



US Army Corps
of Engineers
St Paul District

APPLICANT: Metropolitan Council
Environmental Services (MCES)

Public Notice

ISSUED: 5/31/2013

EXPIRES: 6/30/2013

REFER TO: 2013-00609-MMJ

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material in wetlands adjacent to Langdon Lake.

2. SPECIFIC INFORMATION.

APPLICANT AND ADDRESS:

Metropolitan Council Environmental Services
Attention: Mr. Bryce Pickart
390 Robert Street North
St. Paul, Minnesota 55101-1805

AGENT AND ADDRESS:

HR Green, Incorporated
Attention: Keith Anderson
2550 University Avenue West
Suite 400N
St. Paul, Minnesota 55114

PROJECT LOCATION: The project site is located in Sections 14 & 23, T. 117 N., R. 24 W., Hennepin County, Minnesota. The approximate UTM coordinates are X: 445937.91798, Y: 4975703.49976.

The Mound 6-MO-650 Interceptor and Wastewater Treatment Plant (WWTP) Reuse Project area spans from Commerce Boulevard in Mound, west along the northern side of Langdon Lake, and south to include an abandoned treatment pond and the Mound WWTP, which has been converted to a MCES Lift Station (L38). Metropolitan Council Environmental Services (MCES) owns and operates the gravity interceptor sewer located within the project area, partially in the Hennepin County Regional Rail Authority (HCCRA) right of way (ROW). The interceptor begins just west of Commerce Boulevard, where it receives flow from a temporary MCES Lift Station (L25). It extends west along the HCCRA ROW a distance of approximately 7,200 feet. At that point, it turns south and extends along the western side of the pond to Westedge Boulevard; then it turns east and eventually discharges to L38, located just southeast of the pond. This interceptor receives wastewater flow from the entire City of Mound, a portion of Spring Park, and portions of the City of Minnetrista. Project location maps are attached and labeled 2013-00609-MMJ, Figures 1 & 2.

DESCRIPTION OF PROJECT: The existing gravity interceptor sewer was built approximately 60 years ago and is nearing the end of its service life. It is too shallow to receive gravity flow from Mound, requiring the operation of temporary lift station L25; and it is too small to accommodate future projected wastewater flows. Therefore, MCES is proposing to construct a larger, deeper interceptor to replace the existing utility line.

The proposed project includes 4 major elements:

1) Interceptor Construction: Would involve interceptor reconstruction from just west of Commerce Boulevard, extending west along HCCRA ROW to the northeast corner of the treatment pond. The interceptor would then be relocated to run south along the eastern side of the pond, terminating at L38.

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2) Pond Closure and Sediment Removal: Would involve removing contaminated sediments from the abandoned wastewater treatment pond, and filling a portion of the pond to allow for construction of the abovementioned regional interceptor sewer.

3) Treatment Pond Reuse: Would involve filling the remaining southern portion of the pond, which would restore this area to historic upland conditions for potential future development.

4) Mound WWTP Demolition and Maintenance of Facility Construction: Would involve demolition of the existing Mound WWTP and the construction of a new maintenance facility.

QUANTITY, TYPE, AND AREA OF FILL: The interceptor relocation portion of the project would result in the permanent discharge of fill material into the northern portion of the pond, over approximately 1.00 acre of shallow open water type wetland. The work proposed in the southern portion of the pond would result in the discharge of fill material over an additional 2.27 acre of shallow open water type wetland. The interceptor reconstruction portion of the project, along its current alignment north of Langdon Lake, would result in the temporary discharge of fill material over approximately 0.45 acre of wet meadow, shallow marsh and floodplain forest type wetland. The entire project would impact approximately 3.72 acre of wetland adjacent to Langdon Lake. Proposed wetland impact locations, quantities and types are detailed on the attached wetland impact figure, labeled as 2013-00609-MMJ, Figure 3.

VEGETATION IN AFFECTED AREA: A portion of the interceptor reconstruction work north of Langdon Lake would occur in lacustrine fringe type wetland including fresh (wet) meadow, shallow marsh and floodplain forest. These wetlands consist mainly of reed canary grass, hybrid cattail, willow, cottonwood and green ash. Work proposed near the WWTP would occur in the sparsely vegetated, abandoned treatment pond.

SOURCE OF FILL MATERIAL: All imported fill would consist of suitable material free from toxic pollutants. In addition, rock or fill material used for project activities obtained by excavation must either be obtained from existing quarries or, if a new borrow site is opened up to obtain fill material, the State Historic Preservation Officer (SHPO) would be notified prior to the use of the new site.

