



**US Army Corps
of Engineers** ®
Rock Island District

PUBLIC NOTICE

Sponsor: CIMP, LLC
248 Southwoods Center
Columbia, IL 62236

Issued: July 19, 2024

Expires: August 17, 2024

Corps Project Number: CEMVR-RD-2024-0746

Proposed Project: Cottonwood Stream Mitigation Bank

STREAM COMPENSATORY MITIGATION BANK PROPOSAL

Joint Public Notice

Rock Island District and St. Louis District

This notice is issued in accordance with the Compensatory Mitigation for Losses of Aquatic Resources; Final Rule (the Mitigation Rule) described in the Federal Register dated April 10, 2008 (33 CFR Parts 325 and 332). The Rock Island District and St. Louis District share the Cuivre/Salt Service Area for this bank proposal and therefore will be requesting comments from both areas of responsibility. This service area will provide mitigation options for applicants in both Districts.

1. **Project Location:** The proposed site is located within Section 1, Township 63 North, Range 14 West, Adair County, Missouri. See attached location maps. Latitude: 40.295601, Longitude: -92.419926.

2. **Bank Objectives:** The fundamental objective of compensatory mitigation is to offset environmental losses resulting from unavoidable impacts to waters of the United States (WOTUS) authorized by Department of Army Permits. Other Objectives include stabilizing streambanks, restoring in-stream habitat via riffles and pools, reducing erosion, improving biodiversity and additional wildlife habitat through restoration of riparian buffers, and selling stream mitigation credits for projects developed by other entities.

3. **Project Description/Bank Establishment:** The bank sponsor proposes to complete activities on 35.70 acres of privately owned property that would result in the establishment of stream mitigation credits. The goal of this project is to restore 3,090 linear feet of Cottonwood Creek to generate an initial estimate of 27,325 stream credits. The bank sponsor proposes to use in-stream methods to aid in restoring the stream, for example, stone toe protection and creation of riffle/pool complexes; reducing erosion through cattle exclusion; and improving habitat through improvements to the riparian buffer which includes native tree plantings and vegetation management to remove invasive species and promote native species diversity. A wetland delineation was completed in October of 2023, the site contains one relatively permanent waterway identified within the project area.

4. **Service Area:** The proposed primary bank service area will be the Cuivre/Salt Service Area which includes both Rock Island District and St. Louis District.

5. Bank Need/Technical Feasibility/Ecological Suitability: Historical credit sales from private mitigation banks and in-lieu fee programs, as well as historical impacts to streams and wetlands, reveal a large historical need for mitigation credits in the Cuivre/Salt Service Area. Today, there are no approved private stream mitigation banks in the service area. Additionally, coordination with public agencies such as the Missouri Department of Transportation reveal a need for mitigation credits in the service area going forward for large projects such as the expansion of I-70. The sponsor believes that the proposed Bank site is suitable for mitigation activities, and the likelihood of this site being successful is high. This section of Cottonwood Fork is currently cattle pasture, which has led to severely eroded streambanks. This project can improve the channel by reducing erosion as well as creating additional habitat and grade stabilization with rock riffles. The easement area will be fenced to exclude cattle from the stream and prevent continued erosion and runoff. The riparian buffer area will be protected and planted with native vegetation and invasives will be removed and controlled, further contributing to lower sediment and nutrient runoff.

6. Long Term Management: The Sponsor or maintenance contractor would perform annual maintenance during the life of the Bank. Upon closure, the bank will be in satisfactory condition. The bank shall be preserved in perpetuity with a conservation easement, approved by the USACE. The proposed Bank would be continuously managed by a contractor or landowner. Long-term management efforts would include maintaining vegetation within the riparian buffer and ensuring that the in-stream restoration features remain stable.

7. Sponsor Qualifications: The Sponsor of the Bank, CIMP LLC, has successfully permitted, constructed, and managed several mitigation banks in the Midwest. CIMP's portfolio includes the sponsorship of 5 stream/wetland banks in USACE Rock Island in Iowa (2 approved and constructed, 1 approved and under construction, and 2 others in development); 4 stream/wetland banks in Missouri (2 in USACE Kansas City and 2 in USACE Rock Island currently under development); and 5 stream/wetland banks in USACE Louisville in Indiana (2 approved and constructed; 3 under development).

