



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

APPLICANT: City of Nashwauk,
Minnesota

Public Notice

ISSUED: February 1, 2023
EXPIRES: February 16, 2023

REFER TO: MVP-2022-01295-ARC

SECTION: 404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material in wetlands adjacent to O'Brien Creek.

2. SPECIFIC INFORMATION

APPLICANT City of Nashwauk
301 Central Avenue
Nashwauk, Minnesota 55769

AGENT CK Wetland Services
315 2nd Avenue Northwest
Chisolm, Minnesota 55719

PROJECT LOCATION: The project site is located in Section 33, Township 57 North, Range 22 West, Itasca County, Minnesota. The approximate UTM coordinates are N 489038.9354, E 5247343.9813. Latitude 47.37946, Longitude -93.14520.

DESCRIPTION OF PROJECT: The proposed project consists of constructing a new PreK through 12th grade school and community wellness center on the east side of Nashwauk, Minnesota. The development would be located on a 43-acre property on the north side of US Highway 169 between 7th Street and O'Brien Creek and would consist of a new 130,000 square-foot PreK-12 school and wellness center with a two-lane access road connecting directly to Platt Avenue.

The proposed PreK-12 school would accommodate two sections per grade and include dedicated space for arts and technical education, special education, and music and theater programs. The new school would be designed to fully meet state recommendations for health, safety, size, and educational adequacy. A centralized commons space and three-station gymnasium would also significantly enhance the district's capability to host sporting events, practices, and community gatherings. The school would also include secure, easily monitored entry space able to regulate access to both school and community spaces, a full kitchen and cafeteria, media and technology workspace, office space for district, and dedicated green space for outdoor learning.

The community wellness center would function as a separate building from the PreK-12 school but share the same secure entrance and certain fitness spaces. The center would feature several publicly accessible resources for members of the broader Nashwauk-Keewatin community including community library, community fitness area, walking track, community meeting space, and student-run coffee shop.

The development would also include separate pickup/drop-off lanes for buses and cars and two parking lots strategically situated for traffic flow. The North parking lot would contain 130 parking stalls with the South lot containing 70 parking stalls. The proposal would also include a trail

connecting the facility to Deering Avenue, providing walking access to the residential properties and outdoor wellness opportunities.

QUANTITY, TYPE, AND AREA OF FILL: The proposed project would result in the permanent discharge of fill material into 2.23 acres of wetlands adjacent to O'Brien Creek.

VEGETATION IN AFFECTED AREA: The property is almost entirely forested with varying topography resulting in hardwood swamp, shrub-carr and wet meadow wetlands in the low topographic areas and hardwood upland forests on the high ground areas.

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

SURROUNDING LAND USE: The majority of the surrounding land use is mixed between the US Highway 169 right-of-way, city and county roadways, the Mesabi Trail, and residential properties.

DESCRIPTION OF DREDGING OR EXCAVATION: The development would include the excavation and grading of an infiltration basin and wet sediment basin to treat stormwater before it leaves the site. One of the basins would be located on the northeast corner of the site and would be partially located within wetlands.

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. It is anticipated the potential for toxic materials would come from construction equipment commonly used in commercial and institutional development.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: The applicant would be required to acquire an individual 401 Water Quality Certification, National Pollutant Discharge Elimination System/State Disposal System (NPDES/SDS) Permit from the Minnesota Pollution Control Agency (MPCA) as well as create a Stormwater Pollution Prevention Plan (SWPPP) that would be used to comply with MPCA's erosion control and storm water BMPs. The appropriate BMPs would be utilized during construction and periodically after qualifying rainfall events.

MITIGATION: The development would result in the direct loss of 2.2354-acre of wetlands in Bank Service Area (BSA) 5. The applicant has proposed to compensate for the loss of wetland function by purchasing wetland credits at a 1:1 replacement ratio from a federally approved wetland mitigation bank within the same BSA.

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, Itasca County is within the known or historic range of the following Federally listed species:

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.
-------------------------	--

Gray Wolf Northern forest habitat

Canada Lynx Northern forest habitat

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. 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 (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

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.

