



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

**APPLICANT:**

G D Sales, Inc.  
P.O. Box 40  
Suamico, WI 54141

# **Public Notice**

**ISSUED: April 17, 2024**

**EXPIRES: May 2, 2024**

**REFER TO:**

MVP-2015-02868-JLK

**SECTION:404 - Clean Water Act**

1. APPLICATION FOR PERMIT TO discharge fill material into 0.77 acre of wetlands for the purpose of commercial development in the Village of Howard, Brown County, Wisconsin.

2. SPECIFIC INFORMATION

AGENT

Robert E. Lee & Associates, Inc.  
Brandon Robaidek  
1250 Centennial Centre Blvd  
Hobart, Wisconsin 54155

**PROJECT LOCATION:** The project site is located in Section 16, Township 24 North, Range 20 East; Brown County, Wisconsin. Latitude 44.56098, Longitude -88.07753.

**DESCRIPTION OF PROJECT:** The applicant has applied for a Department of the Army permit to permanently discharge fill material into 0.77 acre of wetlands associated with the construction of a new 5,400 square foot all-inclusive fitness and wellness facility designed specifically for those with both cognitive and physical disabilities. The proposal also includes an additional 4,860 square foot facility for office space and an additional 12,860 square foot facility for basketball courts. An adaptive outdoor playground, sports area, grass field area, associated parking, a new roadway with bus turnout, and stormwater management facility are also included in the proposal.

**QUANTITY, TYPE, AND AREA OF FILL:** The proposed project would result in the permanent discharge of fill material within 0.77 acres of wetlands. Wetlands on site consist of high-quality forested and shrub-carr wetlands.

**VEGETATION IN AFFECTED AREA:** Historic aerial photos show the project area was in agricultural production until sometime between 1960 and 1978. When farming activities ceased, woody vegetation established throughout most of the site. Currently the site includes forested and shrub-carr wetlands with some invasive plant species present.

**SOURCE OF FILL MATERIAL:** Fill material utilized for the project would be generated from on the site or purchased from a licensed source.

**SURROUNDING LAND USE:** The central portion of the project area consists of forested and shrub-carr wetlands with upland forested areas in the north and south portions. Land surrounding the proposed project site include commercial development and a paved roadway to the north, residential development to the east, a railroad track immediately west and southwest, and additional forested areas to the south and southeast.

**THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT:** Temporary erosion and sediment control practices would be implemented which include silt fencing around the project perimeter, tracking pads, inlet

protection, and storm water management facilities. Once construction is complete and the site has achieved 70% vegetation, the erosion control practices would be removed.

MITIGATION: As compensation for the unavoidable loss of 0.77 acres of wetlands (0.31 acre of shrub-carr and 0.46 acre of hardwood forest wetlands), the applicant proposes to purchase up to 1.31 wetland credits from the Wisconsin Wetland Compensatory Mitigation Program.

### 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. However, the U.S. Fish and Wildlife Service Information Planning and Consultation (IPaC) system identified the permit area is within the known or historic range of the following Federally-listed species:

Northern Long-Eared Bat	Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
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Tricolored Bat	Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
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Rufa Red Knot	Along the Lake Michigan shoreline
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Monarch Butterfly	Fields, roadside ditches, open areas, etc. that include milkweed and other flowering plants.
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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.

### 4. 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.

### 5. STATE 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.

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.

## 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.

## 9. COASTAL ZONE MANAGEMENT.

This Public Notice has been sent to the agency responsible for Coastal Zone Management and is considered by the District Engineer to constitute valid notification to that agency for a Coastal Zone Consistency determination.

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.

