



US Army Corps  
of Engineers  
St Paul District

**SPONSOR:** Wisconsin Department of  
Natural Resources –  
Wisconsin Wetland  
Conservation Trust  
(WWCT)

# Public Notice

**ISSUED:** June 29, 2020  
**EXPIRES:** July 29, 2020

**REFER TO:** MVP-2013-00984-RMG

**SECTION:404 - Clean Water Act**

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL
2. SPECIFIC INFORMATION

**SPONSOR'S ADDRESS:** Wisconsin Department of Natural Resources  
Wisconsin Wetland Conservation Trust (WWCT)  
101 S. Webster Street  
Madison, Wisconsin 53707

**SPONSOR'S AGENT** N/A

**PROJECT LOCATION:** The project site is located in the SE ¼ of Section 33, Township 49 North, Range 10 West, Douglas County, Wisconsin. The approximate center coordinates of the project site are 46.677853 / -91.617893.

**BANK SERVICE AREA:** The proposed bank service area is the Lake Superior Service Area.

**DESCRIPTION OF PROJECT:** The sponsor is proposing to develop the Brule River In-Lieu Fee (ILF) site on land owned by the Wisconsin Department of Natural Resources (WDNR) in the Brule River State Forest. The proposed ILF site is approximately 60 acres in size, including upland buffer areas. The sponsor has proposed to restore 42.6 acres of northern sedge meadow and establish 17.3 acres of surrogate grassland at the site.

**NEED AND OBJECTIVE OF PROJECT:** The sponsor stated that the need and objective of the project is to restore high quality wetland communities at the site to offset the 14 advanced credits that have been sold in the Lake Superior Service Areas since 2017.

**ESTABLISHMENT, OPERATION AND MANAGEMENT:** The sponsor proposes to restore by re-establishment and rehabilitation 42.6 acres of northern sedge meadow by plugging and backfilling approximately 11,000 linear feet of drainage ditches to restore hydrology at the site. The sponsor states that there are existing spoil banks along the majority of the ditches and this material would be used to backfill and plug these drainage features. Areas of native wetland vegetation within the ditches would be salvaged and placed on top of ditch plugs and fills to promote native wetland vegetation establishment in these areas. In addition, areas with furrows from historic farming activities would be graded to block these drainage features and create micro-topography in the northern half of the site.

The sponsor proposes to herbicide all areas of non-native and invasive species at the site one year prior to conducting hydrology restoration work and seeding. The sponsor states that Broom sedge (*Carex scoparia*) and Lake sedge (*Carex lacustris*) dominate wetland and drainages throughout the site, but that Reed canary grass (RCG) is occasionally dominant in drainage ditches. The first year of vegetation management in the fallow wetland rehabilitation areas will involve foliar treatment by

broadcast herbicide application in RCG dominated areas and spot spraying and wicking in the sedge dominated pockets. A grass selective herbicide may be used in uplands to avoid damage to native sedges and forbs that are colonizing the uplands at the site. The next step will involve biomass removal either by mowing or preferably by a prescribed burn. The sponsor proposes a follow up herbicide application after biomass removal to treat regrowth from established vegetation and existing seed bank. After this vegetation management work is complete, the sponsor proposes to complete the hydrology restoration work outlined above and will dormant seed the entire site with native seed mixes appropriate for each community.

The sponsor proposes that the 17.3 acres of surrogate grassland will act as a buffer to the wetlands at the site. The majority of this acreage is interspersed within the wetland complex and the perimeter of the site is a mix of wetland and upland communities.

**OWNERSHIP AND LONG-TERM MANAGEMENT:** The WDNR currently owns and manages thousands of acres within the Brule River State Forest. The WDNR Wildlife Management Division will use the long-term non-wasting endowment put in place by the sponsor to manage the site in perpetuity. Long-term management activities will include prescribed burns, vegetation management, and general site maintenance to ensure the site remains a high quality wetland restoration. The sponsor states that the WDNR cannot hold a conservation easement against itself so a conservation covenant will be placed on the property at the time of compensation site plan approval. The sponsor states that the WDNR is committed to managing this land in perpetuity in accordance with the conservation covenant to ensure the site remains as a naturally managed landscape as part of the larger Brule River State Forest.

**TECHNICAL FEASIBILITY AND QUALIFICATIONS:** The sponsor states that a wetland consultant will be hired to develop the mitigation plan, oversee construction activities, and to conduct all monitoring and maintenance activities for the site. The sponsor will begin their selection process in 2020 to identify interested and qualified consultants. Once a list of qualified consultants is generated, the sponsor will solicit bids for the work and will select a third-party group to work with the sponsor on this mitigation project.

**ECOLOGICAL SUITABILITY:** The proposed site is within the Brule River State Forest and the sponsor states it has the potential to restore significant wetland acreage while providing both hydrologic and vegetative lift. Historical aerial photography and LiDAR indicate that nearly the entire site was historically in agricultural production. According to NRCS soils data, the site is composed almost entirely of non-hydric mineral soils and wetlands are artificially drained by an extensive network of drainage ditches and furrows from historic agricultural uses. The sponsor states that the ditches have hydric soils and sufficient hydrology and vegetation to be delineated as wetland as noted during a site visit in November 2019. The sponsor observed surface water in ditches and localized depressions at the time of the site visit. An off-site review was conducted to determine existing wetland acreage (Map 10 in the attachments) and the sponsor states that a delineation of the site will be completed to determine the actual extent of wetlands at the site. In addition, the site is part of the Highway 13 Grasslands Conservation Opportunity Area within the Brule River State Forest. The site and surrounding area was historically Boreal Forest, but was cleared of woody vegetation for farming and pasture prior to the 1930s. Currently, the WDNR utilizes prescribed burns to maintain an open herbaceous community and the site is dominated by wet meadow and northern sedge meadow communities in the existing wetlands and non-native species in the uplands. The open herbaceous community is a requirement for several rare and uncommon bird species that utilize this habitat for nesting and foraging. There are few other locations within the Brule River State Forest that meet all the habitat requirements for these species and the proposed work for this site will improve habitat for these species.

