



PUBLIC NOTICE

US Army Corps
of Engineers
Rock Island District

Sponsor: Equity Trust Company
Kurt and Jennifer Boevers
Cedar Falls, Iowa 50613

Issued: July 16, 2020
Expires: August 14, 2020

Corps Project Number: CEMVR-OD-P-2020-950
Proposed Project: Dry Run Creek Mitigation Bank

WETLAND AND 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 is located within Sections 3 & 4, Township 88 North, Range 14 West, Black Hawk County, Iowa. See attached location maps. Latitude: 42.461164 Longitude: -92.472246.
- 2. Bank Objectives:** The fundamental objective of compensatory mitigation is to offset environmental losses resulting from unavoidable impacts to waters of the United States authorized by Department of Army Permits. Other Objectives include provide economical mitigation options; support no net-loss of wetlands; enhance or create additional wildlife habitat; provide flood retention for the watershed and provide natural areas for the watershed.
- 3. Project Description/Bank Establishment:** The bank sponsor proposes to complete activities on 71 acres of privately-owned property that would result in the establishment of both stream and wetland mitigation credits. The goal of the bank is to restore 2,906 linear feet of Dry Run Creek along with stream buffer to generate 32,432 stream credits and create wetlands and buffer to generate 42.69 emergent wetland credits. The bank sponsor would use many different in-stream restoration methods that include cross vanes, j-hook vanes, and bank stabilization to generate credits. Riparian buffer creation and enhancement will generate credits by removing undesirable vegetation and establishing native vegetation. This would benefit the onsite stream functions by improving sediment trapping, nutrient cycling, stream shading, energy dissipation, natural moderation of floods, bank stability, and delivery of organic matter to the stream. The wetland creation will include two shallow basin excavations with scalloped edges and an undulating bottom. Success criteria would be developed and required to be met in order to generate credit for the proposed activities. Please see the detailed project description and drawings located within the bank Prospectus on RIBITS (link in #14, below).
- 4. Service Area:** The proposed primary bank service area will be the Cedar Service Area.

5. Bank Need/Technical Feasibility/Ecological Suitability: The sponsor has considered future Iowa DOT projects and development in surrounding municipalities to determine the need for stream and wetland mitigation. The proposed bank would improve water quality, create fish habitat and stabilize Dry Run Creek. They would use stream restoration techniques, vegetation management techniques and earthwork to restore and enhance the stream. Much of the soils within the site are mapped hydric which should easily retain wetland hydrology. The low topographic relief and 96 percent hydric soils of the bank site provides conditions conducive to wetland creation. The proposal would restore the ecological value that was lost due to previous impacts to this stream and riparian area.

6. Long Term Management: Post bank closure management would include ongoing plant management which may require herbicide and fire treatment additional seeding, as well as, general site maintenance. The responsibility for long term management is held by the bank sponsor/landowner. A conservation easement will be required in perpetuity and will be held by a third-party grantee to ensure the conservation value of the property is protected. A long-term management fund will be established, and available to the grantee, to ensure funds are available should the sponsor fail to properly maintain the site.

7. Sponsor Qualifications: The sponsor has successfully planned, developed, seeded, maintained and managed six other mitigation banks within the State of Iowa. JEO is the Sponsor's consultant for the proposed Bank. JEO has extensive experience in the wetland and stream mitigation processes.

8. Water Rights: The sponsor currently owns a portion of the property associated with the bank proposal and is currently in negotiations with the other landowners to purchase the rest of the property. 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 (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 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 that the permit area has not been surveyed previously. Based on the location of the project within the floodplain of two minor streams, it is the opinion of the District Archaeologist the permit area has some 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 two (2) copies of 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 is being reviewed by the USFWS. 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. Any adverse effects on endangered species will be resolved prior to the Corps authorization, or approval, of the proposed work.