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 sent to Andy Chambers at Andrew.R.Chambers@usace.army.mil.

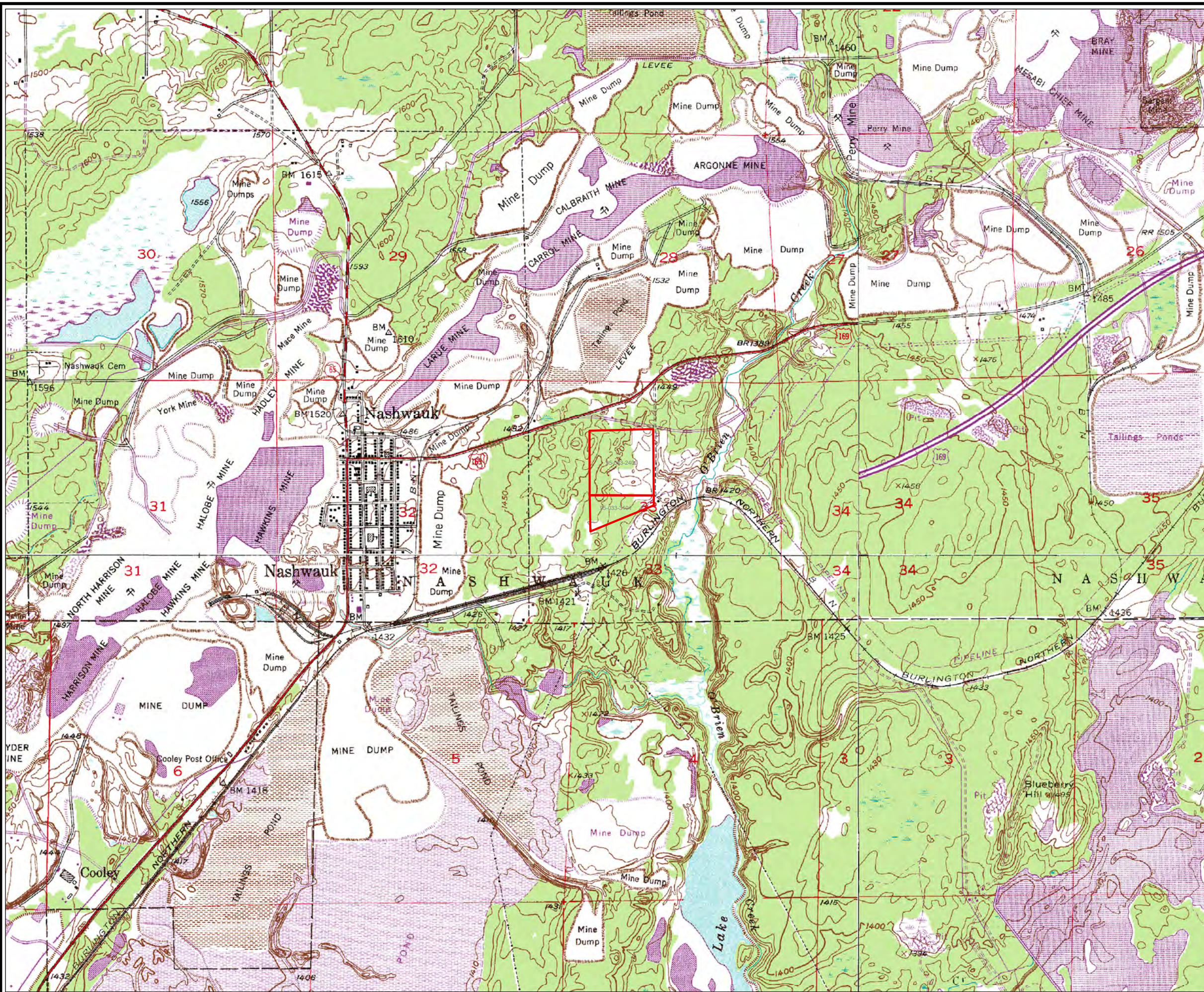
IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Andy Chambers at the Duluth office at 218-788-6407 or Andrew.R.Chambers@usace.army.mil.

