



US Army Corps  
of Engineers  
St Paul District

**SPONSOR:** Board of Water and Soil  
Resources, LRWRP

# **Public Notice**

**ISSUED: July 2, 2014**

**EXPIRES: August 4, 2014**

**REFER TO:** MVP-2014-00669-TSM

**SECTION:404 - Clean Water Act**

1. **WETLAND COMPENSATORY MITIGATION BANK:** Local Road Wetland Replacement Program (LRWRP) - Schramel Wetland Mitigation Site (Stearns County).
2. **SPECIFIC INFORMATION.**

**SPONSOR'S ADDRESS:** Board of Water and Soil Resources  
520 Lafayette Road North  
Saint Paul, Minnesota 55155

**SPONSOR'S AGENT:** Carol Strojny  
Board of Water and Soil Resources  
520 Lafayette Road North  
Saint Paul, Minnesota 55155

**PROJECT LOCATION:** The project site is located in Sec. 10, T. 125 N., R. 29 W., Stearns County, Minnesota; latitude: 45.65191 and longitude: -94.31538. The approximate UTM coordinates are N 5056215.09841403, E 397510.691093286 NAD83/Zone 15.

**BANK SERVICE AREA:** The proposed bank service area is Bank Service Area 7 (Upper Mississippi South). The site is located in the Mississippi River- Sartell major watershed (15, HUC 7010201).

**DESCRIPTION OF PROJECT:** The sponsor is proposing to develop the Schramel Wetland Mitigation Site for use in the Local Road Wetland Replacement Program (LRWRP). The Proposed Bank is approximately 250 acres in size, including upland buffer areas. This site is one of three "easement" sites selected in 2013 to provide credits to the LRWRP administered by the Minnesota Board of Water & Soil Resources (BWSR). For the purpose of initial evaluation, this site will be reviewed as a BWSR bank proposal. Eventually, it is anticipated that federally-approved credits developed at this site would be used within the LRWRP's proposed In-Lieu Fee (ILF) program. This site was also reviewed earlier as a potential private bank site, based on a proposal made by the current landowner acting as sponsor. A prospectus was not submitted by the landowner following the earlier resource agency review of the private bank proposal.

**CURRENT LAND USE ON THE SITE:** Current land use within the Proposed Bank is agricultural, primarily sod production. The entire site was historically wetland, prior to agricultural drainage. A formal wetland delineation report has not yet been prepared for the site, but is proposed prior to completion of a final restoration plan. The sponsor's preliminary assessment is that the site is a mix partially-drained (wetland) and fully drained (non-wetland), with a greater number of wetland acres than mapped by the National Wetland Inventory. The sponsor's estimates of credit yield have been

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based on the initial presumption that the entire site, outside of the lateral effect zone of ditches, is wetland. The site has a history of agricultural drainage that dates back to at least 1958. A number of east-west private ditches bisect the property, carrying water eastward toward County Ditch 12 (Branch 3) that flows south along the eastern edge of the site. Drainage through the site generally runs east in private ditches and then south through Branch 3, eventually draining into County Ditch 12 in the southeast corner of the site. Some of the private ditches within the site carry water from neighboring properties as well as from this site.

**MODIFICATIONS PROPOSED TO RESTORE, ESTABLISH, ENHANCE AND/OR PRESERVE WETLANDS ON THE SITE:** The sponsor has proposed that this project would generate approximately 176 compensatory mitigation credits for the restoration by rehabilitation of farmed wetland areas, ditches, degraded forested wetland, rehabilitation of farmed buffer areas within lateral effect zones of functional ditches, and preservation of upland forest buffer. No credit is proposed for public ditch right-of-way within the site, or for any portion of the site that will be dedicated to access for DNR.

