



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

Public Notice

Applicant: Mitigation Strategies, L.L.C.

Project No.: SWF-2023-00350

Date: August 29, 2025

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

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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 by Mitigation Strategies, L.L.C., to establish the R.W. Coffey Mitigation Bank (RWCMB), a mitigation bank that would be located approximately three miles west of Sulphur Spring in southeast Hopkins County, Texas.

APPLICANT: Mitigation Strategies, L.L.C.
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mitigationstrategies@yahoo.com

APPLICATION NUMBER: SWF-2023-00350

DATE ISSUED: August 29, 2025

LOCATION: The proposed Bank consists of two neighboring parcels of approximately 372.4 acres and approximately 334.898 acres which are located in Hopkins County, Texas approximately three miles west of the town of Sulphur Springs, Texas. The geographic coordinates for the proposed 706-acre Bank are: 33.141077 North and -95.672814 West. The proposed Bank is mapped within the East Central Plains and Texas Blackland Prairies Environmental Protection Agency (EPA) Level III Ecoregions (Griffith et al. 2007) and the Sulphur River 8-digit Hydrologic Unit Code (HUC) (11140301) – Sub basins: White Oak Bayou, Sulphur Headwater, Lower Sulphur, Caddo Lake, and Lake O’ The Pines.

See Figures 1-5, 7-7A, and 9-18 for project details. (Note: there is no Figure 6 and 8)

PROJECT DESCRIPTION:

The Sponsor is proposing restoration, enhancement, and permanent protection of approximately 17,381 linear feet of intermittent streams, 22,314 linear feet of ephemeral streams, 214.56 acres of palustrine emergent wetlands, and 324.08 acres of palustrine forested wetlands within the RWCMB. The bank site is located within the White Oak Creek watershed of the Sulphur River basin. The goal of the Sponsor in developing the RWCMB is to provide high quality restoration/enhancement of stream ecosystems and wetland restoration as compensation for adverse impacts to Waters of the United States (WOTUS) occurring within the Bank’s proposed Service Area. It is anticipated that ecological lift associated would generate forested wetland, emergent wetland, in-channel ephemeral stream, and in-channel intermittent stream credits.

The purpose of the RWCFMB is to provide potential permittees with compensatory mitigation credits needed to offset unavoidable impacts to WOTUS 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 proposed service area includes like-kind habitat and out-of-kind habitat types located within the U.S. Army Corps of Engineers (USACE), Fort Worth District and the Sulphur River Basin (HUC 11140301).

The proposed Primary service area includes the entirety of HUC 11140303 – White Oak Creek. The Secondary service area includes the portions of HUC 11140302 and 11140305 that overlap with the East Central Texas Plains Ecoregion. The Tertiary service area includes HUC 11140301 that overlaps with the Texas Blackland Prairies Ecoregion.

The proposed Bank property consists of two tracts of land. The first being 372 acres owned by the R.W. Coffey Trust (RWC) and the second 335 acres owned by Lenington Farm (LF). The RWC is represented by approximately 269.2 acres of degraded wetland habitat, 74.3 acres of moderately impacted forested wetland habitat, 12.3 acres of stream restoration habitat and 16.2 acres of upland habitat initially designated for inclusion in the proposed Bank acreage. Of its approximately 335 acres, the LF is represented by approximately 156.75 acres of degraded wetland habitat, 34.7 acres of moderately impacted forested wetland habitat, 48.2 acres of stream restoration habitat and 95.35 acres of upland habitat initially designated for inclusion in the proposed Bank acreage.

A preliminary jurisdictional delineation/determination (PJD), as per the *Atlantic and Gulf Coastal Plain Regional Supplement* and the *1987 Corps Wetland Delineation Manual*, has not been conducted on the project site at this time. However, expert opinion, remote sensing, and ground reconnaissance support the development of a mitigation bank on the site. These preliminary investigations and on-site inspections take into consideration site characteristics (i.e. stream function and morphology, soils, vegetation, and hydrology) that are integral for development of an ecologically viable and sustainable mitigation bank with a high probability for short and long-term success.

Historically, the majority of the two properties were under Coffey family ownership, but over the +/-165 years of Coffey family residence in Hopkins County, parcels have been subdivided and a few sold out of family ownership. The acreage has traditionally been cultivated as pastureland with scattered pockets of woodlands located adjacent to streams. The pastures were converted from timberland to agricultural uses prior to 1860 and has largely remained in an open/herbaceous condition for close to a century (or longer). One natural gas pipeline bisects the northern portion of both properties, and one power line transects the central portion of the Coffey property.

Both tracts within the proposed Bank are largely wet pasture consisting of annual herbaceous vegetation. Riparian areas on the property contain native, woody vegetation comprised of native species normally found in the region.

The Soil Survey of Hopkins County, Texas identifies six (6) soil mapping units located across the properties. Brief summaries of these soil mapping units are provided below.

- Ar – Annona-Raino complex;
- CrB – Crockett loam, 1 to 3 percent slopes, eroded;
- CrC – Crockett loam, 3 to 5 percent slopes;
- CrC2 – Crockett loam, 2 to 5 percent slopes;
- Lr – Lufkin-Raino;
- Na – Nahatche soils, frequently flooded;
- WtC – Woodtell loam, 2 to 5 percent slopes.

The majority of the proposed RWCMB lies along White Oak Creek, Lindley Creek, Blacks Creek, and Crooks Creek in FEMA Zone A. Overbank flooding associated with White Oak Creek and Blacks Creek, as well as direct precipitation, frequently flood the site and therefore provide substantial hydrologic connectivity. Primary hydrology indicators such as oxidized rhizospheres along living roots, water marks, sediment deposits, water-stained leaves, ponded water, and saturated soil have been observed during initial reconnaissance of the RWCMB.

A review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map for the area, identifies the areas of the RWCMB is within Zone A of the 100-year floodplain and includes Freshwater Emergent Wetlands, Freshwater Forested/Shrub Wetlands, Freshwater Ponds, and Riverine habitat.

All mitigation creditable areas within the Bank boundary would be protected in perpetuity through a conservation easement administered by a 501(c)(3) land trust.

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, Texas Parks and Wildlife Service, Texas Commission on Environmental Quality, and the Railroad Commission of Texas 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 using Nationwide Permit 27 for Aquatic Habitat Restoration, Establishment, and Enhancement Activities.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the USFWS's latest published version of endangered and threatened species to determine if any may occur in the project area. The proposed project is in a county where the Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), and Alligator Snapping Turtle (*Macrochelys temminckii*), Monarch Butterfly (*Danaus Plexippus*); and Tricolored Bat (*Perimyotis subflavus*) are known to occur or may potentially occur. The Piping Plover and Red Knot are listed as only needing to be considered for wind energy projects. Initial review indicates that the proposed work would have no effect on federally listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: In accordance with 36CFR800 and 33CFR325 (Appendix C), the District Engineer has consulted the latest version of the National Register of Historic Places. The proposed Project area has never been surveyed for the presence of historic or prehistoric cultural resources. A survey of the permit area will be required to identify and assess known archeological sites and any cultural resources identified. The USACE will be coordinating with the Applicant and the Texas Historic Commission to ensure compliance with Section 106 of the National Historic Preservation Act.

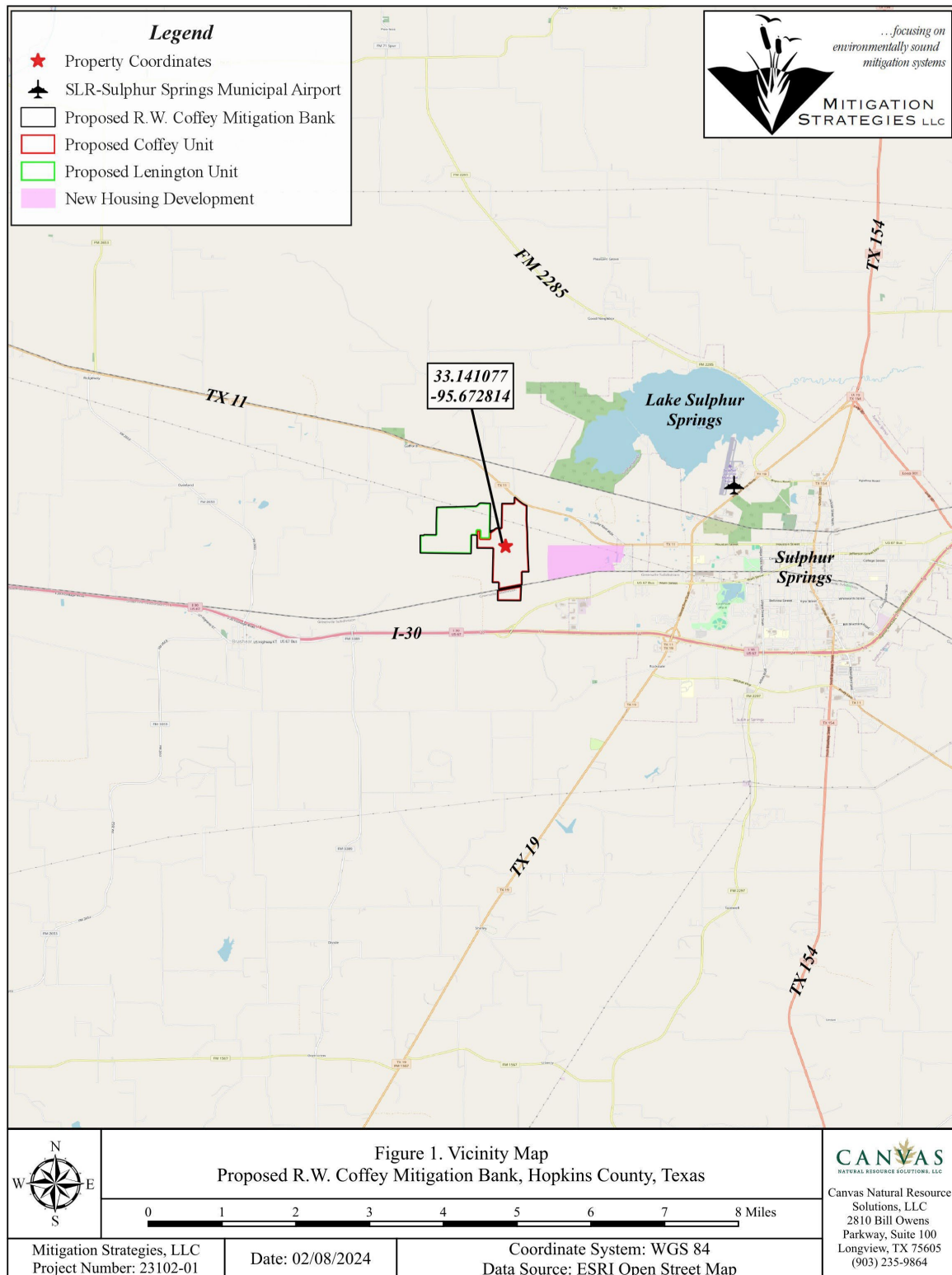
FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review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