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: Project Figures and Drawings

PATH: NASHWAUKSCHOOL.MXD
CKWETLANDSERVICES - GIS

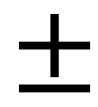
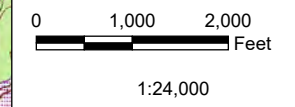
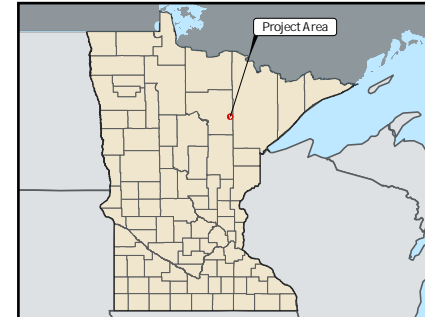
Plot Date: 5/26/2022, 13:36:43 PM by CKWET - LAYOUT: ANSIB(11"x17")
Coordinate System: NAD 1983 STATEPLANE MINNESOTA NORTH FIPS 2201 FEET (FOOT US)



Legend

Project Area

DRIVING DIRECTIONS (FROM GRAND RAPIDS):
 FOLLOW US-169 NORTH, CONTINUE 21.6 MILES,
 TURN LEFT ONTO CENTRAL AVE, CONTINUE FOR 0.2 MILES,
 TURN RIGHT ONTO PEARSON AVE. EAST, CONTINUE FOR 0.1 MILE,
 TURN LEFT ONTO 5TH STREET, CONTINUE FOR 0.1 MILE,
 5TH STREET BECOMES DEERING AVE EAST, CONTINUE FOR 0.3 MILE,
 ARRIVE ON SITE.



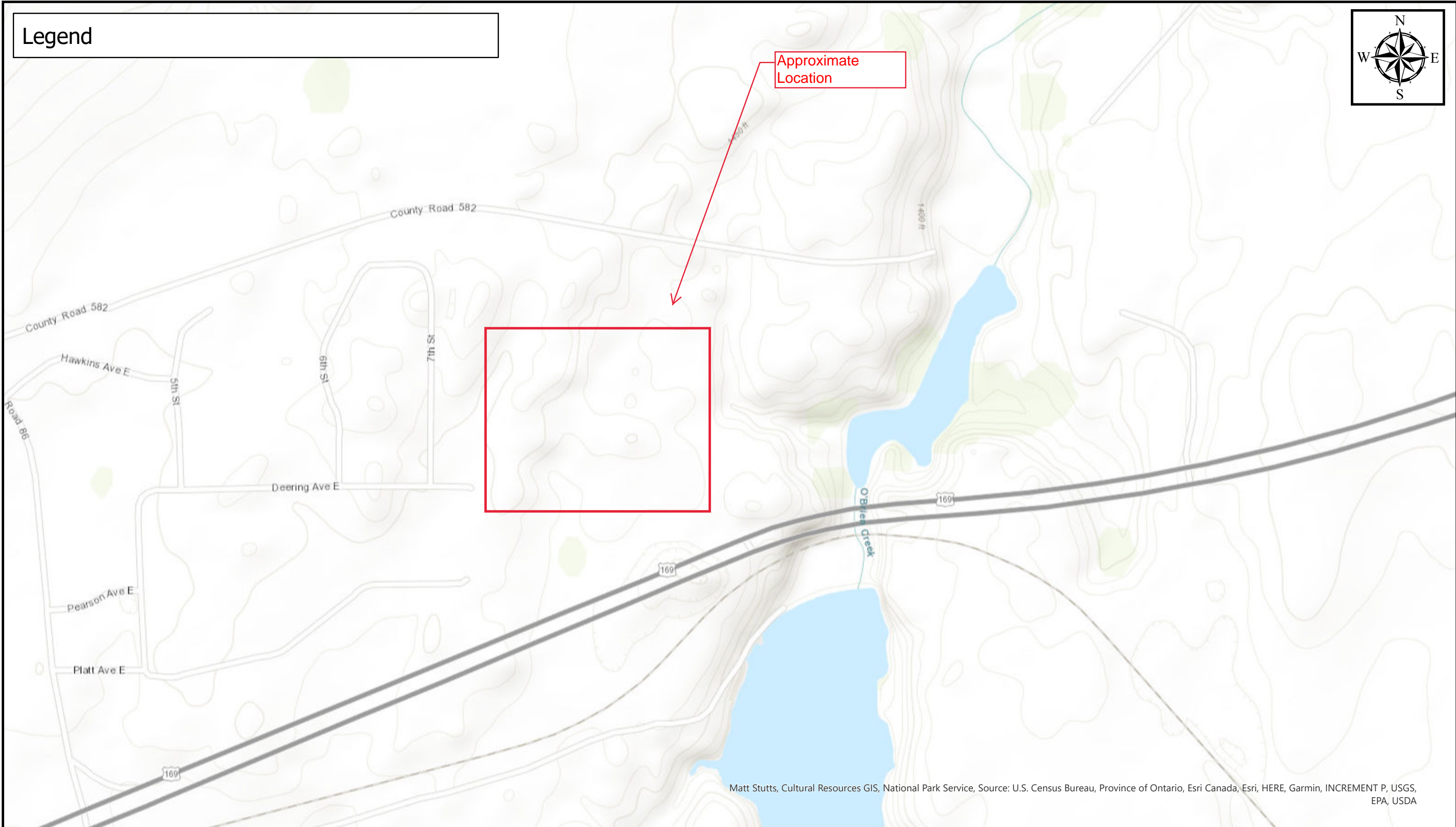
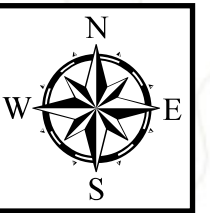
**NASHWAUK SCHOOL DEVELOPMENT
 ITASCA COUNTY, MINNESOTA**

