



US Army Corps  
of Engineers  
St Paul District

**SPONSOR:** Jonathan Schmitz,  
Spartan Land  
Investments, LLC

# Public Notice

**ISSUED:** December 22, 2014

**EXPIRES:** January 23, 2015

**REFER TO:** MVP-2010-00527-BCN

**SECTION:404 - Clean Water Act**

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

**SPONSOR'S ADDRESS:** Mr. Jonathan Schmitz  
Spartan Land Investments, LLC.  
415 W. Wisconsin Street, Suite 1  
Sparta, Wisconsin 54656

**SPONSOR'S AGENT** Wisconsin Wetland Specialists  
1001 Emery Street  
Neillsville, Wisconsin 54456-1430

**PROJECT LOCATION:** The project site is located in Sections 11 and 12 of Township 17 North, Range 1 West, Monroe County, Wisconsin. The approximate UTM coordinates are N 450082.475, E 5043568.185. Latitude 43.96521, Longitude -90.45988.

**BANK SERVICE AREA:** The proposed bank service area is the Lower Wisconsin Bank Service area.

**DESCRIPTION OF PROJECT:** The sponsor is proposing to develop the Kreyer Creek Wetland Bank. The proposed bank site is approximately 238.62 acres in size, including upland buffer areas. Currently, the parcel is comprised of approximately 128 acres of wooded upland and wetland. About 102 acres of the site are used for agriculture; in 2014, approximately 65 acres was planted to no-till soybean, and 37 acres was left fallow. The site contains an access drive, and is bisected into east and west halves by Kreyer Creek. The wetland delineation provided indicates that approximately 108 acres of the site is extant wetland. Two ditches (WLAT and ELAT) are internal to the site and drain to Kreyer Creek, and three additional ditches run along the southern property boundary (SPL), the northern boundary (NPL) and the eastern property (public ditch). The property is bounded to the west by County Road CA, to the north by light industrial development, and to the south and west by agriculture. See the attached drawings for more information.

The sponsor has proposed to rehabilitate the wooded wetlands, complete hardwood restoration in field 8, remove woody invasives control along Kreyer Creek, create Karner Blue Butterfly (KBB) habitat in field 1, provide wet-mesic prairie communities in fields 2, 3, and 6,

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provide fresh wet meadow communities in fields 4 and 7, remove invasives and provide buffer areas within fields 5 and 7.

To restore hydrology, the sponsor has located the existing tile within the proposed bank acreage, and has proposed to disrupt all tile on site. Ditches WLAT and ELAT are proposed to be filled, existing soil stockpiles are proposed to be removed, and a culvert is proposed to be placed at an appropriate elevation to allow water to flow east beneath the existing north-south access road at the east side of the existing crop fields. Within the existing wooded communities, the majority of the work proposed includes targeting the removal of invasive species such as *Frangula alnus*, *Salix interior*, and *Lonicera spp.* Within the proposed KBB habitat area, initial work includes herbicide targeting *Ambrosia spp.* and cover crop planting, with late season butterfly mix planting. All areas on site will be treated to limit invasives, however, the work proposed to control *Phalaris arundinacea* (RCG) in field 7 will be rigorous. Routine cutting and herbicide will be conducted for three years in advance of seeding. Initial seed mix will only include seges and bulrushes to allow for continued targeted RCG herbicide treatments post-seeding.

Permanent monitoring points have been established in all areas to document existing vegetation and evaluate cover establishment goals after construction. The initial reduction goal of *Salix sp.*, *Frangula alnus* and *Lonicera spp.*, in the shrub stratum, is 20% or less by absolute cover method. The maintenance level goal in the shrub stratum will be 30% or less absolute cover. The initial reduction goal in the herb stratum of RCG will be reduced to 20% or less by absolute cover. The maintenance goal in the herb stratum for the RCG will be 30% or less absolute cover.

The ownership and management will be handled by the present partners in Spartan Land Investments LLC. They will continue to consult with extension agents and other experts to insure the success of this project. The site would be adaptively managed for development of desired native communities. 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. 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 have been debited, long-term management obligations would fall to the landowner under state law. Any transfer of property ownership will not happen until all available wetland credits have been obtained and sold. Additional protections and management limitations would be spelled out in both a conservation easement and in an approved bank plan.

