



US Army Corps
of Engineers
St Paul District

APPLICANT: **Sargento Foods, Inc.**

Public Notice

ISSUED: December 30, 2013

EXPIRES: January 30, 2014

REFER TO: 2010-02909-ADJ

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge dredged or fill material in 4.44 acres of wetland adjacent to the Mullet River to facilitate expansion at the existing Sargento Foods facility in Plymouth, Wisconsin.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: Sargento Foods, Inc.
1 Persnickety Place
Plymouth, Wisconsin 53073

PROJECT LOCATION: The Project area is located in the NW¹/₄ of Section 16, T. 15N., R. 21E., on the Sargento Foods property at 1 Persnickety Place, in the City of Plymouth, Sheboygan County, Wisconsin. The approximate UTM coordinates are zone 16, 419489.56 mE, 4846824.60 mN.

DESCRIPTION OF PROJECT: Sargento Foods has proposed to expand their existing facility which includes construction of two 3-story office buildings with a footprint totaling 40,000 square feet, parking areas for additional employees, and associated roadways for access. The project is designed to accommodate projected business growth while increasing operational efficiency and improving overall safety at the facility.

QUANTITY, TYPE, AND AREA OF FILL: The proposed project would result in the discharge of dredge or fill material in 4.44 acres of wetland. Of the 4.44 acres of impact, 0.53 acres would be hardwood swamp, 1.8 acres of shrub swamp, and 2.11 acres of fresh (wet) meadow. The respective wetland communities are dominated by wooly sedge, Canada blue joint, reed canary grass, red-osier dogwood, common buckthorn, sandbar willow, trembling aspen, and black willow. The wetland is bordered by existing industrial development to the north, south, and west with railroad tracks on the eastern side. The wetland would be expected to provide moderate water quality protection, flood water attenuation functions, and habitat.

SOURCE OF FILL MATERIAL: The applicant anticipates using an existing commercial source for the fill material to construct the storage areas.

SURROUNDING LAND USE: The land use around the Sargento Foods facility is primarily agricultural with some commercial/industrial facilities to the south.

ALTERNATIVES CONSIDERED: The applicant has considered seven on-site, several off-site alternatives, and a no-build alternative. Under the no-build alternative, the facilities would not be

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expanded at the existing location. The applicant states adjacent off-site alternatives were not viable due to properties not being for sale, that they would not be logistically close and that public roadways would separate the contiguous operational to the existing facility. The on-site alternatives involved different layouts of buildings, parking areas and roads. Six of the on-site alternatives were dismissed by the applicant because they would not meet the applicant's purpose and need, they would not be economically feasible, or because they would have greater wetland impact than the preferred alternative. The applicant states their preferred alternative would strategically locate the new buildings/parking areas to maximize efficiency, have less wetland impact than the other feasible alternatives, and fulfill the project's purpose and need.

The applicants preferred alternative will be evaluated by the Corps to determine whether it complies with the guidelines of Section 404(b)(1) of the Clean Water Act.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Fuel, hydraulic fluid, lubricants, coolant and other fluids commonly used by construction equipment would be expected to be present for construction of the project.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The application states erosion control and stormwater management plan best management practices would be followed for this project including construction of stormwater structures in upland locations.

MITIGATION: To compensate for the loss of 4.44 acres of wetland, the applicant has proposed to establish a permittee responsible wetland mitigation site. The wetland mitigation site would be located off-site, but within the same watershed as the wetland loss and may be planned and constructed in association with permittee responsible wetland mitigation proposed by the Sheboygan County Highway Department (SCHD). The applicant's final mitigation proposal will be evaluated to determine whether it complies with the Federal Mitigation Rule and *Guidelines for Wetland Compensatory Mitigation in Wisconsin*. More information on the mitigation proposal is available upon request.

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, Corps of Engineers, 20711 Watertown Road, Suite F, Waukesha, Wisconsin 53186. Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Anthony Jernigan at the Waukesha office of the Corps, telephone number (651) 290 - 5729.

