



REPLY TO
ATTENTION OF:

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

CESAM-RD
PUBLIC NOTICE NO. SAM-2019-01023-MBM

May 26, 2022

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

REVISED PROJECT: PROPOSED WETLAND AND STREAM RESTORATION,
ENHANCEMENT AND PRESERVATION FOR THE PROPOSED TUCKABUM CREEK
MITIGATION BANK, CHOCTAW COUNTY, ALABAMA

TO WHOM IT MAY CONCERN:

The applicant is revising and expanding the original proposed 226.95-acre Tuckabum Creek Mitigation Bank mitigation bank was advertised by public notice on September 9, 2021. The District has received a complete mitigation banking Prospectus for a larger proposed 401.5-acre mitigation bank. Please communicate this information to interested parties.

BANK SPONSOR: Westervelt Ecological Services
Attention: Mrs. Lauren Brunson
2128 Moores Mill Road, Suite B
Auburn, Alabama 36830

Westervelt Ecological Services is revising the proposed commercial wetland and stream mitigation bank located in Choctaw County, Alabama. The revised project increases the proposed mitigation bank from 226.95 acres to 401.5 acres by adding the centrally located wetlands and streams between the north and south components on the original project on the east side of U.S. Highway 17. The mitigation bank would generate wetland and stream compensatory 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 (USACE) 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 project is located 2 miles south of Jachin, Alabama, and the revised project is comprised of two tracts separated by U.S. Highway 17. It lies in Sections 10, 11, 14, & 15, Township 14 North, Range 2 West. The two tracts are

located north of and adjacent to Tuckabum Creek. The centroid coordinates for the eastern tract are 32.19012, - 88.16139; and 32.18377, -88.17480 for the western tract along Tuckabum Creek. The proposed mitigation bank is located within the Middle Tombigbee-Chickasaw watershed, USGS Hydrologic Unit 03160201. This watershed is the primary service area, and use of the Mobile District Proximity Factor Method would be required for projects outside this watershed. Use of bank outside of designated service area may be authorized on a case-by-case basis by the USACE.

The revised Tuckabum Creek Mitigation Bank contains 17,392 linear feet of perennial stream channel and 21,744 linear feet of intermittent stream channels. The revised project footprint would now contain 349.5 acres of wetlands. The project proposes to restore 9,731 linear feet of degraded intermittent streams, return stream hydrology to 5,010 linear feet of intermittent stream. The project proposes 100-foot wide riparian buffers on intermittent streams and 200-foot wide riparian buffers on perennial streams. The project proposes to enhance and preserve bottomland hardwood wetlands and mesic uplands within the riparian buffers along all streams. The revised project now proposes to enhance 211.1 acres of bottomland hardwood wetlands to generate wetland mitigation credits. The impacted habitats would be restored to high-quality hardwood forested systems. The wetlands and uplands within the site have been impacted by commercial forestry management practices including conversion to pine silviculture. Priority 1 (creating new stream channel) and Priority 2 (fixing existing stream channel) instream channel restoration is proposed for the incised and entrenched stream channel reaches. Land management within the wetland and riparian buffer enhancement areas includes cessation of silviculture operations, cutting pine trees off at ground level to avoid ground disturbance, hand-planting target bottomland hardwood tree species, and control of exotic invasive species. The entire mitigation bank would be protected with a conservation easement. Stream channel and riparian buffer restoration and enhancement credit calculations would be accomplished in accordance with the 2012 USACE Mobile District Compensatory Stream Mitigation Standard Operating Procedures and Guidelines. Wetland credits would be determined using the Wetland Rapid Assessment Procedure (WRAP). A copy of the full Prospectus is available upon request.

For the original proposed 226.95-acre project, the findings in the University of Alabama Phase I Cultural Resource Survey Report, dated April 2021, revealed that shovel testing identified no cultural resources within the tracts and spoil area. This testing indicates that the initially proposed project would have no effect on any known sites, buildings, structures, objects, or districts eligible for or listed in the NRHP. The U.S. Army Corps of Engineers (USACE) made the determination on May 10, 2021, that the initial proposed mitigation bank project will have no potential to cause effects to historic properties within the federal permit area. These findings were coordinated with

the Choctaw Nation of Oklahoma who provided a conditioned concurrence of No Historic Properties Affected on October 26, 2021. The applicant indicated that the recent University of Alabama Phase I Cultural Resource Survey for the additional 174.55 acres identified no cultural resources. USACE is still performing its evaluation at this time.