**HYDROLOGY:** The sponsor states that the site is an ideal hydrologic restoration because the most of the surrounding land is owned and managed by the WDNR. The proposed site accepts surface drainage via a culvert under Hwy 13 from the private land owned to the south of the site. All of the existing drainage ditches originate and are contained within the site and filling these drainage features would likely have no adverse effects to the private landowner to the south or the surrounding WisDOT and WDNR lands to the west, north, and east. The ditches are generally 1-2 feet deep and over 10 feet wide with spoil banks along the majority of the ditches. The sponsor proposes to backfill and plug all existing drainage ditches to restore wetland hydrology to the site. The target hydrology regime will follow recommendations from the USACE St. Paul District for sedge meadow wetlands in the Lake Superior Clay Plain. The target water table should be within 6 inches of the soil surface for approximately 100 days, from early May until late July without prolonged periods of inundation (to avoid the establishment and proliferation of non-native cattail species). In addition, the sponsor states that there are no known flooding easements, flowage easements, drainage easements, or maintenance easements within the project site. The sponsor states that their real estate department will perform a full title review to determine if there are any easements and deed restrictions on the project parcels.

**CURRENT LAND USES:** The sponsor states that the site was historically in agricultural production, but has been fallow in recent years. The surrounding land uses are a WisDOT mitigation site to the west and WDNR owned conservation land to the north and east. There is a privately owned parcel of recreational land to the south on the south side of Hwy 13 from the project site. The majority of the land surrounding the site is undeveloped forest land with small scattered agricultural fields within a couple mile radius of the project site.

**COORDINATION WITH RESOURCE AGENCIES:** This project has not been coordinated with the IRT to date. However, the U.S. Environmental Protection Agency is an IRT member and will be sent a copy of this Public Notice to solicit comments on the proposed project.

**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, Douglas County is within the known historic range for the following Federally-listed species:

Canada lynx <i>Lynx canadensis</i>	Threatened	While no resident populations are known from Wisconsin, the species occasionally occurs in northern forested areas, and counties listed are those with the highest likelihood of occurrence.
Gray wolf <i>Canis lupus</i>	Endangered	Northern forested areas
Northern long-eared bat <i>Myotis septentrionalis</i>	Threatened	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests.

Kirtland's warbler <i>Setophaga kirtlandii</i>	Endangered	Potential breeding in young jack pine stands (5 to 25 years old)
Piping plover <i>Charadrius melodus</i>	Endangered	Sandy beaches; bare alluvial and dredge spoil islands
Rufa red knot <i>(Calidris canutus rufa)</i>	Threatened	Along Lake Superior
Fassett's locoweed <i>Oxytropis campestris var. chartacea</i>	Threatened	Open sandy lakeshores

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 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. 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.

Regulatory Branch (File No. MVP-2013-00984-RMG Brule River)

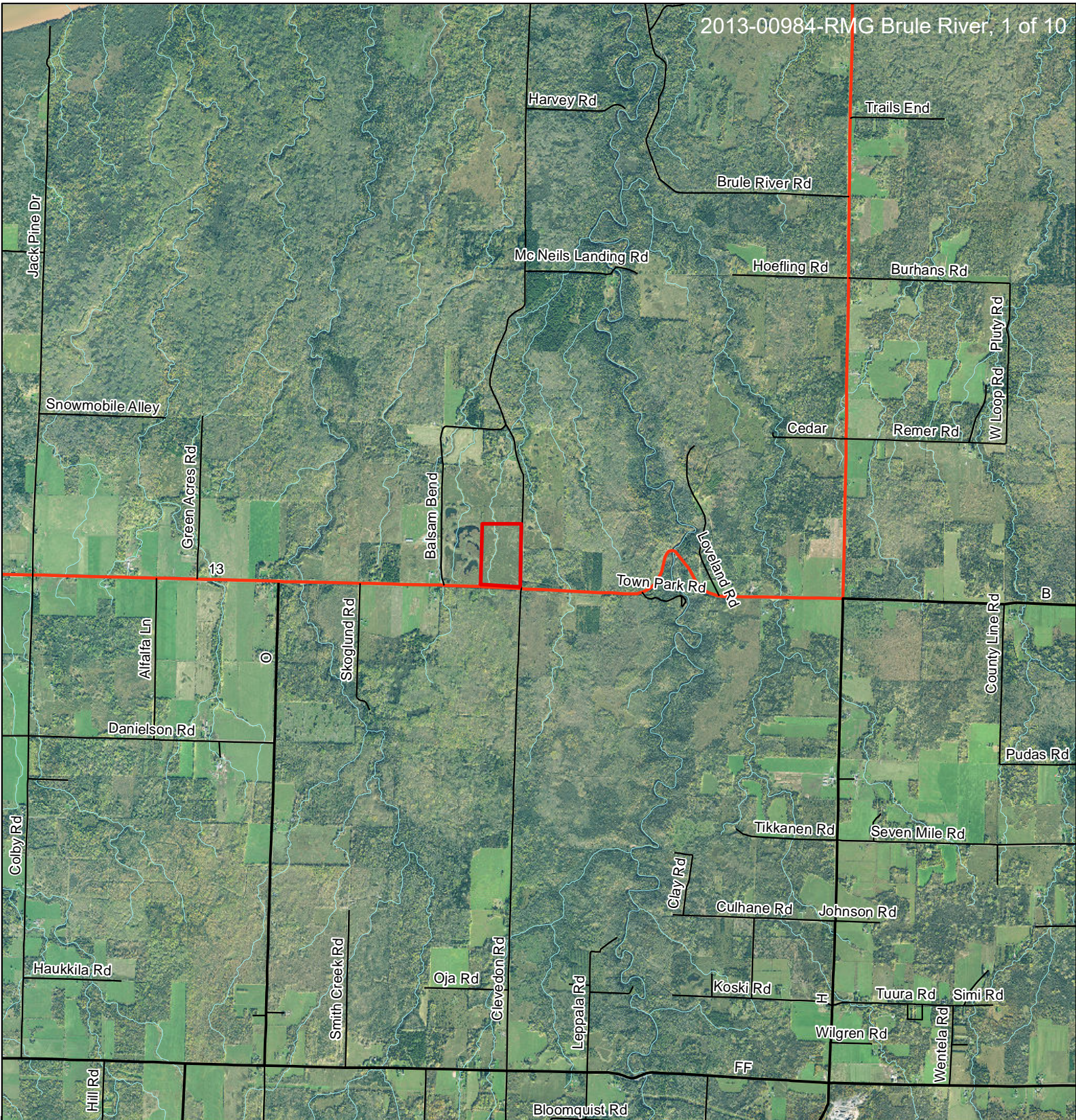
Replies may be addressed to:

Eric Norton  
Regulatory Branch  
St. Paul District Corps of Engineers  
2926 Post Road, Suite B  
Stevens Point, Wisconsin 54481

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Eric Norton at the Stevens Point field office of the Corps, telephone number (651) 290-5879.

