



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

SPONSOR:

Gary Palmer -
L.B. Palmer Family
Wetland Mitigation

Public Notice

ISSUED: October 9, 2015

EXPIRES: November 9, 2015

REFER TO: MVP-2015-01925-JVD

SECTION: 404 – Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL.

2. SPECIFIC INFORMATION.

SPONSOR'S ADDRESS: Mr. Gary Palmer
L.B. Palmer Family Wetland Mitigation
2392 White Oak Trail
Oregon, Wisconsin 53575

SPONSOR'S AGENT: Ms. Maria Scholze
Wisconsin Wetland Specialists
1001 Emery Street
Neillsville, Wisconsin 54456-1430

PROJECT LOCATION: The project site is located in the Township of Sharon in the SE ¼ of the NW ¼ of Sec. 11, T. 1N., R. 15E., Walworth County, Wisconsin. The approximate UTM coordinates are Lat: 42.55950 Long: -88.69297.

BANK SERVICE AREA: The proposed bank service area is the Rock Bank Service Area.

DESCRIPTION OF PROJECT: The sponsor is proposing to develop the L.B. Palmer Family Mitigation Bank. Current land use of the bank site is managed cropland except for a small depressional wetland, a grassed waterway, and the vegetated areas along the 4 property lines. Pre-existing wetlands include 0.27 acres of sedge meadow and 0.9 acres of depressional wetland. The proposed bank site is approximately 40.38 acres in size, including upland buffer areas. Currently, the sponsor has proposed to enhance approximately 0.27 acres of existing sedge meadow and to re-establish 2.15 acres of sedge meadow, 31.71 acres of wet-mesic prairie (including the native wetland buffer areas), and 6.25 acres of native upland mesic prairie buffer.

The bank site contains a small area within the field identified as a depressional wetland, which was identified on both the federal and state wetland maps. A grassed waterway was constructed to assist in the conveyance of the surface water runoff from the adjacent upland fields, across the bank site to the adjoining WDNR property. The northwest corner of the bank site includes a small sedge meadow that extends into the WDNR property to the north. Along the east property line the land is elevated. A topographic survey completed on the site shows this area to be about 2 feet higher than the lowest elevation on the bank site adjacent to the east property line. There is a small trench between the west property line and the WDNR access lane. The size and depth varies along the length. The south and east region of the bank site contains few trees along the property border in addition to managed agricultural cropland.

Operations - Regulatory (2015-01925-JVD)

The surrounding land use and property description to the south and east of the bank site include managed agricultural croplands and the property to the north and west are WDNR lands. The property to the north includes Darien Creek, which is a small continuous stream that flows for 5.3 miles through agricultural areas. To the west of the bank site is an unnamed tributary to Darien Creek and to the south is Shadys Road. To the east and northeast is the Wisconsin & Southern Railroad.

To restore hydrology, the sponsor will attempt to obtain permission for access to disrupt subsurface tile outlet main that is located on WDNR property. Based on the USDA NRCS Wetland Restoration Standard (CODE 657), the minimum length of subsurface drain tile to be removed or rendered inoperable for the silt/loam soil type that is present is 100 feet. This would entail removing a 100 foot length of the main tile line and outlet. Although not required under CODE 657, the sponsor also proposes an additional disruption of the subsurface tile lines on the Bank property by breaking them every 80 feet. This will be accomplished by running a trencher perpendicular to the existing tile lines, at a spacing of about 80 feet. If authorization is not obtained from the WDNR, disablement of the subsurface tile system will then be completed entirely within the Bank site property. This will be accomplished by removing a 100 foot section of both subsurface Main A and Main B tile lines. The additional disruption by trencher will be completed as described previously.

Permanent monitoring points will be placed in the four proposed plant community's areas. The points and meander survey techniques will be used to quantify the reestablishment of the native communities and locate any invasive non-native (INN) species such as: garlic mustard (*Alliaria petiolata*), honeysuckle (*Lonicera spp.*), wild parsnip (*Pastinaca sativa*), common buckthorn (*Rhamnus cathartica*), and Canada thistle (*Cirsium arven-se*). Reed canary grass (*Phalaris arundinacea*) will also be monitored even though the very small population that was found was located on adjacent property west of the Bank site. Some native invasive species to be monitored are: giant ragweed (*Ambrosia trifida*) and stinging nettle (*Urtica dioica*). Twice a year, late spring and late summer, monitoring of planned plant communities for all invasive species and relative percent cover of restored native non-invasive wetland and upland species will be completed. The locations of any INN species will be mapped for subsequent herbicide treatment. The treatment of herbaceous vegetation with herbicide will take place within the existing grassed waterway.

