US Army Corps of Engineers
St Paul District

SPONSOR: Marvin LaValle

Public Notice

ISSUED: 17 May 2016
EXPIRES: 17 June 2016

REFER TO: MVP-2014-04001-EJI

SECTION:404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

2. SPECIFIC INFORMATION.

SPONSOR'S ADDRESS: Marvin LaValle
3282 Velvet Street
Hinckley, Minnesota 55077

SPONSOR'S AGENT: John Smyth
Stantec
2335 Highway 36 West
St. Paul, Minnesota 55113-3819

A copy of the prospectus for the proposed mitigation bank can be found by navigating to https://ribits.usace.army.mil/ribits_apex/f?p=107:10:4977192370242::NO::P10_BANK_ID:4289 and selecting "Cyber Repository" and "Prospectus."

PROJECT LOCATION: The project site is located in E 1/2 Sec. 19, T. 31 N., R. 21 W., Washington County, Minnesota. The approximate UTM coordinates are 15T N 5000474, E 499678. Latitude 45.15813, Longitude -93.00407.

BANK SERVICE AREA: The proposed LaValle Wetland Mitigation bank is located within the Upper Mississippi River Basin in Minnesota (Bank Service Area 7).

DESCRIPTION OF PROJECT: The sponsor is proposing to develop the LaValle Wetland Bank. The proposed bank site is approximately 49 acres in size, including upland buffer areas.

The current land-use within the wetland bank sites is agricultural. The entire wetland bank site has a history of cropping. Wetland Bank Sites A and B continue to be cropped in a corn and soybean rotation. Wetland Bank Site C was historically cropped with a corn and soybean rotation and periodically with a hay crop. The adjacent land-use surrounding the wetland bank sites include agriculture and single family residential developments. The vegetation within and adjacent to Wetland Bank Sites A and B is typically corn. The vegetation within and adjacent to Wetland Bank Site C is typically smooth brome, Kentucky blue grass, reed canary grass and other species common to hay fields. Utility lines and easements are shown on Figure 3. The only major utility that crosses wetland bank Site A is a Met Council sewer line that is shown as a series of dashed black lines on figure 3.

Wetland Bank Sites A and B

The hydrology within Wetland Bank Sites A and B has been manipulated by an extensive network of private tile lines and ditches. The existing tile and ditch locations are shown on Figure 3. The main

jurisdictional ditch that crosses the southern boundary of the wetland bank sites is Clearwater Creek. Two additional jurisdictional ditches, Branch 2 and Branch 3, as well as a private ditch exist on-site. The ditches flow into Clearwater Creek which flows west out of the site. Some of the tile lines discharge to Clearwater Creek and other tile lines discharge to Branch 2 and Branch 3. The tile and ditch system has effectively drained the hydric soil areas of the site and the remaining wetlands are confined to Branch 2 and the private ditch.

Wetland Bank Sites A and B contain Seelyeville muck, Markey muck, Webster loam, Kratka fine sandy loam and Dundis fine sandy loam. All of these soils are considered predominately hydric soils (Figure 2). The ditches effectively allow offsite hydrology to bypass the hydric soils on site, minimizing the influence of offsite surface hydrology. The tiles assist in removing both groundwater and surface water. The tile and ditching combined have effectively drained all of the historic wetlands except those that are part of private ditch 1 and J.D. Branch 2. The approved wetland delineation boundaries are provided as Figure 13.

The proposed hydrologic restoration activities on Wetland Bank Sites A and B include blocking/removing tile, building berms along ditches, and rerouting ditches around the bank sites while partially diverting flow from Branch 2 into the bank sites. Native upland and wetland vegetation would be re-established over the entire site according to the planned community types. The proposed restoration is presented on the Concept Plan (Figure 7).

The berms have been designed with a clay core that extends below the ground surface approximately 3 feet deep to minimize the lateral effect of the ditches adjacent to the proposed wetland restoration areas. A 2 to 3-foot high berm will run along the southern portion of the property and extend to the north parallel to Clearwater Creek and tie into a future road. West of the future road, the berm would continue to parallel Clearwater Creek and then turn northeast. The proposed berm would be constructed to block Branch 2 and Branch 3 ditches, eliminate the artificially lowered outlets that facilitate drainage of the site and protect adjacent land from flooding once the hydrology is restored to the wetlands.

The tile present on site would be blocked or removed near the points where it enters the ditch system. Tile block/removal will occur in the locations shown in red on Figure 7. Abandoned portions of the ditch system would either be filled in with adjacent spoil material or the side slopes would be graded to an 8:1 slope.

A partial diversion of flow from Branch 2 into the wetland bank site is proposed for the purpose of restoring surface hydrology. This will be accomplished by allowing the ditch to continue to enter the wetland bank site during high flows (See Figure 9). Branch 2 will then be rerouted around the bank site as shown on Figures 7 and 9. The reroute of Branch 2 is being proposed to meet the Rice Creek Watershed District (RCWD) requirements of maintaining the same capacity and not having a blocked ditch system. The proposed rerouted ditch would occur at the 912.13 elevation along the ditch slope to allow the partial diversion of flow into the wetland bank site (Figure 7) and meet the proposed constructed profile of the RCWD ditch. The cross-section of the proposed reroute of Branch 2 has been designed to match that of the current ditch and is shown on Figure 11.

A spreader berm located along the 911 contour is being proposed to capture and slow down flows diverted from the ditch to create saturated conditions on both the upslope and down slope sides of the berm (See Figure 12). The diverted flow would enter a tile system upslope of the berm and feed into a perforated tile that parallels the berm on its downstream side. This perforated tile would be buried in drain rock that is capped with riprap and allow the flow to be discharged across the slope rather than in a concentrated location.

Water will flow through Wetland Bank Site A and under the future road via two 12-inch culverts at a 908 elevation. Once west of the road, the flow will enter Wetland Bank Site B and then outlet back into the ditch via an outlet structure with 908 elevation. The existing Branch 3 will be rerouted around the wetland bank site so the historic wetland will not be spilt by the ditch and allow more area to be restored. The profile of the proposed reroute of Branch 3 is provided on Figure 10. The proposed typical cross sections of Branch 2 and 3 are provided on Figure 11.

