



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

**APPLICANT:** City of Rochester

# Public Notice

**ISSUED: October 14, 2020**

**EXPIRES: October 29, 2020**

**REFER TO:** MVP-2020-01360-SSC

**SECTION: 404 - Clean Water Act**

1. APPLICATION FOR PERMIT TO discharge fill material and excavate in approximately 1.06 acre of wetlands and 0.01 acre (33 linear feet) of an unnamed stream to Bear Creek.

## 2. SPECIFIC INFORMATION

<b>AGENT</b>	Kristina Bloomquist Bolton & Menk, Inc. 1960 Premier Drive Mankato, MN 56001-5900
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**PROJECT LOCATION:** The project site is located in Sections 4, 5, 8, and 9, Township 106 North., Range 13 West., Olmsted County, Minnesota. The approximate coordinates are (beginning of project) Latitude 44.006906, Longitude -92.408912, (ending of project) Latitude 43.996154, Longitude -92.378914.

**DESCRIPTION OF PROJECT:** The applicant is proposing to construct a 10-foot-wide paved trail along Eastwood Road Southeast and along the west side of County State Aid Highway (CSAH) 11 that would extend the existing trail system approximately 2.1 miles and connect to the Department of Natural Resources Chester Woods Regional Trail. The trail would allow pedestrians and bicyclists access to a trail system that connects to eastern Olmsted County, southern Wabasha County, and western Winona County via the Great River Ridge Trail and Whitewater Country Loop Trail.

The trail would go from the Towne Club Parkway Southeast and Eastwood Road Southeast intersection, east along Eastwood Road Southeast for approximately 3,900 feet including a loop to the north through the Valleyside Estates Park to connect to existing sidewalk, then turns south and follows the field edge for approximately 1,600 feet. The trail would continue southeast along the field edge through a wooded area to CSAH 11 and continues south along CSAH 11 to the County Road (CR) 143 and CSAH 11 intersection. There is currently an 8-foot-wide trail with a shoulder ranging from zero to two feet on the north side of Eastwood Road Southeast from the east edge of Eastwood Golf Course to 40th Avenue Southeast; this section of trail would be replaced with a 10-foot-wide trail with two-foot shoulders as part of this project. The inslopes of this section of trail would be reduced, and the maximum grades would be brought down to meet Minnesota Department of Transportation (MnDOT) standards for off-road and shared-use paths.

The proposed trail includes construction of storm sewer and culverts placed at several locations along the trail to provide adequate drainage for surface water runoff associated with the new impervious cover of the trail. Two 12-foot by 5-foot box culverts will be installed to accommodate for the proposed trail crossing within an unnamed stream to Bear Creek.

**QUANTITY, TYPE, AND AREA OF FILL:** The proposed project would result in the permanent discharge of fill material within approximately 0.81 acre of wetlands and 0.01 acre (33 linear

feet) of stream, and temporarily discharge fill material within approximately 0.25 acre of wetlands.

**VEGETATION IN AFFECTED AREA:** The affected wetland areas consist of vegetation commonly associated with hardwoods swamp and fresh wet meadow wetlands. The project would remove 0.07 acre of hardwoods swamp vegetation and would allow for natural revegetation after construction is complete.

**SOURCE OF FILL MATERIAL:** Fill material will be sourced by the contractor who is selection for the project.

**SURROUNDING LAND USE:** The majority of the project area is surrounded by mixed use with a combination of agricultural fields, wooded areas, commercial and residential properties.

**DESCRIPTION OF DREDGING OR EXCAVATION:** Excavation of approximately 0.12 acre of wetland would occur as a result of shifting road ditches.

**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 corridor. It is anticipated that potentially toxic materials commonly associated with road construction equipment would be present on site during construction.

**THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT:** The proposed project will be required to comply with the state's erosion control and storm water best management practices if applicable.

**MITIGATION:** The applicant has proposed to provide compensatory mitigation credits from a Corps approved mitigation bank, serving Bank Service Area 8.

### 3. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT

MnDOT, on behalf of the Federal Highway Administration (FHWA), has determined the project "may affect, not likely to adversely affect" the Northern Long-Eared Bat and a "no effect determination" for the Leedy's Roseroot, Prairie Bushclover, and Rusty-Patched Bumble Bee and received concurrence from the U.S. Fish and Wildlife Service (USFWS), for the federally listed species that are known to exist in the permit area:

Northern long-eared bat	Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.
Leedy's roseroot	Cool, wet groundwater-fed limestone cliffs.
Prairie bush clover	Native prairie on well-drained soils.
Rusty-patched bumble bee	Grasslands with flowering plants from April through October, underground and abandoned rodent cavities or

clumps of grasses above ground as nesting sites, and undisturbed soil for hibernating queens to overwinter.

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 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 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

#### 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.

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.

## 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.

## REPLIES/COMMENTS

Interested parties are invited to submit to this office written facts, arguments, or objections by the expiration date indicated above. 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

Or, IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Samantha Crouneris at the St. Paul District office at 651-290-5268 or [Samantha.S.Crouneris@usace.army.mil](mailto:Samantha.S.Crouneris@usace.army.mil).

Regulatory Branch (File No. MVP-2020-01360-SSC)

If you wish to receive St. Paul District public notice notifications please visit our website at <https://www.mvp.usace.army.mil/Missions/Regulatory/Public-Notices/> for instructions to subscribe to individual RSS Feed categories.

Samantha Crouneris  
Project Manager

Enclosures:

MVP-2020-01360-SSC City of Rochester SP 159-090-020 Chester Woods Trail Public Notice  
Page 1-18 of 18.

