



VOL 639 PAGE 512

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
1136 U. S. POST OFFICE & CUSTOM HOUSE
ST. PAUL, MINNESOTA 55101

REPLY TO
ATTENTION OF:

NCSCO-RF (79-292-05)

28 MAY 1980

Mr. Stephen A. Helland
St. Croix Marina
12520 Wayzata Boulevard
Minnetonka, Minnesota 55343

Dear Mr. Helland:

In response to your permit application received by this office on 4 May 1979, we are inclosing the validated copy of a Department of the Army permit to retain docks in the St. Croix River at Hudson, Wisconsin. Please be advised that the authorization hereby granted is contingent on your compliance with all conditions stated in the permit and its attachment.

Sincerely,

WILLIAM W. BADGER *for*
Colonel, Corps of Engineers
District Engineer

1 Incl
As stated

EXHIBIT "A"

Application No. _____
 Name of Applicant St. Croix Marina
 Effective Date 28 MAY 1980
 Expiration Date (If applicable) NA

DEPARTMENT OF THE ARMY
 PERMIT

31 March 1979

Referring to written request dated _____ for a permit to:

☒ Perform work in or affecting navigable waters of the United States, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403);

☐ Discharge dredged or fill material into waters of the United States upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 404 of the Federal Water Pollution Control Act (86 Stat. 816, P.L. 92-500);

☐ Transport dredged material for the purpose of dumping it into ocean waters upon the issuance of a permit from the Secretary of the Army acting through the Chief of Engineers pursuant to Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (86 Stat. 1052; P.L. 92-532);

St. Croix Marina
 16 S. Front Street
 Hudson, Wisconsin 54016

Is hereby authorized by the Secretary of the Army:

to retain 100 finger piers constructed in addition to existing docks at the St. Croix Marina. The total facility authorized by this permit together with permit ~~XXXX~~ is: (continued on pages 1A and 1B)

S 542

crop web

in the St. Croix River

at sec. 25, T. 29 N., R. 20 W., St. Croix County, Wisconsin

in accordance with the plans and drawings attached hereto which are incorporated in and made a part of this permit (on drawings: give file number or other definite identification marks.)

eight pages, labelled 79-292, 1-8. Page 1 shows the project area. Page 2 is a diagram of Dock A. Page 3 is a diagram of Dock B. Page 4 is a diagram of Dock C. Page 5 is a diagram of Dock D. Page 6 is a diagram of Dock E. Page 7 is a diagram of Dock F. Page 8 shows an aerial view of dock section and a cross-sectional view of a dock section.

subject to the following conditions:

I. General Conditions:

a. That all activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any activities not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension or revocation of this permit, in whole or in part, as set forth more specifically in General Conditions j or k hereto; and in the institution of such legal proceedings as the United States Government may consider appropriate, whether or not this permit has been previously modified, suspended or revoked in whole or in part.

Incl 1

b. That all activities authorized herein shall, if they involve, during their construction or operation, any discharge of pollutants into waters of the United States or ocean waters, be at all times consistent with applicable water quality standards, effluent limitations and standards of performance, prohibitions, pretreatment standards and management practices established pursuant to the Federal Water Pollution Control Act of 1972 (P.L. 92-500; 86 Stat. 816), the Marine Protection, Research and Sanctuaries Act of 1972 (P.L. 92-532, 86 Stat. 1052), or pursuant to applicable State and local law.

c. That when the activity authorized herein involves a discharge during its construction or operation, of any pollutant (including dredged or fill material), into waters of the United States, the authorized activity shall, if applicable water quality standards are revised or modified during the term of this permit, be modified, if necessary, to conform with such revised or modified water quality standards within 6 months of the effective date of any revision or modification of water quality standards, or as directed by an implementor on plan contained in such revised or modified standards, or within such longer period of time as the District Engineer, in consultation with the Regional Administrator of the Environmental Protection Agency, may determine to be reasonable under the circumstances.

d. That the discharge will not destroy a threatened or endangered species as identified under the Endangered Species Act, or endanger the critical habitat of such species.

e. That the permittee agrees to make every reasonable effort to prosecute the construction or operation of the work authorized herein in a manner so as to minimize any adverse impact on fish, wildlife, and natural environmental values.

