



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

SPONSOR: Mr. Bryce DeCook

Public Notice

ISSUED: March 27, 2015

EXPIRES: April 27, 2015

REFER TO: 2014-02118-DAS

SECTION:404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

2. SPECIFIC INFORMATION.

SPONSOR'S ADDRESS: 2734 - 90th Avenue SW
Byron, Minnesota 55920

SPONSOR'S AGENT Mr. Mark Gamm
EnviroEase
61492 - 252nd Avenue
Mantorville, Minnesota 55955

PROJECT LOCATION: The project site is located in the E $\frac{1}{2}$ of the SE $\frac{1}{4}$, Sec. 10, T. 106 N, R. 15W, Olmsted County, Minnesota. The approximate UTM coordinates are Zone 15, N 4871621.40, E 532010.93. Latitude 43.99704, Longitude -92.60075.

BANK SERVICE AREA: The proposed bank service area is the Lower Mississippi River (Bank Service Area 8).

DESCRIPTION OF PROJECT: The sponsor is proposing to develop the DeCook Wetland Bank. The proposed bank site is approximately 48 acres in size, including upland buffer areas.

The site is adjacent to Cascade Creek, a tributary to the Zumbro River. Cascade Creek flows from west to east across the south half of the site. Currently, the parcel is in agricultural production. Drain tile that is currently active and functional has supported annual cultivation on the north and south side of Cascade Creek. On the north side of Cascade Creek, pattern drain tile installed between 1965 and 1968 extends from the property to the north, turns east within the bank site and continues on into the property to the east. On the south side of Cascade Creek, pattern drain tile flows from south to north until it reaches a lateral that flows from west to east along Cascade Creek. Both tiles eventually outlet into Cascade Creek east of the bank site. The site also includes 2.2 acres of existing wetland along Cascade Creek. Several eroded channels have developed in the floodplain along Cascade Creek as a result of high water events. Cascade Creek comprises approximately 2 acres of the bank site.

The sponsor proposes restoring by re-establishment 27.25 acres of effectively drained agricultural land with hydric soils to seasonally flooded and fresh (wet) meadow vegetation, restoring by enhancement 1 acre of farmed wetland to seasonally flooded vegetation, restoring by enhancement 1.2 acres of existing wetland shrub-carr vegetation and restoring 15.7 acres of upland buffer.

The applicant has also identified the potential need for one acre of wet meadow wetland to be used for direct replacement. If this is used for direct replacement, it will not be deposited as credit in the bank.

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The sponsor would break the existing tile to the north and south side of Cascade Creek and install a non-perforated pipe to collect and divert tile water from the field to the north of the bank site. The non-perforated tile would be installed through the bank site and outlet into Cascade Creek to continue drainage for tile servicing agricultural land to the north of the bank site. Existing berms and sediment would be removed and eroded channels would be filled along Cascade Creek to restore floodplain topography.

Site preparation for seeding will consist of harvesting cultivated fields, mow and bale existing reed canary grass (RCG) in June and treat RCG with Rodeo in August /September, and plant cover crop in upland areas. Immediately before planting, the cover crop would be mowed or disked, tilled as needed and native seed planted by broadcast or drill. Seed mixes would closely match MnDOT Mesic Prairie SE, Wet Prairie, Wet Meadow, and Shrub Carr seed mixes. Seed will generally be planted by drill at a rate of 10 pounds Pure Live Seed (PLS) grasses and 2 pounds PLS forbs per acre. If the seed is broadcast, the application rate will double to 20 pounds PLS grasses per acre and 4 pounds PLS forbs per acre.

Vegetation maintenance is anticipated to consist of monitoring, mowing and spot spraying, prescribed burns, and re-seeding as needed.

Long-term management of the site: 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.

The project would restore approximately 27.25 acres of wetlands by re-establishment and restore approximately 2.2 acres of wetlands by enhancement, with an additional 15.7 acres of restored upland buffer.

SURROUNDING LAND USE: Surrounding land use is comprised of agricultural crop production.

COORDINATION WITH RESOURCE AGENCIES: This project has been coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: U.S. Environmental Protection Agency (EPA), U.S. Fish and Wildlife Service (FWS), and the Board of Water and Soil Resources (BWSR).

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

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adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant. A copy of the full prospectus submitted by the Sponsor is available to the public for review upon request.

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 Mr. David Studenski at the La Crescent office of the Corps, telephone number (651)290-5902.

To receive Public Notices by e-mail, go to: http://mvp-extstp/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, Olmsted County is within the known historic range for the following Federally-listed species:

<u>Northern long-eared bat</u> <i>Myotis septentrionalis</i>	Proposed as Endangered	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
<u>Leedy's roseroot</u> <i>(Rhodiola integrifolia ssp. leedyi)</i>	Threatened	Cool, wet groundwater-fed limestone cliffs
<u>Prairie bush clover</u> <i>(Lespedeza leptostachya)</i>	Threatened	Native prairie on well-drained soils

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

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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>.

As currently proposed, a permit would be required under Section 404 of the Clean Water Act for the discharge of dredged and fill material in conjunction with the grading of existing wetland to restore the floodplain of Cascade Creek and with backfill associated with the installation of a new tile outlet in Cascade Creek.

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.

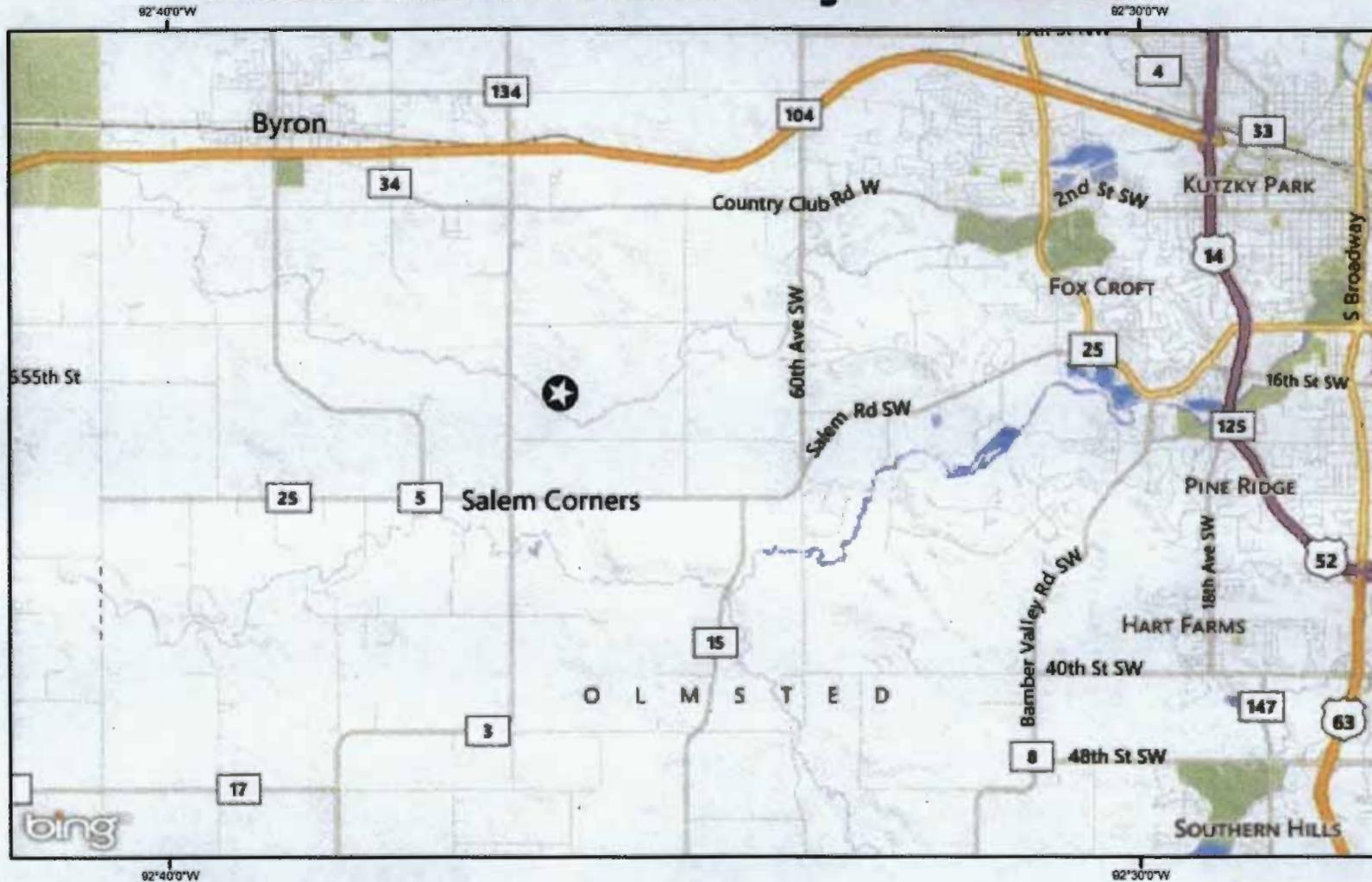
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding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

