



US Army Corps
of Engineers
St Paul District

SPONSOR: Pat and Dave Kremer and
Phil Sonstegard

Public Notice

ISSUED: May 7, 2013

EXPIRES: June 6, 2013

REFER TO: MVP-2013-00346-BGO

SECTION: 404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

2. SPECIFIC INFORMATION.

SPONSOR'S ADDRESS: Pat and Dave Kremer
1420 31st Street
Iona, Minnesota 56141

Phil Sonstegard
1911 West 57th Street, Suite 102
Sioux Falls, South Dakota 57108

SPONSOR'S AGENT Jeremy Donabauer
Ag Wetland Services, Inc.
P.O. Box 42
Clearwater, Minnesota 55320

PROJECT LOCATION: The project site is located in W ½ Sec. 3, T. 113N., R. 41W., Lyon County, Minnesota and S ½ SW ¼ Sec. 34, T. 114N., R. 41W., Yellow Medicine County, Minnesota. The approximate decimal degrees are Latitude 44.624 and Longitude -95.785.

BANK SERVICE AREA: The proposed bank service area is the Minnesota River Basin in Minnesota (Bank Service Area 9).

DESCRIPTION OF PROJECT: The sponsors are proposing to develop the Kremer Sonstegard Wetland Bank. The proposed bank site is approximately 177 acres in size, including upland buffer areas. The Kremer portion of the bank site includes the NW ¼ of Section 3 and part of the S ½ SW ¼ of Section 34 and consists of approximately 88 acres. The Sonstegard portion of the bank site includes the SW ¼ of Section 3 and consists of approximately 89 acres.

Current land use, including adjacent properties - 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 over 20 years. The USDA Soil Survey indicates both hydric and non-hydric soils are present. An existing drainage ditch and tile drain system has effectively drained the entire site. The contributing watershed is approximately 1,064 acres, including the proposed wetland bank site.

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Modifications proposed to restore, establish, enhance and/or preserve wetlands on the bank site – The sponsors propose to restore by re-establishment approximately 159 acres of effectively drained agricultural land with hydric soils to wet to wet-mesic prairie, fresh (wet) meadow and shallow marsh vegetation and approximately 18 acres of upland buffer.

The hydrology would be restored by disabling the county ditch system, including one segment of county tile, with a ditch plug/outlet structure and rerouting two additional segments of county tile with non-perforated high-density polyethylene pipe. All additional private tile lines within the easement area would be permanently disabled through the installation of 100-foot tile breaks.

Site preparation for seeding will consist of an aerial spray of herbicide to kill all vegetation. After all existing vegetation is dead, native wetland and upland seed mixes will then be planted into appropriate elevation zones. Board of Water & Soil Resources (BWSR) wetland mixes appropriate for the anticipated hydrology would be applied at the recommended rate per acre.

Vegetation maintenance is anticipated to consist of annual mowing and spot spraying. Maintenance activities will target agricultural weeds and invasive species throughout the site. A schedule of maintenance activities will be prepared for the first three years following vegetation establishment.

Additional site preparation and vegetation maintenance practices would be spelled out in an approved bank plan.

Long-term management of the site - The established bank site would be managed by the sponsors 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 the sponsors 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 landowners and the sponsors until all released credits have been debited. After all credits are debited, long-term management obligations would fall to the landowners under state law. Additional protections and management limitations would be spelled out in both a conservation easement and in an approved bank plan.

The project would restore approximately 159 acres of wetlands with an additional 18 acres of restored upland buffer.

SURROUNDING LAND USE: Surrounding land use is comprised of agricultural lands and rural single family homes.

COORDINATION WITH RESOURCE AGENCIES: The project sponsors have 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 Lyon County Soil and Water Conservation District. Coordination with additional members of the IRT is anticipated in response to this Public Notice and any subsequent meetings and phone calls among all interested IRT agencies.

