

Information for File #2014-02279-SEW

Applicant: Minnesota Department of Transportation, District 3; c/o Mr. Robert Nibbe

Corps Contact: Sarah Wingert, U.S. Army Corps of Engineers, 180 5th Street East, Suite 700, St. Paul, MN, 55101-1678; 651-290-5358; sarah.e.wingert@usace.army.mil

Primary County: Mille Lacs

Location: Milaca, Page, and Dailey Townships in Section 1, Township 38N., Range 27W.; Sections 1, 12-13, 24-25, and 36, Township 39N., Range 27W., and Section 36, Township 40N., R. 27W.

Information Complete On: January 22, 2015

Posting Expires On: February 4, 2015

Authorization Type: Section 404 Clean Water Act via LOP-5-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 waterbody/wetland impacts and compensatory mitigation requirements identified above.

PROJECT INVOLVES:

- 1) *FEMA 100-Year Floodplain:* The project crosses approximately 200 feet of Whitney Brook's 100-year floodplain. The bridge at Whitney Brook would not be impacted by this project. MnDOT indicated there are no known flooding issues at the Whitney Brook crossing. A hydraulic analysis was completed and found that the project would not result in a stage increase at Whitney Brook. Appropriate erosion control and turf establishment procedures would be utilized in the project area, and MnDOT has determined that there would be no significant impacts to the floodplain.
- 2) *Linear Project:* The project would occur on approximately 7.04 miles of the northbound lanes of US 169, located from approximately 0.44 mile south of the intersection with CSAH 11/190th Street to approximately 0.62 mile south of the Rum River.

PROJECT DESCRIPTION AND PURPOSE: The project involves the reconstruction of approximately 7.04 miles of northbound US 169 from approximately 0.44 mile south of CSAH 11 to approximately 0.62 mile south of the Rum River. In the project area, northbound US 169 is a principal arterial that consists of two 10-11 foot wide travel lanes with 3-6 foot wide shoulders. The travel lane widths and shoulder widths are too narrow to meet current design standards. Also, segments of the pavement along this northbound section of US 169 have deteriorated beyond routine maintenance repairs; if the reconstruction work did not occur, the road may need to be closed during spring thaw and high water due to road deformation and shifting road subgrades. There are three sections of the roadway where the road base is too close to the water table, resulting in pavement degradation and rutting.

To bring the road up to current design standards and to improve the pavement condition, approximately 6.54 miles of the northbound lanes would be reconstructed to include two 12-foot

wide travel lanes with a 10-foot bituminous right shoulder, a 4-foot bituminous left shoulder, and 1V:4H sideslopes. The 6.54-mile section that would be reconstructed has not been re-worked since 1981. This cross-section would match the cross-section of US 169 on either side of the project, which have been reconstructed in the recent past. The remaining approximately 0.5 mile segment on the south end of the project would receive a mill and overlay, as this segment was last re-graded in 2009. To reduce wetland impacts and to take advantage of the existing road core, the centerline of the new lanes in the 6.54-mile reconstruction area would be shifted six feet west (toward the median) from the existing centerline, and the existing toe of slope would be matched as much as possible in wetland areas. The project also includes turn lane extensions, sign replacements, and hydraulic repairs and replacements.

NAME, AREA AND TYPES OF WATERS (INCLUDING WETLANDS) SUBJECT TO LOSS: As proposed, the project would result in a total of approximately 1.25 acres of permanent fill impacts to nineteen wetlands associated with Whitney Brook and other tributaries to the Rum River. Additionally, approximately 1.93 acres of the wetlands would be temporarily impacted by temporary fill placement for topsoil storage during construction. The applicant estimates that each wetland would be impacted by the temporary fill for a maximum of 60 days, and the wetlands would be restored by re-distributing the topsoil on the adjacent road sideslope, stabilizing the exposed areas in accordance with their National Pollutant Discharge Elimination Permit, and seeding. Finally, the project would involve approximately 20 square feet of impact to an unnamed ditched tributary to the Rum River for the in-kind replacement of a 24-inch diameter drainage culvert.

COMPENSATORY MITIGATION: The applicant proposes to compensate for unavoidable, permanent, adverse wetland impacts by debiting credits from the state wetland bank using a Corps-approved, MnDOT-owned bank account.

