



**US Army Corps
of Engineers**
St Paul District

PUBLIC NOTICE

Applicant:
City of Shakopee
C/o Alex Jordan

Published: January 13, 2026
Expires: January 28, 2026

**St. Paul District
Permit Application No. MVP-2024-00766**

TO WHOM IT MAY CONCERN: The St. Paul District of the U.S. Army Corps of Engineers (Corps) has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. §1344) and Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. §403). The purpose of this public notice is to solicit comments from the public regarding the work described below:

APPLICANT: Alex Jordan
City of Shakopee

AGENT: Madeline Maurer
Bolton & Menk, Inc.
3300 Fernbrook Lane, Suite 300
Plymouth, MN 55447

WATERWAY AND LOCATION: The project would affect waters of the United States and navigable waters of the United States associated with Minnesota River. The project site is located in Section 6, Township 115 North, Range 21 West, and Section 1, Township 115N, Range 23W, Scott County, Minnesota. The approximate coordinates are Latitude 44.801409, Longitude -93.518885.

EXISTING CONDITIONS:

The area surrounding the proposed project includes urbanized development of downtown Shakopee, the Minnesota River floodplain, residential developments, agricultural land, wetland and forested areas.

The applicant noted that the project area includes Huber Park, Sweeney's Marina, former rodeo grounds, and portions of the Minnesota Valley State Trail and downtown Shakopee. The riverbank throughout the project area is experiencing severe erosion, which is actively impacting cultural resources, river habitat, regional park systems, and critical public sanitary sewer utilities. Significant riverbank restoration is required to provide lasting bank stability against more frequent and higher intensity flooding, which will include a combination of structural and bio-engineered solutions. A proactive approach to preserving these areas during flood conditions is necessary for the

protection of irreplaceable cultural and historic resources, the environment, and public welfare.

The proposed project would protect city infrastructure, relocate the Minnesota State Valley Trail from flood impacts, enhance flood mitigation measures, implement park improvements to better connect park users to the river, protect the Minnesota Riverbank, and revitalize the existing marina. The project also proposes new access points to the river for park users, utility improvements, and relocating storm water ponds. This application encompasses three single and complete projects: Minnesota Riverbank restoration and stabilization along Huber Park, revitalization of Sweeney's Historic Marina, and maintenance of the Minnesota Riverbank near the public boat landing. The applicant stated that the vegetation along the river and within Huber Park is low quality (i.e. turf grass, invasive species, weedy shrubs and trees).

PROJECT PURPOSE:

Basic: The basic purpose of this project, as determined by the Corps, is bank stabilization and marina maintenance.

Overall: The overall purpose of this project is to protect city infrastructure, enhance flood mitigation measures, implement park improvements to better connect park users to the river, protect the Minnesota Riverbank, and revitalize the existing marina.

PROPOSED WORK:

Construction is anticipated to vary widely across the project limits. The applicant requests authorization to excavate 0.65 acres (2,405 linear feet) of the Minnesota River and requested authorization for temporary disturbance of 3.36 acres (2,783 linear feet) of the Minnesota River for construction of the bank grading. In the area east of the Highway 101 bridge to the historic marina, significant bank grading will help to bring the riverbank to a more stable slope to manage continuous bank erosion. Slopes will be graded from nearly vertical, incised banks to gentler, flatter slopes (3:1 and 4:1) using grading equipment operated from the land side of the river. The bank will be stabilized with riprap up to the 2-year flood elevation, then transition into a "soft armoring" approach to the 5-year flood elevation. No "soft armoring" will be below the OWHM for USACE review.

For the marina area of the project, the proposed project would result in the permanent discharge of fill in 0.01 acres fresh wet meadow wetland and the excavation of 1.30 acres of open water. The marina is currently shallow for small watercraft users and the channel is extremely narrow and unpassable. The proposed project would restore the historic marina by making reconnecting the marina to the river, performing grading and dredging to support operational use, and ultimately bringing people to the river.

QUANTITY, TYPE, AND AREA OF FILL:

Table 1: Aquatic Resources and Impact Durations.

Aquatic Resource	Resource Type	Activity	Duration	Amount
Minnesota River	River	Excavation	Permanent	2,405 linear feet, 0.65 acres
Minnesota River	River	Construction Disturbance	Temporary (90 days)	2,783 linear feet, 3.36 acres
Marina	Wetland	Discharge of Fill	Permanent	0.01 acres
Marina	Wetland	Excavation	Temporary (90 Days)	1.30 Acres
Unnamed Tributary	Tributary	Excavation	Temporary (90 Days)	35 linear feet 0.01 acres

SOURCE OF FILL MATERIAL: Fill material would be sourced by the contractor selected to construct the project.

DESCRIPTION OF DREDGING OR EXCAVATION: The proposed project would result in the permanent discharge of fill in 0.01 acres fresh wet meadow wetland and the excavation of 1.30 acres of open water.

The marina is too shallow for small watercraft users and the channel is extremely narrow and unpassable. The proposed project would restore the historic marina by making it ADA-compliant, reconnecting the marina to the river, performing grading and dredging to support operational use, ultimately bringing people to the river.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: The applicant has not indicated the presence of any toxic materials within the project area.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: As part of this application process, the applicant must apply for an individual 401 Water Quality Certification (WQC). The applicant would utilize best management practices during the project construction to protect water quality and prevent adverse environmental effects.

AVOIDANCE AND MINIMIZATION: The applicant has provided the following information in support of efforts to avoid and/or minimize impacts to the aquatic environment:

The applicant reported in their application and many pre-application meetings that minimization was achieved by various activities to reduce impacts to the river and wetlands, most notably removal of the originally designed bendway weirs and additional hard armoring. Previous project design called for bendway weirs to provide additional protection for the sanitary sewer line. This would have impacted the river an additional 1,737-If (1.69-ac). They were not pursued because their benefits of deflecting the river's force away from the southern banks was determined to not be great enough to justify the disruption to the banks and riverbed. The proposed alternative of riprap armoring of the riverbanks was chosen as the least impactful but still adequate protection of the sanitary sewer line. Other site plan alternatives included additional impacts because of marina grading and relied solely on hard-armoring techniques, rather than incorporating vegetated upper banks. To address these additional impacts, the design will incorporate soft-armoring techniques and minimize disturbances below the OHWM to the greatest extent possible. Impacts to Wetland 3 have been completely avoided.

Slopes along the marina and Minnesota Riverbanks will be 3:1. Previous design iterations called for a 6:1 slope, requiring substantially more excavation and grading. Additional minimization was achieved by incorporating retaining walls along the river, where outlook areas are proposed. Minimization will also be achieved by restricting disturbance limits within wetlands and the river to the greatest extent allowable, and by implementing appropriate erosion control measures to prevent sedimentation in non-impacted wetlands and any receiving waters. Bio-engineered solutions, such as soft-armoring the upper riverbanks, are proposed on top of the hard armored structural solutions (riprap). Vegetation in Wetland 2 will be preserved to the extent possible to minimize impacts. Tree removal within the floodplain forest areas will also be minimized and preserved to the extent possible.

