



US Army Corps  
of Engineers  
St Paul District

**SPONSOR:** David Jensen

# Public Notice

**ISSUED:** October 18, 2021

**EXPIRES:** November 17, 2021

**REFER TO:** 2021-00258-KAL

**SECTION:** 404 - Clean Water Act

---

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL
2. SPECIFIC INFORMATION

**SPONSOR'S ADDRESS:** David Jensen  
48013 Fyhr Lane  
Hinckley, Minnesota 55037

**SPONSOR'S AGENT** John Smyth  
Stantec  
733 Marquette Avenue, Suite 1000  
Minneapolis, Minnesota 55402

**PROJECT LOCATION:** The project area is located in Section 35, Township 42 North, Range 21 West, Pine County, Minnesota. The approximate UTM coordinates are N 5102652, E 502707 Latitude 46.077439, Longitude -92.964994.

**BANK SERVICE AREA:** The proposed bank service area is the St. Croix River Basin (Bank Service Area 6).

**DESCRIPTION OF PROJECT:** The sponsor is proposing to develop Jensen Wetland Bank. The proposed bank area is approximately 64.4 acres in size, including upland buffer areas.

**NEED AND OBJECTIVE OF PROJECT:** The proposed bank is located within the Kettle Watershed which is within Bank Service Area 6. The Kettle watershed currently does not have any available wetland credits. BSA 6 is also currently low on available wetland credits and as of October 15, 2021 has approximately 9 credits available. BSA 6 extends into Washington County which has several actively growing cities with increased credit demand. This wetland bank would fulfill the need for credits in the Kettle Watershed and the actively growing areas of BSA 6. The proposed wetland bank would restore agricultural fields, pastures, and partially drained wetlands to 18.2 acres of wet meadow and 18.5 acres of scrub shrub wetland. In addition, 27.7 acres of native prairie and woodland would be preserved as buffer.

**ESTABLISHMENT, OPERATION AND MANAGEMENT:** The proposed methods to restore the hydrology to the wetland within the project area would involve the discharge of fill material in the existing ditches and the excavation of fill material from wetlands.

**Ditch blocks:** The wetland would be restored by the placement of a series of ditch blocks in the main ditch and lateral ditches. The ditch blocks would eliminate the effectiveness of the drainage of the main ditch and lateral ditches in lowering overflows and groundwater. The furthest upstream ditch block is proposed with a top elevation of 1085.5 to 1086 that would push water away from the ditch to adjacent existing ground locations that are approximately at the 1084.5 elevation that appears to be

historic overflow locations. An existing culvert located just north of the proposed upstream ditch block would be removed. No fill is proposed in the ditch above the furthest upstream ditch block because the overflow elevation of 1084.5 would render the upstream ditches ineffective. The fill for the ditch block and ditches of the main ditch would be from the dirt road that currently goes to the south.

**Ditch Filling:** A complete ditch fill would also be completed in select areas. The filling of the ditch would occur downstream of the furthest upstream ditch block with two additional ditch blocks at select locations downstream to restore overflow elevations. Ditches 3, 4 and 5 would be completely filled and a section of the internal east to west road would be removed. Filling of these ditches and a removal of the section of the road within the area of restored wetland is necessary to restore the natural flow pattern to the sloping wetland south of the road and re-establish wetland filled by the road. Currently, the road intercepts the natural drainage and directs flows to the main ditch via Ditch 4. Once the ditches are filled and road removed, the flows patterns and surface hydrology would be restored to the wetlands south of the road. The culvert under the west to east road at the main ditch would be removed. In addition, the culvert located at the upstream end of Ditch 3 that allows the drainage of an upstream depression would be removed and replaced with an overflow elevation of 1086 which would re-establish hydrology to the small depressional basin.

**Fill Removal:** Currently there is a road that goes south and bisects wetland W2 and W1. The main ditch is adjacent to this road and the road was at least partially built from the excavated material from the ditch. The road would be removed within the easement and the material would be used to fill in the main ditch. The removal of the fill of the road would re-establish wetlands that were filled and the combination of filling the main ditch and the road removal would rehabilitate existing wetland and re-establish a wetland area south of Wetland W2 that has had flows diverted by the road grading and cattle pond spoil piles. The cattle pond spoil piles would also be removed to re-establish filled wetland and establish historic flow patterns to the area to the south to re-establish wetland. The focus of the grading plan, when completed as part of the Full Wetland Bank Application, would be to reestablish contours and flow patterns that existed before the roads and ditches were built.

**OWNERSHIP AND LONG-TERM MANAGEMENT:** The current project sponsor is David Jensen, but the land could be sold prior to the Final Wetland Bank Application being completed. Therefore future ownership, including credit owners, is unknown at this time.

**TECHNICAL FEASIBILITY AND QUALIFICATIONS:** The proposed methods to restore the hydrology to the wetland involve the discharge of fill material in the existing ditches and the excavation of fill material from wetlands. These are proven methods that Stantec has designed and implemented on many wetland banks projects. There are no constraints to restore the desired hydrology of the wetland.

