APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): DEC 16 2015

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER:
MVP-2015-04365-LMG (Ferche North LeSauk Property)

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: Minnesota County/parish/borough: Stearns City: LeSaulk Township
Center coordinates of site (lat/long in degree decimal format): Lat. 45.6496° N, Long. -94.21504° W.
Universal Transverse Mercator:
Name of nearest waterbody: Mississippi River
Name of watershed or Hydrologic Unit Code (HUC): 07010201
☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):
☒ Office (Desk) Determination. Date: December 8, 2015
☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are no "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are no"*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs: N/A

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY): N/A

C. SIGNIFICANT NEXUS DETERMINATION: N/A

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY): N/A

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY): N/A

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers
☐ Other: (explain, if not covered above):

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):
☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Westwood Professional Services
☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  ☒ Office concurs with data sheets/delineation report.
  ☐ Office does not concur with data sheets/delineation report.
☐ Data sheets prepared by the Corps:
☐ Corps navigable waters' study:
☐ U.S. Geological Survey Hydrologic Atlas:
  ☐ USGS NHD data.
  ☐ USGS 8 and 12 digit HUC maps.

- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K MN-LITTLE ROCK LAKE
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Stearns County Soil Survey
- ☒ National wetlands inventory map(s). Cite name: USFWS NWI & MnDNR NWI
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): FSA 1991-2013
  or ☒ Other (Name & Date): Google Earth
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☒ Other information (please specify): Stearns County LiDAR data

B. ADDITIONAL COMMENTS TO SUPPORT JD: The review area identified on the attached figure is an upland area and does not contain any wetlands or waters of the U.S. The area is not designated on the NWI, and there are no hydric soils present within the review area.The applicant submitted sufficient information to demonstrate that the review area identified on the attached figure contians no aquatic resources. Therefore, the review area does not contain any waters of the U.S

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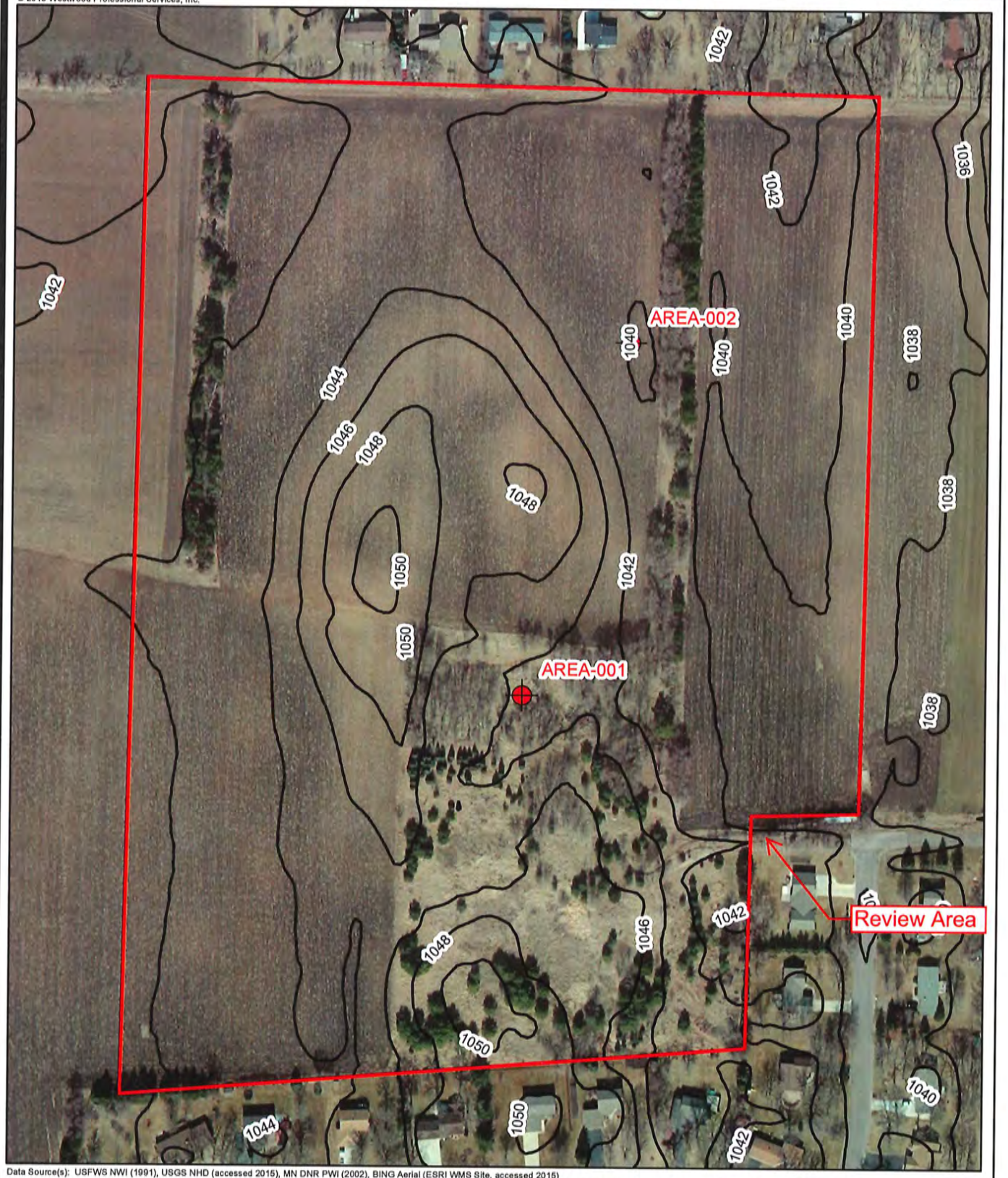

Data Source(s): USFWS NWI (1991), USGS NHD (accessed 2015), MN DNR PWI (2002), BING Aerial (ESRI WMS Site, accessed 2015)

N

0 300 Feet

Ferche North LeSauk Property

LeSauk Townshio, Stearns County, Minnesota

Legend

- Upland Sample Point
- Project Boundary
- LiDAR 2-Ft Contour

LiDAR Topography and Investigated Areas

EXHIBIT 4

Westwood
Toll Free (888) 937-5150 westwoodps.com
Westwood Professional Services, Inc.

Map Document: C:\Data\Draw\Projects\FercheNorth\North\FNL_LIDAR01A.mxd 11/10/2015 6:20:38 PM