To receive Public Notices by e-mail, go to: http://mvp-extstp.mvp.usace.army.mil/list_server/ and add your information in the New Registration Box.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

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None were identified by the applicant or are known to exist in the permit area. However, Sheboygan County is within the known or historic range of the following Federally-listed threatened (T) and endangered (E) species:

<u>Species</u>	<u>Habitat</u>
Cirsium pitcheri (T)	Stabilized dunes and blowout areas.
Myotis septentrionalis (Proposed as E)	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.

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.

This application 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 and/or Section(s) 9 & 10 of the Rivers and Harbors 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. STATE SECTION 401 WATER QUALITY CERTIFICATION.

This Public Notice has been sent to the Wisconsin Department of Natural Resources and is considered by the District Engineer to constitute valid notification to that agency for water quality certification. A permit will not be granted until the Wisconsin Department of Natural Resources has issued Section 401 certification.

7. 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.

8. PUBLIC HEARING REQUESTS.

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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.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

10. COASTAL ZONE MANAGEMENT.

The Wisconsin Coastal Management Program (WCMP) in the Department of Administration is inviting public comment regarding this project. The WCMP may conduct a Federal consistency review to verify that the project will comply with State policies in Wisconsin's coastal zone. Further information may be obtained from the Federal Consistency Coordinator at: Wisconsin Coastal Management Program, P.O. Box 7868, Madison, WI 53707-7868; (608) 266-8234. Any comments on whether or not this proposed project complies with the State enforceable policies should be received within 30 days by the Federal Consistency Coordinator.

Todd Vesperman
Chief, Southeast Section

Enclosures

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NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.

