



US Army Corps
of Engineers
St Paul District

SPONSOR: Brown County Public
Works Department

Public Notice

ISSUED: November 7, 2013

EXPIRES: December 10, 2013

REFER TO: 2013-04100-JRS

SECTION:404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

2. SPECIFIC INFORMATION.

SPONSOR'S ADDRESS: Brown County Public Works Department
2198 Glendale Avenue
Green Bay, Wisconsin 5430

SPONSOR'S AGENT: Stantec Consulting Services Inc.
954 Circle Drive
Green Bay WI 54304

PROJECT LOCATION: The project site is located in the SW $\frac{1}{4}$, SW $\frac{1}{4}$, Section 19, T. 21N., R. 20E., Brown County, Wisconsin. The approximate UTM coordinates are N 974902524.1, E 409878. The proposed bank is located at the northeast corner of the intersection of Vande Wattering Road and CTH Z. Please see attached drawing for location description.

BANK SERVICE AREA: The bank proposal is located within the Fox Bank Service Area. The bank sponsor may propose to expand the service area to the Northwestern Lake Michigan service area, which would allow Brown County to use credits throughout the entire county.

DESCRIPTION OF PROJECT: The sponsor is proposing to develop the CTH Z Wetland Mitigation Bank. The proposed bank site is approximately 15.5 acres in size with the majority in agricultural use and the remaining area containing hardwood swamp. Surrounding land use is dominated by agricultural and additional hardwood swamp continuing north from the proposed bank site. Historically, the proposed bank area was likely hardwood swamp/forested area. The area was then cleared for agricultural use in the early 1900's, sometime before 1938. Trees were harvested, stumps were removed and networks of ditches were installed to facilitate drainage. Historical aerial photos have revealed that the area has been in crop production continually since that time.

Water enters the site from overland flow from adjacent agricultural fields concentrated into two culverts placed under CTH Z. The surface water then flows north into the hardwood swamp and eventually discharges west into an agricultural ditch. The restoration of the site would be completed by filling the ditches, removing existing soil piles, grading and installing ditch plugs throughout the site to restore the hydrologic regime. Shallow scrapes would be excavated to maximize available wildlife habitat and vegetative/hydrologic diversity within the restored system. The bank sponsor is currently proposing to restore 6.85 acres of wet mesic prairie, enhance 6.13 acres of hardwood swamp and establish a 2.52 acre upland buffer. The sponsor has indicated that they are pursuing the purchase of an additional 19 acres of hardwood swamp adjacent to the current proposed bank area. If this purchase is successful, the sponsor may propose additional preservation/enhancement areas that could provide additional acreage to the site.

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The goal of the bank project is to increase wetland function and value within the site and immediate areas. The site is located within a heavily agricultural region. The inclusion of additional wetland area would increase floral diversity, wildlife habitat, water quality protection and flood/storm water attenuation functions, aesthetics, recreational and educational services within the watershed.

A wetland delineation has been completed on the site. The proposed bank project would likely require minor filling activities within these wetlands which would require authorization under Section 404 of the Clean Water Act. Impacts have not yet been quantified though they would be minimized to the maximum extent practicable.

The ownership arrangement and long-term management of the site will be controlled by the Brown County Public Works Department.

COORDINATION WITH RESOURCE AGENCIES: This project is being coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: Wisconsin Department of Natural Resources, The United States Environmental Protection Agency, United States Natural Resource Conservation Service and the United States Fish and Wildlife Service.

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, 211 North Broadway, Suite 221, Green Bay, Wisconsin 54303. Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Joey Shoemaker at the Green Bay Field Office of the Corps, telephone number (920) 448-2824.

To receive Public Notices by e-mail, go to the St. Paul District web page at http://mvp-extstp.mvp.usace.army.mil/list_server/ and sign up by clicking on:

[Email Notification of Public Notices](#)

Located on the left side of the web site under Notices.

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, Brown County is within the known historic range for the following Federally-listed species and habitat:

Dwarf Lake Iris (*Iris lacustris*) partially shaded sandy-gravelly soils on lakeshore

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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 mitigation bank proposal is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 08-02. We have made an initial determination that the 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. The Corps will prepare an approved or preliminary jurisdictional determination prior to making a permit decision. Approved jurisdictional determinations are posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

6. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. 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.