The long-term ownership and management will be handled by the present partners in Wisconsin Wetland Specialists. 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. Additional protections and management limitations would be spelled out in both a conservation easement and in an approved bank plan. Currently, a long-term management strategy has not been finalized at this time.

Coordination with resource agencies includes the members of the Interagency Review Team (IRT) and other resource agencies: 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.

Operations - Regulatory (2015-01925-JVD)

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, Corps of Engineers, 250 N. Sunnyslope Road, Suite 296, Waukesha, Wisconsin 53005.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Joel Dohm at the Waukesha office of the Corps, telephone number (651) 290-5666.

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 within the proposed action area. However, Walworth County is within the known historic range for the following Federally-listed species:

| <u>Species</u> | <u>Habitat</u> |
|---|---|
| Whooping Crane (Experimental) | The Whooping Crane is an experimental population and is non-essential. |
| Eastern Prairie Fringed Orchid (Threatened) | Wet grasslands. |
| Northern Long Eared Bat (Threatened) | Hibernates in caves and mines – swarming in surrounding areas in autumn. During summer, roosts and forages in upland forests. |
| Eastern Massasauga (Candidate) | Open to forested wetlands and adjacent uplands. |

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.

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>.

Operations - Regulatory (2015-01925-JVD)

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 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.

Todd M. Vesperman
SE Section Chief

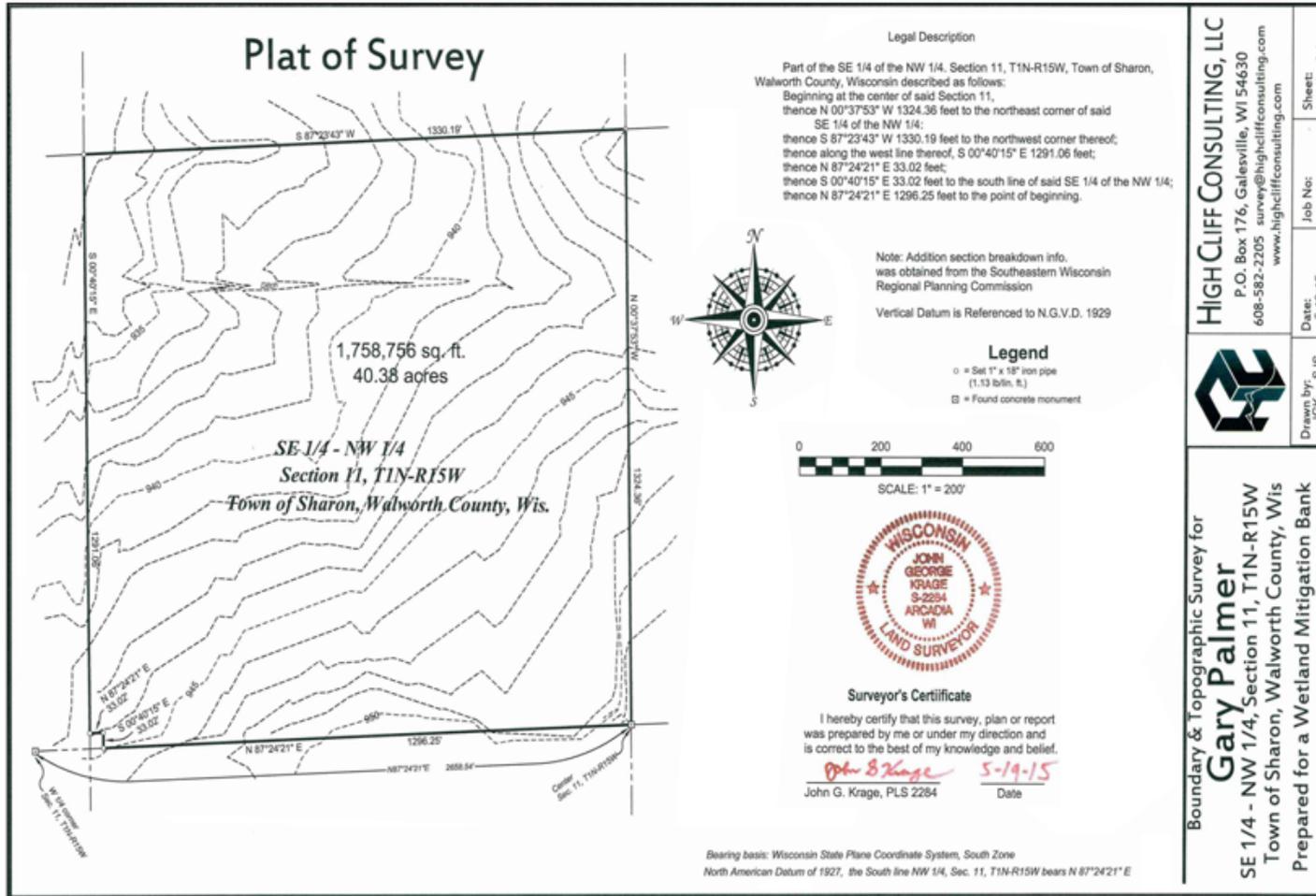
Enclosures: MVP-2015-01925-JVD Figures 1 through 4.

