



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, ST. PAUL DISTRICT
332 MINNESOTA STREET, SUITE E1500
ST. PAUL, MN 55101-1323

October 19, 2023

Regulatory File No. MVP-2023-01059-PJH



Dear [REDACTED]:

This letter regards an approved jurisdictional determination for a 6.79 acre review area located in Section 35, Township 45 North, Range 31 West, Crow Wing County, Minnesota. The review area for our jurisdictional determination is identified on the enclosed figure labeled MVP-2023-01059-PJH Page 3 of 8.

The review area consists of Tributary 1 which is not a water of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. You are also cautioned that the area of waters described on the enclosed Jurisdictional Determination form is approximate and is not based on a precise delineation of aquatic resources.

This determination is only valid for the review area shown on the enclosed figure labeled MVP-2023-01059-PJH Page 3 of 8.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of an NRCS Certified Wetland Determination with the local USDA service center, prior to starting work.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP.

It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in

response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.

If you have any questions, please contact me in our Brainerd office at [REDACTED] or [REDACTED]. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

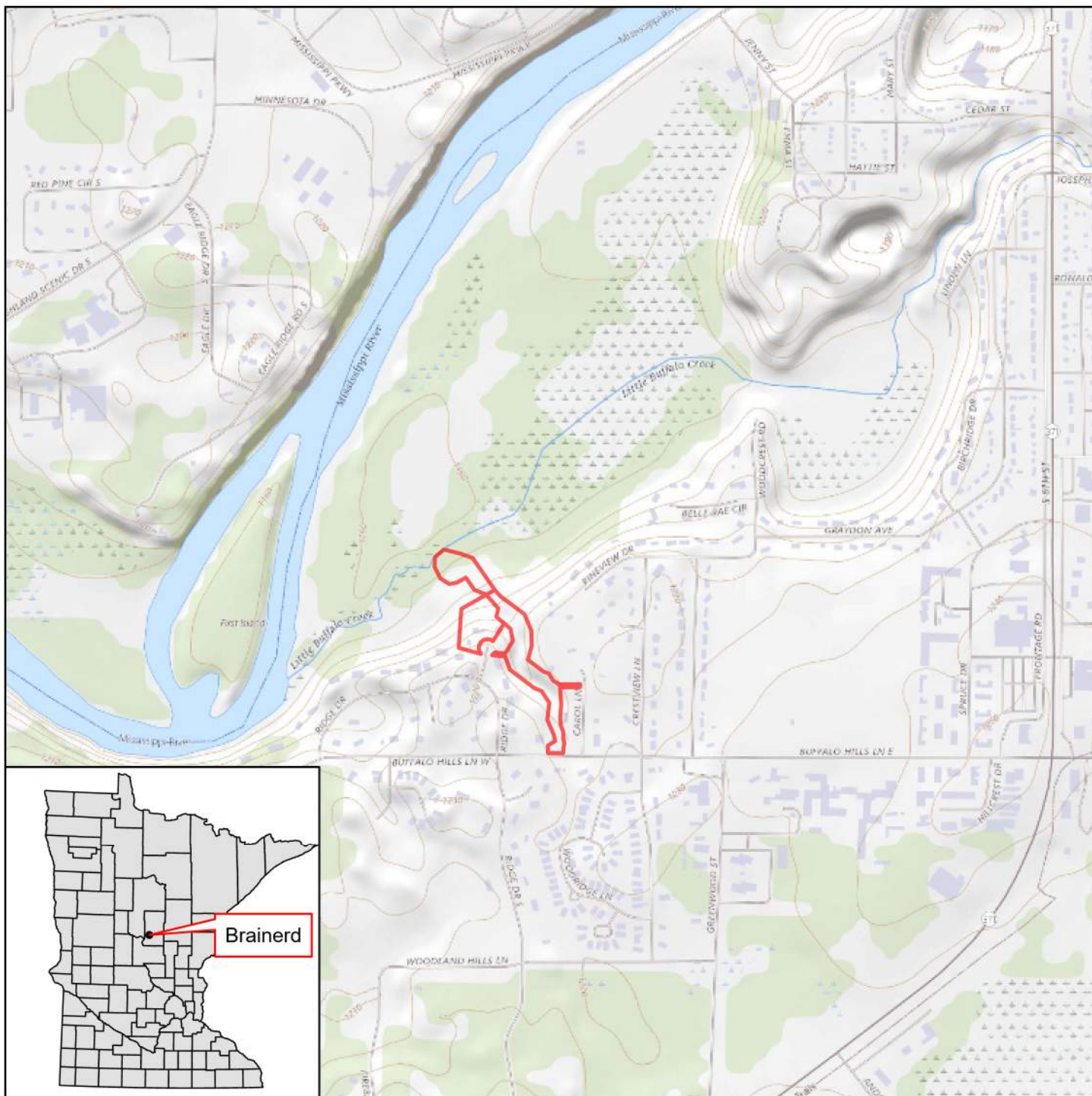
[REDACTED]