**ECOLOGICAL SUITABILITY:** The area is suitable to sustain the proposed wetland types based on soils and topography. The soil description indicates groundwater should be near the surface. Ditching has lowered natural overland flow elevations and has diverted surface flows around the historic and existing wetlands areas. With the ditching disabled and outlets restored to historic levels, the groundwater would be restored allowing vegetative restoration to be more successful due stable hydrology. The wetland bank area and adjacent areas do not have invasive species that are more difficult to control such as reed canary grass and narrow-leaved cattail.

**HYDROLOGY:** There is one main ditch that starts on the property's north end and flows south through the property to where it discharges to a wetland on the south end. There are five ditches that flow to the main ditch that are labeled as Ditch 1-5. Ditches 1 and 2 drain a low spot on the landscape and have feeder swales that help to drain adjacent lands. The natural drainage pattern is from north to south. Ditches and swales capture flows along this natural drainage pattern and direct it to the main

ditch to allow maintenance of hay and corn crops as well as to reduce ponding and saturation in the pastureland. There is an internal access road crossing the area just south of Ditch 4 that extends from east to west and creates a barrier to the natural drainage pattern and directs flows into Ditch 4 north of the access road. Ditch 4 diverts the flows to the main ditch. Ditch 3 drains a depression east of the internal road and provides a low spot for the flows to reduce sheet flow across the field. These are all internal private ditches with no drainage agreements.

**CURRENT LAND USES:** The project area has been divided in half by an existing internal access road maintained as compacted native soil that traverses the center of the area from east to west. The existing road is bordered on the north by Ditch 4 and on the south by Ditch 5. North of this road the area within the easement has a history of cropping and hay fields. South of the access road the area is pastureland. Overhead powerlines follow just outside of the proposed easement along the west side for most of the project area and continue north and south out of the project area. There is an existing rural residence and associated outbuildings adjacent to the easement on the northeast boundary of the area. In addition, an internal road commences from the existing west to east access road and bisects the wetland areas labeled as W1 and W2. There are no known conservation easement or contracts within the proposed easements.

**COORDINATION WITH RESOURCE AGENCIES:** This project has been coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: Environmental Protection Agency (EPA), Minnesota Department of Natural Resources (DNR), and the Board of Water and Soil Resources (BWSR).

### 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. 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 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 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. 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.

### 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

Regulatory Branch (File No. 2021-00258-KAL)

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 addressed to:

Regulatory Branch  
St. Paul District Corps of Engineers  
180 Fifth Street East, Suite 700  
St. Paul, MN 55101-1678

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Kristoffer Laman at the Duluth office of the Corps, telephone number 218-788-6409 or email at [Kristoffer.a.laman@usace.army.mil](mailto:Kristoffer.a.laman@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.

Enclosure(s)



V:\1938\A\active\19380523\03\_data\ais\_cad\ais\mxd\19380523\_Jensen\_Wetland\_Bank.aprx Revised: 2021-07-20 By: safoster

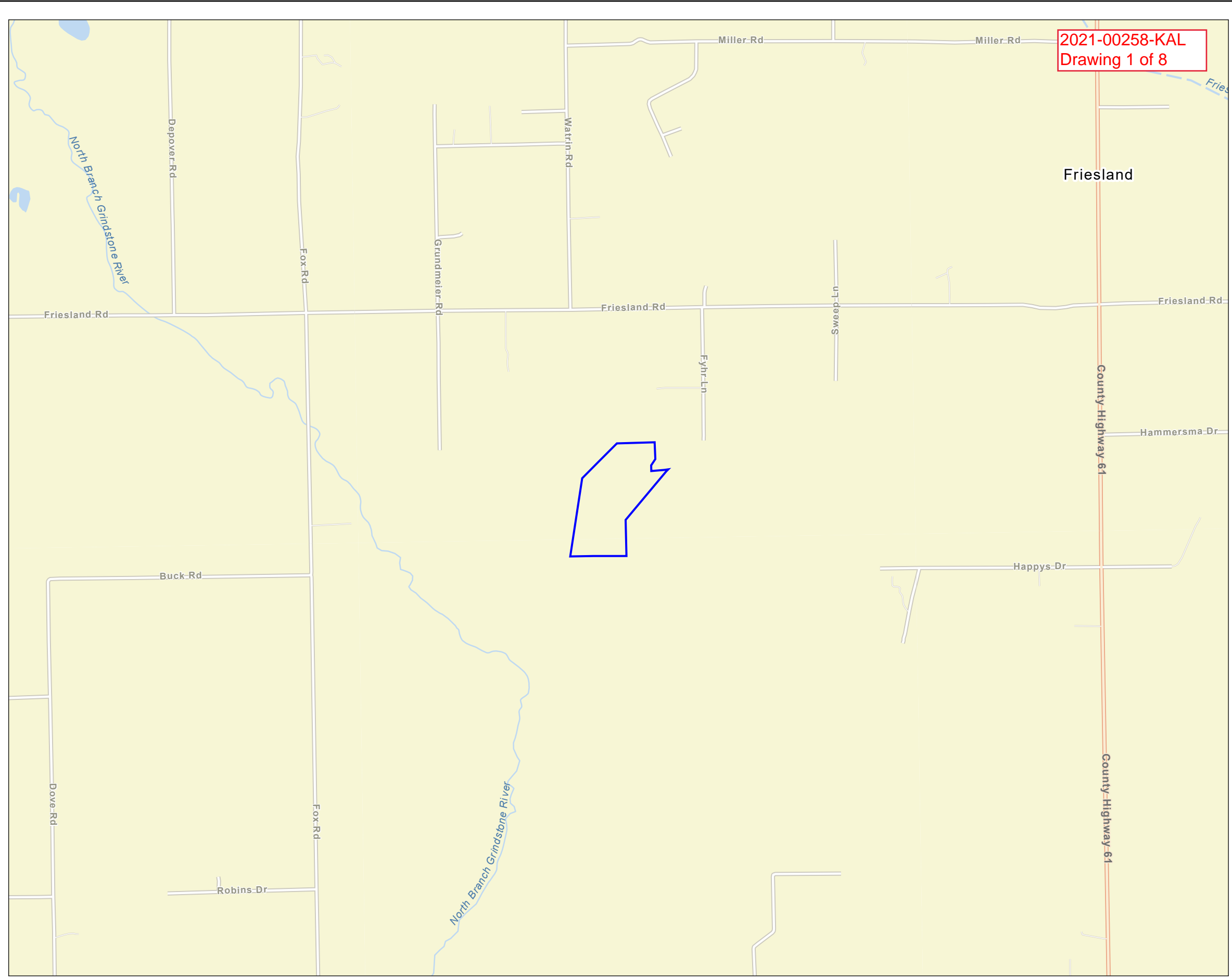
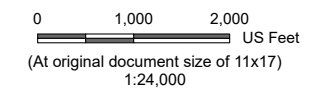