To receive Public Notices by e-mail, go to: [http://mvp-extstp/list\\_server/](http://mvp-extstp/list_server/) and add your information in the New Registration Box.

Enclosure(s): Project Figures and Maps



**Site Boundary**

**Local Road**


**County Highway**

**State Highway**

**Stream**


Imagery : 2018 USDA NAIP

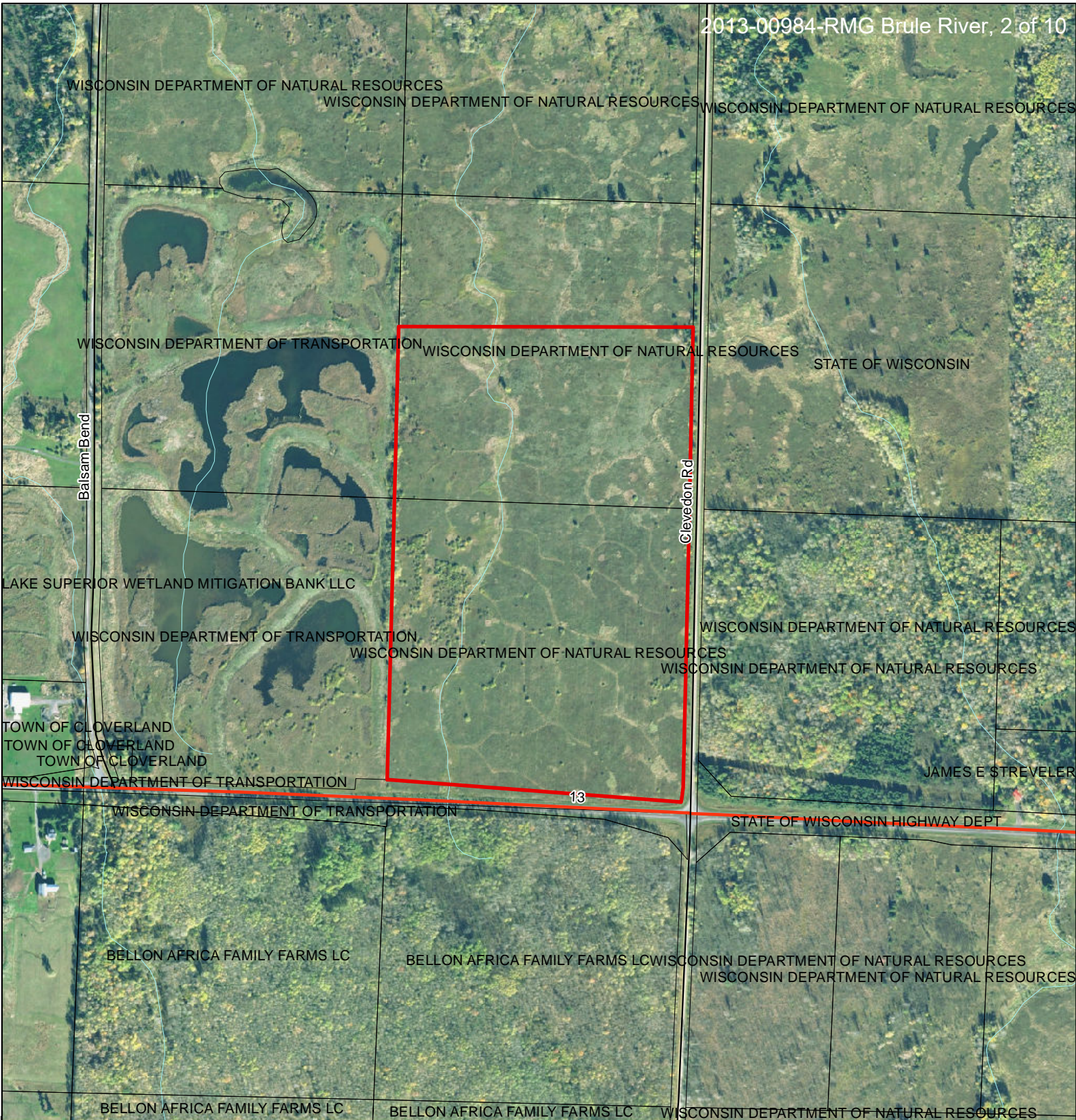
Map 1. Project Location  
 WWCT Brule River  
 State Forest ILF Site  
 Douglas County, WI




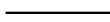
The information shown on these maps has been obtained from various sources, and is of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. Users of these maps should confirm the ownership of land through other means in order to avoid trespassing. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see DNR Legal Notices