DRAWINGS: See attached figures labeled "2014-02279-SEW, Tables 1-2 of 2 and Figures 1-19 of 19".

2014-02279-SEW, Table 1 of 2: Permanent Impacts to Aquatic Resources

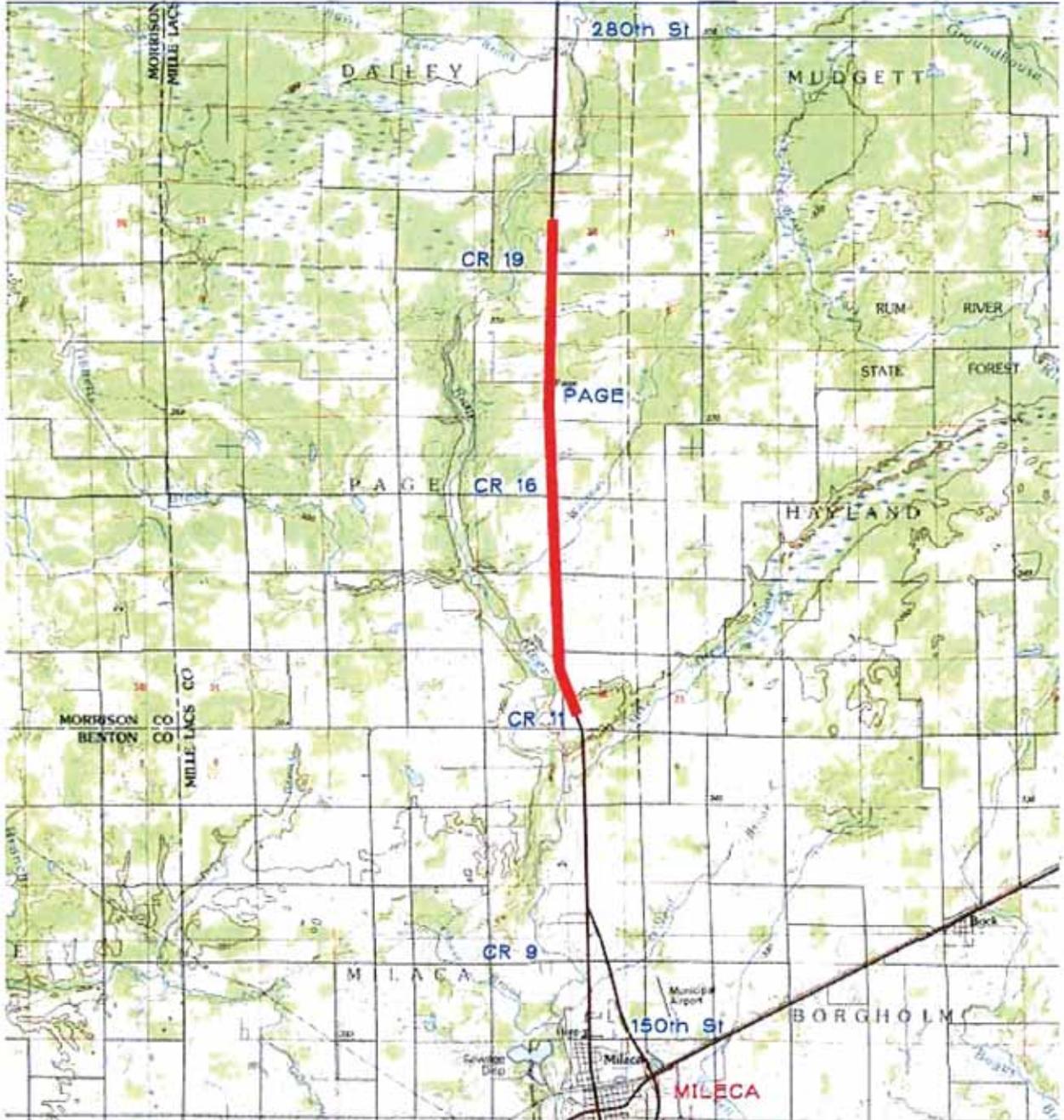
Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Size of Impact (acre)	Existing Plant Community Type(s) in Impact Area
2	Wetland	Fill	0.01	Wet meadow
Sta. 1073-76	Wetland Ditch	Fill/Cut (Reshape)	0.023	Typha ditch
3	Wetland	Fill	0.1	Wet meadow
Sta. 1139-1145	Wetland Ditch	Fill (Reshape)	0.02	Typha ditch
Sta. 1139-1145	Wetland Ditch	Cut (Reshape)	0.02	Typha ditch
4	Wetland	Fill	0.26	Wet meadow
5	Wetland	Fill	0.002	Wet meadow
6	Wetland	Fill	0.007	Wet meadow
7	Wetland	Fill	0.03	Wet meadow
7A	Wetland	Fill	0.18	Shallow marsh
Sta. 1231-39	Wetland Ditch	Fill/Cut (Reshape)	0.124	Typha ditch
8	Wetland	Fill	0.02	Shallow marsh
9	Wetland	Fill	0.02	Wet meadow
9A	Wetland	Fill	0.03	Shallow marsh
10	Wetland	Fill	0.02	Shrub carr
11	Wetland	Fill	0.12	Wet meadow
12	Wetland	Fill	0.1	Wet meadow
13	Wetland	Fill	0.07	Wet meadow
14	Wetland	Fill	0.09	Wet meadow
		TOTAL	1.246	