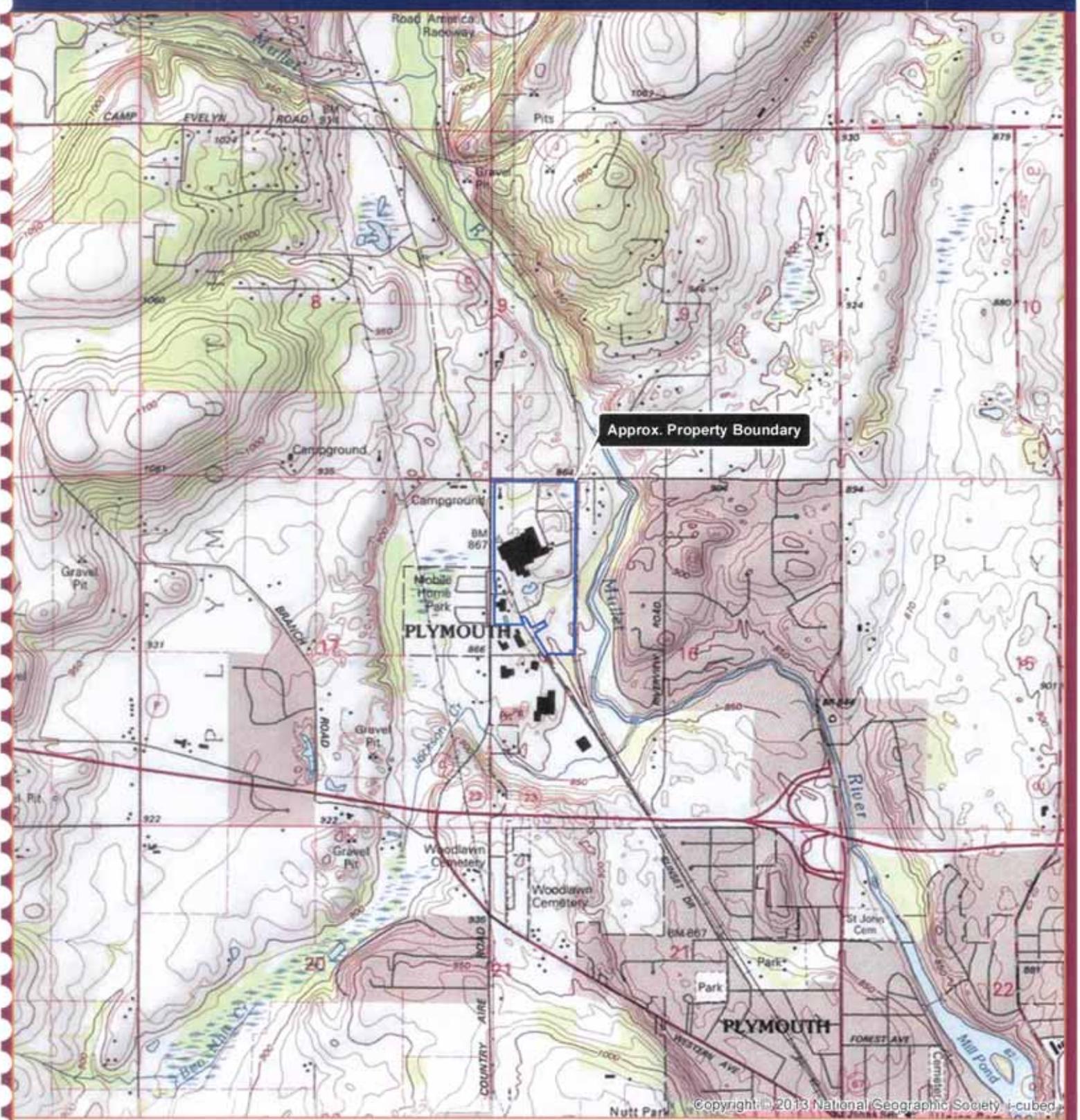


Figure 1. Project Location and Topography Sargento



Location
 T15N, R21E, S16,
 C. of Plymouth, Sheboygan Co., WI

Project Information
 Project Number: 193700231
 Last Modified: November 20, 2013



Legend
 Approximate Property Boundary

Data Sources include: Stantec and USGS 7.5' Topographic Quadrangles.



Prepared by	Checked by	Date
AS	MS/CD/13	
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Map Area Shown in Red

One Team. Infinite Solutions.



Source: Esri, DigitalGlobe, GeoEye, Earthstar, USDA, USGS, AEX, Geotraining, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

Figure 4. Field Delineated Wetland Data
Sargento



Location
T15N, R21E, S16;
C. of Plymouth, Sheboygan Co., WI

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0 100 200
Feet

Legend

- Approximate Property Boundary
- Field Delineated Wetland
- Field Located Chipped Trail
- Sample Point
- ~ DNR 24k Hydrography
- ~ Perennial Stream
- ~ Intermittent Stream
- ~ Waterbody