Figure No.  
**1**


Title  
**Project Location**

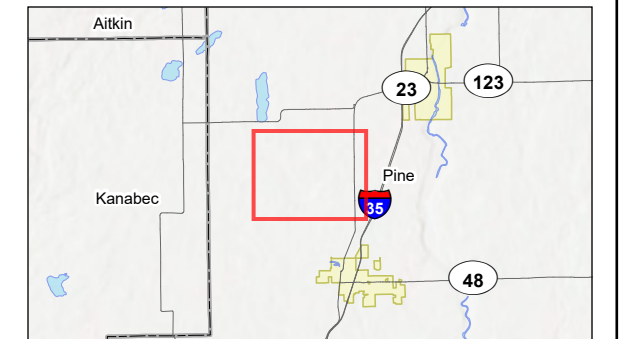
Client/Project  
David Jensen  
Jensen Wetland Bank 193805233

Project Location  
T42N, R21W, S35,  
T. of Dell Grove, Pine Co., MN  
Prepared by SF on 2021-05-25  
Technical Review by JS on 2021-06-04  
Independent Review by MB on 2021-07-20



Legend

 Easement Boundary



- Notes
- 1. Coordinate System: NAD 1983 StatePlane Minnesota Central FIPS 2202 Feet
  - 2. Data Sources: Stantec, USGS, NADS
  - 3. Background: ESRI Streets





V:\1938\Active\19380523\03\_data\ois\_cadd\stms\193805233\_jensen\_wetland\_bank.aprx Revised: 2021-07-20 By: safoster

