



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

Public Notice

Applicant: Wild-TX Lands, LLC

Project No.: SWF-2023-00476, 408-SWF-2024-0015

Date: September 23, 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 14

The U.S. Army Corps of Engineers is directed by Congress under Section 14 of the Rivers and Harbors Act of 1899 (33 USC 408) to ensure proposed alterations to U.S. Army Corps of Engineers federally authorized Civil Works projects will not be injurious to the public interest and will not impair the usefulness of the project.

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 to establish the Two Rivers Mitigation Bank (TRMB), a mitigation bank that would be located 4.5 miles south of the City of Combine in Kaufman County, Texas.

APPLICANT: Wild-TX Lands, LLC
c/o Cliff J. Sunda, Wildwood Environmental Credit Company,
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REGULATORY APPLICATION NUMBER: SWF-2023-00476

SECTION 408 REQUEST NUMBER: 408-SWF-2024-0015

DATE ISSUED: September 23, 2025

LOCATION: The proposed bank is located within the floodplains of the Trinity River, East Fork Trinity River, Old Channel East Fork Trinity River, Parsons Slough, Pecan Slough, and Warsaw Creek, in western Kaufman County, Texas approximately 4.5 miles south of the City of Combine. The approximate center of the proposed TRMB is located at latitude 32.52535° north and longitude -96.48229° west as mapped on the *India*, *Scurry*, *Bristol* and *Rosser* 7.5-minute U.S. Geological Survey quadrangle maps. The site is located within the East Fork Trinity (8-digit HUC 12030106) and the Upper Trinity watersheds (8-digit HUC 12030105) and the Texas Blackland Prairies and the East Central Texas Plains U.S. Environmental Protection Agency (EPA) Level III Ecoregions (Griffin, et al. 2003). Maps of the proposed TRMB are provided as Figures 1-14.

PROJECT DESCRIPTION: The Sponsor is proposing the restoration, enhancement, and permanent protection of an approximately 1,854-acre stream and wetland mitigation bank, known as Two Rivers Mitigation Bank, in Kaufman County, Texas. The mitigation bank would consist of five separate areas within a larger approximate 10,720-acre parent tract located south of Combine, Texas. The proposed mitigation bank areas are within the floodplains of the Trinity River, East Fork Trinity River, Old Channel East Fork Trinity River, Parsons Slough, Pecan Slough, and Warsaw Creek. The site currently consists of palustrine forested, shrub-scrub, and emergent wetlands, intermittent, and perennial streams. The hydrology and functional conditions of these aquatic resources have been significantly degraded due to past and present land use practices primarily associated with agricultural activities such as stream channelization, construction of flood control levees, forest clearing, row crop establishment, cattle grazing, and hay production.

The purpose of the TRMB is to provide potential permittees with compensatory mitigation credits needed to offset unavoidable impacts to Waters of the United States (WOTUS), including wetlands, 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), authorized under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899, provided such use has met all applicable requirements and is authorized by the U.S. Army Corps of Engineers.

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 Upper Trinity (HUC 120301) and Lower Trinity River basins (HUC 120302). The Sponsor is proposing four separate services areas.

For the Trinity River, Pecan Slough, and Warsaw Creek tracts, for intermittent stream and wetland, the Sponsor is proposing primary, secondary, and tertiary service areas within the Upper Trinity and Lower Trinity basins. The proposed primary service area includes the Upper Trinity HUC (12030105). The Upper Trinity is within the Texas Blackland Prairies and East Central Texas Plains Level III Ecoregions. This includes portions of Anderson, Collin, Dallas, Denton, Ellis, Freestone, Henderson, Kaufman, and Navarro counties. The proposed secondary service area includes the Cedar HUC (12030107), Chambers HUC (12030109), East Fork Trinity HUC (12030106), Elm Fork Trinity HUC (12030103), Lower Trinity-Tehuacana HUC (12030201), Lower West Fork Trinity (12030102), and Richland HUC (12030108) within the Texas Blackland Prairies Level III Ecoregion. This includes portions of Collin, Dallas, Denton, Ellis, Fannin, Freestone, Grayson, Hill, Hunt, Johnson, Kaufman, Limestone, Navarro, Rockwall and Tarrant counties. The proposed tertiary service area includes the Cedar HUC (12030107), Chambers HUC (12030109), Elm Fork HUC (12030103), Lower Trinity-Tehuacana HUC (12030201), Lower West Fork Trinity HUC (12030102), and Richland HUC (12030108) within the Cross Timber and East Central Texas Plains Level III Ecoregions. This includes portions of Anderson, Cooke, Denton, Freestone, Henderson, Houston, Johnson, Kaufman, Leon, Montague, Parker, Tarrant, Van Zandt, and Wise counties.

For the East Fork Trinity River tract, for the northern perennial stream, the Sponsor is proposing primary, secondary, and tertiary service areas within the Upper Trinity basin. The proposed primary service area includes the East Fork Trinity HUC (12030106) within the Texas Blackland Prairies Level III Ecoregion. This includes portions of Collin, Dallas, Fannin, Grayson, Hunt, Kaufman, and Rockwall counties. The proposed secondary service area includes the Elm Fork Trinity HUC (12030103), Upper Trinity HUC (12030105), and Cedar HUC (12030107) within the Texas Blackland Prairies Level III Ecoregion. This includes portions of Collin, Dallas, Denton, Ellis, Grayson, Kaufman, Navarro, Rockwall, and Tarrant counties. The proposed tertiary service area includes the Elm Fork Trinity HUC (12030103) within the Cross Timbers Level III Ecoregion as well as the Upper Trinity HUC (12030105) and Cedar HUC (12030107) within the East Central Texas Plains Level III Ecoregion.

For the East Fork Trinity River tract, for the southern perennial stream, the Sponsor is proposing primary, secondary, and tertiary service areas within the Upper Trinity River basin. The proposed primary service area includes the East Fork Trinity HUC (12030106) within the East Central Texas Plains and Texas Blackland Prairies Level III Ecoregion. This includes portions of Collin, Dallas, Fannin, Grayson, Hunt, Kaufman, and Rockwall counties. The proposed secondary service area includes the Upper Trinity HUC (12030105) and Cedar HUC (12030107) within the East Central Texas Plains Level III Ecoregion. This includes portions of Anderson, Ellis, Freestone, Henderson, Kaufman, Navarro, and Van Zandt counties. The proposed tertiary service area includes the Elm Fork Trinity HUC (12030103), Upper Trinity HUC (12030105), and Cedar HUC (12030107) within the Texas Blackland Prairies Level III Ecoregion. This includes portions of Collin, Dallas, Denton, Ellis, Grayson, Kaufman, Navarro, Rockwall, and Tarrant counties.

For the Southern Area, for wetlands, the Sponsor is proposing primary, secondary, and tertiary service areas within the Upper Trinity River and Lower Trinity River basins. The proposed primary service area includes the Upper Trinity HUC (12030105) within the East Central Texas Plains and Texas Blackland Prairies Level III Ecoregion. This includes portions of Anderson, Collin, Dallas, Denton, Ellis, Freestone, Henderson, Kaufman, and Navarro counties. The proposed secondary service area includes the Cedar HUC (12030107), Chambers HUC (12030109), Lower Trinity-Tehuacana HUC (12030201), and Richland HUC (12030108) within the East Central Texas Plains Level III Ecoregion. This includes portions of Anderson, Freestone, Henderson, Houston, Kaufman, Leon, Navarro, and Van Zandt counties. The proposed tertiary service area includes the Cedar HUC (12030107), Chambers HUC (12030109), East Fork Trinity HUC (12030106), Elm Fork HUC (12030103), Lower West Fork Trinity HUC (12030102), and Richland HUC (12030108) within the Texas Blackland Prairies Level III Ecoregion, and the Lower Trinity-Tehuacana HUC (12030201) within the South Central Plains Level III Ecoregions. This includes portions of Anderson, Collin, Dallas, Denton, Ellis, Fannin, Freestone, Grayson, Henderson, Hill, Houston, Hunt, Johnson, Kaufman, Limestone, Navarro, Rockwall, and Tarrant counties.

