



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

**SPONSOR:** Haines Rentals, LLC  
Mr. Robert A. Haines

# Public Notice

**ISSUED: October 22, 2020**  
**EXPIRES: November 21, 2020**

**REFER TO:** MVP-2018-03150-SJW

**SECTION:404 - Clean Water Act**

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL
2. SPECIFIC INFORMATION

**SPONSOR'S ADDRESS:** Robert Haines - Haines Rentals, LLC  
1617 Nakomis Avenue  
La Crosse, Wisconsin 54603

**SPONSOR'S AGENT** Heidi Kennedy - Short Elliot Hendrickson, Inc.  
501 Maple Avenue  
Delafield, Wisconsin 53018

**PROJECT LOCATION:** The project site is located in Section 1 and Section 12, Township 19 North, Range 7 West, Trempealeau County, Wisconsin. The approximate UTM coordinates are N 646571.095269, E. 4889450.142259. Latitude 44.143555, Longitude -91.167426.

**BANK SERVICE AREA:** The proposed bank service area is located in the Upper Mississippi-Black Root bank service area (BSA) within the Upper Mississippi (8-digit HUC) of the Mississippi River major watershed.

**DESCRIPTION OF PROJECT:** The sponsor is proposing to develop the South Beaver Creek Wetland Mitigation Bank in Wetland Bank in the Town of Ettrick, Trempealeau County, Wisconsin. The proposed bank site is approximately 94.94 acres in size, including upland buffer areas. The project location and other information is shown on the enclosed figures labeled MVP-2018-03150-SJW: Page 1 of 13 through 13 of 13.

**NEED AND OBJECTIVE OF PROJECT:** The purpose of the proposed project is to develop a general use wetland mitigation bank within the Upper Mississippi-Black Root BSA which will generate credits to be used to offset unavoidable impacts to wetlands associated with Department of the Army authorizations. By permanently returning approximately 50 acres of agricultural land and associated degraded wetlands to high quality wetland, this project will restore lost ecological and hydrologic functions within the watershed, improve wildlife habitat, and improve downstream water quality.

Based on a preliminary review of information presented by the Sponsor including site conditions, plant communities, and on-site drainage features, the initial proposed credits and ratios for the site are provided in the table shown below.

| Credit Generation Method | Target Plant Community | Location | Credit Ratio | Acres | Credits |
|--------------------------|------------------------|----------|--------------|-------|---------|
|--------------------------|------------------------|----------|--------------|-------|---------|

|                                    |                     |                               |           |       |        |
|------------------------------------|---------------------|-------------------------------|-----------|-------|--------|
| Re-establishment                   | Swamp forest        | Fields 1 & 3                  | 1:1       | 11.94 | 11.94  |
|                                    | Shrub swamp         | Field 2                       | 1:1       | 4.07  | 4.07   |
|                                    | Shallow marsh       | Field 1 & 2 perimeter ditches | 0.5:1     | 0.2   | 0.1    |
|                                    | Swamp forest buffer | Field 1 E. & field 3 E. & N.  | 0.5:1     | 3.16  | 1.58   |
|                                    | Shrub swamp buffer  | Field 2 W.                    | 0.5:1     | 0.69  | 0.345  |
|                                    |                     |                               | Subtotals | 20.06 | 18.035 |
| Rehabilitation                     | Wet meadow          | Field 5A                      | 1:1       | 1.4   | 1.4    |
|                                    |                     |                               | Subtotals | 1.4   | 1.4    |
| Enhancement                        | Wet meadow          | Field 4A                      | 0.75:1    | 22.45 | 16.838 |
|                                    | Shallow marsh       | Field 4A main ditch           | 0.5:1     | 0.3   | 0.15   |
|                                    | Wet meadow buffer   | Field 4A E. & W. & field 4C   | 0.5:1     | 5.15  | 2.575  |
|                                    |                     | Field 4C power line ease.     | 0:1       | 0.03  | 0      |
|                                    |                     |                               | Subtotals | 27.93 | 19.563 |
| Preservation                       | Swamp Forest        | Lower wetlands                | 0.5:1     | 1.42  | 0.71   |
|                                    | Shrub swamp         | Upper & lower wetlands        | 0.5:1     | 7.8   | 3.9    |
|                                    | Wet meadow          | Upper & lower wetlands        | 0.5:1     | 12.63 | 6.315  |
|                                    | Wet meadow buffer   | Upper & lower wetlands        | 0.5:1     | 4.61  | 2.305  |
|                                    |                     | Upper wets power line ease    | 0:1       | 0.36  | 0      |
|                                    |                     |                               | Subtotals | 26.82 | 13.23  |
| Upland Buffer                      | Former pasture      | Field 4B NE & NW              | 0.25:1    | 1.34  | 0.333  |
|                                    |                     | Field 4B power line easement  | 0:1       | 0.54  | 0      |
|                                    | Former row crops    | Field 5B buffers (5)          | 0.25:1    | 14.05 | 3.85   |
|                                    |                     | Field 5B power line easements | 0:1       | 0.70  | 0      |
|                                    |                     |                               | Subtotals | 16.63 | 4.183  |
| Preserve wooded uplands as buffers | Round mounds        | E. & W. mound                 | 0.125:1   | 2.1   | 0.263  |
|                                    |                     |                               | Subtotals | 2.1   | 0.263  |
|                                    |                     |                               | Totals    | 94.94 | 56.341 |

