

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-3145

Public Notice Date

December 22, 2020

Expiration Date

January 20, 2021

Postmaster Please Post Conspicuously Until:

File Number: MVS-2020-552

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. Tyson Zobrist

SPONSOR: Lyme Illinois Mitigation Holdings LLC, Attn: Mr. Brian Normanly, 3414 Peachtree Road NE, Suite 990, Atlanta, Georgia 30326. (770) 820-8270.

LOCATION: The proposed wetland mitigation bank is located 8.6-miles northwest of Pinckneyville, Illinois, west of IL-127 and along the south side of Sawmill Road. More specifically, the proposed mitigation bank is located within the Northeast $\frac{1}{4}$ of Section 8, Township 04 South, Range 03 West of the 3rd Principle Meridian, Perry County, Illinois. Approximate geographic coordinates for the site are 38.198149°, -89.447357°.

PROJECT DESCRIPTION: Bank Sponsor seeks approval from the Mitigation Bank Review Team (MBRT) which is composed of representatives from the U.S. Army Corps of Engineers, Illinois Department of Natural Resources, the U.S. Environmental Protection Agency, and U.S. Fish and Wildlife Service to establish the Swanwick Creek Stream and Wetland Mitigation Bank within the Big Muddy Watershed/Service Area. The primary objective of the proposed mitigation bank is to establish, restore, enhance and permanently protect 8.7 acres of forested and emergent wetlands, as well as enhance and protect 16,273 linear feet of the existing 22,871 linear feet of perennial, intermittent and ephemeral streams and drainage features identified on site. The mitigation bank is proposed within a 157-acre property with varying topography. The work includes the preservation of Swanwick Creek and the restoration, enhancement, and preservation of unnamed tributaries of

Swanwick Creek that have been disturbed by agricultural and silvicultural activities, primarily corn/soybean production. The conceptual design provides 16,273 linear feet of stream morphology improvements, stabilization, habitat improvement and preservation activities, including riparian buffer enhancement. In addition to stream mitigation activities, the bank proposes to provide an additional 3.79 acres of wetland establishment/restoration and 4.91 acres of wetland preservation. If approved, the establishment, restoration and enhancement activities will be performed generating credits from the environmental improvements and will be available for sale on an incremental basis if the mitigation bank meets its anticipated goals set forth in an approved mitigation banking instrument. Credits from the project are not available for sale until documentation is provided by the bank sponsor that environmental restoration will proceed, and written approval is granted by the Corps in consultation with the MBRT. The mitigation bank sponsor is developing the mitigation bank with the intent to sell the mitigation credits to recipients of Section 404 Permits who are required to compensate for unavoidable and adverse environmental impacts to waters of the United States. Specifically, the waters of the United States that will be compensated at the proposed bank include streams and wetlands with emergent, scrub shrub and forested classifications. Upon request, a copy of the Mitigation Banking Prospectus is available for review in our office or available online at <https://www.mvs.usace.army.mil/Missions/Regulatory/Public-Notices/>, please reference P-3145.

If approved by the MBRT, the mitigation bank would assist in improving the chemical, physical, and biological integrity of the Big Muddy Watershed. Upon approval the mitigation bank would provide 4.28 credits for the established/restored and site protected wetland resources, and 110,312.81 credits for the stream and riparian buffer enhancement work. All proposed stream credits are generated utilizing the Illinois Stream Mitigation Method. The credits will be available for compensating impacts that occur within the geographic service area of the bank. The proposed geographic service area consists of the Big Muddy Watershed/Service Area with secondary service areas proposed by the sponsor of Middle Kaskaskia, Lower Kaskaskia and Upper Mississippi/Cape Girardeau in Illinois. On a case-by-case basis and with justification, the U.S. Army Corps of Engineers may allow debits from impact areas outside the geographic service area to be appropriately mitigated at the proposed bank. This mitigation bank proposal does not preclude any Section 404 permit applicant who intends or is required to use the mitigation bank from complying 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 maps.

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.

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: 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 insure 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: The sponsor has completed a Phase I archaeological reconnaissance and located archaeological materials; site(s) that may meet requirements for National Register eligibility. Further testing is recommended. The District will evaluate this information and coordinate with the State Historic Preservation Officer, Native American Tribes and the public based on the comments received by this public notice.

EVALUATION OF PROBABLE IMPACTS: The decision whether to authorize Lyme Illinois Mitigation Holdings LLC 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.

Robert S. Gramke

ROBERT S. GRAMKE
Chief, Regulatory Branch

Attachment

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.

