



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

**APPLICANT:** Polk County, Minnesota

# Public Notice

**ISSUED: 27 September 2023**  
**EXPIRES: 27 October 2023**

**REFER TO:** MVP-2015-00961-LSP

**SECTION: 404 - Clean Water Act**

1. APPLICATION FOR PERMIT TO discharge fill into 5.59 acres of wetlands adjacent to the Gentilly River for the purpose of expanding a landfill.

## 2. SPECIFIC INFORMATION

### AGENT

Matt Retka  
Wenck Associates  
3303 Fiechtner Drive  
Fargo, North Dakota 58103

**PROJECT LOCATION:** The project site is located in Section 26, Township 150, Range 45, Polk County, Minnesota. The approximate UTM coordinates are Zone 14, N 5294771, E 696463. Latitude 47.777076, Longitude -96.378599 (Decimal Degrees).

**DESCRIPTION OF PROJECT:** Polk County owns a 360-acre parcel northeast of the city of Crookston, a portion of which has been permitted for use as a landfill since 1974. The landfill is part of a seven-county integrated solid waste management system and currently accepts waste material from the following counties: Polk, Beltrami, Clearwater, Hubbard, Mahanomen, Norman and Becker. The Corps of Engineers issued a public notice for a previous proposal to expand the landfill into approximately 19.16 acres of wetlands in December of 2018. Subsequent discussion with the applicant resulted in a revised plan that would involve a discharge of fill material into approximately 5.59 acres.

Portions of the 360-acre parcel has been in use as a landfill since 1975. The current permitted configuration of the landfill is approaching its ultimate capacity. The applicant is requesting a Section 404 permit for the permanent discharge of fill into 5.59 acres of wetlands in the southeast portion of the property for the expansion of the landfill to accommodate future needs. The proposed expansion will allow the Polk County landfill to continue to accept waste at this site and is projected to meet the needs of landfill customers until 2037. The proposed work and extent of the project is shown in the attached drawings labeled MVP-2015-00961-LSP Page 1 of 4 through Page 4 of 4. These drawings show the existing landfill cells as well as the ultimate extent of the landfill project and wetland impacts associated with the project.

**QUANTITY, TYPE, AND AREA OF FILL:** The applicant is proposing to fill 5.59 acres of wetland over time for the expansion of an existing landfill. As the landfill is extended, the expansion areas will be excavated and lined with an impermeable clay layer to ensure that groundwater is isolated from landfilled waste. The clay layer will be lined with an impermeable geo-membrane which will serve as additional protection to isolate the landfill waste from local groundwater. Within the permit area, the existing soil will be removed, the area will be lined with clay and over time will be filled with permitted landfill waste. Impacts would occur over time as determined by the quantity of waste flow into the landfill which would necessitate the construction of new cells.

**VEGETATION IN AFFECTED AREA:** The wetland identified is a small portion of a much larger wetland complex in the region. The wetland and surrounding upland proposed to be converted to landfill consists primarily of relatively undisturbed native prairie. This area has been surveyed by the Minnesota County Biological Survey to determine the extent and quality of the wetland and to identify any rare and endangered species associated with the plant community. The survey and subsequent follow up surveys have determined that much of the area consists of mesic to wet-mesic prairie with some upland dry prairie also present in the vicinity. Several areas of shrub-carr wetlands are also present in the area and would be affected by the project. Field reviews conducted as part of a pre application meeting identified the wetlands in the area to be primarily PEM1B (wet to wet-mesic prairie) with components of PSS1B (shrub-carr). No federally listed species were identified within the surveyed wetland.

**SOURCE OF FILL MATERIAL:** The source of fill for the project will be clay used as a liner for the various cells after excavation to the final grade. This material will be excavated on site or nearby. The cells will eventually be filled with licensed waste from a six-county area.

**SURROUNDING LAND USE:** The Polk County Landfill is located in a rural portion of Polk County. The surrounding land use is primarily comprised of medium to large agricultural operations that include row cropping and grazing of farm livestock. The Nature Conservancy owns a large tract of land immediately to the south of the proposed landfill that consists of native prairie. The Glacial Ridge National Wildlife Refuge is located approximately one mile to the south.

**THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE:** The project site is licensed as a sanitary landfill handling waste from six counties. During construction and operation of the landfill, petroleum products such as diesel, gasoline and various lubricating and hydraulic fluids will be used at the site.

**THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT:** This project is designed to ensure that there is an impermeable barrier between the landfill contents and the local water table. This barrier will be made of clay of varying thickness as required by the Minnesota Pollution Control Agency. A system to collect, store and properly dispose of leachate will be constructed as the expansion is completed. The leachate collection system is depicted on plans submitted by the consultant as supporting information in the application. A ditch with a berm and a clay liner has been proposed within the perimeter of the landfill to collect surface water and precipitation which will be directed to a collection area within the landfill property. The clay lining will serve two purposes: one is to seal the landfill from the surrounding water table and the second purpose is to keep surface water from entering the ditch and impacting the adjacent wetland. The project has been designed to ensure that all water collected within the system will be isolated from nearby surface waters.

**MITIGATION:** The applicant has proposed to purchase Corps approved wetland credits at a ratio of 2:1 from a wetland bank in Bank Service Area 3 to compensate for unavoidable losses associated with the project.

### 3. 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, Polk County is within the known or historic range of the following Federally-listed species:

Western Prairie Fringed Orchid      Native prairie habitat.

Monarch Butterfly      Native prairie and habitat with milkweed species present.

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.

#### 4. 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.

#### 5. STATE SECTION 401 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 the Minnesota Pollution Control Agency. A Department of the Army permit will not be granted until the Minnesota Pollution Control Agency 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

#### 6. 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.

## 7. 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.

## 8. 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.

## 9. 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  
St. Paul, MN 55101-1678

Regulatory Branch (File No. MVP-2015-00961-LSP)

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, call Larry Puchalski at the Bemidji Field Office of the Corps, telephone number (651) 290-5339 or by email at [Lawrence.S.Puchalski@usace.army.mil](mailto:Lawrence.S.Puchalski@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.

Enclosures:  
Proposed Project Drawings

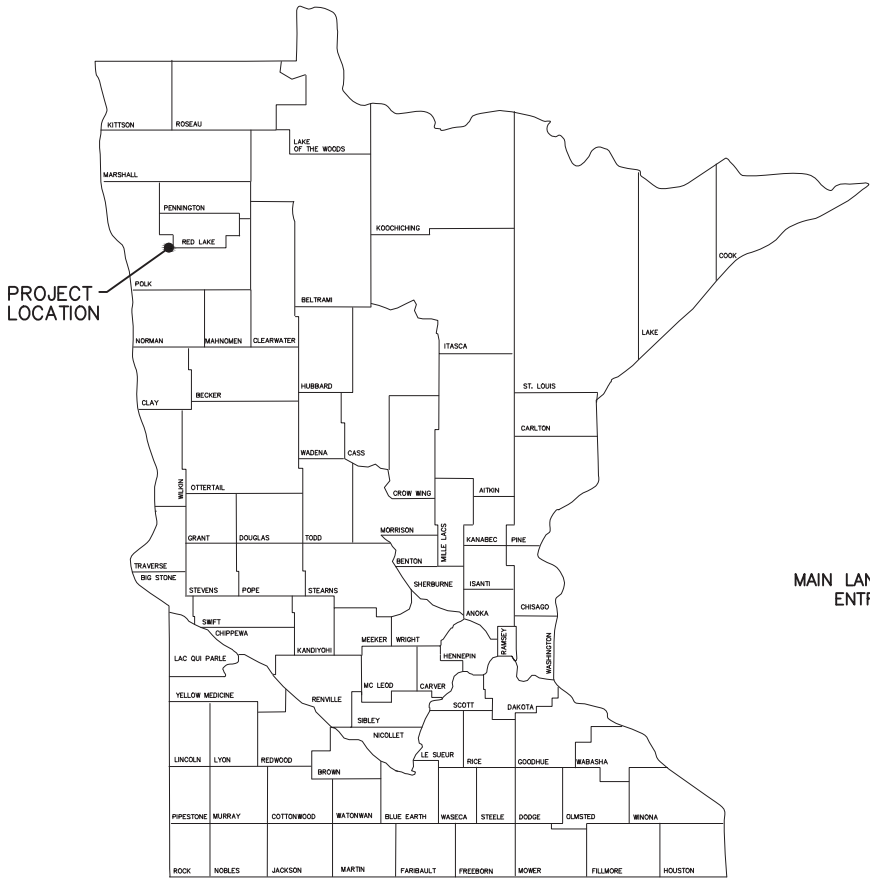
APPLICATION FOR PERMIT MODIFICATION DRAWINGS

