



Public Notice

U.S. ARMY CORPS OF ENGINEERS

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Subject: Public Notice of Permit Application

Action ID: NWO-2017-02054-BIS

Comments Period: July 30, 2018 – August 20, 2018

SUBJECT: The U.S. Army Corps of Engineers, Omaha District, (Corps) is evaluating a permit application to construct the Eden Township Streambank Restoration and Stabilization Project, which would result in less than 0.1 acre impact along 140 linear feet of waters of the United States, including wetlands, in or adjacent to the Forest River. This notice is to inform interested parties of the proposed activity and to solicit comments. This notice may also be viewed at the Corps web site at

<http://www.nwo.usace.army.mil/Missions/RegulatoryProgram/NorthDakota/PublicNotices.aspx>

AUTHORITY: This application is being evaluated under Section 404 of the Clean Water Act for the discharge of dredged or fill material in waters of the United States.

APPLICANT: Walsh County Highway Department
Attn: Ms. Sharon Lipsh
600 Cooper Avenue
Grafton, North Dakota 58237

LOCATION: The project site is located on the Forest River in the SW¼ of Section 32, Township 155 North, Range 55 West, Latitude 48.197931° North, Longitude -97.752257° West, Walsh County, North Dakota.

PROJECT DESCRIPTION: Walsh County Highway Department proposes to stabilize 140 linear feet of Forest River bankline to protect a gravel township road from erosion. The design calls for the bank to be pulled back to a 2:1 slope, a toe key trench excavated to a depth 1 foot below the bed, then placement of geotextile material and 285 cubic yards of rock riprap. A brush layer that consists of 6-7 branches per linear foot will be set in a crisscross pattern will be incorporated into the rock at the bankfull elevation. Based on the available information, the overall project purpose is to protect the township road from erosion. The applicant states the benefits of the project include: 1) protection of the riverbank from further flood damage; 2) improvement to public safety and infrastructure by stabilizing the bank and roadway; and 3) improvement of water quality by mitigating riverbank erosion and decreasing sediment load downstream. The attached drawings provide additional project details.

ADDITIONAL INFORMATION:

Funding Sources: The project will be funded by FEMA Hazard Mitigation Grant Program Funds, EPA Section 319 Funds (administered by the ND Department of Health) and local funds, as necessary.

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North Dakota Regulatory Office, 3319 University Drive, Bismarck, North Dakota 58504
<http://www.nwo.usace.army.mil/Missions/Regulatory.aspx>

Alternatives. No alternatives analysis was provided with the application, nor is one necessary prior to issuance of a public notice. The analysis required by the 404(b)(1) Guidelines would likely include the current alternative, No Action (does not mean that no work would occur, only that no work requiring authorization would occur) and Other On-Site Stabilization Designs. Off-site Alternatives will not be considered as the project is site specific. Additional information concerning project alternatives may be available from the applicant or their agent. Other alternatives may develop during the review process for this permit application. All reasonable project alternatives, in particular those which may be less damaging to the aquatic environment, will be considered.

Mitigation. The Corps requires that applicants consider and use all reasonable and practical measures to avoid and minimize impacts to aquatic resources. If the applicant is unable to avoid or minimize all impacts, the Corps may require compensatory mitigation. No mitigation has been proposed by the applicant.

OTHER GOVERNMENTAL AUTHORIZATIONS: Water quality certification or a waiver, as required under Section 401 of the Clean Water Act from the North Dakota Department of Health, Division of Water Quality (NDDH), is required for this project. A copy of this public notice will be forwarded to the NDDH, along with a request for certification.

HISTORIC PROPERTIES: Based on the available information (including applicant's report titled *A Class III Cultural Resource Inventory for the Forest River Bank Stabilization in Walsh County, North Dakota* prepared by Beaver Creek Archaeology, no cultural resources were identified within the project's area of potential effect. The Corps will initiate consultation with the State Historic Preservation Officer under Section 106 of the National Historic Preservation Act, as appropriate. [ND SHPO Ref: 18-5043]

ENDANGERED SPECIES: The project is located within historic or current ranges of the endangered Whooping crane (*Grus americanis*) and Gray wolf (*Canis lupus*), as well as the threatened Northern long-eared bat (*Myotis septentrionalis*). No critical habitat for the threatened Piping plover (*Caradrius melodus*) has been identified in the County. The Corps initial determination is that there would be 'No Effect' on threatened or endangered species or critical habitat as a result of this project. The project area does not provide suitable habitat for either the Whooping crane or Gray wolf. There are a few trees in the area that likely have to be removed, but they are not known hibernacula or within a ¼-mile of a known, occupied hibernacula. Removal of the trees will be required to occur outside the pup season of June 1 to July 31. The Corps will consider all information provided in response to this public notice and initiate consultation with the U.S. Fish and Wildlife Service, pursuant to Section 7 of the Endangered Species Act, as appropriate.

