



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

**APPLICANT: United States Steel -  
Minntac**

# **Public Notice**

**ISSUED: April 1, 2015**

**EXPIRES: April 16, 2015**

**REFER TO: MVP-2012-00415-JCB**

**SECTION: 404 - Clean Water Act**

1. REQUEST TO modify Department of the Army (DA) Permit MVP-2012-00415-JCB issued to U.S. Steel Corporation on September 10, 2014, was last modified on December 19, 2014, and has an expiration date of December 31, 2015.

## 2. SPECIFIC INFORMATION

APPLICANT'S ADDRESS: U.S. Steel Corporation  
Minnesota Ore Operations  
P.O. Box 417  
Mt. Iron, Minnesota 55768

### DESCRIPTION OF PROJECT:

DA Permit MVP-2012-00415-JCB authorizes the discharge of dredged and fill material into waters of the United States associated with the relocation of an access road and a 483 acre mine pit expansion for U. S. Steel Corporation's Minnesota Taconite Mine in the City of Mountain Iron, Minnesota. As permitted, the authorized discharge of dredged and fill material into waters of the United States would result in the permanent impacts to 66.17 acres of wetlands and 3,697 linear feet of Parkville Creek. U.S. Steel has requested to modify the permit by extending the expiration date, increasing and correcting the authorized wetland impacts, and making a correction to Special Condition 12.

**Time Extension:** The permit currently expires on December 31, 2015. U.S. Steel has requested a time extension until December 31, 2025 to complete the authorized work. U.S. Steel has stated that the time extension is necessary to complete work authorized by the permit since the permit encompasses such a large area and that the mine pit expansion will occur over several years depending on economics and logistics.

**Changes in Authorized Impacts:** U.S. Steel has requested to modify the authorized impacts to wetlands from 66.17 acres to 67.58 acres. Two new wetland areas (C-2-11 and C-2-29) would be impacted that were not previously authorized by the permit. These areas total 52.27 square feet. Impact areas to seven other wetlands (B-3-6, D-3-1, D-3-8, D-3-9, C-6-32, C-6-61, and B-7-55) would be also be changed as part of this request. The changes to impacts to these wetlands are necessary to correct areal discrepancies identified in a comparison of the permit and wetland delineation report (1.41 acre). The table below summarizes the proposed changes to impacts to wetlands authorized by the permit.

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Wetland ID	Wetland Type	Authorized Impact	Corrective Action	Requested Impacts
C-2-11	wet meadow	N/A	Add	8.7 square feet
C-2-29	wet meadow	N/A	Add	44 square feet
B-3-6	shallow marsh	2178 square feet	Modify	3920 square feet
D-3-1	shallow marsh	0.35 acres	Modify	0.40 acres
D-3-8	shallow marsh	0.3 acres	Modify	0.43 acres
D-3-9	shallow marsh	4.30 acres	Modify	4.44 acres
C-6-32	shrub-carr	0.28 acres	Modify	0.39 acres
C-6-61	shrub-carr	6.25 acres	Modify	7.07 acres
B-7-55	hardwood swamp	1.91 acres	Modify	2.03 acres

Special Condition 12: Special Condition 12 requires a wetland hydrology monitoring plan for potential indirect effects to adjacent wetlands. Inclusion of Wetland B-6-5 rather than Wetland B-6-51 was a typo in the permit. Wetland B-6-5 will be completely directly impacted, whereas Wetland B-6-51 will only be partially directly impacted.

**MITIGATION:**

The applicant has proposed compensatory mitigation for the permanent loss of 1.41 acres of wetlands through the withdrawal of new wetland credits from United States Steel’s project-specific Palisades Wetland Bank located in Aitkin County.

**3. REPLIES/COMMENTS**

Interested parties are invited to submit to this office written facts, arguments, or objections within 15 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.

Submissions 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 Jen Oknich at the St. Paul office of the Corps, telephone number (651) 290-5381.

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

The Corps has identified three federally listed species, and one species pending a federal decision, which are known to exist or have a historic range in St. Louis County:

Species	Status	Habitat
Canada lynx ( <i>Lynx canadensis</i> )	Threatened	Northern forest
Piping plover ( <i>Charadrius melodus</i> )	Threatened	Great Lakes Shorelines
Gray wolf ( <i>Canis lupus</i> )	Threatened	Northern forest
Northern long-eared bat ( <i>Myotis septentrionalis</i> )	Proposed as Threatened	Caves/Mines/Forested Areas

**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.

This project comes under the regulatory jurisdiction of the Corps of Engineers because the wetlands and unnamed stream in the review area are adjacent to the Dunka River, a Section 10 Water of the United States.