SURROUNDING LAND USE: The existing WWTP is bordered by HCCRA ROW/Dakota Rail Trail to the north, Langdon Lake to the east, and Westedge Boulevard and single family residences to the south and the west. The interceptor reconstruction work proposed along the north side of Langdon Lake is located within HCCRA ROW, and is bordered mainly by single family residences to the north, with some small businesses located towards the eastern side of the project corridor, near Commerce Boulevard.

DESCRIPTION OF DREDGING OR EXCAVATION: Prior to discharging any fill, MCES would remove contaminated sediments from the pond as part of final deactivation activities. This would be done by dewatering the pond (pumping the pond water into the existing MCES interceptor sewer), pushing sediments to the south end of the pond where they would be dewatered, loading the dewatered sediment into trucks, and hauling the sediments to a licensed facility (landfill) for disposal.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: Appropriate erosion and siltation controls would be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark of the lake, would be

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permanently stabilized at the earliest practicable date. Work would be completed in accordance with state-approved, published practices, such as defined in Minnesota Pollution Control Agency document, PROTECTING WATER QUALITY IN URBAN AREAS - BEST MANAGEMENT PRACTICES FOR MINNESOTA.

Upon completion of earthwork operations, all exposed slopes, fills, and disturbed areas would be given sufficient protection by appropriate means such as landscaping, or planting and maintaining vegetative cover, to prevent subsequent erosion.

MITIGATION: To compensate for lost wetland functions associated with this project, the applicant is proposing to withdraw wetland credits from the MCES Empire Township Wetland Bank, Bank Account S5059, located in Dakota County.

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, Attention: Melissa Jenny, 180 Fifth Street East, Suite 700, Saint Paul, MN 55101-1678.

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Melissa Jenny at the St. Paul office of the Corps, telephone number (651) 290-5363.

To receive Public Notices by e-mail, go to: http://www2.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 applicant or are known to exist in the permit area. However, Hennepin 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>
Higgins' eye pearl mussel (E)	Mississippi River

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 and/or Section(s) 9 & 10 of the Rivers and Harbors Act. The Corps will prepare an approved or preliminary jurisdictional determination prior to making a permit decision. Approved jurisdictional

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determinations are posted on the St. Paul District web page at <http://www.mvp.usace.army.mil/Missions/Regulatory.aspx>.

6. THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED:

- MPCA: State Disposal System (SDS) permit and a National Pollutant Discharge Elimination System (NPDES) permit
- MnDNR: Groundwater Appropriations Permit
- HCRRA: Permit for construction within HCCRA ROW
- Minnehaha Creek Watershed District: Stormwater Management Permit
- Three Rivers Park District (TRPD): Encroachment Permit; TRPD owns a regional trail within the ROW.
- City of Mound: Conditional Use Permit

7. 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, Municipal Division,

Attention: 401Certification, 520 Lafayette Road North, St. Paul, Minnesota 55155-4194.

For judicial review you have 30 days after the decision becomes final to file your petition with the appropriate circuit court and serve the petition on the Department. The petition shall name the Department as the respondent.

8. HISTORICAL/ARCHAEOLOGICAL.

The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. 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.

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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.

9. 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.

10. 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 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.