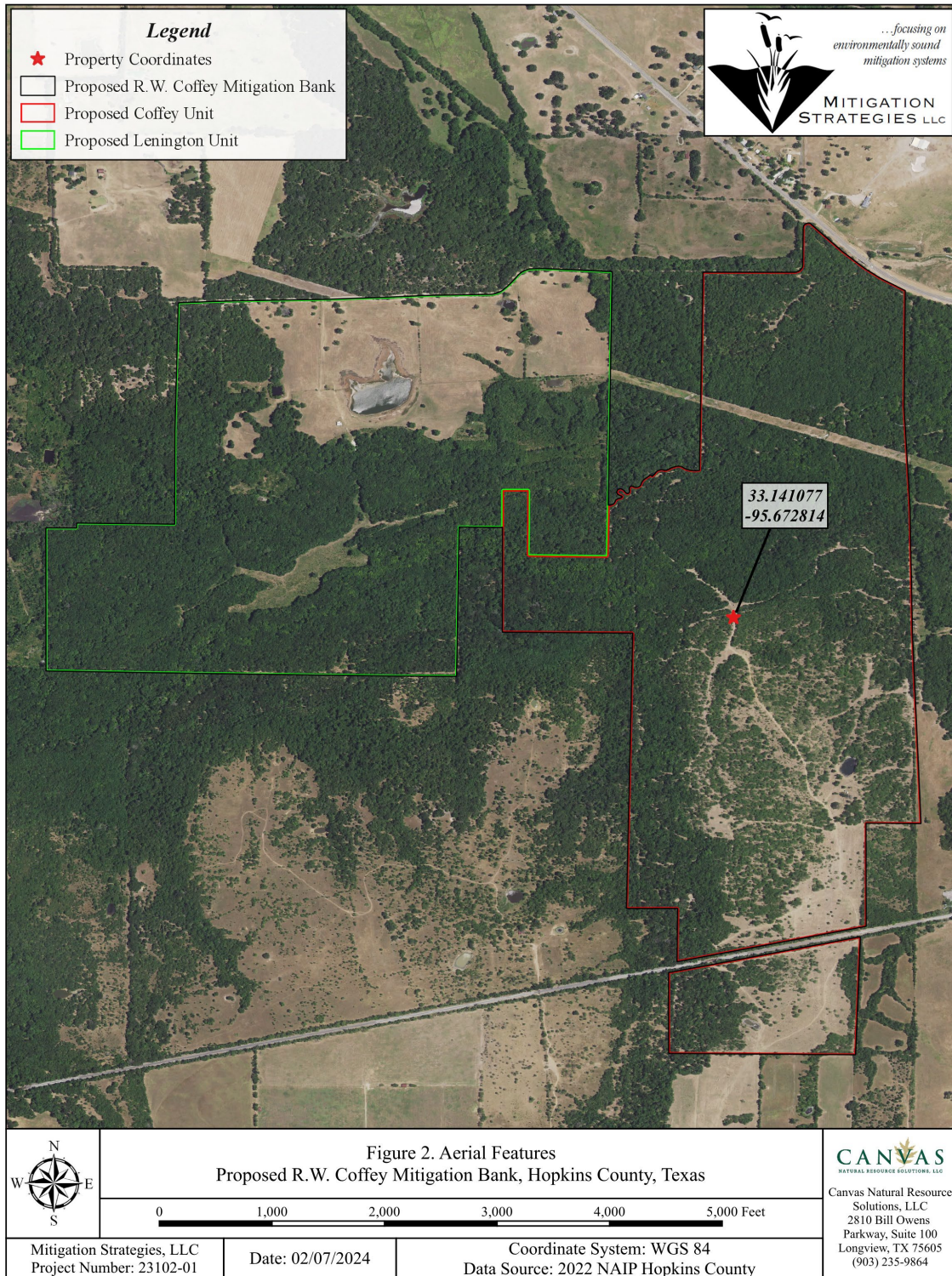
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons to allow the public an opportunity to comment on this bank proposal and to assist the USACE and other members of the IRT in developing the final MBI. For accuracy and completeness of the record, all data 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.

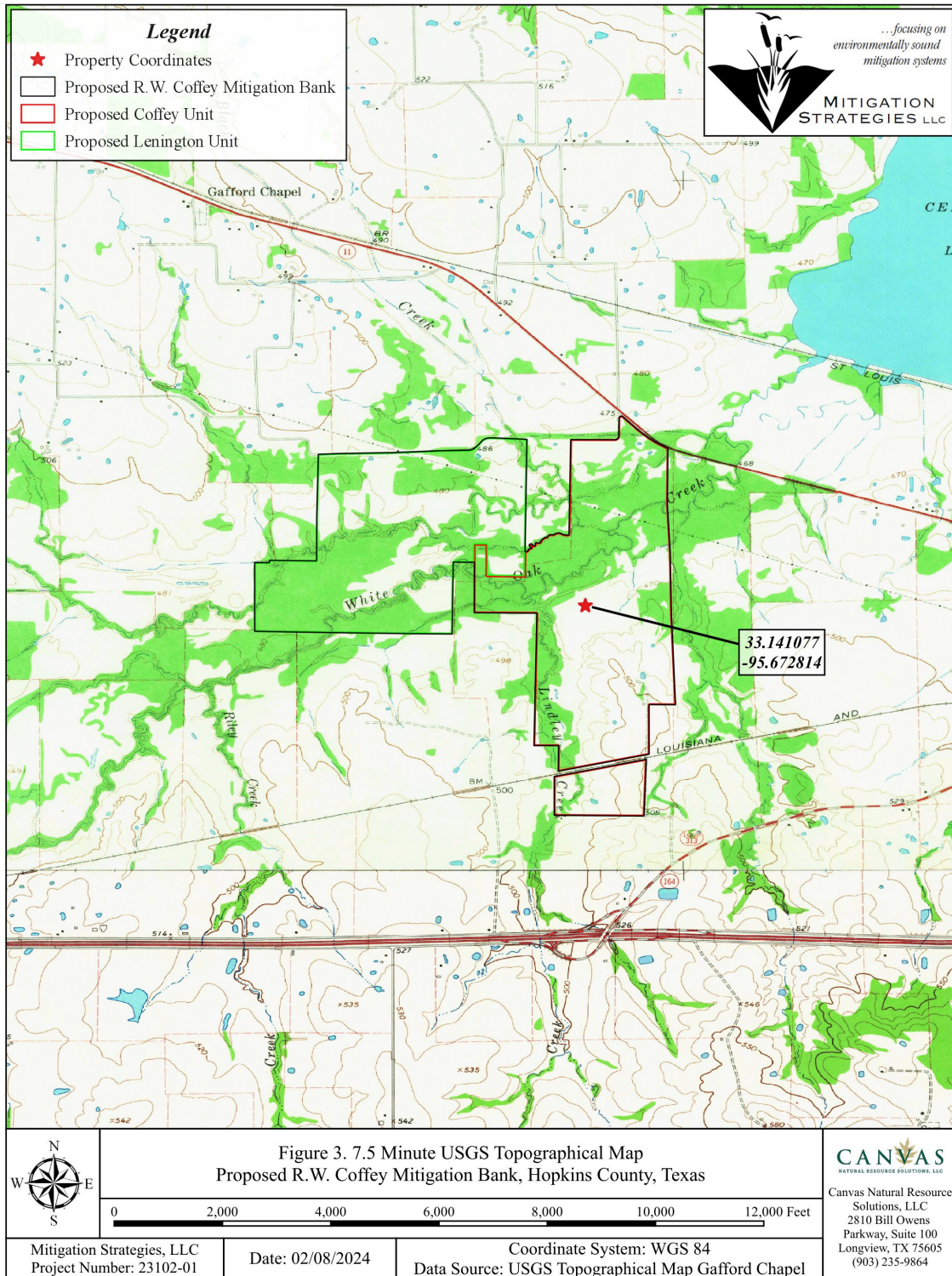
PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his permit decision. If a public hearing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