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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 applicant.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 190 Fifth Street East, Suite 401, Saint Paul, MN 55101-1638.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Benjamin Orne at the St. Paul office of the Corps, telephone number (651) 290-5280.

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 bank sponsor or are known to exist in the action area. However, Lyon County is within the known historic range for the following Federally-listed species:

Poweshiek Skipperling (Candidate) Native prairie areas

This notice 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 any aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated waterbody/wetland impacts. Because this project is a mitigation bank, any required compensatory mitigation would be accounted for in the credit yield calculations. Any regulated discharges associated with implementation of a final approved bank plan could likely be authorized by regional general permit if the bank plan is approved before any regulated discharge occurs. 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>.

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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 to the Corps authorization, or approval, of the work in connection with this project.

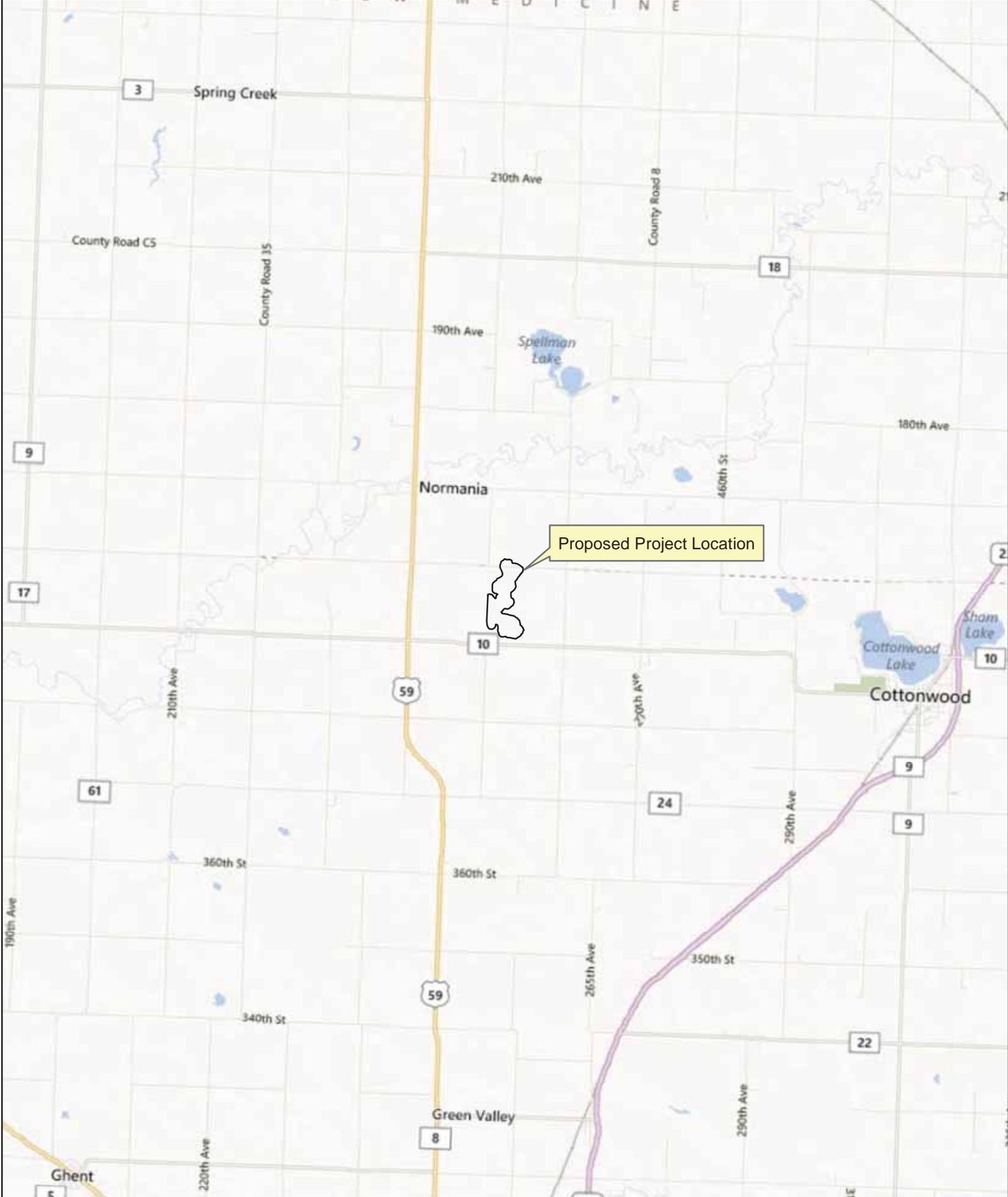
The latest version of the National Register of Historic Places has been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located in the project area.

