



US Army Corps  
of Engineers  
St Paul District

APPLICANT: BNSF Railway  
Company

# Public Notice

ISSUED: March 11, 2014

EXPIRES: April 11, 2014

REFER TO: 2013-04658-WAB

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material into wetlands to expand the existing railroad siding, extend two yard tracks, and construct an access road in the BNSF Lakes Subdivision rail yard.

## 2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: BNSF Railway Company  
80 44<sup>th</sup> Ave. NE  
Minneapolis, Minnesota 55421

AGENT: AECOM  
800 LaSalle Ave. Suite 110  
Minneapolis, Minnesota 55402

PROJECT LOCATION: The project site is located in portions of Sections 25, 26 and 36, T55N, R25W, and in Section 31, T55N, R24W, Itasca County, Minnesota. The UTM coordinates at the approximate center of the site are -93.4621/47.2138 Decimal Degrees.

DESCRIPTION OF PROJECT: BNSF Railway Company owns and operates railroad infrastructure near Grand Rapids, Minnesota. A recently established company reprocesses iron ore tailings and transports the iron ore concentrates via BNSF's rail network. Demand for railroad service has increased significantly, requiring the expansion of the railroad siding and railroad yard. Two existing yard tracks are being extended to a total of 7,000 feet each. In order to accommodate the two yard track extensions, the existing siding track will also need to be extended along the existing main track. The new siding would involve extending the existing siding by approximately 1,700 feet. The existing yard tracks would be extended by approximately 4,000 feet to attain the total length capacity of 7,000 feet for each track. The applicant also proposes a fourteen foot wide access road along the tracks to allow for mechanical inspection of cars, and provide vehicle access for track signal maintenance crews and train crews. A one foot deep shallow ditch would be excavated along the edge of the access road for runoff or snow storage.

QUANTITY, TYPE, AND AREA OF FILL: Clean fill or embankment material would be used as subgrade for the track bed and access road construction. Twelve inches of subballast material, consisting of Class 5, would be placed above the subgrade or graded material and serve as access road surfacing and track subbase material. Finally, ballast material would be placed above the subballast material for tie and rail placement. The ballast material would be approximately fifteen inches deep

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and consist of 1-3/8" clean crushed rock. A total of 5.36 acres of wetland would be filled or impacted by site grading.

**VEGETATION IN AFFECTED AREA:** There is no vegetation in the existing rail yard. Dominant vegetation found in fresh wet meadow wetlands include lake sedge, reed canary grass, red raspberry, prairie cord grass and field horsetail. Dominant vegetation found in shrub carr or alder thickets include gray willow, sandbar willow and speckled alder.

**SOURCE OF FILL MATERIAL:** Subgrade, subballast, and ballast materials would be obtained from commercial sources.

**SURROUNDING LAND USE:** The track and rail yard are located northeast of U.S. Highway 2, paralleling the roadway. An electrical transmission line corridor runs along the northeast side of the existing rail yard, paralleling the train tracks. The remaining surrounding land use consists of undeveloped forested wetlands and uplands.

**DESCRIPTION OF DREDGING OR EXCAVATION:** Topsoil will be removed prior to filling. A shallow ditch will be excavated or graded along the toe of the train yard and service road for runoff and snow storage.

**THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE:** The applicant has indicated that only clean fill material would be used for the expansion of the railroad siding expansion. It is anticipated that any potentially toxic materials used at the site during construction are consistent with materials found at other general construction sites, and associated with the maintenance and operation of heavy equipment. It is anticipated that any potentially toxic material transported by the railroad are consistent with existing deliveries and loads on the existing lines.

**THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT:** The fill material will be clean material, free of contaminants. Approved soil erosion and sediment control best management practices will be used during construction, including upland erosion control on disturbed soil, silt fences and erosion control blankets. Additionally all disturbed areas will be seeded and blanketed or covered by aggregate to ensure final stabilization at the conclusion of the project.

**MITIGATION:** As compensatory mitigation for unavoidable wetland impacts, the applicant has proposed to purchase an appropriate number and type of wetland bank credits from the Wetland Credit Agency/Brink Account #1443 in Itasca County, as required 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 adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

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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 Bill Baer at the Bemidji Regulatory field office of the Corps, telephone number (651) 290 - 5338.

To receive Public Notices by e-mail, go to: [http://mvp-extstp.mvp.usace.army.mil/list\\_server/](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 applicant or are known to exist in the permit area. However, Itasca 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

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, Minnesota Wetland Conservation Act authorization.

**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

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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 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.

**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.

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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.

**BNSF**  
RAILWAY  
TWIN CITIES DIVISION  
**GUNN YARD EXPANSION**

LAKES SUBDIVISION  
GUNN YARD - MP 107.5

FEBRUARY 04, 2014

PROJECT DRAWINGS

VICINITY MAP - NTS

SHEET #	SHEET TITLE	SHEET DESCRIPTION
<b>GENERAL</b>		
1	GW-100	COVER SHEET
2	GW-101	KEY PLAN
<b>WETLAND IMPACTS</b>		
3	W-101	WETLAND IMPACTS
4	W-102	WETLAND IMPACTS
5	W-103	WETLAND IMPACTS
6	W-104	WETLAND IMPACTS
7	W-105	WETLAND IMPACTS
8	W-106	WETLAND IMPACTS
9	W-107	WETLAND IMPACTS
10	W-108	WETLAND IMPACTS



SHEET NO. 107.5  
 DATE 02/04/14  
 DRAWN BY J. B. BROWN  
 CHECKED BY J. B. BROWN  
 APPROVED BY J. B. BROWN  
 SCALE 1" = 1000'  
 PROJECT NO. 13-04658-WAB

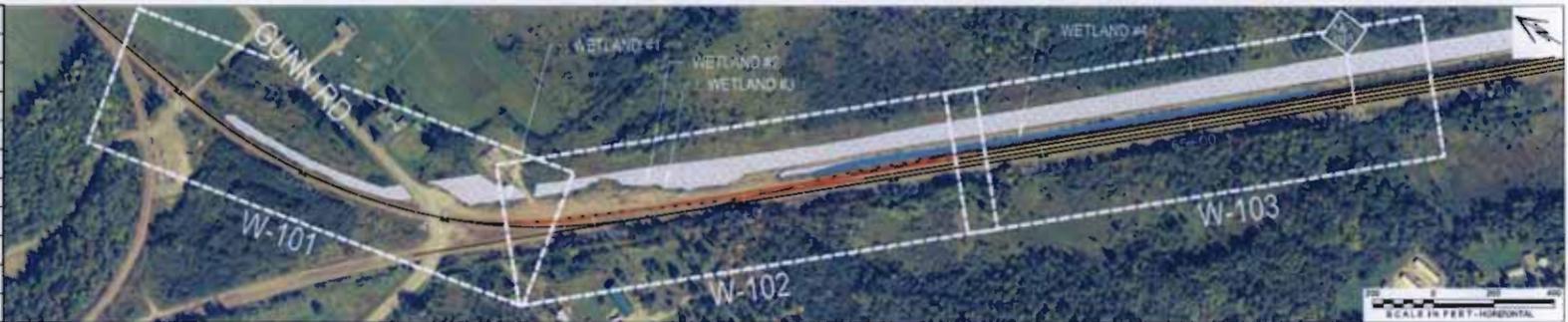


900 LaSalle Avenue, Suite 110  
 Minneapolis, MN 55402  
 Phone: (612) 376-2000 Fax: (612) 376-2271  
 www.AECOM.com

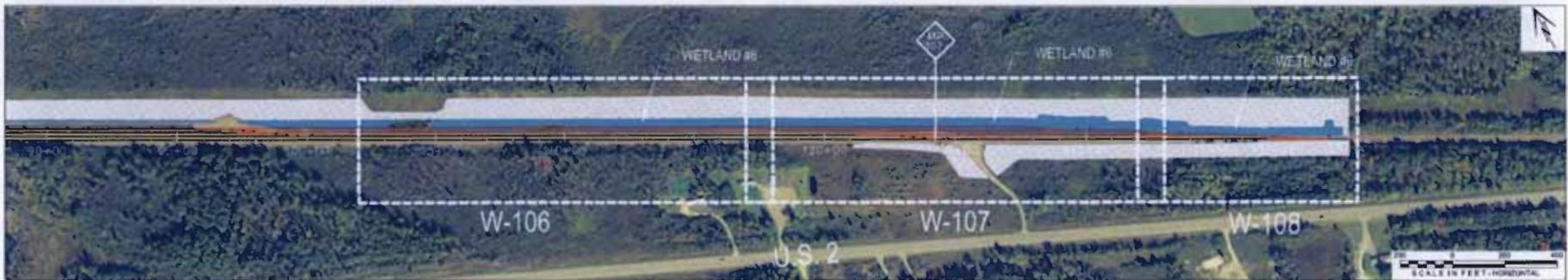
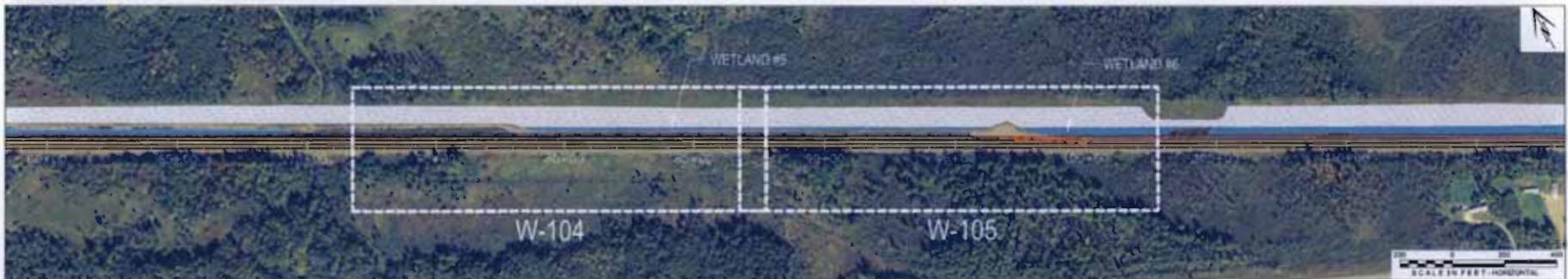
WETLAND JURISDICTIONAL REVIEW



