



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

**SPONSOR: Sara J. Nosbush**

# Public Notice

**ISSUED: March 14, 2024**

**EXPIRES: March 28, 2024**

**REFER TO: MVP-2020-02119-MVM**

**SECTION:404 - Clean Water Act**

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## 1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

## 2. SPECIFIC INFORMATION

**SPONSOR'S ADDRESS:** Sara J. Nosbush  
63590 CR 16  
Fairfax, MN 55332

**SPONSOR'S AGENT** Anez Consulting  
c/o Mike Nelson  
1700 Technology Dr. NE, Suite 130  
Wilmar, Minnesota 56201

**PROJECT LOCATION:** The project site is located in Section 3, Township 112 North, Range 33 West, Renville County, Minnesota. The approximate UTM coordinates are N 356804.268802, E 4932522.74755 Latitude 44.531815, Longitude -94.80223.

**BANK SERVICE AREA:** The proposed bank service area is in the Cottonwood River major watershed of the Minnesota River basin in Minnesota (Bank Service Area 9).

**DESCRIPTION OF PROJECT:** This is an update to a previous public notice, issued May 11, 2023. The sponsor is proposing to develop an additional 2.7 acres as the Nacker Hollow Wetland Bank. The additional area is shown on the enclosed figures labeled MVP-2020-02119-MVM Page 1 of 3 through Page 3 of 3. The proposed bank site is approximately 70 acres in size, including upland buffer areas.

**NEED AND OBJECTIVE OF PROJECT:** The sponsor states that the primary objective of the project is to restore wetland hydrology to near historical extent in order to establish a high functioning and self-sustaining wet meadow (Type 2) and shallow or deep marsh (Type 3 and 4) wetland vegetation communities dominated by native species on approximately 29.2 acres of wetland and 29.2 acres of upland. The proposed restoration of the site hydrology and the resulting vegetation communities will restore wetland functions (wildlife habitat, flood storage, water quality treatment) that have been degraded or lost on the site by drainage and continued cropping. The site occurs in a heavily tiled and ditched portion of the state. The site contains public tiles (County Ditch (CD) 106A Br-A2 & CD 106A Br-A3) that drain into Fort Ridgley Creek (CD 106A), which contains trout. Once established, the permanent native vegetation will retain and filter runoff, reduce downstream flooding, and provide wildlife food and habitat. Water exiting the site will be cleaner, improving downstream conditions. Per the sponsor's agent, there is a demonstrated need for wetland credits within the watershed and BSA of the proposed site. BSA 9 includes a large amount of the state's farmland and a portion of the southern metro area. There is generally high demand for credits in BSA 9.

**ESTABLISHMENT, OPERATION AND MANAGEMENT:** The sponsor proposes to break, block, or remove all perforated tile within the easement area. The sponsor will modify the existing driveway bed within the site and utilize it as a low velocity overflow control structure for the proposed wetland restoration project. Anez consultants are working with the Renville County Ditch Authority and adjacent landowners who have access to CD 106A Br-A2 to abandon the tiled county ditch within the proposed easement boundary. The Renville County Drainage System Manager put the partial abandonment of CD 106A Br-A2 petition on public notice for comment on the Renville County website for public comment in the early part of October 2022. A public hearing was attended by Mr. Nosbush and the consultants on December 20, 2022. During that hearing the sponsor's petition to abandon CD 106A Br-A2 was accepted, contingent on the wetland bank receiving Corps and state approval. If the wetland bank is not approved, Renville County will continue to maintain and keep the ditch (tile) operational.

The sponsor plans to seed the proposed wetland with native hydrophytic vegetation to aid in establishing desirable species within the expected wetland communities. The vegetation would be a mix of wet meadow and shallow/deep marsh communities within the wetland areas and mesic prairie within the upland and buffer areas. Based on the soils and potential hydrologic lift, the sponsor expects these plant communities to thrive at the proposed project site.

**OWNERSHIP AND LONG-TERM MANAGEMENT:** The site owner/project sponsor is Sara J. Nosbush. Sara and her husband, Brad, will complete the project and conduct long-term management. Currently, there are no plans to sell/transfer the site to other parties.

**TECHNICAL FEASIBILITY AND QUALIFICATIONS:** The sponsor's design includes blocking and rerouting tiles to restore hydrology to the site, which is a typical method of wetland restoration projects. The sponsor states that potential constraints to the project restoration include a county ditch tile line (CD 106 Br-A2) with an easement running through the proposed restoration. An additional constraint of the project is the adjacent State Highway and County Road right of ways. The agent and sponsor have worked with the Renville County Ditch Authority and the county ditch with tile has been approved for abandonment. The sponsor has coordinated with the Minnesota Department of Transportation to discuss any potential impacts to the adjacent State Highway. Based on the hydrology modeling, the project will not impact the County Road ditch. The sponsor will contact the local public works department if any local permits are needed. A weir structure and low velocity overflow control structure (a previously existing driveway bed modification) are also proposed for the project to control outflow from the site.

