



**US Army Corps
of Engineers®**

St. Louis District

PUBLIC NOTICE

FILE NUMBER: [MVS-2022-721](#)

PUBLIC NOTICE DATE: [May 5, 2023](#)

EXPIRATION DATE: [June 3, 2023](#)

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).

COMMENTS AND ADDITIONAL INFORMATION: Comments on the described work should reference the U.S. Army Corps of Engineers File Number shown above and must be received or be post marked no later than the above expiration date of the Public Notice to become part of the record and be considered in the decision. Comments should be submitted electronically to Tyson.J.Zobrist@usace.army.mil or mailed to the following address:

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

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

LOCATION: The Sponsor proposes a mitigation bank (Sweet Water) within the Sugar Creek Watershed, specifically in the Umbrella Mitigation Banking Program Instrument (UMBPI) Service Area C- The Shoal & Lower Kaskaskia Service Area (LKS). The subject site includes 40.87 acres and is located in the Southwest ¼ of Section 35, Township 3 North, Range 5 West in Madison County, Illinois. The approximate center of the bank site is Latitude 38.66161°, Longitude -88.37470°.

AUTHORITY: Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403), Section 404 of the Clean Water Act (33 USC 1344) and in compliance with requirements outlined in the April 10, 2008, Final Compensatory Mitigation Rule.

SECTION 408: Section 408 authorization is not required because there are no federal projects in or near the vicinity of the proposal.

PROJECT DESCRIPTION: The Sponsor seeks approval from the U.S. Army Corps of Engineers, St. Louis District (the District) 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 Sweet Water Stream & Wetland Mitigation Bank which is proposed in accordance with the approved WFI-B UMBPI. The Sweet Water site is the fifth bank site proposed under the UMBPI. If approved, the Sponsor would make the stream and 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 stream and wetland habitats within the unprotected Sugar Creek floodplain.

The Bank Site consists of hydric soils and lies within the floodplain of Sugar Creek. The site is hydrologically connected over a wide range of storm events to Sugar Creek. The Bank Site will total 40.87 acres that will be

developed with multiple types of habitat features: hardwood bottomland forest (13.83 acres), emergent habitat (5.15 acres), stream and riparian buffer (2.69 acres and 19.20 acres respectively, for a total of 21.89 acres), and hydrologic and water quality wetland functions.

The forested wetlands and riparian buffer will consist of primarily hard mast trees, planted in accordance with the St. Louis District Tree Planting Guidance. 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 a hard mast producing hardwood bottomland forest.

The emergent wetlands will consist of a very shallow basin in selected low elevation areas along historic meander scars that will support a variety of herbaceous vegetation throughout the year and may support migratory and endemic wetland species along Sugar Creek.

In-stream work will consist of bank protection to stabilize the vertical and lateral dynamics in these reaches of Sugar Creek and Spanker Branch.

The hydrology of the Bank Site is intended to increase durations in low lying floodplain areas within the site and improve the hydrologic regime. The depth, duration, and extent of flooding in the restored wetlands will primarily be driven by flood pulses from Sugar Creek and constructed emergent wetlands to increase the wetland hydroperiod of the area. Flood entry followed by seasonal drying through the summer and fall will sustain productivity by recycling vegetation and nutrients. The current plan will result in the re-establishment of a diverse wooded and emergent wetland adjacent to a stream riparian corridor to enhance ecological functions and values for Sugar Creek and Spanker Branch, and ultimately the Lower Kaskaskia watersheds. Upon request, a copy of the Sweet Water Mitigation Banking Plan can be provided by our office.

APPLICANT'S STATEMENT OF AVOIDANCE, MINIMIZATION, AND COMPENSATORY MITIGATION FOR UNAVOIDABLE IMPACTS TO AQUATIC RESOURCES: The mitigation bank proposal is considered a restoration activity with no anticipated adverse impacts to aquatic resources. 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 the District's 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.

HISTORY: The Bank Site is a total of 40.87 (+/-) acres situated on a parcel of land that consists of predominantly cropland, stream channel and degraded wooded riparian corridor adjacent to Sugar Creek and Spanker Branch. Historically, the property was and is hydrologically connected over a wide range of storm events within Sugar Creek and its watershed. All site soils have been classified as being hydric. Approximately 31 acres of the site has been in agricultural production since the early 20th century. The forested corridors along Sugar Creek and Spanker Branch have historically remained as riparian areas protecting the adjacent agricultural fields.

