



US Army Corps
of Engineers
St Paul District

APPLICANT: Minnesota Department of
Transportation

Public Notice

ISSUED: October 22, 2021
EXPIRES: November 5, 2021

REFER TO: 2020-01736-BGO

SECTION:404 - Clean Water Act

1. APPLICATION FOR PERMIT TO discharge fill material into 14.35 acres of wetlands and 0.04 acre of tributary.

2. SPECIFIC INFORMATION

APPLICANT
Justin Knopf
Minnesota Department of Transportation (MnDOT)
1000 Hwy 10 W
Detroit Lake, MN 56501

AGENT
Nicole Zappetillo
SRF Consulting Group, Inc.
3701 Wayzata Boulevard, Suite 100
Minneapolis, MN 55416-3791

PROJECT LOCATION: The project site is in Section 6, Township 144 North, Range 38 West; Sections 1-6, Township 144 North, Range 39 West; Sections 1-6, Township 144 North, Range 40 West; Sections 1-6, Township 144 North, Range 41 West; Section 1, Township 144 North, Range 42 West; Section 31, Township 145 North, Range 38 West; Sections 31-36, Township 145 North, Range 39 West; Sections 31-36, Township 145 North, Range 40 West; Sections 31-36, Township 145 North, Range 41 West; and, Section 36, Township 145 North, Range 42 West, Mahnomen and Clearwater Counties, Minnesota. The approximate coordinates begin at 47.325293, -95.937113 and end at 47.320369, -95.536233.

DESCRIPTION OF PROJECT: The U.S. Army Corps of Engineers, St. Paul District has received a permit application from the Minnesota Department of Transportation to improve a 19-mile segment of Trunk Highway (TH) 200, from its intersection with US 59 to Roy Lake Park near Mahnomen, Minnesota within the exterior boundaries of the White Earth Nation Reservation in Mahnomen County, Minnesota (SP 4402-22). The purpose of this project is to improve vehicle safety and pedestrian and bicycle safety and mobility, and pavement and bridge conditions on TH 200 in the project area.

Existing Conditions:

TH 200 is a minor arterial, multi-use corridor that carries commuter-oriented and freight traffic from various regions across northern Minnesota and beyond. The project segment of TH 200 from Mahnomen to the Roy Lake area is a two-lane two-way, rural section roadway. The posted speed ranges from 30 miles per hour (mph) entering/leaving the city of Mahnomen and Roy Lake area to 55 mph along most of the project segment.

The existing roadway consists of 12-foot driving lanes with 2 -foot paved shoulders, which tie into the existing foreslopes with 1:3 in-slopes or steeper. All culverts were previously replaced or updated as part of a 2016 mill and overlay project (SP 4402-19) completed in 2016.

Proposed Project:

The proposed project includes three segments with different roadway, pedestrian/bicycle, and structure improvements. The pavement rehabilitation is part of a pavement preservation project along approximately 20 miles of the project corridor (Segments 1 and 2).

Segment 1: East of Wild Rice River to Roy Lake Park

- Chip seal from TH 59 to Roy Lake Park
- Widen existing shoulders to 6 feet with 2 feet bituminous/4 feet aggregate from Mahnomen County State Aid Highway (CSAH) 25 to Roy Lake Park.
- Addition of State Patrol Inspection Area approximately one-half mile east of Mahnomen CSAH 25
- Addition of eastbound right-turn lanes at the intersections of Mahnomen CSAH 25, Chippewa Ranch and Blair Road
- Road grade raise and replacement of existing box culvert with a span bridge at Twin Lakes Creek
- Replacement and upsize of Beatty Creek box culvert
- Horizontal curve superelevation corrections near Perch Lake and Goodwin Lake

Segment 2: Roy Lake Park to Intersection of CSAH 16/7 (County Line)

- Realignment of existing roadway to the north around Roy Lake with 4-foot green space buffer and 8-foot separated paved sidewalk
- Widen existing north shoulder of roadway to 5 feet with 2 feet bituminous/3 feet aggregate
- Reclaim from Roy Lake Park to CSAH 16/7
- Replacement of Roy Lake box culvert
- Vertical curve correction west of CSAH 16/7 intersection

