



US Army Corps
of Engineers
Rock Island District

PUBLIC NOTICE

Sponsor: Lakota Outfitters Sporting Club
401 Balsam Avenue, Dows, Iowa 50071

Issued: February 9, 2021
Expires: March 10, 2021
Section 404

Corps Project Number: CEMVR-OD-P-2021-0039
Proposed Project: Lakota 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 Section 19, Township 90 North, Range 22 West, Latitude: 42.598675 Longitude: -93.489749. Franklin County, Iowa. See attached location maps.

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: Reduction of temporal losses of wetland function, support of no net-loss of wetlands; provide additional flood storage within the Iowa River Watershed, and create a compensation resource to allow an efficient method of mitigation to take place within the Iowa service area.

3. **Project Description/Bank Establishment:** The bank sponsor proposes to complete activities on approximately 90 acres of privately owned property that would result in the establishment of both wetland and stream mitigation credits. The bank proposes to enhance 45 acres of delineated forested wetland to generate 22.5 forested wetland credits by removing undesirable woody species and planting native hydrophytic trees at a rate of 150 trees per acre. The bank proposes to enhance 20 acres of delineated emergent wetland to generate 10 emergent wetland credits by invasive species management and reseeding with native hydrophytic species. The bank also proposed to restore two historic Iowa River oxbows and one moderately functional, flowing oxbow by removing trees and accumulated sediment to create a flowing, connect, open water channel, and enhance riparian buffer in order to generate approximately 30,773 stream credits.

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

5. Bank Need/Technical Feasibility/Ecological Suitability: The bank sponsor has reviewed the Iowa DOT five-year Statewide Transportation Improvement Program (STIP) and understands the current and future needs for wetland and stream mitigation around the service area. The project area is dominated by hydric soils; a high-water table; and nearly level topography. Wetlands in the project area will be brought to a higher level of function and ecological quality. Forested wetlands in the Bank will receive timber stand improvement actions. The Bank's proximity to the Iowa River also creates an area of consistent, seasonal saturation that typically floods several times per year. The proposed actions are attainable and technically feasible, and the site is ecologically suitable for a mitigation bank.

6. Long Term Management: Post bank closure management would include ongoing plant management which may require herbicide, fire treatment and 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, Central Indiana Mitigation Provides, LLC, together with affiliate entities, is engaged in the development and management of mitigation banks across multiple states and USACE Districts.

8. Water Rights: The sponsor 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 has 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 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 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. Our preliminary determination is that this project “may affect, not likely to adversely” the Northern Long-eared Bat and will have “no effect” on the Prairie Bush Clover and Western Prairie Fringed Orchid. 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, 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=107:278:7518516006139::NO::P278_BANK_ID:5853

Abigail A. Steele

Attach
Plan

Ms. Abigail A. Steele
Project Manager, Western Branch
Regulatory Division

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

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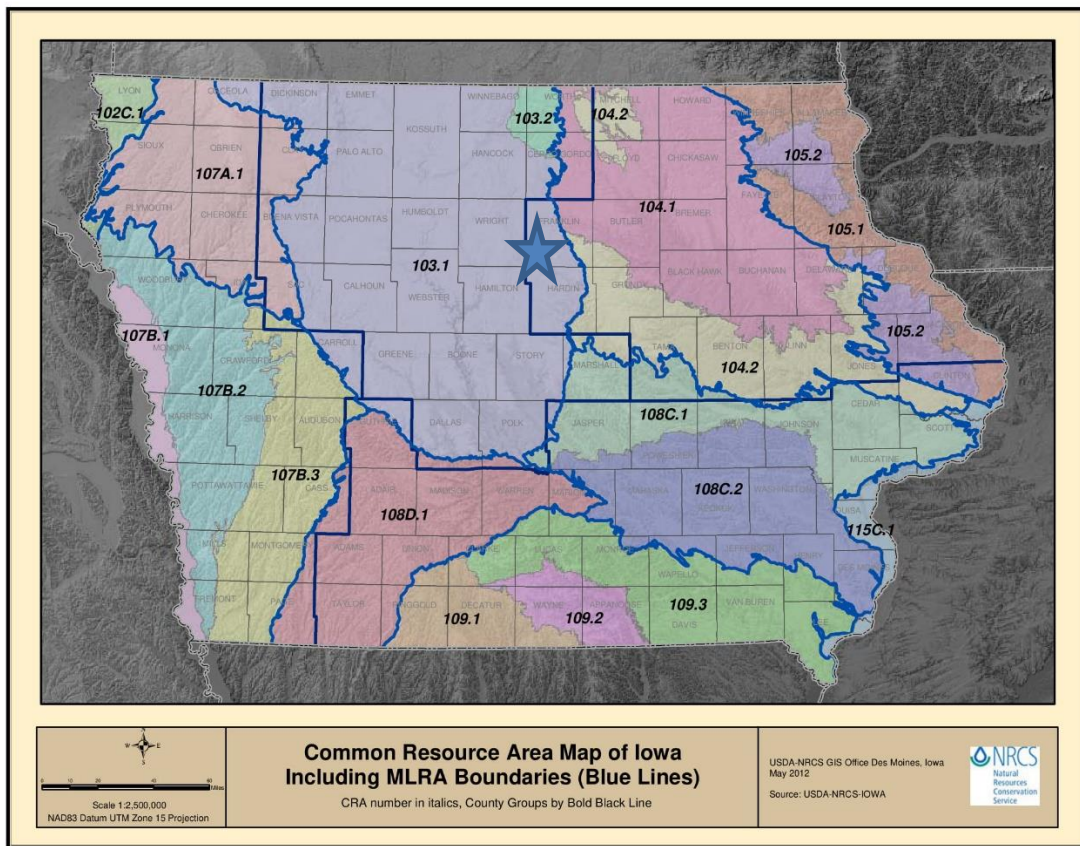


