

Information for File #2013-04528-LSP

Applicant: Minnesota Department of Transportation

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Primary County : Becker

Sec/Township/Range: T138N, R40W, Sections 21, 22, 23, 26, 27, 28, 29, 30
T138N, R41W, Sections 25, 266, 27
T139N, R39W, Sections 14, 15, 16, 19, 20, 21
T140N, R37W, Sections 27, 28, 32, 33
T139N, R37W, Section 4

Information Complete On: February 20, 2014

Posting Expires On: March 27, 2014

Authorization Type: LOP-05-MN

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated wetland impacts and compensatory mitigation requirements identified above. An approved jurisdictional determination will be made prior to reaching a permit decision, and will be posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/>.

PROJECT PURPOSE & NEED: According to information supplied by the applicant, the purpose of the project is to increase the safety of the traveling public and more efficiently move freight on a 68 mile segment of TH 34 in Becker and Hubbard Counties (S.P. 0303-64). The overall project will involve work at eight locations along the corridor. Four of these locations will involve construction of passing lanes that will result in the discharge of fill material into wetlands adjacent to the highway.

PROJECT DESCRIPTION: The applicant is proposing to conduct work at various locations along TH 34 between Detroit Lakes and Akeley, Minnesota as part of the Corridors of Commerce program. The proposed project will involve work at eight locations on TH 34. The work includes center left turn lanes, removal of a depressed median and the construction of passing lanes. Two of the passing lanes will involve the discharge of fill in wetlands and two other locations will involve the filling of wetlands in ditch bottoms adjacent to the highway. The location of the fill on this project is shown on the attached drawing.

The applicant is proposing to permanently discharge fill material into the following wetland types:
Seasonally Flooded Basin – 0.09 acres
Wet Meadow – 0.34 acres
Shallow Marsh – 0.10 acres

Shrub Carr – 0.09 acres
Forested Wetland – 0.08 acres
Wetlands in Ditches – 0.37 acres

NAME, AREA AND TYPES OF WATERS (INCLUDING WETLANDS) SUBJECT TO LOSS:

Construction of the project as described in the application will result in the permanent loss of 0.34 acres of Wet Meadow/Sedge Meadow, 0.10 acres of Shallow Marsh, 0.09 acres of Shrub Carr and 0.08 acres of Forested Wetlands. 0.37 acres of wetlands which have developed in ditch bottoms will be filled and replaced with an equal amount of wetlands which are anticipated to develop in the reconstructed ditch bottoms.

ALTERNATIVES CONSIDERED: A no-build alternative was studied but was dismissed. This project is a safety upgrade to an existing public road. Under the no-action alternative, the need for safety improvements to the existing highway would not be met.

The applicant states that they have minimized impacts to aquatic resources to the greatest extent possible by maintaining the existing roadway alignment and by creating inslopes that will not exceed a 1:4 (V:H). They have also designed the project to create fill slopes in wetlands rather than an inslope with a ditch in wetland areas. This design eliminates impacts to wetlands that would occur due to ditch construction in wetlands. The applicant also minimized wetland impacts by locating passing lanes in locations along the corridor that resulted in the least amount of wetland impacts possible while meeting design standards and traffic engineering requirements.

COMPENSATORY MITIGATION: The applicant has proposed to provide compensatory mitigation for the permanent wetland impacts by debiting credits from the Mn/DOT - BWSR road bank cooperative. The applicant has stated that they will restore ditches filled as part of this project by constructing new ditches at the same elevation and width.

Drawings See attached.

2013-04528-LSP TH 34 Wetland Impact Locations

Location of Project

