



**US Army Corps  
of Engineers** ®  
Rock Island District

# PUBLIC NOTICE

**Sponsor:** Sonstegard Family Farms  
43568 507<sup>th</sup> Avenue  
Windom, MN 56101

Issued: July 14, 2023

Expires: August 12, 2023

**Corps Project Number:** CEMVR-RD-2023-0911

**Proposed Project:** Sonstegard Family Farms Silver Lake  
Wetland Mitigation Bank

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## WETLAND COMPENSATORY MITIGATION BANK PROPOSAL

This notice is issued in accordance with the Compensatory Mitigation for Losses of Aquatic Resources; Final Rule (the Mitigation Rule) described in the Federal Register dated April 10, 2008 (33 CFR Parts 325 and 332).

1. **Project Location:** The proposed site is located within Sections 16 and 17, Township 100 North, Range 38 West, Dickinson County, Iowa. See attached location maps. Latitude: 43.478217  
Longitude: -95.348342.

2. **Bank Objectives:** The fundamental objective of compensatory mitigation is to offset environmental losses resulting from unavoidable impacts to waters of the United States (WOTUS) authorized by Department of Army Permits. Other Objectives include: restoration of wetland hydrology in drained and degraded farmed wetland areas to the near natural condition that was present historically, re-establishment of vegetation communities dominated by native species to enhance and create wildlife habitat, establishment of high functioning and self-sustaining wetlands that improve water quality and provide flood storage in the watershed, establishment of native grass and forb species in an upland buffer area adjacent to the wetland, and provide wetland mitigation credits to sell in the Upper Missouri Bank Service Area to support the national goal of no net-loss of wetlands.

3. **Project Description/Bank Establishment:** The bank sponsor proposes to complete activities on approximately 78 acres of privately owned property that would result in the establishment of wetland mitigation credits. The bank sponsor proposes to develop credits by restoring natural hydrologic conditions and re-establishing native vegetation cover to historic wetlands at the site that have been altered by drainage and cropping. The restoration of hydrology will be accomplished by breaking or abandoning drain tile and blocking a surface drainage through the construction of an overflow berm to establish new hydrology control on the Site. The proposed restoration of wetland hydrology and vegetation will result in approximately 55 restored wetland acre-credits and 23 acres generating approximately 5 credits from the establishment of native vegetation in adjacent upland buffer. Proposed vegetation communities include emergent wetland with varying hydrologic regimes ranging from soils saturated to the surface to standing water of 2-4 ft depths. A wetland determination was completed in 2020 which identified the entire site as Prior Converted Cropland

(PC), indicating wetland hydrology was removed for the purposes of cropping prior to 1985 and there are no areas meeting wetland criteria on the site under the existing condition. A wetland delineation will be conducted prior to the submission of the mitigation banking instrument.

4. **Service Area:** The proposed primary bank service area will be the Upper Missouri Mitigation Bank Service Area.

5. **Bank Need/Technical Feasibility/Ecological Suitability:** There is a need for wetland mitigation credits in this service area to meet demands due to wetland impacts from development, transportation projects, and agricultural drainage. It is anticipated that development and proposed land use changes will continue to result in wetland impacts and the need for mitigation credits in this bank service area. Soil and historic information about the site demonstrate that it is suitable for the proposed restoration and the proposed work is technically feasible. Review of the soil survey demonstrates the site has hydric soils that will support wetland conditions and historically did support wetland conditions similar to the proposed restored condition. Review of site topography indicates that the site is located in a natural depression with a sufficient watershed to support wetland hydrology. Review of several aerial photographs from wetter than normal periods demonstrate the site exhibits wetness signatures that indicates wetlands would be present in the undrained condition. Preliminary hydrology analysis confirms restoration of wetlands can be accomplished through tile breaks and establishment of a new surface runoff control without impacting adjacent properties and a sufficient hydrology source that will sustain wetland conditions is present.