f. That the permittee agrees that he will prosecute the construction or work authorized herein in a manner so as to minimize any degradation of water quality.

g. That the permittee shall permit the District Engineer or his authorized representative(s) or designee(s) to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.

h. That the permittee shall maintain the structure or work authorized herein in good condition and in accordance with the plans and drawings attached hereto.

i. That this permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and that it does not authorize any injury to property or invasion of rights or any infringement of Federal, State, or local laws or regulations nor does it obviate the requirement to obtain State or local assent required by law for the activity authorized herein.

j. That this permit may be summarily suspended, in whole or in part, upon a finding by the District Engineer that immediate suspension of the activity authorized herein would be in the general public interest. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by the permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. The permittee shall take immediate action to comply with the provisions of this notice. Within ten days following receipt of this notice of suspension, the permittee may request a hearing in order to present information relevant to a decision as to whether his permit should be reinstated, modified or revoked. If a hearing is requested, it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the hearing, or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the permit will either be reinstated, modified or revoked.

k. That this permit may be either modified, suspended or revoked in whole or in part if the Secretary of the Army or his authorized representative determines that there has been a violation of any of the terms or conditions of this permit or that such action would otherwise be in the public interest. Any such modification, suspension, or revocation shall become effective 30 days after receipt by the permittee of written notice of such action which shall specify the facts or conduct warranting same unless (1) within the 30-day period the permittee is able to satisfactorily demonstrate that (a) the alleged violation of the terms and the conditions of this permit did not, in fact, occur or (b) the alleged violation was accidental, and the permittee has been operating in compliance with the terms and conditions of the permit and is able to provide satisfactory assurances that future operations shall be in full compliance with the terms and conditions of this permit; or (2) within the aforesaid 30-day period, the permittee requests that a public hearing be held to present oral and written evidence concerning the proposed modification, suspension or revocation. The conduct of this hearing and the procedures for making a final decision either to modify, suspend or revoke this permit in whole or in part shall be pursuant to procedures prescribed by the Chief of Engineers.

l. That in issuing this permit, the Government has relied on the information and data which the permittee has provided in connection with his permit application. If, subsequent to the issuance of this permit, such information and data prove to be false, incomplete or inaccurate, this permit may be modified, suspended or revoked, in whole or in part, and/or the Government may, in addition, institute appropriate legal proceedings.

m. That any modification, suspension, or revocation of this permit shall not be the basis for any claim for damages against the United States.

n. That the permittee shall notify the District Engineer at what time the activity authorized herein will be commenced, as far in advance of the time of commencement as the District Engineer may specify, and of any suspension of work, if for a period of more than one week, resumption of work and its completion.

In addition to general and special conditions, this permit is subject to the following standard conditions, as applicable:

1. If dredged or excavated material is placed on an upland disposal site (above the ordinary high watermark), 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 site, must be fully completed prior to placement of any fill material.
2. Upon completion of 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.
3. Riprap, if authorized under this permit, must be clean, properly graded and nonpolluting. In addition, rock and fill material used for activities dependent upon this permit and obtained by excavation must either be obtained from existing quarries or the source borrow site must be identified and approved by the District Engineer.
4. A contingency plan must be formulated which 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 applicant to remove such material, to minimize any contamination resulting from this spill, and to immediately notify the U.S. Coast Guard at telephone number 800-424-8802, and the Wisconsin Department of Natural Resources at 608-266-3232.

CONTINUED FROM PAGE 1:

a. "A" Dock Walkway is 384' long, 5'9" wide. There are 16 fingers attached to this dock.

- (3) 32' long fingers
 - Two fingers are 2'3" wide
 - Two fingers are 3'3" wide
- The distance between each finger is 12'0"
- (7) 40' long fingers
 - Two fingers are 2'3" wide
 - Two fingers are 3'3" wide
- The distance between each finger is 14'0"
- (6) 55' long fingers
 - Six fingers are 4'6" wide
- The distance between each finger is 17'0"

b. "B" Dock Walkway is 480' long, 5'9" wide. There are 28 fingers attached to this dock.