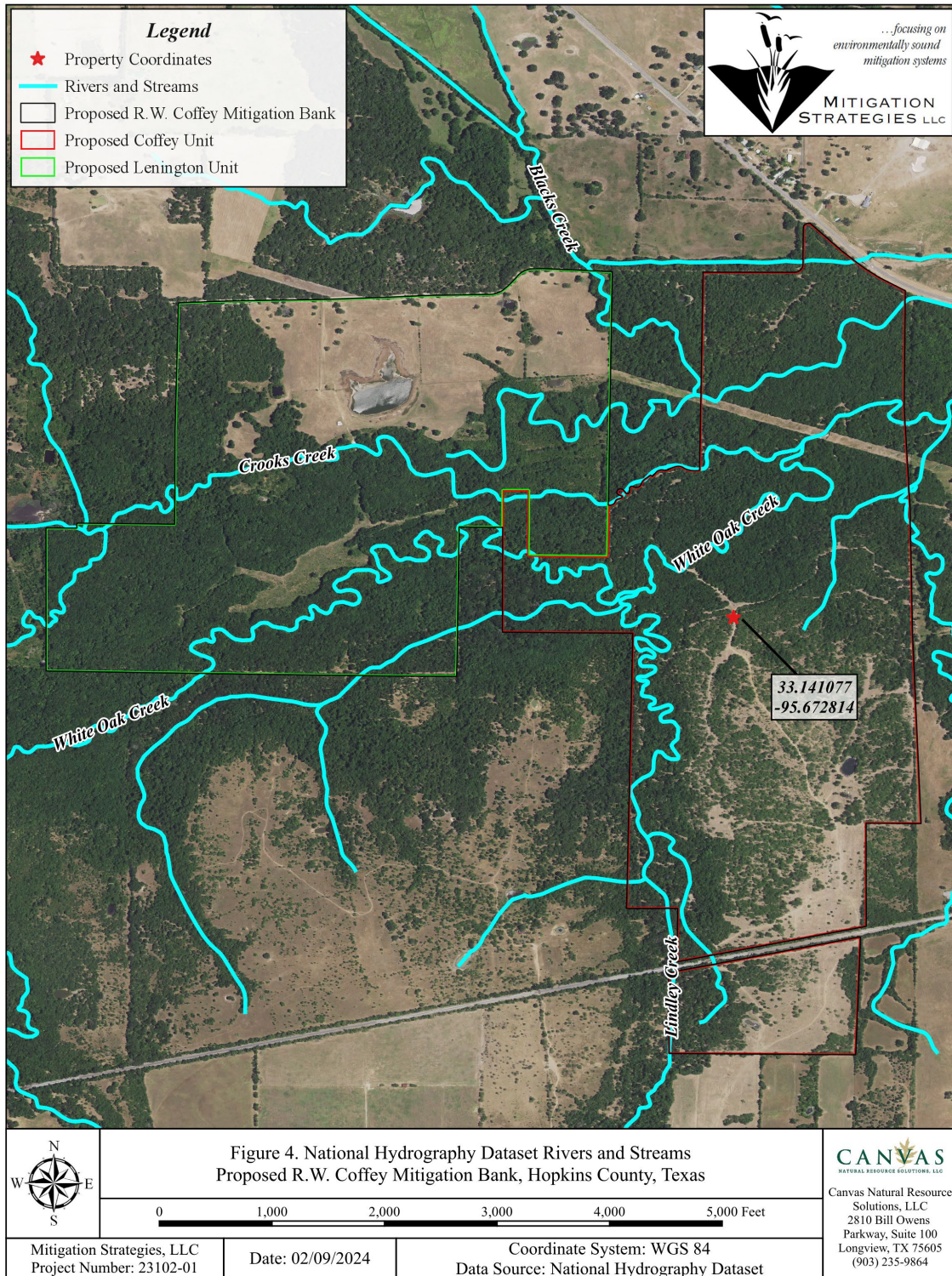
CLOSE OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before September 29, 2025, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no 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: U.S. Army Corps of Engineers, Fort Worth District, Regulatory Division, Permits Branch by emailing CESWF-Permits@usace.army.mil and must include "Project Number SWF-2023-00350" in the email subject line. Requests for additional information should be submitted to: Mr. Brent Jasper by emailing brent.j.jasper@usace.army.mil, and must include "Project Number SWF-2023-00350" in the email subject line. Telephone inquiries should be directed to (817) 253-4290. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

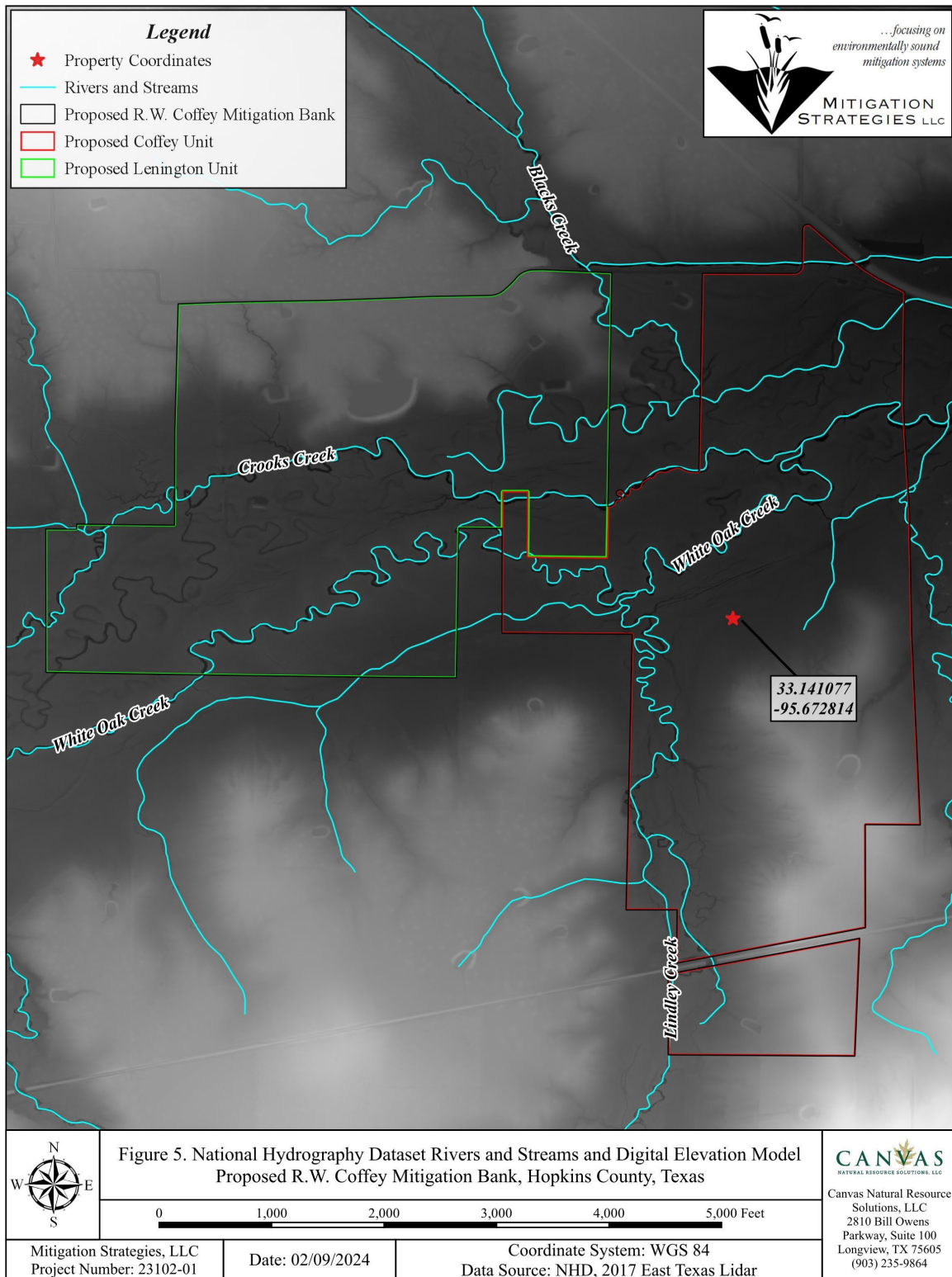
DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS

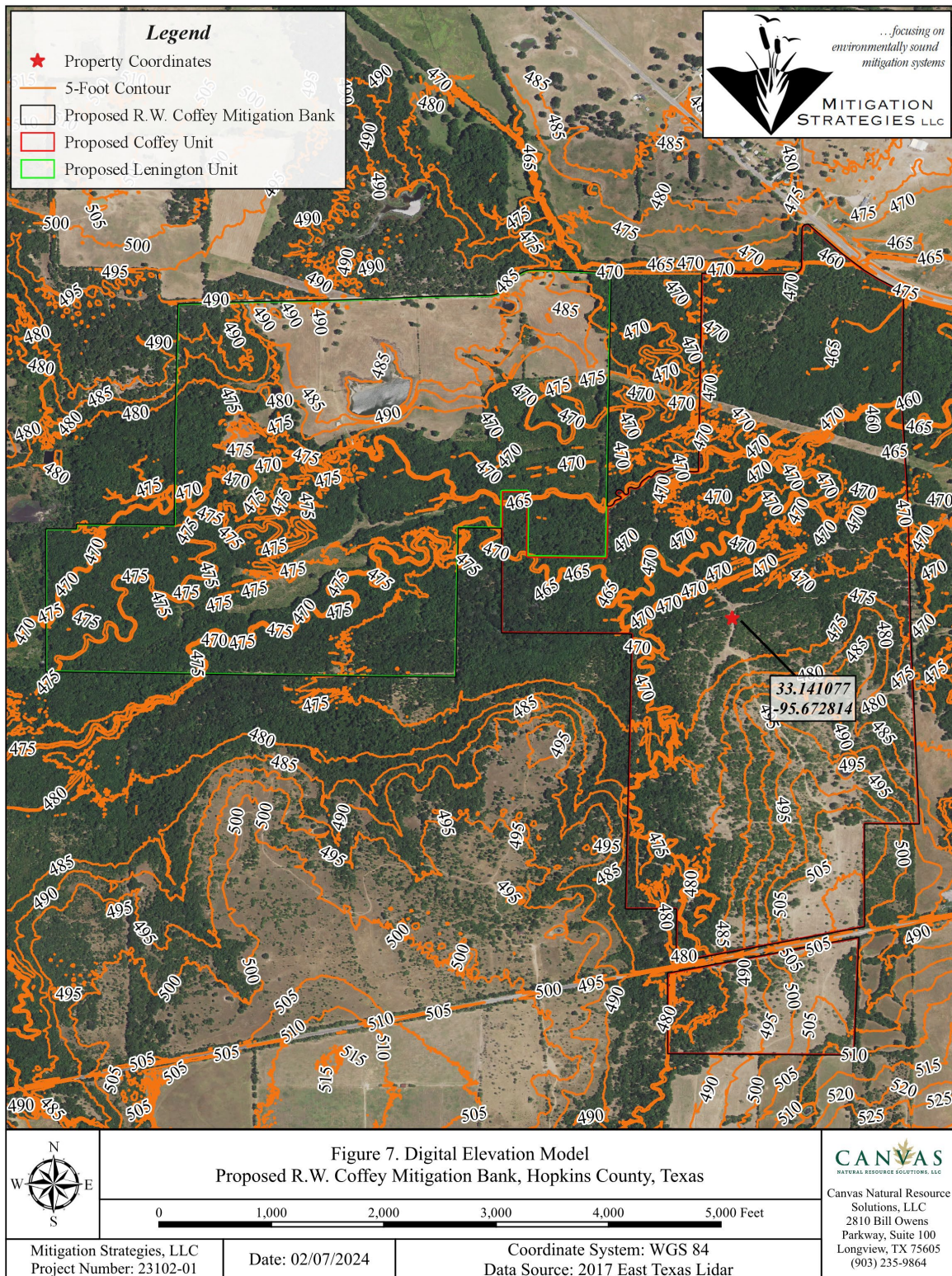


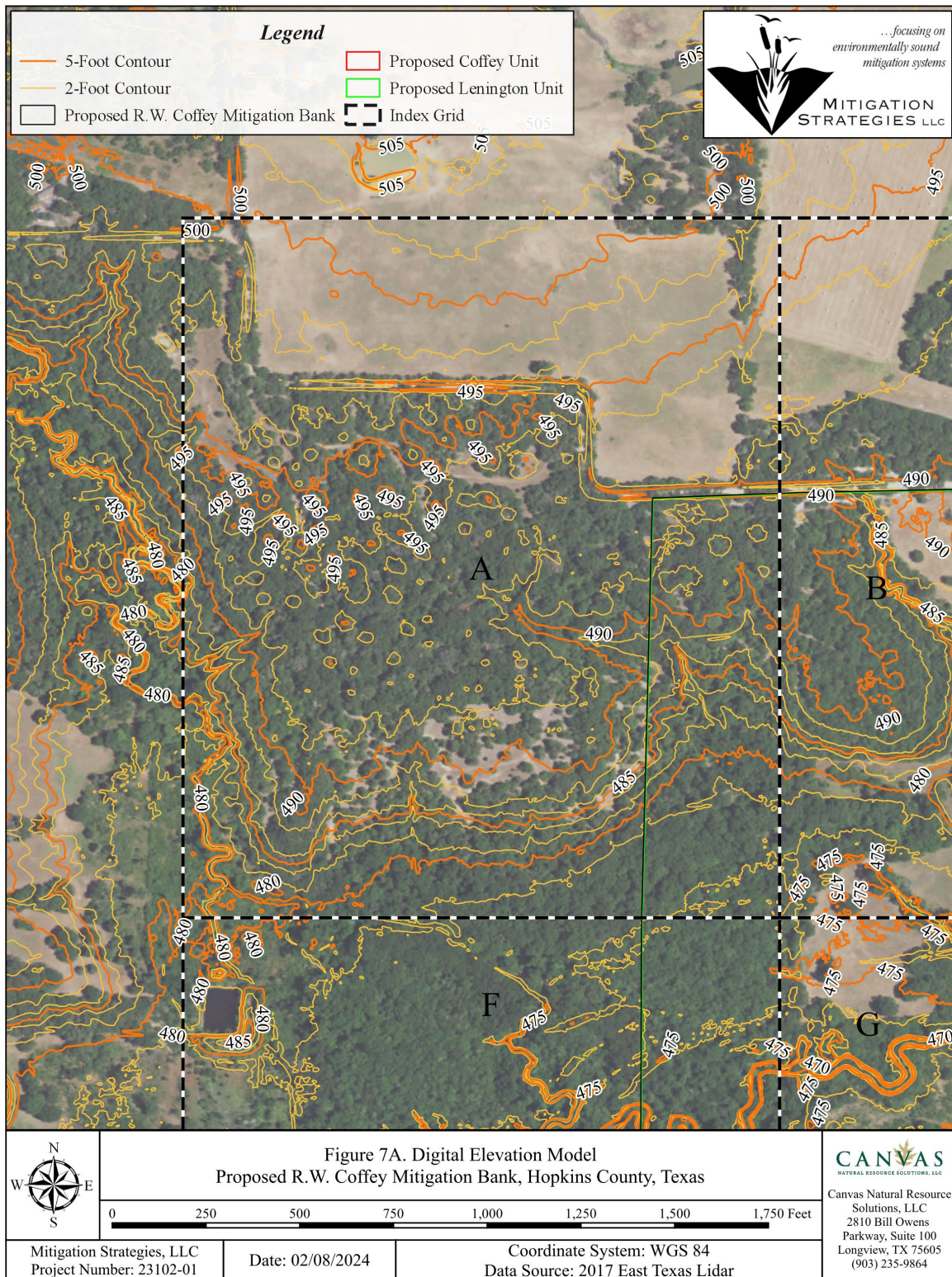


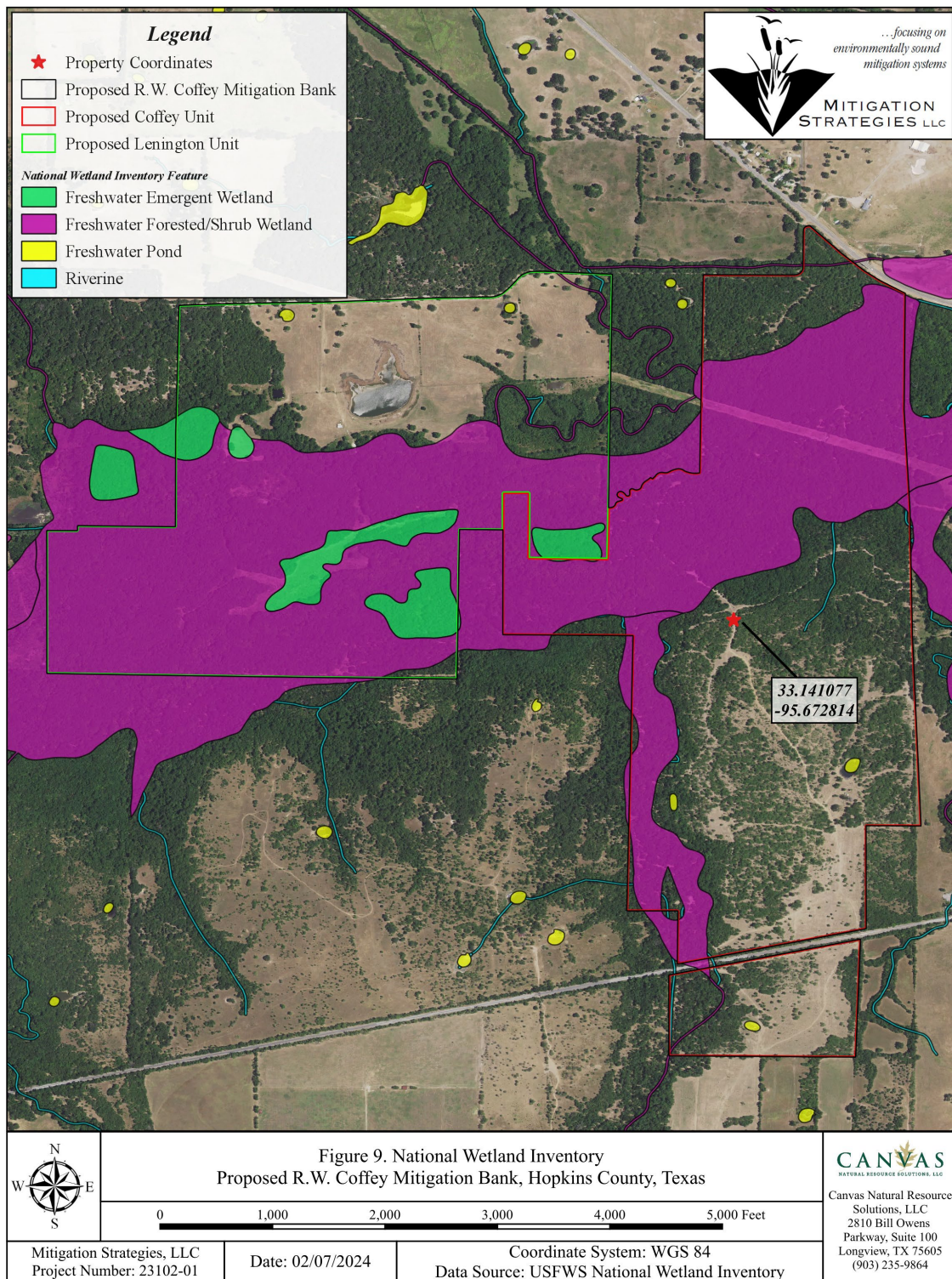


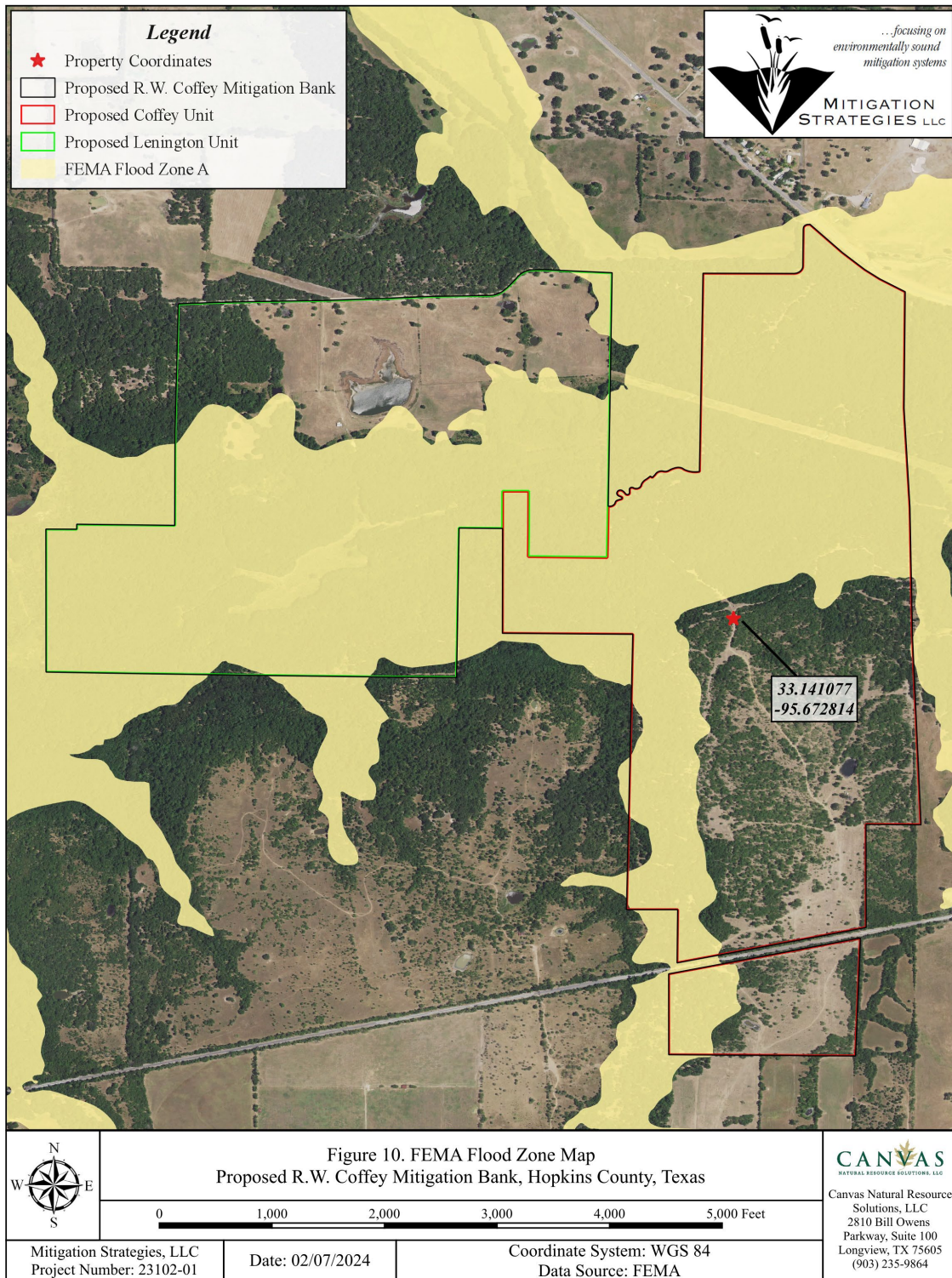