In lieu of four separate service areas, the Sponsor is also proposing an alternative single service area with primary, secondary and tertiary within the Upper Trinity and Lower Trinity basins. The proposed primary service area includes the East Fork Trinity HUC (12030106) and the Upper Trinity HUC (12030105) within the Texas Blackland Prairies and East Central Texas Plains Level III Ecoregions. This includes portions of Anderson, Collin, Dallas, Denton, Ellis, Fannin, Freestone, Grayson, Henderson, Hunt, Kaufman, Navarro, and Rockwall counties. The proposed secondary service area includes Elm Fork Trinity HUC (12030103), Lower West Fork Trinity HUC (12030102), Chambers HUC (12030109), Richland HUC (12030108), Cedar HUC (12030107), and the Lower Trinity-Tehuacana HUC (12030201) within the Texas Blackland Prairie and East Central Texas Plains Level III Ecoregions. This includes portions of Anderson, Collin, Dallas, Denton, Ellis, Freestone, Grayson, Henderson, Hill, Johnson, Kaufman, Leon, Limestone, Navarro, Rockwall, Tarrant, and Van Zandt counties. The proposed tertiary service area includes the Elm Fork Trinity HUC (12030103), Lower West Fork Trinity HUC (12030102), Chambers HUC (12030109), and Lower Trinity-Tehuacana HUC (12030201) within the Cross

Timbers and South Central Plains Level III Ecoregions. This includes portions of Anderson, Cooke, Denton, Grayson, Henderson, Houston, Johnson, Montague, Parker, Tarrant, and Wise counties.

The TRMB property continues to be used consistent with its historical use. There are no recently disturbed areas within the bank as described in CESWF-12-MITB other than mowing of utility right-of-ways, livestock grazing in the Warsaw Creek area, hay production, and row crop agriculture in the Pecan Slough and Old Channel East Fork Trinity River areas. No active sand and gravel mining is present within the bank. The U.S. Fish and Wildlife (USFWS) National Inventory (NWI) map characterizes the Trinity River, East Fork Trinity River, Parsons Slough, and Pecan Slough as perennial. It characterizes the Warsaw Branch and its tributary as intermittent. Nearly all soils at the site are mapped by the Natural Resources Conservation Services (NRCS) as Trinity Clay (Soil Survey Staff, n.d.). The two most dominant soil types are Trinity Clay, 0-1% slopes, frequently flooded (Tf) and Trinity Clay, 0-1% slopes, occasionally flooded (Te).

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, EPA, 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 using Nationwide Permit 27 for Aquatic Habitat Restoration, Establishment, and Enhancement Activities.

DESCRIPTION OF THE PROPOSED ALTERATION UNDER SECTION 408: The proposed project includes modifications along the protected side of Kaufman LID 4 East Fork Trinity LB levee, ID# 300500014. These modifications involve partially filling the borrow pit directly adjacent to the protected toe of the levee and routing the outflow from this borrow pit into a constructed stream channel. This channel would flow south and reconnect the borrow pit with an existing down-valley waterway. Approximately 4,700 linear feet of borrow pit would be partially filled as part of this proposal. This proposal

would re-establish approximately 40 acres of palustrine emergent wetland and 4,300 feet of intermittent stream channel for compensatory mitigation purposes. These areas will be placed under a perpetual conservation easement.

NON-FEDERAL SPONSOR UNDER SECTION 408: The Kaufman County Levee Improvement District 4 was dissolved by the Kaufman County Commissioners' Court on October 3, 2018 with no successor entity being assigned.

IMPACTS TO THE USEFULNESS OF THE USACE PROJECT UNDER SECTION 408: The USACE technical review team has reviewed the proposed alteration for impacts to the USACE project and initial review indicates there would be no adverse hydrologic and hydraulic impacts resulting from the proposed alteration. No adverse impacts to the Kaufman LID 4 East Fork Trinity LB levee are expected from the proposed alteration.

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. A total of eight threatened, endangered, or candidate species occur on this list for Kaufman County, one of which is the endangered whooping crane (*Grus americana*), three listed as threatened which include piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), and Texas fawnsfoot (*Truncilla macrodon*), two proposed as endangered which include tricolored bat (*Perimyotis subflavus*) and Texas heelsplitter (*Potamilus amphichaenus*), one proposed as threatened the alligator snapping turtle (*Macrochelys temminckii*), and one candidate species the monarch butterfly (*Danaus plexippus*). Our initial review indicates that the proposed work would have no effect on federally listed endangered, threatened, or proposed 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. No formally recognized historical features are mapped within 0.5 miles of the site. 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 October 24, 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-2023-00476" 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-2023-00476" in the email subject line. 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

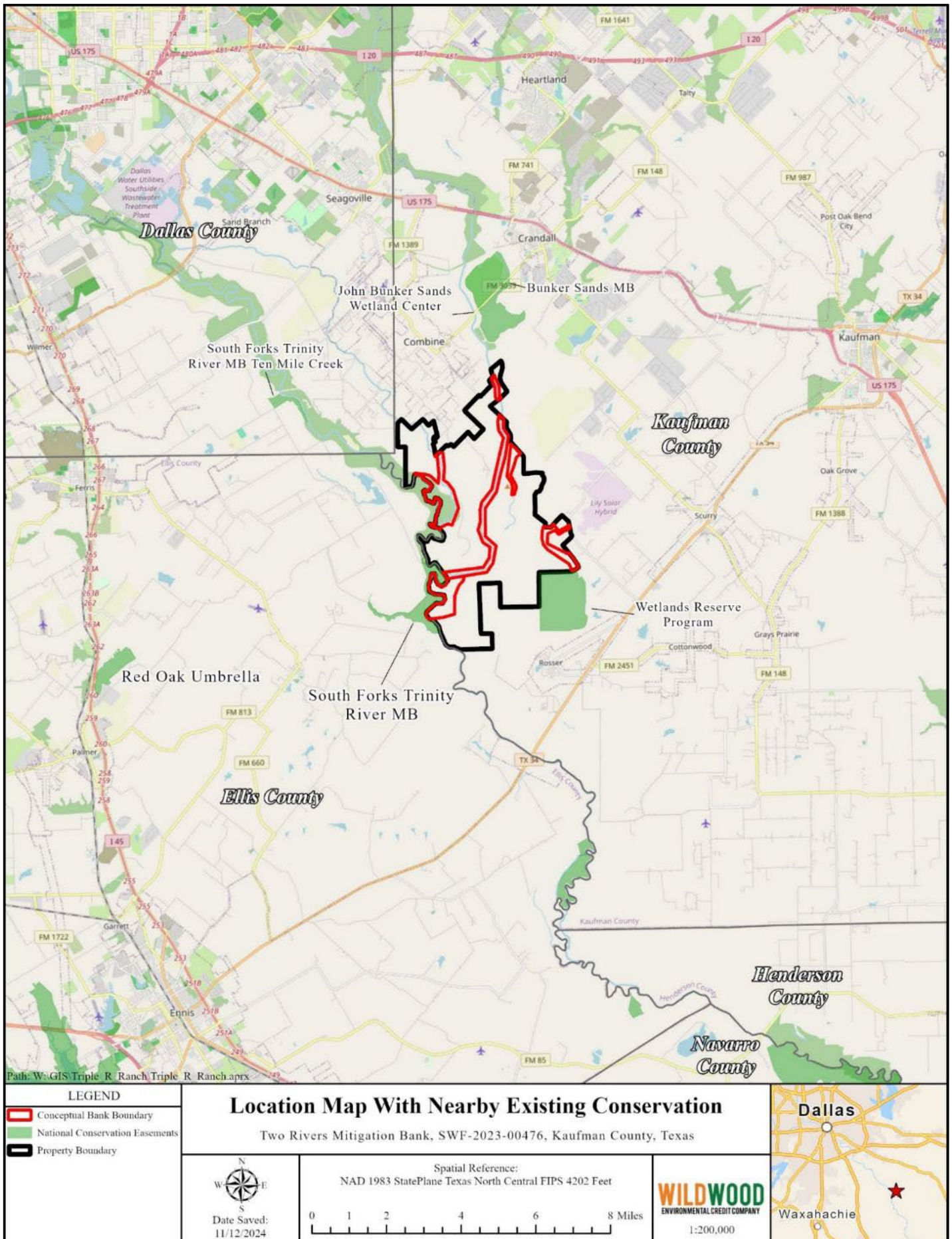


Figure 1. Location map of the site.

