



**US Army Corps
of Engineers** ®
Fort Worth District

Public Notice

Applicant: Parkhill Prairie Ranch, LLC

Project No.: SWF-2018-00121

Date: July 10, 2019

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403) to regulate *all work or structures in or affecting the course, condition or capacity of navigable waters of the United States*. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 USC 1344) to regulate the *discharge of dredged and fill material into all waters of the United States, including wetlands*. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

Contact

Name: Mr. Brent Jasper, Project Manager

Phone Number: 817-886-1733

PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

SUBJECT: This public notice is being issued to provide interested parties an opportunity to comment on a proposal to establish the Arnold Creek Mitigation Bank (ACMB), a wetland and stream mitigation bank located northeast of Farmersville, Collin County, Texas.

APPLICANT: Parkhill Prairie Ranch, LLC
c/o Cliff J. Sunda, Wildwood Environmental Credit Company,
LLC, Manager
P.O. Box 6602
Tyler, Texas 75711

APPLICATION NUMBER: SWF-2018-00121

DATE ISSUED: July 10, 2019

LOCATION: The proposed Arnold Creek Mitigation Bank would be located in northeastern Collin County. The proposed bank is part of two larger tracts of land totaling 2,100 acres (Figures 1-4). The northeast tract is known as the Lone Oak Ranch (1,140 acres) and the southwest tract known as the Indian Creek Ranch (960 acres). Approximately 572 acres of the Lone Oak Ranch tract and 610 acres of the Indian Creek Ranch tract would be included in the bank totaling 1,182 acres. The Lone Oak Ranch Tract is located at UTM coordinates Zone 14, 749286 East and 3683259 North. The Indian Creek Ranch Tract is located at UTM coordinates Zone 14, 746299 East and 3680687 North. Both tracts are mapped on the Farmersville and Pike 7.5-minute USGS quadrangle maps. The bank is within the USGS Hydrologic Unit 12030106. The bank is located within the Upper Trinity watershed and the Texas Blackland Prairies Level III Ecoregion.

PROJECT DESCRIPTION: The Bank Sponsor would restore, establish, and/or enhance and permanently protect approximately 76,183 linear feet of ephemeral stream (35,309 feet at the Indian Creek Tract and 40,875 feet at the Lone Oak Tract) and 44,187 linear feet of intermittent stream with their associated restored riparian buffers (17,829 feet at the Indian Creek Tract and 26,358 feet at the Lone Oak Tract). The Bank Sponsor would also restore, establish, and/or enhance 341 acres of wetlands (247 acres at the Indian Creek Tract and 94 acres at the Lone Oak Tract)(Figures 5A & 5B).

The purpose of the ACMB is to provide potential permittees with mitigation credits needed to compensate for unavoidable impacts to waters of the U.S. within the proposed service areas in accordance with the Mitigation Banking Guidelines (CESWF-10-MIT, dated June 16, 2011, CESWF-12-MITB, dated July 5 2016, CESWF-18-MITB, dated January 24, 2019) and the Stream Mitigation Method (SWF-2011-00078, dated October 2, 2013). The Sponsor is proposing primary, secondary, and tertiary service areas, all

within the Upper Trinity River basin (Figure 6). The proposed primary service area consists of the East Fort Trinity subbasin which has the 8-digit Hydrologic Unit Code (HUC) 12030106. The East Fork Trinity Subbasin includes parts of Collin, Grayson, Fannin, Hunt, Rockwall, Kaufman, and Dallas Counties. The proposed secondary service area consists of the Level III Ecoregion Texas Blackland Prairies contained within the adjoining HUCs, which includes portions of Kaufman, Rockwall, Ellis, Navarro, Dallas, Collin, Denton, and Grayson Counties. The tertiary service area consists of areas within adjacent 8-digit HUCs and within the East Texas Central Plains and Cross Timbers Level III Ecoregions. The tertiary service area includes portions of Montague, Cooke, Wise, Denton, Ellis, Kaufman, Van Zandt, Henderson, Navarro, Freestone, and Anderson Counties.

The ACMB property is approximately 2,100 acres in size, is presently operated as a cattle and agricultural (row crop) ranch. Currently the bank site includes 261 acres of forested wetland, 55 acres of emergent wetland, 35,745 linear feet of intermittent stream, 27,372 linear feet of ephemeral stream, 4 acres of impoundments, and disconnected (isolated) stream features and/or non-jurisdictional vegetated swales which were likely historically connected jurisdictional stream features. The proposed ACMB project would provide 341 acres of wetland establishment, restoration, and/or enhancement. The ACMB would also provide approximately 76,183 linear feet of ephemeral stream enhancement or restoration and approximately 44,187 linear feet of intermittent stream enhancement or restoration. Total restored/enhanced stream length proposed for mitigation credit would be approximately 120,370 linear feet. “Restored” reaches are those that would increase in length (i.e. include new areas of aquatic resources) primarily due to rerouting of straightened channels with appropriate patterns of meanders. “Enhanced” stream reaches refers to those reaches where the length of the existing stream channel would not change, but other in-channel work may occur to increase stream function. Bank streams and associated riparian buffers would be protected in perpetuity through a conservation easement administered by a 501(c)(3) land trust. The goal of ACMB is to restore degraded streams to an improved condition similar to an appropriate reference stream.

