



US Army Corps
of Engineers
St Paul District

SPONSOR: Mr. Richard Courtemanche
Aitkin County Land
Department

Public Notice

ISSUED: January 28, 2014
EXPIRES: February 28, 2014

REFER TO: 2013-01125-RQM

SECTION: 404 - Clean Water Act

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1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL
 2. SPECIFIC INFORMATION.

SPONSOR'S ADDRESS: Mr. Richard Courtemanche
Aitkin County Land Department
209 Second Street NW, Room 206
Aitkin, Minnesota 56431

SPONSOR'S AGENT N/A

PROJECT LOCATION: The proposed bank site is located in the Sections 1-5 & 8-10, T 52 N, R 22 W, Aitkin County, Minnesota.

BANK SERVICE AREA: The proposed bank service area is Bank Service Areas 1 & 5.

DESCRIPTION OF PROJECT: The sponsor is proposing to develop the Wawina Wetland Bank primarily through preservation of existing wetlands. The project is proposed to include ditch blocking. The proposed bank site is approximately 3,547 acres in size.

Current land use, including adjacent properties - This area is located in the headwaters of the Prairie/Willow River watersheds of the Mississippi and the St. Louis watersheds of the St. Lawrence. The area is adjacent to the Wawina Scenic Natural Area and is an area deemed by the County Biological Survey as an area of "high biological significance." The MN DNR has characterized this area as having "the best ovoid island patterns in the northeastern Minnesota" and is characterized as having "vast featureless water tracks, raised bog, and crested raised bog." Current land use on the bank site includes timber harvesting.

Many of the lands have been tax forfeited for over 50 years and have been managed for forest uses by the Aitkin County Land Department. The property adjacent and west of highway 2 was part of a peat mining operation. This area has been designated as memorial forest and has been reserved for continual management by the Aitkin County Board. The cover is typically lowland conifers of tamarack and black spruce. Timber harvesting is on extended rotations and recent activity has included harvesting spruce tops.

Judicial Ditch #1 was created near the turn of the century and artificially connects the St. Louis watersheds with the Prairie-Willow River watersheds. This surface water connection crosses the continental divide and is a concern for the spread of invasive species. The ditch system has not been

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maintained for many years.

A crude oil petroleum pipeline bisects the proposed bank site. The sponsor plans to exclude the pipeline corridor and a buffer area around the pipeline from the conservation easement.

Modifications proposed to restore, establish, enhance and/or preserve wetlands on the bank site - The division of the St. Louis watershed and the Prairie-Willow watersheds will be re-established to the extent possible by plugging three (3) ditches at the or near the boundary of the continental divide. The banking site is predominantly wetlands and the site is being enrolled to restore and protect an area of exceptional resource value and an area adjacent to the Wawina Scenic Natural Area. The action proposed to generate credit is preservation. Preservation is awarded credit at a 1:8 ratio or 12.5% credit per unit of area.

Long-term management of the site: Aitkin County will modify its management from timber management and extractive uses within the project area to ecological management and preservation. The initial phases of management will emphasize controlling invasive species and maintenance of ditch plugs. The proposed wetland bank is Tax Forfeited Property. The State of Minnesota has fee title to the land while Aitkin County Land Department manages the land. As a public land management entity, Aitkin County Land Department is prepared and able to manage the wetland bank.

The project would preserve approximately 3,547 acres of wetland.

SURROUNDING LAND USE: Many of the lands have been tax forfeited for over 50 years and have been managed for forest uses by the Aitkin County Land Department. The property adjacent and west of highway 2 was part of a peat mining operation. This area has been designated as memorial forest and has been reserved for continual management by the Aitkin County Board. The cover is typically lowland conifers of tamarack and black spruce. Timber harvesting is on extended rotations and recent activity has included spruce tops.

