

SECTION 00025

ADDENDA FORM

**Addendum No. 1
to the Specifications/Bid Package for
Kingston Wetland Restoration Project**

For: **Clearwater River Watershed District**
75 Elm Street East, Box 481
Annandale, MN 55302
Office: (320) 274-3935
Fax: (320) 274-3975

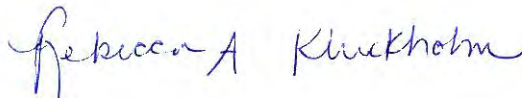
Prepared By: Wenck Associates, Inc.
1800 Pioneer Creek Center
Box 249
Maple Plain, Minnesota 55359
763-479-4200

Any revisions to any of the Contract Documents made by this Addendum shall be considered as the same revision to any and all related areas of the Contract Documents not specifically called out in the Addendum.

The Bidder shall acknowledge receipt of this Addendum by signing behind the addendum number in the space provided on the BID FORM.

Date: January 17, 2013

The following clarifications and are hereby made to the Specifications/Bid Package for Kingston Wetland Restoration Project, Meeker County, Minnesota.



Rebecca Kluckhohn, PE

MN Registration No. 42013

Addendum No.1
To the Contract Documents for
Kingston Wetland Restoration Project

Wenck File #0002-174

Date: January 17, 2013
Bids Close: January 25, 2013 at 1:00 P.M. CST

TO ALL BIDDERS BIDDING ON THE ABOVE PROJECT:

All bidders submitting a bid on the above Contract shall carefully read this Addendum and give it consideration in the preparation of their bid. The following are clarifying statements and modifications to the Contract Documents:

- I. Replace Sheet G-101 with Attachment #1.
- II. Sheets C-107, C-108 and D-103 (Attachment #2) shall be incorporated into the bid documents.
- III. Appendix B, the Storm Water Pollution Prevention Plan, shall be incorporated into the bid documents (Attachment #3).
- IV. Replace page 0005-2 in the Table of Contents with Attachment 4.
- V. Appendix C, the DNR Permit shall be incorporated into the bid documents (Attachment 5).

END OF SECTION

Attachment 1

KINGSTON WETLAND

RESTORATION KINGSTON, MN

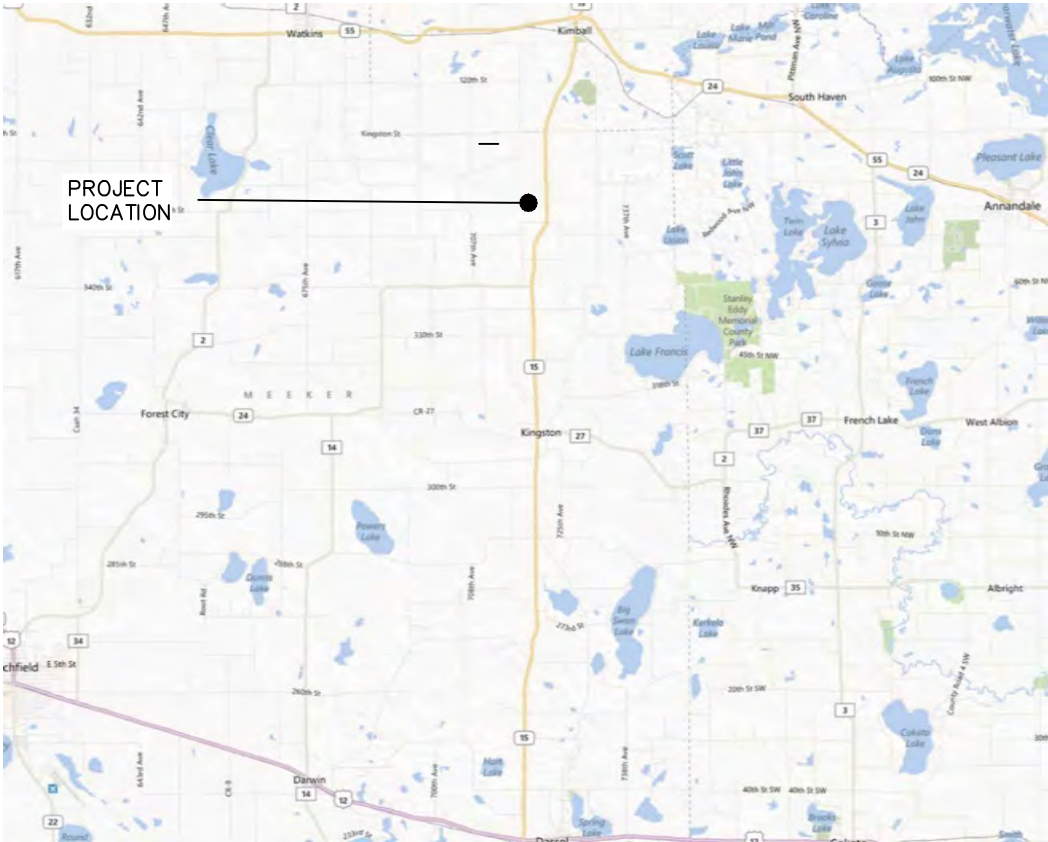
DECEMBER, 2012

WARNING:

THE CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING FOR LOCATIONS OF ALL EXISTING UTILITIES. THEY SHALL COOPERATE WITH ALL UTILITY COMPANIES IN MAINTAINING THEIR SERVICE AND/OR RELOCATION OF LINES.

THE CONTRACTOR SHALL CONTACT GOPHER STATE ONE CALL AT 651-454-0002 AT LEAST 48 HOURS IN ADVANCE FOR THE LOCATIONS OF ALL UNDERGROUND WIRES, CABLES, CONDUITS, PIPES, MANHOLES, VALVES OR OTHER BURIED STRUCTURES BEFORE DIGGING. THE CONTRACTOR SHALL REPAIR OR REPLACE THE ABOVE WHEN DAMAGED DURING CONSTRUCTION AT NO COST TO THE OWNER.

CALL BEFORE YOU DIG
GOPHER STATE ONE CALL
TWIN CITY AREA: 651-454-0002
TOLL FREE 1-800-252-1166



PROJECT LOCATION MAP



ENLARGED PROJECT LOCATION MAP

INDEX OF SHEETS

G-101	TITLE AND INDEX SHEET
C-101	EXISTING CONDITIONS
C-102	PROJECT OVERVIEW
C-103	CHANNEL PLAN AND PROFILE STA 3+00 TO 18+00
C-104	CHANNEL PLAN AND PROFILE STA 18+00 TO 32+00
C-105	CHANNEL PLAN AND PROFILE STA 32+00 TO 46+00
C-106	CHANNEL PLAN AND PROFILE STA 46+00 TO 61+00
C-107	EROSION CONTROL PLAN
C-108	SWPPP PLAN
D-101	DETAILS
D-102	DETAILS
D-103	EROSION CONTROL DETAILS

GOVERNING SPECIFICATIONS:

1. THE MINNESOTA DEPARTMENT OF TRANSPORTATION "STANDARD SPECIFICATIONS FOR CONSTRUCTION" LATEST EDITION & SUPPLEMENTS.
2. CITY ENGINEERS ASSOCIATION OF MINNESOTA (CEAM) STANDARD UTILITIES SPECIFICATIONS (LATEST EDITION)
3. ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND ORDINANCE WILL BE COMPLETED WITH IN THE CONSTRUCTION OF THIS PROJECT.

REV	REVISION DESCRIPTION	DWN	APP	REV DATE
2	FINAL PLANS	BWC	RK	12/31/12
1	DRAFT FINAL PLANS	BWC	NCW	12/21/12

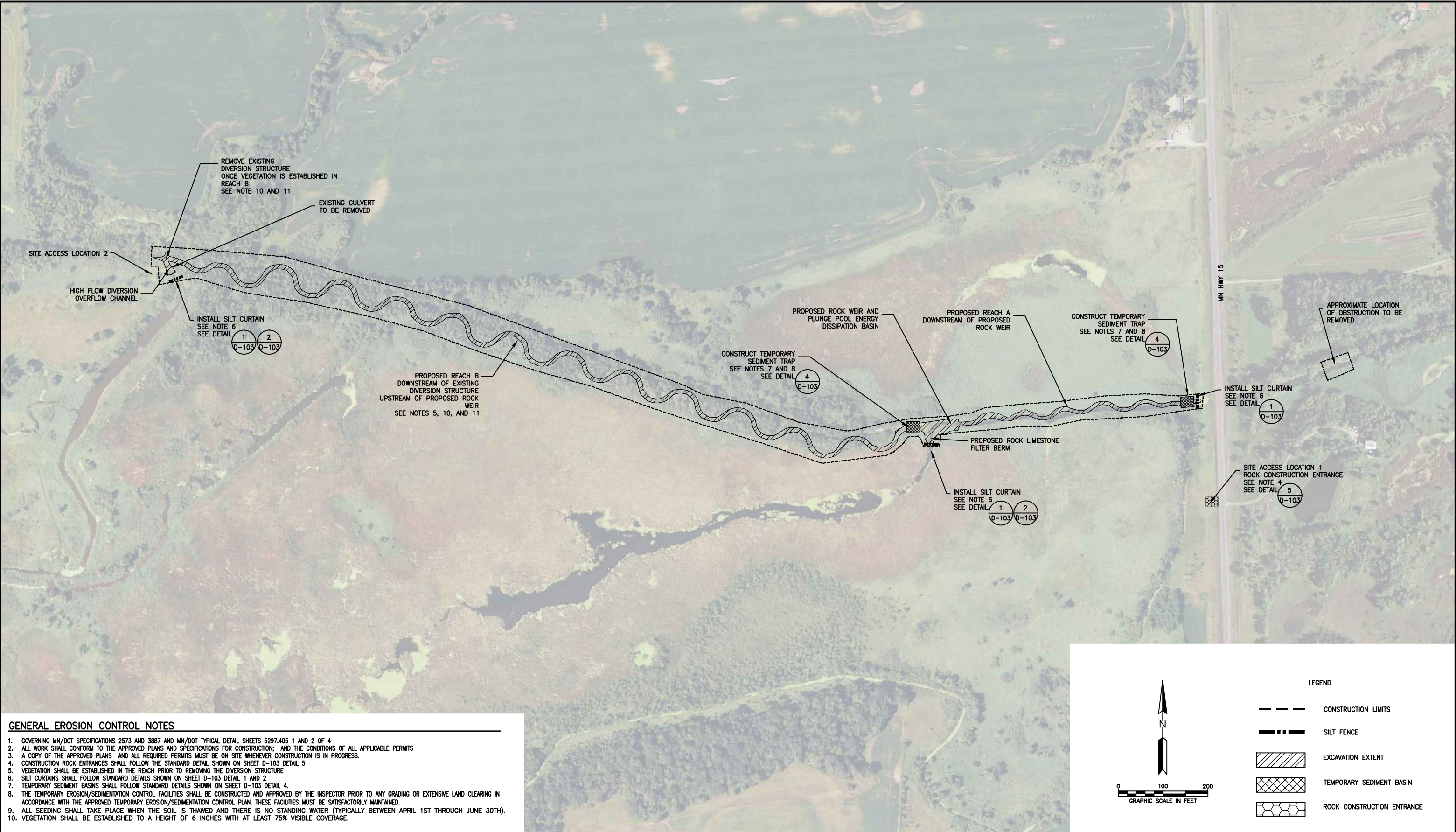
SEAL
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PRINT NAME REBECCA KLICKHOHN
SIGNATURE Rebecca Kluckhohn
DATE 01/03/2013 REG. NO. 42013

PRIME CONSULTANT
**Wenck**
Wenck Associates, Inc.
Consulting Engineers
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
(763)-479-4200
(763)-479-4242
Web Site: www.wenck.com

PROJECT TITLE
**KINGSTON WETLAND
RESTORATION**
**CLEARWATER RIVER
WATERSHED DISTRICT**

SHEET TITLE TITLE AND INDEX SHEET				
DWN BY BWC	CHK'D NCW	APP'D RK	DWG DATE 12/21/2012	SCALE AS NOTED
PROJECT NO. 0002-174	SHEET NO. G-101	REV NO. 2		

Attachment 2



GENERAL EROSION CONTROL NOTES

1. GOVERNING MN/DOT SPECIFICATIONS 2573 AND 3887 AND MN/DOT TYPICAL DETAIL SHEETS 5297.405 1 AND 2 OF 4
2. ALL WORK SHALL CONFORM TO THE APPROVED PLANS AND SPECIFICATIONS FOR CONSTRUCTION; AND THE CONDITIONS OF ALL APPLICABLE PERMITS
3. A COPY OF THE APPROVED PLANS AND ALL REQUIRED PERMITS MUST BE ON SITE WHENEVER CONSTRUCTION IS IN PROGRESS.
4. CONSTRUCTION ROCK ENTRANCES SHALL FOLLOW THE STANDARD DETAIL SHOWN ON SHEET D-103 DETAIL 5
5. VEGETATION SHALL BE ESTABLISHED IN THE REACH PRIOR TO REMOVING THE DIVERSION STRUCTURE
6. SILT CURTAINS SHALL FOLLOW STANDARD DETAILS SHOWN ON SHEET D-103 DETAIL 1 AND 2
7. TEMPORARY SEDIMENT BASINS SHALL FOLLOW STANDARD DETAILS SHOWN ON SHEET D-103 DETAIL 4.
8. THE TEMPORARY EROSION/SEDIMENTATION CONTROL FACILITIES SHALL BE CONSTRUCTED AND APPROVED BY THE INSPECTOR PRIOR TO ANY GRADING OR EXTENSIVE LAND CLEARING IN ACCORDANCE WITH THE APPROVED TEMPORARY EROSION/SEDIMENTATION CONTROL PLAN. THESE FACILITIES MUST BE SATISFACTORILY MAINTAINED.
9. ALL SEEDING SHALL TAKE PLACE WHEN THE SOIL IS THAWED AND THERE IS NO STANDING WATER (TYPICALLY BETWEEN APRIL 1ST THROUGH JUNE 30TH).
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SIGNATURE <u>Rebecca Kluckhohn</u>
DATE <u>01/03/2013</u> REG. NO. <u>42013</u>