A mitigation banking instrument (MBI) would be developed in accordance with the Compensatory Mitigation for Losses of Aquatic Resources (CMLR), (Federal Register, Thursday, April 10, 2008, Vol. 73, No. 70, pp. 19594-19705). The MBI would detail the legal and physical characteristics of the bank and how the bank would be established and operated. Subjects addressed in detail in the MBI would include development of the site, service area, credit determination, short and long-term financial assurances, scope of agreement, purpose and goals of the bank, baseline conditions, performance standards for enhancement activities, accounting procedures, monitoring and reporting, long-term maintenance and protection, and transfer of bank ownership or sponsorship.

The USACE, U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service (USFWS), Texas Commission on Environmental Quality, Railroad Commission of Texas, and Texas Parks and Wildlife Department comprise the Interagency Review Team (IRT), and would be involved in developing the MBI and may be signatories to the final document.

Implementation of the proposed mitigation bank would require Department of the Army Authorization under Section 404 of the Clean Water Act. Based on preliminary evaluation by the USACE, it appears that the proposed bank may be authorized by nationwide permit 27 for Aquatic Habitat Restoration, Establishment, and Enhancement Activities.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service's latest published version of endangered and threatened species to determine if any may occur in the project area. The proposed project would be located in a county where the Whooping Crane (*Grus americana*), Piping Plover (*Charadrius melodus*), Interior Least Tern (*Sternum antillarum*), and the Red Knot (*Calidris canutus rufa*) are known to occur or may potentially occur. The Whooping Crane and Interior Least Tern are endangered species and the Piping Plover and Red Knot are threatened species. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: The area of the proposed Project has never been surveyed for the presence of historic or prehistoric cultural resources. There are no properties eligible for, or listed on, the National Register of Historic Places within the proposed development. Based on similar areas in Collin County, the area has a high likelihood of containing prehistoric or historic sites. A survey of the permit area will be required to identify and assess any cultural resources identified.

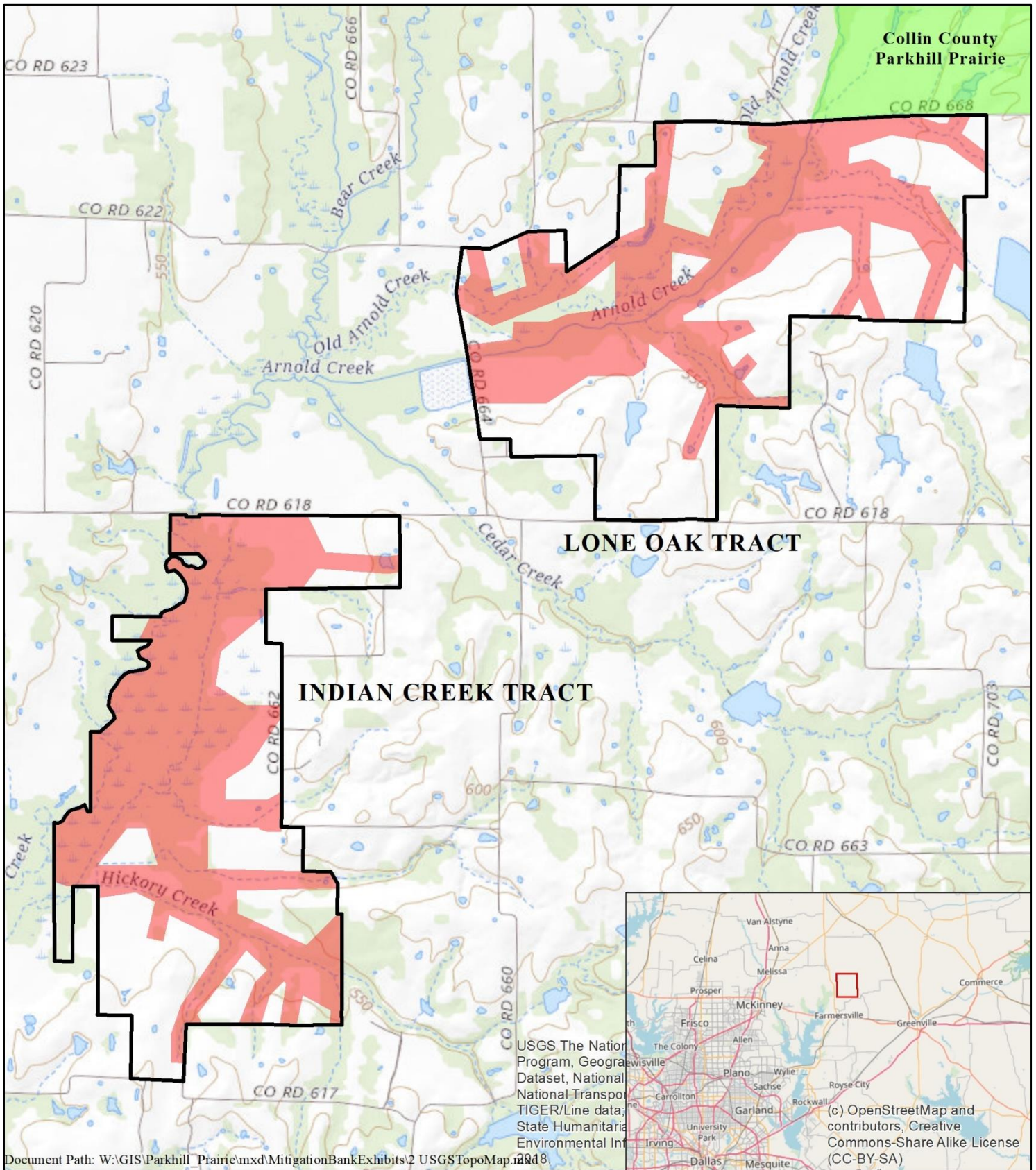
FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.

SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to allow the public an opportunity to comment on this bank proposal and to assist the USACE and other members of the IRT in developing the final MBI. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.


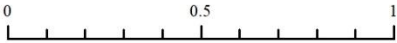

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

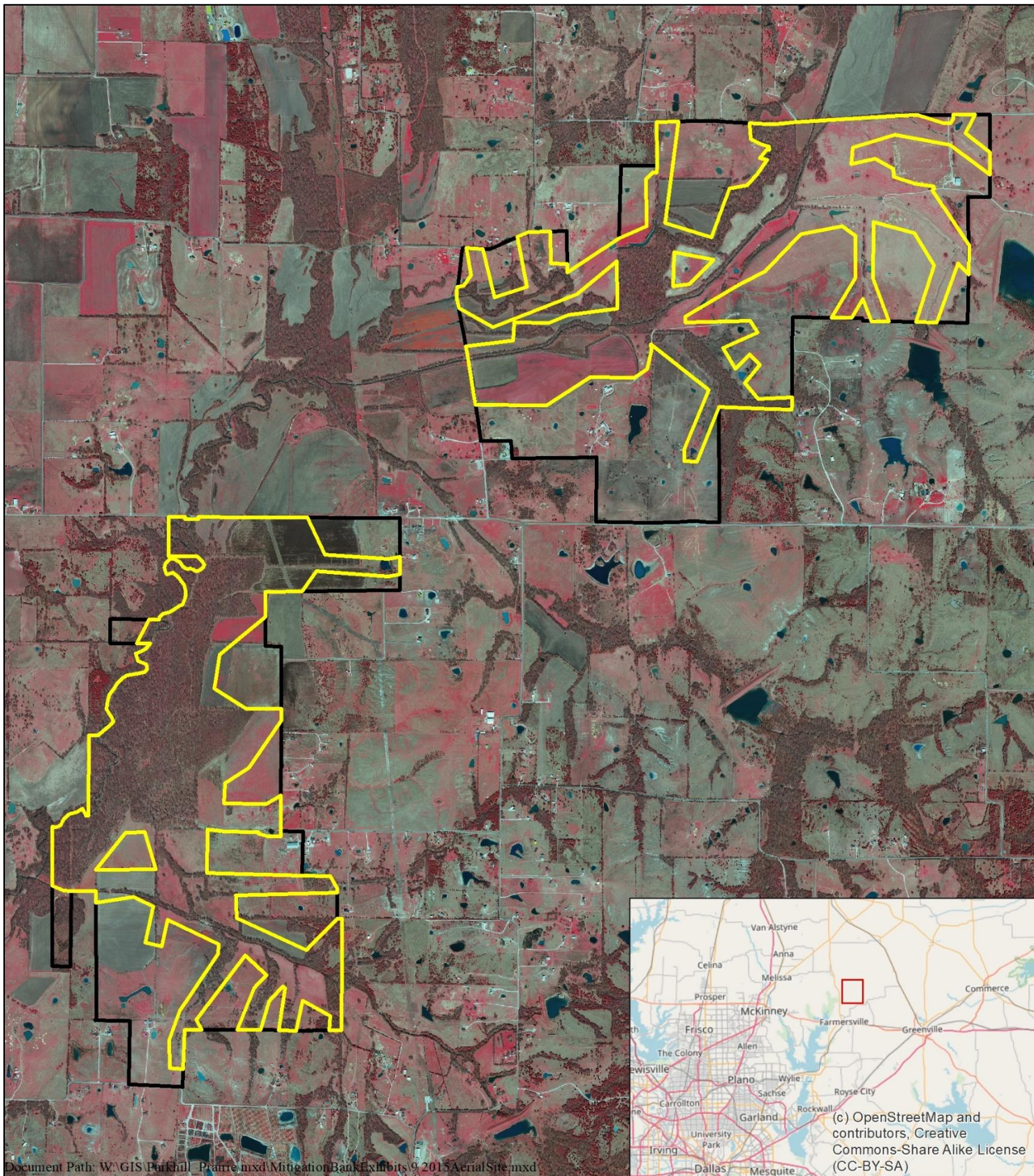
CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before Friday, August 9, 2019, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Mr. Brent Jasper; Regulatory Division, CESWF-DE-R; U. S. Army Corps of Engineers; Post Office Box 17300; Fort Worth, Texas 76102-0300. You may visit the Regulatory Branch in Room 3A37 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Telephone inquiries should be directed to (817) 886-1733. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS





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LEGEND		USGS Topographic Map	
<ul style="list-style-type: none"> Property Line Mitigation Bank Boundary Protected Areas 	Arnold Creek Mitigation Bank, SWF-2018-00121, Collin County, Texas		 Date Saved: 6/13/2019
FIGURE 1		Coordinate System: NAD 1983 2011 StatePlane Texas North Central FIPS 4202 FUS	
		 0 0.5 1 Miles	 1:30,000



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LEGEND

-  Property Line
-  Mitigation Bank Boundary

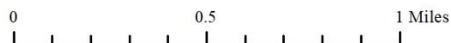
2015 Color Infrared Aerial Photograph

Arnold Creek Mitigation Bank, SWF-2018-00121, Collin County, Texas



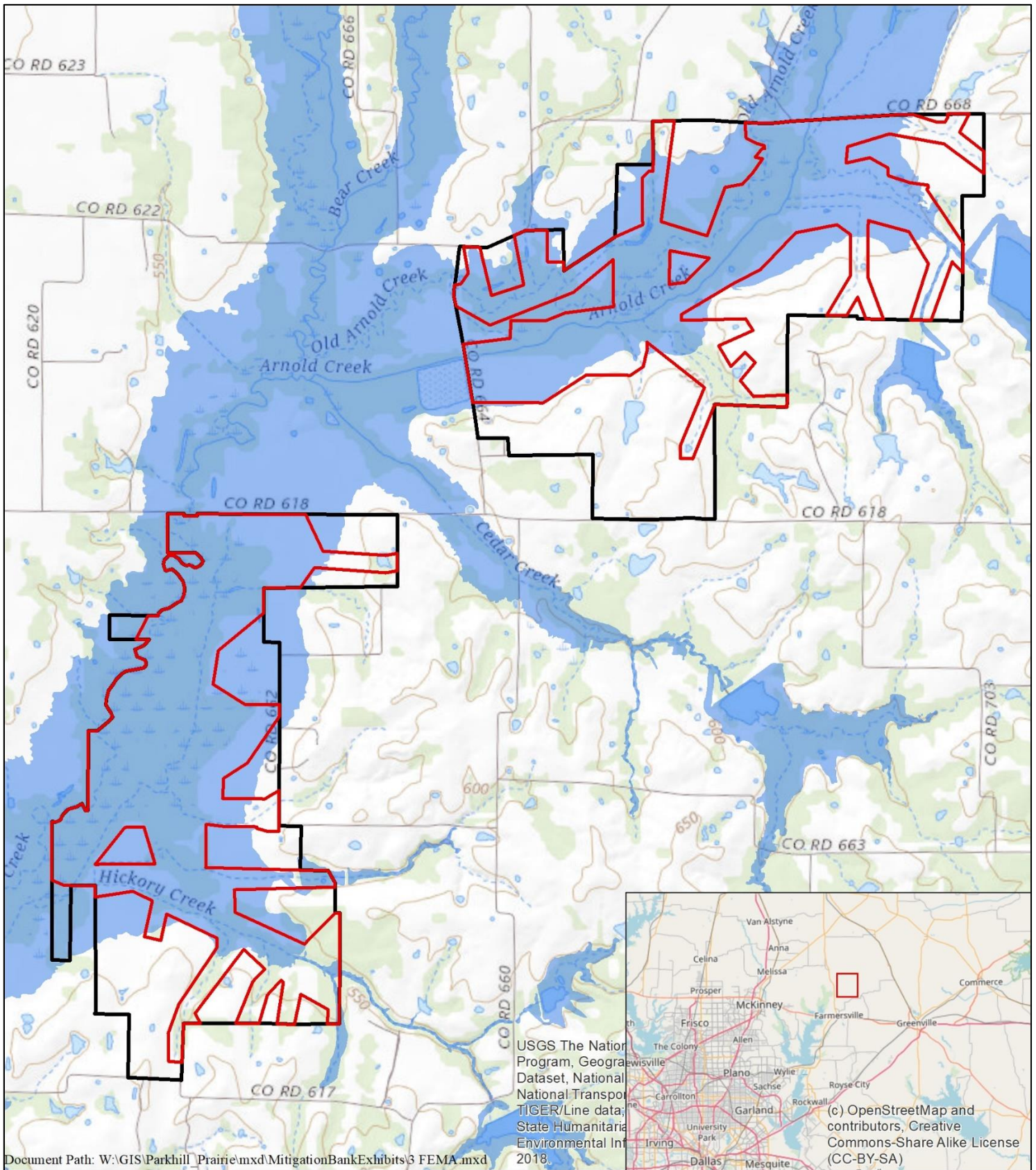
Date Saved:
6/13/2019

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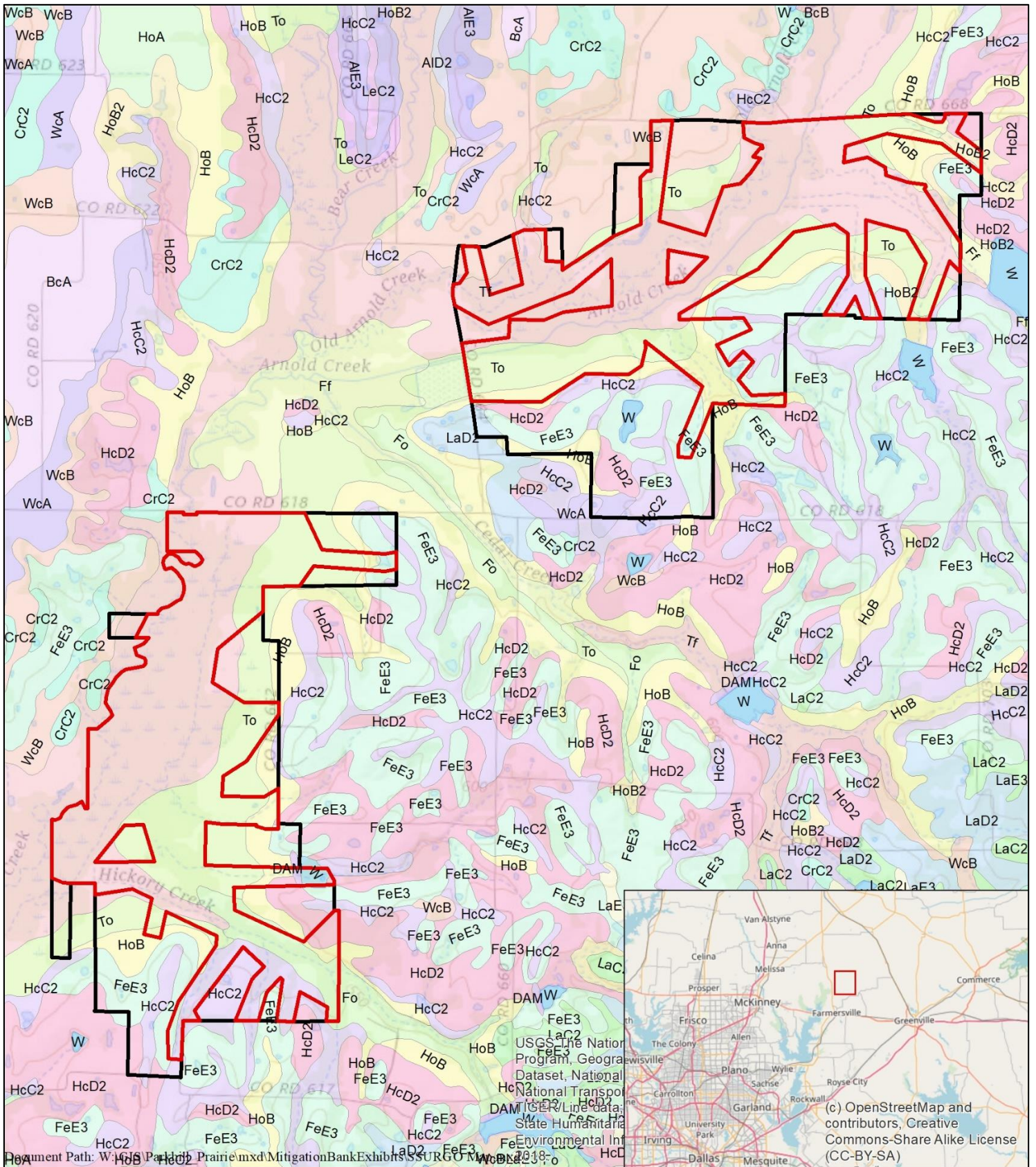


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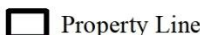

FIGURE 2



LEGEND		FEMA 100-Year Floodplain	
<ul style="list-style-type: none"> Property Line Mitigation Bank Boundary FEMA Zone A 	<p style="text-align: center;">Arnold Creek Mitigation Bank, SWF-2018-00121, Collin County, Texas</p>		
<p>FIGURE 3</p>	<div style="text-align: center;"> <p>Date Saved: 6/13/2019</p> </div>	<p style="text-align: center;">Coordinate System: NAD 1983 2011 StatePlane Texas North Central FIPS 4202 FUS</p> <div style="text-align: center;"> </div>	<p>1:30,000</p>