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



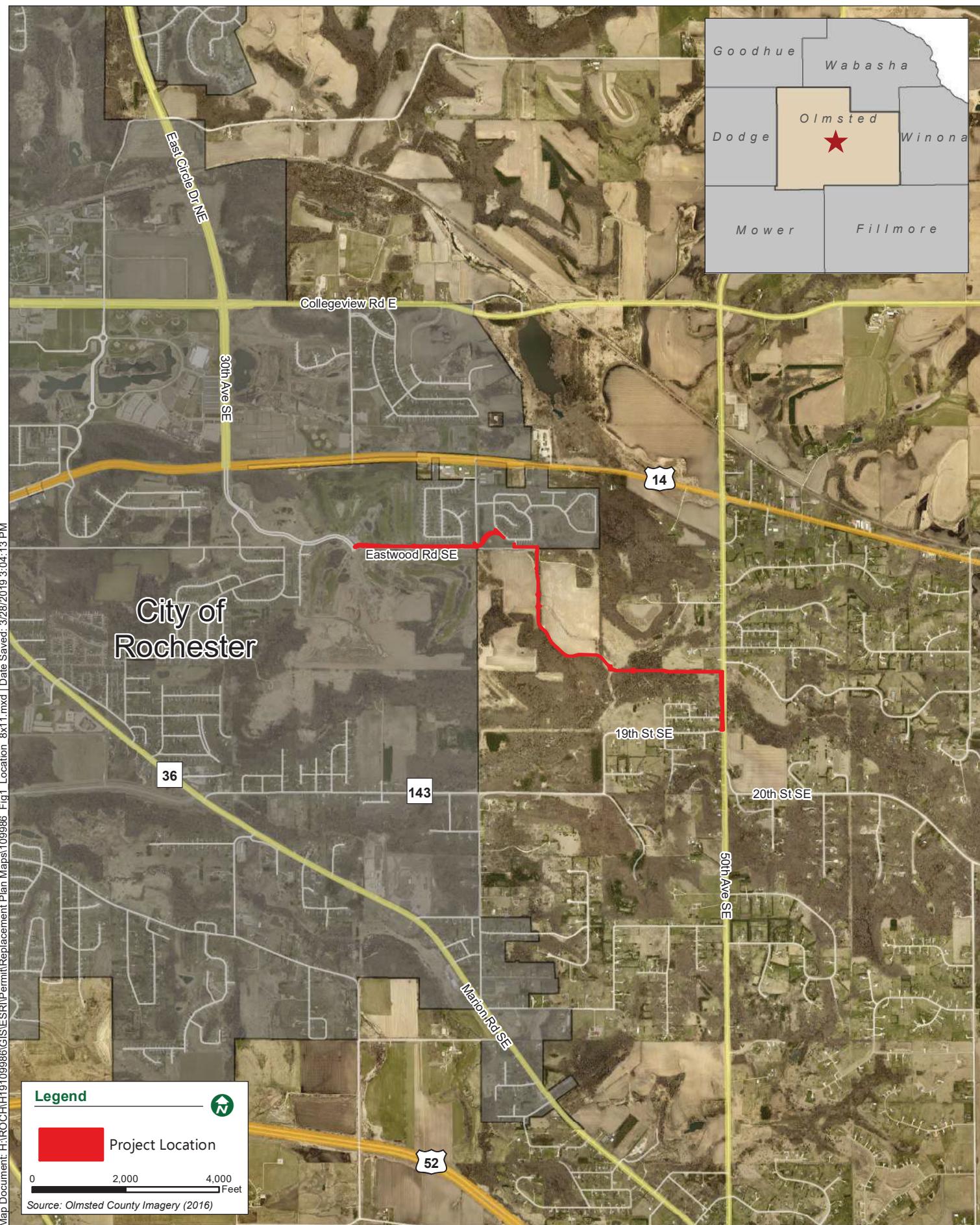
## Chester Woods Trail

Figure 1: Location Map



March 2019

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## Chester Woods Trail

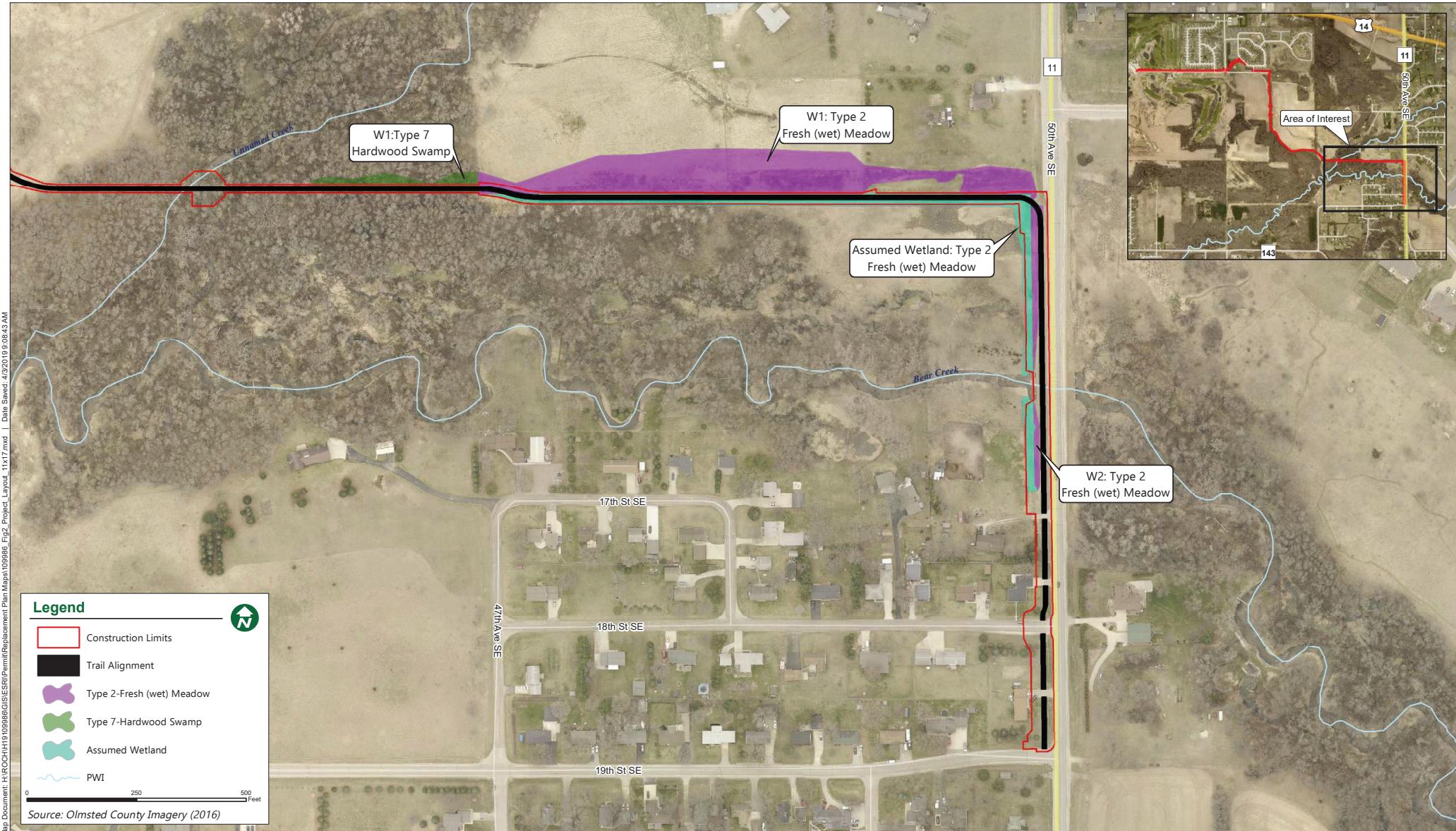


Figure 2: Project Layout

April 2019

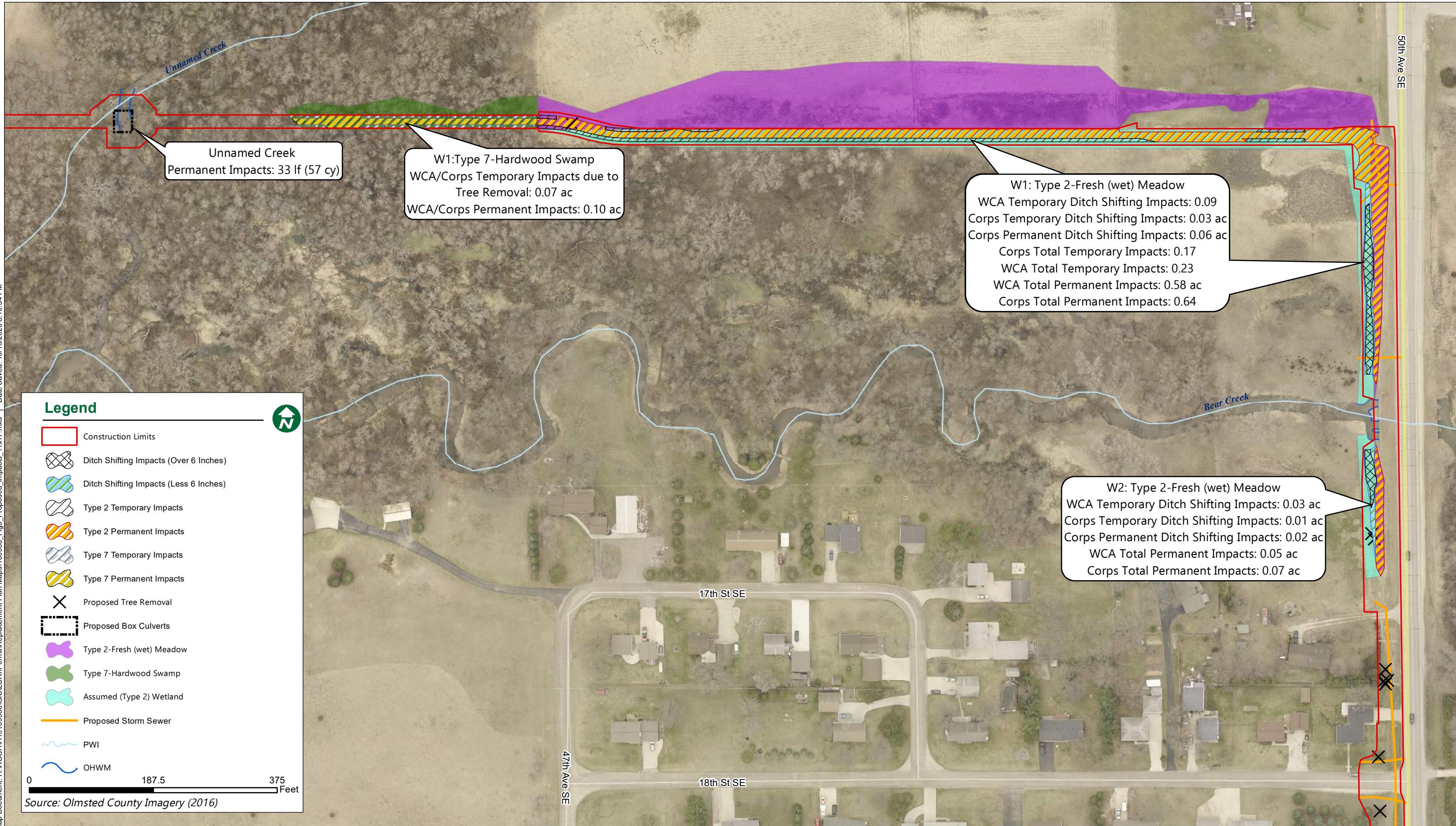
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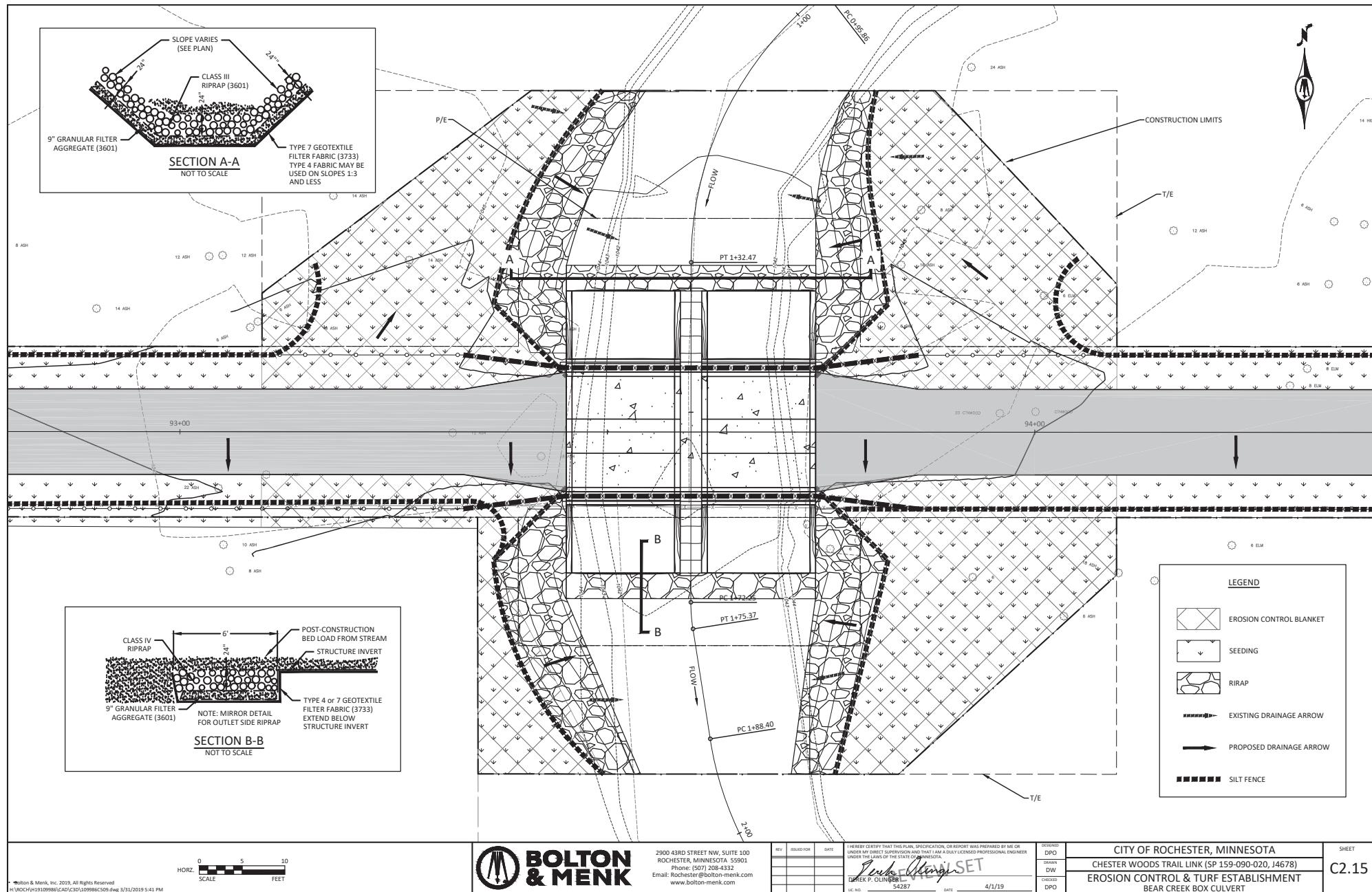