The project is proposed to restore the historic plant communities and associated water regimes wherever feasible within the site, including shallow marsh, shrub carr and wet meadow wetlands, and woodlands. The entire site was historically wet and is mapped as organic soil, save a small area of mineral soil in the southeast corner. The organic soils are poorly drained, deep mucky peat and muck over sand or loam. The majority of the site is mapped as Rifle mucky peat, with smaller areas of Markey muck, Cathro muck, and Seeleyville muck. Prebish sandy loam and fine sandy loam adjoin County Ditch 12 in the southeast corner. Drainage and farming practices have resulted in an overall lowering of the site from 1 to 3 feet as compared to surrounding non-farmed lands. The proposed design includes blockage of some private ditches, with maintenance of drainage passing through the mitigation site for adjoining properties on the southern and western margins. The applicant also proposes consultation with the Stearns County ditch regulatory authority to resolve issues associated with the differences between observed ditch alignment along the eastern edge and the formally-approved ditch alignment that lies within the northeast portion of the site.

Restoration is proposed in two phases, with the first phase in the north, followed by the second in the south. The initial northern phase would rely heavily on encouraging native species that are already in the existing seed bank, which is most diverse in the north. This would allow development of the northern phase as a source of local, native, regionally-adapted seed for the second phase to the south. Where feasible, plant material for the restoration will be obtained from the site or from nearby public land. It is expected that purchased supplemental seed will also be used to supplement the existing native seed bank on the site. Site preparations may include weed spraying, inter-seeding, disking, harrowing, and planting of woody stock and/or cuttings. Seeding would be done with a native seed drill and/or broadcast seeder. Proposed maintenance of the site includes the use of mowing and spot spraying of herbicide throughout the maintenance period to help in the establishment of native vegetation. Spot treatment on invasive species will be done with an approved aquatic glyphosate herbicide such as Rodeo within wetland areas and with Roundup or an equivalent within upland areas. A nearby wetland reference site is proposed, the monitoring of which would be used to measure ecological success and associated credit releases for the mitigation site.

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**LONG-TERM MANAGEMENT OF THE SITE:** The established bank site would be managed by the Sponsor, in collaboration with the landowner. The site would be adaptively managed for development of woody and herbaceous plant communities to the area. Long-term management of the property would be the responsibility of the Sponsor until all released credits have been withdrawn and the initial monitoring is completed. After all credits are debited, long-term management obligations would fall to the landowner under state law. Additional protections, obligations, and management limitations would be spelled out in a conservation easement, bank plan, and mitigation bank instrument. Credit sales will be tracked by the Sponsor. If, as the Sponsor anticipates, credits released from this mitigation site are eventually transferred to the LRWRP ILF program, BWSR would remain responsible for tracking the use of those credits. Credit releases and withdrawals would be tracked on both Corps and state databases. Credit releases will be determined by the Corps in consultation with resource agencies and forwarded to the Sponsor in writing. Releases and withdrawals will be tracked using the ledger data supplied by the Sponsor.

**SURROUNDING LAND USE:** Land use surrounding the site is mixed, including agriculture, privately-owned forest, wetland and meadow, as well as the St. Wendell Scientific and Natural Area administered by the Minnesota Department of Natural Resources (DNR). Land use around the site is not intensive, with the exception of active farming on the south, downstream, margin.

**COORDINATION WITH RESOURCE AGENCIES:** This project was previously coordinated with the Interagency Review Team (IRT) and other resource agencies during federal review of a 2013 list of sites considered for funding by the BWSR-sponsored LRWRP. Agencies consulted during that earlier review include: the Minnesota Department of Natural Resources, the U.S. Environmental Protection Agency, and the U.S. Fish and Wildlife Service.

**AVAILABILITY OF THE PROSPECTUS:** A web-accessible electronic copy of the prospectus is available on the Regulatory and In-Lieu Fee Bank Information Tracking System (RIBITS) at: <http://ribits.usace.army.mil>

The folder for this bank proposal can be found among the banks listed for Minnesota under the tab for ***Banks & ILF Sites***, as *MN - Stearns - BWSR - Schramel - NIB*. The prospectus can be found by following the "cyber-repository" link of this bank folder.

**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, 180 Fifth Street East, Suite 700, Saint Paul, MN 55101-1678.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Tom Mings at the St. Paul office of the Corps, telephone number (651) 290-5365.