Wetland	Impact Area
1	247
2	12
3	3
4	28393
5	17912
6	186962
SF	233529
ACRES	5.36



**WETLAND IMPACTS**



PROJECT NO. 04658  
 CONTRACT LINE 04658-01  
 CONTRACT TITLE LAKES SUBDIVISION  
 WORK EXTENT GUNN YARD EXPANSION  
 DRAWING NO. GW-101

REV	DATE	DESCRIPTION	BY	APP

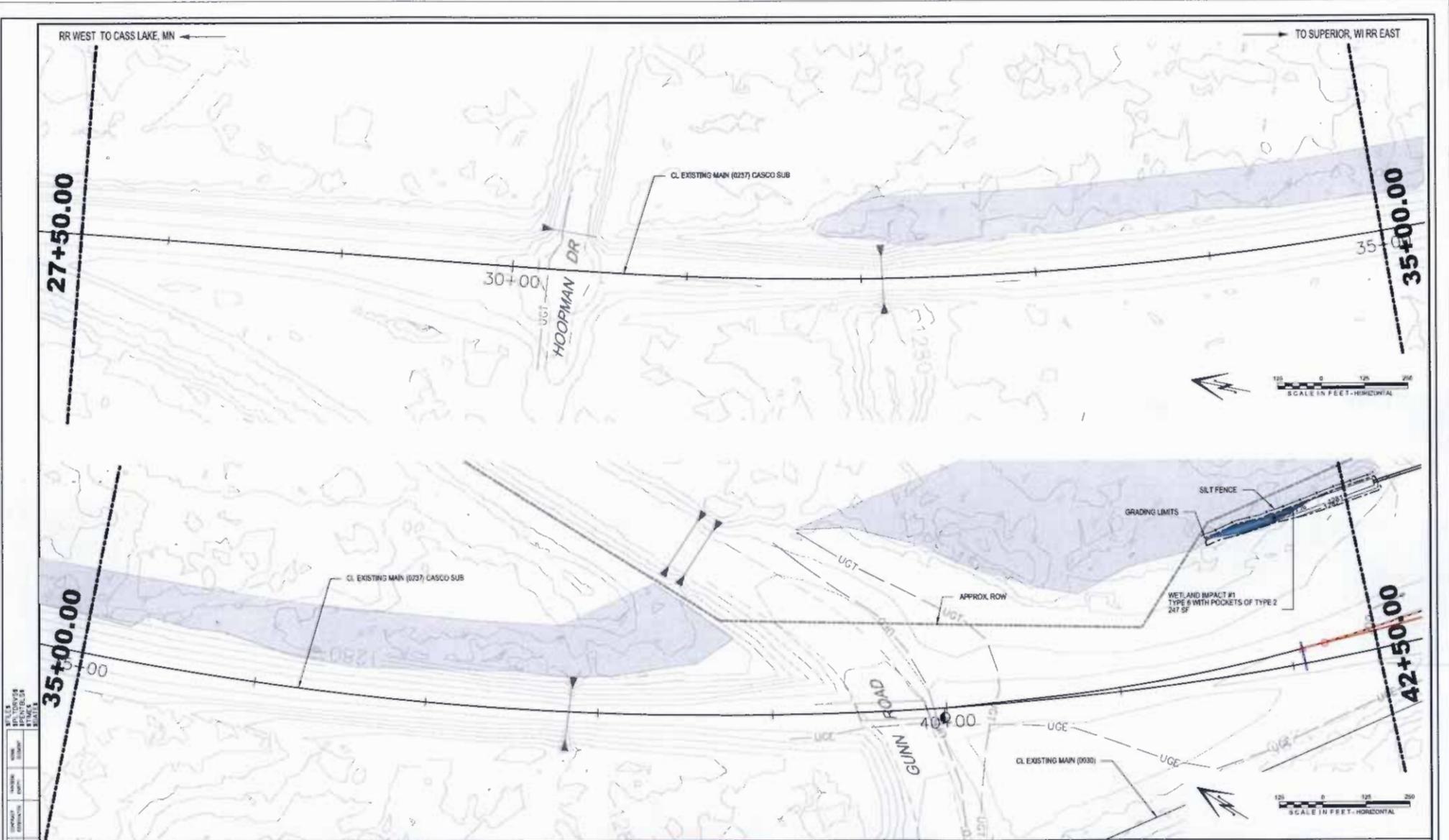
  

DESIGNED BY	RPR
DRAWN BY	EPD/RFB
CHECKED BY	ESB
DATE	FEB. 04, 2014

**BNSF RAILWAY COMPANY**  
 LAKES SUBDIVISION  
 GUNN YARD EXPANSION  
 KEY PLAN

CONTRACT NO.	
DRAWING NO.	GW-101
REVISION	SHEET 2 OF 10
SCALE	AS SHOWN



PROJECT NUMBER	DATE	DESCRIPTION	BY	APP

approximate boundaries  
 all other existing wetlands  
 within project limits shall  
 remain the property of the  
 public and shall not be  
 considered as a road  
 nor be used for any other  
 purpose for or approved by  
 the public.

