



US Army Corps
of Engineers
St Paul District

APPLICANT: Olmsted County

Public Notice

ISSUED: October 5, 2015

EXPIRES: November 4, 2015

REFER TO: 2007-02574-DAS

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge dredged and fill material into a total of 10.7 acres of waters and wetlands for the construction of a proposed 55th Street Extension from County Road (CR) 133 to Broadway Avenue North and associated infrastructure within and near the city of Rochester.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: 2122 SE Campus Drive
Rochester, MN 55904

AGENT:
Nicole Zappetillo
SRF Consulting Group, Inc.

AGENT'S ADDRESS:
One Carlson Parkway North, Suite 150
Minneapolis, MN 55447-4443

PROJECT LOCATION: The project site is located in Sec. 10 - 15, T. 107N., R. 14W., Olmsted County, Minnesota. The approximate UTM coordinates are Zone 15, X Coordinate 543208.49, Y Coordinate 4880432.68.

DESCRIPTION OF PROJECT: According to the applicant, the project includes two primary roadway corridors, the proposed 55th Street Extension and Broadway Avenue North (CSAH 33).

The 55th Street Extension corridor begins approximately 800 feet west of the existing CR 133 (West River Road) north intersection on 55th Street and extends approximately 2.1 miles east to the intersection of Broadway Avenue North (CSAH 33) and CR 124 (48th Street). The proposed new alignment (from west to east) would cross over the South Fork Zumbro River, requiring a new bridge structure over the river. The proposed alignment then extends to the southeast before proceeding back nearly due east to connect into the CR 124 (48th Street) intersection. This leg would remain as CR 124 (48th Street) and tapers back to a two-lane rural section approximately 2,800 feet east of Broadway Avenue North (CSAH 33). The proposed roadway typical section is a four-lane divided urban median section with 12-foot lanes, turn lanes, shoulders, and ditches. Two shared-use paths or trails are proposed, one on each side of the proposed roadway.

The Broadway Avenue North (CSAH 33) corridor would be reconstructed on the existing alignment from just north of CSAH 22 (37th Street) through the CR 124 (48th Street) intersection, north approximately 4,200 feet. The proposed roadway typical section is a four-lane, divided urban median section, with 12-foot lanes, turn lanes, shoulders, and ditches (rural drainage).

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Existing access points along Broadway Avenue North (CSAH 33) would be consolidated to improve safety. A local street system and three new intersections at 40th Street NE, 41st Street NE, and 44th Street NE would be implemented. Proposed access connections to the three new intersections would be constructed to provide access to property and businesses.

The proposed 55th Street extension would create two new intersections with CR 133 (West River Road) and East River Road. The existing CR 133 (West River Road)/55th Street intersection would be offset to the north and south. Both roadways would be realigned nearly perpendicular with the proposed 55th Street extension. The typical sections for both roadways would match the existing roadway widths, except at intersections where turn lanes are introduced.

Along the CR 133 (West River Road) access road, west of the South Fork Zumbro River and south of 55th Street, a new DNR canoe launch would be constructed just south of the bridge.

QUANTITY, TYPE, AND AREA OF FILL: The proposed project would include 10.7 acres of water and wetland impact in the Zumbro River watershed. A temporary access road would be constructed in the South Fork Zumbro River during the construction of the new bridge structure over the River. Of the 10.7 acres, 7.7 acres would be permanent wetland impact and 3.0 acres would be temporary impacts. The proposed impacts to waters and wetland are itemized below:

Aquatic Resource ID (as noted on attached drawings)	Aquatic Resource Type (wetland, lake, tributary etc.)	Type of Impact (fill, excavate, drain, or remove vegetation)	Duration of Impact Permanent (P) or Temporary (T)	Size of Impact	Existing Plant Community Type(s) in Impact Area
No. 1	Wetland	Vegetation removal/excavate	T (90 days)	0.3 acres	R2UBH Floodplain Forest
No. 1	Wetland	Fill	P	0.7 acres	R2UBH Floodplain Forest
No. 2	Wetland	Fill	P	4.6 acres	PF01A Floodplain Forest
No. 3	Tributary	Fill	T (360 days)	2.5 acres	R2UBH
No. 3	Tributary	Fill	P	0.3 acres	R2UBH
No. 4	Wetland	Fill	P	1.1 acres	PF01A Floodplain Forest
No. 5	Wetland	Vegetation removal/excavate	T (90 days)	0.2 acres	R2UBH Floodplain Forest
No. 5	Wetland	Fill	P	0.7 acres	R2UBH Floodplain Forest
No. 6	Wetland	Fill	P	0.3 acres	PEMIA Shallow Marsh

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VEGETATION IN AFFECTED AREA: The floodplain forest wetlands are dominated by silver maple, box elder, reed canary grass, and jewelweed. The shallow marsh wetland is dominated by cattails and soft stem bulrush.

SOURCE OF FILL MATERIAL: It is anticipated the source of the fill material will be from on-site and from commercially available sources.

SURROUNDING LAND USE: Existing land use along the 55th Street Extension corridor includes a municipal park, scattered residential uses, agricultural use, a sand and gravel extraction operation, and woodlands. The existing land use along the Broadway Avenue North (CSAH 33) corridor includes agricultural, commercial, and low-density residential use.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Fuel and lubrication used for construction equipment would be used during construction.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Erosion control measures including wet pond and infiltration basins, silt fence, silt curtains, seeding, bails, and mulch will be incorporated during construction.

MITIGATION: As compensatory mitigation for the wetland impacts described above, the applicant has proposed the withdrawal of wetland credits from the following:

1.8876 shallow marsh wetland credits, 2.8793 wet meadow wetland credits, and 0.9154 seasonally flooded wetland credits would be provided from wetland bank account #1001 in the Zumbro River watershed. The site is located approximately 22 miles southwest of the impact site in the SE ¼, Sec. 30, T. 106N, R. 17W, Dodge County, Minnesota.

