



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

PUBLIC NOTICE

Sponsor: Double T Land Company, LLC Issued: September 08, 2022
101 E Graham Ave,
Council Bluffs, IA 51503

Expires: October 07, 2022

Corps Project Number: CEMVR-RD-2022-1226
Proposed Project: Dowd Creek 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:** Proposed site is located within:

- Section 4, Township 86 North, Range 18 West, Grundy County, Iowa.
- See attached location maps. Latitude: 42.288610, Longitude: -92.951322.

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 Army Permits. Other Objectives include: stabilize streambanks, improve floodplain connection, reduce erosion; enhance and create additional wildlife habitat; restore native vegetation with riparian buffer; sell stream mitigation credits for projects developed by other entities.

3. **Project Description/Bank Establishment:** The bank sponsor proposes to complete activities on 39.5 acres of privately owned property that would result in the establishment of stream mitigation credits. The goal of this project is to restore 7,808 linear feet of Dowd Creek and 1,510 linear feet of two intermittent streams within the bank boundary to generate an initial estimate of 88,956.30 stream credits. The bank sponsor proposes to use many different in-stream methods to aid in restoring these portions of streams, including improving floodplain connectivity, installation of floodplain benches, restoring stability in highly eroded areas by re-sloping, and improving habitat by creating rock riffles within the stream. Improvements to the riparian buffer include vegetation management to remove invasive species and promote native species diversity. A wetland delineation was completed in June of 2022. One perennial stream, three intermittent streams, five grassed waterways, one pond, and five emergent wetlands were identified within the project area.

4. **Service Area:** The proposed primary bank service area will be the Iowa Service Area.

5. **Bank Need/Technical Feasibility/Ecological Suitability:** Coordination with the Iowa Department of Transportation (IDOT), Counties, and local municipalities has concluded there is need for stream wetland mitigation credits in the Iowa Service Area, and these needs will continue. The sponsor believes that the proposed Bank site is suitable for mitigation activities, and the likelihood of this site being successful is high. This section of Dowd Creek was up until recently used for pasture and hay production. Streambanks are currently eroding and connection to the floodplain is severely limited. This project can improve the channel by reducing erosion and constructing floodplain benches as well as creating additional habitat and grade stabilization with riffles. Benefits of this project include but are not limited to allowing for a natural floodplain connection and potentially lowering base flood elevations, improved aquatic habitat, and lowering sediment and nutrient runoff to the creek.

6. **Long Term Management:** The Sponsor or maintenance contractor would perform annual maintenance during the life of the Bank. Upon closure, the bank will be in satisfactory condition. The bank shall be preserved in perpetuity with a conservation easement, approved by the USACE. The proposed Bank would be continuously managed by a contractor or landowner. Long-term management efforts would include maintaining vegetation within the riparian buffer and ensuring that the stream remains stable.

7. **Sponsor Qualifications:** The Sponsor of the Bank, Double T Land Company, LLC, has successfully constructed, seeded, maintained, and managed several mitigation banks in Iowa.

8. **Water Rights:** Double T Land Company, LLC, currently owns the property associated with the bank proposal. The sponsor would not have complete control of upstream practices that may alter flows to the project area.

9. **Agency Review:** Department of the Army, Corps of Engineers. The Corps of Engineer is participating in this matter as the chair of an Interagency Review Team. The Interagency Review Team consists of the Corps of Engineers, the Natural Resources Conservation Service, the U.S. Fish and Wildlife Service, 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 and wetland 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:** The District consulted with the Iowa online geographic information systems archeological site and survey databases and determined the permit area has not been previously surveyed. Based on a review of historic and current aerial photos, topo maps, the HILD database / Culture Map it is the opinion of the District Archaeologist the permit area may have the potential to contain historic properties that may be potentially eligible for listing on the National Register of Historic Places (NRHP). The District 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 reviewed by the U.S. Fish and Wildlife Service. Any comments USFWS may have concerning Federally listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work. There will be no tree removal; therefore, the Corps have determined there will be no effect to the northern long-eared bat. The project site does not contain mesic to wet unplowed tallgrass prairies and meadows; therefore, the Corps has determined there will be no effect to the Western Prairie Fringed Orchid and Eastern Prairie Fringed Orchid.

12. **Who Should Reply:** The Corps of Engineers 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 by the Corps of Engineers to determine whether to approve the proposed bank. Any comments received will be distributed to the members of the Interagency Review Team. Comments should be submitted on or before the expiration date specified at the top of page 1. 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 Abby Steele via phone (309/794-5377), email (Abigail.A.Steele@usace.army.mil), or by writing to the following address: US Army Corps of Engineers, Rock Island District, ATTN: Abby Steele- 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=107:278:7048095759607:::P278_BANK_ID:6421
Hard copies can be made available by request.

Abigail A. Steele

Attach
Plan

Ms. Abigail Steele
Iowa Mitigation Bank Project Manager
Regulatory Division

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