[REDACTED]
Regulatory Specialist

Enclosures

cc:

[REDACTED]




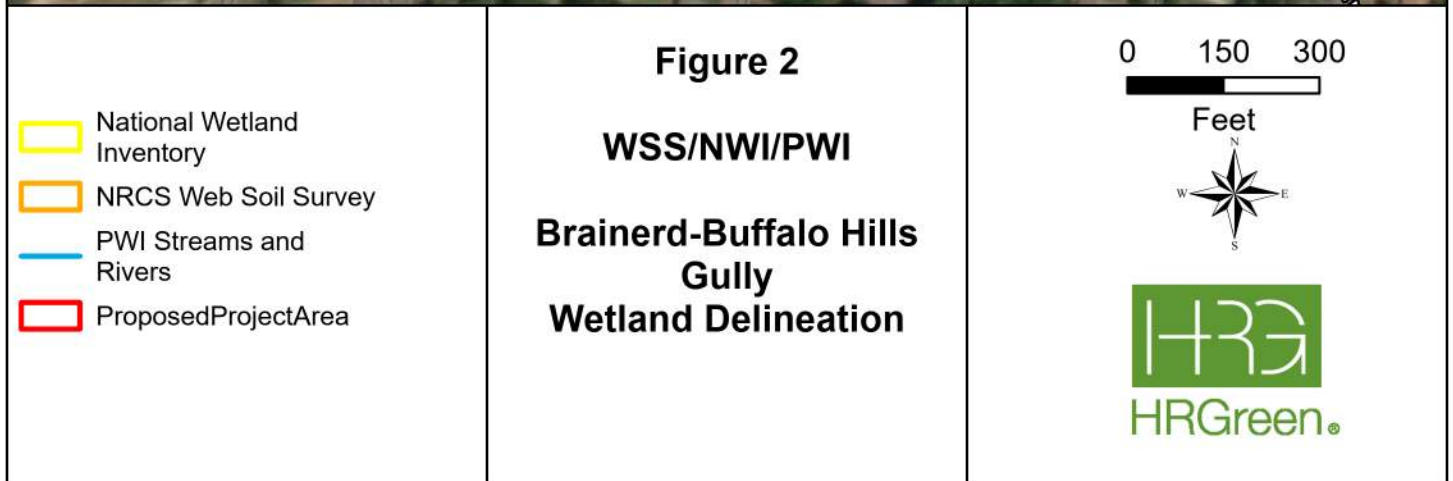
 Proposed Project Area

