

Information for File #2013-01014-SEW

Applicant: Mr. Merle Warner

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Primary County: Scott

Location: Sections 35, Township 113N., Range 24W.

Information Complete On: June 17, 2013

Posting Expires On: June 28, 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 DESCRIPTION AND PURPOSE: The applicant is proposing to fill approximately 760 linear feet of the uppermost reach of a constructed drainage ditch. The ditch was constructed sometime between 1937 and 1957 to provide drainage for an agricultural field. The ditch ranges from 2 to 8 feet in depth, 5-15 feet in bottom width, and has an average top width of 60 feet. The top of the ditch is naturally vegetated and not farmed. A 10-inch tile would be installed adjacent to the filled ditch to maintain drainage for farming purposes. The fill used to backfill the ditch would be obtained from stockpiled material that was excavated on nearby property for the installation of the CapX2020 power line poles. The purpose of the project is to increase the area of land available for farming.

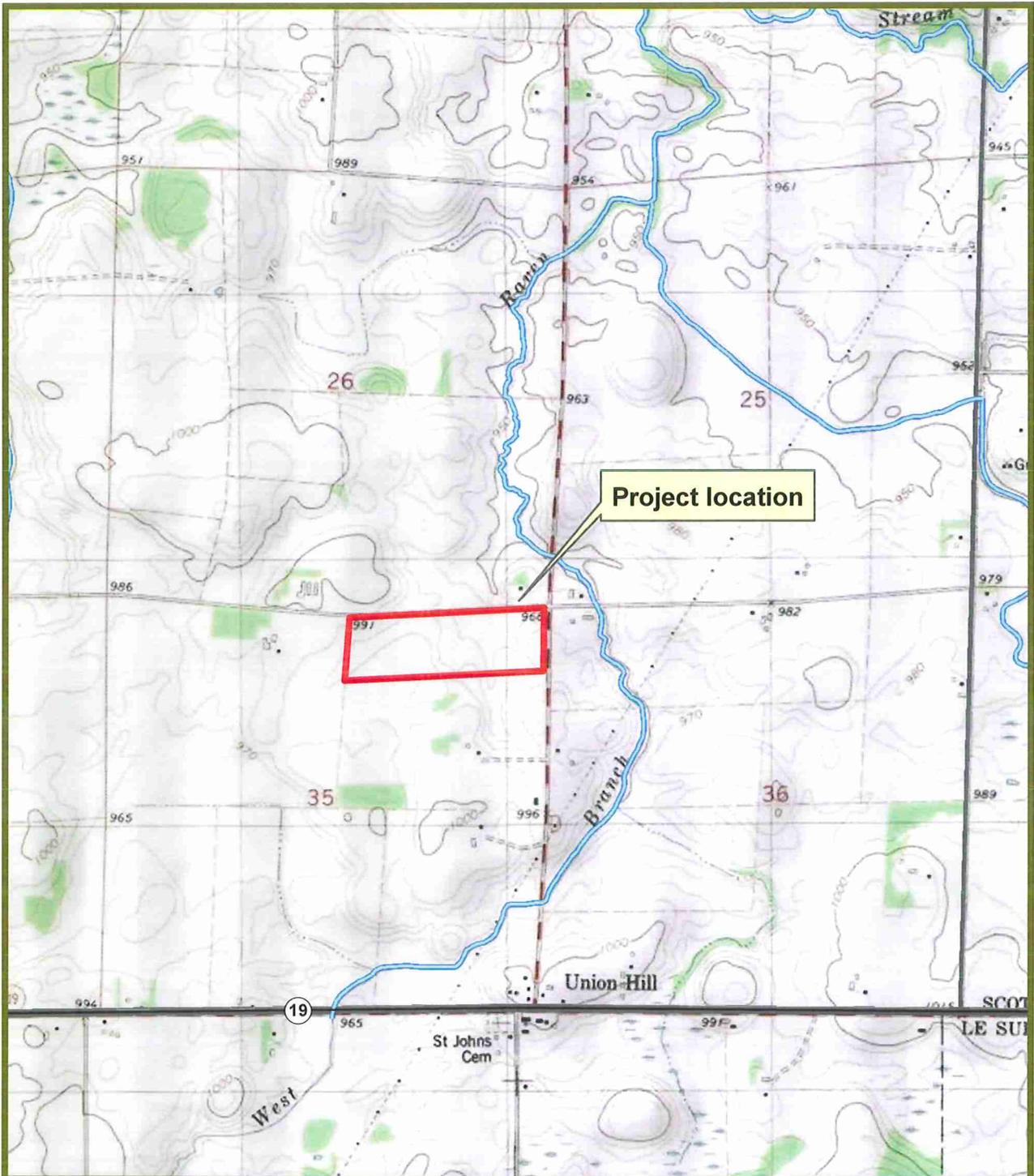
NAME, AREA AND TYPES OF WATERS (INCLUDING WETLANDS) SUBJECT TO LOSS: The project would permanently fill approximately 760 linear feet of an intermittent, constructed, headwater drainage ditch that is a tributary to the West Branch

Raven Stream and the Minnesota River. The drainage function of the ditch would be maintained through the installation of a 10-inch tile adjacent to the backfilled area.

