



**US Army Corps
of Engineers**®
St. Louis District

PUBLIC NOTICE

FILE NUMBER: [MVS-2022-728](#)
PUBLIC NOTICE DATE: [June 23, 2023](#)
EXPIRATION DATE: [July 22, 2023](#)

**This Notice Announces a Prospectus for
WFI Holdings-B LLC
WFI-B Umbrella Mitigation Banking Prospectus**

Pursuant to the Final Rule for the Compensatory Mitigation for Losses of Aquatic Resources, referred to as the Mitigation Rule (33 CFR Parts 325 and 332, and 40 CFR Part 230), dated April 10, 2008; this notice announces a prospectus for the establishment of an Umbrella (UMBI) mitigation program within Missouri. There is 18 ecological drainage units (EDUs) which correspond to ecoregions and watersheds in the state. This WFI-B UMBI incorporates five EDUs; the Moreau/Loutre, Meramec, Apple/Joachim and Upper St. Francis/Castor watersheds within the Ozark Subregion, and the Cuivre/Salt watersheds within the Central Plains subregion

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. David Meyer

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

LOCATION: The areas to be serviced by the WFI-B UMBI are located in Ecoregion 40 – Central Irregular Plains, Ecoregion 72 – Interior River Valley and Hills, and Ecoregion 39 – Ozark Highlands.

Service Areas

Service Area-EDU	Acronym EDU	Service Area HUC Codes	Primary Tributaries	Primary Tributary HUC Codes
Ozark-Moreau/Loutre	OML	103002	Lower Missouri	10300200
		103001	Lower Missouri-Moreau	10300102
Ozark-Apple/Joachim	OAJ	071401	Upper Mississippi-Cape Girardeau	7140105
			Cahokia-Joachim	7140101
Ozark-Upper St. Francis/Castor	OUSFC	080202	Upper St. Francis	8020202
		071401	Whitewater	7140107
Ozark-Meramec	OM	071401	Bourbeuse	7140103
			Meramec	7140102
			Big	7140104

Central Plains- Cuivre/Salt	CPCS	071100	Bear- Wyaconda	7110001
			North Fabius	7110002
			South Fabius	7110003
			The Sny	7110004
			North Fork Salt	7110005
			South Fork Salt	7110006
			Salt	7110007
			Cuivre River	7110008
			Peruque-Piasa	7110009

PURPOSE AND PROPOSED DESCRIPTION: Umbrella Mitigation Banking Programs (UMBP) are one of several practicable options available to applicants to compensate for unavoidable impacts to waters of the United States that are associated with permits issued under the authority of Sections 404 and 401 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. The accompanying WFI-B UMBP prospectus outlines the circumstances and manner in which this program will provide a compensatory mitigation option to permit applicants under the Corps of Engineer's permit program. The use of the WFI-B UMBP to compensate for unavoidable impacts to aquatic resources is a decision of the Corps of Engineers and there is no guarantee that any individual or general permit will be granted authorization because of proposed use of this UMBP. Therefore, the Sponsor is seeking approval of the WFI-B UMBP from the Inter-Agency Review Team (IRT), which is composed of representatives from the U.S. Army Corps of Engineers (USACE), Missouri Department of Natural Resources, Missouri Department of Conservation, the U.S. Environmental Protection Agency, and U.S. Fish and Wildlife Service.

WFI-Holdings-B LLC (program sponsor) proposes to create, maintain, and protect diverse wetland, stream and aquatic systems that provide habitat for wildlife, and perform many of the functions of naturally occurring aquatic systems found in this region. Some of the primary functions and qualities that mitigation banks within the WFI-B UMBP are intended to provide are improved water quality, flood control, aesthetics, species habitat, and a source of groundwater recharge and discharge, among other benefits. In addition, the bank sites will potentially serve as recreational and educational areas for the communities in which they are developed. In addition to the many natural function's mitigation banks within the WFI-B UMBP will provide, they can be used to provide a reliable source of compensatory mitigation for anticipated adverse impacts to jurisdictional waters and wetlands located within the WFI-B UMBP's geographic service areas.

The Sponsor proposes to manage the development, release, and use of mitigation credits under the proposed WFI-B UMBP. Mitigation credits generated and approved by the IRT, on a site-specific basis, may be used for future USACE Section 404 permits that require compensatory mitigation within the WFI-B UMBP service areas. Mitigation site-specific details including service area, mitigation type, release schedule, etc. for each site under the proposed WFI-B UMBP would be provided in Site-Specific Mitigation Plans included as addenda to the Final WFI-B UMBP instrument. When identified, each individual banking site will be placed on a 30-day public comment period in which interested parties may provide input on the details of the proposed sites. The WFI-B UMBP anticipates setting the framework by which future individual mitigation sites will be added as addenda to the WFI-B UMBP as they are identified. The roles and responsibilities of the IRT will be outlined, including responsibilities related to review of future site-specific mitigation plans within the WFI-B UMBP. Additional details on the establishment, use, operation, maintenance and closure of the WFI-B UMBP are provided in the prospectus.

The sponsor intends to accept the transfer of mitigation responsibility from permit applicants and will assume

all legal responsibility for satisfying mitigation requirements for which fees have been accepted (i.e., implementation, performance, and long-term management of specific mitigation sites as outlined in the accompanying prospectus). Individual projects will be provided to the IRT for consideration, comment, modification and approval. Oversight of this Umbrella Banking program will be conducted by the IRT, chaired by the Corps of Engineers. The Corps and IRT have been provided an opportunity for a cursory review of the accompanying document. At this time the Corps has determined that it sufficiently meets the requirements for a complete prospectus and issuance of a public notice. The Public Notice and the complete prospectus are posted on the St. Louis District's Regulatory web pages:

<https://www.mvs.usace.army.mil/Missions/Regulatory/Public-Notices/>

LOCATION MAPS AND DRAWINGS: See attached maps.

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.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting David Meyer, Project Manager, U.S. Army Corps of Engineers, at (314) 331-8810. Your inquiries may also be sent by e-mail to David.p.meyer@usace.army.mil.

ENDANGERED SPECIES: In compliance with section 7 of the Endangered Species Act [16 U.S.C. 1531 et seq.], we will work cooperatively with the applicant and the U.S. Fish and Wildlife Service (Service) in analyzing effects posed by proposed actions on listed species or designated critical habitats. We will obtain or review an applicant provided official species list from the Service's IPaC website at <https://ecos.fws.gov/ipac/>. Following the comment period, we will make an effect determination and consult with the Service on actions that may affect listed species or designated critical habitat to ensure those actions will not jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. In order to complete our evaluation, comments are solicited from other interested agencies and individuals through this Public Notice

CULTURAL RESOURCES & TRIBAL TRUST: The St. Louis District will evaluate information provided by the State Historic Preservation Officer and the public in response to this public notice, the bank sponsor will perform a reconnaissance survey of each individual banking site.

PUBLIC HEARING REQUESTS: The decision whether to authorize the WFI Holdings-B LLC to enter into an agreement with USACE and IRT 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: 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.

Robert S. Gramke

Robert S. Gramke
Chief, Regulatory Branch

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.