PRIME CONSULTANT

 **Wenck**

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Consulting Engineers

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Web Site: www.wenck.com

763-479-4200
763-479-4242

PROJECT TITLE	KINGSTON WETLAND RESTORATION
CLEARWATER RIVER WATERSHED DISTRICT	

SHEET TITLE			
EROSION CONTROL PLAN			
DWN BY	CHK'D	APP'D	DWG DATE
BWC	NCW	RK	1/8/2013
PROJECT NO.		SCALE	
0002-174		AS NOTED	
SHEET NO.		REV NO.	
C-107		1	

Plot Date & Time: 15 January 2013 9:50 AM
M:\0002\174\Construction\SWPPP\C-108 SWPPP PLAN.dwg

CERTIFICATION

IN ACCORDANCE WITH PART III.A.2.A.I. OF THE GENERAL PERMIT AUTHORIZATION TO DISCHARGE STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER THE NPDES, THE PREPARER OF THIS DOCUMENT WAS TRAINED UNDER THE UNIVERSITY OF MINNESOTA EROSION AND SEDIMENT CONTROL CERTIFICATION PROGRAM. MS. MEGAN BEYER’S CERTIFICATION IN DESIGN OF SWPPP IS VALID THROUGH MAY 31, 2016.

CUMULATIVE IMPERVIOUS SURFACE
NO NEW IMPERVIOUS SURFACE WILL BE CREATED AS PART OF THIS PROJECT.

CONSTRUCTION DATES: JANUARY 28, 2013 TO JUNE 30, 2013

PARTY RESPONSIBLE FOR LONG TERM OPERATION AND MAINTENANCE OF THE SITE – OWNER
CLEARWATER RIVER WATERSHED DISTRICT
75 ELM STREET EAST, BOX 481
ANNANDALE, MN 55302

PARTY RESPONSIBLE FOR IMPLEMENTATION OF THE SWPPP – CONTRACTOR
TBD

INSPECTIONS
THE INSPECTION LOG WILL BE COMPLETED BY THE CONTRACTOR FOR THE CONSTRUCTION SITE. INSPECTIONS AT THE SITE WILL BE COMPLETED AS FOLLOWS:

- ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND
- WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS.

THE INDIVIDUAL PERFORMING INSPECTIONS MUST BE TRAINED AS REQUIRED BY PART IV.E OF THE PERMIT. CONTRACTOR TO PROVIDE OWNER WITH PROOF OF TRAINING. INSPECTIONS MUST INCLUDE STABILIZED AREAS, EROSION PREVENTION AND SEDIMENT CONTROL BMPS, AND INFILTRATION AREAS AS APPLICABLE. CORRECTIVE ACTIONS MUST BE IDENTIFIED AND DATE OF CORRECTION MUST BE NOTED AS IDENTIFIED IN SECTION IV.E. OF THE PERMIT.

POLLUTION PREVENTION MEASURES

SOLID WASTE
SOLID WASTE, INCLUDING BUT NOT LIMITED TO, COLLECTED ASPHALT AND CONCRETE MILLINGS, FLOATING DEBRIS, PAPER, PLASTIC, FABRIC, CONSTRUCTION AND DEMOLITION DEBRIS AND OTHER WASTE MUST BE DISPOSED OF PROPERLY AND MUST COMPLY WITH MPCA DISPOSAL REQUIREMENTS.

HAZARDOUS MATERIALS
HAZARDOUS MATERIALS, INCLUDING BUT NOT LIMITED TO OIL, GASOLINE, PAINT AND ANY HAZARDOUS SUBSTANCE MUST BE PROPERLY STORED INCLUDING SECONDARY CONTAINMENTS, TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. RESTRICTED ACCESS TO STORAGE AREAS MUST BE PROVIDED TO PREVENT VANDALISM. STORAGE AND DISPOSAL OF HAZARDOUS WASTE MUST BE IN COMPLIANCE WITH MCPA REGULATIONS.

WASHING OF CONSTRUCTION VEHICLES
EXTERNAL WASHING OF TRUCKS AND OTHER CONSTRUCTION VEHICLES MUST BE LIMITED TO A DEFINED AREA OF THE SITE. RUNOFF MUST BE CONTAINED AND WASTE PROPERLY DISPOSED OF. NO ENGINE DEGREASING IS ALLOWED ON SITE.

CONCRETE WASHOUT AREA
CONCRETE WASHOUT IS NOT ANTICIPATED FOR THIS PROJECT. CONTRACTOR MUST PROVIDE OTHER MEANS FOR WASHING OUT CONCRETE OFFSITE.

GENERAL SWPPP NOTES:
DEWATERING IS NOT ANTICIPATED FOR THIS PROJECT.
BECAUSE THE PROJECT IS MORE THAN 5 ACRES, TEMPORARY SEDIMENT BASINS ARE REQUIRED. TEMPORARY SEDIMENT TRAPS WILL BE IMPLEMENTED IN THE AREAS SHOWN ON SHEET C–107. HOWEVER, DUE TO THE NATURE OF THE PROJECT, STRICT CONFORMANCE WITH THE CONSTRUCTION NPDES PERMIT REQUIREMENTS FOR A TEMPORARY SEDIMENT BASIN IS NOT FEASIBLE. WORK WILL TAKE PLACE DIRECTLY WITHIN A SURFACE WATER (CLEARWATER RIVER). A DNR WORK IN PUBLIC WATERS PERMIT WILL BE OBTAINED AND ALL DNR PERMIT REQUIREMENTS WILL BE FOLLOWED DURING CONSTRUCTION ACTIVITIES.

EROSION AND SEDIMENT CONTROL PRACTICES

PRIOR TO ANY SITE DISTURBANCE THE EROSION PREVENTION MEASURES, INCLUDING SILT FENCE, SILT CURTAIN, AND ROCK CONSTRUCTION ENTRANCE, WILL BE INSTALLED AT THE SITE AS SHOWN ON SHEET C–107.

ALL EXPOSED SOIL AREAS WITHIN 7 DAYS OR AS SOON AS POSSIBLE MUST HAVE TEMPORARY EROSION PROTECTION (SLASH MULCH, EROSION CONTROL BLANKET, SEED) OR PERMANENT COVER YEAR ROUND.

CONTRACTOR SHALL IMPLEMENT APPROPRIATE CONSTRUCTION PHASING, VEGETATIVE BUFFER STRIPS, HORIZONTAL SLOPE GRADING, AND OTHER CONSTRUCTION PRACTICES THAT MINIMIZE EROSION WHEN PRACTICAL.

THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH THAT DRAINS WATER FROM A CONSTRUCTION SITE, OR DIVERTS WATER AROUND A SITE, MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE TO ANY SURFACE WATER. STABILIZATION MUST BE COMPLETED WITHIN 24 HOURS OF CONNECTING TO A SURFACE WATER. PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS OF CONNECTION TO A SURFACE WATER.

SEDIMENT CONTROL PRACTICES MUST MINIMIZE SEDIMENT FROM ENTERING SURFACE WATERS. THE FOLLOWING MEASURES WILL BE TAKEN AS SEDIMENT CONTROL PRACTICES IN ORDER TO MINIMIZE SEDIMENTS FROM ENTERING SURFACE WATERS AND/OR FROM BEING TRANSPORTED WITHIN THE SURFACE WATER WHERE WORK IS BEING PERFORMED:

- INSTALLATION OF SEDIMENT CONTROL PRACTICES SUCH AS BALE BARRIERS OR SILT FENCING ON ALL DOWN GRADIENT PERIMETERS PRIOR TO LAND DISTURBING ACTIVITIES. SILT FENCING OR OTHER SEDIMENT CONTROL SURROUNDING TEMPORARY SOIL STOCKPILES.
- INSTALLATION OF SILT CURTAINS TO MINIMIZE DOWNSTREAM SEDIMENT TRANSPORT.
- MINIMIZE VEHICLE TRACKING OF SEDIMENTS TO STREETS (E.G., SINGLE CONSTRUCTION VEHICLE ENTRANCE PAD, CONCRETE OR STEEL WASH RACKS, OR EQUIVALENT SYSTEMS).
- STREET SWEEPING OF TRACKED SEDIMENT IF APPLICABLE.

IMPAIRED WATERS, SPECIAL WATERS, AND WETLANDS


THIS PROJECT IS NOT LOCATED WITHIN A SPECIAL WATER.
THIS PROJECT IS LOCATED WITHIN AN IMPAIRED WATER –CLEARWATER RIVER IS IMPAIRED FOR DO AND FC.
BECAUSE OF THE PROXIMITY OF THE PROJECT TO AN IMPAIRED WATER DURING CONSTRUCTION:
ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN SEVEN (7) DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. TEMPORARY SEDIMENT BASINS ARE REQUIRED TO HANDLE RUNOFF FOR COMMON DRAINAGE LOCATIONS THAT SERVE AN AREA WITH 5 OR MORE ACRES DISTURBED AT ONE TIME.

FINAL STABILIZATION
FOLLOWING FINAL SITE GRADING AND WITHIN THE SPECIFIED VEGETATIVE TIME SCHEDULE, SITE AREAS WILL RECEIVE SEED AND MULCH ACCORDING TO THE PLANS AND SPECIFICATIONS. FINAL STABILIZATION WILL OCCUR WHEN THE SITE HAS A UNIFORM VEGETATIVE COVER WITH A DENSITY OF 70% OVER THE ENTIRE DISTURBED AREA. ALL TEMPORARY SYNTHETIC EROSION PREVENTION AND SEDIMENT CONTROL BMPS (SUCH AS SILT FENCE, SILT CURTAIN) MUST BE REMOVED AS PART OF THE SITE FINAL STABILIZATION.
ALL SEDIMENT MUST BE CLEANED OUT OF CONVEYANCES AND TEMPORARY SEDIMENTATION BASINS IF APPLICABLE.
NOTICE OF TERMINATION (NOT) MUST BE SUBMITTED WITHIN 30 DAYS OF FINAL STABILIZATION.

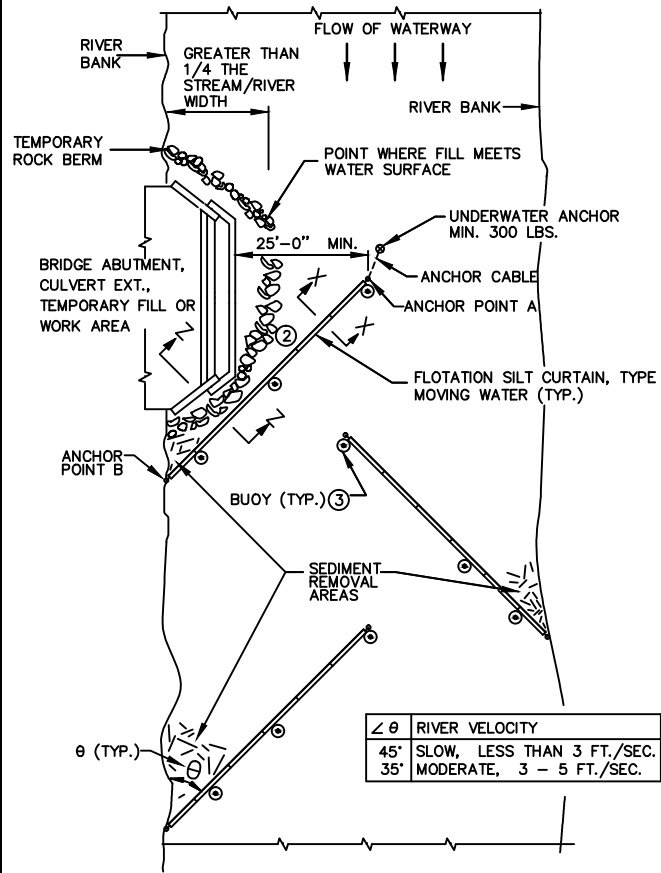
RECORD RETENTION
THE SWPPP, ALL CHANGES TO IT, AND INSPECTION AND MAINTENANCE RECORDS MUST BE KEPT ON–SITE DURING CONSTRUCTION. THE OWNER MUST RETAIN A COPY OF THE SWPPP ALONG WITH THE FOLLOWING RECORDS FOR THREE (3) YEARS AFTER SUBMITTAL OF THE NOTICE OF TERMINATION.