LEGEND

-  Property Line
-  Mitigation Bank Boundary

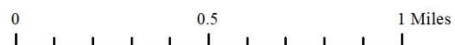
NRCS SSURGO Soil Survey Map

Arnold Creek Mitigation Bank, SWF-2018-00121, Collin County, Texas



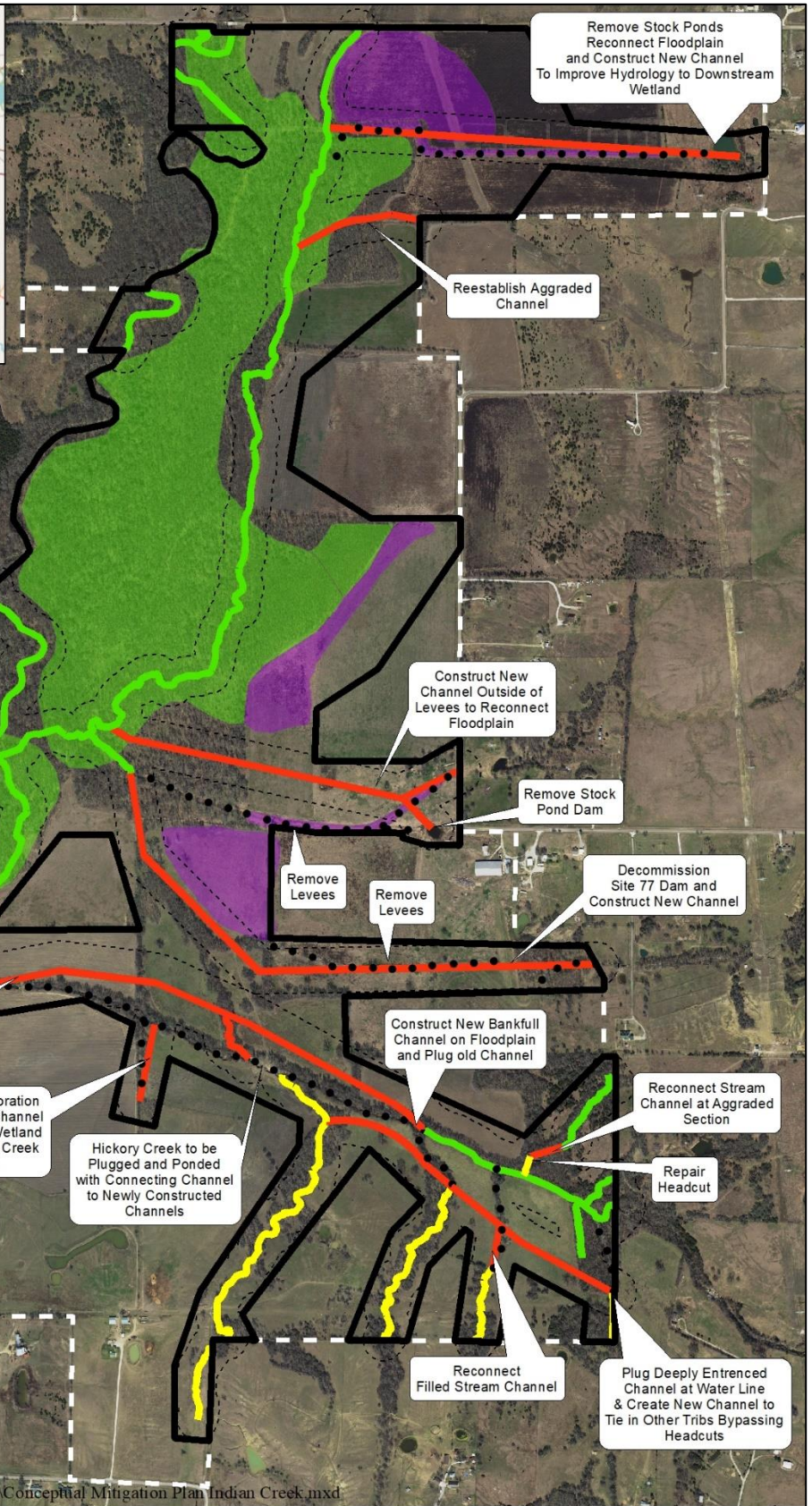
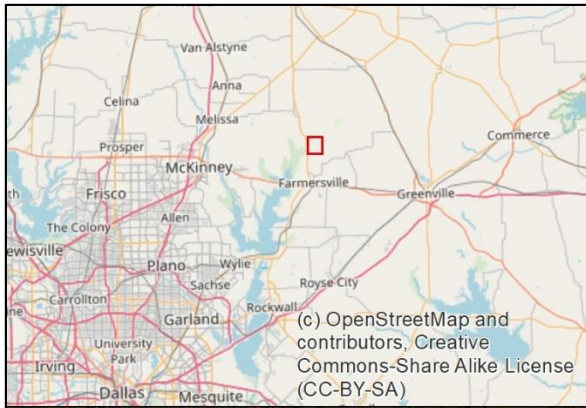
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6/13/2019

