



**US Army Corps
of Engineers**
St Paul District

**APPLICANT: Pine County Public
Works**

Public Notice

**ISSUED: 24 March 2014
EXPIRES: 24 April 2014**

REFER TO: 2011-04706-TJH

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material into wetlands and waters that are part of the tributary system of the Snake River to reconstruct and improve a 4.3 mile segment of CSAH 5 in Pine County, Minnesota.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: Pine County Public Works Department
405 Airport Road NE
Pine City, Minnesota 55063

AGENT: Short Elliott Hendrickson, Inc.
3535 Vadnais Center Drive,
St. Paul, Minnesota 55110-5196

PROJECT LOCATION: The project site is located in Section 13, T.38N, R.23W, Kanabec County, Minnesota, and in Sections 14, 15, 16, 17, and 18, T.38N, R.22W, Pine County, Minnesota. The project location begins at approximate Latitude 45.7776, Longitude -93.1426, and ends at approximate Latitude 45.7761, Longitude -93.0623.

DESCRIPTION OF PROJECT: The applicant is proposing to reconstruct a 4.30 mile segment of CSAH 5 from approximately 500 feet west of Sherwood Street (Pine County Road 112) to 600 feet east of Woodland Road (Pine CSAH 1). The majority of the road would be reconstructed and widened on its present alignment. Proposed work includes reconstruction of the road bed and three 90 degree curves to meet current DOT design standards, profile and ditch grading, replacement of a timber box culvert at Hay Creek with a larger concrete box culvert with aprons, and installation of 19 new culverts.

QUANTITY, TYPE, AND AREA OF FILL: Fill material would be discharged into a total of 5.95 acres of wetlands at forty locations along the project alignment. The wetlands that would be filled include: 0.19 acre of seasonally-flooded basin (Type 1) wetlands; 3.88 acres of fresh (wet) meadow (Type 2) wetlands; 0.11 acre of sedge meadow (Type 2) wetlands; 0.81 acre of shallow marsh (Type 3) wetlands; and 0.96 acre shrub carr (Type 6) wetlands. An additional 0.31-acre of wetlands would be temporarily impacted by clearing operations and restored to the existing condition at project completion.

IMPACTS TO WATERCOURSES: The proposed project includes a box culvert replacement along 180 linear feet of Hay Creek.

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VEGETATION IN AFFECTED AREA: Dominant vegetation found in the seasonally-flooded farmed wetlands is hay and other grasses. The dominant vegetation found in the fresh wet meadow and sedge meadow wetlands included lake sedge, reed canary grass, and woolgrass. The dominant vegetation found in the shrub carr and alder thicket wetlands includes sandbar willow shrubs and speckled alder. Cattails were dominant in the shallow marsh wetlands.

SURROUNDING LAND USE: The surrounding land use is agricultural and rural residential containing wetlands and uplands.

SOURCE OF FILL MATERIAL: Road base, riprap and bedding, embankment fill, and aggregate for paving material would be obtained from approved commercial sources.

DESCRIPTION OF DREDGING OR EXCAVATION: Roadway ditches and wetlands would be excavated and graded at culvert and wetland locations to construct design inslopes. It is estimated that approximately 51,000 cubic yards of material would be excavated and disposed of on upland sites to be chosen by the contractor and approved by the County Engineer and Corps of Engineers.

EMBANKMENT QUANTITY AND TYPE: Approximately 78,000 cubic yards of primarily granular fill material would be used for embankment construction. Select native soils would be used to construct slopes outside of the road core design limits.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: Any potentially toxic materials used at the site during construction are consistent with materials found at other general construction sites.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The fill material would be clean fill from commercial sources, free of contaminants. Approved soil erosion and sediment control best management practices would be used during construction, including upland erosion control on disturbed soil, silt fences and erosion control blankets. Wetland and upland work areas would be staked in the field.

ALTERNATIVES: The applicant's preferred alternative is the proposed project as described in this public notice. The applicant considered a no-action alternative and an alternate alignment alternative. The Corps will evaluate the proposed project to determine if it is the least environmentally damaging practicable alternative.

MITIGATION: Compensatory mitigation for the permanent loss of 5.95 acres of wetlands would be provided via a wetland credit withdrawal from the BWSR Road Replacement Program to satisfy State and Federal permitting requirements.

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

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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.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Tom Hingsberger at the St. Paul Regulatory office of the Corps, telephone number (651) 290 - 5367.

To receive Public Notices by e-mail, go to: http://mvp-extstp.mvp.usace.army.mil/list_server/ and add your information in the New Registration Box.

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

None were identified by the Minnesota Department of Transportation (MnDOT) or the applicant, or are known to exist in the permit area. However, Pine 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>
Canada lynx (T) (<i>Lynx canadensis</i>)	Northern forested areas

The Federal Highway Administration (FHWA) delegated MnDOT to review the proposed action and a determination of no effect to federally-listed threatened, endangered, proposed, candidate species and listed critical habitat was made. 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 Harbors Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 08-02. We have made an initial 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. The Corps will prepare an approved or preliminary jurisdictional determination prior to making a permit decision. Approved jurisdictional determinations are posted on the St. Paul District web page at <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: NPDES permit, MDNR Waters Permit, Stormwater Pollution Prevention Plan (SWPPP).

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

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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.

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. This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps has reviewed information on known cultural resources and/or historic properties within and adjacent to the project area and has made a determination that the proposed project has a very low probability of having an adverse effect on potential or significant archaeological resources. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

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

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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.