DESIGNED BY	RPR
DRAWN BY	EPQ/RPR
CHECKED BY	ESB
APPROVED BY	
DATE	FEB. 04, 2014

**BNSF RAILWAY**

**AECOM**

811 Lakeshore Blvd. Suite 500  
 Minneapolis, MN 55412  
 Phone: (612) 336-2000 Fax: (612) 336-2001  
 www.aecom.com

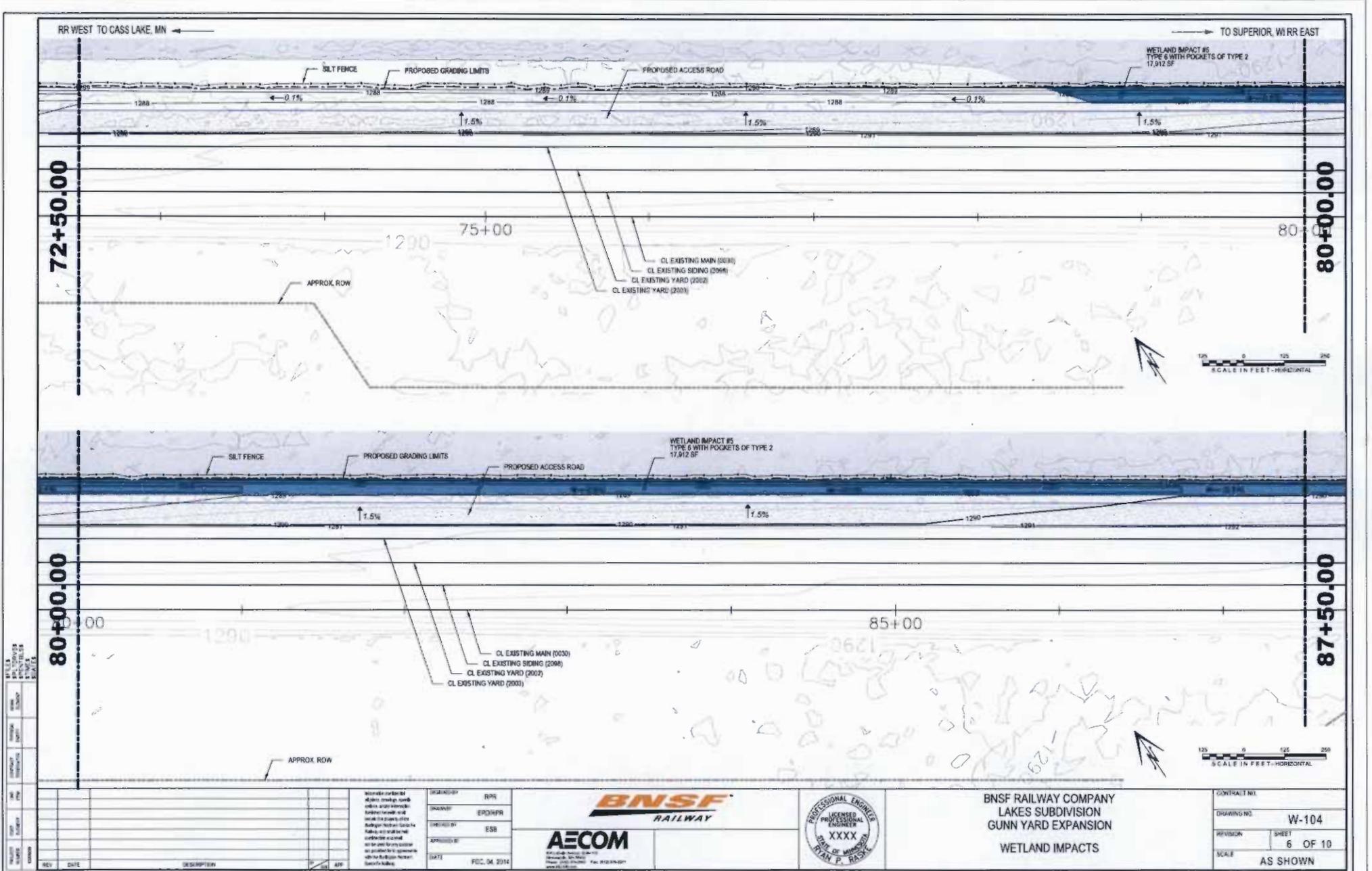


BNSF RAILWAY COMPANY  
 LAKES SUBDIVISION  
 GUNN YARD EXPANSION  
 WETLAND IMPACTS

CONTRACT NO.	
DRAWING NO.	W-101
REVISION	SHEET 3 OF 10
SCALE	AS SHOWN







DATE	BY	CHKD	APP	DESCRIPTION

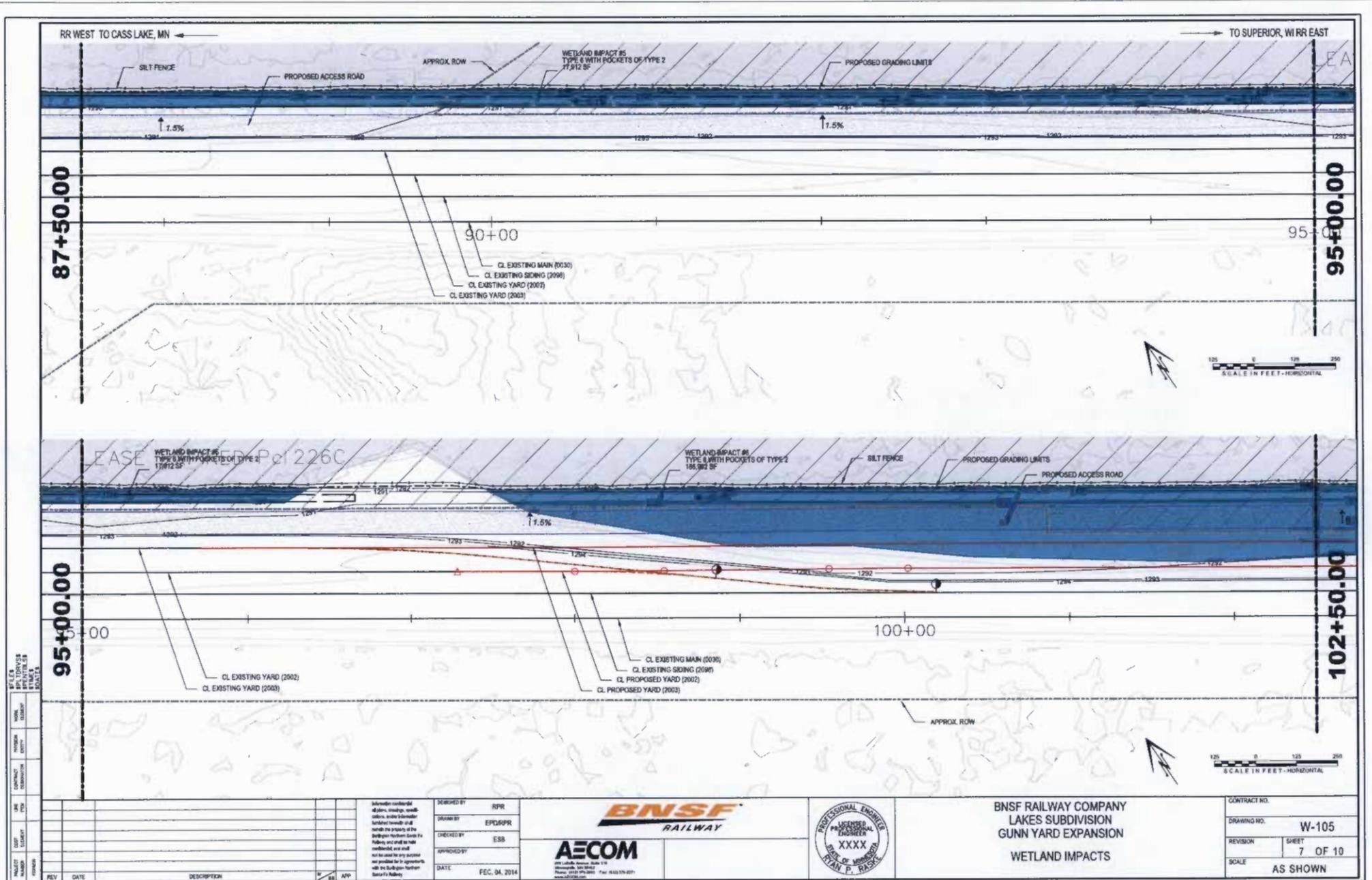
Wetland impacts shown on this drawing were obtained from aerial photography, field inspection, and other data provided by the client. The client is responsible for the accuracy of the data provided. AECOM is not responsible for the accuracy of the data provided.

DESIGNED BY	RPS
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CHECKED BY	ESB
APPROVED BY	
DATE	FCC, 04, 2014



BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
WETLAND IMPACTS

CONTRACT NO.	
DRAWING NO.	W-104
REVISION	SHEET 6 OF 10
SCALE	AS SHOWN



DATE	BY	DESCRIPTION

Information considered reliable, including, without limitation, information furnished to the Engineer by the Contractor and other sources. The Engineer is not responsible for the accuracy or completeness of the information furnished to the Contractor. The Contractor is responsible for the accuracy and completeness of the information furnished to the Engineer. The Contractor is responsible for the accuracy and completeness of the information furnished to the Engineer. The Contractor is responsible for the accuracy and completeness of the information furnished to the Engineer.

