

US ARMY CORPS OF ENGINEERS St. Louis District Gateway to Excellence Reply To: U.S. Army Corps of Engineers Attn: CEMVS-OD-F 1222 Spruce Street St. Louis, Missouri 63103

Public Notice

Public Notice/File No. <u>MVS-2021-684</u> Public Notice Date April 20, 2022

Expiration Date May 19, 2022

Postmaster Please Post Conspicuously Until:

File Number: MVS-2021-684

Interested parties are hereby notified that the WFI Holdings-B LLC (Sponsor) has requested under their approved WFI-B Umbrella Mitigation Banking Program Instrument (File Number: MVS-2020-652) and corresponding amendment; approval for an Umbrella Mitigation Bank site pursuant to 33 CFR 332 and 40 CFR 230 Compensatory Mitigation for Losses of Aquatic Resource; Final Rule (Federal Register / Vol. 73, No. 70 Pages 19594-19705, April 10, 2008).

<u>COMMENTS AND ADDITIONAL INFORMATION</u>: All comments related to this Umbrella mitigation bank project and/or requests for public hearing must reach this office no later than the expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers Regulatory Branch 1222 Spruce Street St. Louis, Missouri 63103-2833 ATTN: Mr. Tyson Zobrist

SPONSOR: WFI Holdings-B LLC (WFI-B) POC: Mr. Linden Graber 248 Southwoods Center Columbia, Illinois 65261

LOCATION: The Sponsor proposes a mitigation bank (Bartelso Bottoms) within the Middle Kaskaskia Watershed, specifically in the Umbrella Mitigation Banking Program's Service Area D- The Upper Kaskaskia & Middle Kaskaskia Service Area (KMU). The subject site(s) include 93.66 acres and is located in Sections 21 & 30, Township 1 North, Range 3 West in Clinton County, Illinois. The approximate center of the bank sites is located at Latitude 38.496094°, Longitude -89.472065° and Latitude 38.508807°, Longitude -89.434997°.

PROJECT DESCRIPTION: The Sponsor seeks approval from the U.S. Army Corps of Engineers (the Corps) and the Interagency Review Team (IRT); which is comprised of representatives from the Illinois Department of Natural Resources, U.S. Environmental Protection Agency, and U.S. Fish and Wildlife Service; to establish the Bartelso Bottoms Wetland Mitigation Bank which is proposed in accordance with the approved WFI-B Umbrella Mitigation Banking Program Instrument (UMBPI). The

Bartelso Bottoms site is the third bank site proposed under the UMBPI. If approved, the Sponsor would make the wetland mitigation credit available to Department of the Army permittees seeking to fulfill requirements to purchase compensatory mitigation credit to offset losses of aquatic functions and services. The mitigation bank site includes the restoration of multiple wetland habitats within the unprotected Kaskaskia River floodplain.

The majority of the Bank Site consists of hydric soils and lies within the floodplain of the Kaskaskia River. A wetland site evaluation was conducted by a wetland biologist and determined that the soils were mostly hydric, and the farmed portion is a prior converted cropland area.

The Bank Site will be developed with multiple types of habitat features: bottomland hardwood mast producing oak/hickory forest habitat, and hydrologic and water quality wetland functions. The vegetation types will follow elevational gradients that both exist and are to be created. Forrest Keeling Nursery RPM trees will be used to promote the Bank Site's forested component, which will support a variety of herbaceous vegetation throughout the year and may support migratory and endemic wetland species along the Kaskaskia River. The bank site contains approximately 25.72-acres of existing forest. The Sponsor proposes to complete a forest stand improvement (FSI) in the existing forested stands. The FSI will utilize chainsaws to double-girdle undesirable or low C-value species (maples, box elder, and green ash), and the planting of containerized oak and hickory trees in the canopy openings left behind, resulting in an increase in tree species diversity and the increase in overall Floristic Quality Index rating. These openings (which are greater than 0.25 acres within this forested stand) will receive hard mast oak and hickory plantings as a regeneration component at approximately 10-20 trees per acre as deemed necessary. These forest management activities will provide improved wildlife habitat and other forestry benefits to improve and promote a healthier, more sustainable forest ecosystem.