Coordinate System:
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FIGURE 4



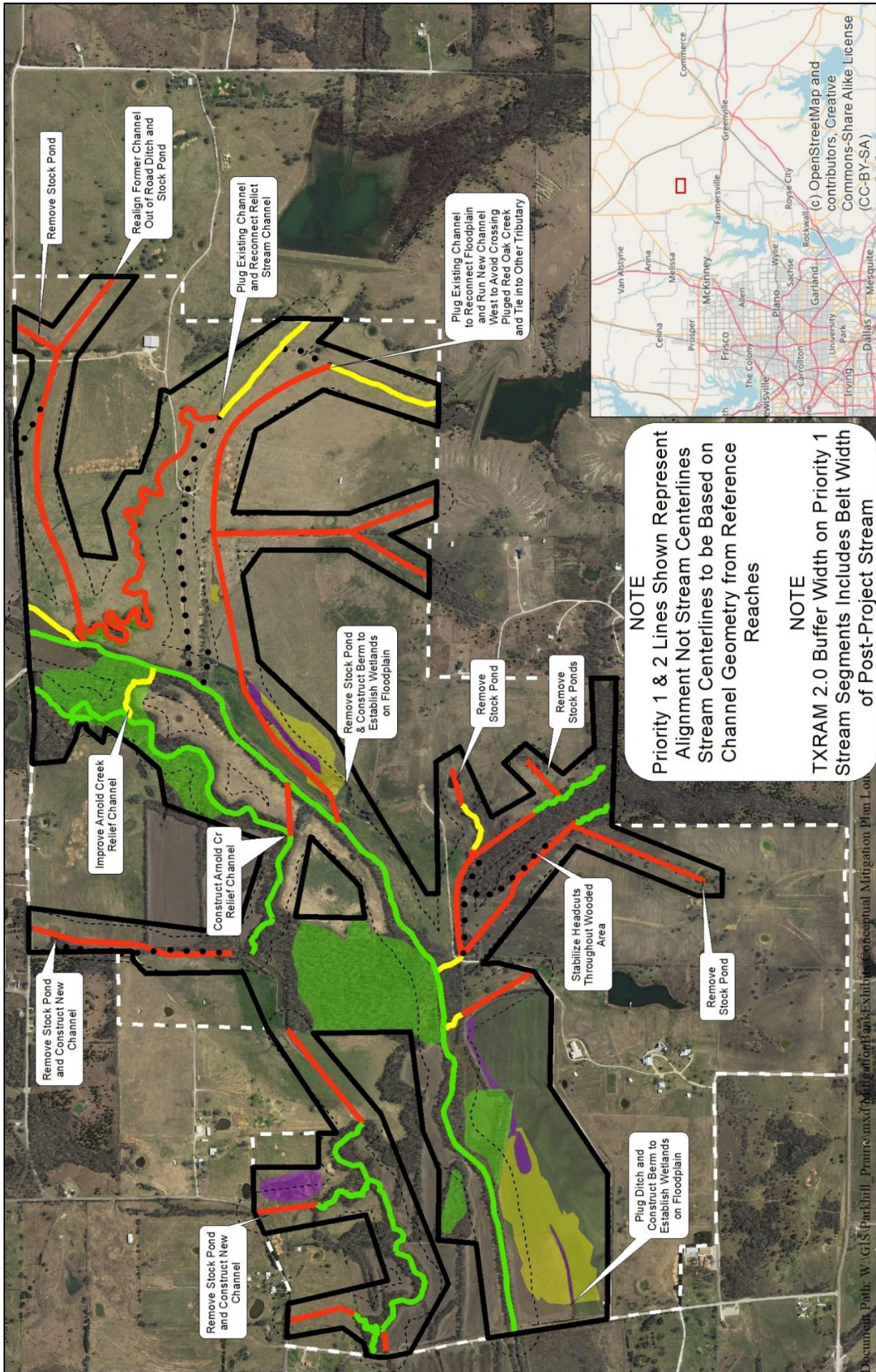
NOTE
Priority 1 & 2 Lines Shown Represent Alignment Not Stream Centerlines
Stream Centerlines to be Based on Channel Geometry from Reference Reaches

NOTE
TXRAM 2.0 Buffer Width on Priority 1 Stream Segments Includes Belt Width of Post-Project Stream

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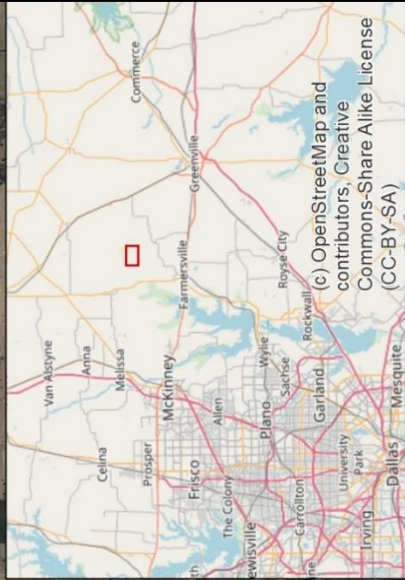
LEGEND		Conceptual Mitigation Work Plan - Indian Creek Tract Arnold Creek Mitigation Bank, SWF-2018-00121, Collin County, Texas	
<ul style="list-style-type: none"> Property Line Mitigation Bank Boundary TXRAM 2.0 Stream Buffer Stream Work Fill Existing Channel Priority 1 Priority 2 	<ul style="list-style-type: none"> Riparian Buffer Wetland Work PFO Enhancement PFO Establishment PFO Rehabilitation 	 Date Saved: 6/13/2019	Coordinate System: NAD 1983 2011 StatePlane Texas North Central FIPS 4202 FUS 0 0.25 0.5 Miles 1:15,000

FIGURE 5A



NOTE
 Priority 1 & 2 Lines Shown Represent Alignment Not Stream Centerlines
 Stream Centerlines to be Based on Channel Geometry from Reference Reaches