0 1,125 2,250 4,500 6,750 9,000 Feet




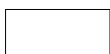


 Site Boundary

 Local Road


 State Highway

 Stream

 WI Tax Parcels


Imagery : 2018 USDA NAIP

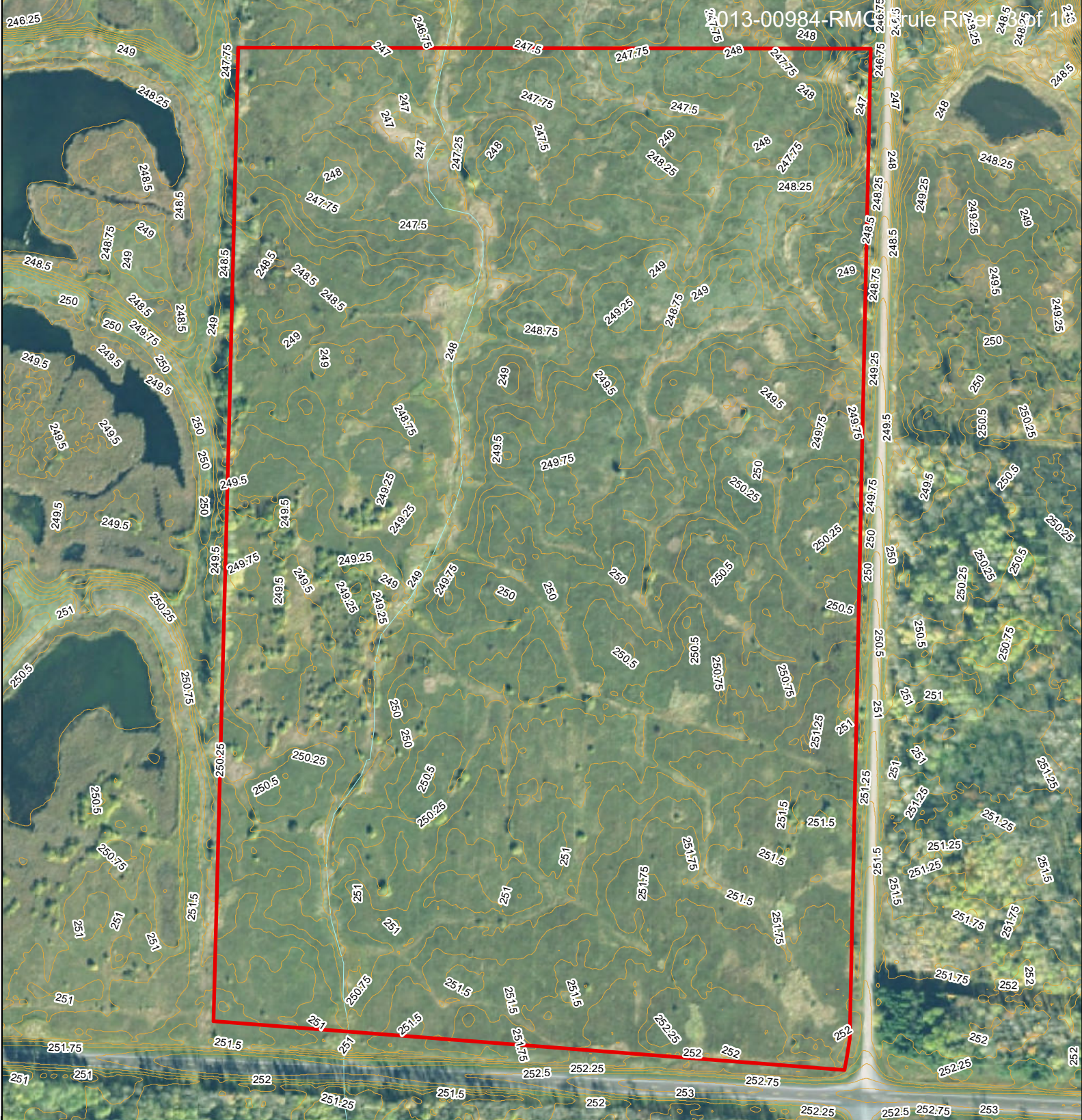
Map 2. Land Ownership  
 WWCT Brule River  
 State Forest ILF Site  
 Douglas County, WI






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0 150 300 600 900 1,200 Feet

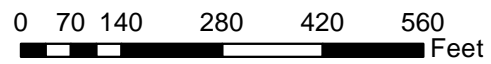




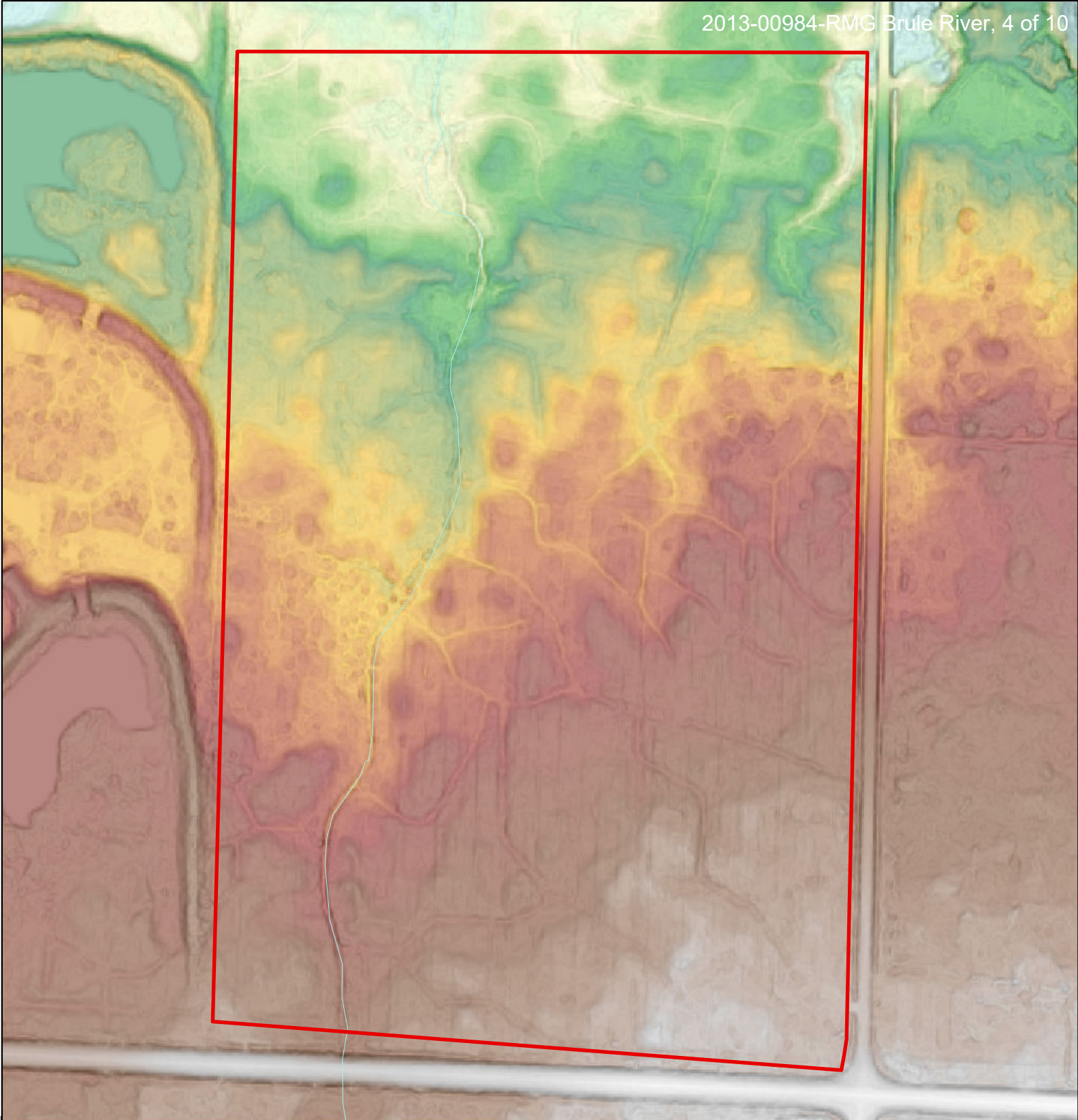
-  Site Boundary
-  0.25 m Contour
-  Stream