DESIGNED BY: RPR  
 DRAWN BY: EPCL/RPR  
 CHECKED BY: ESB  
 APPROVED BY:  
 DATE: FEB. 04. 2014

**BNSF RAILWAY**

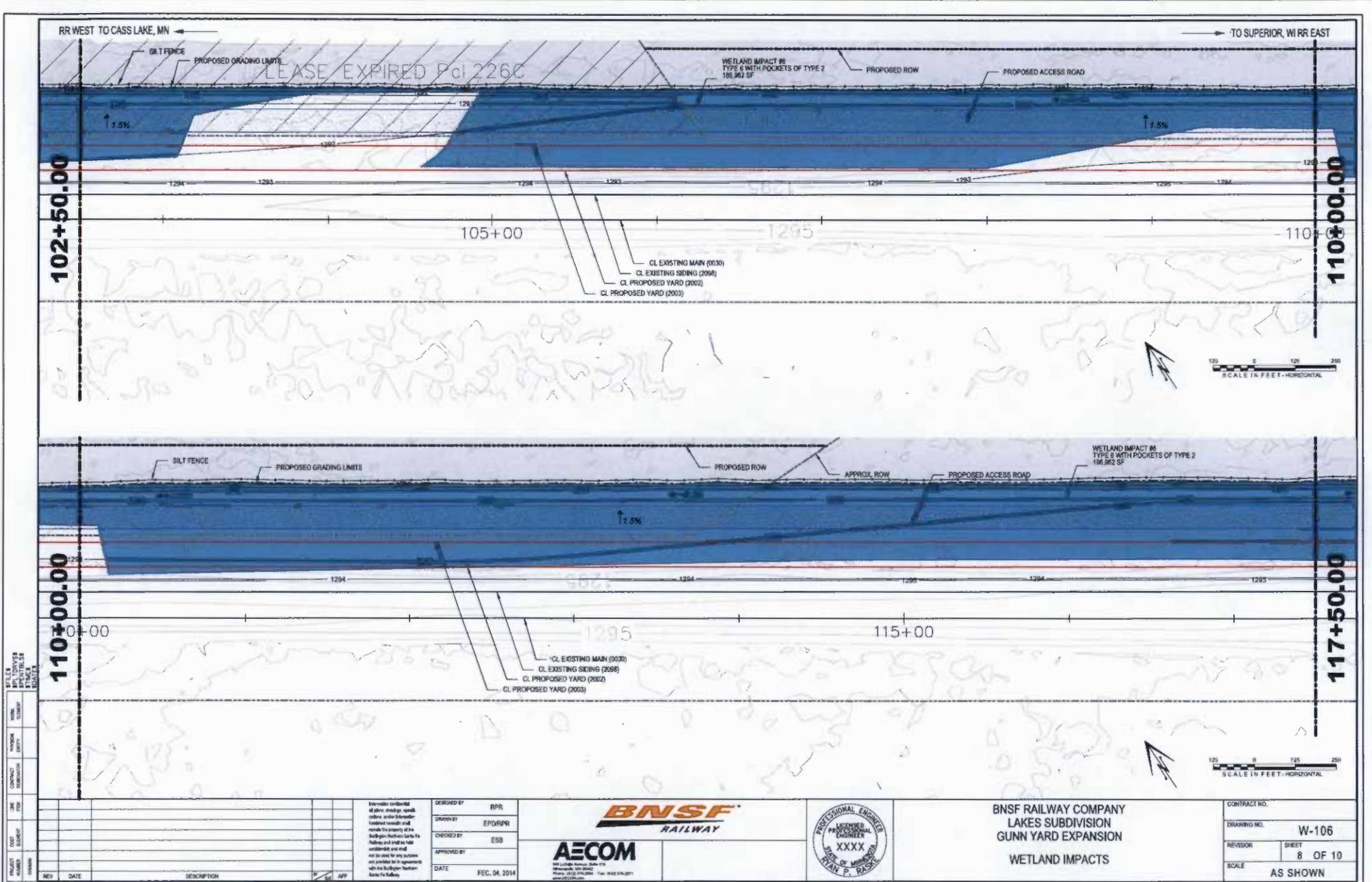
**AECOM**

200 Lakeside Avenue, Suite 170  
 Minneapolis, MN 55412  
 Phone: (612) 374-3800 Fax: (612) 374-3871  
 www.aecom.com



**BNSF RAILWAY COMPANY**  
**LAKES SUBDIVISION**  
**GUNN YARD EXPANSION**  
**WETLAND IMPACTS**

CONTRACT NO.	
DRAWING NO.	W-105
REVISION	SHEET 7 OF 10
SCALE	AS SHOWN



PROJECT	DATE	DESCRIPTION	BY	APP

Information furnished  
is based on drawings, reports,  
and other information  
submitted to the  
engineer and is not  
guaranteed or  
warranted by the  
engineer. The  
engineer is not  
responsible for  
any errors or  
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this drawing.

