

April 14, 2023

BID/INVOICE

FROM: Berg Mitigation Banks, LLC  
Berg Big Black River Mitigation Bank III  
P.O. Box 5086  
Brandon, MS 39047  
Randy Berg, MM  
601-594-5648  
[randy@randyberg48.com](mailto:randy@randyberg48.com)  
Tax ID # 90-1191403

TO: Headwaters, INC  
Elliot Smith  
[elliott@headwaters-inc.com](mailto:elliott@headwaters-inc.com)

Permittee: Madison County Board of Supervisors  
Timothy Bryan  
[Timothy.bryan@madison-co.com](mailto:Timothy.bryan@madison-co.com)  
601-631-5470

Permit Number: MVK2023-211

Project: Reunion Parkway Phase II

Number of Credits:

36.12 Wetland Credits

- Unit Price: \$3,400.00
- Total Price: One hundred twenty two thousand eight hundred eight dollars (\$122,808.00)

2120 Stream Credits

- Unit Price \$34.00
- Total Price \$72,080.00
- Total Bid/Invoice Price: One hundred ninety four thousand eight hundred eighty eight dollars (\$194,888.00)

Payment should be made to Berg Mitigation Banks, LLC. Upon receipt of payment, I will email Anthony Lobred ([Anthony.R.Lobred@USACE.army.mil](mailto:Anthony.R.Lobred@USACE.army.mil)) notifying that the credits have been purchased.

Tender of payment signifies that purchaser, independent of any representation by Mitigation Banker (Seller), have satisfied themselves that credits purchased are suitable for intended purpose. All credit sales are final. Sale to close by May 12, 2023

Thanks again,  
Randy Berg, MM

## Invoice

Panther Creek Mitigation Bank  
P.O. Box 2447  
Madison Ms. 39130

Invoice date: 4/14/2023

Invoice to:

Madison County Board of Supervisors  
Timothy Bryan  
Project: Reunion Parkway Phase II

MVK2023-211

Stream Credits: 5696.16

Price per credit: 50.00

Total invoice \$284,808.00

Payments should be made to Panther Creek Mitigation Bank LLC. Upon receipt of payment, I will email your office a copy of the notice that I will send your project manager at the Vicksburg District USACE, notifying them that the credits have been purchased.

Sincerely,

A handwritten signature in black ink, appearing to read 'SG', is positioned below the 'Sincerely,' text.

Scott Gideon  
Managing Member, Panther Creek Mitigation Bank LLC

**From:** [Lang Kirkwood](#)  
**To:** [Timothy Bryan](#)  
**Subject:** Reunion Parkway Phase II  
**Date:** Friday, April 14, 2023 3:50:46 PM  
**Attachments:** [image001.png](#)  
[Madison co. Panther Creek.pdf](#)  
[MVK-2023-211 from Berg Mitigation Banks.pdf](#)

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**CAUTION! External Content. Please use caution when opening attachments and links. Do not provide your username and password if requested.**

Tim,

Attached are two invoices for the purchase of mitigation credits for the unavoidable impacts to wetlands and other waters of the U.S. for the construction of Reunion Parkway Phase II. Please let me know if you have any questions.

Thank you.

**Lang Kirkwood**



**HEADWATERS**

PO Box 2836 | Ridgeland, MS 39158  
601.634.0097 (main) | 601.630.9778 (fax)  
769.233.2557 (direct) | 601.941.9041 (cell)  
[www.headwaters-inc.com](http://www.headwaters-inc.com)

**From:** [Timothy Bryan](#)  
**To:** [Lang Kirkwood](#)  
**Subject:** Fwd: MVK-2023-211 Reunion Parkway Phase 2 Compensatory Mitigation Requirements 105278  
**Date:** Wednesday, April 12, 2023 3:04:18 PM  
**Attachments:** [MVK-2023-211 Reunion Phase 2 Stream Mitigation Worksheet.pdf](#)  
[MVK-2023-211 Reunion Phase 2 Wetland Mitigation Worksheet.pdf](#)

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**From:** Young, Mitchell R <mryoung@mdot.ms.gov>  
**Sent:** Wednesday, April 12, 2023 2:05:16 PM  
**To:** Timothy Bryan <timothy.bryan@madison-co.com>  
**Cc:** Andrews, William <wandrews@mdot.ms.gov>; Frederick, Lee <lfrederick@mdot.ms.gov>; darion.warren@waggonereng.com <darion.warren@waggonereng.com>; Grass, Thomas - waggonereng.com <thomas.grass@waggonereng.com>  
**Subject:** Fwd: MVK-2023-211 Reunion Parkway Phase 2 Compensatory Mitigation Requirements 105278

**CAUTION! External Content. Please use caution when opening attachments and links. Do not provide your username and password if requested.**

Tim,

The attachments are from the corp concerning the next steps for obtaining the permit. Prior to issuing the permit, the corp wants to see proof of purchase of the mitigation credits.

FYI, I can't get the attachments to open on my phone, but I'm told they work on a desktop. Let me know if you have any issues.

