

**SPONSOR:** Jeramy Williams

# **Public Notice**

ISSUED: March 13, 2024 EXPIRES: April 12, 2024

**REFER TO:** MVP-2024-00125-EMN

**SECTION: 404 - Clean Water Act** 

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

2. SPECIFIC INFORMATION

SPONSOR'S ADDRESS: Jeramy Williams

N4896 CTH P

Helenville, Wisconsin 53137

SPONSOR'S AGENT Merjent – POC: Jon Gumtow

1 Main Street SE, Suite 300 Minneapolis, MN 55414

PROJECT LOCATION: The project site is located in Section 11, Township 23 North, Range 1 West, Clark County, Wisconsin. The approximate center coordinates are Latitude 44.487761, Longitude -90.468857.

BANK SERVICE AREA (BSA): The bank proposal is in the Upper Mississippi - Black Root BSA.

DESCRIPTION OF PROJECT: The sponsor is proposing to develop the Robin Road Wetland Mitigation Bank. The proposed bank site is approximately 160 acres in size, including upland buffer areas. More detail on the proposed restoration work, hydrology, technical feasibility, and ecological suitability are described below.

NEED AND OBJECTIVE OF PROJECT: This BSA covers a large area of west-central Wisconsin and includes the cities of Alma, Neillsville, Black River Falls, and La Crosse. The sponsor states there is a long-term need for bank credits in this BSA as the region continues to experience development pressure. The sponsor reviewed RIBITS and stated that previously sold credits in this BSA appear to be predominately used for municipal and private projects.

The objectives for this bank proposal are to restore wetland habitat within an ecologically degraded landscape to improve wetland functions, water quality, and wildlife habitat. The sponsor indicates construction of bank proposal would result in the re-establishment of about 75.5 acres of fresh wet meadow and 7.2 acres of shrub-carr, the rehabilitation of 16.7 acres of fresh wet meadow and 2.11 acres of shrub-carr and include 21.9 acres of reduced credit area (wetland) and 28.9 acres of upland buffer.

ESTABLISHMENT, OPERATION AND MANAGEMENT: The sponsor proposes to restore wetland functions by locating and filling drainage ditches on-site (approximately 4.6 miles) to restore wetland hydrology, conducting minor grading to remove spoil piles and accumulated sediments to restore microtopography, installing native seed and shrubs to establish native vegetation in the farmed and drained wetland areas, controlling invasive species in existing wetlands to promote native vegetation establishment, and installing shallow groundwater monitoring wells to evaluate pre- and post-

construction hydrology conditions. The sponsor anticipates the proposed restoration work to generate approximately 110.41 credits as shown in the table below.

|                    |                                     | Anticipated \          | Table 1<br>Wetland C              | redit Summary             |        |                           |        |         |
|--------------------|-------------------------------------|------------------------|-----------------------------------|---------------------------|--------|---------------------------|--------|---------|
| Community Type     | Restoration via<br>Re-Establishment |                        | Restoration via<br>Rehabilitation |                           | Buffer |                           | Totals |         |
|                    | Acres                               | Credits<br>(1:1 ratio) | Acres                             | Credits<br>(0.75:1 ratio) | Acres  | Credits<br>(0.25:1 ratio) | Acres  | Credits |
| Fresh (wet) Meadow | 75.47                               | 75.47                  | 16.69                             | 13.49                     | 20.65  | 5.16                      | 112.81 | 94.12   |
| Shrub-Carr         | 7.19                                | 7.19                   | 2.11                              | 1.58                      | 1.26   | 0.31                      | 10.56  | 9.08    |
| Mesic Prairie      | -                                   | =                      |                                   |                           | 28.87  | 7.21                      | 28.87  | 7.21    |
| TOTALS             | 82.66                               | 82.66                  | 18.8                              | 14.75                     | 50.78  | 12.68                     | 152.24 | 110.41  |

The sponsor expects credits generated by this bank proposal would be used for compensatory mitigation to offset authorized wetland impacts for State and Federal permits in the BSA.

OWNERSHIP AND LONG-TERM MANAGEMENT: The sponsor currently owns the land and intends to record a conservation easement on the bank site which will preserve the restored wetlands in perpetuity. The sponsor will be responsible for long-term management activities after the monitoring period concludes. The long-term management plan is anticipated to include periodic site inspections and invasive species management. Any additional long-term management activities will be identified during development of the mitigation plan.

TECHNICAL FEASIBILITY AND QUALIFICATIONS: The land within the proposed bank has been in the sponsor's family for over 50 years and the sponsor has site-specific knowledge of the farming and drainage history. The sponsor proposes to restore plant communities that are representative of historical conditions. The sponsor anticipates that the presence of mapped hydric soils and existing drainage ditches that can be disabled would result in a viable wetland restoration project. The proposed restoration work has been successful on other mitigation and restoration sites with similar site characteristics.