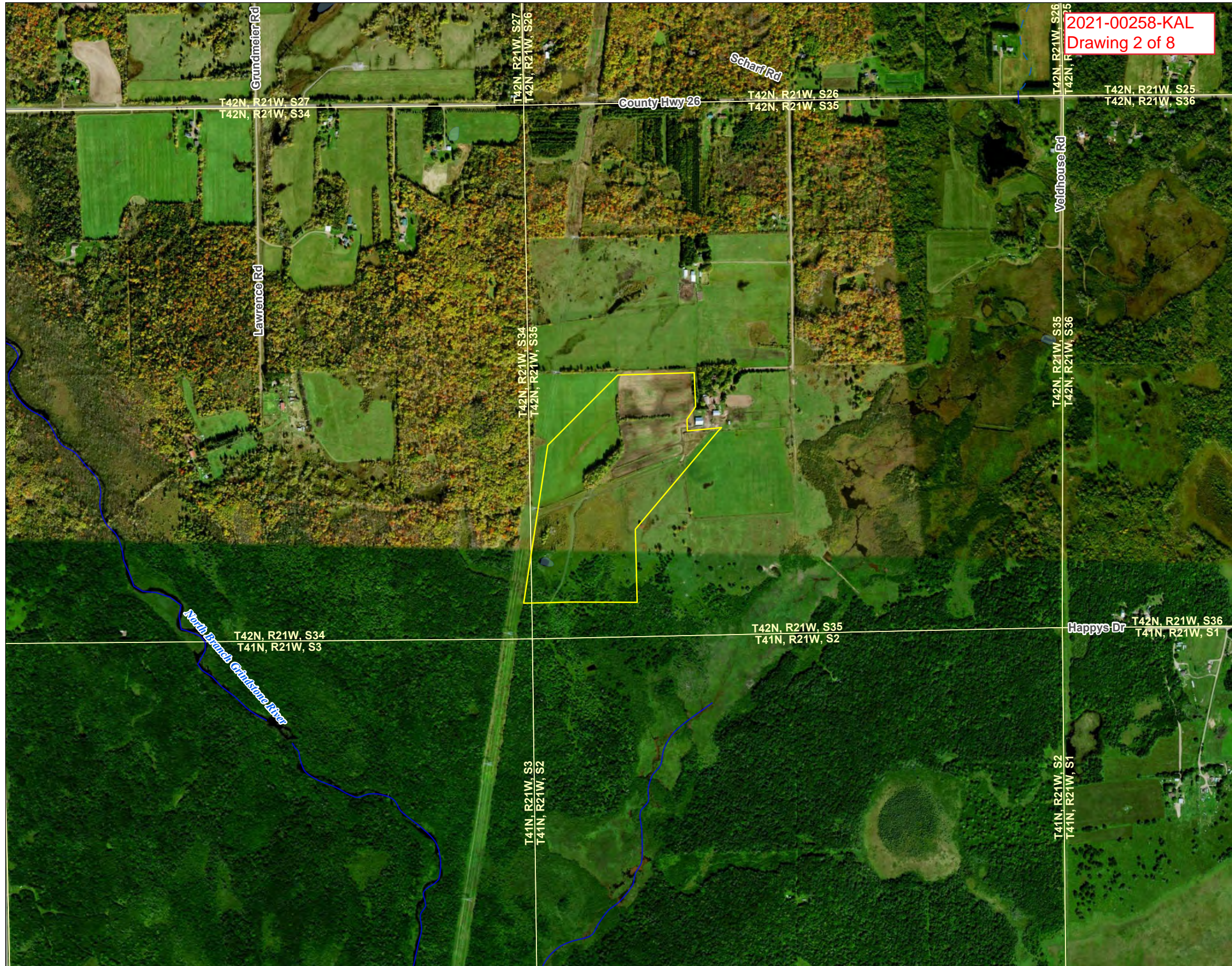


Figure No.

2

Title

Land Use Map

Client/Project

David Jensen  
Jensen Wetland Bank  
Wetland Delineation

193805233

Project Location

T42N, R21W, S35,  
T. of Dell Grove, Pine Co., MN

Prepared by SF on 2021-05-25





Technical Review by JS on 2021-06-04

Independent Review by MB on 2021-07-20

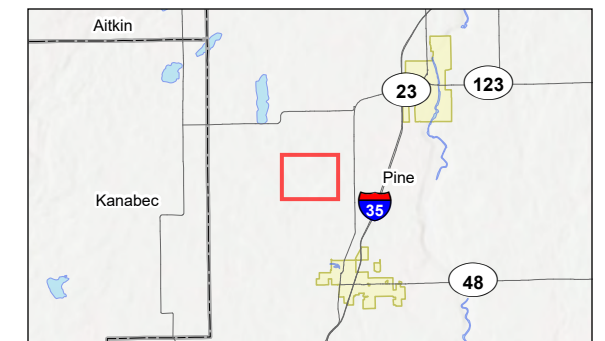


0 500 1,000  
US Feet  
(At original document size of 11x17)  
1:12,000

Legend

-  Easement Boundary
- National Hydrography Dataset
  -  Perennial Stream
  -  Intermittent Stream
  -  Waterbody

