

Information for File #2012-05610-SEW

Applicant: Mr. Dave Hubers

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County: Rice County

Location: Section 5, Township 111N., Range 19W.

Information Complete On: July 2, 2013

Posting Expires On: July 15, 2013

Authorization Type: Section 404 Letter of Permission (LOP-5-MN)

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbor Act of 1899 and Section 404 of the Clean Water Act identified in Regulatory Guidance Letter 07-01. We have made a preliminary determination that the aquatic resources that would be impacted by the proposed project are regulated by the Corps of Engineers under Section 404 of the Clean Water Act. Our jurisdictional review and final jurisdictional determination could result in modifications to the scope of the project's regulated waterbody/wetland impacts and compensatory mitigation requirements identified above.

PROJECT INVOLVES:

A Listed State-Impaired Water: The project is approximately 2-2.75 miles upstream of a segment of the Cannon River that is impaired by fecal coliform, mercury in fish tissue, and turbidity.

PROJECT DESCRIPTION AND PURPOSE: The applicant proposes to install two non-perforated tile lines through his property to facilitate the movement of water through his cropland and prevent water from backing up on his crops. The project would occur on an approximately 180-acre tract of agricultural land in Northfield, Minnesota. Currently, drainage tile from the adjacent cropland outlets to two locations at the boundary of a wet meadow wetland located in the northwest corner of the tract, and water flows through the wet meadow wetland to an existing ditch that is a tributary to the Cannon River. The proposed project involves the installation of a 12-inch diameter non-perforated tile from the southeast corner of the applicant's tract, and would run northwest for approximately 3,800 linear feet. The 12-inch tile would cross approximately 180 linear feet of a forested/wet meadow wetland complex located in the center of the tract, and approximately 870 linear feet of the wet meadow wetland located in the northwest corner of the property. The 12-inch tile would outlet at the location of an existing tile outlet that discharges to the ditch (tributary to the Cannon River). Additionally, an approximately 800-foot long, 10-inch diameter non-perforated tile would be installed from the location of an existing tile outlet on the west line of the tract, and would run directly north through approximately 800 feet of the wet

meadow wetland in the northwest corner of the tract. The 10-inch tile would outlet at the same location as the proposed 12-inch tile. The tile would be plowed in with low ground pressure equipment.

NAME, AREA AND TYPES OF WATERS (INCLUDING WETLANDS) SUBJECT TO LOSS: The natural hydrology of the project site has been altered by farming and drainage activities. The area where the tile is proposed is mapped in the USGS NHD as a headwater intermittent stream, but a November 15, 2012 Corps site visit found the channel to be a grassed swale on the east side of Ibson Avenue, and not distinguishable on the west side of Ibson Avenue. Aerial photographs indicate the channel is visible as a swale on the west side of Ibson Avenue during recent years (FSA 2010, 2009, 2008, and 2003, USGS 1991). The portion of the swale extending from Ibson Avenue to the forested/wet meadow wetland in the center of the tract is in the Conservation Reserve Program (CRP). The wetlands that would be crossed by the proposed non-perforated tile lines are also enrolled in CRP. There is no defined swale or channel between the center forested/wet meadow complex and the wet meadow wetland in the northwest corner of the tract, and thus water overland flows through the field and into the wet meadow wetland. As mentioned above, the 12-inch non-perforated tile would cross approximately 180 linear feet of a forested/wet meadow wetland complex and approximately 870 linear feet of a wet meadow wetland, while the 10-inch tile would cross approximately 800 feet of the wet meadow wetland. The non-perforated tile installation would temporarily disturb the wetlands in the location of the tile lines, but would not drain the wetlands.

ALTERNATIVES CONSIDERED: The applicant has considered several alternatives to the proposed project. One alternative involved installing a 12-inch diameter non-perforated tile on his neighbor's property located west of the applicant's tract, and excavating accumulated sediment from an existing ditch on the applicant's property to improve flow. This alternative was rejected because the adjacent landowner was not interested in going forward with the proposal. The applicant also considered constructing a new north-south ditch through the wet meadow wetland area in the northwest corner of the tract; this ditch would outlet to the existing ditch, and accumulated sediment would be excavated from the existing ditch to improve flow. This alternative was rejected because the excavation of a new ditch would likely result in draining a portion of the existing wet meadow wetland. Another alternative the applicant considered was to install drainage tile in the center forested-wet meadow wetland complex; this alternative was rejected because it would require expensive wetland mitigation. Finally, the applicant considered excavating a channel through the center wetland and farm field to the existing wetland in the northwest corner. This alternative was rejected due to concerns that the channel may drain a portion of the center wetland. The applicant is considering future plans to install a grass waterway through the field, but is not proposing to do so at this time.