- (1) 44' finger by 4'6"
- (2) 32' long fingers
 - One finger is 2'3" wide
 - One finger is 3'3" wide
- The distance between each finger is 12'0"
- (17) 40' long fingers
 - Six fingers are 2'3" wide
 - Twelve fingers are 3'3" wide
- The distance between each finger is 14'0"
- (6) 55' long fingers
 - Six fingers are 4'6" wide
- The distance between each finger is 17'0"
- (2) 83' long fingers
 - Two fingers are 5'6" wide
- The distance between each finger is 19'0"

c. "C" Dock Walkway is 570' long, 5'9" wide. There are 50 fingers attached to this dock.

- (6) 28' long fingers
 - Two fingers are 2'3" wide
 - Five fingers are 3'3" wide
- The distance between each finger is 12'0"
- (3) 32' long fingers
 - One finger is 2'3" wide
 - Two fingers are 3'3" wide
- The distance between each finger is 12'0"
- (21) 40' long fingers
 - Twenty fingers are 5'9" wide
- The distance between each finger is 16'0"
- (20) 50' long fingers
 - Twenty fingers are 4'6" wide
- The distance between each finger is 17'0"

d. "D" Dock Walkway is 580' long, 5'9" wide. There are 63 fingers attached to this dock.

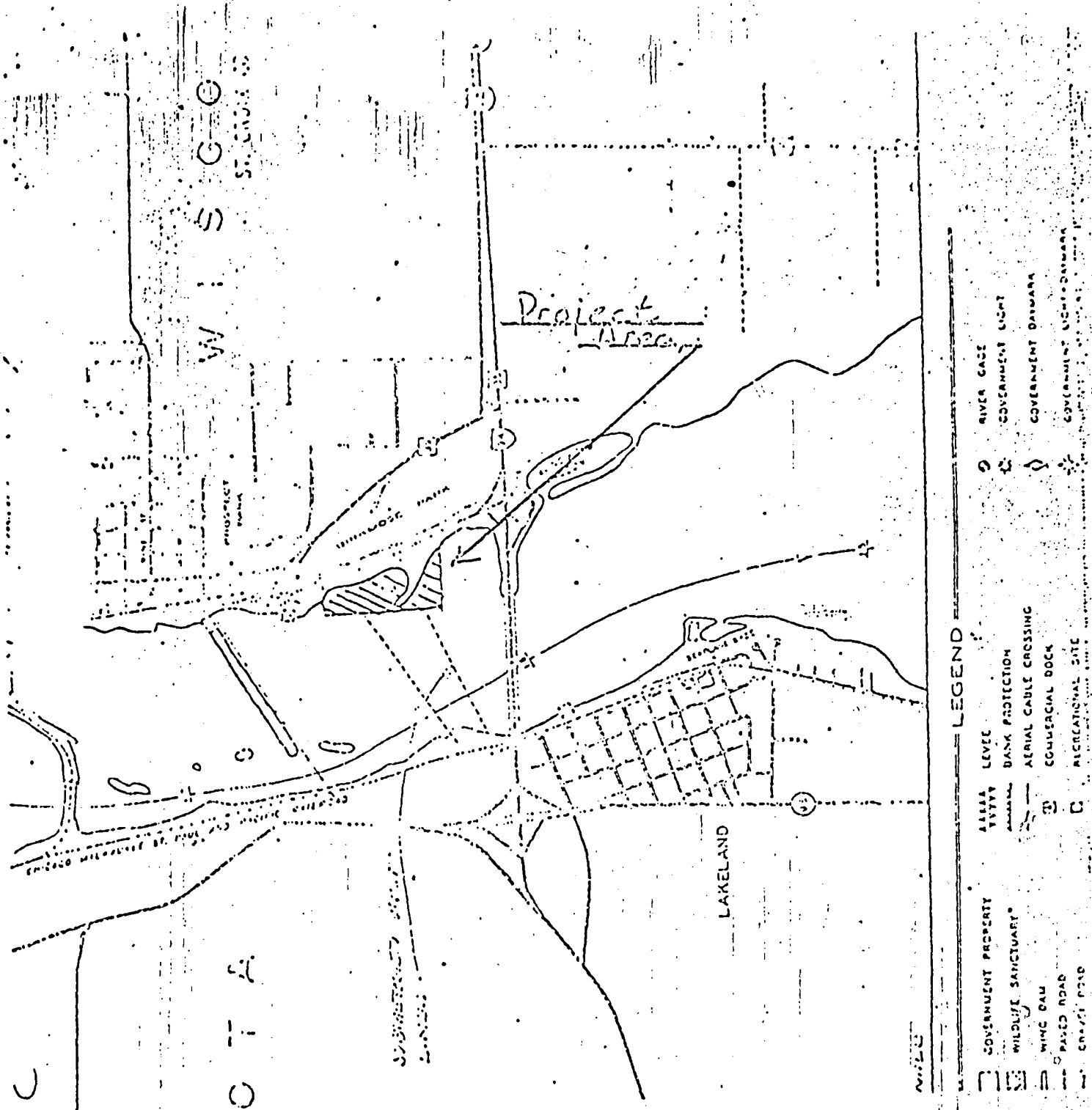
(6) 24' long fingers
Six fingers are 4'0" wide
The distance between each finger is 10'0"
(12) 28' long fingers
Five fingers are 2'3" wide
Ten fingers are 3'3" wide
The distance between each finger varies from 12'0" to 26'0"
(15) 32' long fingers
Four fingers are 2'3" wide
Eight fingers are 3'3" wide
The distance between each finger varies from 12'0" to 26'0"
(30) 40' long fingers
Ten fingers are 2'3" wide
Twenty fingers are 3'3" wide
The distance between each finger is 15'0"

