



US Army Corps
of Engineers
Memphis District

Public Notice

FILE NUMBER: MVM 2020-131 (RDM)

NOTICE DATE:
April 23, 2020

Attn: Postmaster,
Please Post Until

EXPIRATION DATE:
May 23, 2020



Public Notice
U.S. Army Corps of Engineers

AUTHORITY: Pursuant to 33 CFR 332.8(d)(4) (Mitigation banks and in-lieu fee programs, public review and comment), this notice announces a prospectus submitted for the development of the Southeast Missouri Wetland Mitigation Bank.

BANK SPONSOR: Minton Environmental Consultants, LLC (MEC)
7721 State Highway ZZ
Dexter, Missouri 63841
Attn: Davis Minton

LOCATION: The Southeast Missouri Wetland Mitigation Bank site (hereinafter referred to as the “Bank” or the “Site”) is in southeast Missouri, approximately 2 miles southeast of Dudley in Stoddard County, Missouri along the Dudley Main Ditch in the Lower Mississippi-St. Francis Hydrologic Unit Code (HUC) 08020203 or Mississippi Alluvial Plain/St. Francis Ecological Drainage Unit (EDU). The center coordinates to the site are approximately 36.770689°N, -90.064775°W. (Figure 1).

BACKGROUND: The stated objective of this public notice is to advertise the prospectus to establish the Southeast Missouri Wetland and Stream Mitigation Bank (hereinafter, the “Bank”), located in Stoddard County, near Dexter, Missouri (Figure 1). The property owners are Davis and Bradley Minton and Minton Properties, LP. Davis and Bradley Minton are owners of Minton Environmental Consultants, LLC, (hereinafter the “Sponsor”). The Sponsor owns approximately 640 acres (more or less) of land, including the water rights that can be used to develop the initial Bank site on Phase 2 and expand the Bank into additional phases (Figure 3), as needed. The proposed Service Area includes Ecological Drainage Units (EDU) in Missouri (Figure 2). This prospectus discusses the ecological suitability of the prior-converted cropland site to restore and maintain the physical, chemical, and biological characteristics of the wetland restoration to achieve the objective of the proposed mitigation bank, including how the site will support the planned types of wetland and stream resources and functions.

PURPOSE: The purpose of this notice is to inform the public of the proposed Southeast Missouri Wetland Mitigation Bank that would generate credits that would be used to meet compensatory mitigation requirements for permits issued under Section 404 of the Clean Water Act for the deposition of dredged or fill material into waters of the United States or under Section 10 of the Rivers and Harbors Act of 1899 for work within navigable waters of the United States. The following is a summary of the prospectus for this project; please contact the Memphis District (see contact information on page 3 of this notice) for further information.

SERVICE AREA: The proposed mitigation bank site is within the St. Francis Basin and the Mississippi Alluvial Plain/St. Francis EDU. The proposed Service Area includes the following EDUs: Mississippi Alluvial Plain/St. Francis EDU (Service Area 16 and proposed Bank location); Mississippi Alluvial Lower Mississippi/St. John’s Bayou (Service Area 17); Mississippi Alluvial Plain/White/Black (Service Area 15); Ozark/Upper St. Francis/Castor (Service Area 14); Ozark/Mississippi Tributaries between Missouri and Ohio Rivers (Service Area 10); and Ozark/Meramec (Service Area 9). (Figure 2)

PROPOSED OWNERSHIP AND LONG-TERM MANAGEMENT: The Sponsor owns the land that contains the Bank. To ensure that the Bank site remains in its desired state in perpetuity, the entire Bank site will be protected by a conservation easement which will preserve the Bank lands as undeveloped wildlife habitat.

PROSPECTUS: The complete prospectus for the proposed Southeast Missouri Wetland Mitigation Bank is available online at <https://www.mvm.usace.army.mil/About/Offices/Regulatory/Public-Notices/> or on the Regulatory In-Lieu Fee and Bank Information Tracking System (RIBITS) at https://ribits.ops.usace.army.mil/ords/f?p=107:278:14907596505575::NO:RP,278:P278_BANK_ID:5700.

ENDANGERED SPECIES: There are three federally listed species that are known to have ranges that include the project area. They are the federally endangered Indiana bat (*Myotis sodalis*) and Grey bat (*Myotis grisescens*) and the federally threatened northern long-eared bat (*Myotis septentrionalis*). This project is being coordinated with the United States Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The Memphis District will evaluate information provided by the State Historic Preservation Officer, federally-recognized Tribes and the public in response to this public notice and we may conduct or require a survey of the project area.

FLOODPLAIN: In accordance with 44 CFR Part 60 (Floodplain Management and Use), participating communities are required to review all proposed development to determine if a floodplain development permit is required. Floodplain administrators should review the proposed public notice and apprise this office of any floodplain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the proposed activities and to solicit comments and information necessary to evaluate the probable impact on the public interest. The decision whether to authorize this mitigation plan will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; federal, state and local agencies and officials; federally-recognized Tribes; and other interested parties in order to consider and evaluate the proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to authorize this request. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this prospectus. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision. If a public hearing is held, it will be for the

purpose of obtaining additional information that we could not otherwise obtain through a public notice process and not to inform the public about the specific details of the project in greater detail than what is found in this notice. This is not a Corps of Engineers project. We are not a proponent nor are we an opponent of the project. We are merely the permitting authority of Section 404 and Section 10 permits required by our office.

COMMENTS: To request additional information or provide comments on this notice, please contact Damon McDermott using the information below:

Damon McDermott
Corps of Engineers – Memphis District
167 N. Main Street, Room B-202
Memphis, Tennessee 38103-1894
Email: robert.d.mcdermott@usace.army.mil
Phone: (901) 544-0732
Fax: (901) 544-0211

Comments may be sent via mail or email. The Corps of Engineers may provide copies of all comments, (including name & address of those providing comments) to the sponsor for consideration and response prior to a decision. Comments must be received by the expiration date listed on page one of this notice.

For Final Individual Permits actions in the Memphis District, go to the following link: <http://permits.ops.usace.army.mil/orm-public>. Using the Filter by district drop down box, select MVM-Memphis District, then select the year and month (information will populate in the table below). All pending individual permits can be located by selecting the “Pending IP” tab above. All of the environmental documents and statements of findings supporting issuance or denial of the permit decisions are available upon written request and where applicable, upon the payment of administrative fees. They are also available at the Memphis District, Regulatory Branch office for examination.

Gregg W. Williams
Chief
Regulatory Division

Attachments