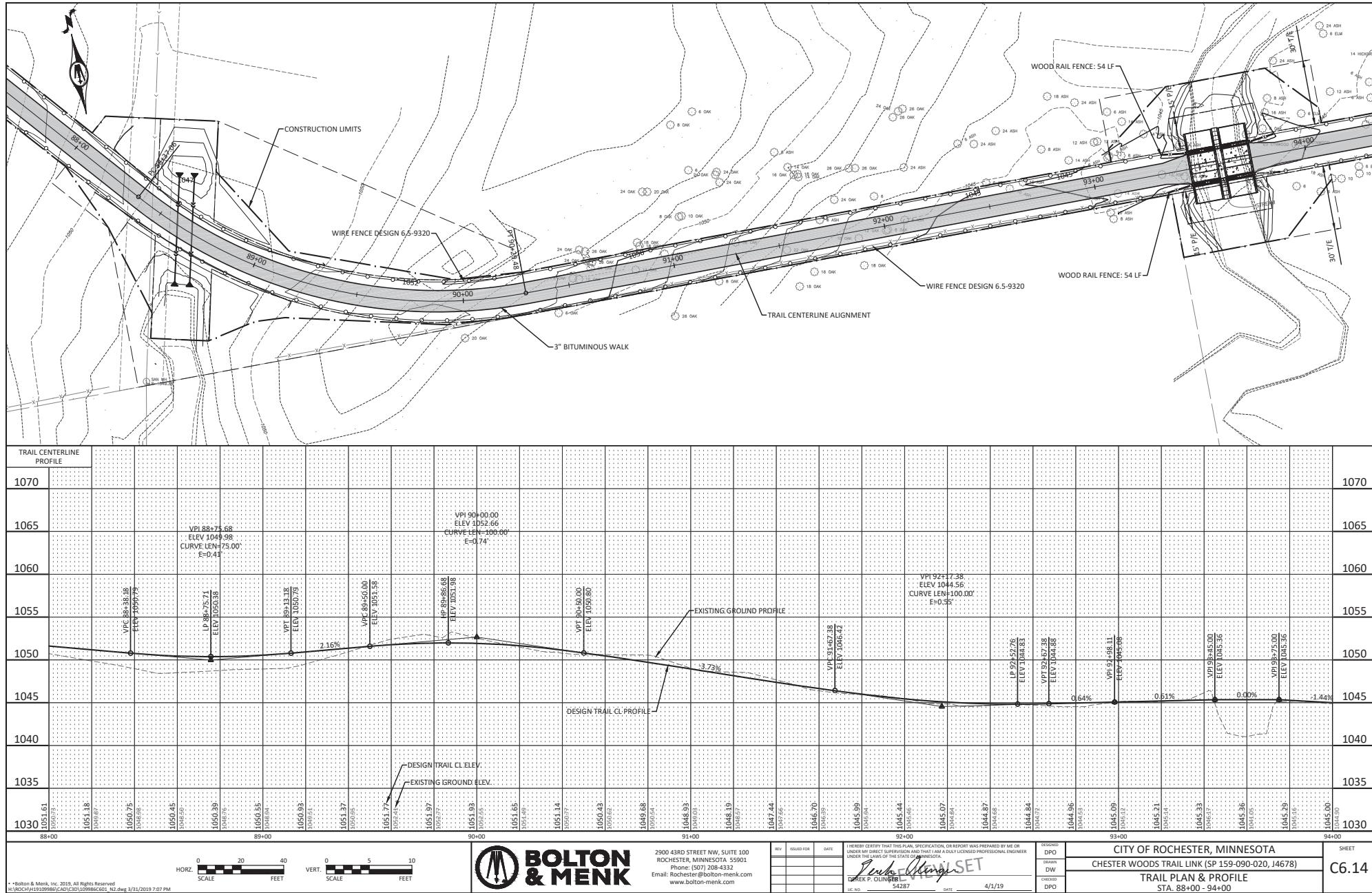
## Chester Woods Trail

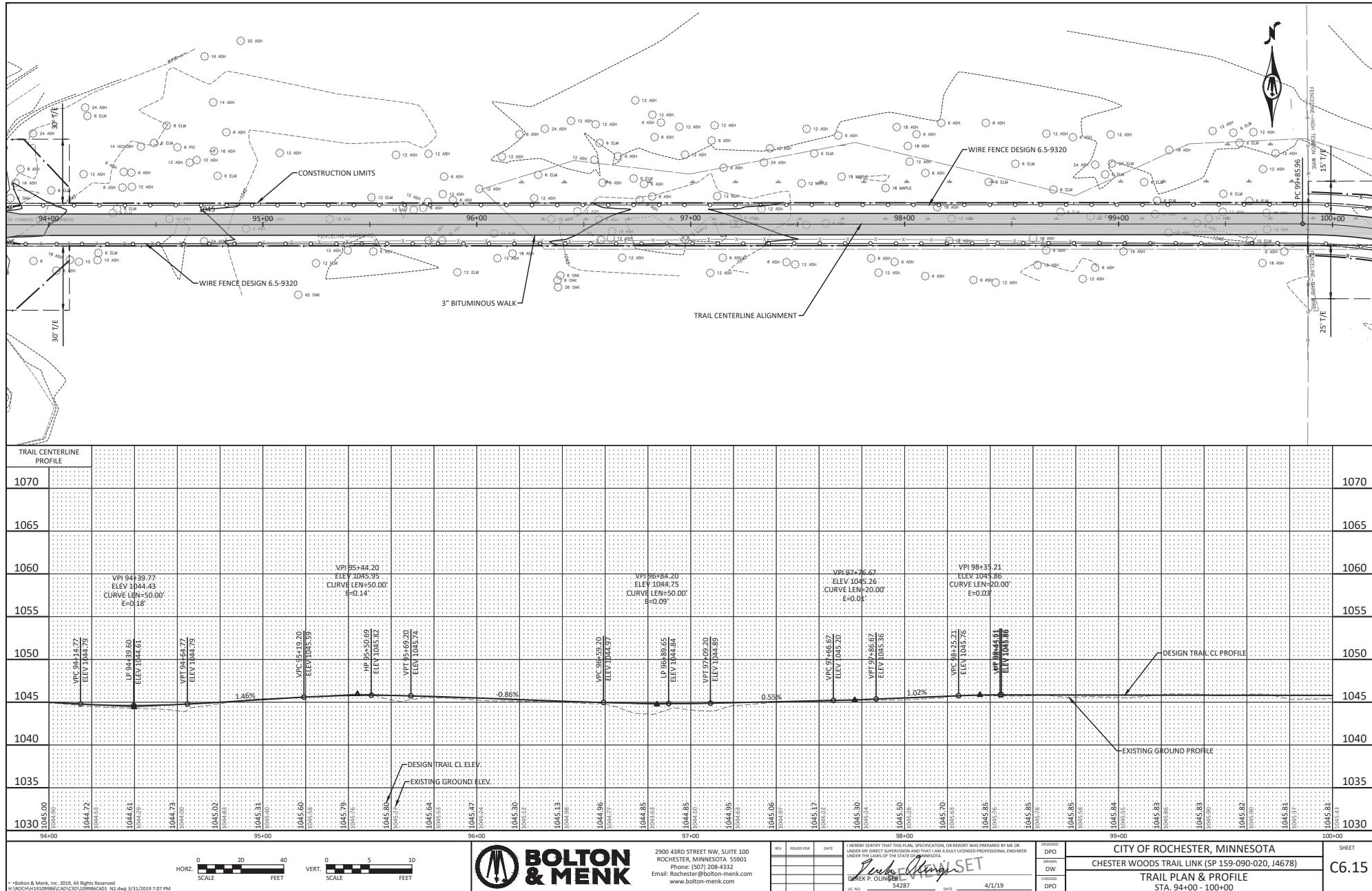
**Figure 3: Proposed Wetland Impacts**

October 2020







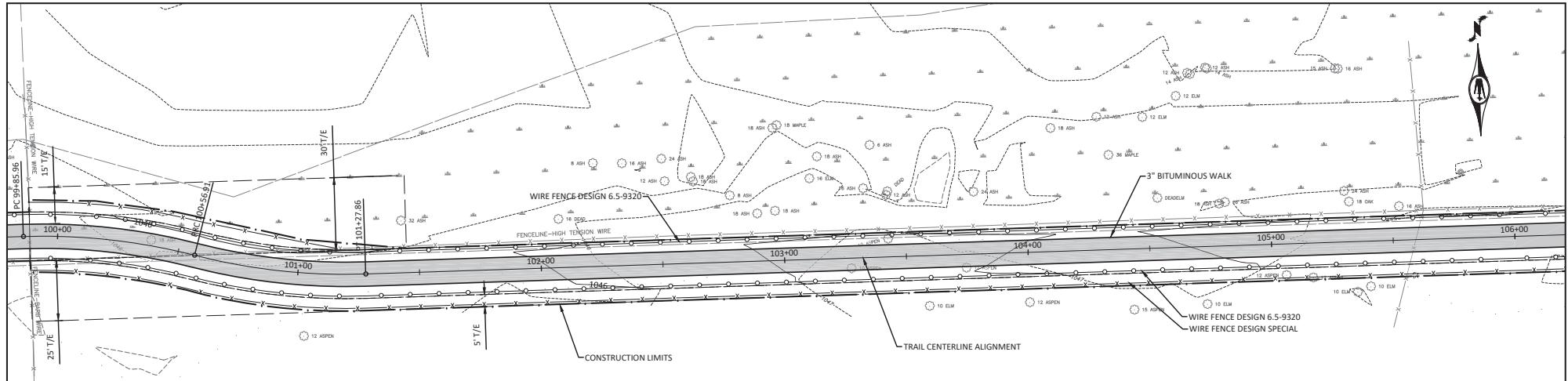


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2900 43RD STREET NW, SUITE 1  
ROCHESTER, MINNESOTA 55901  
Phone: (507) 208-4332  
Email: Rochester@holton-menlo.com

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LIC. NO.	54287	DATE	4/1/19					

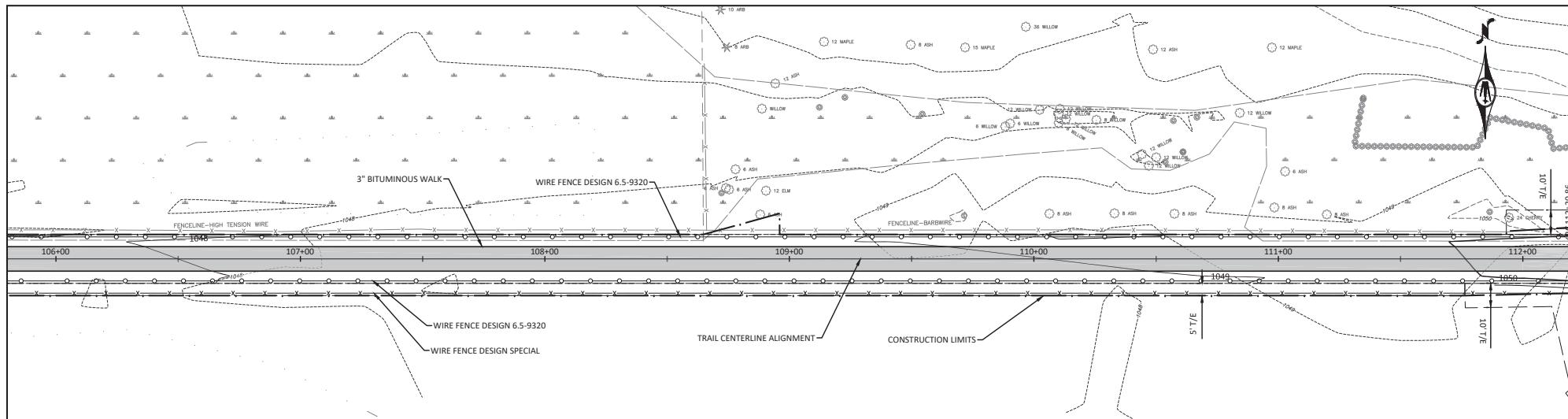


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104-00		105-00		106-00	
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				DW	CHESTER WOODS TRAIL LINK (SP 159-090-020, J4678)
<i>Derek P. Oliver</i> <i>Permit Set</i> Derek P. OLIVER		54287	DATE	CHECKED DPO	TRAIL PLAN & PROFILE STA. 100-00 - 106-00
		UC NO. 100-00-00000	4/1/19		SHEET C6.16



