



US Army Corps
of Engineers
St Paul District

APPLICANT: Jason Lindquist
Boise White Paper, LLC

Public Notice

ISSUED: 11 June 2013

EXPIRES: 11 July 2013

REFER TO: 2013-01358-CLJ

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge dredged or fill material into 16.71 acres of wetlands adjacent to the Rainy River for the purpose of increasing the storage capacity, handling efficiency, and safety of the existing wood storage yard.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: Boise White Paper, LLC.
400 Second Street
International Falls, Minnesota 56649

AGENT: Mark Jacobson,
BARR Engineering Co.

AGENT'S ADDRESS: 4700 West 77th Street, Suite 200
Minneapolis, Minnesota 55435

PROJECT LOCATION: The project site is located in Sec. 35, T. 71N., R. 24W., Koochiching County, Minnesota. The approximate UTM coordinates are N 5382800 and E 471385.

PROJECT BACKGROUND: Boise White Paper, LLC. (Boise), is an integrated pulp and paper mill which produces almost 1,600 tons of paper per day. Currently, the mill does not produce enough pulp to support the current level of paper production and must purchase pulp from other sources. Boise has recently improved operational efficiencies, which has reduced the amount of purchased pulp. However, this improvement in efficiencies has resulted in an increased need for wood fiber or logs stored in the wood yard, which are processed into chips. Approximately 85% of the wood chips used by the existing pulp mill are produced on site. The remaining wood chips are purchased. According to the applicant, optimizing wood chip and pulp production is required for maintaining a cost competitive mill operation and future sustainability.

Due to increasing requirements to reduce impacts associated with wood harvesting, the majority of Boise's wood is being harvested during frozen conditions. This requires additional logs to be stored for use during the non-frozen conditions. To meet additional wood requirements, Boise has identified a need to increase the storage capacity of the wood yard. The proposal would not increase the foot print of the wood yard but would increase the efficiency and density of storage to make the wood yard accessible year around.

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As production demand requires, the stored wood is transported from the storage area to the wood chip process center via log loaders and trucks. The current configuration requires the primary use of log loaders to transport the tree-length logs (generally 60 – 90 feet long) to the chip processing center. Log loaders have less capacity to haul logs and, therefore, are less efficient than using trucks to transport the logs.

Along with being more efficient, the trucks are also a safer way to transport logs. Log loaders have to pass under a Minnesota Power 115 kV power line located near the chip process center. Tree length logs occasionally become oriented vertically during transportation with log loaders, resulting in the potential to come in contact with the high voltage transmission line creating significant safety risks. Hauling the logs via truck significantly reduces these safety risks.

DESCRIPTION OF PROJECT: According to the information provided by the applicant, the existing wood storage yard is currently configured with wood storage areas oriented south to north through the west half of the storage yard. The driving surfaces range from 20 feet to 30 feet in width and are spaced approximately 50 feet apart. Between the roads lay depressions where wetlands are present. The wood storage areas are slightly improved for truck access but are generally not accessible during the non-frozen months. The eastern portion of the storage yard is dominated by wetlands and is accessible for wood storage only under frozen conditions. The current configuration of the storage yard is inefficient as logs must be taken out of the yard in reverse order from which they are placed. According to the applicant, this configuration increases the amount of time required to unload, limits the volume of wood which may be stored, and limits the volume of wood the operation can use before the frost goes out each spring.

The proposed project would establish access roads oriented east to west with ingress and egress on the east and west sides, which would allow for safer drive-through access for trucks to unload. The new configuration would allow two rows of logs to be placed between the roads, which would help to maximize the storage space. The proposed roads would be excavated followed by placing a geotextile mat in the trench. Approximately two feet of blast rock would be placed atop the geotextile mat and the roadway would be capped with one foot of gravel to create a year around driving surface. In total, approximately 8,400 linear feet of road with a 40 foot driving surface would be constructed. Including inslopes of the road, the roadway footprint would be 50 feet wide. The excavated material from the new road construction would be placed in wetlands between the existing log piles to establish a level surface for log storage at the western portion of the property.

QUANTITY, TYPE, AND AREA OF FILL: Direct impacts to wetlands associated with the expansion include placing fill material in approximately 6.41 acres of wetland for the construction of the roads, as well as creating a level surface for log storage. The access roads will be excavated and constructed by placing a geotextile mat in the trench, placing 2 feet of blast rock for the base, and capping with 1 foot of 1-inch or less diameter gravel. Excavated material from the proposed roads would be placed in wetlands between the existing log storage piles.

