



REPLY TO
ATTENTION OF:

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

CESAM-RD
PUBLIC NOTICE NO. SAM-2019-01067-MBM

May 16, 2022

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

LYE BRANCH STREAM MITIGATION BANK, TUSCALOOSA COUNTY,
ALABAMA

TO WHOM IT MAY CONCERN:

This District has received a complete Prospectus for the proposed establishment of a commercial stream mitigation bank referred to as the **Lye Branch Mitigation Bank**. Please communicate this information to interested parties.

**BANK SPONSOR: Lye Branch Mitigation Bank
Mitigate Alabama L.L.C.
209 Renaissance Drive
Hallsville, Texas 75650**

Mitigate Alabama L.L.C. is proposing to establish a 219.6-acre commercial stream mitigation bank to generate mitigation credits for purchase by interested Department of Army (DOA) permit applicants in order to fulfill compensatory stream mitigation requirements for various project-related stream 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 proposed stream mitigation bank site is located in Tuscaloosa County, Alabama, north of Abernant, Alabama. It lies within the Upper Black Warrior watershed (USGS Hydrologic Unit Code 03160112). The Lye Branch Mitigation Bank site is located on Lye Branch in Sections 5, 6, 7, and 8 of Township 20 South, Range 6 West. The central coordinates are latitude 33.320064° North and longitude -87.196469° West. The proposed site is within the Cumberland Plateau physiographic region. The bank's service area will include all portions of the Upper Black Warrior Watershed and use of the Mobile District Proximity Factor Method for projects outside the watershed. Use of bank outside of designated service area may be authorized on a case-by-case basis by the Corps.

The Mud Creek Mitigation Bank contains Lye Branch and 10 unnamed tributaries totaling 26,442 linear feet of stream channel. The streams are divided into 28 stream reaches, 4 are perennial and 24 are intermittent streams. The project will generate stream mitigation credits by enhancing 169.6 acres of mesic hardwood forested riparian buffers along 16,432 linear feet of streams and preserve 43.6 acres of existing high quality hardwood forested riparian buffers along 6,439 linear feet of streams. The enhancement areas have historically been managed for pine silviculture. Enhancement activities include removal of exotic species and undesirable pine trees and planting of approved mesic hardwood forest tree species and vegetation to meet the Mobile District Bottomland Hardwood Performance Standards. Riparian buffer credit calculations will be determined using the 2012 USACE Mobile District Compensatory Stream Mitigation Standard Operating Procedures and Guidelines.

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.

