



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

SPONSOR: Mark Meyer

Public Notice

ISSUED: October 14, 2021

EXPIRES: November 13, 2021

REFER TO: MVP-2021-01930-MWM

SECTION: 404 - Clean Water Act

1. WETLAND COMPENSATORY MITIGATION BANK PROPOSAL
2. SPECIFIC INFORMATION

SPONSOR'S ADDRESS: Mark Meyer
N630 Blackhawk Bluff Drive
Milton, Wisconsin 53563

SPONSOR'S AGENT Wetlands and Waterways, LLC
Ann M Key
5742 Warbonnet Lane
Hazelhurst, Wisconsin 54531

PROJECT LOCATION:

The project site is located in Section 1, Township 9 North, Range 1 East, Richland County, Wisconsin. Latitude 43.28903926, Longitude 90.33076205.

BANK SERVICE AREA:

The proposed bank is located within the Lower Wisconsin (LW12) Watershed Management Unit and within the Lower Wisconsin Bank Service Area (BSA).

DESCRIPTION OF PROJECT:

The sponsor is proposing to develop the Pine River Wetland Bank. The proposed bank site is approximately 102.3 acres in size, including upland buffer areas. Specifically, the sponsor proposes to reestablish 14.8 acres of fresh wet meadow, rehabilitate 31.5 acres of fresh wet meadow and 32.3 acres of floodplain forest. Additionally, 16.70 acres of upland plant communities would be established to provide a vegetated buffer.

NEED AND OBJECTIVE OF PROJECT:

The project is intended to result in a general use, private commercial mitigation bank to serve the need for wetland compensatory mitigation credits within the Lower Wisconsin BSA. This site will provide a necessary alternative for purchase of wetland mitigation credits within the BSA versus permittee-responsible mitigation or purchase from the Wisconsin Wetland Conservation Trust (WWCT) in-lieu fee mitigation program.

Currently, there are other approved mitigation banks present within the Lower Wisconsin Watershed for sale of credits to the public. However, most of the existing mitigation banks are nearly 50 miles north of this proposed bank site and another bank is nearly 90 miles north of this site, all within the

Castle Rock HUC-8. It is anticipated that some unavoidable wetland impacts associated with development and infrastructure projects in this region may be able to be compensated through this bank to off-set impacts to wetlands from public entities, private individuals and private organizations. The intended goal is to restore the site to a combination of floodplain forest, wet meadow and enhanced vegetated buffer for the generation of approximately 50.88 credits of compensatory wetland mitigation. The site design is intended to re-establish and rehabilitate wetland habitat that will fit into the natural landscape, be effectively integrated into the surrounding natural wetlands, improve the existing wildlife habitat and floristic diversity of the site. The total proposed credits that this site could generate are shown in the table below.

Table 1 – Pine River Wetland Mitigation Bank Proposed Restoration Methods/Credits

Community Type	Restoration Method				Vegetated Buffer		Totals	
	Re-Establishment		Rehabilitation					
	Acres	Credits (1:1)	Acres	Credits (0.5:1)	Acres	Credits (0.25:1)	Acres	Credits
Floodplain Forest	0.00	0.00	32.30	16.15	---	---	32.3	16.15
Wet Meadow	14.80	14.80	31.50	15.75	---	---	46.3	30.55
Vegetated Buffer	---	---	---	---	16.70	4.18	16.7	4.18
Waterways							7.00	0.00
Total	14.80	14.80	63.80	31.90	16.70	4.18	102.3	50.88

The sponsor may be considering adding stream mitigation credits to the mitigation bank.