In addition to the construction of the roads and level storage surface, approximately 10.30 acres of wetland would be temporarily impacted by the piling and storage of logs between the roads. The applicant has indicated that log placement and removal will vary from year-to-year depending on

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climactic conditions, availability, and operational need. Generally, the placement of wood will start in late fall to early winter and removal of the logs would generally start in late winter. The applicant has indicated that given the placement and removal schedule, many wetland functions in the storage area will remain viable when those functions are critical. Furthermore, the wetland hydrologic regime and water storage characteristics will be fully maintained during non-wood storage periods as culverts will maintain existing flow patterns. The applicant has also stated that the hydrologic functions will be partially maintained even with wood present in the wetlands because the logs will only be in contact with a portion of the soil surface and water will move relatively freely through the piles.

VEGETATION IN AFFECTED AREA: The majority of the wetlands within the proposal area include degraded fresh wet meadow (Type 2) wetland which is dominated by reed canary grass, sandbar willow, cattail, red top, lake sedge, and birds-foot trefoil. According to a MnRAM assessment conducted by the consultant, the majority of the wetland basins were rated as “low” for vegetative diversity and integrity. This was generally due to the abundance of non-native species. One wetland basin was rated as “medium” for vegetative diversity and integrity.

SOURCE OF FILL MATERIAL: Fill material will be purchased from a local commercial source.

SURROUNDING LAND USE: The project is an expansion and reconfiguration of the existing Boise wood storage yard. The project area is surrounded by development. Residential housing is present to the east, south, and west. The Boise pulp and paper mill facility is located immediately west of the project area. The Rainy River is located approximately 1,500 linear feet to the north of the project area.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: The project would not require the use of any potentially toxic materials.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The applicant has indicated that an NPDES construction stormwater permit will be applied for prior to construction. This will also include the development of a Storm Water Pollution Prevention Plan (SWPPP).

MITIGATION: Permanent impacts associated with road construction and surface leveling includes 2.14 acres of seasonally flooded basin (Type 1) wetland, 4.25 acres of fresh wet meadow (Type 2) wetland, and 0.02 acres of shallow marsh (Type 3) wetland, for a total of 6.41 acres of impacts to wetlands. The applicant proposes compensatory mitigation for the 6.41 acre permanent loss through off-site means by purchasing wetland credits from the Corps approved Hasbargen wetland mitigation bank #1505 located in Bank Service Area 2.

The applicant has indicated that the wood pile storage area will result in temporary impacts to approximately 10.30 acres of fresh wet meadow (Type 2) wetland and has proposed no compensatory mitigation for the temporary impacts. Due to the placement and removal schedule, many wetland functions in the storage area will remain viable when those functions are critical. The applicant has also stated that the hydrologic functions will be partially maintained when the wood piles are present because the logs will only be in contact with a portion of the soil surface and water will move relatively freely through the piles.

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

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Craig Jarnot at the Bemidji Regulatory field office of the Corps, telephone number (218) 444 - 6381.

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. Koochiching County is within the known or historic range of the Federally-listed threatened (T) Canada lynx (*Lynx canadensis*). The project site is located inside the western boundary of the Federally-designated Canada lynx Critical Habitat.

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.

Based on the results of a preliminary jurisdictional determination this project comes under the regulatory jurisdiction of the Corps of Engineers because wetlands in the project area are adjacent to the Rainy River.

THE APPLICANT HAS STATED THAT THE FOLLOWING STATE, COUNTY, AND/OR LOCAL PERMITS HAVE BEEN APPLIED FOR/ISSUED: Wetland Conservation Act and MPCA Storm water permit

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

7. HISTORICAL/ARCHAEOLOGICAL.

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

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.

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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 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.