COMPENSATORY MITIGATION:

The applicant has provided the following explanation why compensatory mitigation should not be required:

The project will provide functional lifts and improve the existing conditions by stabilizing the eroding riverbank and prevent further erosion from occurring. The proposed project will provide functional lifts by reducing concentrated flow points, slope flattening, and enhancing the riparian corridor. According to the SQT, these activities generally improve the functional rating outcome. The project also improves the existing conditions by stabilizing the eroding riverbank, via bio-engineering and hard armoring techniques, that will prevent further erosion from occurring. Impacts to vegetation will be mitigated by replanting a mix of native species in a variety of plant communities. The planting plan will result in a net-positive of native vegetation and diversity.

The applicant proposed a planting plan so that the site will result in a net-positive of native vegetation and diversity. Proposed tree plantings will match the existing native species typically found within the MnDNR NPC plant communities. The riverbank vegetated riprap and other areas prone to flooding (Marina Banks and Wet Prairie) will

be planted with native seed mixes and shrubs that prefer wetter soils. The seed mixes selected are MnDOT Wet Ditch and Prairie Moon Detention Basin. The upland prairie areas will be planted with the MnDOT Southern Shortgrass Roadside native seed mix. The mesic oak-basswood forest area will be planted with native shrubs and trees, along with the Prairie Moon Shady Woodland seed mix. A few areas will be maintained as turf grass for recreational use (Planting Plan). Some areas will be landscaped and planted with individual native plants, such as Lead Plant, Sumac, and Burr Oak. The seed mix areas will be maintained by mowing, herbicide spot treatments, and possible prescribed burns. These maintenance activities will ensure invasive species or noxious weeds are suppressed while the native species establish. Once the native plant communities are established, less maintenance will be needed, however, mowing or prescribed burns every 2-3 years will suppress woody species encroaching the prairie areas.

CULTURAL RESOURCES:

The Corps is evaluating the undertaking for effects to historic properties as required under Section 106 of the National Historic Preservation Act. This public notice serves to inform the public of the proposed undertaking and invites comments including those from local, State, and Federal government Agencies with respect to historic resources. Our final determination relative to historic resource impacts may be subject to additional coordination with the State Historic Preservation Officer, federally recognized tribes and other interested parties.

ENDANGERED SPECIES: The Corps has performed an initial review of the application and the U.S. Fish and Wildlife Service (USFWS) Information for Planning and Consultation (IPaC) to determine if any threatened, endangered, proposed, or candidate species, as well as the proposed and final designated critical habitat may occur within the boundary of the proposed project. Based on this initial review, the Corps has made preliminary determinations that the proposed project may affect species and critical habitat listed in Table 2 below.

Table 2: ESA-listed species and/or critical habitat potentially present in the action area.

Common Name	Scientific Name	Federal Status	Determination
Northern Long-eared Bat	<i>Myotis septentrionalis</i>	Endangered	No Effect
Tricolored Bat	<i>Perimyotis subflavus</i>	Proposed Endangered	No Jeopardy
Whooping Crane	<i>Grus americana</i>	Experimental Population, Non-Essential	No Jeopardy
Monarch Butterfly	<i>Danaus plexippus</i>	Proposed Threatened	No Jeopardy
Rusty Patched Bumble Bee	<i>Bombus affinis</i>	Threatened	May affect, not likely to adversely affect

Western Regal	<i>Argynnис idalia occidentalis</i>	Proposed Threatened	No Jeopardy
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Pursuant to Section 7 ESA, any required consultation with the Service(s) will be conducted in accordance with 50 CFR part 402.

This notice serves as request to the U.S. Fish and Wildlife Service for any additional information on whether any listed or proposed to be listed endangered or threatened species or critical habitat may be present in the area which would be affected by the proposed activity.

NAVIGATION: Based on the Minnesota State Plane coordinates provided by the applicant, the waterward edge of the proposed structure is approximately 15 feet away from the near bottom edge of the Minnesota River federal channel.

SECTION 408: The applicant will not require permission under Section 14 of the Rivers and Harbors Act (33 USC 408) because the activity, in whole or in part, would not alter, occupy, or use a Corps Civil Works project.

WATER QUALITY CERTIFICATION: Valid Section 404 permits cannot be issued for any activity unless water quality certification for the activity is granted or waived pursuant to Section 401 of the Clean Water Act. The Section 401 authority for this project is MPCA. A Department of the Army permit will not be granted until the MPCA has issued or waived Section 401 WQC certification and the U.S. Environmental Protection Agency (USEPA) neighboring jurisdiction process is completed. Corps Section 404 Clean Water Act decisions may not be finalized until after the USEPA completes this process.

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 Section 401 of the Clean Water Act (33 U.S. Code 1341 (a)(1)). The MPCA has indicated that if, at a later date, it makes a preliminary anti-degradation determination regarding Section 401 Water Quality Certification, it will at that time plan to issue an additional public notice under Minnesota Rules Part 7001.

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
 401Certification.PCA@state.mn.us

EVALUATION: 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 benefits, 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 cumulative impacts thereof; among these are conservation, economics, esthetics, general environmental concerns, wetlands, historical properties, 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, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people. Evaluation of the impact of the activity on the public interest will also include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act or the criteria established under authority of Section 102(a) of the Marine Protection Research and Sanctuaries Act of 1972. A permit will be granted unless its issuance is found to be contrary to the public interest.

COMMENTS: The Corps 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 to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this determination, comments are used to assess impacts to 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 (EA) and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act (NEPA). Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

The St. Paul District will receive written comments on the proposed work, as outlined above, until January 28, 2026. Comments should be submitted electronically via the Regulatory Request System (RRS) at <https://rrs.usace.army.mil/rrs> or by email to Rachel.Gralnek@usace.army.mil. Please refer to the permit application number in your comments.

If electronic submittal is not available, you may submit comments in writing to:

(Replace with Field Office address if needed)
Regulatory Division
St. Paul District Corps of Engineers
332 Minnesota Street, Suite E1500
St. Paul, MN 55101-1323

IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Rachel Gralnek at the Saint Paul office at 651-290-5276 or Rachel.Gralnek@usace.army.mil.

To receive Public Notice notifications, go to:
<https://www.mvp.usace.army.mil/Contact/RSS/> and subscribe to the RSS Feed for which you would like to receive Public Notices.

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.

