



US Army Corps
of Engineers
St Paul District

SPONSOR: Richard and Emily Elbert

Public Notice

ISSUED: September 14, 2020

EXPIRES: October 14, 2020

REFER TO: 2016-00105-MVM

SECTION: 404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL
2. SPECIFIC INFORMATION

SPONSOR'S ADDRESS: Richard Steven Elbert and Emily Kaye Elbert
82215 370th Street
Olivia, Minnesota 56277

PROJECT LOCATION: The project site is located in Section 9, Township 36 North., Range 30 West, Benton County, Minnesota. The approximate UTM coordinates are X: 415760.670908, Y: 5052794.224728; Latitude: 45.623583, Longitude: -94.080606. Refer to enclosed figures labeled MVP-2016-00105-MVM Page 1 of 5 through Page 5 of 5.

BANK SERVICE AREA: The proposed bank service area (BSA) is the Upper Mississippi River Basin in Minnesota (BSA 7).

DESCRIPTION OF PROJECT: The sponsor proposes to restore and enhance 195.2 acres of wetlands and provide 55.6 acres of native upland buffer on a 238-acre property in Minden Township.

NEED AND OBJECTIVE OF PROJECT: The project would provide wetland bank credits in Bank Service Area (BSA) 7. BSA 7 includes a large amount of the state's farmland and a portion of the Metro Area. BSA 7 continues to see high demand for federally-approved wetland bank credits and credit shortages. The Nest Egg bank would benefit the watershed, aquifers and wildlife in a part of Minnesota that is heavily tiled and ditched for agriculture. The retention and filtration of water would reduce flooding and improve water quality of downstream aquatic resources.

The objective of the project is to restore original site hydrology and native vegetation. Specifically, the project would restore 114.6 acres of wet-mesic prairie wetland and 9.7 acre of shallow marsh wetland. The project would also enhance vegetation within 14.3 acres of existing wet-mesic prairie wetland and 56.6 acres of existing shallow marsh.

ESTABLISHMENT, OPERATION AND MANAGEMENT: The bank site would be established through several actions: discontinuing agricultural use, plugging existing drainage ditches, planting native, non-invasive vegetation, and controlling non-native, invasive species.

OWNERSHIP AND LONG-TERM MANAGEMENT: The established bank site would be managed by the Sponsor or their successors in property ownership. The site would be managed long-term for invasive species in accordance with the long-term management plan in the Mitigation Banking Instrument.

TECHNICAL FEASIBILITY AND QUALIFICATIONS: The project is technically feasible due to the relative simplicity of the design. To restore hydrology to wetlands, the existing drainage ditches would

be plugged. There are no known features or structures that would impede or constrain the wetland restoration. The only proposed construction would be ditch plugs and spillways. The Sponsor has hired consultants with previous experience in design, construction, monitoring and maintenance of wetland mitigation banks in Minnesota.

ECOLOGICAL SUITABILITY: The historic conditions, topography, elevation, soils, watershed size, and adjacent land use make the site suitable for restoration. Conversion from row crop agriculture to native vegetated wetland and upland buffer is expected to be straightforward.

HYDROLOGY: The site includes portions of two minor watersheds. The northeast property corner occurs in minor watershed 17065 (Elk River) and is fed by a relatively small area of adjacent upland. The majority of the site occurs in minor watershed 17063 (Mayhew Creek). Both minor watersheds are in Major Watershed 17 (Mississippi River-St Cloud), which is in Bank Service Area 7. Approximately 1,080 drainage acres contribute to the site for a 4.5:1 water budget. The proposed bank easement area is primarily drained by shallow ditches and swales and has been in crop production since 1938. The proposed bank project would have existing drainage ditches filled, blocked, and controlled with overflow structures.

CURRENT LAND USES: The current land use is row crop agriculture. Surrounding land use is primarily agricultural and rural residential.

COORDINATION WITH RESOURCE AGENCIES: This project is being coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: Minnesota Board of Water and Soil Resources, the Minnesota Department of Natural Resources, and the U.S. Environmental Protection Agency. The project is also being coordinated with the Buffalo Municipal Airport and the Federal Aviation Administration.

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, Benton 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.
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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.

5. HISTORICAL/ARCHAEOLOGICAL

The latest version of the National Register of Historic Places has been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located in 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

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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. 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.