Figure 1. Major Land Resource Area Map.

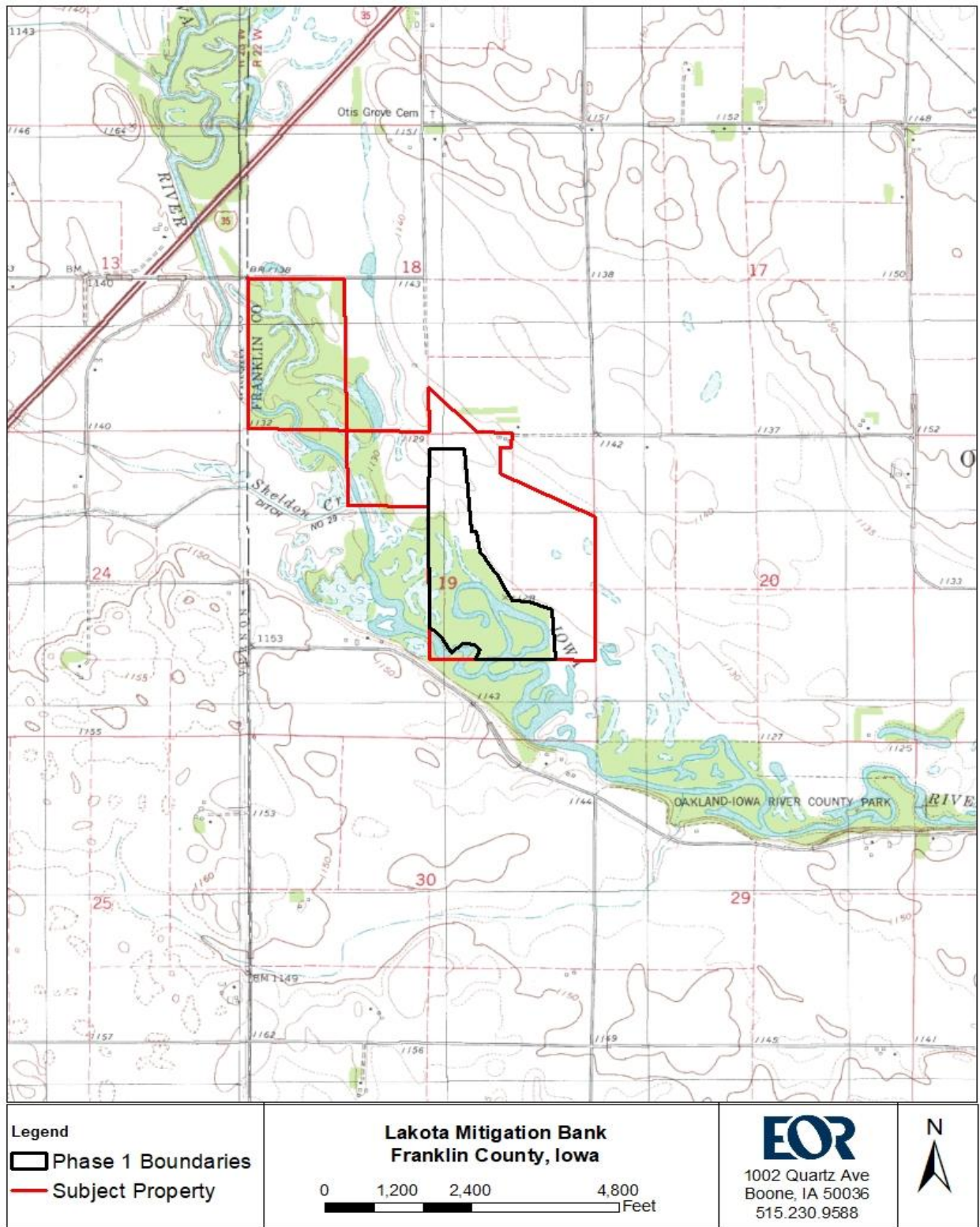
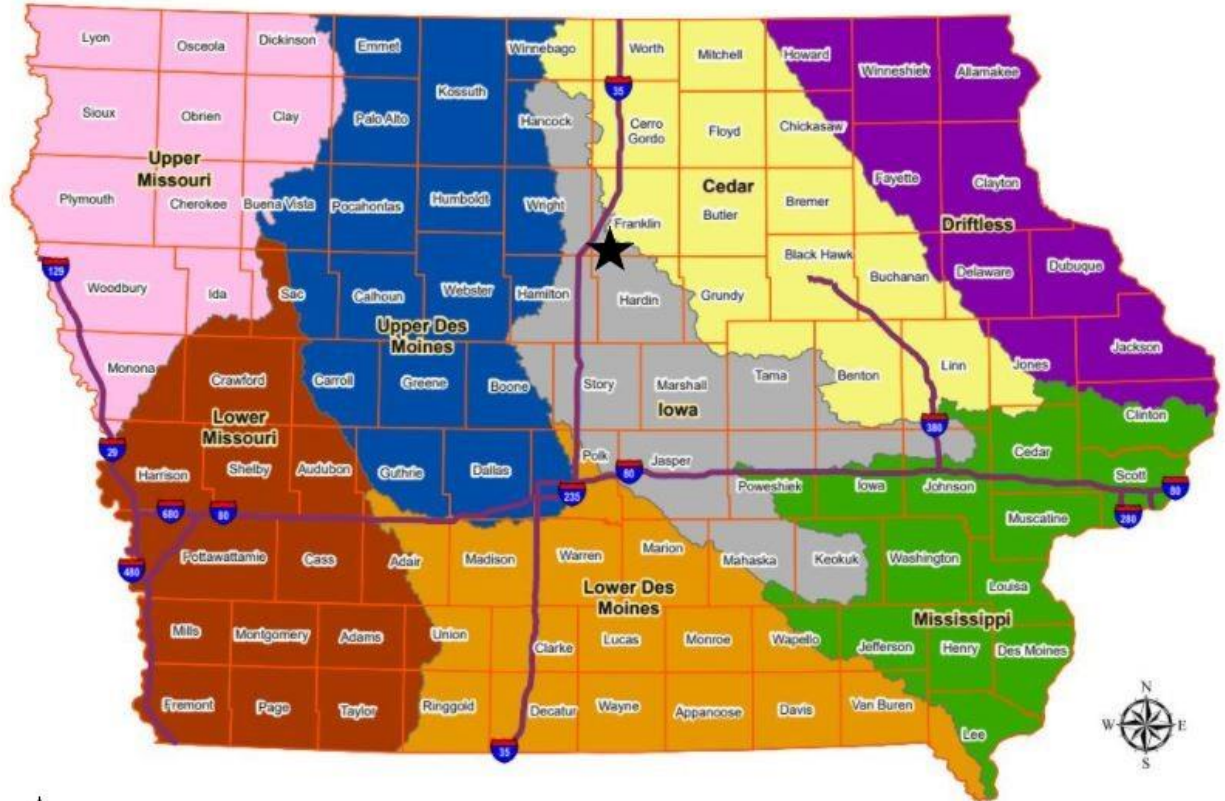


Figure 2. Project Overview.



Figure 5. Proposed Mitigation Features.

Mitigation Bank Service Areas in Iowa



★ Bank Location

Figure 8. Iowa Service Areas.