Enclosures:
Figures MVP-2024-00766 Pages 1 of 3 to 3 of 3
Planting plan

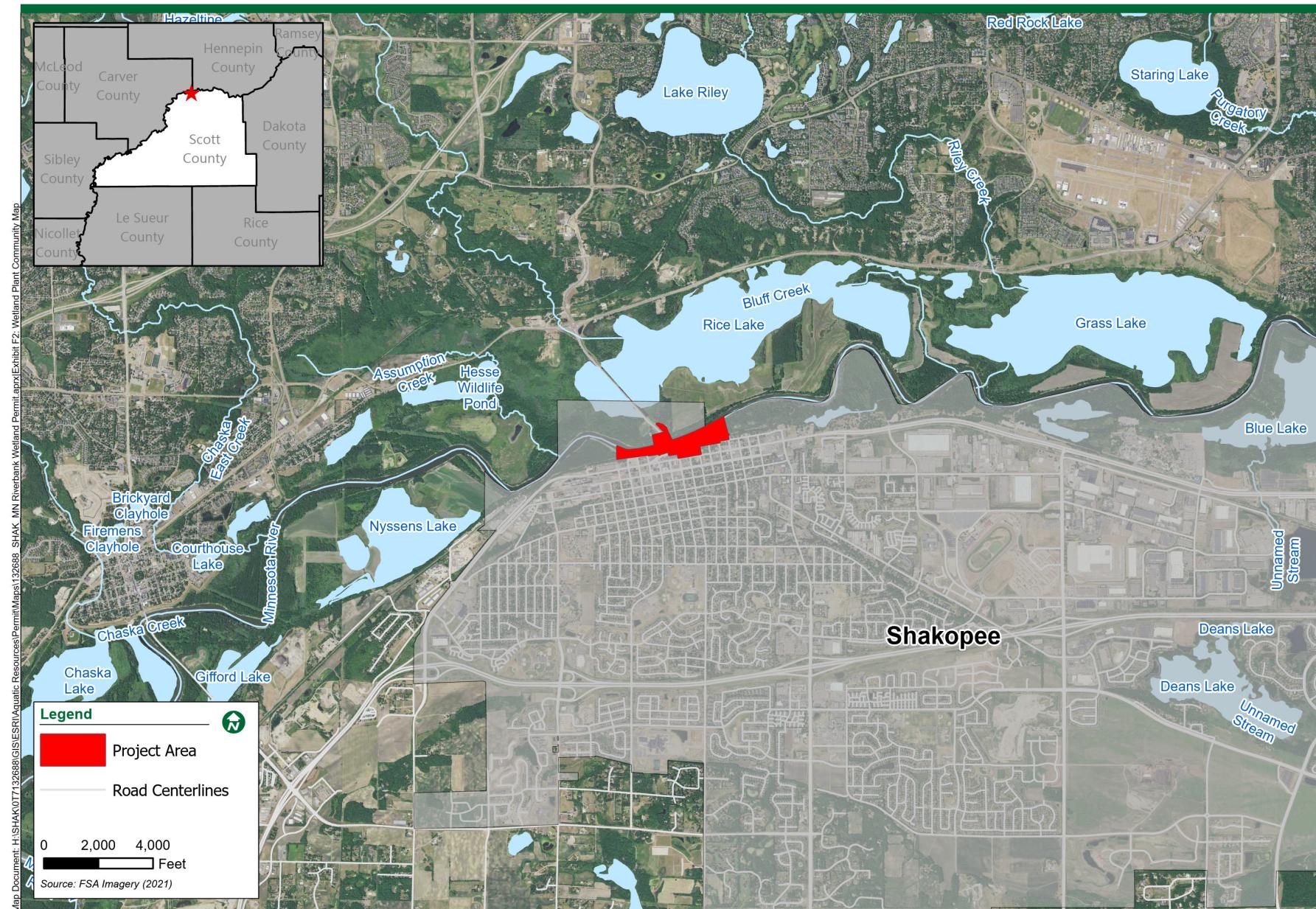


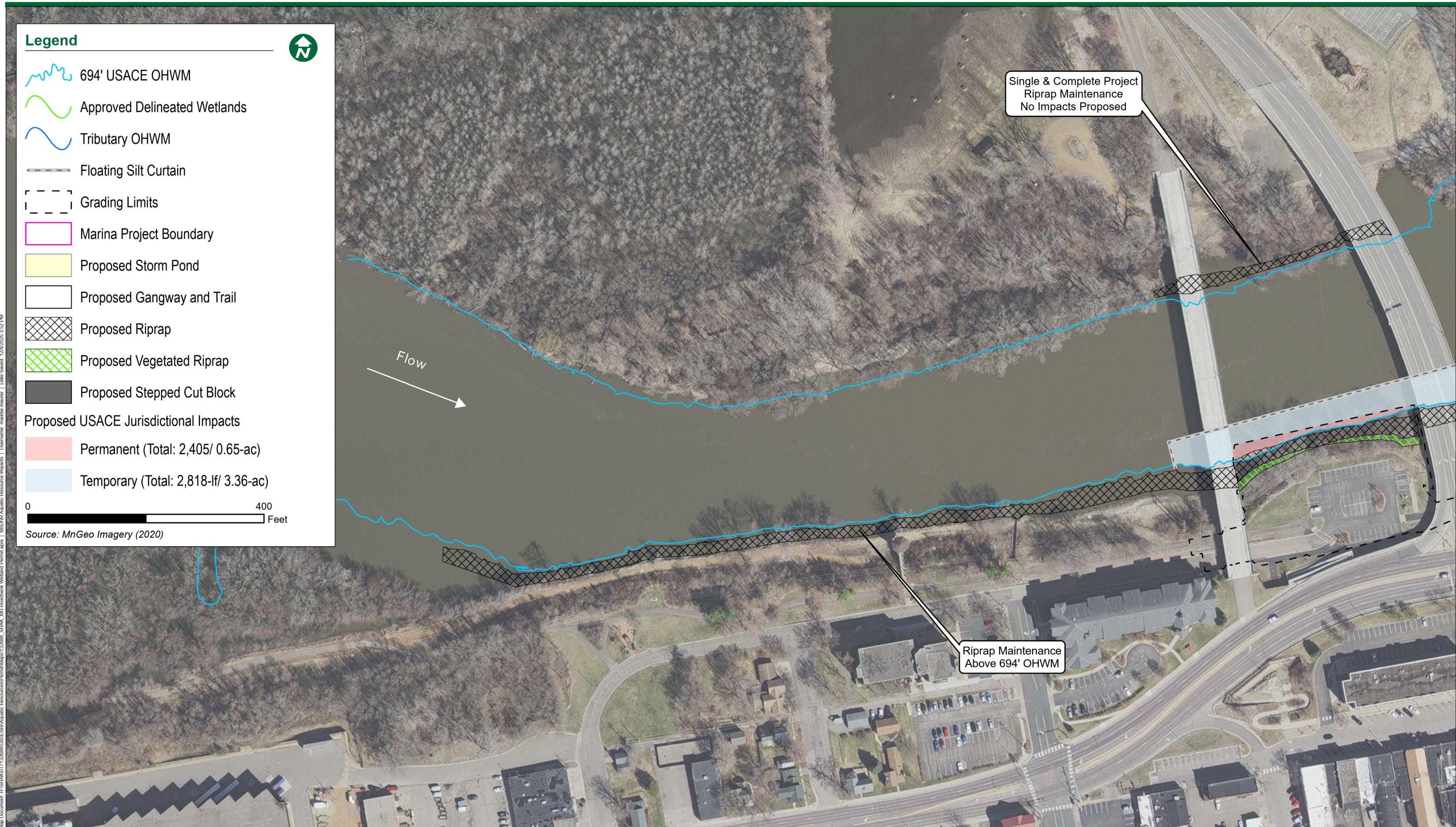
Minnesota Riverbank Protection and Parks Integration

