



US Army Corps  
of Engineers®

# PUBLIC NOTICE

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Applicant: Westervelt Ecological Services    Published: May 7, 2025  
Expires: June 6, 2025

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**Mobile District**  
**Permit Application No. SAM-2024-00858-MBM**

**JOINT PUBLIC NOTICE**  
**U.S. ARMY CORPS OF ENGINEERS (USACE)**

**ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT  
(ADEM)**

TO WHOM IT MAY CONCERN: The Mobile District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act. The purpose of this public notice is to solicit comments from the public regarding the proposed work described below:

**APPLICANT:** Walton Creek Mitigation Bank  
Westervelt Ecological Services  
Attention: Mr. Austin Piques  
2128 Moores Mill Road, Suite B  
Auburn, Alabama 36830

**LOCATION:** The proposed Walton Creek Mitigation Bank site is located approximately 7 miles south of Centreville in Sections 33 and 34 in Township 22 North, Range 9 East, and Sections 3 and 4 in Township 21 N, Range 9 East. The centroid coordinates are 32.840817 latitude, -87.166047 longitude, in Bibb County, Alabama.

**EXISTING CONDITIONS:** The proposed 140.67-acre Walton Creek Mitigation Bank is currently comprised of 48.9 acres of impacted bottomland hardwood wetlands, 88.28 acres of impacted upland hardwood forest, 1.12 acres of roads, 8,335 linear feet of perennial streams, and 7,526 linear feet of intermittent streams.

**PROJECT PURPOSE:**

**Basic:** The Corps has determined that the basic purpose of the proposed project is to provide a third-party compensatory mitigation option for permittees.

**Overall:** The Corps has determined that the overall purpose of the proposed project is generate wetland and stream mitigation credits that may be used to fulfill compensatory mitigation requirements for projects authorized to impact wetlands and streams.

**PROPOSED WORK:** The mitigation bank proposes to enhance 46.01 acres of impacted bottomland hardwood wetlands and 86.60 acres of upland hardwood forest that have been converted to cattle pastures and loblolly pine plantation. The mitigation bank proposes to accomplish Priority I (new channel construction) instream channel restoration on 6,960 linear feet of perennial stream channel and 7,010 linear feet of intermittent stream channel that have been relocated to the margins of the valley and have been straightened for the purpose of creating cattle pastures. The incised and entrenched unstable G-Type stream channels would be replaced by stable C-Type and B-Type stream channels. The mitigation bank would generate stream mitigation credits by enhancing wetlands and uplands within 200-foot wide riparian buffers along the perennial streams and 100-foot wide riparian buffers along the intermittent streams. Wetland mitigation credits would be generated by enhancing 19.14 acres of impacted bottomland hardwood wetlands. The enhancement actions include cessation of the cattle production and silviculture activities and planting target bottomland hardwood wetland and upland hardwood forest tree species to achieve target habitat density, diversity, and composition goals. Site management would also include monitoring and control of exotic invasive and nuisance species within the entire proposed mitigation bank site. The entire site would be protected with a conservation easement. Wetland mitigation credits would be determined using the Wetland Rapid Assessment Procedure (WRAP). Stream mitigation and stream credit calculations would be accomplished in accordance with the 2012 USACE Mobile District Compensatory Stream Mitigation Standard Operating Procedures and Guidelines. A copy of the full 54-page prospectus is available upon request.

**COMPENSATORY MITIGATION:** The project is an environmental restoration project that will improve the wetland, riparian buffer, and stream functions within the Cahaba Watershed (HUC 03150202).

**CULTURAL RESOURCES:** A Phase I Cultural Resource Survey is currently being performed. The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

**ENDANGERED SPECIES:** The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. The Corps will be making a determination that the proposed project affects to the following listed species and their critical habitat: Indiana Bat, Northern Long-eared Bat, Tricolored Bat, Red-cockaded Woodpecker, Alligator Snapping Turtle, Alabama Sturgeon, Coal Darter, Goldline Darter, Fineline Pocketbook, Ovate Clubshell, Southern Clubshell, and Monarch Butterfly.

Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

**SECTION 408:** The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

**EVALUATION:** 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 decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed environmental restoration activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits, which reasonably may be expected to accrue from the proposal, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food, and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. A permit will be granted unless its issuance is found to be contrary to the public interest.

