



**US Army Corps
of Engineers**
St Paul District

**SPONSOR: Buffalo-Red River
Watershed District**

Public Notice

ISSUED: 6-March-2013

EXPIRES: 4-April-2013

REFER TO: 2010-02242-LAG

SECTION:404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

2. SPECIFIC INFORMATION.

SPONSOR'S ADDRESS: Buffalo-Red River Watershed District
123 Front Street South
Box 341
Barnesville, Minnesota 56514

SPONSOR'S AGENT: Houston Engineering Inc.
1401 21st Avenue North
Fargo, North Dakota 58102

PROJECT LOCATION: The project site is located in Section 28, T. 138N., R. 46W., Clay County, Minnesota.

BANK SERVICE AREA: The proposed bank is located in the upper Red River watershed designated as Bank Service Area 4.

BACKGROUND: The Elkton Township Wetland Banking Project was first brought to the attention of the Clay County Technical Evaluation Panel (TEP) in 2008. At that time, the sponsor had a 60 acre site in mind and was interested in the potential for developing a mitigation bank. After meeting with the TEP several times with various conceptual plans, the sponsor submitted a Wetland Bank Application, in October 2012, for the 144.7 acre project described in this notice.

DESCRIPTION OF PROJECT: The proposed bank easement area, including upland buffer, is 144.7 acres in size and consists of two non-contiguous parcels of land. Site 1 is an irregularly shaped 139.7 acre parcel and Site 2 is a 5 acre parcel located in close proximity to Site 1 (see attached easement area map).

The entire easement area and adjacent properties are actively cultivated agricultural lands. A review of historic aerial photography indicates the area has been in agricultural production for 20+ years. The USDA Soil Survey indicates both hydric and non-hydric soils are present. An existing ditch/drainage system has removed the surface water hydrology from a significant portion of the site. Working with the sponsor, the local IRT (TEP) agencies used crop slides, soils mapping, LIDAR 1 ft. contour mapping and ditch bottom elevations to determine what wetlands remain on the site. This determination concluded that there are 2.6 acres of existing partially drained wetlands and 142.1 non-wetland acres (effectively drained wetlands and upland) within the easement area.

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The sponsor proposes to restore the drained and partially drained wetlands within the easement area to a pre-drainage condition and establish a native, non-invasive hydrophytic plant community. The hydrology would be restored by disabling the ditch system with ditch plugs and the vegetation would be established by seeding the area with a recommended regional wet meadow seed mix. The upland buffer within the easement area would be seeded with a native, non-invasive upland seed mix.

Containment berms are proposed along portions of the perimeter of the easement area to prevent hydrologic encroachment onto adjacent property. Material used for the construction of the berms, as well as the ditch plugs, would be excavated on site. Other than the ditch plugs, there is no proposed wetland fill or excavation.

The sponsor proposes hydrological restoration by re-establishment of 69.6 acres of completely drained wetlands and rehabilitation of 2.6 acres of partially drained wetlands. Upland buffer is proposed on the remaining 72.2 acres of the easement area. It is the goal of the applicant to establish a wet meadow plant community within the restored and rehabilitated wetlands, with the possible inclusions of shallow marsh areas, depending on the depths and duration of the inundation of the site. The upland buffer is anticipated to be a mesic prairie plant community.

The established bank site would be managed by the sponsor or their successors in property ownership. The site would be adaptively managed for development of herbaceous communities dominated by native species common to the bank area. Credit sales would be tracked by sponsor and reported to the state as required by state law. The reported credit releases and sales would be tracked on both Corps and state databases using ledger data supplied by the state. By state law, long-term management of the property would be the responsibility of the landowner and the sponsor until all released credits have been debited. After all credits are debited, long-term management obligations would fall to the landowner under state law. Additional protections and management limitations would be spelled out in both a conservation easement and in an approved bank plan.

Using the St. Paul District's wetland mitigation policy, the applicant anticipates the wetland restoration would result in 69.6 wetland credits (1:1 ratio), the rehabilitation would result in 1.3 wetland credits (2:1 ratio) and the upland buffer would result in 18.1 wetland credits (4:1 ratio) for a total of 88.9 credits.