6.3177 wetland credits would be withdrawn from the Schoenfelder Wetland Bank in the Root River watershed. The site is located approximately 19 miles southeast of the impact site in the Sec. 23 and 24, T. 105N, R. 12W, Olmsted County, Minnesota.

No permit will be issued until the wetland credits have been approved for use under Section 404 of the Clean Water Act.

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, 180 Fifth Street East, Suite 700, Saint Paul, MN 55101-1678.

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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: http://mvp-extstp/list_server/ and add your information in the New Registration Box.

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

Olmsted 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>
Northern long-eared bat <i>Myotis septentrionalis</i> (T)	Hibernates in caves and mines - swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
Leedy's roseroot <i>(Rhodiola integrifolia ssp. leedyi)</i>	Cool, wet groundwater-fed limestone cliffs
Prairie bush clover <i>(Lespedeza leptostachya)</i>	Native prairie on well-drained soils

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 current practices for documenting Corps jurisdiction under Section(s) 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act.

We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are subject to Corps of Engineers jurisdiction under Section(s) 9 & 10 of the Rivers and Harbors Act of 1899 and/or Section 404 of the Clean Water Act. If an approved jurisdictional determination is completed as part of the review process for this application, a copy will be posted on the St. Paul District web page at the following link:

<http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: An Environmental Assessment Worksheet was completed for the project on October 22, 2014. Olmsted County issued a Negative Declaration Regarding the Need for an Environmental Impact Statement on December 19, 2014.

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The Minnesota Department of Natural Resources has issued a Public Water Work Permit for the crossing of the South Fork Zumbro River.

The Olmsted Soil and Water Conservation District, acting as the local government unit, has approved the replacement plan for the subject project.

6. STATE SECTION 401 WATER QUALITY CERTIFICATION.

Valid Section 404 permits cannot be issued for any activity unless state water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The state Section 401 authority in Minnesota is the Minnesota Pollution Control Agency (MPCA). The St. Paul District has provided this public notice and a copy of the applicant's Section 404 permit application form to the MPCA. If MPCA needs any additional information in order for the Section 401 application to be considered complete by MPCA, the MPCA has indicated that it will request such information from the applicant. It is the permit applicant's responsibility to ensure that the MPCA has received a valid, complete application for state Section 401 certification and to obtain a final Section 401 action from the MPCA.

The MPCA has indicated that this public notice serves as its public notice of the application for Section 401 water quality certification under Minnesota Rules Part 7001. The MPCA has also indicated that the Section 401 process shall begin to commence upon the issuance date of this public notice unless the MPCA notifies both the St. Paul District and the permit applicant to the contrary, in writing, before the expiration date of this public notice.

Any comments relative to MPCA's Section 401 Certification for the activity proposed in this public notice may be sent to:

Minnesota Pollution Control Agency, Resource Management and Assistance Division,
Attention: 401 Certification, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

7. HISTORICAL/ARCHAEOLOGICAL.

No listed properties (known to be eligible for inclusion, or included in the Register) are located in the project area. The Minnesota Department of Transportation Cultural Resources Unit conducted an investigation of the project area that included Phase I and Phase II evaluations. The investigation concluded no additional cultural resource surveys were recommended.

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

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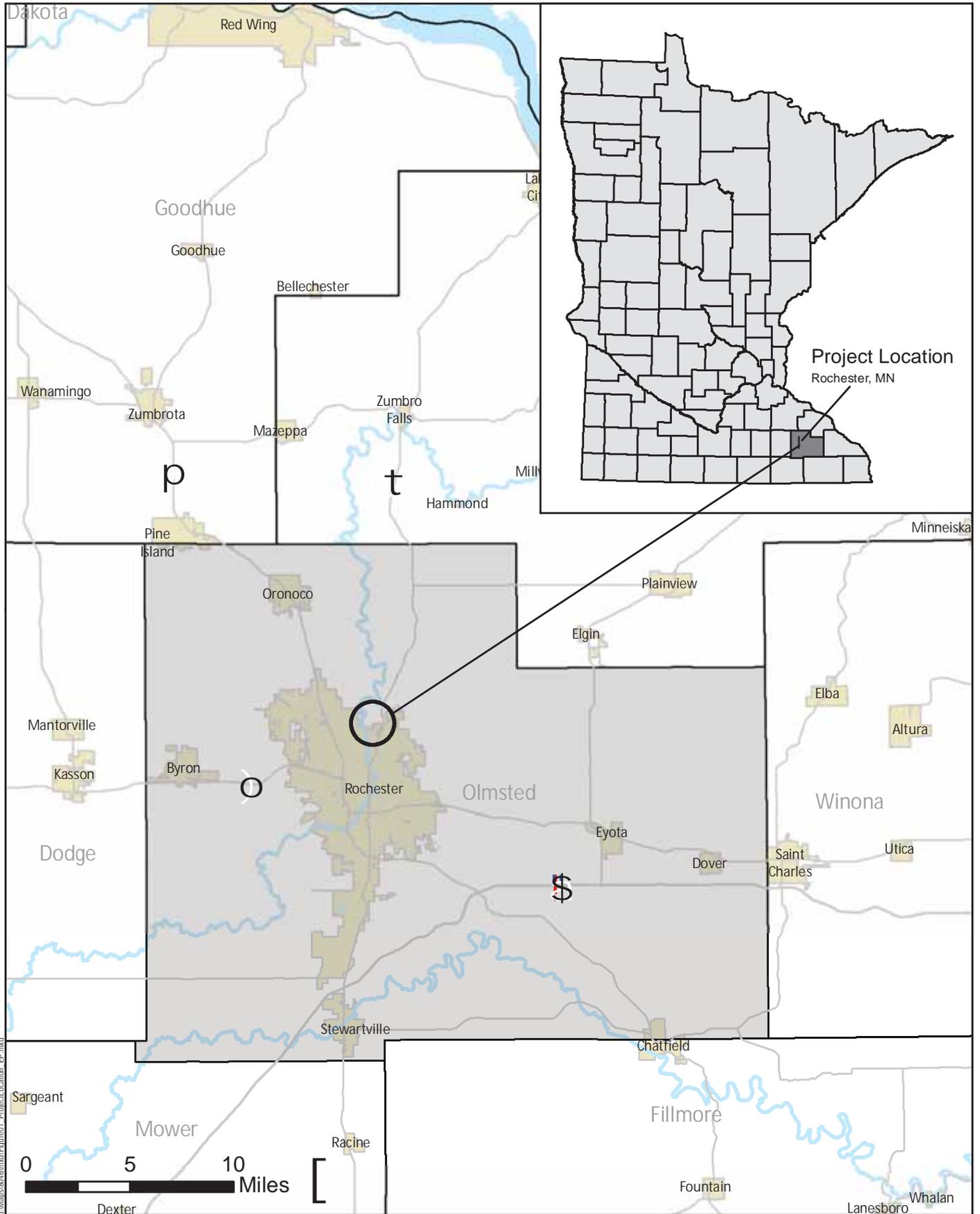
national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative 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 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

