



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

**SPONSOR:** Craig Wensmann

# Public Notice

**ISSUED:** 14 November 2022

**EXPIRES:** 14 December 2022

**REFER TO:** 2021-01651-EJI

**SECTION: 404 - Clean Water Act**

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## 1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

## 2. SPECIFIC INFORMATION

**SPONSOR'S ADDRESS:** Craig Wensmann  
Maywood Farms Bank  
5842 165<sup>th</sup> Avenue NE  
Foley, MN 56329

**SPONSOR'S AGENT** Nate Hylla  
Kanati Land Management LLC  
33599 Poverty Point Drive  
Avon, MN 56310

**PROJECT LOCATION:** The project site is located in: Section 34, Township 38 North, Range 28 West, Benton County, Minnesota. The approximate UTM coordinates are N 5065997.068, E 436316.152. Latitude 45.744598, Longitude -93.818687.

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

**DESCRIPTION OF PROJECT:** The sponsor is proposing to develop the Maywood Farms Wetland Bank. The proposed bank site is approximately 27.82 acres in size, including upland buffer areas.

**NEED AND OBJECTIVE OF PROJECT:** As stated by the sponsor in the prospectus, Minnesota Bank Service Area 7 has a shortage of wetland banks. The Upper Mississippi river watershed is continuing to see ongoing development. The site, if approved, would have compensatory wetland mitigation credits that applicants for Department of the Army permits could purchase to offset unavoidable losses of wetlands. The restoration activities are expected to provide high quality wildlife habitat, pollinator-friendly habitat, outdoor recreation opportunities for youth and other outdoor enthusiasts, water quality improvements and other benefits.

**ESTABLISHMENT, OPERATION AND MANAGEMENT:** The sponsor proposes to re-establish approximately 20 acres of fully and partially drained farmed wetland by filling existing drainage ditches and constructing embankments to restore wetland hydrology. The sponsor's plan also includes: re-establishing native vegetation within the restored wetlands and upland buffers; adaptively managing the site after construction and seeding for development of herbaceous communities dominated by native species common to the bank area; and monitoring the vegetation and hydrology to ensure the site is meeting performance standards to justify the release of credits. The sponsor would track credit sales and report sales to the state as required by state law. The Board of Soil and Water Resources will track sales and approved credit releases in its database, and the Corps will track sales using ledger data supplied by BWSR and credit releases it approves.

**OWNERSHIP AND LONG-TERM MANAGEMENT:** The sponsor owns the majority of land associated with the proposed project and conservation easement, with the exception of a property under different ownership to the north. The sponsor has indicated that they will coordinate with the property owners to the north to determine if there are options for including that property within the proposed restoration plan and easement. If the sponsor is not able to incorporate this property into the bank plan, they will adjust their proposed restoration plan and easement. The sponsor or their successors in property ownership would manage the established bank site. If the sponsor plans a transfer of ownership, they will put an operation and maintenance plan in place for the new owner. The sponsor will be responsible for long-term management of the property until all released credits have been debited. After all credits are debited, the landowner would continue to be responsible under state law for all long-term management obligations. The conservation easement and bank plan would identify additional protections and management limitations.

**TECHNICAL FEASIBILITY AND QUALIFICATIONS:** The actions proposed for restoration of the wetlands on site are typical techniques used for wetland restoration. The site includes a series of shallow depressional wetlands currently altered by a series of very shallow drainage swales and ditches that the sponsor proposes to fill with appropriate material to eliminate the artificial drainage. The sponsor would design and construct embankments (if needed) to assist in restoring the historic hydrology regime of the site and not artificially impound water.

As noted in the prospectus, Mr. Wensmann is a licensed land surveyor, who also owns a company called Bogart, Pederson, and Associates (hereafter referred to as "BPA"). That company has engineering services and will be completing the wetland banking design. BPA has experience with several wetland banks as a surveyor and wetland delineator. Mr. Wensmann is planning to contract for services for vegetation establishment and long-term management. Kanati Land Management, LLC (hereafter referred to as "Kanati") has experience in planting, monitoring, and maintenance of wetland banks.

**ECOLOGICAL SUITABILITY:** The proposed wetland restoration is located within a topographic low point/depression that contains existing wetland. Hydric soils and saturation visible on aerial imagery appear to extend outside of the existing wetlands delineated by the sponsor. According to the sponsor, the natural topography of the site combined with the restoration of groundwater and surface water sources will support the planned wetland types of shallow marsh and wet meadow.

**HYDROLOGY:** According to the sponsor, the ditch that bisects the proposed easement is a private ditch and there are currently no drainage easements on the property. The sponsor acknowledges that they may need to obtain a flowage easement to fully restore the basin on the north end of the site. The sponsor indicates within the prospectus that there is a natural grade break on the southern boundary of the proposed easement that would prohibit restored hydrology from affecting the property to the south.