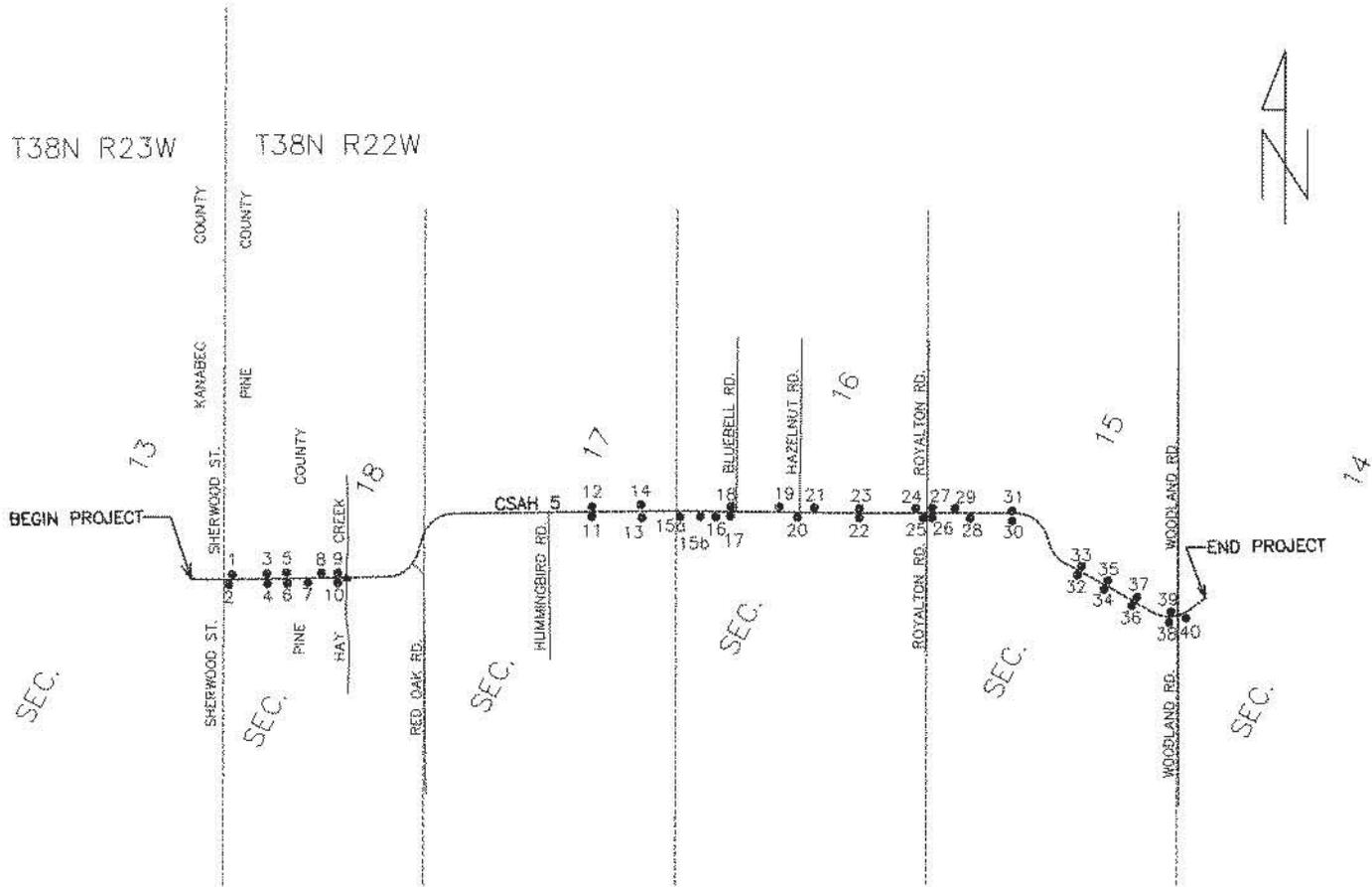
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine 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.

Jeffrey Olson
Chief, Northwest Section

Enclosures

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

CSAH 5 RECONSTRUCTION



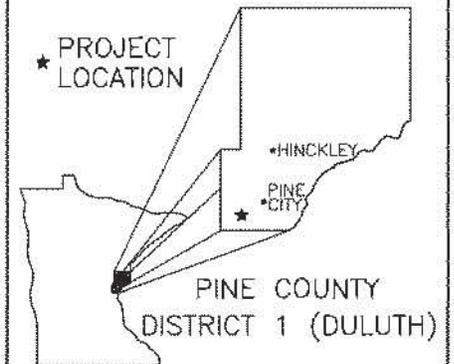
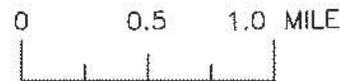
Overview of Proposed Stream and Wetland Impacts

More detailed plan sheets are available. Please contact the Regulatory Project Manager listed in the Public Notice for more information.

