US Army Corps of Engineers®

# PUBLIC NOTICE

Applicant:
Arizona Game and Fish Department
Attn: Shawn Lowery

Published: April 25, 2025
Expires: May 26, 2025

**Los Angeles District**
**Permit Application No. SPL-2012-00541**

TO WHOM IT MAY CONCERN: The Los Angeles District of the U.S. Army Corps of Engineers (Corps) has received a request to modify the Arizona Game and Fish Department (AZGFD) In-Lieu Fee Program's enabling instrument to include a new in-lieu fee project (ILF project). The purpose of this public notice is to solicit comments from the public regarding the work described below:

**APPLICANT:** Arizona Game and Fish Department
Attn: Shawn Lowery
5000 West Carefree Highway
Phoenix, Arizona 85086

**WATERWAY AND LOCATION:** The ILF project would affect waters of the United States associated with Centennial Wash and the Gila River. The ILF project is located at the Arlington Wildlife Area, which is located at the intersection of Arlington School Road and Desert Rose Road near the community of Arlington, Maricopa County, Arizona. The project is located in Sections 4 and 9 of Township 2 South, Range 5 West; at Latitude 33.270358 and Longitude -112.775128. See attached location map (Figure 1 and 2).

**ACTIVITY:** The AZGFD, as Program Sponsor, is proposing to amend their enabling instrument to include the proposed Arlington ILF Project described below and shown on the attached drawings (see Figures 3-6).

**BACKGROUND:** The 2008 Mitigation Rule (Rule) (33 CFR §332) established a process and defined requirements for the establishment and management of mitigation banks, in-lieu fee programs, and permittee-responsible mitigation. These types of compensatory mitigation are used to offset unavoidable impacts to waters of the United States authorized through the issuance of Department of the Army permits pursuant to Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899. The Rule also established a public review process and timeline for the development of mitigation banks and in-lieu fee programs. For the development of ILF projects associated with an approved enabling instrument, this establishment process will include the following: 1) public review and comment on the mitigation plan, 2) Interagency Review Team (IRT) review and comment on the mitigation plan, and 3) development of a credit release schedule.

The Arizona IRT consists of resource agencies and includes the U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Arizona Game and Fish Department, Arizona Department of Environmental Quality, the City of Phoenix Environmental Programs, and Pima County Office of Sustainability and Conservation. More information on the Rule and the Mitigation Banking Process can be found at https://www.spl.usace.army.mil/Missions/Regulatory/Mitigation.aspx

The AZGFD In-Lieu Fee Program's enabling instrument was executed on July 22, 2013, and amended on November 12, 2014. The instrument established guidelines and responsibilities for the program and allowed the Program Sponsor to begin selling credits in advance of implementing an ILF project. The instrument also includes a compensation planning framework which identifies the geographic areas serviced by the program, threats to aquatic resources in the service area, aquatic resource goals and objectives to be achieved in the service area, and a strategy for selecting and identifying compensatory mitigation activities. Following the approved planning framework, the AZGFD In-Lieu Fee Program has developed and submitted a mitigation plan which would be implemented at the Arlington ILF Project site using proceeds from credit sales.

**PROPOSED IN-LIEU FEE PROJECT:**
The request submitted by the Program Sponsor would amend the enabling instrument to include the Arlington ILF Project as described below and shown on the attached figures. A summary of the project is provided here; the full mitigation plan is available for review upon request (refer to the contact information in the comments section below).

The project is located within the Lower Gila Watershed (HUC4: 1507) at the confluence of Centennial Wash and the Gila River. Within the Sonoran Desert, the lower Gila River is considered to be a sandy, braided river characterized by a swath of interconnecting channels. Xero-riparian mesquite-shrub woodland and grassland-shrub communities are characteristic vegetation types of Sonoran Desert washes, rivers and floodplains that tolerate drier conditions than cottonwood and willows. Mesquite provides habitat for many native wildlife species because of the abundance and nutritional quality of available food (e.g., mesquite seeds and pods) and the structural complexity of the vegetation. This vegetation type has been declining throughout southern Arizona including almost all of the Gila and Salt Rivers. Invasive species, conversion of riparian lands to agricultural use, wood cutting, and groundwater depletion from aquifer pumping and stream diversion have contributed to regional declines in mesquite acreage.

The Arlington ILF project would create and restore 218.83 acres of riparian habitat along the Gila River. Project activities would be concentrated on three focal areas:

1. Centennial Wash Riparian Corridor:
Centennial Wash is heavily modified as a result of upstream agricultural operations and the presence of non-native, invasive tamarisk trees which impede flows. The Program Sponsor would regrade Centennial Wash following a developed grading and hydrology plan to facilitate surface flows across the project area to the Gila River. Material graded from the Centennial Wash corridor would be placed on the floodplain terrace within the

project area. The corridor would then be revegetated with native plant species, as describe below and shown on Figures 3-6.

2. Gila River and Centennial Wash Bank Revetment:
The Program Sponsor proposes to utilize an ecological revetment strategy along the banks of the Gila River and Centennial Wash which will enhance stability and minimize erosion while reducing the need for hardened infrastructure. This method utilizes living and non-living plant materials in combination with natural and synthetic support materials for slope stabilization, erosion reduction, and vegetation establishment. The banks would be planted with native xero-riparian species through direct seeding and transplanting of nursery-raised potted plants. During the establishment period, plantings would be watered primarily through the use of drip irrigation (where needed) which would be reduced and eliminated over time. Refer to the attached drawings for additional information.