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, for 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 USACE 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.

All Comments should be received no later than 30 days from the date of this Public Notice. If you have any questions concerning this publication, you may contact the project manager at (251) 694-3771 or by email at michael.b.moxey@usace.army.mil. Please refer to the above Public Notice number SAM-2019-01023-MBM.

For additional information about our Regulatory Program, please visit our website at www.sam.usace.army.mil/Missions/Regulatory.aspx.

MOBILE DISTRICT
U.S. Army Corps of Engineers

FIGURES

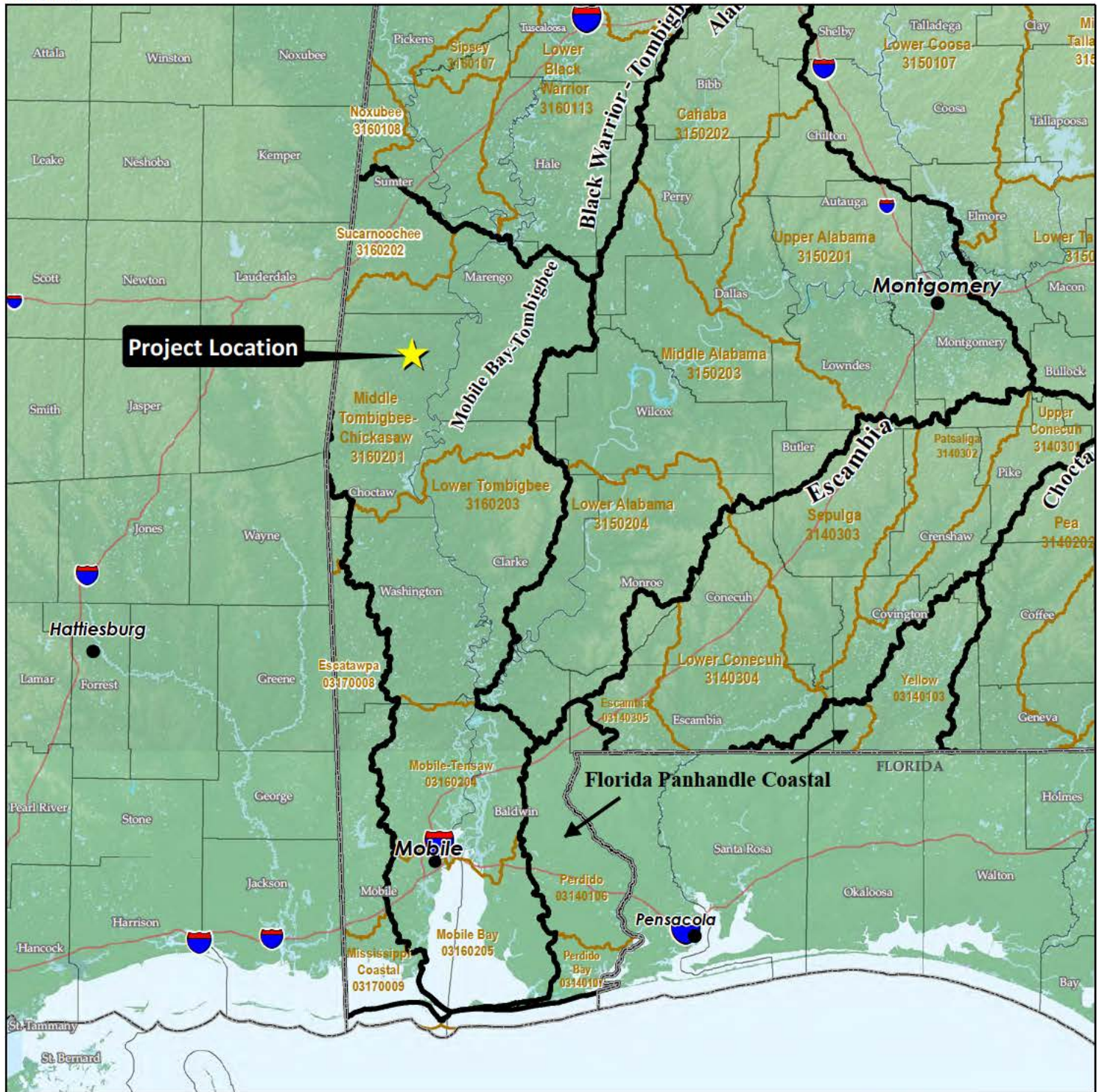
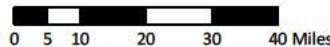
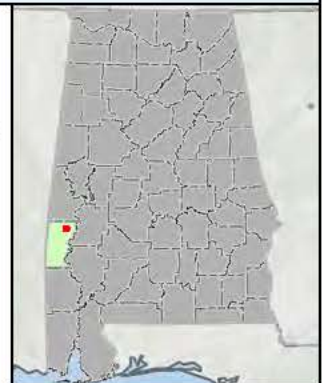