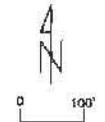
Legend

- ▲ Stream Impact*
- Wetland Impact*
- Proposed Route

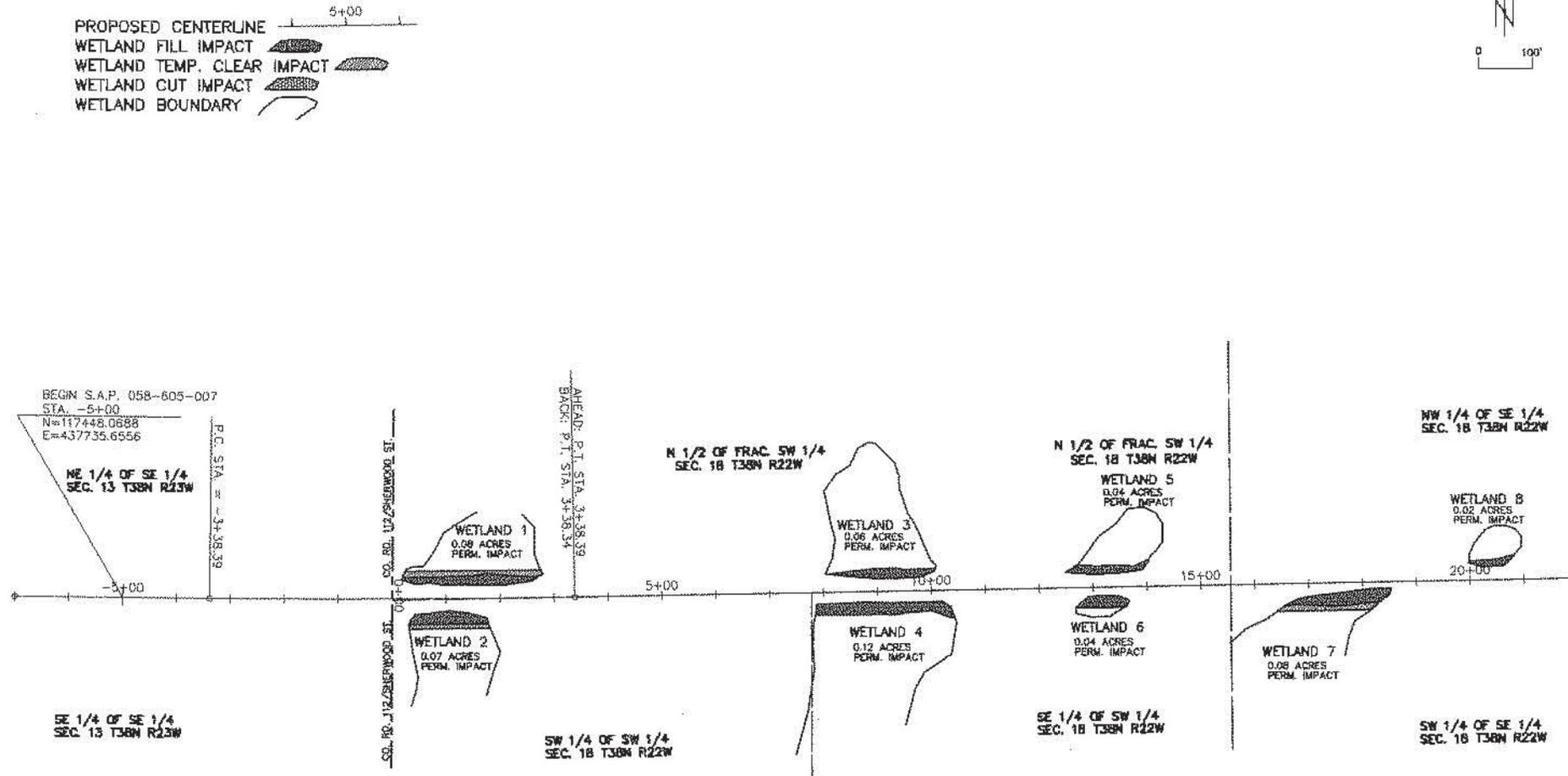
*See corresponding table for resource type and proposed impact.



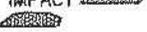
PROJECT LOCATION \ WETLAND IMPACT FIGURES



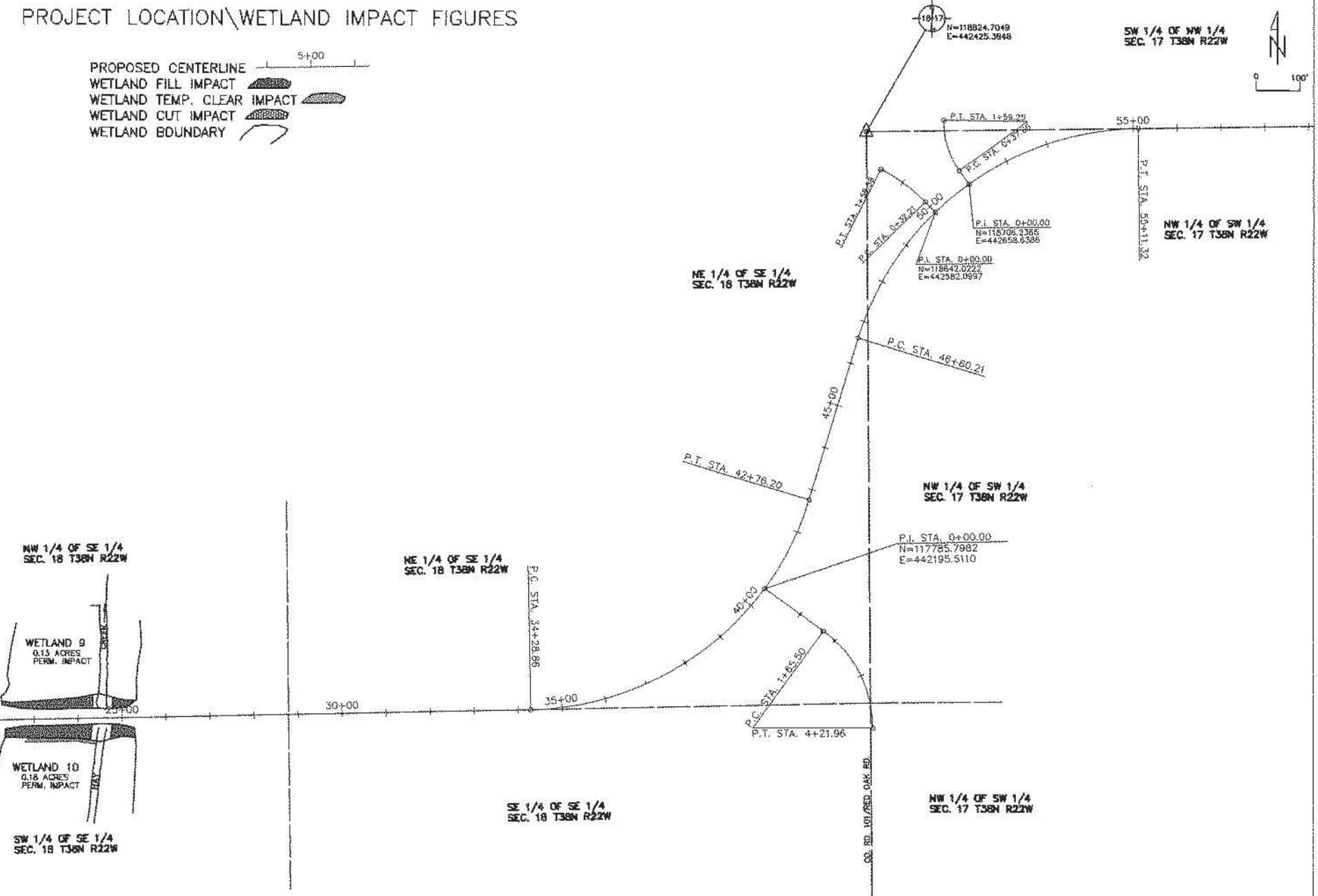
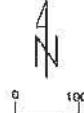
PROPOSED CENTERLINE
 WETLAND FILL IMPACT
 WETLAND TEMP. CLEAR IMPACT
 WETLAND CUT IMPACT
 WETLAND BOUNDARY