LOCATION MAPS AND DRAWINGS: See attached. In addition, the project plans may be viewed in color and in more detail by visiting the Public Notice section of our website at: <http://www.mvs.usace.army.mil/Missions/Regulatory/PublicNotices/OpenNotices.aspx>

STATE SECTION 401 WATER QUALITY CERTIFICATION: If the Banking IRT approves the proposed Sweet Water Stream & Wetland Mitigation Bank Site, the proposed stream and wetland restoration and enhancement activities associated with the bank site comply with and will be authorized through the issuance of Nationwide Permit 27 (Aquatic Habitat Restoration, Enhancement, and Establishment Activities). Therefore, Section 401 Water Quality Certification (WQC) is granted, subject to compliance with General Conditions 1 through 12 and WQC Special Conditions established specifically for Nationwide Permit 27.

ENDANGERED SPECIES: A review of the U.S. Fish and Wildlife Service's Information for Planning and Consultation website has been completed and the following species were identified to potentially be present in the project vicinity: The endangered Indiana Bat (*Myotis sodalis*) and Northern Long-eared Bat (*Myotis septentrionalis*), proposed endangered Tricolored Bat (*Perimyotis subflavus*), the threatened Eastern Massasauga (*Sistrurus catenatus*), Decurrent False Aster (*Boltonia decurrens*) and Eastern Prairie Fringed Orchid (*Platanthera leucophea*), candidate species Monarch Butterfly (*Danaus plexippus*), and the Experimental Population, Non-Essential species Whooping Crane (*Grus americana*). In compliance with the Endangered Species Act, a preliminary determination has been made that the described work will not affect all the eight (8) listed species, or adversely affect critical habitat. The Corps is coordinating with the U.S. Fish and Wildlife Service and the applicant is taking measures to minimize any potential effects of the project during construction. In order to further complete our evaluation, written comments are solicited by this public notice from the U.S. Fish and Wildlife Service and other interested agencies and individuals.

The IDNR EcoCAT database was consulted for information concerning the presence of state-listed threatened or endangered species, Illinois Natural Area Inventory sites, dedicated Illinois Nature Preserves, or registered Land and Water Reserves within the vicinity of the project location. The EcoCAT contains no record of State-listed resources in the vicinity of the project location (IDNR Project #2313938). Therefore, consultation under 17 Ill. Adm. Code Part 1075 is terminated."

CULTURAL RESOURCES & TRIBAL TRUST: The District requested that the applicant provide a reconnaissance survey of the project area to investigate the permit area and inform analysis of potential affects. A Phase I Cultural Resource Survey was completed by an SCI Engineering, Inc. (SCI) archaeologist on behalf of the Sponsor. The survey did not locate any cultural resources. Project clearance was recommended by the SCI archaeologist. A District archaeologist has reviewed the reconnaissance survey and concurs with the findings. It is the District's current opinion that no historic properties will be affected by the proposed wetland mitigation bank. The District's determination of effect is being coordinated with the Illinois State Historic Preservation Officer (SHPO) independent of this public notice.

EVALUATION: The decision whether to approve 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, but not limited to conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, the general needs and welfare of the people and compliance with the Mitigation Rule.

PUBLIC HEARING REQUESTS: Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the applicant's 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. A request may be denied in writing by the Corps if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

SOLICITATION OF COMMENTS: The U.S. Army Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and other public interest factors listed above. Comments are used in the preparation of a Memorandum for Record associated with Nationwide Permit 27. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. Additional information may be obtained by contacting Tyson Zobrist, Project Manager, U.S. Army Corps of Engineers, at 314-331-8578 or by e-mail to Tyson.J.Zobrist@usace.army.mil.

To join our public notice mailing list and receive all of our Public Notices electronically, please email your request to: MVS-Regulatory@usace.army.mil and include your name, email, and phone number with your statement of request to be added to the Public Notice mailing list.