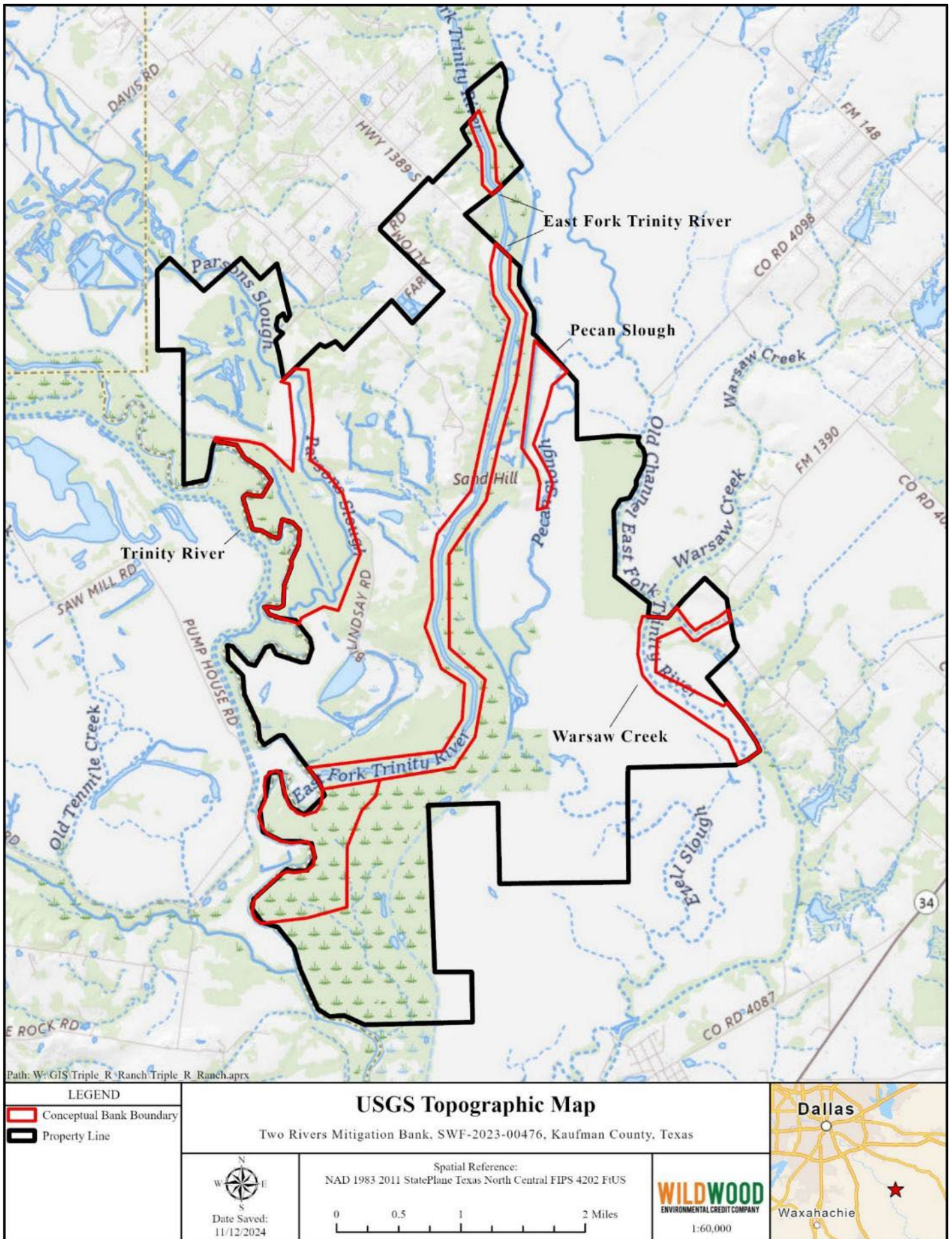


Figure 2. USGS Topographic map of the site.

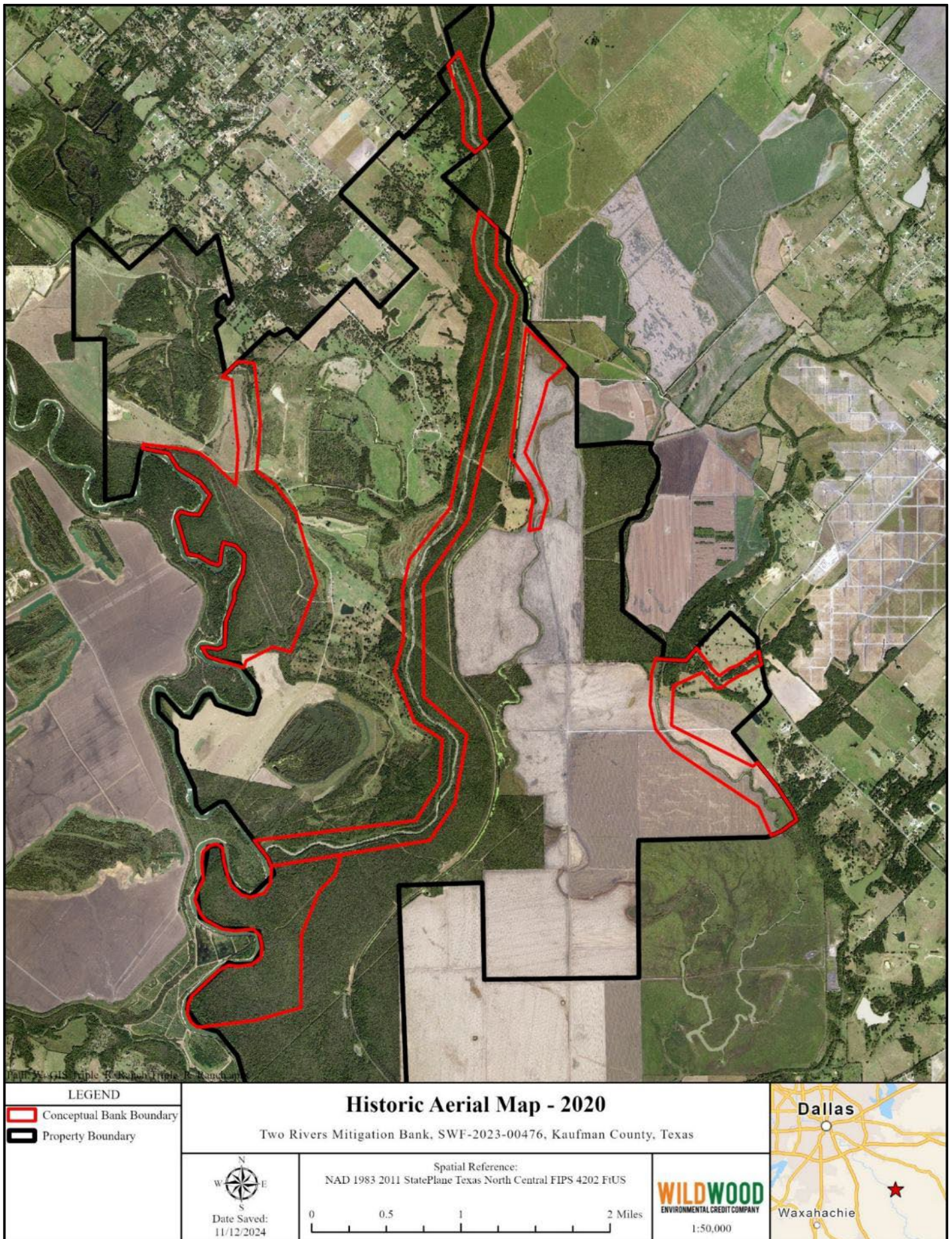


Figure 3. Aerial photograph of the site in 2020.