PROJECT LOCATION \ WETLAND IMPACT FIGURES

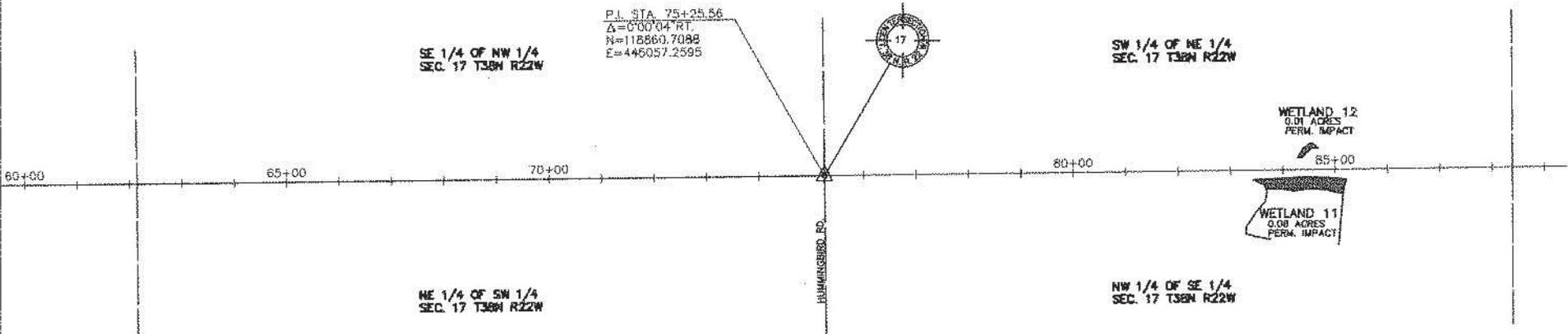
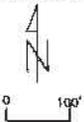
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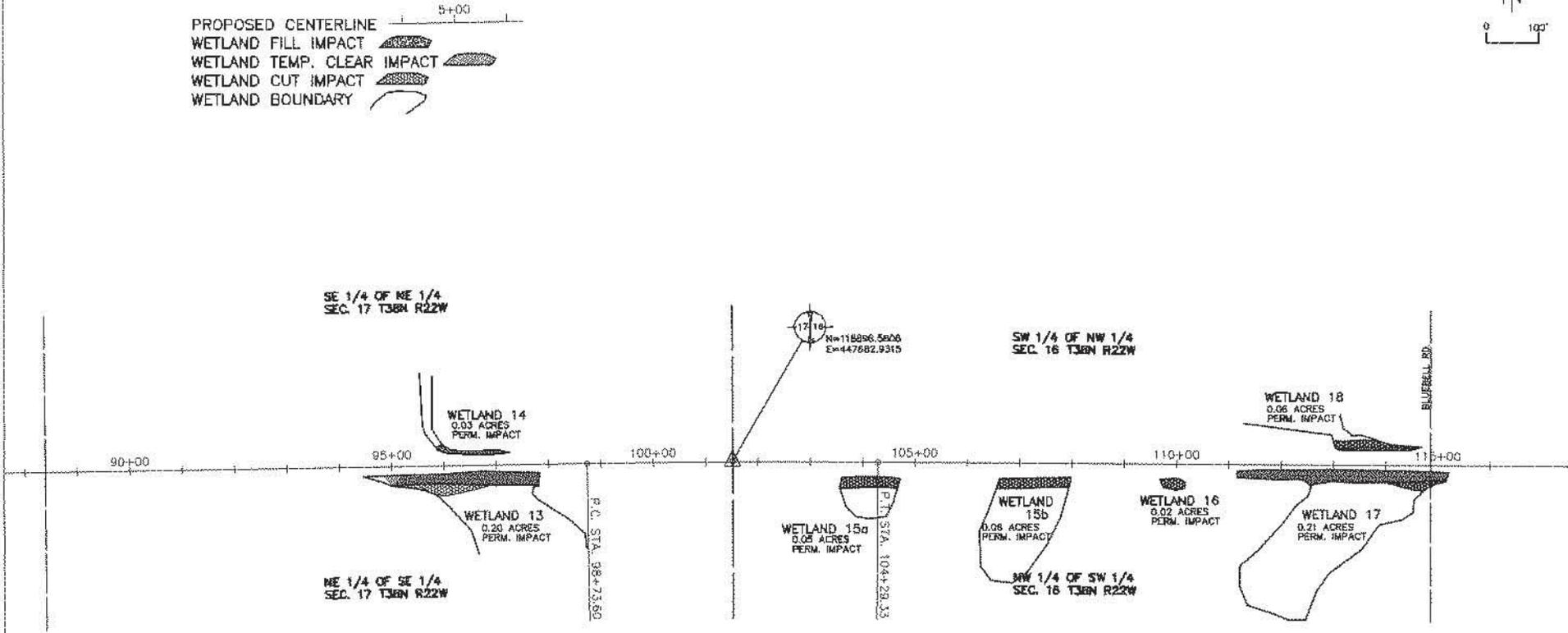
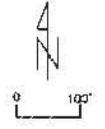
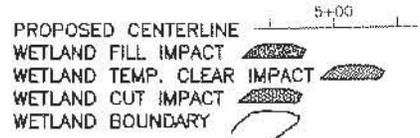