Ryan Malterud,
Chief, Southwest Section

Enclosure(s)

DeCook Wetland Bank Project Location

Figure 1



The State of Minnesota and the Minnesota Department of Natural Resources makes no representations or warranties expressed or implied, with respect to the use of maps or geographic data provided herewith regardless of its format or the means of its transmission. There is no guarantee or representation to the user as to the accuracy, currency, suitability, or reliability of this data for any purpose. The user accepts the data "as is."

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Extreme care was used during the compilation of this product. However, due to changes in ownership and the need to rely on outside information, errors or omissions may exist. If you should discover an oversight, we encourage you to let us know by calling the DNR at 1-888-646-6367 or by e-mail at info.dnr@state.mn.us.

Note: Elevation images and contours were generated from LIDAR derived elevation surfaces acquired 2007-2012.



Scale: 1:108,177



Created on 4/3/2014

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Base Map

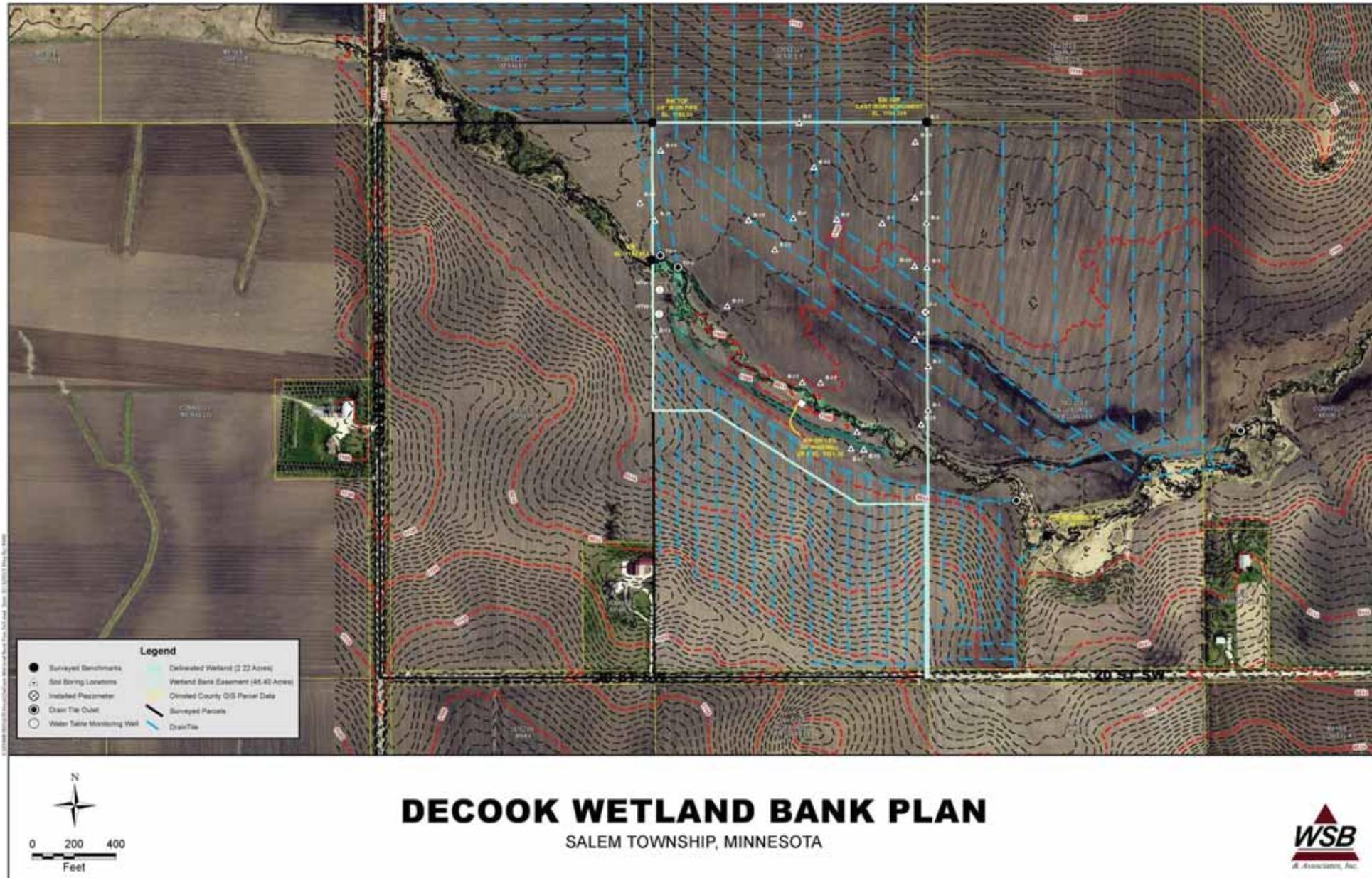
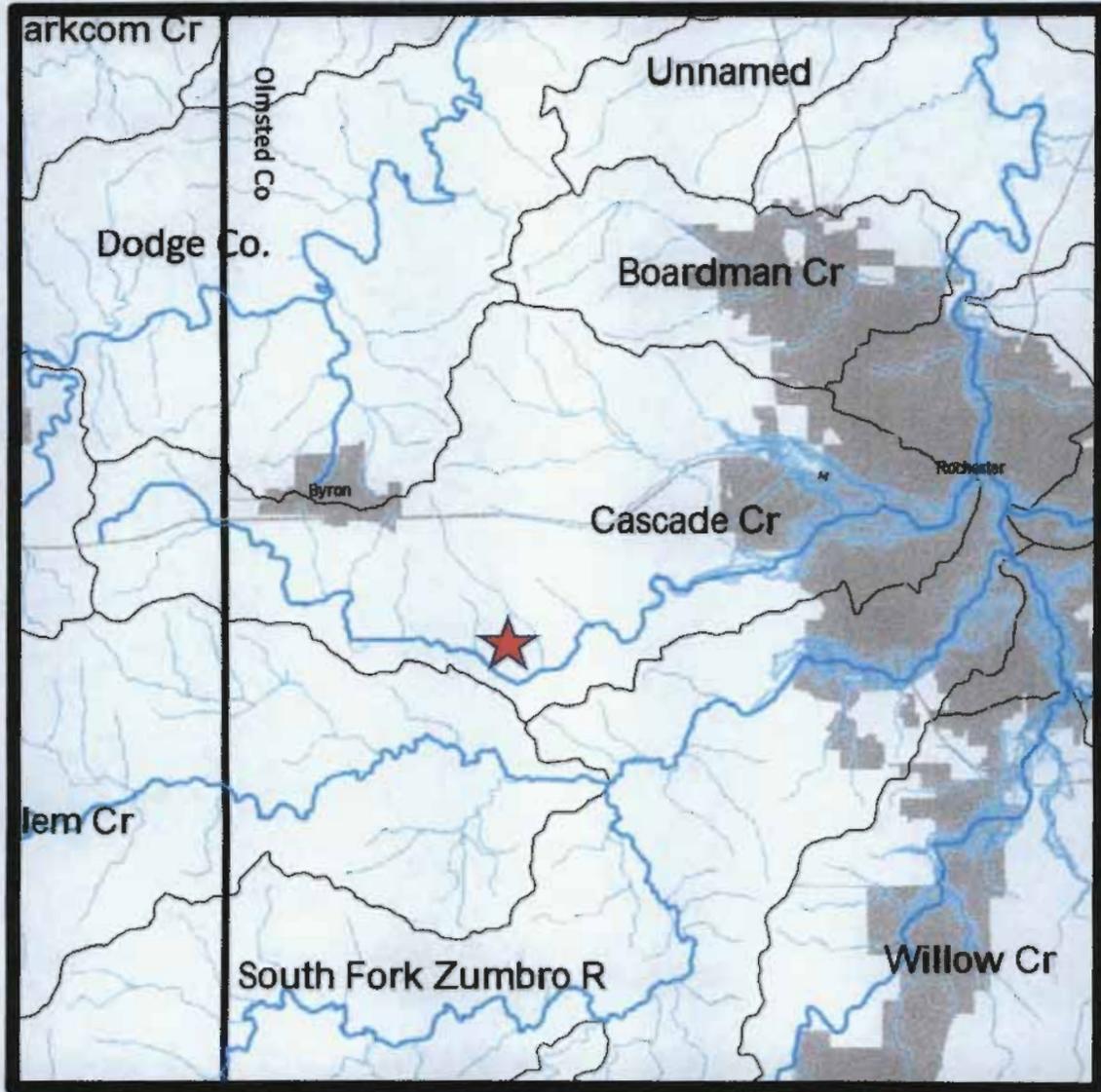
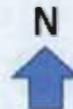