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)

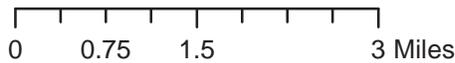


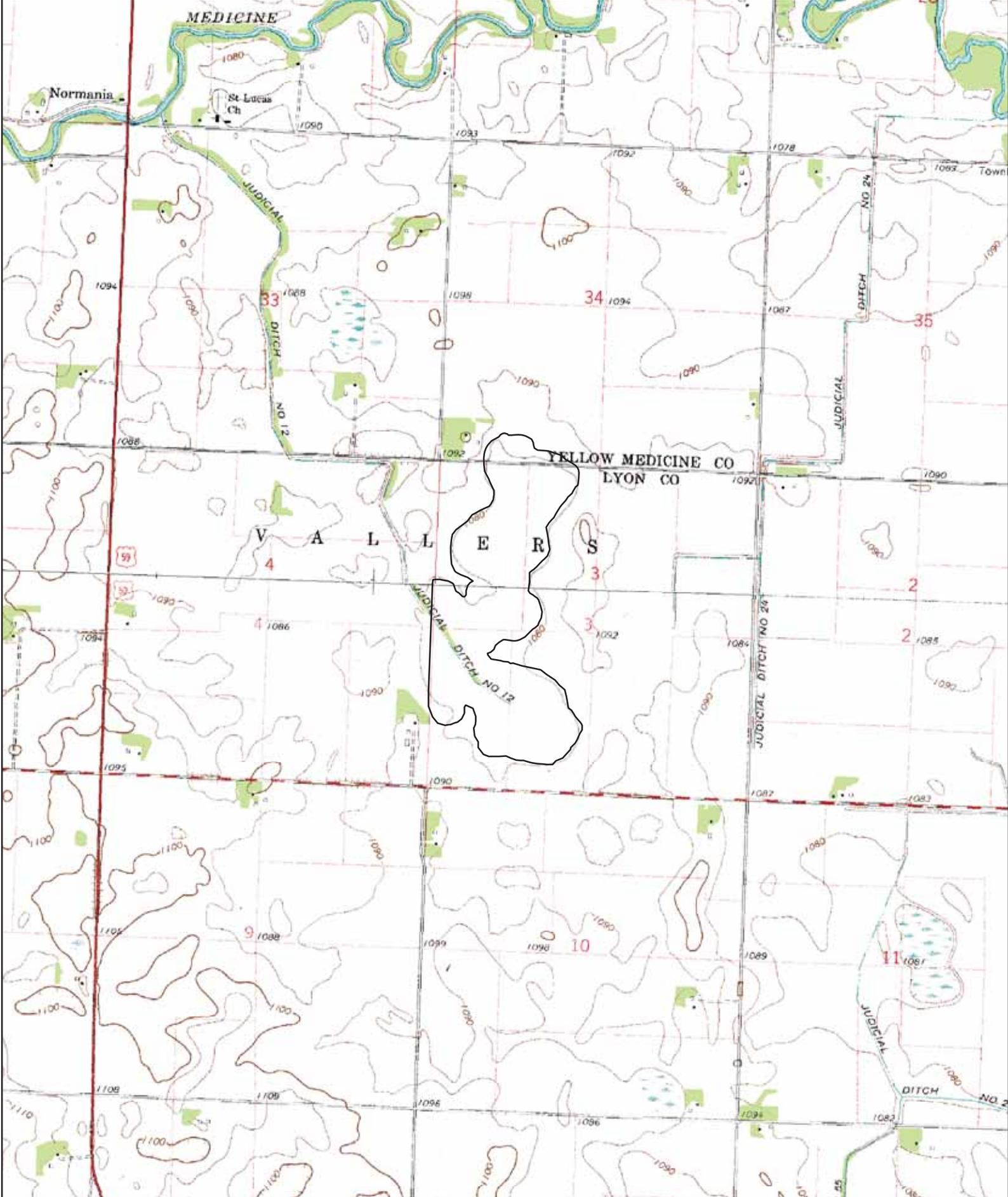
Proposed Project Location



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Kremer Sonstegard Wetland Bank
Data Sources: Bing Maps Road,
NAD 1983 UTM 15N

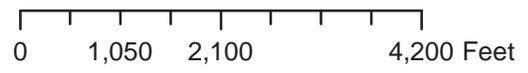
Approximate Bank Boundary