- ANY OTHER PERMITS REQUIRED FOR THE PROJECT
- RECORDS OF ALL INSPECTION AND MAINTENANCE CONDUCTED DURING CONSTRUCTION
- ALL PERMANENT OPERATIONS AND MAINTENANCE AGREEMENTS THAT HAVE BEEN IMPLEMENTED, INCLUDING ALL RIGHT OF WAY, CONTRACT, COVENANTS AND OTHER BIND REQUIREMENT REGARDING PERPETUAL MAINTENANCE
- ALL REQUIRED CALCULATIONS FOR DESIGN OF THE TEMPORARY AND PERMANENT STORMWATER MANAGEMENT SYSTEMS.

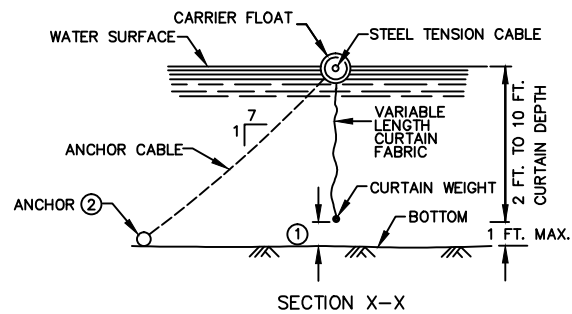
ATTACHED FIGURES
FIGURE 1 – SITE LOCATION MAP
FIGURE 2 – SOILS MAP
FIGURE 3 – 303d IMPAIRED WATERS AND WETLANDS MAP

					SEAL I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. PRINT NAME <u>REBECCA KLICKHOHN</u> SIGNATURE <u>Rebecca A. Klickhorn</u> DATE <u>01/03/2013</u> REG. NO. <u>42013</u>	PRIME CONSULTANT  © Wenck Associates, Inc. Consulting Engineers 1800 PIONEER CREEK CENTER MAPLE PLAIN, MN 55359 763-479-4200 763-479-4242	PROJECT TITLE KINGSTON WETLAND RESTORATION CLEARWATER RIVER WATERSHED DISTRICT	SHEET TITLE SWPPP PLAN <table><tr><td>DWN BY</td><td>CHK'D</td><td>APP'D</td><td>DWG DATE</td></tr><tr><td>BWC</td><td>MB</td><td>RK</td><td>1/8/2013</td></tr><tr><td colspan="3">PROJECT NO.</td><td>SCALE</td></tr><tr><td colspan="3">0002-174</td><td>N/A</td></tr><tr><td colspan="3">SHEET NO.</td><td>REV NO.</td></tr><tr><td colspan="3">C-108</td><td>1</td></tr></table>	DWN BY	CHK'D	APP'D	DWG DATE	BWC	MB	RK	1/8/2013	PROJECT NO.			SCALE	0002-174			N/A	SHEET NO.			REV NO.	C-108			1
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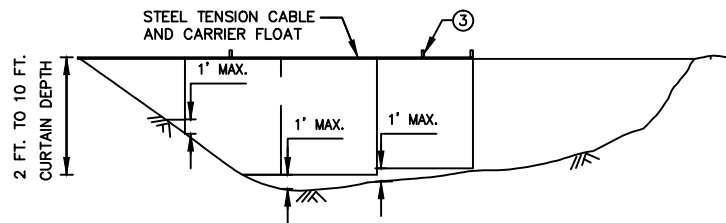
Plot Date & Time: 14 January 2013 4:42 PM
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PLAN VIEW (TYPE: MOVING WATER)

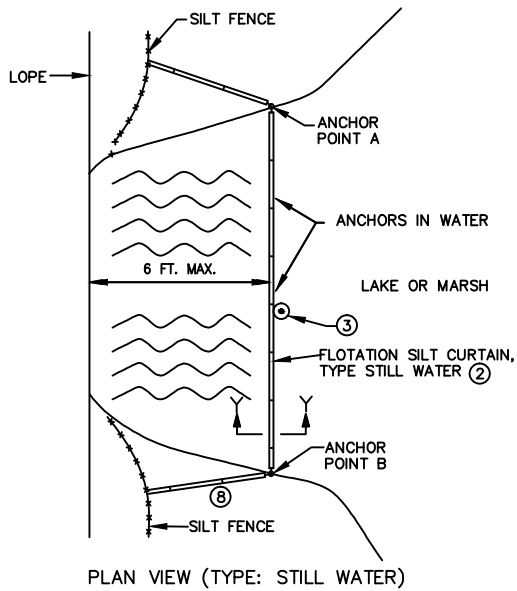


SECTION X-X

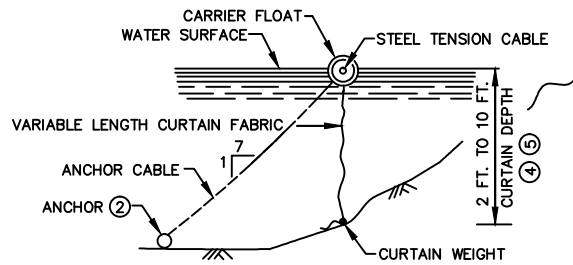


FLOTATION SILT CURTAIN - TYPE: MOVING WATER (4)
NOT TO SCALE

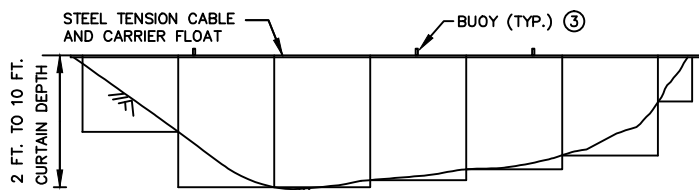
USE FOR SMALLER RIVERS
WITH SLOW AND MODERATE VELOCITIES



PLAN VIEW (TYPE: STILL WATER)

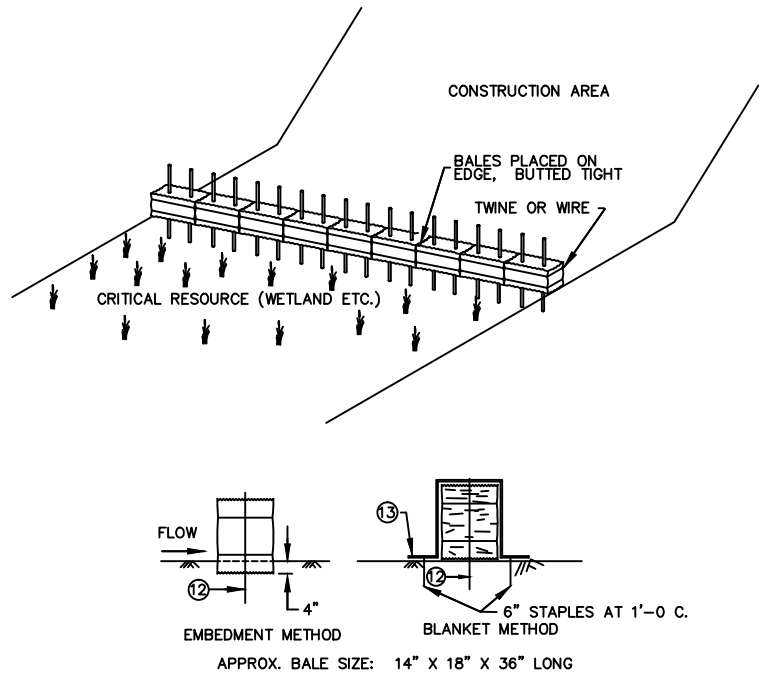


SECTION Y-Y



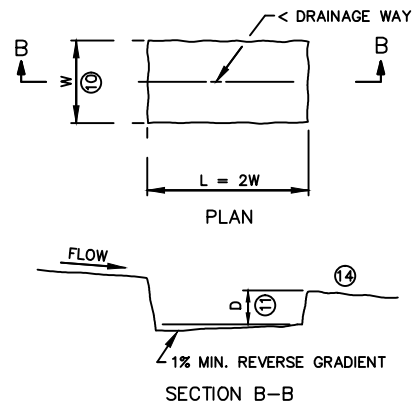
FLOTATION SILT CURTAIN - TYPE: WORK AREA AND STILL WATER (4)
NOT TO SCALE

FOR CONTAINING OVERFLOWS FROM WEIRS, STANDPIPES, SETTLING PONDS

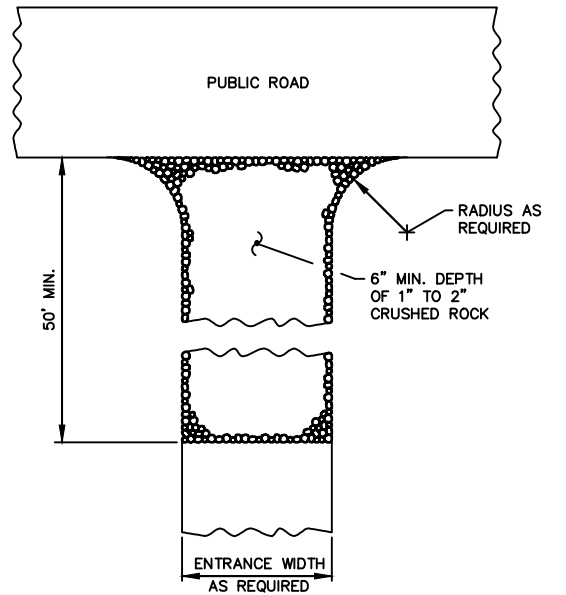


BALE BARRIER DETAIL
NOT TO SCALE

TO BE USED FOR CRITICAL PERIMETER CONTROL AREAS



SEDIMENT TRAP DETAIL
NOT TO SCALE



ROCK CONSTRUCTION ENTRANCE (9)
NOT TO SCALE

NOTES:

SEE MN/DOT SPECS. 2573 & 3887
SEE MN/DOT STANDARD PLANS 5297.405 SHEETS 1 AND 2 OF 4

- CURTAIN EXTENDS TO 1 FT. MAXIMUM FROM BOTTOM OF WATER BODY.
- FOR ANCHOR AND WEIGHT REQUIREMENTS, SEE SPEC. 2573.
- ON U.S. COAST GUARD OR OTHER MOTORIZED WATERWAYS, BUOYS ARE REQUIRED TO MARK THE ENDS AND SPECIAL AREAS FOR VISIBILITY. PLACE BUOYS AS REQUIRED FOR NAVIGATIONAL PURPOSES.
- WATER DEPTH CAN BE 0 TO 10 FEET, 0 TO 11 FEET FOR TYPE MOVING WATER.
- SILT CURTAIN HEIGHT INCLUDES MAXIMUM WAVE HEIGHT FOR WATER BODY.
- KEEP AS CLOSE TO WORK AREA AS POSSIBLE.
- SILT CURTAIN, ROCK BERM OR SHEET PILE AS REQUIRED TO CONTROL THE INFILTRATION OF SILT.
- IF 6 INCHES OR LESS OF WATER, USE BALE BARRIERS MN/DOT SHEET 2
- ROCKS AT ENTRANCE CLEAN WORKSITE MUD OFF OF TRUCK TIRES BEFORE TRUCKS ENTER MAIN ROAD. KEEPING MUD OFF THE ROAD WILL PREVENT AUTO DAMAGE AND KEEP CONSTRUCTION SEDIMENT OUT OF DRAINAGE SYSTEMS AND WETLANDS. GEOTEXTILE MAY BE PLACED UNDER THE ROCK TO KEEP ROCKS SEPARATE FROM SOIL.
- W = 10 FT. MIN., 20 FT. MAX.
- D = 2 FT.
- TWO 2 IN. X 2 IN. WOOD STAKES OR REINFORCING BARS IN EACH BALE EMBEDDED 10 INCHES MINIMUM IN THE GROUND.
- PLACE CATEGORY 3 EROSION CONTROL BLANKET, 6 FT. WIDE MINIMUM, OVER THE BALE INSTEAD OF TRENCHING.
- LOCATION OF DOWNSTREAM TEMPORARY SEDIMENT CONTROL DEVICE.