**CURRENT LAND USES:** Currently, the parcel is comprised of agricultural cropland with areas of cropped and uncropped wetland that are bisected by a drainage ditch. Based on historic aerials and the topography, this ditch was man-made to drain the series of on-site basins. The ditch flows to the east and drains into pastureland surrounding Estes Brook. The immediate area surrounding the site is comprised of cropland, pasture, buildings and homesteads. The delineation identifies existing wetlands on site along the riparian areas of the ditch. The surrounding land use is largely agricultural.

**COORDINATION WITH RESOURCE AGENCIES:** The Corps is coordinating this project with the following members of the Interagency Review Team (IRT) and other resource agencies: Minnesota

Department of Natural Resources, U.S. Environmental Protection Agency and the Minnesota Board of Water and Soil Resources.

3. **FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT:** The sponsor did not identify any federally-listed threatened or endangered wildlife or plants or their critical habitat and none are known to exist in the action area of the project. 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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The Corps is coordinating this notice with the U.S. Fish and Wildlife Service. The Corps will consider any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat in our final assessment of the proposed project.

#### 4. JURISDICTION

The Corps is reviewing this proposal 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 unidentified properties. The Corps will coordinate its determination on identification of historic properties and any effect findings with the State Historic Preservation Officer and other consulting parties as appropriate independent of this public notice. The Corps will resolve any adverse effects on historic properties in coordination with consulting parties prior to the Corps' approval of any final Mitigation Banking Instrument for this project.

#### 6. PUBLIC HEARING REQUESTS

Any person may request, in writing, within the comment period specified in this notice, that the Corps hold a public hearing to consider this proposal. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. The Corps may deny public hearing request(s) if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

#### 7. REPLIES/COMMENTS

The Corps invites interested parties 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. The Corps will forward comments received to the applicant and consider all comments during our evaluation. Interested parties can find a copy of the full prospectus in the RIBITS Cyber Repository at the following link:

[https://ribits.ops.usace.army.mil/ords/f?p=107:278:25765518660626:::RP,278:P278\\_BANK\\_ID:6420](https://ribits.ops.usace.army.mil/ords/f?p=107:278:25765518660626:::RP,278:P278_BANK_ID:6420)

Regulatory Division (File No. 2021-01651-EJI)

Commenters should address replies to:

Regulatory Division  
10867 East Gull Lake Drive  
Brainerd, MN 56401

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, please call Evan Ingebrigtsen at the Brainerd office of the Corps, telephone number 651-290-5765 or email [evan.j.ingebrigtsen@uace.army.mil](mailto:evan.j.ingebrigtsen@uace.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

MAYWOOD FARMS  
WETLAND BANK  
BENTON COUNTY ROAD 7  
GRANITE LEDGE TOWNSHIP, BENTON COUNTY, MN  
APRIL 2022

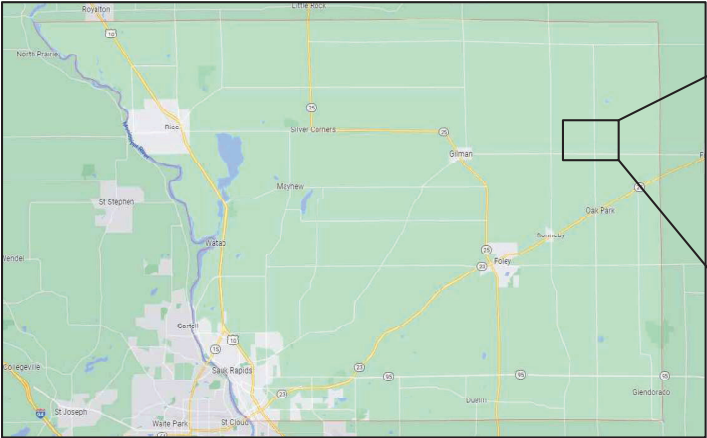
CIVIL & SURVEY PLANS PREPARED BY:



**Bogart, Pederson  
& Associates, Inc.**  
CIVIL ENGINEERING  
LAND SURVEYING  
ENVIRONMENTAL SERVICES

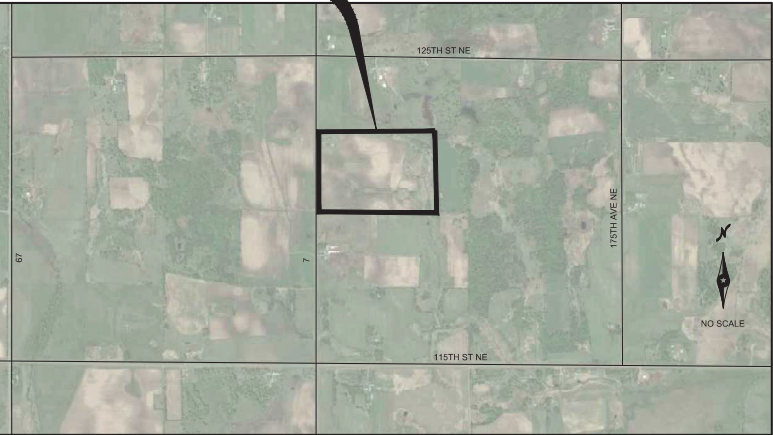
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REV NO.	DATE	DESCRIPTION