ESTABLISHMENT, OPERATION AND MANAGEMENT:

The mitigation plan includes restoration of approximately 102.3 acres to a combination of high-quality floodplain forest, wet meadow and vegetated buffer for the generation of approximately 50.88 credits of compensatory wetland mitigation. In order to achieve wetland rehabilitation and re-establishment, the following tasks will be completed:

- Conduct vegetation management including invasive species control, mowing, burning, supplemental planting and seeding as needed in both rehabilitation and re-establishment areas
- Plant site-appropriate species specific to each wetland community types in both rehabilitation and re- establishment areas
- Fill and/or plug ditches to improve surface water retention and restore natural hydrologic regimes in re- establishment areas;
- Disabling of tile, if present, to restore natural site hydrology;
- Use of native soil from side-cast and berm areas to backfill or plug ditches in re-establishment areas;
- Conducting limited scrapes in areas where side-cast dredged material has altered site topography in re-establishment areas;
- Maintain a 50-foot minimum buffer of high-quality native vegetation adjacent to site wetlands in both rehabilitation and re-establishment areas;
- Provide long-term protection and management of the site by implementing a conservation easement and long-term management plan for all areas.

OWNERSHIP AND LONG-TERM MANAGEMENT:

The Bank Sponsor will record a conservation easement on the site which shall preserve the wetlands and associated buffer in perpetuity. Mr. Meyer intends to retain ownership of the site beyond the performance period and will be responsible for periodic site inspections and long-term management of the site. It is anticipated that long-term management fund will be established to primarily address long-term invasive species control and periodic inspection of the bank site to ensure appropriate hydrologic conditions.

TECHNICAL FEASIBILITY AND QUALIFICATIONS:

The size of the site, presence of mapped hydric soils and potentially restorable wetlands, existing drainage features, current agriculture practices, site accessibility, and adjacent land uses are several reasons why this site was chosen as a proposed mitigation bank.

Ms. Ann Key, the lead wetland scientist for this project, has also led the development of three successful wetland mitigation banks in Shawano County, Ashland County and Dane County, Wisconsin using various approaches that involved restoration of site hydrology and vegetative communities with very similar techniques proposed for this Site, including filling or plugging of ditches, shallow scraping to create microtopographic relief, customized seed and plant selection and aggressive site management.

ECOLOGICAL SUITABILITY:

Baseline data collection and evaluation through desktop reviews, as well as an initial field review of the site in August 2021 indicate that the physical, chemical, and biological characteristics of the site make it very suitable to rehabilitate and reestablish high quality wetland communities.

As the majority of the site does not require hydrologic alterations or restoration, these areas simply require a high level of vegetation management. Areas that are ditched and crop have topography that lends itself to restoration of historic hydrology with limited earthwork. The site topography is relatively close to what would have been historically present and only requires shallow scrapes to remove side-cast material from wetland re-establishment areas. The native on-site soils will be used to fill and/or plug adjacent ditches.

The majority of the cropped portions of the site are mapped as "Potentially Restorable Wetlands" per the WDNR Surface Water Data Viewer and Partially Hydric soils. The majority of the proposed wetland re-establishment area is comprised mostly of cropped lands, which have been managed and treated with herbicides for many years. This is highly beneficial in establishing native vegetation without starting off with significant competition from weedy or invasive species. Although some invasive and non-native species were observed throughout the site, their presence is very minimal and a well thought-out and knowingly effective plan for control of invasive/non-native species is proposed.

The rehabilitation portions of the site do not require hydrology modifications as the areas are floodplain wetlands today and the focus in these areas is vegetation management. The remainder of the site to the east that is comprised of drained wetlands is easily restorable to achieve hydrologic regimes that support the proposed wetland communities. Filling and/or plugging of ditches is the primary method proposed to restore site hydrology in re-establishment areas and does not require long-term anthropogenic support.

HYDROLOGY:

To the Bank Sponsor's knowledge there are no subsurface tiles present within the site, if there are, they will be removed. Areas that are currently actively cropped have approximately 5,000 linear feet of drainage ditches throughout and it is evident that these areas have been drained and currently do not meet wetland hydrology criteria.