2014-02279-SEW, Table 2 of 2: Temporary Impacts to Aquatic Resources

Aquatic Resource ID (as noted on overhead view)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Temporary (T) Impact (days)	Size of Impact (acre)	Existing Plant Community Type(s) in Impact Area
2	Wetland	Topsoil storage	T (60)	0.03	Wet meadow
3	Wetland	Topsoil storage	T (60)	0.2	Wet meadow
Sta. 1139-1145	Wetland Ditch	Topsoil storage	T (60)	0.05	Typha ditch
4	Wetland	Topsoil storage	T (60)	0.19	Wet meadow
5	Wetland	Topsoil storage	T (60)	0.05	Wet meadow
6	Wetland	Topsoil storage	T (60)	0.08	Wet meadow
7	Stream	Culvert replace	T (30)	0.0005	Stream
7	Wetland	Topsoil storage	T (60)	0.06	Wet meadow
7A	Wetland	Topsoil storage	T (60)	0.4	Shallow marsh
8	Wetland	Topsoil storage	T (60)	0.05	Shallow marsh
9	Wetland	Topsoil storage	T (60)	0.04	Wet meadow
9A	Wetland	Topsoil storage	T (60)	0.06	Shallow marsh
10	Wetland	Topsoil storage	T (60)	0.04	Shrub carr
11	Wetland	Topsoil storage	T (60)	0.22	Wet meadow
12	Wetland	Topsoil storage	T (60)	0.17	Wet meadow
13	Wetland	Topsoil storage	T (60)	0.11	Wet meadow
14	Wetland	Topsoil storage	T (60)	0.18	Wet meadow
			TOTAL	1.9305	

Project Map

S.P. 481286 (TH 169 N.B. LANES)
0.2 MILES N. CSAH 11 TO 0.6 MILES NORTH
OF THE SOUTH OF JCT. CSAH 19



LEGEND

Construction Limits

Cut



Fill



Transition



Impacts

Fill Impacts



Temporary Impact areas



2014-02279-SEW,
Figure 4 of 19:
Proposed Aquatic
Resource Impacts





Wet #2
Type 2/Wet meadow
Fill Impact= 0.01 acre
Temp Impact= 0.03 acre



Wet Ditch

0.023 acre
permanent impact
(re-shaping)