ALTERNATIVES CONSIDERED: The applicant considered the no-build alternative, which would not require a Corps permit and would result in the continuation of the existing condition; the ditch would remain in place as it has for the past several decades, providing drainage for the adjacent crop field. This alternative was rejected because it would not meet the proposed purpose of the project, which is to increase the amount of farmable area on the property.

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.



Merle Warner Ditch Fill Project - S35 T113N R24W

Legend

-  DNR Public Water Inventory
-  DNR Protected Streams and Ditches



Section Location Map

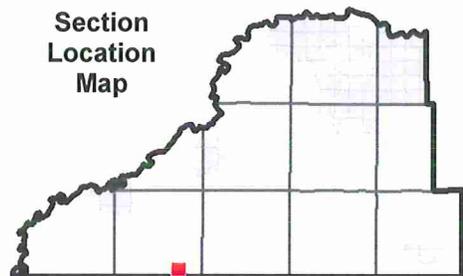


Exhibit B - Merle Warner Ditch Fill Project

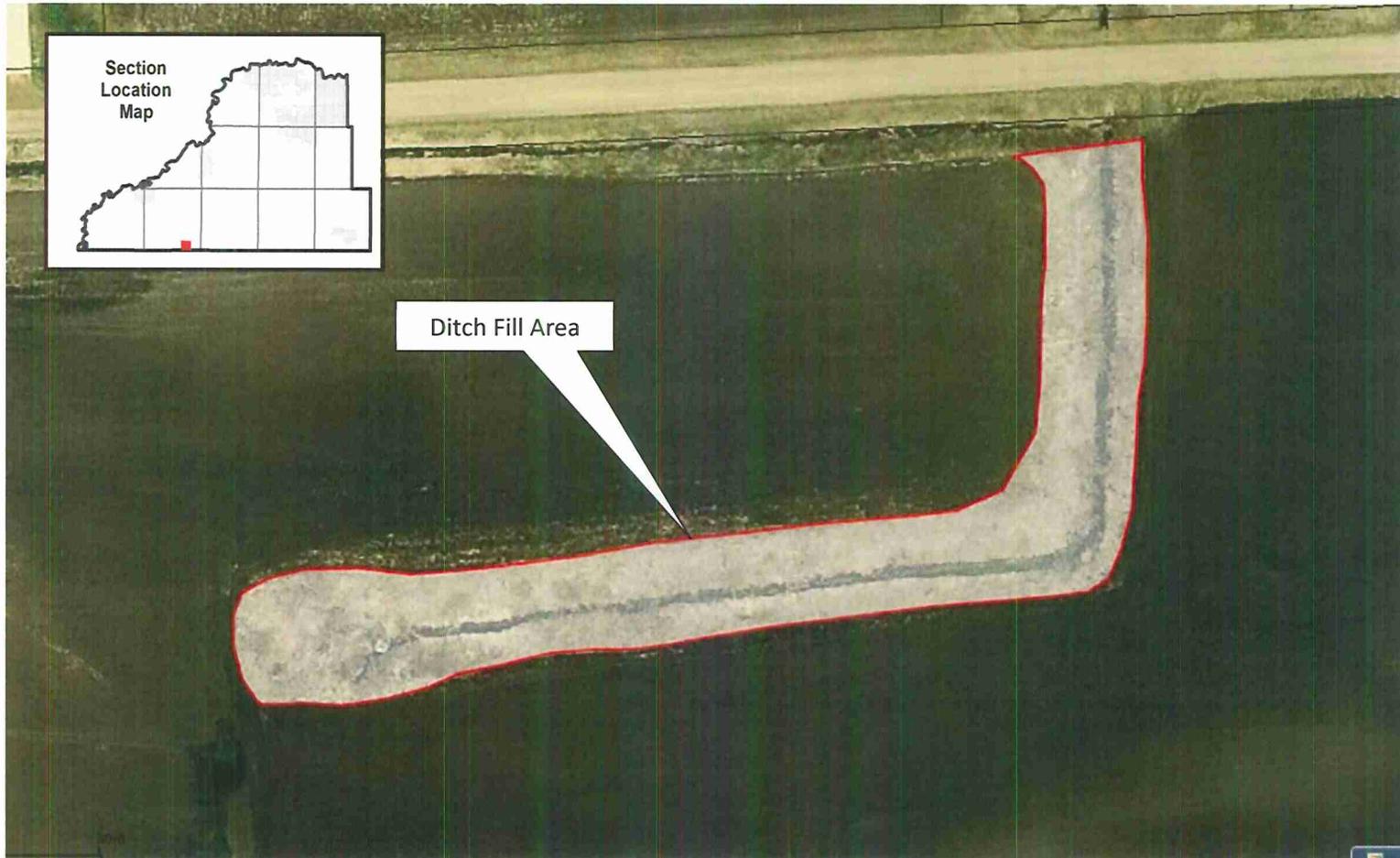


Exhibit B - Merle Warner Ditch Fill Project



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