



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

**SPONSOR:** Aaron Olson

# **Public Notice**

**ISSUED: March 30, 2015**

**EXPIRES: April 30, 2015**

**REFER TO:** 2014-02230-BGO

**SECTION:404 - Clean Water Act**

---

## 1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

## 2. SPECIFIC INFORMATION.

**SPONSOR'S ADDRESS:** Mr. Aaron Olson  
130<sup>th</sup> East 10<sup>th</sup> Street  
Madison, Minnesota 56256

**SPONSOR'S AGENT** Mr. Dan Donayre  
Bolton & Menk, Inc.  
1960 Premier Drive  
Mankato, Minnesota 56001-5900

**PROJECT LOCATION:** The project site is located in Sec. 28, T. 118N., R. 44W., Lac Qui Parle County, Minnesota. The approximate UTM coordinates are N 4986577.217, E 722199.546. Latitude 44.996, Longitude -96.181.

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

**DESCRIPTION OF PROJECT:** The sponsor is proposing to develop the Madison Wetland Bank. The proposed bank site is approximately 69.83 acres in size, including upland buffer areas.

Current land use, including adjacent properties – County Road C (231<sup>st</sup> Street) runs along the western side of the proposed bank site and 230<sup>th</sup> Street borders the south side of the site. The proposed bank site also surrounds a private residence off of 230<sup>th</sup> Street. Currently, the parcel is comprised of agricultural wetland with a drainage ditch that generally flows from west to east and outlets the property through a 26-inch corrugated metal pipe under 230<sup>th</sup> Street. Five existing wetlands have been identified, as shown on the attached MVP-2014-02230-BGO, Page 4 of 9.

The west basin (Wetland 1) is located along 231<sup>st</sup> Avenue in the southwest corner of the site. An off-site review of this basin classified it as a shallow marsh wetland approximately 12.17 acres in size. Wetland 1 is currently actively farmed and partially drained. The approximate drainage area contributing hydrology to this basin is 89.11 acres. A portion of the drainage area is located on the west side of 231<sup>st</sup> Avenue and is connected by a 15-inch corrugated metal pipe. The portion of the west basin located on the west side of 231<sup>st</sup> Avenue was excluded from the proposed bank site because it is owned by another land owner. The culvert under 231<sup>st</sup> Avenue would be plugged as part of the proposed bank project.

**Operations - Regulatory (2014-02230-BGO)**

**SUBJECT: Madison Wetland Bank**

The east basin (Wetland 3 and 4) is located in the northeast portion of the site. An off-site review and field investigation of this basin classified it as a shallow marsh wetland approximately 3.95 acres in size. Wetland 3 and 4 are currently actively farmed and partially drained. The approximate drainage area contributing hydrology to this basin is 113.11 acres.

Wetland 5 is located at the southeast corner of the site. An off-site review and field investigation of this basin classified it as a fresh (wet) meadow wetland approximately 0.57 acre in size. Wetland 5 is currently actively farmed and partially drained. The approximate drainage area contributing hydrology to this basin is 52.67 acres. Wetland 5 was excluded from the proposed bank site because it is located downstream of a large off-site wetland complex that is dominated by reed canary grass. This off-site seed bank would make it difficult to successfully establish and maintain a native plant community.

The drainage ditch (Wetland 2) flows from the west basin to the east basin and continues south to Wetland 5 where it outlets the property through the culvert located under 230<sup>th</sup> Street. The drainage ditch was delineated as a seasonally flooded wetland approximately 1.57 acres in size. Dominant vegetation along the side slopes of the ditch consists of smooth brome, reed canary grass, box elder, and American elm. The bottom of the ditch is dominated by reed canary grass and cattails. A lift station is located where the ditch turns to the southeast between Wetland 1 and Wetland 3 and 4. This lift station serves drain tile from the property located to the north of the proposed bank site.

Modifications proposed to restore, establish, enhance and/or preserve wetlands on the bank site - The sponsor proposes to restore by re-establishment and re-habilitation 11.62 acres of fresh (wet) meadow (Type 2) wetlands, 10.23 acres of shallow marsh (Type 3) wetlands, 13.20 acres of deep marsh (Type 4) wetlands, and 34.78 acres of upland buffer. MVP-2014-02230-BGO, Page 8 of 9 shows the proposed plant communities and acreages.