Temp = 0.03 acre

Wet #3
Type 2/Wet meadow
Fill Impact = 0.10 acre
Temp Impact = 0.20 acre





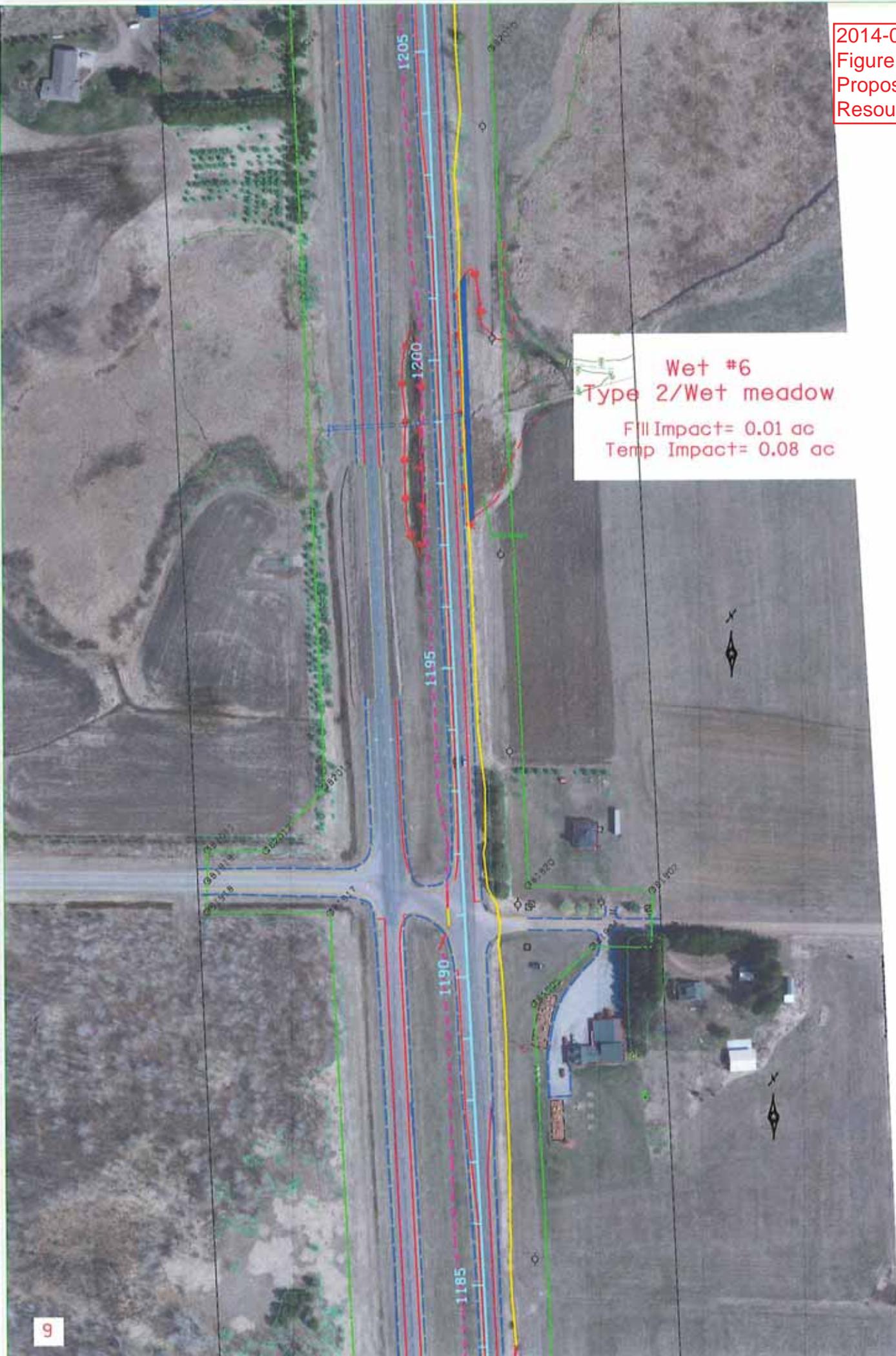
Wet #4
Type_2/Wet meadow
• Fill Impact = 0.26 ac
Temp Impact= 0.19 ac
Whitney Br

Wet ditch:
permanent impact
0.04 acre (re-
shaping)