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 in order 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 by phone: (309/794-5377), email: Abigail.a.steele@usace.army.mil or mail: US Army Corps of Engineers, Rock Island District, ATTN: OD-P (Abby Steele), 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=107:278:8134695226540::NO:RP,278:P278_BANK_ID:5754

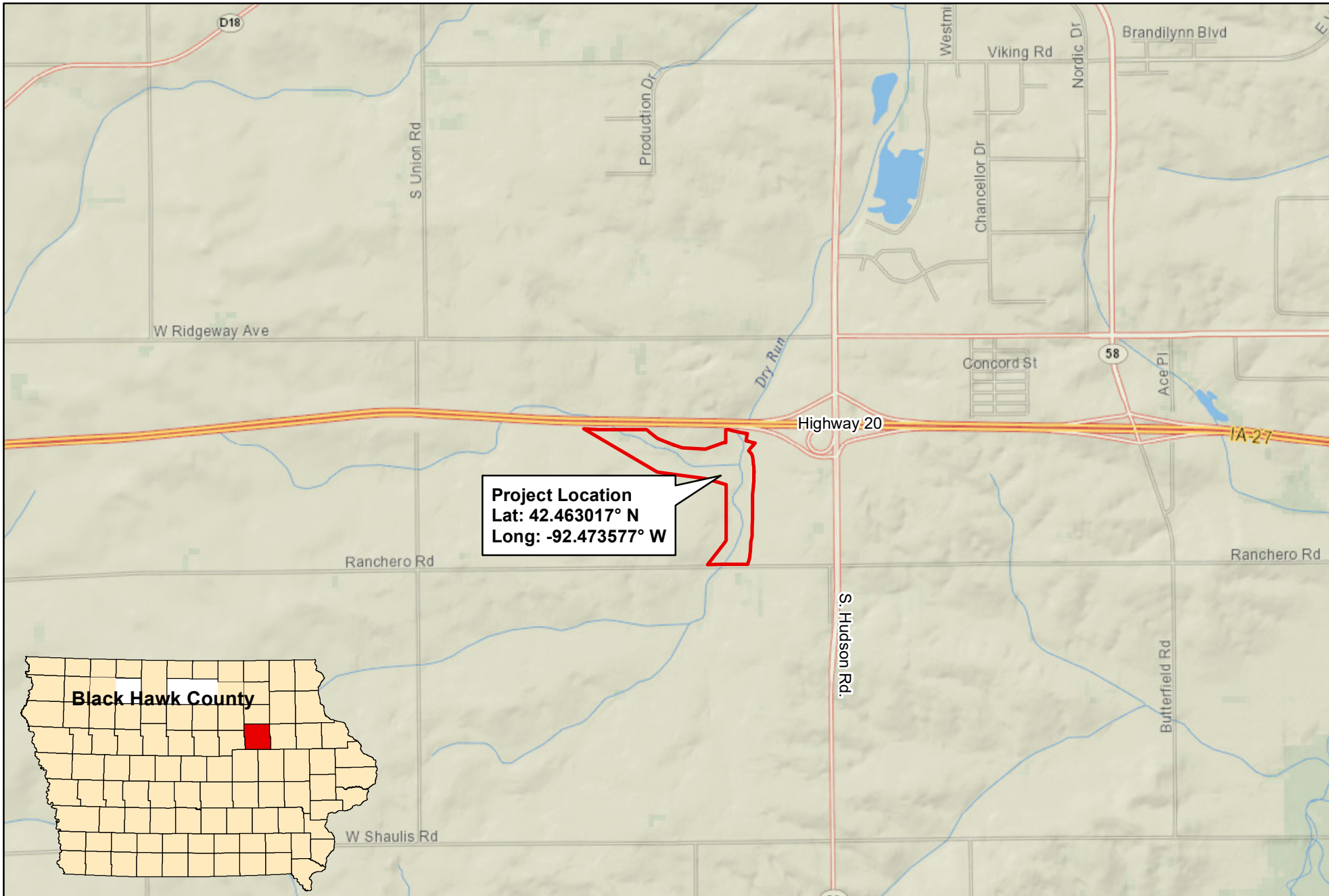
Abigail A. Steele

Attach
Plan

Ms. Abigail Steele
Project Manager, Iowa Permit Section
Regulatory Branch

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

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

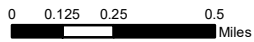


Project Location
Lat: 42.463017° N
Long: -92.473577° W

Black Hawk County

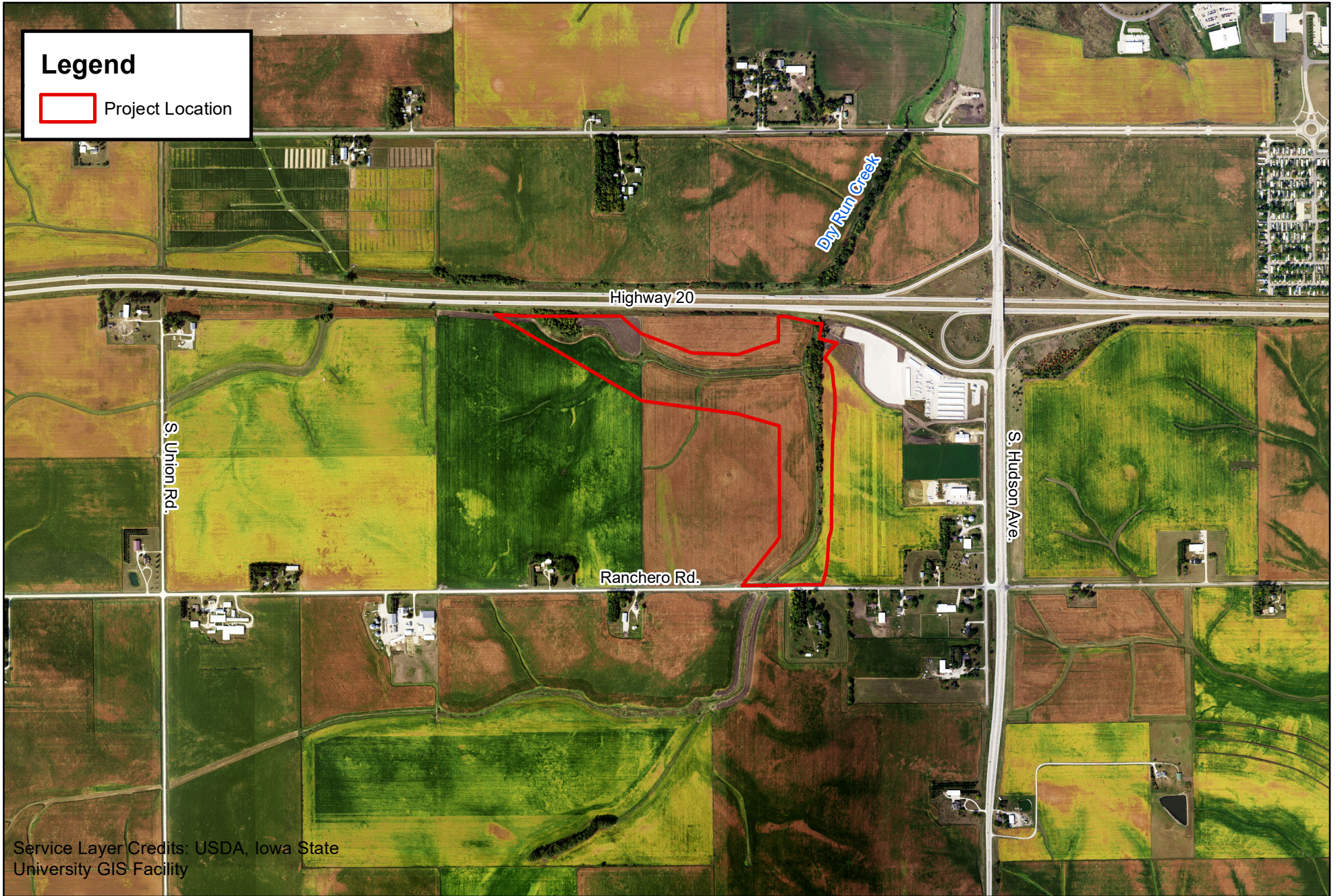
Dry Run Creek Mitigation Bank
Black Hawk County, Iowa
JEO Project No. 191705.00

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Project Location

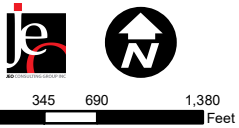


Legend

 Project Location



Service Layer Credits: USDA, Iowa State University GIS Facility



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



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Project Aerial

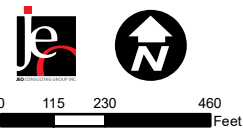


Highway 20

Rancho Rd.

Legend

-  Project Boundary
 -  Ordinary High Water Mark
 -  Wetland Buffer Area
 -  Potential Wetland Areas
- Stream Buffer Zone 1**
-  Stream Buffer
 -  Additional Stream Buffer (no credit)



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 Blackhawk County, Iowa
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 Sheet 3 of 4
 Project Conceptual Plan