\*No Features Within Data Frame



Notes

1. Coordinate System:
2. Data Sources: Stantec, USGS, NADS
3. Orthophotography: 2019 NAIP





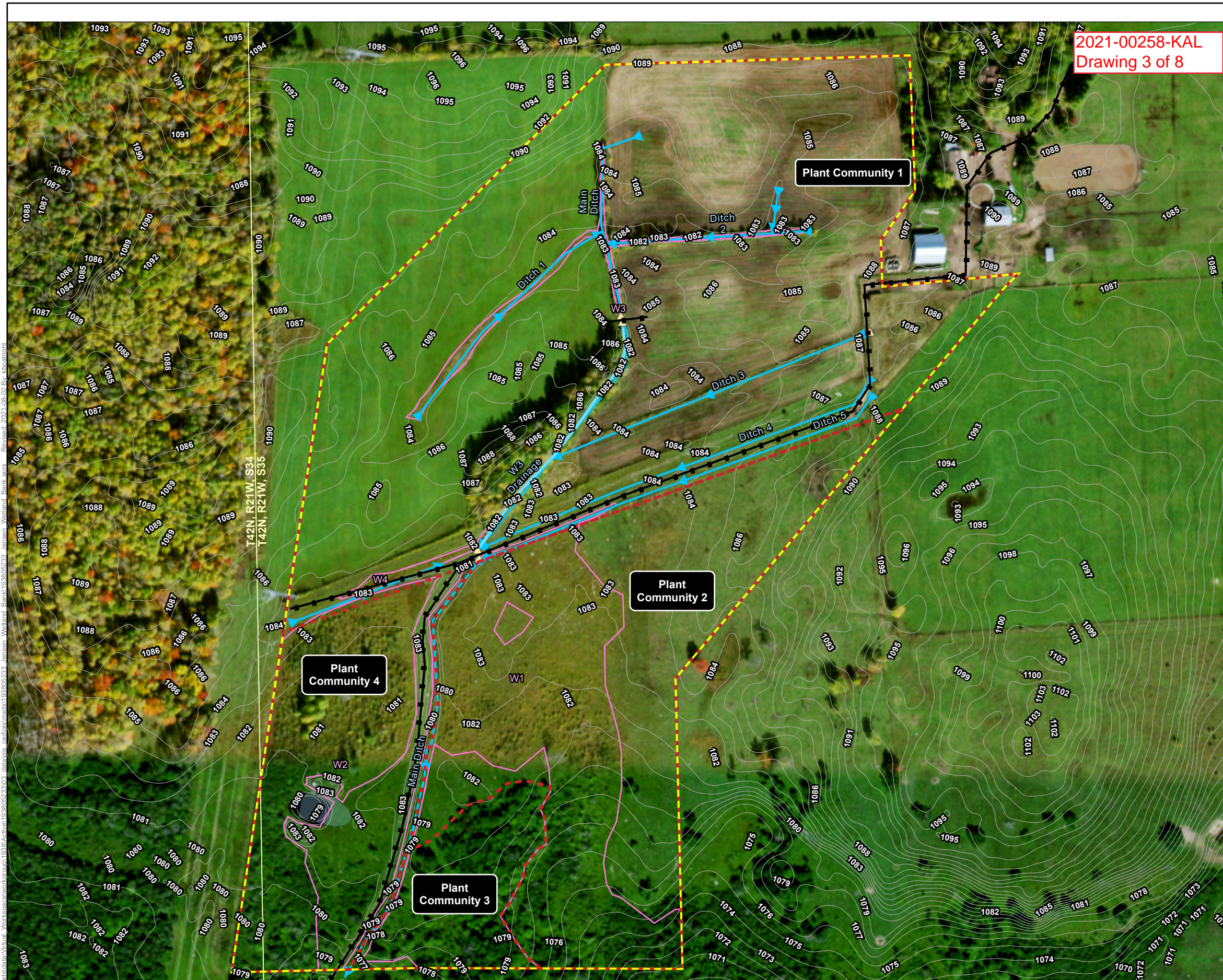


Figure No.

3

Title

Existing Conditions

Client/Project  
David Jensen  
Jensen Wetland Bank

193805233

Project Location  
T42N, R21W, S35,  
T. of Dell Grove, Pine Co., MN

Prepared by JDS on 2021-06-04  
Technical Review by SF on 2021-06-04  
Independent Review by JS on 2021-07-20

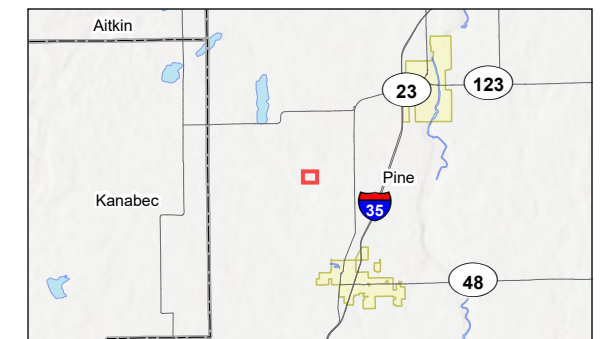


0 125 250  
US Feet  
(At original document size of 11x17)  
1:3,000

Legend

- Easement Boundary
- Culvert
- Field Delineated Waterway
- Field Delineated Wetland Boundary
- Field Delineated Wetland Area
- Ditches/Lowered Outlets
- Historic Flows Before Ditching (restore flows)
- Existing Internal Roads and Road Crossing
- Plant Community Boundary
- One Foot Contour
- National Hydrography Dataset
- Perennial Stream\*
- Intermittent Stream\*
- Waterbody

\*No Features Within Data Frame



Notes

1. Coordinate System:
2. Data Sources: Stantec, USGS, NADS
3. Orthophotography: 2019 NAIP





V:\1938\Aerial\19380523\03\_data\soils\_cad\soils\mxd\193805233\_Jensen\_Wetland\_Bank.aprx Revised: 2021-07-20 By: safoster



Figure No.