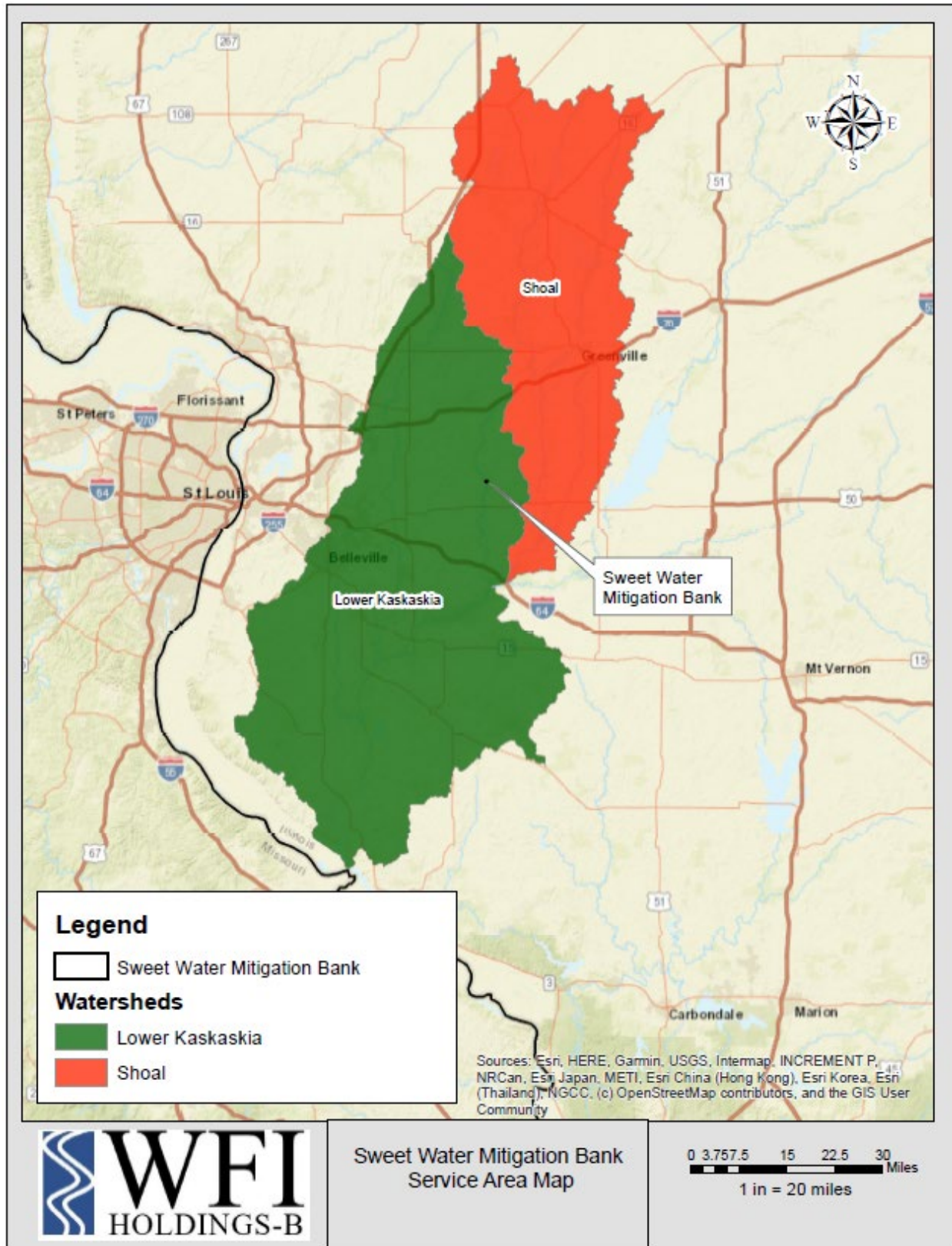
Robert S. Gramke
Chief, Regulatory Branch