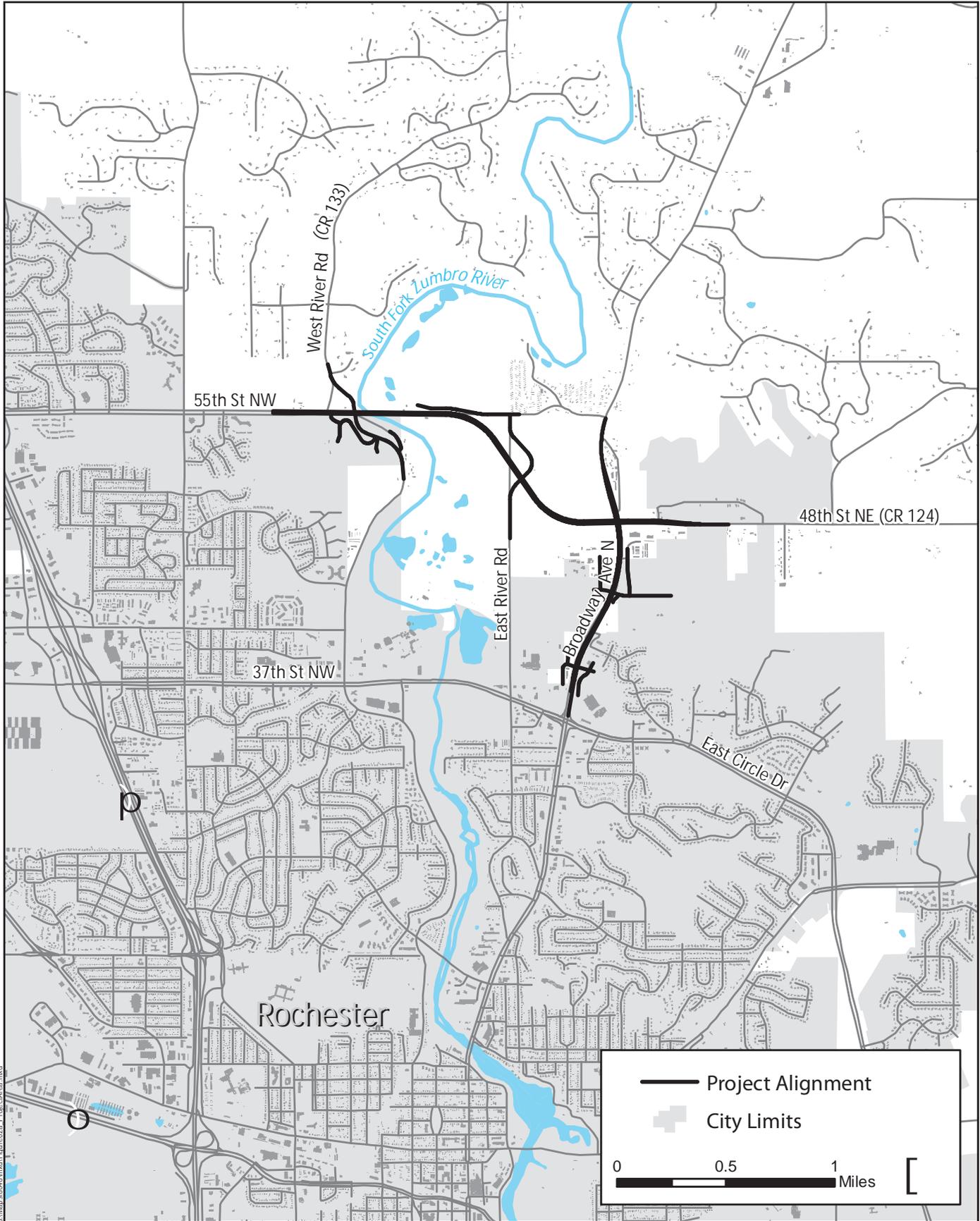
NOTICE TO EDITORS: This public notice is provided as background information and is not a request or contract for publication.