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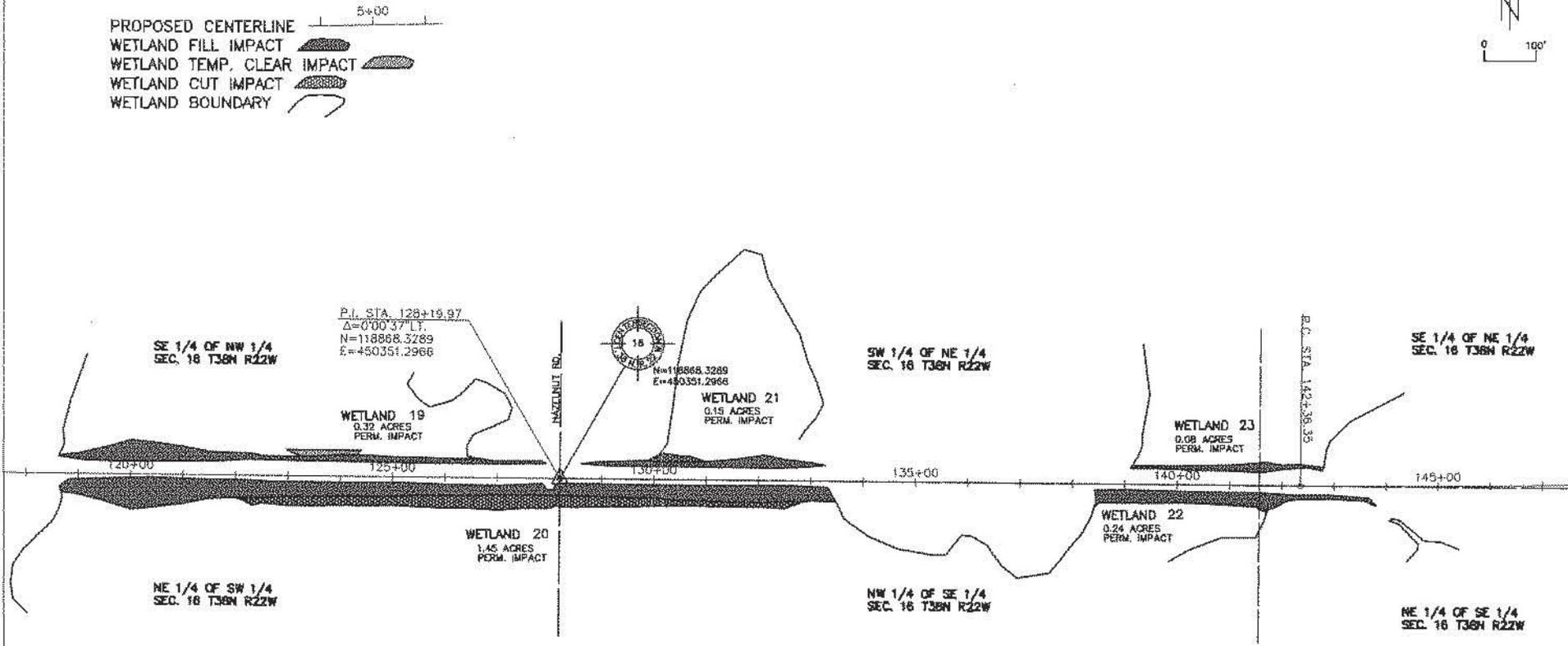
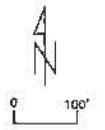


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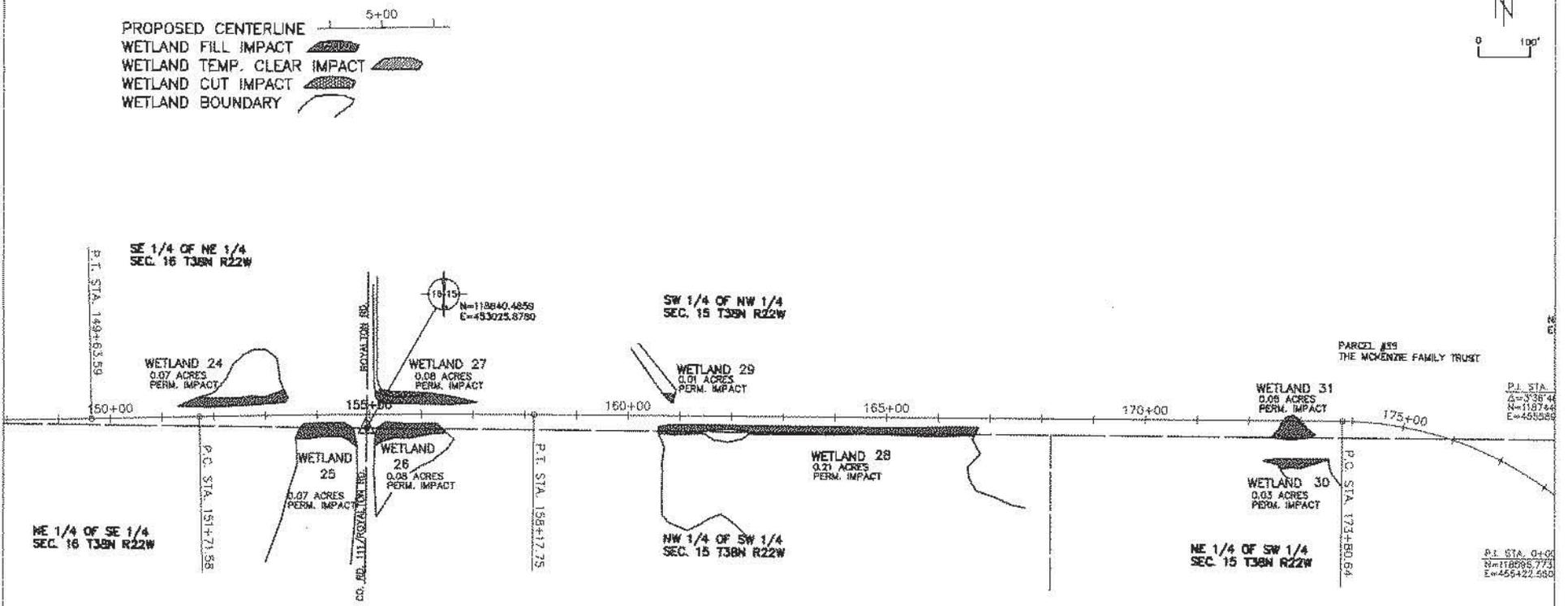
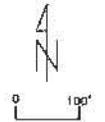
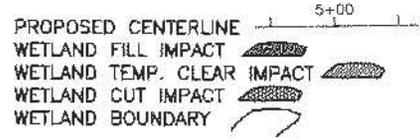