No drainage tile will need to be disabled in order to restore the wetland basins.

Hydrology to the west basin will be provided by the remaining portions of the existing drainage area and by routing a new drain tile system into the basin that will serve property located to the north of the bank site. Restoring the hydrology to historic conditions (fresh meadow/deep marsh wetland complex with a normal water level of 1074.5) would negatively affect 231<sup>st</sup> Avenue. Therefore, the sponsor proposes to restore the west basin as a fresh meadow/shallow marsh wetland complex with a normal water level of 1072.5. The west basin will be controlled by an outlet structure located on the northeast side of the wetland. The structure will outlet to the existing lift station which will be moved to the west to keep it outside of the wetland boundaries and easily accessible for maintenance. The lift station will continue to provide hydrology to the east basin. The right-of-way along the west basin will be filled in order to keep the normal water level outside of public right-of-way.

Hydrology to the east basin will be provided by the remaining portions of the existing drainage area, overflow from the west basin, and by routing a new drain tile system into the basin that will serve property located west of 231<sup>st</sup> Avenue. In order to restore fresh meadow/deep marsh wetland hydrology (historic condition), a normal water level of 1074.5 is being proposed. Two berms will be constructed to maintain the normal water level in the east basin. The first is a clay berm that will be constructed in the drainage ditch between the west basin and the east basin. This is necessary to prevent the higher water level in the east basin from spilling over into the west basin, which would

## **Operations - Regulatory (2014-02230-BGO)**

### **SUBJECT: Madison Wetland Bank**

jeopardize 231<sup>st</sup> Avenue. The second berm will be located to the southeast where the existing drainage ditch outlets the proposed bank site. An outlet structure will be constructed within this berm to control the normal water level of the east basin.

MVP-2014-02230-BGO, Page 7 of 9 and Page 9 of 9 detail the proposed construction plan and the hydrologic modifications.

The drainage ditch is dominated by non-native and invasive species. The sponsor proposes to begin an eradication treatment of these species in the spring and continue throughout the growing season. A prescribed burn of areas where these species exist would also be conducted in the spring. This will be followed by three herbicide treatments throughout the growing season. A final herbicide treatment would be done prior to seeding. To further control weedy species, agricultural areas will be planted with Roundup ready beans to allow for periodic herbicide treatments of the entire bank area prior to construction.

The source of the reed canary grass is thought to come from the off-site wetland complex located upstream of Wetland 5. During heavy rainfall events, water from this wetland complex backs up into the east basin. Part of the hydrologic design of the project is to increase storage in the southeast corner to prevent 230<sup>th</sup> Street from being overtopped. This design will cut off backflow into the restored basins by constructing an earthen berm, which will help limit the migration of reed canary grass into the bank site. The storage area would be constructed in upland areas adjacent to Wetland 5.

Seeding will take place once all grade work and construction are completed. State seed mixes will be used for the whole project as follows:

- Upland buffer – Mix 35-541 Mesic Prairie Southwest
- Fresh meadow wetland – Mix 34-271 Wet Meadow South and West
- Shallow marsh wetland – Mix 34-181 Emergent Wetland
- Deep marsh wetland – None

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 five years following vegetation establishment.

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 and emergent 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.

**Operations - Regulatory (2014-02230-BGO)**

**SUBJECT: Madison Wetland Bank**

The project would restore approximately 35.05 acres of wetlands with an additional 34.78 acres of restored upland buffer.

**SURROUNDING LAND USE:** The proposed bank site is located approximately 1-mile south of the City of Madison and surrounds a private residence off of 230<sup>th</sup> Street. Surrounding land use is primarily agricultural.

**COORDINATION WITH RESOURCE AGENCIES:** This project has been previously coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: U.S. Environmental Protection Agency, U.S. Fish and Wildlife Service, Minnesota Board of Water and Soil Resources, Lac Qui Parle-Yellow Bank Watershed District, and Minnesota Department of Natural Resources.

**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. 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 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://mvp-extstpl/list\\_server/](http://mvp-extstpl/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, Lac Qui Parle County is within the known historic range for the following Federally-listed species:

Northern Long-Eared Bat	Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
-------------------------	--

Poweshiek Skipperling	Native prairie habitat.
-----------------------	-------------------------

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.

