



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

# PUBLIC NOTICE

**Sponsor:** HGS, LLC (Matt Parsons)  
17921 West Smith Road  
P.O. Box 256  
Brodhead, Wisconsin 53520

Issued: September 15, 2023

Expires: October 14, 2023

**Corps Project Number:** CEMVR-RD-2023-1205

**Proposed Project:** Lower Rock Stream and Wetland Mitigation Bank

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## STREAM AND WETLAND 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 is located within Section 27, Township 23 North, Range 11 East, Pine Rock Township, Ogle County, Illinois. See attached location maps. Latitude: 41.952505, Longitude: -89.218337.

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: support the national goal of no net-loss of wetlands, enhance existing and create additional wildlife habitat; compensate for wetland and stream losses in a manner which contributes to the long-term ecological functioning of the watershed within which the Bank is located, reduce temporal losses of wetland and stream functions, restore ecological connectivity along the Kype River riparian corridor, and improving water quality in the Rock River watershed and service area of the bank.

3. **Project Description/Bank Establishment:** The bank sponsor proposes to complete activities on 83.89-acres of privately owned property that would result in the establishment of both stream and wetland mitigation credits. The primary goal of this project is to restore and enhance areas of wetland and two sections of streams within the identified parcel. Wetland restoration and enhancement would result in approximately 39.7-acres of forested wetland, 23.24-acres of sedge meadow, and 0.93-acres of emergent wetland along with 6.89-acres of wetland buffer. In-stream benefits will include approximately 300-feet of the Kype River and 825-feet of an unnamed perennial tributary to the Kype River along with 4,062-feet of riparian buffer improvements between the two streams. In order to restore and enhance areas of wetland within the project, the Bank sponsor proposes to locate and disable drain tile, selectively remove berms, and to plug and/or fill drainage ditches within the property. Selective grading will also be completed and will include shallow scrapes in irregular patterns to increase wetland suitability and complexity. The Bank sponsor proposes to use many different in-stream methods to aid in restoring the portions of stream, including selective realignments to promote riffle-pool development, raising the stream bed to restore

floodplain connectivity, removing existing concrete bank armoring, and stabilizing selected meander bends with rootwad-stone toe protection. Stream bank grading will also be used to create slopes allowing the establishment of native vegetation, as well as to promote overbanking events to support wetland restoration efforts. Improvement and establishment of the riparian and wetland buffers will include a detailed planting and seeding plan, as well as vegetation management to remove invasive species and promote native species diversity. This project will generate approximately 22.18 emergent wetland mitigation credits, 37.29 forested wetland mitigation credits, and 11,983 stream mitigation credits.

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

5. **Bank Need/Technical Feasibility/Ecological Suitability:**

A. **Bank Need:** While the Bank's service area represents a highly rural portion of Illinois, its large geographic footprint encompasses two large population centers: Rockford and Rock Island/Moline. Both population areas have seen expansions to their airports to address increased cargo traffic that generated substantial credit purchases. Additionally, there are five major solid waste management companies and some smaller operations that manage and operate multiple landfills that have had expansions leading to sizeable impacts, and one new landfill generating a large stream credit purchase in 2022. Land analysis shows that many of these landfills still have room for expansion, and most will incur impacts during future expansions. Additional market opportunities follow the development of public infrastructure: navigation and flood reduction along the Rock and Mississippi Rivers, transportation projects including road widening and bridge replacements, along with energy infrastructure development supporting renewables and transmission lines. This area of Illinois has seen large investments in both solar and wind development, and while the facilities typically have avoided impacts themselves, the infrastructure to support the facilities (sub-stations, transmission lines, and generation interconnect [Gen-ties]) are all creating impacts in other areas and are expected to increase as the prime land without natural resource impacts become scarce.

B. **Technical Feasibility:** The site is almost entirely within the 100-year floodplain of the Kyte River. Soils throughout the site are predominantly hydric or could contain hydric inclusions, indicating the presence of relatively poorly drained soils in most areas. Existing wetlands and farmed wetlands/crop failure are also prevalent throughout the site indicating adequate hydrology is already present in several areas. Hydrological modifications at the site consist of a ditch flowing east to west then south to north in the southwestern portion of the site. The site also contains evidence of drain tiles. Hydrology will be restored via ditch plugging/ditch fill and drain tile disabling. Some areas may require a limited amount of grading effort so the appropriate elevation to reach groundwater levels to achieve the hydrology performance standard. Therefore, groundwater will be the primary source of hydrology relied on to sustain the created wetlands. Surrounding agricultural and rural residential land uses are not expected to have negative effects on Bank hydrology or habitat quality. All proposed restoration techniques are routine and will be implemented by highly reputable contractors.