Segment 3: Intersection of CSAH 16/7 (County Line) to 0.8 miles East of CSAH 16/7

- Reclaim from CSAH 16/7 to 0.791 miles east
- Realignment of roadway to match Roy Lake Park to Intersection of CSAH 16/7 corridor
- Widen and pave existing south shoulder of roadway to 8 feet
- Widen existing north shoulder to 6 feet with 2 feet bituminous/4 feet aggregate

Additional improvements common to the entire project corridor:

- Relocation and upgrade of mailboxes
- Roadway signing relocation
- Driveway/Approach reconstruction
- Shoulder repair
- Foreslope flattening to minimum 1:4 with 1:3 in areas to minimize environmental and wetland impacts
- Culvert extensions
- Removal of vegetation in clear zone

The proposed project is schedule to be let in spring 2022. Construction is anticipated to begin in summer 2022 and is expected to be complete by the end of 2022.

QUANTITY, TYPE, AND AREA OF FILL: Construction of the proposed improvements would result in the permanent discharge of fill material into 14.35 acres of wetlands and 0.04 acre of tributary. Permanent impacts to stream channels would result from extending culverts and placing riprap to widen the existing shoulders.

Permanent impacts to wetlands would result from fill placement to widen the existing shoulders and improve the existing foreslopes to 1:4 (or 1:3 where possible to minimize impacts). Locations of acceptable 1:3 inslopes were identified by MnDOT which included minimization

along approximately 7,450 linear feet of the project. Other permanent impacts would include placement of new ditches to help with drainage and the extension of pipes.

Permanent impacts to Wetland 17 (Perch Lake) would result from the construction of 1:10 foreslopes to the clear zone, breaking to a 1:3 foreslope with riprap to provide space for drivers to recover if they leave the roadway. Guardrail was rejected from consideration in this area due to anticipated safety and maintenance issues related to blowing snow in winter.

VEGETATION IN AFFECTED AREA: The wetlands within the project area consist of seasonally flooded basin (Type 1), fresh (wet) meadow (Type 2), shallow marsh (Type 3), deep marsh (Type 4), shallow open water (Type 5), shrub-carr (Type 6), and hardwood swamp (Type 7) wetlands.

SOURCE OF FILL MATERIAL: MnDOT and its contractors would be required to use suitable fill material free of pollutants.

SURROUNDING LAND USE: Existing land uses in the project area consist of agricultural, native prairie, hunting and gathering, forest, residential, and government services.

THE FOLLOWING POTENTIALLY TOXIC MATERIALS COULD BE USED AT THE PROJECT SITE: The applicant does not propose to use any potentially toxic materials. All fill material used on-site would be free of contaminants.

THE FOLLOWING PRECAUTIONS TO PROTECT WATER QUALITY HAVE BEEN DESCRIBED BY THE APPLICANT: MnDOT has not provided a detailed description of precautions to protect water quality during the construction of the proposed project. MnDOT intends to implement best management practices in accordance with federal, state, and tribal water quality standards.

MITIGATION: Appropriate compensatory mitigation would be required to offset the unavoidable impacts to waters of the U.S. MnDOT proposes to satisfy those requirements by debiting Corps-approved wetland credits from a mitigation bank. Impacts replaced within the same Bank Service Area as the impact (BSA 4) would be at a 2:1 ratio and impacts replaced in an adjacent BSA would be at a 2.5:1 ratio.

3. FEDERALLY-LISTED THREATENED OR ENDANGERED WILDLIFE OR PLANTS OR THEIR CRITICAL HABITAT.

None were identified by the applicant or are known to exist in the permit area. However, Mahnomen and Clearwater Counties are within the known or historic range of the following Federally-listed species:

Canada lynx

Northern Forest

Northern Long-Eared Bat

Hibernates in caves and mines – swarming in surrounding wooded areas in autumn. Roosts and forages in upland forests during spring and summer.