3. Xero-riparian Floodplain Terrace:
Much of the project area is located on a floodplain terrace and currently supports non-native, invasive tamarisk species. The Program Sponsor plans to use heavy machinery to remove the plant material from the project area and dispose of it in a regional environmental landfill. Desirable native vegetation would be left in place. Once the work is completed, the floodplain areas would be regraded and existing high soil salinity conditions would be mitigated through the use of leaching (flood irrigation). Once salinity levels are sufficiently reduced, the floodplain terrace areas of the project would be planted with appropriate xero-riparian species which are adapted to the residual salinity levels in the soil. Although the planting would include tree species, some portions of the project area would consist only of shrubs and grasses to avoid an increase in flood elevations within the FEMA-designated floodplain.

All areas of the ILF project site would be monitored to ensure that the site is trending towards achievement of performance measures identified for the project and managed to control reintroduction of non-native species.

Proposed Long Term Management Strategy
The site is located on lands owned by the Arizona Game and Fish Commission (Commission) and federal land which was withdrawn and reserved under the jurisdiction of the U.S. Fish and Wildlife Service (USFWS) for use by the Commission for wildlife and game management purposes under Public Land Order 1015. In a 1954 cooperative agreement, the USFWS granted use and control of the federal land to the Commission and has concurred on the eligibility of these lands for use as an ILF project. A Conservation Land Use Agreement will be implemented to protect the project in perpetuity, and the Program Sponsor will fund long-term management through an endowment established specifically for that purpose.

**ILF PROJECT EVALUATION AND PERMITTING PROCESS:**
As part of the process of amending the Program Sponsor's enabling instrument and approving the ILF project, the District Commander will distribute comments received

from this public notice to the Program Sponsor and the IRT for consideration. The District Commander will discuss the comments with the IRT, resolve any issues that arise during the review, and develop a credit release schedule based on the project's achievement of specific milestones. The District Engineer will then decide to approve/not approve the enabling instrument modification.

The Program Sponsor would need to obtain the appropriate federal, state, and local permits required to implement the restoration activities. The ILF sponsor would submit an application for Corps permit(s) should the proposed mitigation activities involve a discharge of dredge or fill material within waters of the U.S or work within navigable waters of the U.S. The Corps would complete consultation, if appropriate, under the Endangered Species Act, the National Historic Preservation Act and other applicable federal laws, prior to any permit authorization.

**COMMENTS:** The Corps 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. Any comments received will be considered by the Corps to determine whether to amend the AZGFD In-Lieu Fee Program's enabling instrument and approve the ILF project. To make this determination, comments are used to assess impacts to endangered species, historic properties, water quality, general environmental effects, and other public interest factors. Comments are used in the preparation of an Environmental Assessment (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The Los Angeles District will receive written comments on the proposed work, as outlined above, until May 26, 2025. Comments should be submitted electronically via the Regulatory Request System (RRS) at https://rrs.usace.army.mil/rrs or to Jesse.M.Rice@usace.army.mil. Alternatively, you may submit comments in writing to the District Engineer, U.S. Army Corps of Engineers, Los Angeles District, Attention: Jesse Rice, 3636 North Central Avenue Suite 900, Phoenix, Arizona 85012. Please refer to the permit application number in your comments.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider the application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. Requests for a public hearing will be granted, unless the District Engineer determines that the issues raised are insubstantial or there is otherwise no valid interest to be served by a hearing.