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 Kremer Sonstegard Wetland Bank
 Data Sources: 24K USGS, NAD 1983 UTM 15N

Approximate Bank Boundary





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 Kremer Sonstegard Wetland Bank
 Data Sources: Bing Aerial, NWI, NHD,
 NAD 1983 UTM 15N

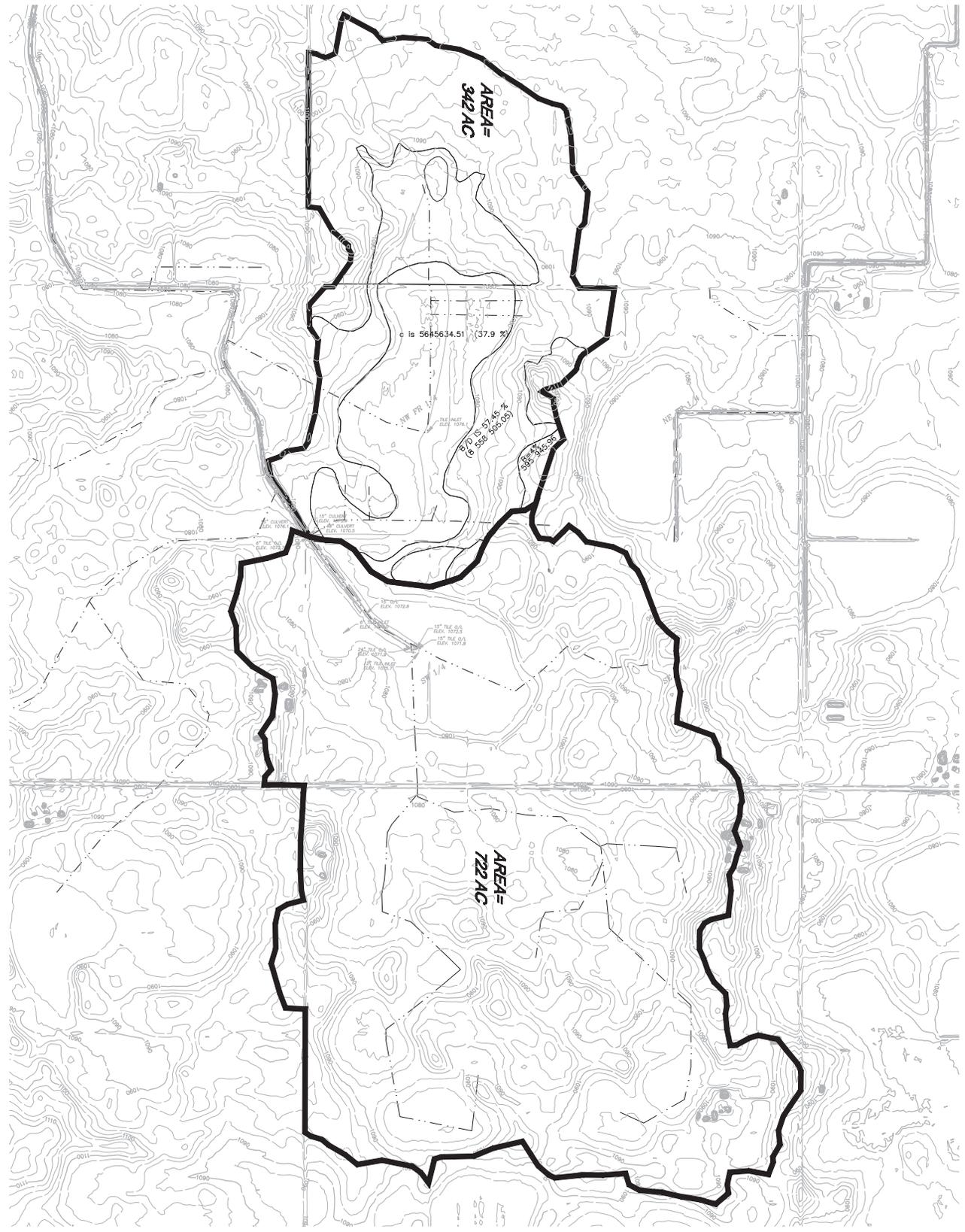
 Approximate Bank Boundary	 Approximate Wetland Area	 NWI - Wetland
 Approximate Upland Buffer Area	 NHD - Stream	