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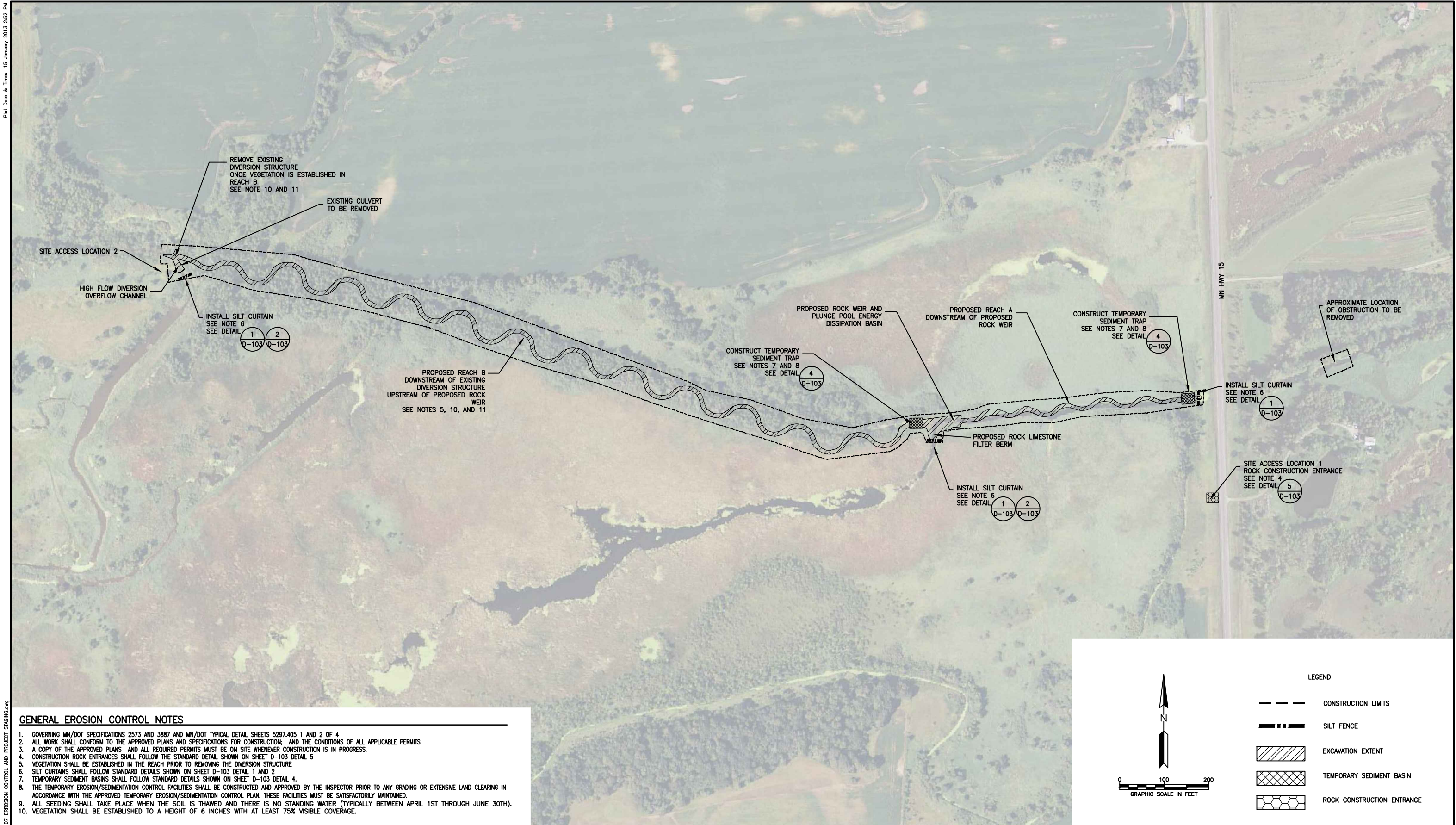
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SIGNATURE	<i>Rebecca Kluckhohn</i>
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REG. NO.	42013

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Wenck Associates, Inc. Consulting Engineers	Web Site: www.wenck.com
1800 PIONEER CREEK CENTER MAPLE PLAIN, MN 55359	(763)-479-4200 (763)-479-4242

PROJECT TITLE	KINGSTON WETLAND RESTORATION
CLEARWATER RIVER WATERSHED DISTRICT	

SHEET TITLE				MN/DOT EROSION CONTROL DETAILS	
DWN BY	CHK'D	APP'D	DWG DATE	1/14/2013	
DOT	BWC	RK	SCALE	AS NOTED	
PROJECT NO.		SHEET NO.		REV NO.	
0002-174		D-103		1	

Attachment 3



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SIGNATURE <u>Rebecca Kluckhohn</u>
DATE <u>01/03/2013</u> REG. NO. <u>42013</u>

PRIME CONSULTANT

 **Wenck**

© Wenck Associates, Inc. Consulting Engineers
1800 PIONEER CREEK CENTER MAPLE PLAIN, MN 55359 763-479-4200 763-479-4242

PROJECT TITLE	KINGSTON WETLAND RESTORATION
CLEARWATER RIVER WATERSHED DISTRICT	

SHEET TITLE EROSION CONTROL PLAN			
DWN BY BWC	CHK'D NCW	APP'D RK	DWG DATE 1/8/2013
PROJECT NO. 0002-174		SCALE AS NOTED	
SHEET NO. C-107		REV NO. 1	

Plot Date & Time: 15 January 2013 9:50 AM
M:\0002\174\Construction\SWPPP\C-108 SWPPP PLAN.dwg

CERTIFICATION

IN ACCORDANCE WITH PART III.A.2.A.I. OF THE GENERAL PERMIT AUTHORIZATION TO DISCHARGE STORMWATER ASSOCIATED WITH CONSTRUCTION ACTIVITY UNDER THE NPDES, THE PREPARER OF THIS DOCUMENT WAS TRAINED UNDER THE UNIVERSITY OF MINNESOTA EROSION AND SEDIMENT CONTROL CERTIFICATION PROGRAM. MS. MEGAN BEYER’S CERTIFICATION IN DESIGN OF SWPPP IS VALID THROUGH MAY 31, 2016.

CUMULATIVE IMPERVIOUS SURFACE
NO NEW IMPERVIOUS SURFACE WILL BE CREATED AS PART OF THIS PROJECT.

CONSTRUCTION DATES: JANUARY 28, 2013 TO JUNE 30, 2013

PARTY RESPONSIBLE FOR LONG TERM OPERATION AND MAINTENANCE OF THE SITE – OWNER
CLEARWATER RIVER WATERSHED DISTRICT
75 ELM STREET EAST, BOX 481
ANNANDALE, MN 55302

PARTY RESPONSIBLE FOR IMPLEMENTATION OF THE SWPPP – CONTRACTOR
TBD

INSPECTIONS
THE INSPECTION LOG WILL BE COMPLETED BY THE CONTRACTOR FOR THE CONSTRUCTION SITE. INSPECTIONS AT THE SITE WILL BE COMPLETED AS FOLLOWS:

- ONCE EVERY SEVEN (7) DAYS DURING ACTIVE CONSTRUCTION AND
- WITHIN 24 HOURS AFTER A RAINFALL EVENT GREATER THAN 0.5 INCHES IN 24 HOURS.

THE INDIVIDUAL PERFORMING INSPECTIONS MUST BE TRAINED AS REQUIRED BY PART IV.E OF THE PERMIT. CONTRACTOR TO PROVIDE OWNER WITH PROOF OF TRAINING. INSPECTIONS MUST INCLUDE STABILIZED AREAS, EROSION PREVENTION AND SEDIMENT CONTROL BMPS, AND INFILTRATION AREAS AS APPLICABLE. CORRECTIVE ACTIONS MUST BE IDENTIFIED AND DATE OF CORRECTION MUST BE NOTED AS IDENTIFIED IN SECTION IV.E. OF THE PERMIT.

POLLUTION PREVENTION MEASURES

SOLID WASTE
SOLID WASTE, INCLUDING BUT NOT LIMITED TO, COLLECTED ASPHALT AND CONCRETE MILLINGS, FLOATING DEBRIS, PAPER, PLASTIC, FABRIC, CONSTRUCTION AND DEMOLITION DEBRIS AND OTHER WASTE MUST BE DISPOSED OF PROPERLY AND MUST COMPLY WITH MPCA DISPOSAL REQUIREMENTS.

HAZARDOUS MATERIALS
HAZARDOUS MATERIALS, INCLUDING BUT NOT LIMITED TO OIL, GASOLINE, PAINT AND ANY HAZARDOUS SUBSTANCE MUST BE PROPERLY STORED INCLUDING SECONDARY CONTAINMENTS, TO PREVENT SPILLS, LEAKS OR OTHER DISCHARGE. RESTRICTED ACCESS TO STORAGE AREAS MUST BE PROVIDED TO PREVENT VANDALISM. STORAGE AND DISPOSAL OF HAZARDOUS WASTE MUST BE IN COMPLIANCE WITH MPCA REGULATIONS.

WASHING OF CONSTRUCTION VEHICLES
EXTERNAL WASHING OF TRUCKS AND OTHER CONSTRUCTION VEHICLES MUST BE LIMITED TO A DEFINED AREA OF THE SITE. RUNOFF MUST BE CONTAINED AND WASTE PROPERLY DISPOSED OF. NO ENGINE DEGREASING IS ALLOWED ON SITE.

CONCRETE WASHOUT AREA
CONCRETE WASHOUT IS NOT ANTICIPATED FOR THIS PROJECT. CONTRACTOR MUST PROVIDE OTHER MEANS FOR WASHING OUT CONCRETE OFFSITE.

GENERAL SWPPP NOTES:
DEWATERING IS NOT ANTICIPATED FOR THIS PROJECT.
BECAUSE THE PROJECT IS MORE THAN 5 ACRES, TEMPORARY SEDIMENT BASINS ARE REQUIRED. TEMPORARY SEDIMENT TRAPS WILL BE IMPLEMENTED IN THE AREAS SHOWN ON SHEET C–107. HOWEVER, DUE TO THE NATURE OF THE PROJECT, STRICT CONFORMANCE WITH THE CONSTRUCTION NPDES PERMIT REQUIREMENTS FOR A TEMPORARY SEDIMENT BASIN IS NOT FEASIBLE. WORK WILL TAKE PLACE DIRECTLY WITHIN A SURFACE WATER (CLEARWATER RIVER). A DNR WORK IN PUBLIC WATERS PERMIT WILL BE OBTAINED AND ALL DNR PERMIT REQUIREMENTS WILL BE FOLLOWED DURING CONSTRUCTION ACTIVITIES.

EROSION AND SEDIMENT CONTROL PRACTICES

PRIOR TO ANY SITE DISTURBANCE THE EROSION PREVENTION MEASURES, INCLUDING SILT FENCE, SILT CURTAIN, AND ROCK CONSTRUCTION ENTRANCE, WILL BE INSTALLED AT THE SITE AS SHOWN ON SHEET C–107.

ALL EXPOSED SOIL AREAS WITHIN 7 DAYS OR AS SOON AS POSSIBLE MUST HAVE TEMPORARY EROSION PROTECTION (SLASH MULCH, EROSION CONTROL BLANKET, SEED) OR PERMANENT COVER YEAR ROUND.

CONTRACTOR SHALL IMPLEMENT APPROPRIATE CONSTRUCTION PHASING, VEGETATIVE BUFFER STRIPS, HORIZONTAL SLOPE GRADING, AND OTHER CONSTRUCTION PRACTICES THAT MINIMIZE EROSION WHEN PRACTICAL.

THE NORMAL WETTED PERIMETER OF ANY TEMPORARY OR PERMANENT DRAINAGE DITCH THAT DRAINS WATER FROM A CONSTRUCTION SITE, OR DIVERTS WATER AROUND A SITE, MUST BE STABILIZED WITHIN 200 LINEAL FEET FROM THE PROPERTY EDGE, OR FROM THE POINT OF DISCHARGE TO ANY SURFACE WATER. STABILIZATION MUST BE COMPLETED WITHIN 24 HOURS OF CONNECTING TO A SURFACE WATER. PIPE OUTLETS MUST BE PROVIDED WITH TEMPORARY OR PERMANENT ENERGY DISSIPATION WITHIN 24 HOURS OF CONNECTION TO A SURFACE WATER.

SEDIMENT CONTROL PRACTICES MUST MINIMIZE SEDIMENT FROM ENTERING SURFACE WATERS. THE FOLLOWING MEASURES WILL BE TAKEN AS SEDIMENT CONTROL PRACTICES IN ORDER TO MINIMIZE SEDIMENTS FROM ENTERING SURFACE WATERS AND/OR FROM BEING TRANSPORTED WITHIN THE SURFACE WATER WHERE WORK IS BEING PERFORMED:

- INSTALLATION OF SEDIMENT CONTROL PRACTICES SUCH AS BALE BARRIERS OR SILT FENCING ON ALL DOWN GRADIENT PERIMETERS PRIOR TO LAND DISTURBING ACTIVITIES. SILT FENCING OR OTHER SEDIMENT CONTROL SURROUNDING TEMPORARY SOIL STOCKPILES.
- INSTALLATION OF SILT CURTAINS TO MINIMIZE DOWNSTREAM SEDIMENT TRANSPORT.
- MINIMIZE VEHICLE TRACKING OF SEDIMENTS TO STREETS (E.G., SINGLE CONSTRUCTION VEHICLE ENTRANCE PAD, CONCRETE OR STEEL WASH RACKS, OR EQUIVALENT SYSTEMS).
- STREET SWEEPING OF TRACKED SEDIMENT IF APPLICABLE.

IMPAIRED WATERS, SPECIAL WATERS, AND WETLANDS


THIS PROJECT IS NOT LOCATED WITHIN A SPECIAL WATER.
THIS PROJECT IS LOCATED WITHIN AN IMPAIRED WATER –CLEARWATER RIVER IS IMPAIRED FOR DO AND FC.
BECAUSE OF THE PROXIMITY OF THE PROJECT TO AN IMPAIRED WATER DURING CONSTRUCTION:
ALL EXPOSED SOIL AREAS MUST BE STABILIZED AS SOON AS POSSIBLE TO LIMIT SOIL EROSION BUT IN NO CASE LATER THAN SEVEN (7) DAYS AFTER THE CONSTRUCTION ACTIVITY IN THAT PORTION OF THE SITE HAS TEMPORARILY OR PERMANENTLY CEASED. TEMPORARY SEDIMENT BASINS ARE REQUIRED TO HANDLE RUNOFF FOR COMMON DRAINAGE LOCATIONS THAT SERVE AN AREA WITH 5 OR MORE ACRES DISTURBED AT ONE TIME.