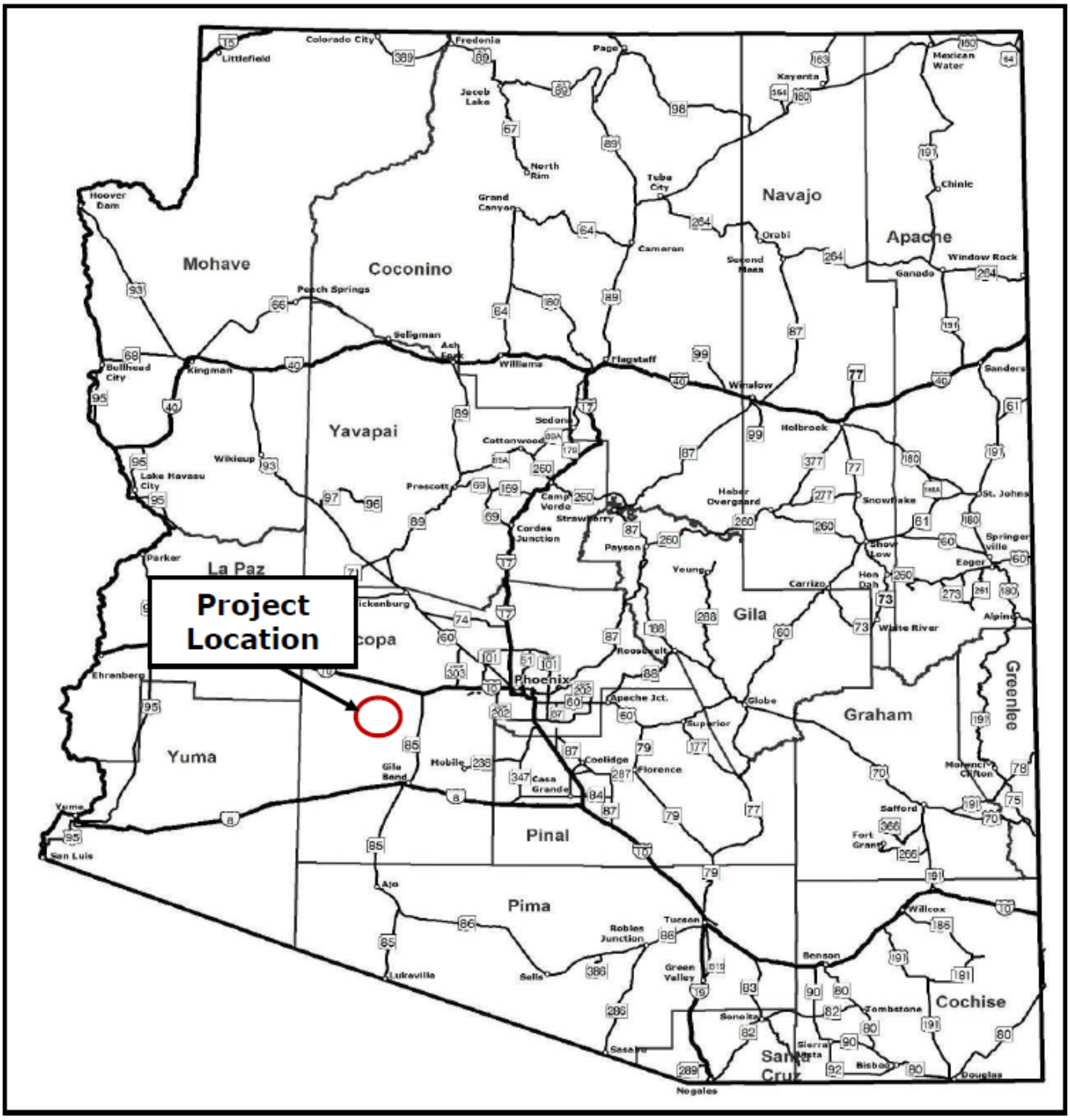



**Figure 1.** AWA location in the state of Arizona (Township 2S Range 5W Sections 4 & 9).

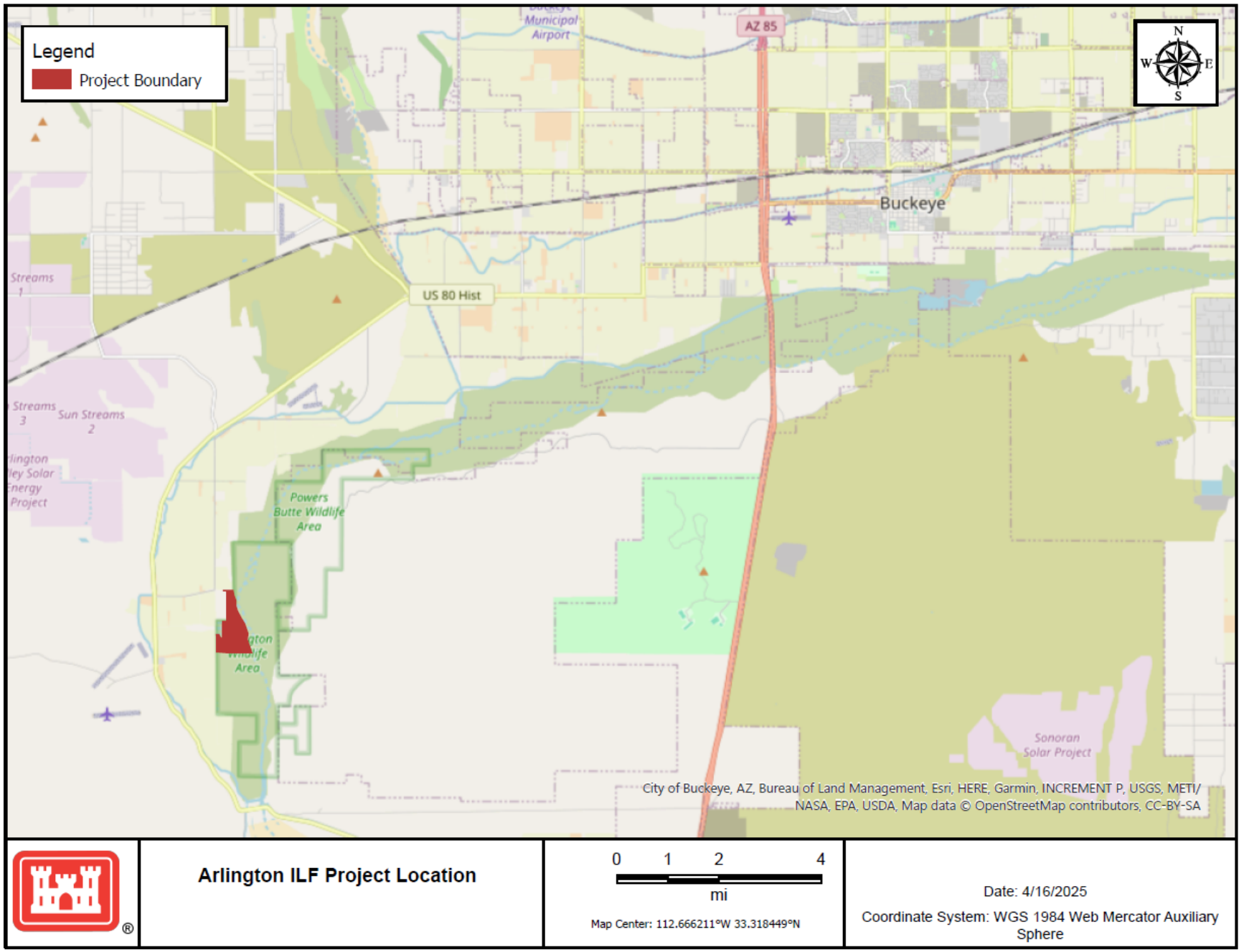