**ESTABLISHMENT, OPERATION AND MANAGEMENT:** The sponsor proposes to re-establish former wetlands that have been drained, plowed and/or mowed, rehabilitate existing wetlands that are being plowed, enhance existing wetlands that are being pastured, and enhance and protect existing wetlands within the approximately 95 acre project site that are not actively farmed but may be adversely impacted by farming activities occurring immediately adjacent to them. The project objectives include increasing wildlife habitat, restoring historical wetlands, improving water quality, and restoring natural hydrologic functions that were previously lost or impaired as a result of historic on site activities. On-site activities which would be conducted as part of the project include vegetation management and hydrology alterations including the back filling of numerous on-site ditches and modifying water diversion to restore the site's natural topography and hydrology. The proposed plant communities for the site include wet meadow, wooded swamp, shrub swamp, shallow marsh, upland prairie, and upland forest. The site will be designed and established as a diverse wetland complex, with the goal of restoring wetland communities and functions similar to what existed on the site prior to the conversion to agricultural land.

**OWNERSHIP AND LONG-TERM MANAGEMENT:** The property owner and bank sponsor is Robert Haines – Haines Rentals, LLC. The Sponsor will retain ownership of the site beyond the required monitoring period, and will be responsible for periodic site inspections and long-term management of the site. Long term management activities associated with the project include invasive species control and maintenance of water control structures to ensure appropriate hydrologic conditions. The Sponsor has also utilized the services of Short Elliot Hendrickson, Inc. (SEH) to complete initial site suitability reviews. The Sponsor may also retain the services of a professional wetland scientist as needed for future management recommendations.

The site would be adaptively managed for development of vegetative plant communities dominated by native species common to the bank area. Credit sales would be tracked by the sponsor and reported to the state as required by state law. The reported credit releases and sales would be tracked on both Corps and state databases using ledger data supplied by the state. Long-term management of the property would be the responsibility of the landowner and the sponsor until all released credits have been debited. After all credits have been debited, long-term management obligations would fall to the Sponsor. Additional protections and management limitations would be spelled out in both a conservation easement and in an approved bank plan.

**TECHNICAL FEASIBILITY AND QUALIFICATIONS:** At this time, there are no other approved wetland mitigation banks within the Upper Mississippi-Black Root BSA. The site was initially reviewed by SEH and determined to have potential as a wetland bank site. SEH has been involved with the design and implementation of numerous mitigation banks within the Midwest for many years, for both State and private sector proponents. The bank sponsor has not previously completed a wetland mitigation banking project. However, the Sponsor has indicated that he has experience in selecting and designing potential sites for wetland restoration projects for the Wisconsin Department of Transportation in Washington, Dodge, and Winnebago Counties, as well as for the Aurora Health Care Center in Waukesha County, Wisconsin. The sponsor may retain the services of a professional wetland scientist as needed for future management recommendations.