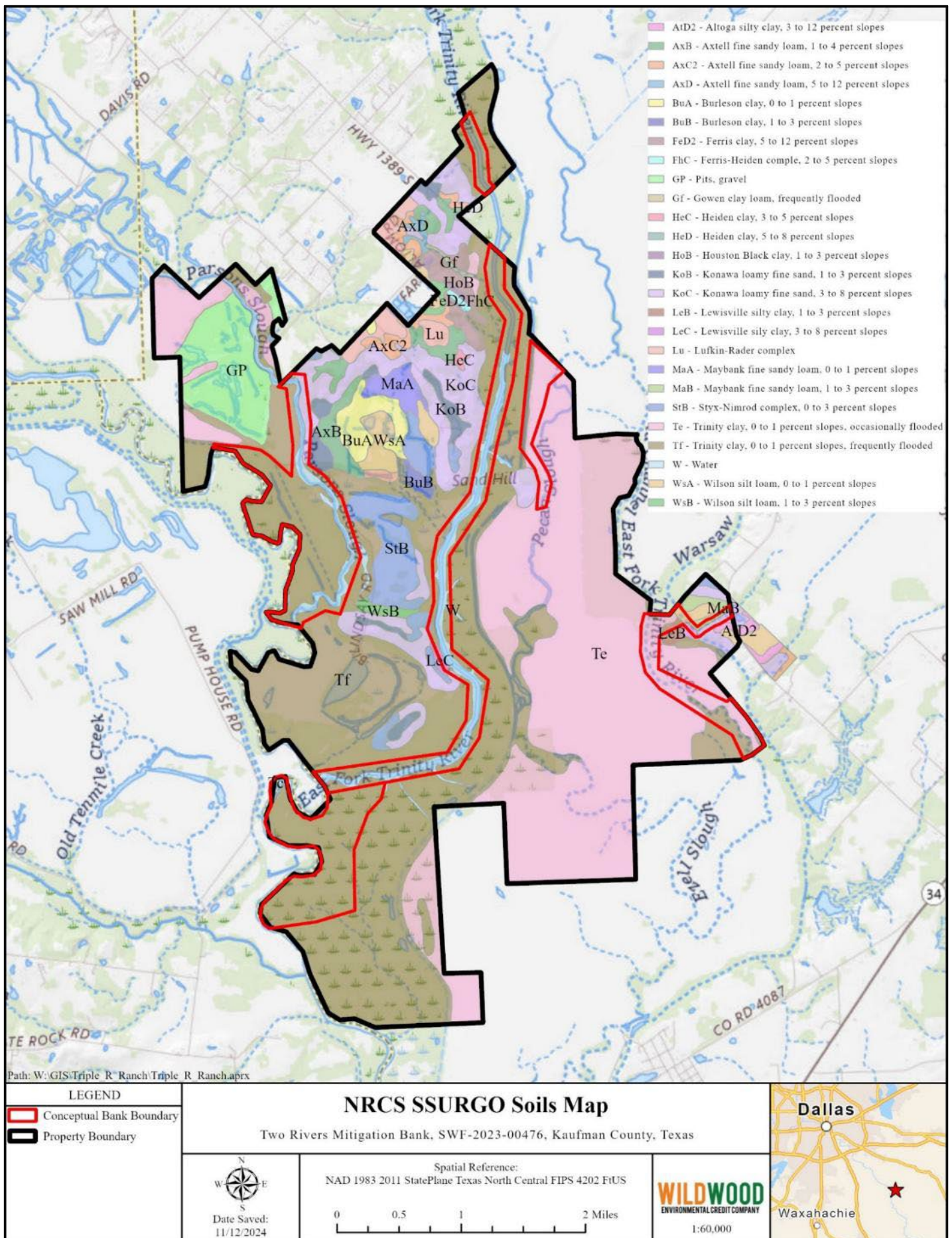


Figure 4. NRCS SSURGO Soil survey map of the site over the National Map base layer.

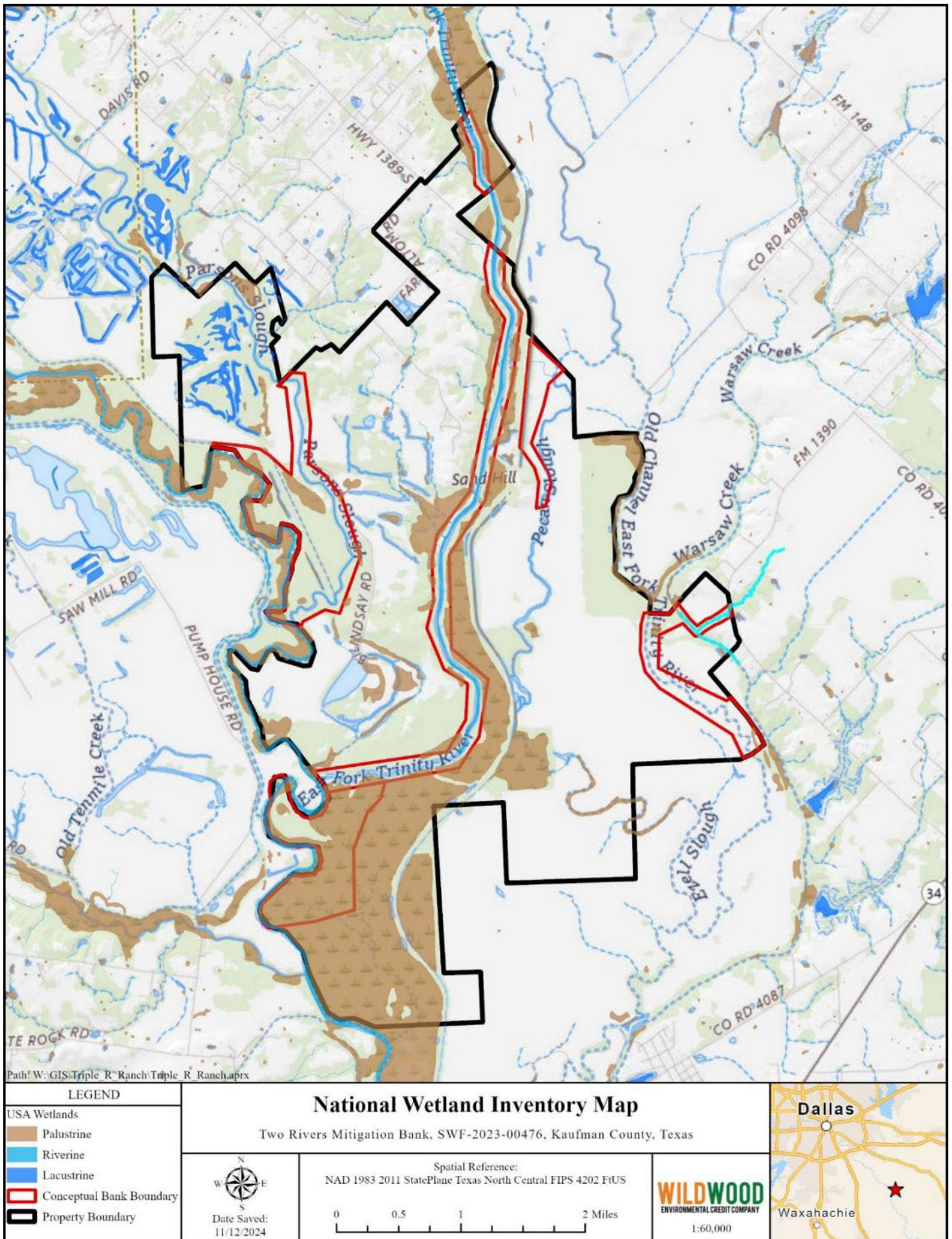


Figure 5. National Wetland Inventory classification of the site.

