

Public Notice

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

**Reply To:
U.S. Army Corps of Engineers
Attn: CEMVS-OD-F
1222 Spruce Street**

Public Notice No.
MVS-2020-742
Public Notice Date
April 14, 2021
Expiration Date
May 13, 2021

Postmaster Please Post Conspicuously Until:

File Number: MVS-2020-742

Interested parties are hereby notified that the Land Learning Foundation (Sponsor) has requested under their In-Lieu-Fee (ILF) Program Instrument and corresponding amendment; approval for an ILF mitigation project 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: All comments related to this ILF mitigation project 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

IN-LIEU FEE SPONSOR: Land Learning Foundation
P.O.C. Mr. Larry Pollard
P.O. Box 55
Keytesville, MO 65261

LOCATION: The Sponsor proposes this ILF mitigation project (St. Francis River Site) within the Upper St. Francis Ecological Drainage Unit (EDU). The subject site consists of approximately 11.0+/- acres and contains the left descending bank of the St. Francis River, which originates in Iron County, Missouri, and flows 225 miles south to the Arkansas Border. The Upper St Francis River, where the proposed mitigation site lies, is characterized by high relief streams characteristic of the Ozark region of Missouri. Land use in the Upper St. Francis River watershed is dominated by forest and pastureland, with some concentrated urban areas in the upper portion of the basin. The St. Francis River is a 5th order stream at the proposed Mitigation Site. This in-lieu fee mitigation project is located at Sections 10 and 15, Township 31 north, Range 5 east in Madison County, Missouri. The approximate center of the project site is located at 37° 22' 38.3" N; 90° 28' 32.9" W.

PROJECT DESCRIPTION: The Sponsor seeks approval from the U.S. Army Corps of Engineers (the Corps) and the Interagency Review Team (IRT); which is composed of representatives from the

U.S. Environmental Protection Agency, U.S. Fish & Wildlife Service, Missouri Department of Natural Resources, and Missouri Department of Conservation; to establish the St. Francis River project as an authorized source of stream mitigation credit. The Sponsor would make the stream 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 project includes the preservation and restoration of riparian corridor, as well as the stabilization of highly eroded and incised channel bank.

The Sponsor proposes to restore, protect, and maintain 4,115 linear feet of perennial stream channel with riparian corridor. The restored and preserved corridor will generally extend 100 feet perpendicular from the left descending channel bank. The riparian work includes restoration (>50% of riparian zone) and enhancement (10 – 50% of riparian zone) through tree planting, native grass and wildflower seeding, and invasive species removal. Riparian areas that are already greater than 90% forested will be preserved under a conservation easement and invasive species will be removed.

The project consists of bank stabilization and riparian restoration, enhancement and preservation. One area of approximately 1,000 linear feet along the St. Francis River exhibits significant gravel deposition that has caused the stream channel to widen and erode the high bank during high flow events. Rock structures will be installed to direct high flows away from the unstable bank. Bank stabilization will use a combination of bank shaping, rock weirs (stream barbs), longitudinal peaked stone toe protection, brush layering, and vegetative staking. A full technical description can be found in the attached stabilization plan.

The property owners will record a perpetual conservation easement on the mitigation site. The conservation easement will protect this reach of the St. Francis River and its riparian corridor from future clearing and other disturbances. The Sponsor will assume responsibility for long-term monitoring of the requirements of the conservation easement.

If approved by the Corps, the St. Francis River project will create a total potential credit release of 8,663.6 stream credits. Mitigation credits generated by this project will be released for debiting on an incremental basis, determined by the project's successful achievement of performance criteria as set forth in the ILF Program Instrument.

This ILF mitigation program does not preclude the requirement for any Section 404 permit applicant, who intends or is required to use stream credits generated by this mitigation project, to comply with Clean Water Act Section 404(b)(1) Guidelines; the National Environmental Policy Act; and our evaluation of probable impacts on public interest.

LOCATION MAPS AND DRAWINGS: See attached.

ADDITIONAL INFORMATION: Additional information may be obtained by contacting Mr. 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.

AUTHORITY: This permit will be processed under Section 404 of the Clean Water Act (33 U.S.C. 1344).