4

Title

### NRCS Soil Survey Data Hydric Ratings

Client/Project

David Jensen  
Jensen Wetland Bank  
Wetland Delineation

193805233

Project Location

T42N, R21W, S35,  
T. of Dell Grove, Pine Co., MN

Prepared by SF on 2021-05-25

Technical Review by JS on 2021-06-04  
Independent Review by MB on 2021-07-20



0 150 300  
US Feet  
(At original document size of 11x17)  
1:3,600

#### Legend

Easement Boundary

NRCS Soil Survey Data

Hydric Ratings

Predominantly Hydric Soil

Partially Hydric Soil

Non-Hydric Soil

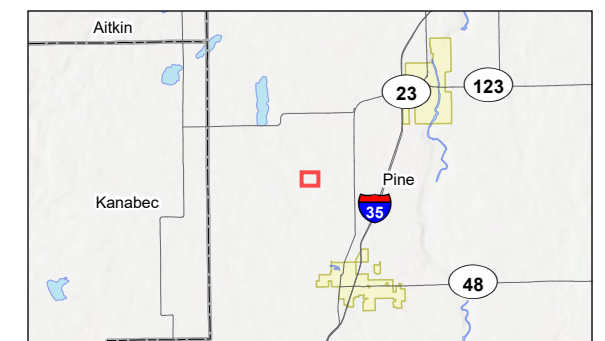
National Hydrography Dataset

Perennial Stream\*

Intermittent Stream\*

Waterbody

\*No Features Within Data Frame



#### Notes

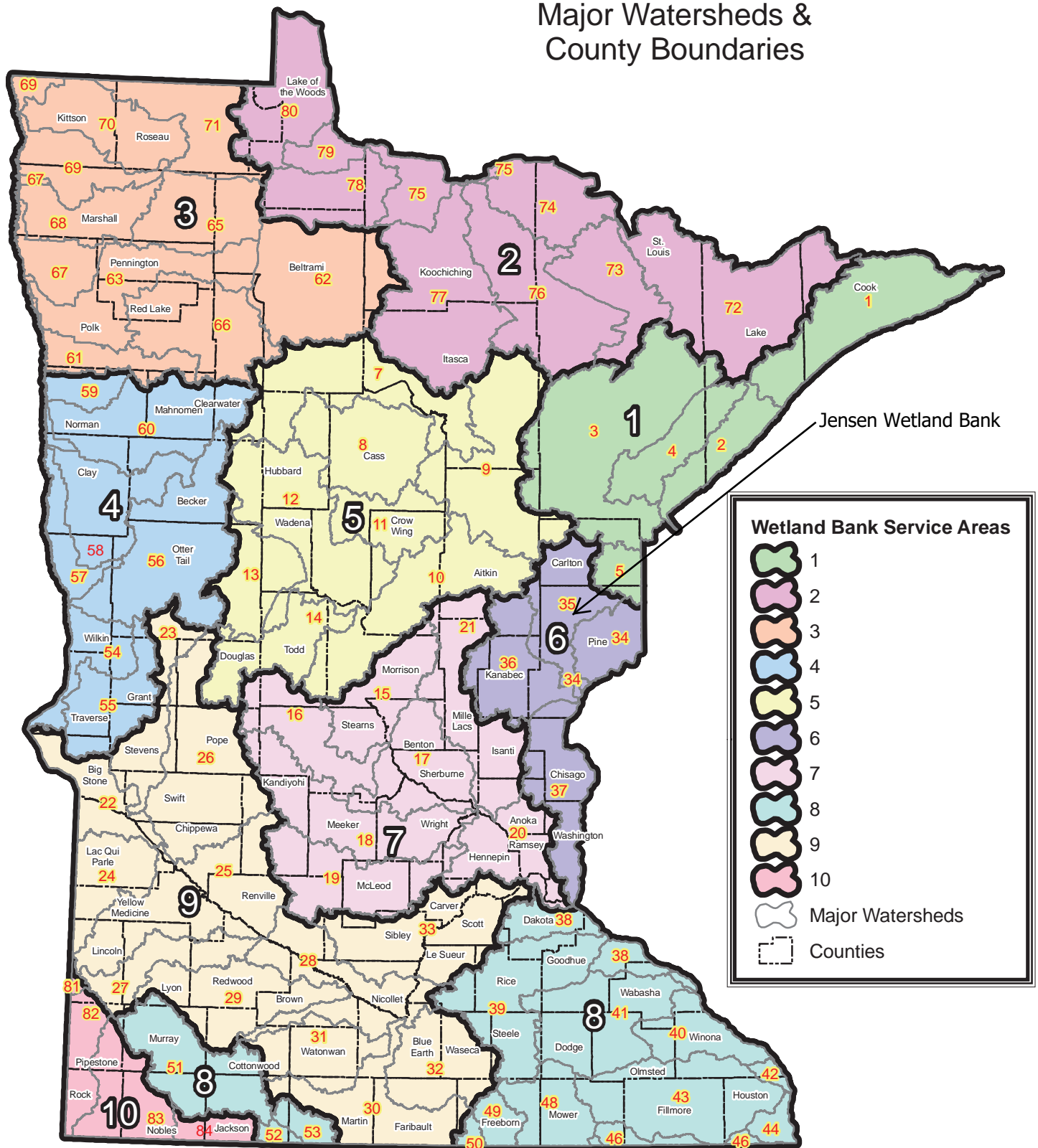
1. Coordinate System: NAD 1983 StatePlane Minnesota Central FIPS 2202 Feet
2. Data Sources: Stantec, USGS, NADS, NRCS
3. Orthophotography: 2019 NAIP





# Wetland Bank Service Areas

With  
Major Watersheds &  
County Boundaries



Client/Project  
David Jensen  
Jensen Wetland Bank

Figure 5. Watershed Map

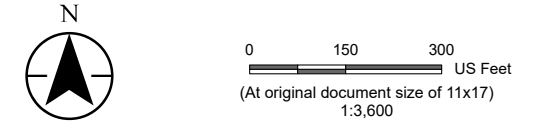


V:\1938\Active\19380523\03\_data\analysis\193805233\_Jensen\_Wetland\_Bank.mxd Revised: 2021-06-25 By: safoster