Figure 3

DeCook Salem 10 Wetland Bank



★ Location of Bank within Cascade Creek Watershed, Tributary of Zumbro Watershed



Map Source: Zumbro River Partnership

Map prepared by EnviroEase LLC - Jan. 2015

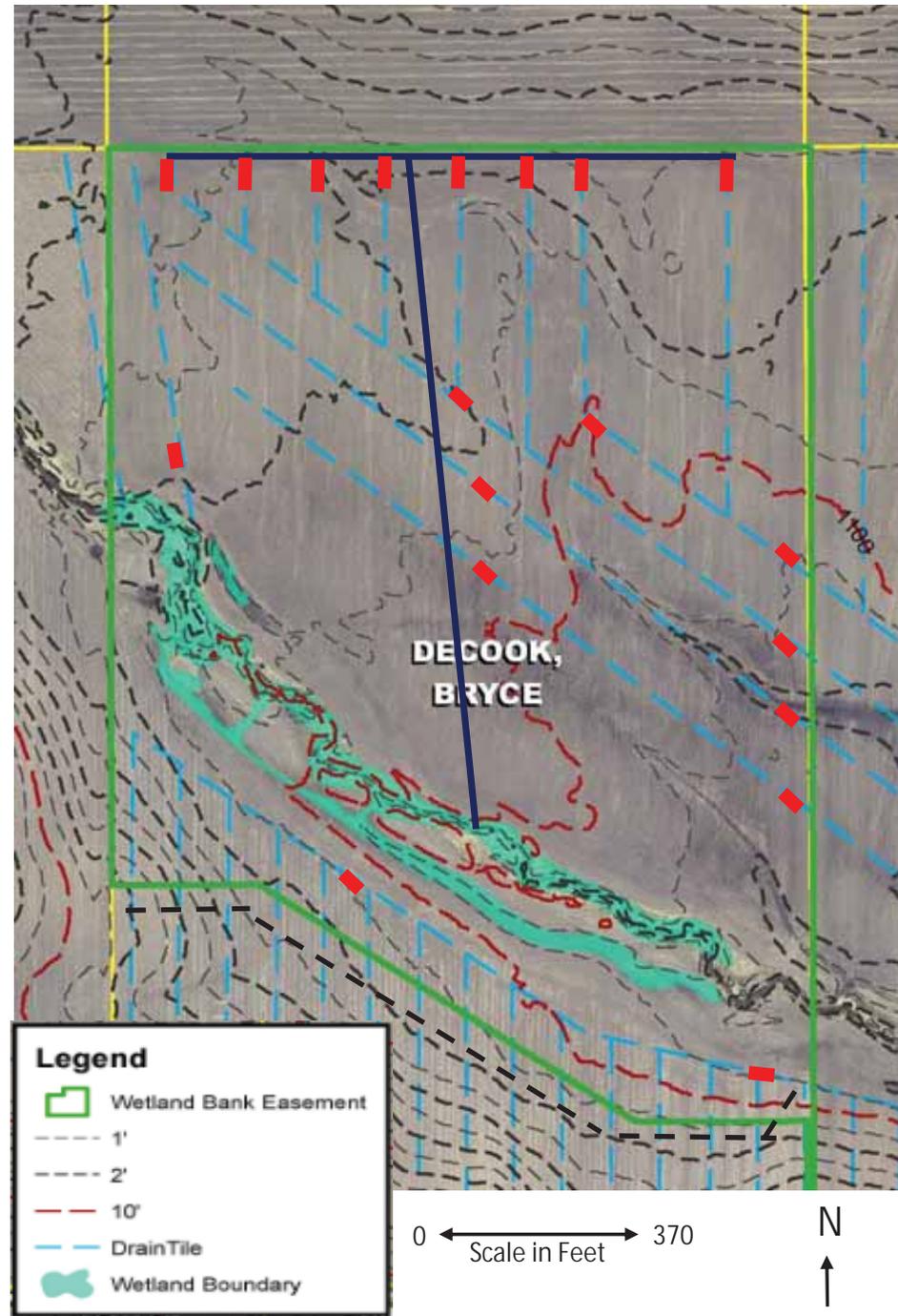
Figure 4



DeCook Salem 10 Wetland Bank

Drain Tile and Redirection Plan (3-4-15)

Figure 7.