DERIVED BY: RPR  
DRAWN BY: EPD/RPR  
CHECKED BY: ESB  
APPROVED BY:  
DATE: FEB. 04. 2014

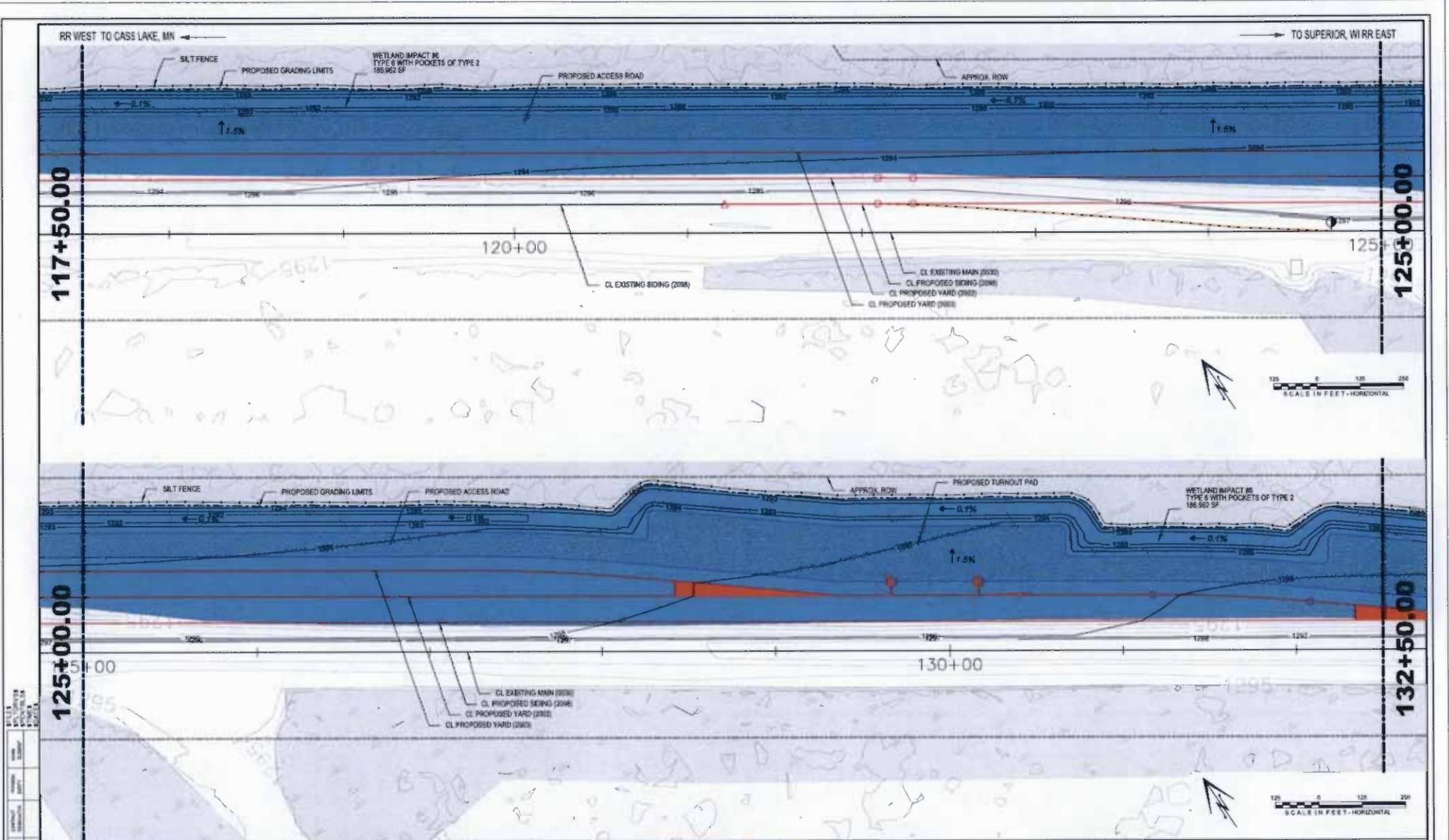
**BNSF**  
RAILWAY

**AECOM**  
180 Lincoln Center Drive  
Plymouth, MN 55441  
Phone: (612) 374-2000 Fax: (612) 374-2011  
www.aecom.com

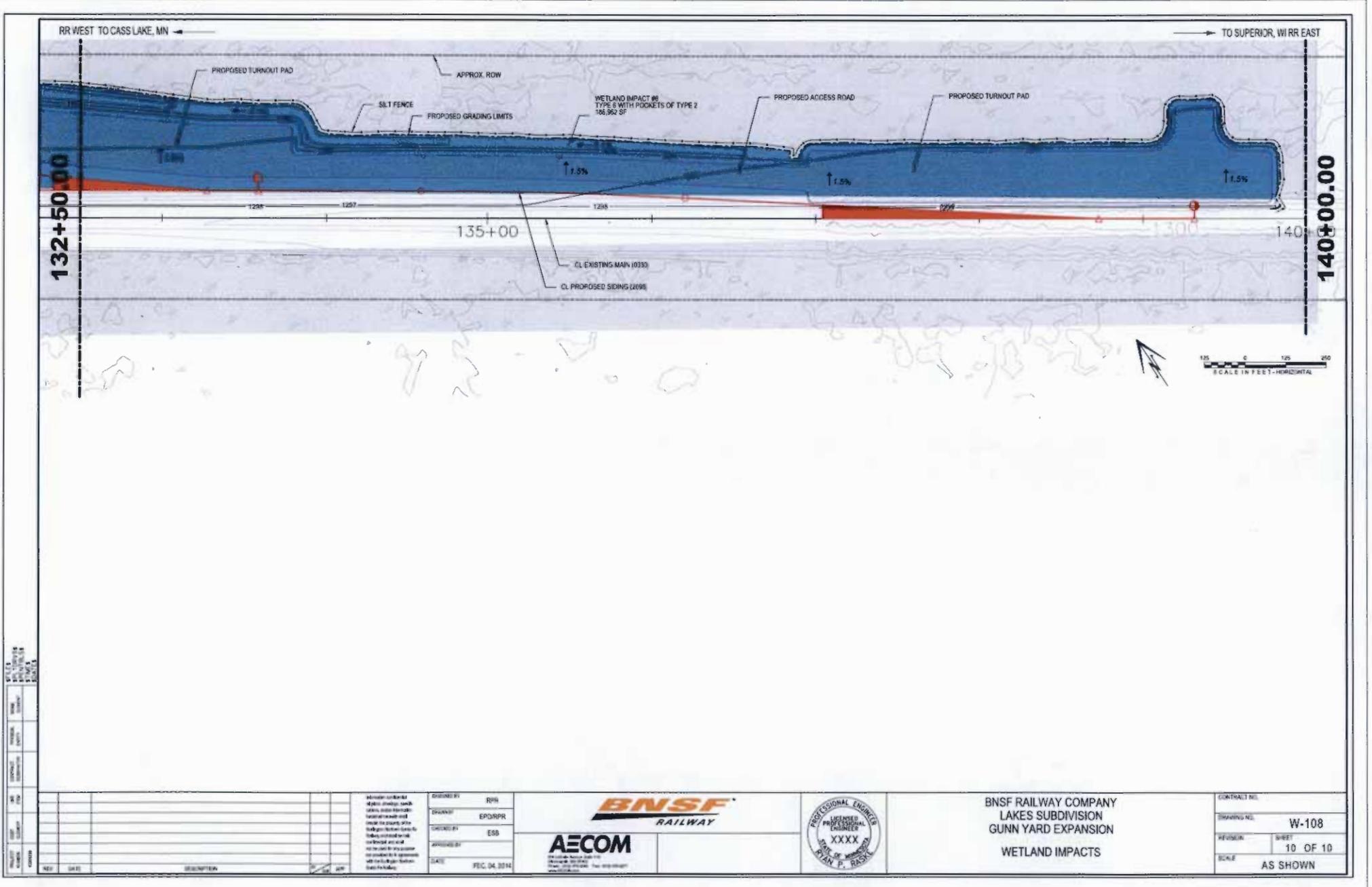


BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
WETLAND IMPACTS

CONTRACT NO.	
DRAWING NO.	W-106
REVISION	SHEET 8 OF 10
SCALE	AS SHOWN



<p><b>REVISIONS</b></p> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> <th>BY</th> <th>APP.</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	DESCRIPTION	BY	APP.						<p>Information on this sheet shall be used only in conjunction with the contract documents and shall not be used for any other purpose without the written consent of AECOM.</p>	<p>DESIGNED BY: RPS                  CHECKED BY: EFG/MPK                  DRAWN BY: EBB                  DATE: FEB. 04, 2014</p>			<p><b>BNSF RAILWAY COMPANY</b>                  LAKES SUBDIVISION                  GUNN YARD EXPANSION                  WETLAND IMPACTS</p>	<p>CONTRACT NO.:                  SHEET NO.: W-107                  SHEET: 9 OF 10                  SCALE: AS SHOWN</p>
NO.	DATE	DESCRIPTION	BY	APP.												



DATE	BY	DESCRIPTION

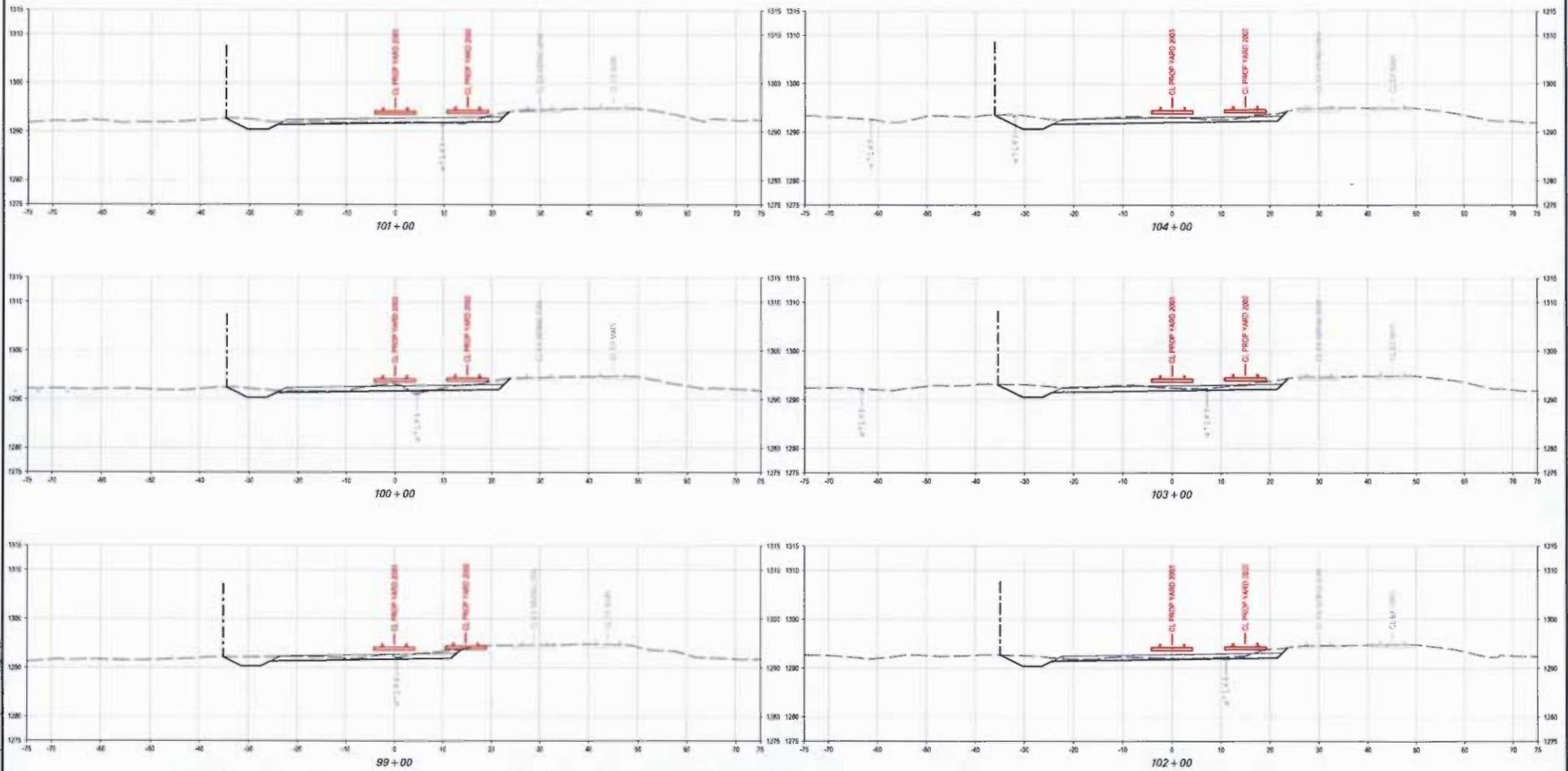
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 CHECKED BY: EPDRPR  
 DESIGNED BY: ESB  
 DATE: FEB. 04, 2014