Project Location

55th Street Extension and CSAH 33 (Broadway Ave) Reconstruction
 Olmsted County

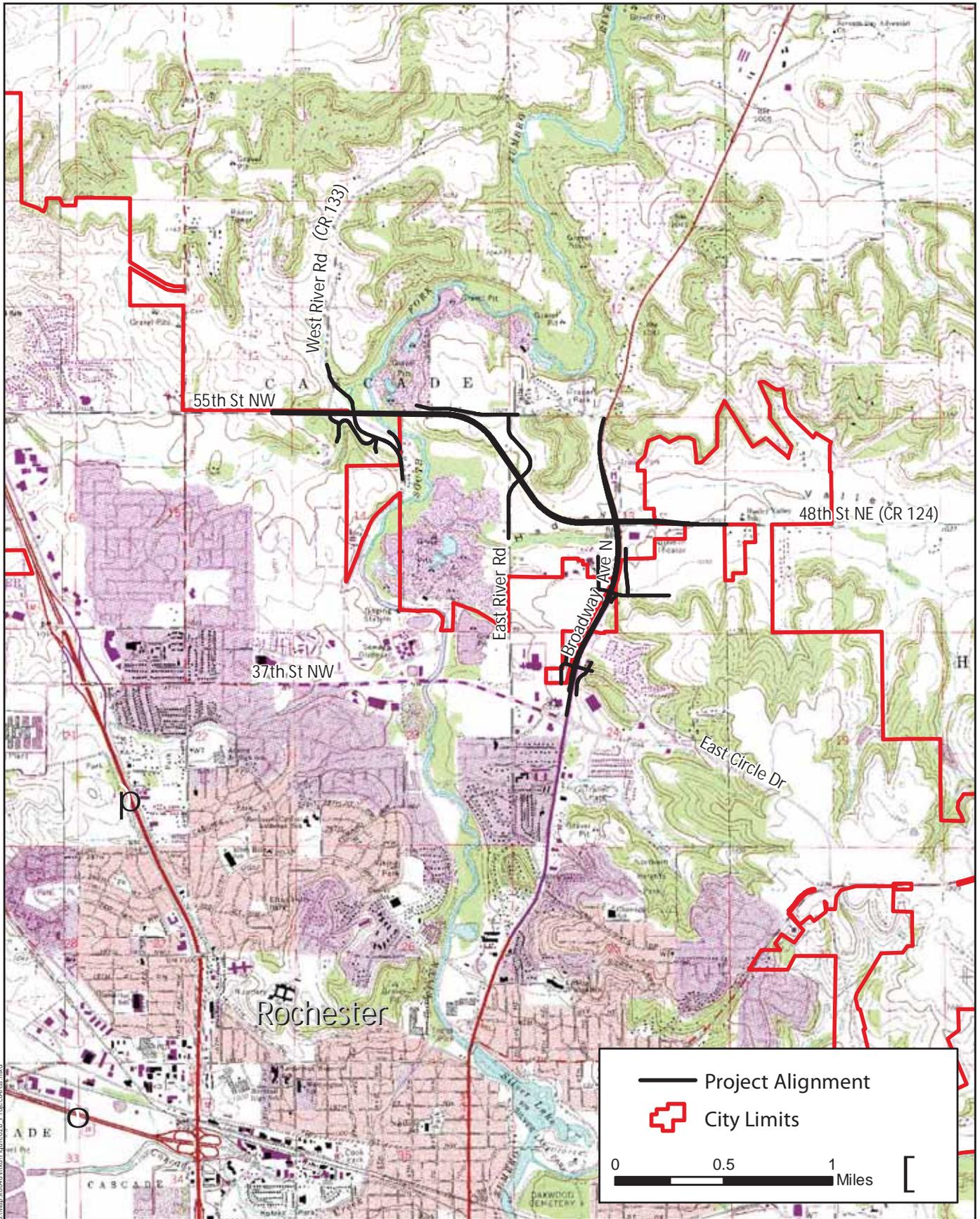
Figure 1



Project Area

55th Street Extension and Broadway Avenue North Reconstruction
 Olmsted County

Figure 2A



Project Area (USGS)