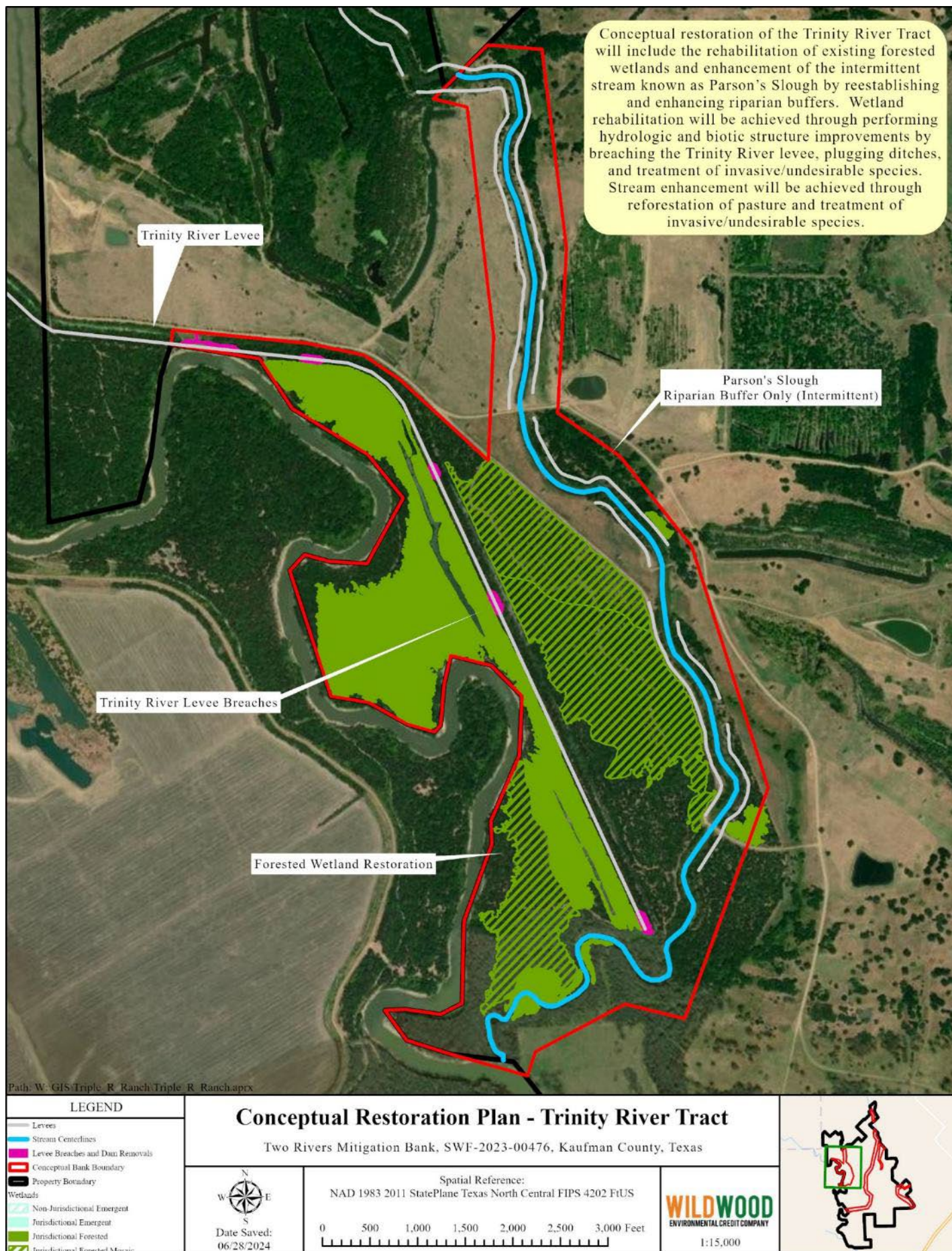


Figure 6. Conceptual restoration plan for the Trinity River Area of the mitigation bank.

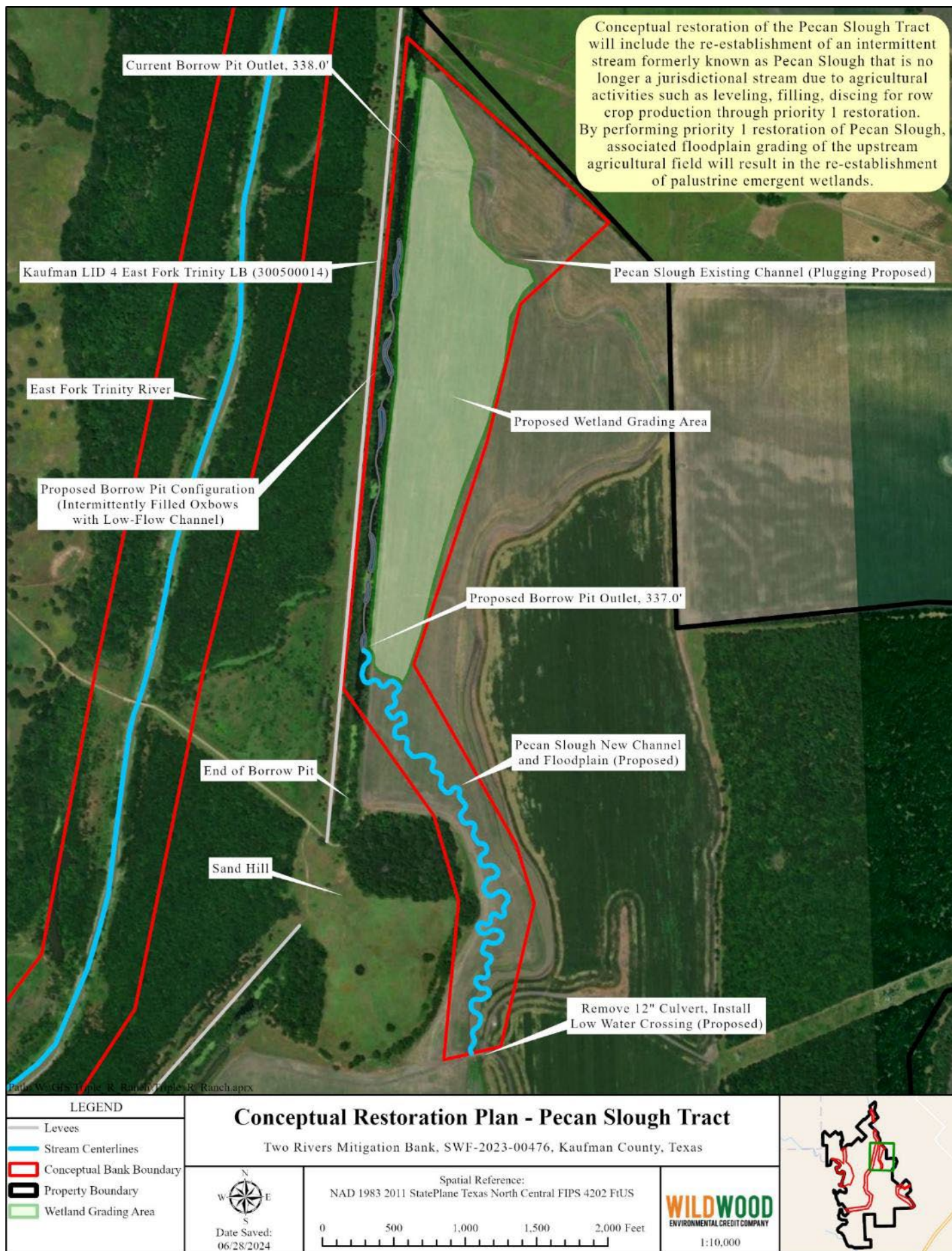


Figure 7. Conceptual restoration plan for the Pecan Slough Area of the bank.