**6. STATE SECTION 401 WATER QUALITY CERTIFICATION.**

Valid Section 404 permits cannot be issued for any activity in Minnesota unless state water quality certification for the activity is granted or waived by the Minnesota Pollution Control Agency (MPCA) pursuant to Section 401 of the Clean Water Act. It is the permit applicant's responsibility to obtain a final Section 401 action from the MPCA.

**7. HISTORICAL/ARCHAEOLOGICAL.**

This public notice is being sent to the National Park Service and the State Archaeologist for their comments.

The results of this evaluation and the Corps' determination of effect will be coordinated with the MN State Historic Preservation Office (SHPO) independent of this public notice.

Consultation with interested tribes on potential impacts to these waters and other tribal resources will occur in accordance with the Corps' Tribal Trust Responsibilities and Section 106 of the National Historic Preservation Act.

**8. PUBLIC HEARING REQUESTS.**

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held such that the public may provide additional information for consideration of this modification request.

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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.

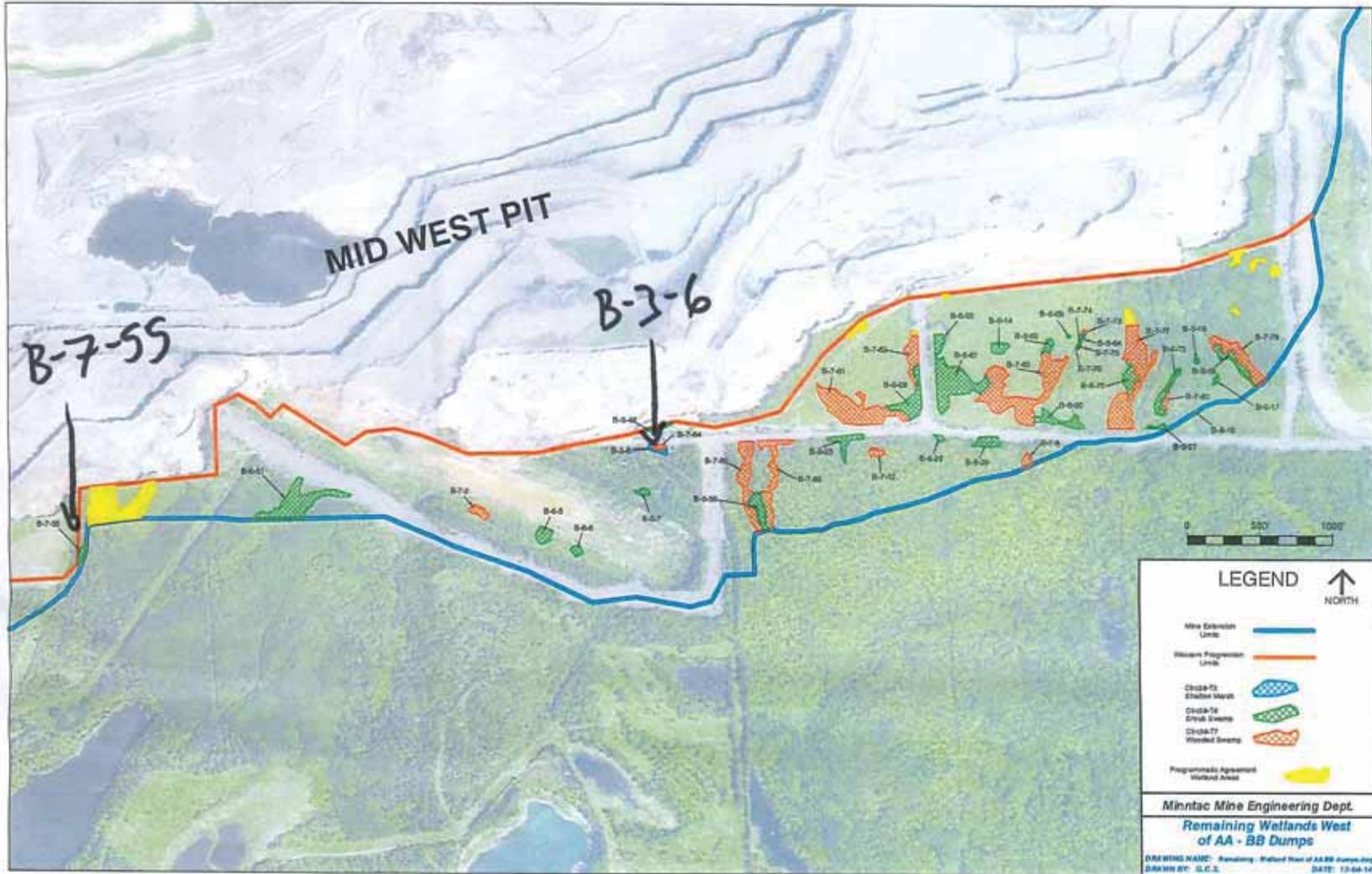
The Corps of Engineers is soliciting comments from the public, federal, state, and local agencies and officials, tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal.