ESSENTIAL FISH HABITAT: The proposed project would not adversely affect Essential Fish Habitat (EFH) as defined in the Magnuson-Stevens Fishery Conservation and Management Act.

The above determinations are based on information provided by the applicant and our preliminary review.

EVALUATION FACTORS: The decision whether to issue a permit will be based on an evaluation of the probable impacts, including cumulative impacts, of the described 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 described activity, must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the described activity will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general, the needs and welfare of the people. The activity's impact on the public interest will include application of the Section 404(b)(1) guidelines promulgated by the Administrator, Environmental Protection Agency (40 CFR Part 230).

The Corps is soliciting comments from the public, Federal, State, and local agencies and officials, Indian tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and 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.

SUBMITTING COMMENTS: Written comments, referencing Public Notice NWO-2017-02054-BIS must be submitted to the office listed below on or before August 20, 2018.

Toni Erhardt, Project Manager
US Army Corps of Engineers, Omaha District
North Dakota Regulatory Office
3319 University Drive
Bismarck, North Dakota 58504

Email: *Toni.R.Erhardt@usace.army.mil*

The Corps is particularly interested in receiving comments related to the proposal's probable impacts on the affected aquatic environment and the secondary and cumulative effects. Anyone may request, in writing, that a public hearing be held to consider this application. Requests shall specifically state, with particularity, the reason(s) for holding a public hearing. If the Corps determines that the information received in response to this notice is inadequate for thorough evaluation, a public hearing may be warranted. If a public hearing is warranted,

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interested parties will be notified of the time, date, and location. Please note that all comment letters received are subject to release to the public through the Freedom of Information Act. If you have questions or need additional information please contact the applicant or the Corps' project manager Toni Erhardt, (701) 255-0015, extension 2003, or *Toni.R.Erhardt@usace.army.mil*.

Attachments: 5 drawings

Attachment 1.

Project: Eden Township Streambank Restoration and Stabilization

Applicant: Sharon Lipsh, Walsh County

Agent: Danielle Gorder, Red River Regional Council

Block 18. Nature of Activity (Description of project, include all features):

Upon approval, the Eden Township will procure a general contractor to implement the Eden Township Streambank Restoration and Stabilization Project. The contractor will work to restore the damaged 140'L x 10'H riverbank along the roadway by using embankment material that will be shaped and graded to match the original bank, layered with brush and erosion blanket, covered in geotextile fabric and rip rap for erosion control, and seeded with native vegetation appropriate for the site to help stabilize the embankment material. Table 1 includes bid items and corresponding estimated quantities provided by the project engineer. The Eden Township Board of Supervisors will maintain the project site annually and on an as-needed basis.

Bid Item	Quantity
Mobilization	1 job
Streambank Preparation	1 acre
Excavation and Earthfill – Topsoil Stripping (assumes 0 acres of borrow area)	236 Cu. Yds.
Excavation and Earthfill – Bank	750 Cu. Yds.
Excavation and Earthfill – Topsoiling	236 Cu. Yds.
Streambank Structures - Brushlayering	140 Feet
Seeding and Mulching	0.1 acres
Rock Riprap	285 Cu. Yds.
Geotextile	400 Sq. Yds.
Erosion Control Blanket	1,416 Sq. Yds.

See engineering plans for further detail (Attachments 2, 3, 4, 5). Minimum and maximum elevation at the project site will not change with construction. Rather, embankment material will be shaped and graded at a 2H:1V slope to match the original bank. Stream channel width will also remain unchanged throughout project implementation. This project will not discharge dredged or fill material.

LEGEND	
TBM	
HUB STATIONS	
PLANNED FENCE	
EXISTING FENCE	
TREES	
DRAINAGE FLOW	
POWER POLE	
LARGE TREE	
PLANNED PRACTICES	
EROSION CONTROL BLANKET	
ROCK RIPRAP	
BRUSH LAYERING	

Attachment 3.