TRAIL CENTERLINE PROFILE

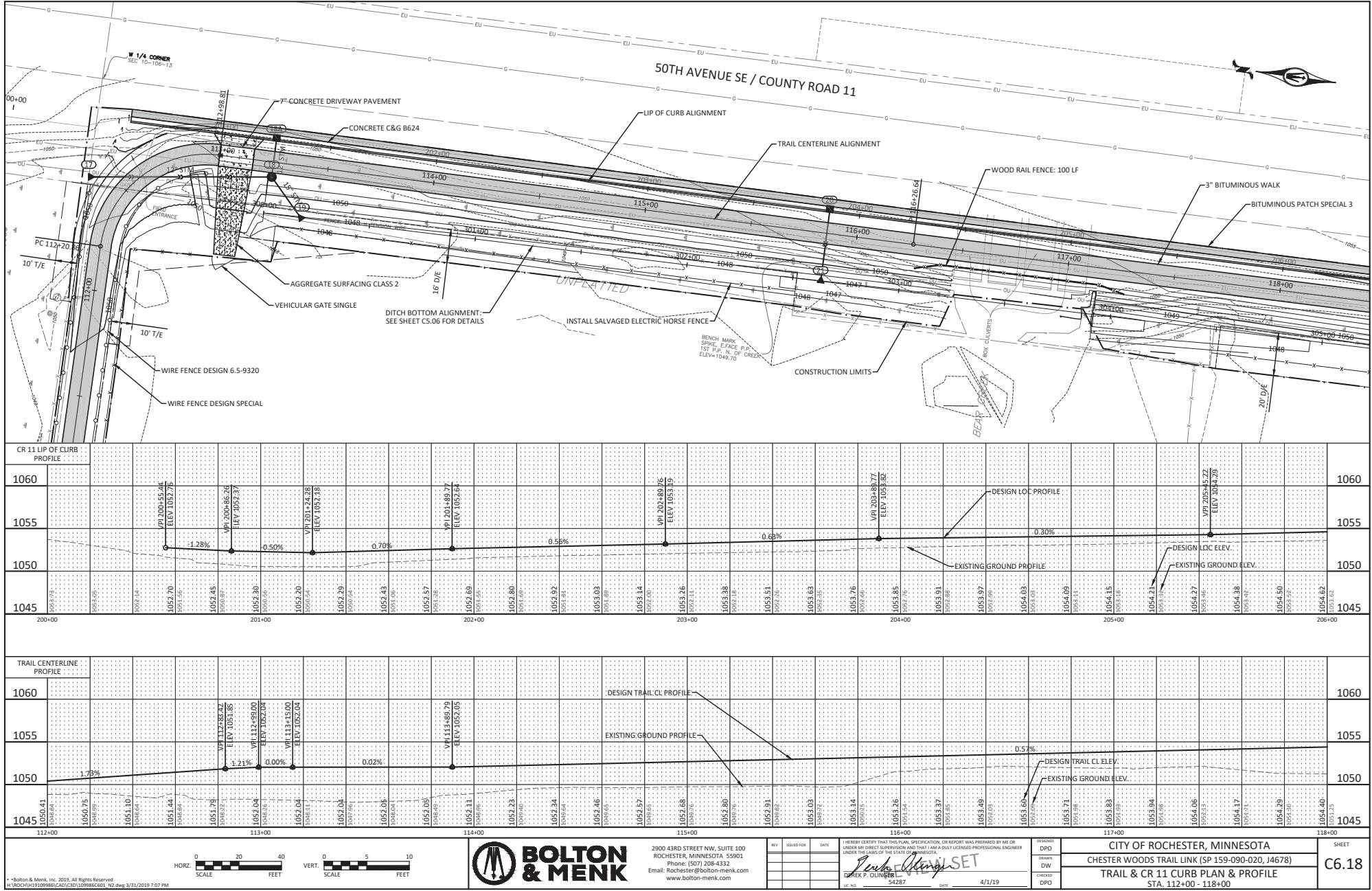
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1067.96	1069.54	
1068.05	1069.58	
1068.10	1069.59	
1068.27	1069.67	
107+00	1070.00	VP1107+04.00 ELEV 1049.53
1068.49	1069.83	
1068.55	1069.88	
1068.59	1069.88	
1068.63	1069.83	
108+00	1069.83	
1068.66	1069.85	
1068.70	1069.89	
1068.74	1069.89	
1068.77	1069.83	
1068.81	1069.80	
108+00	1069.80	
1068.84	1069.82	
1068.88	1069.82	0.18%
109+00	1069.82	
1068.92	1069.88	
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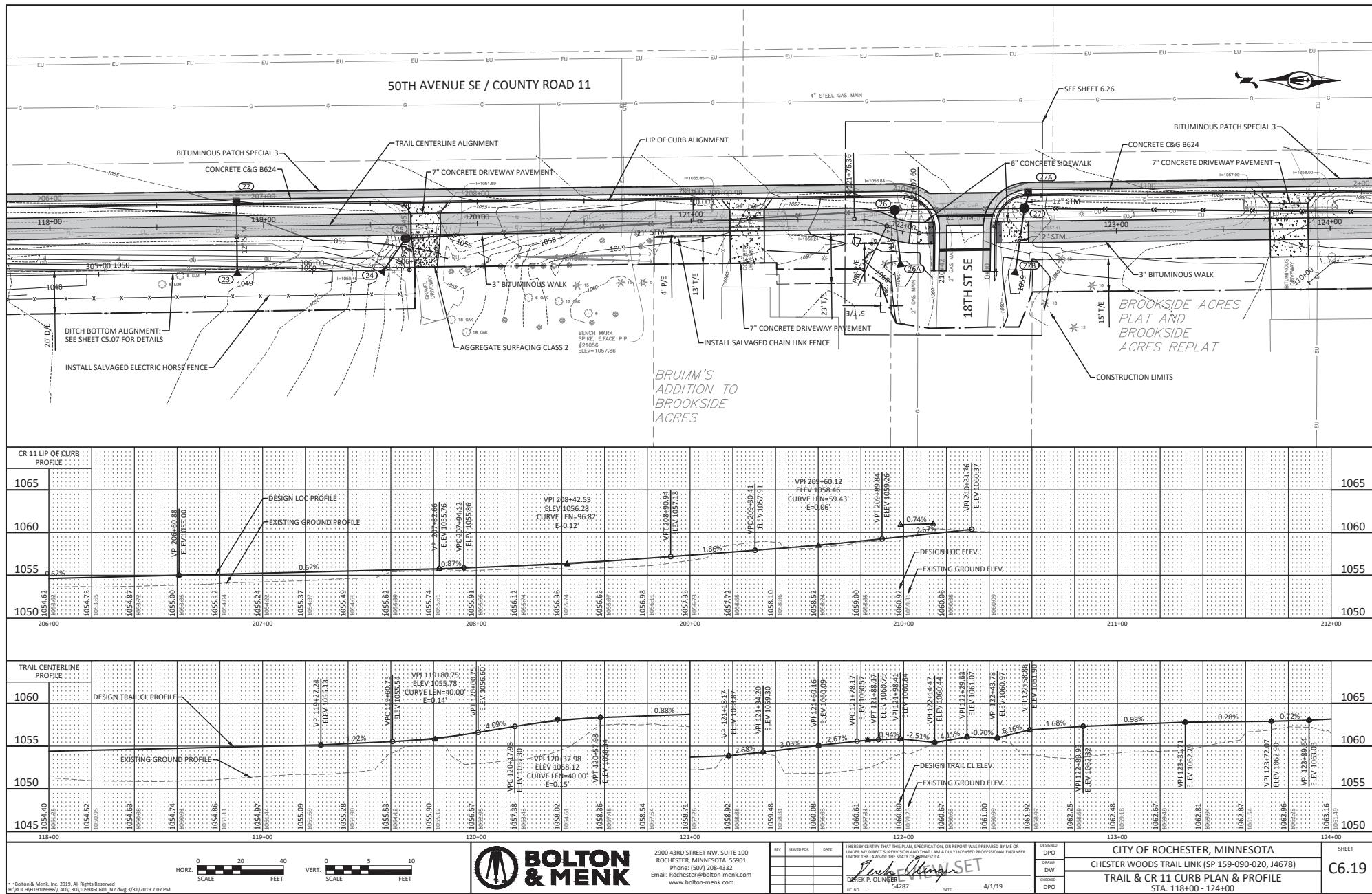
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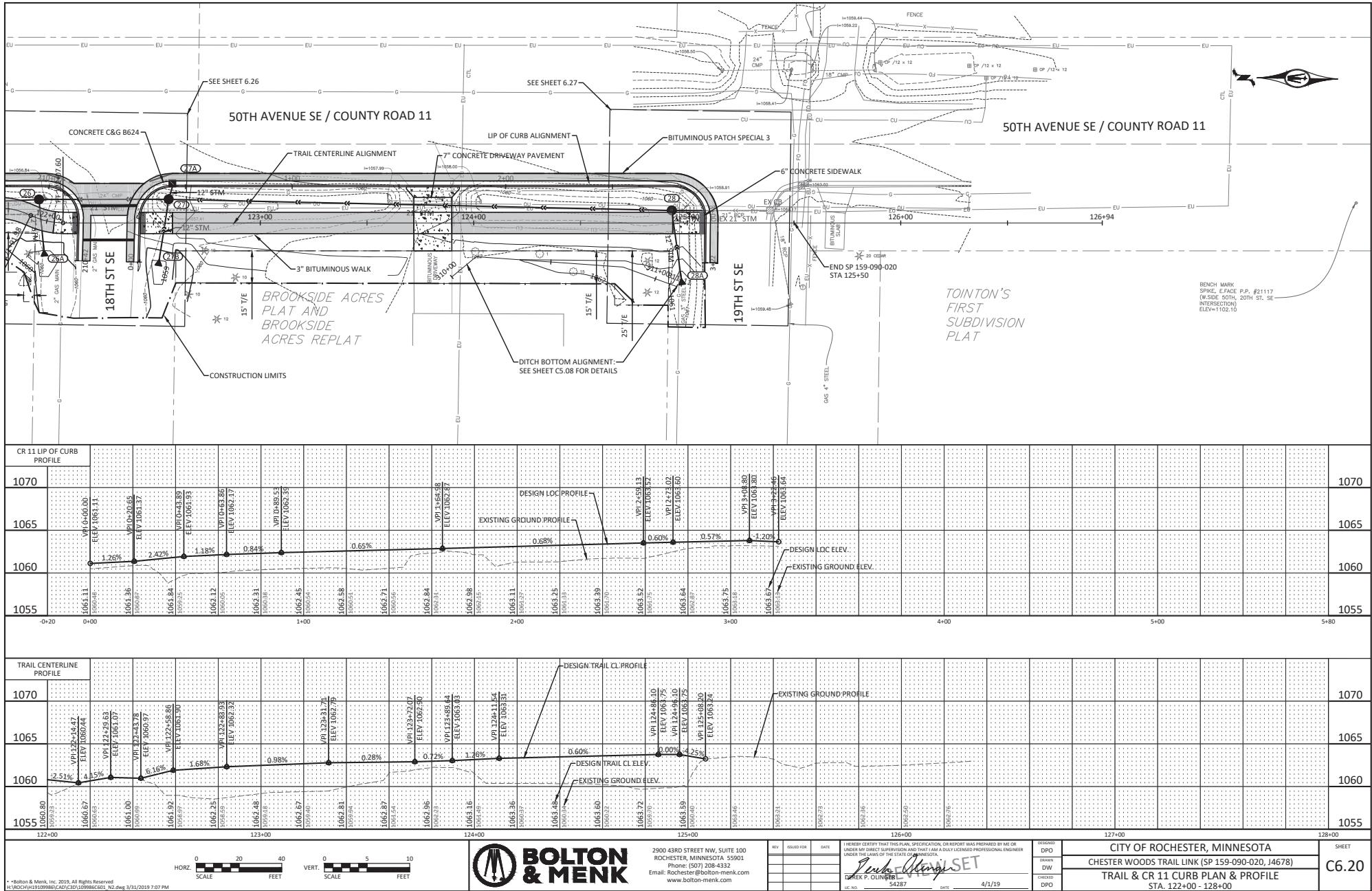