6. **Long Term Management:** The sponsor is responsible for the long-term management of the site. Upon closure, the bank will be in satisfactory condition. The bank shall be preserved in perpetuity with a conservation easement, approved by the USACE. The proposed Bank would be continuously managed by a contractor or landowner. To ensure the restored wetland is self-sustaining, care will be taken during design and site construction to ensure appropriate measures are taken to minimize risk of future issues that need repair. Because the proposed construction practices (tile breaks, outlet overflow berm) are well established methods, the risk is low that long-term maintenance will be needed. It is anticipated the most likely long-term management activities on the site will include mowing, herbicide treatment, and prescribed burning to control undesirable or invasive vegetation.

7. **Sponsor Qualifications:** The Sponsor, Sonstegard Family Farms, LLC is familiar with wetland mitigation projects, having completed similar projects in Minnesota. The engineer, Johnson Engineering Group, LLC, and consultant on the project, Moore Engineering, Inc., provide a team of qualified engineers, wetland scientists, soil scientists, botanists, and surveyors that have completed several projects of similar size in similar settings. The team is also experienced in preparing MBIs and construction plans, overseeing construction and vegetation establishment, and conducting monitoring on wetland mitigation projects. Sonstegard Family Farms, LLC will hold the conservation easement, own the credits, and be responsible for complying with the conditions of the easement and long-term management of the site.

8. **Water Rights:** There are no agencies that regulate water rights that could potentially adversely affect the proposed project on the site.

9. **Agency Review:** Department of the Army, Corps of Engineers. The Corps of Engineer is participating in this matter as the chair of an Interagency Review Team. The Interagency Review Team consists of the Corps of Engineers, the Natural Resources Conservation Service, the U.S. Fish

and Wildlife Service, the U.S. Environmental Protection Agency, and the Iowa Department of Natural Resources. The project would require Section 404, Clean Water Act authorization prior to the proposed construction. If approved, the proposed bank could provide wetland credit for future, Section 404, authorized projects that require compensatory mitigation. Formal authorization of the bank proposal occurs through Corps approval of a Mitigation Banking Instrument.

**10. Historical/Archaeological:** Based on a review of historic and current aerial photos, topographic maps, and available cultural resource databases, it is the opinion of the Corps that the permit area may have the potential to contain historic properties, which may be potentially eligible for listing on the National Register of Historic Places (NRHP). The Corps will require the applicant to submit a Phase I archaeological survey and geomorphological evaluation report covering the permit area. Geomorphological investigation must extend at least 50 centimeters below the proposed depths of soil disturbance or to a depth below which no possibility of historic properties exists. The applicant, in addition to this Phase I report, may be required to conduct additional Phase II test excavations to evaluate sites for eligibility for inclusion in the NRHP, as well as other studies, site avoidance, or data recovery as may be the case.

**11. Endangered Species:** This proposal will be coordinated with the U.S. Fish and Wildlife Service. Any comments USFWS 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.

**12. Who Should Reply:** The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to approve the proposed bank. Any comments received will be distributed to the members of the Interagency Review Team. Comments should be submitted on or before the expiration date specified at the top of page 1. Comments should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable. Any person may also request a public hearing. The request must be submitted in writing to the District Engineer within the designated comment period of the notice and must state the specific reasons for requesting the public hearing.

