



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

PUBLIC NOTICE

Sponsor: Central Indiana Mitigation Providers, LLC
248 Southwoods Centre, Columbia, IL 62236

Issued: August 21, 2023
Expires: September 19, 2023

Corps Project Number: CEMVR-RD-2023-1080

Proposed Project: Whistle Stop Stream Mitigation Bank

STREAM COMPENSATORY MITIGATION BANK PROPOSAL

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).

- 1. Project Location:** The proposed site consists of an approximately 2,982-foot section of Jim Creek, east of Dexfield Way and west of Creamery Road within Section 31, Township 78 North, Range 29 West, Dallas County, Iowa. See attached location maps. Latitude 41.504978, Longitude -94.228486.
- 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 the Army Permits. Other objectives include the enhancement and creation of additional wildlife habitat, the restoration of native vegetation within the riparian buffer, re-meandering and pulling back of streambank slopes to increase stream stability, the construction of floodplain benches to provide a floodplain connection for frequent flows, and to provide stream mitigation credits for project impacts proposed by other entities.
- 3. Project Description/Bank Establishment:** The bank sponsor proposes to complete activities in one phase on 45.12-acres of property in Dallas County, Iowa. The creek occupies 2,982-linear feet and the proposed conceptual alignment would re-meander the channel to a length of approximately 3,478-linear feet. This project would result in the generation of approximately 48,676 stream compensatory mitigation credits. As it currently exists, the channel is relatively narrow and is deeply incised with nearly vertical slopes. The proposed alignment is designed with the intention of simulating a natural meander within the channel to reduce the risk of erosion, provide an immediate floodplain connection, and increase stability. The alignment was developed to maximize the length of the new channel while maintaining a minimum radius of curvature for stability. An undetermined amount of rock riffles will likely be placed within the upper reach of the stream channel for further grade control, stability, and to provide habitat. The Rosgen Bank Erosion Hazard Index (BEHI) method was used to assess the current stream configuration and will also be used to verify the channel performance post-construction along with HEC-RAS modeling software. Other improvements associated with the project include restoring and creating a diverse riparian buffer habitat of native mesic species. Vegetation will be managed by periodic mowing, prescribed fire, herbicide application, and seeding with native species. Additional information on construction techniques, target plant community types, and planting plans will be completed prior to the submission of the draft Mitigation Banking Instrument.
- 4. Service Area:** The proposed mitigation bank will be in the Lower Des Moines Service Area.

5. Bank Need/Technical Feasibility/Ecological Suitability:

A. The Iowa Department of Transportation (Iowa DOT) five-year Statewide Transportation Improvement Program and Capital Improvement Programs for the cities of Des Moines, West Des Moines, Ankeny, and Indianola were reviewed to understand the current and future need for stream mitigation within the service area. Numerous projects of varying scale and complexity were noted and should provide a continual need for future stream mitigation credits within the Lower Des Moines Service Area.

B. Historically, this segment of Jim Creek was straightened at some point and is currently deeply incised with streambanks averaging 12-feet in height. There is sufficient area within the Bank to re-meander the creek with a wide radius of curvature, which would allow for a more natural floodplain connection, improve aquatic habitat, reduce sediment and nutrient runoff, and limit bank and bed sediment loads from this reach of the creek. The surrounding riparian buffer has the capacity for both creation and restoration. Tree plantings are not anticipated, but herbaceous vegetation within areas containing trees will be managed to remove invasive species and increase species diversity.

C. The Bank is located in the North Branch-North River HUC 12 (Exhibit 9 HUC 12 Watershed) and is within the floodplain of Jim Creek (Exhibit 10 Mitigation Bank Floodplain). Natural sinuosity will be reintroduced to the alignment of Jim Creek within the Bank. Riparian buffers augment aquatic resource functions and help increase overall ecological functions. The Bank will establish and maintain riparian buffers to ensure its self-sustainment. The mitigation bank will also provide a functional lift through the removal of invasive species and by planting a more diverse native seed mix. Wildlife moves within the property and will continue to have access to adjacent habitat. Wildlife that may utilize the Bank includes white-tailed deer, fox, coyotes, frogs, small fish, and migratory birds.