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

No federally listed threatened or endangered species were identified by the applicant or are known to exist in the permit area. Stearns County is within the currently identified range of the Northern long-eared bat (*Myotis septentrionalis*), a species proposed for federal listing as an endangered species. 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 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. It is our preliminary assessment that regulated discharges will be required to complete the ditch blocks shown in the prospectus. The regulated discharges associated with implementation of a final approved bank plan can 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/RegulatoryActions.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 to the Corps authorization, or approval, of the work in connection with this project.

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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.

Timothy J. Smith,  
Chief, Technical Services Section

Enclosure(s)  
Figures 1 through 4

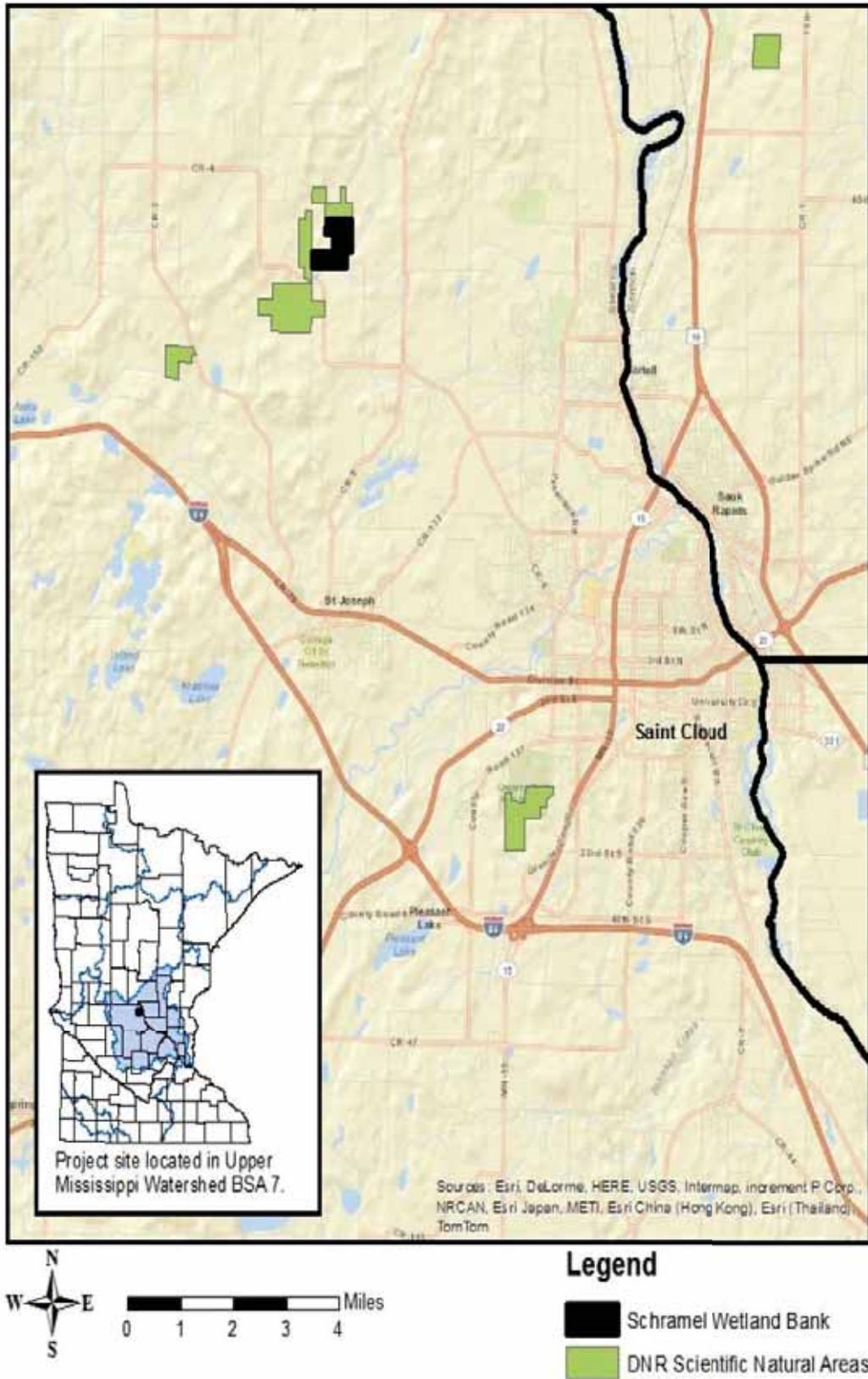


Figure 1. Site location map for the proposed Schramel Wetland Mitigation Bank, in Stearns County Minnesota.

