



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

SPONSOR:

Minnesota Board of
Water and Soil
Resources (BWSR)

Public Notice

ISSUED: July 10, 2024

EXPIRES: August 10, 2024

REFER TO: MVP-2024-00744-BBY

SECTION: 404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL: DCA Farms Local Government Road Wetland Replacement Program Bank

2. SPECIFIC INFORMATION

SPONSOR'S ADDRESS:

BWSR
520 Lafayette Road North
St. Paul, MN 55155

SPONSOR'S AGENT

BWSR

PROJECT LOCATION: The project is located in Section 1 of Township 1 15 North, Range 33W, Renville County, Minnesota. Latitude 44.796 N, Longitude -94.76 W.

BANK SERVICE AREA (BSA): The proposed bank is located within Bank Service Area (BSA) 7, within the South Fork Crow River major watershed #19, and Buffalo Creek DNR minor watershed.

DESCRIPTION OF PROJECT: The sponsor is proposing to develop the DCA Farms LGRWRP bank in Renville County, Minnesota to generate wetland credits for BWSR's LGRWRP. The proposed bank site is approximately 98.6 acres including upland buffer and bordered by adjacent farmland, Buffalo Creek, and rural residence. The proposed mitigation bank design concept includes disabling the subsurface drainage system, constructing an outlet structure, and minor grading to prevent erosion and protect adjacent properties.

NEED AND OBJECTIVE OF PROJECT: The sponsor proposes to develop the DCA Farms LGRWRP bank and establish wetland bank credits for the LGRWRP. The LGRWRP is a requirement through State statute for BWSR to provide compensatory mitigation for local government road improvement/rehabilitation projects. BSA 7 has the highest average annual credit demand for the LGRWRP; the current balance in BSA 7 is approximately 21 credits with an annual demand of 35 credits. The five-year projection indicates program demands will exceed the supply of credits within the next twelve months if no new credits are generated.

The sponsor expects the following credit generation at the site: A total of 61.8500 credits through the re-establishment of the vegetation and hydrology of approximately 50.3 acres of shallow marsh and fresh wet meadow wetlands, and the enhancement and protection of 48 acres of upland buffer.

ESTABLISHMENT, OPERATION AND MANAGEMENT: The sponsor proposes to restore wetlands by disabling and abandoning the private subsurface drainage systems with the expectation that water levels inundate and saturate the site for long periods during the growing season.

Vegetation re-establishment will occur by reseeding the site with state approved seed mixes specific to the region. Seeding zones will be identified after further planning and presented at the next stage of

project development. The sponsor expects shallow marsh communities in the lowest landscape positions, wet meadow along the perimeter, and mesic prairie in uplands.

The sponsor will purchase a perpetual conservation easement from the fee title owner. The easement authorizes the agency and its agents to perform restoration and monitoring activities within the project area. The sponsor will be responsible for design, and implementation of the bank plan and will manage the project in accordance with the bank plan during the minimum 5-year monitoring phase, or until it is demonstrated that the bank has met all performance standards.

OWNERSHIP AND LONG-TERM MANAGEMENT: BWSR is the project sponsor and will be signatory to the MBI with DCA Farms, LLC (landowner) retaining ownership of the property. BWSR has the responsibility for implementation of the bank plan and will receive all the credits from the project. Long-term management is a cooperative effort by both BWSR and the landowner however, BWSR is ultimately responsible for the success of the bank.

TECHNICAL FEASIBILITY AND QUALIFICATIONS: The sponsor proposes to restore through re-establishment the wetlands within the DCA Farms LGRWRP Bank. This project area has a large contributing watershed with a functional drainage system. When the current drainage system is disabled, the natural wetland conditions will be restored. The sponsor is staffed by professional engineers, hydrologists, soil scientists and vegetation specialists, who have experience completing hundreds of wetland restoration projects in Minnesota for both regulatory purposes and conservation programs, such as Reinvest in Minnesota (RIM) and the Conservation Reserve Enhancement Program (CREP).

ECOLOGICAL SUITABILITY: The proposed site is in a landscape position that receives overland flow and groundwater. Dismantling the drainage network and disconnecting the site from the private drain tile will allow overland flow and groundwater to be held on site for longer periods. The proposed project is a restoration of former wetland basins drained by open ditch and tile; it takes advantage of naturally occurring hydrogeomorphic conditions. The sponsor proposes minimal landscape alterations, restoration of the natural hydrology regime and vegetation to historical wetland conditions, and restoration that is expected to be successful and sustainable in perpetuity.

