



US Army Corps
of Engineers
St Paul District

APPLICANT: Valleyfair Amusement
Park

Public Notice

ISSUED: April 10, 2015
EXPIRES: May 11, 2015

REFER TO: 2014-04059-RMM

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge dredged and fill material into 4.52 acres of wetland for the purpose of constructing a new road around the park for employee access and for the construction of a new parking lot. The Valleyfair expansion project includes a proposed road relocation that will be used by park guests and primarily park employees to access nonpublic areas of the park and two parking areas, one for guests and one for staff.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: Valleyfair Amusement Park / Cedar Fair LP
c/o Mindy Lawrence
1 Valleyfair Drive South
Shakopee, Minnesota 55379

AGENT'S ADDRESS: Barr Engineering
c/o Brian Burgner
4700 West 77th Street, Suite 200
Minneapolis, Minnesota 55435

PROJECT LOCATION: The project site is located in Sections 3 and 4, Township 115N., Range 22W., Scott County, Minnesota, as shown on the attached Figures labeled MVP-2014-04059-RMM Page 1 of 3 through Page 3 of 3.

DESCRIPTION OF PROJECT: Valleyfair is proposing to relocate a road that will be utilized by guests and staff and two proposed parking areas, one for guests and one for staff. The purpose for the road relocation and parking areas is to allow for expansion of the park attractions. When the park was constructed in the 1970s a levee was placed around the core of the park. This levee ties into upland areas of Highway 101 on the east and west sides of the park and circles the majority of the developed park. The parking area on the east end of the facility is outside of the levee as well as portions of three rides, along the west edge of the park. The location of the levee generally follows the 100-year floodplain. The existing staff road slated to be relocated, enters the park from Highway 101 and traverse through park attractions. The proposed road construction would take place on an existing road grade, which is currently not in service and a top the levee on the west side of the park. The two proposed parking lots to the north of the levee would be used by park maintenance and administrative staff as well as guests. These new parking lots would allow for some development of the existing parking lots within the levee.

QUANTITY, TYPE, AND AREA OF FILL: The project would result in the discharge of dredged and fill material into 4.52 acres of wetland. Please see the table below for a description of the impact sizes and types of wetlands impacted.

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Aquatic Resource ID	Aquatic Resource Type	Type of Impact	Duration of Impact	Size of Impact	Existing Plant Community Types
Wetland A Impact 1	Wetland	Fill	P	0.05 acre	Floodplain forest
Wetland A Impact 2	Wetland	Fill	P	2.37 acres	Floodplain forest
Wetland B	Wetland	Fill	P	0.20 acre	Floodplain forest
Wetland C	Wetland	Fill	P	0.13 acre	Shrub-carr
Wetland D	Wetland	Fill	P	0.04 acre	Floodplain forest
Wetland E	Wetland	Fill	P	0.12 acre	Open water basin
Wetland G	Wetland	Fill	P	0.09 acre	Open water basin
Wetland H	Wetland	Fill	P	0.02 acre	Floodplain forest
Wetland I	Wetland	Fill	P	1.25 acres	Floodplain forest
Wetland J	Wetland	Fill	p	0.25 acre	Wet meadow

SURROUNDING LAND USE: To project site is bordered to the south by Highway 101. The south side of Highway 101 is comprised mainly of commercial and industrial development. The Minnesota River and adjacent wetlands border the project site to the north. The project site is bordered to the east and west by wetlands. The project site is located within the 100 year flood plain boundary.

MITIGATION: The applicant proposes to provide compensatory mitigation for all permanent wetland fill activities (4.52 acres) by purchasing wetland credits at a 2:1 ratio from a Corps-approved bank in Bank Service Area 9.

PROJECT ALTERNATIVES: In addition to the applicant’s preferred alternative, 3 other alternatives were considered. A brief description of these alternatives is described below.