**Map 3. Topography  
WWCT Brule River  
State Forest ILF Site  
Douglas County, WI**


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 Site Boundary

 Stream

Douglas Co 2016 DEM 1m

High : 253.265



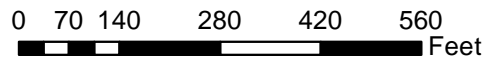
Low : 244.081

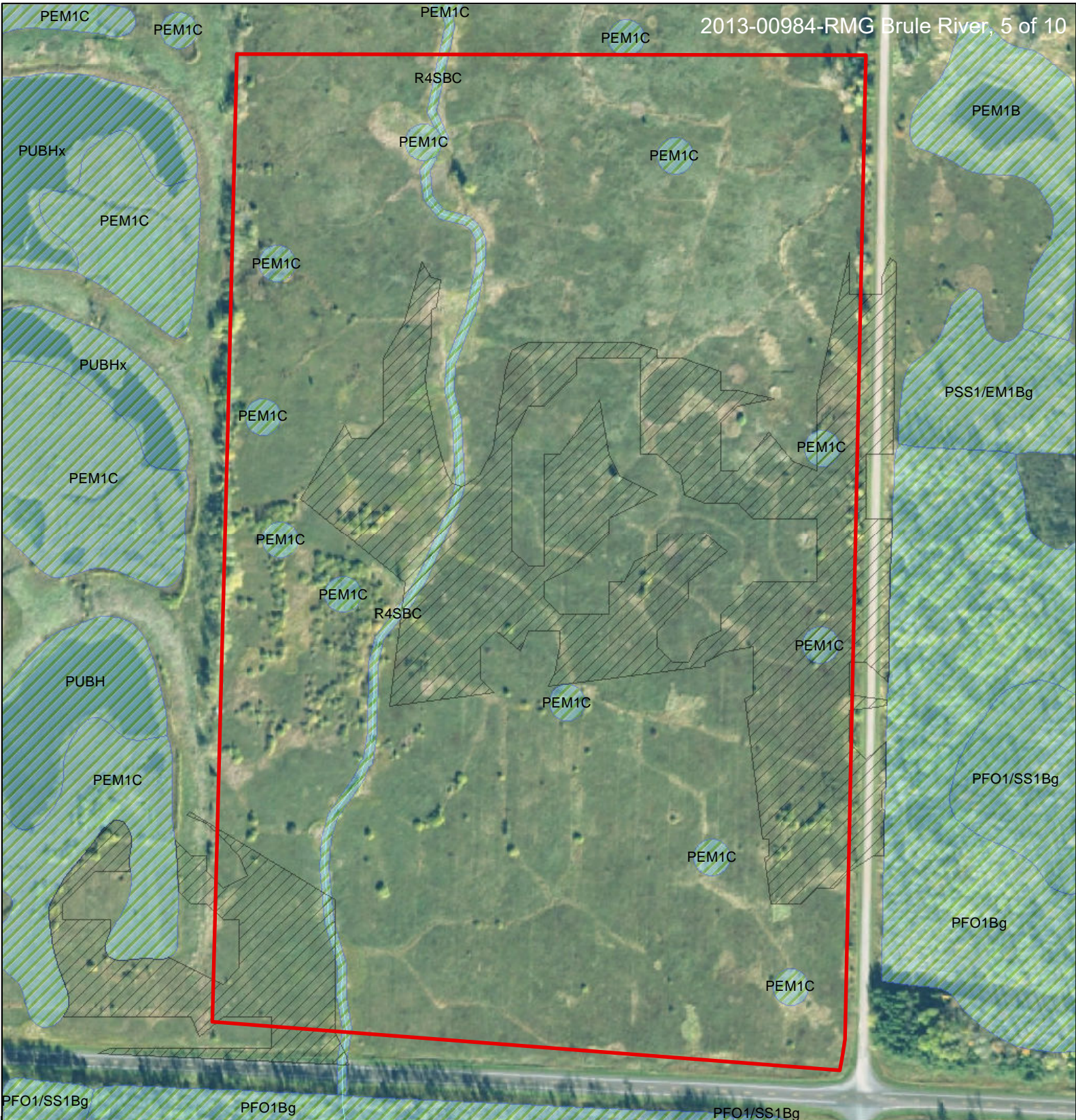
Source : 2016 Douglas County 1 M LiDAR





Map 4. LiDAR DEM  
 WWCT Brule River  
 State Forest ILF Site  
 Douglas County, WI



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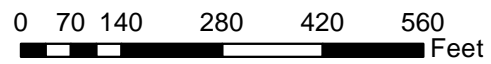