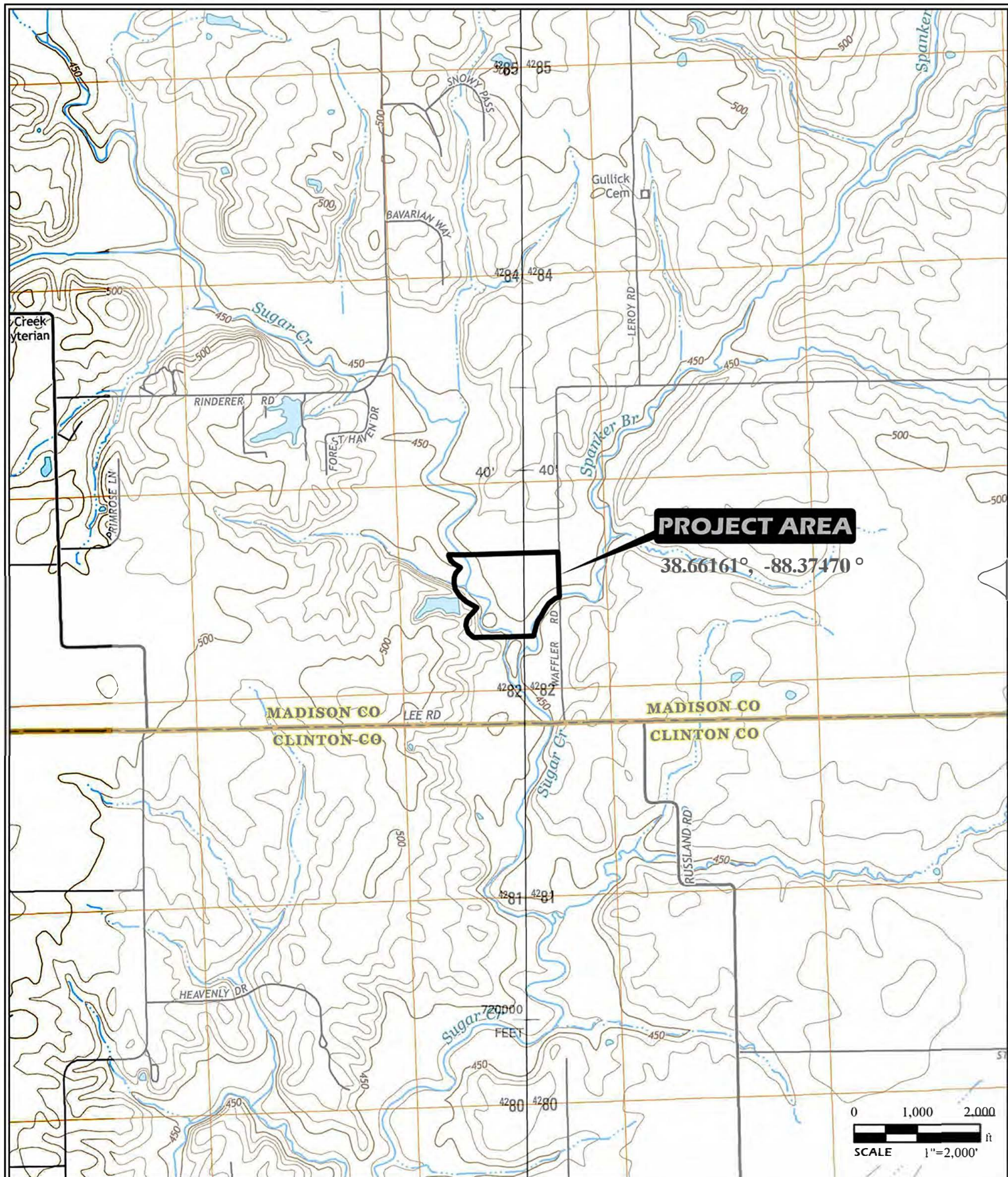
Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 30 days from the date of this issuance of this notice.

Figure 1 – Service Area





PROJECT NAME
ROTTMAN PROPERTY
MADISON COUNTY, ILLINOIS

2015 TOPOGRAPHIC MAP

DRAWN BY	KMC	DATE	02/2023	JOB NUMBER	2022-0412.40
CHECKED BY	BMC				

GENERAL NOTES/LEGEND
USGS TOPOGRAPHIC MAPS
HIGHLAND, ILLINOIS QUADRANGLE
DATED 2015
10' CONTOURS
ST. ROSE, ILLINOIS QUADRANGLE
DATED 2015
10' CONTOURS

STREET MAP
[HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD_STREET_MAP](http://GOTO.ARCGISONLINE.COM/MAPS/WORLD_STREET_MAP)



FIGURE
2

Figure 3 – Restored Wetland & Riparian



Figure 4 – Stream Work