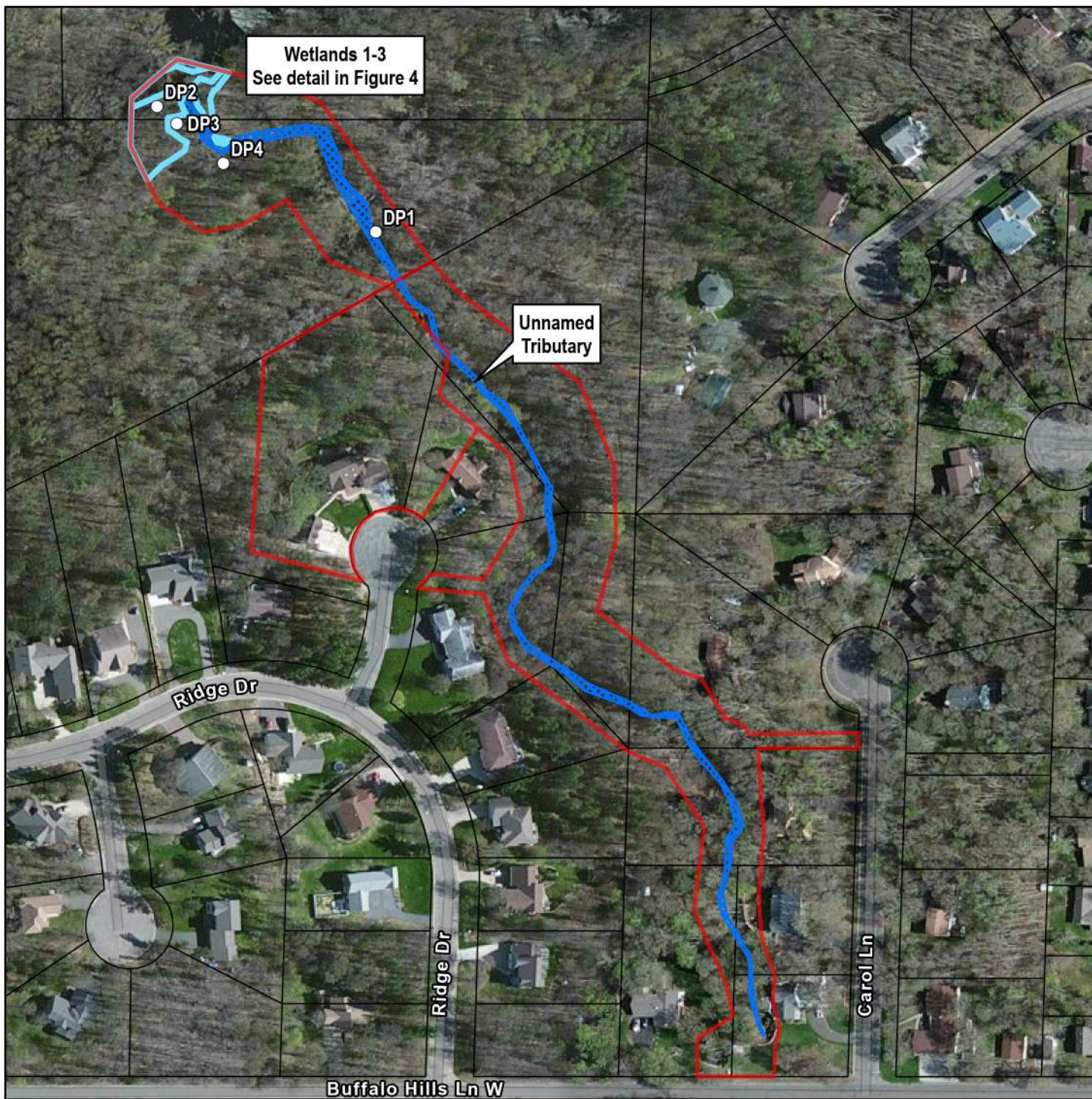
Figure 1
USGS 7.5" Quadrangle
Brainerd-Buffalo Hills
Gully
Wetland Delineation