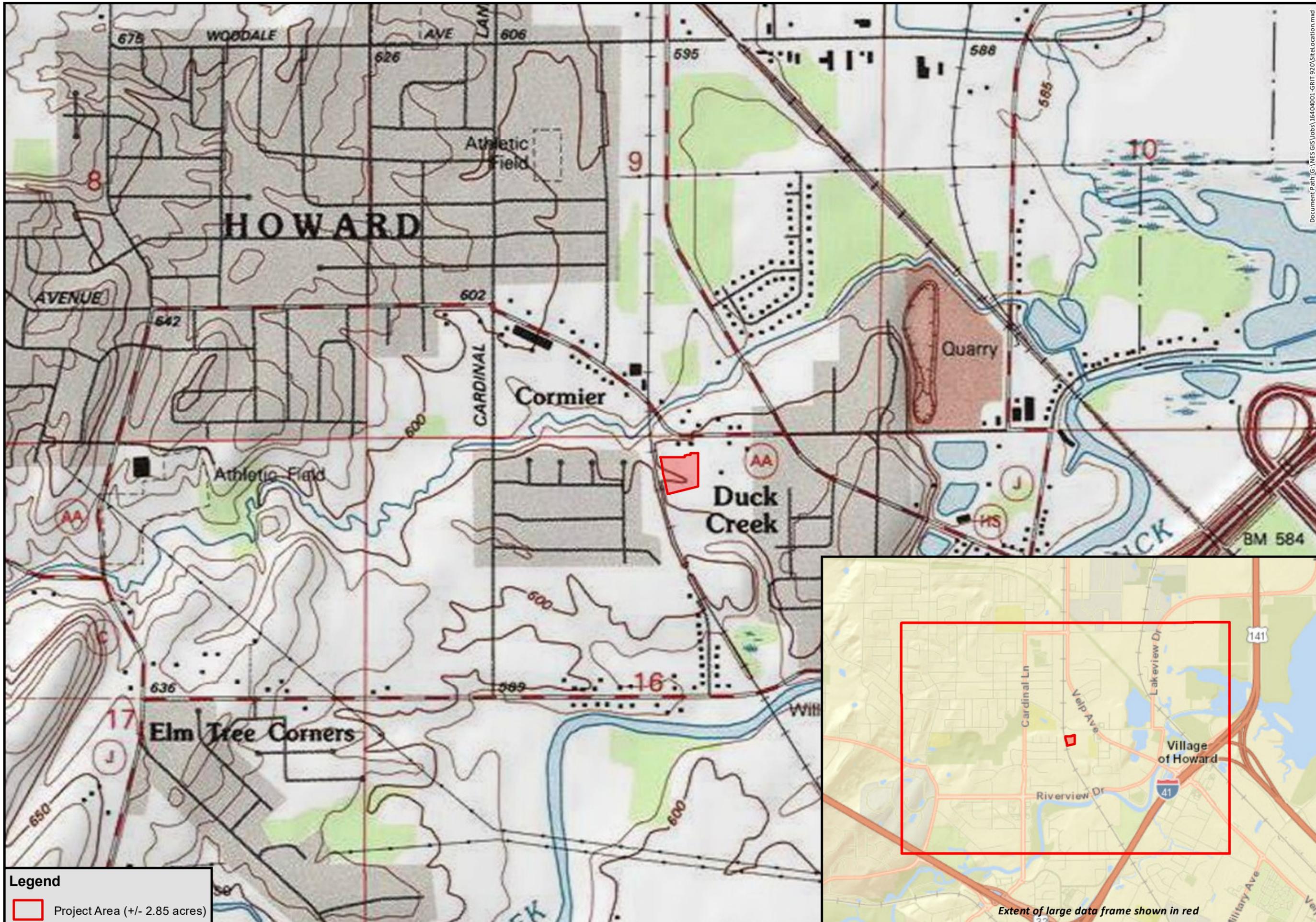
Replies may be sent to Jessica Kempke at [Jessica.L.Kempke@usace.army.mil](mailto:Jessica.L.Kempke@usace.army.mil).

IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Jessica Kempke at the Green Bay office at 651-290-5856 or [Jessica.L.Kempke@usace.army.mil](mailto:Jessica.L.Kempke@usace.army.mil).

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:

2015-02868-JLK Figure 1 of 2 through Figure 2 of 2.



**Legend**

Project Area (+/- 2.85 acres)