FINAL STABILIZATION
FOLLOWING FINAL SITE GRADING AND WITHIN THE SPECIFIED VEGETATIVE TIME SCHEDULE, SITE AREAS WILL RECEIVE SEED AND MULCH ACCORDING TO THE PLANS AND SPECIFICATIONS. FINAL STABILIZATION WILL OCCUR WHEN THE SITE HAS A UNIFORM VEGETATIVE COVER WITH A DENSITY OF 70% OVER THE ENTIRE DISTURBED AREA. ALL TEMPORARY SYNTHETIC EROSION PREVENTION AND SEDIMENT CONTROL BMPS (SUCH AS SILT FENCE, SILT CURTAIN) MUST BE REMOVED AS PART OF THE SITE FINAL STABILIZATION.
ALL SEDIMENT MUST BE CLEANED OUT OF CONVEYANCES AND TEMPORARY SEDIMENTATION BASINS IF APPLICABLE.
NOTICE OF TERMINATION (NOT) MUST BE SUBMITTED WITHIN 30 DAYS OF FINAL STABILIZATION.

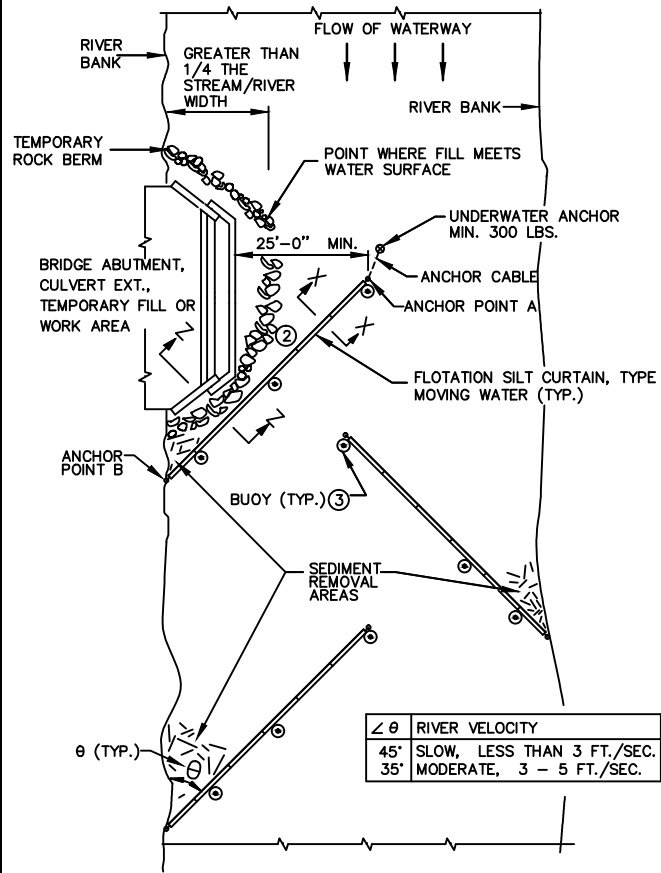
RECORD RETENTION
THE SWPPP, ALL CHANGES TO IT, AND INSPECTION AND MAINTENANCE RECORDS MUST BE KEPT ON–SITE DURING CONSTRUCTION. THE OWNER MUST RETAIN A COPY OF THE SWPPP ALONG WITH THE FOLLOWING RECORDS FOR THREE (3) YEARS AFTER SUBMITTAL OF THE NOTICE OF TERMINATION.

- ANY OTHER PERMITS REQUIRED FOR THE PROJECT
- RECORDS OF ALL INSPECTION AND MAINTENANCE CONDUCTED DURING CONSTRUCTION
- ALL PERMANENT OPERATIONS AND MAINTENANCE AGREEMENTS THAT HAVE BEEN IMPLEMENTED, INCLUDING ALL RIGHT OF WAY, CONTRACT, COVENANTS AND OTHER BIND REQUIREMENT REGARDING PERPETUAL MAINTENANCE
- ALL REQUIRED CALCULATIONS FOR DESIGN OF THE TEMPORARY AND PERMANENT STORMWATER MANAGEMENT SYSTEMS.

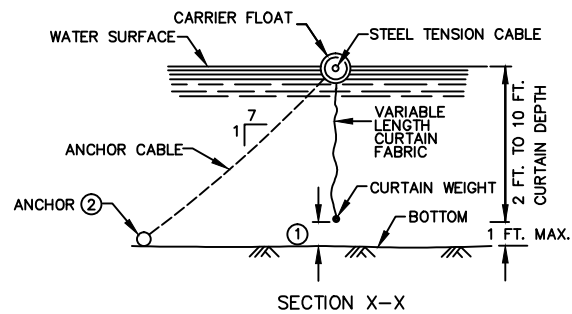
ATTACHED FIGURES
FIGURE 1 – SITE LOCATION MAP
FIGURE 2 – SOILS MAP
FIGURE 3 – 303d IMPAIRED WATERS AND WETLANDS MAP

					SEAL I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA. PRINT NAME <u>REBECCA KLICKHOHN</u> SIGNATURE <u>Rebecca A. Klickhorn</u> DATE <u>01/03/2013</u> REG. NO. <u>42013</u>	PRIME CONSULTANT  Wenck Consulting Engineers 1800 PIONEER CREEK CENTER MAPLE PLAIN, MN 55359 763-479-4200 763-479-4242	PROJECT TITLE KINGSTON WETLAND RESTORATION CLEARWATER RIVER WATERSHED DISTRICT	SHEET TITLE SWPPP PLAN <table><tr><td>DWN BY</td><td>CHK'D</td><td>APP'D</td><td>DWG DATE</td></tr><tr><td>BWC</td><td>MB</td><td>RK</td><td>1/8/2013</td></tr><tr><td colspan="3">PROJECT NO.</td><td>SCALE</td></tr><tr><td colspan="3">0002-174</td><td>N/A</td></tr><tr><td colspan="3">SHEET NO.</td><td>REV NO.</td></tr><tr><td colspan="3">C-108</td><td>1</td></tr></table>	DWN BY	CHK'D	APP'D	DWG DATE	BWC	MB	RK	1/8/2013	PROJECT NO.			SCALE	0002-174			N/A	SHEET NO.			REV NO.	C-108			1
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REV	REVISION DESCRIPTION	DWN	APP	REV DATE																												

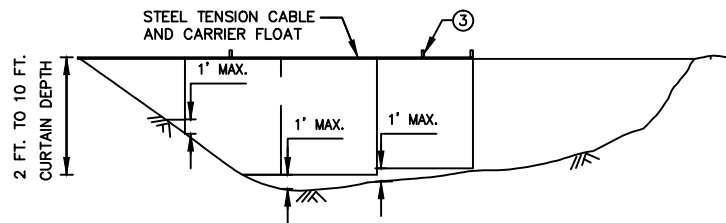
Plot Date & Time: 14 January 2013 4:42 PM
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PLAN VIEW (TYPE: MOVING WATER)

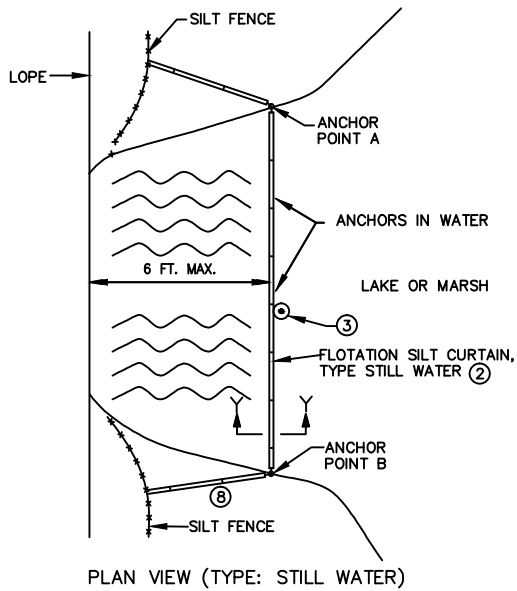


SECTION X-X

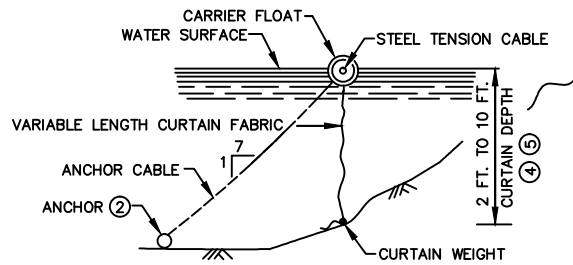


FLOTATION SILT CURTAIN - TYPE: MOVING WATER (4)
NOT TO SCALE

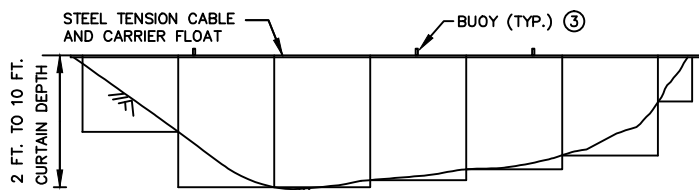
USE FOR SMALLER RIVERS
WITH SLOW AND MODERATE VELOCITIES



PLAN VIEW (TYPE: STILL WATER)

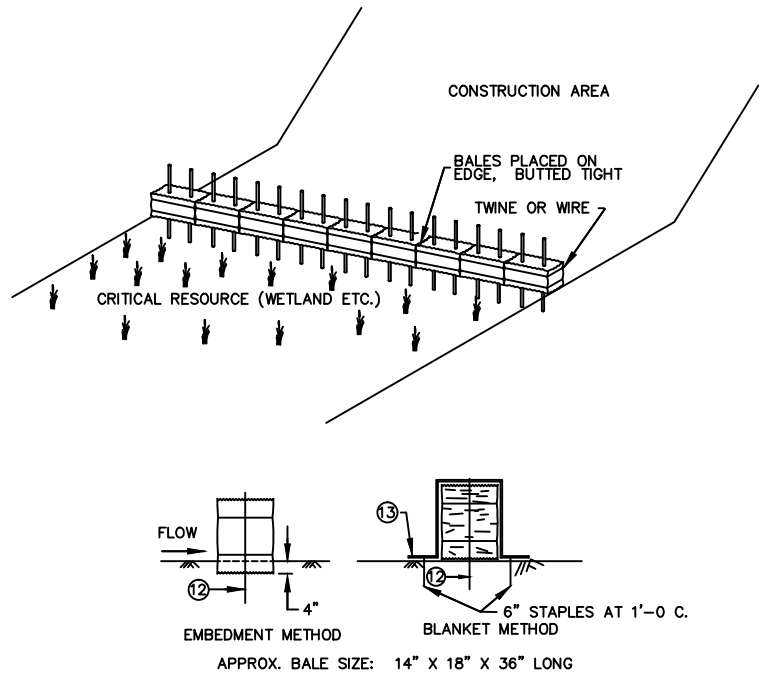


SECTION Y-Y



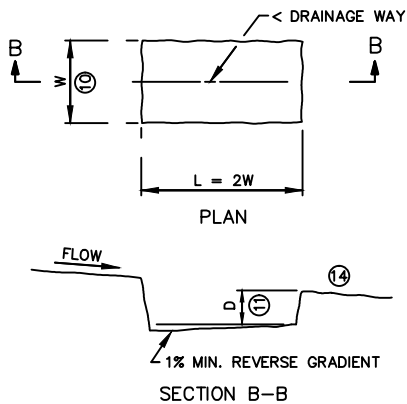
FLOTATION SILT CURTAIN - TYPE: WORK AREA AND STILL WATER (4)
NOT TO SCALE

FOR CONTAINING OVERFLOWS FROM WEIRS, STANDPIPES, SETTLING PONDS

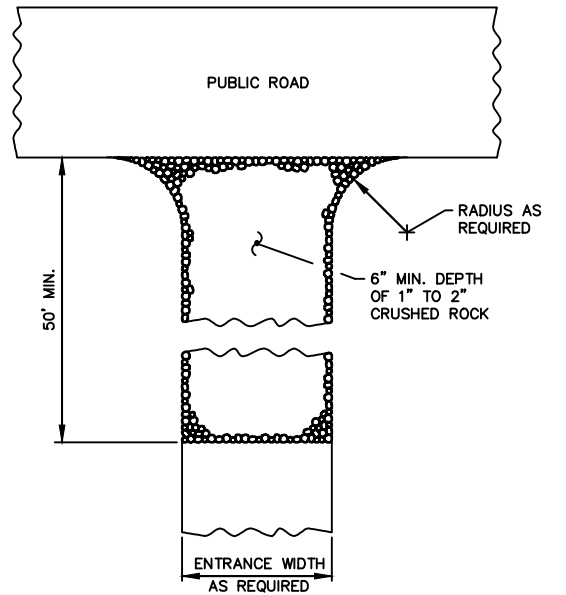


BALE BARRIER DETAIL
NOT TO SCALE

TO BE USED FOR CRITICAL PERIMETER CONTROL AREAS



SEDIMENT TRAP DETAIL
NOT TO SCALE



ROCK CONSTRUCTION ENTRANCE (9)
NOT TO SCALE

NOTES:

SEE MN/DOT SPECS. 2573 & 3887
SEE MN/DOT STANDARD PLANS 5297.405 SHEETS 1 AND 2 OF 4

- CURTAIN EXTENDS TO 1 FT. MAXIMUM FROM BOTTOM OF WATER BODY.
- FOR ANCHOR AND WEIGHT REQUIREMENTS, SEE SPEC. 2573.
- ON U.S. COAST GUARD OR OTHER MOTORIZED WATERWAYS, BUOYS ARE REQUIRED TO MARK THE ENDS AND SPECIAL AREAS FOR VISIBILITY. PLACE BUOYS AS REQUIRED FOR NAVIGATIONAL PURPOSES.
- WATER DEPTH CAN BE 0 TO 10 FEET, 0 TO 11 FEET FOR TYPE MOVING WATER.
- SILT CURTAIN HEIGHT INCLUDES MAXIMUM WAVE HEIGHT FOR WATER BODY.
- KEEP AS CLOSE TO WORK AREA AS POSSIBLE.
- SILT CURTAIN, ROCK BERM OR SHEET PILE AS REQUIRED TO CONTROL THE INFILTRATION OF SILT.
- IF 6 INCHES OR LESS OF WATER, USE BALE BARRIERS MN/DOT SHEET 2
- ROCKS AT ENTRANCE CLEAN WORKSITE MUD OFF OF TRUCK TIRES BEFORE TRUCKS ENTER MAIN ROAD. KEEPING MUD OFF THE ROAD WILL PREVENT AUTO DAMAGE AND KEEP CONSTRUCTION SEDIMENT OUT OF DRAINAGE SYSTEMS AND WETLANDS. GEOTEXTILE MAY BE PLACED UNDER THE ROCK TO KEEP ROCKS SEPARATE FROM SOIL.
- W = 10 FT. MIN., 20 FT. MAX.
- D = 2 FT.
- TWO 2 IN. X 2 IN. WOOD STAKES OR REINFORCING BARS IN EACH BALE EMBEDDED 10 INCHES MINIMUM IN THE GROUND.
- PLACE CATEGORY 3 EROSION CONTROL BLANKET, 6 FT. WIDE MINIMUM, OVER THE BALE INSTEAD OF TRENCHING.
- LOCATION OF DOWNSTREAM TEMPORARY SEDIMENT CONTROL DEVICE.

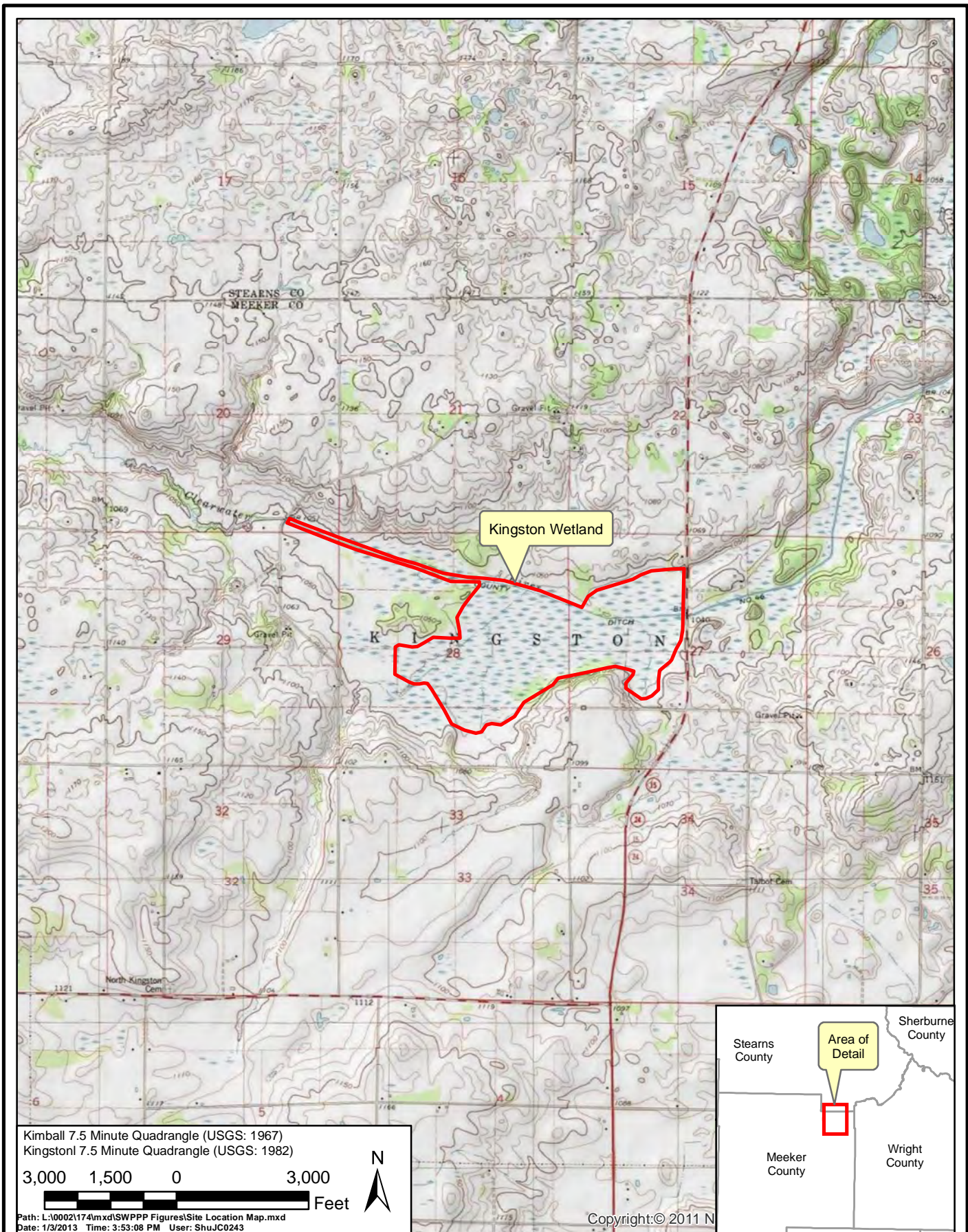
REV	REVISION DESCRIPTION	DWN	APP	REV DATE
1	FINAL PLANS	BWC	RK	12/31/12

SEAL
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PRINT NAME: REBECCA KLICKHOHN
SIGNATURE: *Rebecca Kluckhohn*
DATE: 01/03/2013 REG. NO. 42013

PRIME CONSULTANT
Wenck
Wenck Associates, Inc.
Consulting Engineers
1800 PIONEER CREEK CENTER
MAPLE PLAIN, MN 55359
(763)-479-4200
(763)-479-4242
Web Site: www.wenck.com

PROJECT TITLE
KINGSTON WETLAND RESTORATION
CLEARWATER RIVER WATERSHED DISTRICT

SHEET TITLE MN/DOT EROSION CONTROL DETAILS			
DWN BY DOT	CHK'D BWC	APP'D RK	DWG DATE 1/14/2013
PROJECT NO. 0002-174	SHEET NO. D-103	SCALE AS NOTED	REV NO. 1



CLEARWATER RIVER WATERSHED DISTRICT

Site Location Map


Engineers - Scientists
Business Professionals
www.wenck.com

Wenck
1800 Pioneer Creek Center
Maple Plain, MN 55359-0429
1-800-472-2232

JAN 2013

Figure 1



CLEARWATER RIVER WATERSHED DISTRICT

Soils Map



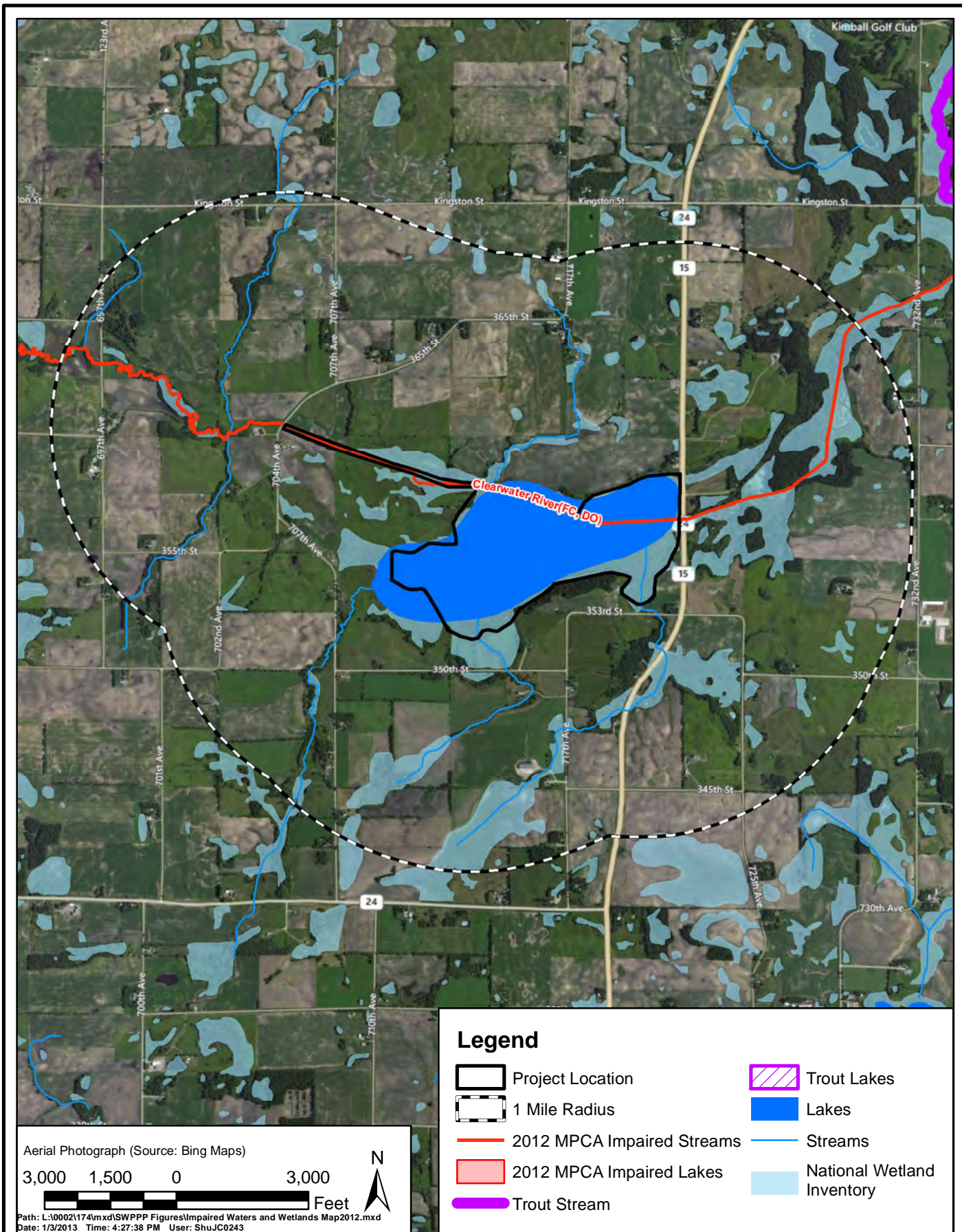
Engineers - Scientists
Business Professionals
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1-800-472-2232

JAN 2013

Figure 2



CLEARWATER RIVER WATERSHED DISTRICT

303d Impaired Waters and Wetlands Map


Engineers - Scientists
Business Professionals
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Maple Plain, MN 55359-0429
1-800-472-2232

JAN 2013

Figure 3

Attachment 4

Section 2

Technical Specifications

02020	Tree Removal
02030	Clearing and Grubbing
02040	Site Preparation
02045	Demolition
02050	Excavation and Disposal
02060	Geotextiles
02070	Filter Material and Riprap
02080	Erosion Control
02170	Site Restoration
02210	Fish Barrier Installation

Appendices

A	Drawings
B	SWPPP

Attachment 5

Minnesota Department of Natural Resources

DNR Ecological & Water Resources – Spicer Area
Serving Big Stone, Chippewa, Kandiyohi, Meeker, & Swift Counties
10590 Co Rd 8 NE, P.O. Box 457, Spicer, MN 56288
Phone: 320-796-2161 x 232 Ethan.Jenzen@state.mn.us



January 16, 2013

Wenck Associates, Inc.
c/o Wes Boll
1800 Pioneer Creek Center
P.O. Box 249
Maple Plain, MN 55359

Re: Permit #2013-0195 – Kingston Wetland (47-0312), Meeker County

Dear Mr. Boll:

Enclosed is the Clearwater River Watershed District's Public Waters Permit #2013-0195 authorizing the restoration of a meandered channel to a straightened portion of the Clearwater River/Meeker County CD #44 located in Sections 27 and 28, T121N, R29W. Authorized work includes excavation of the meandered channel, installation of a high flow diversion overflow structure, and construction of a rock limestone filter berm, rock weir, and plunge pool.

