



US Army Corps
of Engineers
St Paul District

SPONSOR: Valerie Johnson Renk

Public Notice

ISSUED: December 2, 2021

EXPIRES: January 3, 2021

REFER TO: MVP-2021-01486-AJK

SECTION:404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

2. SPECIFIC INFORMATION

SPONSOR'S AGENT ADDRESS: Wisconsin Wetland Specialists
1001 Emery Street
Neillsville, WI 54456-1430

PROJECT LOCATION:

The project site is located in Section 19, Township 1N, Range 10E, Rock County, Wisconsin. The approximate coordinates are Latitude 42.53447, Longitude -89.36367.

BANK SERVICE AREA:

The proposed bank service area is the Rock service area (HUC 070900).

DESCRIPTION OF PROJECT:

The sponsor is proposing to develop the Johnson Conservancy Mitigation Bank. The proposed bank site is approximately 38.54 acres in size, including upland buffer areas. See the enclosed figures labeled 2021-01486-AJK Figures 1-2 of 2.

The project would re-establish a functioning wet prairie and sedge meadow wetland with upland buffer by disabling drain tile, filling a surface drainage ditch, and treating invasive, non-native species.

NEED AND OBJECTIVE OF PROJECT:

The sponsor states that there are four other banks in the service area but there are few credits currently available for the wetland communities that are planned to be re-established on this bank site. The site would increase flood and storm water storage within the 100-year floodplain of the Sugar River.

The objective of the proposed Johnson Conservancy mitigation bank is to re-establish 21.68 acres of wet prairie and 6.63 acres of sedge meadow and create 7.59 acres of upland buffer. The sponsor proposes to achieve these objectives by disabling all drain tile, filling a surface drainage ditch, seeding and planting native wetland vegetation, and controlling invasive, non-native species within adjacent surface ditches.

ESTABLISHMENT, OPERATION AND MANAGEMENT:

The project intends to restore 28.31 acres of wetland through re-establishment and establish 7.59 acres of buffer. Restoration of the site would focus on returning it to its historic ecological condition through the removal of drain tile, filling the middle drainage ditch, removal of invasive species, and re-establishment of wetland vegetation. The middle ditch would be filled with soil taken from soil spoil pile areas on site. The site would be monitored for vegetation and hydrology annually until performance standards have been met.

OWNERSHIP AND LONG-TERM MANAGEMENT:

The established bank site would be managed by the sponsor in consultation with Wisconsin Wetland Specialists. Long-term management would include invasive species control and periodic controlled burns. Consideration is being given to establishing a long-term management fund account. As proposed, the account would be incrementally funded at \$3000.00 per credit sold until all credits are sold. After the bank is established, the owner would be allowed to use the account funds for ongoing costs incurred by the bank. At this time, the owners are not considering future options for transferring ownership of the bank. Additional protections and management limitations would be documented in both a conservation easement and in an approved bank plan.

TECHNICAL FEASIBILITY AND QUALIFICATIONS:

The sponsor's agent has experience working on other wetland mitigation banks in Wisconsin. The means and methods planned for this bank site have been accomplished at other similar successful bank sites. The methods proposed are common, proven methods for wetland restoration.

ECOLOGICAL SUITABILITY:

The site was historically wetland, is within the 100-year floodplain of Sugar River, and has large amounts of mineral hydric soils that have been artificially drained by drainage ditches and tile. Since the site has been in agricultural production since 1970, it is difficult to determine the precise historic plant community; however, original land surveyor notes show the area to be "marsh, sedge meadow, wet prairie, lowland shrubs." The site hydrology has been altered and would be expected to return to historic conditions after subsurface drain tile and a surface drainage ditch were disabled/filled.

HYDROLOGY:

The site is bordered by ditches to the north (grassed waterway), south, and east (drainage ditches), with another drainage ditch flowing east across the middle of the site. There are 13 functioning drain tile lines within the site boundary. Seven of these tile lines outlet to the middle ditch and six of them outlet to the east ditch. The east ditch is part of a Drainage District legally established on May 12, 1969. A 20-foot access/maintenance corridor is allowed along both sides of a district ditch; however, the sponsor indicates that this corridor would not hamper site restoration because the corridor would be seeded with an upland seed mix and would not generate any credits. Based on the sponsor's lateral effect calculations, the site is geomorphically-positioned such that removal of drainage infrastructure would not impact adjacent properties.

CURRENT LAND USES:

The site is composed of active cropland with drainage ditches on the east and south perimeter, a grassed waterway on the north perimeter, and a drainage ditch through the middle of the site. The site is drained by 13 functioning drain tile lines. The entire site is within the 100-year floodplain of the Sugar River. Adjacent land includes WDNR state natural area and private agricultural fields.

The site is located within five miles of the Brodhead Airport. It is not in the approach or departure airspace. The Brodhead Airport Manager reviewed a draft prospectus and notified the sponsor that they see no effects to the airport. This public notice will be shared with Brodhead Airport and the WI Department of Transportation's Bureau of Aeronautics.

COORDINATION WITH RESOURCE AGENCIES:

This project has been coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: U.S. Environmental Protection Agency, Wisconsin Department of Natural Resources, and Wisconsin Department of Transportation's Bureau of Aeronautics.

