



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

**APPLICANT:**

Greg Shallbetter  
Shallbetter Properties

# Public Notice

**ISSUED: September 5, 2023**

**EXPIRES: October 5, 2023**

**REFER TO:**

MVP-2014-04156-RJH

**SECTION: 404 - Clean Water Act**

1. APPLICATION FOR PERMIT TO permanently discharge fill material into 0.92 acre of wetlands for the expansion of the existing Switchgear Power Systems, LLC facility in the Village of Winneconne, Wisconsin.

2. SPECIFIC INFORMATION

AGENT

Kyle Luther  
Merjent Inc  
1 Main Street SE, Suite 300  
Minneapolis, MN 55414

**PROJECT LOCATION:** The project site is located in Section 20, Township 19 North, Range 15 East, Winnebago County, Wisconsin. The approximate coordinates are Latitude 44.104918 Longitude -88.727432.

**DESCRIPTION OF PROJECT:** The applicant has submitted a request for Department of the Army authorization to permanently discharge fill material into wetlands for the expansion of the existing Switchgear Power Systems manufacturing facility. The project would allow the applicant to double their current production capacity. According to the applicant, the project would facilitate the expansion/consolidation of Switchgear Power Systems operations and would allow for the creation of a financially viable project. The proposed project is a standalone development on the majority of an approximately 40-acre property.

The proposed project would be constructed on a previously undeveloped parcel adjacent to the existing facility in the Village of Winneconne Center. The facility will expand to an additional 60,000 square feet of manufacturing space. The site will be able to accommodate increased semi-truck traffic and maneuvering, an additional 200-space parking lot, and a stormwater pond.

**QUANTITY, TYPE, AND AREA OF FILL:** As proposed, the project would result in the permanent discharge of fill material into 39,974 square feet (0.92 acre) of wetland.

**VEGETATION IN AFFECTED AREA:** The on-site wetlands which would be impacted as a result of the proposed project are best described as degraded/farmed wet meadow wetlands and riparian forested wetland.

**SOURCE OF FILL MATERIAL:** All fill material which would be utilized for this project would be hauled in from a licensed source and would be free of contaminants.

**SURROUNDING LAND USE:** The project area includes the roadside ditches, agricultural fields, mowed lawn, and undisturbed areas between fields. Land cover includes wetland ditches, upland ditches, upland meadow, and agricultural fields. Residential homes are located on the western edge of the project area. A portion of the residential mowed lawns are located within

the project area. There is also a large earthen burn located between the residential homes and the adjacent field to the east.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The applicant has developed an Erosion and Sediment Control Plan which incorporates a variety of Best Management Practices (BMPs) into the project plans to minimize the potential for secondary effects to water quality to occur during the construction phase of the project. Those BMPs include but are not limited to the installation of perimeter silt fencing and seeding and mulching of disturbed areas during the construction phase of the project.

MITIGATION: As compensation for the unavoidable loss of wetland functions and values associated with the proposed project, the applicant proposes to purchase/debit wetland credits from a federally approved wetland mitigation bank within the same Bank Service Area (BSA) as the proposed project.

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

None were identified by the applicant or are known to exist in the permit area. A search of the review area within the USFWS IPAC program was conducted on August 09, 2023. The following species were said to potentially occur within the permit area:

Northern Long-Eared Bat	Endangered
Tricolored Bat	Proposed Endangered
Whooping Crane	Experimental
Monarch Butterfly	Candidate
Eastern Prairied Fringed Orchid	Threatened

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments the Service 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

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Section 404 of the Clean Water Act.

### 5. SECTION 401 WATER QUALITY CERTIFICATION

Valid Section 404 permits cannot be issued for any activity unless water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The Section 401 authority for this project is Wisconsin Department of Natural Resources (WDNR). A Department of the Army permit will not be granted until the WDNR has issued or waived Section 401 WQC certification and the U.S. Environmental Protection Agency (USEPA) neighboring jurisdiction process is completed. Corps Section 404 Clean Water Act decisions may not be finalized until after the USEPA completes this process.

## 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.

## 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.

## 8. 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.

## REPLIES/COMMENTS

Interested parties are invited to submit to this office written facts, arguments, or objections by the expiration date indicated 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. Comments received may be forwarded to the applicant.