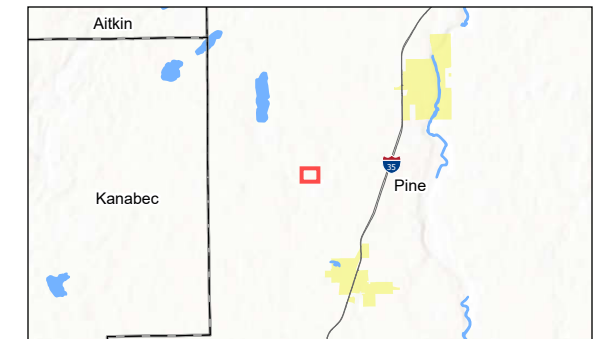
2021-00258-KAL  
Drawing 6 of 8

Figure No. **6**  
 Title **Existing Wetlands Map  
Approved Wetland Delineation**  
 Client/Project **David Jensen** 193805233  
**Jensen Wetland Bank**  
 Project Location **T42N, R21W, S35,  
T. of Dell Grove, Pine Co., MN** Prepared by SF on 2021-06-04  
 Technical Review by JDS on 2021-06-04  
 Independent Review by JS on 2021-06-25



- Legend**
- Investigation Boundary
  - Culvert
  - Sample Point
  - Field Delineated Waterway
  - Field Delineated Wetland Area
  - 2ft Lidar Elevation Contour
  - ~ National Hydrography Dataset
  - ~ Perennial Stream\*
  - ~ Intermittent Stream\*
  - Waterbody

\*No Features Within Data Frame



- Notes**
1. Coordinate System: NAD 1983 StatePlane Minnesota Central FIPS 2202 Feet
  2. Data Sources: Stantec, USGS, NADS
  3. Orthophotography: 2019 NAIP



Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.



2021-00258-KAL  
Drawing 7 of 8

Figure No.

7

Title

**Credit Allocation Area and Proposed Vegetation Conditions Map**

Client/Project  
David Jensen  
Jensen Wetland Bank

193805233

Project Location  
T42N, R21W, S35,  
T. of Dell Grove, Pine Co., MN

Prepared by SF on 2021-07-14  
Technical Review by BT on 2021-07-14  
Independent Review by JS on 2021-07-20

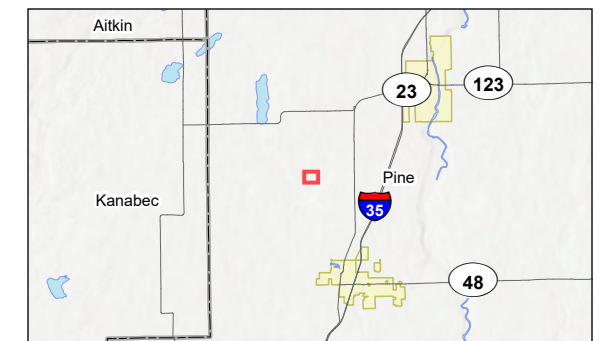


0 125 250  
US Feet  
(At original document size of 11x17)  
1:3,000

Legend

- Easement Boundary
  - Access Easement
  - Grading To Restore Historic Path Flow
  - Ditch Check
  - Culvert
  - Sample Point
  - Field Delineated Waterway
  - Field Delineated Wetland Boundary
  - Ditches/Lowered Outlets
  - Historic Flows Before Ditching (restore flows)
  - One Foot Contour
- Credit Allocation
- Fresh (Wet) Meadow Reestablishment (15.52 ac)
  - Fresh (Wet) Meadow Rehabilitation (2.74 ac)
  - Scrub Shrub Reestablishment (7.77 ac)
  - Scrub Shrub Rehabilitation (10.80 ac)
  - Existing Wetland Not Restored (1.09 ac)
  - Upland Buffer (27.71 ac)

\*No Features Within Data Frame



- Notes
1. Coordinate System: NAD 1983 StatePlane Minnesota Central FIPS 2202 Feet
  2. Data Sources: Stantec, USGS, NADS
  3. Orthophotography: 2019 NAIP



I:\projects\2021-00258-KAL\Drawings\2021-00258-KAL-Drawing 7 of 8.dwg

Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.



2021-00258-KAL  
Drawing 8 of 8

Figure No.

8

Title

Concept Plan

Client/Project  
David Jensen  
Jensen Wetland Bank

193805233

Project Location  
T42N, R21W, S35,  
T. of Dell Grove, Pine Co., MN

Prepared by KDB on 2021-07-07  
Technical Review by BT on 2021-07-07  
Independent Review by JS on 2021-07-20

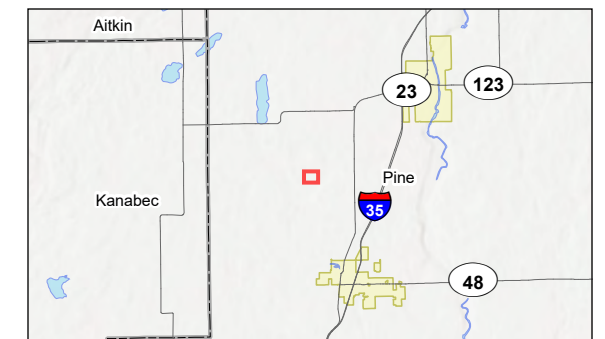


0 125 250  
US Feet  
(At original document size of 11x17)  
1:3,000

Legend

- Easement Boundary
- Access Easement
- Grading To Restore Historic Path Flow
- Ditch Check
- Culvert Removal
- Ditch Fill
- Access Road Removal
- Potential Excess Spoil Pile Location
- Culvert
- Sample Point
- Field Delineated Waterway
- Field Delineated Wetland Boundary
- Ditches/Lowered Outlets
- Historic Flows Before Ditching (restore flows)
- One Foot Contour
- Existing Internal Roads and Road Crossing
- National Hydrography Dataset
- Perennial Stream\*
- Intermittent Stream\*
- Waterbody