8. Water Rights: CIMP LLC, currently owns the property associated with the bank proposal. The sponsor would not have complete control of upstream practices that may alter flows to the project area.

9. Agency Review: Department of the Army, Corps of Engineers. The Corps of Engineers is participating in this matter as the chair of an Interagency Review Team. The Interagency Review Team consists of the Corps of Engineers (Rock Island and St. Louis), the U.S. Fish and Wildlife Service, the U.S. Environmental Protection Agency, the Missouri Department of Conservation, and the Missouri Department of Natural Resources. The project would require Section 404, Clean Water Act authorization prior to the proposed construction. If approved, the proposed bank could provide stream credit for future, Section 404, authorized projects that require compensatory mitigation. Formal authorization of the bank proposal occurs through Corps approval of a Mitigation Banking Instrument.

10. Historical/Archaeological: The District has received and reviewed a Phase 1 survey report entitled, "Cultural Resource Survey for the Proposed Restoration of Cottonwood Fork, Adair County, Missouri" dated November 2023. Mr. Joe Harl with the Archaeological Research Center of St. Louis was the Principal Investigator. The District Archaeologist found the report to be adequate and will coordinate the report with the Missouri State Historic Preservation Office and Native American tribes that have expressed an interest in the location of the project.

11. **Endangered Species:** District staff performed a preliminary review of potential threatened and endangered species using the USFWS IPaC website on July 3, 2024. IPaC listed these species based on the project location: endangered Gray Bat (*Myotis grisescens*), Indiana Bat (*Myotis sodalist*) Norther Long-eared Bat (*Myotis septentrionalis*); proposed endangered Tricolored Bat (*Perimyotis subflavus*); and candidate Monarch Butterfly (*Danaus plexippus*). This proposal will be reviewed by the U.S. Fish and Wildlife Service. Any comments USFWS may have concerning Federally listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

12. **Who Should Reply:** The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to approve the proposed bank. Any comments received will be distributed to the members of the Interagency Review Team. Comments should be submitted on or before the expiration date specified at the top of page 1. Comments should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable. Any person may also request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

13. **Reply to the Corps of Engineers:** Comments or questions concerning this notice may be directed to Wendy Frohlich via phone (309/386-3172), email (wendy.m.frohlich@usace.army.mil), or by writing to the following address: US Army Corps of Engineers, Rock Island District, ATTN: Wendy Frohlich-RD, Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004.