COORDINATION WITH RESOURCE AGENCIES: This project has been coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: The Aitkin County Wetland Conservation Act Technical Evaluation Panel, including representatives from the Minnesota Department of Natural Resources and the Minnesota Board of Soils and Water Resources. This bank has been discussed at Interagency Review Team Meetings with representatives of the Environmental Protection Agency. A draft of this public notice has been sent to the United States Fish and Wildlife Service.

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.

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Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 180 Fifth Street East, Suite 700, Saint Paul, MN 55101-1678.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Rob Maroney at the Brainerd office of the Corps, telephone number (651) 290-5766.

To receive Public Notices by e-mail, go to: http://mvp-extstp.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.

No Federally Listed species were identified by the bank sponsor or are known to exist in the action area. However, Aitkin County is within the known or historic range of the Canada lynx (*Lynx canadensis*). The project site is located southwest of designated critical habitat. The DNR maintained a lynx sighting database from 2000-2006, during that time seven sightings occurred in Aitkin County. Many of these sightings were unverified. Although some animals have been known to disperse west from designated critical habitat areas in the northeastern part of the state, this is a rare occurrence. Although this area is within the established range of snowshoe hare in Minnesota, the primary prey species of the lynx, most studies indicate lynx home range movements are within NE MN and long distance dispersals tend towards Ontario and Quebec.

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>.

6. HISTORICAL/ARCHAEOLOGICAL.

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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.

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.