55th Street Extension and Broadway Avenue North Reconstruction
 Olmsted County

Figure 2B

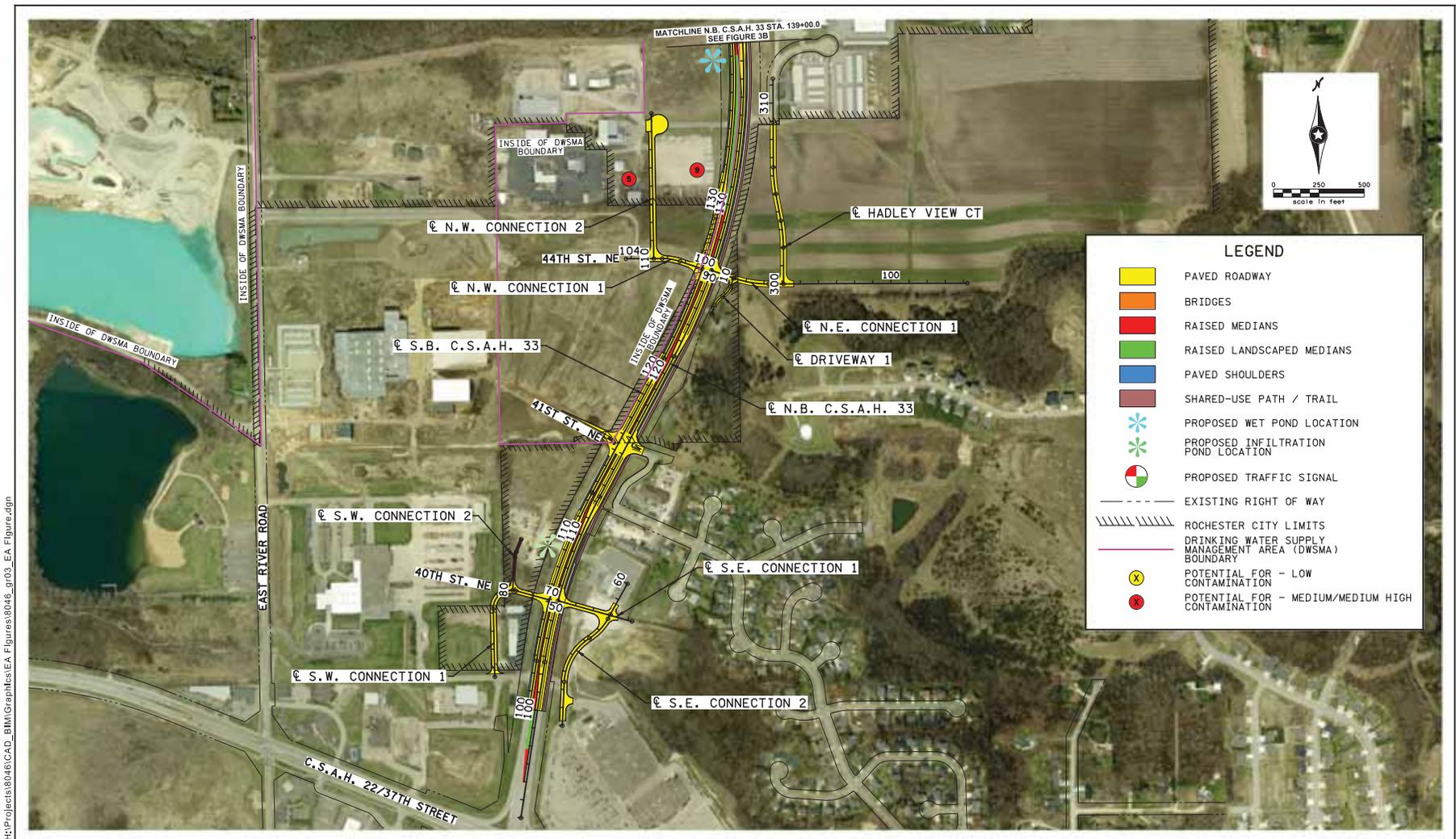


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Proposed Improvements

55th Street Extension and Broadway Avenue North Reconstruction
 Olmsted County

Figure 3A

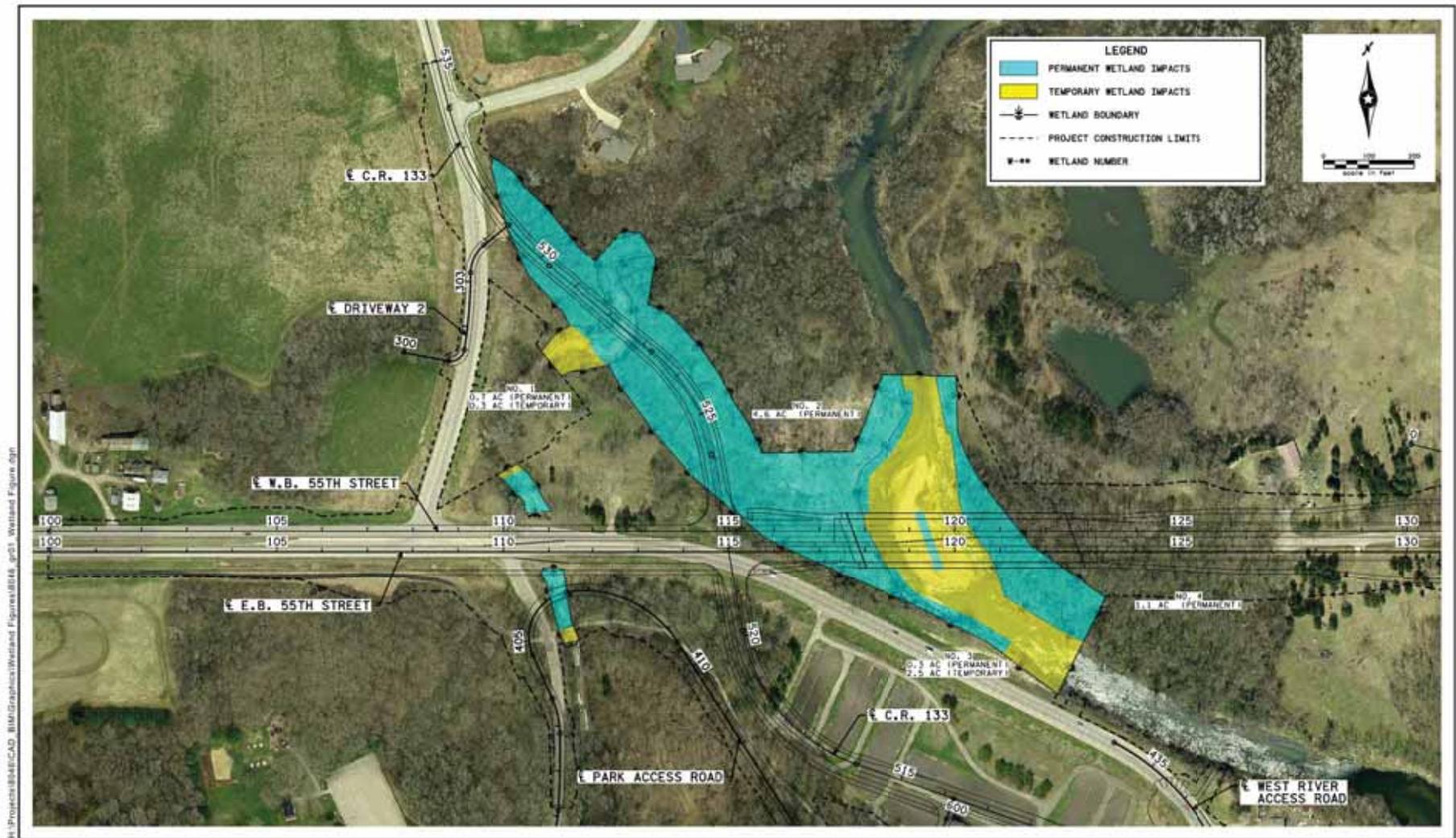