The sponsor has proposed to restore approximately 39 acres of wet-mesic prairie, 50.3 acres of fresh wet meadow, and 6 acres of hardwood wetland. Approximately 56 acres of wooded wetland, 0.6 acre alder thicket, 6 acres of sedge meadow, 1.4 acres shrub carr, and 2.5 acres if wet meadow is proposed to be rehabilitated. Approximately 64 acres of buffer, including 4 acres of wet buffer, and 4 acres of KBB habitat, is proposed.

COORDINATION WITH RESOURCE AGENCIES: This project has been coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies:

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the Wisconsin Department of Natural Resources and the U.S. Environmental Protection Agency.

**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 Rebecca Graser at the Waukesha office of the Corps, telephone number (651) 290-5728.

To receive Public Notices by e-mail, go to: [http://mvp-extstp/list\\_server/](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 within the proposed action area. However, Monroe 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. During summer, roosts and forages in upland forests. |
| Whooping Crane          | Open wetlands and lakeshores. Whooping cranes have nested in this county.  |
| Eastern Massasauga      | Open to forested wetland and adjacent uplands.   |
| Karner Blue Butterfly   | Prairie, oak savanna, and jack pine areas with wild lupine.  |
| Northern Monkshood      | North facing slopes.   |

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

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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.

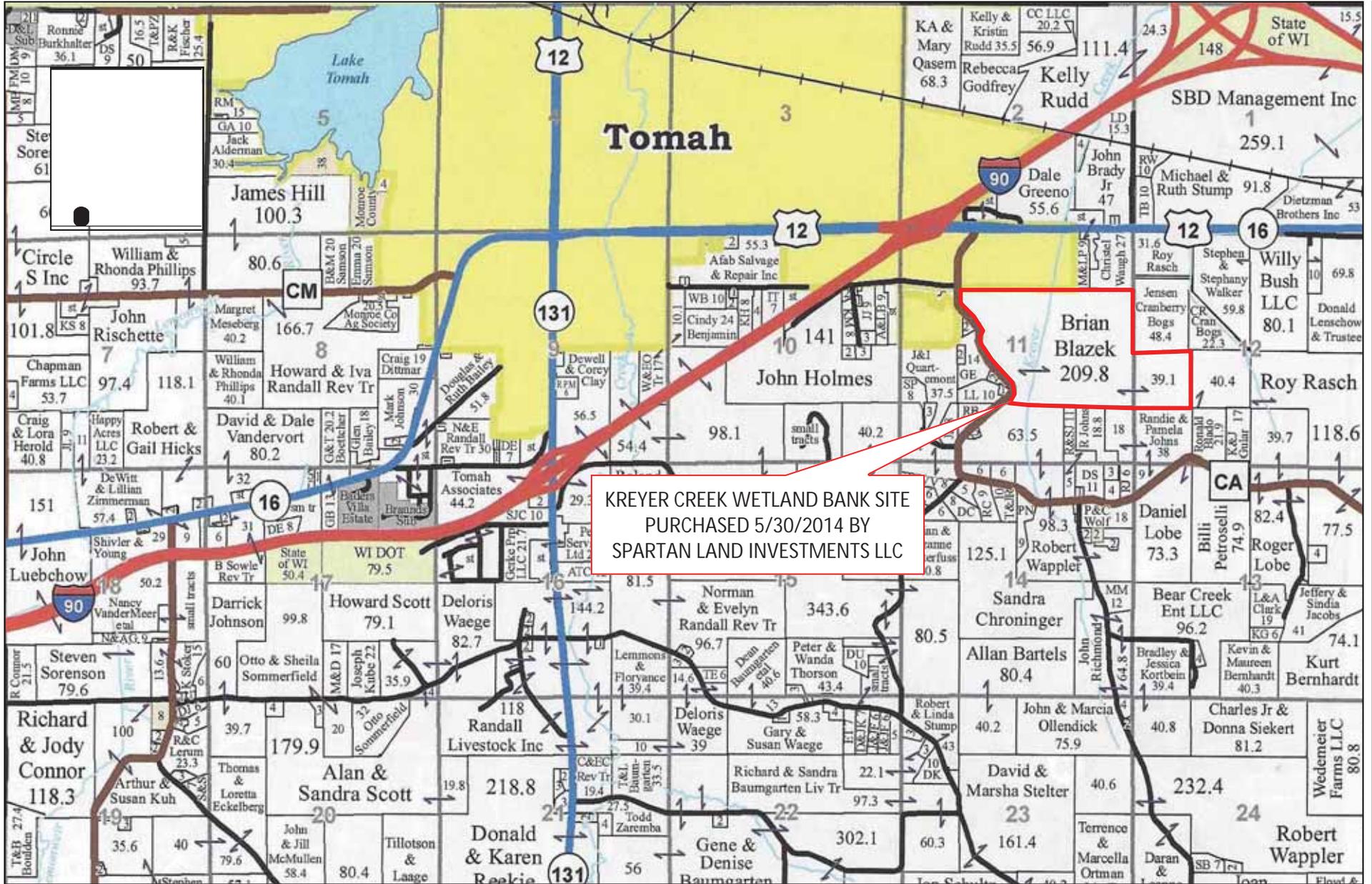
The latest versions of the National Register of Historic Places and the Wisconsin Historic Preservation Database have been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located within, or adjacent to the project area.