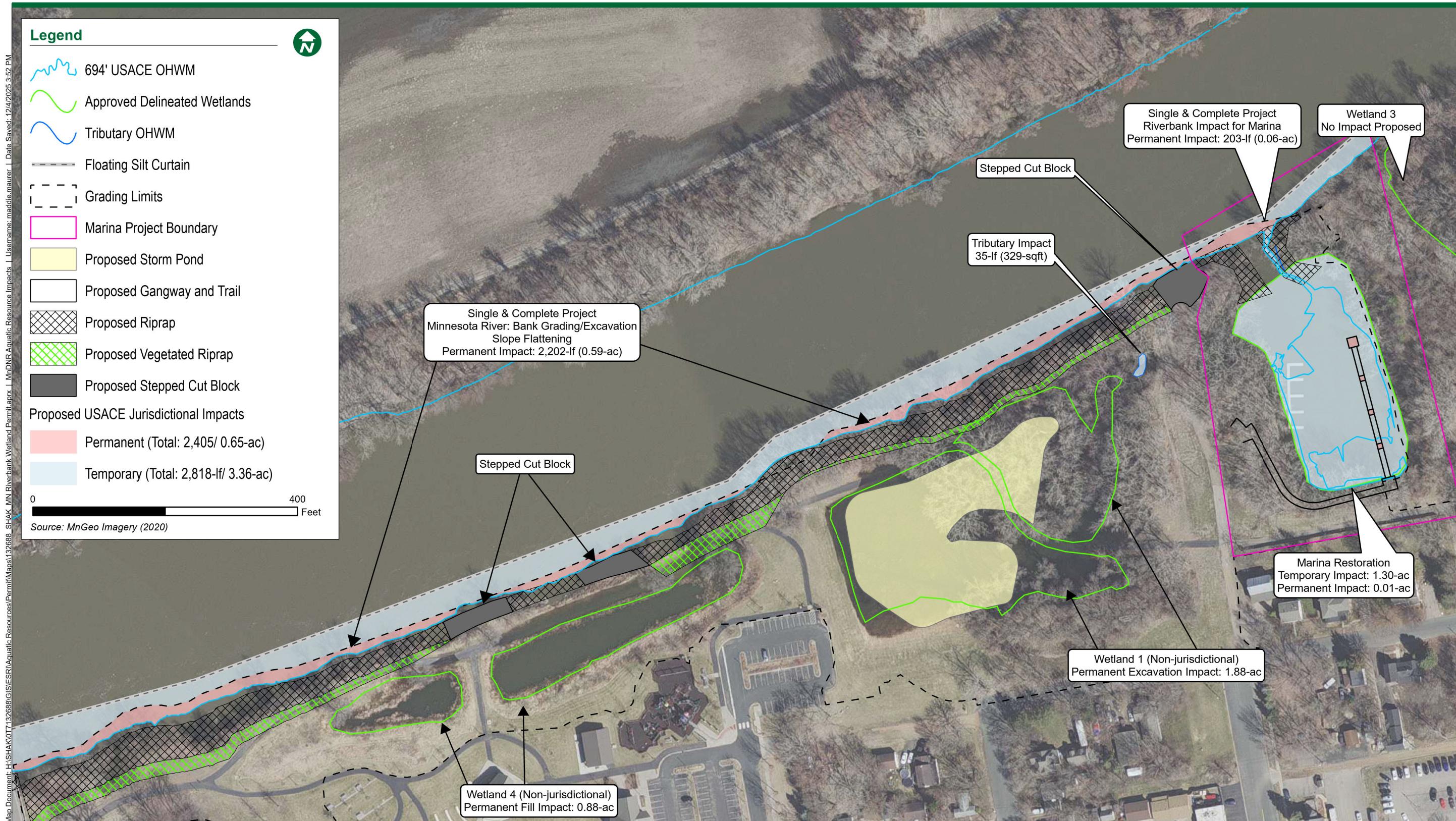
Shakopee, Scott County, MN

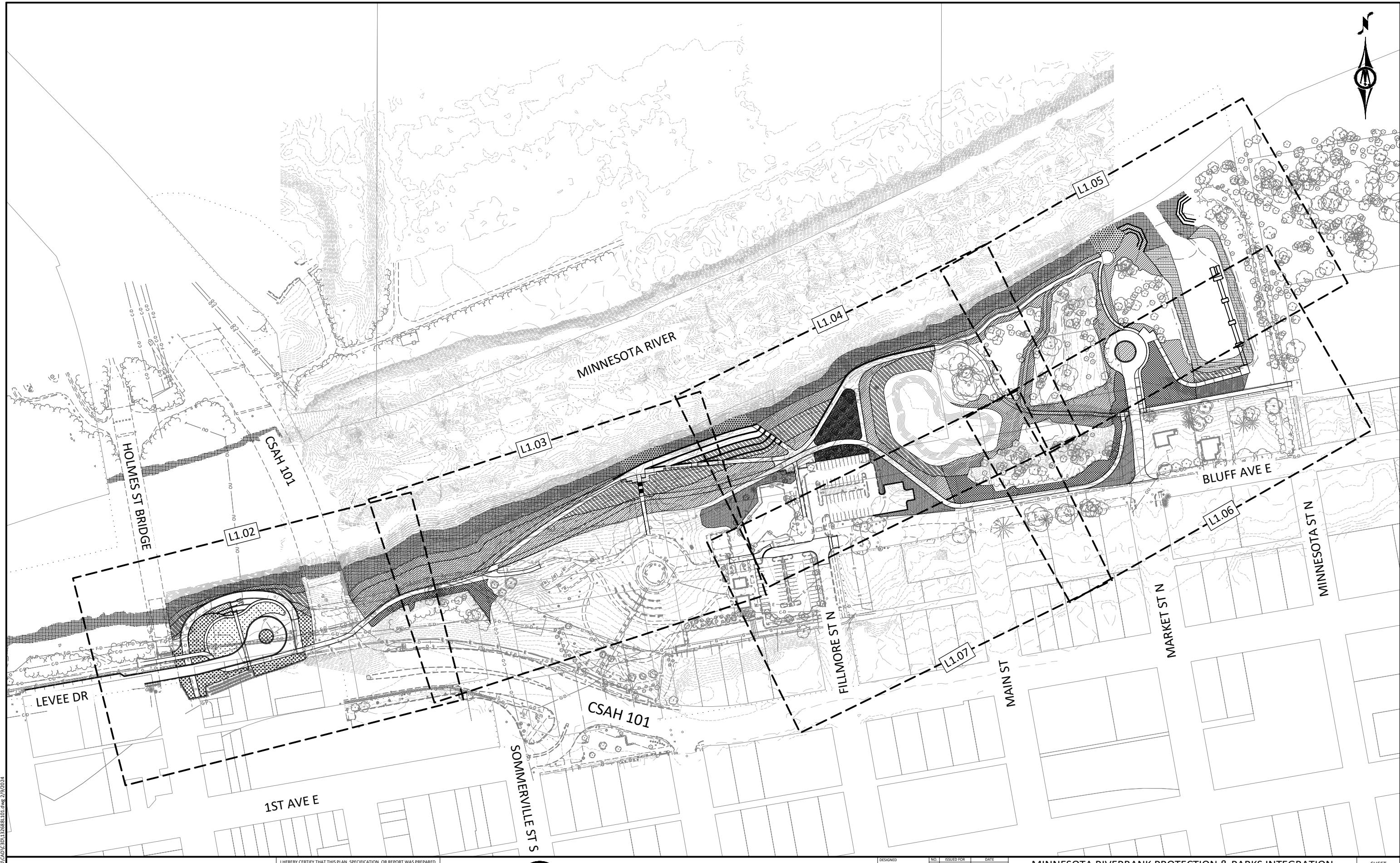
Figure 1: Location Map

December 2025









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SCALE

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 LANDSCAPE ARCHITECT UNPRACTICED LAW OF THE STATE OF MINNESOTA.
DRAFT
LIC. NO. _____ DATE _____



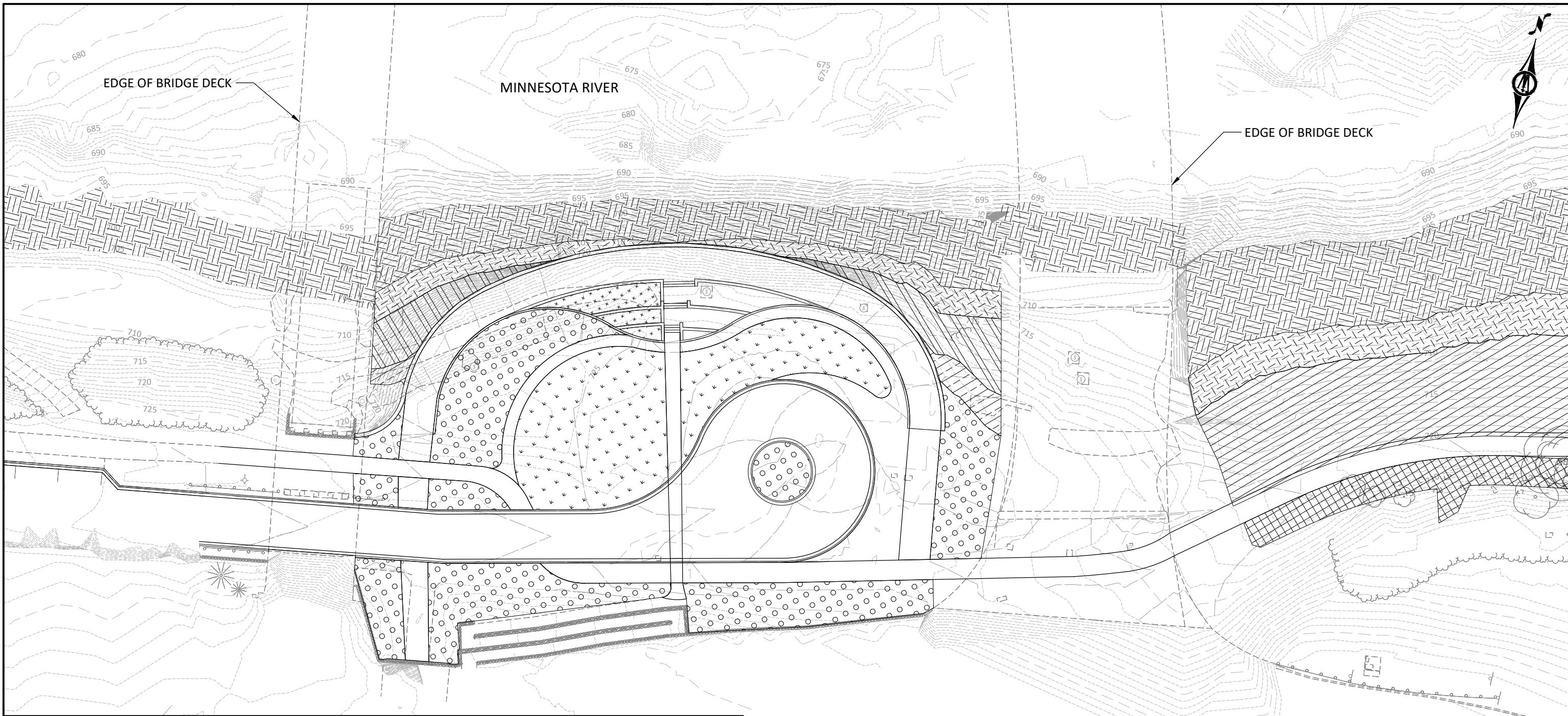
BOLTON & MENK

111 WASHINGTON AVE S, SUITE 650
MINNEAPOLIS, MINNESOTA 55401
Phone: (612) 416-0220
Email: Minneapolis@bolton-menk.com
www.bolton-menk.com

DESIGNED	NO.	ISSUED FOR	DATE
DRAWN	JHR		
CHECKED			
CLIENT PROJ. NO.	077.132688		

MINNESOTA RIVERBANK PROTECTION & PARKS INTEGRATION
CITY OF SHAKOPEE, MINNESOTA
PLANTING KEY PLAN

SHEET
L1.01



PLANT SCHEDULE

VEGETATED RIP RAP	25,778 SF	MESIC OAK-BASSWOOD FOREST	32,031 SF	OVERLOOK SHADE TREES & LAWN	11,427 SF
MARINA BANKS	17,503 SF	MESIC SAVANNA	26,877 SF	STEPPED CUT BLOCK	9,001 SF
TERRACE FOREST	74,877 SF	DRY SAVANNA	14,348 SF	RIP RAP	SEE C2.XX FOR SF
WET PRAIRIE	41,649 SF	ART PLAZA SHADE TREES & LAWN	9,096 SF		
MESIC PRAIRIE	41,548 SF	MEDICINE GARDENS	1,299 SF		

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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 LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.
DRAFT
LIC. NO. _____ DATE _____

