the mitigation bank site is currently being monitored using groundwater monitoring wells. The applicant proposes preservation mitigation for 158.4 acres of mature bottomland hardwoods and 10.2 acres of shrub-scrub/emergent wetlands dominated by sedges and rushes and buttonbush. The mature hardwood areas are high quality bottomland hardwood wetlands that will serve as the reference site for target vegetation and hydrology. The proposed preservation of 10.2 acres of shrub-scrub/emergent wetlands is still being evaluated by the Mobile District mitigation banking Interagency Review Team. The site contains 91.3 acres of uplands that will be planted with appropriate endemic hardwood species but will not be used to generate mitigation credits.

The mitigation bank proposes to generate stream mitigation credits along the Tallatchee Creek and two unnamed tributaries. The banker owns the land on the west bank of the Tallatchee Creek and proposes to restore bottomland hardwood wetlands within a 200-foot wide riparian buffer along 3,135 linear feet of the stream. The riparian zone is currently managed for pine silviculture. The unnamed tributary 1 is an intermittent stream and the proposed stream mitigation includes the restoration of 100-foot wide riparian buffers along both sides of 7,612 linear feet of stream. The riparian zone is currently managed for pine silviculture and will be returned to bottomland hardwood habitat. The unnamed tributary 2 is comprised of both 701 feet of perennial stream and 2,895 feet of intermittent stream. Mitigation on the intermittent reach includes a Priority 1 restoration of the channelized stream to restore the current "G" stream channel type back to the target "E" stream channel type, and the restoration of 100-foot wide riparian buffers along both sides of the stream. Mitigation on the perennial stream reach would involve the restoration of 200-foot wide riparian buffers along both sides of the stream. The riparian zones are currently managed for pine silviculture and will be returned to bottomland hardwood habitat. Priority 1 stream channel restoration activities will restore the pattern, profile, and dimension of the stream channel to similar unimpacted reference stream channel types in the watershed. All wetland and riparian buffer restoration activities include, but are not limited to; undesirable tree removal, bed leveling and hydrologic restoration, exotic species removal, and tree planting to restore target species composition, density and diversity of native bottomland hardwood 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 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-2011-421-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

Alabama River Mitigation Bank
Wilcox/Monroe Counties, AL

Location



10 5 0 10 Miles



03/31/2011

Chilton County

Perry County

Elmore County

Autauga County

80 Selma

Montgomery

Marengo County

Dallas County

Montgomery County

Lowndes County

Wilcox County

Proposed Alabama River Mitigation Bank



21

Butler County

Clarke County

Monroe County

Crenshaw County

Monroeville

Conecuh County

431

Covington County

Escambia County

29

Conecuh NF

31

85

Blackwater River SF

Florida Alabama

97

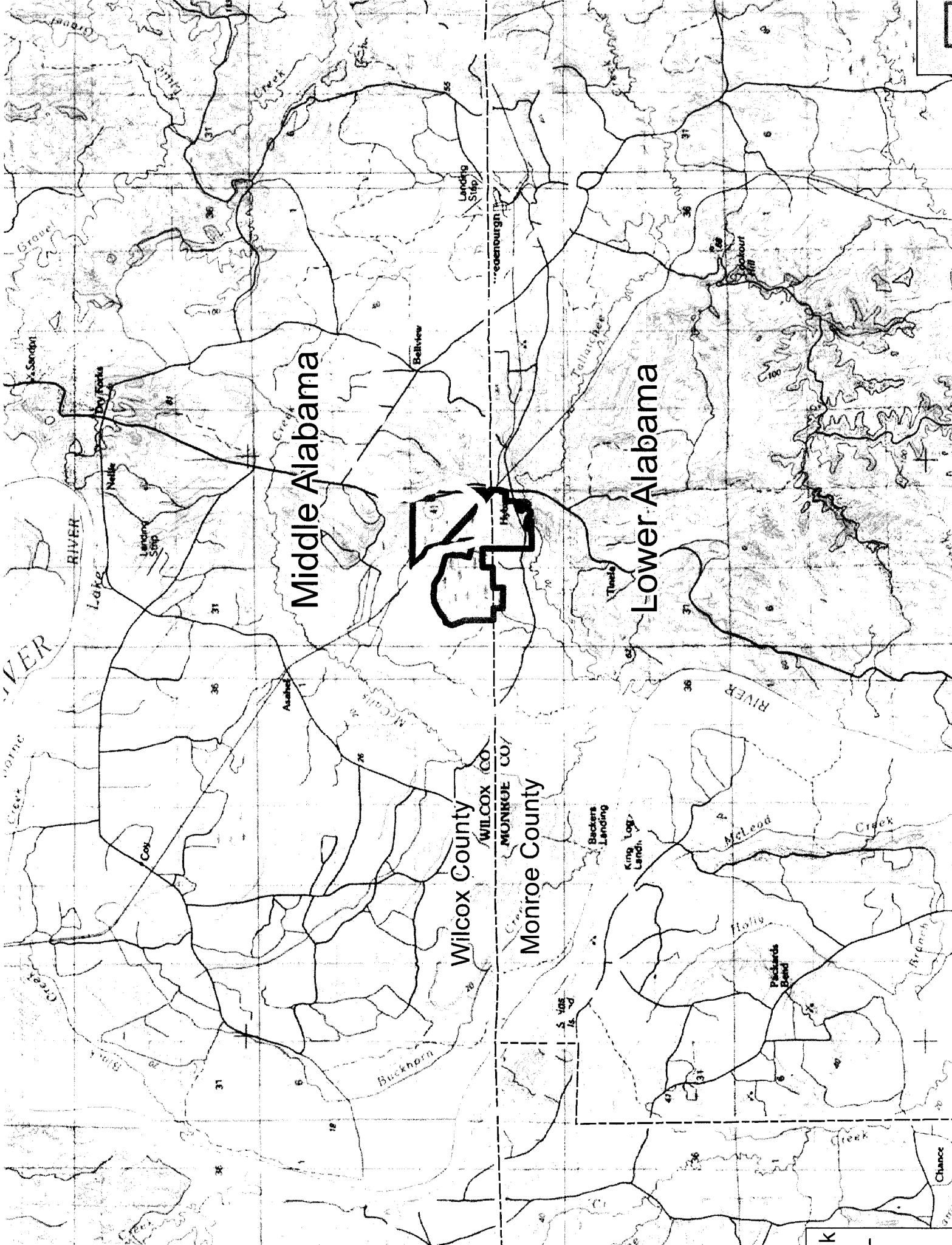
Santa Rosa County

Okaloosa County

Walton County

90

Figure 1.

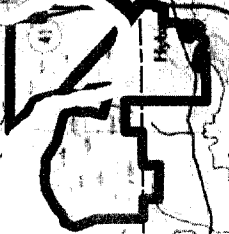


Middle Alabama

Lower Alabama

Wilcox County

Monroe County



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