*Figure 2. General vicinity of the Arlington ILF Project location.*

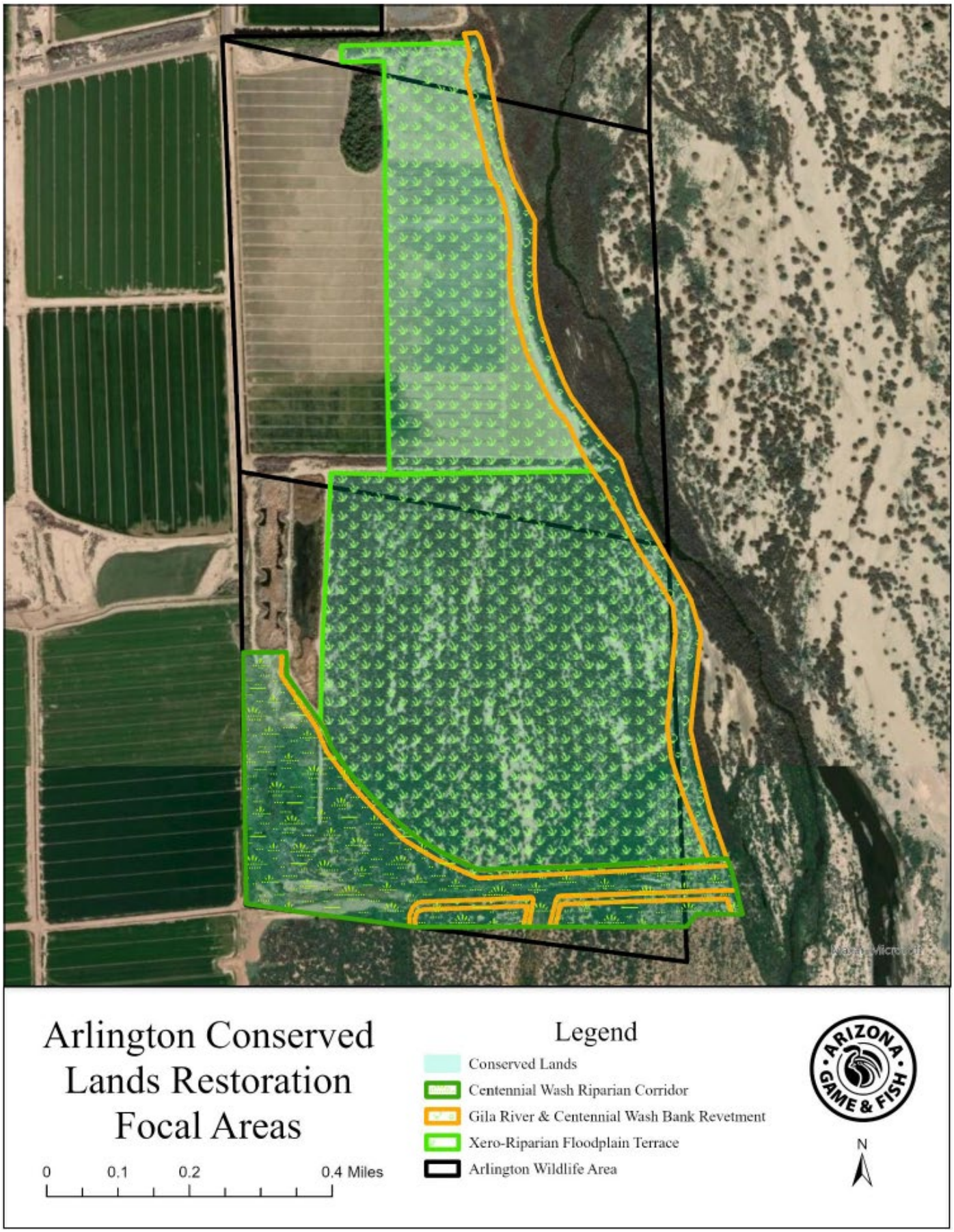



*Figure 3. Locations of proposed activities within the Arlington ILF Project site.*