**FIGURE 1
 SITE LOCATION MAP**

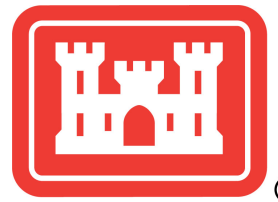


CK Wetland Services, LLC.,
 315 2nd Ave NW
 Chisholm, Minnesota 55719
 Phone: (218) 290-8618
 Author: C. Kleist

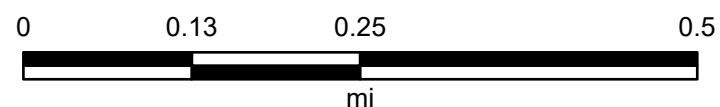
Legend



Matt Stutts, Cultural Resources GIS, National Park Service, Source: U.S. Census Bureau, Province of Ontario, Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA



Approximate Location



Map Center: 93.141911°W 47.379508°N

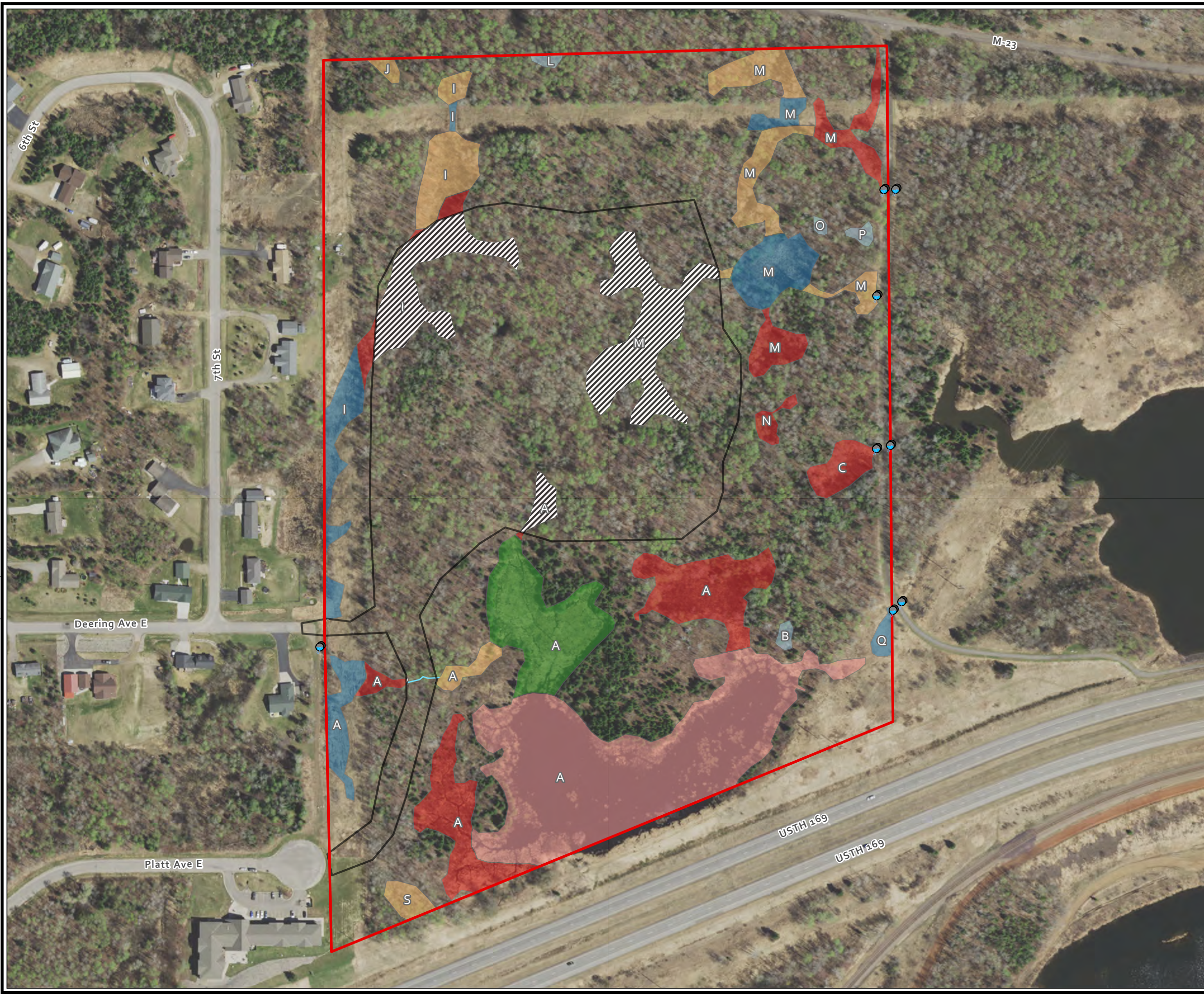
Map Created by: Chambers

Date: 1/6/2023

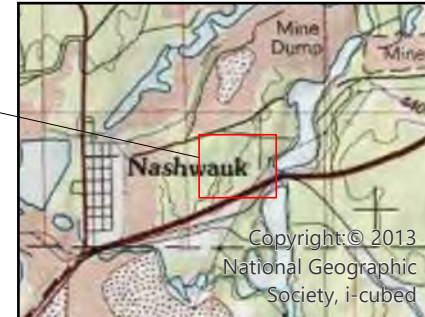
Coordinate System: WGS 1984 Web Mercator Auxiliary Sphere
Projection: Mercator Auxiliary Sphere

PATH: NK SCHOOL PERMITTING-APRX
CKWETLANDSERVICES - GIS

Plot Date: 1/31/2023, 13:06:29 PM by CKWET - LAYOUT: ANSIB(11"x17")
Coordinate System: NAD 1983 STATEPLANE MINNESOTA NORTH FIPS 2201 FEET (FOOT US)