COMPENSATORY MITIGATION: Compensatory mitigation was not proposed by the applicant. Potential compensatory mitigation requirements will be determined during the permit evaluation process.

DRAWINGS: See attached.



**2012-05610-SEW
Dave Hubers Non-Perforated Tile Project
Northfield, Rice County**

U.S. Army Corps of Engineers
St. Paul District

2012-05610-SEW, Figure 1 of 3:
Project Location



tract location

N



0 310 620 1,240 1,860 2,480
Feet

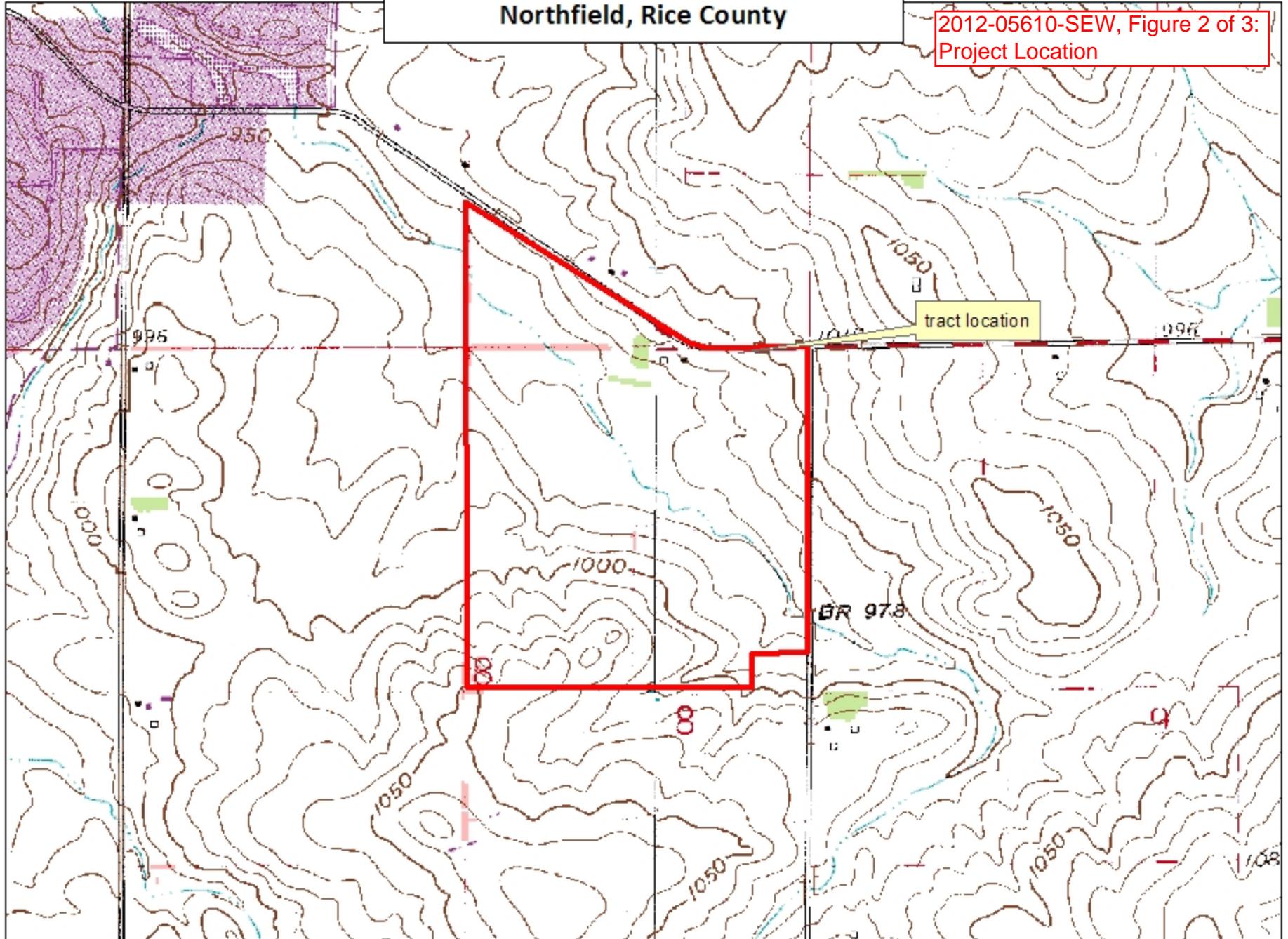
Base Map Source: FSA 2010 aerial photograph



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2012-05610-SEW, Figure 2 of 3:
Project Location



0 345 690 1,380 2,070 2,760
Feet

Base Map Source: USGS topo
(1:24,000, MN-Northfield)