— Install new non-perforated pipe to collect and divert tile water from north 60-acre field. Non-perforated tile discharges to Cascade Creek; outlet 1 foot above normal water level, approximately 1098 mean sea level.

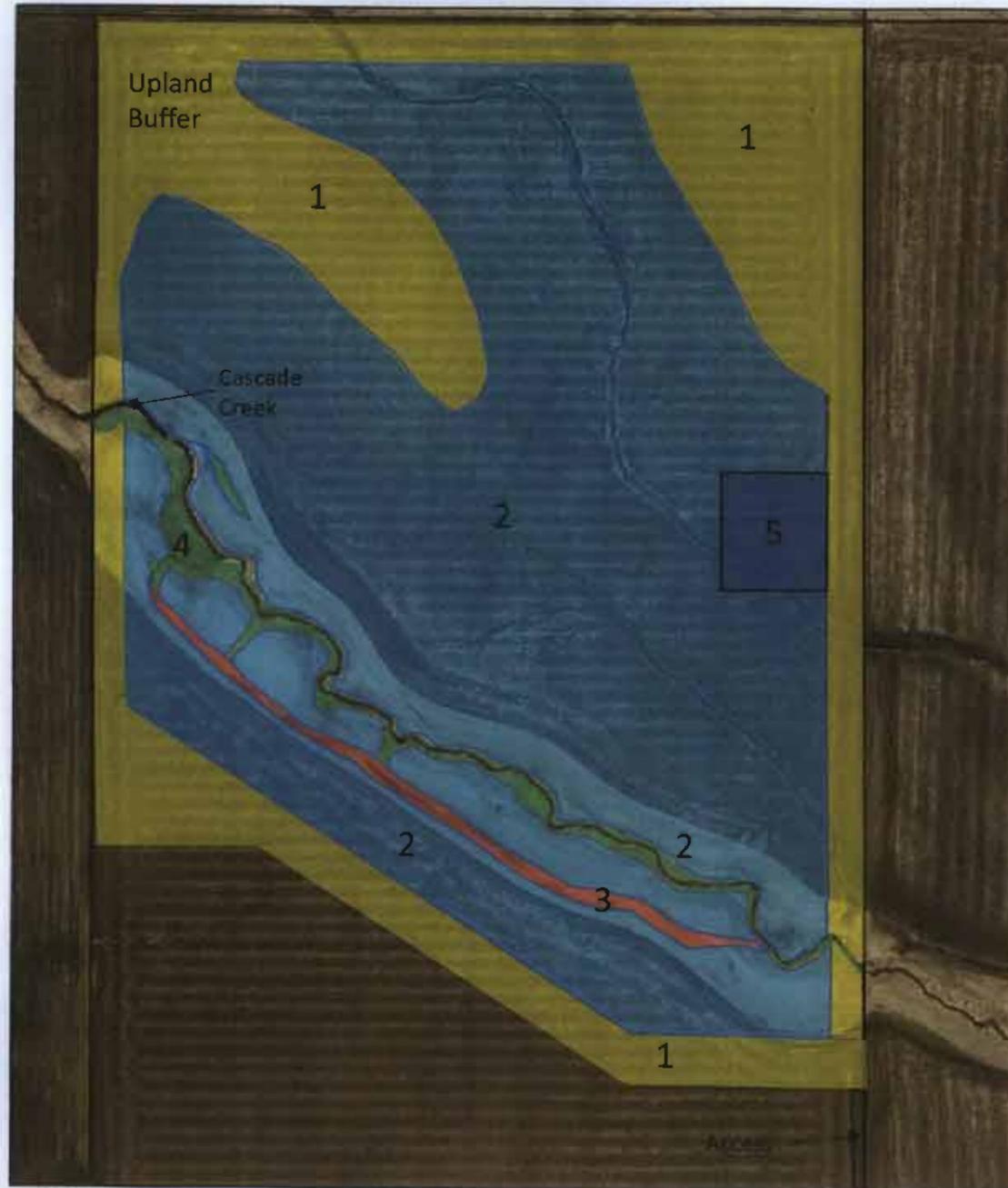
◆ Tile block. Remove 50 feet of existing tile, cap or plug both ends, backfill and compact soil.

- - - - Install new perforated tile main to collect and divert tile from south 32 acres. Reconnect to existing main.

Note: Ground surface slope is generally 0.3 percent from west to east. Plan developed in consultation with L&E Drainage of West Concord and WSB and Associates of Rochester.

Credit Area Map

DeCook 10 Wetland Bank



2014 Aerial Photo

0 ← → 230 Feet
Scale



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Credit Area Map – Figure 5.

Legend:

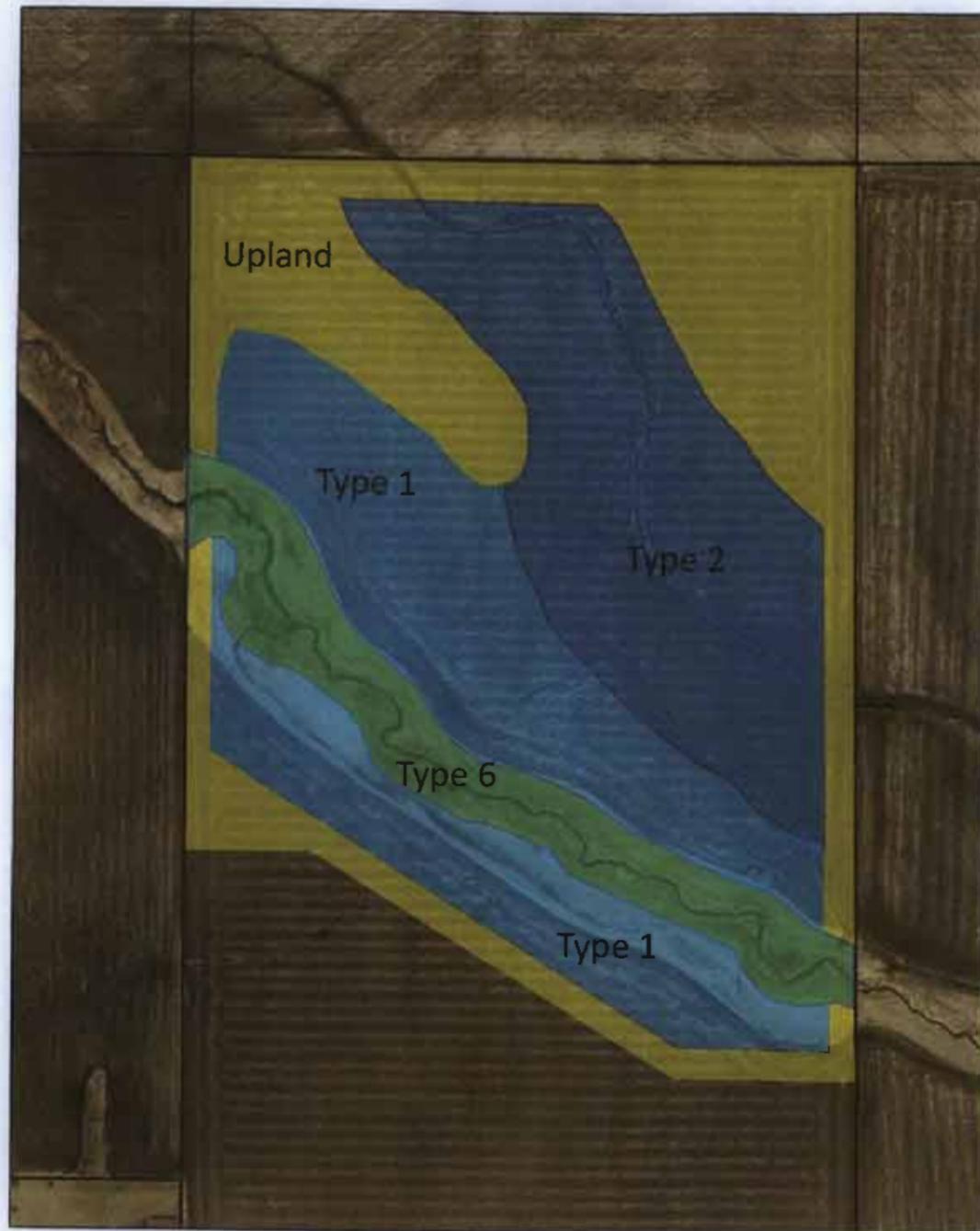
Map ID	Description	Credit Action per MN Statutes Chapter 8420.056 – Wetland Conservation Act Rules	Acres	% Credit	Credit Allocation
1	Upland	Subp. 2, Upland Buffer Areas and Subp. 8, Restoration and Protection of Exceptional Natural Resource Value	15.7	50%	7.85 credits
2	Restored Wetland	Subp. 3, Restoration of Completely Drained or Filled Wetland Areas	27.25	100%	27.25 credits
3	Enhanced Farmed Wetland	Subp. 5, Vegetative Restoration of Farmed Wetlands	1	50%	0.5 credits
4	Enhanced Existing Wetland	Subd. 8, Restoration of Exceptional Natural Resource Value	1.2	50%	0.6 credits
5	Direct Replacement	Restoration due to Direct Replacement	1.0	0	0
	Cascade Creek	No Credit	2	0	0
	Access	Cultivated land, No Credit	0.25	0	0
	Total		48.4		36.2 credits