Figure 1.
Project Location & Watershed

-  Basins
-  Watersheds



FIGURES

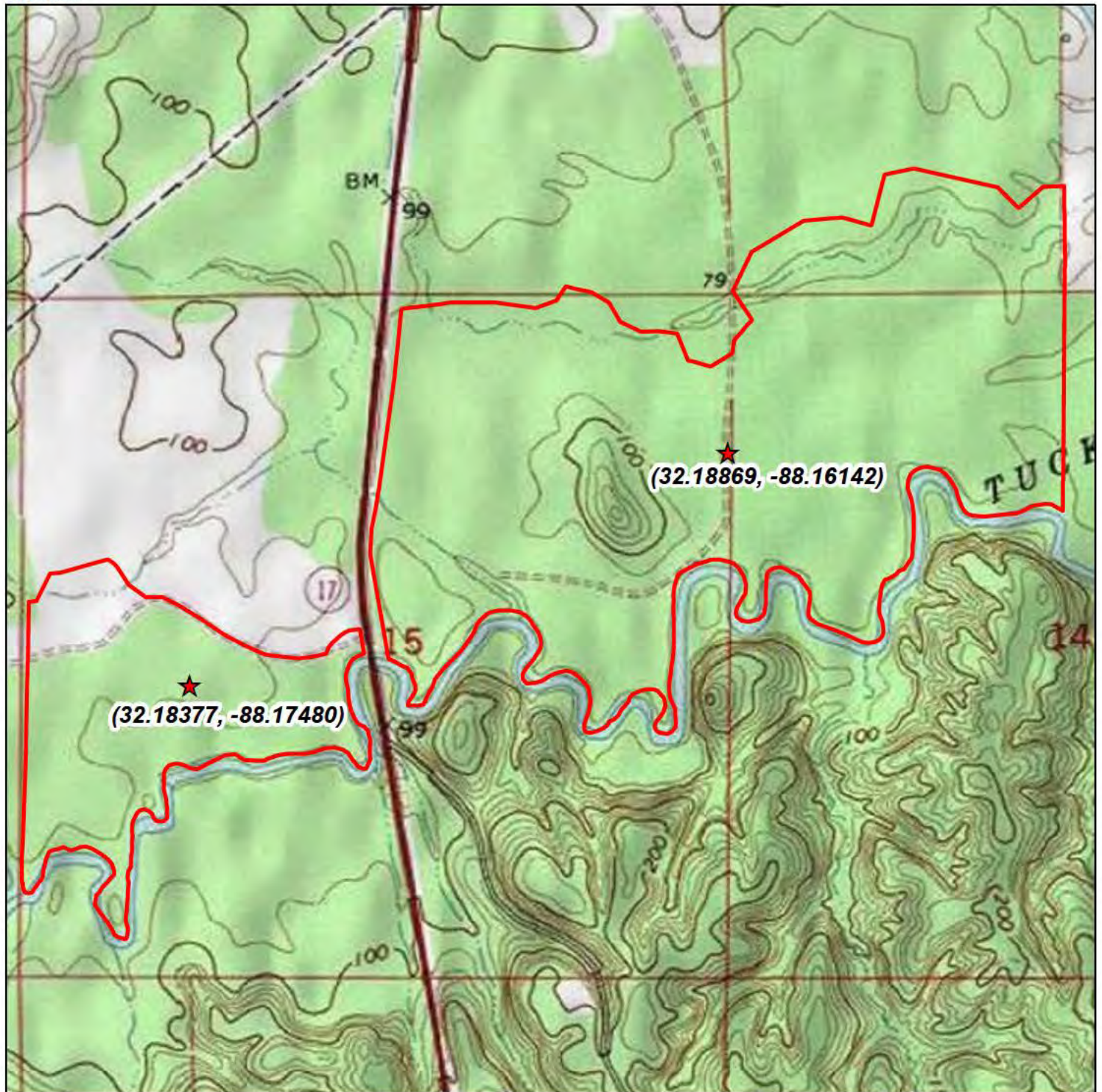
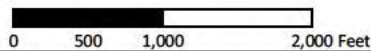