Project: Eden Township Streambank Restoration and Stabilization

Applicant: Sharon Lipsh, Walsh County

Agent: Danielle Gorder, Red River Regional Council

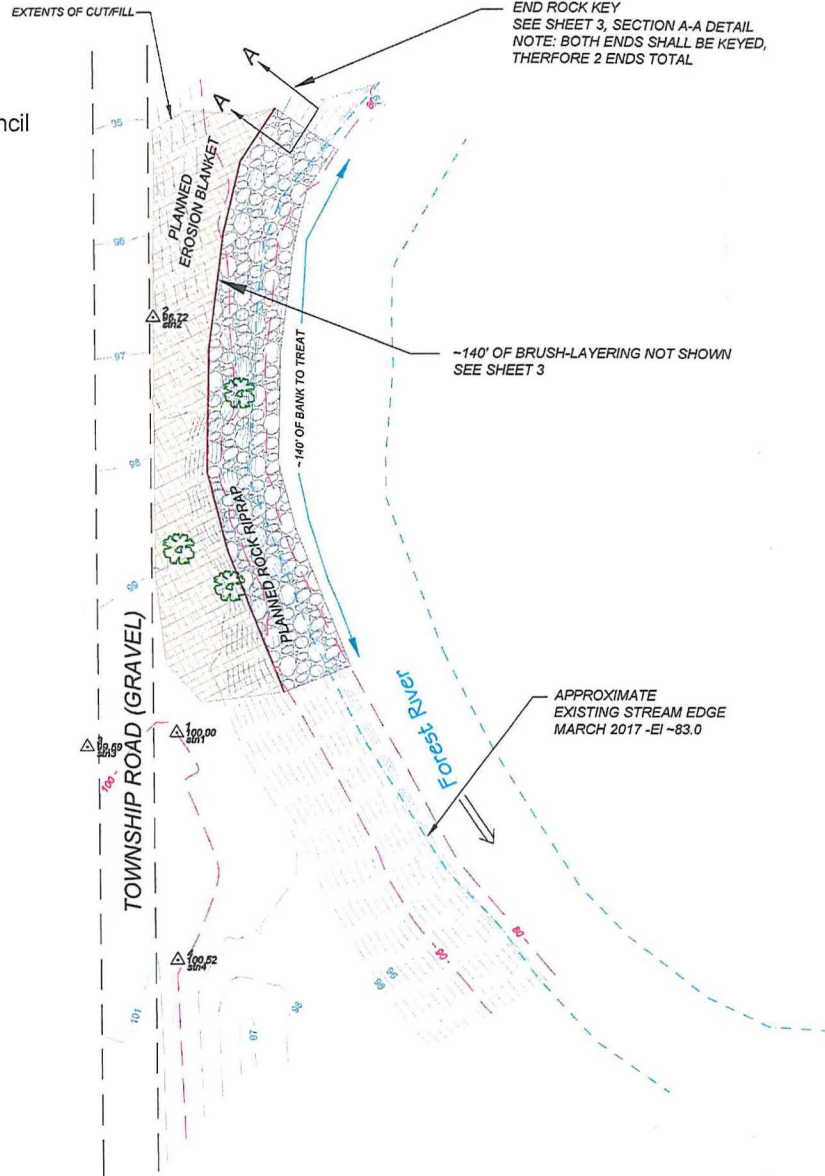
Illustration: Plan View

CONSTRUCTION NOTES:

1. THIS PROJECT WILL REQUIRE BLENDING.
2. SEE SHEET 3 FOR X-SECTION DETAIL, ROCK RIPRAP DETAILS, AND GRADING DETAILS.
3. NOT ALL TREES ARE NOT SHOWN, FEW ON SITE.
4. IT IS IMPERATIVE THAT THE CONTRACTOR VISIT THE SITE PRIOR TO BIDDING TO DEVELOP HIS/HER PLAN FOR COMPLETING PROJECT.
5. EXISTING ROCK ALONG PROJECT AREA MAY BE SALVAGED AND USED.
6. BLENDING ROCK WILL NEED SOME ON SITE CLARIFICATION, THEREFORE, IT IS IMPERATIVE THAT THE CONTRACTOR VISIT THE SITE PRIOR TO BIDDING TO DEVELOP HIS/HER PLAN FOR COMPLETING PROJECT.
7. PROJECT COORDINATOR AND CONTRACTOR SHALL DESIGNATE DISPOSAL AREAS.
8. PAYMENT WILL BE BASED ON DESIGN DIMENSIONS SHOWN, CONTRACTOR AND OWNER WILL BE RESPONSIBLE FOR DEVELOPING A CONTRACT AND PAYMENT SCHEDULE.