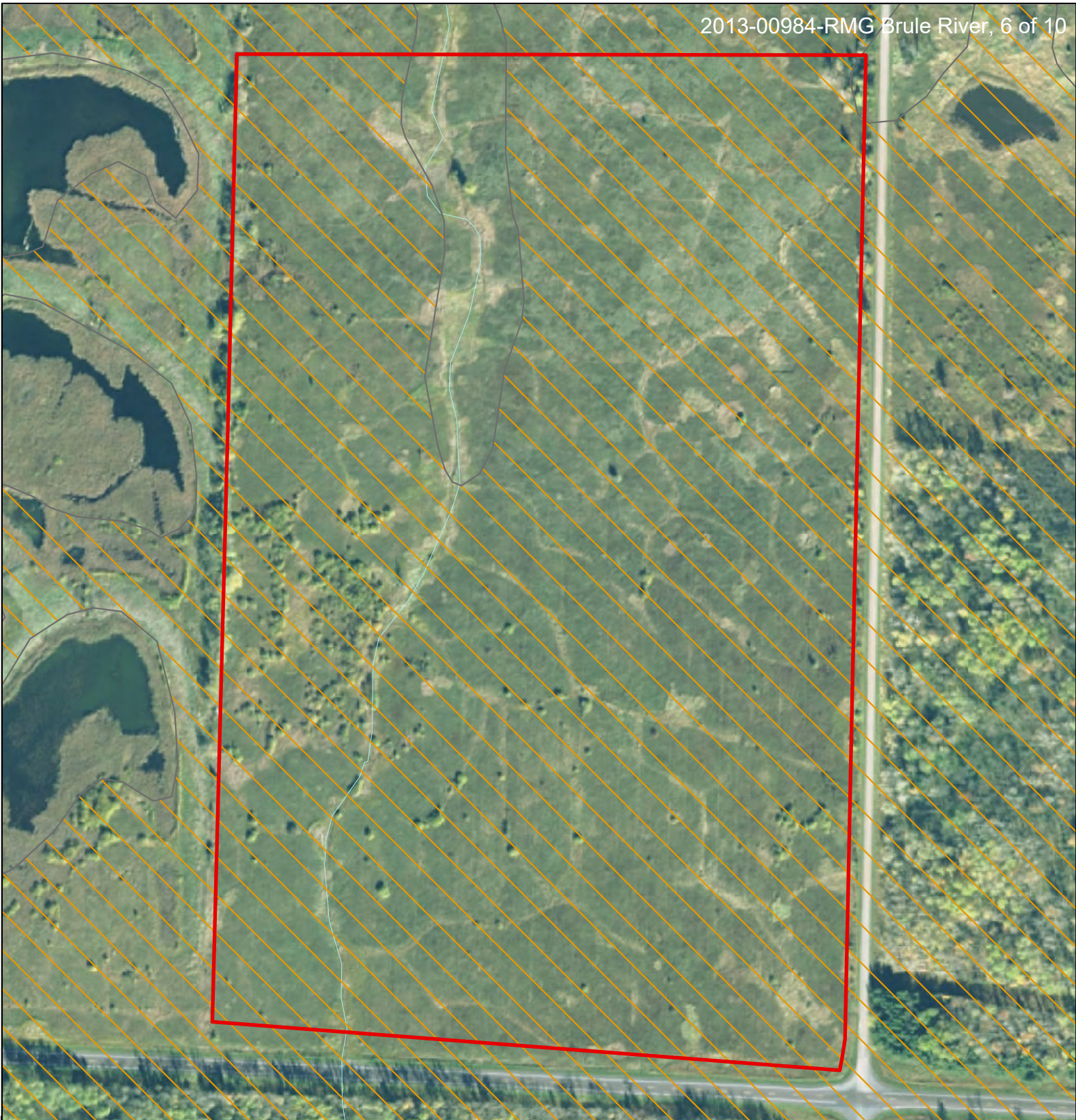


-  Site Boundary
-  Potentially Restorable Wetland
-  National Wetland Inventory V2
-  Stream


Map 5. NWI and PRW  
 WWCT Brule River  
 State Forest ILF Site  
 Douglas County, WI

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 Site Boundary

 Stream

**NRCS Hydric Soil rating**

 Nonhydric

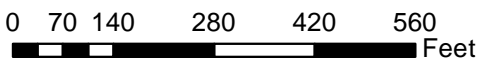
 Predominantly Nonhydric

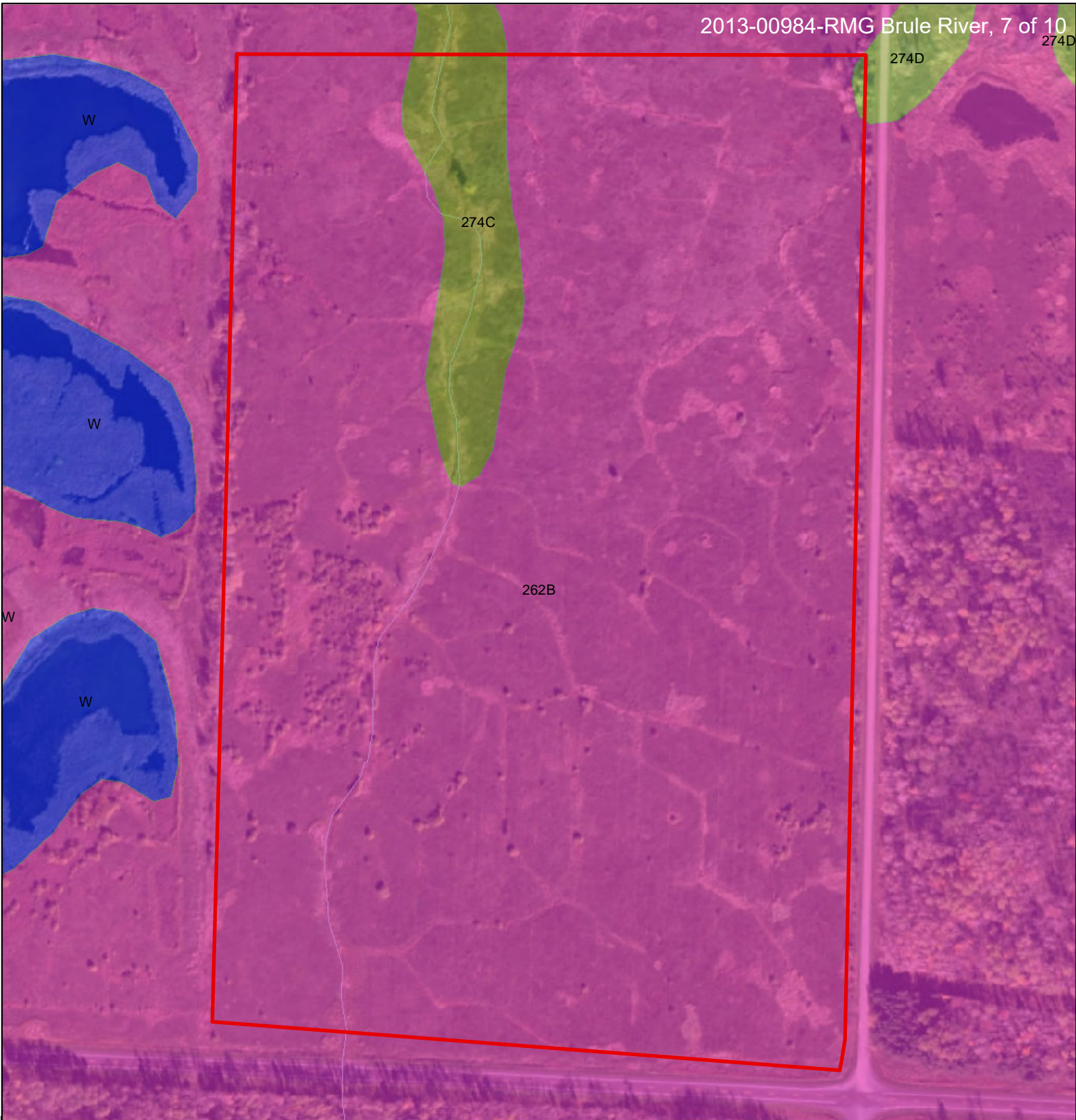
Imagery : 2018 USDA NAIP

Map 6. Hydric Soil Rating  
 WWCT Brule River  
 State Forest ILF Site  
 Douglas County, WI



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Site Boundary

Stream

**Mapunit Name**

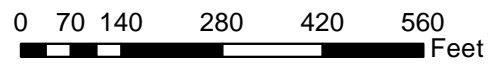
- Amnicon-Cuttre complex, 0 to 4 percent slopes
- Miskoaki clay loam, 12 to 25 percent slopes
- Miskoaki clay loam, 6 to 12 percent slopes
- Water