**Operations - Regulatory (2014-02230-BGO)**

**SUBJECT: Madison Wetland Bank**

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.

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.

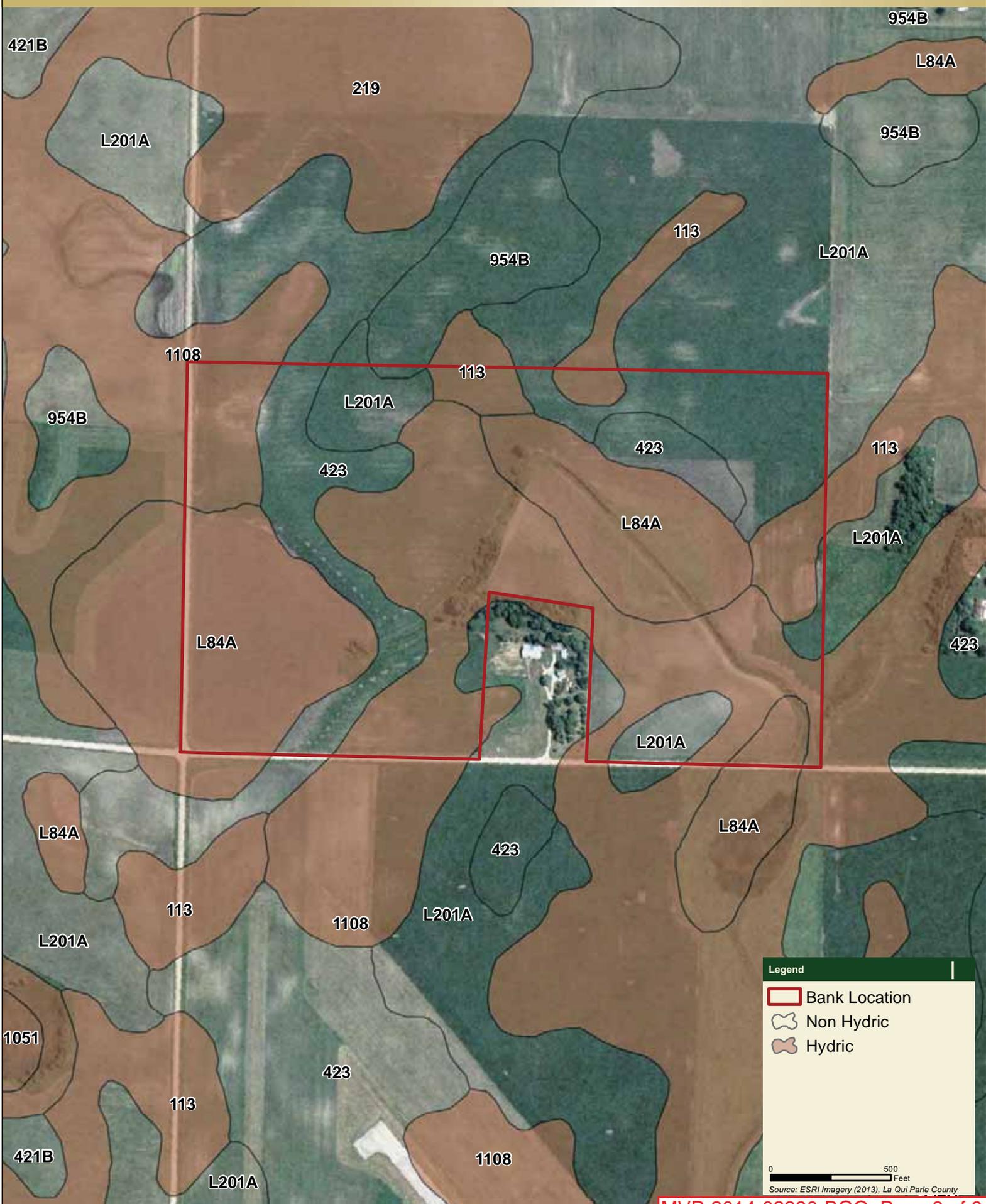
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding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

Tamara E. Cameron,  
Chief, Regulatory Branch

Enclosure(s)