0 500 1,000

Feet





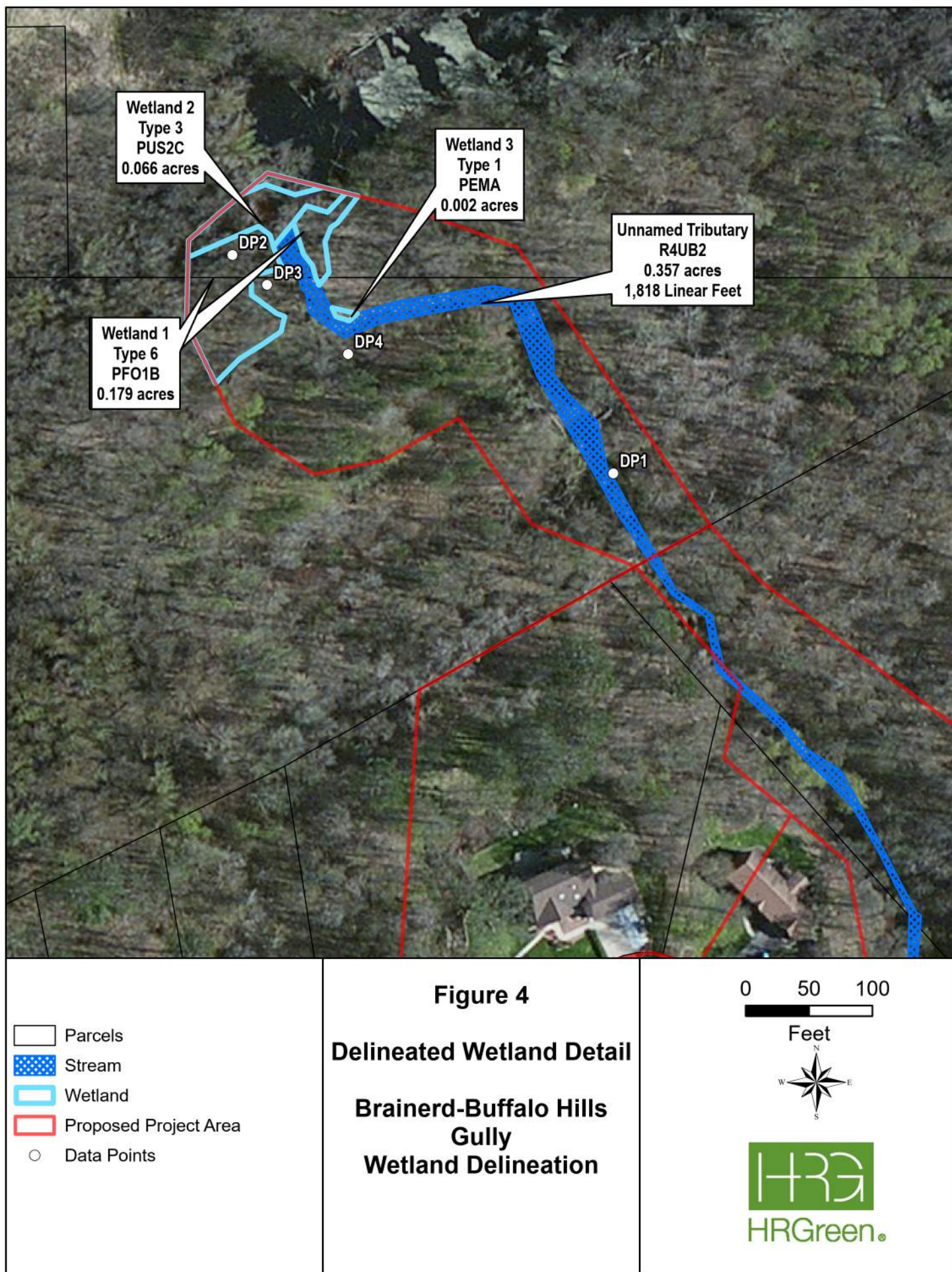


- Parcels
- Stream
- Wetland
- Proposed Project Area
- Data Points

Figure 3
Delineated Wetland Overview
Brainerd-Buffalo Hills Gully Wetland Delineation