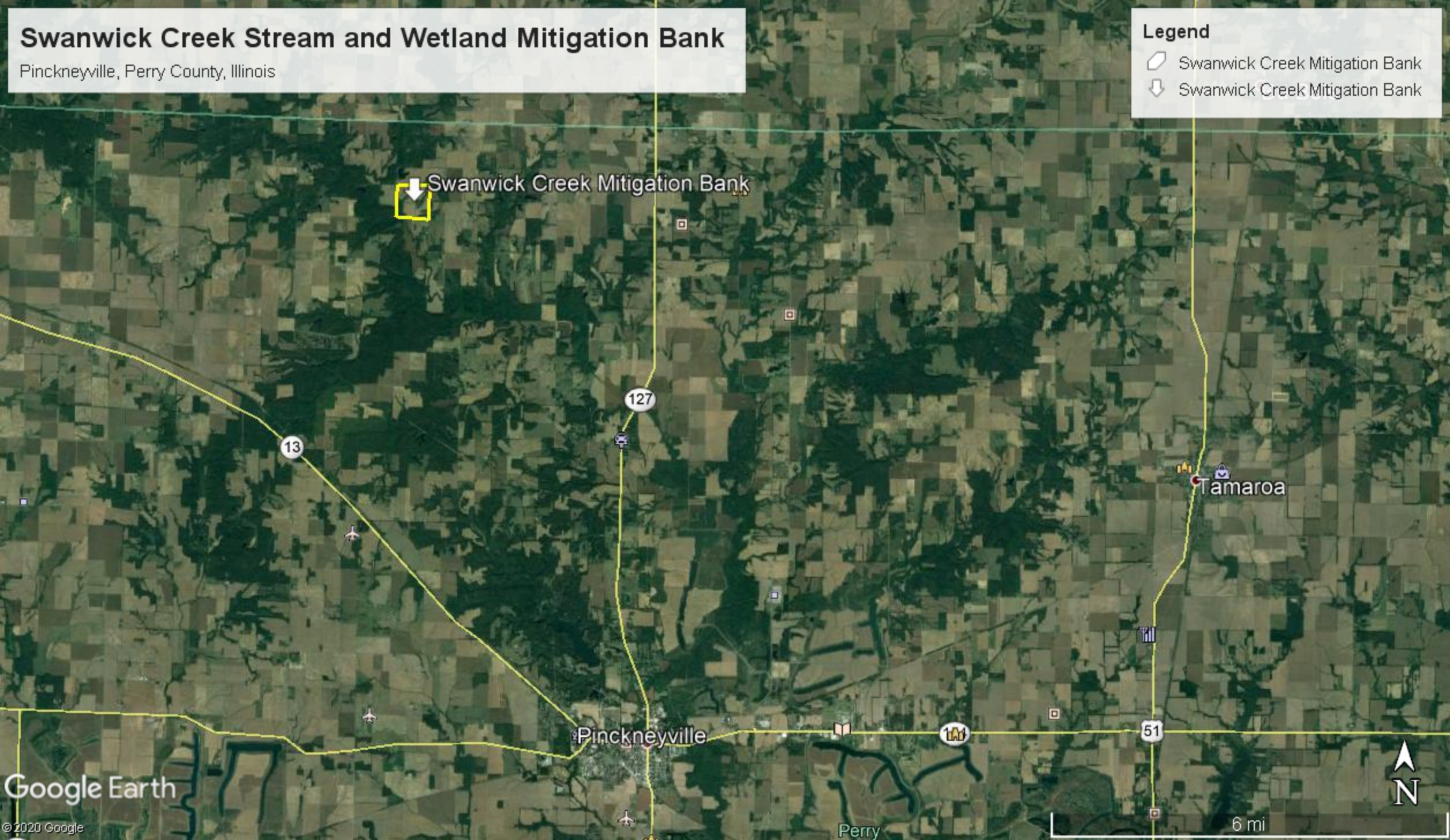
Swanwick Creek Stream and Wetland Mitigation Bank