L.B. Palmer Family Mitigation Bank
TOWNSHIP OF SHARON
WALWORTH COUNTY, WISCONSIN

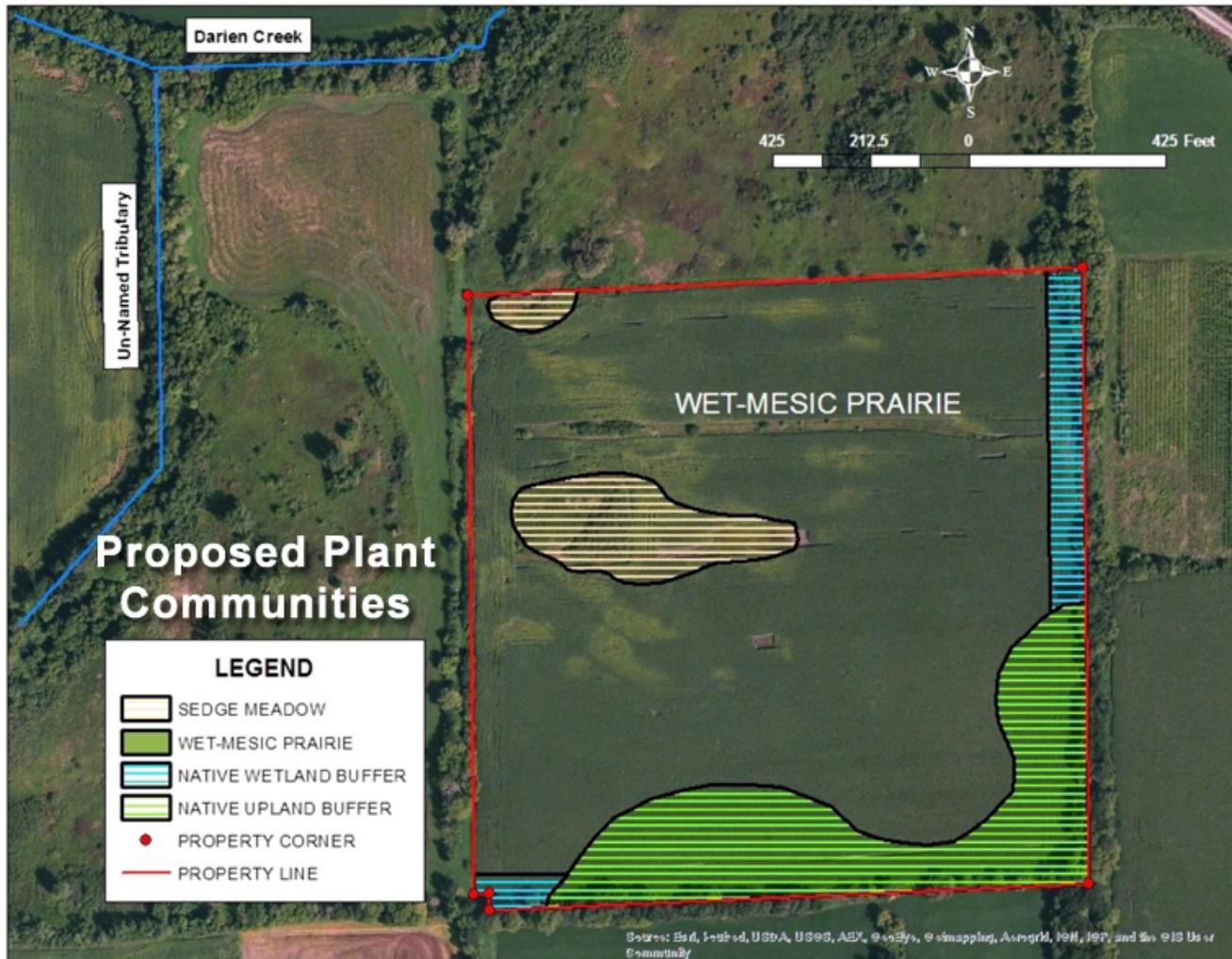


MVP-2015-01925-JVD

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