

**US Army Corps
of Engineers**

Louisville District ®

Public Notice

Public Notice No.
LRL-2021-188-sam

Open Date:
8 June 2021

Closing Date:
8 July 2021

Please address all comments and inquiries to:
U.S. Army Corps of Engineers, Louisville District
ATTN: Scott Matthews
Indianapolis Regulatory Office
8902 Otis Avenue, Suite S106B
Indianapolis, Indiana 46216

Phone: 317-543-9424

This notice announces an application submitted for a Department of the Army (DA) Permit, subject to Section 404 of the Clean Water Act (CWA).

APPLICANT: Central Indiana Mitigation Providers, LLC
248 Southwoods Center
Columbia, IL 62236

AGENT: Cardno
3901 Industrial Boulevard
Indianapolis, IN 46254

LOCATION: Located along North Muncie Pike approximately 3.25 miles of the intersection with U.S. Route 36 in Henry County, Indiana.

Latitude: 40.0520°
Longitude: -85.3205°
7.5 Minute Quad: Mount Pleasant

PURPOSE: To develop a mitigation banking instrument that would operate within the State of Indiana, providing stream and wetland mitigation credits

DESCRIPTION OF WORK: The sponsor is proposing to establish a stream and wetland mitigation bank, Bull-Buck Stream and Wetland Mitigation Bank on 173 acres of agricultural land adjacent to Clift Ditch. The sponsor proposes to re-establish 42 acres of forested and emergent wetlands; enhance 3.08 acres of existing wetlands; relocate and reconstruct 850 feet of jurisdictional channel and restore 19 acres of wetland buffer.

The Sponsor proposes the following credit ratios: wetland re-establishment completed at a 1:1 ratio; wetland enhancement at a 1:2 ratio, stream credits at a 1:1 ratio along the reconstructed channel, and buffer credits at a 1:4 ratio. In all, once the bank has been deemed successful, the sponsor proposes that 43.54 wetland mitigation credits, 850 stream credits and 4.75 buffer credits would be generated for sale.

The sponsor proposes that the Bull-Buck Stream and Wetland Mitigation Bank provides available compensatory mitigation for projects located in the Upper White 8-digit watershed (05120201). The sponsor proposes a secondary service area of the following 8-digit watersheds: Whitewater (05080003), Flatrock/Haw (HUC 0510205), and the Driftwood (05120204).

The project would be monitored for a period of 10 years to ensure that the project meets the proposed objectives and performance standards in the mitigation plan.

REVIEW PROCEDURES: A DA Permit cannot be issued if any legally required Federal, State, or local authorization or certification is denied.

A DA Permit, if otherwise warranted, will not be issued on this project until a State of Indiana Section 401 Water Quality Certification (WQC) from the Indiana Department of Environmental Management (IDEM) is on file in this office or it is considered waived. This Public Notice may constitute the application for the 401 certification. IDEM will review this proposal for compliance with the applicable provisions of Section 301, 302, 303, 306 and 307 of the CWA, including the state water quality standards currently set forth at 327 IAC 2. They will consider comments regarding this proposal postmarked by the closing date of this notice. Comments to IDEM should be addressed to: IDEM, Office of Water Quality, Section 401 WQC Program, 100 N. Senate Avenue Room N1255, Indianapolis, Indiana 46204. The applicant is responsible for obtaining the certification from IDEM.

Copies of this notice are sent to the appropriate Federal and State Fish and Wildlife Agencies. Their views and comments are solicited in accordance with the Fish and Wildlife Coordination Act of 1956. Based on available information, the proposed activity will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act, and therefore, initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. A request for a public hearing must state the specific interest which might be damaged by issuance of the DA Permit.

The National Register of Historic Places has been examined, and it has been determined that there are no properties currently listed on the Register which have been directly affected by the work. The Corps will be requesting a Phase 1 Archeological Survey of the site prior to approval. Once complete, the Corps will coordinate the findings with the State Historic Preservation Office.

The decision whether to issue a permit will be based on an evaluation of the probable impact of the proposed 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 proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered; among those are conservation, economics, aesthetic values, general environmental concerns, historic values, fish and wildlife values, flood damage prevention, land use, navigation, recreation, water supply, water quality, energy needs, safety, food production, and in general, the needs and welfare of the public. In addition, the evaluation of the impact of the activity on the public interest will include application

of the guidelines (40 CFR Part 230) promulgated by the Administrator, United States Environmental Protection Agency, under authority of Section 404(b) of the CWA.

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. It is presumed that all interested parties and agencies will wish to respond; therefore, a lack of response will be interpreted as meaning that there is no objection to the proposed project. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. 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.

Written statements received in this office on or before the closing date will become a part of the official record and will be considered in the determination on this permit request. Any objections which are received during this period will be forwarded to the applicant for possible resolution before the determination is made whether to issue or deny the requested DA Permit. A permit will be granted unless its issuance is found to be contrary to the public interest.