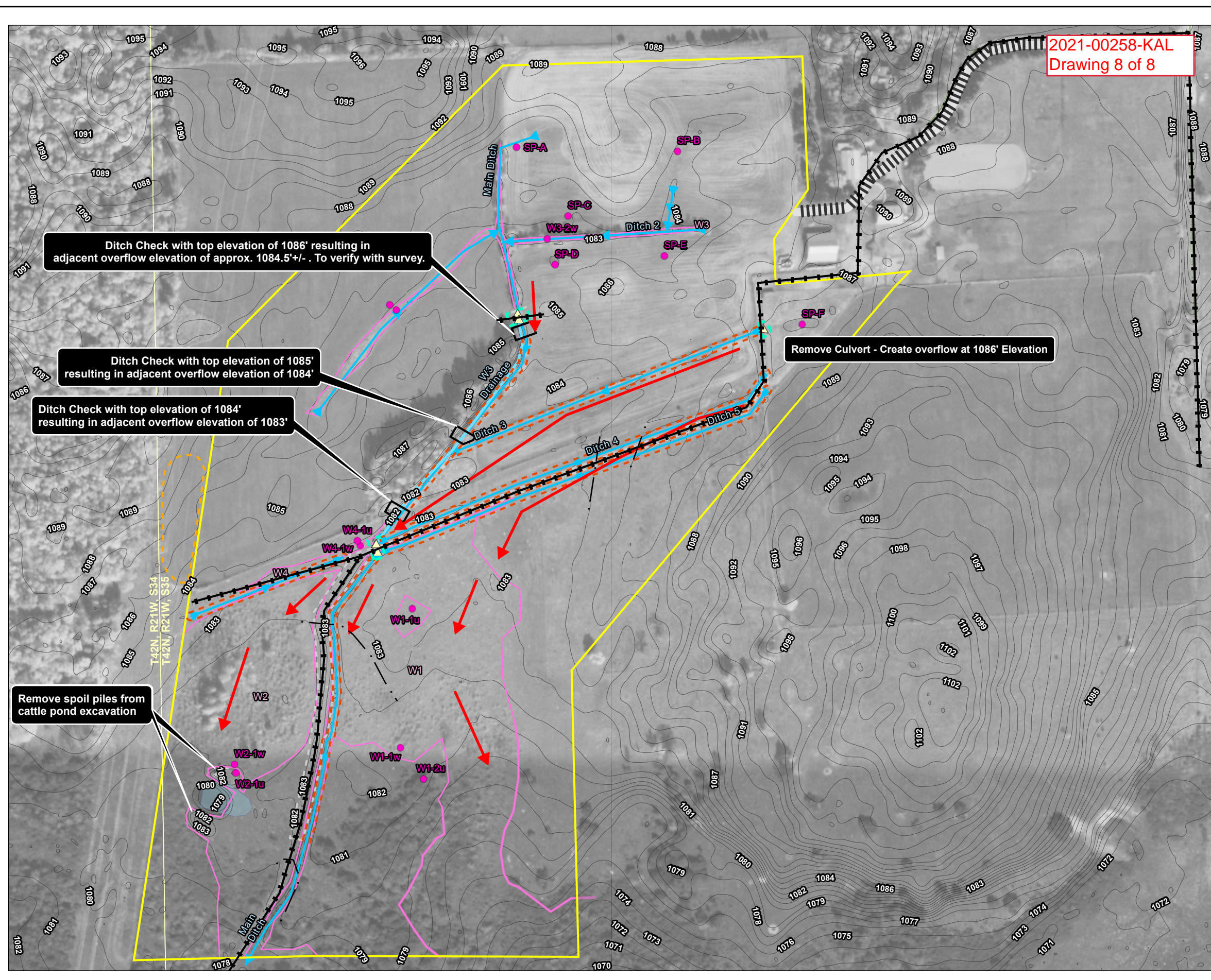
\*No Features Within Data Frame



- Notes
1. Coordinate System: NAD 1983 StatePlane Minnesota Central FIPS 2202 Feet
  2. Data Sources: Stantec, USGS, NADS
  3. Orthophotography: 2019 NAIP



C:\pcc\as\data\Virtual\_Workspace\work\20210703\_193805233\03\_data\gis\cad\gis\mxd\193805233\_Jensen\_Wetland\_Bank.aprx Revised: 2021-08-02 By: lboattin



Disclaimer: This document has been prepared based on information provided by others as cited in the Notes section. Stantec has not verified the accuracy and/or completeness of this information and shall not be responsible for any errors or omissions which may be incorporated herein as a result. Stantec assumes no responsibility for data supplied in electronic format, and the recipient accepts full responsibility for verifying the accuracy and completeness of the data.