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Proposed Improvements

55th Street Extension and Broadway Avenue North Reconstruction
 Olmsted County

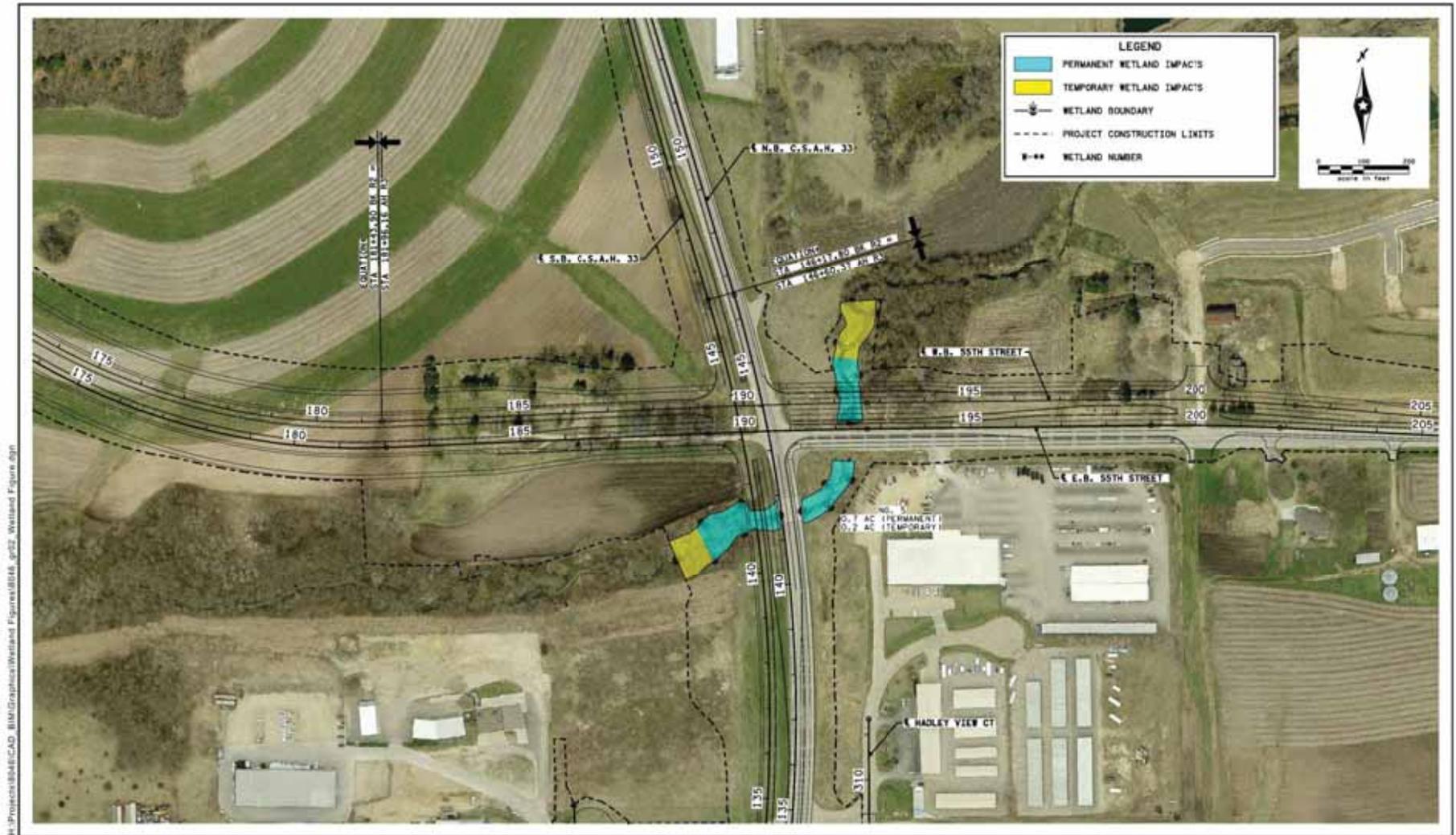
Figure 3C



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SRE Wetland Impacts
 Consulting Group, Inc.
 55th Street Extension
 S.A.P. 055-622-050 / 055-633-003
 Olmsted County