Most of the bank site is farmed. The farmed areas will require less site preparation for seeding. The site preparation may include disking, harrowing, or similar operations to prepare the seed bed. Spraying of a glyphosate herbicide will be done prior to seeding to remove weed species. The areas of reed canary grass adjacent to the private ditch, Branch 2, and Branch 3 will be removed by excavation if the ditch slopes are graded to an 8:1 slope or buried if ditches are completely filled in.

Wetland Bank Site C

The existing private ditch and tile outlet location within Wetland Bank Site C are shown on Figure 8. In general, the topography of the site has a slight but broad depression that meanders down the middle of the site. The ditch located along the northern boundary of the bank site takes hydrology away from the proposed bank site to the east. Historically, this water would have flowed into the wetland bank site. The tile that provides additional drainage to the site outlets at the southwest corner. A wetland delineation will be completed for this site if it moves forward to a Full Wetland Bank Application.

Proposed restoration activities would include blocking the private ditch, blocking/removing tile, constructing berms and re-establishing native upland and wetland vegetation.

Wetland Bank Site C will require additional site preparation due to it being used for hay in recent years and receiving less treatment for weedy species. Reed canary grass and other invasive species will be sprayed with glyphosate herbicide from September 15 to October 22. Two additional herbicide treatments may be required prior to seeding.

Upland buffer is proposed within each of the three bank sites. Upland buffer areas would be seeded and managed to maintain at least 15 native species.

Long-term management of the site: Monitoring would be done on an annual basis and would continue for a period of five (5) years starting after construction, or until the banked wetland area is fully functional. 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 the 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 29 acres of wetlands with an additional 20 acres of restored upland buffer.

SURROUNDING LAND USE: The adjacent land-uses surrounding the site include agricultural, single family development and a stream corridor. Future road construction and commercial development may take place around the proposed bank site and was considered in the layout of the plan.

COORDINATION WITH RESOURCE AGENCIES: This project is undergoing coordination with the following members of the Interagency Review Team (IRT) and other resource agencies: Environmental Protection Agency (EPA) Region 5, U.S. Fish and Wildlife Service (USFWS), The Minnesota Board of Soil and Water Resources (BWSR), The Minnesota Department of Natural Resources (DNR).

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 U.S. Army Corps of Engineers, Brainerd Field Office, 10867 East Gull Lake Drive, Brainerd, Minnesota 56401.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Evan Ingebrigtson in the Brainerd Field Office at (651) 290-5765.

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 applicant or are known to exist in the permit area. 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.

The aquatic resources, if any, within the boundaries of the proposed mitigation bank are being reviewed in accordance with current practices for documenting Corps jurisdiction under Section(s) 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

We have made a preliminary determination that the aquatic resources within the boundaries of the proposed mitigation bank are subject to Corps of Engineers jurisdiction under Section(s) 9 & 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If an approved jurisdictional determination is completed for this mitigation bank, a copy will be posted on the St. Paul District web page at the following link: http://www.mvp.usace.army.mil/Missions/Regulatory.aspx.

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 required compensatory mitigation would be accounted for in the credit yield calculations because this is a mitigation bank project.

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.

Benjamin R. Cox,
Chief, Northwest Section

Enclosure(s)

Figure No.
1

Title
Site Location Map

Client/Project
LaValle Wetland Bank Site
Marvin LaValle

Project Location
T31N, R21E, S19-20
C. of Hugo, Washington Co., MN

193703674
Prepared by SF on 2015-05-14
Technical Review by MP on 2015-05-19
Independent Review by JS on 2015-05-19

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Legend

Approximate Site Boundary

Notes
1. Coordinate System: NAD 1983 NSRS2007 StatePlane Minnesota Central FIPS 2202 Ft US
2. Data Sources Include: Stantec, ESRI
3. Base Data: Street Mapper

Stantec

Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2012

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Map symbol and map unit name
75: Bluffton loam
113: Webster loam
123: Dundas fine sandy loam
132C: Hayden fine sandy loam, 6 to 12 percent slopes
158B: Zimmerman fine sand, 1 to 6 percent slopes
158C: Zimmerman loamy fine sand, 6 to 12 percent slopes
159B: Anoka loamy fine sand, 3 to 9 percent slopes
225: Nessel fine sandy loam, 1 to 4 percent slopes
265: Soderville loamy fine sand
481: Kratka fine sandy loam
540: Seelyeville muck
543: Markey muck
544: Cathro muck
1813B: Lino variant loamy fine sand, 2 to 6 percent slopes

Figure No.
2

Title
Soil Survey Map

Client/Project
LaValle Wetland Bank Site
Marvin LaValle

Project Location
T31N, R21E, S19-20
C. of Hugo, Washington Co., MN

193703674
Prepared by SF on 2015-05-14
Technical Review by MP on 2015-05-19
Independent Review by JS on 2015-05-19

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Legend
- Approximate Site Boundary
- Drain Tile
- 2' Contours
- Ditch Flow Direction

NRCS Soil Survey Data
- Predominantly Hydric Soils
- Partially Hydric Soils
- Non-Hydric Soils

National Hydrography Data
- Perennial Stream
- Intermittent Stream
- Waterbody

Notes
1. Coordinate System: NAD 1983 NSRS2007 StatePlane Minnesota Central FIPS 2202 Ft US
2. Data Sources Include: Stantec, USGS, and USFWS
3. Orthophotography: 2013 NAIP