The hydrology of the Bank Site will be improved to extend duration and create micro-habitats utilizing the existing hydrologic regime. The hydrograph in this area is dictated by both natural and managed water control. The Bank Site is subject to the Kaskaskia River – Carlyle Lake Water Control Management Curve managed by the U.S. Army Corps of Engineers, St. Louis District. Secondly, the Santa Fe Drainage Ditch bisects the western phase of the bank providing additional hydrology, specifically when the local drainage and levee district discharges water. Lastly, the Bank Site is subject to open flow coming from the Kaskaskia River and its tributaries that include Crooked Creek and Shoal Creek, whose confluence and floodplain are located within a two-mile radius of the Bank Site. The hydrology of the Bank Site is intended to mirror the existing hydrologic regime, and through mounds creation and drainage modification, microhabitats across the Bank Site will improve hydrology and duration of saturation. The current plan will result in the re-establishment of a diverse bottomland hardwood forest adjacent to a creek corridor to enhance ecological functions and values for the Kaskaskia watershed. Upon request, a copy of the Bartelso Bottoms Mitigation Banking Plan can be provided by our office.

This mitigation banking proposal does not preclude the requirement for any Section 404 permit applicant, who intends or is required to use wetland or stream credits generated by this mitigation project, to comply with Clean Water Act Section 404(b)(1) Guidelines; the National Environmental Policy Act; and our evaluation of probable impacts on public interest. Likewise, the U.S. Army Corps of Engineers is committed to determining compensatory mitigation through the implementation of current Regulatory Guidance and best professional judgment to consider on-site or within the immediate sub-watershed mitigation opportunities first, when impacts to waters of the United States cannot be practicably avoided or further minimized.

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. Tyson Zobrist, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8578. Your inquiries may also be sent by e-mail to tyson.j.zobrist@usace.army.mil.

<u>AUTHORITY</u>: This review will be completed under Section 404 of the Clean Water Act (33 U.S.C. 1344) and in compliance with requirements outlined in the April 10, 2008, Final Compensatory Mitigation Rule.

ENDANGERED SPECIES: The proposed project is within the range of the federally endangered, Indiana Bat (<u>Myotis sodalis</u>), Eastern Massasauga (<u>Sistrurus catenatus</u>), Piping Plover (<u>Charadrius melodus</u>) and candidate species Monarch Butterfly (<u>Danaus plexippus</u>). The Northern Long-eared Bat (<u>Myotis septentrionalis</u>) is also identified and is currently a threatened species. Due to the proposed forest enhancement work, the Sponsor will initiate formal consultation with the U.S. Fish and Wildlife Service. The sponsor shall take measures to minimize potential effects of the project during construction.

<u>**CULTURAL RESOURCES:**</u> The umbrella mitigation bank project was evaluated for compliance with the National Historic Preservation Act of 1966 and 36 CFR 800. The project plans and Phase I Cultural Resource Survey was provided to 27 Federally recognized tribes on February 10, 2022, and provided a 30-day comment period. Within the comment period the District received comments from five tribes stating that they concur with the findings within the Phase I Cultural Resource Survey and the District's determination of "no historic properties affected" by the proposed mitigation bank. No additional comments were received by the remaining tribes. The five tribes also stated that they wish to be contacted if archaeological or human remains are identified during construction of the bank sites.

Additionally, the St. Louis District provided the Phase I Cultural Resource Survey to Illinois Department of Natural Resources-State Historic Preservation Office (SHPO). The SHPO provided a letter on March 2, 2022, stating that they concur with the no historic properties affected determination and have no objection to the undertaking proceeding as planned.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the proposed umbrella mitigation bank project and to solicit comments. The decision to allow or deny the Sponsor to proceed with the mitigation bank project will be based on an evaluation of all comments received, and all relevant factors to the proposal, including the cumulative effects thereof. These factors include conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, 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, and the general needs and welfare of the people. The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Native American tribes; and other interested parties in order to consider and evaluate the proposed mitigation project.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this umbrella mitigation bank site proposal. Any request for a public hearing shall state, with particularity, the reason for the hearing, and must be based on issues that would warrant additional public review.

Robert S. Gramke

Robert S. Gramke Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

The Corps requests that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.



Figure 1 – Location in Middle Kaskaskia Watershed



Figure 3A – Mitigation Plan Map





Figure 3B – Mitigation Plan Map (Continued)