Rusty patched bumble bee Grasslands with flowering plants from April through October, underground and abandoned rodent cavities or clumps of grasses above ground as nesting sites, and undisturbed soil for hibernating queens to overwinter.

Poweshiek skipperling Native Prairie

This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments it may have concerning Federally-listed threatened or endangered wildlife or plants or their critical habitat will be considered in our final assessment of the described work.

4. JURISDICTION

This application is being reviewed in accordance with the practices for documenting Corps jurisdiction under Sections 9 & 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

An approved jurisdictional determination was previously prepared on March 4, 2021 and concluded that 38 wetlands labeled as Wetlands 1C, 2D, 2F, 3C, 3E, 3G, 8-9, 10B, 11, 12B, 12D, 13B, 13D, 13S, 13V, 15B, 15D, 17A, 17.5C, 24A, 25A, 25I, 26B, 28-29, 31A-B, 48B, 48H, 52A, 53C-D, 57, 59, 63B, 64, and 67, and 120 roadside ditches labeled as Wet Ditch 1A-B, 2B-C, 2E, 2G-I, 3B, 3D, 3F, 3H-I, 4B, 4D, 4F, 5, 6A, 10A, 12A, 12C, 12E, 13A, 13C, 13E-F, 13H-I, 13K, 13M-O, 13Q-R, 13T-U, 13W, 14A-B, 15A, 15C, 15E-F, 15H, 15J-K, 16, 17B, 17F, 17H, 17J, 17.5A-B, 20B, 20D, 21-22, 23B, 23D, 24B, 24E, 25B, 25E, 25J, 25M, 26A, 30B, 32A, 32C, 32E, 34A-B, 37, 38B, 39C, 40B, 41-43, 44A, 44C, 44E, 45-46, 47A-B, 48A, 48C, 48E, 48G, 49A, 49C, 49E, 50A, 51A, 51C, 51E, 51G, 51J-K, 52B, 53A-B, 53E, 55B, 55D, 55G, 56, 60A, 60C-E, 61A, 62A, 62C, 62J, 63A, 65A, and 65C-D, as shown on the enclosed figures, are not waters of the U.S. subject to Corps jurisdiction. Therefore, work in those aquatic resources does not require authorization.

5. STATE SECTION 401 WATER QUALITY CERTIFICATION

A permit will not be granted until the U.S. Environmental Protection Agency (EPA) has issued or waived Section 401 WQC certification and the EPA neighboring jurisdiction process is completed. Corps Section 404 Clean Water Act decisions may not be finalized until after the EPA completes this process.

6. HISTORICAL/ARCHAEOLOGICAL

This public notice is being sent to the National Park Service and the State Archaeologist for their comments. The Corps will review information on known cultural resources and/or historic properties within and adjacent to the project area. The Corps will also consider the potential effects of the project on any properties that have yet to be identified. The results of this review and the Corps' determination of effect will be coordinated with the State Historic Preservation Officer independent of this public notice. Any adverse effects on historic properties will be resolved prior to the Corps authorization, or approval, of the work in connection with this project.

7. PUBLIC HEARING REQUESTS

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, in detail, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided or if there is otherwise no valid interest to be served.

8. PUBLIC INTEREST REVIEW

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects. Among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. Environmental and other documents will be available for review in the St. Paul District Office.

The Corps of Engineers is soliciting comments from the public; Federal, State, and local agencies and officials; Indian tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