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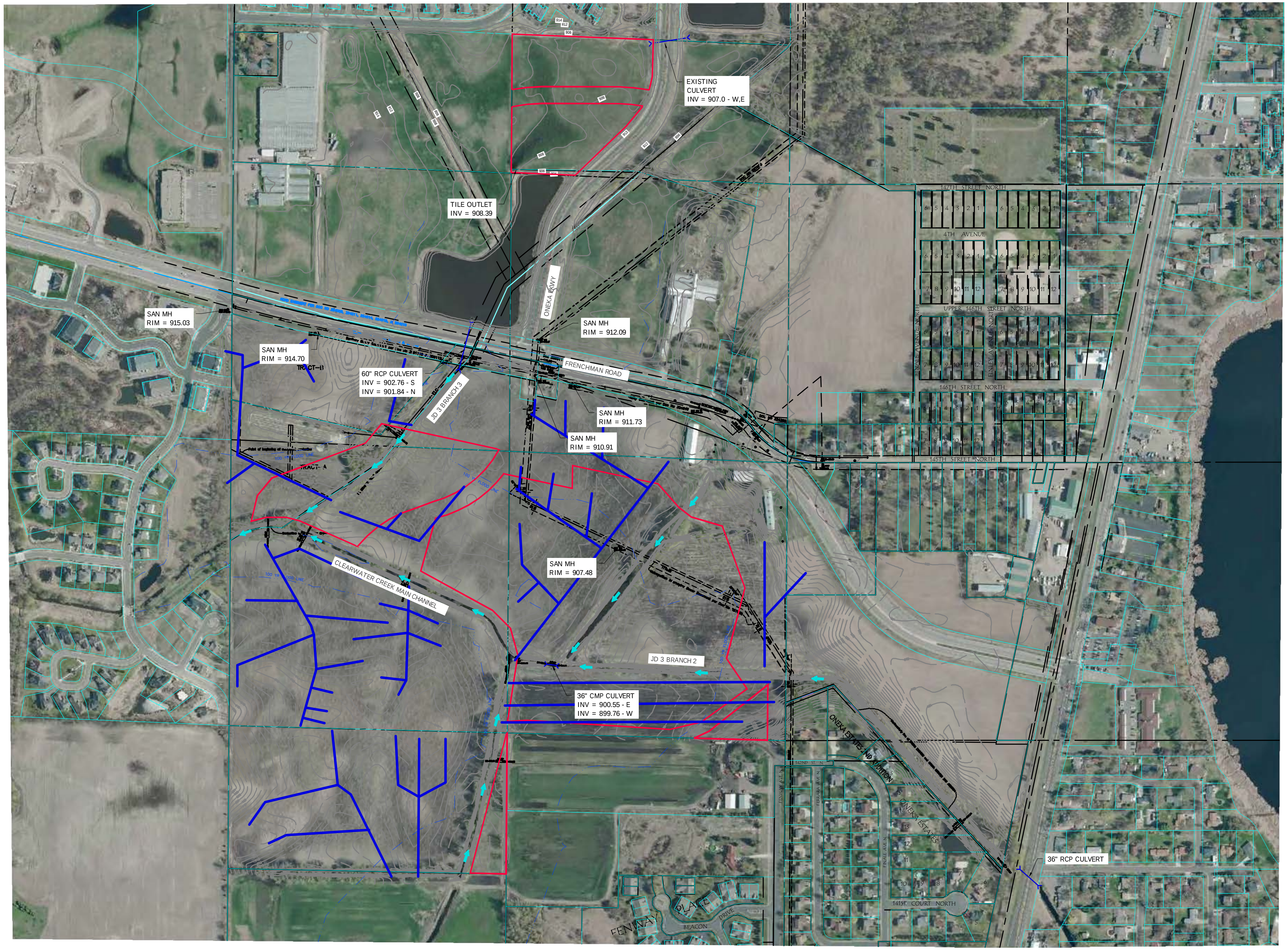

Legend

- Easement Boundary
- Draintile
- Ditch Flow Direction
- Culvert

N

0 500 1000

EXISTING CONDITIONS AND LAND USE

MARTIN LAVALLE

LAVALLE WETLAND BANK SITE

F I G U R E 3

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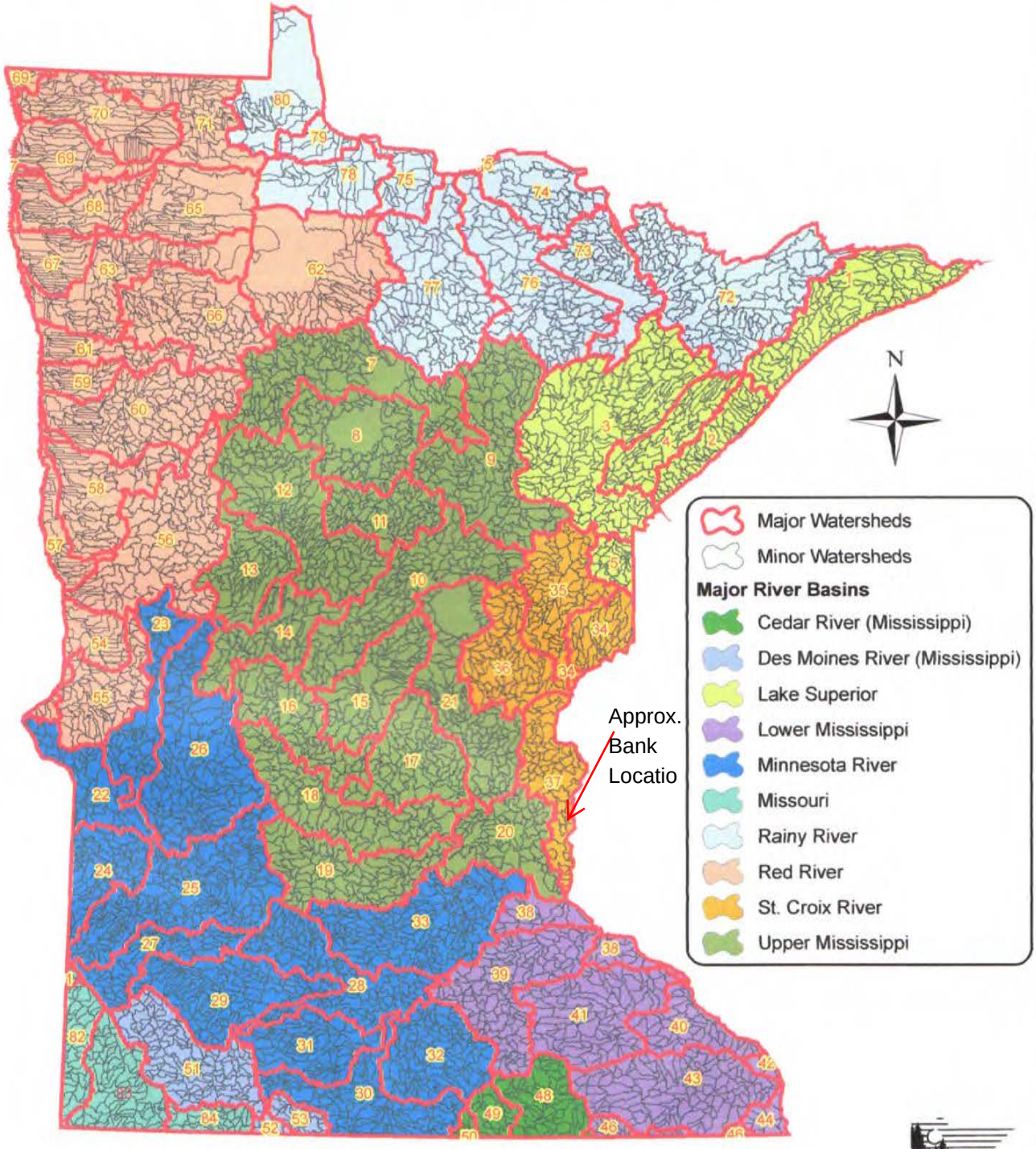
Major River Basins with Major & Minor Watersheds