Wet #5
Type 2/Wet meadow
Fill Impact 100 sf
Temp Impact= 0.05 ac



Wet #6
Type 2/Wet meadow
Fill Impact= 0.01 ac
Temp Impact= 0.08 ac



Stream Impact
20 sf temporary

Wet #7A
Type 3/Shallow marsh
Fill Impact= 0.18ac
Temp Impact= 0.40 ac

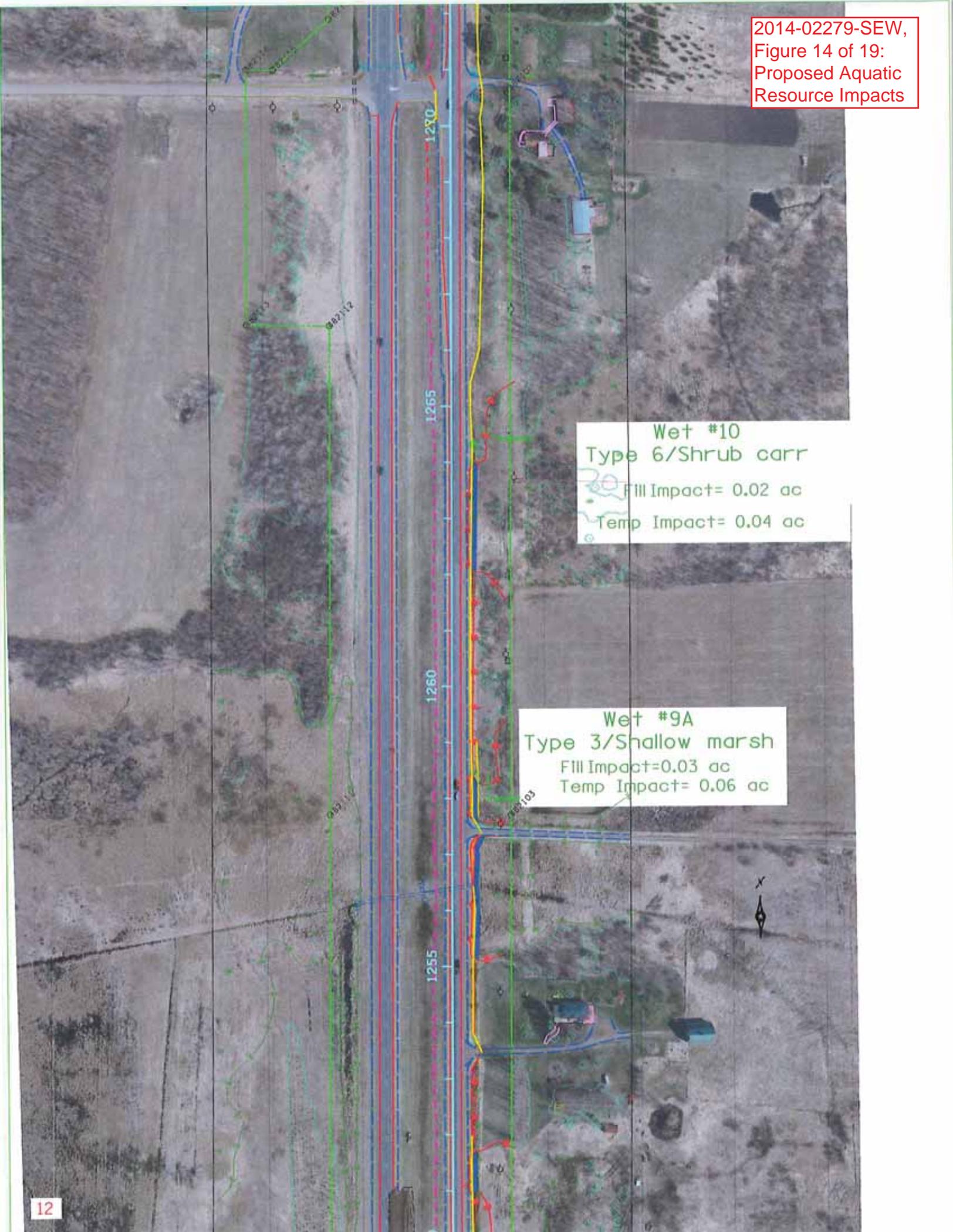
Wet #7
Type 2/Wet meadow
Fill Impact= 0.03 ac
Temp Impact= 0.06 ac