REPLIES/COMMENTS

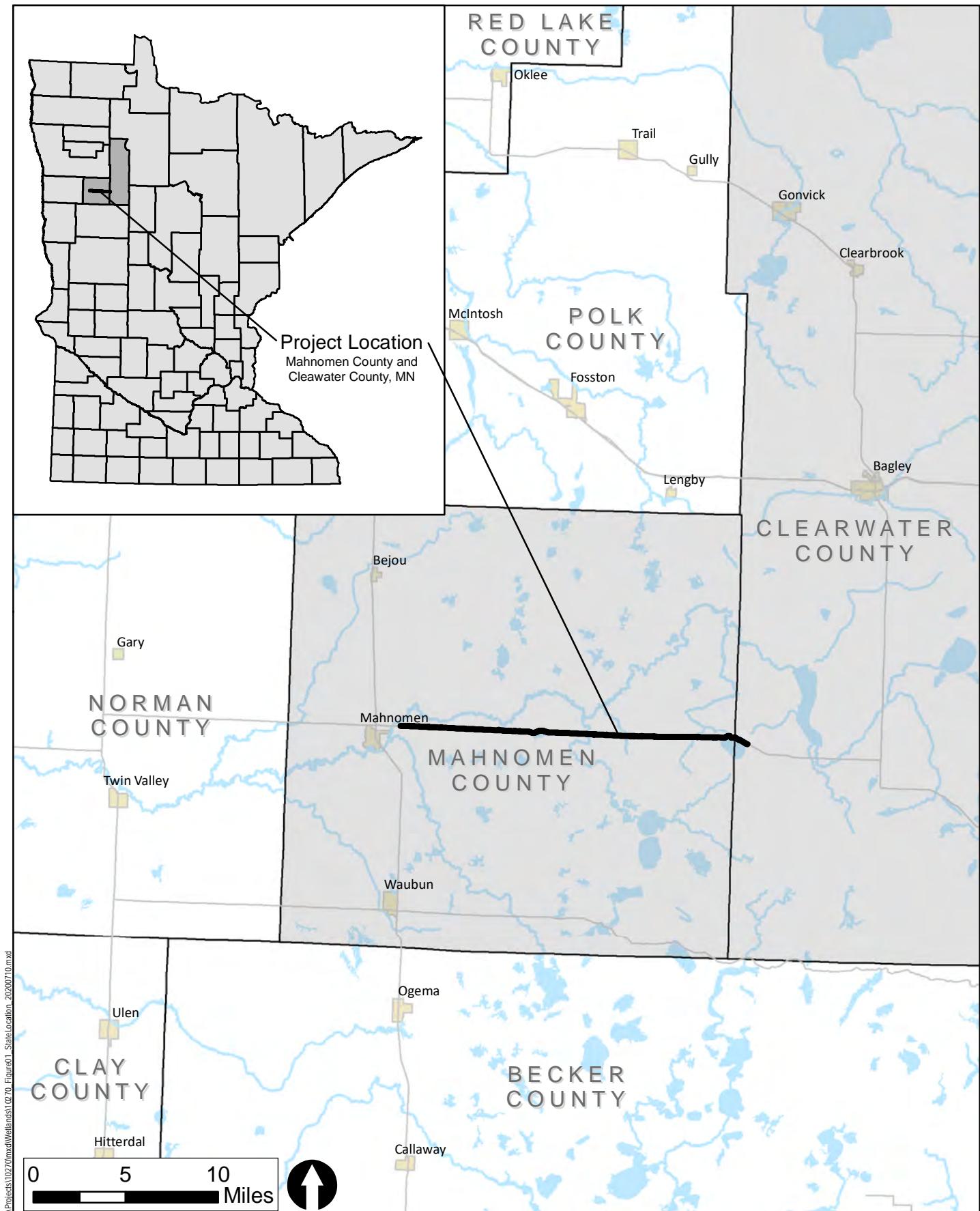
Interested parties are invited to submit to this office written facts, arguments, or objections by the expiration date indicated above. These statements should bear upon the suitability of the location and the adequacy of the project and should, if appropriate, suggest any changes believed to be desirable. Comments received may be forwarded to the applicant.

Replies may be sent to Ben Orne at Benjamin.G.Orne@usace.army.mil.

IF YOU HAVE QUESTIONS ABOUT THE PROJECT, contact Ben Orne at the St. Paul office at (651) 290-5280 or Benjamin.G.Orne@usace.army.mil.

To receive Public Notice notifications, go to: <https://www.mvp.usace.army.mil/Contact/RSS/> and subscribe to the RSS Feed for which you would like to receive Public Notices.