Figure 2.
USGS Jachin, AL
Topographic Quadrangle

 Bank Boundary



FIGURES

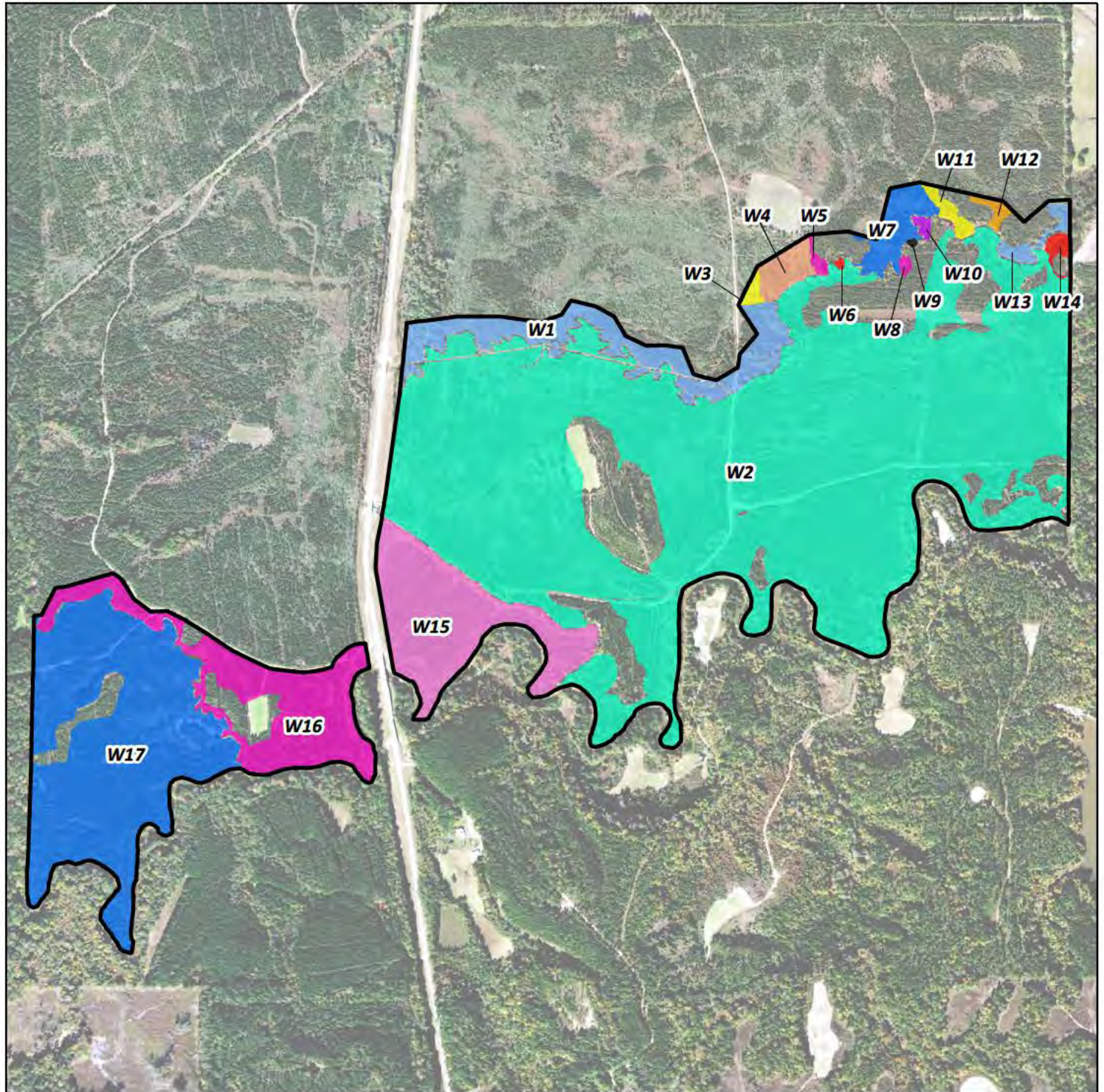

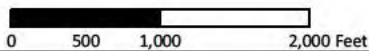


Figure 6.
Wetland Areas

 Bank Boundary



FIGURES

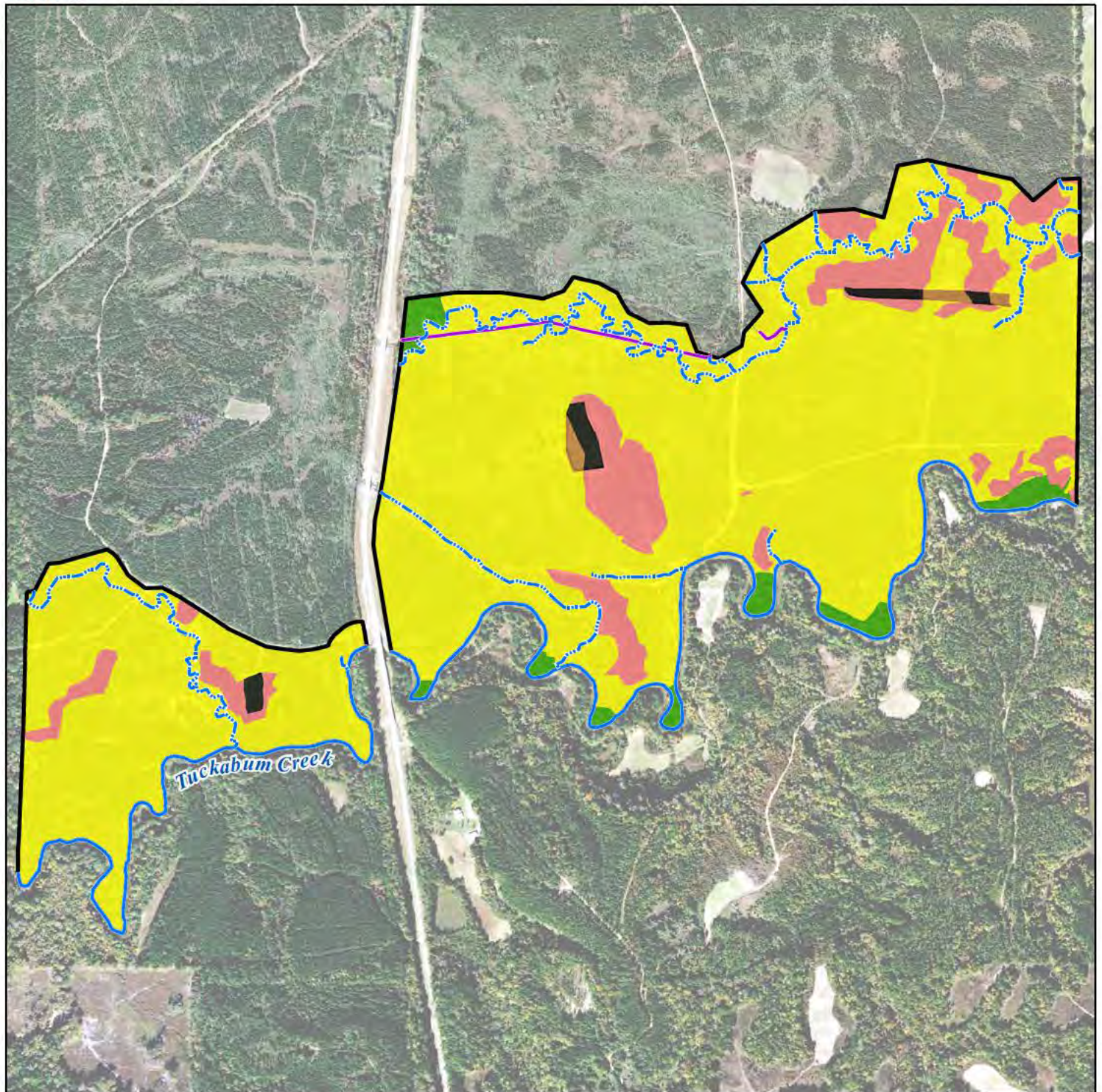
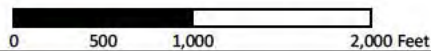


Figure 7.
Current Vegetation

- | | | |
|--|---------------|-----------------------------|
| | Bank Boundary | Vegetation |
| | Stream Type | Bottomland Hardwood Wetland |
| | Ditch | Pine Plantation Upland |
| | Intermittent | Pine Plantation Wetland |
| | Perennial | Upland Food Plot |
| | | Wetland Food Plot |