1

0 330 660 1,320 Feet



500'
SCALE
IN
FEET
SCALE: 1" = 500'



SHEET NO. 1

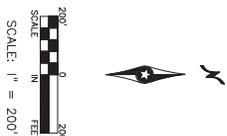
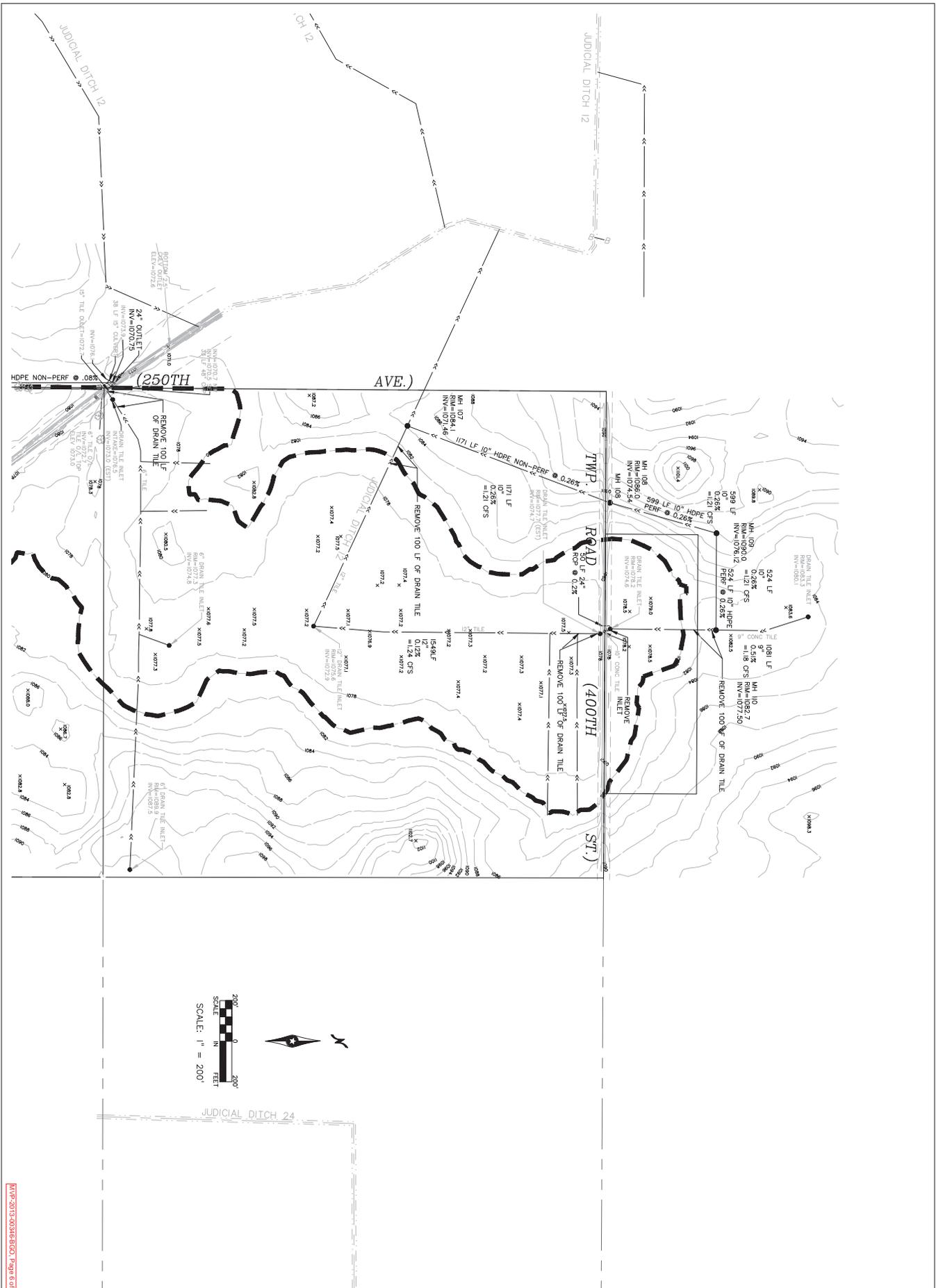
KREMER WETLAND BANKS
LYON COUNTY
TRIBUTARY AREAS