BNSF RAILWAY COMPANY  
 LAKES SUBDIVISION  
 GUNNS YARD EXPANSION  
 WETLAND IMPACTS

CONTRACT NO.	
DRAWING NO.	W-108
REVISION	SHEET 10 OF 10
SCALE	AS SHOWN





START SECTION STA 99+00 TO END SECTION STA 104+00

NOT FOR CONSTRUCTION  
90% SUBMITTAL

Information concerning  
BNSF Railway Company  
is available at  
www.bnsf.com

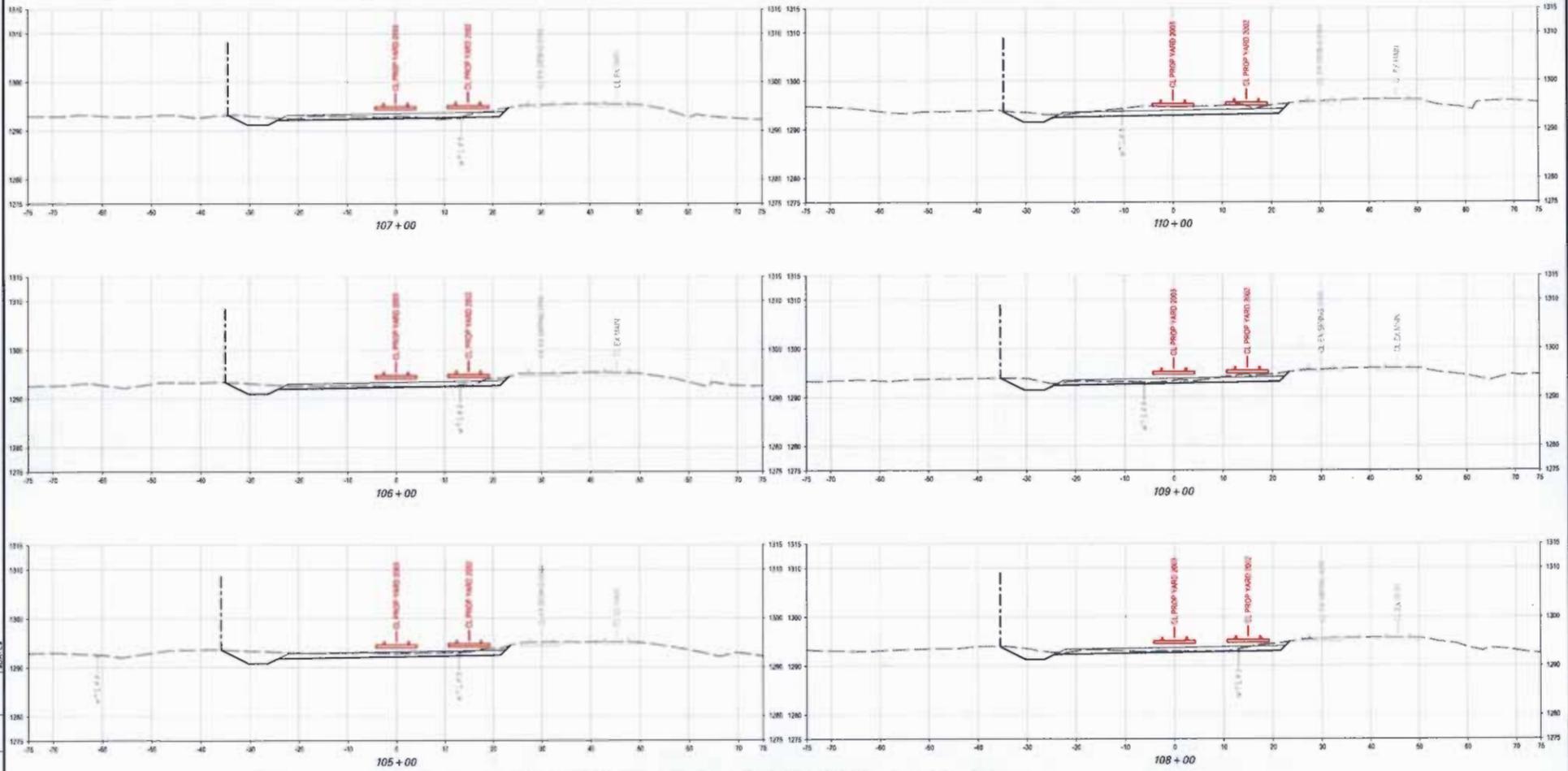
DRAWN BY: RPR  
CHECKED BY: EPC/RPR  
DESIGNED BY: ESB  
APPROVED BY:  
DATE: FEB. 17, 2014



BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
CROSS SECTIONS

CONTRACT NO.  
DRAWING NO. XS-111  
REVISION SHEET 38 OF 45  
SCALE AS SHOWN

NO.	DATE	DESCRIPTION	BY	APP.



START SECTION STA 105+00 TO END SECTION STA 110+00

NOT FOR CONSTRUCTION  
90% SUBMITTAL

Information contained on  
or in plans or drawings shall be  
checked, verified, and approved  
by the engineer or architect  
before the project is  
started. It is the responsibility  
of the contractor to verify  
the information on the plans  
and drawings for the project.

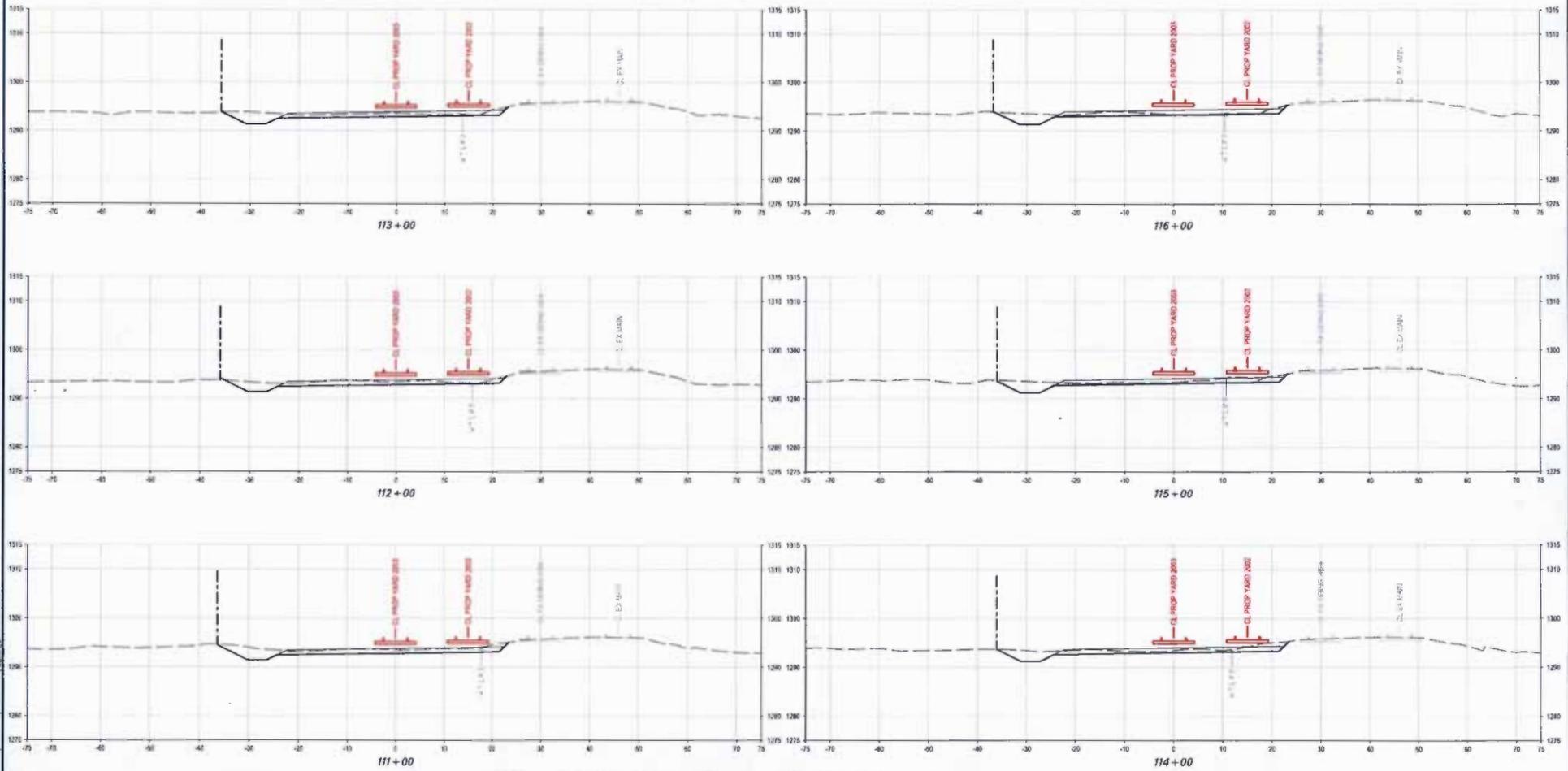
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APPROVED BY:  
DATE: FEB. 17, 2014



BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
CROSS SECTIONS

CONTRACT NO.  
DRAWING NO. XS-112  
REVISION SHEET 39 OF 45  
SCALE AS SHOWN

DATE	DESCRIPTION	BY	APP



START SECTION STA 111+00 TO END SECTION STA 116+00

NOT FOR CONSTRUCTION  
90% SUBMITTAL

Information provided for  
all plans and specifications  
shall be the property of the  
Burlington Northern Santa Fe  
Railroad and shall remain  
its property and shall not  
be used for any purpose  
not intended by the  
Burlington Northern  
Santa Fe Railroad.