6. Long Term Management: The Bank shall be preserved in perpetuity with a conservation easement. A Long-Term Management Fund (LTMF) will be established and used for Bank management and repairs, post-closure. A maintenance contractor would perform annual vegetation maintenance throughout the life of the Bank. The Sponsor has a maintenance contractor committed to maintaining other mitigation banks in Iowa and they are prepared to maintain Whistle Stop Mitigation Bank as well. Erosion or other issues with the stream post-construction would be fixed by a construction contractor. Prior to bank closure, the bank will be meeting or exceeding performance standards.

7. Sponsor Qualifications: The Sponsor, Central Indiana Mitigation Providers, LLC, together with affiliate entities, is engaged in the development and management of mitigation banks spanning multiple states and Corps districts. Whistle Stop Mitigation Bank will be the 3rd project in Iowa, preceded by the Pabst Wetland & Stream Mitigation Bank and Bunker Stream Mitigation Bank (pending). The Sponsor is under contract to purchase the property to develop a stream mitigation bank by re-meandering Jim Creek, establishing diverse riparian buffers full of native species, and enhancing emergent wetland vegetation. A contractor with experience excavating, seeding, and stabilizing wetlands and streams will be utilized to construct the mitigation bank. During the monitoring phase, a contractor will maintain the property to remove invasive species and manage maintenance activities to meet approved performance standards.

8. Water Rights: The Bank is appropriately sited and will be designed to ensure the natural hydrology of Jim Creek and the landscape position will support long-term sustainability and function as a self-sustaining system. The Sponsor owns the license agreements to all underlying real property and water rights sufficient to ensure perpetual viability of the Bank.

9. Agency Review: The Corps is participating in this matter as the chair of the Interagency Review Team (IRT), which consists of the Corps, the Natural Resources Conservation Service, the U.S. Fish and

Wildlife Service (USFWS), the U.S. Environmental Protection Agency, and the Iowa 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: Based on a review of historic and current aerial photos, topographic maps, and available cultural resource databases, it is the opinion of the Corps that the permit area may have the potential to contain historic properties, which may be potentially eligible for listing on the National Register of Historic Places (NRHP). The Corps will require the applicant to submit a Phase I archaeological survey and geomorphological evaluation report covering the permit area. Geomorphological investigation must extend at least 50 centimeters below the proposed depths of soil disturbance or to a depth below which no possibility of historic properties exists. The applicant, in addition to this Phase I report, may be required to conduct additional Phase II test excavations to evaluate sites for eligibility for inclusion in the NRHP, as well as other studies, site avoidance, or data recovery as may be the case.

11. Endangered Species: This proposal will be coordinated with the USFWS. Any comments USFWS may have concerning Federally listed threatened or endangered wildlife, plants, or their critical habitat will be considered in our final assessment of the described work.

12. Who Should Reply: The Corps 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 in determining whether to approve the proposed bank. Received comments will be distributed to the members of the IRT. Comments should be submitted on or before the expiration date specified at the top of page one. 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 Daniel Lange via phone (309/794-4209), email (Daniel.s.lange@usace.army.mil), or by writing to the following address: US Army Corps of Engineers, Rock Island District, ATTN: Daniel Lange - 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:::RP,278:P278_BANK_ID:6682. Hard copies are also available by request.