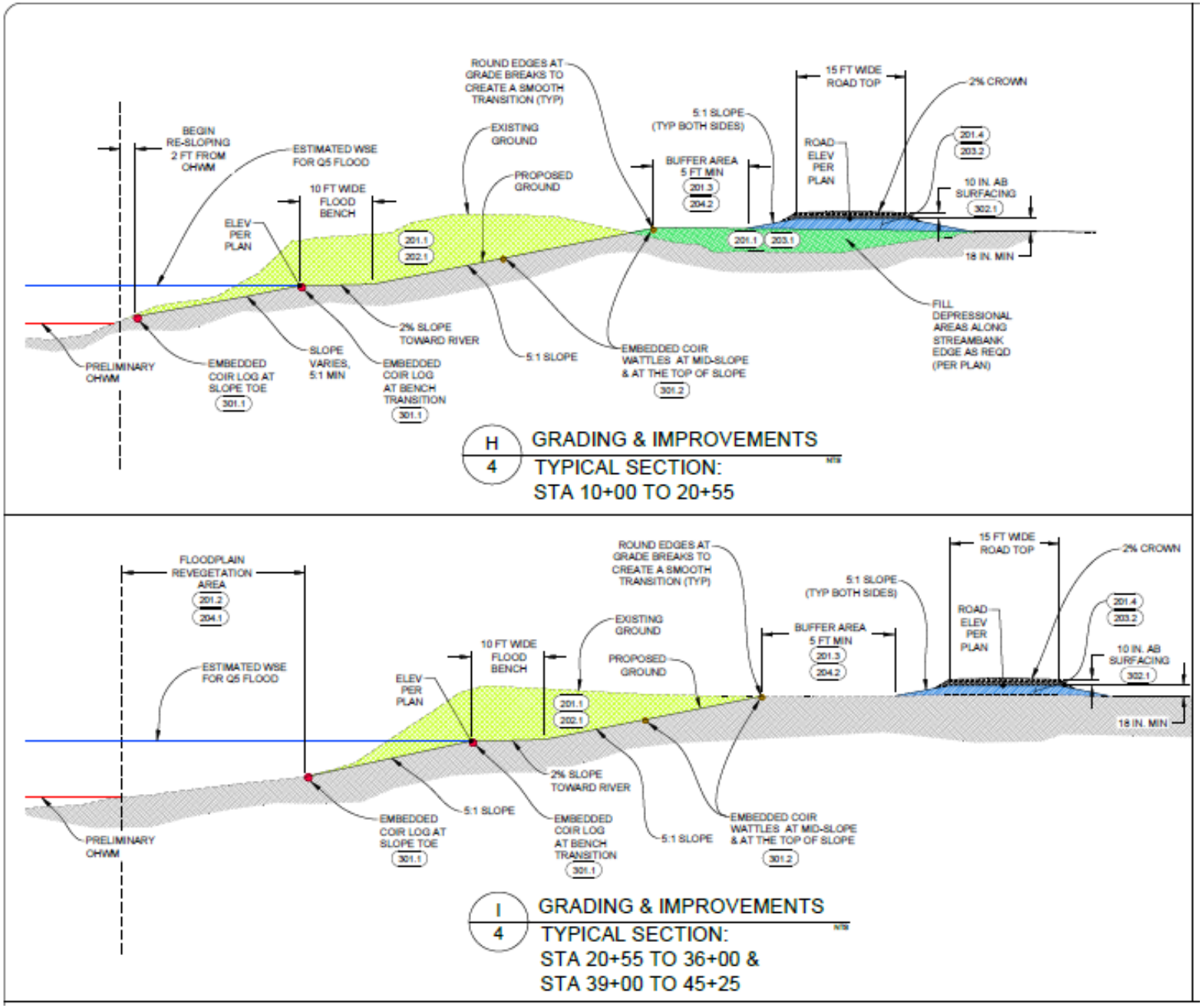
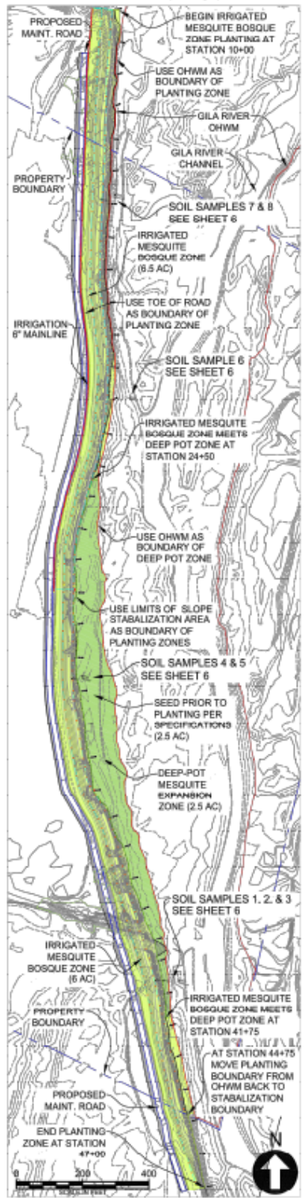


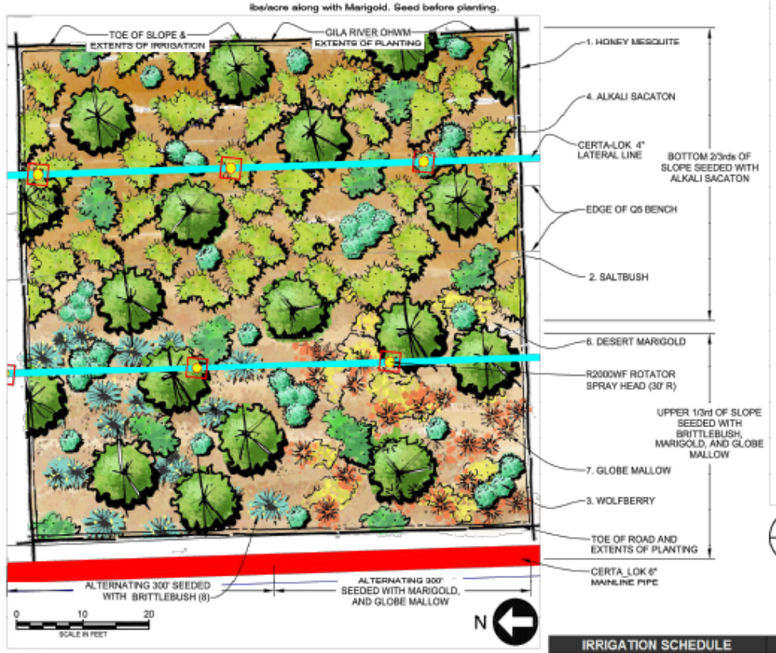

*Figure 4. Cross-section drawings of the Gila River and Centennial Wash revetments.*