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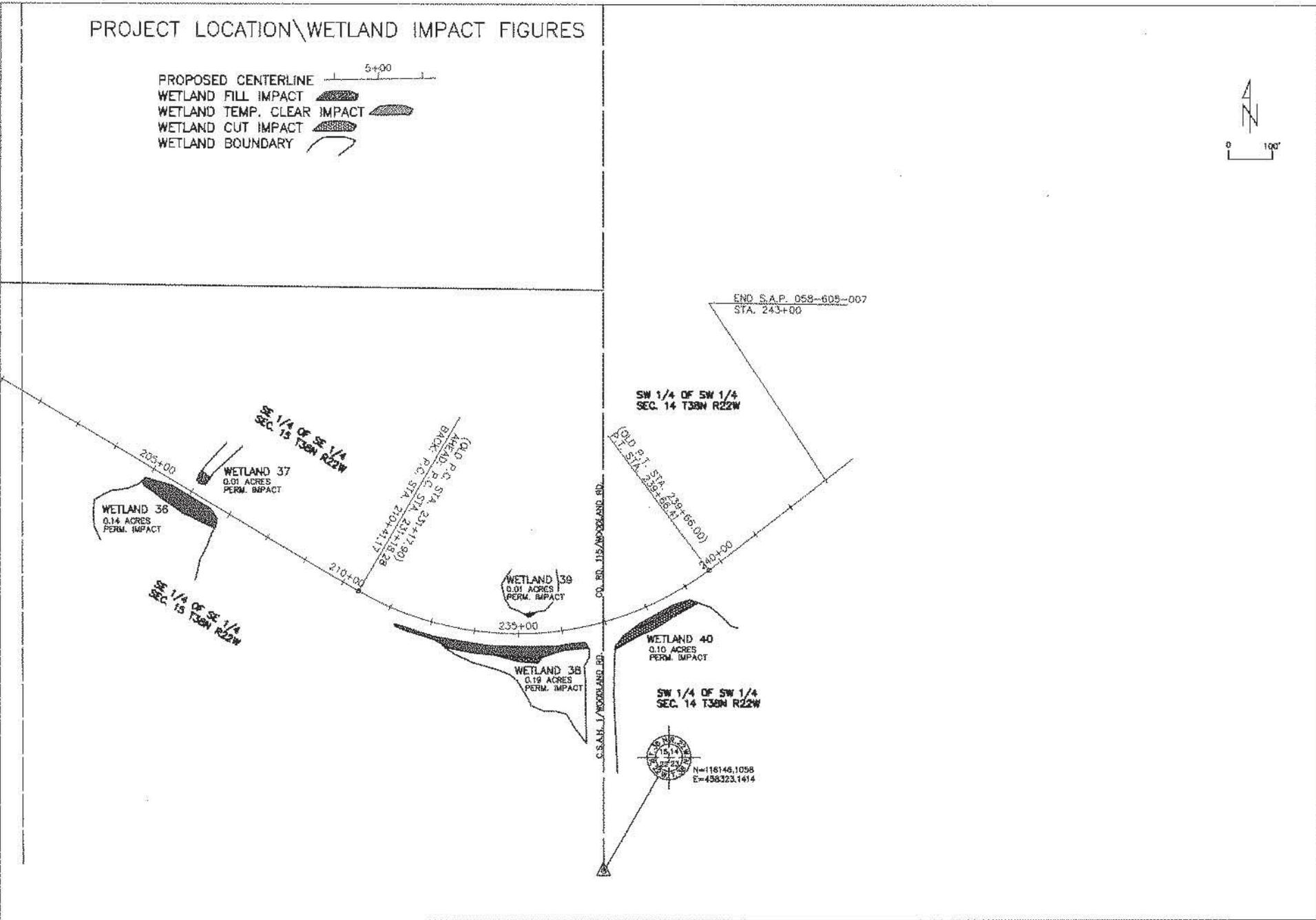
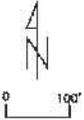
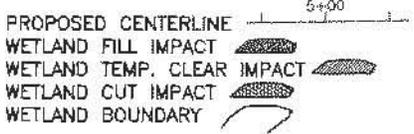
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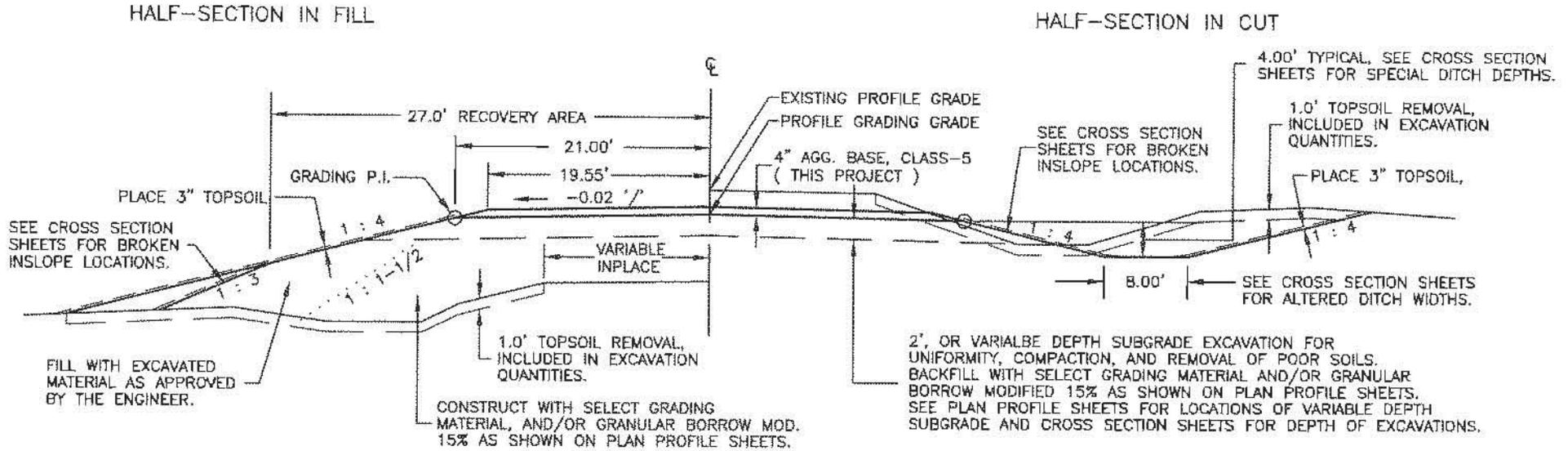
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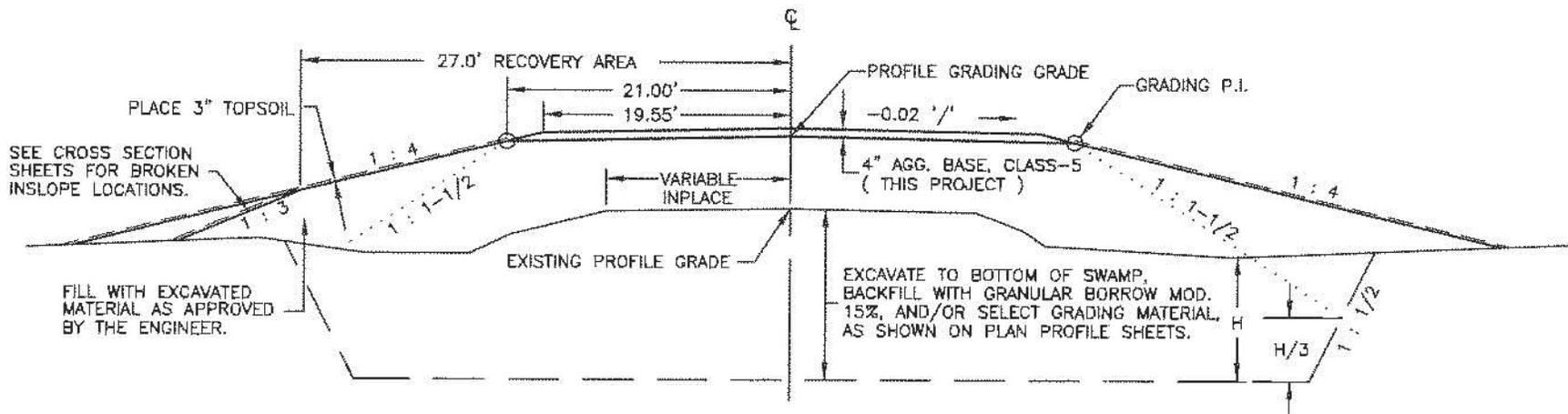
PROJECT LOCATION \ WETLAND IMPACT FIGURES