e. "E" Dock Walkway is 460' long, 5'9" wide. There are 48 fingers attached to this dock.

(3) 28' long fingers
One finger is 2'3" wide
Two fingers are 3'3" wide
The distance between each finger is 12'0"
(45) 32' long fingers
Fifteen fingers are 2'3" wide
Thirty fingers are 3'3" wide
The distance between each finger varies from 12'0" to 26'0"

f. "F" Dock Walkway is 460' long, 5'9" wide. There are 45 fingers attached to this dock.

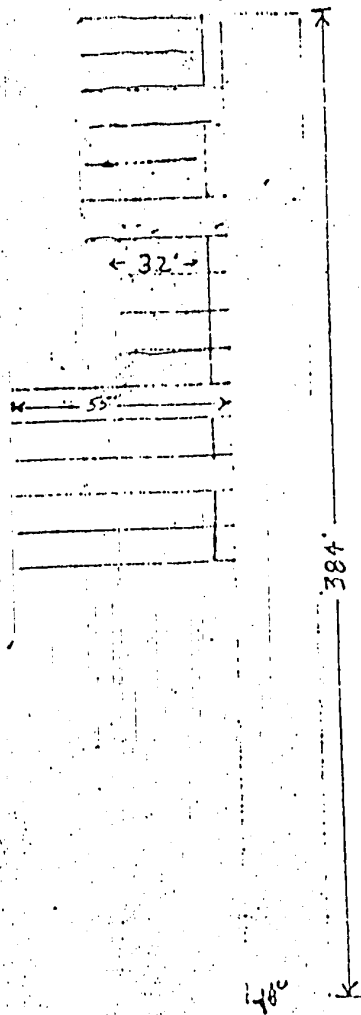
(24) 28' long fingers
Eight fingers are 2'3" wide
Sixteen fingers are 3'3" wide
The distance between each finger varies from 10'0" to 25'0"
(21) 32' long fingers
Seven fingers are 2'3" wide
Fourteen fingers are 3'3" wide
The distance between each finger varies from 12'0" to 26'0"



Lots Seven (7), Eight (8), Nine (9), Ten (10) and South Half (S $\frac{1}{2}$) of Lot Eleven (11), those parts of Lots Four (4), Five (5) and Six (6) lying West of the right of way of the C. St. P. & O. Ry. in Block "A", Aldrich's Addition to the City of Hudson. Lots Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12) in Block "B", Aldrich's Addition to the City of Hudson. The premises between Blocks "A" and "B", of Aldrich's Addition, formerly known as Hazel Street, and the land West of the same to the St. Croix River; that part of Front Street now vacated West of the South Forty (40) feet of Lot Seven (7), Block "A", Aldrich's Addition. Outlots 216 and 248 of the Assessor's Plat West of right of way of S. T. H. #35; that part of "Reserve", Strong's Addi-