## IRRIGATED MESQUITE BOSQUE SPECIFICATIONS:

1. Honey Mesquite (Prosopis glandulosa), 1 Gallon pots. Plants at least 30" in height. Hand planted using "Micro-berm" method, see planting specs and details. 109 Plants per acre.
2. Saltbush (Atriplex canescens), 1 Gallon pots. Plants at least 20" in height. Hand planted using "Micro-berm" method, see planting specs and details. 25 Plants per acre planted in clumps 6' O.C.
3. Wolfberry (Lycium andersonii), 1 Gallon pots. Plants at least 20" in height. Hand planted using "Micro-berm" method, see planting specs and details. 25 Plants per acre planted in clumps between mesquites, 6' O.C.
4. Alkali Sacaton (Sporobolus airoides) will be seeded at 4 lbs/acre and applied to the bottom 2/3rds of the slope for the entire bank-line. Seed before planting.
5. Brittlebush (Encelia farinosa) will be seeded in the upper 1/3rd of the slope at 4 lbs/acre, alternating seeding with Marigold and Globemallow combination every 300 linear feet of bank. Seed before planting.
6. Desert Marigold (Baileya multiradiata) will be seeded in the upper 1/3rd of the slope at a rate of 4 lbs/acre along with Globemallow. Seed before planting.
7. Desert Globemallow (Sphaeralcea ambigua) will be seeded in the upper 1/3rd of the slope at a rate of 4 lbs/acre along with Marigold. Seed before planting.




4 / 7 PROPOSED PLANTING OVERALL PLAN DIAGRAM

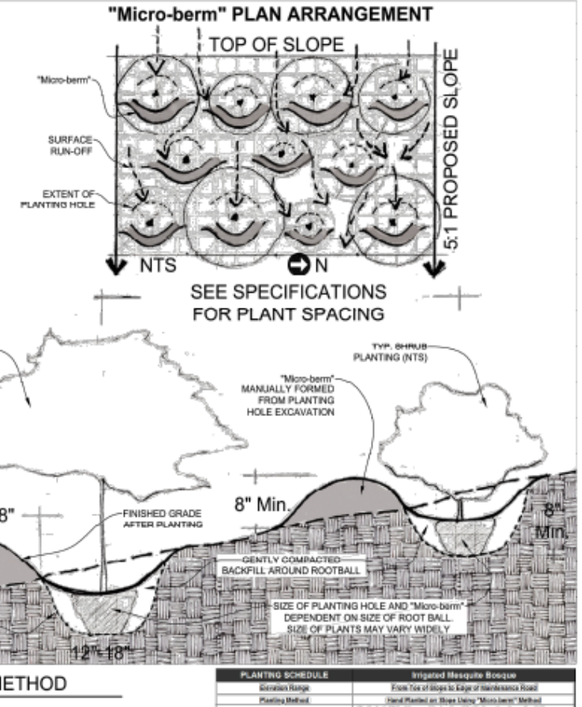



6 / 7 IRRIGATED MESQUITE BOSQUE ZONE 75ft x 75ft TYPICAL PLAN

| IRRIGATION SCHEDULE | Irrigated Mesquite Bosque (First 2 Years) | |
|---|---|---|
| SEASON | Irrigation Time Assuming 4GPM Per Head | |
| Summer (March - October) | 6 days per week - 30 min. in AM, 30 min. in PM | 1200 min/month |
| Winter (November - February) | 3 days per week EVERY OTHER WEEK - 30 min. in AM, 30 min. in PM | 360 min/month |
| Note: Irrigation times may need to be adjusted based on season weather conditions and final irrigation design. | | |

### NOTES:

1. ALL CONTAINER OR POTTED PLANTINGS ~~SHALL USE THE "Micro-berm" METHOD~~
2. SEEDING SHALL TAKE PLACE PRIOR TO ANY PLANTING HOLE EXCAVATION
3. PLANTING METHOD IS INDENTED TO INTERRUPT AND CAPTURE SURFACE RUN-OFF AS WELL AS COLLECT SPRAY IRRIGATION WATER.