POLK COUNTY  
SANITARY LANDFILL, SW-124  
GENTILLY, MINNESOTA

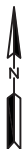
JUNE 2015

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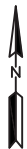
G-01	TITLE SHEET
C-01	EXISTING CONDITIONS
C-02	MSW LANDFILL BASE LINER GRADING PLAN
C-03	ASH LANDFILL BASE LINER GRADING PLAN
C-04	DEMO LANDFILL BASE LINER GRADING PLAN
C-05	OVERALL MSW LANDFILL LEACHATE PIPING PLAN
C-06	WEST MSW LANDFILL LEACHATE PIPING PLAN
C-07	EAST MSW LANDFILL LEACHATE PIPING PLAN
C-08	NORTH MSW LANDFILL LEACHATE PIPING PLAN
C-09	ASH LANDFILL LEACHATE PIPING PLAN
C-10	MSW LANDFILL FINAL COVER GRADING PLAN
C-11	ASH LANDFILL FINAL COVER GRADING PLAN
C-12	DEMO LANDFILL FINAL COVER GRADING PLAN
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C-14	ASH LANDFILL SURFACE WATER MANAGEMENT PLAN
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C-25	MSW LANDFILL PHASE 13 OPERATIONAL GRADES
C-26	MSW LANDFILL PHASE 14 OPERATIONAL GRADES
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C-30	MSW LANDFILL PHASE 18 OPERATIONAL GRADES
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C-32	MSW LANDFILL PHASE 20 OPERATIONAL GRADES
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C-43	COMPOST FACILITY CROSS SECTIONS
D-01	MSW BASE LINER DETAILS
D-02	MSW BASE LINER DETAILS
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D-04	MSW LEACHATE COLLECTION SUMP DETAILS
D-05	MSW LEACHATE COLLECTION SUMP DETAILS
D-06	MSW LEACHATE RISER MANHOLE DETAILS
D-07	MSW FINAL COVER AND GAS VENT DETAILS
D-08	MSW SURFACE WATER MANAGEMENT DETAILS
D-09	LEACHATE STORAGE TANK DETAILS
D-10	ASH LANDFILL BASE LINER DETAILS
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D-13	EXISTING MSW AND ASH LANDFILL LEACHATE DETAILS
D-14	EXISTING MSW AND ASH LANDFILL LYSIMETER DETAILS
D-15	DEMO LANDFILL BASE LINER, FINAL COVER, AND SURFACE WATER MANAGEMENT DETAILS



PROJECT VICINITY MAP



PROJECT LOCATION MAP



A	ISSUED FOR REVIEW	MDC	MPM	06/01/15	
REV	REVISION DESCRIPTION	DWN	APP	REV DATE	

SEAL

SUB CONSULTANT

PRIME CONSULTANT



Responsive partner. Exceptional outcomes.