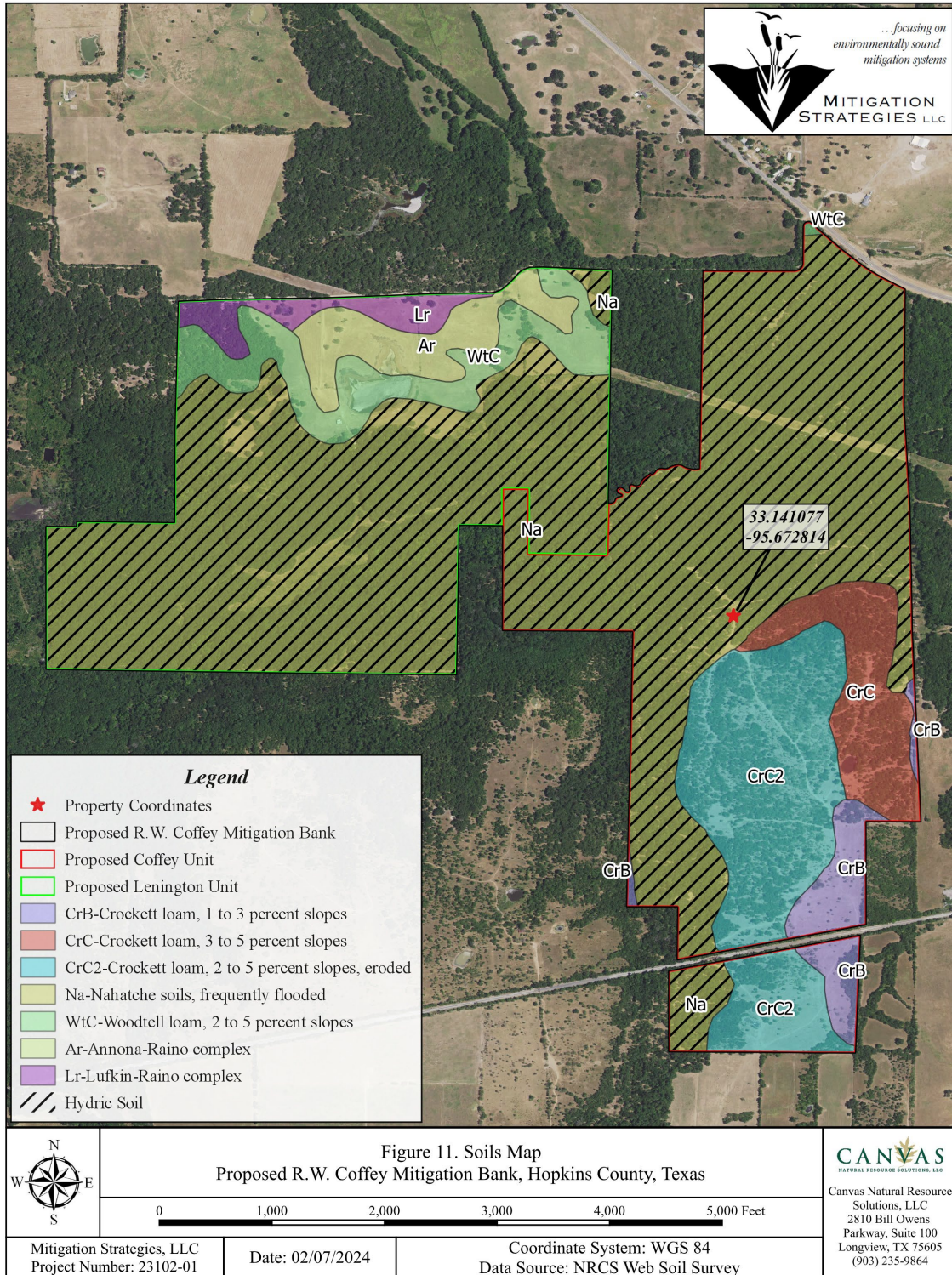


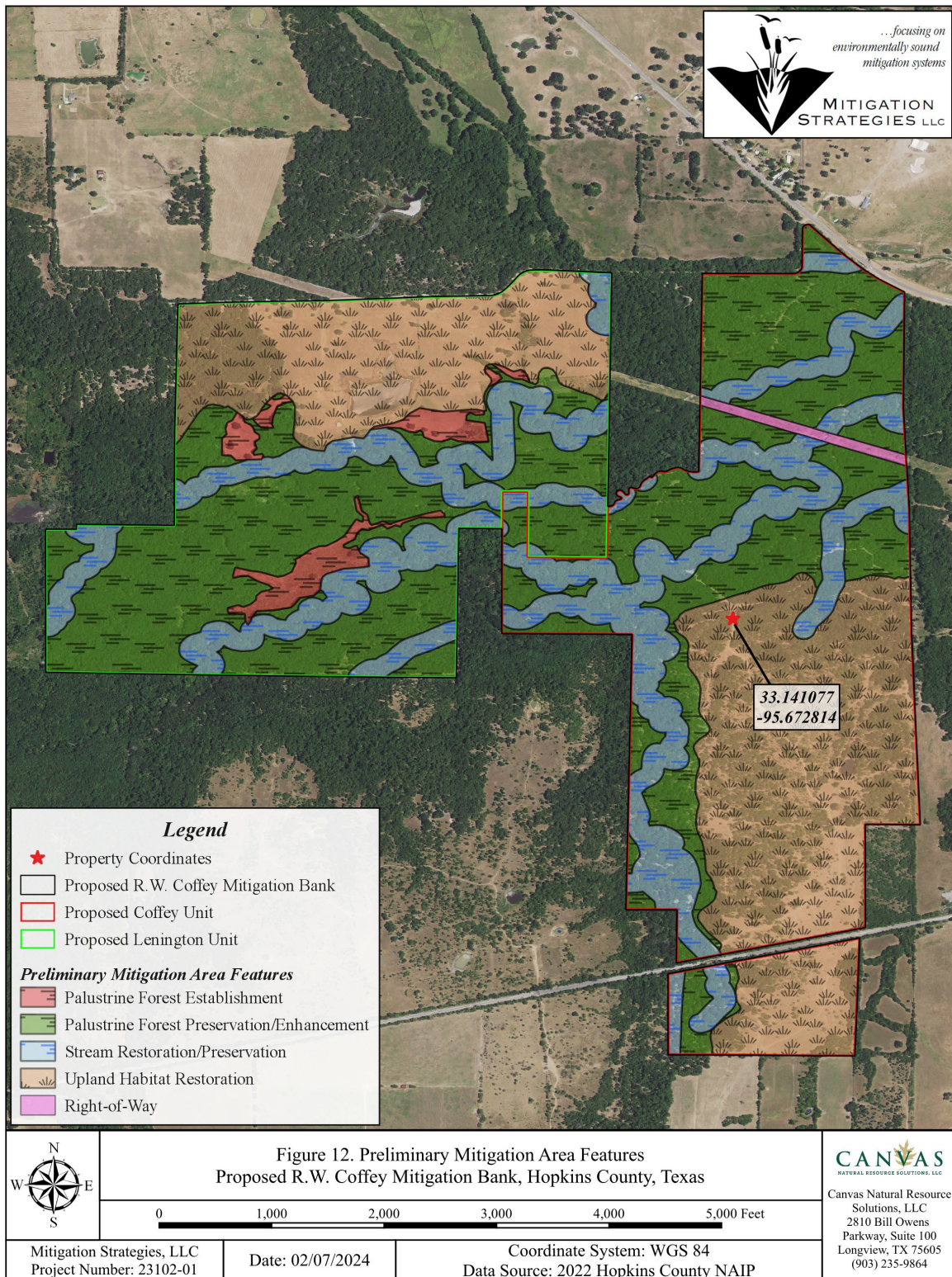


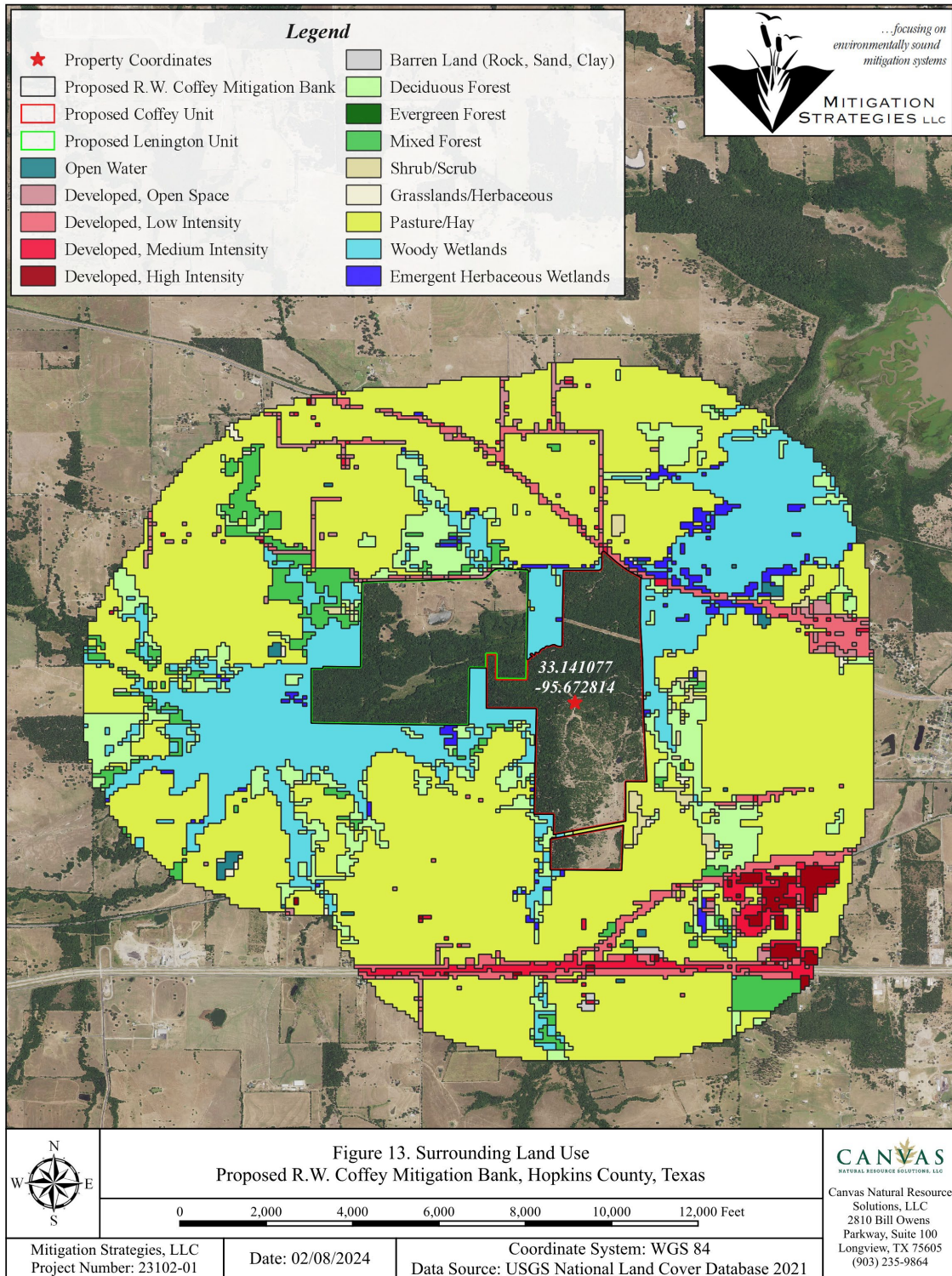


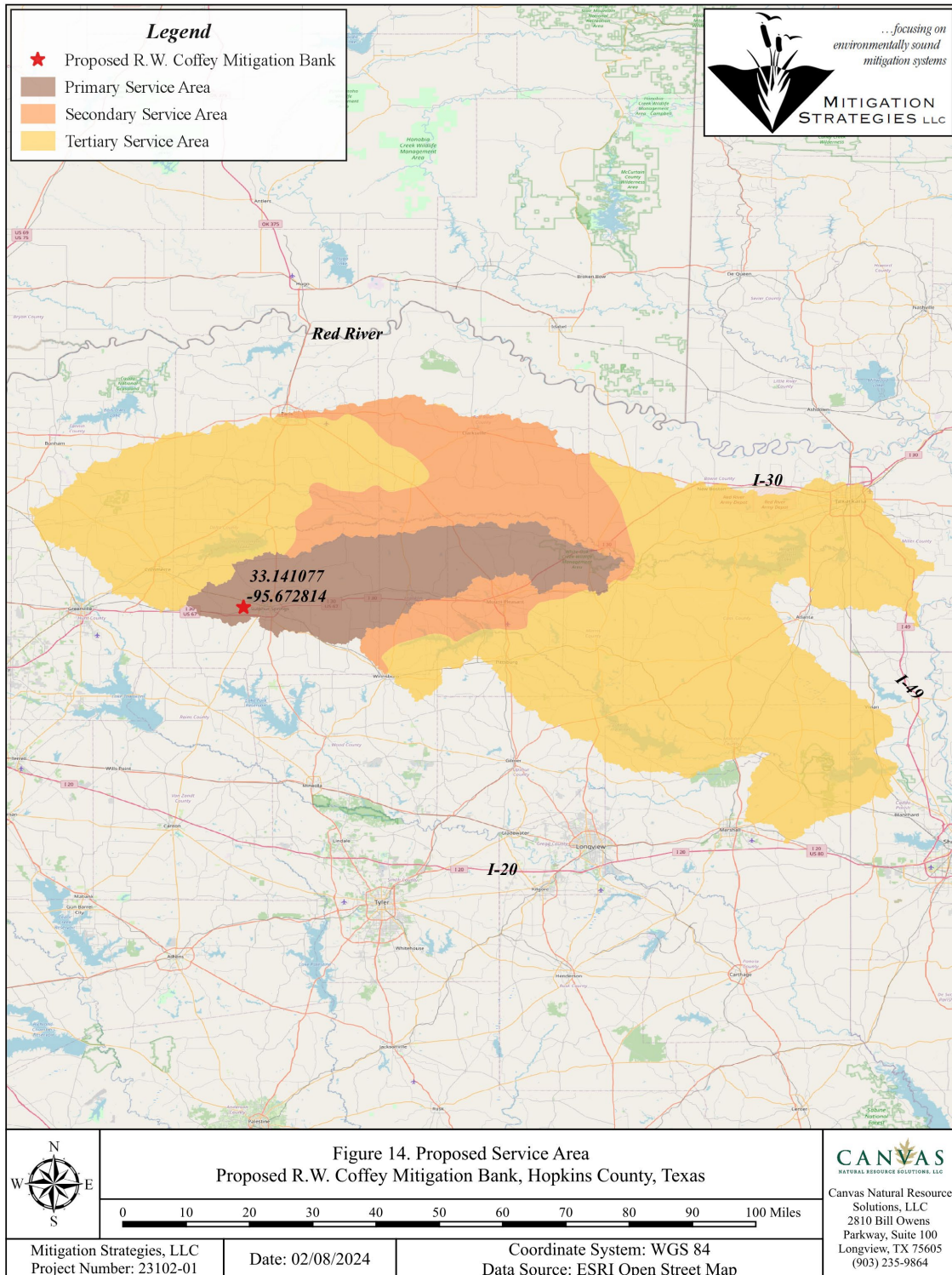