(IN FEET)
1 inch = 30 ft.



	Date	3-20-17
	Approved By	Sharon Klipberg P.E. 4-18
Date	4-18	3-20-17
Drawn By	SKK	SKK
Date Checked	4-18	4-18
Checked by	JKL/CH	JKL/CH
File:	final2018.dwg	
Forest River Watershed Project Eden Township Streambank Restoration & Stabilization Main Plan View		
K₂ ENGINEERING INC. 4209 94TH AVE SE YPSILANTI, ND 58497 Phone 701-489-3322		
Sheet No.	2 of 4	

Attachment 4.

Project: Eden Township Streambank
Restoration and Stabilization

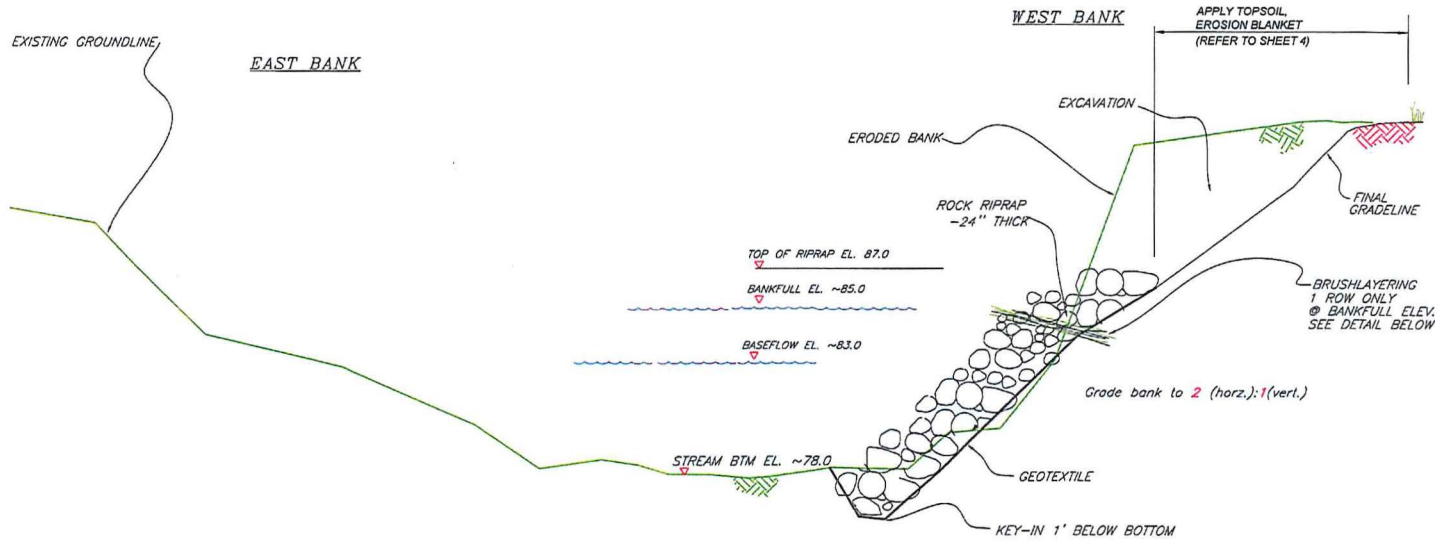
Applicant: Sharon Lipsh, Walsh County

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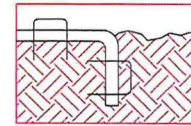
Illustration: Typical Cross-Section