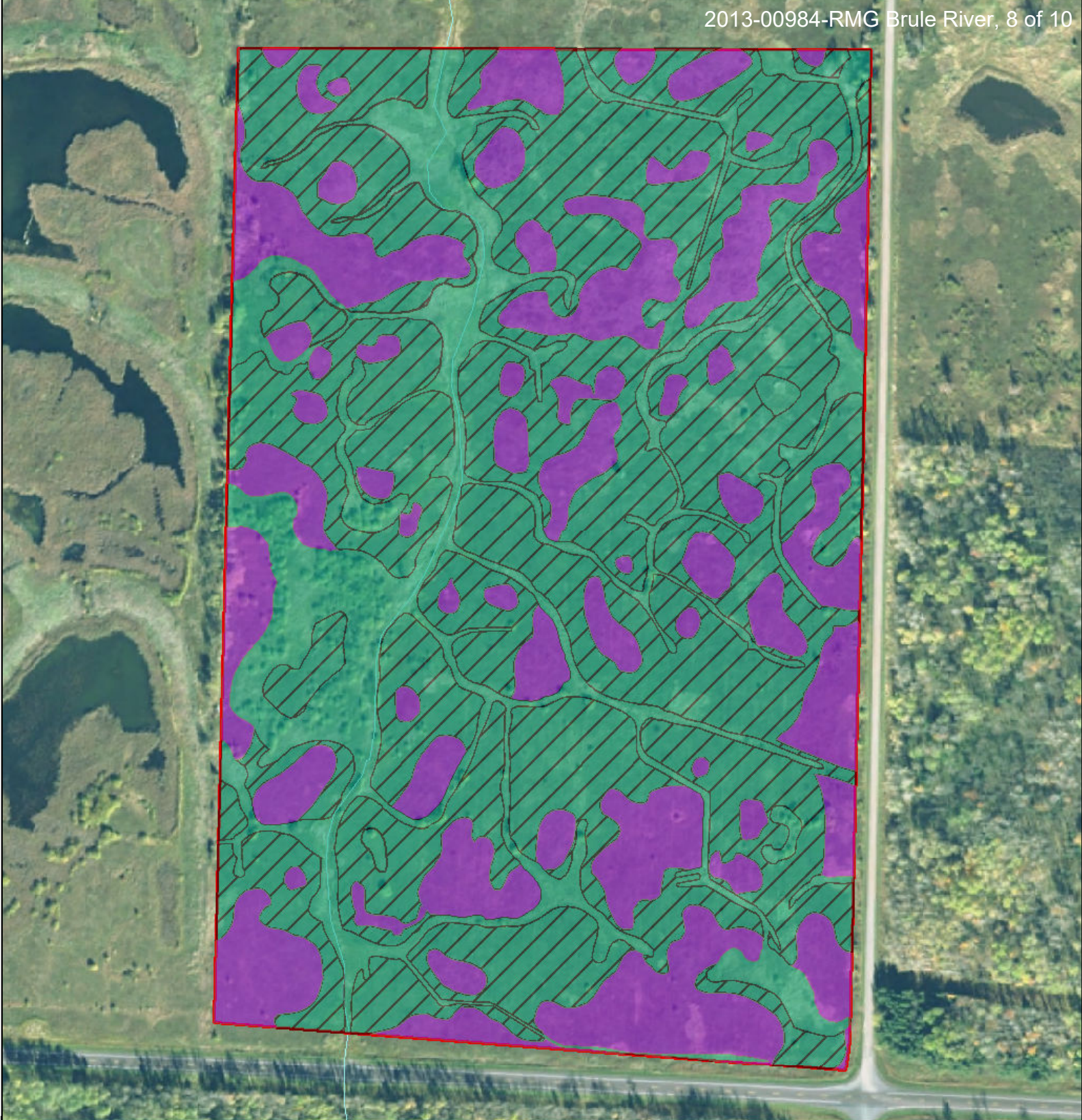
Imagery : 2018 USDA NAIP






**Map 7. NRCS Soil Series  
WWCT Brule River  
State Forest ILF Site  
Douglas County, WI**



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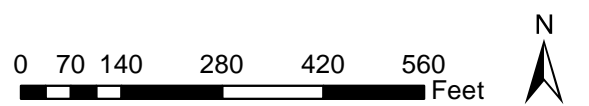


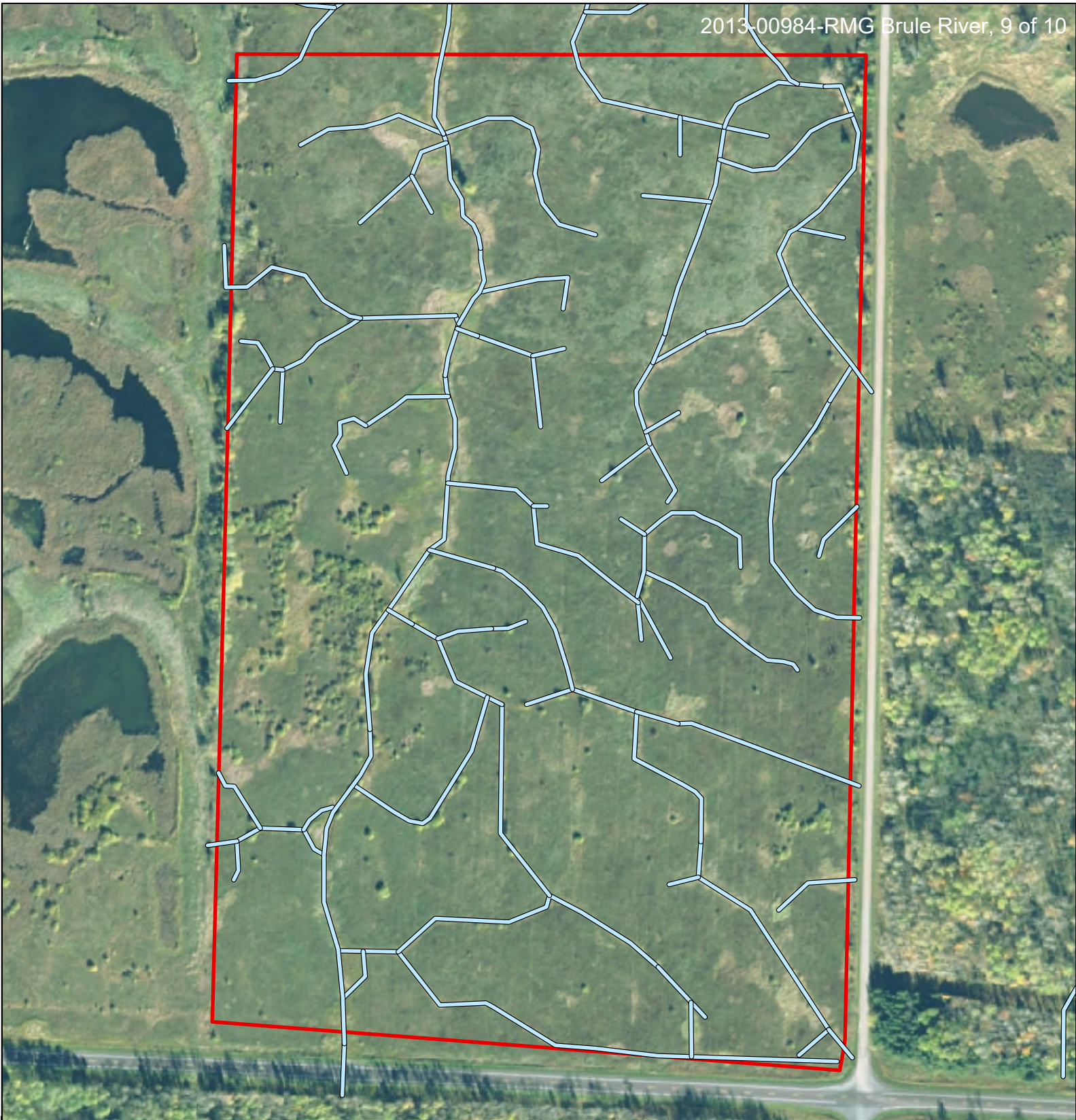
-  Northern Sedge Meadow, Reestablishment
-  Northern Sedge Meadow, Rehabilitation
-  Surrogate Grassland, Upland Buffer
-  Site Boundary
-  Stream