**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.

Jeff Olson,  
NE Section Chief, Regulatory Branch

Enclosure(s)



KREYER CREEK WETLAND BANK SITE  
PURCHASED 5/30/2014 BY  
SPARTAN LAND INVESTMENTS LLC

Location Overview Map

CO HWY CA

Property Boundary in Red, One-Foot Contours Shown

2010-0527-BCN, Figure 2 of 8

Kreyer Creek

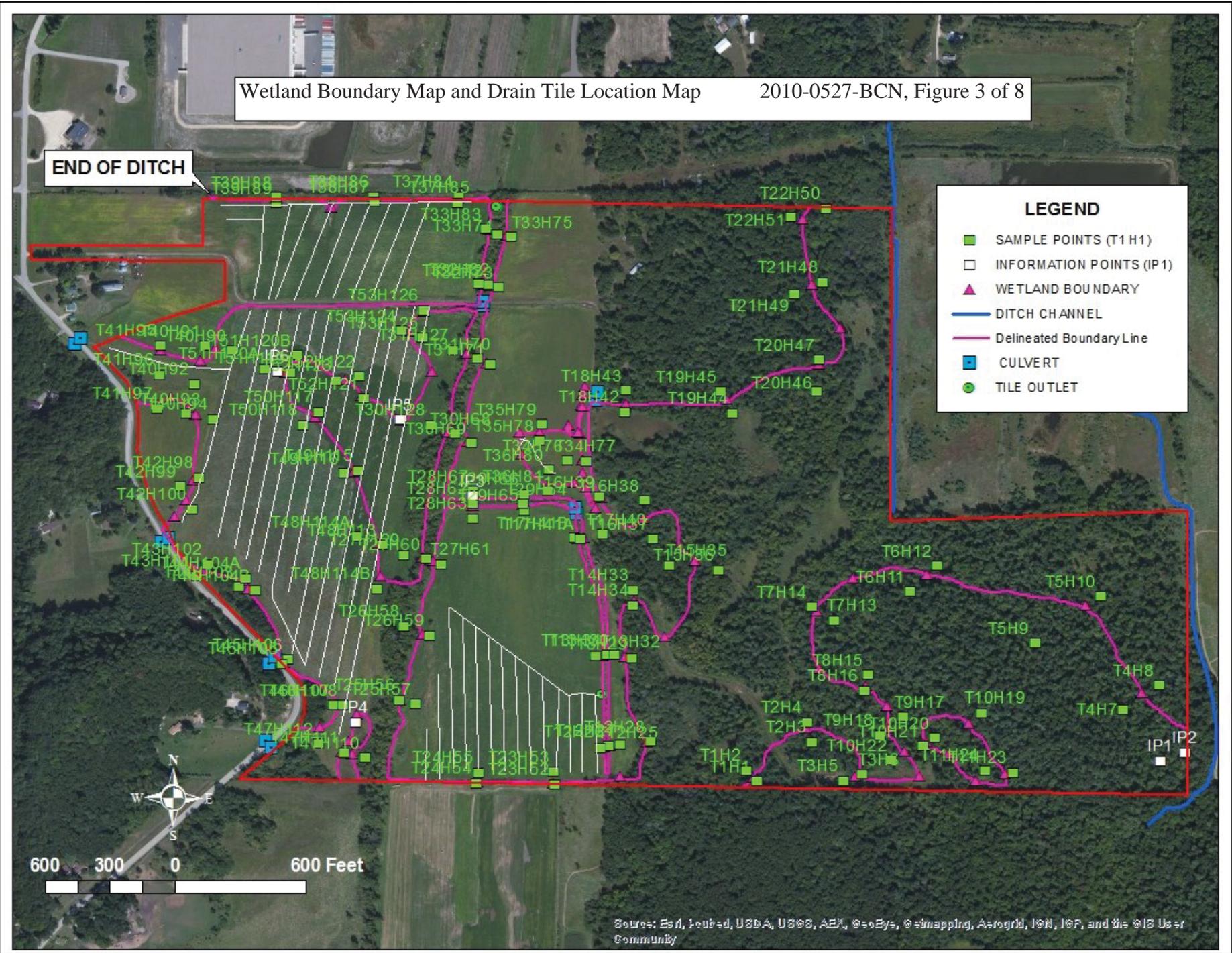
### LEGEND

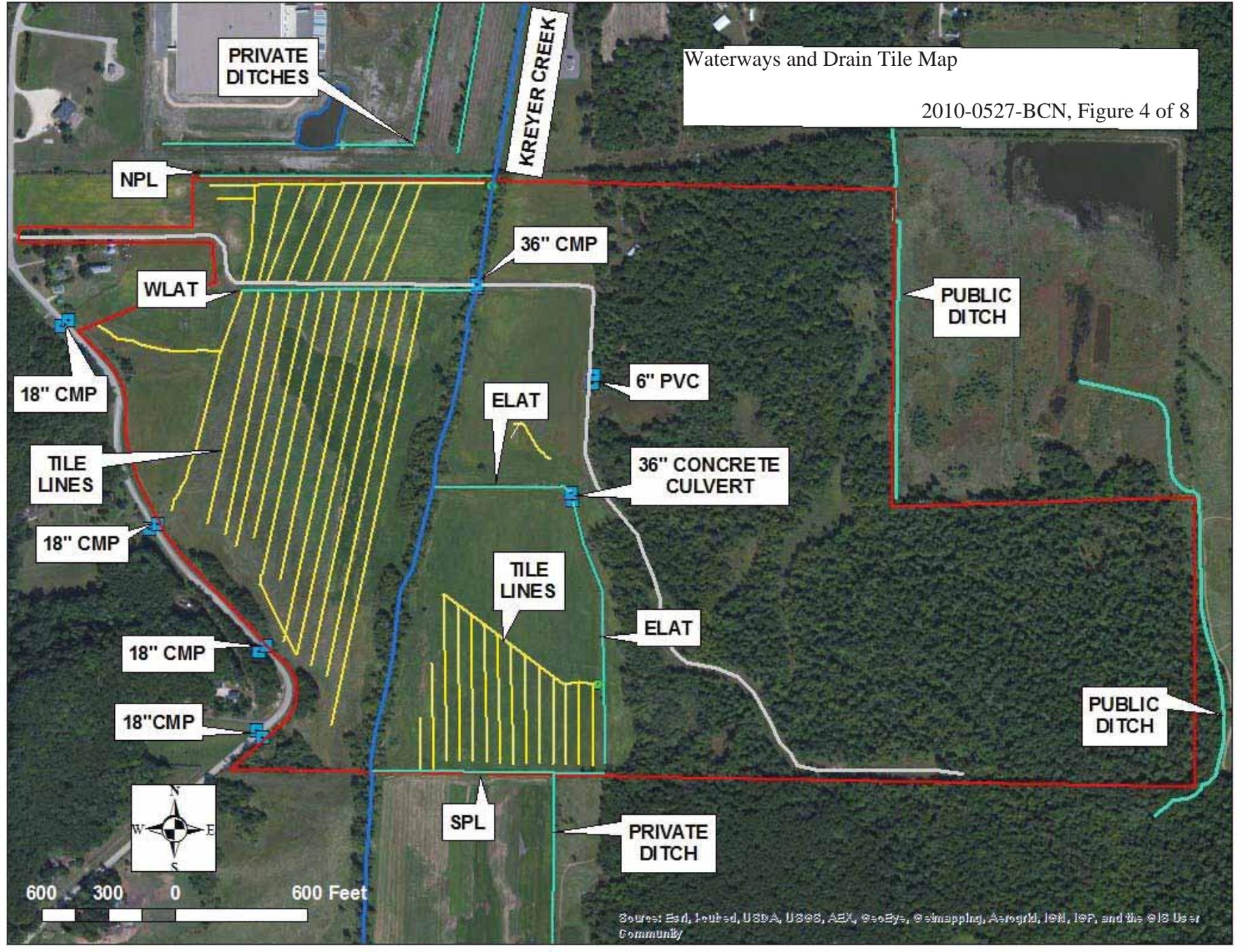
- 1 FT CONTOURS
- BURIED CABLE
- POWER POLE
- X-SECTIONS