0 100 200
Feet







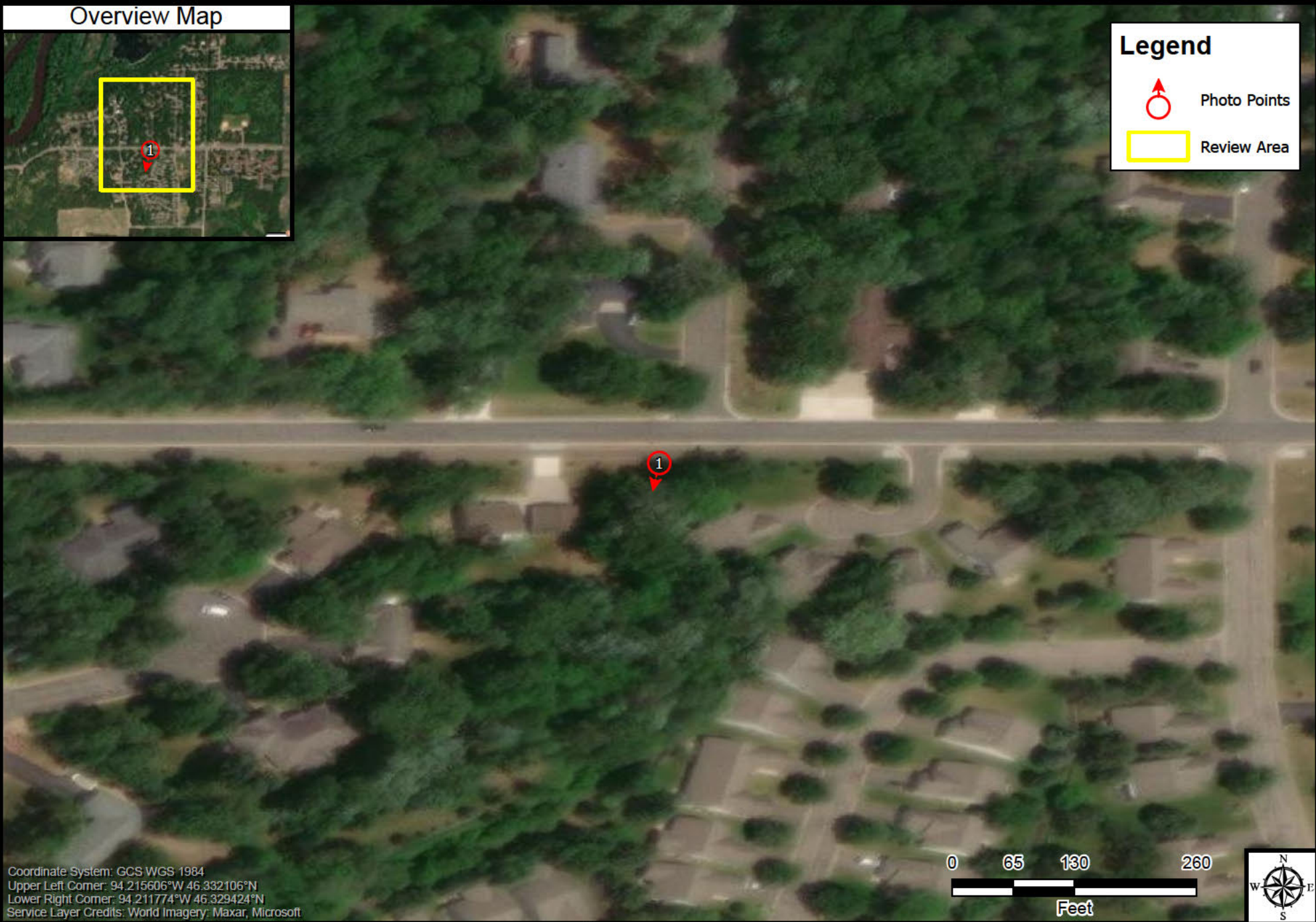


Overview Map



Legend

-  Photo Points
-  Review Area



Coordinate System: GCS WGS 1984
Upper Left Corner: 94.215606°W 46.332106°N
Lower Right Corner: 94.211774°W 46.329424°N
Service Layer Credits: World Imagery: Maxar, Microsoft

0 65 130 260
Feet



Mapped Photo Log

Photo 1 of 3

Description: Up stream before culvert
(Dry)

Photographed by [REDACTED]
on 9/25/2023 at 7:05:42 PM UTC
Camera: iPhone 12
Map generated on 10/4/2023 by the National Regulatory Viewers.
File name: Photo399993.jpg



Overview Map



Legend

Photo Points

Review Area



Coordinate System: GCS WGS 1984
Upper Left Corner: 94.216133°W 46.332494°N
Lower Right Corner: 94.212301°W 46.329812°N
Service Layer Credits: World Imagery, Maxar, Microsoft



Mapped Photo Log

Photo 2 of 3

Description: Where culvert outlets
on north side of road

Photographed by [REDACTED]
on 9/25/2023 at 7:09:10 PM UTC
Camera: iPhone 12
Map generated on 10/4/2023 by the National Regulatory
Viewers.
File name: Photo399994.jpg



Overview Map



Legend



Photo Points



Review Area



Coordinate System: GCS:WGS:1984
Upper Left Corner: 94.216255°W 45.332567°N
Lower Right Corner: 94.212423°W 45.328885°N
Service Layer Credits: World Imagery; Maxar; Microsoft