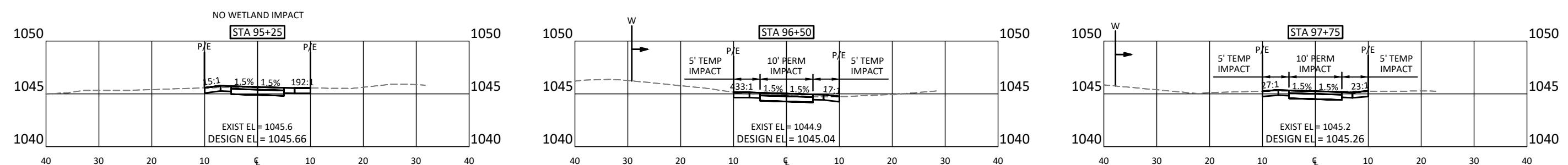
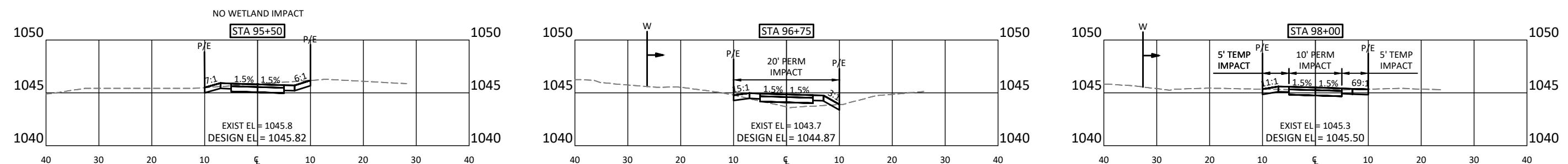
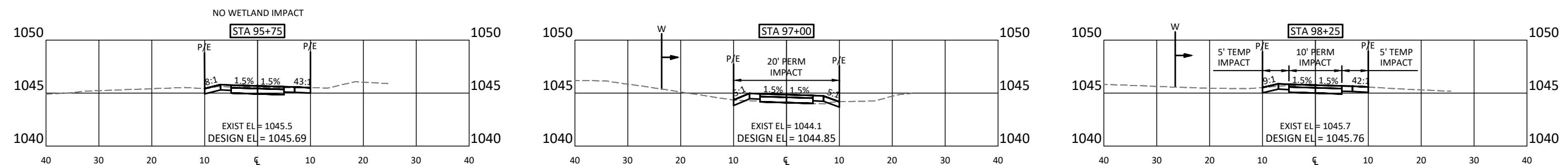
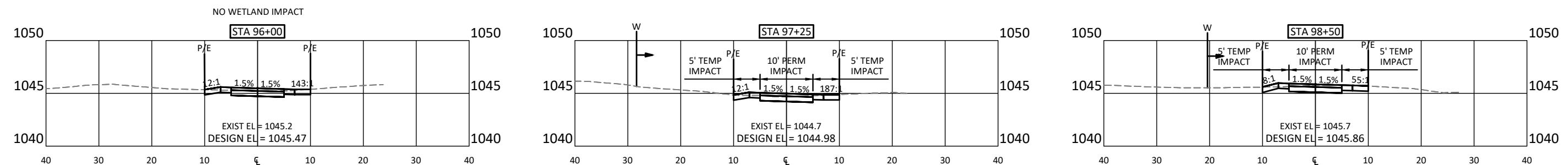
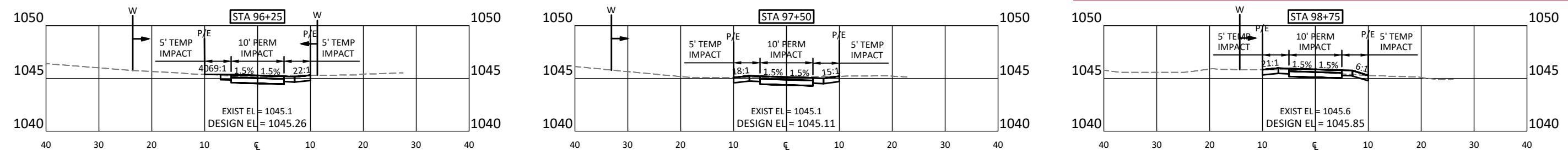
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Phone: (507) 208-4332				
Email: Rochester@bolton-menk.com www.bolton-menk.com				

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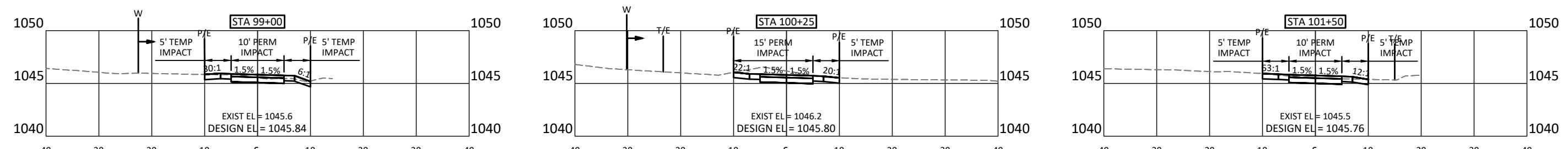
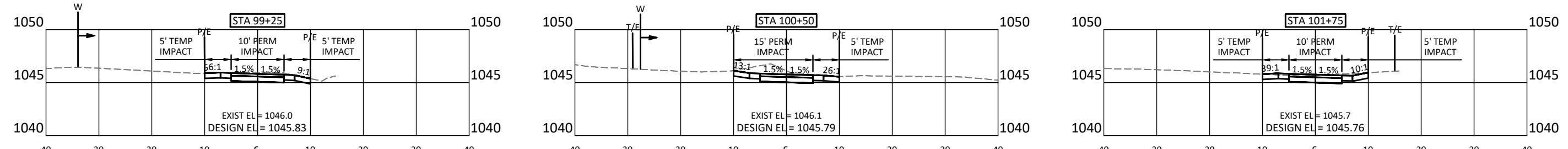
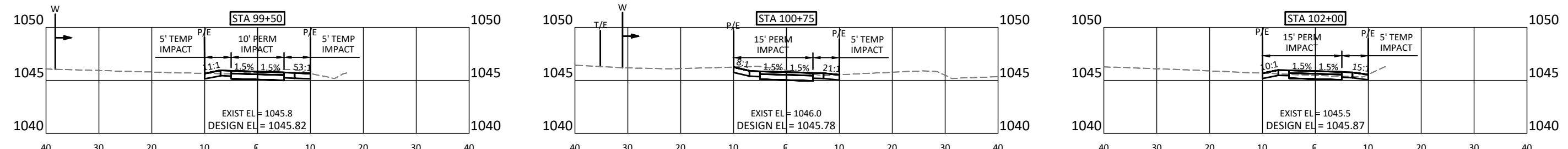
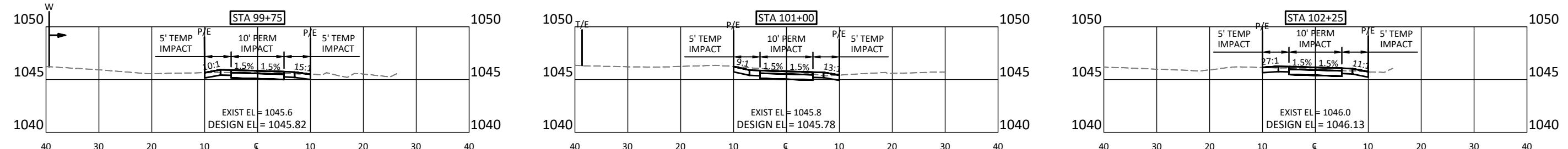
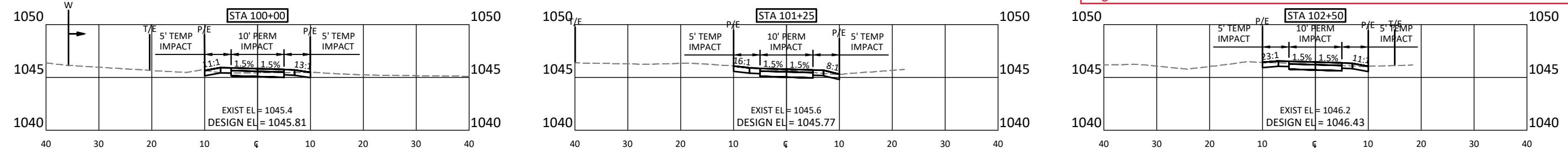
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Phone: (507) 208-4332  
Email: Rochester@bolton-menk.com  
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CITY OF ROCHESTER, MINNESOTA  
CHESTER WOODS TRAIL LINK (SP 159-090-020, J4678)  
CROSS SECTIONS