Jeff Olson,
Chief, NW Section

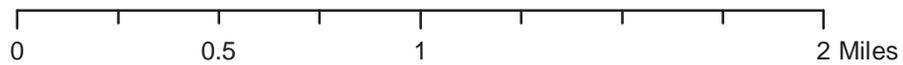
Enclosure(s) Drawings

Judicial Ditch #1 - Site Map

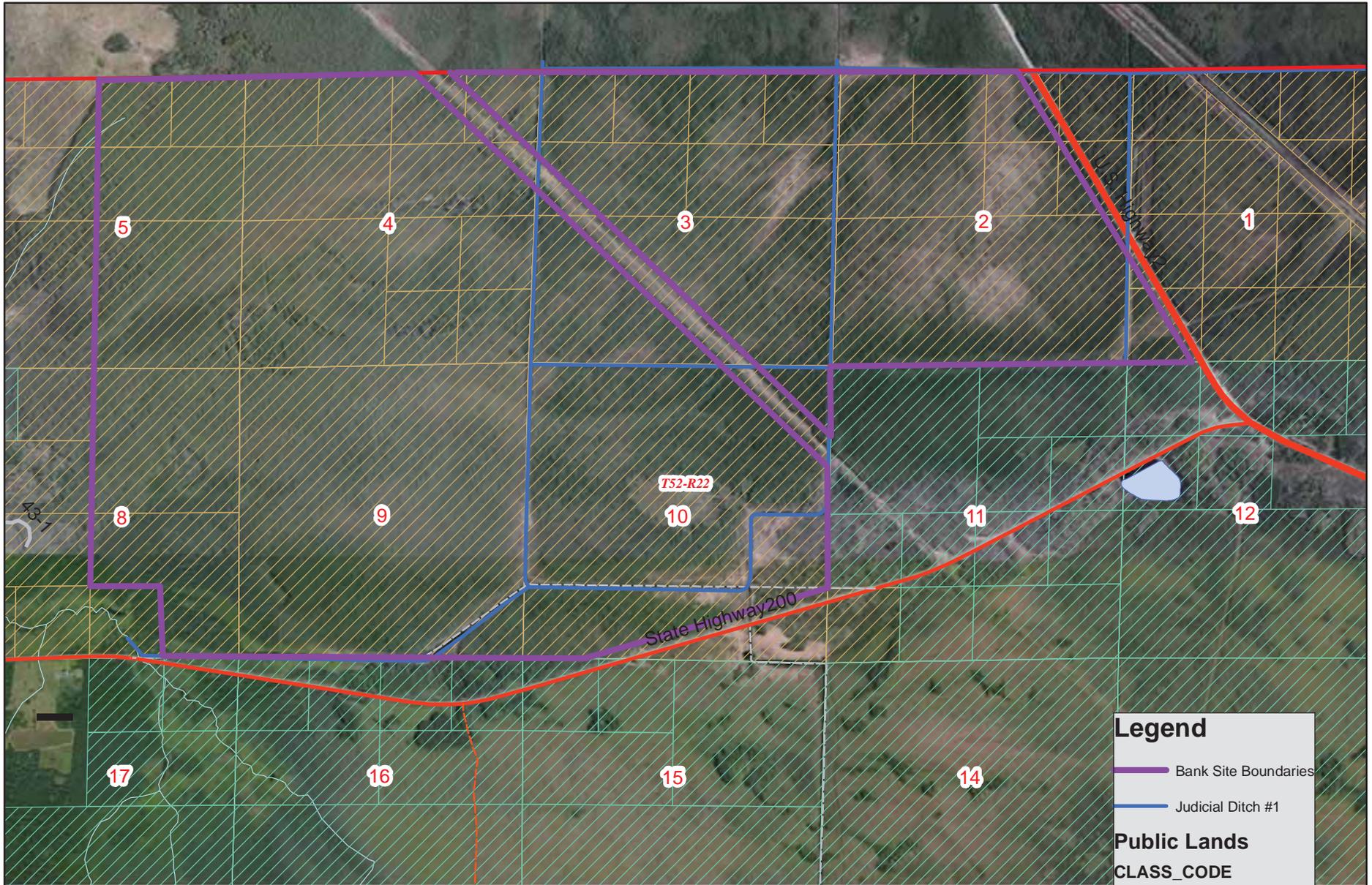


Legend

- Bank Site Boundaries