TYPICAL X-SECTION - FACING DOWNSTREAM

NOT TO SCALE



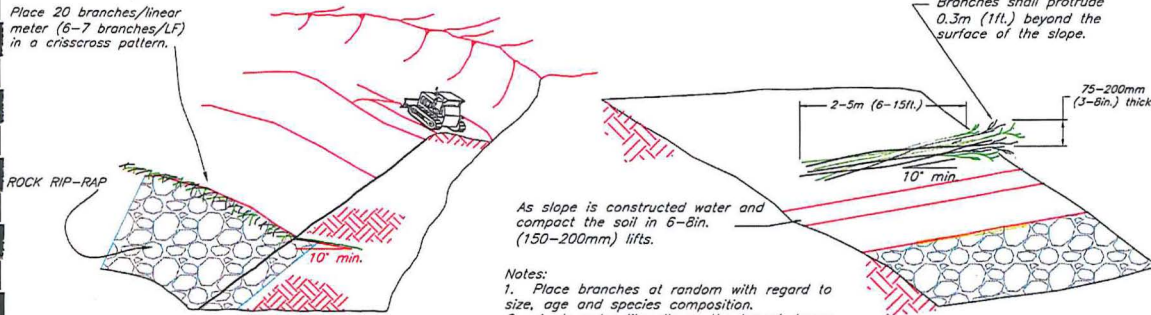
GEOTEXTILE ANCHOR DETAIL NOT TO SCALE



- NOTES:
- BEGIN AT THE TOP OF ROCK ELEVATION BY ANCHORING THE BLANKET IN A 6" DEEP X 6" WIDE TRENCH (STAPLE AT 12" CC).
 - BACKFILL AND COMPACT THE TRENCH AFTER STAPLING.

BRUSHLAYERING DETAIL NOT TO SCALE

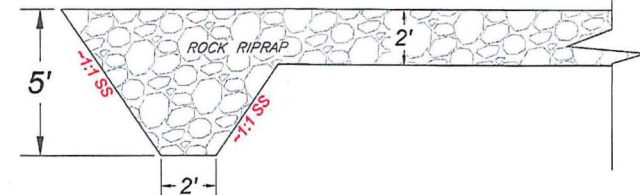
Place 20 branches/linear meter (6-7 branches/LF) in a crisscross pattern.



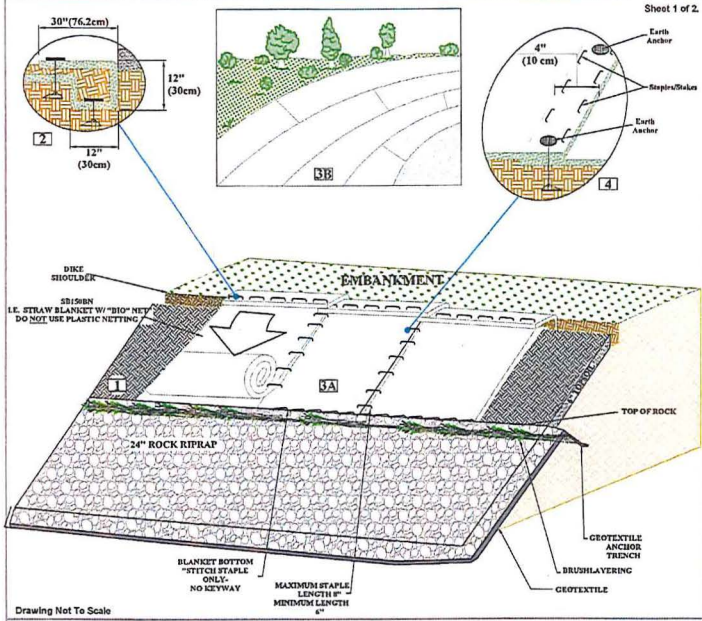
- Notes:
- Place branches at random with regard to size, age and species composition.
 - Apply water liberally so the branch layers are well "watered-in" and, therefore, have an abundant supply of moisture.

Cover brush layer immediately with 6in. (150mm) of fill soil, water, and compact according to specifications.

