



US Army Corps
of Engineers
St Paul District

APPLICANT: Kanabec County Public
Works Department

Public Notice

ISSUED: 11/26/2013

EXPIRES: 12/27/2013

REFER TO: 2013-01788-NJC

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material into 6.03 acres of wetlands adjacent to Mud Creek and an unnamed tributary to Mud Creek.

2. SPECIFIC INFORMATION.

APPLICANT'S ADDRESS: Kanabec County Environmental Services
903 Forest Avenue East
Mora, Minnesota 55051

PROJECT LOCATION: The project site is in Sections 11, 12, 13 and 14, T. 40 N., R. 23 W.; Sections 1 and 2, T. 40 N., R. 23 W.; Sections 19, 20, 29, 30 and 32, T. 41 N., R. 22 W., Kanabec County, Minnesota.

DESCRIPTION OF PROJECT: The road reconstruction is necessary due to both structural and geometrical deficiencies. The roadway's pavement, base, and sub-grade do not provide adequate strength to support traffic loads. The construction will consist of grading for shoulder widening, cross culvert replacements, pavement reclamation, aggregate shouldering, and bituminous resurfacing. Other features include the construction of a 4 acre storm water pond for treatment. The existing geometric alignments along with the roadway cross-sections do not meet the standard of safety necessary for reconstruction of county state-aid highways.

Safety concerns with the existing roadway geometry include a narrow lane width, narrow shoulders, steep ditch slopes, horizontal curve radii, and vertical curve sight distance.

Narrow lane widths affect traffic flow at the project traffic volume and present dangerous situations for motorist while meeting large farm equipment and during inclement weather.

Narrow shoulders do not accommodate safe passage for oversized equipment, pedestrian traffic or school bus stops. The existing shoulders are inconsistent in width ranging from 1-3 feet. The design standard requires a five foot shoulder in order to maintain a minimum shoulder width of four feet once future lifts of pavement are added.

Steep ditch slopes present a higher probability of a rollover when a vehicle leaves the roadway. The existing ditch slopes range from 1:2 to 1:3 (rise:run). The proposed ditch slopes are 1:4 to meet safety standards and to allow for safe maneuverability of maintenance equipment along the ditches.

Inadequate horizontal curve radii distances contribute to run-off-the-road accidents. The existing curve radii are adequate for 40 mph or less. This particular project includes back to back curves in opposite directions at the intersection of CSAH 5 and CR 74. The proposed design includes larger radius

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curves, adequate for 60 mph, at this location to provide safer road alignment to maneuver. In addition, proposed alignment adjustments provide an intersection angle closer to 90 degrees to provide better sight distance.

Portions of this project have sight distances on vertical curves that are less than the required stopping distance at 40 mph. Thus, the crest of the curve is too sharp to see an obstruction at a distance that allows adequate time to react and stop a vehicle traveling at 40 mph. This project proposes to adjust the vertical alignment to allow for adequate sight distance for a speed of 50 mph.

QUANTITY, TYPE, AND AREA OF FILL: The proposed project will result in the loss of 1.75 acres of fresh (wet) meadow, 0.71 acres of shallow marsh, 0.16 acres of shallow open water and 3.24 acres of shrub carr wetland habitat. The total projected impact for the project will be 6.03 acres of wetland loss.

VEGETATION IN AFFECTED AREA: The impacted wetland areas consist mainly of invasive species such as reed canary grass, narrow leaf cattail, giant reed grass; native shrubs such as willow species and speckled alder; and native forbs such as giant goldenrod. The affected wetlands are considered to be highly disturbed.

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 project location is primarily surrounded by resident farmsteads, cropland, forested and wetland areas.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The applicant proposes to utilize an approved erosion and sediment control plan which may include the use of silt fencing, staked hay bales, sediment filters and traps, erosion control matting, mulching, and crushed rock pads will be used where applicable during construction and site development activities. Temporary erosion and sediment control measures will be maintained during construction and will remain in place until all disturbed areas have been stabilized and vegetation has been reestablished.

MITIGATION: Wetland impacts caused as a result of this project will be compensated for by debiting 6.03 wetland mitigation banking credits from the Minnesota Board of Water and Soil Resources Road Replacement Program.

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 Nathan Campbell at the St. Paul office of the Corps, telephone number (651) 290-5324.

To receive Public Notices by e-mail, go to: 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. Morrison County is not within the known or historic range of any Federally-listed threatened (T) or endangered (E) species.