- Judicial Ditch #1



Judicial Ditch #1 - Land Ownership



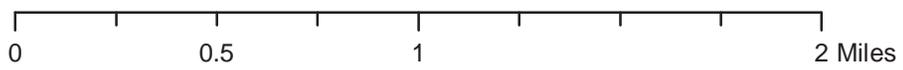
Legend

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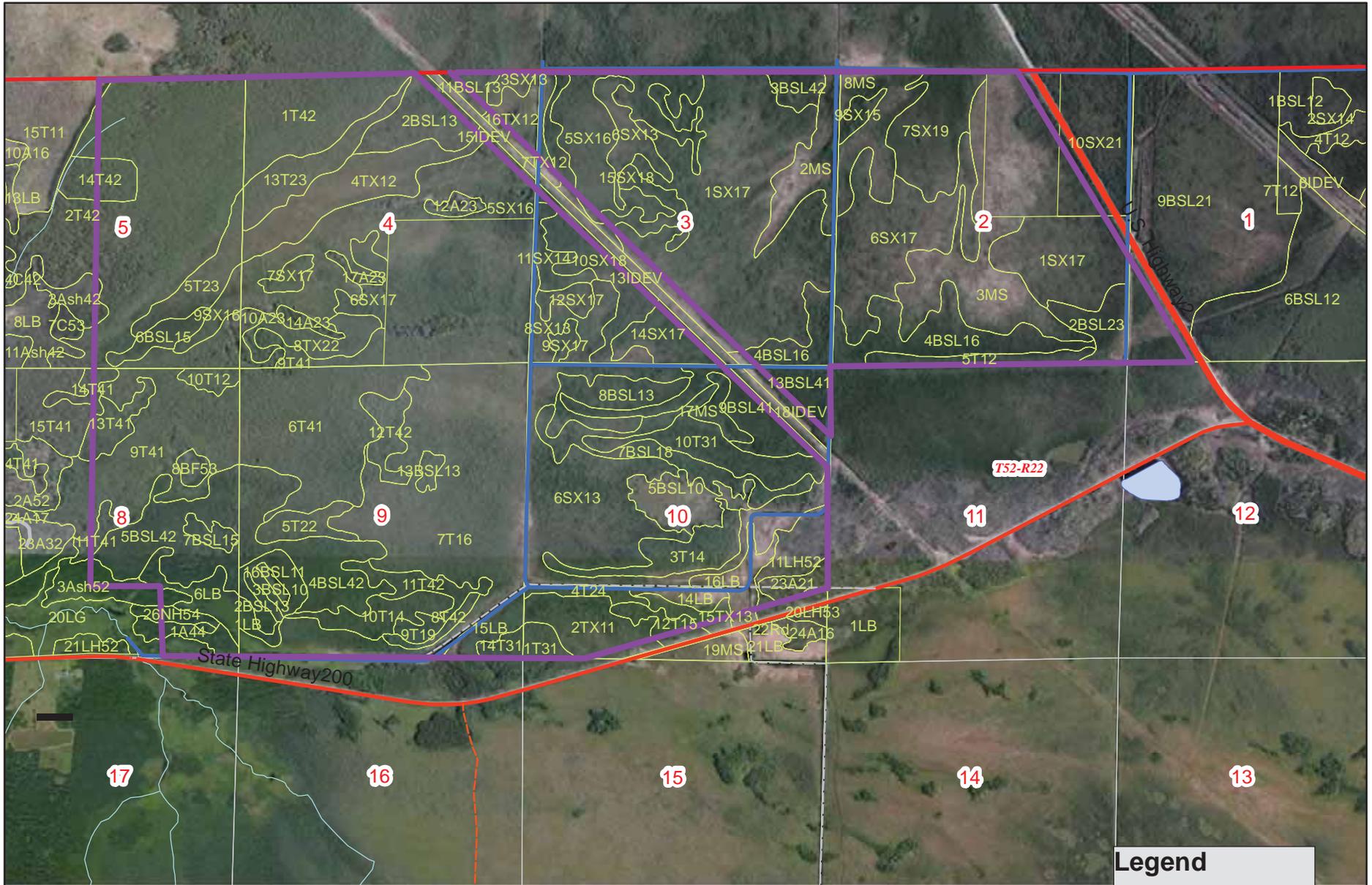
Public Lands