Pinckneyville, Perry County, Illinois

Legend

 Swanwick Creek Mitigation Bank


 Swanwick Creek Mitigation Bank



Swanwick Creek Stream and Wetland Mitigation Bank

Pinckneyville, Perry County, Illinois

Legend

 Swanwick Creek Mitigation Bank

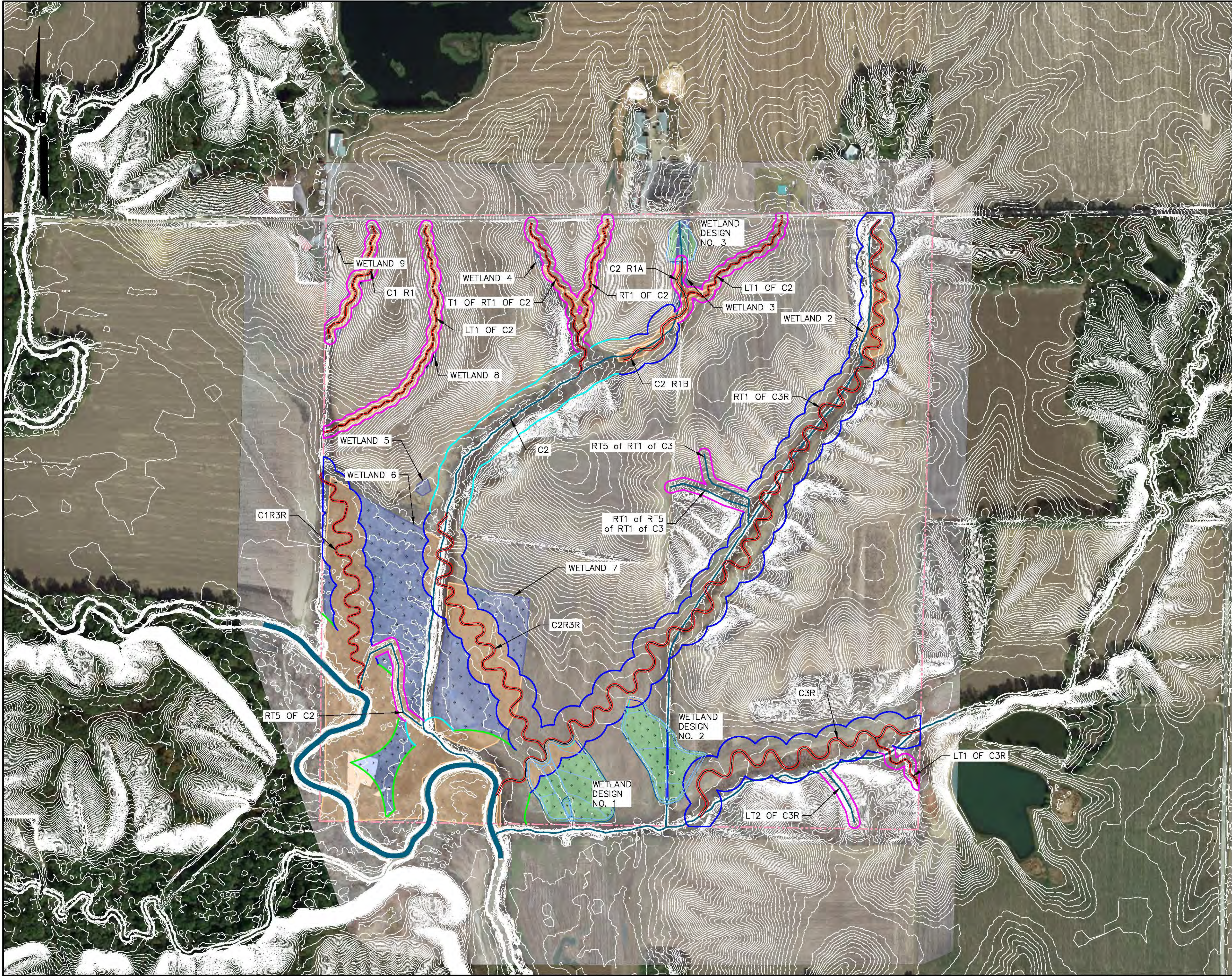
Sawmill Rd



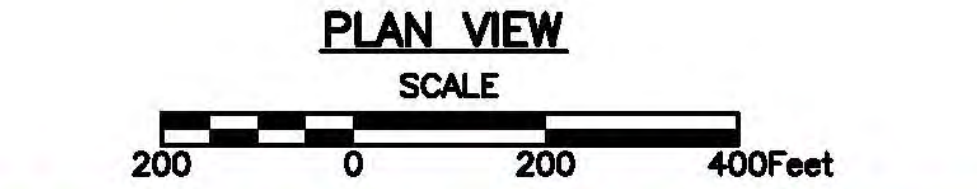
Jonquil Rd


N

1000 ft



- LEGEND:**
- PROPERTY BOUNDARY
 - DESIGNED STREAM CHANNEL
 - EXISTING STREAM CHANNEL
 - 50-FOOT BUFFER
 - 125-FOOT BUFFER
 - 150-FOOT BUFFER
 - 300-FOOT BUFFER
 - DESIGNED WETLAND (CONSTRUCTED)
 - DELINEATED WETLAND (ENHANCED AND/OR PRESERVE)
 - RIPARIAN BUFFER WETLAND



CONCEPT PACKAGE

REV.	DATE	DESCRIPTION	P.M.
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WETLAND AND STREAM BUFFER MAP

CONCEPTUAL MITIGATION BANK DESIGN
SWANWICK, ILLINOIS

Prepared For
LYME ILLINOIS MITIGATION HOLDINGS
ATLANTA GEORGIA

CAD BY	DJS	11/17/20	PROJECT NO. B19-525-1760
CHECKED BY			
APPROVED BY			DRAWING NO. B19-525-D23