Wet #9
Type 2/ Wet meadow
Fill Impact= 0.02 ac
Temp Impact= 0.04 ac

Wet #8
Type 3/ Shallow marsh
Fill Impact= 0.02 ac
Temp Impact= 0.05 ac

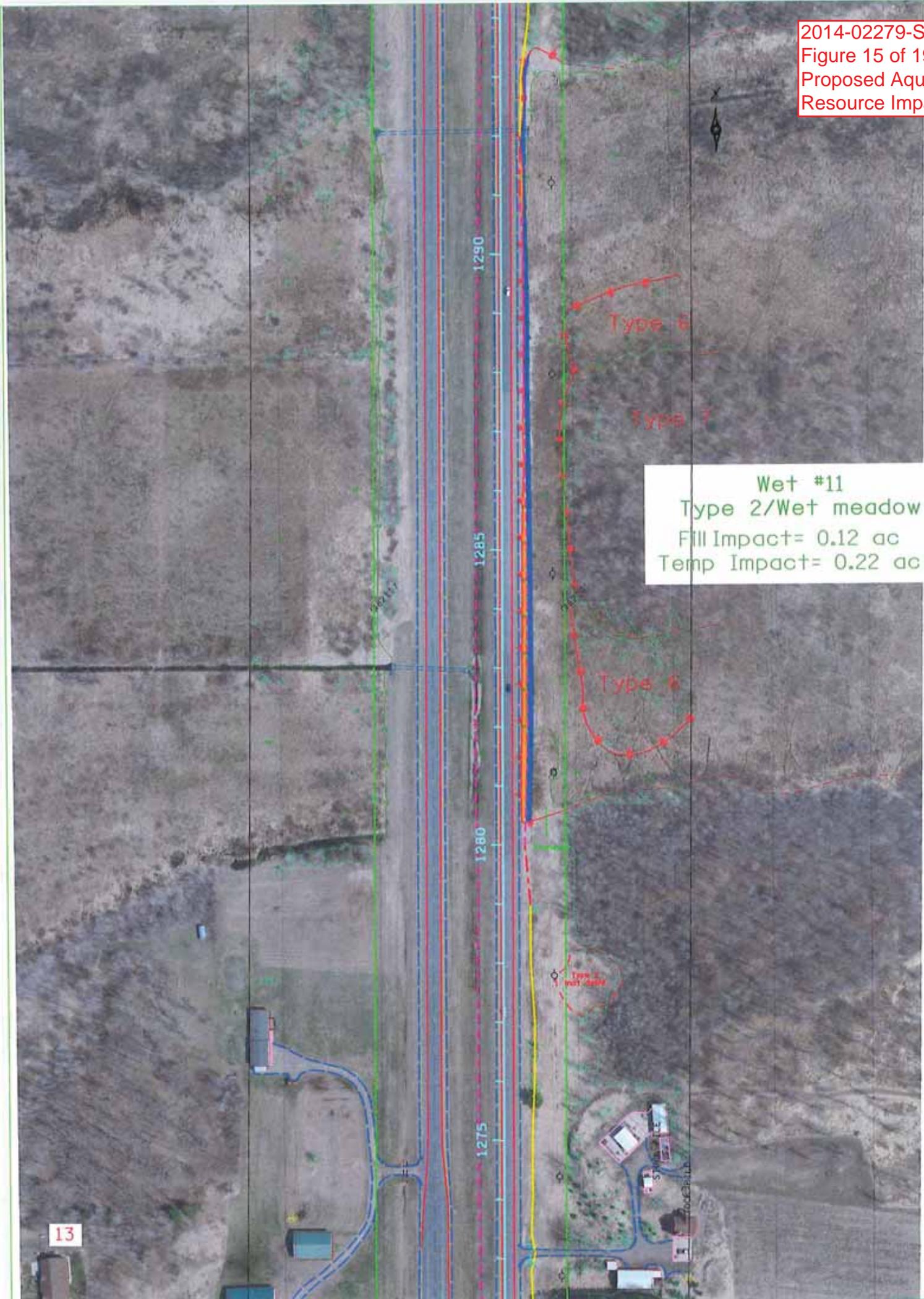
Wet Ditch
0.124 acre
permanent impact
(re-shaping)