BOLTON & MENK

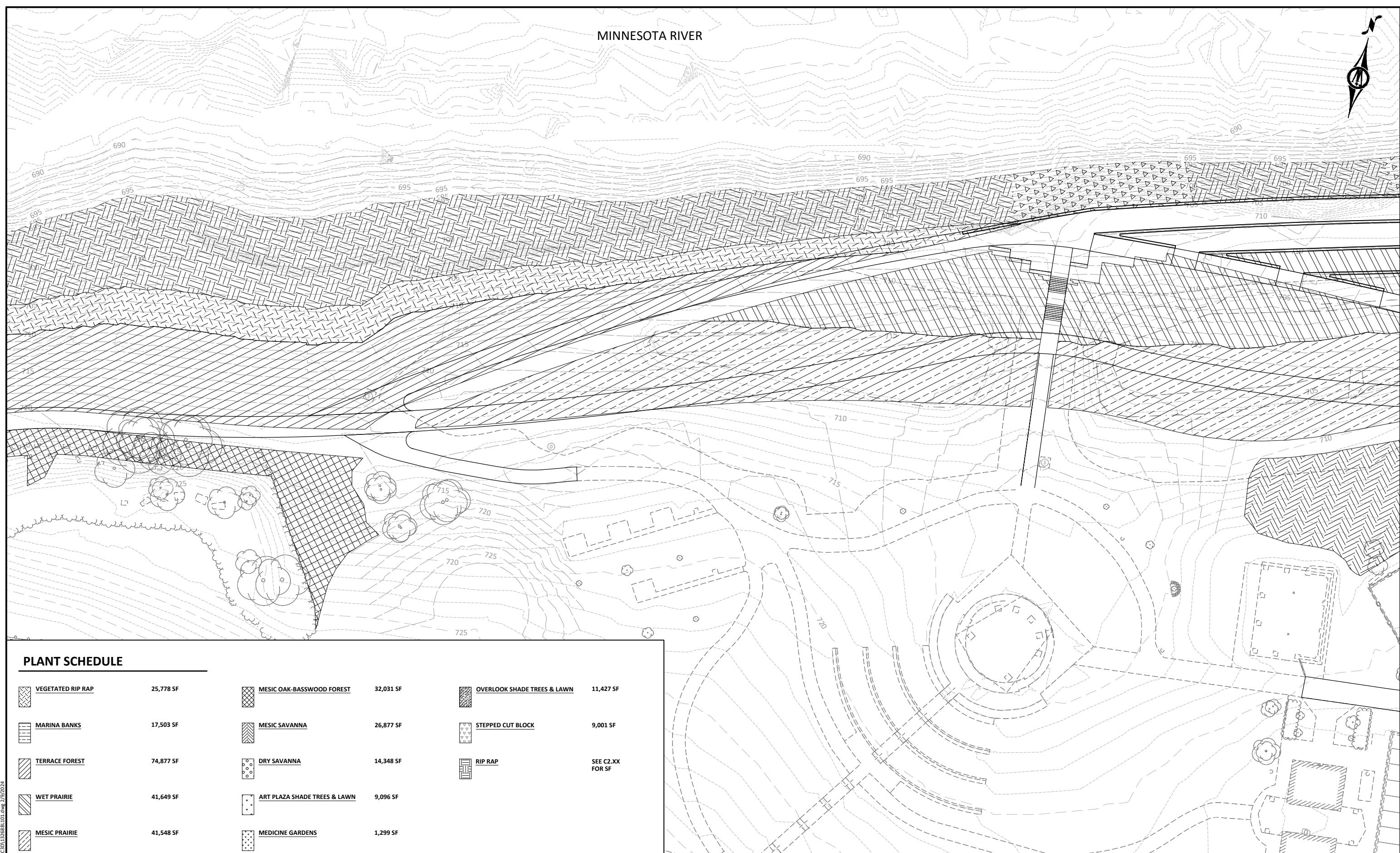
111 WASHINGTON AVE S, SUITE 650
MINNEAPOLIS, MINNESOTA 55401
Phone: (612) 416-0220
Email: Minneapolis@bolton-menk.com
www.bolton-menk.com

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MINNESOTA RIVERBANK PROTECTION & PARKS INTEGRATION
CITY OF SHAKOPEE, MINNESOTA
PLANTING PLAN - ART PLAZA

SHEET
L1.02

MINNESOTA RIVER



PLANT SCHEDULE

VEGETATED RIP RAP	25,778 SF	MESIC OAK-BASSWOOD FOREST	32,031 SF	OVERLOOK SHADE TREES & LAWN	11,427 SF
MARINA BANKS	17,503 SF	MESIC SAVANNA	26,877 SF	STEPPED CUT BLOCK	9,001 SF
TERRACE FOREST	74,877 SF	DRY SAVANNA	14,348 SF	RIP RAP	SEE C2.XX FOR SF
WET PRAIRIE	41,649 SF	ART PLAZA SHADE TREES & LAWN	9,096 SF		
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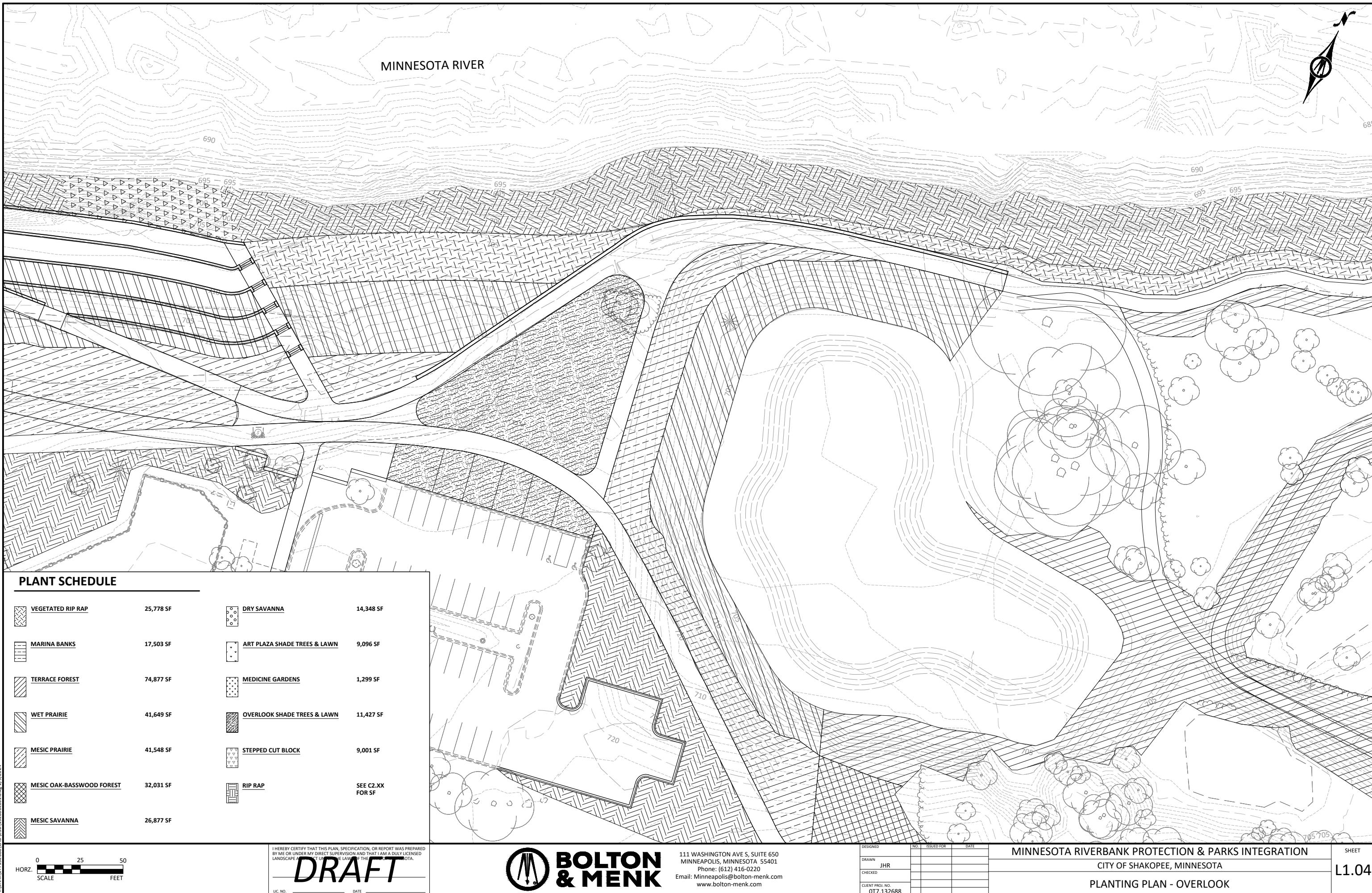