The materials included in the bank plan application include detailed engineering and construction plans, various aerial photos and maps, including 1 ft. contour interval topo map, 20 year slide review analysis, vegetation establishment and management plan, seed mix specifications, monitoring plan and copies of permanent project easements.

SURROUNDING LAND USE: Surrounding land use is primarily agriculture.

COORDINATION WITH RESOURCE AGENCIES: The project sponsor has initially coordinated with Minnesota-based Interagency Review Team (IRT) members including the Army Corps of Engineers, Minnesota Board of Water and Soil Resources, Minnesota Department of Natural Resources and the Clay County SWCD. Coordination with additional members of the Interagency Review Team (IRT) is anticipated in response to this Public Notice and as an agenda item during IRT teleconference calls as necessary.

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3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. 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 bank sponsor.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 10867 East Gull Lake Dr. NW, Brainerd, MN 56401.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Leo Grabowski at the Brainerd office of the Corps, telephone number (218) 829-8402.

To receive Public Notices by e-mail, go to: http://www2.mvp.usace.army.mil/list_server/ and add your information in the New Registration Box.

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

None were identified by the applicant or are known to exist in the permit area. However, the Western prairie fringed orchid is a listed species with distribution in Clay County and the Sprague's pipit (bird) and the Dakota skipper (butterfly) are candidate species within the county. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

5. JURISDICTION.

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a **preliminary determination** that the aquatic resources in the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Any **approved jurisdictional determination** needed will be made prior to reaching a decision, and will be posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

6. 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 any Corps authorization or approval.

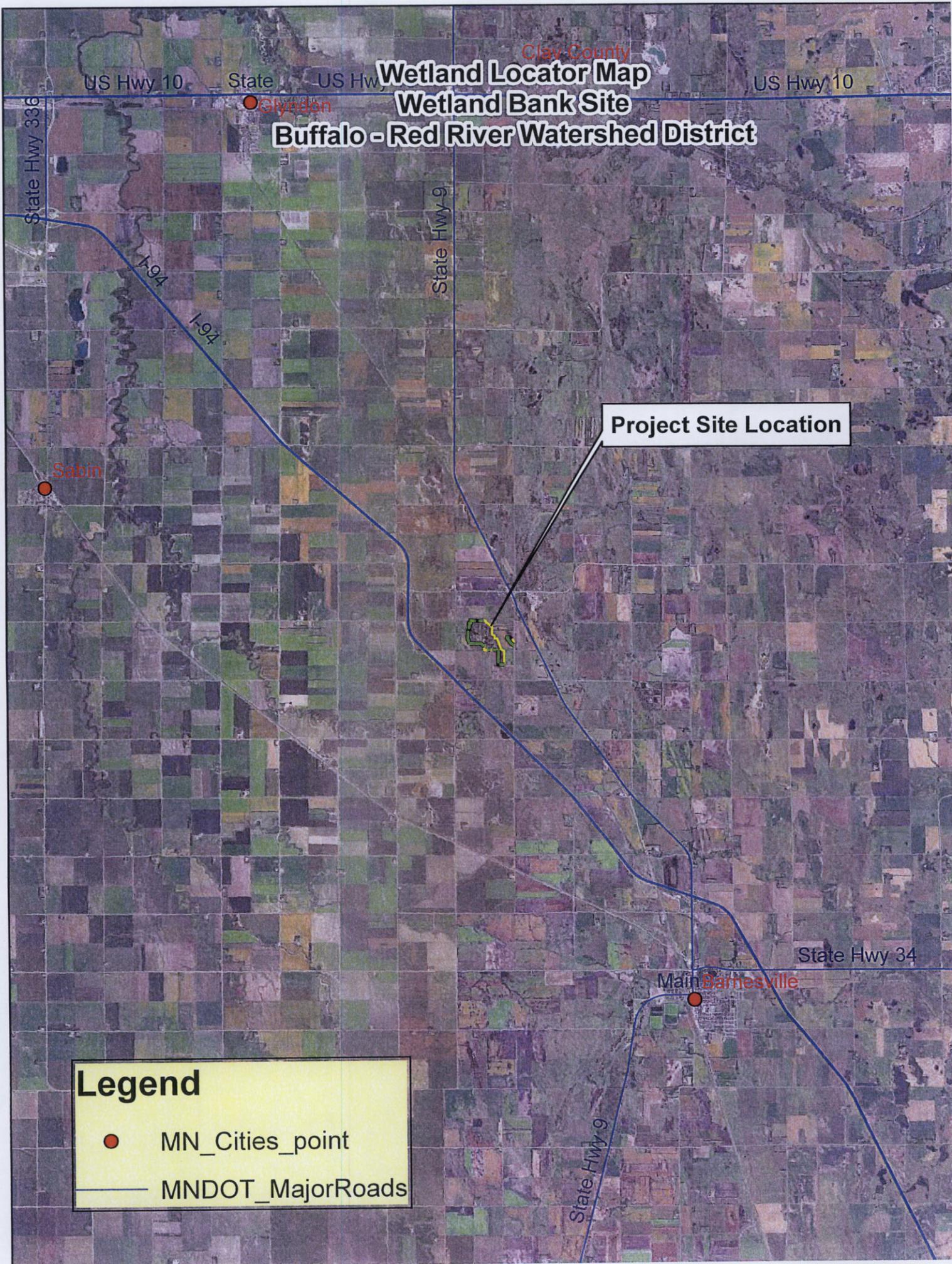
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7. PUBLIC HEARING REQUESTS.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. 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.