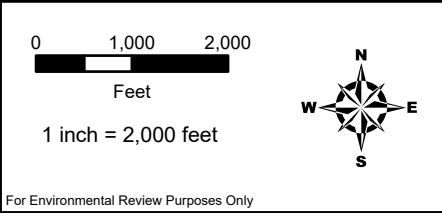
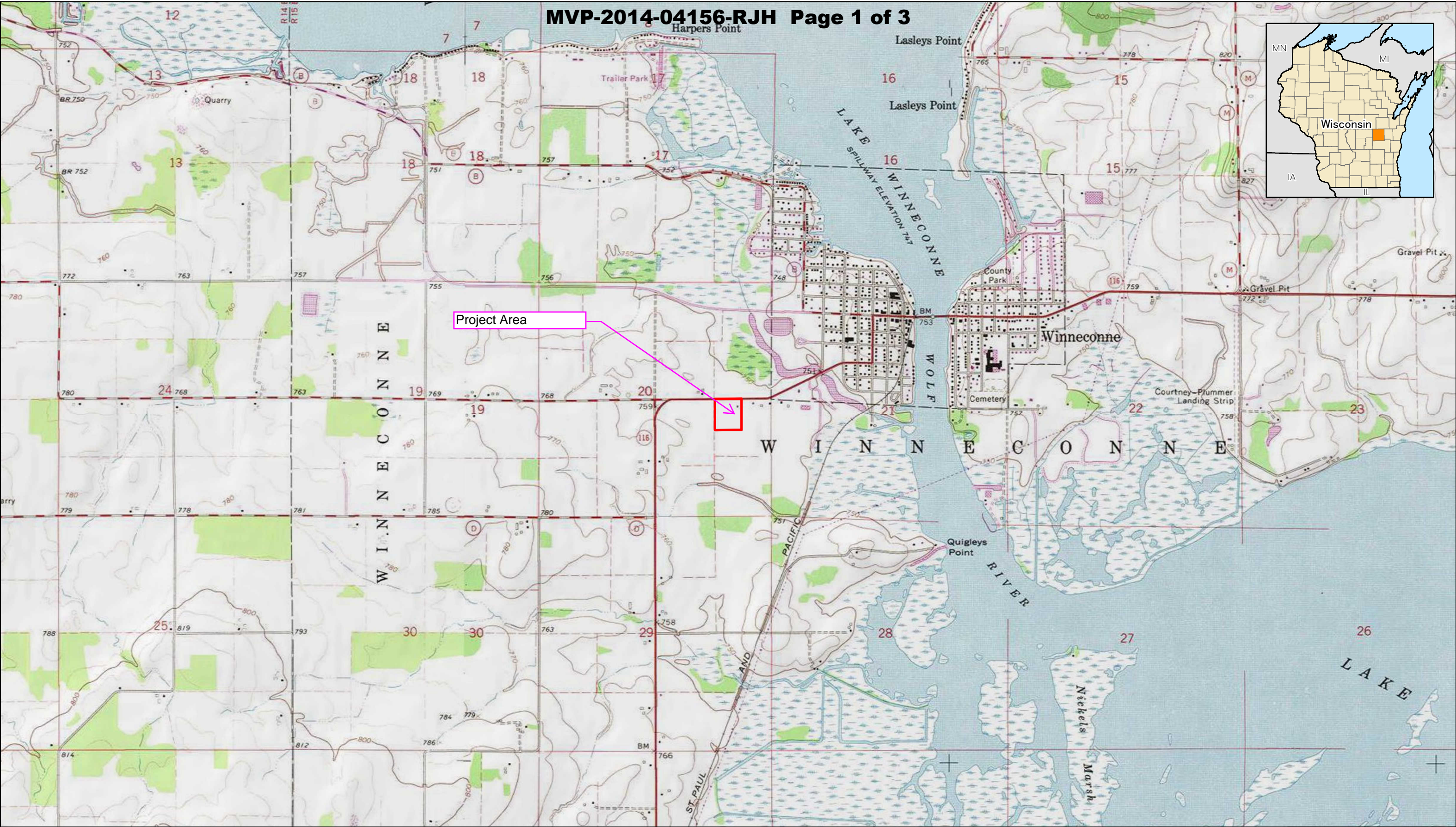
Replies may be sent to Ryan Huber at [Ryan.J.Huber@usace.army.mil](mailto:Ryan.J.Huber@usace.army.mil).

Regulatory Division (File No. 2014-04156-RJH)

IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Ryan Huber at the Green Bay field office at 651-290-5859 *or* at the email shown above.

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:  
Project Plans



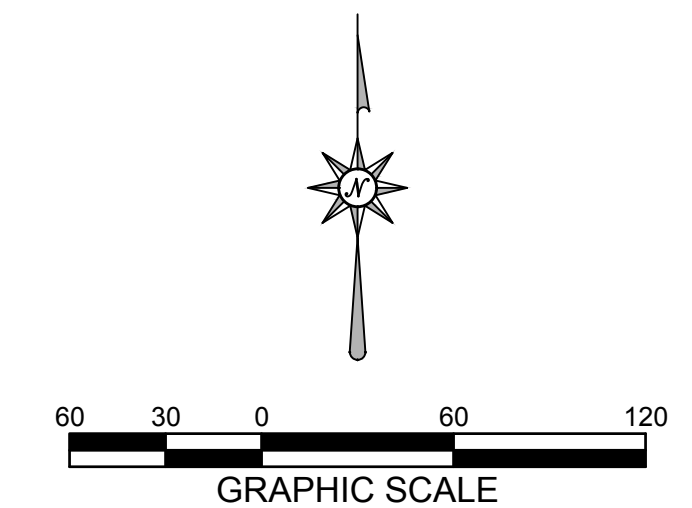
For Environmental Review Purposes Only  
USGS 1:24,000 scale topographic maps (7.5- by 7.5-minute quadrangles): Omro (1976)