Anez Consulting has wetland scientists and experienced engineers that have prepared plans for and successfully constructed similar restoration projects in similar settings. Anez Consulting has become very familiar with the water resources, landscape, and conditions in this immediate area.

**ECOLOGICAL SUITABILITY:** The mitigation project has the potential to restore wetland acreage while providing vegetative, habitat, and hydrologic improvements due to the presence of drained historic wetlands, poorly drained hydric soils, available hydrology source, and the landscape position. Despite existing drain tile, the site continues to receive surface water runoff and occasionally floods. The site and adjacent parcels consist of either row crops or typical road ditch species (mixed upland and wetland, native and non-native vegetation). The sponsor states that there is not an established site or connection of flow through wetlands that could supply the proposed restoration site with unwanted non-native, invasives such as narrow-leaf cattail or reed canary grass.

**HYDROLOGY:** The site plan notes several private tile lines that are patterned across the proposed easement and two tile mains that are part of the county ditch system. The main basin in the easement contains CD 106A Br-A2, a 12-inch perforated tile that drains to the east. The other county ditch tile is

not within the proposed easement boundary but is located in the same parcel. CD 106A Br-A3 is a 10-inch perforated tile main which drains the northeast portion of the site and the adjacent field to the north. Both county ditch tile lines merge into CD 106A Br-A2 (14-inch tile), in the southeast corner of the parcel, which flows east and outlets into an open ditch, CD 106A (Fort Ridgley Creek). The ditch authority approved a petition for the partial abandonment of branch A2 of Renville County Ditch 106A pending Corps and state approval of a mitigation bank. A 15-inch private tile runs parallel along CD 106A Br-A2 and extends from the Nosbush property to Fort Ridgley Creek. The agent identified three culverts on site. Two of the culverts run under County Road 3 (430th St) and one runs under State Highway 19. The sponsor states that approximately 24.4 acres on the west side of County Road 3 drain overland and through a tile system that outlet into the ditch on the west side of the road and then cross east through 2 centerline culverts. The sponsor expects that drainage will remain unaffected by the project.

**CURRENT LAND USES:** The site is annually farmed with row crops. The parcel is bordered by row crop fields to the north and east. The south and west sides of the site are bordered by State Highway 19 and County Road 3 and agricultural land beyond that. Fort Ridgely Creek is located approximately 0.5 miles to the east of the proposed project site.

**COORDINATION WITH RESOURCE AGENCIES:** The Corps is coordinating this project with the following members of the Interagency Review Team (IRT) and other resource agencies: U.S. Environmental Protection Agency, Minnesota Board of Water and Soil Resources, and Minnesota Department of Natural Resources.

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

The sponsor did not identify any Federally-listed threatened or endangered wildlife or plants or their critical habitat and none are known to exist in the action area of the project. However, Renville County is within the known historic range for the following proposed endangered and candidate species.

Tricolored Bat	Proposed Endangered.
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Monarch Butterfly	Candidate Species.
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The Corps is coordinating this notice 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.

### 4. JURISDICTION

The Corps is reviewing this proposal 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.

### 5. 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 unidentified properties. The Corps will coordinate its determination on identification of historic properties and any effect findings with the State Historic Preservation Officer and other consulting parties as appropriate independent of this public notice. The Corps will resolve any adverse effects

on historic properties in coordination with consulting parties prior to the Corps' authorization of the work in connection with this project.

## 6. 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.

## 7. REPLIES/COMMENTS

The Corps invites interested parties to submit written facts, arguments, or objections by the expiration date above. 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. The Corps will forward comments received to the sponsor and consider all comments during our evaluation. Interested parties can find a copy of the full prospectus in the RIBITS Cyber Repository at the following link:

[https://ribits.ops.usace.army.mil/ords/f?p=107:278:1267200275476:::P278\\_BANK\\_ID:5901](https://ribits.ops.usace.army.mil/ords/f?p=107:278:1267200275476:::P278_BANK_ID:5901)

Interested parties may submit comments to Marissa.V.Merriman@usace.army.mil. If electronic submittal is not available, commenters should address replies to:

Replies may be addressed to:

Regulatory Branch  
St. Paul District Corps of Engineers  
332 Minnesota Street, Suite E1500  
St. Paul, MN 55101-1323

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Marissa Merriman at the St. Paul office of the Corps, telephone number (651) 290-5362.