ENDANGERED SPECIES: The proposed project is within the range: the federally endangered Indiana bat (*Myotis sodalis*), Gray bat (*Myotis grisescens*), and Snuffbox Mussel (*Epioblasma triquetrand*). Also, the Northern Long-eared bat (*Myotis septentrionalis*) and Rabbitsfoot

(***Quadrula cylindrica cylindrica***) are currently threatened species and are proposed candidates for endangered status. The Big Creek Crayfish (***Faxonius peruncus***) and St. Francis River Crayfish (***Faxonius quadruncus***) are currently on the proposed threatened species list. The Corps is coordinating with the U.S. Fish and Wildlife Service and the applicant is taking measures to minimize 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.

CULTURAL RESOURCES: The ILF mitigation project will be evaluated for compliance with the National Historic Preservation Act of 1966 and 36 CFR 800. The St. Louis District will consider information provided by the State Historic Preservation Office, Federally-recognized tribes, and the public in response to the proposed mitigation project.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the proposed ILF project and to solicit comments. The decision to allow or deny the Sponsor to proceed with the mitigation 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: conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and the general needs and welfare of the people. The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Native American tribes; and other interested parties in order to consider and evaluate the proposed mitigation project.

PUBLIC HEARING: Any person may request, in writing, prior to the expiration date of this public notice, that a public hearing be held to consider this ILF mitigation 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.

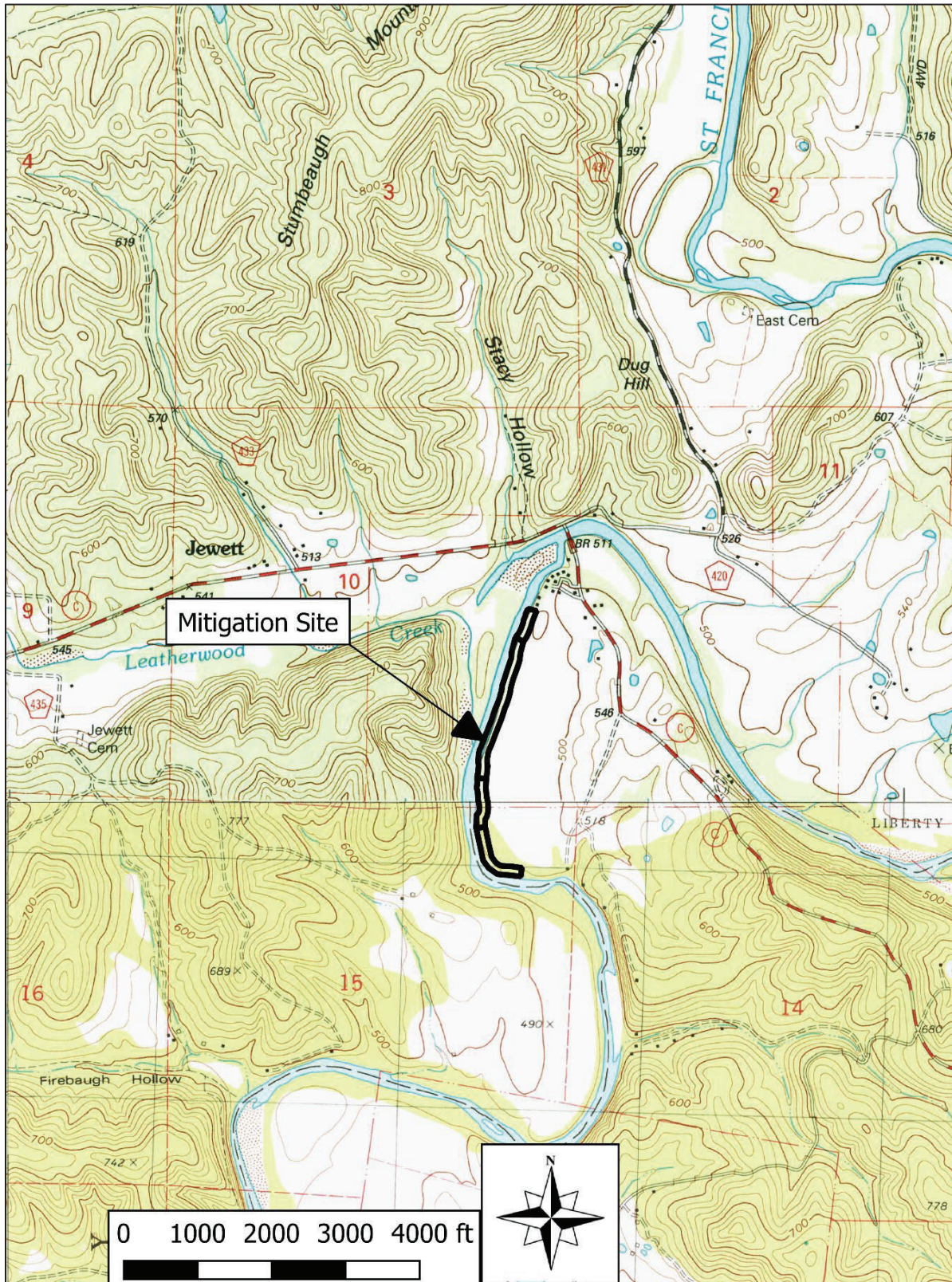
Robert S. Gramke
Chief, Regulatory Branch

