



PUBLIC NOTICE

Prospectus for Mitigation Bank

Issue Date: January 17, 2025

Expiration Date: February 16, 2025

U.S. Army Corps of Engineers No: NWW-2024-00208

30-Day Notice

Interested parties are hereby notified that the U.S. Army Corps of Engineers, Walla Walla District (Corps) has received a request to establish the proposed Teton Edge Mitigation Bank (Bank), as described below and show on the attached drawings. The Corps is soliciting comments on the proposed Bank.

Sponsor: JMB Partnership, LLC
Attention: Mr. Aaron Landry
205 Sage Glenn Lane
Lafayette, Louisiana 70508
Email: aaron@jmbcompanies.com
Telephone: (337) 208-6285

Location: The proposed bank site is in the Teton Subbasin (HUC 17040204) located near Rexburg, Madison County, Idaho at Latitude/Longitude: 43.83760511°, 111.8211739°. The site is in Section 23, Township 6 North, Range 39 East.

Mitigation Banking: A mitigation bank is a site where aquatic resources (e.g., wetlands and streams) are restored, established/created, enhanced, and/or preserved for the purpose of providing compensatory mitigation for impacts authorized by the Corps under the authority of Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act. The mitigation bank sponsor is the entity responsible for establishing, and in most circumstances, operating the mitigation bank. A mitigation bank sells compensatory mitigation credits to permittees whose obligation to provide compensatory mitigation is transferred to the mitigation bank sponsor.

Prospectus: This public notice includes only summarized information and figures from the full prospectus. A prospectus is the preliminary proposal prepared by a mitigation bank sponsor and provides an overview of a proposed mitigation bank. The Corps invites interested parties to review the full prospectus.

A copy of the full prospectus for the proposed bank is available for review on the Corps' Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) website (<https://ribits.ops.usace.army.mil>). At this website, in the left column under "FILTER" select the "USACE District" radio button and from the dropdown list, select "Walla Walla". Then, in the same column under "MENU" select "Banks and Sites." On the next page, find and select "Teton Edge Mitigation Bank (pending)". Once the page loads,

select “[Cyber Repository]” along the top menu. Here you will be able to download the prospectus. Alternatively, a copy of the prospectus may be requested from the Corps.

Bank Description: The proposed Bank site is 33.8 acres and includes existing wetlands, ponded areas, a drainage ditch, upland herbaceous and forested habitats, and a riverine channel (South Fork Teton River). The objectives of the Bank include providing connectivity between wetlands and extending the site’s hydroperiod. This work would include plugging ditches, excavating shallow swales, and reinforcing low water crossings. The Bank objectives would also include ending grazing by removing livestock, removing noxious plant species through herbicide application, and recruiting and planting indigenous species within the respective wetland habitats. Vegetative buffers (50 feet wide) would also be constructed between the bank and adjacent lands to the West, North, and East of the site. Figures depicting the draft mitigation work plan are included in Figures #13-16 of the enclosure. The project objectives would be accomplished by restoring natural hydrologic cycling and water storage, restoring existing wetlands through site improvements, and establishing wetlands.

Site preparation will begin during the first summer after the execution of the Mitigation Banking Instrument (MBI). To establish the proposed Bank, the sponsor would conduct initial dirt work which includes removal of swales and reconnecting wetlands. Low water crossings will be reinforced to restore natural hydrologic cycling, sheet flow, and water storage. The sponsor would also establish monitoring plots and transects and begin control of invasive noxious plants. The sponsor would remove approximately 30-70% of the existing quaking aspen and proposes planting desirable woody species such as cottonwoods, willows, and red osier dogwoods. The sponsor would also apply herbicides to invasive noxious species and plant, seed, and recruit desirable herbaceous wetland plants (Table 6 for Planting List). The Bank would be protected in perpetuity with a conservation easement. The sponsor would perform long-term maintenance and site protection activities.