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

None were identified by the bank sponsor or are known to exist in the action area. However, Rock County is within the known historic range for 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.
Eastern Prairie Fringed Orchid	Inhabits mesic prairies and sedge meadows.
Prairie Bush Clover	Inhabits mesic prairies and sedge meadows.
Whooping Crane	*Non-essential, experimental population. Open wetlands and lakeshores.
Monarch Butterfly	*Candidate species.

This notice 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 proposal 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 16-01.

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 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 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

Interested parties are invited to submit to this office 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.

Regulatory Branch (File No. 2021-01486-AJK)

Comments received may be forwarded to the applicant. A copy of the full prospectus submitted by the Sponsor is available to the public for review upon request.

Replies may be sent to anthony.j.kitchen@usace.army.mil.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call A.J. Kitchen at the Brookfield office of the Corps, telephone number (651) 290-5729, or email at anthony.j.kitchen@usace.army.mil.

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)

2021-01486-AJK Figure 1

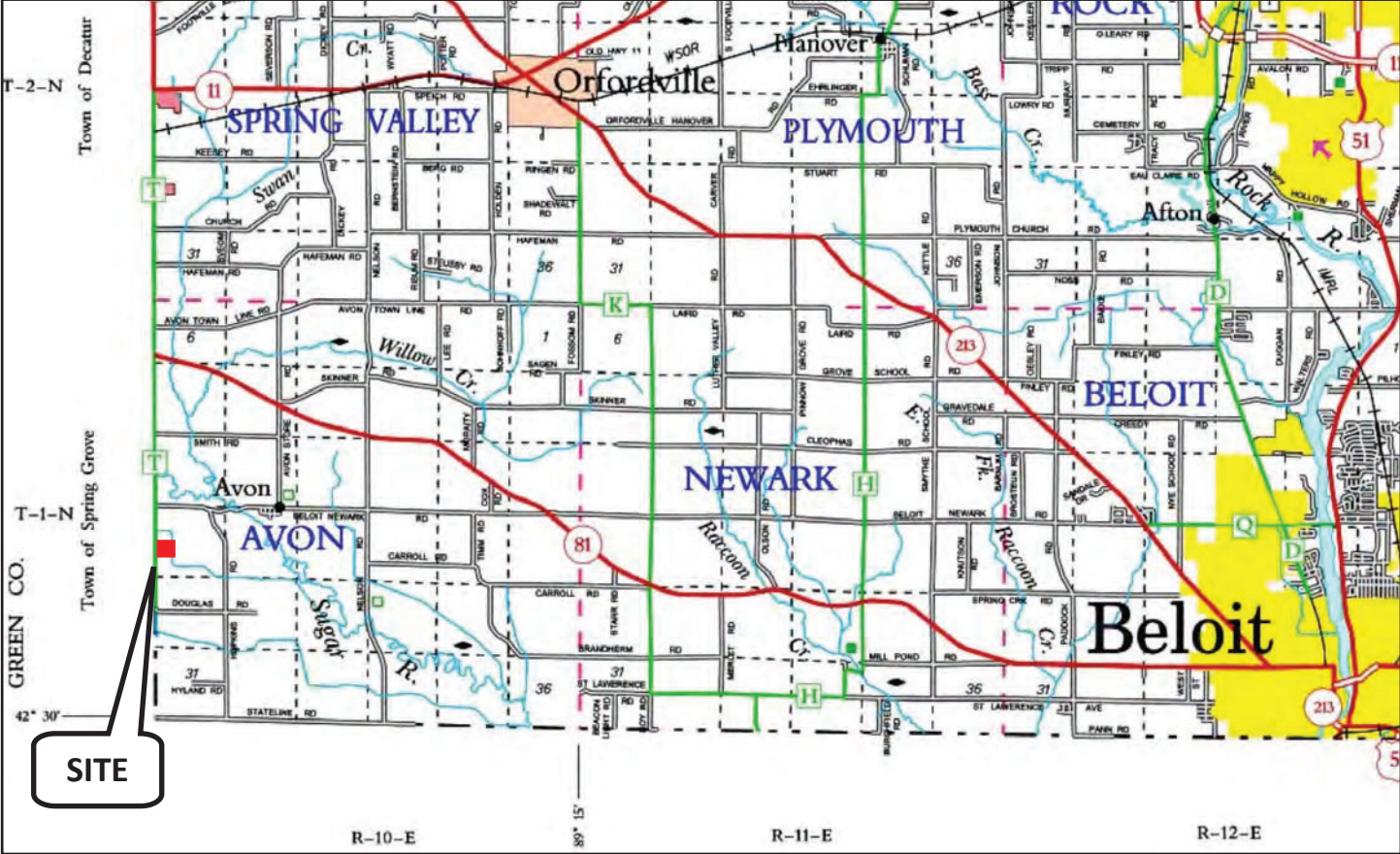


FIGURE 19: PROPOSED PLANT COMMUNITIES

2021-01486-AJK Figure 2



LEGEND	
UPLAND BUFFER (UB)	DISTRICT DITCH 20FT CORRIDOR
WET PRAIRIE BUFFER (WPB)	DISTRICT DITCH
WET PRAIRIE (WP) RE-ESTABLISHMENT	SOUTH DITCH
SEDGE MEADOW (SM) RE-ESTABLISHMENT	PROPERTY BOUNDARY
ROAD AND ROW	NEIGHBOR'S PROPERTY
GRASSED WATERWAY	