**COMMENTS:** The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other Interested parties in order to consider and evaluate the impacts of this proposed wetland and stream restoration and enhancement activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to endangered species,

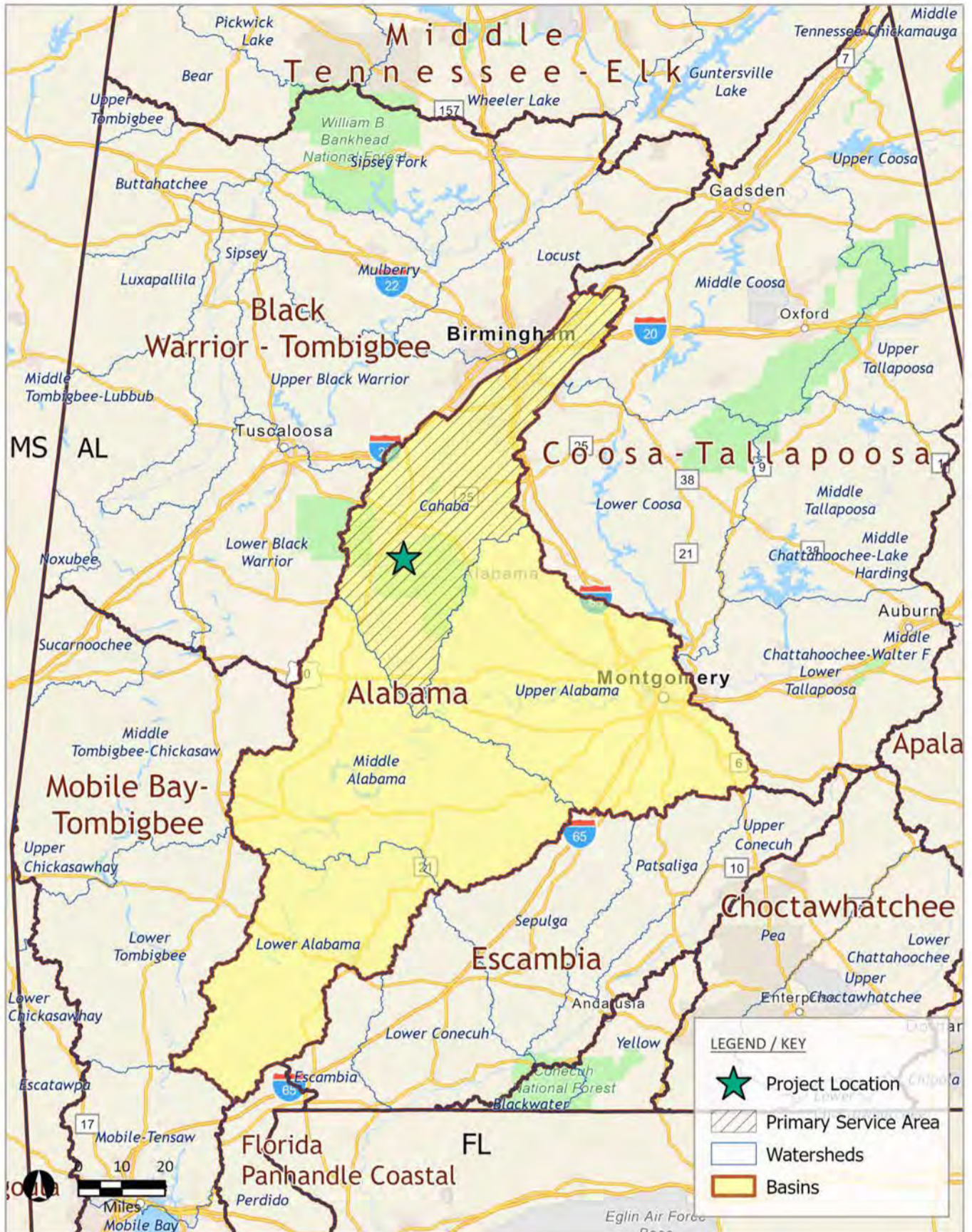
historic properties, water quality, general environmental effects, and the other public interest factors listed above.

The Mobile District will receive written comments on the proposed mitigation bank, as outlined above, until June 6, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Michael Moxey at Michael.b.moxey@usace.army.mil. Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Mobile District, Attention: Michael Moxey, PO Box 2288, Mobile, AL 36628. Please refer to the permit application number SAM-2024-00858-MBM in your comments.