END ROCK KEY DETAIL - SECTION A-A NOT TO SCALE

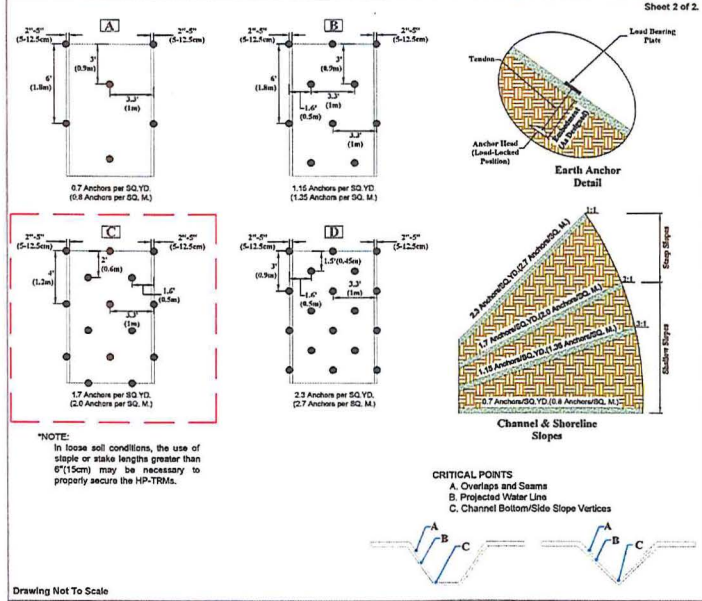


Date	3-20-17
Approved By	Shane Kjelberg P.E. 4-18
Title
Date Surveyed	3-20-17
Designed By	skk
Drawn By	skk
Date Checked	4-18
Checked by	4-18
File	final2018.dwg
Forest River Watershed Project	
Eden Township	
Streambank Restoration & Stabilization	
Details	
K _S ENGINEERING INC.	
4209 94TH AVE SE	
YPSILANTI, ND 58497	
Phone 701-489-3322	
Sheet No.	3 of 4



SLOPE INSTALLATION EARTH ANCHOR (EA) DETAIL

1. Prepare soil before installing high-performance turf reinforcement mats (HP-TRMs), including any necessary application of lime, fertilizer, and seed.
2. Begin at the top of the slope by anchoring the HP-TRMs in a 12" (30 cm) deep x 12" (30cm) wide trench with approximately 30" (76.2 cm) of HP-TRMs extended beyond the up-slope portion of the trench. Anchor the HP-TRMs with an alternating row of staples and anchors approximately 30" (76.2 cm) apart in the bottom of the trench. Backfill and compact the trench after stapling. Fold remaining 30" (76.2 cm) portion of HP-TRMs back over compacted soil. Secure HP-TRMs over compacted soil with an alternating row of staples/anchors spaced approximately 18" (45 cm) apart across the width of the HP-TRMs.
3. Roll the HP-TRMs (A) down or (B) horizontally across the slope. HP-TRMs will unroll with appropriate side against the soil surface. All HP-TRMs must be securely fastened to soil surface by placing staples/anchors in appropriate locations as shown in the staple pattern guide.
4. The edges of parallel HP-TRMs must be stapled between earth anchors with approximately 4" (10 cm) overlap depending on the HP-TRM type. For curved sections, adjust the overlap edges of parallel HP-TRMs accordingly with a minimum of 4" (10 cm) overlap to accommodate transitional segments.



SLOPE INSTALLATION EARTH ANCHOR (EA) DETAIL

1. Prepare soil before installing high-performance turf reinforcement mats (HP-TRMs), including any necessary application of lime, fertilizer, and seed.
2. Begin at the top of the slope by anchoring the HP-TRMs in a 6" (15 cm) deep x 6" (15cm) wide trench with approximately 12" (30 cm) of HP-TRMs extended beyond the up-slope portion of the trench. Anchor the HP-TRMs with a row of staples and anchors approximately 12" (30 cm) apart in the bottom of the trench. Backfill and compact the trench after stapling. Apply seed to compacted soil and fold remaining 12" (30 cm) portion of HP-TRMs back over seed and compacted soil. Secure HP-TRMs over compacted soil with a row of staples/stakes spaced approximately 12" (30 cm) apart across the width of the HP-TRMs.
3. Roll the HP-TRMs (A) down or (B) horizontally across the slope. HP-TRMs will unroll with appropriate side against the soil surface. All HP-TRMs must be securely fastened to soil surface by placing staples/stakes in appropriate locations as shown in the staple pattern guide.
4. The edges of parallel HP-TRMs must be stapled with approximately 2" - 5" (5-12.5cm) overlap depending on the HP-TRM type.
5. Consecutive HP-TRMs spliced down the slope must be end over end (Shingle style) with an approximate 2"(5cm) overlap. Staple through overlapped area, approximately 12"(30cm) apart across entire HP-TRM width.

Attachment 5.

Project: Eden Township Streambank Restoration and Stabilization
 Applicant: Sharon Lipsh, Walsh County
 Agent: Danielle Gorder, Red River Regional Council
 Illustration: Supplementary Drawings

K,S ENGINEERING INC.
 4209 94TH AVE SE
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 Phone 701-489-3322

Forest River Watershed Project
 Eden Township
 Streambank Restoration & Stabilization

Date 3-20-17
Date Drawn 4-18
Designed by SKK
Drawn by SKK
Date Checked 4-18
Checked by JWB
File: final2018.dwg

Approved By: Sharon Lipsh, P.E. 4-18
 Title:

Sheet No. 4 of 4