**ECOLOGICAL SUITABILITY:** As indicated by the Sponsor, this site has a history of hydrologic modifications including the construction of drainage ditches which converted wetlands to agricultural use. WWI mapping and historic aerial photographs indicate the presence of hydric soils across the site and provide evidence of wetland history, suggesting a potential for restoration success. The areas proposed for re-establishment and rehabilitation have native soils intact and most areas have remnant wetland vegetation within the site or on adjacent neighboring properties. Enhancement and preservation of existing wetlands is proposed within the wetland areas dominated by reed canary grass and other invasive species such as buckthorn and honeysuckle. These areas are expected to be effectively managed by mechanical cutting and chemical treatments. The proposed upland buffer

areas consist of loamy upland soils and are well suited for growing the proposed perennial grasses, flowers, and shrubs.

**HYDROLOGY:** The historic creation of drainage ditches along with other on-site agricultural activities have resulted in a significant alteration of natural hydrologic patterns relative to pre-disturbance conditions. Hydrologic modifications including ditch plugs are proposed to return historic hydrologic conditions throughout the site. It is anticipated that these activities will result in the restoration of wetland hydrology throughout the site, which will allow these areas to revert back to wetlands. The soils and landscape position within the proposed wetland areas are conducive to restoration of wetland hydrologic functions. Proper implementation of grade modifications will be critical to successful achievement of wetland hydrology. The site and the northern surrounding property are under the ownership of the Sponsor. Additionally, it is anticipated that the proposed ditch plugs will result in no hydrologic impacts to off-site properties. Runoff currently received on site from two neighboring properties will not be altered and will continue post construction.

**CURRENT LAND USES:** Existing plant communities within the site have been identified based on an initial field review and from aerial imagery, and include row crops (soy beans and corn) as well as alfalfa. Many of these areas have been drained by perimeter ditches and farmed, thus removing nearly all remnants of previous wetland vegetation. An 8-acre plowed field in the middle portion of the site had previously consisted of a wet meadow wetland that appears to have been drained by a shallow ditch. This area had been maintained the past several years as a hay field and also planted into row crops. Another area in the middle portion of the site has been grazed by livestock and generally described as a 27-acre wet meadow wetland with small areas of shrub swamp throughout. The area still exhibits wetland hydrology and vegetation despite the presence of several drainage ditches. Remaining wetland vegetation in this area includes tussock sedges, reed canary grass, alder, birch, ash, willow, and dogwood. The site also consists of approximately 4.5 acres of hardwood swamp, 8 acres of shrub swamp, and 14.5 acres of wet meadow wetlands. The remainder of the site is made up of farmed uplands and wooded upland areas.

The perimeter of the site consists of an actively farmed agricultural area on the northwest side of the project site that includes an extensive drainage ditch system. The neighboring property near the southwest corner of the project site contains a high-quality wet meadow/shrub swamp wetland adjacent to South Beaver Creek. Property to the east of the site is primarily a partially drained and mowed wetland with some fallow upland cropland. The neighboring properties abutting the southern portion of the site include County Trunk Highway (CTH) D right-of-way. Properties directly to the north of the site are owned by the sponsor and consist of upland hardwood forest and upland crop land.  
**COORDINATION WITH RESOURCE AGENCIES:** This project has been coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: The Wisconsin Department of Natural Resources (WDNR) and the U.S. Environmental Protection Agency (EPA).

### 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, Trempealeau County is within the known historic range for the following Federally-listed species:

|                                      |   |
|--------------------------------------|---|
| Northern Long-Eared Bat (Threatened) | Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. During summer, roosts and forages in upland forests |
|--------------------------------------|---|

Eastern massasauga (Threatened)                      Open to forested wetlands and adjacent uplands

Higgins eye pearly mussel (Endangered)      Mississippi River

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.

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

Regulatory Branch (File No. MVP-2018-03150-SJW)

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Sam Woboril at the Stevens Point Regulatory Field Office of the Corps, telephone number 651-290-5878.

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