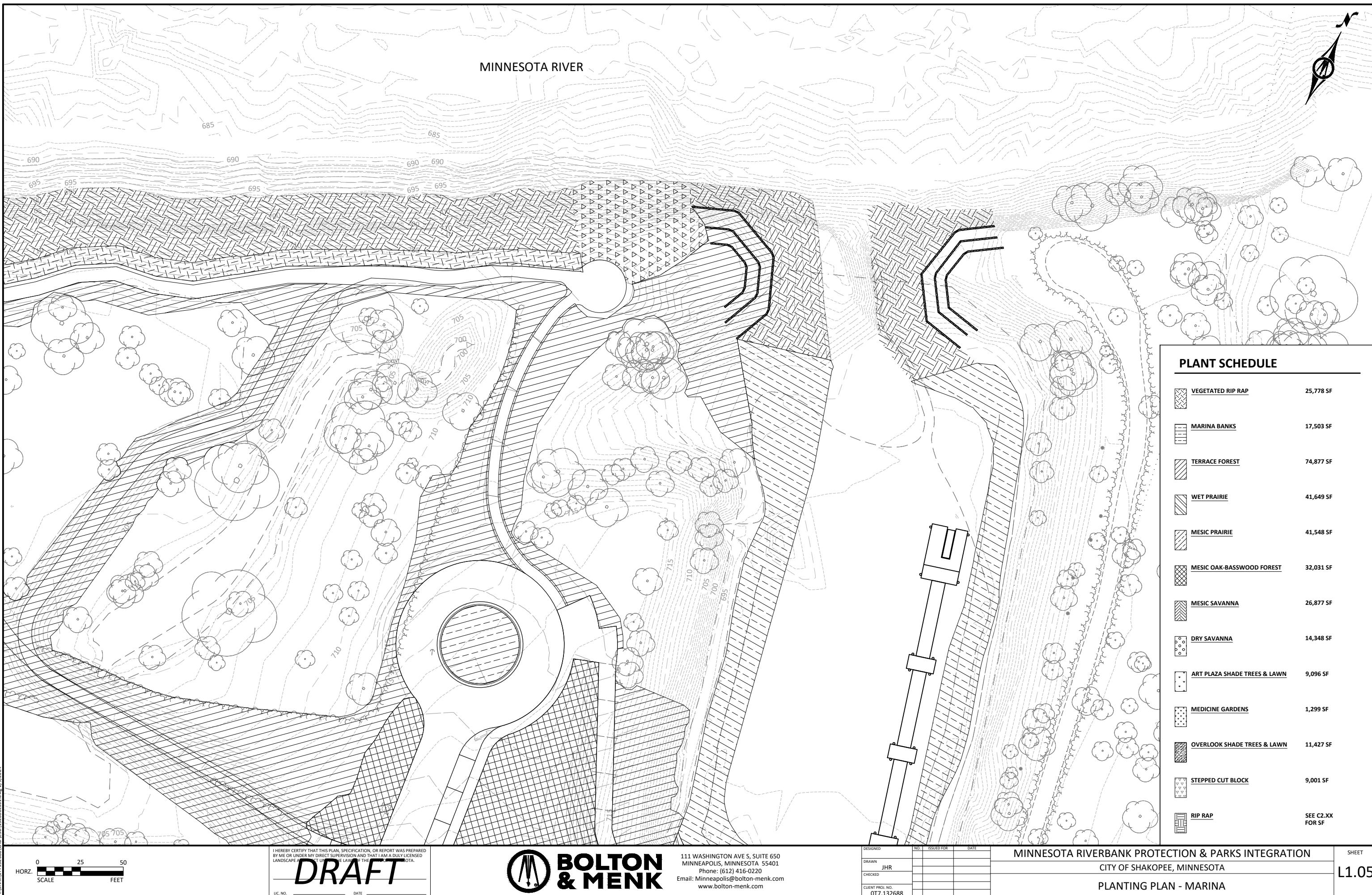
111 WASHINGTON AVE S, SUITE 650
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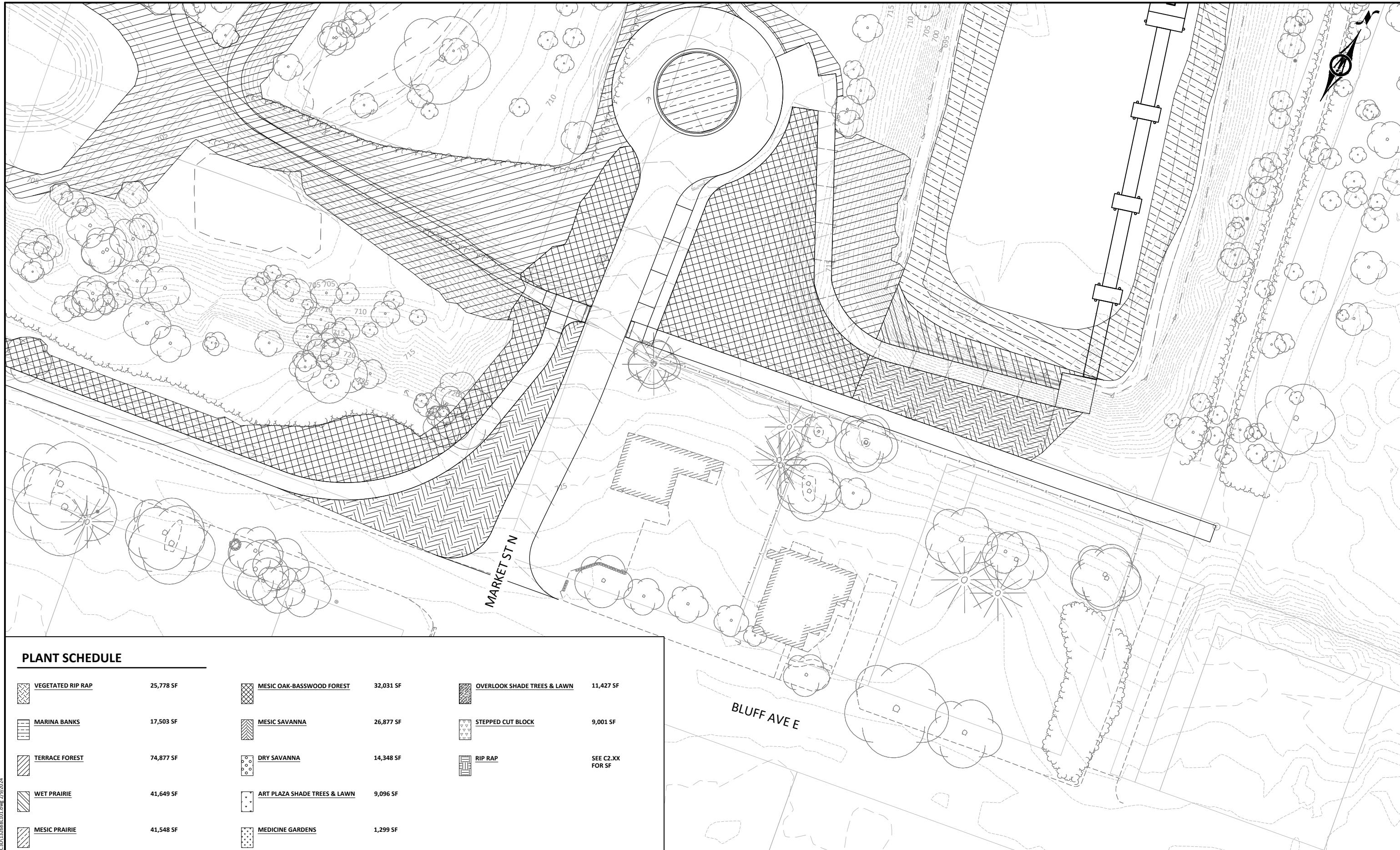
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CLIENT PROJ. NO.	077.132688		