79-292-05

- 1st 2

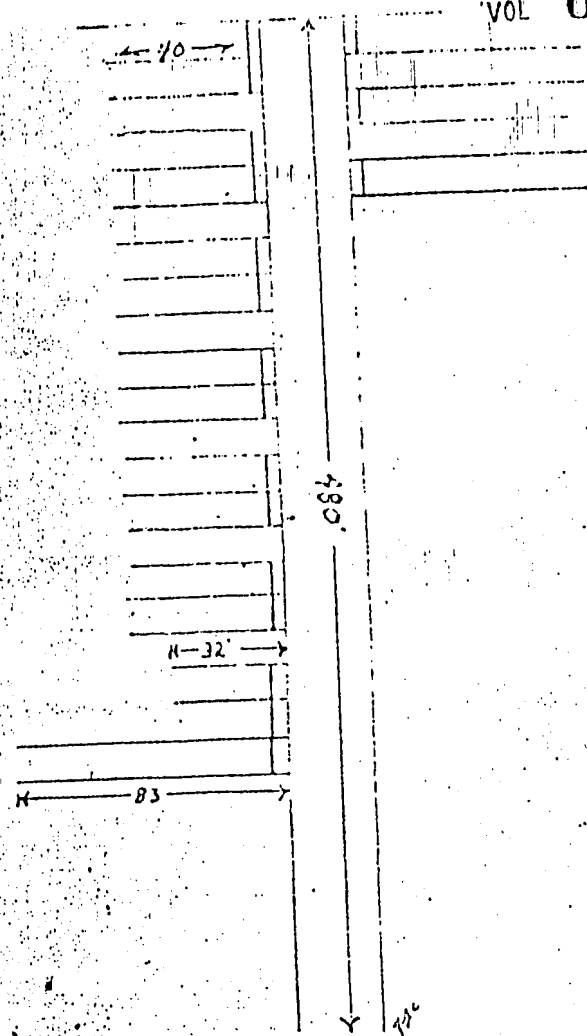


A

79-292-05

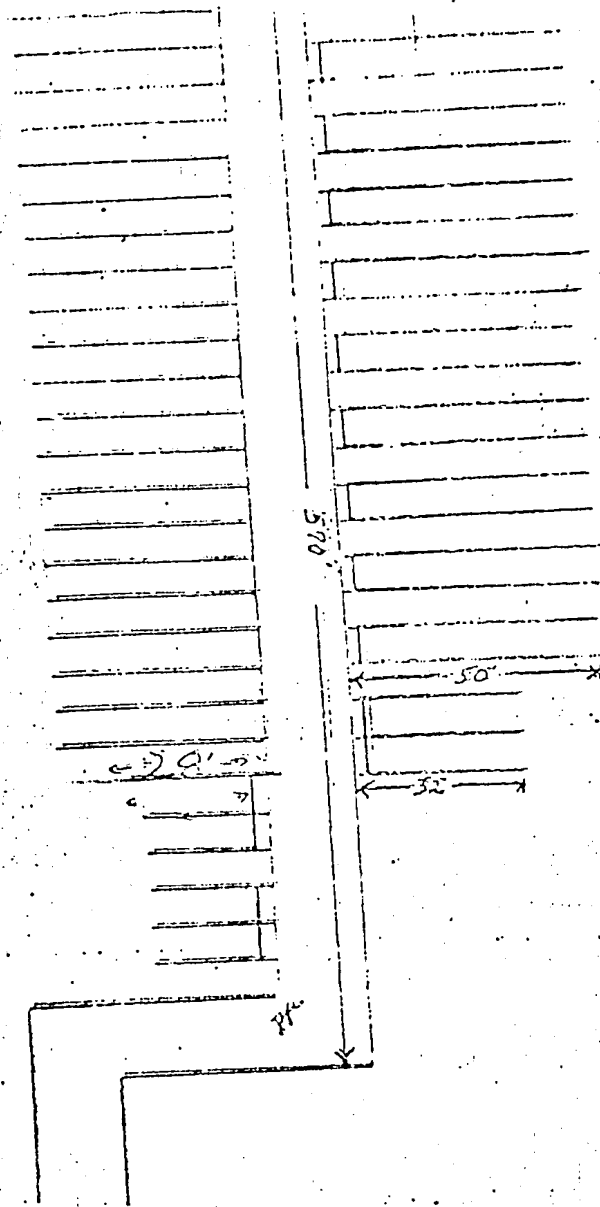
20/8

3



79-242-05
P. 378

C



79-292-05
p 4068