NOTE
 TXRAM 2.0 Buffer Width on Priority 1 Stream Segments Includes Belt Width of Post-Project Stream



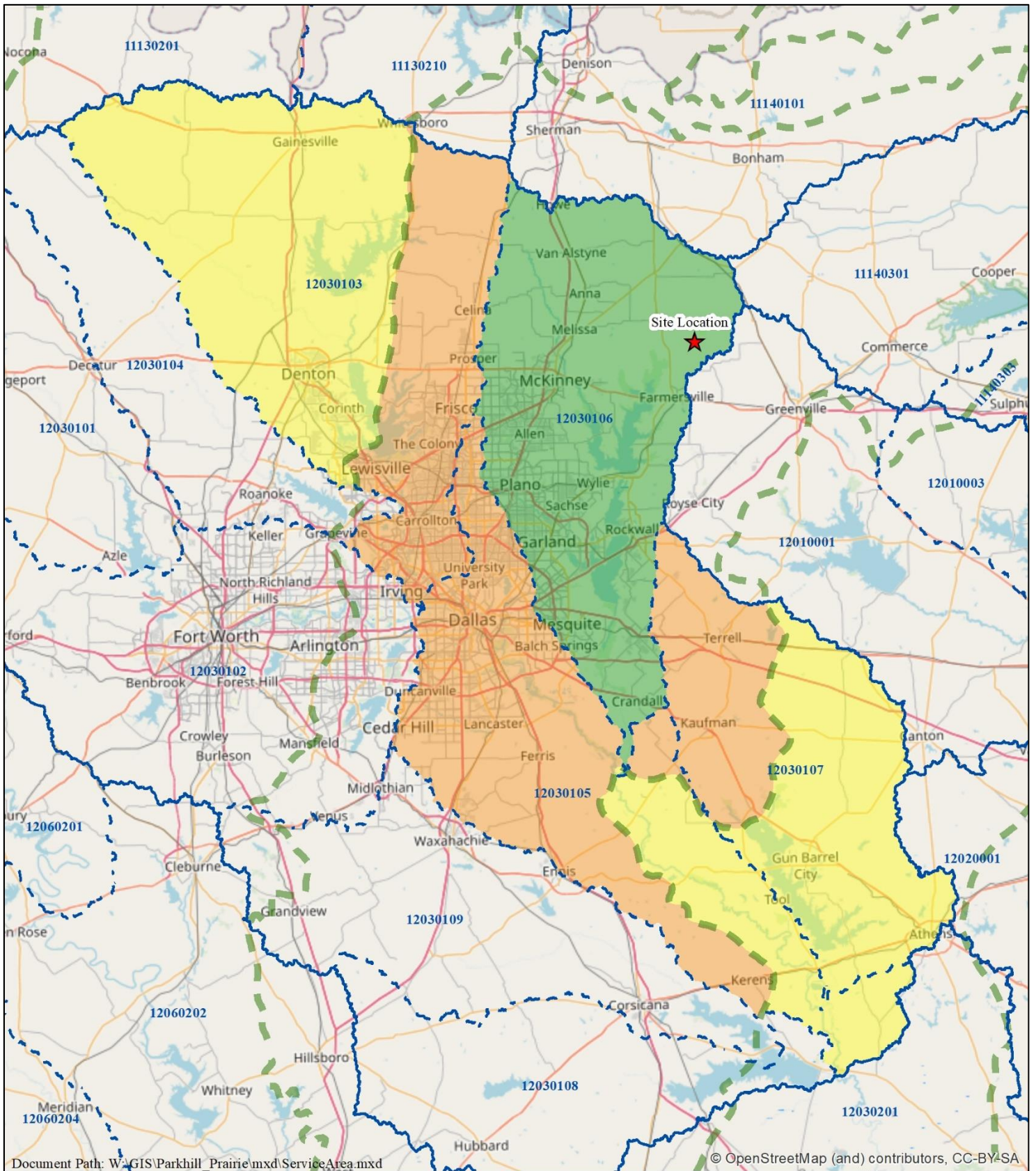
LEGEND

- Priority 1
- Priority 2
- Riparian Buffer
- Wetland Work
- PFO Enhancement
- Property Line
- Mitigation Bank Boundary
- TXRAM 2.0 Stream Buffer
- Fill Existing Channel
- PFO Establishment
- PFO Rehabilitation

FIGURE 5B

Conceptual Mitigation Work Plan - Lone Oak Tract
 Arnold Creek Mitigation Bank, SWF-2018-00121, Collin County, Texas

Coordinate System: NAD 1983 2011 StatePlane Texas North Central FIPS 4202 FUS
 Date Saved: 6/13/2019
 Scale: 0 to 0.5 Miles
 1:15,000



LEGEND

- Level III Ecoregion
- Watershed Boundary
- HUC 6
- HUC 8
- Service Area**
- Primary - 1:1 Ratio
- Secondary - 1.5:1 Ratio
- Tertiary - 3:1 Ratio

FIGURE 6



Service Area Map

Arnold Creek Mitigation Bank, SWF-2018-00121, Collin County, Texas