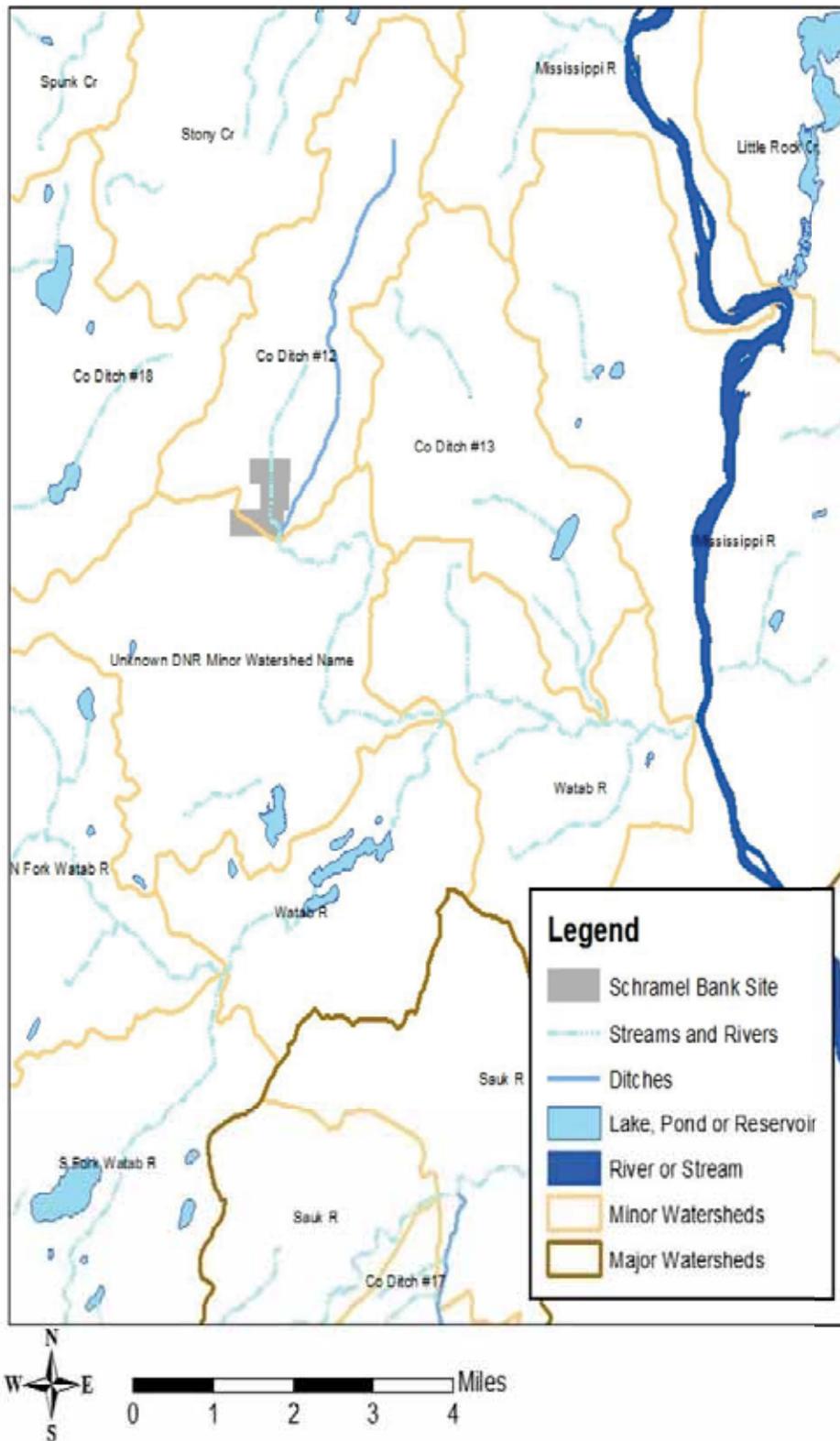


Figure 2. Minor watershed map for the proposed Schramel Wetland Mitigation Bank, located in County Ditch #12 minor watershed.

