



US Army Corps
of Engineers
St Paul District

APPLICANT: BOB HARRIS

Public Notice

ISSUED: November 20, 2014

EXPIRES: December 22, 2014

REFER TO: 1995-01355-DAS

SECTION: 10 – Rivers and Harbors Act

1. APPLICATION FOR PERMIT TO construct transient boat docks and walkways along an abandoned railroad bridge in the Mississippi River near Winona, Minnesota.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 615 Prairie Island Road North
Winona, Minnesota 55987

PROJECT LOCATION: The project site is located in Sec. 23, T. 107N, R. 7W, Winona County, Minnesota. The approximate coordinates are Latitude: 44.05787N and Longitude: -91.63815W. The site is located at River Mile 725.7 of the Mississippi River.

DESCRIPTION OF PROJECT: The applicant has proposed the construction of a walkway measuring 550 feet long and 5 feet wide along the upstream side of the abandoned railroad bridge. A gangway measuring 310 feet long and 5 feet wide would connect the walkway to the bridge deck. On the downstream side of the bridge the applicant would construct a dock measuring 550 feet long and 5 feet wide with 25 boat docks for transient boat use. Six-inch diameter pipes would be used to secure the walkway and dock to the bridge structure and to secure each dock facing down river. This project was originally authorized by a Department of the Army permit in 1995. After several extensions, the permit expired December 31, 2011; however, the work was not completed. The applicant has re-requested authorization so he can proceed with the project.

QUANTITY, TYPE, AND AREA OF FILL: No fill is proposed.

SURROUNDING LAND USE: The proposed project is located outside the east edge of the navigational channel of the Mississippi River. The Mississippi River is used for commercial and recreational activities. Predominant land use to the east includes recreational activities on largely undeveloped land owned by the City of Winona.

DESCRIPTION OF STRUCTURE: The structures would consist of floating docks for recreational use.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Potential toxic materials could include those used in association with recreational boating.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Appropriate construction methods and materials would be used to protect water quality.

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3. REPLIES/COMMENTS.

Interested parties are invited to submit to this office written facts, arguments, or objections within 30 days of the date of this notice. 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.

Replies may be addressed to Regulatory Branch, St. Paul District, Corps of Engineers, 1114 South Oak Street, La Crescent, Minnesota 55947

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Mr. David Studenski at the La Crescent office of the Corps, telephone number (651) 290-5902.

To receive Public Notices by e-mail, go to the St. Paul District web page at http://mvp-extstp.mvp.usace.army.mil/list_server/ and sign up.

4. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Winona County is within the known or historic range of the following Federally-listed threatened (T) and endangered (E) species:

<u>Species</u>	<u>Habitat</u>
Sheepnose (E)	Mississippi River
Higgins' eye pearl mussel (E)	Mississippi River
Karner Blue Butterfly (E)	Pine Barrens and Oak Savannas

This application 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.

5. JURISDICTION.

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. 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/>.

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This project comes under the regulatory jurisdiction of the Corps of Engineers because the Mississippi River is a navigable water of the United States.

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: The applicant has received a public Waters Permit (#96-5036) from the Minnesota Department of Natural Resources.

6. HISTORICAL/ARCHAEOLOGICAL.

This public notice is being sent to the National Park Service, the State Archaeologist, and the State Historic Preservation Officer to determine if there are known cultural resources which may be affected by the described work. Any unknown archaeological, scientific, or historical data could be lost or destroyed by the work described in the permit application. However, the latest version of the National Register of Historic Places has been consulted and no listed properties (known to be eligible for inclusion, or included in the Register) are located in the project area.

8. 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.

9. PUBLIC INTEREST REVIEW.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order 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 issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to

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the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Chad Konickson
Chief, Southwest Section

Enclosures

NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.



Bob Harris Dock Location

(Sec. 23, T. 107N, R. 7W, Winona County, Minnesota)



LATSCH ISLAND SHORE LINE
WISCONSIN

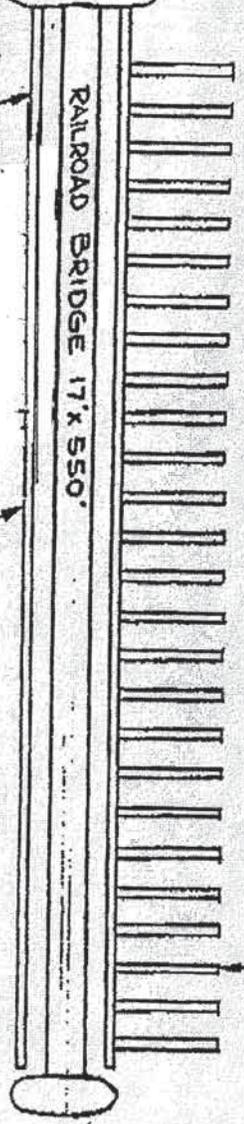


WALKWAY 5'x100'

RAILROAD BRIDGE 17'x 550'

(25) BOAT DOCKS 5'x50'

DOCKING AREA 5'x340'



MAIN CHANNEL

WINONA MN.

MARINE SPECIALTIES OF WINONA
PROPOSED DOCKING PLAN
SCALE 1"=80'
BOB HARRIS PHONE 507-452-2690