Service Area: A mitigation bank service area is the geographic area within which impacts can be mitigated at a specific mitigation bank. The proposed primary service area for this Bank consists of the Teton Subbasin (HUC 17040204), up until the confluence of the Canyon Creek and Teton River, as well as HUC 12 watersheds that are within the elevation range of 4,600 feet to 5,200 feet within the Lower Henry’s (HUC 17040203), Idaho Falls (HUC 17040201), American Falls (HUC 17040206), Blackfoot (HUC 17040207), and Willow (HUC 17040205) Subbasins (see Figure 17). The proposed secondary service areas for this Bank consists of the remainder of the Teton Subbasin within the state of Idaho (see Figure 17). These service areas include the urbanizing areas of Madison County, and portions of Jefferson, Bingham, Bonneville Fremont, and Teton Counties, including the cities of Idaho Falls and Rexburg.

Drawings: drawings are attached and labeled Corps No. NWW-2024-00208. Copies of this public notice, which have been mailed or otherwise physically distributed, feature drawings in black and white. The electronic version features those drawings in color, which we think more accurately illustrates the proposed mitigation bank. To access the electronic version of this public notice, go to the Walla Walla District Regulatory website

at <https://www.nww.usace.army.mil/Business-With-Us/Regulatory-Division/> and under Regulatory Menu select Public Notices.

Endangered Species: Section 7 of the Endangered Species Act (ESA) (16 U.S.C 1536) requires federal agencies to consult with the National Marine Fisheries Service (NMFS) and/or U.S. Fish and Wildlife Service (USFWS) on all actions that may affect a species listed (or proposed for listing) under the ESA as threatened or endangered or that may adversely modify designated critical habitat. The Corps' preliminary review indicates the administrative action to authorize a mitigation bank would not affect listed species or critical habitat. The Corps will complete a separate evaluation for activities to construct the proposed mitigation bank that may require a Department of the Army permit.

Historic Properties: Section 106 of the National Historic Preservation Act (NHPA) of 1966, as amended (16 U.S.C. 470), requires Federal agencies to consult with the appropriate State and/or Tribal Historic Preservation Officer to take into account the effects of actions they undertake or permit on historic properties listed in or eligible for listing in the National Register of Historic Places. The Corps' preliminary review indicates the administrative action to authorize a mitigation bank would not affect historic properties. The Corps will complete a separate evaluation for activities to construct the proposed mitigation bank that may require a Department of the Army permit.

Corps Public Hearing Requests: Any person may request in writing within the comment period specified in this notice that a Corps public hearing be held to consider this proposed mitigation bank. Requests for Corps public hearings shall state with particularity the reasons for holding a public hearing.

Evaluation: The Corps will evaluate the proposed mitigation bank in accordance with 33 CFR Part 332. The decision whether to authorize the bank will be based on an evaluation of the probable impact, including cumulative impacts, of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the proposal 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, consideration of property ownership and, in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Native American Tribes; and other interested parties in order to consider and evaluate the impacts of the proposed Bank. Any comments received will be considered by the Corps to determine whether to authorize the proposed Bank. 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 to determine the need for a public hearing and to determine the overall public interest of the proposed Bank. If the proposal progresses to the sponsor's submittal of a complete draft mitigation instrument to the Corps, the Corps will use the comments received on this public notice to inform an Environmental Assessment completed for the Corps' decision on the mitigation instrument.

Submitting Comments: Interested parties are invited to provide comments on the proposed Bank. Comments may be submitted by conventional mail or email. Either conventional mail or email comments must include the Corps reference number as shown on page 1 and include the commenter's name and address. To be accepted, email comments must originate from the author's email account and must include on the subject line of the email message the Corps reference number. All comments received will become part of the administrative record and are subject to public release under the Freedom of Information Act including any personally identifiable information such as names, phone numbers, and addresses.

Additional information about the proposed Bank may be obtained from the Corps contact listed below. All comments, whether by conventional mail or email, must be received no later than the expiration date of this public notice to ensure consideration. Comments should be submitted to the following mailing address or email address:

U.S. Army Corps of Engineers
Lia Landowski
Coeur d'Alene Field Office
1910 Northwest Blvd., Suite 210
Coeur d'Alene, Idaho 83814
Email: lia.e.landowski@usace.army.mil
Telephone: (986) 810-0177