Attachments

NOTICE TO POSTMASTERS:

The Corps requests that this notice be conspicuously and continually placed for 21 days from the date of this issuance of this notice.

Figure 3. USGS Topographic Map



John Sample: St. Francis River Stabilization

T31N, R 5E Sec. 10 &15, Madison Co. Mo.

Near Saco, MO.

Lat. 37.37462 Lon. -90.47870



Figure 4. Net Benefit Map

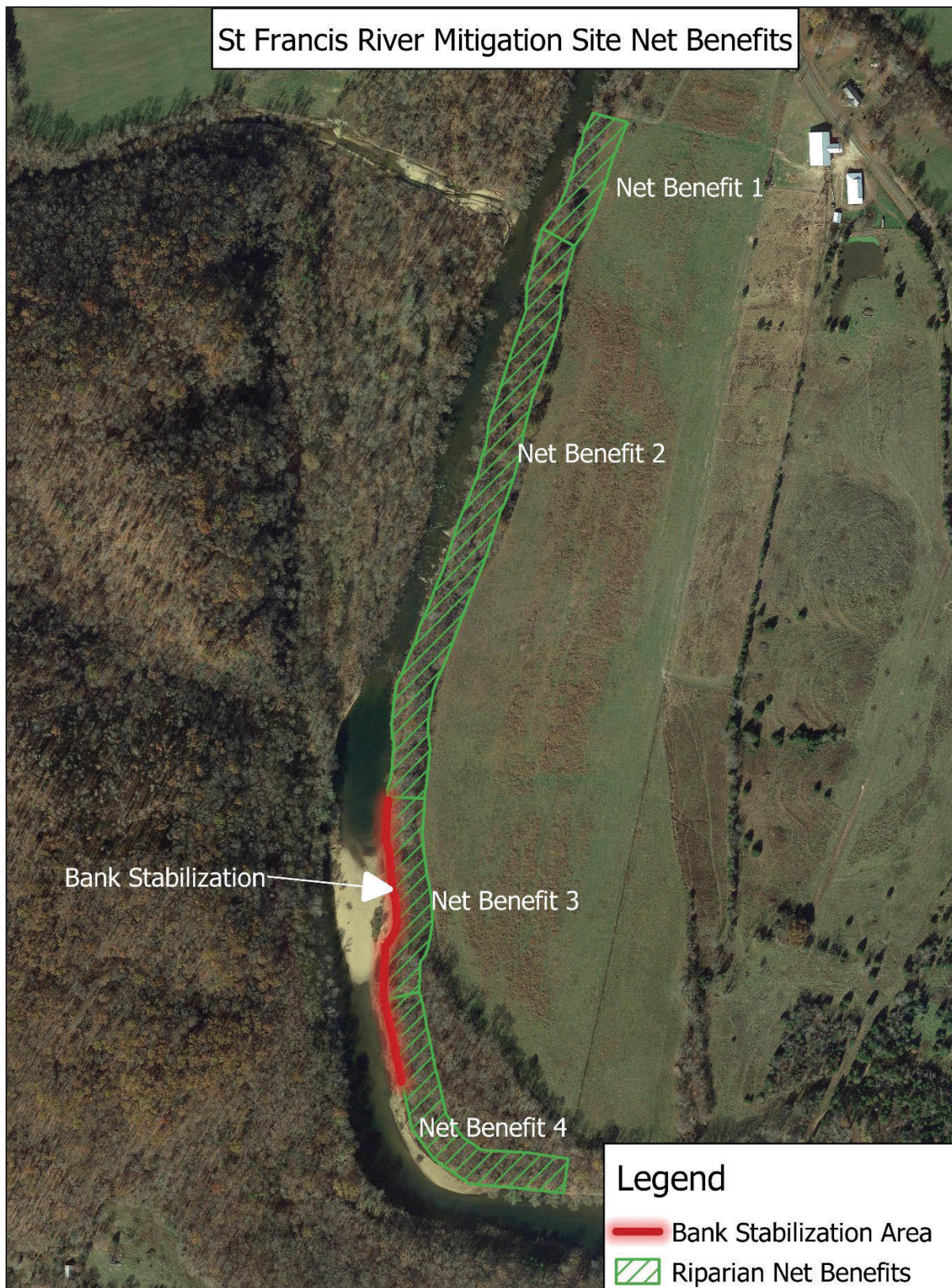


Table 4. Riparian Buffer Worksheet

Stream Type	Ephemeral 0.15	Intermittent 0.2	Perennial 0.4
Priority Waters	Tertiary 0.05	Secondary 0.2	Primary 0.4
Net Benefit (for each side of stream)	Riparian Restoration/Establishment, Enhancement, and Preservation Factors (select values from Table 1) (also see Minimum Buffer Width (MBW) page 15)		
Supplemental Buffer Credit	Condition: Buffer established, enhanced or preserved on both streambanks To calculate: (Net Benefit Stream Side A + Net Benefit Stream Side B) / 2		
Site Protection	Corps approved site protection without third party grantee 0.05	Corps approved site protection recorded with third party grantee, or transfer of title to a conservancy 0.2	
Credit Schedule	Schedule 1 0.15	Schedule 2 0.05	Schedule 3 0
Temporal Lag (Years)	Over 20 -0.3	10 to 20 -0.2	5 to 10 -0.1
			0 to 5 0

Factors		Net Benefit 1	Net Benefit 2	Net Benefit 3	Net Benefit 4
Stream Type		0.4	0.4	0.4	0.4
Priority Waters		0.4	0.4	0.4	0.4
Net Benefit	Stream Side A	0.35 (100')	0.18 (100')	0.70 (100')	0.18 (100')
	Stream Side B	0	0	0	0