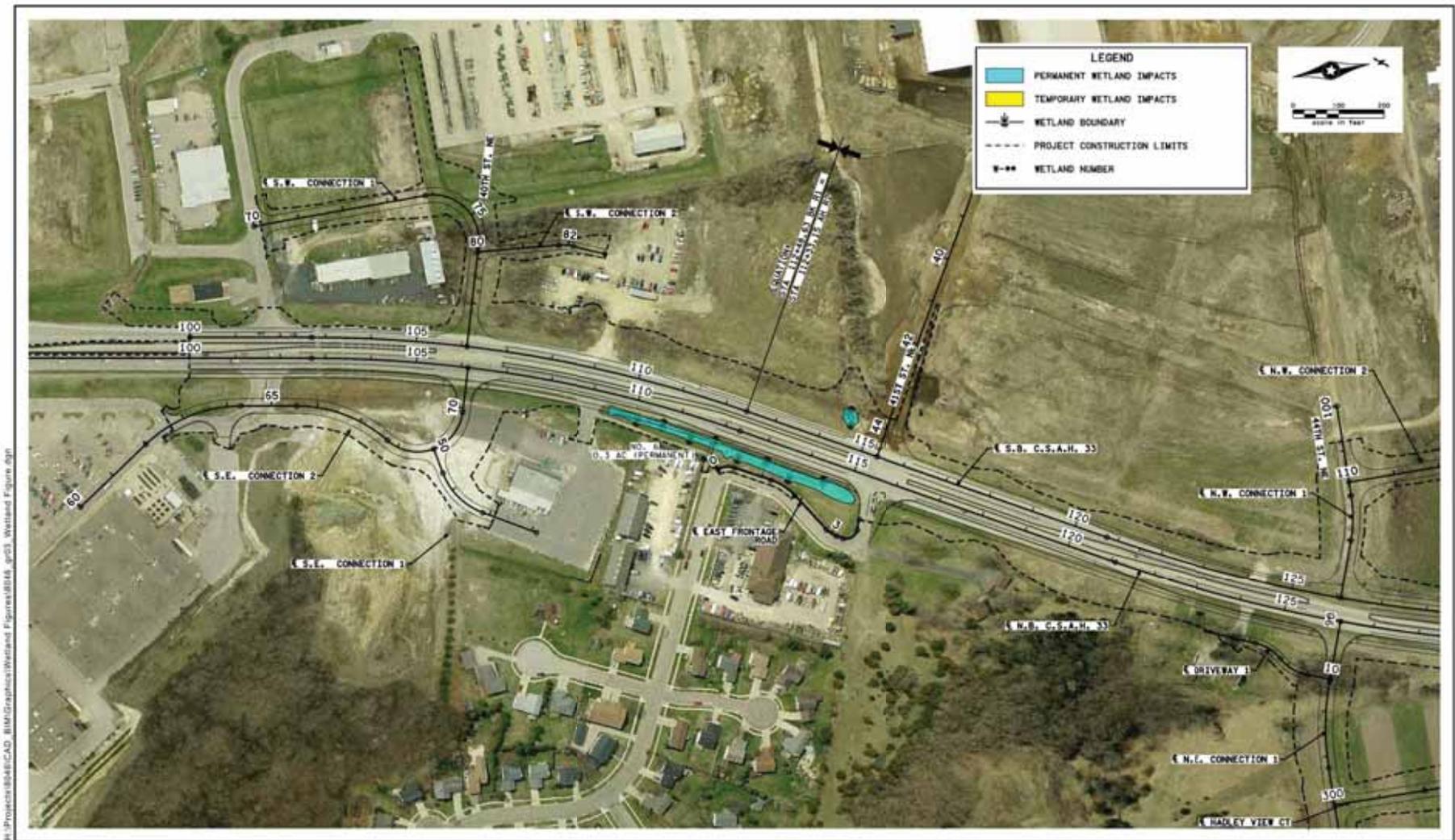
Figure 4A



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SRE Wetland Impacts
 Consulting Group, Inc.
 55th Street Extension
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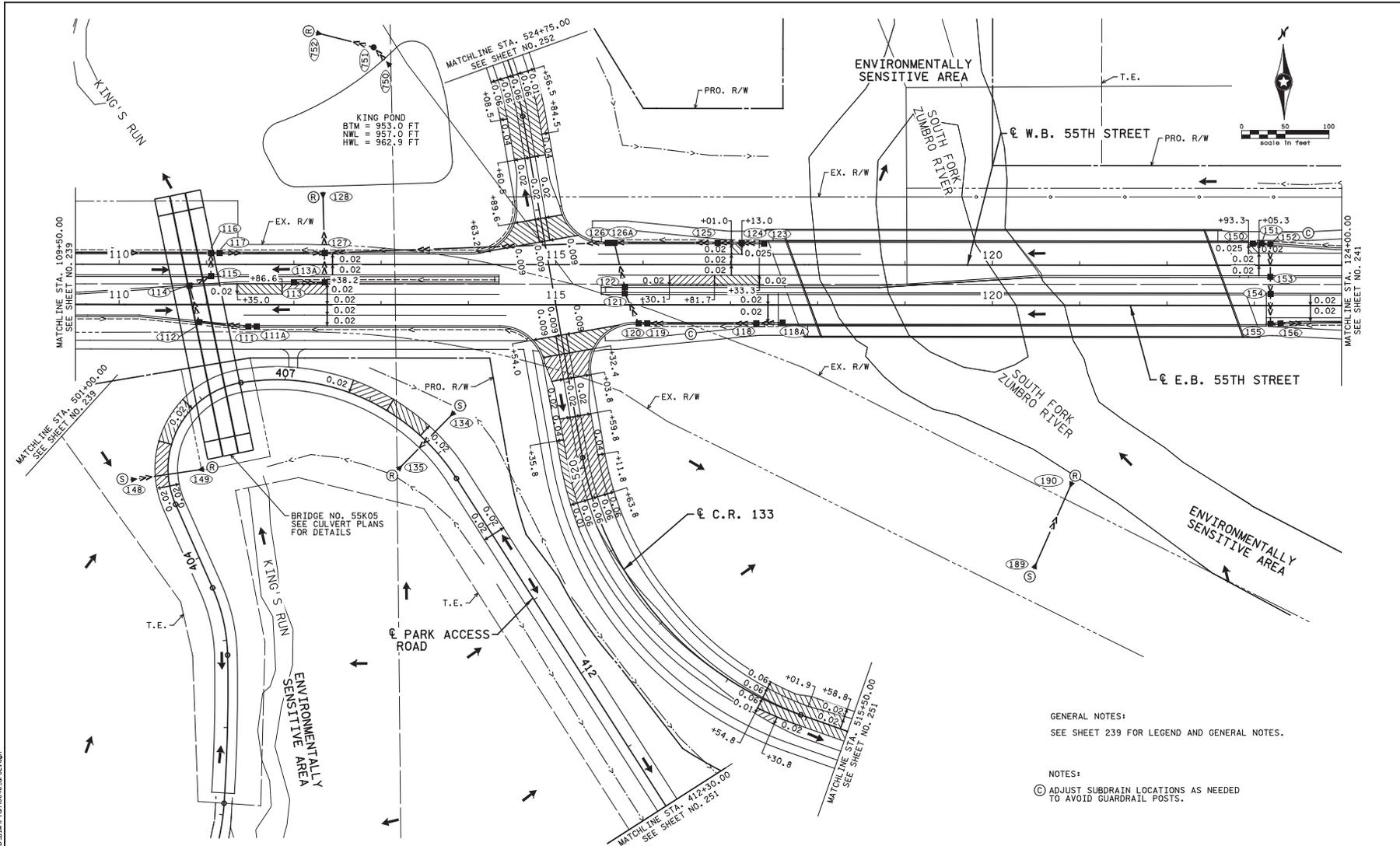
Figure 4B



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SRE Wetland Impacts
 Consulting Group, Inc.
 55th Street Extension
 S.A.P. 055-622-050 / 055-633-003
 6/11/2015
 Olmsted County