TYPICAL GRADING SECTION



TYPICAL MUCK EXCAVATION SECTION



S.A.P. 058-605-007

CSAH 5

WETLAND IMPACT SUMMARY

Wetland ID	Acres Fill	Cu. Yd. Fill	Acres Exc.	Cu. Yd. Exc.	Acres Temp. Clear	Total Permanent Impact
1	0.08	427		137	0.06	0.08
2	0.07	305		54	0.03	0.07
3	0.06	668		543		0.06
4	0.12	1148		694		0.12
5	0.04	225		116		0.04
6	0.04	358		251		0.04
7	0.08	396		0	0.04	0.08
8	0.02	43		0		0.02
9	0.13	2126		1233		0.13
10	0.18	2594		1629	0.03	0.18
11	0.08	520		220		0.08
12	0.01	171		66		0.01
13	0.15	1176	0.05	812		0.20
14	0.02	388	0.01	213		0.03
15a		0	0.05	153		0.05
15b		0	0.06	125		0.06
16		0	0.02	57		0.02
17	0.19	960	0.02	360		0.21
18	0.02	38	0.04	54		0.06
19	0.32	6642		5352	0.03	0.32
20	1.02	16711	0.43	12170		1.45
21	0.12	1885	0.03	1440		0.15
22	0.24	2323		1264		0.24
23	0.08	852		523		0.08
24	0.07	575		237		0.07
25	0.07	555		233		0.07
26	0.08	663		240		0.08

S.A.P. 058-605-007

Construction Considerations for Centerline Culverts

The following considerations will be given to the installation of centerline culverts on the above mentioned project. These culverts are located at the road stations indicated below and can be referenced on the plan sheets for S.A.P 058-605-007.