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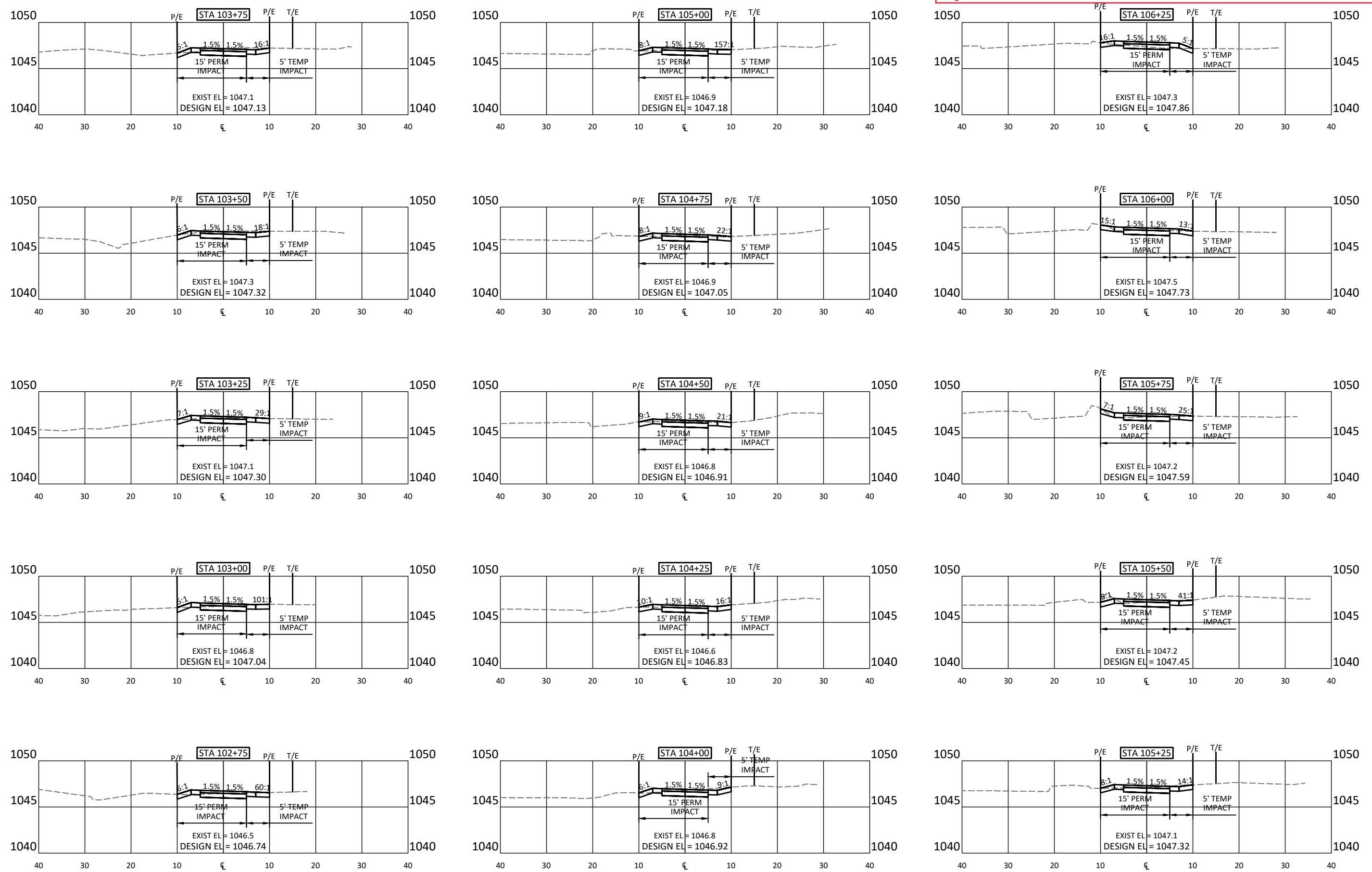
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Derek P. Olson  
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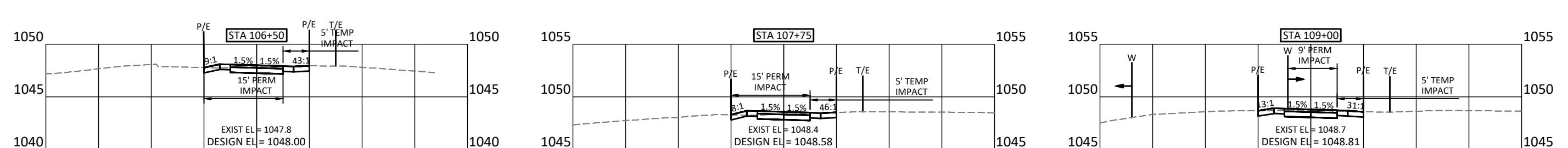
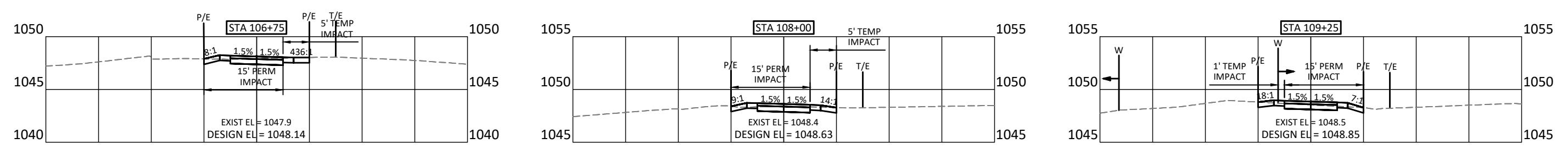
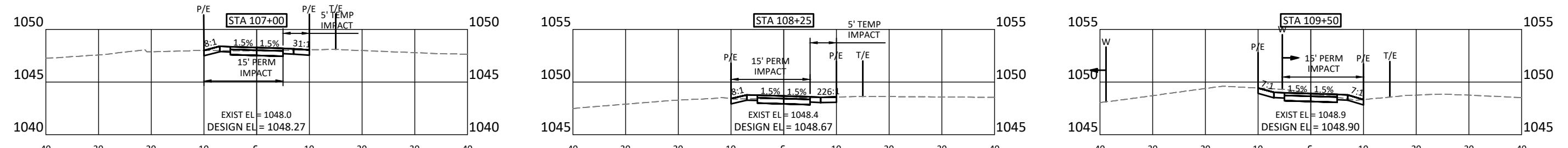
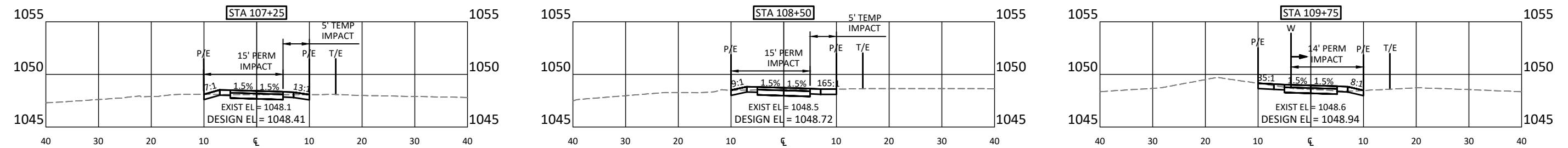
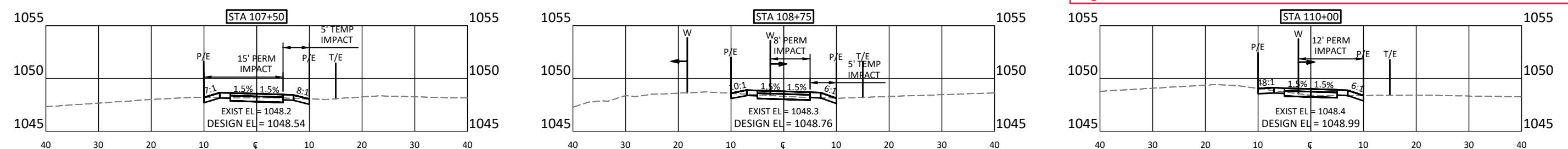


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Phone: (507) 208-4332  
Email: Rochester@bolton-menk.com  
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CLIENT PROJ. NO.	J4678		