Please read your permit and conditions carefully, especially permit conditions **16 thru 22, which address erosion control, sedimentation, installing a sediment barrier, placement and leveling of spoil, structures, establishing 2-3 cross-sections with permanent reference benchmarks, and monitoring water levels. In addition, as per statutory requirement, M.S. 103G.241, contractors for the project must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required (condition 13).**

Please note the condition of your permit regarding wetlands not subject to DNR water permit jurisdiction. You should contact your local unit of government (County, City, or Soil and Water Conservation District) to determine your compliance with the Wetland Conservation Act. Your DNR water permit does not authorize you to proceed with your project until you comply with the Act.

Thank you for your cooperation in protecting our irreplaceable water resources. If you have any questions, please contact me at the above phone number or e-mail address.

Sincerely,

A handwritten signature in blue ink that reads "Skip Wright".

Skip Wright
Northern District Manager, Region 4

cc: Rob Collett, EWR Regional Manager
Ethan Jenzen, EWR Area Hydrologist
Lee Sundmark, DNR Area Fisheries Manager
Jeff Miller, Wildlife Specialist
Brian Mies, Conservation Officer
Sara Jacobson, EWR Compliance Hydrologist

Kristin Cote, Meeker County Zoning Administrator
Joe Norman, Meeker County SWCD
Central Office (wateruse.dnr@state.mn.us)
Joe Yanta, USCOE
Clearwater River Watershed District

www.dnr.state.mn.us

AN EQUAL OPPORTUNITY EMPLOYER



PRINTED ON RECYCLED PAPER CONTAINING A MINIMUM OF 10% POST-CONSUMER WASTE



PUBLIC WATERS WORK PERMIT

Permit Number

2013-0195

Pursuant to Minnesota Statutes, Chapter 103G, and on the basis of statements and information contained in the permit application, letters, maps, and plans submitted by the applicant and other supporting data, all of which are made a part hereof by reference, **PERMISSION IS HEREBY GRANTED** to the applicant to perform the work as authorized below:

Public Water KINGSTON WETLAND (47-0312)	County MEEKER (47)
Name of Permittee CLEARWATER RIVER WATERSHED DISTRICT C/O DENNIS LOEWEN AGENT: WENCK ASSOCIATES, INC. C/O WES BOLL 1800 PIONEER CREEK CENTER P.O. BOX 249 MAPLE PLAIN, MN 55359	Telephone Number (Include Area Code) (320) 274-3935 (763) 479-4283 (AGENT)
Address (No. & Street, RFD, Box No., City, State, Zip Code) 75 ELM ST E, BOX 481, ANNANDALE, MN 55302	
Authorized Work: 1) Restore a meandered channel to a straightened portion of the Clearwater River/Meeker County CD #44. Work will involve excavation of a 10 ft. wide x 3 ft. deep (on average) meandering channel with 1:1 side slopes. Remove existing diversion structures at the upstream limit of work. 2) Install a high flow diversion overflow structure at the wetland diversion channel inlet with a crest elevation of 1038.0'. 3) Construct a rock limestone filter berm at the outlet of Basin 47-312W with a crest elevation of 1035.0'. 4) Construct a rock weir and plunge pool at the outlet channel downstream of the wetland with a boulder top of 1034.0'. Work is to be done according to revised plans submitted 1/4/2013 with the permit application and all conditions of the permit.	
Purpose of Permit: Channel Maintenance/Excavation/Restoration	Expiration Date of Permit December 31, 2013
Property Described As: Sections 27 & 28, T121N, R29W UTM Zone 15, Easting 396237, Northing 5013098	

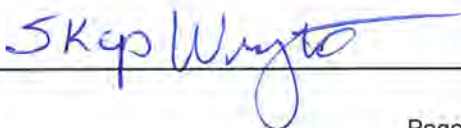
This permit is granted **subject to** the following **CONDITIONS**:

1. The **permittee** is not released from any rules, regulations, requirements, or standards of any applicable federal, state, or local agencies; including, but not limited to, the U.S. Army Corps of Engineers, Board of Water and Soil Resources, MN Pollution Control Agency, watershed districts, water management organizations, county, city, and township zoning. This permit does not release the **permittee** of any permit requirement of the St. Paul district, U.S. Army Corps of Engineers, Army Corps of Engineers Centre, 180 Fifth Street East, Ste. 700, St. Paul, MN 55101-1678.
2. This permit is not assignable by the **permittee** except with the written consent of the Commissioner of Natural Resources.
3. The **permittee** shall notify the Area Hydrologist at least five days in advance of the commencement of the work authorized hereunder and notify him/her of its completion within five days. The Notice of Permit issued by the Commissioner shall be kept securely posted in a conspicuous place at the site of operations.
4. The **permittee** shall make no changes, without written permission previously obtained from the Commissioner of Natural Resources, in the dimensions, capacity, or location of any items of work authorized hereunder.
5. The **permittee** shall grant access to the site at all reasonable times during and after construction to authorized representatives of the Commissioner of Natural Resources for inspection of the work authorized hereunder.

6. This permit may be terminated by the Commissioner of Natural Resources at any time deemed necessary for the conservation of water resources of the state, or in the interest of public health and welfare, or for violation of any of the provisions or applicable laws of this permit, unless otherwise provided in the permit conditions.
7. Construction work authorized under this permit shall be completed on or before the date specified above. The **permittee** may request an extension of the time to complete the project, stating the reason thereof, upon written request to the Commissioner of Natural Resources.
8. In all cases where the **permittee** by performing the work authorized by this permit shall involve the taking, using, or damaging of any property rights or interests of any other person or persons, or of any publicly owned lands or improvements thereon or interests therein, the **permittee**, before proceeding, shall obtain the written consent of all persons, agencies, or authorities concerned, and shall acquire all property, rights, and interests needed for the work.
9. This permit is permissive only. No liability shall be imposed by the State of Minnesota or any of its officers, agents or employees, officially or personally, on account of the granting hereof or on account of any damage to any person or property resulting from any act or omission of the **permittee** or any of its agents, employees, or contractors. This permit shall not be construed as estopping or limiting any legal claims or right of action of any person other than the state against the **permittee**, its agents, employees, or contractors, for any damage or injury resulting from any such act or omission, or as estopping or limiting any legal claim or right of action of the state against the **permittee**, its agents, employees, or contractors for violation of or failure to comply with the permit or applicable provisions of law.
10. Any extension of the surface of public waters from work authorized by this permit shall become public waters and left open and unobstructed for use by the public.
11. Where the work authorized by this permit involves the draining or filling of wetlands not subject to DNR regulations, the **permittee** shall not initiate any work under this permit until the **permittee** has obtained official approval from the responsible local government unit as required by the Minnesota Wetland Conservation Act.
12. The **permittee** shall comply with all rules, regulations, requirements, or standards of the Minnesota Pollution Control Agency and other applicable federal, state, or local agencies.
13. **The permittee shall ensure the contractor has received and thoroughly understands all conditions of this permit.** Contractors must obtain a signed statement from the property owner stating that permits required for work have been obtained or that a permit is not required and mail a copy of the statement to the regional DNR Enforcement office where the proposed work is located. The Landowner Statement and Contractor Responsibility Form can be found at: <http://www.bwsr.state.mn.us/wetlands/wca/index.html#general>.
14. Notify LGU if work is above OHW. The **permittee** shall contact the responsible local government unit official if any grading or filling is to be done above (landward) the ordinary high water mark.
15. At each end of the stabilized shoreline, the finished slope of the rock channel protection shall be varied in a fashion to produce a smooth transition with the natural shoreline.
16. Erosion control measures shall be adequately designed for site characteristics. All exposed soil shall be restored by seeding and mulching or sodding and staking as soon as possible, but within 72 hours of completion of project. Any sediment control fence next to the water body shall run parallel to the contours and shall be trenched into the soil to prevent underflow. In the event the site cannot be stabilized with vegetation before September 15, all exposed soil shall be adequately mulched at a rate of not less than 3500 lbs/acre leaving no more than 20 percent visible soil surface and maintained until seeding/sodding can be achieved.
17. Sedimentation. Adequate precautions must be planned during and after construction to prevent silt, soil, and other suspended particles from being discharged into the public watercourse.
18. An inwater sediment barrier shall be installed around the area of excavation during the project to limit turbidity to the affected area. This barrier may involve use of a floatation sediment curtain or a filter fabric material attached to stakes or a snow fence anchored to the lakebed. The barrier shall be removed upon completion of the work after sediment is settled.
19. **Spoil.** All excavated material shall be spread on upland (non-wetland) areas adjacent to the watercourse to a depth not to exceed one foot. **Permittee** shall level all spoil piles and seed to grasses and/or legumes on all side slopes.
20. Structures must be tied into the adjacent banks as much as possible to prevent flanking during high flow events.
21. The Clearwater River Watershed District, as agreed upon, shall establish 2-3 cross-sections with permanent reference benchmarks in order to monitor the newly constructed channel.
22. **Permittee** shall monitor water levels in wetland 47-312W to ensure that an adequate water supply is provided to the wetland during normal to low flow conditions in the Clearwater River/County Ditch 44. **Permittee** will install a staff gage near the outlet of the wetland and record surface water levels on a monthly basis. The staff gage is to be referenced to mean sea level datum. Gage readings are to be submitted to the Area Hydrologist on an annual basis.

ec: Rob Collett, Ecological & Water Resources Regional Manager
 Ethan Jenzen, Ecological & Water Resources Area Hydrologist
 Lee Sundmark, DNR Area Fisheries Manager
 Jeff Miller, Wildlife Specialist
 Brian Mies, Conservation Officer
 Sara Jacobson, EWR Compliance Hydrologist

Kristin Cote, Meeker County Zoning Administrator
 Joe Norman, Meeker County SWCD
 Central Office (wateruse.dnr@state.mn.us)
 Joe Yanta, USCOE
 Wenck Associates, Inc.

Authorized Signature	Title	Date
Skip Wright 	Northern District Manager, Region 4	1-16-13



DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

January 11, 2013

REPLY TO
ATTENTION OF
Operations
Regulatory (2011-05364-JJY)

Mr. Dennis Loewen
Clearwater River Watershed District
75 Elm Street East
Box 481
Annandale, Minnesota 55302

Dear Mr. Loewen:

We have reviewed your application for the proposed Kingston Wetland Restoration and Clearwater River Water Quality Improvement Project. The project site is west of Trunk Highway (TH) 15, on the Clearwater River, in Sections 27 and 28, Township 121 North, Range 29 West, Meeker County, Minnesota. Approximate UTM coordinates for the site are Zone 15, North 396316.00147, East 5013005.432457. Approximate decimal degree coordinates for the site are Latitude 45.2629, Longitude -94.32159.

Because you have modified the project and substantially reduced the area of direct disturbance, we have withdrawn your application for an individual Department of the Army permit so that we may confirm a regional general permit authorization for the work.

The proposed work involves approximately 2 acres of excavation and grading to restore the old, ditched river channel as a meandering stream, plus other minor fill and grading to remove a diversion structure and a channel obstruction and to install a riffle section, fish barrier, and other water quality and habitat improvement features, as shown on the enclosed drawings labeled 2011-05364-JJY 1 of 11 through 11 of 11. These features should improve habitat within the modified reach of the river and the abutting Kingston Wetland complex, and they should improve water quality downstream of the project area by improving dissolved oxygen levels, reducing phosphorus export, and perhaps indirectly reducing high bacteria levels. This work should not result in a net loss of waters of the United States or of wetland values.

Subject to the enclosed conditions and the limitations described below, this work is authorized under Department of the Army Regional General Permit-03-MN (RGP-03-MN), Section I, Stream and Wetland Restoration. RGP-03-MN provides authorization under Section 404 of the Clean Water Act for certain categories of activities involving the discharge of dredged or fill material into waters of the U.S., including such restorations.

This determination covers only your project as described above and as shown on the enclosed drawings. If the design, location, or purpose of the project changes, or if it includes other work in waters or wetlands, please contact our office to make sure the work would not result in a violation of Federal law.

If your project will require off-site fill material that is **not** obtained from a licensed commercial facility, you must notify us at least five working days before start of work. A cultural resources survey may be required for the borrow area if a licensed commercial facility is not used.

Although RGP-03-MN is valid until January 31, 2017, unless modified, reissued, or revoked, the time limit for completing the work described above ends 2 years from the date of this confirmation letter, on January 11, 2015. It is the permittee's responsibility to remain informed of changes to the General Permit program. If this authorized work is not undertaken within the above time period, or if the project specifications change, our office must be contacted to determine the need for further approval or re-verification.