3303 FIECHTNER DR, SUITE 100  
FARGO, NORTH DAKOTA 58103

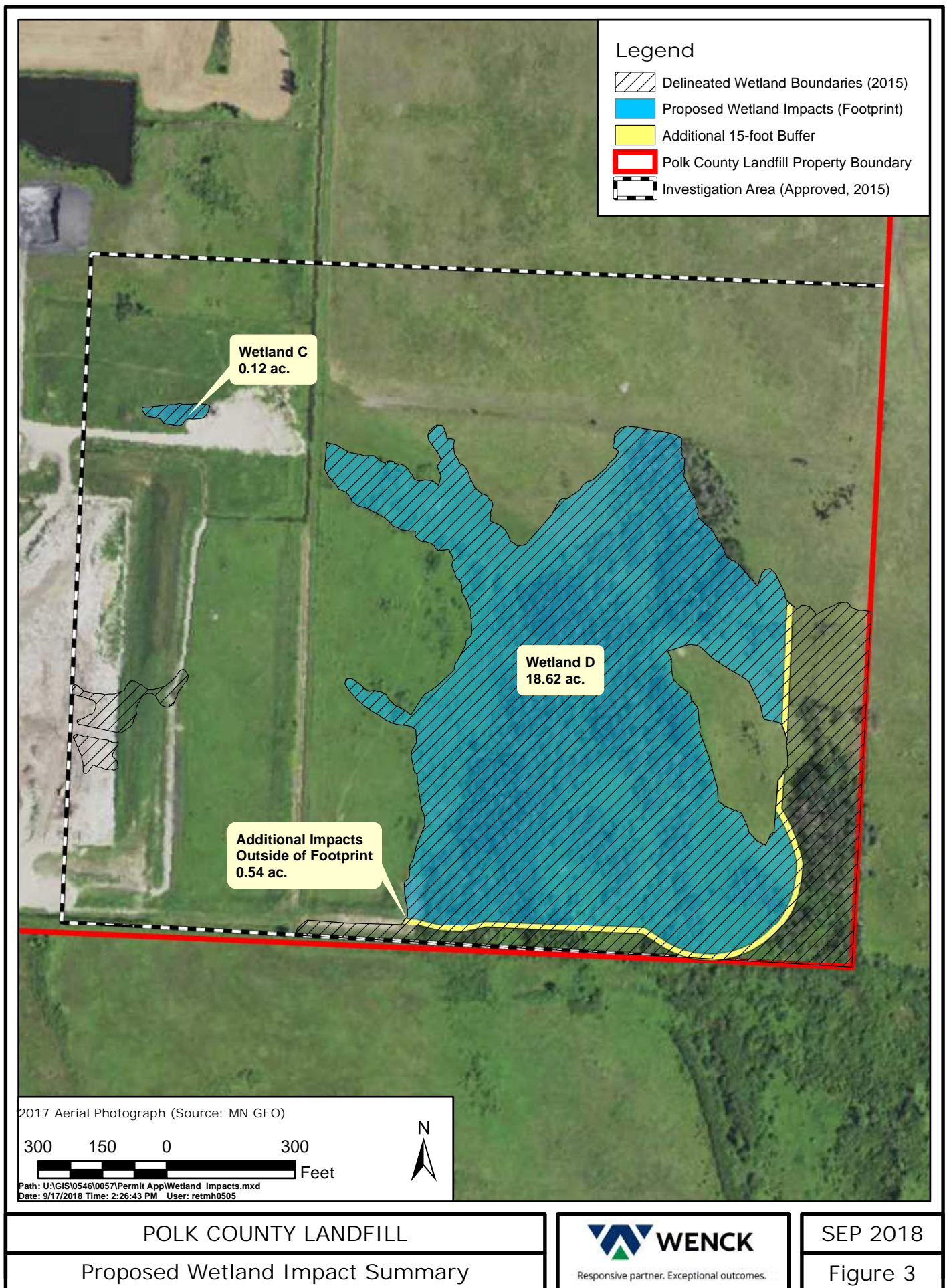
(701) 297-9600  
(701) 297-9601

PROJECT TITLE	POLK COUNTY LANDFILL PERMIT MODIFICATION
	POLK COUNTY LANDFILL
	GENTILLY, MINNESOTA

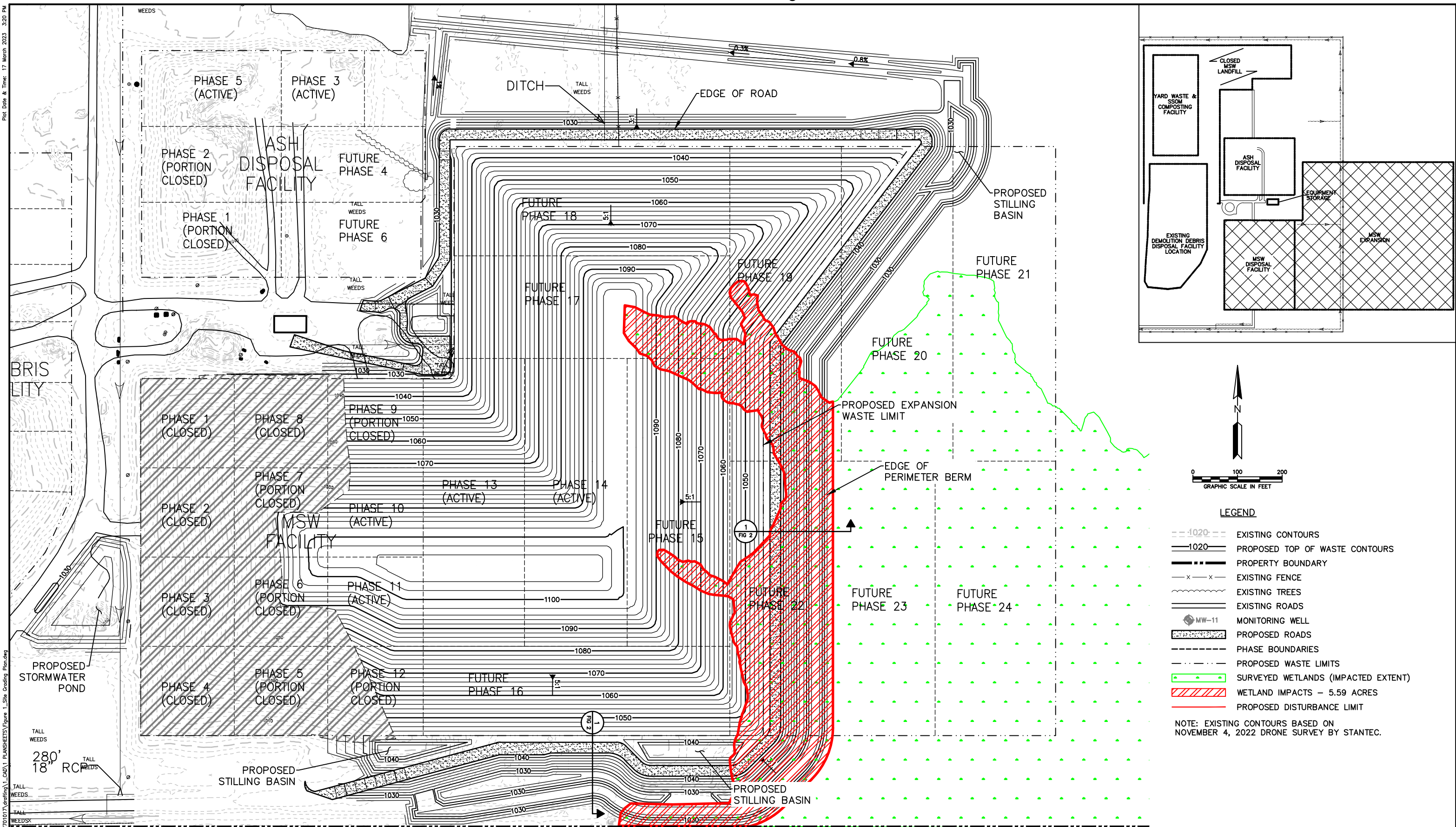
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DWN BY	CHK'D	APP'D	DWG DATE	JUNE 2015	
MDC	JCL	MPM	SCALE	AS NOTED	
PROJECT NO.		SHEET NO.		REV NO.	
0546-0058		G-01		A	

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REV	REVISION DESCRIPTION	DWN	APP	REV DATE