CITY OF ROCHESTER, MINNESOTA  
CHESTER WOODS TRAIL LINK (SP 159-090-020, J4678)  
CROSS SECTIONS





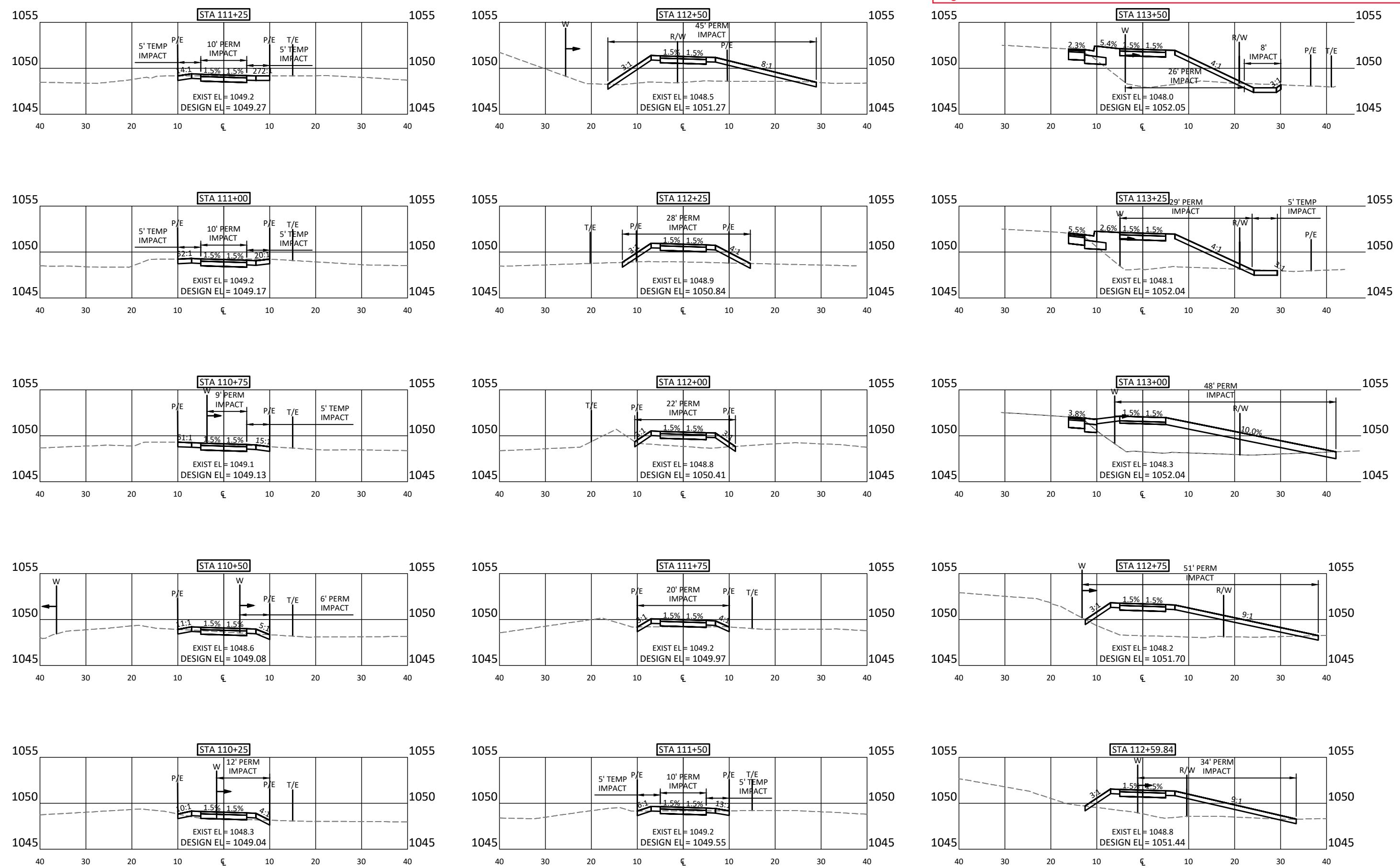
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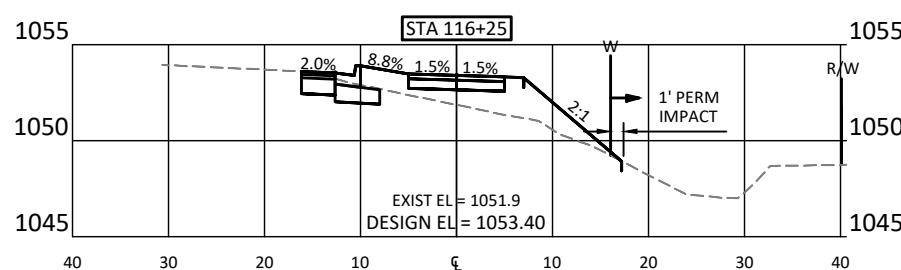
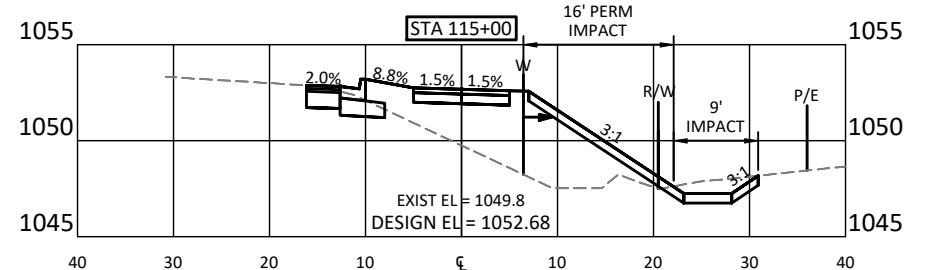
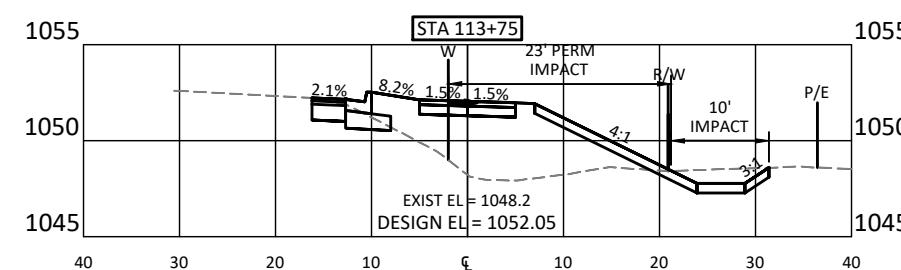
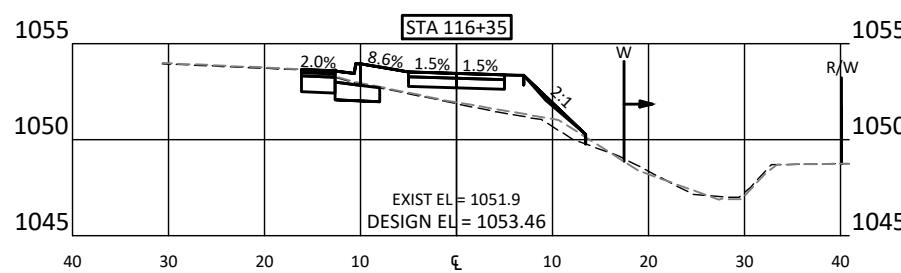
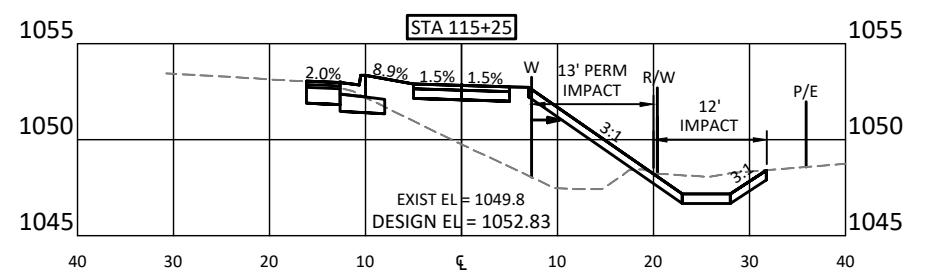
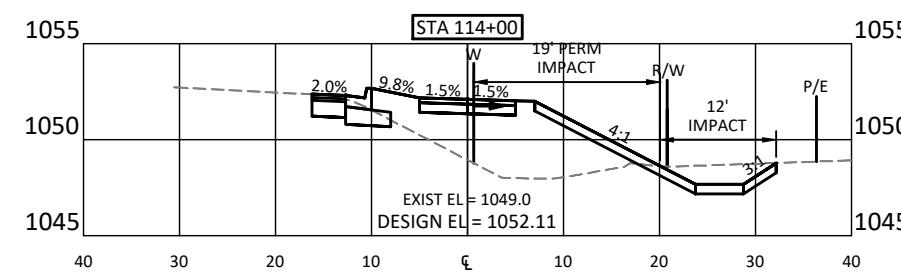
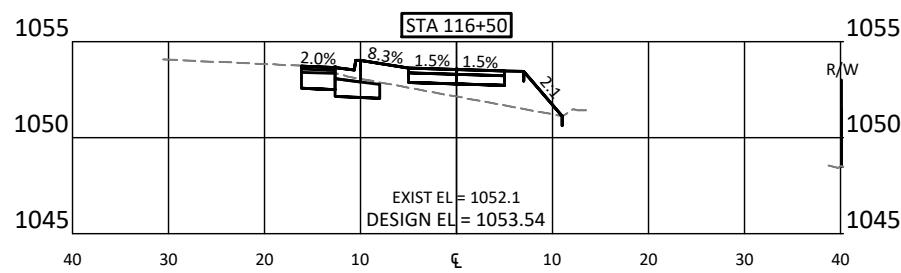
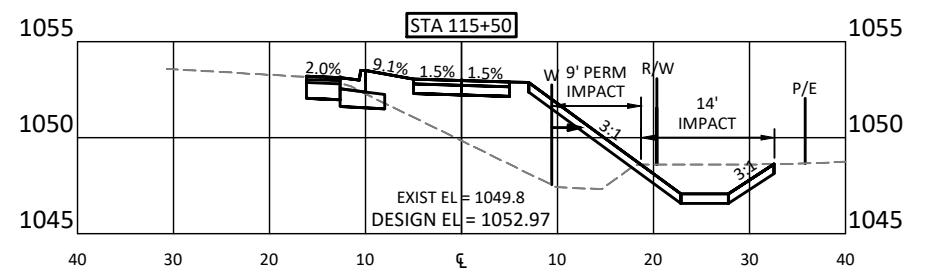
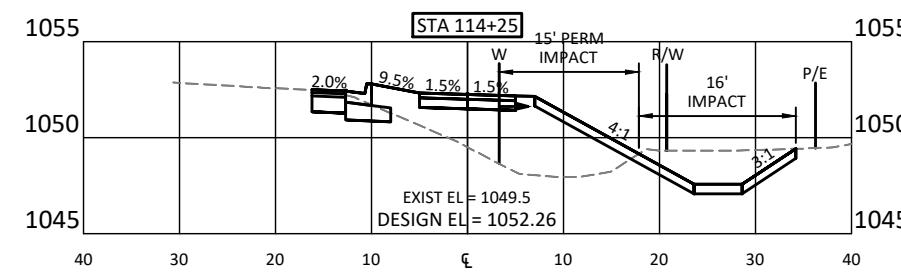
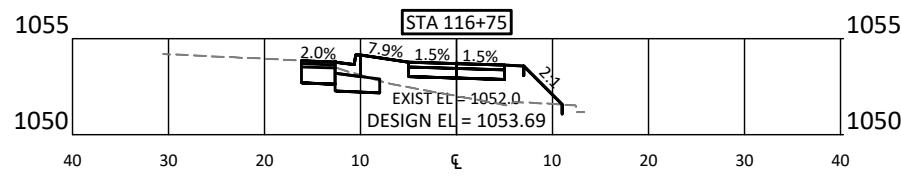
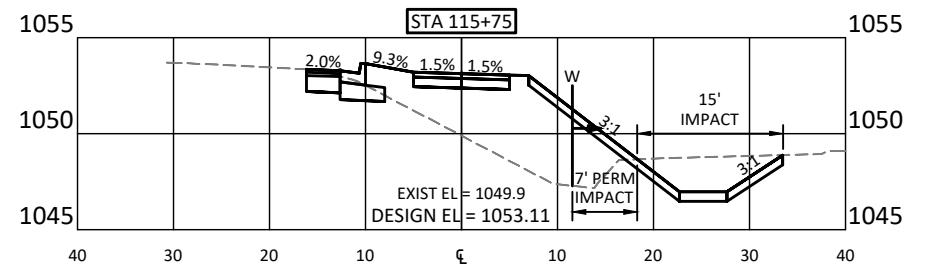
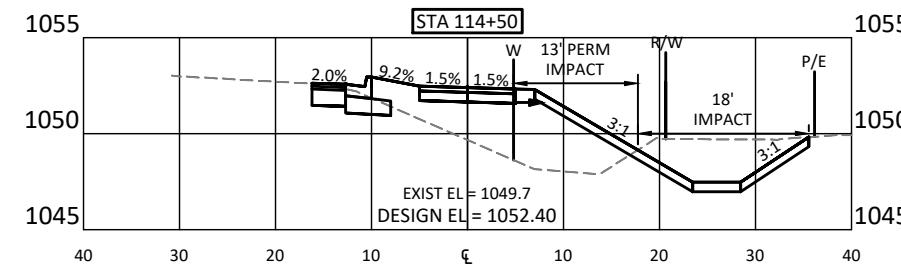
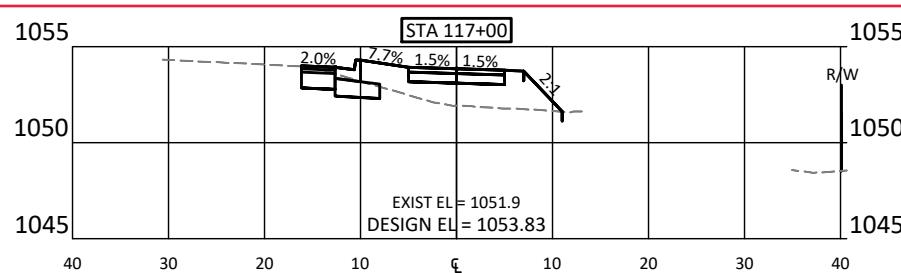
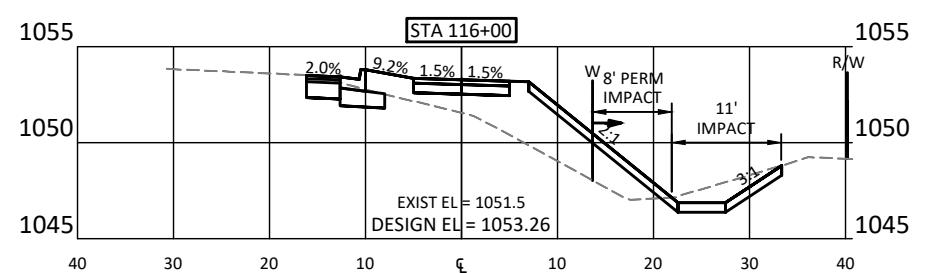
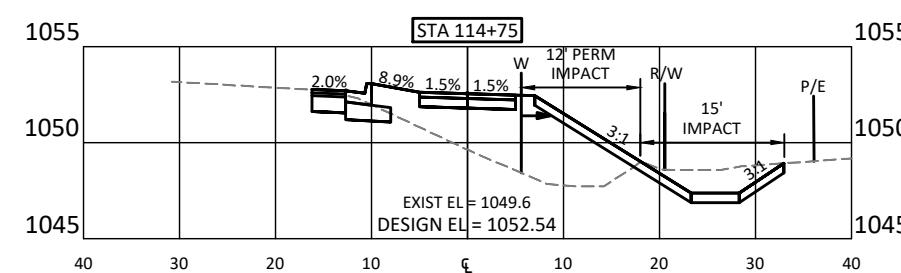
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SCALE  
VERT. 0 5 10 FEET  
SCALEI HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.  
Derek P. Olin, PE  
54287  
LIC. NO. 03/24/20202900 43RD STREET NW, SUITE 100  
ROCHESTER, MINNESOTA 55901  
Phone: (507) 208-4332  
Email: Rochester@bolton-menk.com  
www.bolton-menk.com

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Derek P. Olin, PE  
54287 DATE 03/24/2020  
LIC. NO.