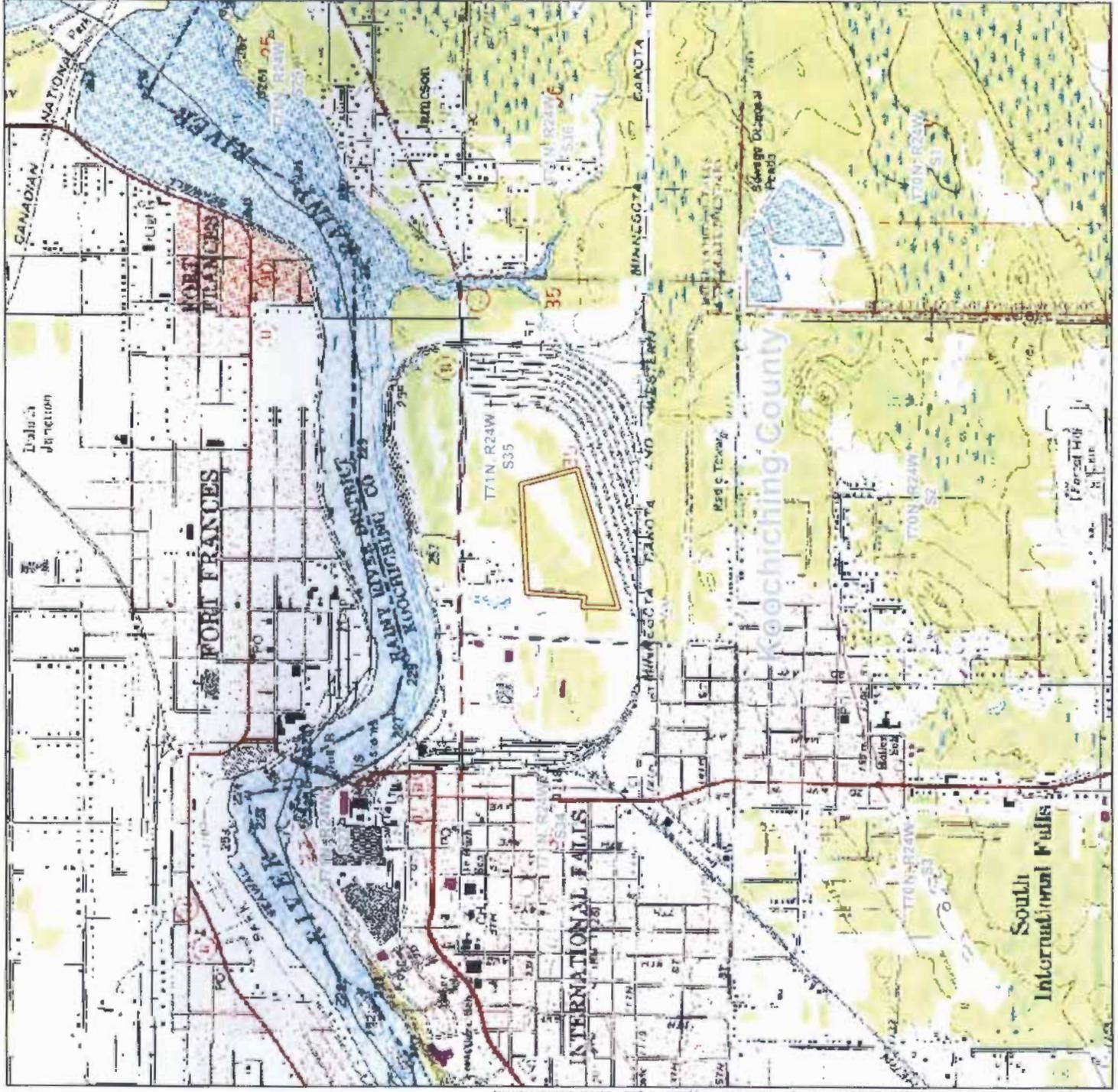
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine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



Jeff Olson
Chief, Northeast Section

Enclosures

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



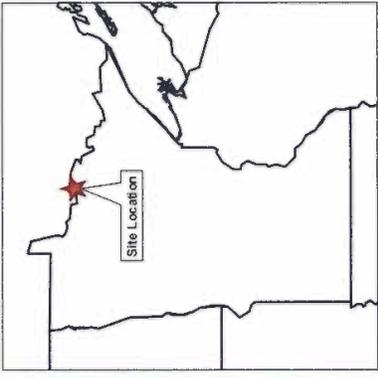
Project Area



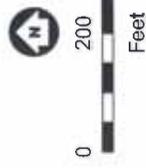
1 Inch = 2,000 Feet

FIGURE 1
SITE LOCATION
Boise White Paper L.L.C.
International Falls, MN





- Project Area
- Wetland Delineation Data Points
- Wetland Boundaries
- Ditches
- 2' Contours
- 50-Foot Construction Limits
- Wetland Impact Areas
- Planned Culverts



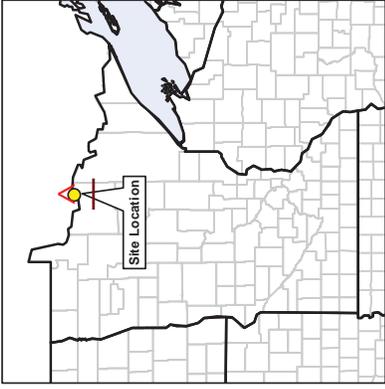
1 Inch = 200 Feet

ESRI World Imagery, Circa 2011
Contour Data Provided by International Water Institute

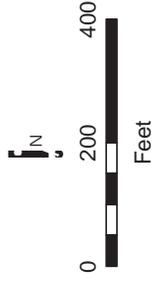
FIGURE 9
PROPOSED ALTERNATIVE
Boise White Paper L.L.C.
International Falls, MN



Source: Esri, DigitalGlobe, GeoEye, IGN, GeoEye, Aerial, IGN, IGP, and the GIS User Community



- Project Area
- Ditches
- Planned Culverts
- Direct Wetland Impact Areas
- Potential Temporary Wetland Impacts
- 50-Foot Construction Limits



1 Inch = 200 Feet

ESRI World Imagery, Circa 2011
 Contour Data Provided by International Water Institute

FIGURE 1
POTENTIAL TEMPORARY
WETLAND IMPACTS
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