FIGURES

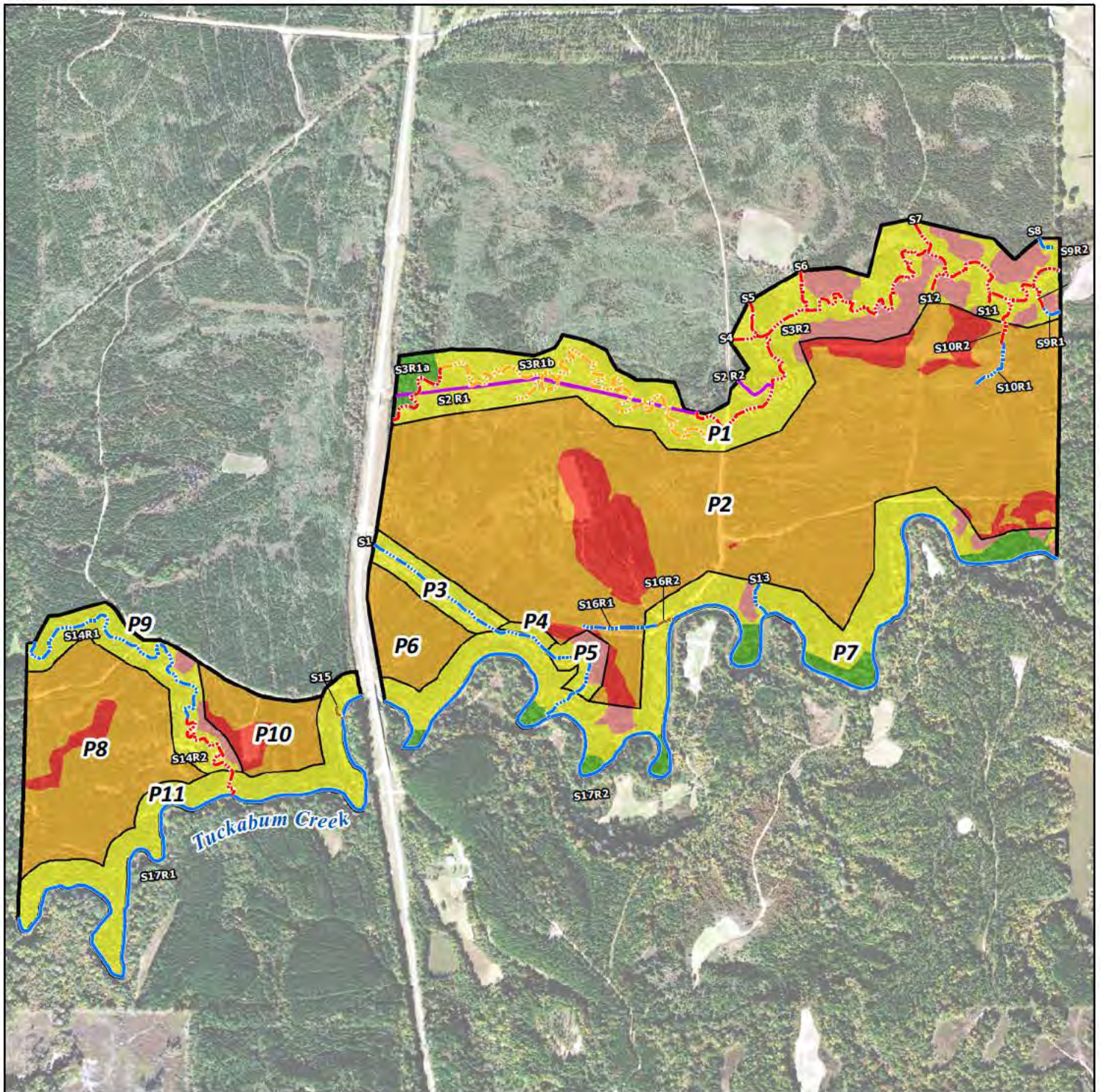


Figure 12.
Management Activities

- | | |
|--------------------------------------|-----------------------------|
| Bank Boundaries | Stream Management |
| Management Type | Ditch |
| Riparian Buffer Upland Enhancement | Intermittent, Preservation |
| Riparian Buffer Wetland Enhancement | Intermittent, Restoration |
| Riparian Buffer Wetland Preservation | Intermittent, Enhancement |
| Riparian Buffer Wetland Restoration | Intermittent, Stabilization |
| Upland Enhancement | Perennial, Preservation |
| Wetland Enhancement | |