BENTON COUNTY, MINNESOTA

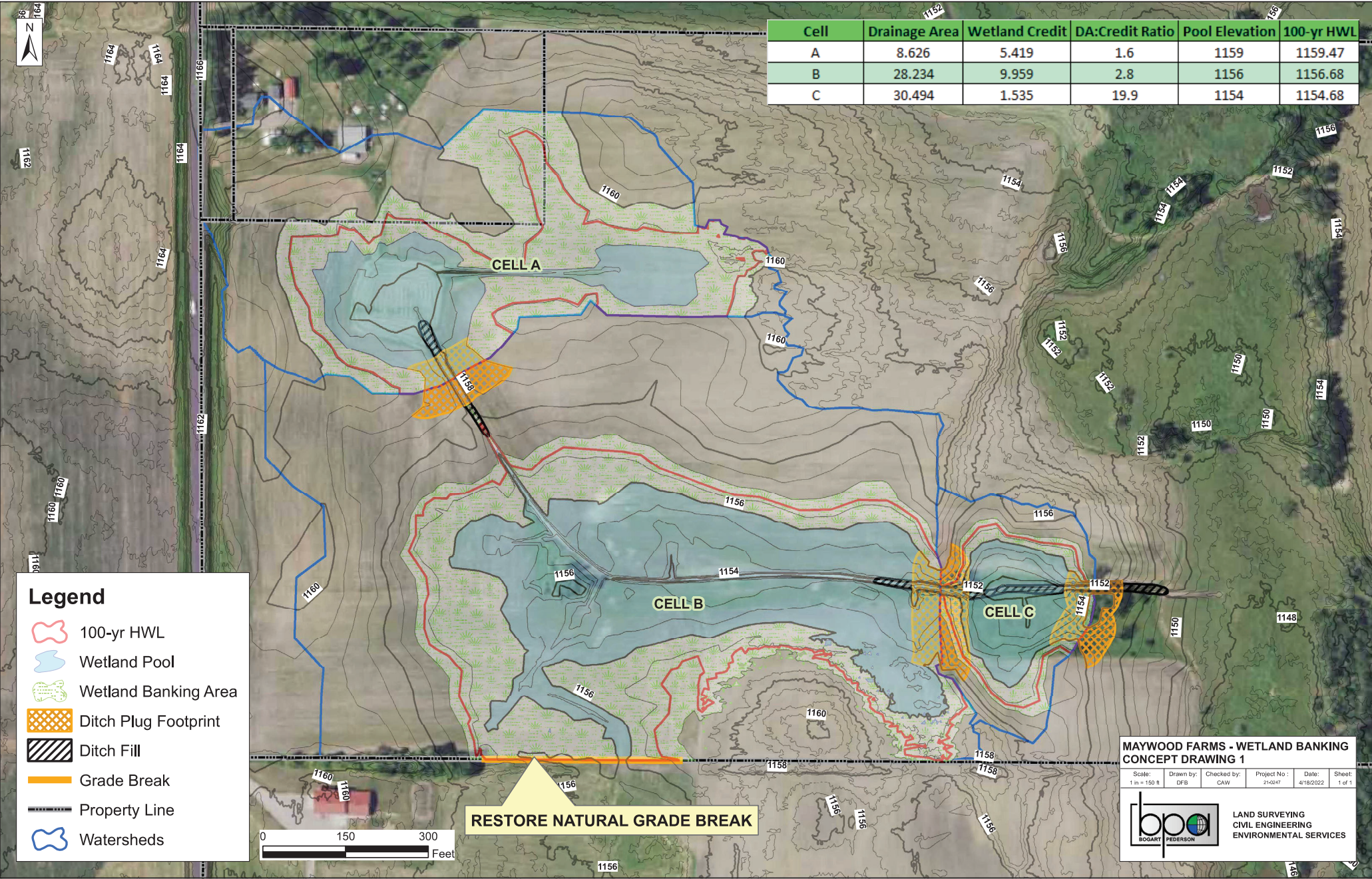
PROJECT LOCATION



VICINITY MAP





PRIVATE UTILITIES SHOWN ARE QUALITY LEVEL D.  
QUALITY LEVEL D PROVIDES THE MOST BASIC LEVEL OF INFORMATION. IT INVOLVES  
COLLECTING DATA FROM EXISTING UTILITY RECORDS. RECORDS MAY INCLUDE AS-BUILT  
DRAWINGS, DISTRIBUTION AND SERVICES MAPS, EXISTING GEOGRAPHIC INFORMATION  
SYSTEM DATABASES, CONSTRUCTION PLANS, ETC.







# Wetland Delineation Exhibit

-  Denotes soil boring
-  WL Denotes wetland edge
-  Denotes boundary of parcel
-  Denotes wetland flag



0 250  
SCALE: 1" = 250'