**Legend**

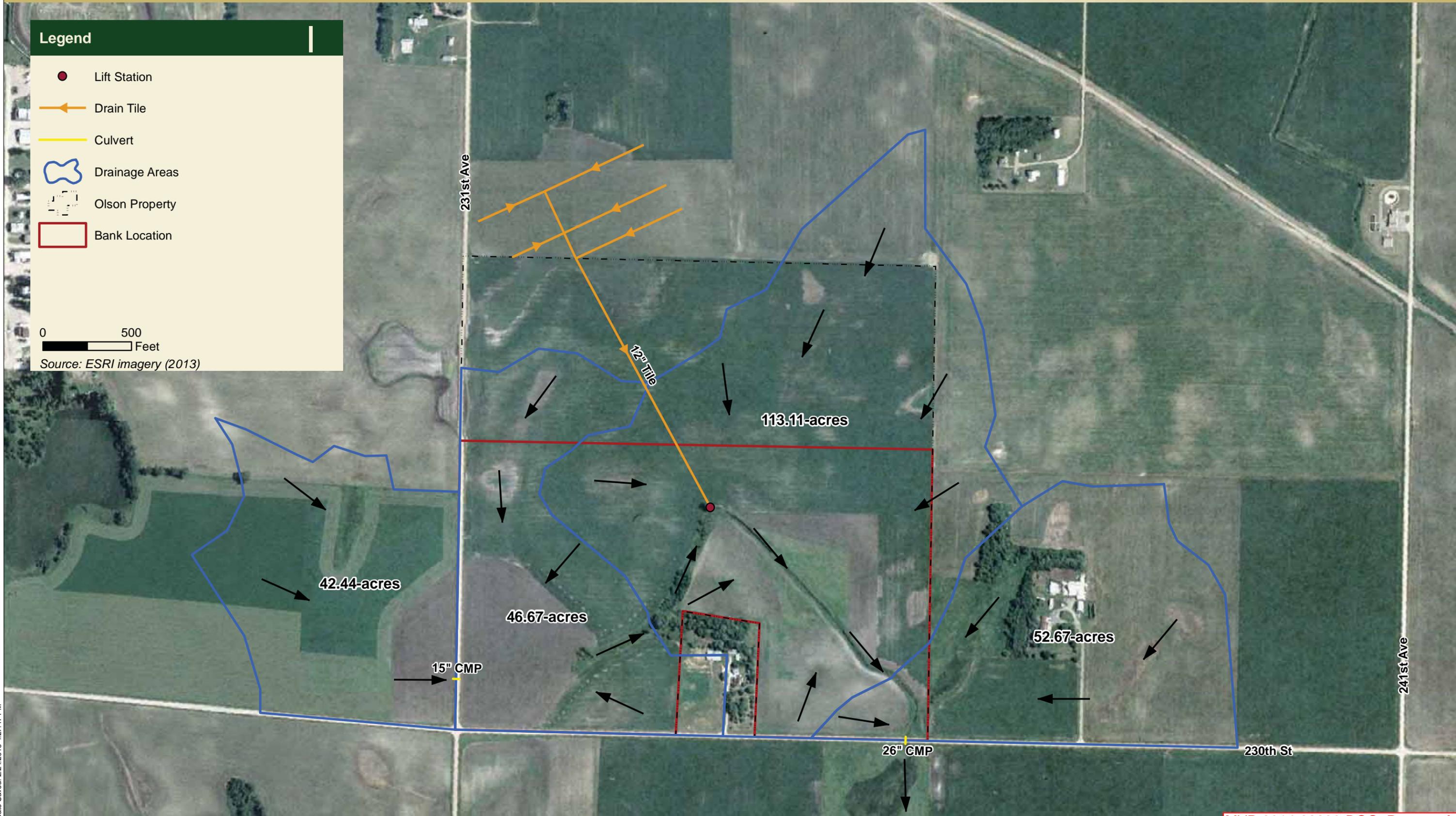
- Bank Location
- Non Hydric
- Hydric

0 500 Feet

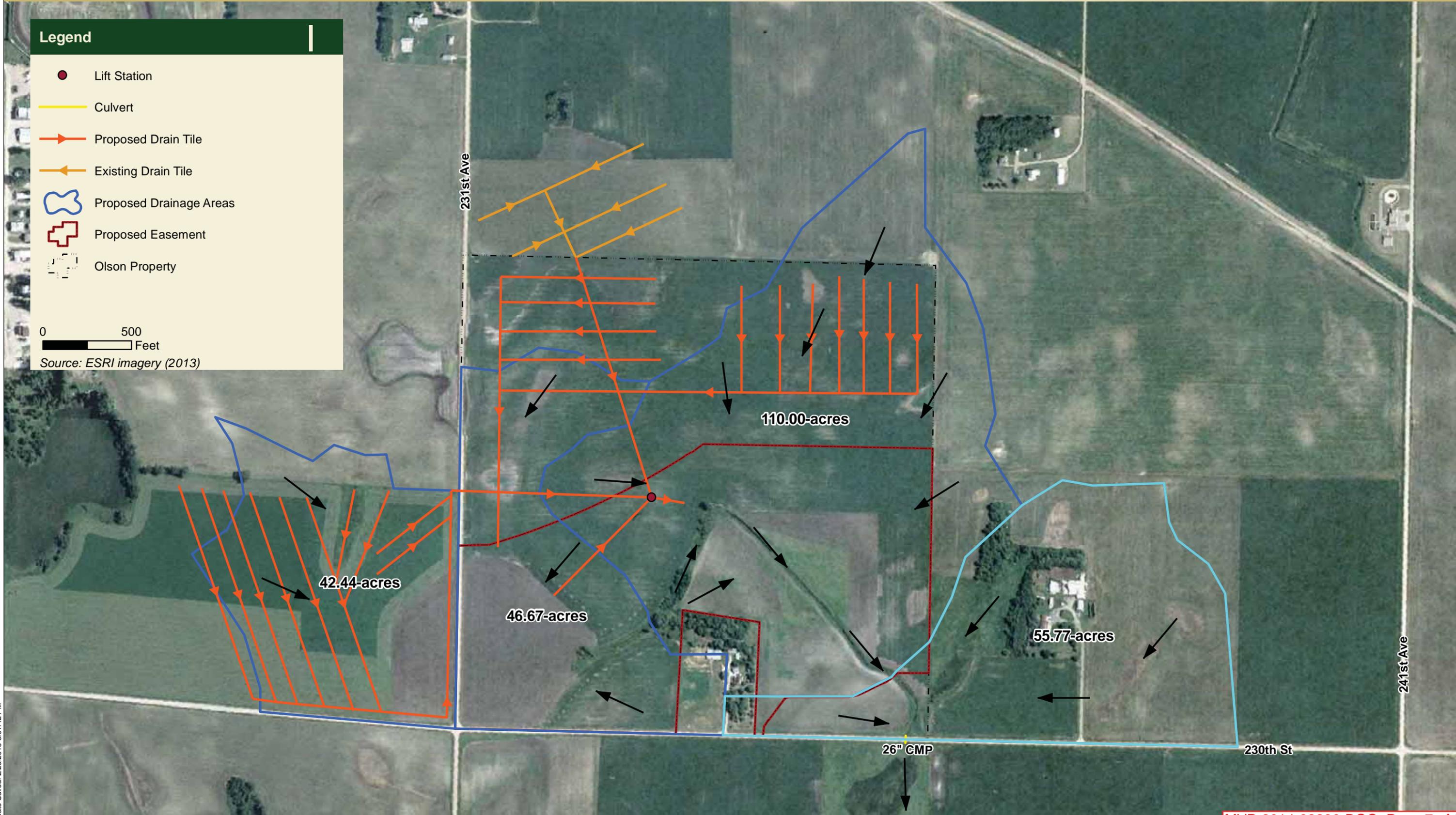
Source: ESRI Imagery (2013), La Qui Parle County

Map Document is: C:\GIS\CMAC\_P\Map10\1007070\SE\Concept Plan\Map1007070\_Soil.mxd  
Date Saved: 2/24/2015 10:24:47 AM