**Map 8. Natural Communities  
WWCT Brule River  
State Forest ILF Site  
Douglas County, WI**

Imagery : 2018 USDA NAIP

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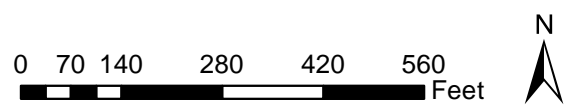


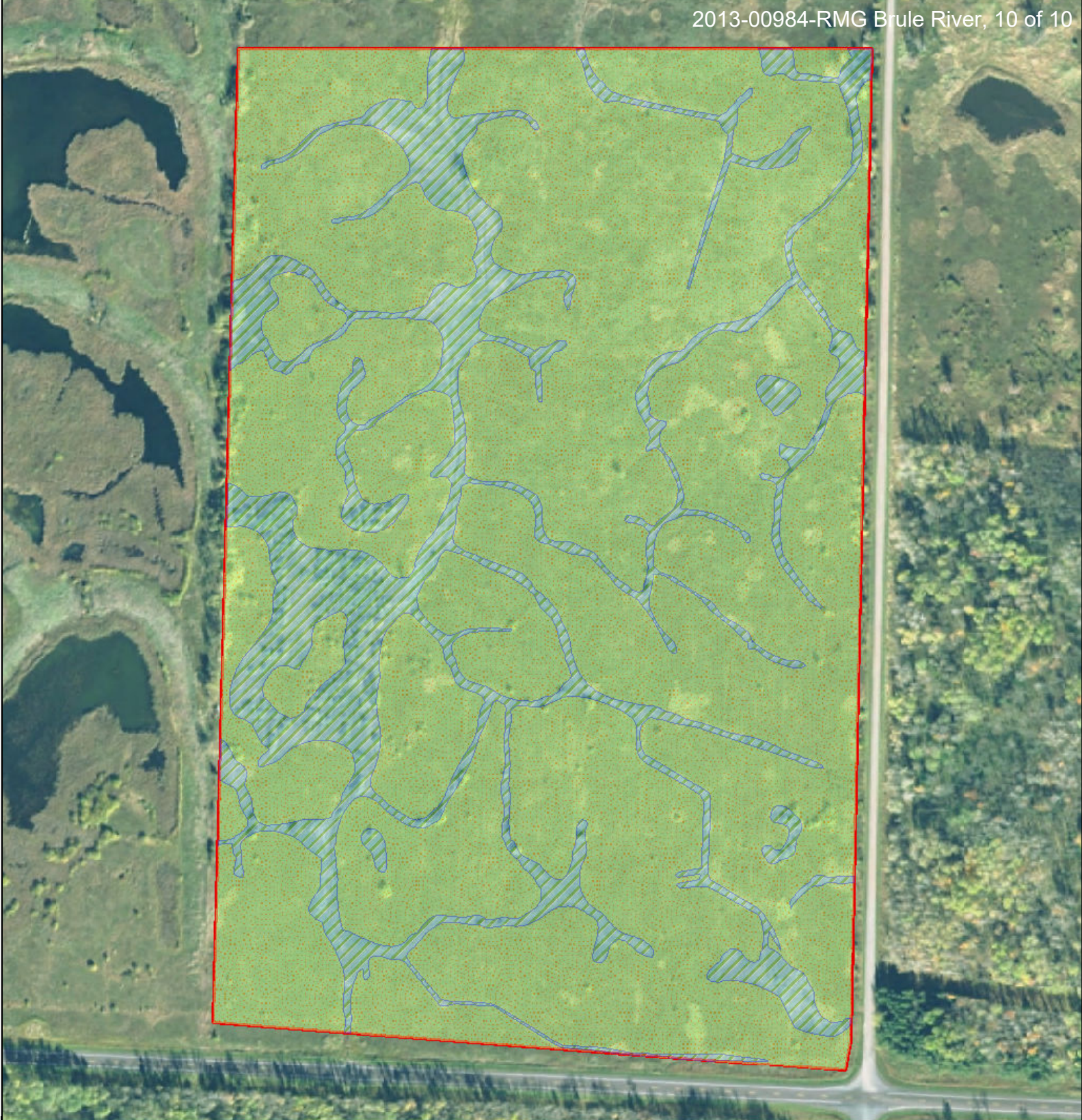
-  Drainage Ditch
-  Site Boundary

**Map 9. Drainage  
WWCT Brule River  
State Forest ILF Site  
Douglas County, WI**

Imagery : 2018 USDA NAIP

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-  Upland
-  Wetland
-  Site Boundary

**Map 10. Offsite Wetland Boundary Determination  
State Forest ILF Site  
Douglas County, WI**

Imagery : 2018 USDA NAIP

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