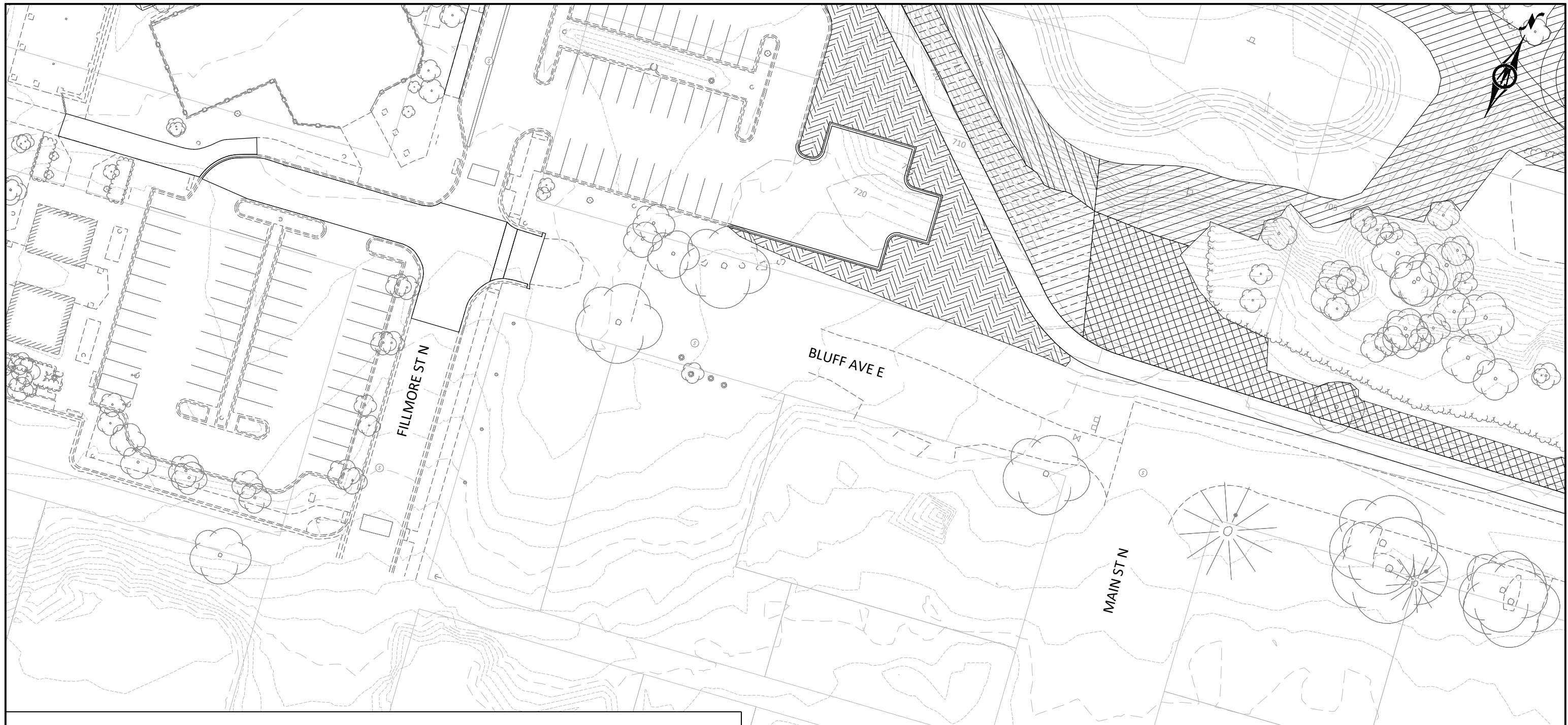
MINNESOTA RIVERBANK PROTECTION & PARKS INTEGRATION
CITY OF SHAKOPEE, MINNESOTA
PLANTING PLAN - AMPHITHEATER

SHEET
L1.03









PLANT SCHEDULE

VEGETATED RIP RAP	25,778 SF	MESIC OAK-BASSWOOD FOREST	32,031 SF	OVERLOOK SHADE TREES & LAWN	11,427 SF
MARINA BANKS	17,503 SF	MESIC SAVANNA	26,877 SF	STEPPED CUT BLOCK	9,001 SF
TERRACE FOREST	74,877 SF	DRY SAVANNA	14,348 SF	RIP RAP	SEE C2.XX FOR SF
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DRAFT
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CLIENT PROJ. NO.	077.132688		

MINNESOTA RIVERBANK PROTECTION & PARKS INTEGRATION

CITY OF SHAKOPEE, MINNESOTA

PLANTING PLAN - PARKING LOTS

SHEET
L1.07