The sponsor stated that the Neillsville Municipal Airport is approximately 4.79 miles north of the proposed bank as shown in Figure 11. The airport has one runway with an east-west orientation that is not in a direct line with the proposed bank. The sponsor does not intend to create open water habitat and anticipates that there would be no adverse effects to the airport. The sponsor will coordinate with the airport and the Wisconsin Department of Transportation Bureau of Aeronautics (BOA) to identify any applicable mitigation measures that would need to be implemented in the mitigation plan for this project.

The sponsor has no previous wetland mitigation banking experience, but has hired Merjent to plan, design, monitor, and manage the proposed bank. Merjent has successfully designed and implemented wetland restoration projects, wetland mitigation banks, permittee-responsible mitigation sites, and ecological restoration sites in Wisconsin for over 30 years. The Merjent team includes engineers, soil scientists, hydrologists, wetland delineators, botanists, wildlife ecologists, and restoration ecologists.

ECOLOGICAL SUITABILITY: The proposed bank site consists primarily of agricultural land that has been in an agricultural use for decades. Preliminary baseline data was collected by Merjent through desktop reviews and a field assessment on November 17, 2023. Topography across the project site is nearly level with elevations ranging from 1020 to 1035 feet above mean sea level (msl). Topographic

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lows occur within the drainage ditches and surrounding drained wetland and topographic highs occur in the farmed upland in the east-central portion of the project site. Soil mapping indicates that the central part of the proposed bank is comprised predominately of Veedum muck (hydric) with areas of Kert and Withee soils (hydric soil inclusions). The generally flat topography, presence of hydric soils within the drained farmland, and existing drainage system make the project site suitable for hydrologic restoration. Currently, over 83 percent of the project site (approximately 133 acres) is used for crop production and consists of row crops and drainage ditches. The remainder of the project site consists of existing degraded shrub-carr wetlands, upland spoil piles, fallow farm fields, active agricultural fields, and a residential farmhouse. Re-establishing and rehabilitating wetland and upland communities would restore wetland functions and improve wildlife habitat at the proposed bank site.

HYDROLOGY: The main ditch and ditch laterals have removed wetland hydrology from the majority of the historic wetlands on-site. The main ditch is mapped as an unnamed stream (WBIC 1748200) originating east of the proposed bank site and flows north into Hay Meadow Creek. There are several ditch laterals off the main ditch as shown in Figure 3 of the attachments. The sponsor proposes to backfill the ditch laterals to restore wetland hydrology in adjacent drained land and potentially restore historic stream channels (potentially the main ditch and the southern ditch) pending further investigation into stream history and drainage patterns on-site. There are no known public or private drainage rights and/or easements within the property. Exterior ditches will be used as needed to protect adjacent property from adverse hydrologic effects from the proposed bank project.

CURRENT LAND USES: As stated above, the proposed bank site is currently in an agricultural and residential (single-family home) land use. The main ditch flows north under State Highway 73 to Hay Meadow Creek and originates east of the site on adjacent agricultural land. The surrounding area is predominantly in an agricultural land use with scattered farms and single-family homes in a rural setting. There is also some undeveloped forest land to the east and west of the proposed bank site.

COORDINATION WITH RESOURCE AGENCIES: The Corps is coordinating this proposal with the following members of the Interagency Review Team (IRT) and other resource agencies: Wisconsin Department of Natural Resources, U.S. Environmental Protection Agency, and the Wisconsin Department of Transportation's Bureau of Aeronautics (BOA).

# 3. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT

None were identified by the bank sponsor or are known to exist in the action area. However, Clark County is within the known historic range for the following Federally-listed species:

Northern Long-Eared Bat (E) Hibernates in caves and mines – swarming in surrounding

wooded areas in autumn. Roosts and forages in upland forests

during spring and summer.

Gray Wolf (E) Northern forested areas.

Karner Blue Butterfly (E) Open meadows with wild lupine.

The Corps is coordinating this notice with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plans or their critical habitat will be considered in our final assessment of the described work.

#### 4. JURISDICTION

This proposal is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

#### 5. HISTORICAL/ARCHAEOLOGICAL

The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization of the work in connection with this project.

#### PUBLIC HEARING REQUESTS

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposal. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

## 7. REPLIES/COMMENTS

Interested parties are invited to submit to this office written facts, arguments, or objections by the expiration date above. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the sponsor. Interested parties can find a copy of the full prospectus in the RIBITS Cyber Repository at the following link:

https://ribits.ops.usace.armv.mil/ords/f?p=107:278:4234144002224::::P278 BANK ID:6806

Comments can be electronically submitted to eric.m.norton@usace.army.mil. If electronic submittal is not available, commenters should address replies to:

Regulatory Division St. Paul District Corps of Engineers c/o Eric Norton 2926 Post Road, Suite B Stevens Point, Wisconsin 54481

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Eric Norton at the Stevens Point field office of the Corps, telephone number (651) 290-5879.

To receive Public Notice notifications, go to: https://www.mvp.usace.army.mil/Contact/RSS/ and subscribe to the RSS Feed for which you would like to receive Public Notices.

Enclosure(s): Project Figures from the Prospectus Submittal











