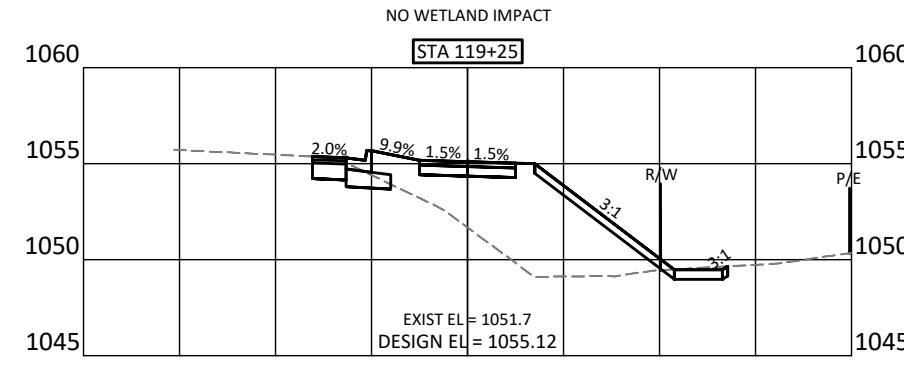
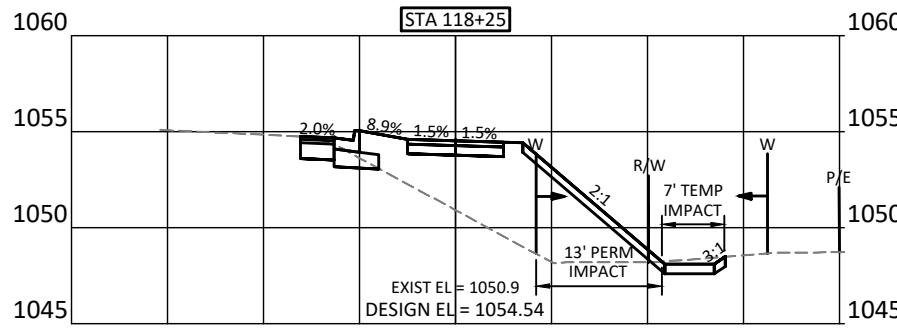
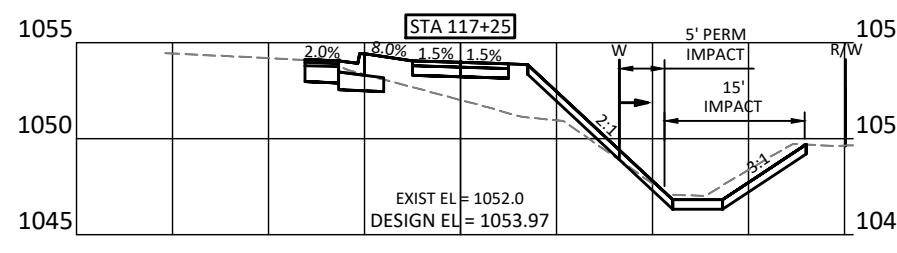
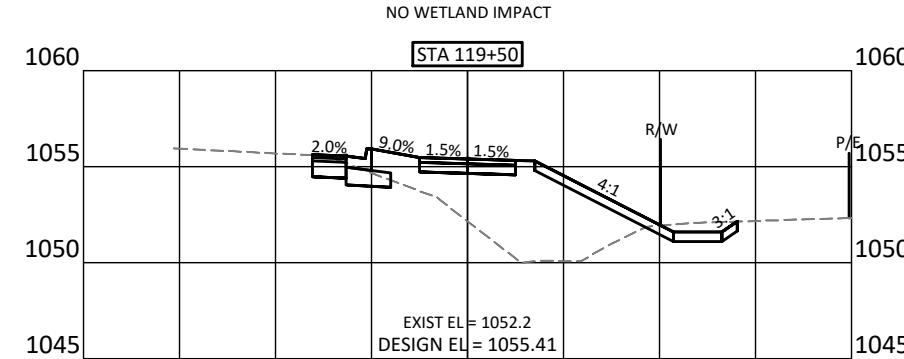
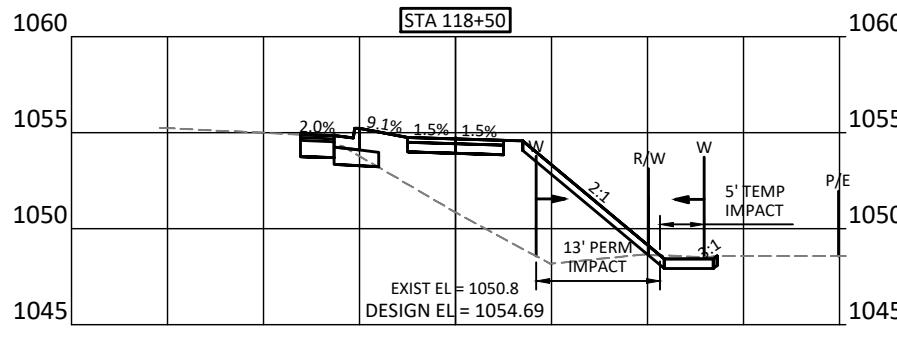
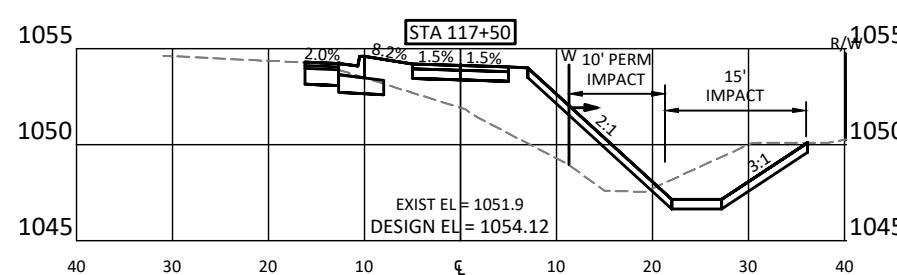
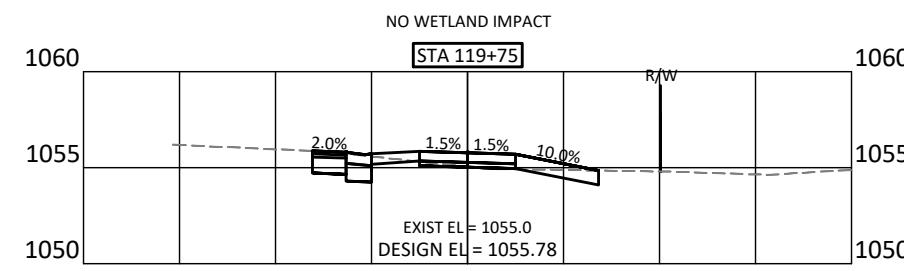
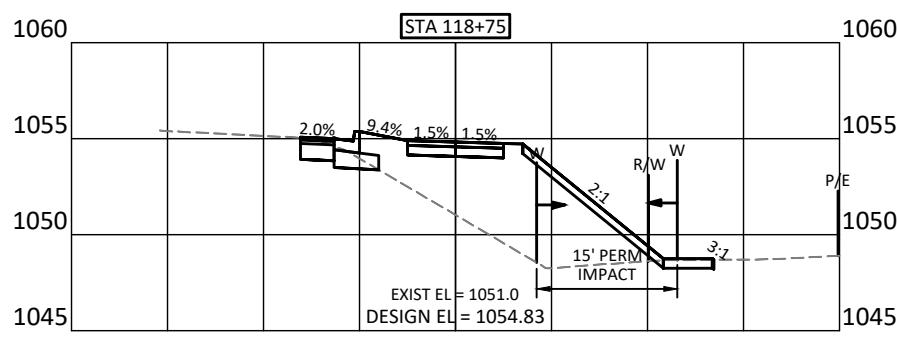
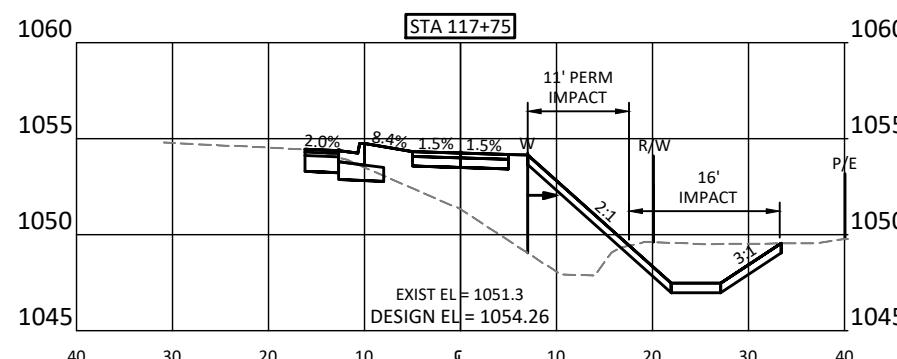
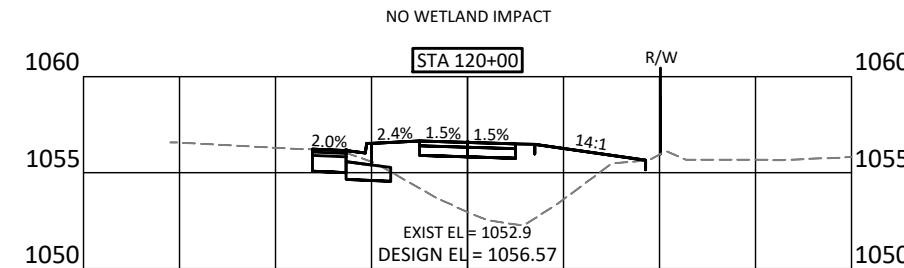
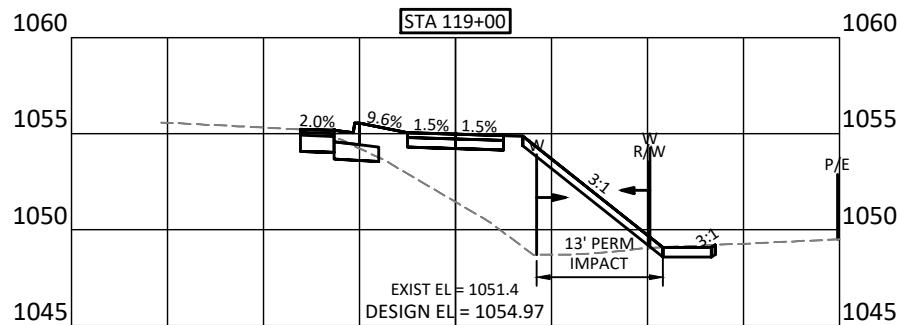
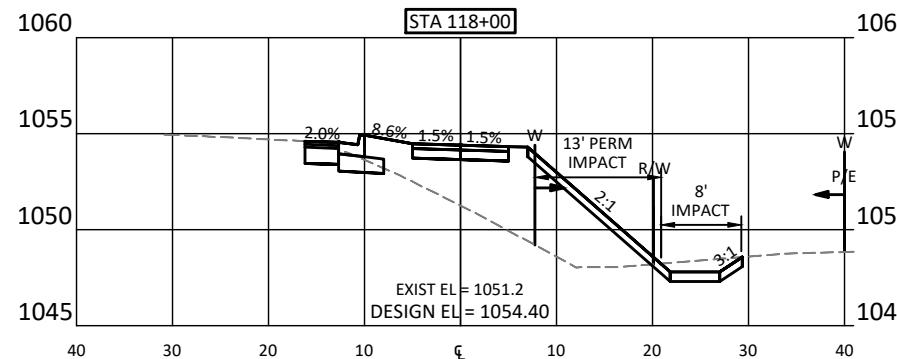
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A scale bar labeled "HORZ." with markings at 0, 10, and 20 feet.

A scale bar with markings at 0, 5, and 10 feet. The word "VERT." is written above the 0 mark, and "SCALE" is written below the 0 mark.

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR  
BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I  
PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE  
  
DEREK P. OLIN, PE  
IC NO. 54287 DATE



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