DESIGNED BY: RPR  
DRAWN BY: EPD/RPR  
CHECKED BY: ESB  
APPROVED BY:  
DATE: FEB. 17, 2014



**AECOM**

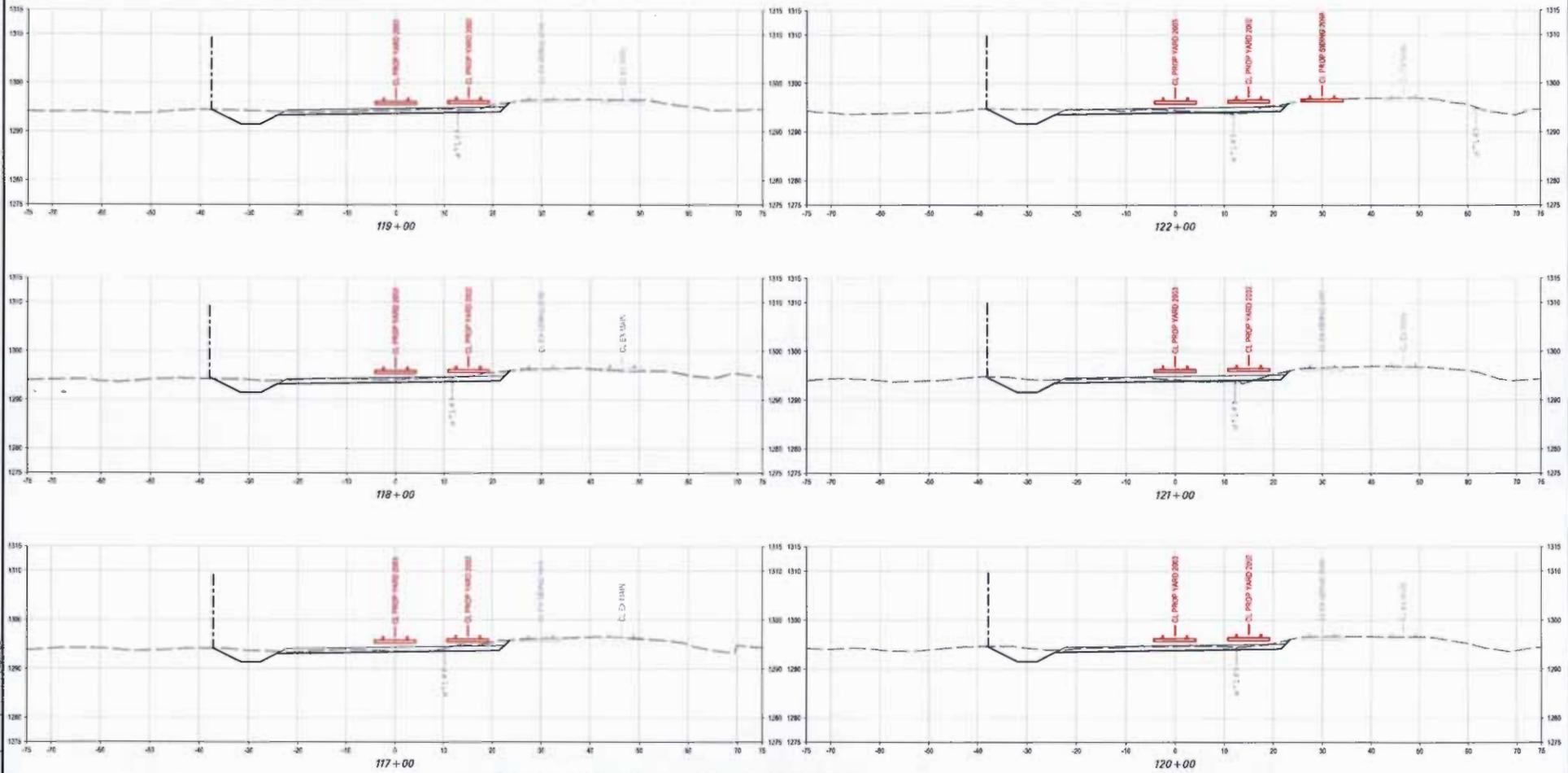
1000 Lakeside Drive, Suite 100  
Berkeley, CA 94710  
Phone: 415.763.8200 Fax: 415.763.8201  
www.aecom.com



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GUNN YARD EXPANSION  
CROSS SECTIONS

CONTRACT NO.  
DRAWING NO. XS-113  
REVISION SHEET 40 OF 45  
SCALE AS SHOWN

DATE	DESCRIPTION	BY	APP



START SECTION STA 117+00 TO END SECTION STA 122+00

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Information furnished by the contractor is for the purpose of providing a basis for the design of the project. It is not to be used for any purpose other than that intended and the contractor shall be responsible for its accuracy.

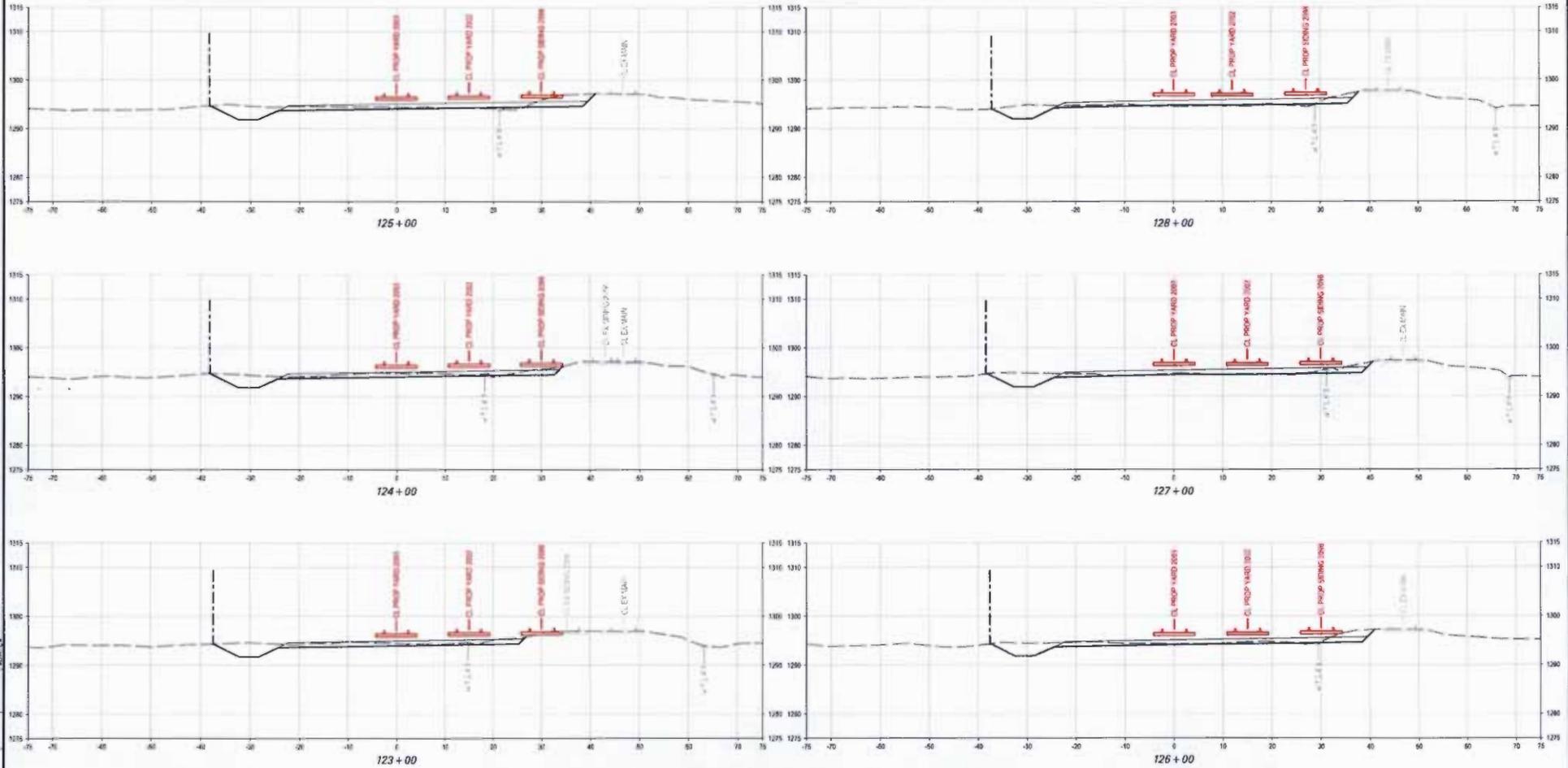
DESIGNED BY: RPR  
DRAWN BY: EPD/RPH  
CHECKED BY: ESB  
APPROVED BY:  
DATE: FEB. 17, 2014



BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
CROSS SECTIONS

CONTRACT NO.  
DRAWING NO. XS-114  
SHEET 41 OF 45  
SCALE AS SHOWN

REV	DATE	DESCRIPTION	BY	APP



START SECTION STA 123+00 TO END SECTION STA 128+00

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Information furnished by  
BNSF Railway Company is for  
information only and does not  
constitute a contract. BNSF  
Railway Company and its  
subsidiaries are not liable for  
any errors or omissions in this  
information.