1. No Build Alternative. The no build would avoid impacts to wetlands; however, the applicant has stated it would not be ideal for Valleyfair.
2. Western Route Alternative. The applicant considered an alternative that would move the new staff road immediately west of the park. This roadway was the shortest of the routes considered. Additional advantages of this route include more efficient security for the park, and better access to the western extent of the existing rides. Wetland impacts for this route would have been significantly higher than the proposed route.
3. Eastern Route Alternative. The applicant considered an alternative that would route the road on the eastern side of the park. This route would have be located on the east side of the existing guest parking lot, and accessed by the guest entrance. The floodway encroaches on the guest

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parking lot from the north and prevented the route from extending along the north side of the parking lot because it would run adjacent to the levee on the north side of the park. Also, a roadway through the guest parking lot would likely restrict traffic flow and create a safety issue with the mix of guests, delivery trucks, and staff.

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 Ryan Malterud at the St. Paul office of the Corps, telephone number (651) 290 - 5286.

To receive Public Notices by e-mail, go to: http://mvp-extstp/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, Anoka County is within the known or historic range of the following Federally-listed proposed as endangered (PE) species:

<u>Species</u>	<u>Habitat</u>
Northern Long-eared Bat (PE)	Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.

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

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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:

1. Wetland Conservation Act Replacement Plan
2. NPDES Construction Stormwater Pollution Prevention Plan
3. City of Shakopee grading permit

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, Resource Management and Assistance 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.

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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.

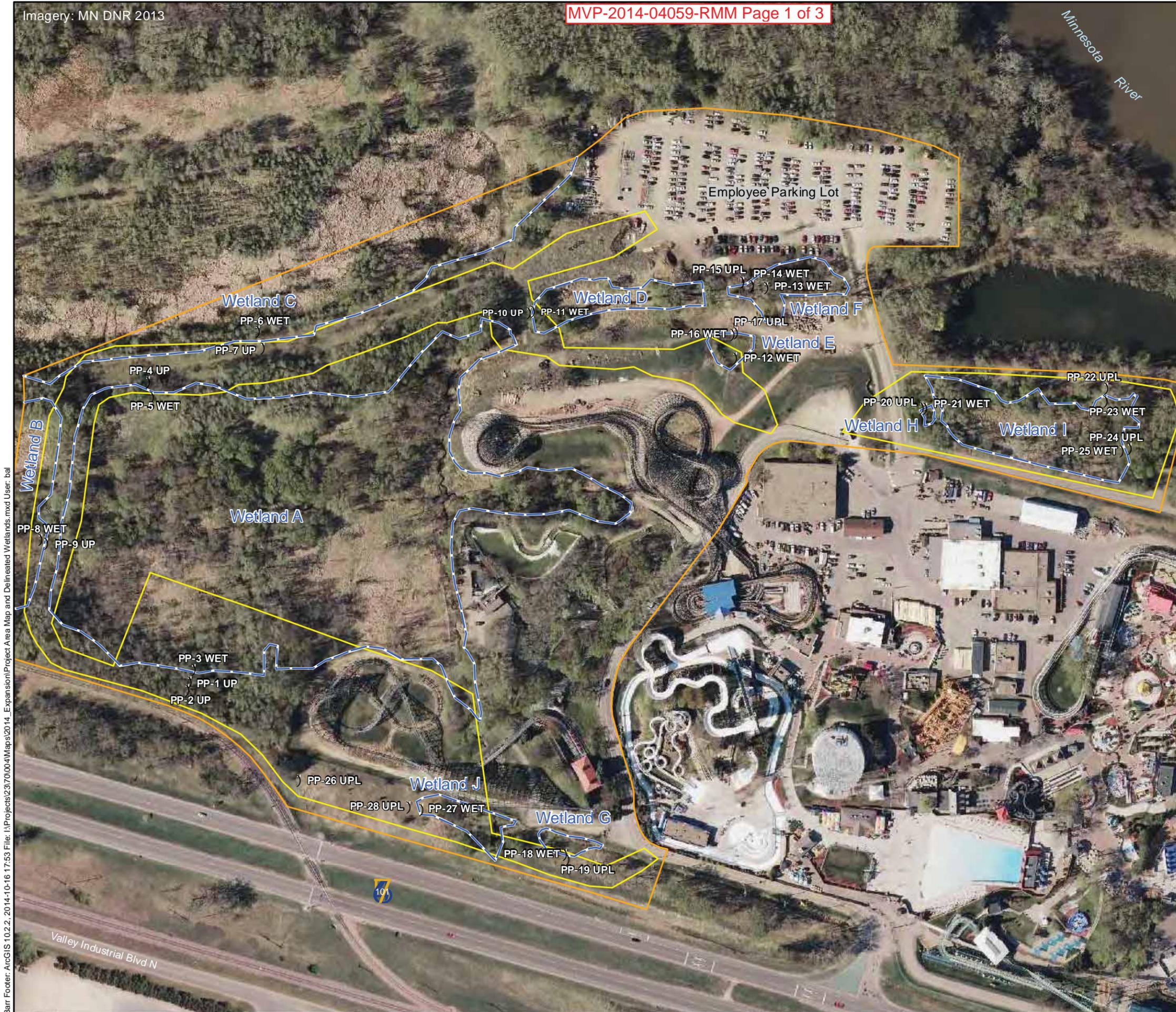
The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably 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.