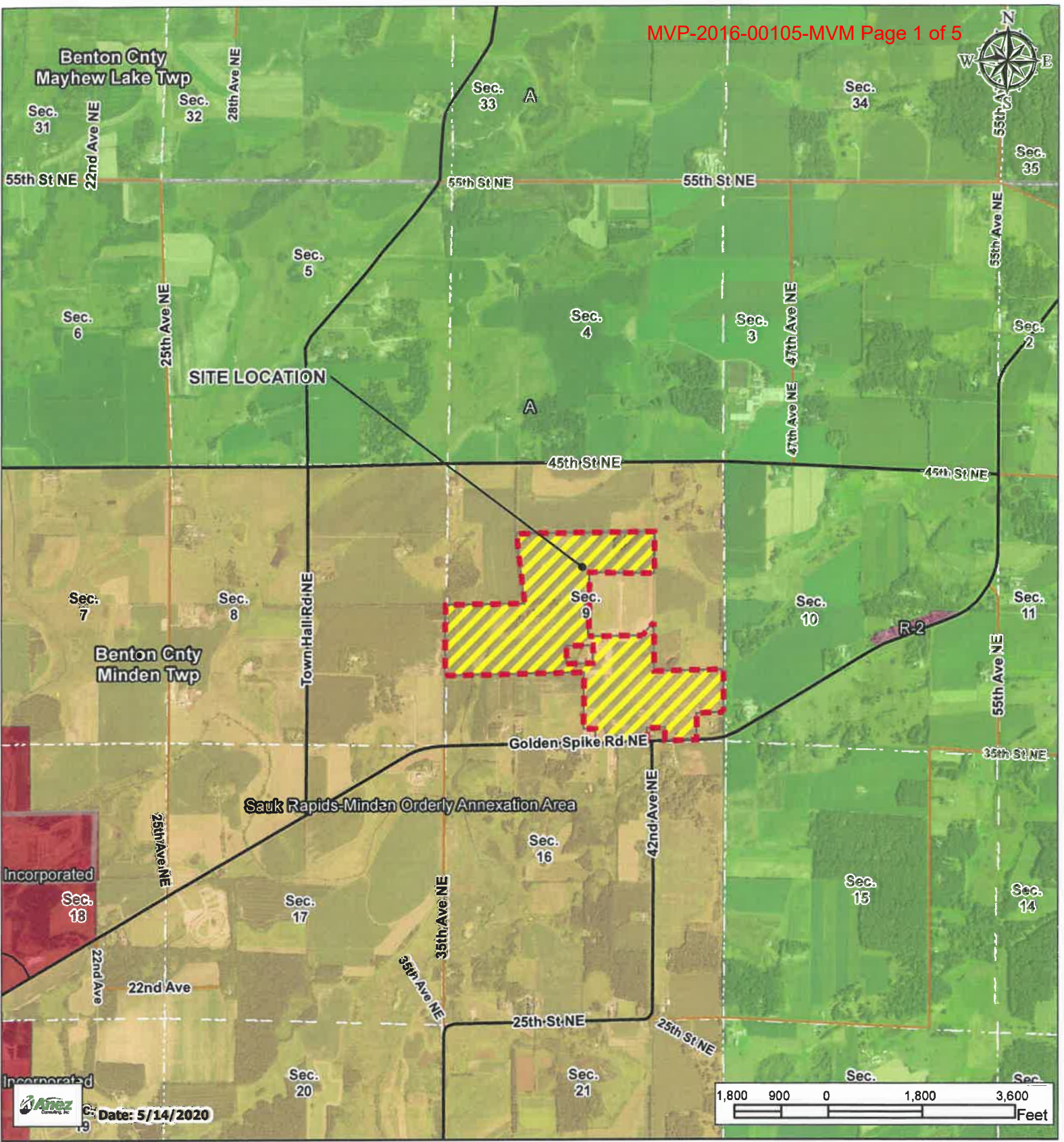
Replies may be sent to:

Regulatory Branch
St. Paul District Corps of Engineers
180 Fifth Street East, Suite 700
St. Paul, MN 55101-1678
mvp-reg-inquiry@usace.army.mil