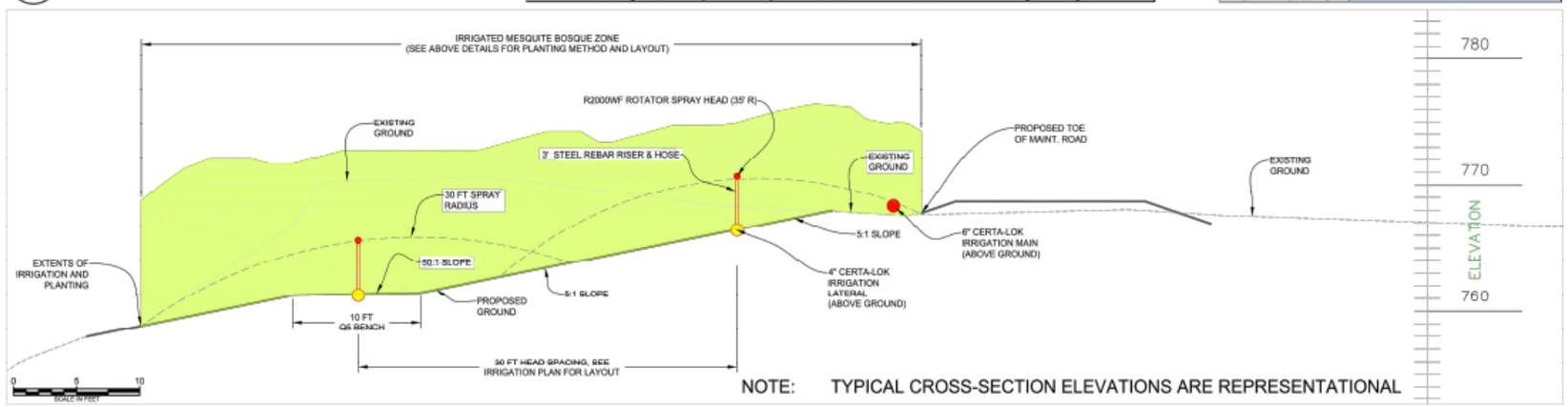






7 / 7 "Micro-Berm" PLANTING METHOD TYPICAL DETAIL

| PLANTING SCHEDULE | Irrigated Mesquite Bosque |
|---|---|
| Elevation Range | From Toe of Slope to Edge of Maintenance Road |
| Planting Method | Hand Planted on Slope Using "Micro-berm" Method |
| Irrigation Type | Certa-Lok Main Line and Laterals with 6' pipe stands and rotating spray heads. See Irrigation Specifications. |
| Acreages | 6.50 |
| **Trees (pots)** | |
| Prosopis glandulosa (1 gal pots) | 687 |
| **Shrubs (pots)** | |
| Atriplex canescens (1 gal pots) | 150 |
| Lycium andersonii (1 gal pots) | 168 |
| **Seed (pounds)** | |
| Sporobolus airoides (4 lbs/ac) | 25 |
| Encelia farinosa (4 lbs/ac) | 25 |
| Baileya multiradiata (4 lbs/ac) | 25 |
| Sphaeralcea ambigua (4 lbs/ac) | 25 |

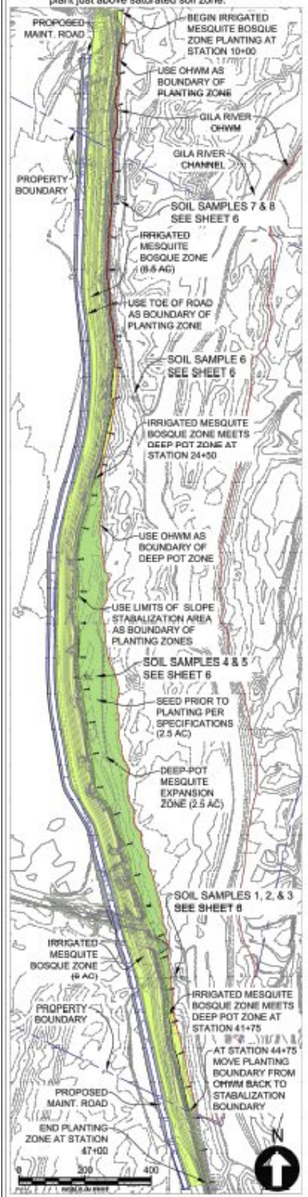



5 / 7 PROPOSED BANKLINE PLANTING ZONES TYPICAL CROSS-SECTION

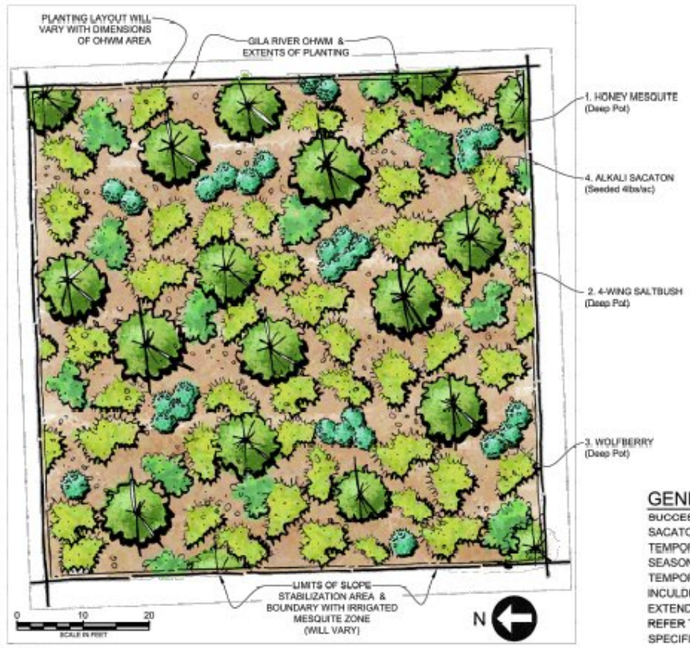
*Figure 5. Revetment: Irrigated mesquite bosque planting palette and cross-section.*

## DEEP-POT MESQUITE BOSQUE SPECIFICATIONS:

1. Honey Mesquite (Prosopis glandulosa), deep pots 14"x4". Plants at least 60" in height. Hand planted 20' O.C. Root mass must be planted into moist soils. Can plant stems up to 4' deep to get root mass to moist soils. 3 to 5 budding sites must remain above ground. Do not plant root mass into saturated soil, plant just above saturated soil zone.
2. Saltbush (Atriplex canescens), deep pots 14"x4". Plants at least 30" in height. Hand planted. Root mass must be planted into soil with some moisture. Can plant stems up to 1' deep to reach moisture. 25 Plants per acre planted in clumps between mesquite trees, 6' O.C.
3. Wolfberry (Lycium andersonii), deep tree pots 14"x4". Plants at least 30" in height. Hand planted. Root mass must be planted into soil with some moisture. Can plant stems up to 1' deep to reach moisture. 25 Plants per acre planted in clumps between mesquite trees, 6' O.C.
4. Alkali Sacaton (Sporobolus airoides) will be seeded at 4 lbs/acre and applied to the entire planting zone.
5. Seed before deep-pot planting. Ensure entire planting area is free of non-native species before seeding. Refer to label when using herbicide and before planting.



