



Public Notice

**US ARMY CORPS
OF ENGINEERS
St. Louis District
Gateway to Excellence**

**Reply To:
U.S. Army Corps of Engineers
Attn: Regulatory Branch
1222 Spruce Street
St. Louis, Missouri 63103-2833**

Public Notice No.
P-2532
Public Notice Date
April 10, 2006

Expiration Date
May 1, 2006

Postmaster Please Post Conspicuously Until:

File Number: 2005-2640

Interested parties are hereby notified that a Mitigation Bank Prospectus has been received pursuant to the guidelines contained in the Federal Guidance for the Establishment, Use, and Operation of Mitigation Banks (60 Fed. Reg. Pages 58605-58614, 1995).

COMMENTS AND ADDITIONAL INFORMATION: All comments 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. Shawn Sullivan

APPLICANT: Wetlands Forever, Inc., Attn: Mr. Michael Thompson, 112 N. Sunset, Bartelso, IL 62218. (618) 204-0199.

LOCATION: The proposed stream and wetland mitigation bank is located east of Interstate 57, north of Church Road, and approximately 3 miles southwest of the City of Salem, Illinois. More specifically, the proposed mitigation bank is located within the Southwest $\frac{1}{4}$ of Section 26 and the Southeast $\frac{1}{4}$ of Section 27, Township 2 North, Range 02 East, Marion County, Illinois.

PROJECT DESCRIPTION: Applicant seeks approval from the Mitigation Bank Review Team (MBRT) composed of representatives from the U.S. Army Corps of Engineers, Illinois Department of Natural Resources, and the U.S. Environmental Protection Agency to establish a stream and wetland mitigation bank within the Middle Kaskaskia River Watershed. The main objective of the proposed mitigation bank is to restore and protect 23.5 acres of two wetland types within the agricultural portions of the site, enhance and protect 940.7 linear feet of unnamed intermittent tributary and associated riparian corridor, and preserve 2,991 linear feet of Crooked Creek channel and associated riparian corridor. The Crooked Creek channel and riparian corridor preservation totals 26.68 acres. The mitigation bank sponsor is developing the mitigation bank with the intent to sell credits commercially to recipients of Section 404 Permits who are required to mitigate for unavoidable and adverse environmental impacts to waters of the United States, specifically creeks and tributaries of

ephemeral, intermittent, and perennial classifications, as well as emergent and forested wetland classifications.

If approved by the MBRT, the mitigation bank would assist in improving the chemical, physical, and biological integrity of the Crooked Creek Watershed. The segment of Crooked Creek that traverses the proposed mitigation bank is included on USEPA's Section 303(d) list. Crooked Creek is a primary tributary to the Kaskaskia River. The mitigation bank will contain a total of 54.5 acres of restored, enhanced, and preserved aquatic resources that will provide an additional option for compensating impacts that occur within the geographic service area of the bank. The geographic service area is proposed to consist of the Middle Kaskaskia River Watershed. The U.S. Army Corps of Engineers may deem impact areas outside the geographic service area to be appropriately mitigated at the proposed bank, on a case-by-case basis. This mitigation bank proposal does not preclude any applicant from complying with Clean Water Act Section 404(b)(1) Guidelines when applying for a Section 404 Permit, and considering 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 maps.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Shawn Sullivan, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8580. Your inquiries may also be sent by electronic facsimile to (314) 331-8741 or by e-mail to Shawn.F.Sullivan@mvs02.usace.army.mil.

AUTHORITY: Section 404 of the Clean Water Act (33 U.S.C. 1344).

PUBLIC HEARING: 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.

ENDANGERED SPECIES: A preliminary determination, in compliance with the Endangered Species Act, as amended, has been made that the work that is proposed would not affect species designated as threatened or endangered, or adversely affect critical habitat. Therefore, no formal consultation request has been made to the United States Department of Interior, Fish and Wildlife Service. In order to complete our evaluation, comments are solicited from the Fish and Wildlife Service and other interested agencies and individuals through this Public Notice.

CULTURAL RESOURCES: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice and we may require a reconnaissance survey of the project area.

