



**US Army Corps
of Engineers®**

PUBLIC NOTICE

Sponsor:
Clearwater Mitigation V, LLC

Published: April 28, 2026
Expires: May 28, 2026

**Norfolk District
NAO-2017-01673**

TO WHOM IT MAY CONCERN: The Norfolk District, U.S. Army Corps of Engineers (Corps) received a complete prospectus on April 9, 2026 from Clearwater Mitigation V LLC, proposing the establishment of the Smith Farm Mitigation Bank to offset stream impacts authorized as part of future federal and state permits. The purpose of this notice is to solicit comments and recommendations from the public, federal, state, and local agencies and officials, Indian tribes, and other interested parties concerning the work as described below.

SPONSOR: Clearwater Mitigation V, LLC
Attn: James R Parker, IV
2805 Park Ave.
Richmond, VA 23221

AGENT: Clearwater Ventures, LLC
2805 Park Ave
Richmond, VA 23221

WATERWAY AND LOCATION: The proposed compensatory mitigation site (the Bank) is located at 733 Crafts Ford Road, Wirtz in Franklin County, Virginia at 37.052731, -79.711804. The Bank consists of predominantly pasture with non-native vegetation. The Bank is adjacent to Blackwater River and is located within the Roanoke River Basin. The Bank limits are 161 acres.

PROPOSED WORK and PURPOSE: The Sponsor is proposing 6,395 linear feet (LF) of stream channel restoration, 1,172 LF of stream enhancement, and 1,984 LF of stream enhancement with instream structures using Natural Channel Design via re-establishment of a stable channel with floodplain connection, bioengineering streambank stabilization techniques, and installing in-stream structures. All streams will be protected on both sides by a minimum of 100-foot (FT) buffers, including 91.3 acres of riparian area preservation and 43.1 acres of riparian area restoration/enhancement by removing invasive plant species and re-establishing native vegetation and 10,201 linear feet of livestock exclusion including the cattle present on site being removed from all streams and buffers. The Sponsor proposes to generate a total of 16,991 Unified Stream Methodology (USM) credits upon completion of the activities approved under the mitigation work plan.

The purpose of the mitigation project is to provide off-site compensatory mitigation for projects that result in unavoidable impacts to streams in the Roanoke River watershed.

The Bank's proposed Primary Service Area is comprised of the Roanoke River watershed within HUCs 03010101 (the same HUC as the Bank), 03010102, 03010103, and 03010105. The Bank's proposed Secondary Service Area is comprised of HUCs 03040101, 03010104, and 03010106.

Oversight of the Project would be by an existing group of federal and state agency representatives. This interagency oversight group is known as the Interagency Review Team (IRT). The Corps and the Virginia Department of Environmental Quality (DEQ) chair the IRT.

The Corps, the DEQ, and the VMRC provide no guarantee that any individual or general permit will be granted authorization to use the Project to compensate for unavoidable wetland and stream impacts associated with a permit verified, authorized, or issued by the Corps, pursuant to Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and/or by the DEQ pursuant to Section 401 of the Clean Water Act and Title 62.1 of the Code of Virginia and/or the VMRC pursuant to Title 28.2 of the Code of Virginia.

A copy of the Smith Farm Bank Prospectus can be found on the Corps Regulatory In-lieu Fee and Bank Information Tracking System (RIBITS) website [Public Notices \(army.mil\)](https://ribits.ops.usace.army.mil/ords/f?p=107:622:1800163446844::NO)

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AUTHORITY: Issuance of public notices regarding proposed compensatory mitigation sites is required pursuant to Compensatory Mitigation for Losses of Aquatic Resources; Final Rule as published April 10, 2008, in the Federal Register, Vol. 73, No. 70, pages 19,594-19,705 (33 CFR 325 and 332 and 40 CFR 230). **This is not an application for work in federally regulated waters;** however, authorization under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act (CWA) may be required for implementation of the proposed work, if approved. No decision has been made as to whether this proposed mitigation bank will be approved.

FEDERAL EVALUATION OF APPLICATION: The Corps is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties to consider and evaluate this proposed Project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, conservation, economics, aesthetics, general environmental concerns, wetlands, fish and wildlife values, flood hazards, flood plain values, land use classification, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, and consideration of property ownership. If the Sponsor is advised and/or chooses to submit a draft mitigation banking instrument, the Corps will use the

comments received on this public notice to inform an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act.

CULTURAL RESOURCES: Additional information may change any of these findings. Pursuant to 36 CFR 800.2(a)(2) the Corps is the lead Federal agency responsible for compliance with Section 106 of the National Historic Preservation Act for the proposed action. Any required consultation will be completed by the Corps.

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer (SHPO), federally recognized tribes, and other interested parties.

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or Tribal Historic Preservation Office, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

ENDANGERED SPECIES: Our preliminary determination for the Mitigation Bank is that the proposed activity may affect but is not likely to adversely affect any federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of, and potential impacts to, listed species in the project area or their critical habitat.

The Corps has performed an initial review of the application, the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, and the proposed and final designated critical habitat may occur in the vicinity of the proposed project. Based on this initial review, the Corps has made a preliminary determination that the proposed project may have an effect to listed/proposed/candidate species and/or designated/proposed critical habitat.

ESA-listed species and/or critical habitat potentially present in the action area.

Species Common Name and/or Critical Habitat Name	Scientific Name	Federal Status
Tricolored bat	<i>Perimyotis subflavus</i>	Proposed Endangered
Monarch butterfly	<i>Danaus plexippus</i>	Proposed Threatened

Pursuant to Section 7 of the Endangered Species Act (ESA) any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402. The Corps is

the lead Federal agency for ESA consultation for the proposed action. Any required consultation will be completed by the Corps.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

The USFWS Information and Planning and Consultation (IPaC) Official Species List and Species Conclusion Table are attached for review and comment by the USFWS.

ESSENTIAL FISH HABITAT: There is no EFH in the Corps area of responsibility.

NOTE: This public notice is being issued based on information furnished by the Sponsor and their Agent. This information has not been verified or evaluated to ensure compliance with laws and regulation governing the regulatory program.

PRIVACY AND CONFIDENTIALITY: Comments and information, including the identity of the submitter, submitted in response to this Public Notice may be disclosed, reproduced, and distributed at the discretion of the Corps. Information that is submitted in connection with this Public Notice cannot be maintained as confidential by the Corps. Submissions should not include any information that the submitter seeks to preserve as confidential.

COMMENT PERIOD: The Norfolk District will receive written comments on the application, as outlined above, until the close of business on May 28, 2026.

Comments can be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or to Rowen Schmidt via email at: CENAO_REG_MitigationTeam@usace.army.mil

Alternatively, you may submit comments in writing to the Commander, U.S. Army Corps of Engineers, Norfolk District, Attention: Rowen Schmidt (CENAO-RG-W), 803 Front Street, Norfolk, VA 23510-1011, Please refer to the 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.

If you have any questions about this application, contact:

Rowen Schmidt at
rowen.e.schmidt@usace.army.mil and copy

CENAO_REG_MitigationTeam@usace.army.mil