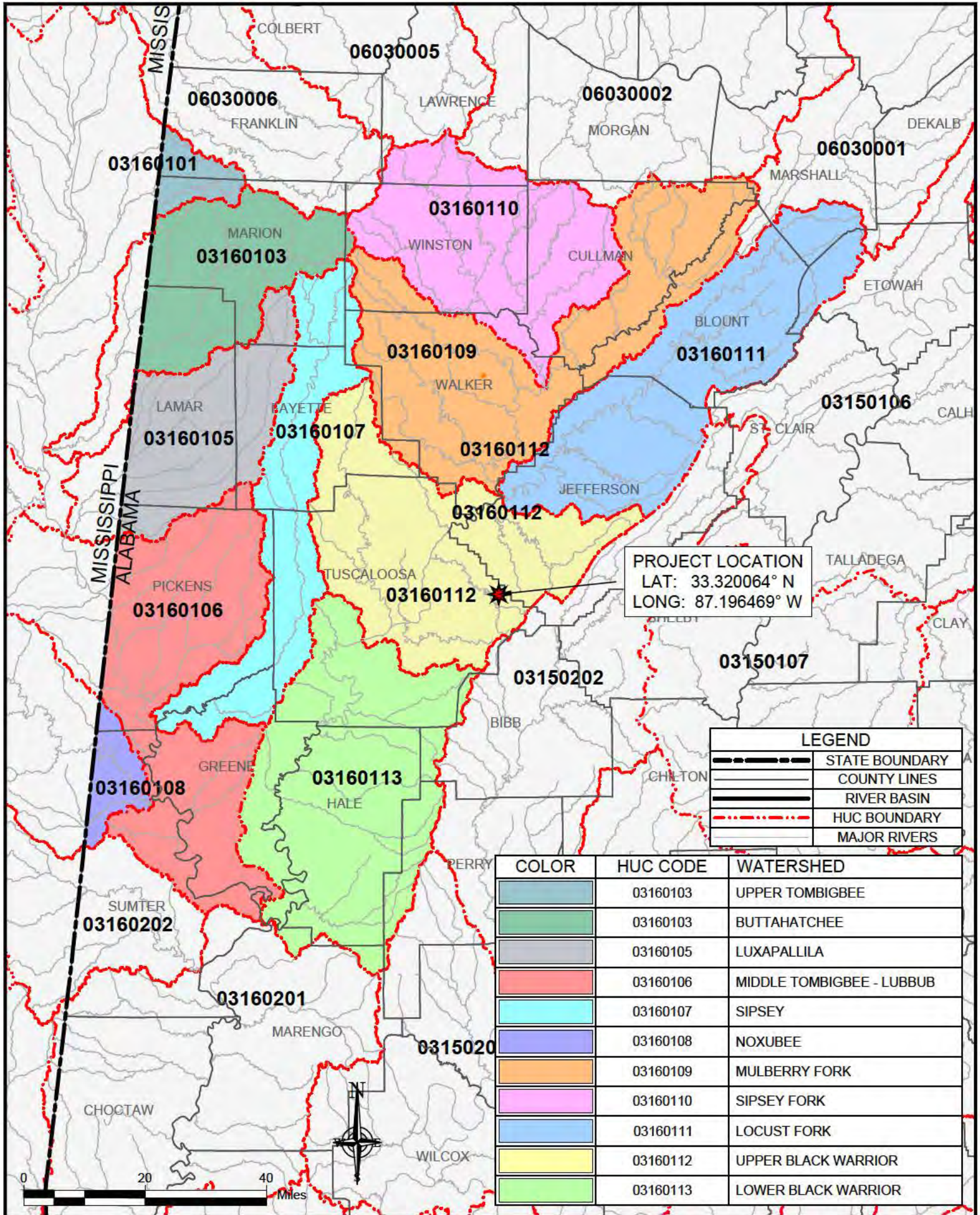
The Corps is soliciting comments from the public; Federal, State and local agencies and officials; Indian Tribes; and other interested parties for consideration while evaluating this proposed activity. Copies of all comments received will be distributed to the other members of the IRT and the bank sponsor for full consideration in the development of the mitigation bank. A full copy of the Lye Branch Mitigation Bank Prospectus is available upon request.

Comments concerning this Public Notice should be received within 30 days of the date of this public notice and should refer to number **SAM-2019-01076-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; and a copy to the Alabama Department of Environmental Management, Coastal Branch, 3664 Dauphin Street, Suite B, Mobile, Alabama 36608. If you have any questions concerning this publication, please contact Mr. Michael Moxey, Special Project Manager, via e-mail at michael.b.moxey@usace.army.mil or telephone number (251) 690-2658.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



PROJECT LOCATION
 LAT: 33.320064° N
 LONG: 87.196469° W

LEGEND	
	STATE BOUNDARY
	COUNTY LINES
	RIVER BASIN
	HUC BOUNDARY
	MAJOR RIVERS

COLOR	HUC CODE	WATERSHED
	03160103	UPPER TOMBIGBEE
	03160103	BUTTAHATCHEE
	03160105	LUXAPALLILA
	03160106	MIDDLE TOMBIGBEE - LUBBUB
	03160107	SIPSEY
	03160108	NOXUBEE
	03160109	MULBERRY FORK
	03160110	SIPSEY FORK
	03160111	LOCUST FORK
	03160112	UPPER BLACK WARRIOR
	03160113	LOWER BLACK WARRIOR