Information pertaining to this application is available for public examination during normal business hours upon prior request. Drawings are available on Louisville District's Internet site at <http://www.lrl.usace.army.mil/Missions/Regulatory/Public-Notices/>. All comments regarding this proposal should be addressed to Mr. Scott Matthews, CELRL-RDE, at the address noted above and should refer to the Public Notice Number No. LRL-2020-188-sam.

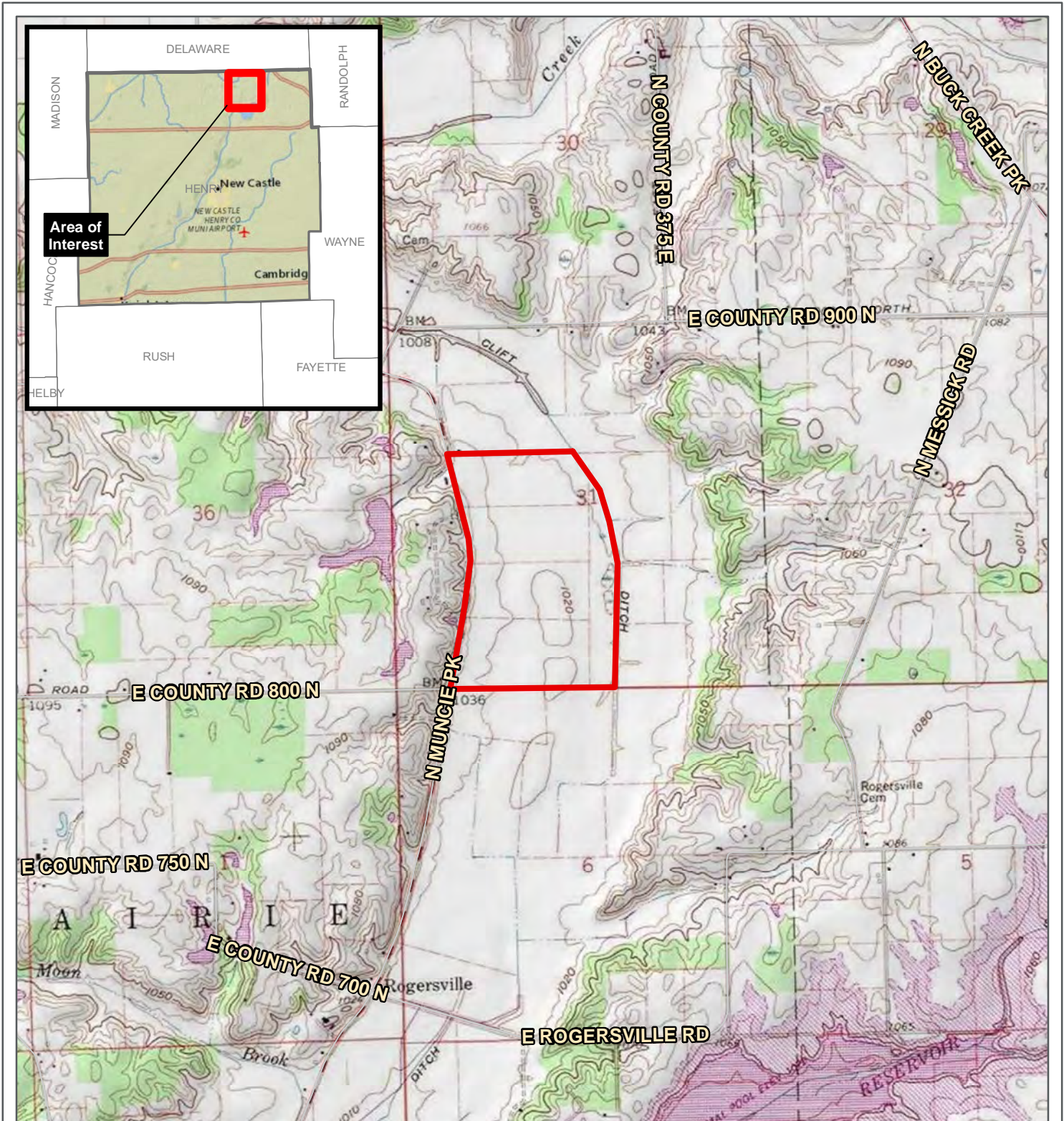
If you desire to submit your comments by email, you must comply with the following:

- a) In the subject line of your email, type in **ONLY** the Public Notice ID No. LRL-2020-188

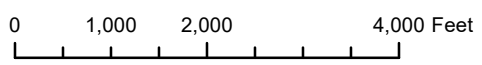
Example:


Subject: LRL-2020-188-sam


- b) Provide your physical mailing address and telephone number.
- c) Send your email to: lrl.regulatorypubliccomment@usace.army.mil
- d) If you are sending attachments greater than 10 Mb in size with your email, you must send a hard copy (CD or paper) to the Corps' physical address as well.