Benjamin Cox  
Chief, Northwest Section

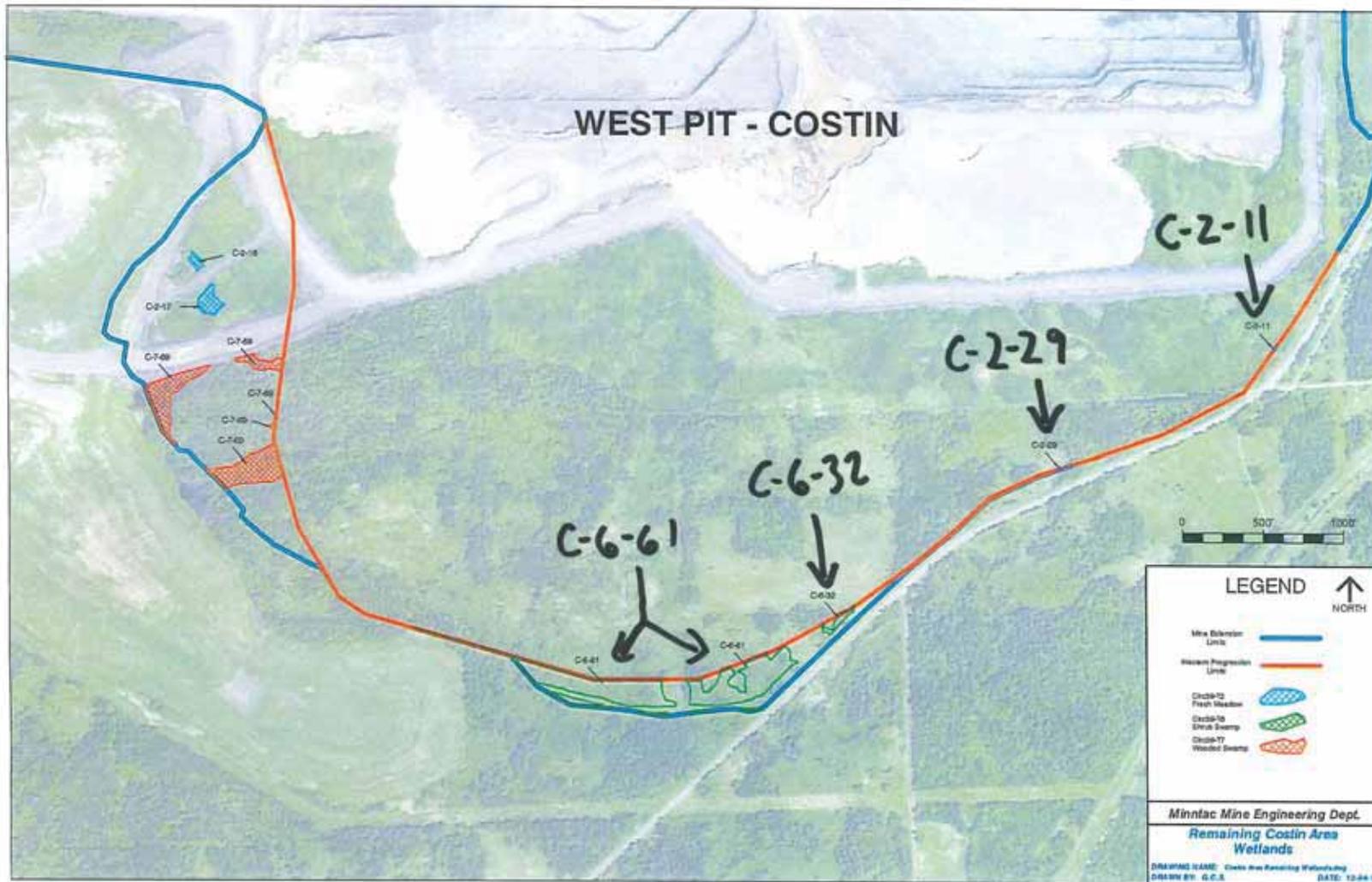
Enclosures

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

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