Tamara E. Cameron,
Chief, Regulatory Branch

Enclosure(s)

ORDER OF SHEETS

- Sheet No. 1 TITLE
- Sheet No. 2 PLAN SHEET
- Sheet No. 3 WETLAND AREAS
- Sheet No. 4 EROSION CONTROL PLAN

TOTAL SHEETS = 4

BROWN COUNTY PUBLIC WORKS DEPARTMENT

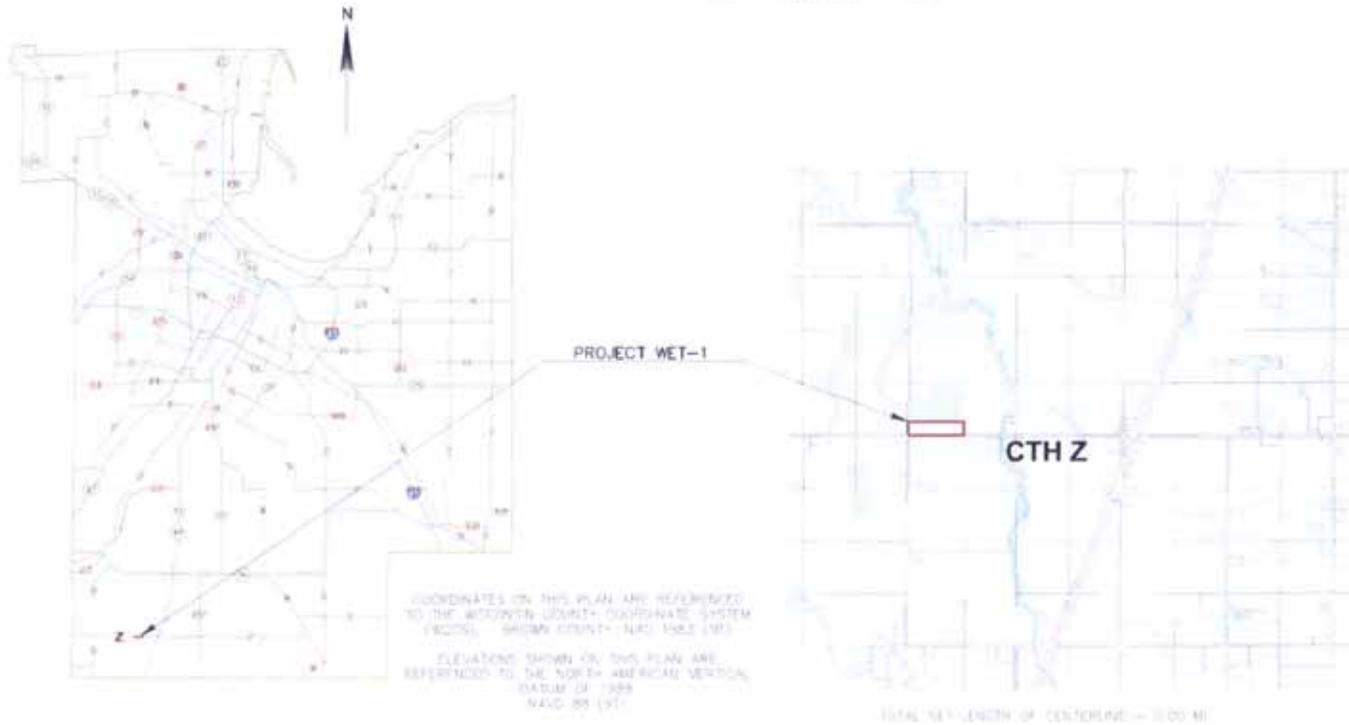
PLAN OF PROPOSED IMPROVEMENT

WETLAND MITIGATION SITE 1

NE CORNER CTH Z & VANDERWETTERING ROAD

BROWN COUNTY

PROJECT NAME
WET-1



 BROWN COUNTY PUBLIC WORKS DEPARTMENT
209 SENECA AVE
DREW, MO. 64530
816-492-4922

APPROVED FOR BROWN COUNTY:

DATE: _____

FOR FURTHER INFO:
ENGINEER: _____