Tamara E. Cameron
Chief, Regulatory Branch

Enclosure(s)



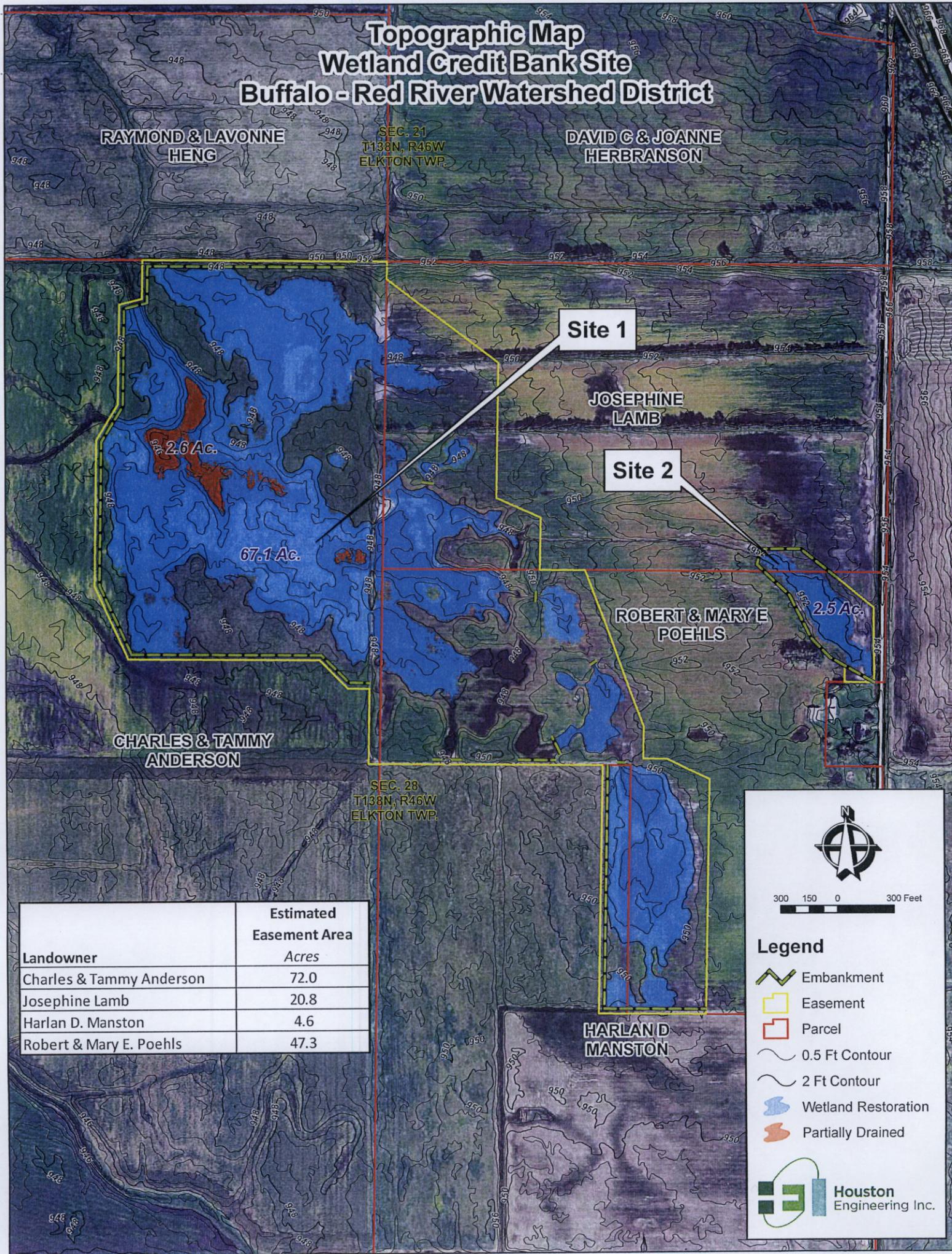
Wetland Locator Map
Wetland Bank Site
Buffalo - Red River Watershed District