The majority of the site consists of the Pine River floodplain with complex, highly variable microtopography and substrates, which results in a diverse mosaic of hydrology and vegetative communities. Flood events and precipitation/runoff is the primary source of hydrology for the site. A hydrologic analysis is planned for the site to help design a plan that restores site conditions to maintain water levels that will support the proposed wetland communities and also ensure that off-site impacts do not occur on lands owned by others or that would negatively affect other wetland or water resources.

CURRENT LAND USES:

The site is currently approximately 28% active croplands, 65% Wisconsin Wetland Inventory (WWI) mapped wetlands and 7% waterways. The cropped areas are approximately 60% drained wetlands and 40% upland and were planted in corn and soybeans during the 2021 growing season. Surrounding lands are owned by other private landowners. The adjacent lands to the west, north and south consist of agricultural and floodplain and lands to the northeast house a lumber operation. Most adjacent privately owned lands consist of rural agricultural areas and/or have extensive wetland presence and therefore, are unlikely to be developed for other uses in the future.

COORDINATION WITH RESOURCE AGENCIES:

This project has been coordinated with the following members of the Interagency Review Team (IRT) and other resource agencies: Wisconsin Department of Natural Resources (WDNR), U.S. Environmental Protection Agency (EPA), and Wisconsin Department of Transportation's Bureau of Aeronautics (BOA).

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, Richland 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 late spring and summer roosts and forages in upland forests.
Whooping Crane	Experimental	Open wetlands and lakeshores
Higgins Eye	Endangered	Lower Wisconsin River
Sheepnose Mussel	Endangered	Chippewa and Wisconsin Rivers
Hine's Emerald Dragonfly	Endangered	Streams and associated wetlands overlying dolomite bedrock
Monarch Butterfly	Candidate	N/A
Northern Wild Monkshood	Threatened	North facing slopes

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

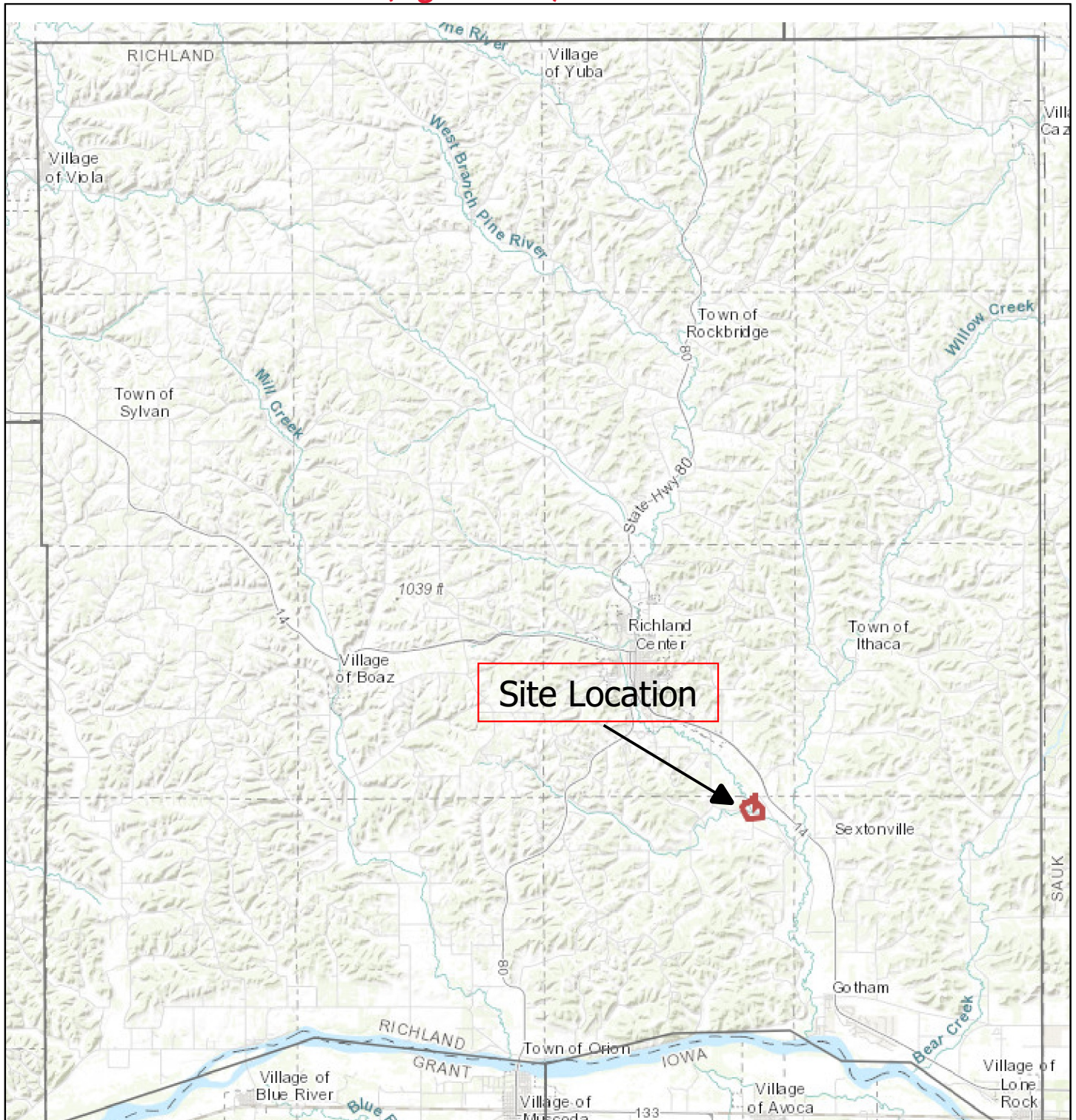
Interested parties are invited to submit to this office written facts, arguments, or objections by the expiration date above. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments 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.