Minnesota Board of Water & Soil Resources
WWW.BWSR.STATE.MN.US

Figure

PROPOSED VEGETATIVE CONDITIONS AND MONITORING PLAN

MARTIN LAVALLE

LAVALLE WETLAND BANK SITE

FIGURE 5

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Legend

Easement Boundary

Vegetative Monitoring Transect

Well Location

Wet Meadow: 3.90 AC

Upland Buffer: 3.38 AC

N

0 200 400

PROPOSED VEGETATIVE CONDITIONS AND MONITORING PLAN

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LAVALLE WETLAND BANK SITE

FIGURE 6

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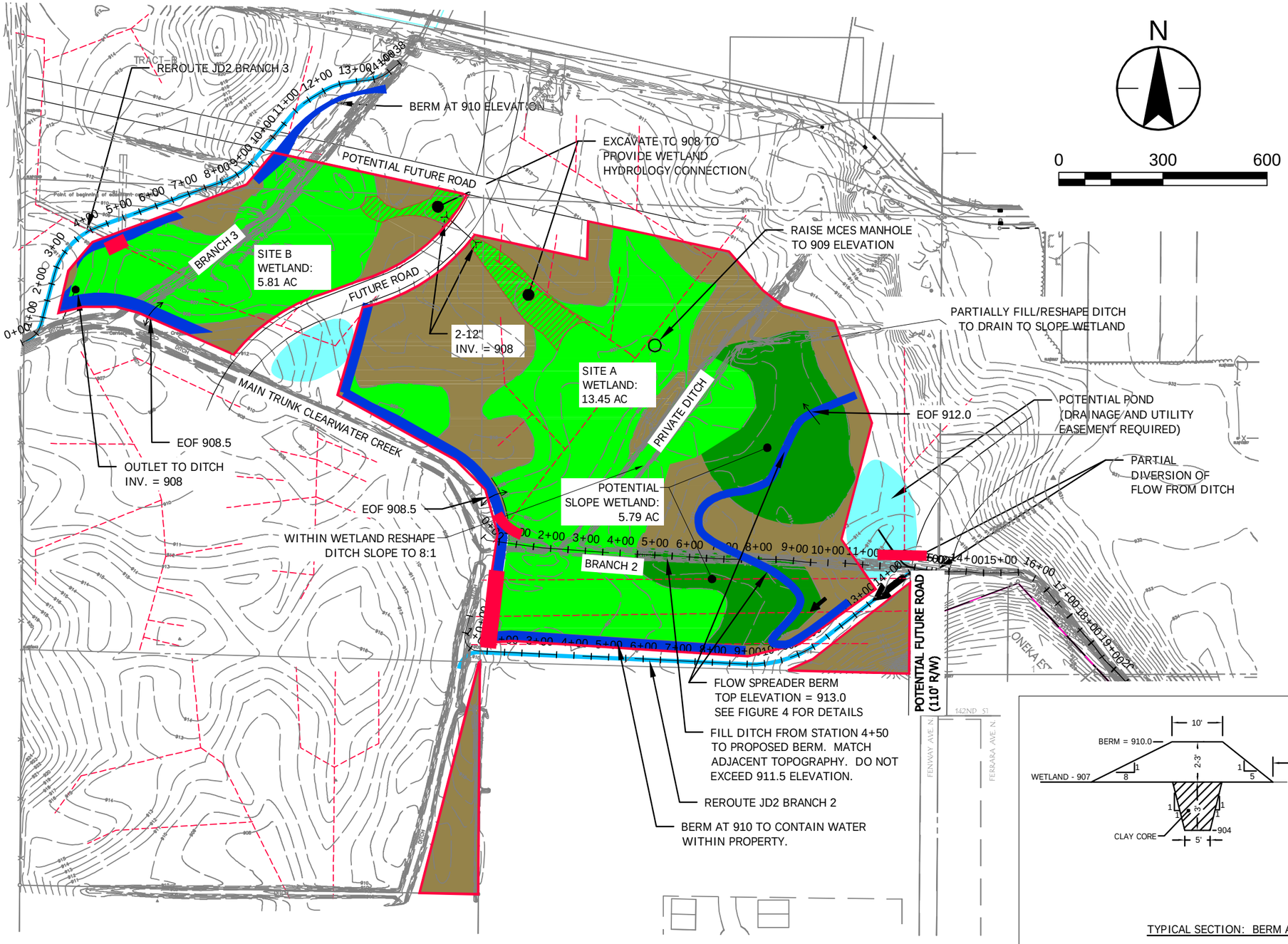
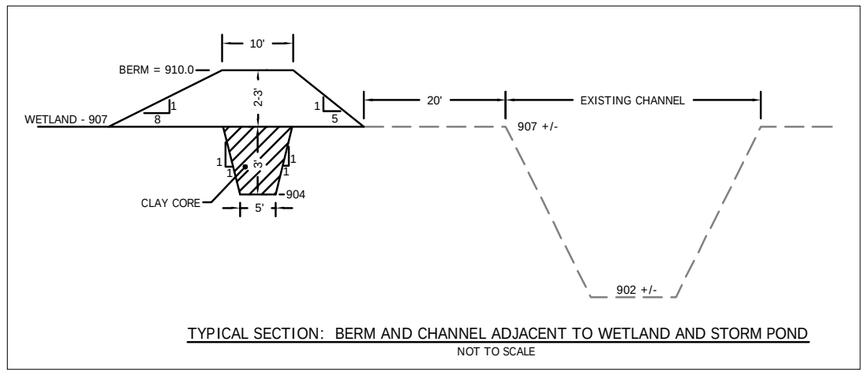