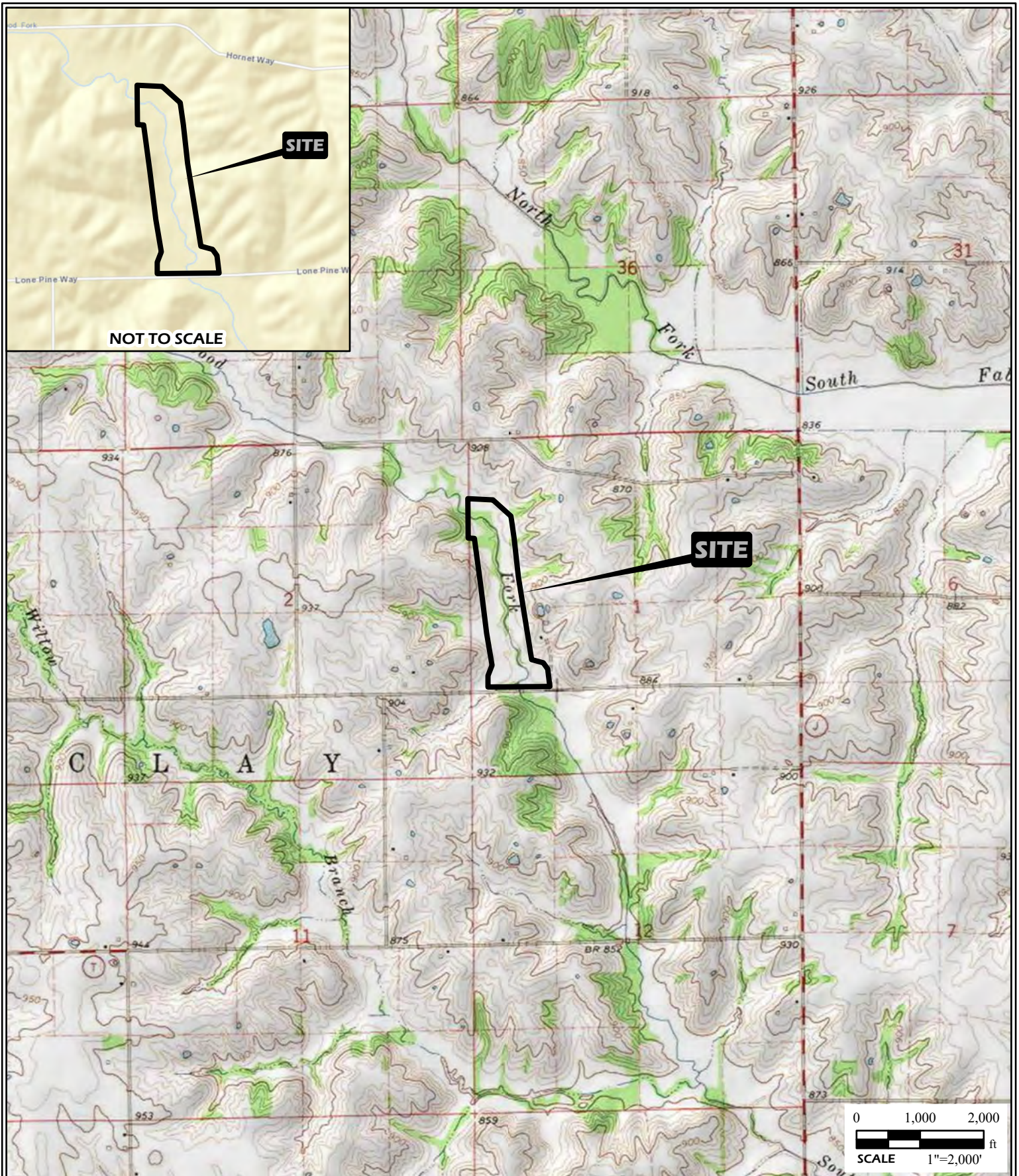
14. **Complete Prospectus:** The complete prospectus can be found on our public website at: https://ribits.ops.usace.army.mil/ords/f?p=107:278:1361763109690::RP,278:P278_BANK_ID:6951. Hard copies are also available by request.



Attach
Plan

Mrs. Wendy M. Frohlich
Special Projects Branch
Regulatory Division

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

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	PROJECT NAME			<u>GENERAL NOTES/LEGEND</u>		
	COTTONWOOD MITIGATION BANK ADAIR COUNTY, MISSOURI			USGS TOPOGRAPHIC MAP WILLMATHSVILLE, MISSOURI QUADRANGLE DATED 1966 10" CONTOURS		
	VICINITY AND TOPOGRAPHIC MAP					
	DRAWN BY	ACV	DATE	JOB NUMBER		
	CHECKED BY	MSH	12/2023	2023-1287.30	STREET MAP HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD_STREET_MAP	
FIGURE 1						