EVALUATION OF PROBABLE IMPACTS: The decision whether to authorize Wetlands Forever, Inc. to enter into an agreement with the Corps and MBRT will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit that may reasonably be expected to accrue from the described activity must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the activity described, will be considered including the cumulative effects. Among factors considered are: conservation; economics; aesthetics; general environmental concerns; wetlands; historic properties; fish and wildlife values; flood hazards; flood plain values; land use; navigation; shoreline erosion and accretion;

recreation; water supply and conservation; water quality; energy needs; safety; food and fiber production; mineral needs; consideration of property ownership; and in general the needs and welfare of the people.

SOLICITATION OF COMMENTS FROM THE PUBLIC: The U.S. Army Corps of Engineers 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 the proposed activity. Any comments received will be considered by the U.S. Army Corps of Engineers to determine whether to approve, modify, or deny authorization 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 also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

DANNY D. MCCLENDON
Chief, Regulatory Branch

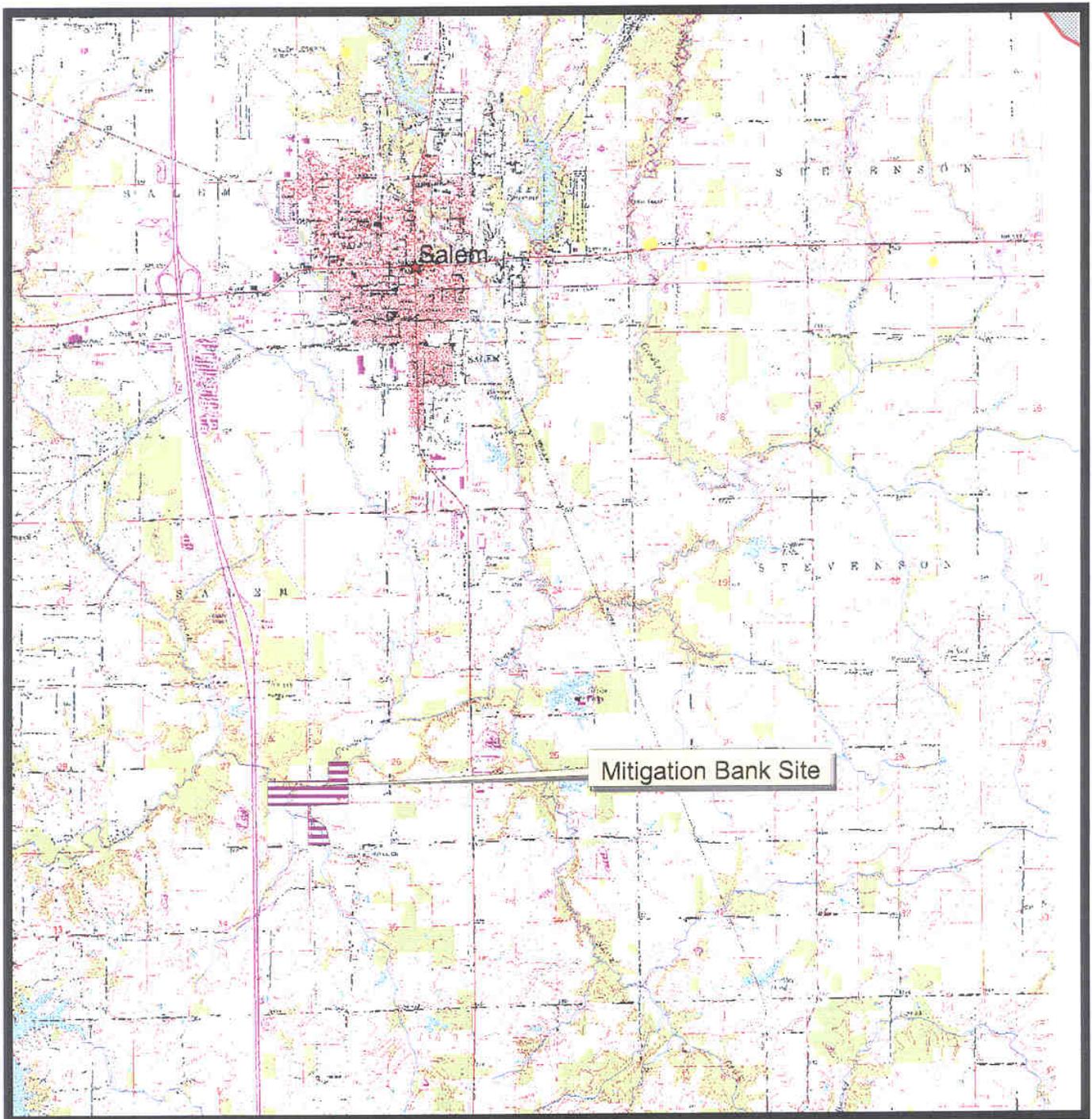
Attachments

NOTICE TO POSTMASTERS:

It is requested that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

Site Location Map

Crooked Creek Stream and Wetland Mitigation Bank



Mar 31, 2006
Made By: Sullivan



Sheet 1 of 4
P-2532
File #2005-2640

State: Illinois
County: Marion
Nearest City: Selmaville
Latitude: 38:34:51.7103
(38.58103064)
Longitude: -88:57:29.1136
(-88.95808712)
UTM X: 0329438.642

UTM Y: 4271895.666
UTM Zone: 16
USGS Quad: Salem South
HUC 8 Name: Middle Kaskaskia
HUC 8 Number: 07140202
Section: 26
Township: 2 N
Range: 2 E