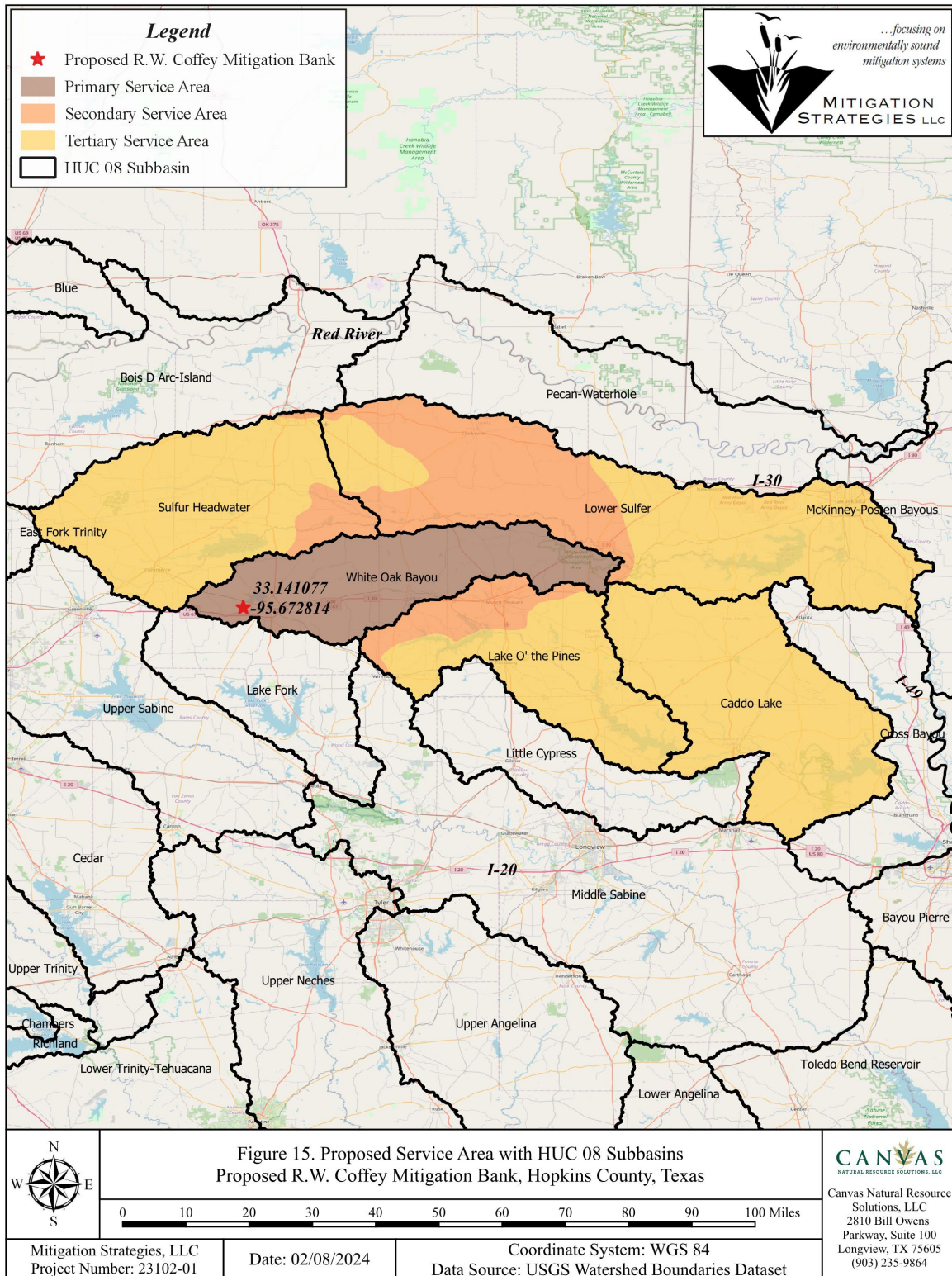


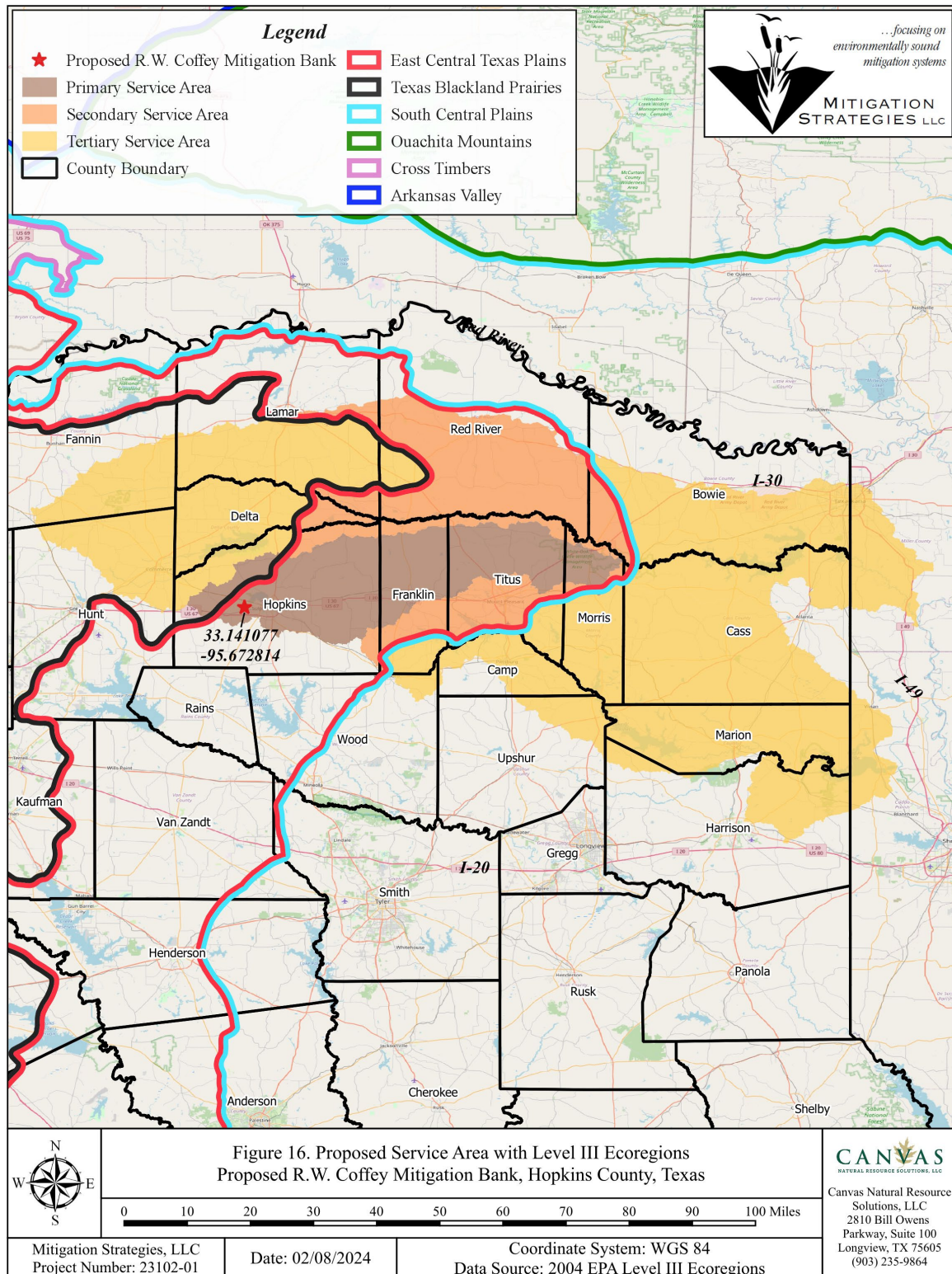


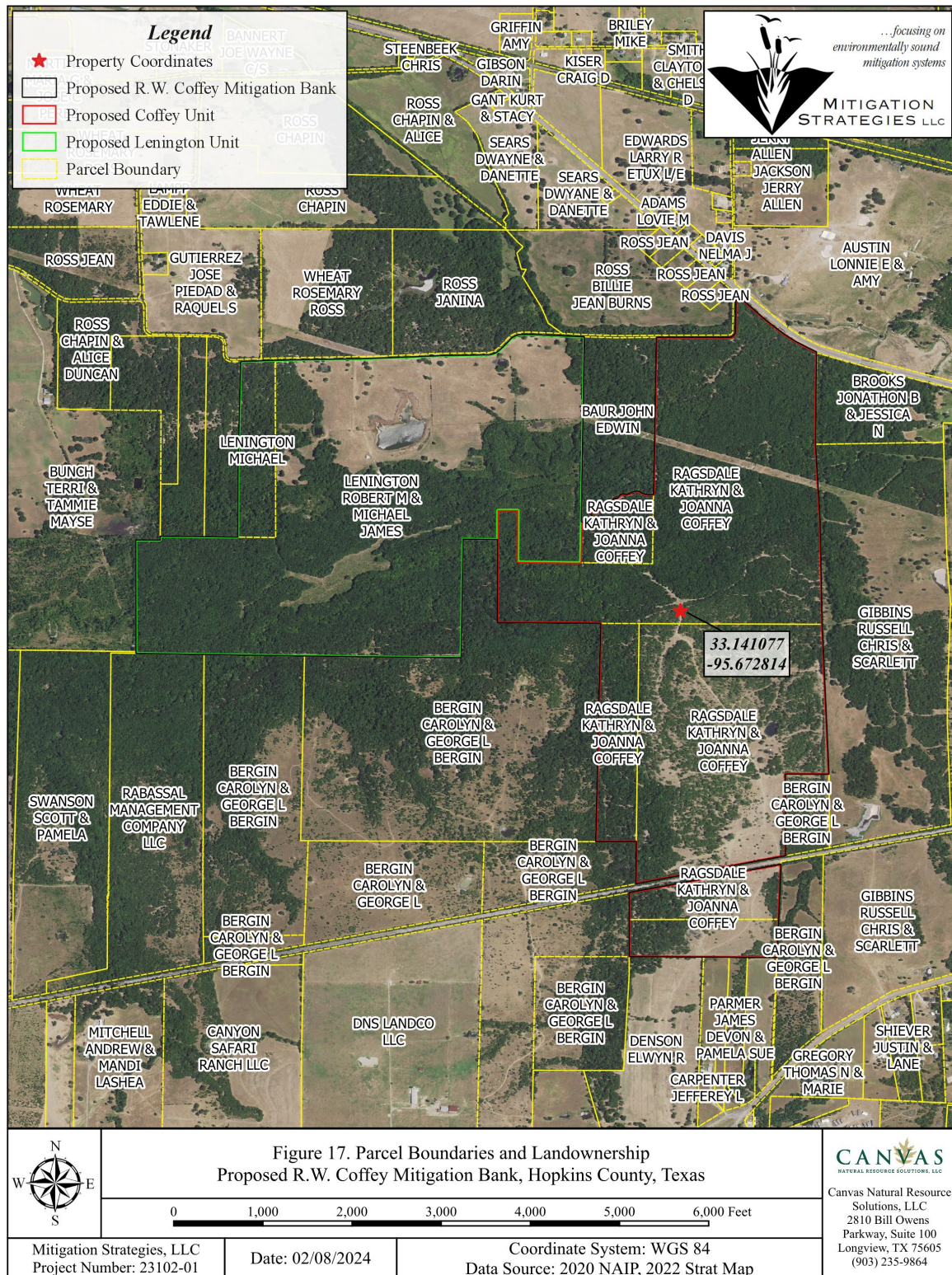












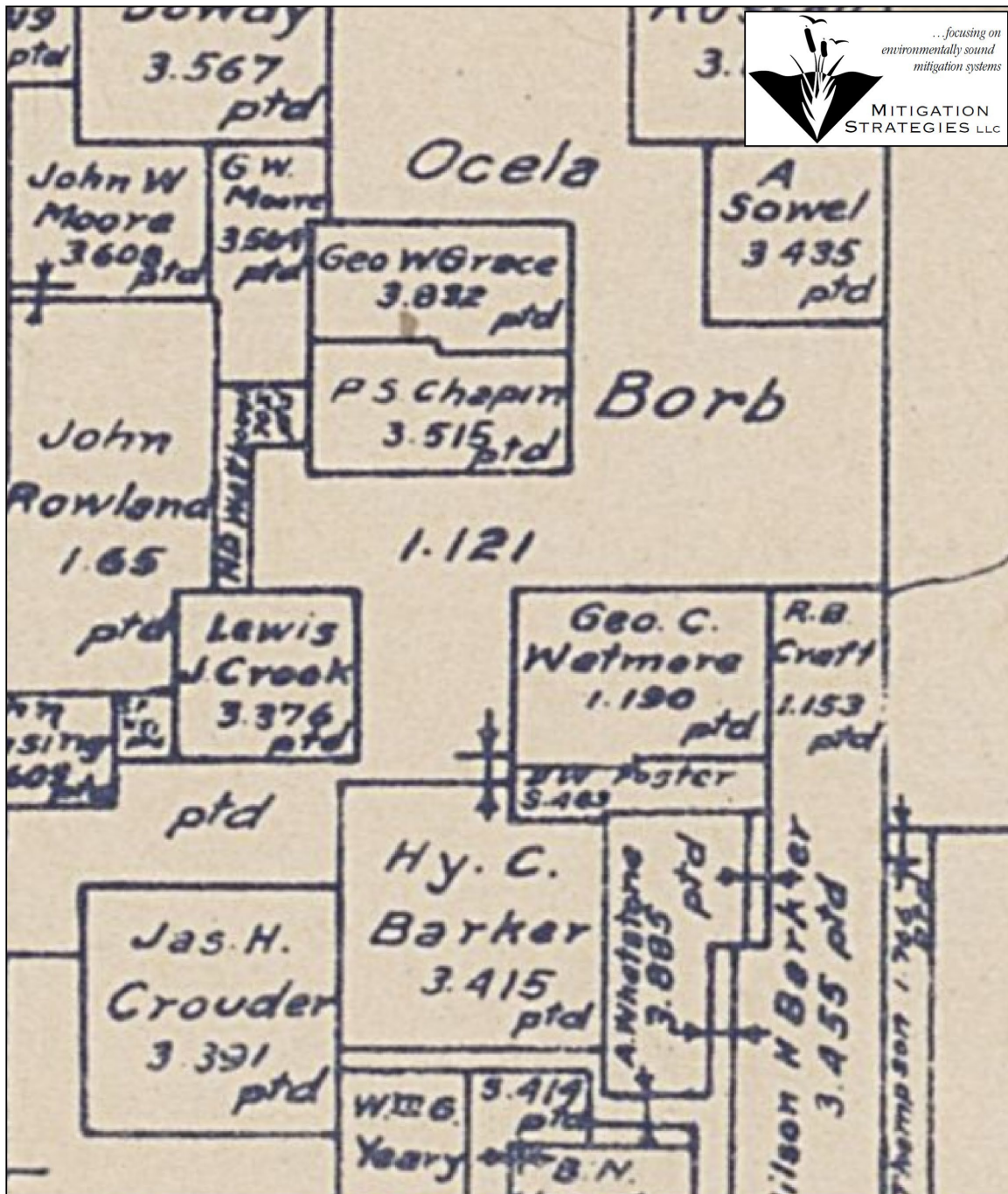


Figure 18. Original Land Survey
Proposed R.W. Coffey Mitigation Bank, Hopkins County, Texas

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NATURAL RESOURCE SOLUTIONS, LLC
Canvas Natural Resource
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Mitigation Strategies, LLC
Project Number: 23102-01

Date: 02/08/2024

Data Source: General Land Office, Austin, Texas Sept. 1885