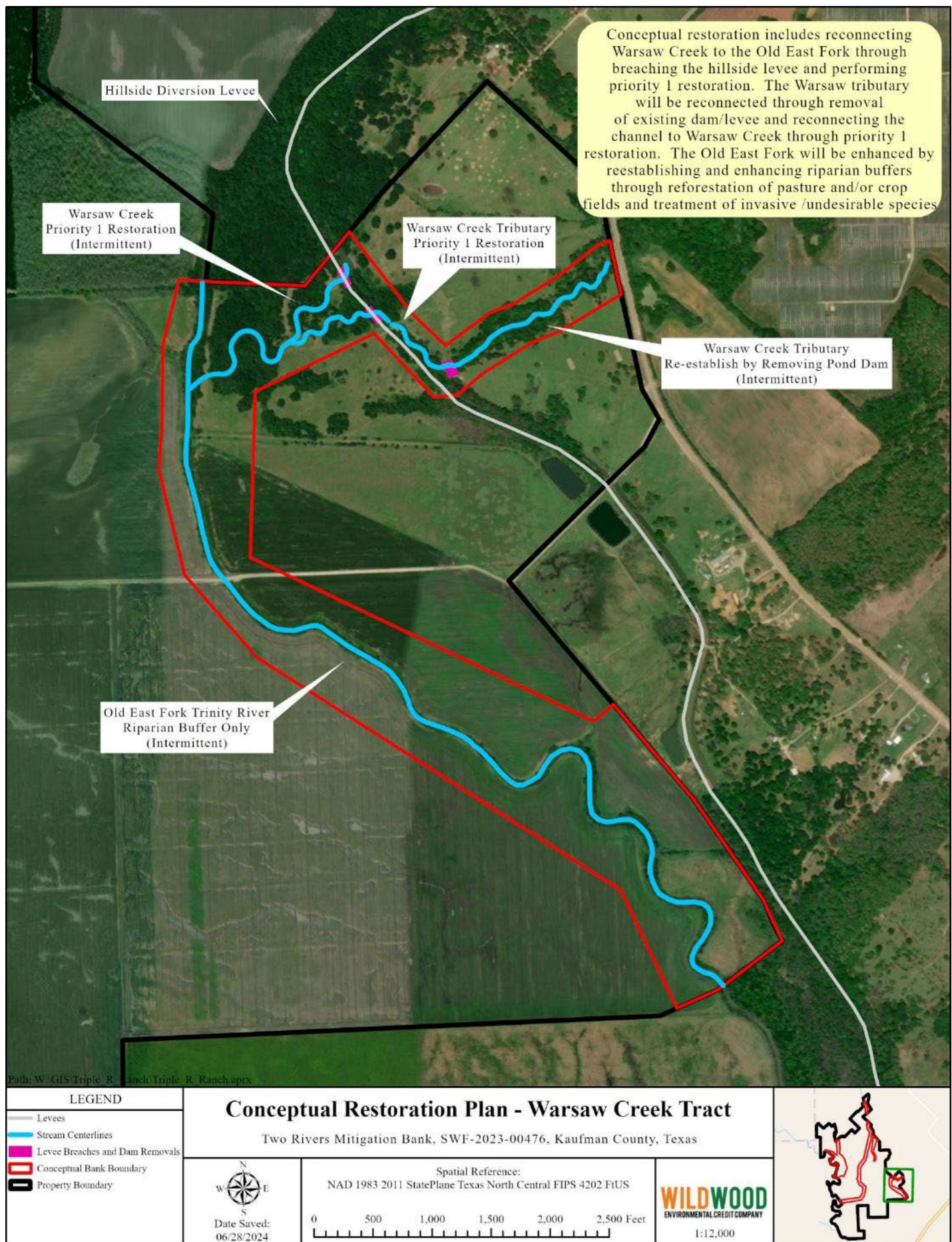


Figure 8. Conceptual restoration plan for the Warsaw Creek Area of the bank.

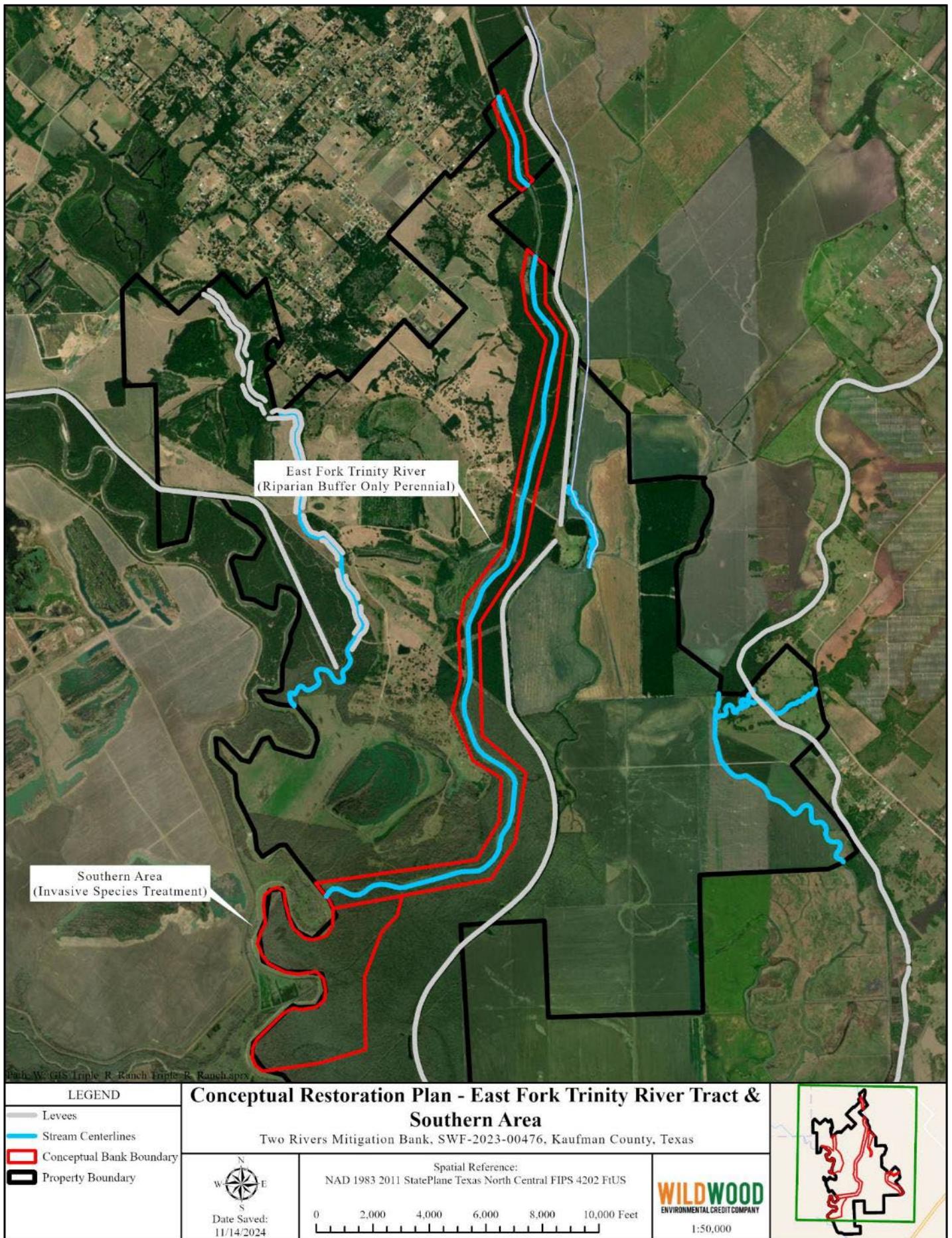


Figure 9. Conceptual mitigation work plan for the East Fork Trinity River Area. Work in this area will consist of riparian buffer replanting and invasive treatment.

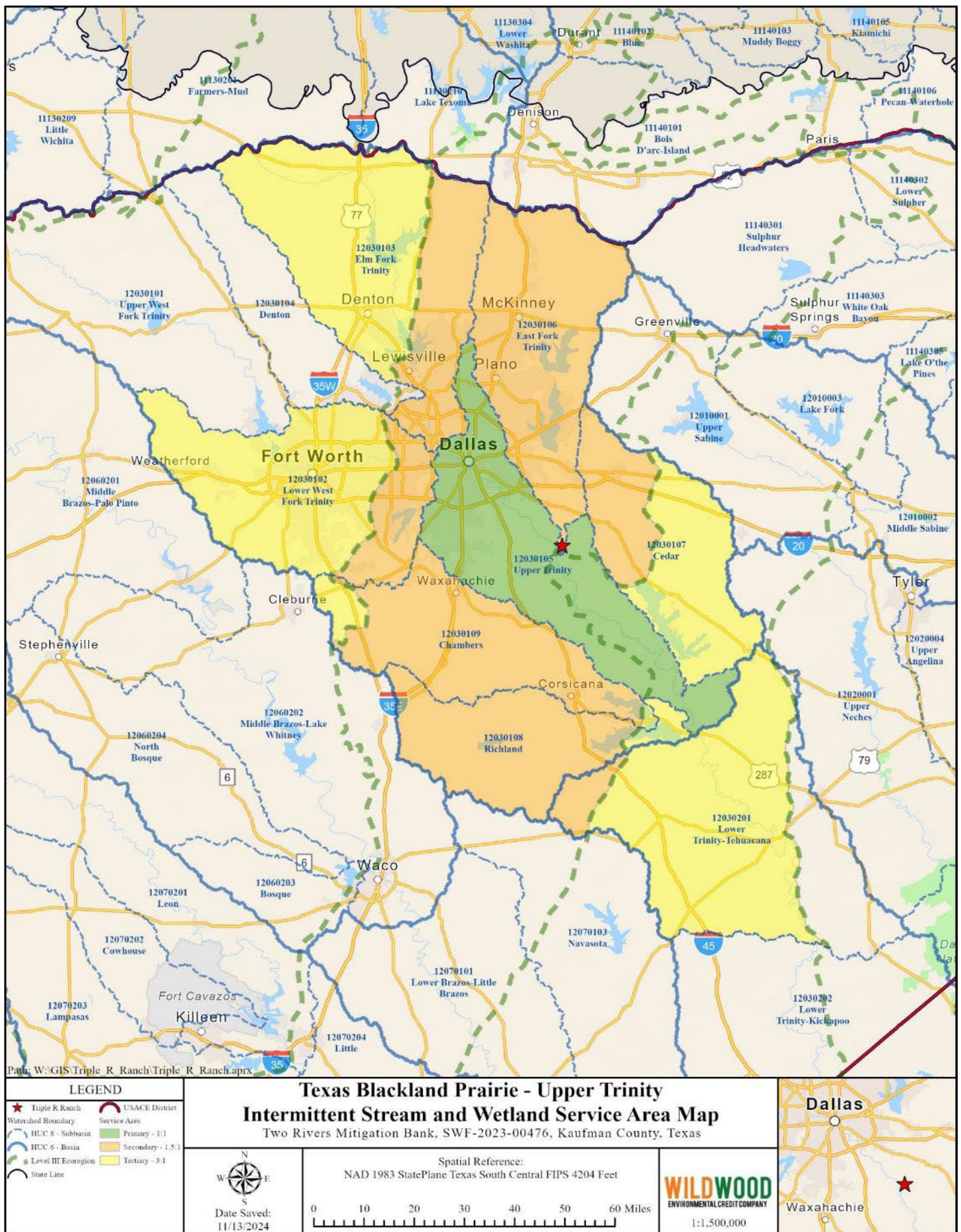


Figure 10. Service area map for intermittent streams and wetlands within the Texas Blackland Prairie ecoregion portion of the Upper Trinity River HUC 12030105 based on CESWF-10-MITB.