Map ID	Description	Credit Action per Corps of Engineers, St. Paul District Policy For Wetland Compensatory Mitigation In Minnesota, 2009	Acres	% Credit	Credit Allocation
1	Upland	Page 30: Upland buffers dominated by native, non-invasive vegetation that is unmanicured (e.g., not mowed or grazed)	15.7	25%	3.925 credits
2	Restored Wetland	Page 28: Restoration consisting of re-establishment involves techniques for returning wetland functions to a location where no wetland currently exists.	27.25	100%	27.25 credits
3	Enhanced Farmed Wetland	Page 28-29: Enhancement involves activities that heighten, intensify or improve a specific function(s) of an existing wetland	1	50%	0.5 credits
4	Enhanced Existing Wetland	Page 28-29: Enhancement involves activities that heighten, intensify or improve a specific function(s) of an existing wetland	1.2	33%	0.396 credits
5	Direct Replacement	Restoration due to Direct Replacement	1	0	0
	Cascade Creek	Page 32: Credit for Stream Restoration or Enhancement.	2	0	0
	Access	No Credit, Cultivated land	0.25	0	0
	Total		48.4		32.071 credits

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Vegetation Plan
DeCook Salem 10 Wetland Bank

Figure 6



2014 Aerial Photo

0 ← Scale → 355 feet



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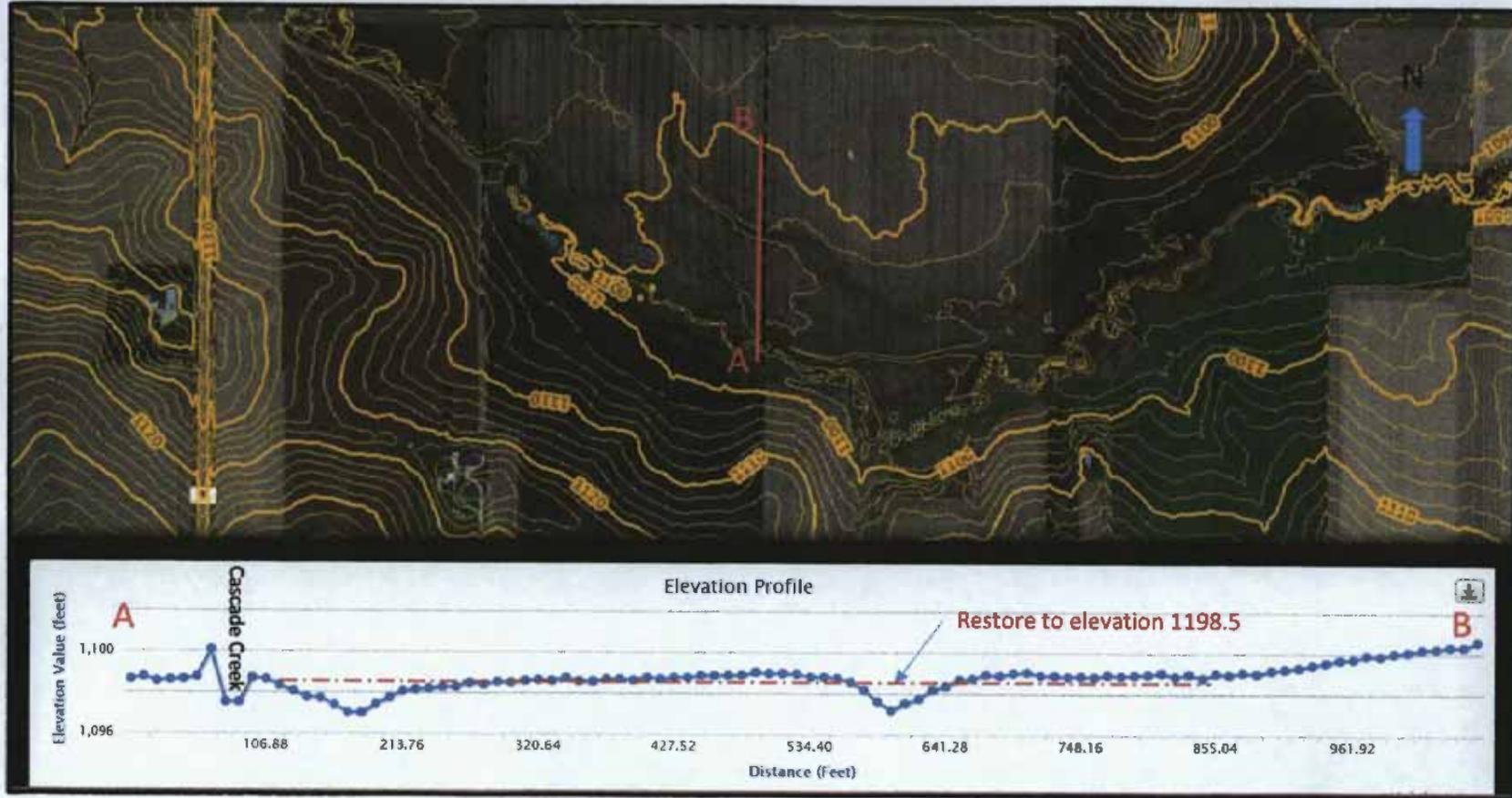
Vegetation Plan - Figure 6