- LEGEND**
- Project Area
 - Building Site
 - Proposed JD Wetland Impacts
 - Ephemeral Stream
 - Culverts
- Approved JD Wetlands
- Seasonally Flooded Basin
 - Wet Meadow
 - Shallow Marsh
 - Shallow Open Water
 - Shrub Swamp
 - Hardwood Swamp



**NASHWAUK SCHOOL DEVELOPMENT
ITASCA COUNTY, MINNESOTA**

**FIGURE 6
PROPOSED JD WETLAND IMPACT MAP**

NASHWAUK KEEWATIN SCHOOL AND COMMUNITY CENTER
NASHWAUK MN

SITE LAYOUT #4B
Alternative #9

LEGEND:

-  EXISTING WETLAND
-  IMPACTED WETLAND

PARKING:

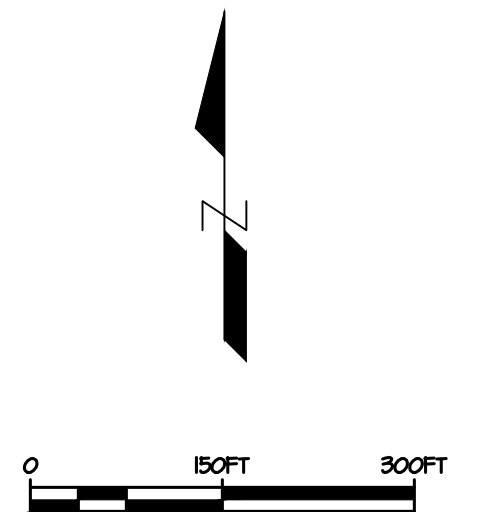
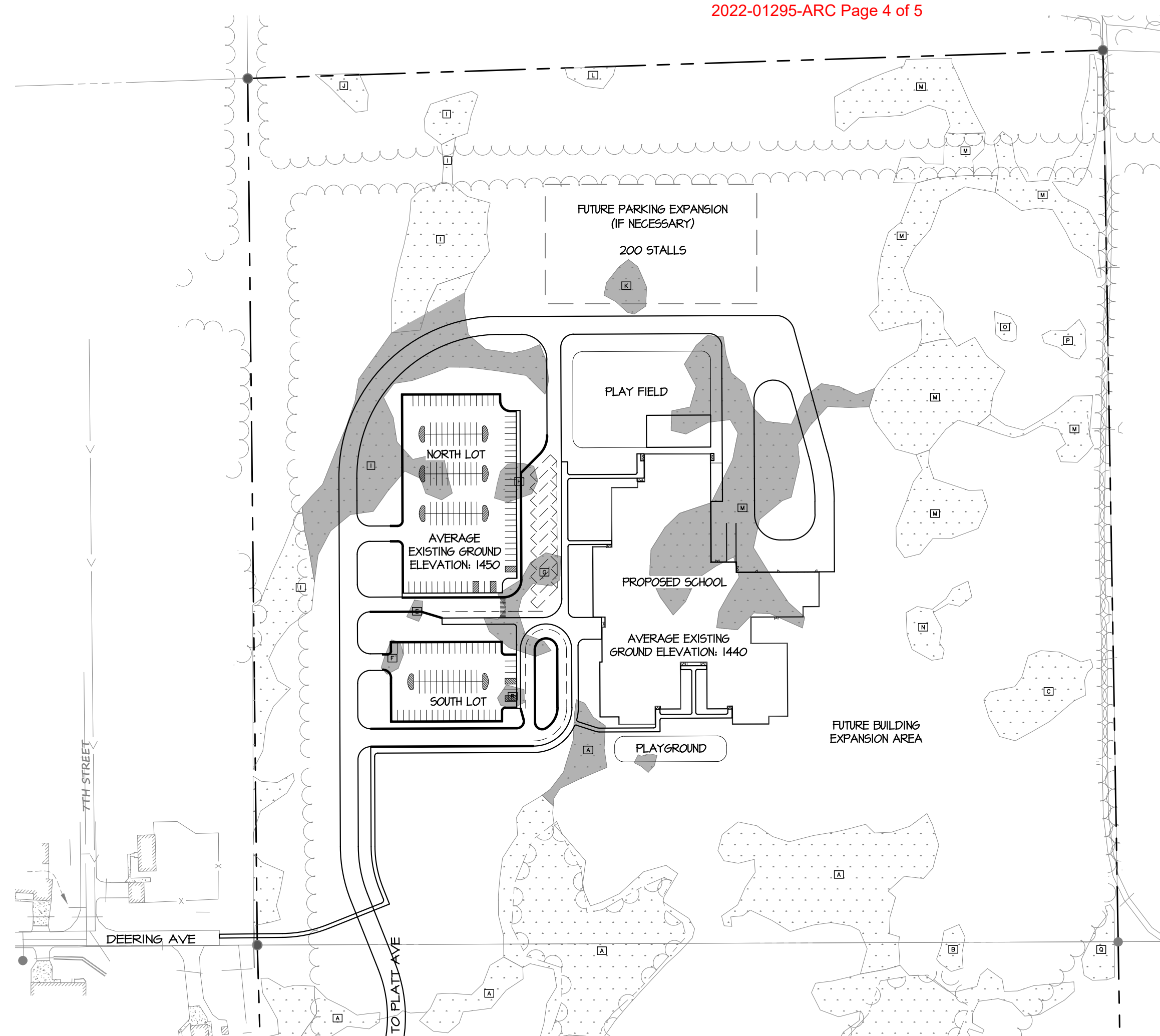
NORTH LOT:	130 STALLS
SOUTH LOT:	70 STALLS
TOTAL:	200 STALLS