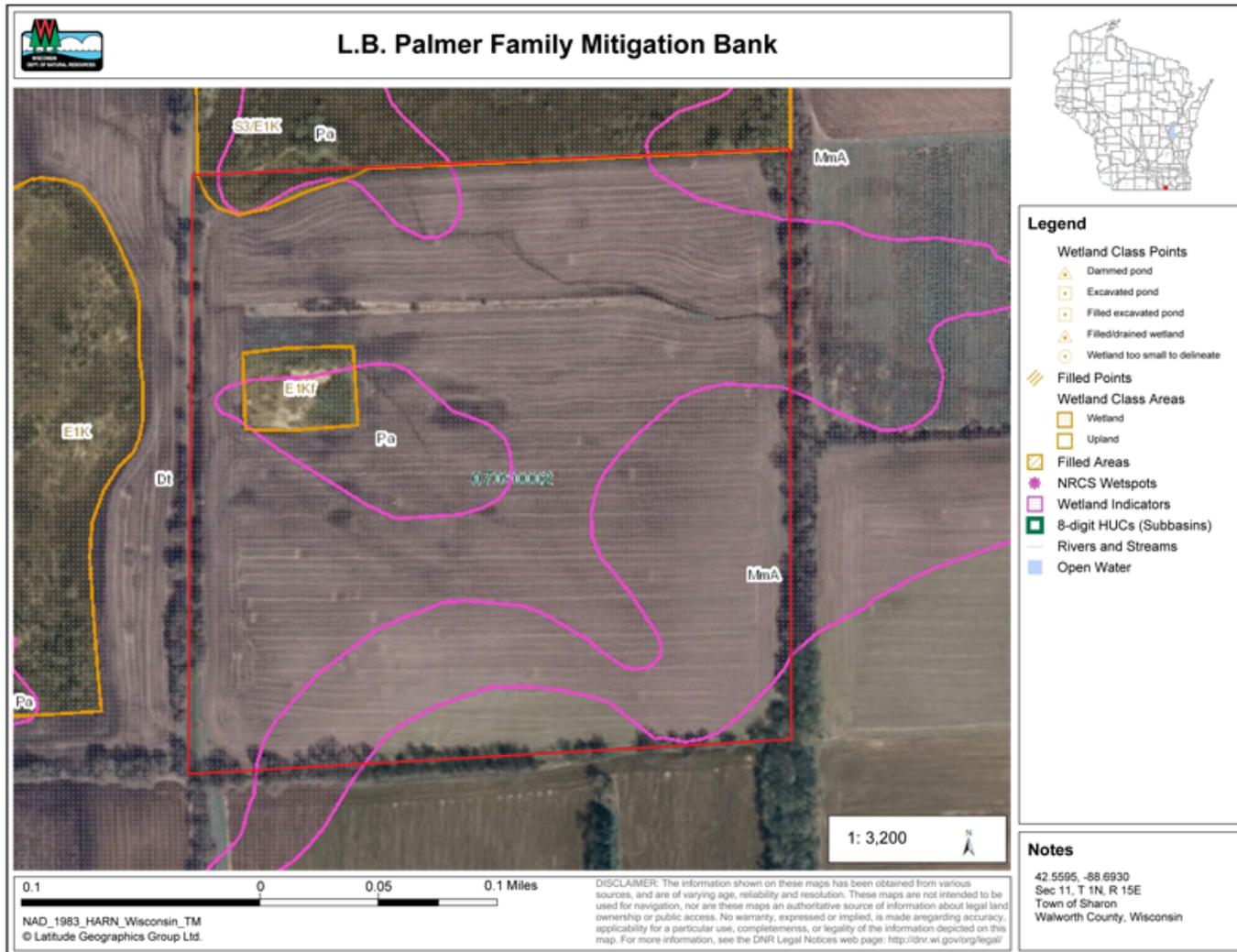
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MVP-2015-01925-JVD

3

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MVP-2015-01925-JVD