CLASS_CODE

- State Land
- County Land

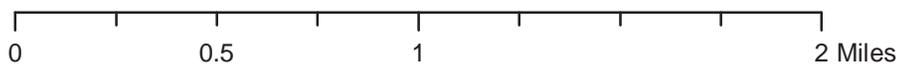


Judicial Ditch #1 - Cover Type

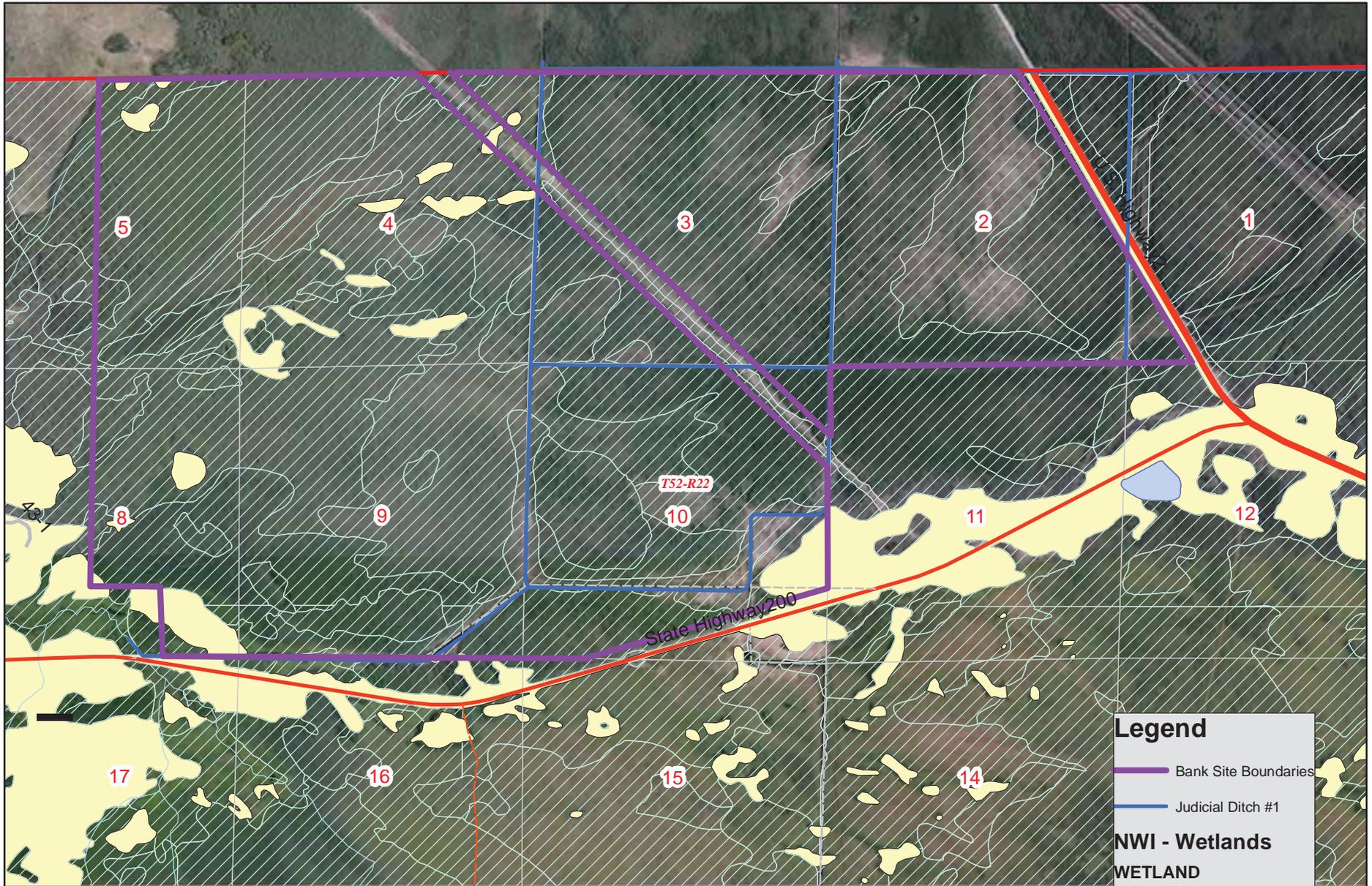


Legend

- Bank Site Boundaries
- Judicial Ditch #1



Judicial Ditch #1 - Site Map with Wetlands



Legend

- Bank Site Boundaries
- Judicial Ditch #1

NWI - Wetlands

WETLAND

- Wetland
- Upland

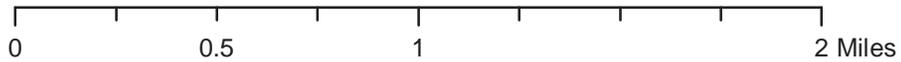
0 0.5 1 2 Miles

Judicial Ditch #1 - USGS Topo Map 24K