Legend

- Draintile
- Proposed Berm/Buffer: 2.62 AC
- Proposed Rerouted Ditch
- Tile Block/Removal
- Restored Wetland Re-established Wetland:17.63 AC Rehabilitated Wetland: 1.63 AC
- Estimated Boundary of Re-established Slope Wetland : 5.30 AC
- Estimated Upland Buffer: 13.71 AC
- Proposed Wetland Bank Easement



TYPICAL SECTION: BERM AND CHANNEL ADJACENT TO WETLAND AND STORM POND
NOT TO SCALE

CONCEPT PLAN - SITE A & B

MARTIN LAVALLE

LAVALLE WETLAND BANK SITE

DATE: FEBRUARY 2016 PROJ. NO.: 193703674

F I G U R E 7

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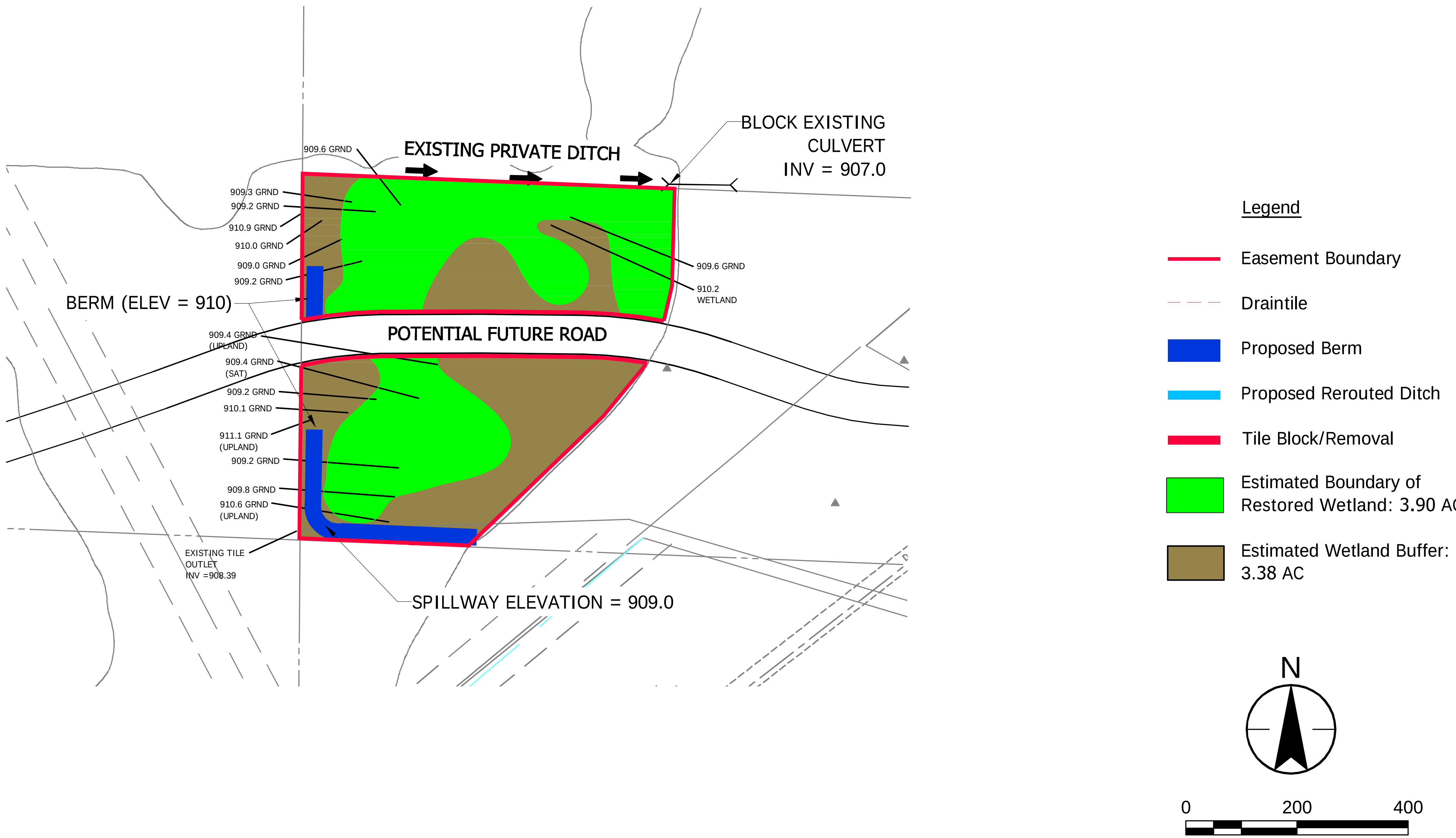