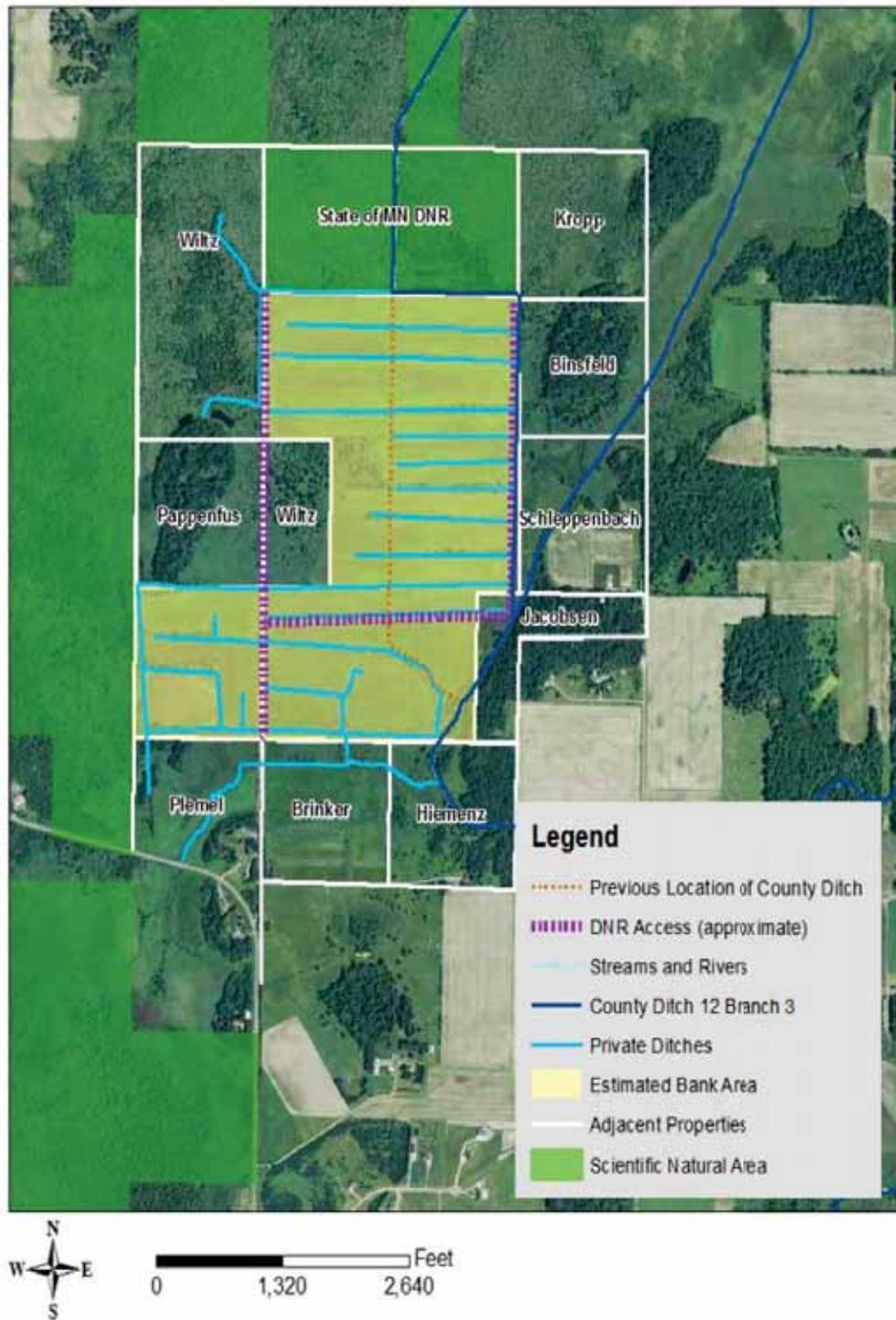


Figure 3. Project site boundary, surrounding properties, existing ditches, and DNR access easement for the proposed Schramel Wetland Mitigation Bank. 2013 Farm Service Agency imagery.