**Topography**  
**Switchgear Winneconne**  
**Mach IV**  
**Winnebago County, Wisconsin**

 **Survey Area**



Date: (5/2/2023) Source: Z:\Clients\W\_P\Win\Winneconne\Winneconne\Topographic\001\_ArcPro\Map\Winneconne.aprx - Map - 10p0

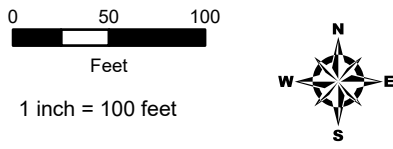
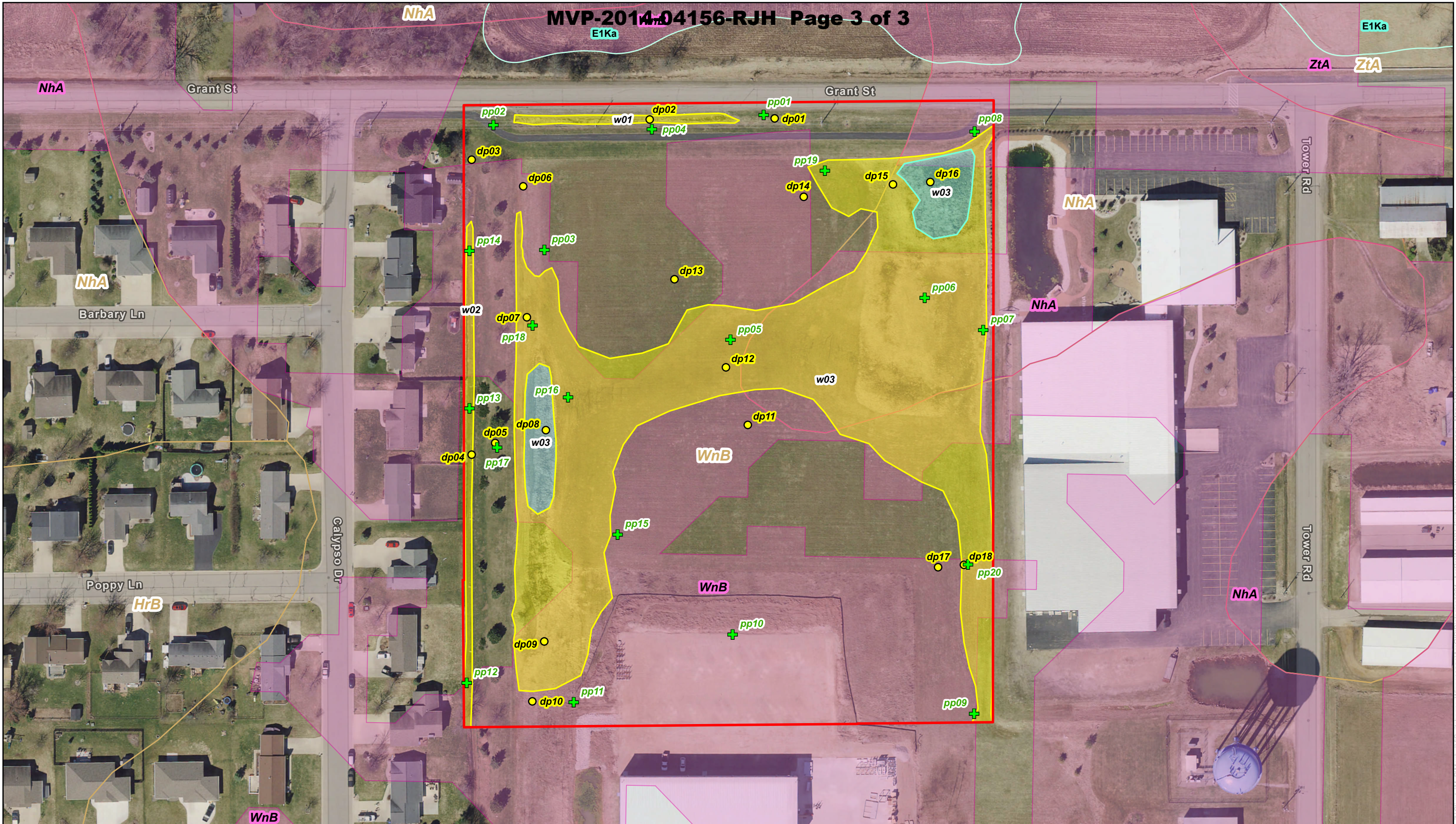


2260 Salscheider Court Green Bay, WI 54313  
PH:920-569-5765; Fax: 920-569-5767  
www.mach-iv.com  
Project Number: 0822-20-23



SHEET: **AI T6**

# ALT6



**Wetland Delineation**  
**Switchgear Winneconne**  
**Mach IV**  
**Winnebago County, Wisconsin**

Survey Area	<b>Delineated Wetland</b>	Mapped Waterway (DNR)	SSURGO Soil Units
Photo Point	Fresh (Wet) Meadow	Mapped Waterbody (DNR)	Wetland Indicator Soils (DNR)
Wetland Data Point	Shallow Marsh		Mapped Wetland (WWI)