Document Path: G:\NES GIS\Jobs\16404001-GRIT 920\SiteLocation.mxd

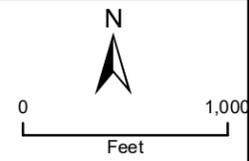


**Site Location**

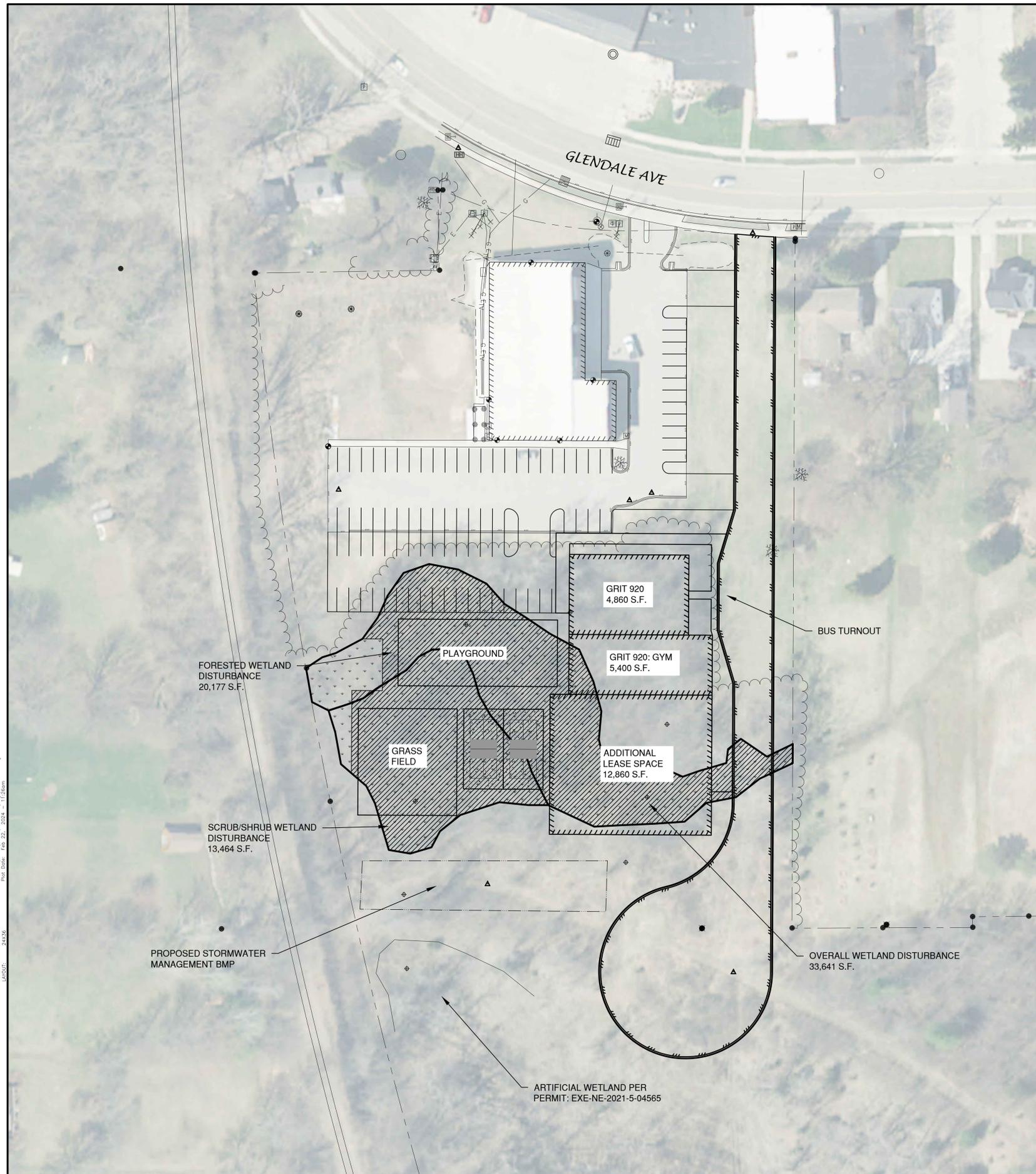
9/1/2023

**GRIT 920**  
**Parcel VH-747-A-601**  
**NES Project No. 16404001**  
**Village of Howard**  
**Brown County, Wisconsin**

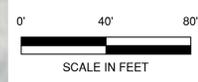
Located in part of:  
 Section 16, T24N, R20E  
 Village of Howard  
 Brown County  
 Wisconsin



*Extent of large data frame shown in red*



File: P:\A\2015\444\4440203\_444\4440203\_444.dwg  
 Plot Date: Feb 22, 2024 11:25am  
 24x36  
 LAYOUT



**PRELIMINARY**  
Not for Construction

NO.	DATE	APPROV.	REVISION	NO.	DATE	APPROV.	REVISION	DRAWN BDR
								CHECKED
								DESIGNED BDR

GRIT 920 DEVELOPMENT  
FOR GRIT 920  
VILLAGE OF HOWARD  
BROWN COUNTY, WISCONSIN

BASEMAP

DATE 01/2024
FILE 6404002D
JOB NO. 6404002

**REL Robert E. Lee**  
& Associates, Inc.

1250 Centennial Centre Blvd | Hobart, WI | 920-662-9641 | releinc.com

SHEET NO.  
**1**

2015-02868-JLK (Figure 2 of 2)