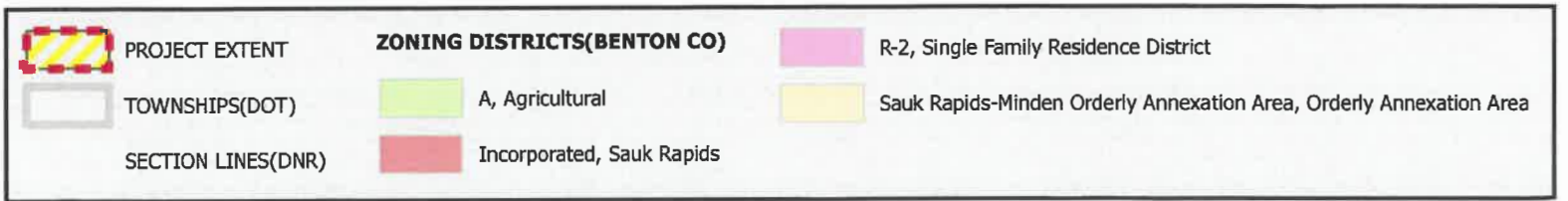
Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Marissa Merriman at the St. Paul office of the Corps, telephone number 651-290-5362, or email Marissa.V.Merriman@usace.army.mil.

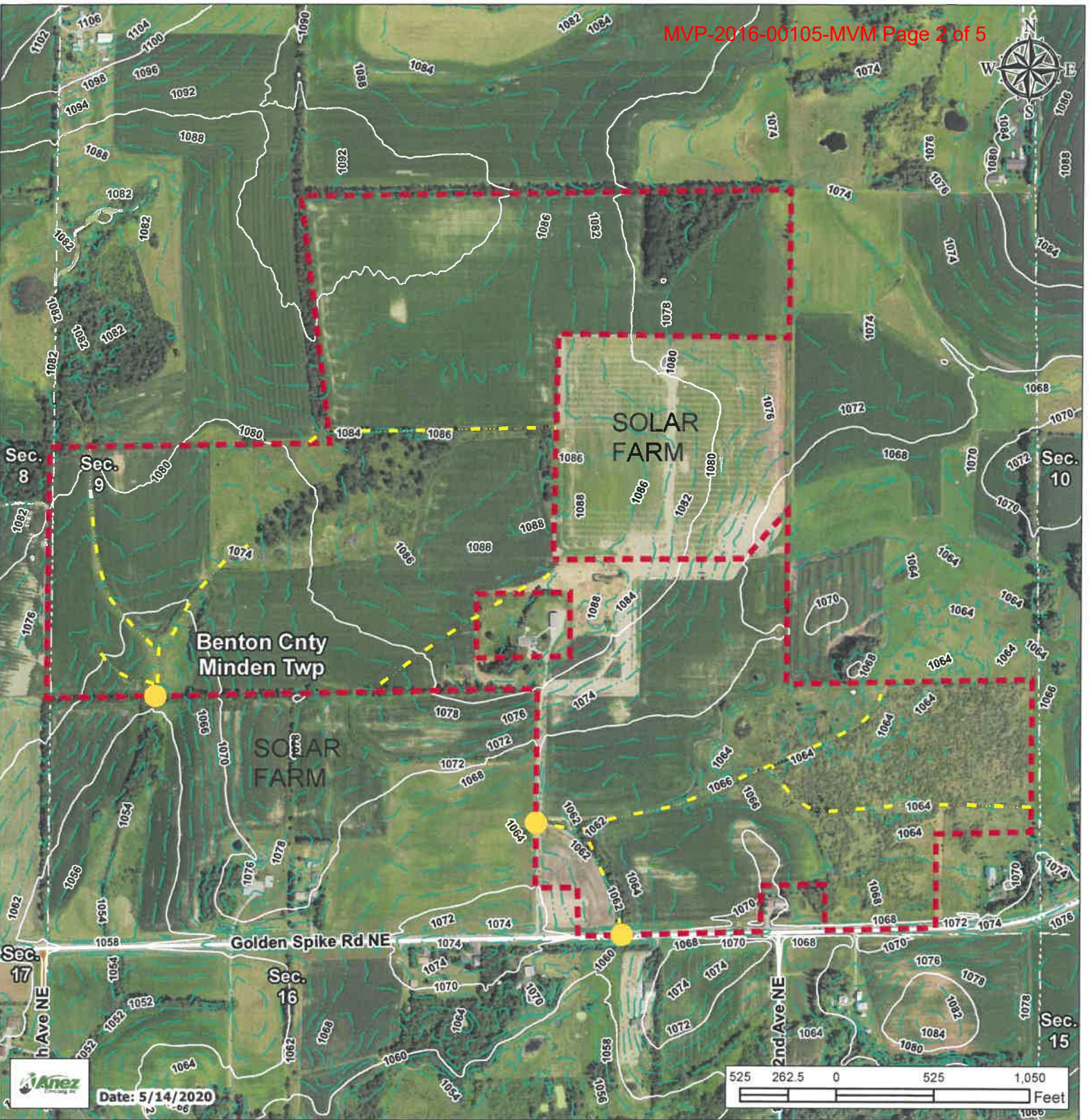
To receive Public Notices by e-mail, go to: http://mvp-extstp/list_server/ and add your information in the New Registration Box.