Supplemental Buffer Credit (Buffer on both sides)		0	0	0	0
Site Protection		0.2	0.2	0.2	0.2
Credit Schedule	Stream Side A	0	0	0	0
	Stream Side B	0	0	0	0
Temporal Lag		-0.2	0	-0.2	0
Sum Factors (M)=		1.15	1.18	1.5	1.18
Linear Feet of Stream Buffered (LF)= (do not count each bank separately or count		430	1,970	690	1,025
Credits (C) =M X LF		494.5	2,324.6	1,035	1,209.5
Total Credits Generated C X LK Factor * *=		----- -			

Total Riparian Credits Generated from all Columns = 5,063.6

** Location and Kind (LK) Factor only applies to permittee-responsible mitigation projects

Table 5. In-Stream Credit Worksheet

Stream Type	Ephemeral 0.15		Perennial 0.4	
Priority Waters	Tertiary 0.05	Secondary 0.2		Primary 0.4
Net Benefit (for each side of stream)	Stream Relocation to Accommodate Authorized Project 0.5	Moderate 1.2	Good 2.4	Excellent 3.5
Site Protection	Corps approved site protection without third party grantee 0.1		Corps approved site protection recorded with third party grantee, or transfer of title to a conservancy 0.4	
Credit Schedule	Schedule 1 0.3	Schedule 2 0.1		Schedule 3 0

Factors	Bank Stabilization 1
Stream Type	0.4
Priority Waters	0.4
Net Benefit	2.4
Site Protection	0.4
Credit Schedule	0
Sum Factors (M)=	3.6
Linear Feet of Stream Buffered (LF)= (do not count each bank separately or count same channel segment twice)	1,000
Credits (C) =M X LF	3,600
Total Credits Generated C X LK Factor ** =	

Total Instream Credits Generated from all Columns = 3,600