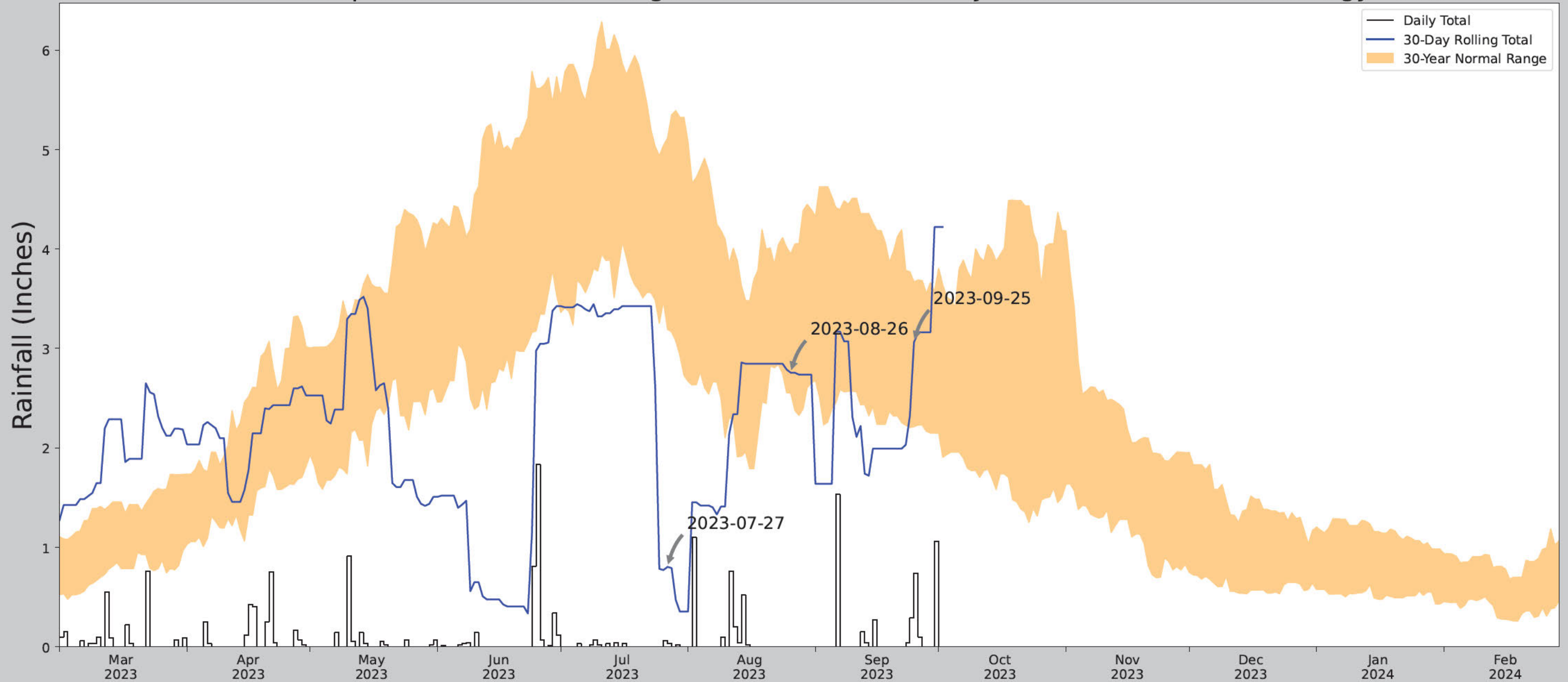
Mapped Photo Log

Photo 3 of 3

Description: Puddle after large rain event
but no definite flow

Photographed by [REDACTED]
on 9/25/2023 at 7:11:47 PM UTC
Camera: iPhone 12
Map generated on 10/4/2023 by the National Regulatory
Viewers.
File name: Photo399992.jpg

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	46.330921, -94.214408
Observation Date	2023-09-25
Elevation (ft)	1220.557
Drought Index (PDSI)	Extreme drought (2023-08)
WebWIMP H ₂ O Balance	Dry Season

30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2023-09-25	2.213386	3.668898	3.062992	Normal	2	3	6
2023-08-26	2.549606	3.950788	2.755906	Normal	2	2	4
2023-07-27	3.193307	5.113386	0.80315	Dry	1	1	1
Result							Normal Conditions - 11



US Army Corps
of Engineers®



Figures and tables made by the
Antecedent Precipitation Tool
Version 2.0

Developed by:
U.S. Army Corps of Engineers and
U.S. Army Engineer Research and
Development Center

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days Normal	Days Antecedent
BRAINERD	46.3433, -94.2086	1180.118	0.899	40.439	0.441	11165	90
BAXTER 1.7 SE	46.3231, -94.2561	1203.084	2.661	22.966	1.259	1	0
BAXTER 1.3 N	46.3608, -94.2838	1205.053	3.785	24.935	1.798	86	0
BRAINERD CROW WING CO AP	46.4019, -94.1272	1222.113	5.608	41.995	2.759	100	0
BRAINERD 7.7 SSE	46.25, -94.1458	1250.984	7.109	70.866	3.703	1	0