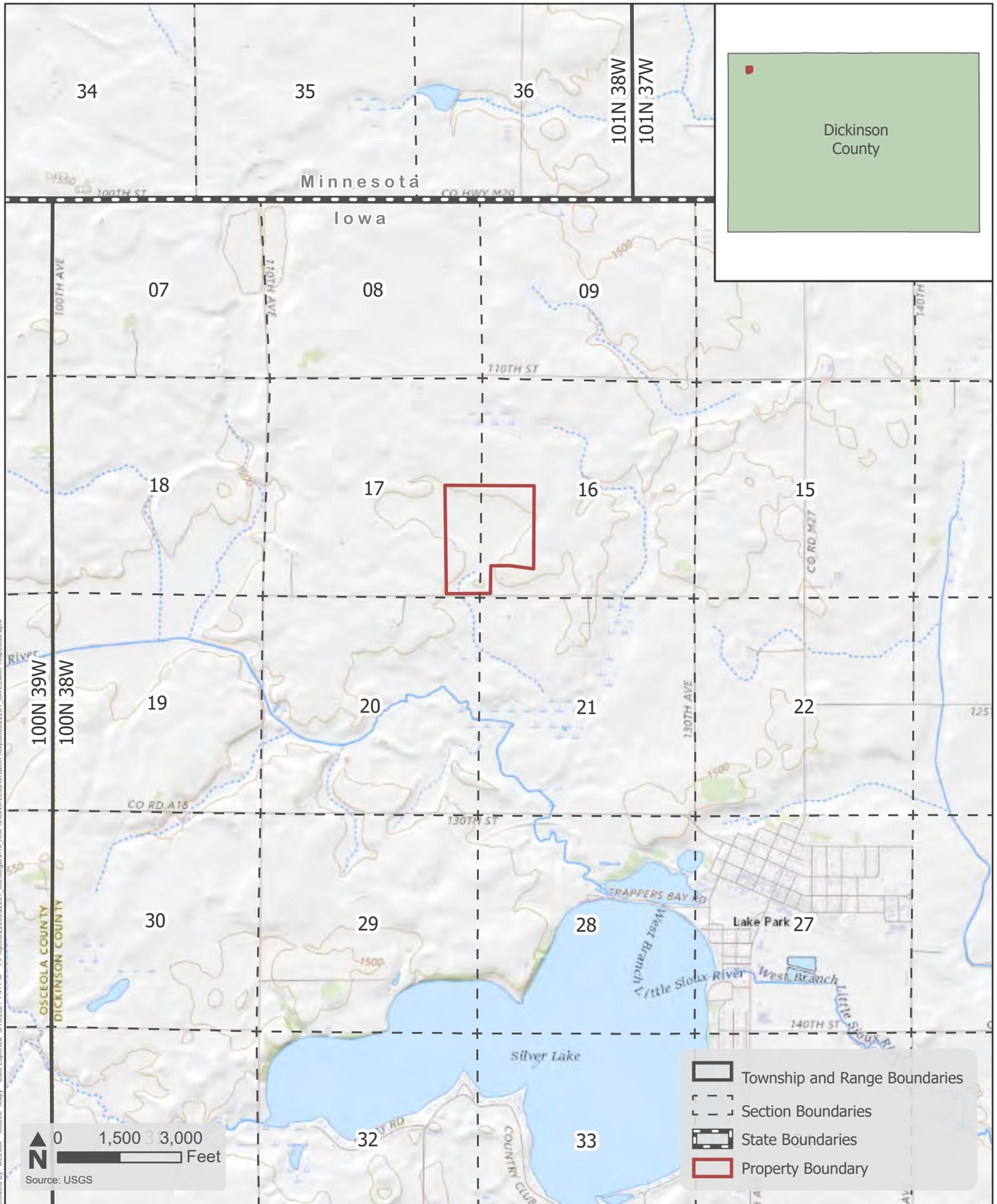
**13. Reply to the Corps of Engineers:** Comments or questions concerning this notice may be directed to Abby Steele via phone (309/794-5377), email (Abigail.A.Steele@usace.army.mil), or by writing to the following address: US Army Corps of Engineers, Rock Island District, ATTN: Abby Steele- RD, Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004.

**14. Complete Prospectus:** The complete prospectus can be found on our public website at: [https://ribits.ops.usace.army.mil/ords/f?p=107:278:29241001018505:::P278\\_BANK\\_ID:6656](https://ribits.ops.usace.army.mil/ords/f?p=107:278:29241001018505:::P278_BANK_ID:6656)  
Hard copies are also available by request.