HYDROLOGY: Specific proposed restoration construction strategies are as follows:

1. In Wetland 1, an embankment will be constructed, and a controlled outlet structure will be installed along with an emergency spillway along the northeastern edge. The embankment will protect the adjacent county road and Jurisdictional Ditch (JD 27); the outlet structure will be set to generate a normal pool elevation of 1074.0'. The proposed emergency spillway (outlet elevation of 1075.0') will be placed at the southern edge of the embankment and tie into the existing road ditch and existing tile intake east of the embankment to provide an outlet during extreme precipitation events.
2. In Wetland 2, a shallow embankment will be constructed with a controlled outlet structure and emergency spillway along the northern edge of the basin. The embankment will manage water flow from Wetland 2 to Wetland 1; without the embankment and outlet pipe, during large precipitation events a significant volume of water (watershed area of 58.9 acres) may flow through Wetland 2 and quickly outlet into Wetland 1 overwhelming the basins storage area. This may cause flooding of the adjacent county road and impact JD 27, the embankment is necessary to hold water onsite (within Wetland 2) longer to maintain storage capacity of Wetland 1. The outlet pipe bottom will be set at 1075.0' with the emergency spillway (located at the western edge of the embankment) set at 1076.75'.
3. Block the tile lines that currently drain Wetlands 1 and 2 by excavating and removing a specified length of tile, plugging the ends, and then backfilling and compacting the excavated trench. This effectively renders the subsurface drainage system inoperable.

4. Daylight incoming tile from south and west of the easement area above pool elevations. The tile outlet allows the adjacent property to maintain its current drainage benefits while providing additional hydrology to the project site. Incoming tile is from the DCA Farms property (landowner), the Torbert property southeast of the easement, and the Edgar property to the west (one tile line).
5. Place fill material along the southern edge of the existing JD 27 ditch embankment. Grading is proposed to raise and widen the existing ditch bank along the south side the JD 27 ditch to limit lateral effect impacts from the ditch and help address potential issues with impacts to ditch bank stability. Place fill material along the western edge of the easement to prevent water from entering the Edgar property.

The sponsor will include an in-depth hydro-modeling, watershed analysis, and sustainability document (Design Report) as part of the Draft Mitigation Banking Instrument (DMBI) and Full Mitigation Plan. As currently proposed, private tile lines from within and adjacent to the DCA Farms property will be disabled and/or continue to daylight into the restored basin. The largest basin within the DCA Farms easement has a bottom elevation of 1072' and is the lowest area within the local watershed. Topography surrounding the basin generally slopes from south to north, ultimately into Wetland 1. For the adjacent tile lines to function, they must drain into the DCA Farms basin ensuring the local watershed will maintain the restored wetlands hydrology source.

CURRENT LAND USES: The proposed site is 98.6 acres with a large, depressional basin occupying the northern and southeast portion of the site with pockets of restorable wetland in the south and southwestern portion of the site. The northern basin has a bottom elevation of 1072 that gradually rises 20-feet in elevation to the 1092 contour in the southwest corner of the site. The entire easement area is in agricultural production save the narrow strip of uncultivated vegetation along the northern easement line, south of Buffalo Creek (JD 27). The vegetated strip is approximately 9.2 acres enrolled in CRP land. As observed in historical imagery, the site is annually cultivated and subject to drainage by private tile and ditching north of the site. The surrounding area is primarily cultivated land; the only areas not regularly cultivated are adjacent farmsteads, forested areas and windrows, Buffalo Creek, and the recently established RIM easement northeast of the site. 460th Street lies to the east of the property, access to the easement will be through the 460th Street right-of-way.

COORDINATION WITH RESOURCE AGENCIES: The Corps is coordinating this proposal with the following members of the Interagency Review Team (IRT): The U.S. Environmental Protection Agency 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 Federally-listed species.

Monarch Butterfly	Candidate.
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Northern Long-eared Bat	Endangered.
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The Corps is coordinating this notice with the U.S. Fish and Wildlife Service. The Corps will consider any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat 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 the Corps hold a public hearing to consider this proposal. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. The Corps may deny public hearing request(s) 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=107:10:12958249089089:::P10_BANK_ID:6950

Comments can be electronically submitted to Brian.B.Yagle@usace.army.mil. If electronic submittal is not available, commenters should address replies to:

Regulatory Division
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 Brian Yagle at the St. Paul office of the Corps, telephone number 651-286-9825.

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

Enclosure(s)