1 inch = 2,000 feet



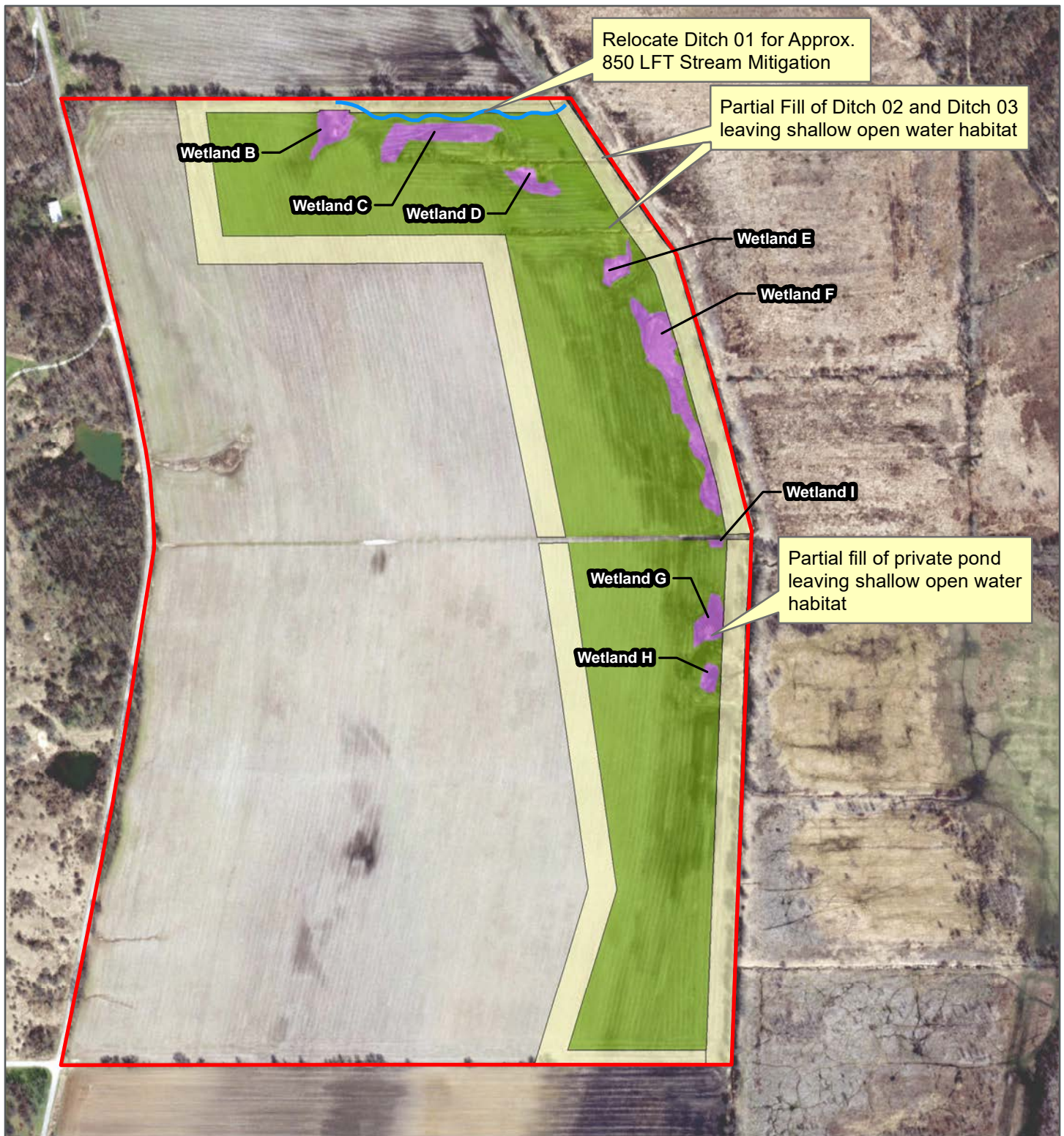
 Area of Interest


 Township 19 North
 Range 11 East
 Section 31
 Project No.
 J20X301500

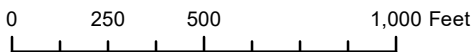
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Figure 1. Project Location
173-Acre Bullock Property
Central Indiana Mitigation Providers, LLC
Henry County, Indiana


 708 Roosevelt Road, Walkerton, IN 46574
 Phone (+1) 574-586-3400 Fax (+1) 574-586-3446
 www.cardno.com



1 inch = 500 feet



- Stream Relocation
- Wetland Enhancement
- Property Boundary
- Buffer
- Wetland Re-establishment

Township 19 North
Range 11 East
Section 31
Project No.
J20X301500

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Proposed Mitigation
Central Indiana Mitigation Providers, LLC
Bull-Buck Mitigation Bank
Prairie Township, Henry County, Indiana

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