To receive Public Notice notifications, go to: <https://www.mvp.usace.army.mil/Contact/RSS/> and subscribe to the RSS Feed for which you would like to receive Public Notices.

Enclosures: 2020-02119-MVM Public Notice Figures 1-3.



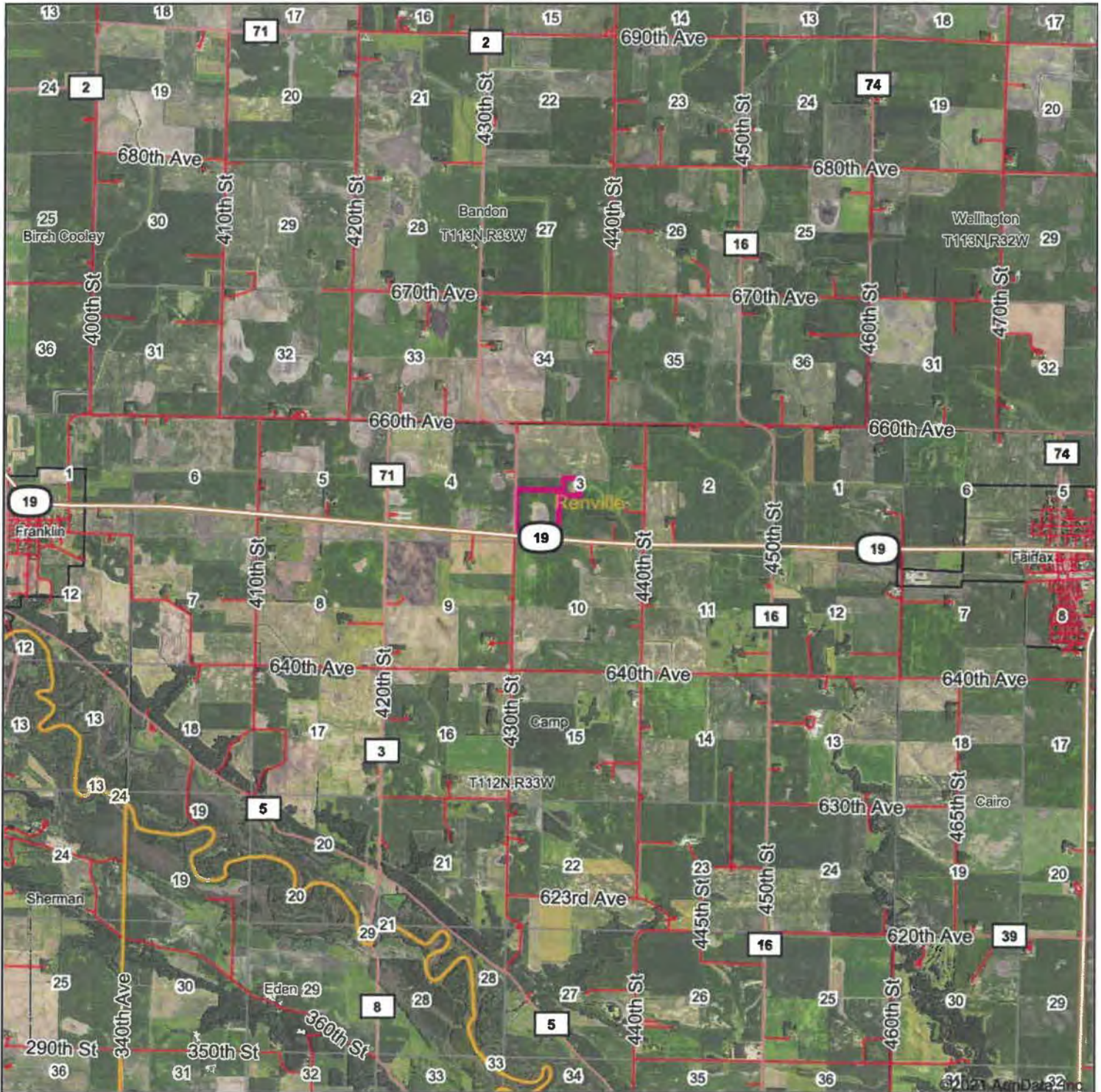
## Site Location Map

**Client Name:**

Farm Name: Nacker Hollow Wetland Bank

Sara Nosbush

Field ID:



Map Center: 44° 31' 40.55, -94° 48' 1.4

0ft 6374ft 12748ft



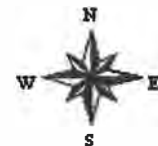
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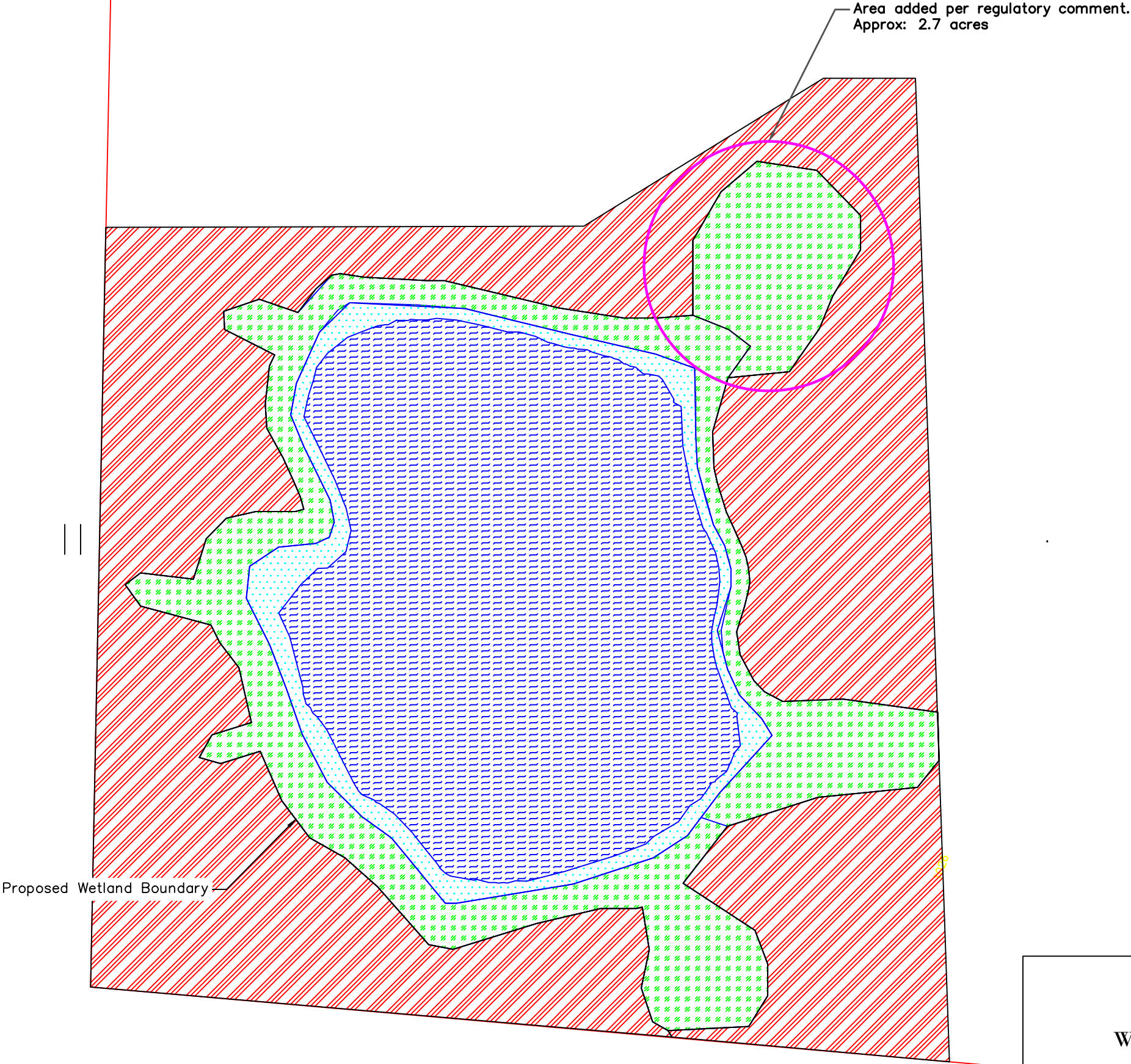
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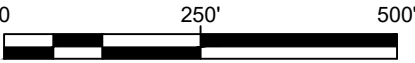
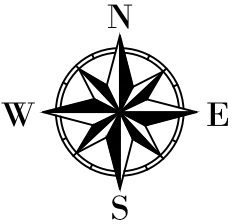
**10-112N-33W**  
**Renville County**  
**Minnesota**



2/9/2021



- Type 2
- Type 3
- Type 4
- UPL



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NACKER HOLLOW BANK  
Added Wetland Area  
SEC. 03, TWP. 112N, R. 33W  
RENNVILLE COUNTY, MN.

Scale  
1" = 250'

Date

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Project Number

Sheet Number

X of X