Enclosure

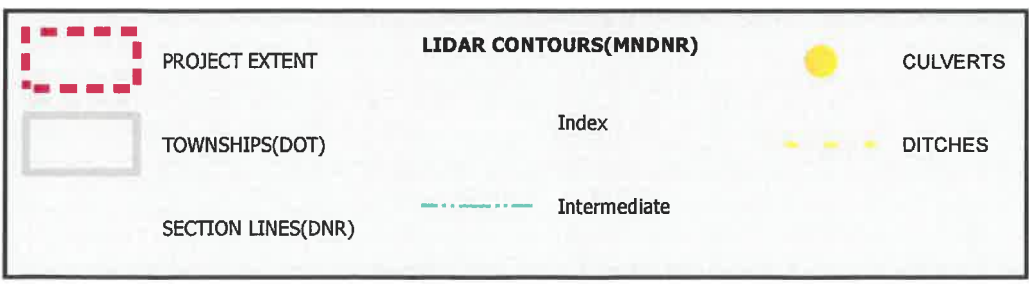


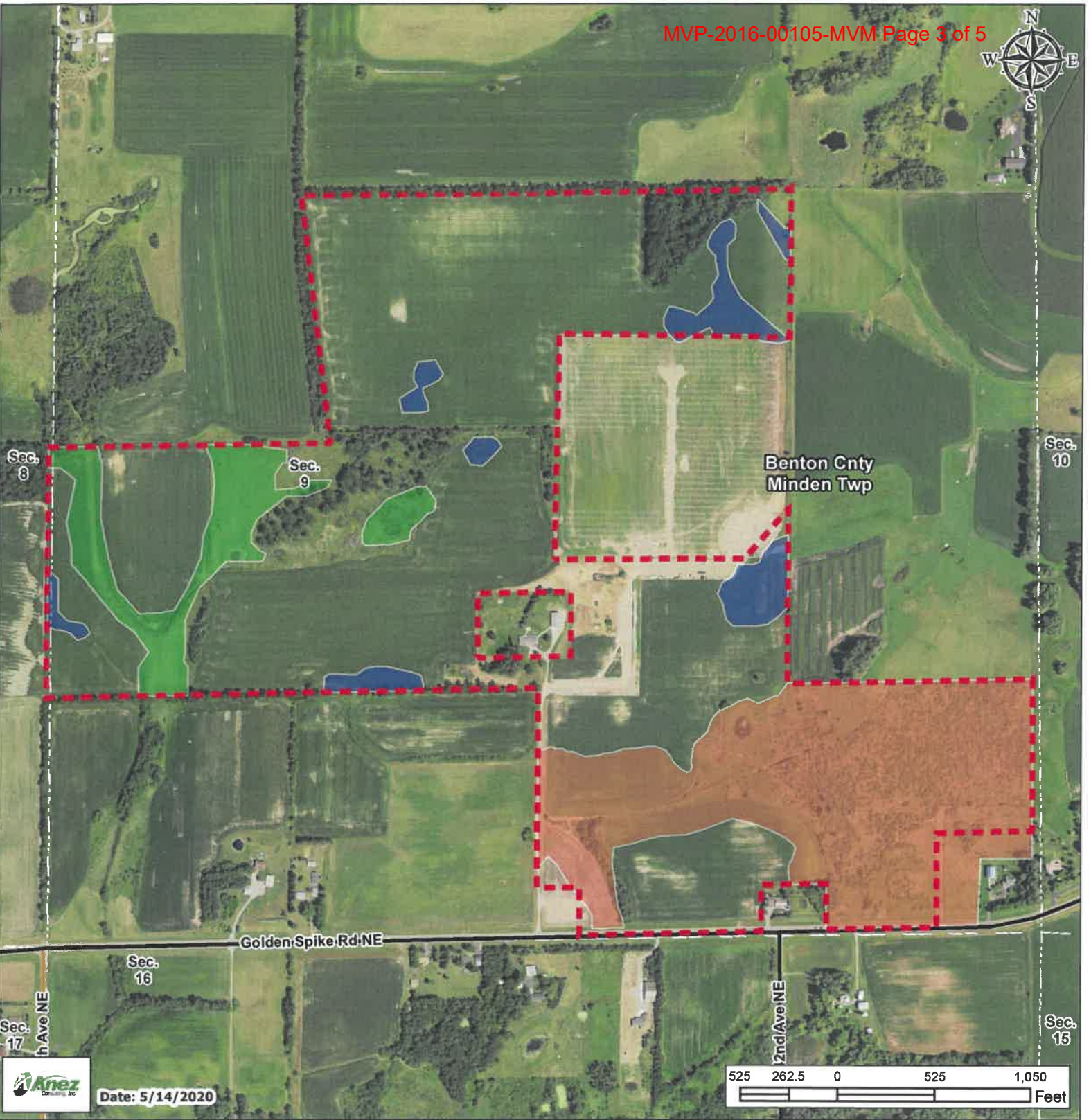
NEST EGG WETLAND BANK: FIGURE #2 - LAND USE MAP