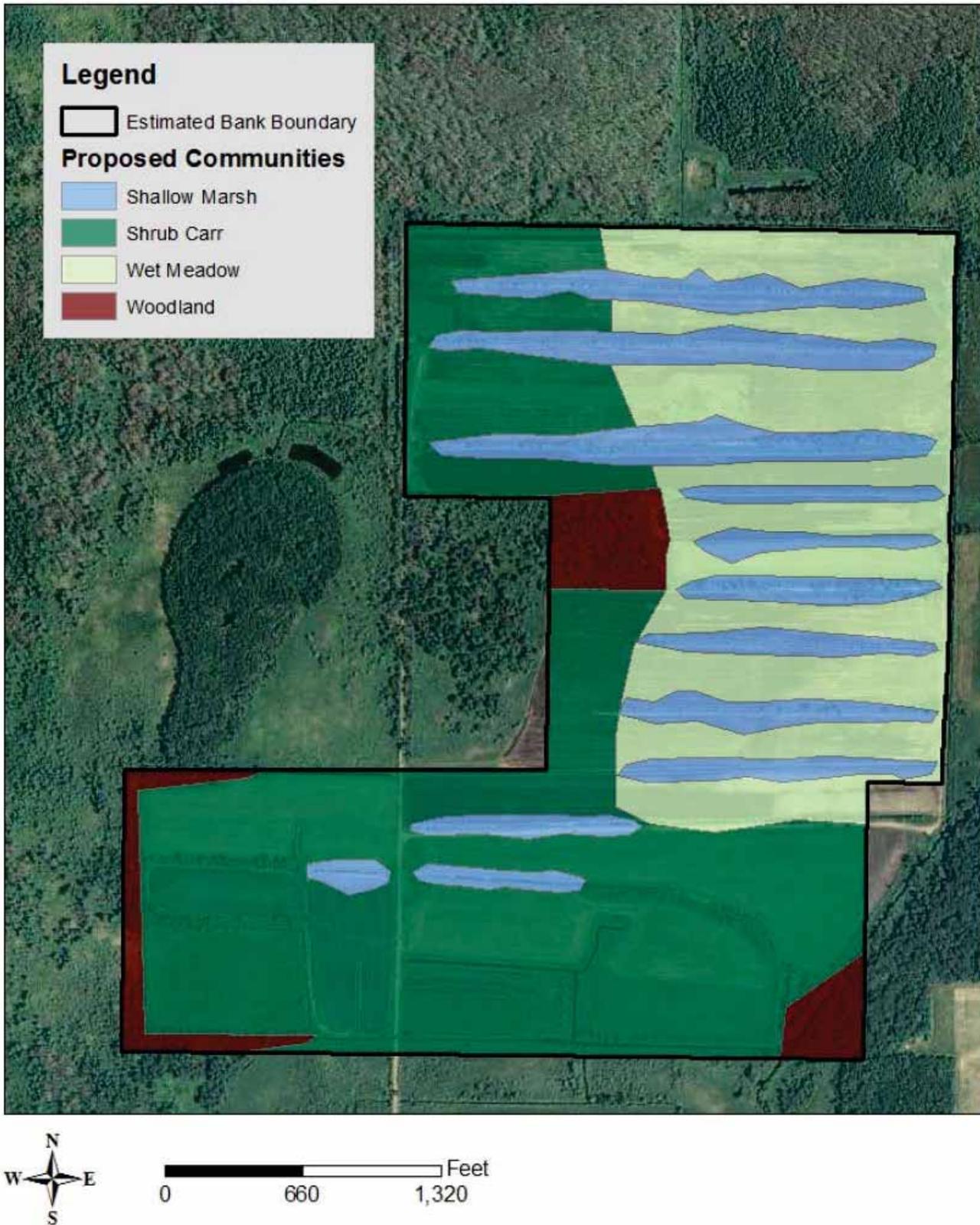


Figure 4. Proposed vegetative communities for the Schramel Wetland Mitigation Bank.