Map Area	Seed Mix
Upland Buffer	Mn/DOT 35-641 (Mesic Prairie SE), modified in combination of wet prairie species; primarily big bluestem, switchgrass, indian grass, tall blazing star, blue vervain, and virginia wild rye,
Type 1 – Seasonally Flooded 	MnDOT 34-271 (Wet Prairie), modified with combination of seasonally flooded species; primarily Canada bluejoint grass, american slough grass, red-stem aster, virginia wild rye, fowl bluegrass, rice cut grass, smartweed, fox sedge, tussock sedge, fowl mana grass. Portion of this area may also restore to Wet Mesic Prairie, Type 2 Wetland.
Type 2 – Fresh Wet Meadow 	Mn/DOT 34-271 (Wet Meadow), modified; primarily angelica, marsh milkweed, New England aster, red-stem aster, American slough grass, Canada bluejoint grass, bristly sedge, lake sedge, fox sedge, tussock sedge, joe-pye weed, boneset, fowl mana grass, rice cut grass, green bulrush, common bugleweed, and woolgrass.
Type 6- Shrub Carr 	Mn/DOT 34-171 (wetland rehabilitation), primarily fowl blue grass, fox sedge, woolgrass and Virginia wild rye. It is expected that this seed mix will establish early successional species while the area "self-designs" itself with native shrub-carr and Type 1 floodplain forest species including sandbar willow, red-stem aster, red-osier dogwood, pink weed, rice cut grass, giant goldenrod, box elder, silver maple, wild rye, river bulrush, cottonwood, and green ash. Additional seed may include Canada bluejoint grass and tussock sedge. Near Cascade Creek, floodplain conditions warrant vegetation that can handle fluctuating water levels including black willow, red-osier dogwood, sandbar willow, cottonwood, swamp aster, water plantain, smartweed, soft rush, rice cutgrass, spike rush, softstem bulrush and woolgrass.

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Figure 8

DeCook Salem 10 Wetland Bank: plan to restore eroded channels (typical)

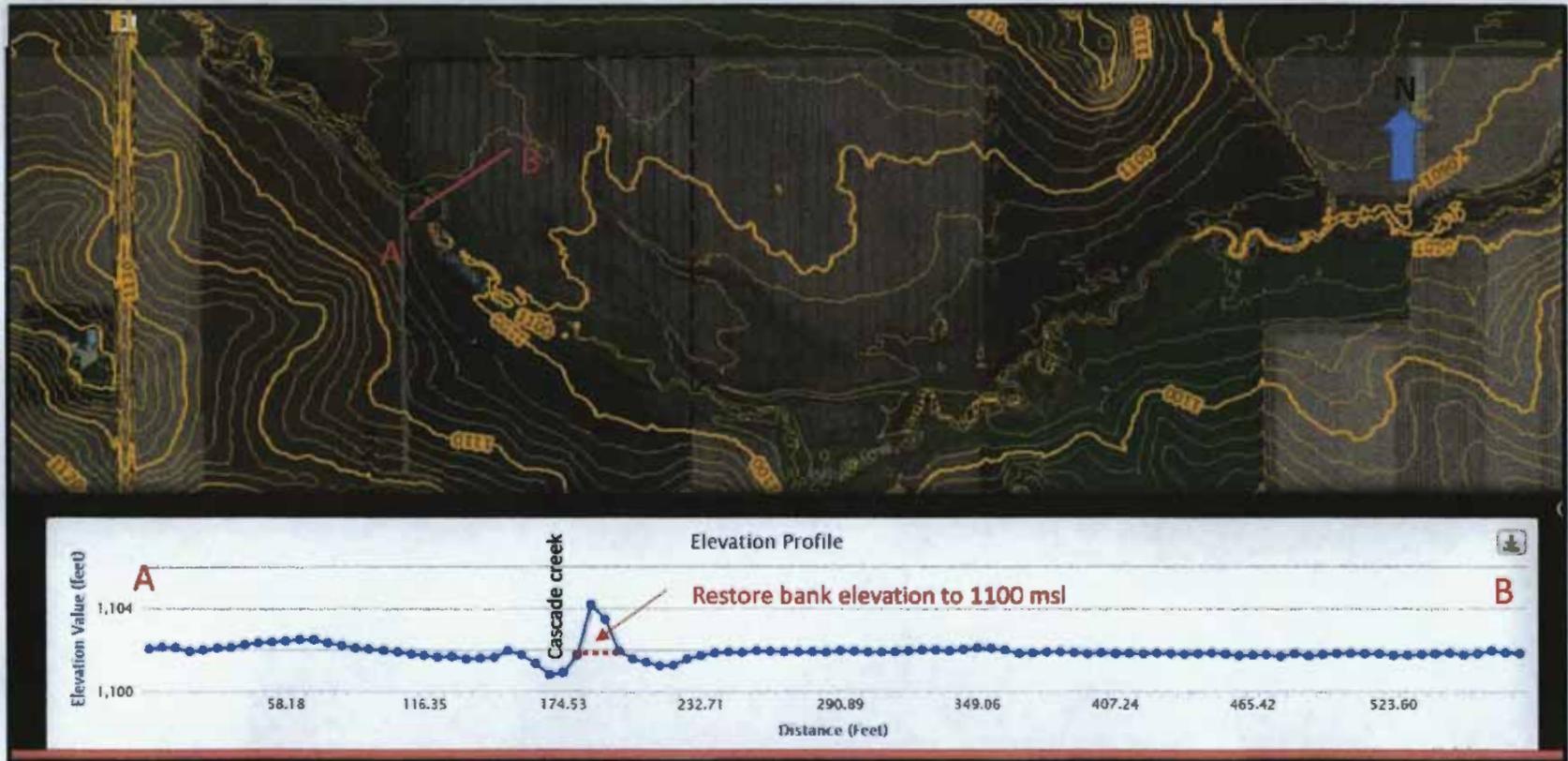


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Construction notes:

Figure 9

DeCook Salem 10 Wetland Bank: Plan to Restore Shoreland Bank on Cascade Cr. (typical)