Data Sources include: Stantec, WDOR and WDOT.
Orthophotography: Bing Maps

Revision	By	Date
01
02

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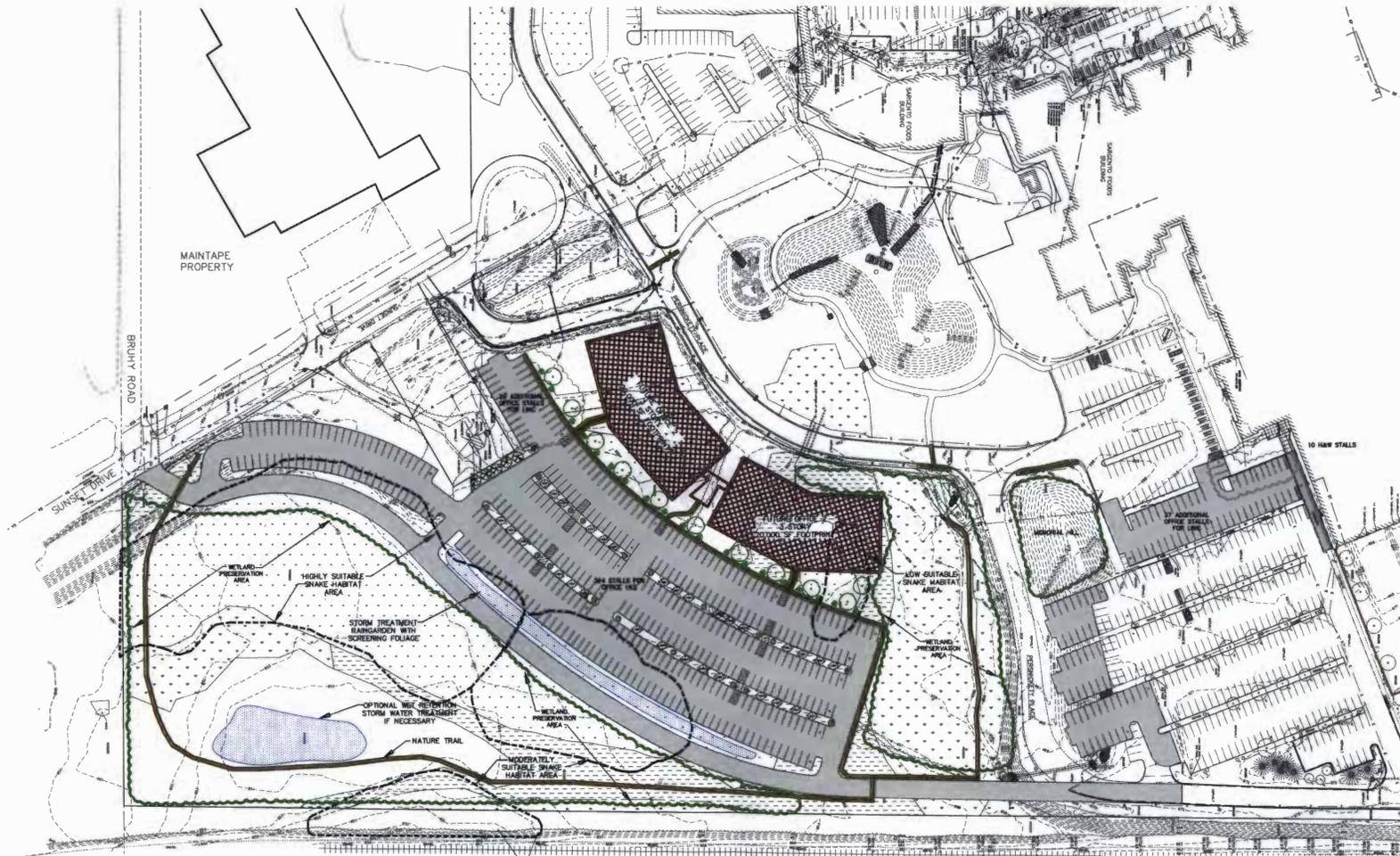
One Team. Infinite Solutions.



100 CHESTER STREET
 FORT MILL, SC 29504
 PHONE: 803.547.4400
 FAX: 803.547.4401

Always a Better Plan

Alternative 7



PROPOSED SITE DATA:

BUILDING AREAS

- OFFICE 1 = 20,000 SF X 3 STORY = 60,000SF / 400SF/EMPLOYEE = 150 EMPLOYEES
- OFFICE 2 = 20,000 SF X 3 STORY = 60,000SF / 400SF/EMPLOYEE = 150 EMPLOYEES

TOTAL FOOTPRINT = 40,000SF (0.92 AC)

PARKING AREAS

- LINC PARKING 66 STALLS (28 NEAR OFFICE 1 AND 37 NEAR H&W)
- OFFICE 1 & 2 PARKING 364 STALLS (300 EMPLOYEES + 15% VISITORS)
- 10 STALLS FOR H&W

TOTAL PARKING ADDED = 430 OFFICE
 TO H&W

STORM WATER TREATMENT = 11,000 SF (0.25 AC)

WETLAND COMMUNITY LEGEND

	EMERGENT / WET MEADOW AREA TO BE FILLED = 92,066 SF (2.11 AC)	TOTAL WETLAND FILL = 4.44 AC (NATURE TRAIL NOT INCLUDED)
	SCRUB-SHRUB AREA TO BE FILLED = 78,459 SF (1.80 AC)	
	FORESTED WETLAND AREA TO BE FILLED = 22,896 SF (.53 AC)	



CONCEPT SITE PLAN

SCALE: 1"=50'-0"



PRELIMINARY DRAWING - NOT FOR CONSTRUCTION

OWNER:
 SARGENTO FOODS, INC.
 10000 WISCONSIN PLACE
 FORT MILLS, WI

PROJECT:
 SITE MASTER PLAN
 SARGENTO FOODS, INC.
 10000 WISCONSIN PLACE
 FORT MILLS, WI

PRELIMINARY SHEET DATES:

MAY 16, 2013
 SEPTEMBER 27, 2013
 SEPTEMBER 30, 2013
 OCTOBER 4, 2013
 OCTOBER 16, 2013
 NOVEMBER 16, 2013

JOB NUMBER
 1215220
 SHEET