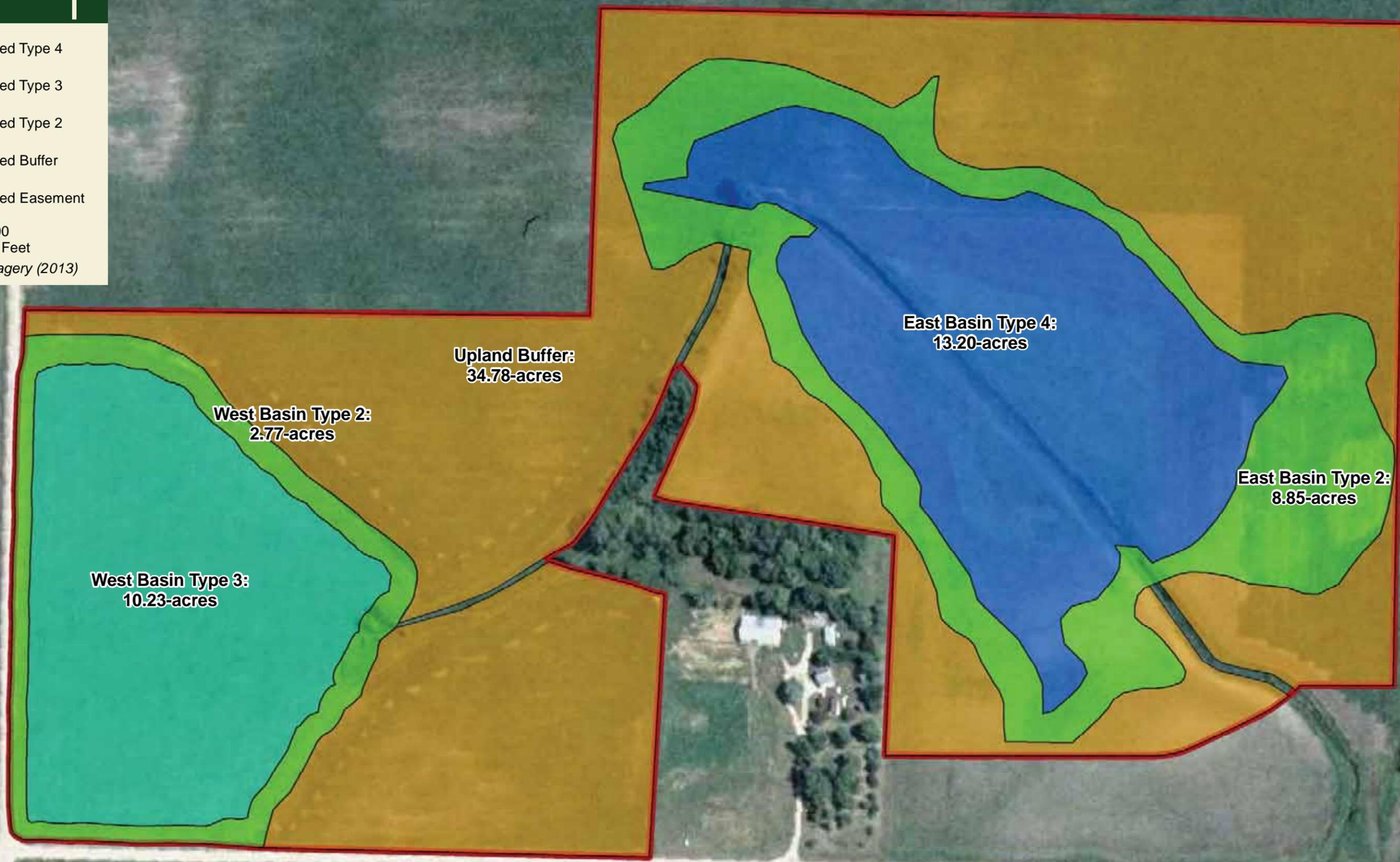


**Legend**

- Proposed Type 4
- Proposed Type 3
- Proposed Type 2
- Proposed Buffer
- Proposed Easement

0 200  
Feet

Source: ESRI imagery (2013)



Map Document: H:\OLSON\AA\_PRIM\13108970\GIS\ESRI\Concept Plan\Maps\108970\_Proposed\_Plant\_Comm\_8x11.mxd  
Date Saved: 3/2/2015 8:01:28 AM

**NOTES:**

1. EXISTING AND PROPOSED CONTOURS ARE AT 1 FOOT INTERVALS
2. SEE TURF ESTABLISHMENT PLAN FOR SEEDING RECOMMENDATIONS
3. FIELD VERIFY EXISTING UTILITIES AND TILE LOCATIONS PRIOR TO CONSTRUCTION WORK.