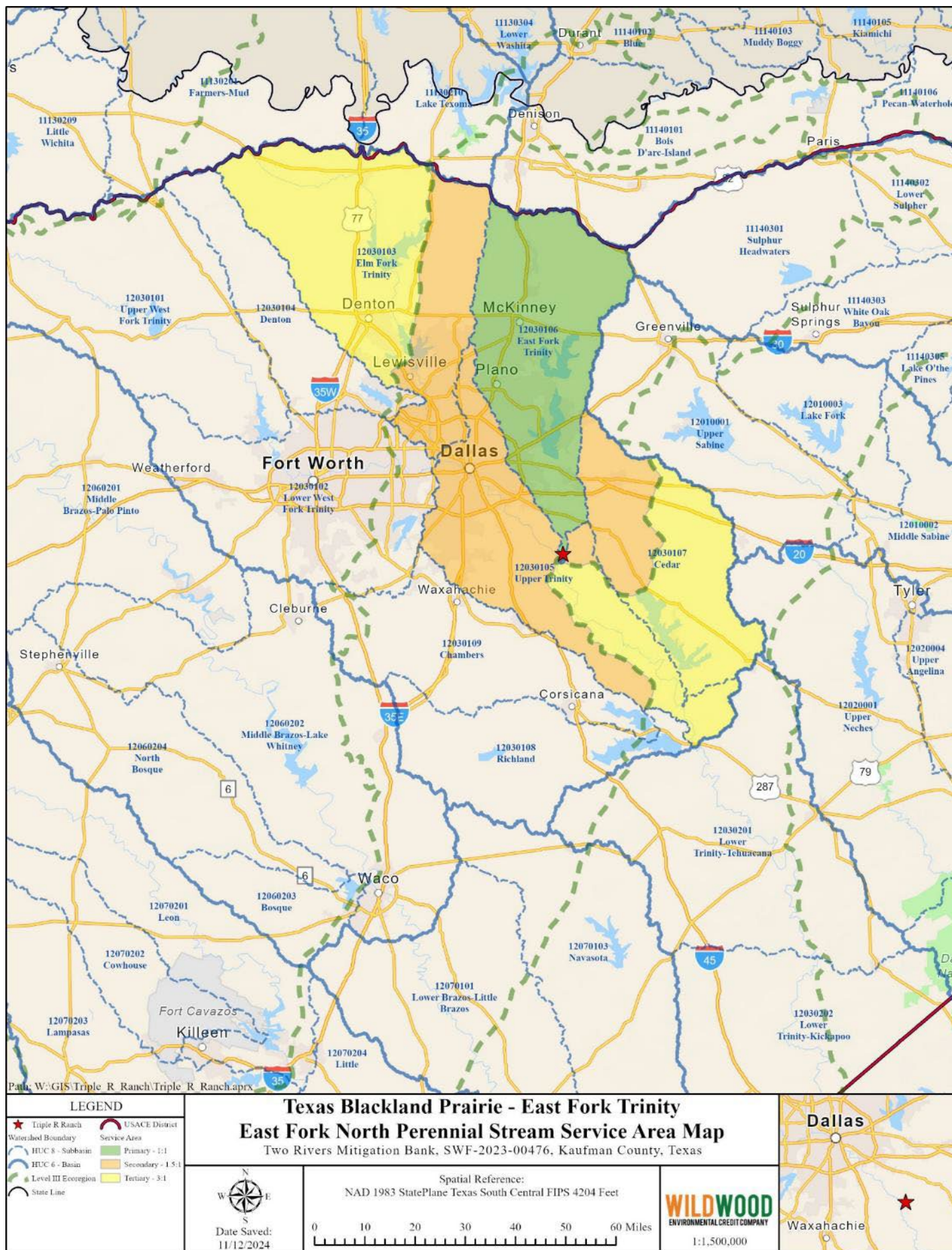


Figure 11. Service area map for perennial streams within the Texas Blackland Prairie ecoregion portion of the East Fork Trinity River HUC 12030106 based on CESWF-10-MITB.

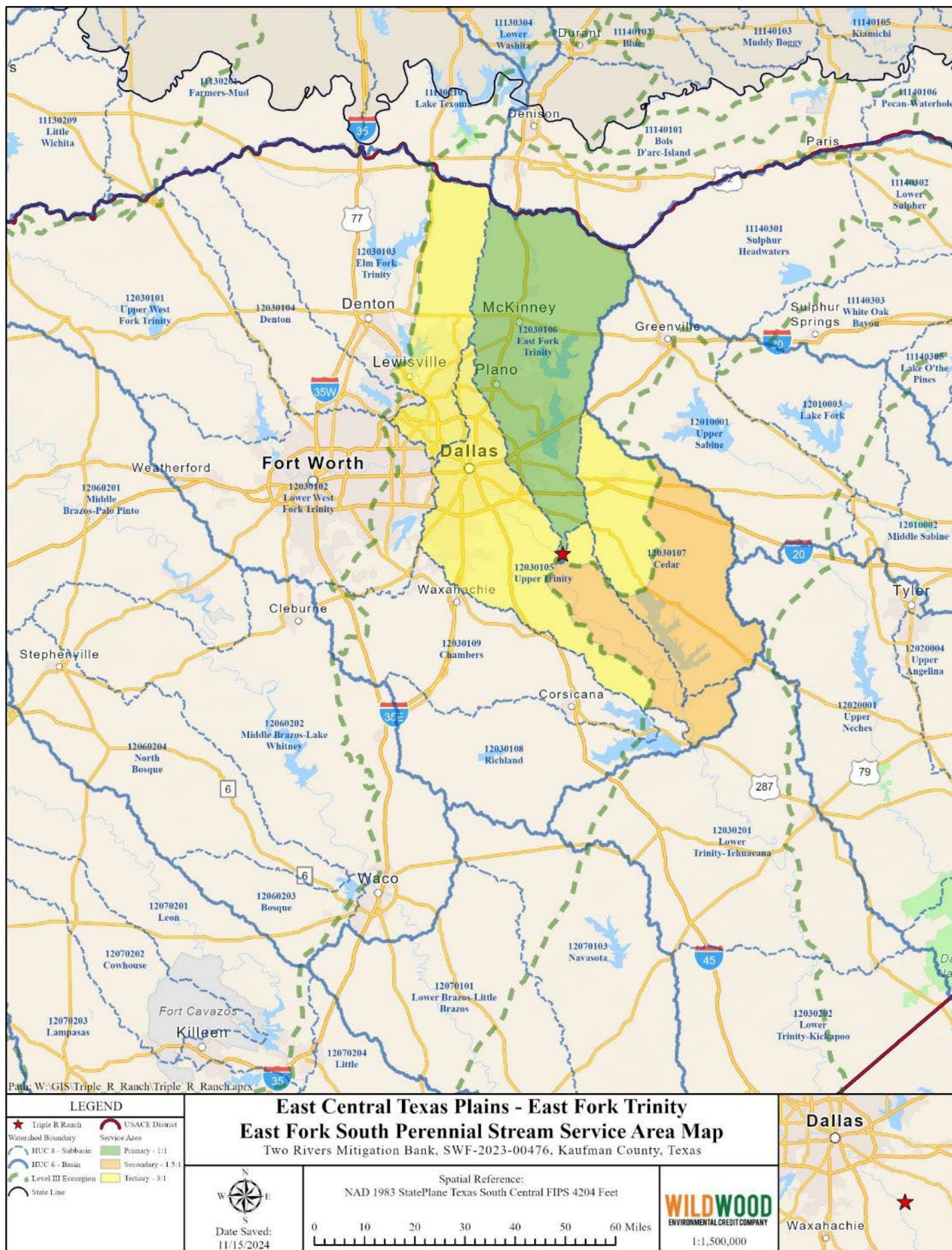


Figure 12. Service area map for perennial streams within the East Central Texas Plains ecoregion portion of the East Fork Trinity River HUC 12030106 based on CESWF-10-MITB.