O Section:



Legend

- Gas Line
- - Electric Centerline
- Stream Length
- Access ROW

Mitigation Areas

- Stream Bank Corridor (200 ft) - Upper Site
- Emergent Wetland
- Emergent Wetland / Easement
- Forested Wetland
- Forested/Riparian Corridor Preservation
- No Mitigation

188,222.76 sq ft
4.32 ac
Stream Bank Corridor (200 ft)

940.70 ft

275 137.5 0 275 550 Feet



Crooked Creek Wetland And Stream Mitigation Bank

Table 3.9.1

KEY2	LABEL	SQFEET	ACRES
3a	Forested/Riparian Corridor Preservation	153113.40	3.52
3b	Forested/Riparian Corridor Preservation	483820.92	11.11
3c	Forested/Riparian Corridor Preservation	262274.76	6.02
3d	Forested/Riparian Corridor Preservation	262666.80	6.03
		<u>1161875.88</u>	<u>26.68</u>
4	Stream Bank Corridor (200 ft) - Upper Site	<u>188222.76</u>	<u>4.32</u>
2a	Emergent Wetland / Gas Easement	16814.16	0.39
2b	Emergent Wetland / Gas Easement	6185.52	0.14
2c	Emergent Wetland / Gas Easement	5183.64	0.12
5a	Emergent Wetland	20298.96	0.47
5b	Emergent Wetland / Electric Easement	6534.00	0.15
5c	Emergent Wetland	1437.48	0.03
5d	Emergent Wetland	65078.64	1.49
5e	Emergent Wetland / Electric Easement	43037.28	0.99
5f	Emergent Wetland	49048.56	1.13
		<u>213618.24</u>	<u>4.90</u>
6a	Forested Wetland	27617.04	0.63
6b	Forested Wetland	88993.08	2.04
6c	Forested Wetland	33366.96	0.77
6d	Forested Wetland	351921.24	8.08
6e	Forested Wetland	120182.04	2.76
6f	Forested Wetland	23348.16	0.54
6g	Forested Wetland	130897.80	3.01
6h	Forested Wetland	33671.88	0.77
		<u>809998.20</u>	<u>18.60</u>
7a	No Mitigation due to Easement	120748.32	2.77
7b	No Mitigation due to Easement	40380.12	0.93
7c	No Mitigation due to Easement	56889.36	1.31
7c	No Mitigation due to Easement	8712.00	0.20
7d	No Mitigation due to Easement	44605.44	1.02
7d	No Mitigation due to Easement	7318.08	0.17
7e	No Mitigation / Uplands	51444.36	1.18
		<u>330097.68</u>	<u>7.58</u>
	<u>Total Project Area</u>		<u>62.08</u>