Thanks,  
Mitchell

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**From:** Wodtke, Andrea R <awodtke@mdot.ms.gov>  
**Sent:** Wednesday, April 12, 2023 1:19 PM  
**To:** Frederick, Lee <lfrederick@mdot.ms.gov>; Young, Mitchell R <mryoung@mdot.ms.gov>  
**Subject:** FW: MVK-2023-211 Reunion Parkway Phase 2 Compensatory Mitigation Requirements

All,

Please see below and attached and forward to the appropriate people.

Thanks!

Andrea

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Andrea Wodtke  
O: 601.359.7922  
C: 601.323.4699

-----Original Message-----

From: Lobred, Anthony R CIV USARMY CEMVK (USA) <Anthony.R.Lobred@usace.army.mil>  
Sent: Wednesday, April 12, 2023 11:32 AM  
To: Wodtke, Andrea R <awodtke@mdot.ms.gov>  
Subject: MVK-2023-211 Reunion Parkway Phase 2 Compensatory Mitigation Requirements

Ms Wodtke,

Please find the compensatory mitigation required for the jurisdictional impacts associated with proposed project. Prior to finalizing the authorization, proof of purchase of the mitigation credits will need to be provided to this office.

If there are any questions, please feel free to contact me.

Respectfully,

Anthony R Lobred  
Biologist/Senior Environmental Specialist FHWA/MDOT Transportation Liaison Regulatory  
Division Vicksburg District Corps of Engineers  
Phone: (601) 631-5470  
It is not about doing what is easy but rather doing what is right

# Required Wetland Mitigation Credit Table and Worksheet



**TIP:** Leave cursor over each factor or option below to pop-up helpful information or definitions.

Required Wetland Mitigation Credit Table						
FACTORS	OPTIONS					
Lost Type	Type C 0.2		Type B 2.0		Type A 3.0	
Priority Category	Tertiary 0.5		Secondary 1.5		Primary 2.0	
Existing Condition	Very Impaired 0.1	Impaired 1.0		Partially Impaired 2.0	Fully Functional 2.5	
Duration	0 to 1 Year 0.2	1 to 3 Years 0.5	3 to 5 Years 1.0	5 to 10 Years 1.5	Over 10 Years 2.0	
Dominant Impact	Shade 0.2	Clear 1.0	Drain 2.0	Dredge 2.5	Impound/Flood 2.5	Fill 3.0
Cumulative Impact	< 0.25 Acre 0.1	0.25 - 0.99 Acres 0.2	1.0 - 2.99 Acres 0.5	3.0 - 9.99 Acres 1.0	≥ 10.0 Acres 2.0	

**NOTE:** The cumulative impact factor for the overall project should be included in the sum of factors for each impacted area on the Required Wetland Mitigation Credit Worksheet

Required Wetland Mitigation Credit Worksheet						
FACTOR	AREA 1	AREA 2	AREA 3	AREA 4	AREA 5	AREA 6
Lost Type	Type A	Type A				
Priority Category	Tertiary	Tertiary				
Existing Condition	Impaired	Impaired				
Duration	Over 10 Years	1 to 3 Years				
Dominant Impact	Fill	Fill				
Cumulative Impact	3.0 - 9.99 Acres	3.0 - 9.99 Acres				
Sum of Factors	10.5	9				
Impacted Area	2.24	1.4				
R x AA=	23.52	12.6				

Required Wetland Mitigation Credits =  $\Sigma (R \times A) =$

<b>36.12</b>
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# Determination of Stream Credits

## 3.0 Table and Worksheet

Working Draft, Subject to Change

Last Revised: October 07, 2010

<b>Adverse Impact Factors Table for Linear Systems</b>										
FACTORS	OPTIONS									
Stream Type <sup>1</sup>	Non-RPW 0.10			1 <sup>st</sup> and 2 <sup>nd</sup> Order RPWs 0.8			All Other Streams 0.4			
Priority Category	Tertiary 0.1			Secondary 0.4			Primary 0.6			
Existing Condition	Very Impaired 0.1		Impaired 0.5		Partially Impaired 0.75		Fully Functional 1.5			
Duration	Temporary 0.05			Recurrent 0.1			Permanent 0.3			
Dominant Impact	Shade / Clear 0.05	Utility Crossing 0.15	Culvert 0.3	Armor 0.5	Detention / Weir 0.75	Morpho-Logic 1.5	Impound / Flood 2.0	Pipe 2.2	Fill 2.5	
Cumulative Impact (LF)	< 50' .01		51-300' 0.10		301-500' 0.20		501-1000' 0.40		1001-6000' 1.5	> 6000' 3.0

<sup>1</sup> Stream type does not include man-made linear features. These features will be evaluated on a case-by-case basis.

<b>Required Mitigation Credits Worksheet for Linear Systems</b>						
FACTOR	IMPACT 1	IMPACT 2	IMPACT 3	IMPACT 4	IMPACT 5	IMPACT 6
Stream Type	Non-RPW	1st & 2nd Order RPW				
Priority Category	Tertiary	Tertiary				
Existing Condition	Impaired	Impaired				
Duration	Permanent	Permanent				
Dominant Impact	Fill	Fill				
Cumulative Impact	1001-6000'	1001-6000'				
Sum of R Factors	5	5.7				
Linear Feet Impact	779.31	687.65				
R x LL =	3896.55	3919.605				

**Total Required Credits =  $\Sigma$  (R x LL) =**

<b>7816.155</b>
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