CONCEPT PLAN - SITE C

MARTIN LAVALLE

LAVALLE WETLAND BANK SITE

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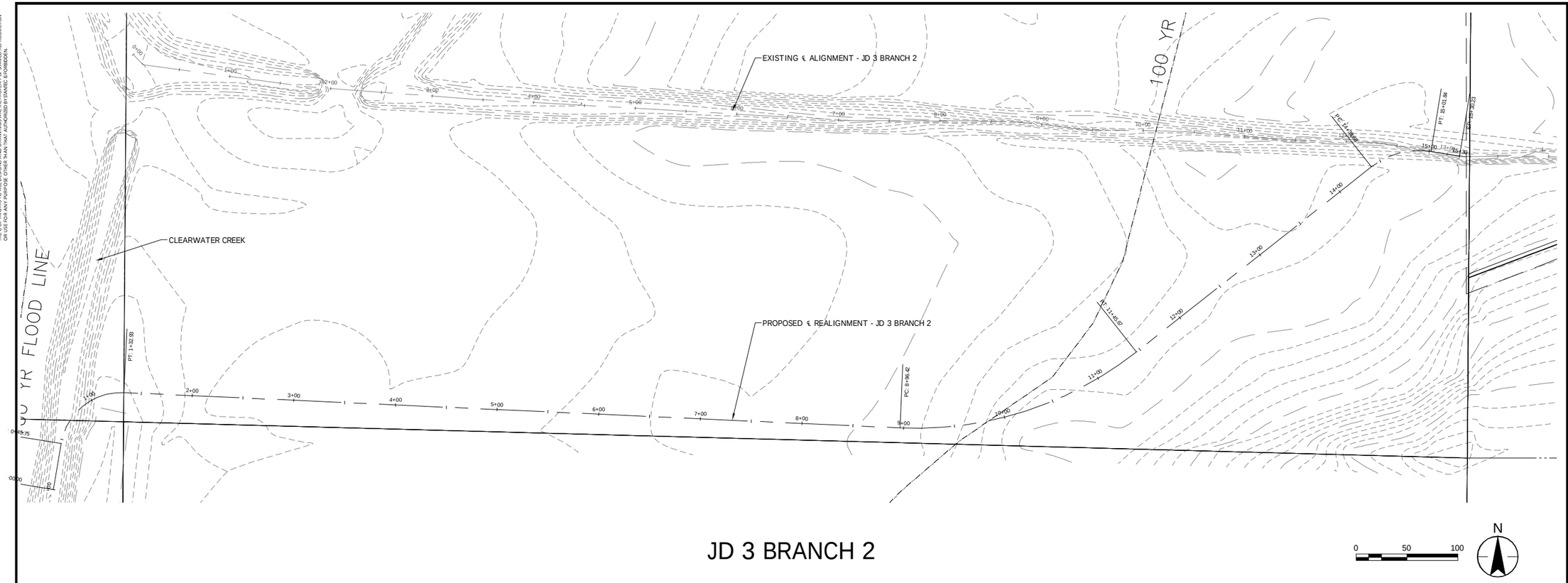
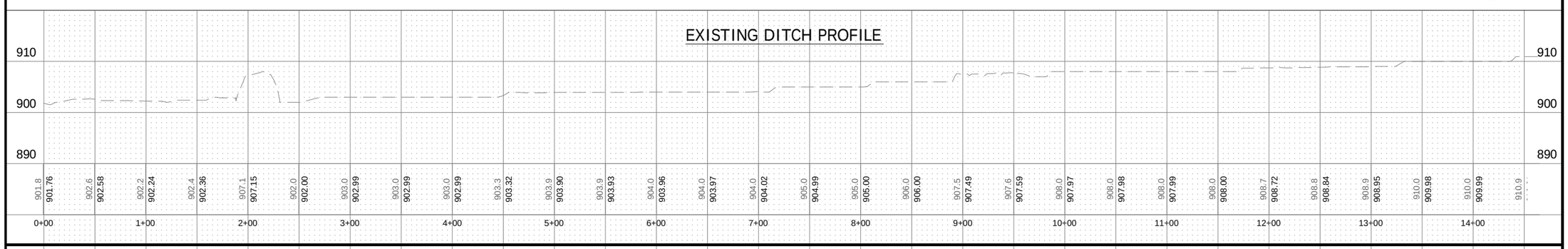
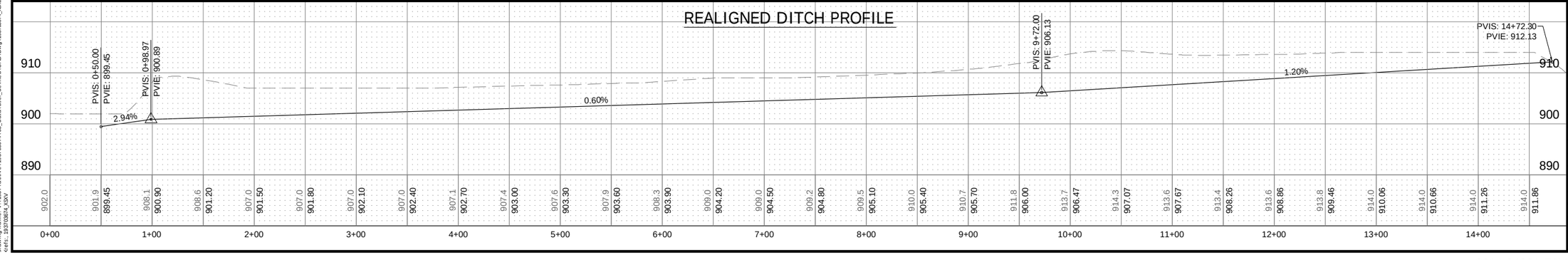


JD 3 BRANCH 2





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PRINT NAME

SIGNATURE LIC. NO.

DATE

Marvin LaValle
LaValle Wetland Bank

NO	REVISION	DATE

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DESIGNED
CHECKED
APPROVED
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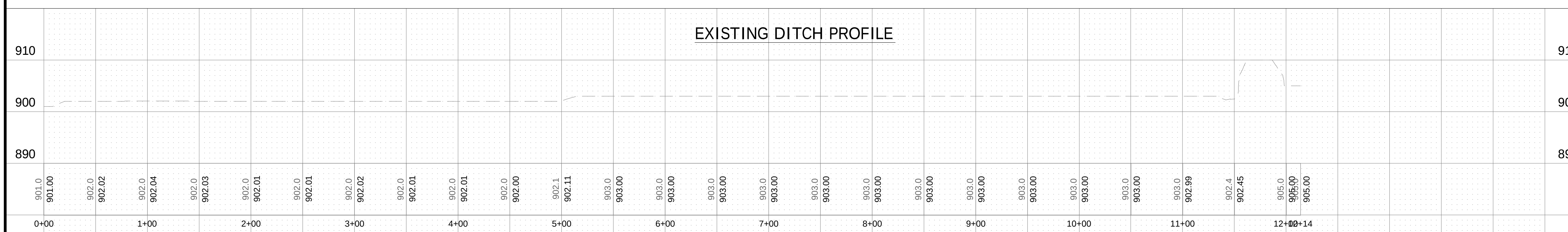
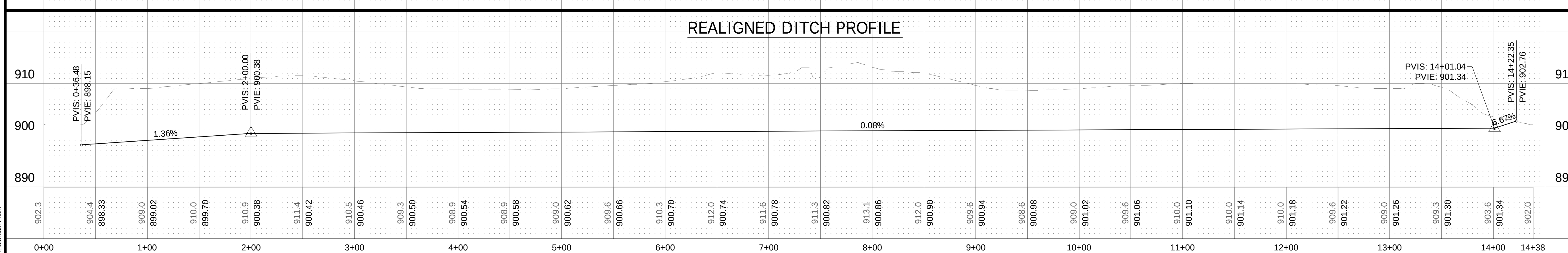
JD 3 BRANCH 3