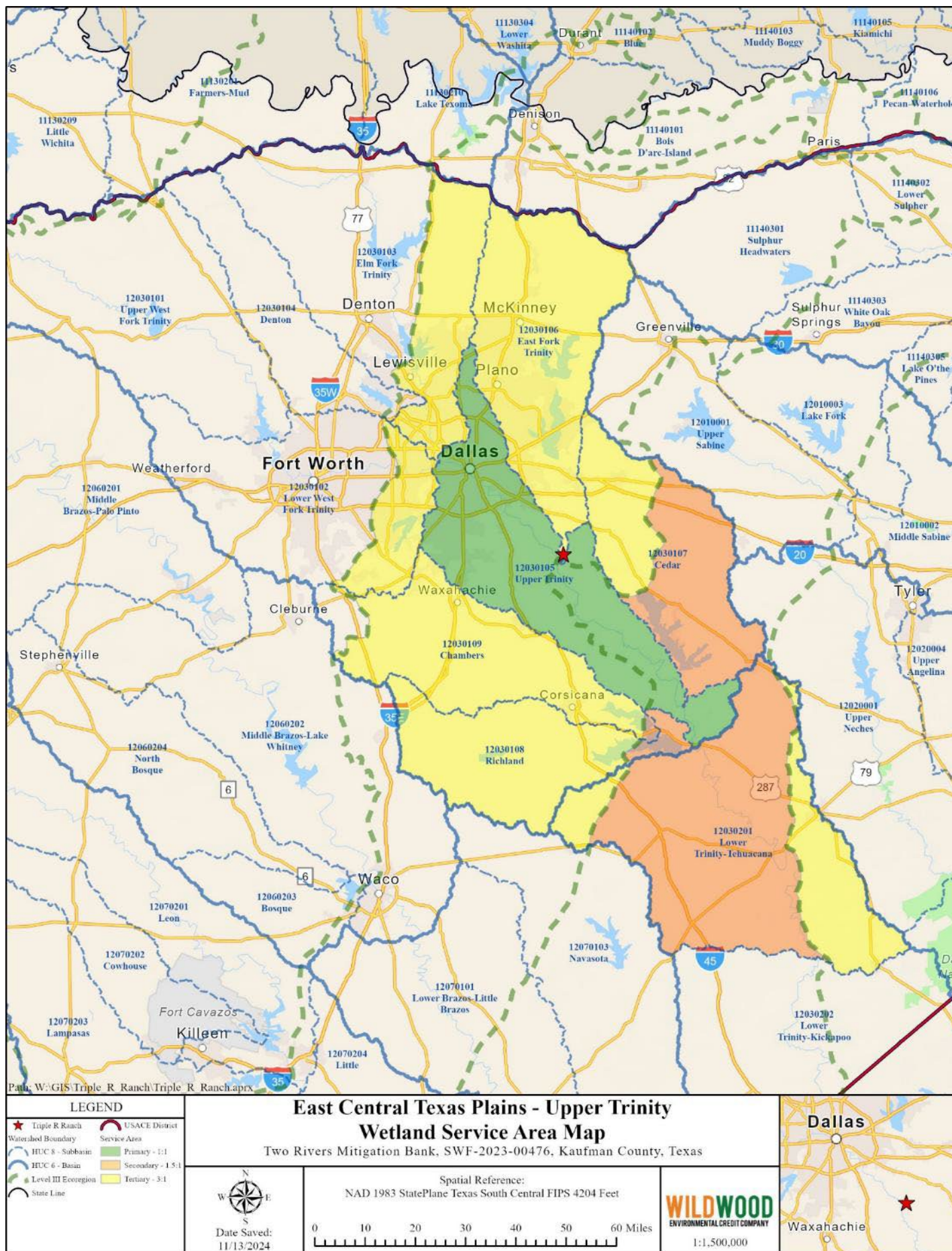


Figure 13. Service area map for wetlands within the East Central Texas Plains ecoregion portion of the Upper Trinity River HUC 12030105 based on CESWF-10-MITB.

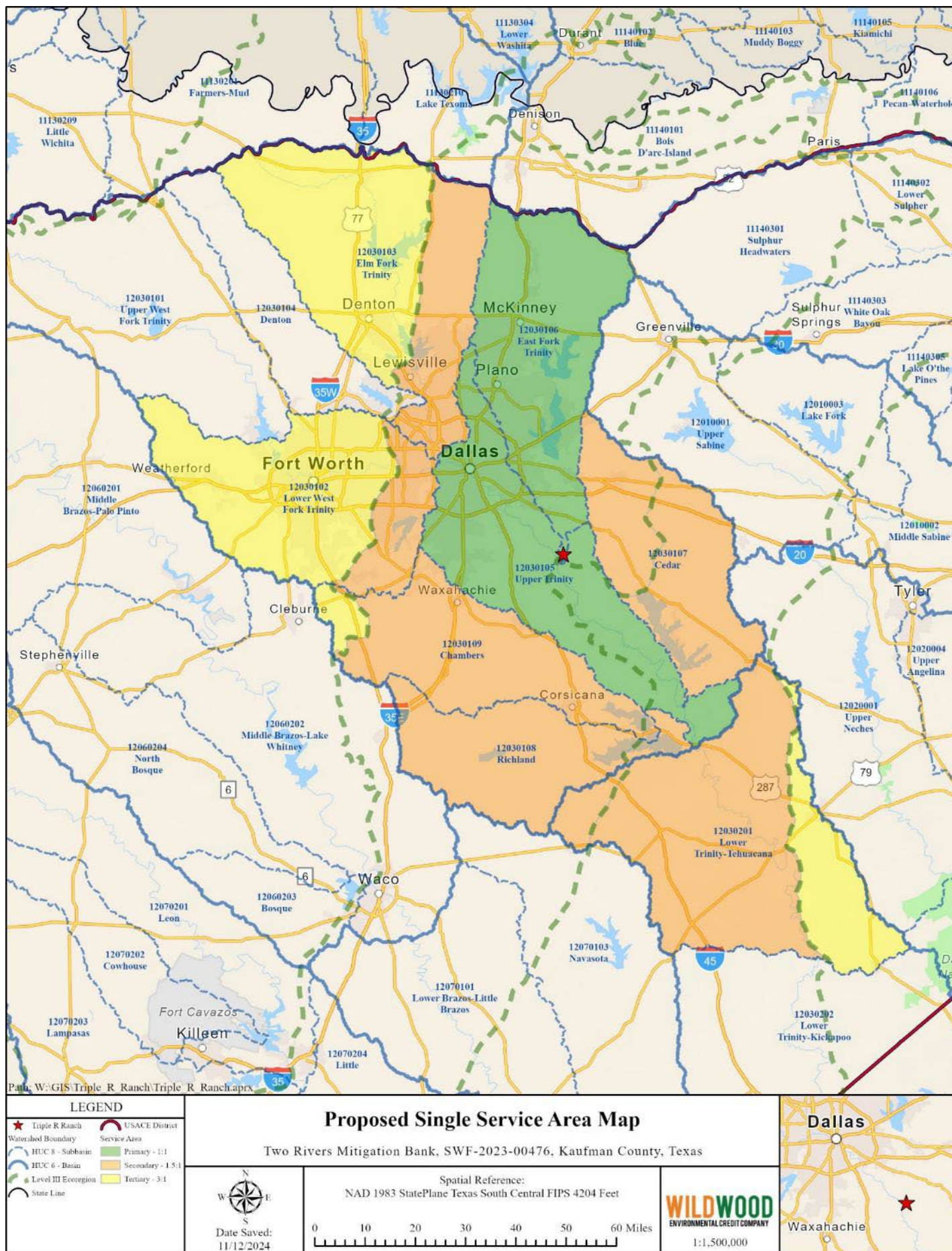


Figure 14. Proposed alternative single service area to be used instead of the four specified by CESWF-10-MITB.