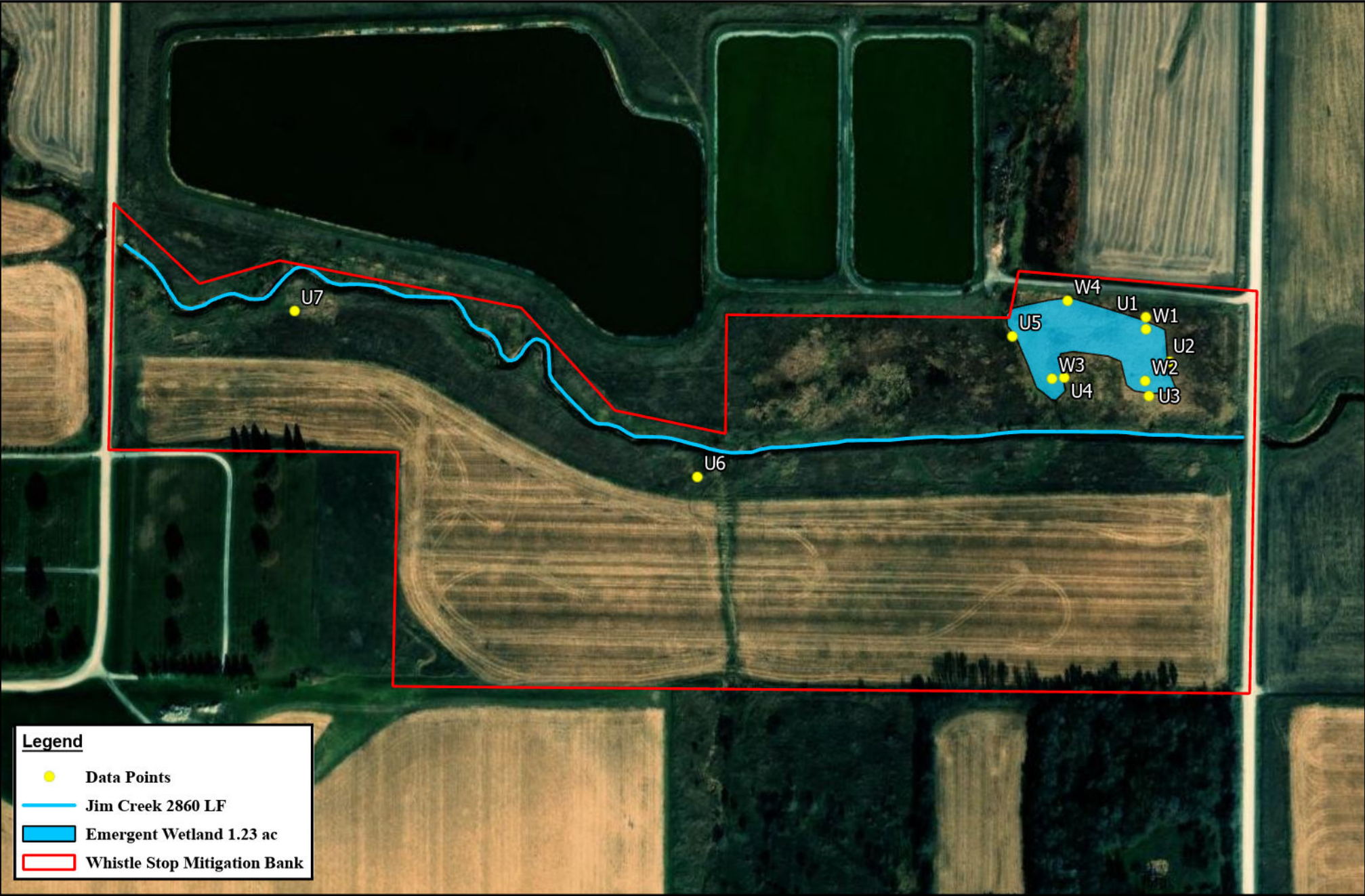
Aurora C. Scott
Chief, Eastern Branch
Regulatory Division

Attach
Plan

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

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting news stories. This notice is not a contract for classified display advertising.





Legend

- Data Points
- Jim Creek 2860 LF
- Emergent Wetland 1.23 ac
- Whistle Stop Mitigation Bank