Tract 8855



2013 Program Year

Map Created May 20, 2013

Common Land Unit

Cropland

Non-cropland

Conservation Reserve Program

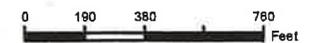
Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation Compliance Provisions

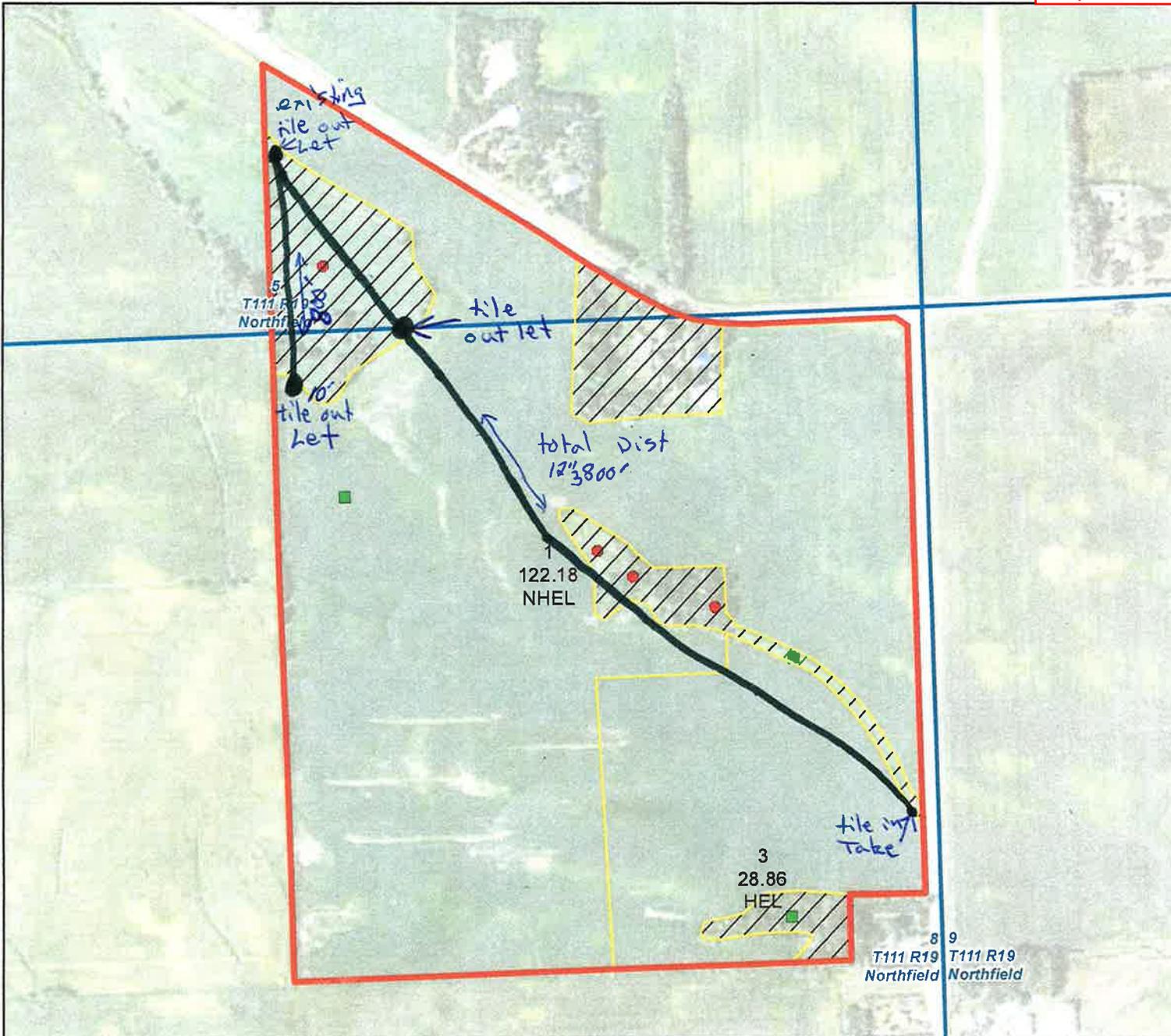
Tract Boundary

Section Line

1:7,005



- Unless otherwise noted: crops are non-irrigated
- Corn = yellow for grain
 - Soybeans = common soybeans for grain
 - Wheat = HRS for grain or HRW for grain
 - Oats and Barley = Spring for grain
 - Rye = for grain
 - Peas = process
 - Alfalfa, Mixed Forage AGM, GMA, IGS = for forage
 - Beans = Dry Edible
 - Canola = Spring for seed
 - Sunflower = oil or non-oil for grain



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