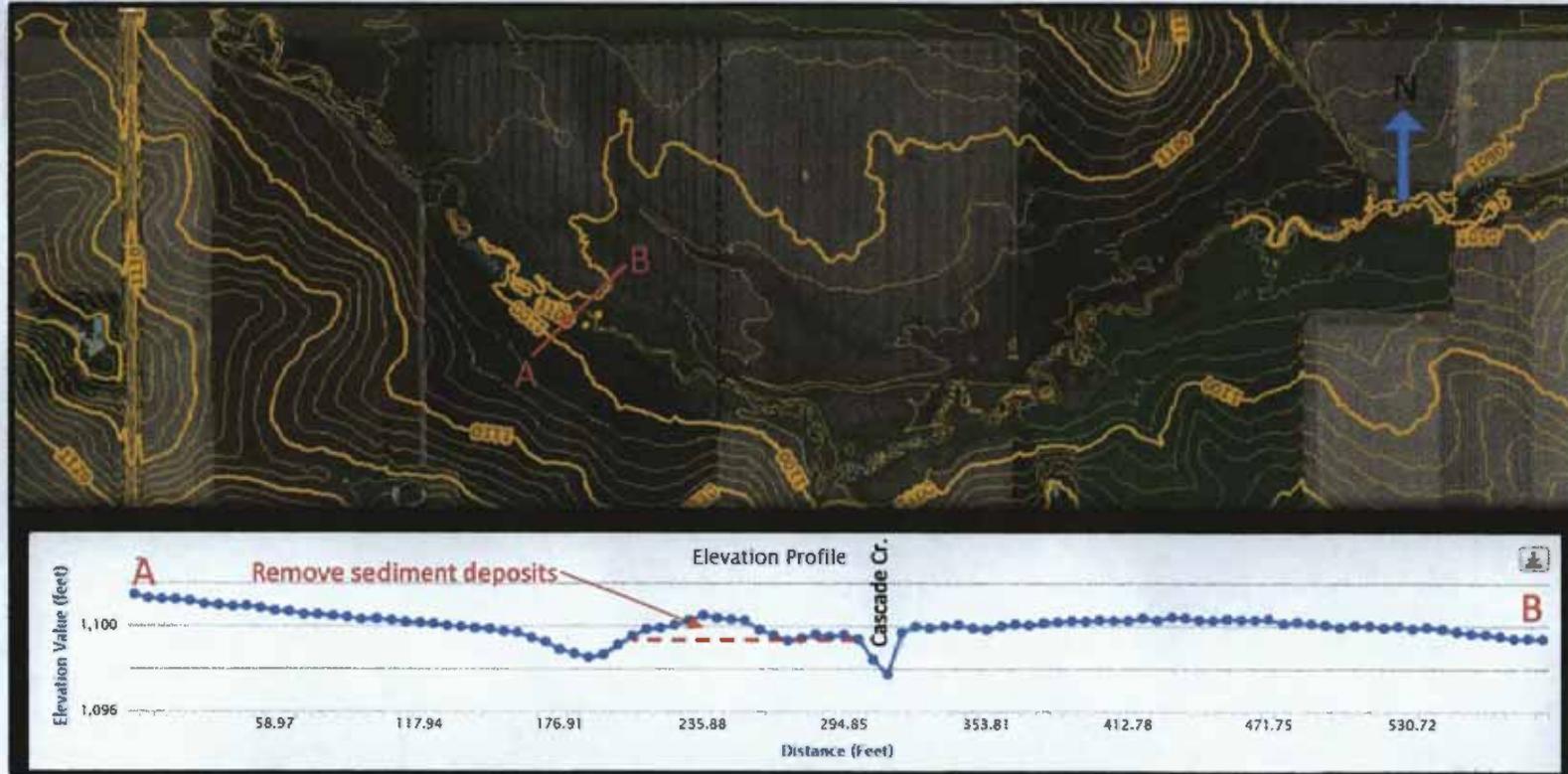


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Construction notes:

Figure 10

DeCook Salem 10 Wetland Bank: plan to remove sediment deposits (typical)

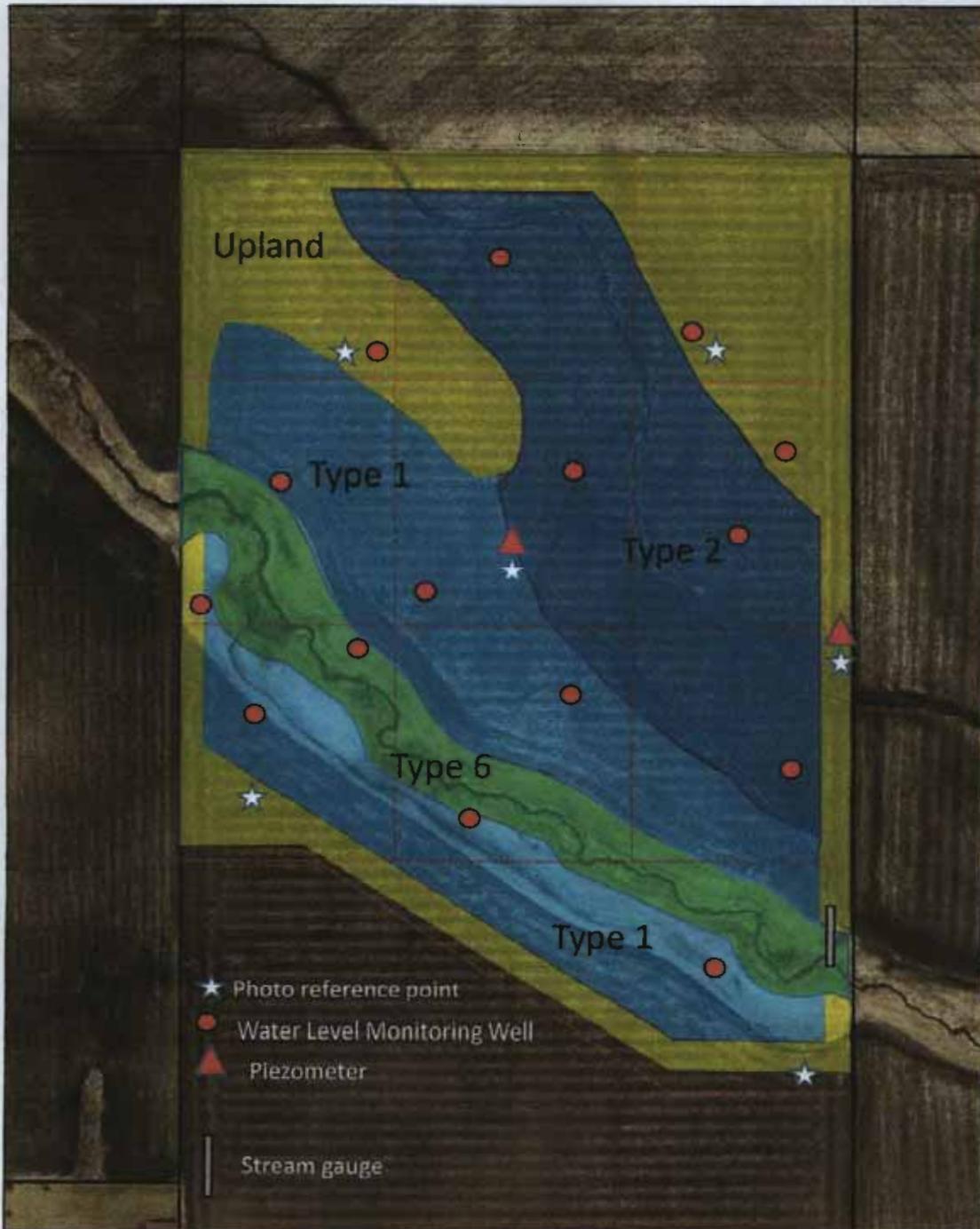


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Construction notes:

Monitoring Plan DeCook Salem 10 Wetland Bank

Figure 11



2014 Aerial Photo

0 ← → 355 feet
Scale



Soil Survey: DeCook Wetland Bank; E 1/2 of SE 1/4, Section 10, Salem Twsp.