SAM-2019-01067-MBM

SCALE: 1" = 20 MILES


HYDROLOGIC UNIT CODE (HUC) MAP

LYE BRANCH MITIGATION BANK
 MITIGATE ALABAMA, LLC
 TUSCALOOSA COUNTY ALABAMA

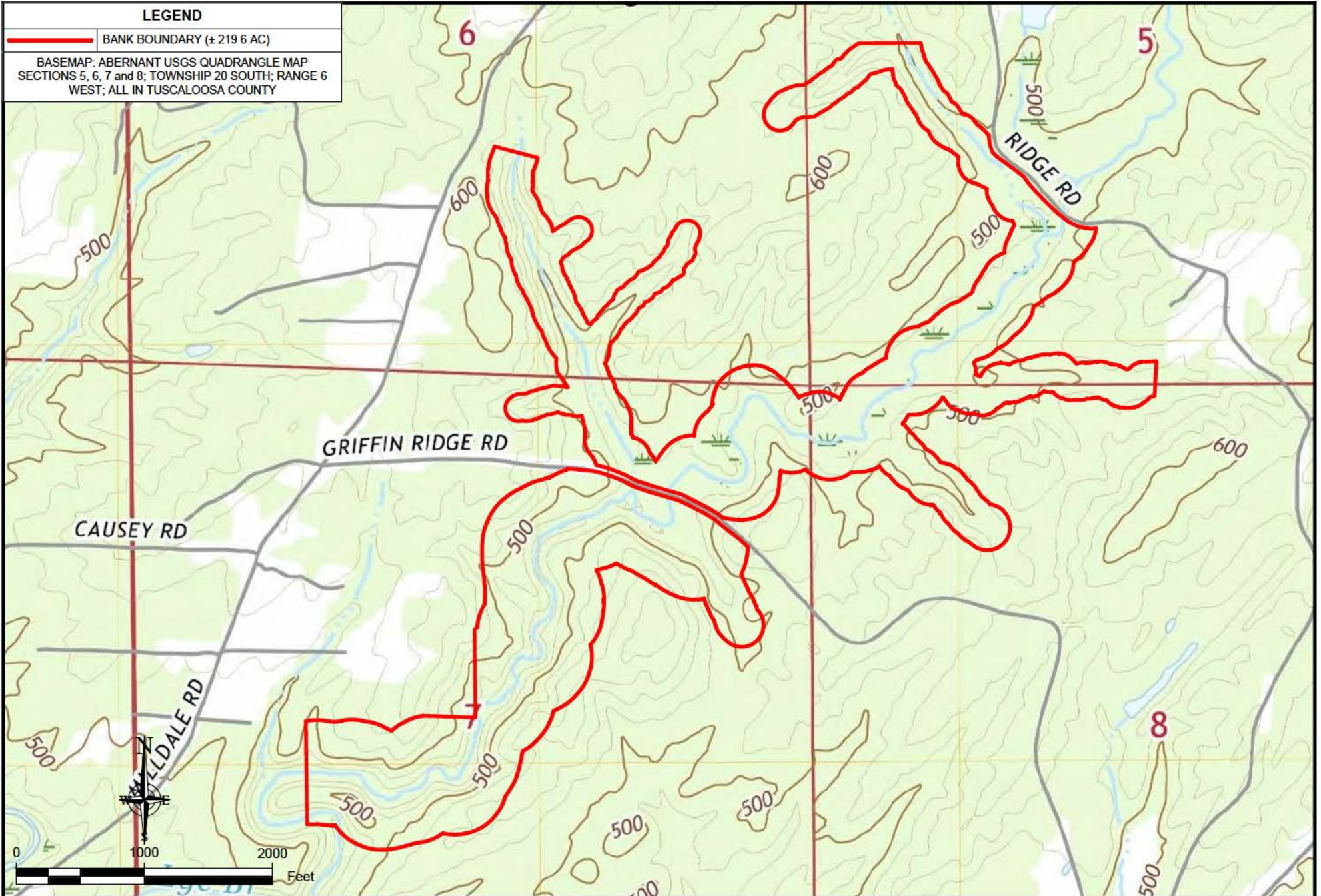
FIGURE 2

DATE: 7/31/2020

LEGEND

 BANK BOUNDARY (± 219.6 AC)

BASEMAP: ABERNANT USGS QUADRANGLE MAP
SECTIONS 5, 6, 7 and 8; TOWNSHIP 20 SOUTH; RANGE 6
WEST; ALL IN TUSCALOOSA COUNTY



SCALE: 1" = 1000'