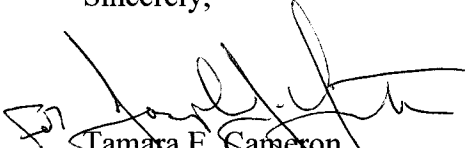
It is the permittee's responsibility to ensure that the work complies with the terms of this letter and any enclosures, **AND THAT ALL REQUIRED STATE AND LOCAL PERMITS AND APPROVALS ARE OBTAINED BEFORE WORK PROCEEDS.**

A preliminary jurisdictional determination (JD) has been prepared for the site of your project. (The preliminary JD allows us to provide an expedited review without completing additional documentation.) The preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps representative identified in the final paragraph of this letter. You also may provide new information for further consideration by the Corps to reevaluate the JD. However, if the preliminary JD is acceptable, and if you wish to accept the general permit confirmation, please sign and date both copies of the Preliminary Jurisdictional Determination Form and return one copy to the address below within 15 days from the date of this letter.

Mr. Joseph J. Yanta
U.S. Army Corps of Engineers
St. Paul District (Attention: 2011-05364-JJY)
180 5th Street East, Suite 700
St. Paul, Minnesota 55101-1678

If you have any questions, contact **Joseph Yanta** in our St. Paul office at (651) 290-5362. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,


Tamara E. Cameron
Chief, Regulatory Branch

Enclosures

Copies furnished:

Copies furnished:

Full package, by mail:

Mr. Wes Boll
Wenck Associates, Inc.
1800 Pioneer Creek Center
P.O. Box 249
Maple Plain, MN 55359

Letter, by email:

Ethan Jenzen, MDNR

Kane Radel, BWSR

Joe Norman, Meeker SWCD

Ron Mortensen, Meeker County

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

District Office	St. Paul District	File/ORM #	MVP-2011-05364-JJY	PJD Date:	January 11, 2013
State	MN	City/County	Meeker County	Name/Address of Person Requesting PJD	Mr. Dennis Loewen Clearwater River Watershed District 75 Elm Street East Box 481 Annandale, Minnesota 55302
Nearest Waterbody:	Kingston Wetland, Clearwater River				
Location: TRS, LatLong or UTM:	Secs. 27 and T. 120 N., R. 29 W. Latitude 45.2629, Longitude -94.32159				
Identify (Estimate) Amount of Waters in the Review Area:				Name of Any Water Bodies on the Site Identified as	
Non-Wetland Waters:				Tidal:	
2500 linear ft 20 width acres Perennial				Section 10 Waters: Non-Tidal:	
Wetlands: 500 acre(s) Cowardin Class: Palustrine, emergent				<input checked="" type="checkbox"/> Office (Desk) Determination <input checked="" type="checkbox"/> Field Determination: Date of Field Trip: November 3, 2011	

SUPPORTING DATA: Data reviewed for preliminary JD (check all that apply - checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: _____
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - ☐ Office concurs with data sheets/delineation report.
 - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps _____
- ☐ Corps navigable waters' study: _____
- ☒ U.S. Geological Survey Hydrologic Atlas:
 - ☒ USGS NHD data.
 - ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite quad name: MN-KIMBALL
- ☐ USDA Natural Resources Conservation Service Soil Survey. Citation: _____
- ☒ National wetlands inventory map(s). Cite name: MN-KIMBALL
- ☐ State/Local wetland inventory map(s): _____
- ☐ FEMA/FIRM maps: _____
- ☐ 100-year Floodplain Elevation is: _____
- ☒ Photographs: ☒ Aerial (Name & Date): Corps (ORM), 2012
 - ☐ Other (Name & Date): _____
- ☐ Previous determination(s). File no. and date of response letter: _____
- ☐ Other information (please specify): _____

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

Signature and Date of Regulatory Project Manager
(REQUIRED)

Signature and Date of Person Requesting Preliminary JD
(REQUIRED, unless obtaining the signature is impracticable)

EXPLANATION OF PRELIMINARY AND APPROVED JURISDICTIONAL DETERMINATIONS:

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "preconstruction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable.

RGP-03-MN STANDARD CONDITIONS

All RGP-03-MN authorizations are subject to the following standard conditions, as applicable. These conditions must be satisfied for any RGP authorization to be valid:

1. Mitigation/Sequencing. Discharges of dredged or fill material into waters of the United States must be or avoided and minimized to the maximum extent practicable.

2. Suitable fill material. No discharge of dredged or fill material may consist of unsuitable material (e.g., trash, debris, car bodies, asphalt, etc.). All fill (including riprap) authorized under this permit, must consist of suitable material free from toxic pollutants in other than trace quantities. In addition, rock or fill material used for activities dependent upon this permit and obtained by excavation must either be obtained from existing quarries or, if a new borrow site is opened up to obtain fill material, St. Paul District must be notified prior to the use of the new site to determine whether a cultural survey of the site is necessary.

3. Proper maintenance. Any structure or fill authorized shall be properly maintained, including maintenance, to ensure public safety.

4. Erosion and siltation controls. Appropriate erosion and siltation controls must be used and maintained in effective operating condition during construction, and all exposed soil and other fills, as well as any work below the ordinary high water mark, must be permanently stabilized at the earliest practicable date. Work should be done in accordance with state-approved, published practices, such as defined in Minnesota Pollution Control Agency Document, PROTECTING WATER QUALITY IN URBAN AREAS - BEST MANAGEMENT PRACTICES FOR MINNESOTA.

Upon completion or earthwork operations, all exposed slopes, fills, and disturbed areas must be given sufficient protection by appropriate means such as landscaping, or planting and maintaining vegetative cover, to prevent subsequent erosion. Cofferdams shall be constructed and maintained so as to prevent erosion into the water. If earthen material is used for cofferdam construction, sheet piling, riprap or a synthetic cover must be used to prevent dam erosion.

5. Removal of temporary fills. Temporary fills are allowed to remain in place for up to three months. Upon request the District Engineer may extend this period allowing temporary fills to

remain in place for up to a total of 180 days, where appropriate.

At the end of the specified timeframe, temporary fills must be removed in their entirety and the affected areas returned to their preexisting elevation.

6. General Information-Information about Federal Endangered species may be obtained by contacting the U. S. Fish and Wildlife Service at (612) 725-3548. The District's web page (www.mvp.usace.army.mil/regulatory/) will also contain a link to the U.S. Fish and Wildlife Service. Information concerning cultural resources may be obtained by contacting the State Historic Preservation Office at (651) 296-5462. Project proponents are encouraged to contact these agencies early in project planning because doing so can help avoid violations of Federal law and potentially lengthy permitting delays. Persons performing work should be aware that Federal or state regulations concerning endangered species and cultural resources may apply to their projects whether or not the work requires a Corps permit. If referenced web sites are unavailable or the necessary information is not available on the referenced web site, the Corps contact for your county can be found on our web site referenced above, or you may call 651-290-5375.

7. Other permit requirements. No Corps RGP-03-MN authorization eliminates the need for other local, state or Federal authorizations, including but not limited to National Pollutant Discharge Elimination System (NPDES) or State Disposal System (SDS) permits from the Minnesota Pollution Control Agency, public waters work permits from the Minnesota Department of Natural Resources, or Wetland Conservation Act authorizations from the applicable local governmental unit.

8. Historic properties, (cultural resources). No activity which may affect historic properties listed, or eligible for listing, in the National Register of Historic Places is authorized, until the Director of Engineers has complied with the provisions of 33 CFR part 325 Appendix C. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places.

9. Cultural resources. If cultural, archaeological, or historical resources are unearthed during activities authorized by this permit, work must be stopped immediately and the State Historic Preservation Officer must be contacted for further instruction.

10. If you discover any previously unknown historic or archaeological remains while accomplishing the authorized activity you must immediately stop work and notify this office of

what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

11. Spawning areas. Discharges in spawning areas during spawning seasons must be avoided to the maximum extent practicable.

12. Obstruction of high flows. To the maximum extent practicable, discharges must not permanently restrict or impede the passage of normal or expected high flows or cause the relocation of the water (unless the primary purpose of the fill is to impound waters).

13. Adverse effects from impoundments. If the discharge creates an impoundment of water, adverse effects on the aquatic system caused by the accelerated passage of water and/or the restriction of its flow shall be minimized to the maximum extent practicable.

14. Waterfowl breeding areas. Discharges into breeding areas for migratory waterfowl must be avoided to the maximum extent practicable.

15. Navigation. No activity may cause more than a minimal adverse effect on navigation.

16. Aquatic life movements. No activity may substantially disrupt the movement of those species of aquatic life indigenous to the water body, including those species that normally migrate through the area, unless the activity's primary purpose is to impound water.

17. Equipment. Heavy equipment working in wetlands must be placed on mats, or other measures must be taken to minimize soil disturbance.

18. Tribal rights. No activity or its operation may impinge or abrogate reserved treaty rights, including, but not limited to, reserved water rights and treaty fishing and hunting rights.

19. Wild and Scenic Rivers. No activity may occur in a component of the National Wild and Scenic River System; or in a river officially designated by Congress as a "study river" for possible inclusion in the system, while the river is in an official study status; unless the appropriate Federal agency with direct management responsibility for such river has determined that the proposed activity will not adversely affect the Wild and Scenic River designation, or study status. Information on Wild and Scenic Rivers may be obtained from the appropriate Federal land management agency in the area (e.g., National Park Service, U.S. Forest Service, Bureau of Land Management, U.S. Fish and Wildlife Service.)

20. Water quality standards. All work or discharges to a watercourse resulting from permitted construction activities, particularly hydraulic dredging, must meet applicable Federal, State, and local water quality and effluent standards on a continuing basis.

21. Preventive measures. Measures must be adopted to prevent potential pollutants from entering the watercourse. Construction materials and debris, including fuels, oil, and other liquid substances, will not be stored in the construction area in a manner that would allow them to enter the watercourse as a result of spillage, natural runoff, or flooding.

22. Spill contingency plan. A contingency plan must be formulated that would be effective in the event of a spill. This requirement is particularly applicable in operations involving the handling of petroleum products. If a spill of any potential pollutant should occur, it is the responsibility of the permittee to remove such material, to minimize any contamination resulting from this spill, and to immediately notify the State Duty Officer at 1-800-422-0798 and the U.S. Coast Guard at telephone number (1-800) 424-8802.

23. Disposal sites. If dredged or excavated material is placed on an upland disposal sight (above the ordinary high-water mark), the site must be securely diked or contained by some other acceptable method that prevents the return of potentially polluting materials to the watercourse by surface runoff or by leaching. The containment area, whether bulkhead or upland disposal sight, must be fully completed prior to the placement of any dredged material.

24. Water intakes/activities. No activity, including structures and work in waters of the U.S. or discharges of dredged or fill material, may occur in the proximity of a public water supply intake except where the activity is for repair of the public water supply intake structures or adjacent bank stabilization.

25. Endangered Species.

a. No activity is authorized which is likely to adversely affect a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act, or which is likely to destroy or adversely modify the critical habitat of such species. Non-federal permittees shall notify the District if any listed species or critical habitat might be affected or is in the vicinity of the project, and shall not begin work on the activity until notified by the District that the requirements of the Endangered Species Act have been satisfied and that the activity is authorized.

b. Authorization of an activity under RGP-03-MN does not authorize the take of a threatened or endangered species as defined under the Federal Endangered Species Act. In the absence

of separate authorization (e.g., an ESA Section 10 Permit, a Biological Opinion with incidental take provisions, etc.) from the U.S. Fish and Wildlife Service or the National Marine Fisheries Service, both lethal and non-lethal takes of protected species are in violation of the Endangered Species Act. Information on the location of threatened and endangered species and their critical habitat can be obtained directly from the offices of the U.S. Fish and Wildlife Service and National Marine Fisheries Service or their World Wide Web pages on the Internet.

c. If it becomes apparent that a federally listed endangered plant or animal species will be affected by work authorized by this permit, work must be stopped immediately and the St. Paul District of the Corps of Engineers must be contacted for further instruction.

26. Known Populations of Federally Listed Threatened and Endangered species. Information on known populations of Federally listed species and their designated critical habitat is available on our web site and from the Twin Cities Field Office of the U.S.F.W.S. See standard condition 6 or contact information.

27. The time limit for completing work authorized by RGP-03-MN ends upon the expiration date of RGP-03-MN. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least three months before the expiration date is reached.

28. You must maintain the authorized activity in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

29. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of RGP-03-MN.

30. State Section 401 Water quality Certification. The Minnesota Pollution Control Agency has waived Section 401 certification for RGP-03-MN.

31. Coastal Zone Management consistency determination. The State of Minnesota has determined that GP-03-MN is consistent with the Minnesota CZM program.

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

2. Limits of this authorization.

a. RGP-03-MN does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. RGP-03-MN does not grant any property rights or exclusive privileges.

c. RGP-03-MN does not authorize any injury to the property or rights of others.

d. RGP-03-MN does not authorize interference with any existing or proposed Federal project.

3. Limits of Federal Liability. In authorizing work, the Federal Government does not assume any liability, including but not limited to the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or un-permitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or un-permitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that a proponent's project is authorized by RGP-03 will be made in reliance on the information provided by the applicant.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

c. Significant new information surfaces which this office did not consider in reaching the original public interest decision. Such a reevaluation may result in a determination that it

is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you to comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. Standard condition 27 above, establishes a time limit for the completion of the activity authorized by this general permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit. This permit becomes effective upon the issuance date specified after the Federal official, designated to act for the Secretary of the Army, has signed below. This general permit remains in effect for five years unless it is otherwise modified, suspended, or revoked.