C. **Ecological Suitability:** Currently, the proposed Bank site is composed largely of drained agricultural land where crop failure in certain areas is common due to poorly drained soils/excessive soil moisture. Hydrology is significantly impaired from drainage features such as a ditch and drain tile. The Kyte River through the site has relatively low bank heights that allow for overbank flows to

access the floodplain. The unnamed tributary is incised and slightly entrenched; however, instream structures that increase the bed elevation at key locations can reduce the bank height ratio and improve the stream-floodplain connection. The site is not developable due to its location within the Kyte River's 100-year floodplain. The site is hydrologically connected to the Kyte River and contains areas of existing upland and lowland forest and emergent and farmed wetlands. Hydric soils and soils with seasonally high-water tables are found throughout the site. With restoration of the historic hydrologic regime, habitats onsite could be transformed into a diverse mosaic of high-quality wetland and upland ecosystems. Restoring and enhancing these areas will provide an important link to other nearby natural areas along the Kyte River corridor and help to improve regional habitat connectivity to the benefit of avian, mammalian, reptile, amphibian, and insect communities.

**6. Long Term Management:** During Bank development, construction, and operation, the Bank will be managed by HGS. Prior to agency acknowledgement that all applicable success criteria have been met, including the completion of all required monitoring, HGS or another suitable Long-Term Manager (LTM) will be identified and approved by the Interagency Review Team (IRT). The LTM will actively manage the Bank in perpetuity. Once the MBI is developed, reviewed, and approved, and prior to the initial release of credits, HGS will perpetually protect the Bank site through the recording of a conservation easement prepared in accordance IRT requirements. Land use activities for the Bank site will be restricted to protect the improved aquatic habitats and prohibit future activities that may adversely affect the functions and services of the aquatic resources. The land use restrictions implemented will encompass all areas within the final approved boundaries of the proposed Bank. HGS will maintain financial responsibility for the proposed Bank throughout the monitoring phase until final approval and closure of the site by the IRT. Once final approval is granted and the Bank is closed, the Long-Term Management Fund (LTMF) will become available for HGS or an approved third-party land manager to use for protection and maintenance of the Bank site, consistent with the terms and conditions of the conservation easement. The final MBI will contain detailed information on performance bond and LTMF amounts, amortization schedules for LTMF withdrawals, and the rationale for all associated security funds and anticipated expenses. Management tasks will be guided by annual site assessments. These assessments will provide the necessary feedback on the success of the restorations and enhancements to the LTM. Various resource management activities such as prescribed burning, spot herbicide treatment, mechanical vegetation control, seeding, and planting may be conducted or applied within the Bank, provided that the activity enhances wetland conditions. Except for routine maintenance such as treatment of invasive and/or exotic species, each instance of an activity must be approved by the Corps, after coordination with the IRT. The Sponsor shall submit any changes or modifications to the proposed management plan activities to the Corps for review and coordination with the IRT.

**7. Sponsor Qualifications:** The Sponsor for the proposed Bank is RES (dba HGS), who is the nation's largest and most experienced ecological offset provider. RES provides ecological restoration, mitigation, stormwater, and coastal restoration solutions to clients across the country. RES is an experienced ecological restoration provider of turnkey design/build projects, who provides a full suite of ecological solutions, including stream and wetland restoration, riparian restoration, species, and habitat restoration, stormwater impervious surface solutions, and other ecological restoration solutions such as green infrastructure. Our ability to deliver customized solutions to our clients is enabled by a deep and diverse set of internal resources and capabilities that include planning, research, design, engineering, implementation, and long-term management. RES' overall

corporate experience includes: restoration/enhancement/preservation of 58,024-acres of wetlands, restoration of over 328 miles of streams, re-establishment/preservation/management of over 15,000-acres of protected species habitat, successful close-out of over 100 mitigation sites, permitting and development of over 200 permittee-responsible mitigation projects, design/permitting/development of 68 wetland, stream, and conservation banks, delivery of 20,000-acres of custom, turkey mitigation solutions, design and construction of over 350 stormwater management facilities, reductions of over 267 tons of water quality nutrients, planting of over 17,400,000 trees across all operating regions, development and operation of nurseries in four states including the largest coastal nursery in Louisiana, and is the provider of mitigation and nutrient offsets for over 3,434 Federal and state permits.