CONSTRUCTION CONSIDERATIONS:

The project will require an NPDES permit and a SWPPP will be developed. Construction procedures will follow best management practices for sediment and erosion control as outlined in the SWPPP and required by the NPDES permit. Silt fences, bale barriers, fiber logs, etc. will be installed to restrict the movement of any sediment off of the construction site. Silt curtain may be installed downstream from culvert installations if moving water is encountered. Installation of culverts will be encouraged to be at low water level periods. If necessary, temporary dams, temporary culverts or a channel by-pass will be used to eliminate any water flow through the installation site. Temporary sediment traps may be installed at culvert and drainage ditch outlets. Permanent erosion control items including riprap will be installed upon completion of the culvert installations.

CULVERT INFORMATION:

The culvert at station 1+73 will be 24" in diameter and installed at a 1.65% grade. The culvert facilitates the natural drainage from wetland 1 to wetland 2. The area upstream and downstream from this site is primarily lowland with typically low flow rates.

The culvert at station 9+34 will be 24" in diameter and installed at a 0.55% grade. The culvert facilitates the natural drainage from wetland 3 to wetland 4. The area upstream and downstream from this site is primarily lowland with typically low flow rates.

The existing culvert at station 24+55 is a 7.8' x 5'x34' timber box culvert which facilitates the flow of Hay Creek through the road as well as lateral drainage from wetlands 9 and 10. This culvert will be replaced by a 16'x8'x56' RC Box culvert. Since Hay Creek is a Public Water the replacement of the existing culvert will require a MN DNR permit or authorization. A waterway study and risk assessment for this structure are included as a separate attachment.

The culvert at station 39+75 will be a 28" span culvert and installed at a 0.69% grade. The culvert facilitates the drainage from a constructed road ditch to an overland natural outlet. There are no wetlands involved in function of this culvert.

The culvert at station 59+40 will be a 28" span culvert and installed at a 0.00% grade. The culvert facilitates the drainage from a constructed road ditch to an overland natural outlet. There are no wetlands involved in function of this culvert.

The culvert at station 71+62 will be 24" in diameter and installed at a 0.00% grade. The culvert facilitates the drainage from a constructed road ditch to an overland natural outlet. There are no wetlands involved in function of this culvert.

The culvert at station 84+20 will be 36" in diameter and installed at a 0.56% grade. The culvert facilitates the natural drainage from wetland 11 to wetland 12 which is a natural drainage ditch. The area upstream from this site is primarily lowland with typically low flow rates.

The culvert at station 96+90 will be a 44" span culvert and installed at a 0.58% grade. The culvert facilitates the natural drainage from wetland 13 to wetland 14 which is a natural drainage ditch. The area upstream from this site is primarily lowland with typically low flow rates.

The culvert at station 119+64 will be 36" in diameter and installed at a 0.00% grade. The culvert facilitates the natural drainage from wetland 20 to wetland 19. The area upstream and downstream from this site is primarily lowland with typically low flow rates.

The culvert at station 122+25 will be a 10' x 4' box culvert and installed at a 0.00% grade. The culvert facilitates the natural drainage through wetland 20 by means of an in place drainage ditch to a natural drainage ditch leading northerly off the project. The channel area upstream from this site (wetland 20) is primarily lowland with typically low flow rates. A waterway study and risk assessment for this structure have been done.

The culvert at station 130+69 will be 24" in diameter and installed at a 0.00% grade. The culvert facilitates the natural drainage from wetland 21 to wetland 20 and then to culvert station 122+25 through a natural drainage ditch. The area upstream and the drainage ditch downstream from this site are primarily lowland with typically low flow rates.

The culvert at station 141+68 will be 36" in diameter and installed at a 1.69% grade. The culvert facilitates the natural drainage from wetland 22 to a natural drainage ditch leading northerly off the project. The area upstream and the drainage ditch downstream from this site are primarily lowland with typically moderate flow rates.

The culvert at station 152+75 will be 24" in diameter and installed at a 0.00% grade. The culvert facilitates the natural drainage from wetland 24 to a road ditch section and ultimately to wetland 25. The area upstream is primarily lowland with typically low flow rates.

The culvert at station 155+60 will be 24" in diameter and installed at a 0.57% grade. The culvert facilitates the natural drainage from wetland 27 to wetland 26. The area upstream and downstream from this site is primarily lowland with typically low flow rates.

The culvert at station 160+88 will be 24" in diameter and installed at a 1.60% grade. The culvert facilitates the natural drainage from wetland 28 to a natural drainage ditch leading northerly off the project. The area upstream from this site is primarily lowland with typically low flow rates.

The culvert at station 178+60 will be 24" in diameter and installed at a 1.60% grade. The culvert facilitates the drainage from a constructed road ditch to an overland natural outlet. There are no wetlands involved in function of this culvert.

The culvert at station 192+85 will be 30" in diameter and installed at a 0.43% grade. The culvert facilitates the natural drainage from wetland 32 to wetland 33. The area upstream and downstream from this site is primarily lowland with typically low flow rates.

The culvert at station 198+95 will be 24" in diameter and installed at a 0.31% grade. The culvert facilitates the natural drainage from wetland 34 to wetland 35. The area upstream and downstream from this site is primarily lowland with typically low flow rates.

The culvert at station 206+12 will be 24" in diameter and installed at a 0.50% grade. The culvert facilitates the natural drainage from wetland 36 to a natural drainage ditch leading northerly off the project. The area upstream from this site is primarily lowland with typically low flow rates.

The culvert at station 235+40 will be 36" in diameter and installed at a 0.72% grade. The culvert facilitates the natural drainage from wetland 38 to wetland 39. The area upstream and downstream from this site is primarily lowland with typically low flow rates.