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.

Tamara Cameron
Chief, Regulatory Branch

Enclosures

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



-) Wetland Plot Point
- - - Delineated Wetland Boundary
- ▭ Proposed Road And Parking Areas
- ▭ Evaluation Area

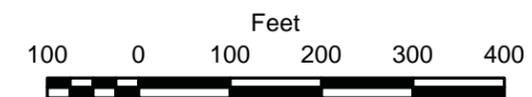
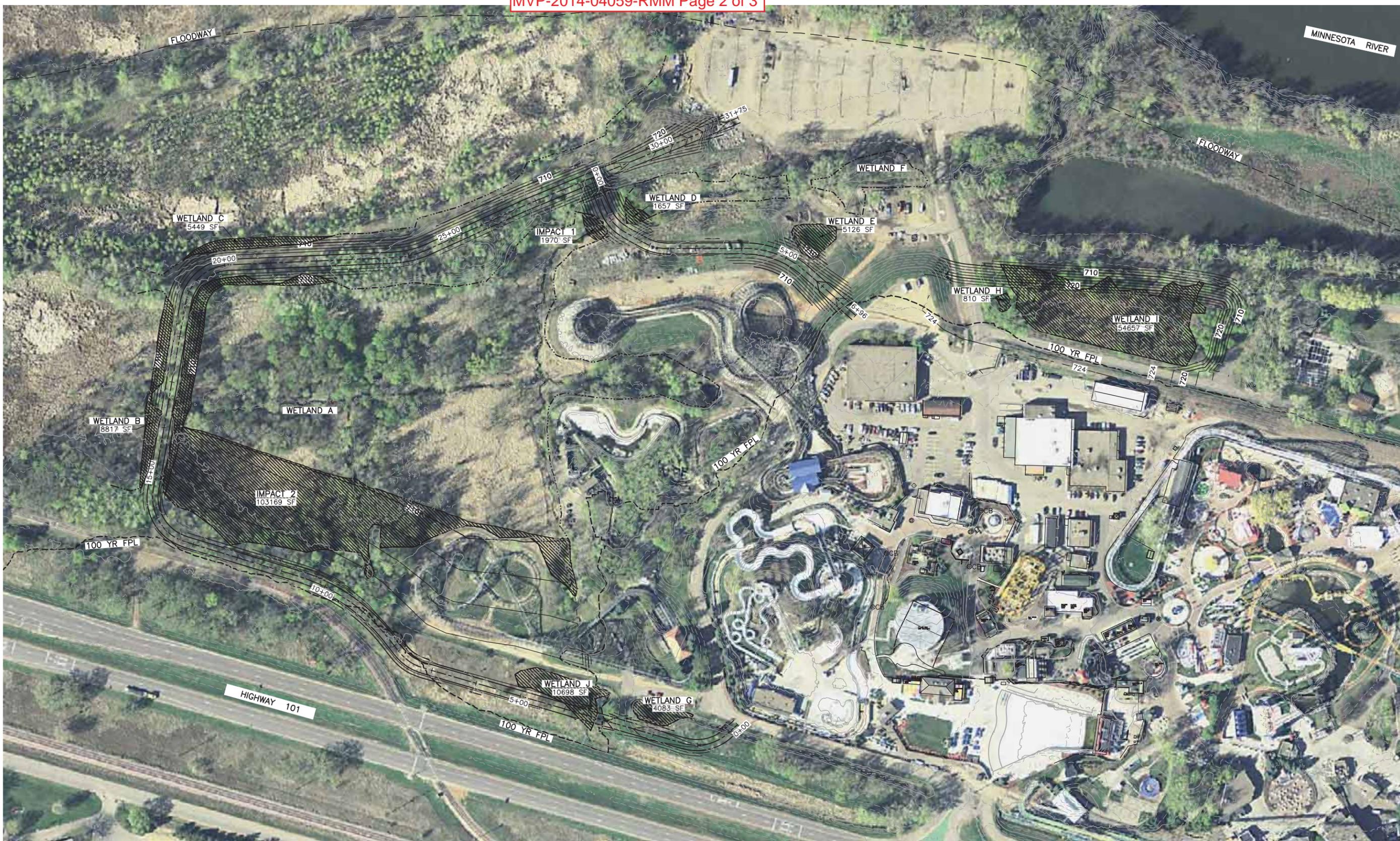