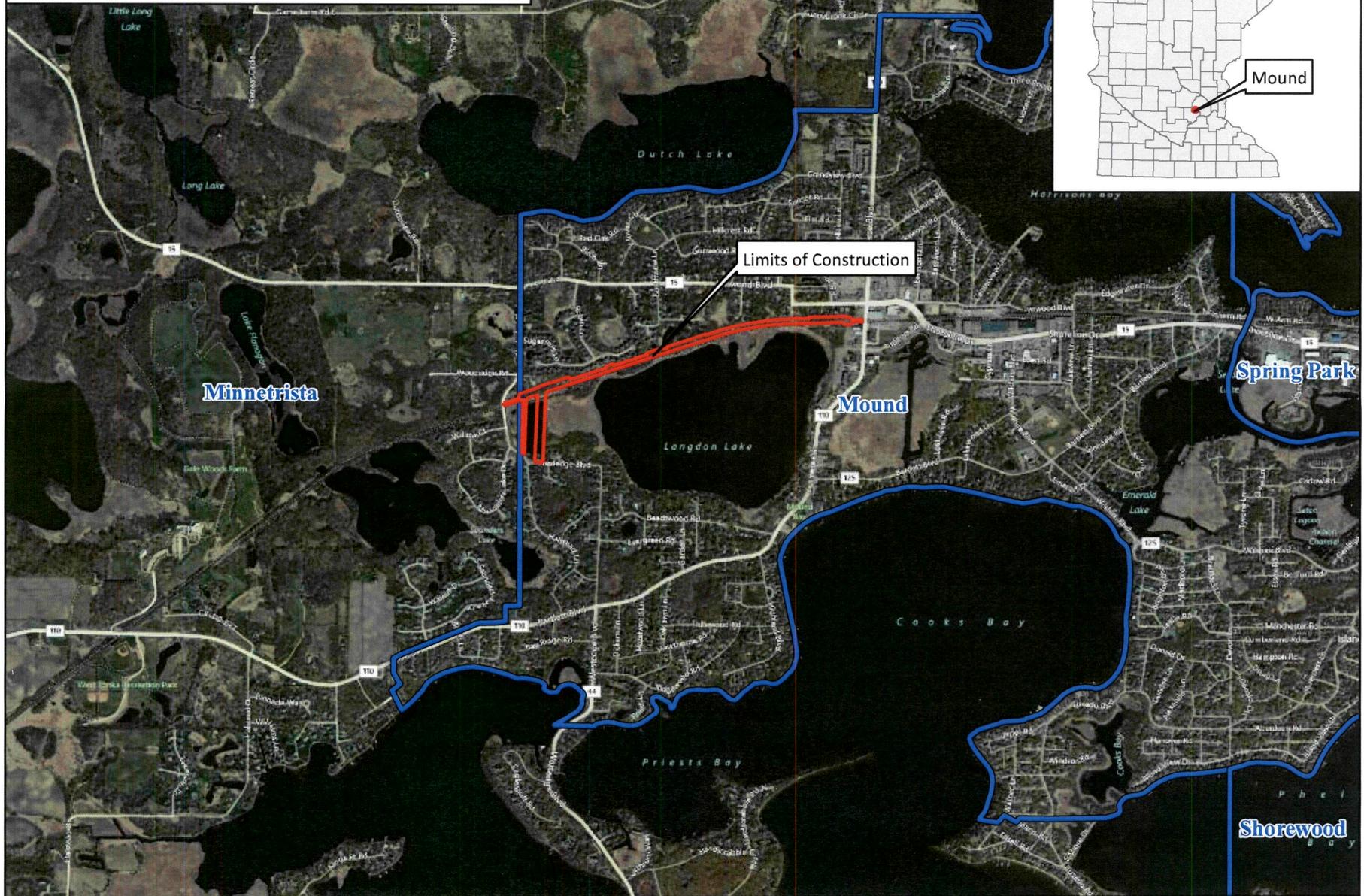
Chad Konickson
Chief, Southwest Section

Enclosures

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

PROJECT LOCATION MAP
MCES Mound 6-MO-650 Interceptor & WWTF Reuse

Mound, Hennepin County, Minnesota

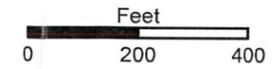




**FIGURE 2
PROJECT AREA AERIAL**

**Metropolitan Council Environmental Services
6-MO-650 Interceptor & Mound WWTP Reuse
MCES Project 802822**

- Wetland Investigation Area
- Parcels

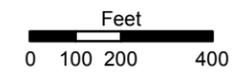




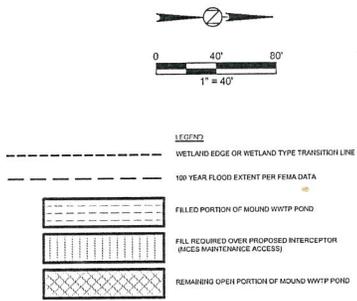
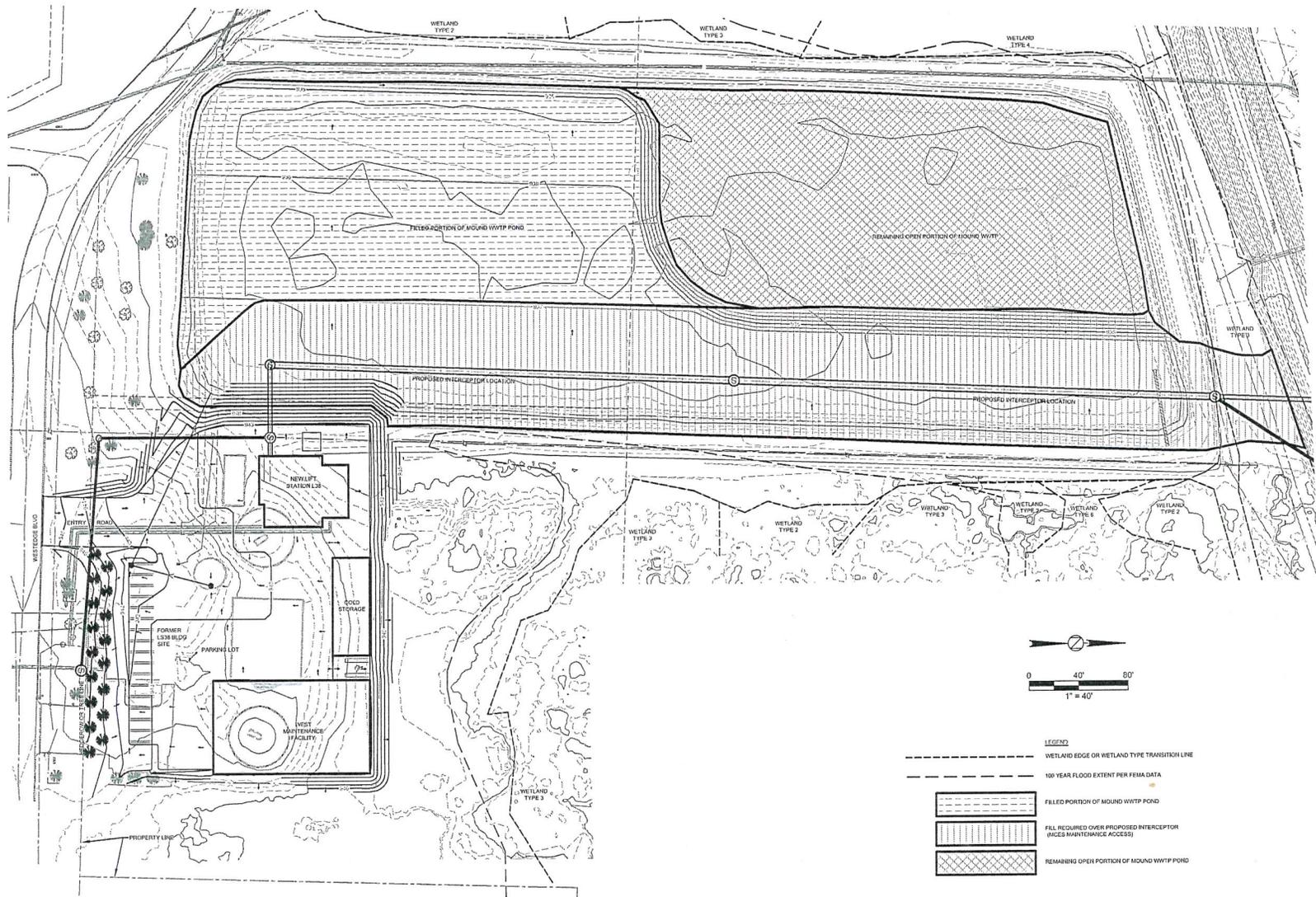
PERMANENT AND TEMPORARY IMPACTS

**Metropolitan Council Environmental Services
6-MO-650 Interceptor & Mound WWTP Reuse
MCES Project 802822**

- Proposed Temporary Impacts
- Proposed Permanent Fill Impacts
- Wetland Boundary (Line)



NOTES:



PLOTTED: 1/20/11 2:20:25 PM
 MODIFIED: 1/20/11 2:20:25 PM

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NO.	DATE	BY	REVISIONS

DESIGNED	CHECKED	APPROVED	DATE
ARS	KJA	JJC	MMDDYY

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.
 SIGNATURE: KATH J ANDERSON
 TYPE OR PRINTED NAME: KATH J ANDERSON
 DATE: MMDDYY 00 00 1204



APPROVED RECORD DOCUMENT		PROJECT
DATE		802821
CONSULTING ENGINEER		CONTRACT NUMBER
DATE		FILE NAME
ICES CONSTRUCTION DEPT REP		F-8-SITE_DEVELOPMENT
DATE		MOUND
ICES ENGR DEPT REP		MINNESOTA

WEST MAINTENANCE FACILITY
 SITE DEVELOPMENT