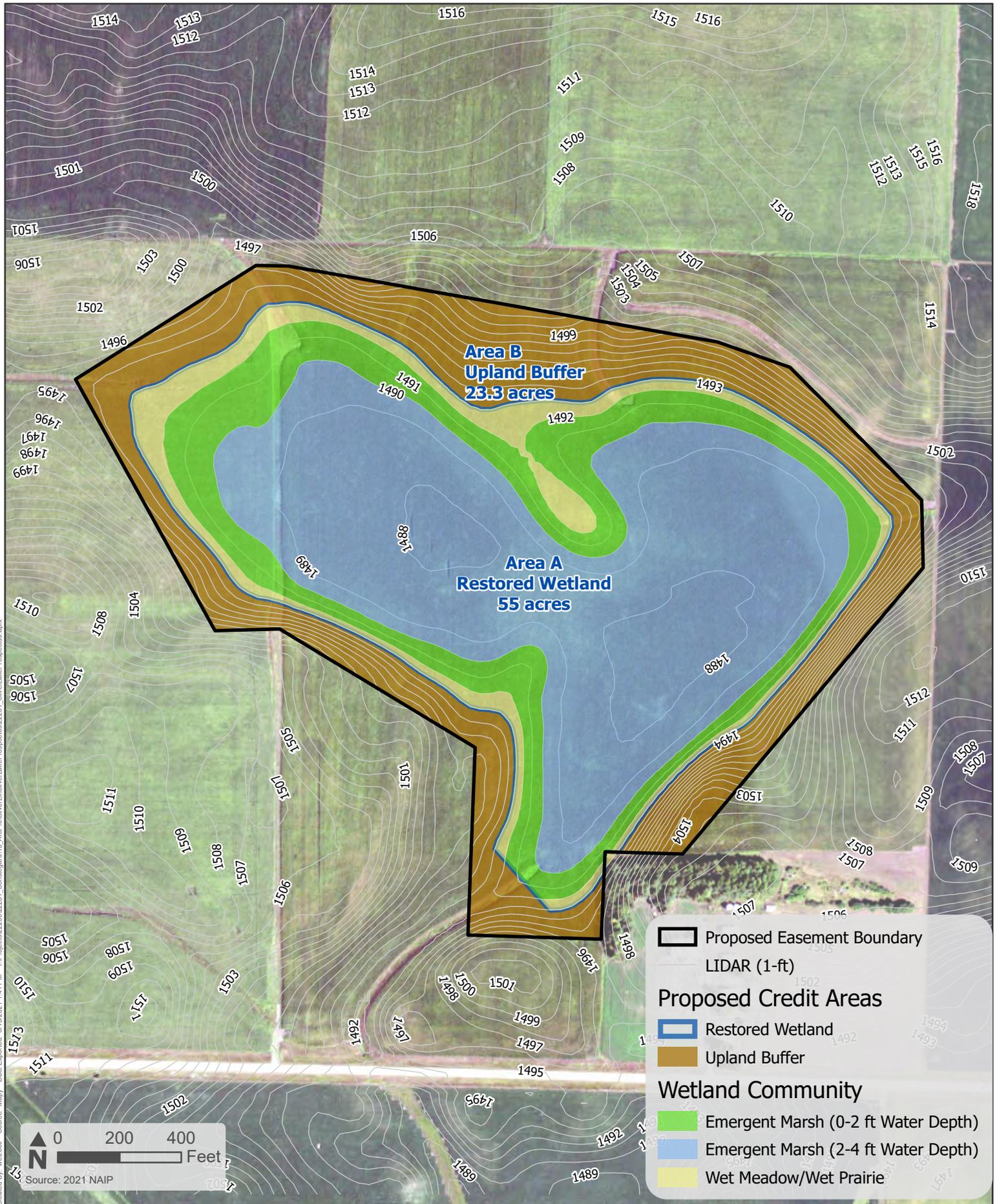
*Abigail A. Steele*

Attach  
Plan

Ms. Abigail Steele  
Chief, Western Branch  
Regulatory Division



CEMVR-RD-2023-0911 Attach 1 of 3  
**Site Location Map**  
 Silver Lake Prospectus



CEMVR-RD-2023-0911 Attach 2 of 3  
**Proposed Credit Areas and Vegetation Communities**  
 Silver Lake Prospectus

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