Figure 1
 EVALUATION AREA MAP
 AND DELINEATED WETLANDS
 Valley Fair
 Shakopee, Minnesota



1 PLAN: GRADING PLAN
 0 100 200
 SCALE IN FEET



PRELIMINARY
 DRAFT
 03/10/2015

NO.	BY	CHK.	APP.	DATE	REVISION DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

PRINTED NAME: _____
 SIGNATURE: _____
 DATE: _____ LICENSE #: _____

CLIENT										
BID										
CONSTRUCTION										
RELEASED TO/FOR	A	B	C	0	1	2	3			
DATE RELEASED										

BARR
 Corporate Headquarters:
 Minneapolis, Minnesota
 Ph: 1-800-632-2277

Project Office:
BARR ENGINEERING CO.
 4700 WEST 77TH STREET
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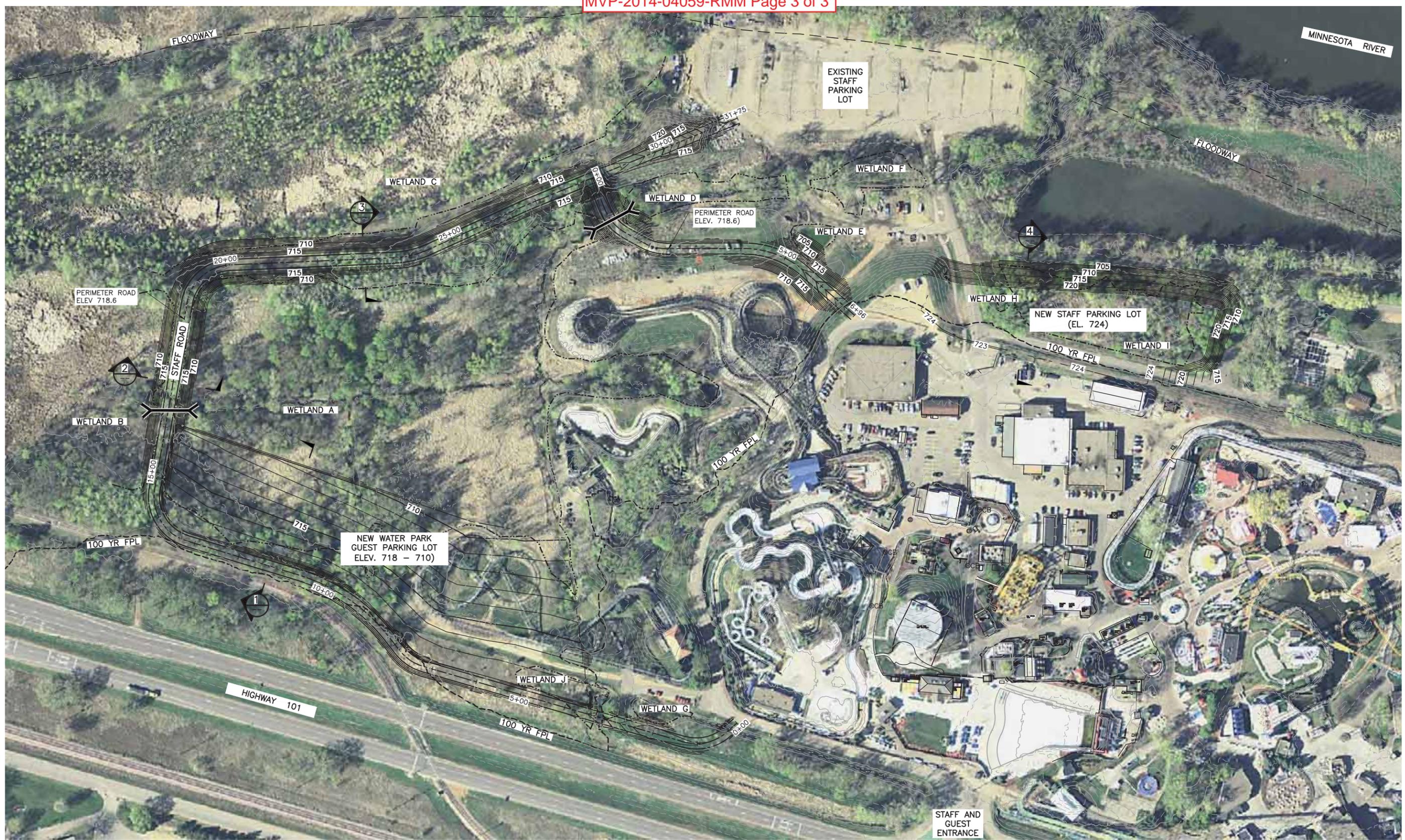
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Date	
Drawn	
Checked	
Designed	
Approved	

VALLEYFAIR
 SHAKOPEE, MN

2015 - EXPANSION
 PERIMETER ROAD & PARKING LOTS
 WETLAND IMPACTS

BARR PROJECT No.	23701004.00
CLIENT PROJECT No.	
DWG. No.	C-04
REV. No.	

CADD USER: Brian Hughes FILE: M:\DESIGN\23700004\2015 EXPANSION PERIMETER-WETLAND PERMIT-C-04-WETLAND IMPACTS.DWG PLOT SCALE: 1:2 PLOT DATE: 3/10/2015 11:24 AM
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1 PLAN: GRADING PLAN
 0 100 200
 SCALE IN FEET

PRELIMINARY
 DRAFT
 03/10/2015

CADD USER: Brian Hughes FILE: M:\DESIGN\23700004\23700004_2015 EXPANSION PERIMETER-WETLAND PERMIT-C-03-GRADING PLANDWG PLOT SCALE: 1:2 PLOT DATE: 3/10/2015 1:23 AM
 BARR M:\AutoCAD 2011\AutoCAD 2011 Support\enu\template\Barr_2011_Template.dwt Plot at 1 10/05/2010 14:03:50

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PRINTED NAME: _____
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 DATE: _____ LICENSE # _____

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VALLEYFAIR
 SHAKOPEE, MN

2015 - EXPANSION
 PERIMETER ROAD & PARKING LOTS
 GRADING PLAN

BARR PROJECT No.	23701004.00
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