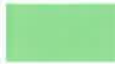






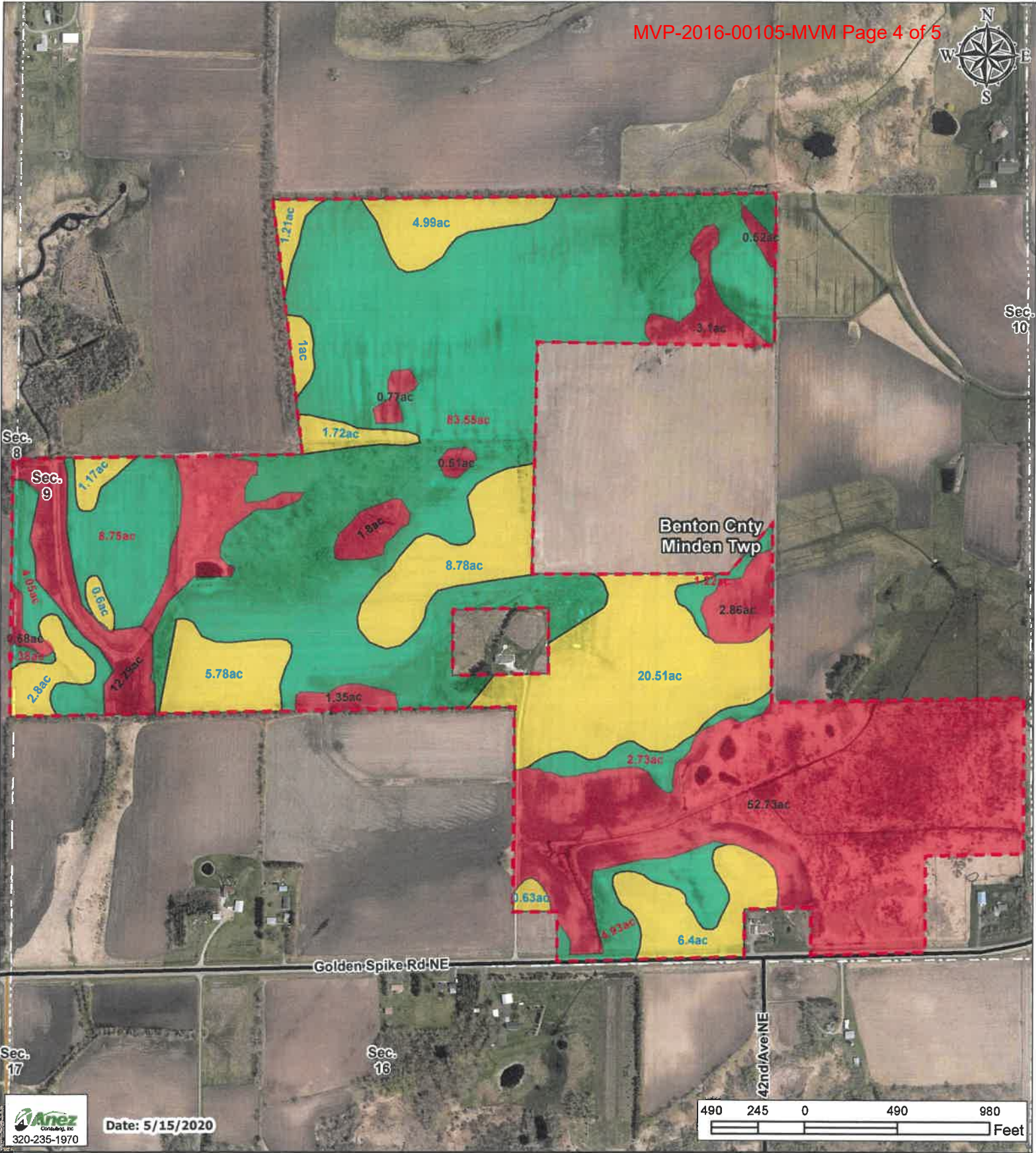
NEST EGG WETLAND BANK: FIGURE #3 - EXISTING CONDITIONS TOPOGRAPHIC MAP











NEST EGG WETLAND BANK: FIGURE #6B - DELINEATED WETLANDS MAP

	PROJECT EXTENT	DELINEATED WETLANDS(WESTWOOD)		TYPE 2 WET MEADOW
	TOWNSHIPS(DOT)	TYPE		TYPE 1 SHALLOW MARSH
	SECTION LINES(DNR)			TYPE 6 SHRUB CARR



NEST EGG WETLAND BANK: FIGURE #9 - CREDIT ALLOCATION AREA MAP

	PROJECT EXTENT, 237.8 ac		PROPOSED UPLAND, 55.6 ac
	TOWNSHIPS(DOT)		EXISTING WETLAND ENHANCEMENT, 76.6 ac
	SECTION LINES(DNR)		PROPOSED WETLAND REESTABLISHMENT, 105.6 ac



- CONSTRUCTION NOTES:**
1. THE EXISTING DITCHES AS SHOWN SHALL BE PLUGGED AND FILLED.
 2. THE EXCAVATION SHALL BE COMPACTED WITH THE SOIL UNTIL NO EVIDENCE OF FURTHER CONSOLIDATION IS WITNESSED.
 3. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ASSURE THE DITCH IS ADEQUATELY BACKFILLED PRIOR TO COVERING AND RESTORING THE DISTURBED AREA WITH TURF.