Project Site Location

Legend

- MN_Cities_point
- MNDOT_MajorRoads

Topographic Map Wetland Credit Bank Site Buffalo - Red River Watershed District



RAYMOND & LAVONNE HENG

SEC. 21
T138N, R46W
ELKTON TWP.

DAVID G & JOANNE HERBRANSON

Site 1

JOSEPHINE LAMB

Site 2

2.6 Ac.

67.1 Ac.

2.5 Ac.

ROBERT & MARYE POEHLIS

CHARLES & TAMMY ANDERSON

SEC. 28
T138N, R46W
ELKTON TWP.

HARLAN D MANSTON

Landowner	Estimated Easement Area Acres
Charles & Tammy Anderson	72.0
Josephine Lamb	20.8
Harlan D. Manston	4.6
Robert & Mary E. Poehls	47.3



300 150 0 300 Feet

Legend

- Embankment
- Easement
- Parcel
- 0.5 Ft Contour
- 2 Ft Contour
- Wetland Restoration
- Partially Drained



Elkton Township Wetland Restoration Banking Site Buffalo - Red River Watershed District

RAYMOND & LAVONNE
HENG

SEC. 21
T138N, R46W
ELKTON TWP.

DAVID C & JOANNE
HERBRANSON

Proposed Outlet

Site 1

JOSEPHINE
LAMB

Site 2

ROBERT & MARY E
POEHLS

CHARLES & TAMMY
ANDERSON

SEC. 28
T138N, R46W
ELKTON TWP.