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Soil Description on following pages

SCALE: 1 mm = 41.25'



Web Soil Survey Description:

Olmsted County, Minnesota

1846—Kato silty clay loam, depressional

Map Unit Setting

- *Mean annual precipitation:* 30 to 38 inches
- *Mean annual air temperature:* 43 to 50 degrees F
- *Frost-free period:* 145 to 205 days

Map Unit Composition

- *Kato, depressional, and similar soils:* 95 percent

Description of Kato, Depressional

Setting

- *Landform:* Outwash plains
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Silty sediment over sandy outwash

Properties and qualities

- *Slope:* 0 to 1 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Very poorly drained
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 1.98 in/hr)
- *Depth to water table:* About 0 inches
- *Frequency of flooding:* Frequent
- *Frequency of ponding:* Frequent
- *Available water capacity:* High (about 10.7 inches)

Interpretive groups

- *Farmland classification:* Prime farmland if drained
- *Land capability (nonirrigated):* 3w
- *Hydrologic Soil Group:* B/D

Typical profile

- *0 to 16 inches:* Silty clay loam
- *16 to 50 inches:* Silty clay loam
- *50 to 60 inches:* Gravelly loamy coarse sand

Web Soil Survey Description:

Olmsted County, Minnesota

252—Marshan silt loam

Map Unit Setting

- *Mean annual precipitation:* 30 to 38 inches
- *Mean annual air temperature:* 43 to 50 degrees F
- *Frost-free period:* 145 to 205 days

Map Unit Composition

- *Marshan, frequently flooded, frequently ponded, and similar soils:* 95 percent

Description of Marshan, Frequently Flooded, Frequently Ponded

Setting

- *Landform:* Stream terraces
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Loamy sediments over sandy and gravelly outwash

Properties and qualities

- *Slope:* 0 to 1 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Poorly drained
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 1.98 in/hr)
- *Depth to water table:* About 0 inches
- *Frequency of flooding:* Frequent
- *Frequency of ponding:* Frequent
- *Available water capacity:* Moderate (about 7.3 inches)

Interpretive groups

- *Farmland classification:* Prime farmland if drained
- *Land capability (nonirrigated):* 3w
- *Hydrologic Soil Group:* B/D

Typical profile

- *0 to 14 inches:* Silt loam
- *14 to 23 inches:* Silt loam
- *23 to 30 inches:* Loam
- *30 to 60 inches:* Sand

Web Soil Survey Description:

Olmsted County, Minnesota

378—Maxfield silty clay loam

Map Unit Setting

- *Elevation:* 800 to 1,200 feet
- *Mean annual precipitation:* 30 to 38 inches
- *Mean annual air temperature:* 43 to 50 degrees F
- *Frost-free period:* 145 to 205 days

Map Unit Composition

- *Maxfield and similar soils:* 95 percent

Description of Maxfield

Setting

- *Landform:* Till plains
- *Down-slope shape:* Linear
- *Across-slope shape:* Linear
- *Parent material:* Silty sediments over loamy till

Properties and qualities

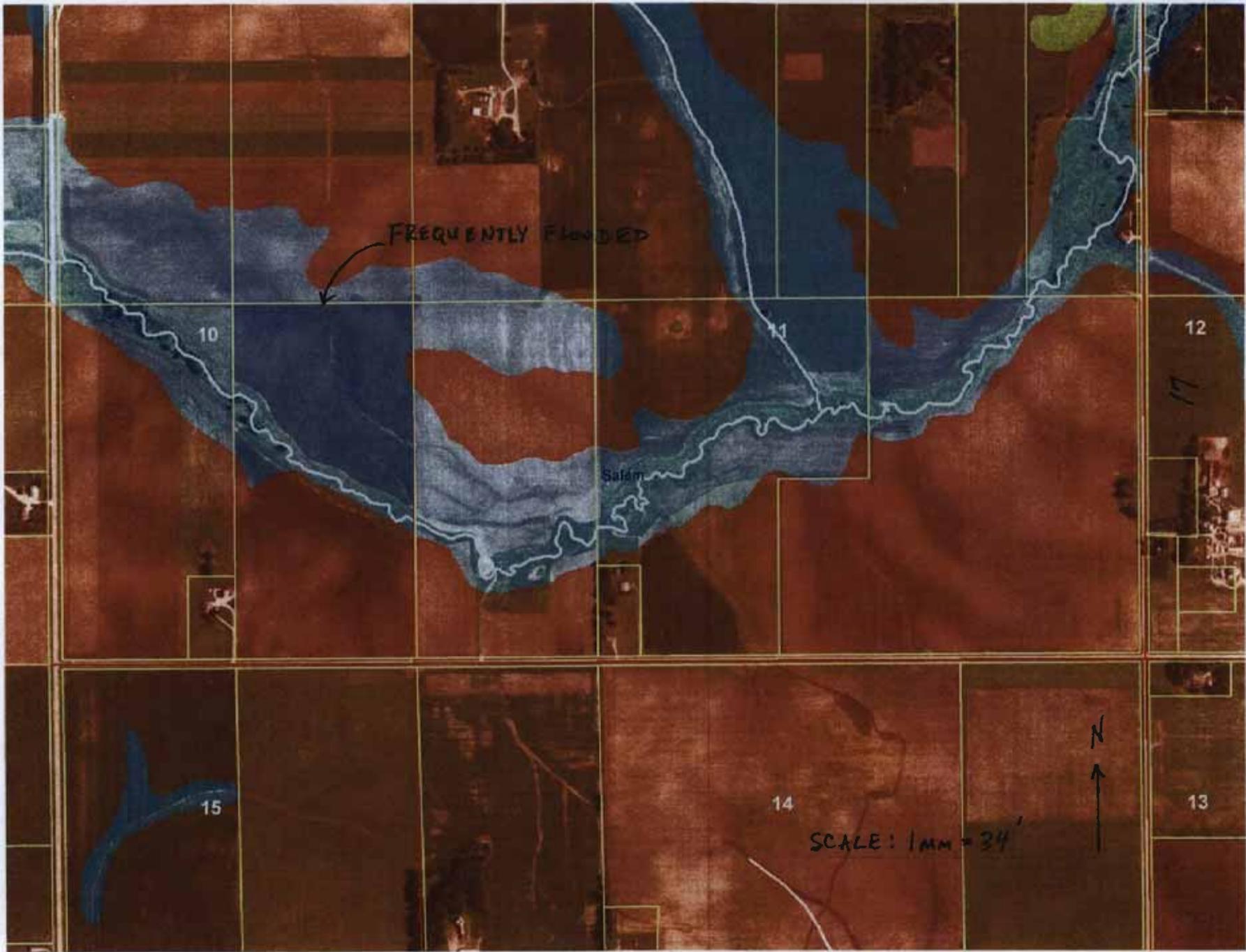
- *Slope:* 0 to 2 percent
- *Depth to restrictive feature:* More than 80 inches
- *Drainage class:* Poorly drained
- *Capacity of the most limiting layer to transmit water (Ksat):* Moderately high to high (0.57 to 1.98 in/hr)
- *Depth to water table:* About 0 inches
- *Frequency of flooding:* None
- *Frequency of ponding:* None
- *Calcium carbonate, maximum content:* 20 percent
- *Available water capacity:* High (about 11.5 inches)

Interpretive groups

- *Farmland classification:* Prime farmland if drained
- *Land capability (nonirrigated):* 2w
- *Hydrologic Soil Group:* B/D

Typical profile

- *0 to 15 inches:* Silty clay loam
- *15 to 32 inches:* Silty clay loam
- *32 to 60 inches:* Loam



TOPOGRAPHY - 10' CONTOURS

Minnesota DNR - ToMO Service

USGS 1:24,000 Quadrangles