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DATE: LIC. NO.

Marvin LaValle
LaValle Wetland Bank

NO	REVISION	DATE

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APPROVED
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SHEET NUMBER

Figure 10

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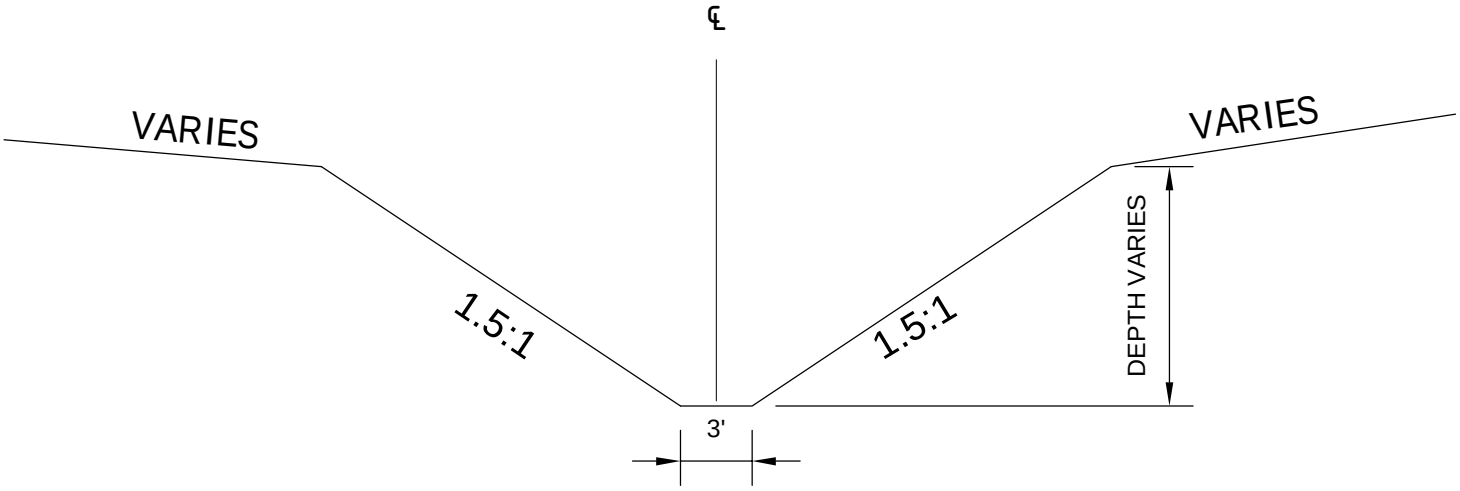
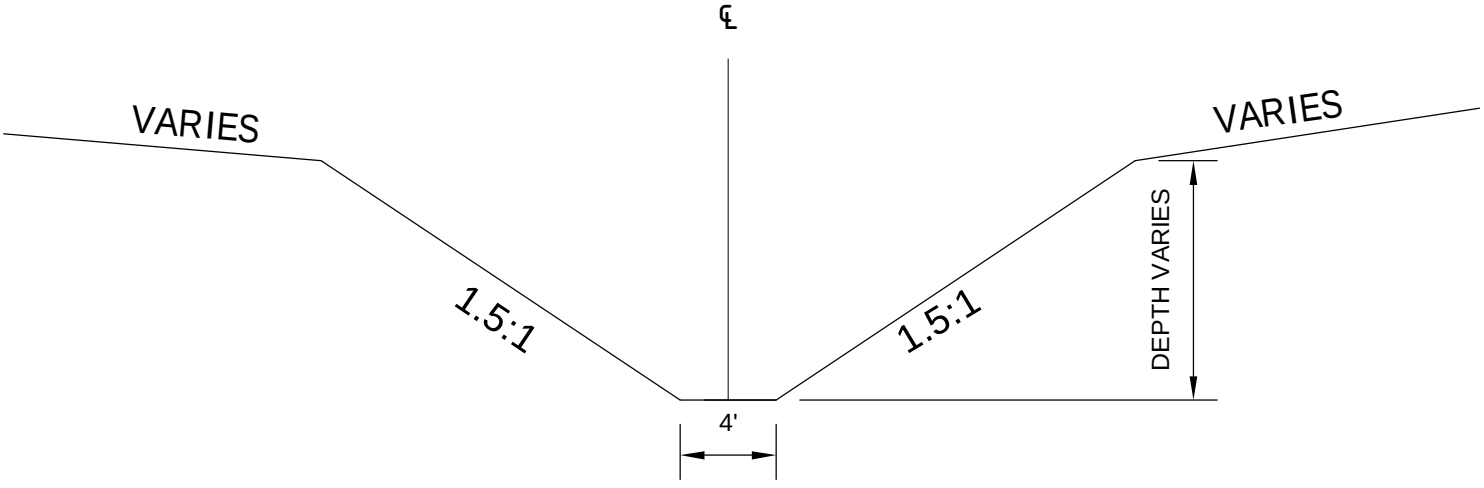


TYPICAL SECTION - JD3 BRANCH 2



TYPICAL SECTION - JD3 BRANCH 3

Marvin LaValle
LaValle Wetland Bank
Typical Cross Sections Branch 2 and 3
Figure 11