Wet #7
Type 3/ Shallow marsh

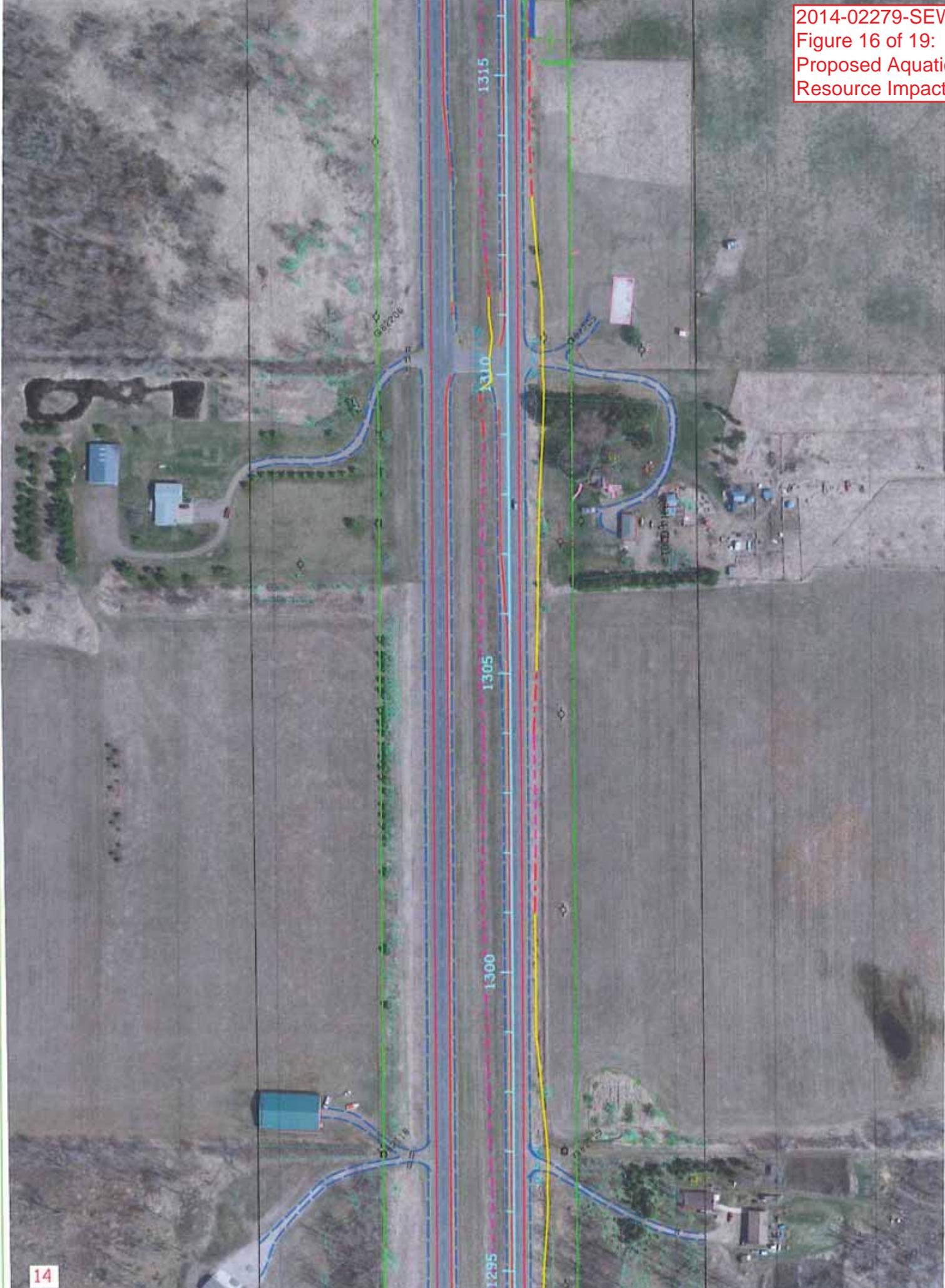


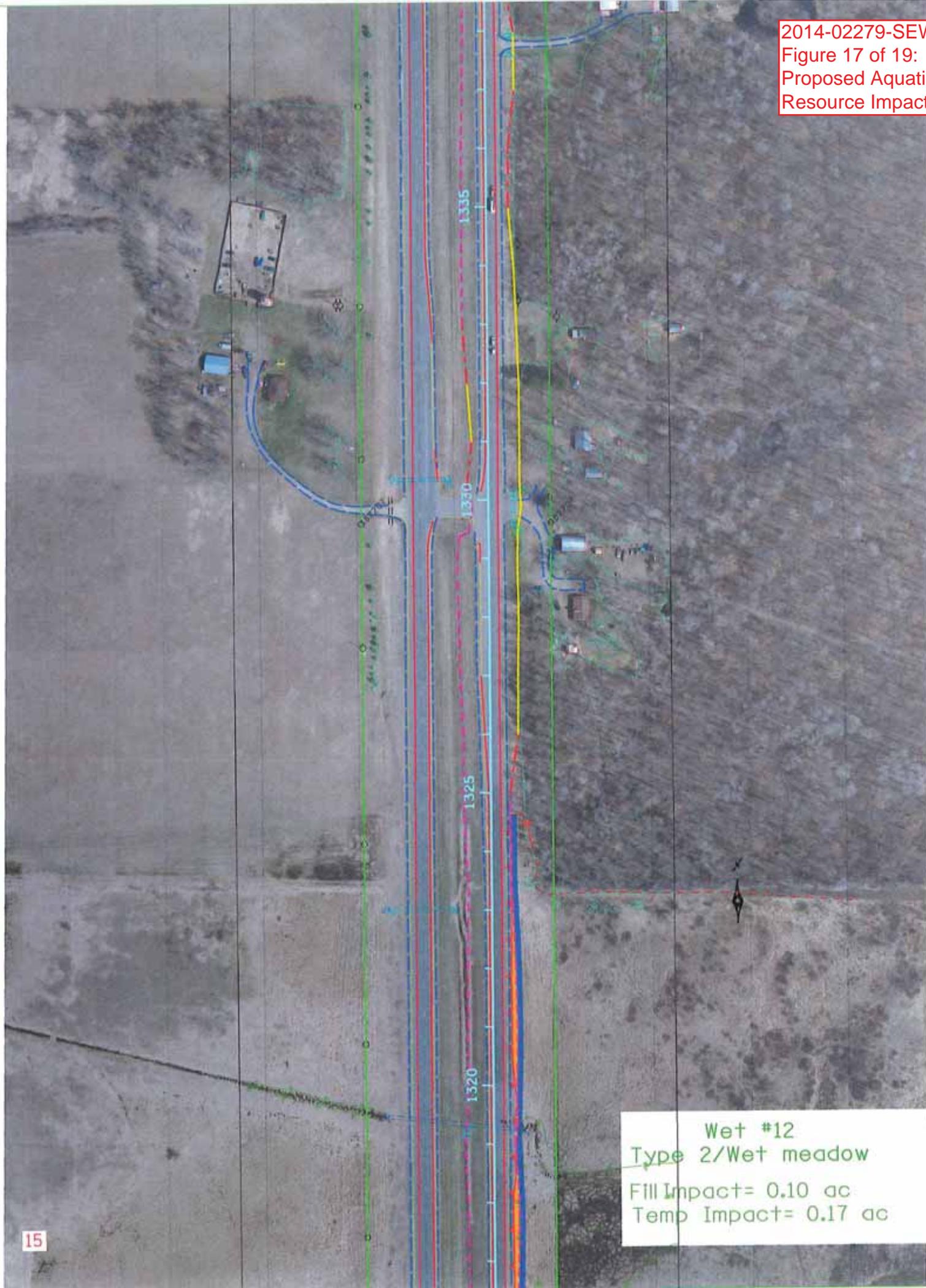
Wet #10
Type 6/Shrub carr
Fill Impact= 0.02 ac
Temp Impact= 0.04 ac

Wet #9A
Type 3/Shallow marsh
Fill Impact=0.03 ac
Temp Impact= 0.06 ac



Wet #11
Type 2/Wet meadow
Fill Impact= 0.12 ac
Temp Impact= 0.22 ac





Wet #12
Type 2/Wet meadow
Fill Impact= 0.10 ac
Temp Impact= 0.17 ac