BOGART, PEDERSON & ASSOCIATES, INC.
LAND SURVEYING
CIVIL ENGINEERING
MAPPING
13076 FIRST STREET, BECKER, MN 55308-9322
TEL: 763-262-8822 FAX: 763-262-8844

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.
Signed: Jon Bogart
Date: _____ Reg. No. 19900

DATE: 00/00/00
DESIGN BY: jkb
DRAWN BY: jkb
CHECKED BY: jkb
DWG FILE: watershed_000
FILE NO.: 11-0161.00

REV NO.	DATE	DESCRIPTION



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KREMER/SONSTEGARD
WETLAND BANK
DITCH RELOCATION
CONCEPT PLAN

SHEET NO. 2

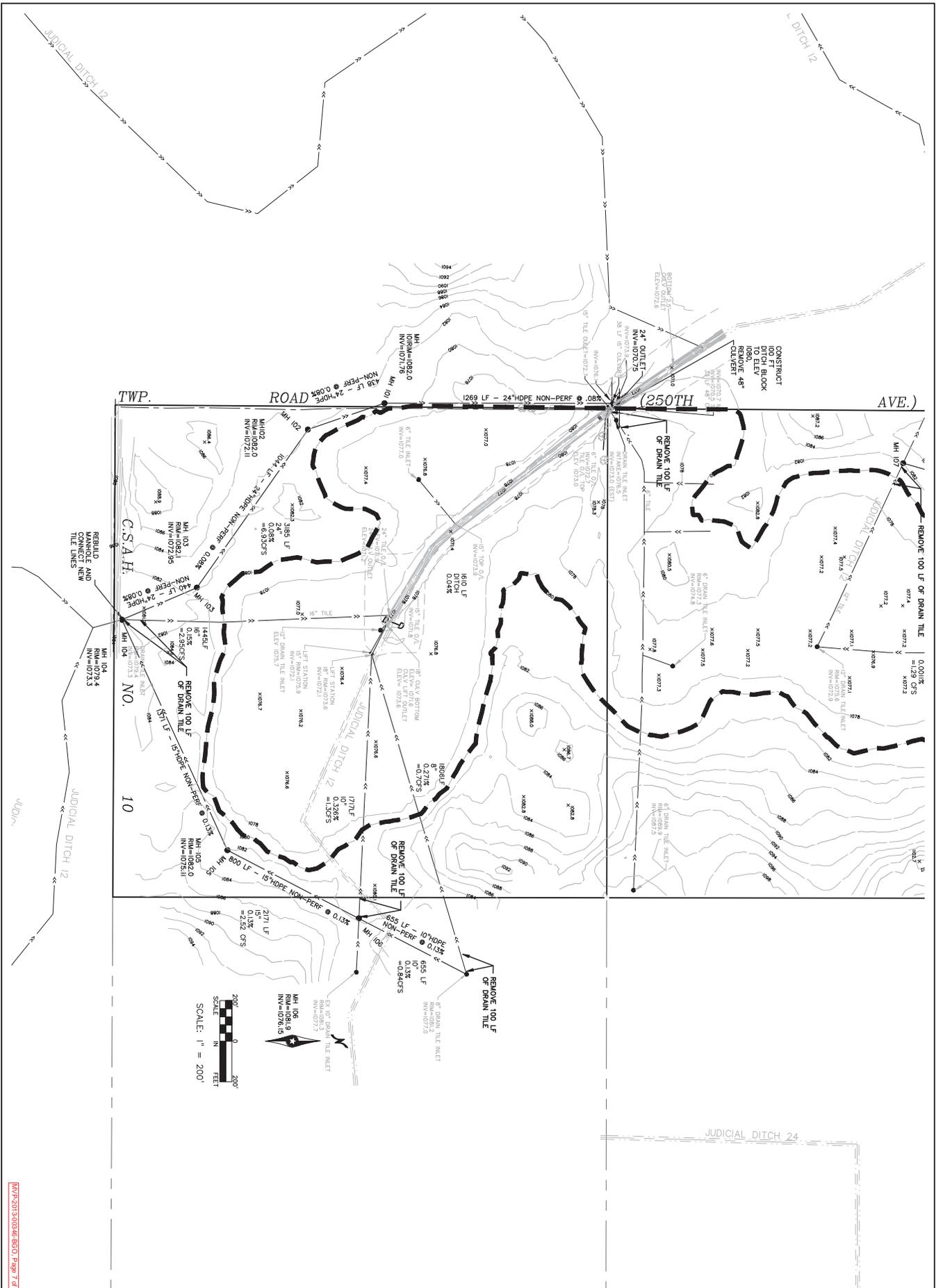
BOGART, PEDERSON & ASSOCIATES, INC.
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15076 FIRST STREET, BECKER, MN 55308-9322
TEL: 763-262-8822 FAX: 763-262-8844

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.

Signed: Jon Bogart
Date: Reg. No. 19000

REV NO.	DATE	DESCRIPTION
DESIGN BY:	JKB	
DRAWN BY:		
CHECKED BY:		
DWG FILE:		
FILE NO.:	11-0161.00	



M17-20130304-8601-Plan 7 of 7

SHEET NO. **2**
KREMER WETLAND BANK
DAVE KREMER
CONCEPT PLAN
DITCH RELOCATION


BOGART, PEDERSON & ASSOCIATES, INC.
 LAND SURVEYING
 CIVIL ENGINEERING
 MAPPING
 15076 FIRST STREET, BECKER, MN 55308-9322
 TEL: 763-262-8822 FAX: 763-262-8844

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.
 Signed: Jon Bogart
 Date: _____ Reg. No. 19000

REV NO.	DATE	DESCRIPTION

DATE: 6/28/12
 DESIGN BY: JKB
 DRAWN BY:
 CHECKED BY:
 DWG FILE:
 FILE NO.: 11-0161.00