 4. THE BACKFILL OF ALL TRENCH AREAS SHALL BE OVER BUILT 3 INCHES TO ACCOUNT FOR POSSIBLE SETTLEMENT OF THE FILLED DITCH.
 5. BORROW MATERIAL TO COMPLETE THE FILLING OF THE DITCH SHALL COME FROM EITHER SIDE OF THE DITCH AND THE RESULTING SLOPE TO THE DITCH SHALL NOT BE STEEPER THAN 10:1.
 6. ALL ORGANIC TOPSOIL SHALL BE SALVAGED PRIOR TO BORROWING AND THEN RESPREAD FOR SEEDING IMMEDIATELY THEREAFTER.



I hereby certify that this plan, specification or report was prepared by me or under my direct supervision and that I am a duly Registered Professional Engineer under the laws of the State of Minnesota.

Signature: _____
 Michael G. Nelson, PE
 Registration No. 26807

Date: _____
 My Registration Expires June 30, 2020

1700 Technology Drive NE
 Suite 130
 Willmar, MN 56201
 (320) 235-1970

**RICH ELBERT
 NEST EGG WETLAND BANK
 CONCEPT PLAN**

SEC. 9, TWP. 36N, R. 30W
 BENTON COUNTY, MN.

Scale 1" = 1'	Date SEPT. 17, 2019
Project Number	Sheet Number X of X