U.S.G.S. QUADRANGLE MAP

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**WILBANKS ENGINEERING
& ENVIRONMENTAL SOLUTIONS, LLC**

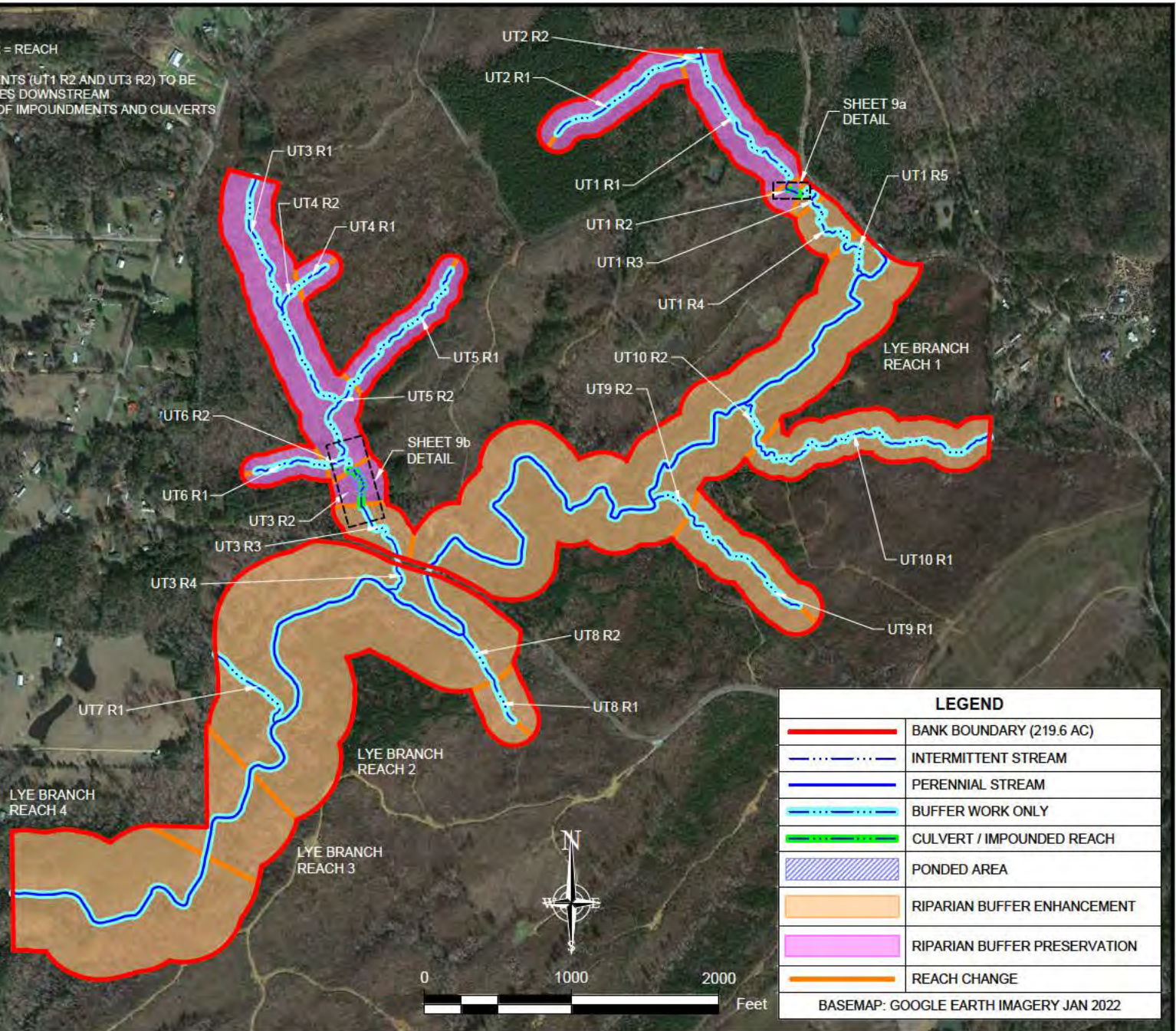
MITIGATE ALABAMA, LLC
LYE BRANCH MITIGATION BANK, TUSCALOOSA CO., AL

FIGURE 3

DATE: 4/11/2022

NOTES:

1. LB = LYE BRANCH, UT = UNNAMED TRIBUTARY, R = REACH
2. NO IN-STREAM WORK PROPOSED
3. ROAD CULVERTS AND ASSOCIATED IMPOUNDMENTS (UT1 R2 AND UT3 R2) TO BE MAINTAINED TO PREVENT SEDIMENTATION ISSUES DOWNSTREAM
4. STABLE STREAMS UPSTREAM & DOWNSTREAM OF IMPOUNDMENTS AND CULVERTS



LEGEND	
	BANK BOUNDARY (219.6 AC)
	INTERMITTENT STREAM
	PERENNIAL STREAM
	BUFFER WORK ONLY
	CULVERT / IMPOUNDED REACH
	PONDED AREA
	RIPARIAN BUFFER ENHANCEMENT
	RIPARIAN BUFFER PRESERVATION
	REACH CHANGE
BASEMAP: GOOGLE EARTH IMAGERY JAN 2022	

SCALE: 1" = 1000'

MITIGATION FEATURES AERIAL MAP

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**WILBANKS ENGINEERING
& ENVIRONMENTAL SOLUTIONS, LLC**

MITIGATE ALABAMA, LLC
LYE BRANCH MITIGATION BANK, TUSCALOOSA CO., AL

FIGURE 9

DATE: 4/11/2022