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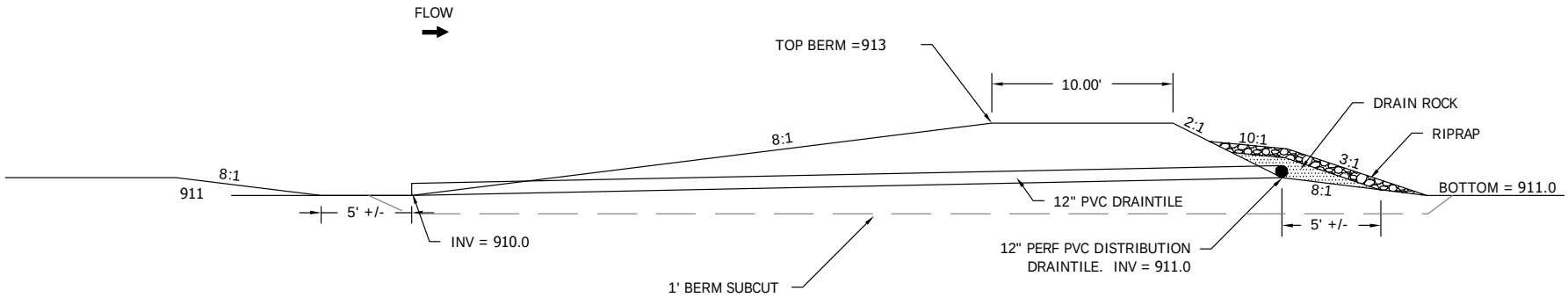

TYPICAL SECTION - SPREADER BERM

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LAVALLE WETLAND BANK

DATE: 1-29-16

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FIGURE 12

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Data Source(s): MnDOT BaseMap Roads (2004) for Washington County, MnGEO WMS (2012 Twin cities color-Accessed October 2014), Westwood (2014).

LaValle Property

Hugo, Minnesota

Delineated Water Resources

Figure 13

Westwood Professional Services, Inc.
7699 Anagram Drive
Eden Prairie, MN 55344

PHONE 952-937-5150
FAX 952-937-5822
TOLL FREE 1-888-937-5150

www.westwoodps.com

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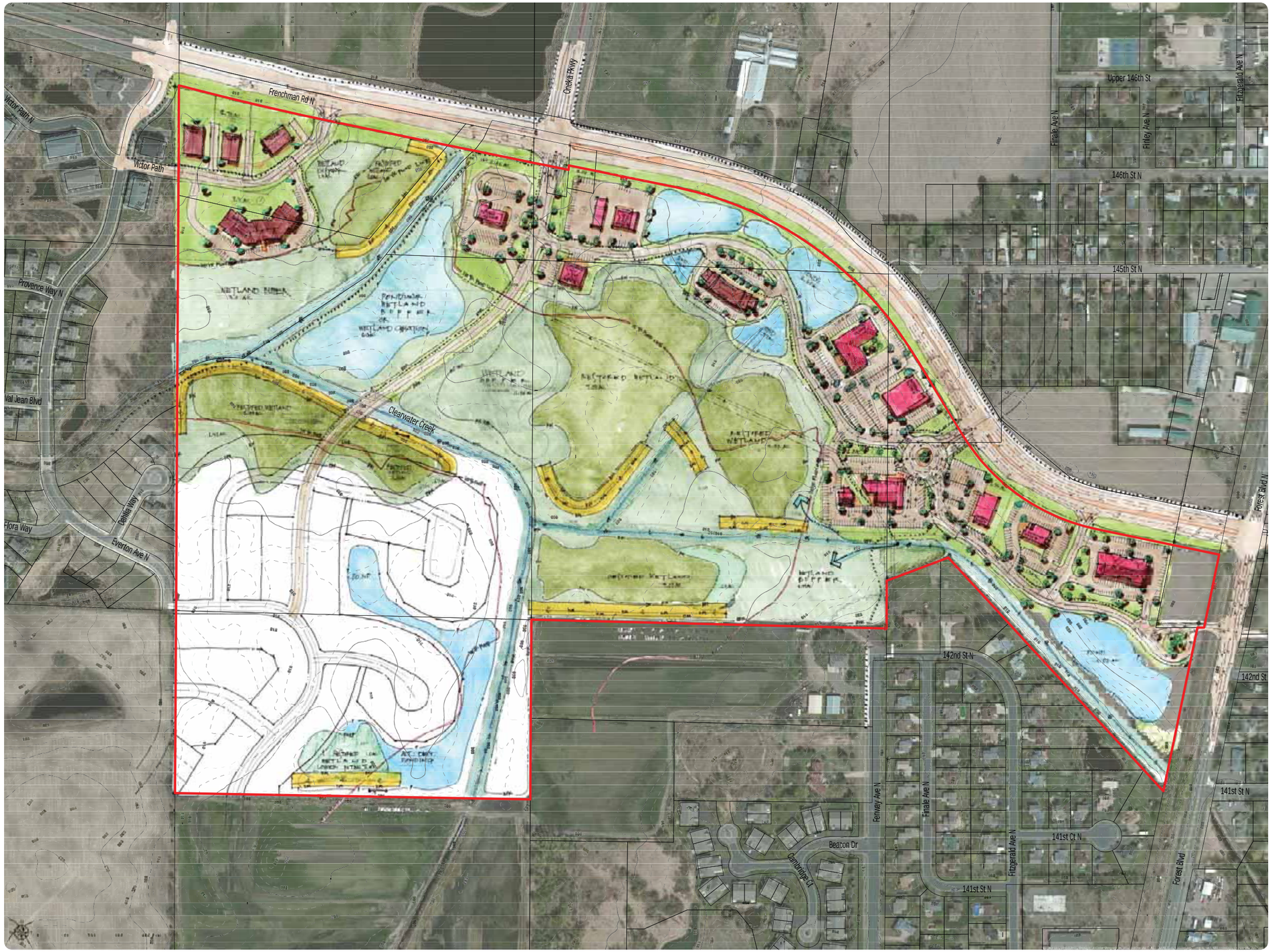
0 400 Feet

Map Document: P:\0004092.00\GIS\lavalle_wtld_01A.mxd 11/13/2014 12:01:20 PM



LAVALLE SITE - HUGO, MINNESOTA

CONCEPT PLAN

193703674

Updated June 05, 2015

Stantec