625 312.5 0 625 Feet

Source: Esri, DeLorme, USDA, USGS, AEX, GeoEye, @mapping, AeroGrid, IGN, ICF, and the @IS User Community

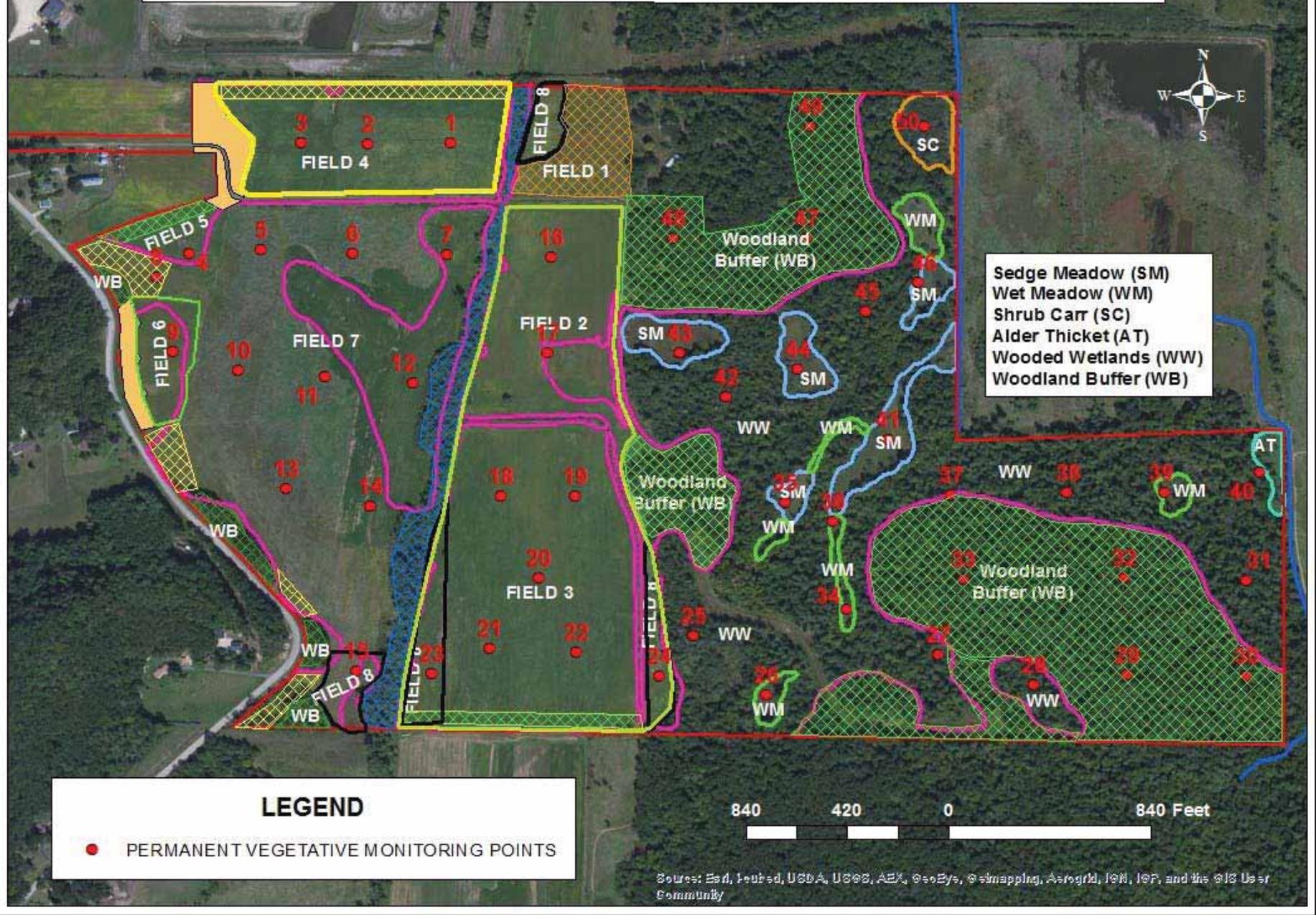


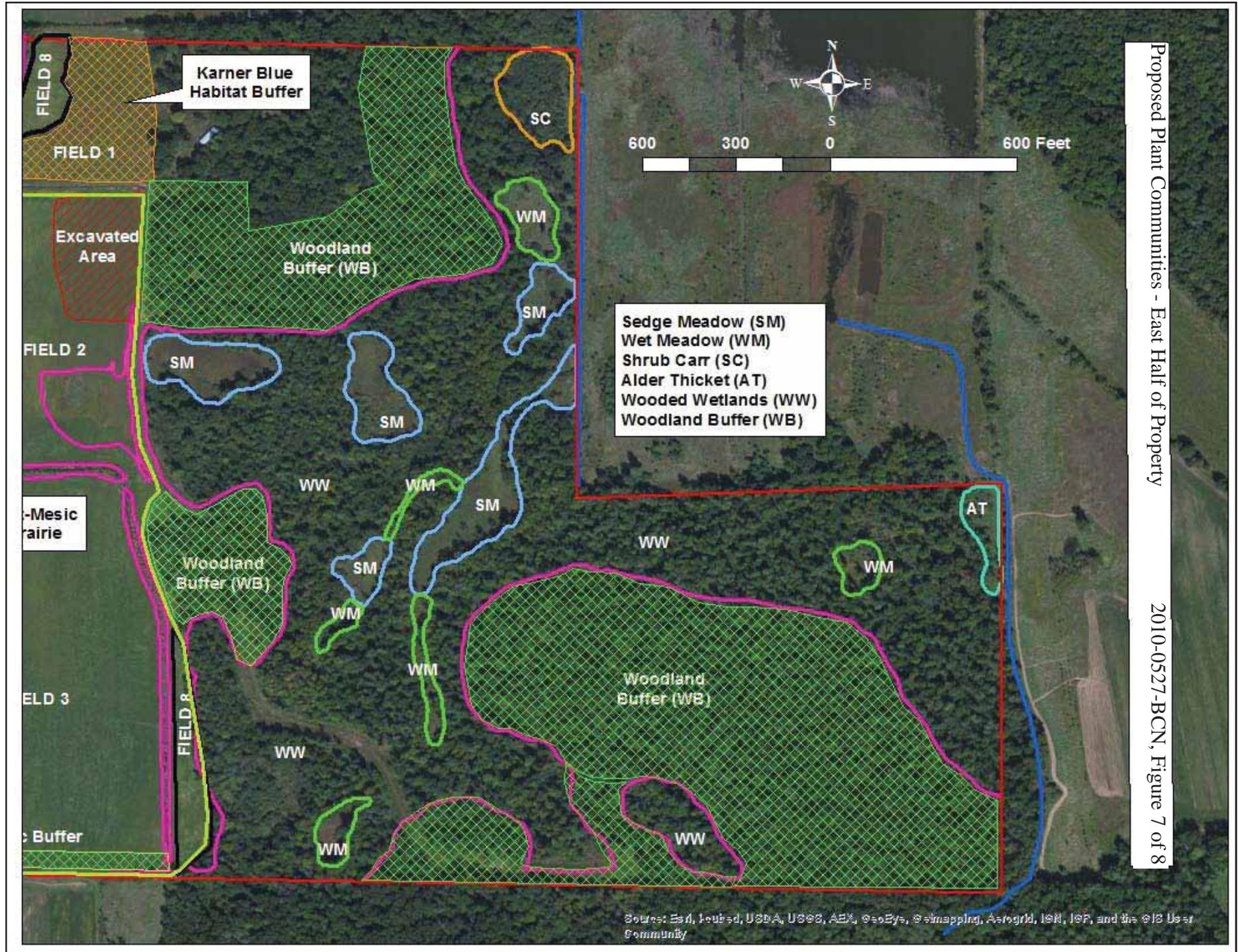


Sources: Esri, Leica, USDA, USGS, AEX, GeoEye, © mapping, Aerogrid, IGN, IGP, and the © IS User Community



Field Locations Map





Source: Esri, DeLorme, USGS, AeroMap, GeoEye, GeoMapping, AeroGrid, IGN, IGP, and the GIS User Community