Replies may be sent to Morgan Wirth-Murray at Morgan.M.Wirth-Murray@usace.army.mil

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Morgan Wirth-Murray at the Steven's Point office of the Corps, telephone number 651-290-5855 or email at Morgan.M.Wirth-Murray@usace.army.mil.

Enclosure(s)

MVP-2021-01930-MWM (Figure 1 of 4)



Site Location Map

Pine River Wetland Mitigation Bank,
Sec. 1 and 2, T09N, R01E, Town of
Orion, Richland Co., WI

DATE:
09-07-21
APPROVED BY:
AMK

CREATED BY:
Grams Mapping
and GIS Services,
LLC

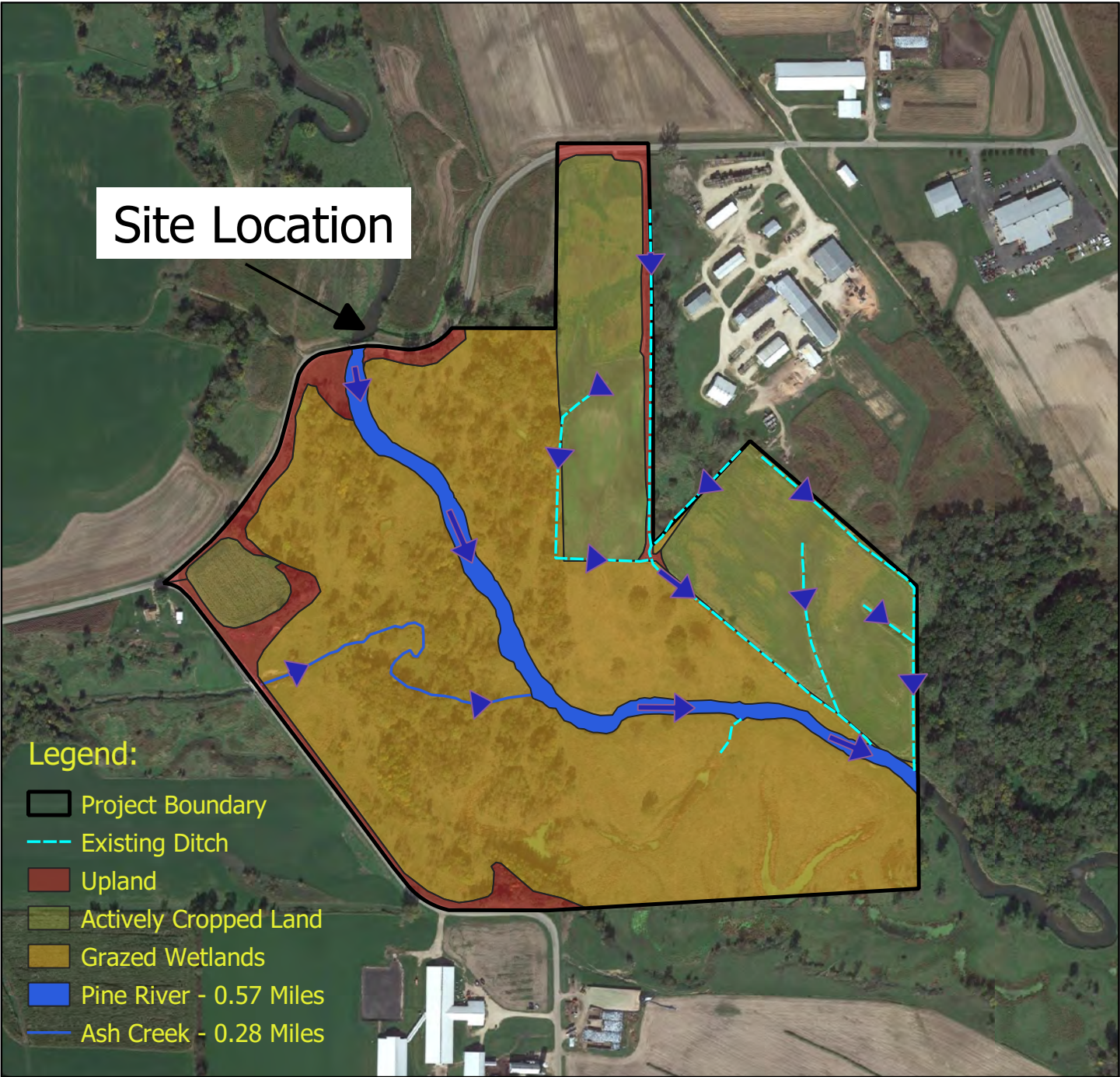
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**FIGURE
NO.
1**



2020 AERIAL PHOTO	DATE: 09-07-21 APPROVED BY: AMK	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF WETLANDS & WATERWAYS LLC, AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS FURNISHED.		FIGURE NO. 3
Pine River Wetland Mitigation Bank, Sec. 1 and 2, T09N, R01E, Town of Orion, Richland Co., WI	CREATED BY: Grams Mapping and GIS Services, LLC			



Existing Site Conditions	DATE: 09-08-21 APPROVED BY: AMK	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF WETLANDS & WATERWAYS LLC, AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS FURNISHED.		FIGURE NO. 6
Pine River Wetland Mitigation Bank, Sec. 1 and 2, T09N, R01E, Town of Orion, Richland Co., WI	CREATED BY: Grams Mapping and GIS Services, LLC			



PROPOSED VEGETATIVE COMMUNITIES & RESTORATION METHODS	DATE: 09-09-21 APPROVED BY: AMK	THIS DRAWING AND ALL INFORMATION CONTAINED THEREON IS THE PROPERTY OF WETLANDS & WATERWAYS LLC, AND SHALL NOT BE COPIED OR USED EXCEPT FOR THE PURPOSE FOR WHICH IT IS FURNISHED.		FIGURE NO. 13
Pine River Wetland Mitigation Bank, Sec. 1 and 2, T09N, R01E, Town of Orion, Richland Co., WI	CREATED BY: Grams Mapping and GIS Services, LLC			