FUTURE PARKING EXPANSION: 200 STALLS

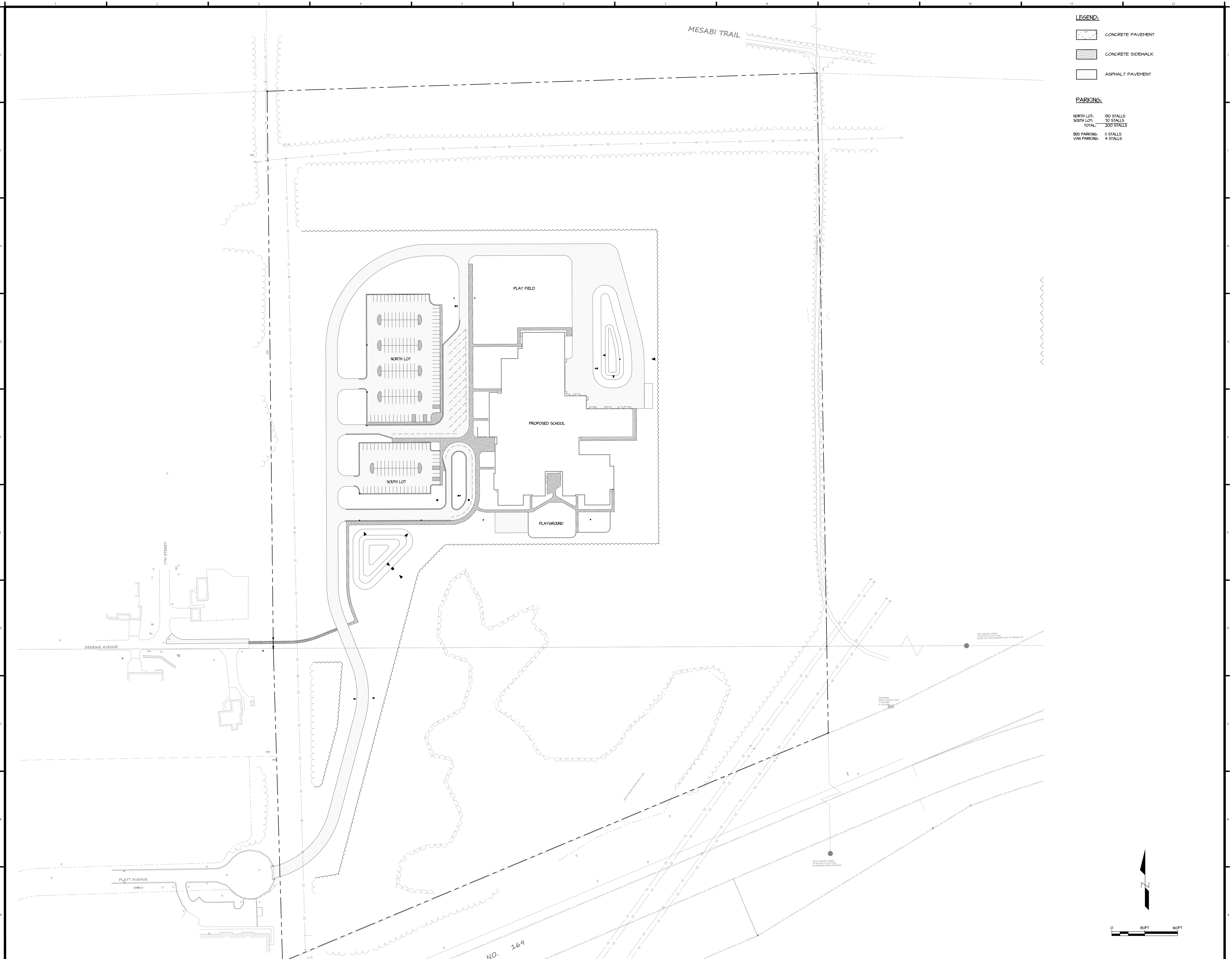
BUS PARKING:	11 STALLS
VAN PARKING:	4 STALLS