HARLAN D
MANSTON



290 145 0 290 Feet

Legend

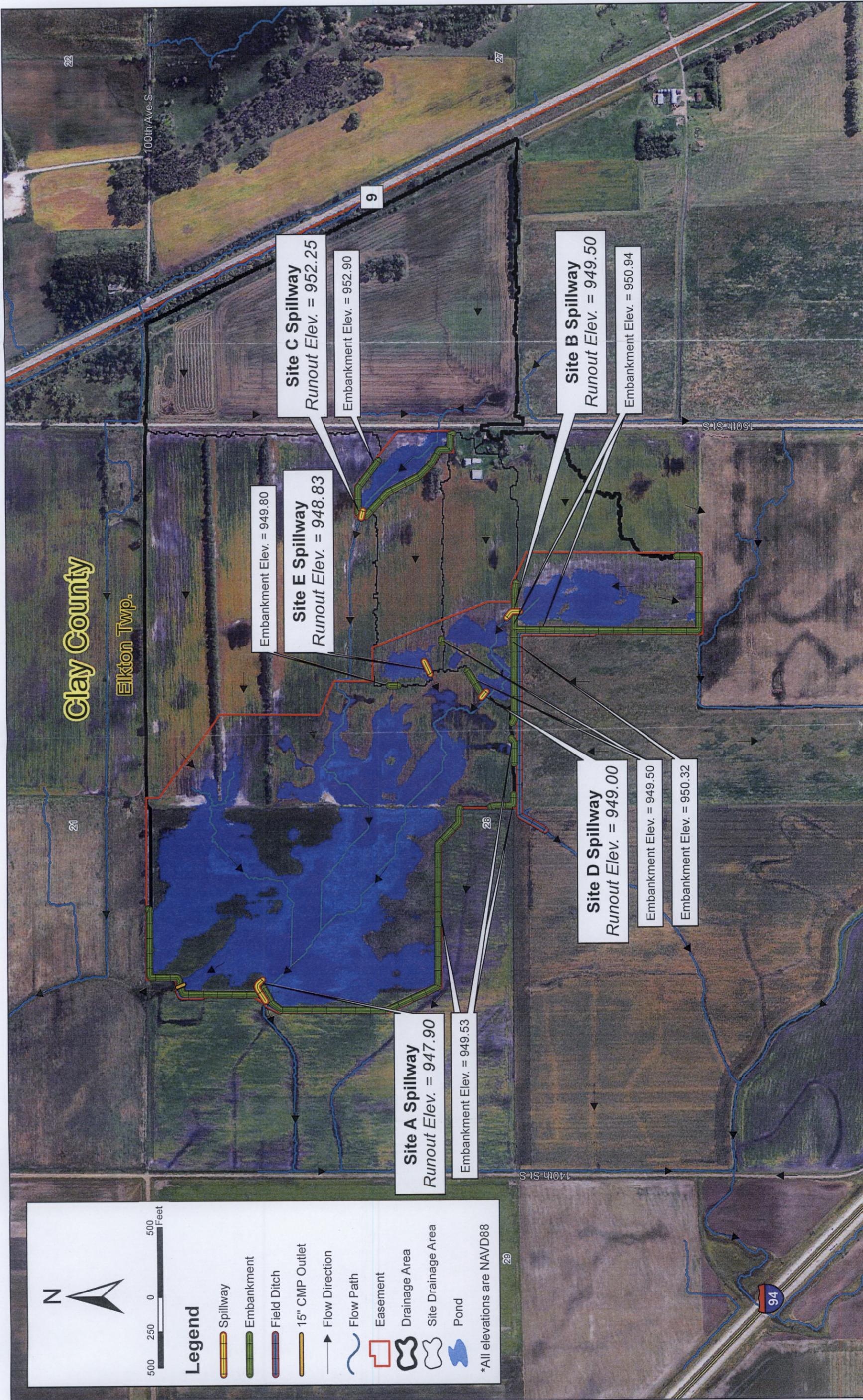
-  Embankment
-  Easement
-  Parcel
-  0.5 Ft Contour
-  2 Ft Contour

Seeding Type

-  Mesic Prairie (62.1 Ac.)
-  Wet Meadow (82.6 Ac.)



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Legend

- Spillway
- Embankment
- Field Ditch
- 15" CMP Outlet
- Flow Direction
- Flow Path
- Easement
- Drainage Area
- Site Drainage Area
- Pond

*All elevations are NAVD88

<p>I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.</p> <p><i>Shirley S. Jones</i> Date: <u>10/9/2012</u></p> <p>Shirley S. Jones License No. 41161</p>		<p>Houston Engineering Inc.</p>	<p>Fargo</p> <p>P: 701.237.5065 F: 701.237.5101</p>	<p>Drawn by: TDR Checked by: ESJ</p>	<p>Date: 10/4/2012 Scale: AS SHOWN</p>	<p>ELKTON TOWNSHIP WETLAND RESTORATION BANKING SITE BUFFALO-RED RIVER WATERSHED DISTRICT BARNESVILLE, MINNESOTA</p>	<p>SPILLWAYS AND FLOW DIRECTION PROJECT NO. 1915-175 Ph.002</p>	<p>SHEET 4 of 16</p>
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