**8. Water Rights:** Sufficient water rights exist to support the long-term sustainability of the Bank. Wetlands will be primarily supported by groundwater, precipitation, and impounded water from the agricultural ditch in the southwest portion of the property that is proposed to be plugged, which will be sufficient to provide the necessary hydrology. Details on the proposed hydrology of the Bank will be provided in later phases of the project.

**9. Agency Review:** Department of the Army, Corps of Engineers. The Corps (Corps) of Engineers is participating in this matter as the chair of an IRT. The IRT consists of the Corps, 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 wetland and stream credit for future, Section 404, authorized projects that require compensatory mitigation. Formal authorization of the bank proposal occurs through Corps approval of an MBI.

**10. Historical/Archaeological:** 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 National Register Historic Places 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 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.

**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 by the Corps to determine whether to approve the proposed bank. Any comments received will be distributed to the members of the IRT. Comments should be submitted on or before the expiration date specified at the top of the first page. 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=107:278:31062782029500:::P278\\_BANK\\_ID:6695](https://ribits.ops.usace.army.mil/ords/f?p=107:278:31062782029500:::P278_BANK_ID:6695). Hard copies are also available by request.

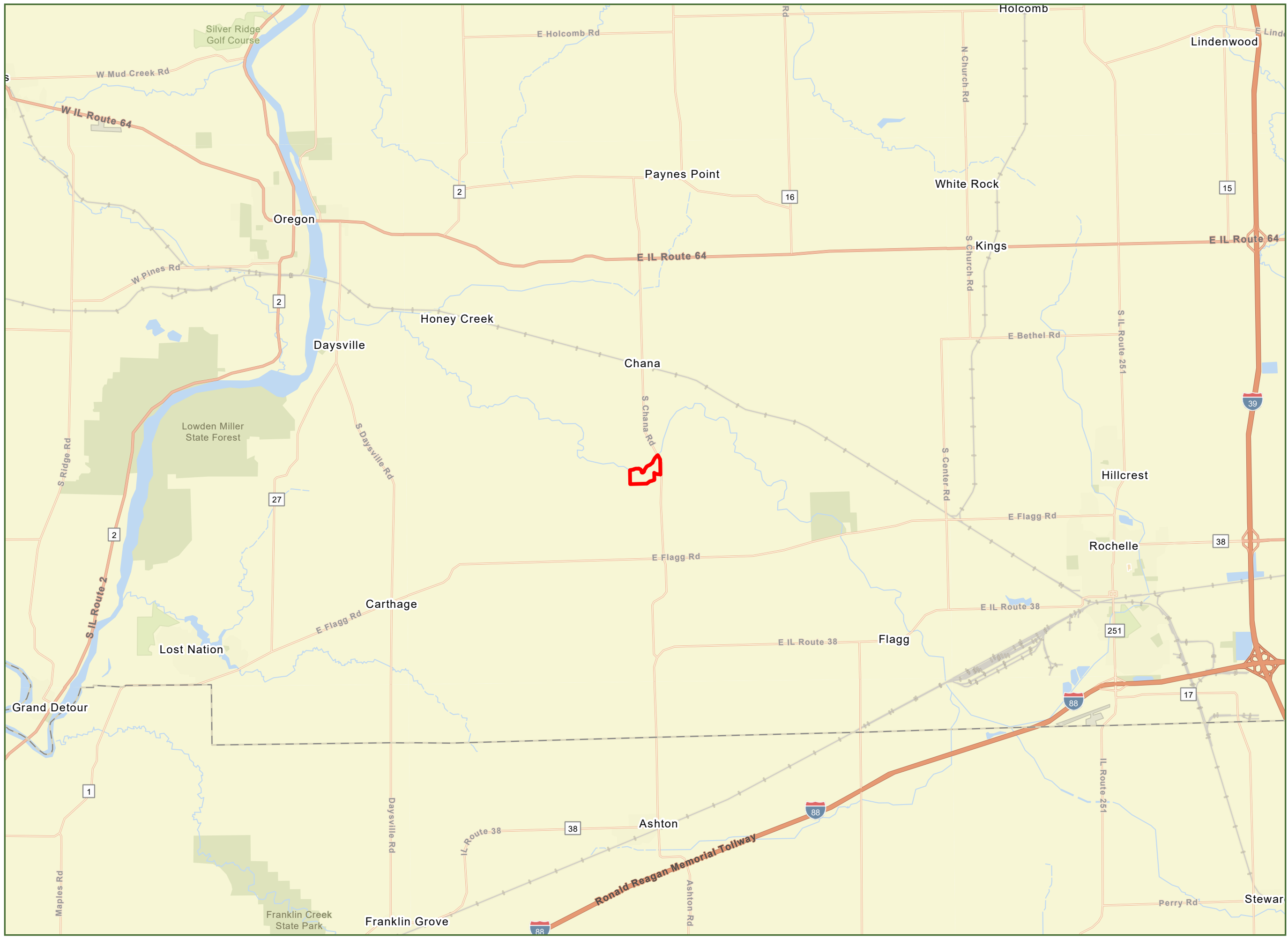
*Abigail A. Steele*

Attach  
Plan

Ms. Abigail A. Steele  
Chief, Western Branch  
Regulatory Division


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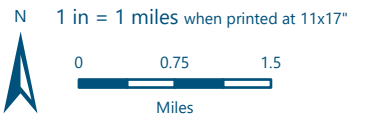


**Exhibit 1**  
Location

**Rowley Property**  
**Lower Rock Bank**  
Ogle County, Illinois  
89.2196°W 41.9535°N

 Rowley Property Boundary  
(83.89 ac.)

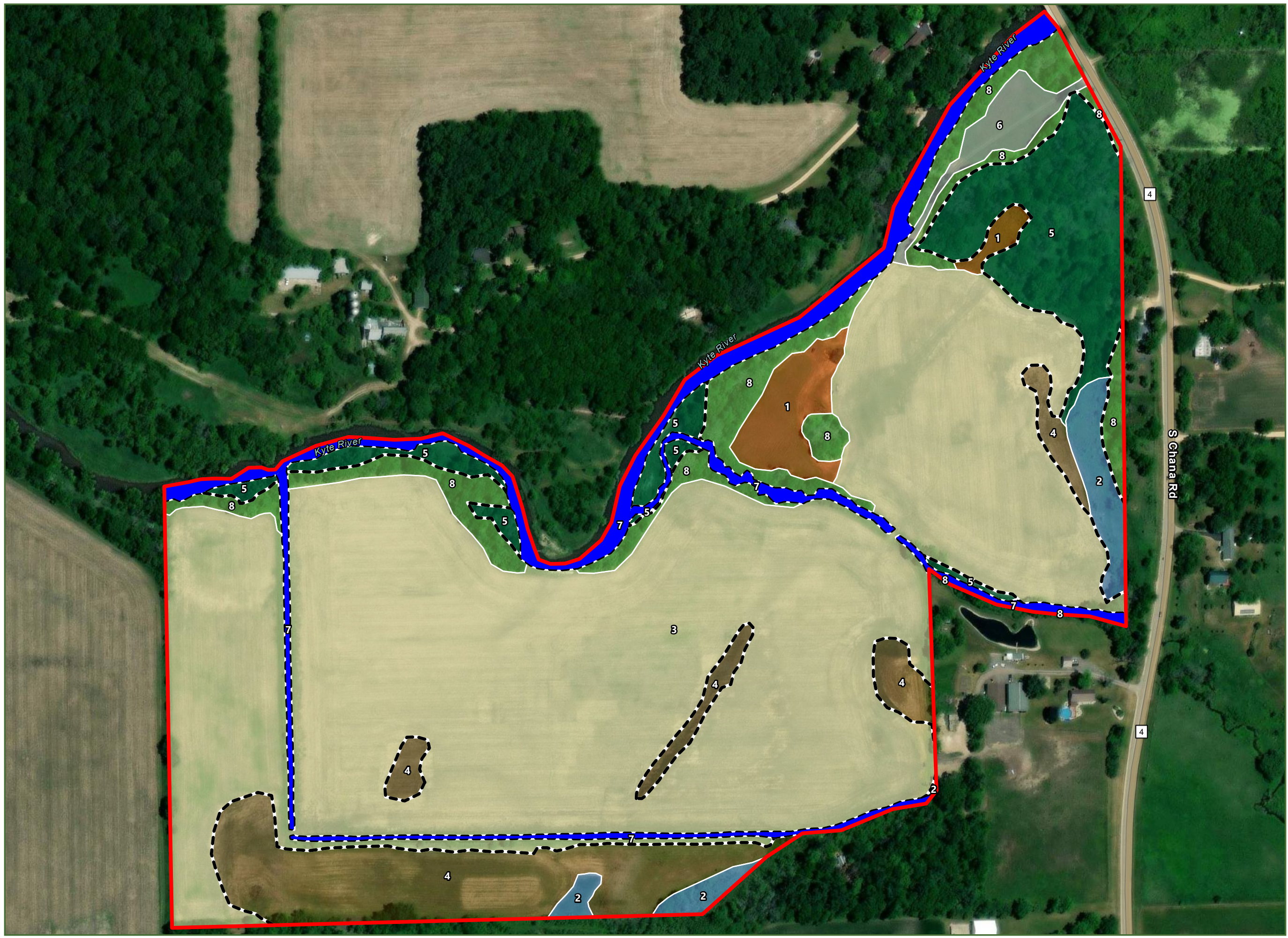
**CEMVR-RD PN 2023-1205**  
**Project Location**  
pg. 1 of 4



Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.  
Data Source: RES, ESRI World Street Map  
Spatial Reference: NAD 1983 StatePlane Illinois West FIPS 1202 Feet  
Date: 4/7/2023  
Project Number: 107579







**Exhibit 10**  
Existing Conditions

**Rowley Property**  
**Lower Rock Bank**  
Ogle County, Illinois  
89.2196°W 41.9535°N

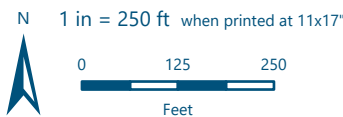
Rowley Property Boundary  
(83.89 ac.)

Delineated Wetland and  
Waters Boundaries

**Existing Conditions**

- 1: Cover Crop (1.96 ac.)
- 2: Emergent Marsh (1.76 ac.)
- 3: Farmed Upland (53.85 ac.)
- 4: Farmed Wetland (8.47 ac.)
- 5: Forested Wetland (6.85 ac.)
- 6: Parking & Access (1.10 ac.)
- 7: Stream (4.02 ac.)
- 8: Upland Deciduous Forest  
(5.88 ac.)

**CEMVR-RD-  
PN2023-1205**  
**Existing Conditions**  
**pg. 2 of 4**



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Data Source: RES, ESRI Imagery 2021

Spatial Reference:

NAD 1983 StatePlane Illinois West FIPS 1202 Feet

Date: 7/6/2023

Project Number: 107579





Exhibit 12  
Conceptual Mitigation Plan

Rowley Property  
Lower Rock Bank  
Ogle County, Illinois  
89.2196°W 41.9535°N

Rowley Property Boundary  
(83.89 ac.)

Bioengineered Bank  
Stabilization - 300 ft

Credit Ratio Zones

Buffer (6.92 ac.)

Enhancement (12.25 ac.)

Restoration (51.62 ac.)

Conceptual Mitigation Plan

1: Emergent Marsh (1.76 ac.)

2: Forested Wetland (43.13 ac.)

3: Parking & Access (0.94 ac.)

4: Riparian Buffer (7.98 ac.)

5: Sedge Meadow (24.82 ac.)

6: Stream (3.65 ac.)

7: Unnamed Tributary - Kyte  
River (0.55 ac.)

8: Upland Deciduous Forest  
(1.06 ac.)

CEMVR-RD-PN2023-1205  
Conceptual Mitigation Plan  
pg. 3 of 4



Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.

Data Source: RES, ESRI Imagery 2021

Spatial Reference:

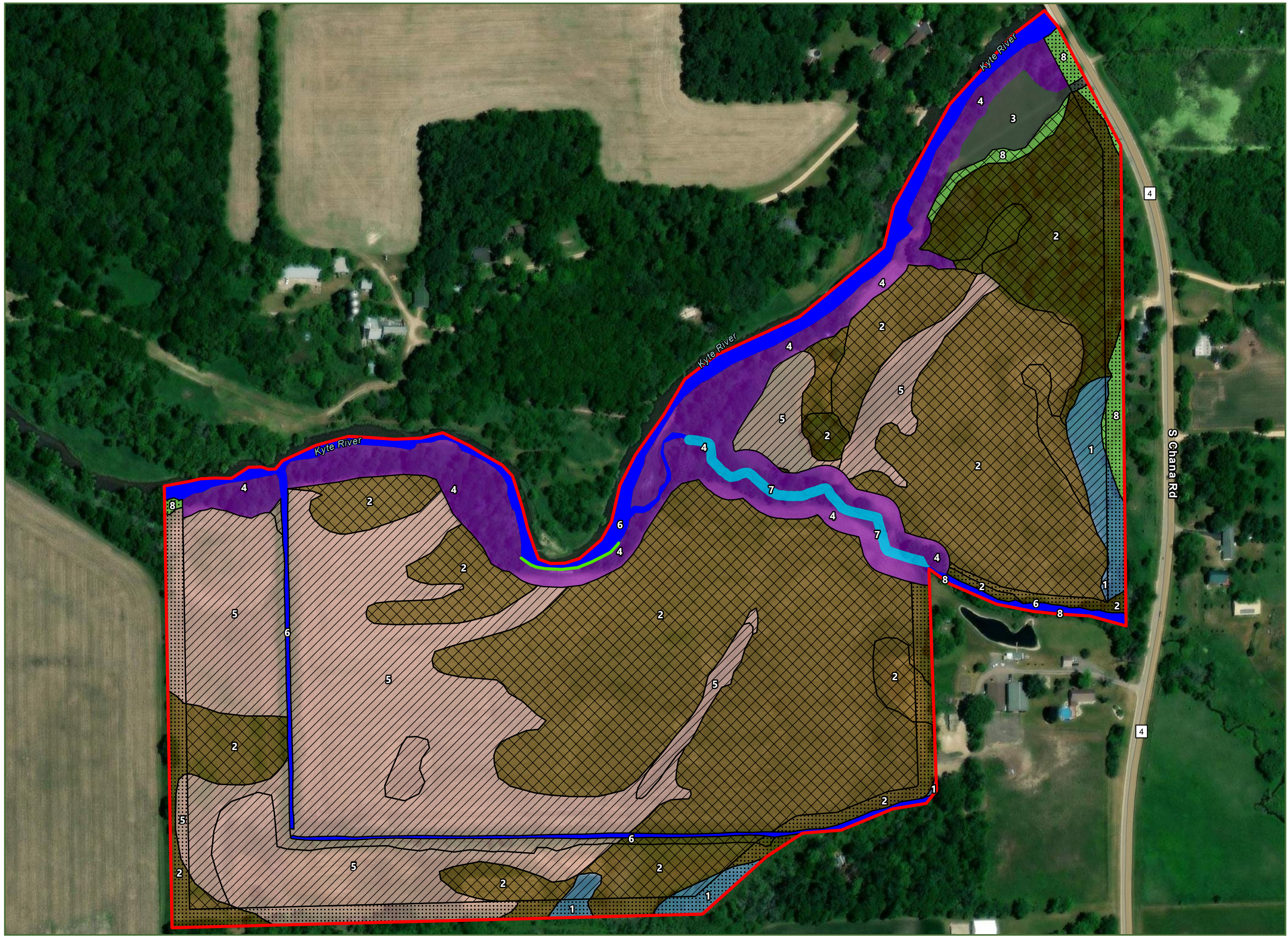
NAD 1983 StatePlane Illinois West FIPS 1202 Feet

Date: 7/6/2023

Project Number: 107579







**Exhibit 13**  
Mitigation Credit Map

**Rowley Property**  
**Lower Rock Bank**  
Ogle County, Illinois  
89.2196°W 41.9535°N

- Rowley Property Boundary (83.89 ac.)
- Bioengineered Bank Stabilization - 300 ft

- Credit Type**
- Buffer (6.58 ac.)
- Emergent (24.17 ac.)
- Forested (40.04 ac.)

- Conceptual Mitigation Plan**
- 1: Emergent Marsh (1.76 ac.)
- 2: Forested Wetland (43.13 ac.)
- 3: Parking & Access (0.94 ac.)
- 4: Riparian Buffer (7.98 ac.)
- 5: Sedge Meadow (24.82 ac.)
- 6: Stream (3.65 ac.)
- 7: Unnamed Tributary - Kyte River (0.55 ac.)
- 8: Upland Deciduous Forest (1.06 ac.)

**CEMVR-RD PN 2023-1205**  
**Mitigation Credit Map**  
pg. 4 of 4



Reference: Project limits are approximate. The property boundaries depicted on this map have not been surveyed and are for prospect assessment purposes only. This information is not to be used as final legal boundaries.

Data Source: RES, ESRI Imagery 2021

Spatial Reference: NAD 1983 StatePlane Illinois West FIPS 1202 Feet

Date: 7/6/2023

Project Number: 107579