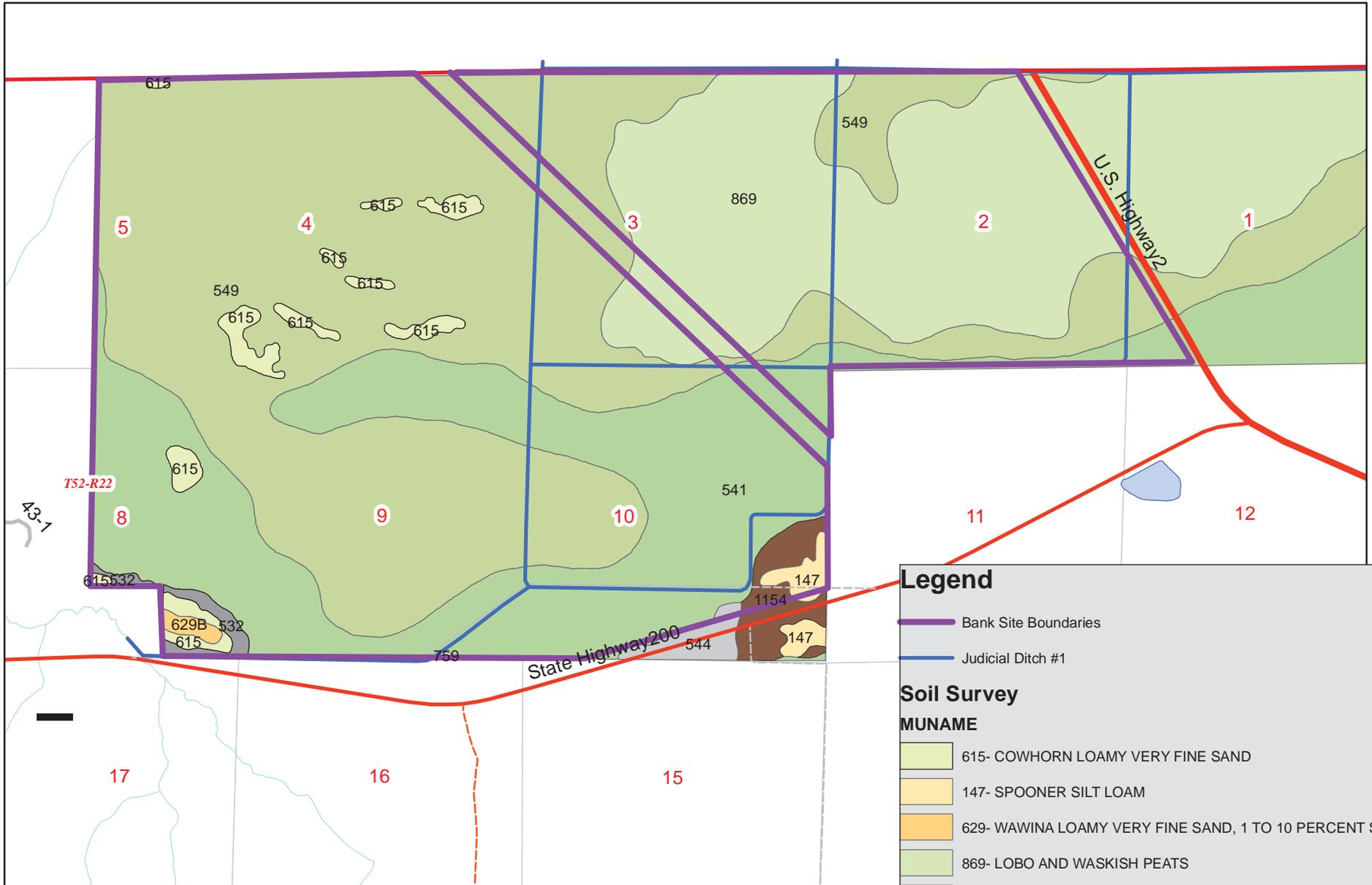


Legend

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- Judicial Ditch #1



Judicial Ditch #1 - County Soil Survey



Legend

- Bank Site Boundaries
- Judicial Ditch #1

Soil Survey

MUNAME

- 615- COWHORN LOAMY VERY FINE SAND
- 147- SPOONER SILT LOAM
- 629- WAWINA LOAMY VERY FINE SAND, 1 TO 10 PERCENT SLOPES
- 869- LOBO AND WASKISH PEATS
- 549- GREENWOOD PEAT
- 541- RIFLE PEAT
- 544- CATHRO MUCK
- 532- SAGO MUCK
- 1154- SAX MUCK