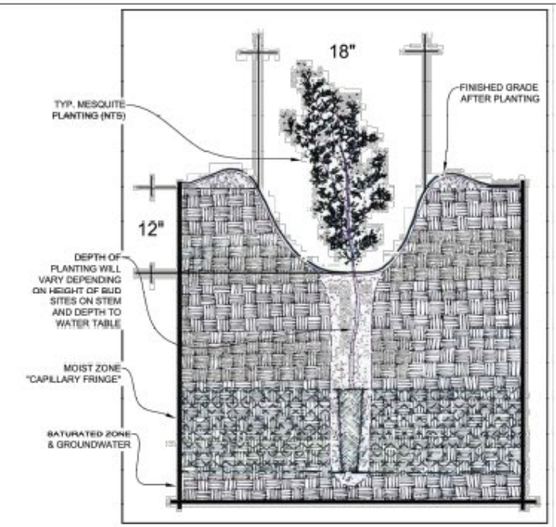

8/8 PROPOSED PLANTING OVERALL PLAN DIAGRAM




10/8 DEEP-POT MESQUITE BOSQUE ZONE 75ft x 75ft TYPICAL PLAN

## DEEP POT METHOD NOTES:

1. ALL 14" POTS (DEEP-POTS) PLANTINGS SHALL USE THE DEEP-POT METHOD
2. SEEDING SHALL TAKE PLACE PRIOR TO ANY PLANTING HOLE EXCAVATION
3. PLANTING METHOD IS INTENDED TO UTILIZE EXISTING GROUNDWATER AND ELIMINATE OVERHEAD OR DRIP IRRIGATION.
4. HOLES AROUND THE BASE OF THE PLANT SHOULD BE ABOUT 12" DEEP.
5. MESQUITE CAN BE PLANTED UP TO 36 INCHES DEEP AS LONG AS A FEW BUDDING SITES REMAIN ABOVE GROUND.
6. PLANT TUBES SHOULD BE INSTALLED AROUND MESQUITE TO PREVENT WILDLIFE BROWSE. SEE SPECIFICATIONS.
7. MESQUITE ROOTS SHALL BE PLANTED JUST ABOVE THE SATURATED ZONE. IN MOIST SOIL.



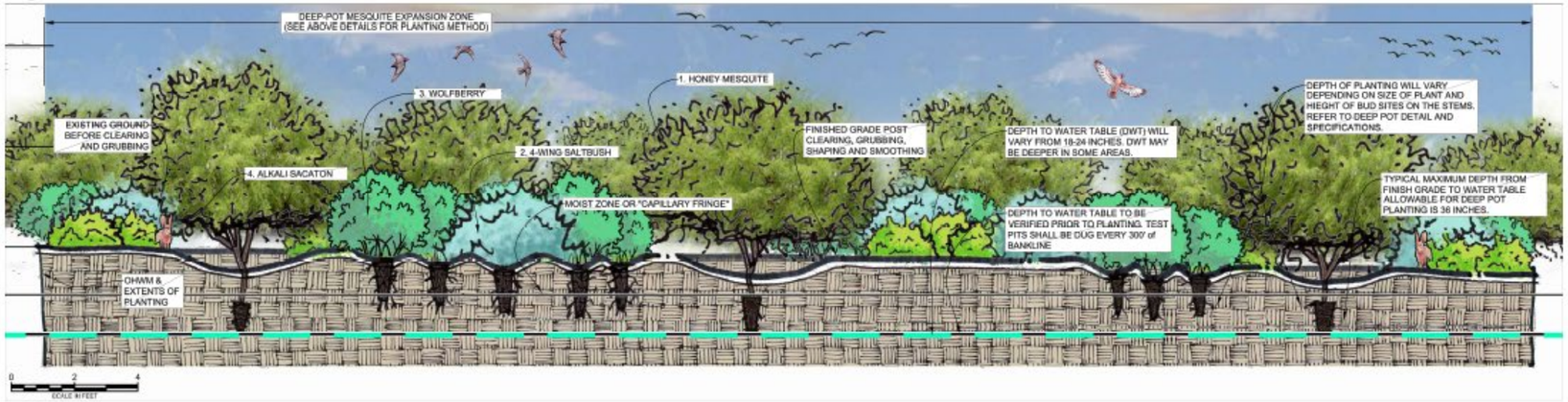

NOT TO SCALE (NTS)

11/8 "DEEP-POT" PLANTING METHOD TYPICAL DETAIL

## GENERAL NOTES:

SUCCESSFUL ESTABLISHMENT OF ALKALI SACATON SEED WILL INCREASE WITH TEMPORARY IRRIGATION (DURING THE FIRST SEASON) IN THE DEEP POT PLANTING ZONE. TEMPORARY IRRIGATION HAS NOT BEEN INCULDED IN THIS PLAN, BUT CAN EASILY BE EXTENDED USING THE CERTA-LOK SYSTEM. REFER TO THE IRRIGATION PLAN AND SPECIFICATIONS FOR MORE DETAIL.

| PLANTING SCHEDULE | Deep Pot Mesquite Bosque |
|---|---|
| Elevation Range | Between Toe of Slope and OHWM of Gila River |
| Planting Method | Hand Planted Using Deep-pot Method |
| Irrigation Type | Deep-Pot root ball Planting in Moist Soils. See Deep-Pot planting and seeding Specifications. |
| Acreages | 2.5 |
| **Trees (pots)** | |
| *Prosopis glandulosa* (60" deep pots) | 286 |
| **Shrubs (pots)** | |
| *Atriplex canescens* (30" deep pots) | 66 |
| *Lycium andersonii* (30" deep pots) | 66 |
| **Seed (pounds)** | |
| *Sporobolus airoides* (4 lbs/ac) | 11 |




9/8 PROPOSED DEEP-POT PLANTING ZONES TYPICAL CROSS-SECTION

*Figure 6. Revetment: Deep-pot planting palette and cross-section.*