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 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: MNDNR Public Waters Work General Permit #2000-3038.

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.

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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.

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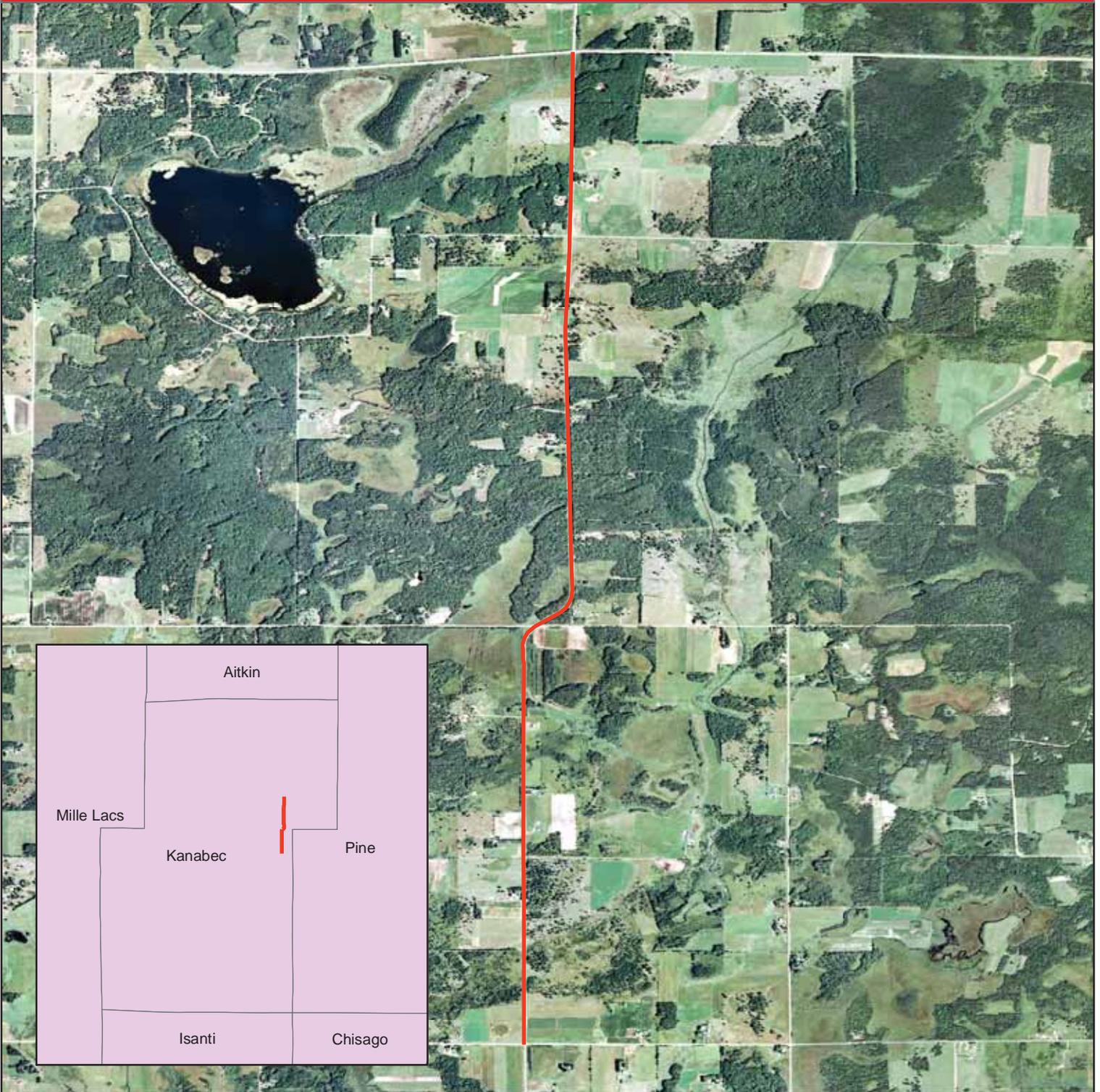
The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine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

Jeff Olson
Chief, Northwest Section

Enclosures: 2013-01788-NJC Drawing 1 of 2 – 2 of 2

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

2013-01788-NJC CSAH 5 Reconstruction Location



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— CSAH_5_Reconstruction



SAP 033-605-018 Wetland Impacts