Figure 4C



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NO	DATE	BY	CHKD	APPR	REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Minnesota.
 Print Name: **JEREMY L. NIELSEN**
 Date: _____ License #: **45047**

STATE AID PROJECT NO.
 065-422-05D
 065-633-003
 COUNTY PROJECT NO.
 C-14-124
 C-14-133
 DRAWN BY
 S. YANG
 DESIGNED BY
 P. ENGELMEYER
 CHECKED BY
 J. NIELSEN
 COMM. NO. 8046



**ENGINEERS
 PLANNERS
 DESIGNERS**

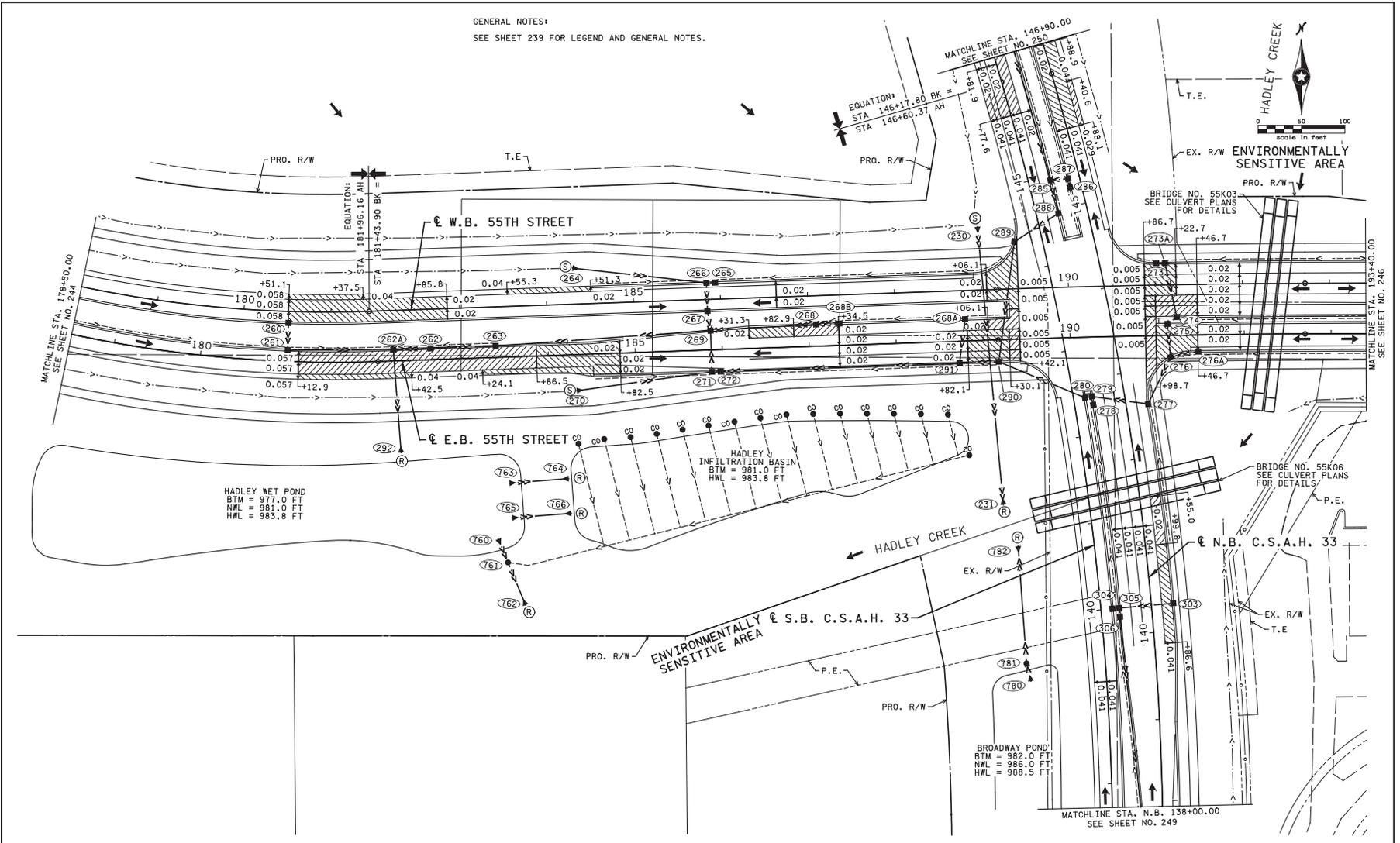
OLMSTED COUNTY
 DRAINAGE AND SUPERELEVATION PLANS
55TH STREET EXTENSION
 E.B. 55TH STREET STA. 109+50.00 TO 124+00.00
 COUNTY ROAD 133 STA. 515+50.00 TO 524+75.00

**SHEET
 240
 OF
 757**

GENERAL NOTES:
 SEE SHEET 239 FOR LEGEND AND GENERAL NOTES.

 NOTES:
 (C) ADJUST SUBDRAIN LOCATIONS AS NEEDED TO AVOID GUARDRAIL POSTS.

GENERAL NOTES:
SEE SHEET 239 FOR LEGEND AND GENERAL NOTES.



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NO	DATE	BY	CHKD	APPR	REVISION

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

Print Name: **JEREMY L. NIELSEN**

Date: _____ License #: **45047**

STATE AID PROJECT NO.
065-622-05D
065-633-003

COUNTY PROJECT NO.
C-14-124
C-14-133

DRAWN BY
S. YANG

DESIGNED BY
P. ENGELMEYER

CHECKED BY
J. NIELSEN

COMM. NO. **8046**



ENGINEERS
PLANNERS
DESIGNERS

OLMSTED COUNTY
DRAINAGE AND SUPERELEVATION PLANS
55TH STREET EXTENSION
E.B. 55TH STREET STA. 178+50.00 TO 193+40.00
N.B. C.S.A.H. 33 STA. 139+25.00 TO 146+90.00

SHEET
245
OF
757