SEAL

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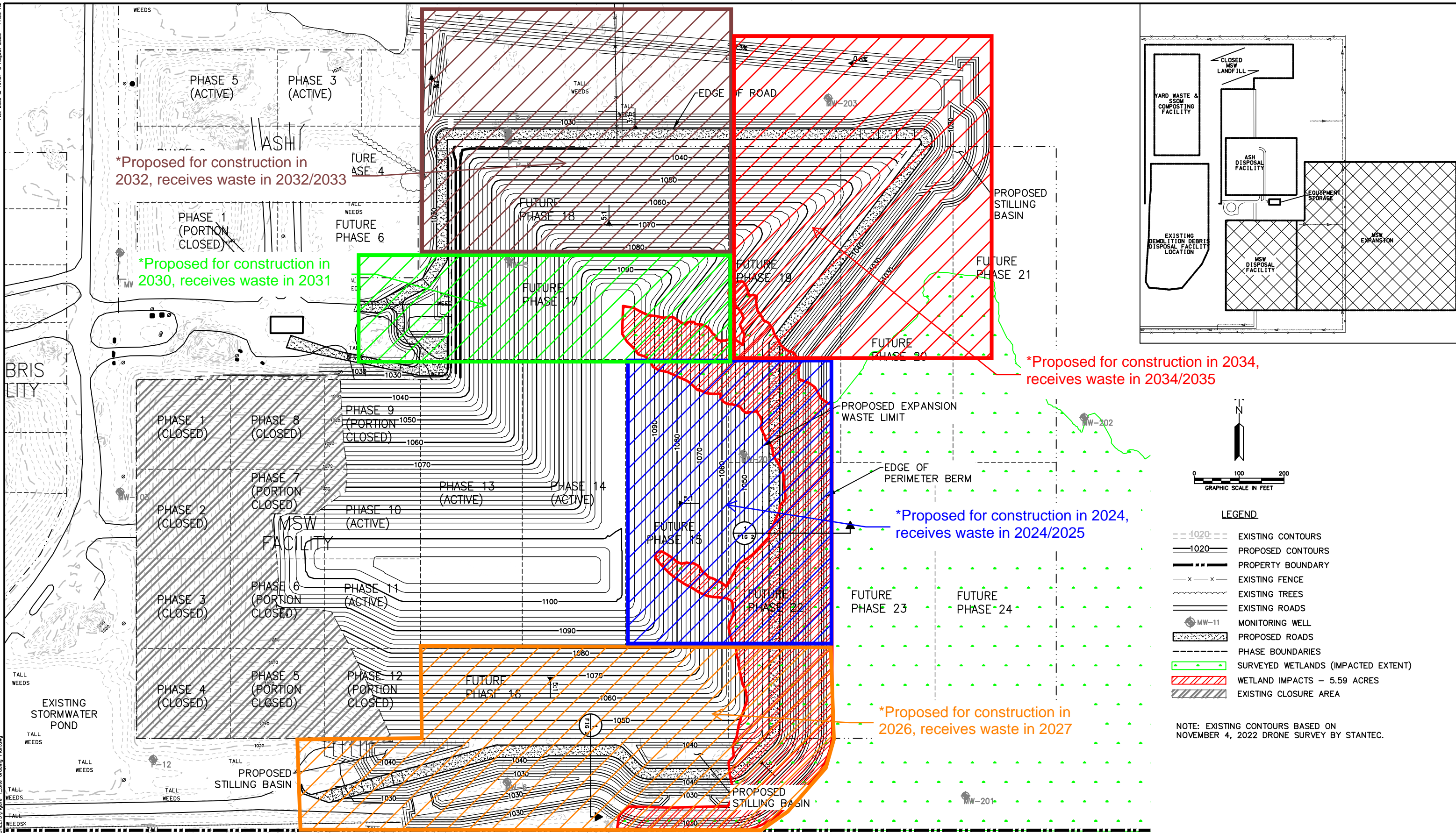
3303 Flechtner Drive, Suite 100 Fargo, ND 58103 www.stantec.com

PROJECT TITLE
POLK COUNTY LANDFILL WETLAND PERMIT APPLICATION
POLK COUNTY LANDFILL GENTILLY, MINNESOTA

SHEET TITLE				
SITE GRADING PLAN WITH DELINEATED WETLANDS				
DWN BY	CHK'D	APP'D	DWG DATE	MARCH 2023
			SCALE	AS SHOWN
PROJECT NO.	SHEET NO.		REV NO.	
227701017	FIGURE 1		0	



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REV	REVISION DESCRIPTION	DWN	APP	REV DATE

SEAL

SUB CONSULTANT

PRIME CONSULTANT  
**Stantec**  
3303 Flechtner Drive, Suite 100  
Fargo, ND 58103  
www.stantec.com

PROJECT TITLE  
POLK COUNTY LANDFILL  
WETLAND PERMIT APPLICATION  
  
POLK COUNTY LANDFILL  
GENTILLY, MINNESOTA

SHEET TITLE  
MODIFIED 12-2022 DESIGN  
SITE GRADING PLAN WITH  
DELINEATED WETLANDS  
DWN BY  
CHK'D  
APP'D  
DWG DATE  
APRIL 2023  
SCALE  
AS SHOWN  
PROJECT NO.  
227701017  
SHEET NO.  
FIGURE 1  
REV NO.  
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