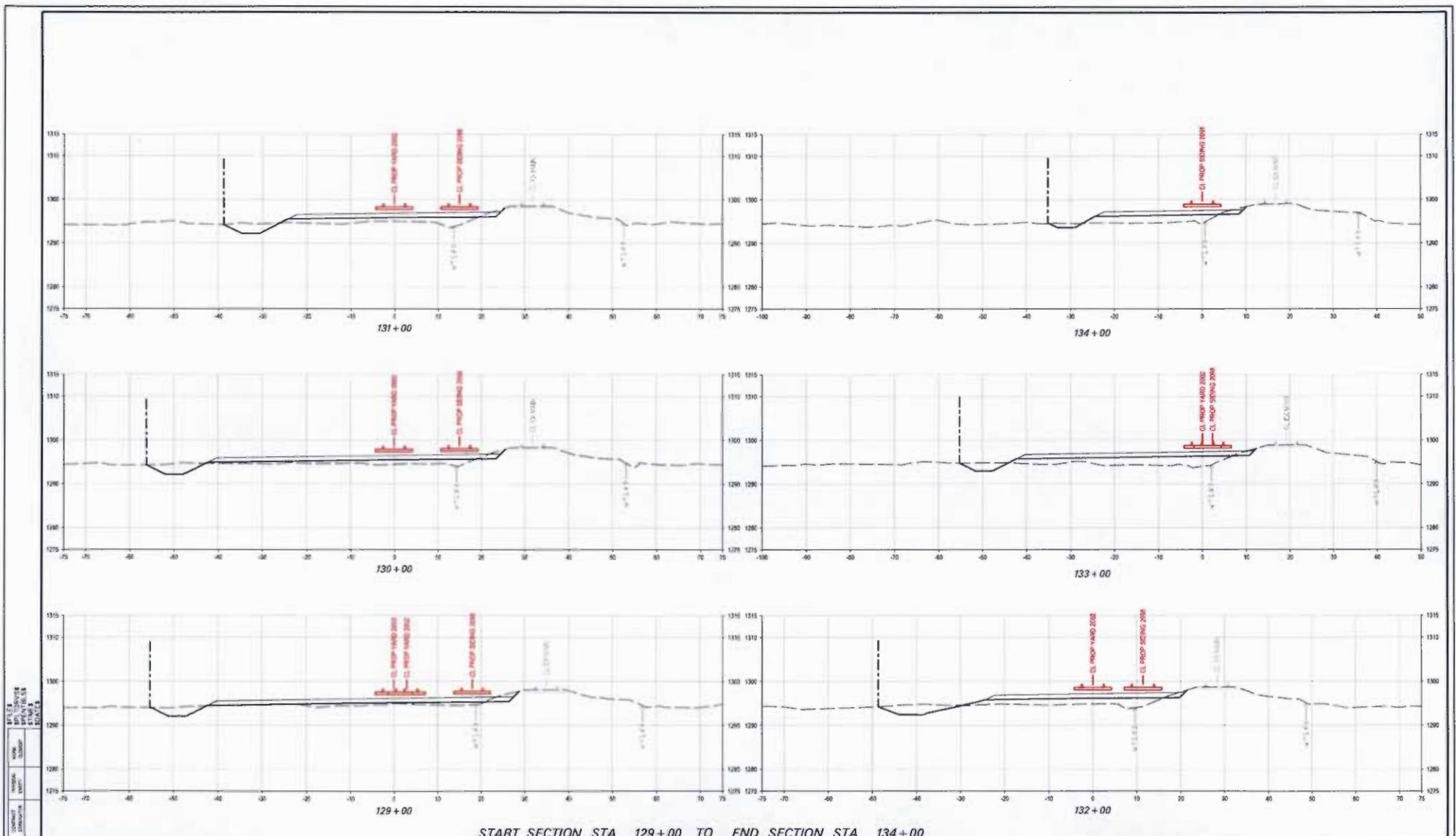
DESIGNED BY RPR  
DRAWN BY EPD/RPR  
CHECKED BY ESB  
APPROVED BY  
DATE FEB. 17, 2014



BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
CROSS SECTIONS

CONTRACT NO.  
DRAWING NO. XS-115  
REVISION SHEET 42 OF 45  
SCALE AS SHOWN

PROJECT NO.	DATE	DESCRIPTION	BY	APP.

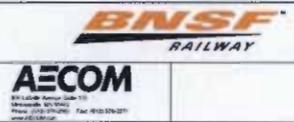


START SECTION STA 129+00 TO END SECTION STA 134+00

**NOT FOR CONSTRUCTION**  
**90% SUBMITTAL**

Information provided by the client is to be used for design purposes only. The client is responsible for the accuracy of the information provided. The client is also responsible for obtaining all necessary permits and approvals. The client is also responsible for the accuracy of the information provided. The client is also responsible for the accuracy of the information provided.

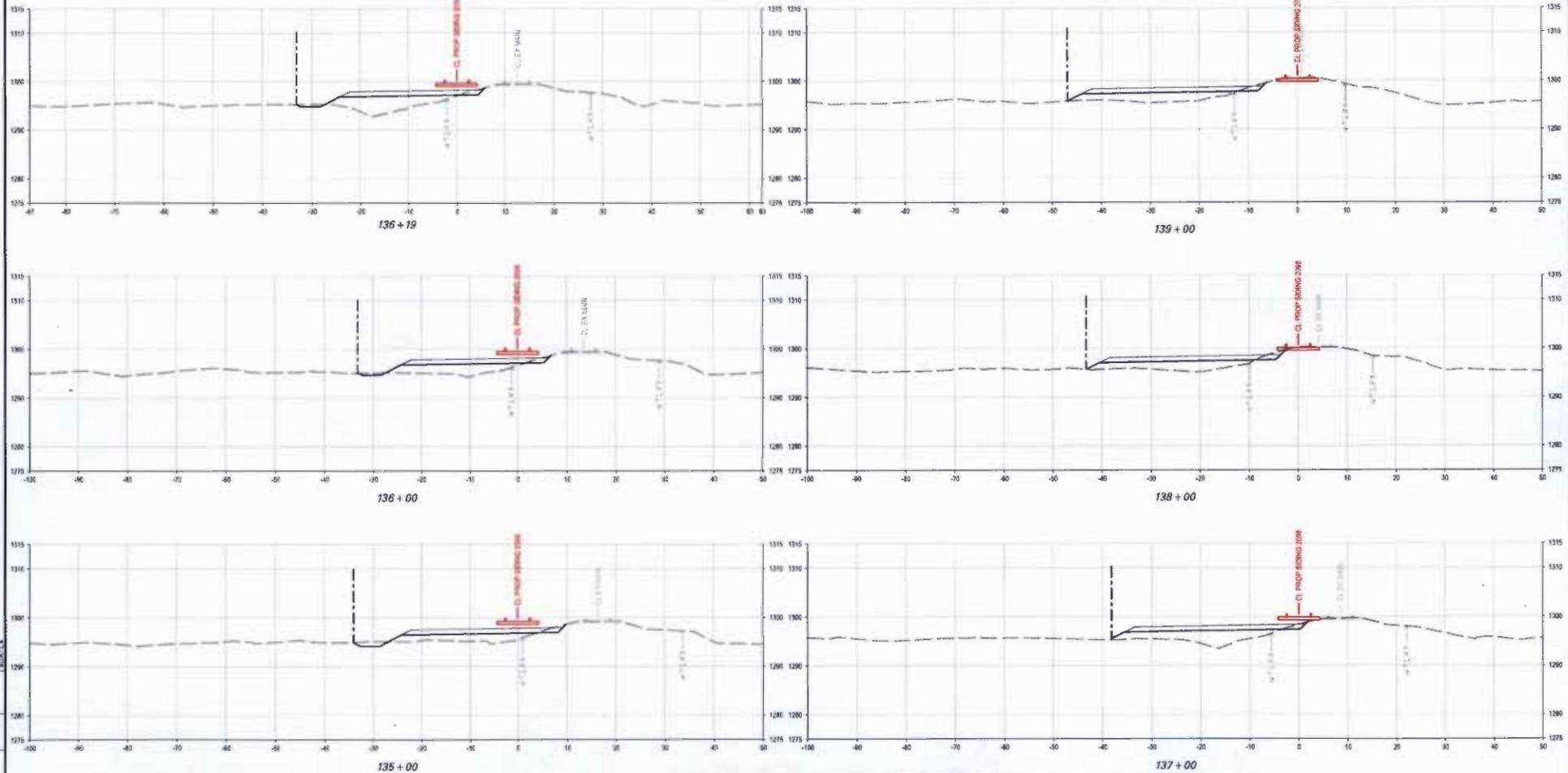
DESIGNED BY: RPR  
DRAWN BY: EPD/RPK  
CHECKED BY: ESB  
APPROVED BY:  
DATE: FEB. 17, 2014



BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
CROSS SECTIONS

CONTRACT NO:  
DRAWING NO: XS-116  
REVISION SHEET: 43 OF 45  
SCALE: AS SHOWN

REV	DATE	DESCRIPTION	BY	APP



START SECTION STA 135+00 TO END SECTION STA 139+00

NOT FOR CONSTRUCTION  
90% SUBMITTAL

DESIGNED BY	RPR
DRAWN BY	EPD/RPR
CHECKED BY	ESS
APPROVED BY	
DATE	FEB. 17, 2014



BNSF RAILWAY COMPANY  
LAKES SUBDIVISION  
GUNN YARD EXPANSION  
CROSS SECTIONS

CONTRACT NO.	
DRAWING NO.	XS-117
REVISION	SHEET 44 OF 45
SCALE	AS SHOWN

REV	DATE	DESCRIPTION	BY	APP