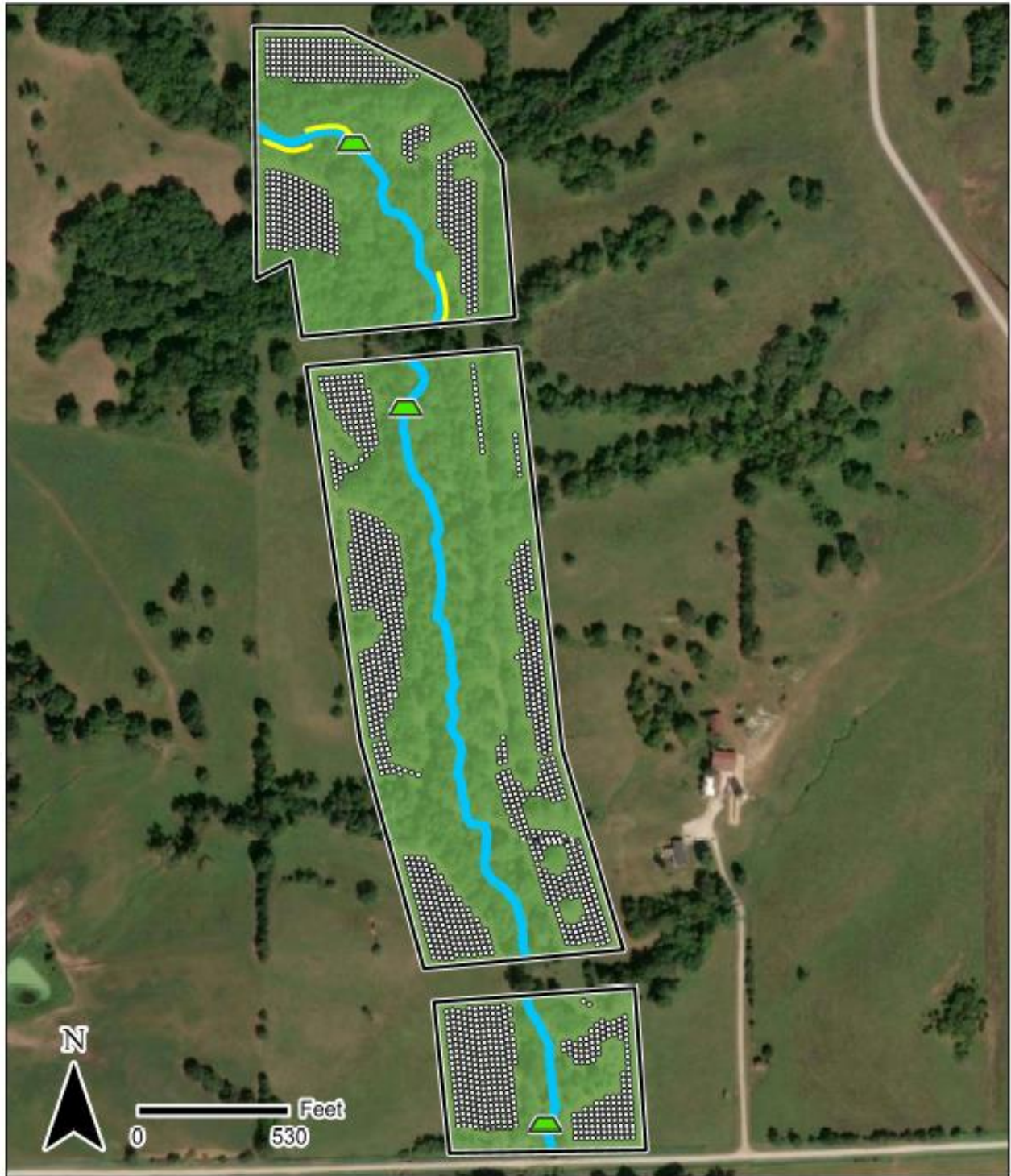


Cuivre/Salt Service Area
Cottonwood Mitigation Bank



Figure 1: Service Area Map

CEMVR-RD-2024-0746 Attachment 2 of 3



Cottonwood Mitigation Bank Mitigation Plan Map

- Proposed Conservation Easement (35.7 ac.)
- Restored Forested Riparian Buffer (34.0 ac.)
- Stream (1.7 ac.)
- Installed Trees (Approximate)
- Stone Toe Protection
- Rock Riffles

Figure 10: Mitigation Plan Map

CEMVR-RD-2024-0746 Attachment 3 of 3