For additional information about our Regulatory Program, please visit our website at [www.sam.usace.army.mil/Missions/Regulatory.aspx](http://www.sam.usace.army.mil/Missions/Regulatory.aspx).

MOBILE DISTRICT  
U.S. Army Corps Of Engineers







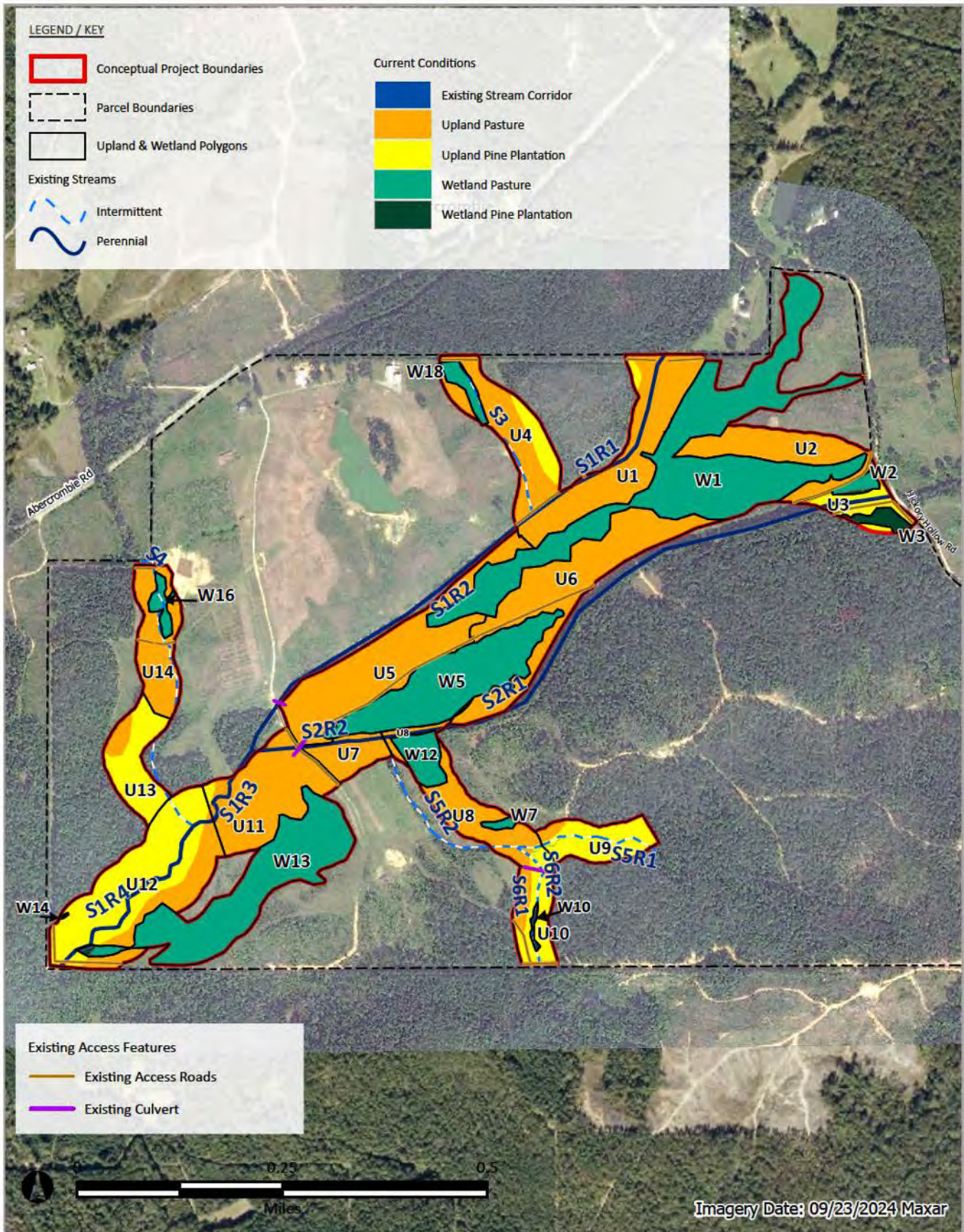




Figure 11. Conceptual Management Plan