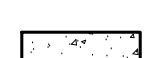

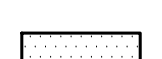
WETLAND:

APPROXIMATE IMPACTED WETLAND AREA: 2.23 ACRES +/-



For Review
10/03/2022 10:13:52 AM



- LEGEND:**
-  CONCRETE PAVEMENT
 -  CONCRETE SIDEWALK
 -  ASPHALT PAVEMENT
- PARKING:**
- NORTH LOT: 180 STALLS
 - SOUTH LOT: 10 STALLS
 - TOTAL: 200 STALLS
- BUS PARKING:** 2 STALLS
VAN PARKING: 4 STALLS

CS
 A LEGENICE Company

dsgw
 ARCHITECTURE
 enriching communities

BNDRY
 STUDIO

CMTA
 A LEGENICE Company

Northland
 Consulting Engineers LLP.
Structural, Civil and Forensic Engineering
 102 South 21st Ave. West, Duluth, MN 55806
 (218) 727-5995, (218) 727-7779

JPI

**Nashwauk Keewatin
 School and
 Community Center**

ARCHITECT:
 DSGW Architects
 2 W 1st St, Suite 201
 Duluth, MN 55802
 (218) 727-2626

CIVIL ENGINEER:
 CMTA
 2201 12th St. N, Suite E
 Fargo, ND 58102
 (701) 280-0500

STRUCTURAL ENGINEER:
 Northland Consulting Engineers
 102 S. 21st Ave. West, Suite 1
 Duluth, MN 55806
 (218) 727-5995

MECHANICAL ENGINEER:
 CMTA
 525 S Lake Ave Suite 222
 Duluth, MN 55802
 (218) 722-3060

ELECTRICAL ENGINEER:
 CMTA
 525 S Lake Ave Suite 222
 Duluth, MN 55802
 (218) 722-3060

Project Location:
 Project Address
 Nashwauk, MN 55769

©2021 ICS Consulting
These documents were prepared specifically for this project only. They are not to be used for any other projects or in other locations without the express written approval and participation of ICS Consulting.

REVISION/ISSUE	NO.	DATE

**DD - NOT FOR
 CONSTRUCTION
 12-07-22**

Project Information:
 Project No. : 2022080
 Drawn By : AJ
 Checked By : SS
 Date : Issue Date

Sheet Title:
 Site Plan

Sheet Number:
C1.00