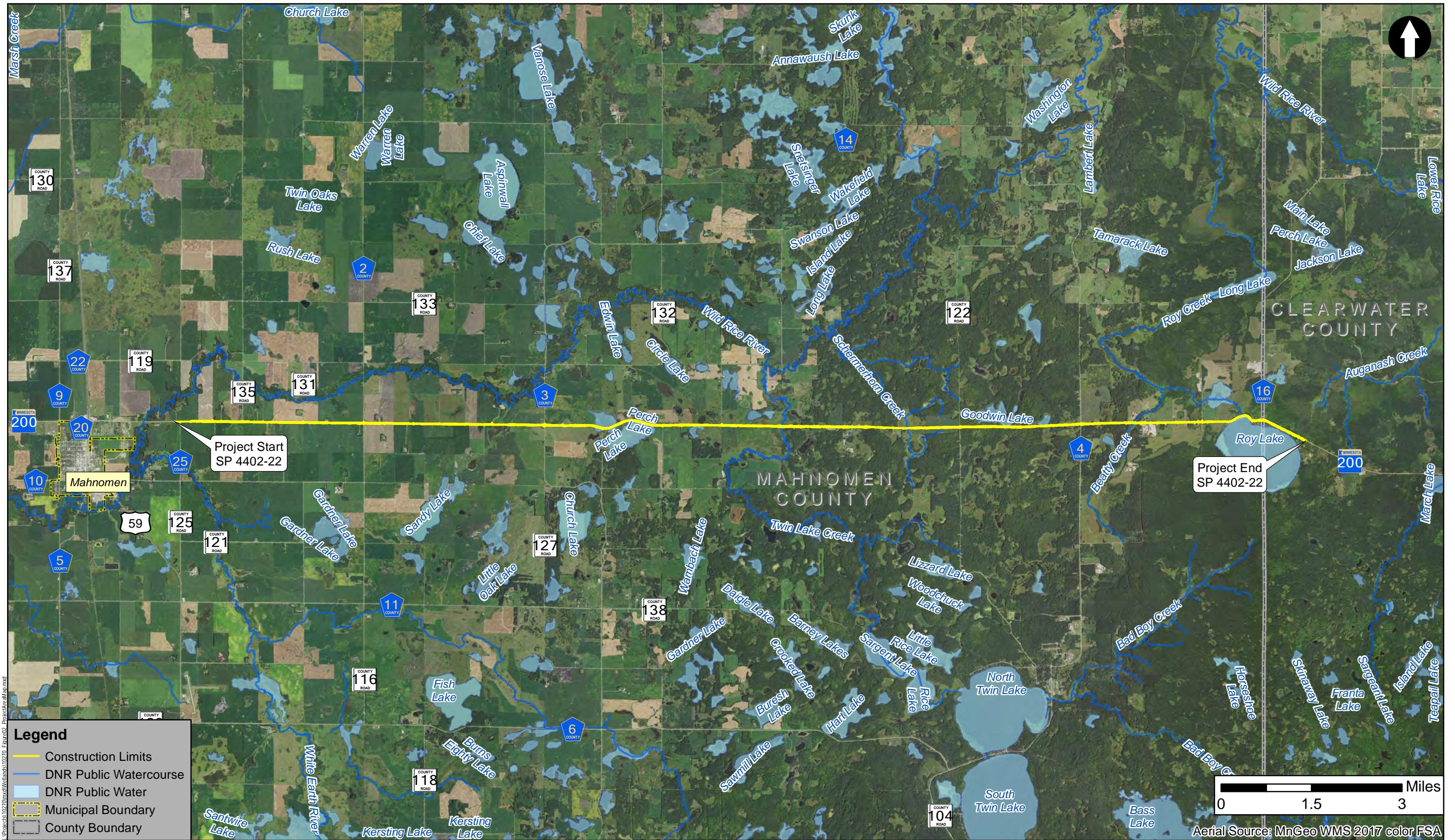
Enclosures: 2020-01736-BGO PN Attachments, Pages 1-42 of 42



State Location

MN TH 200 Shoulder Widening
White Earth Nation, MnDOT District 4

Figure 1

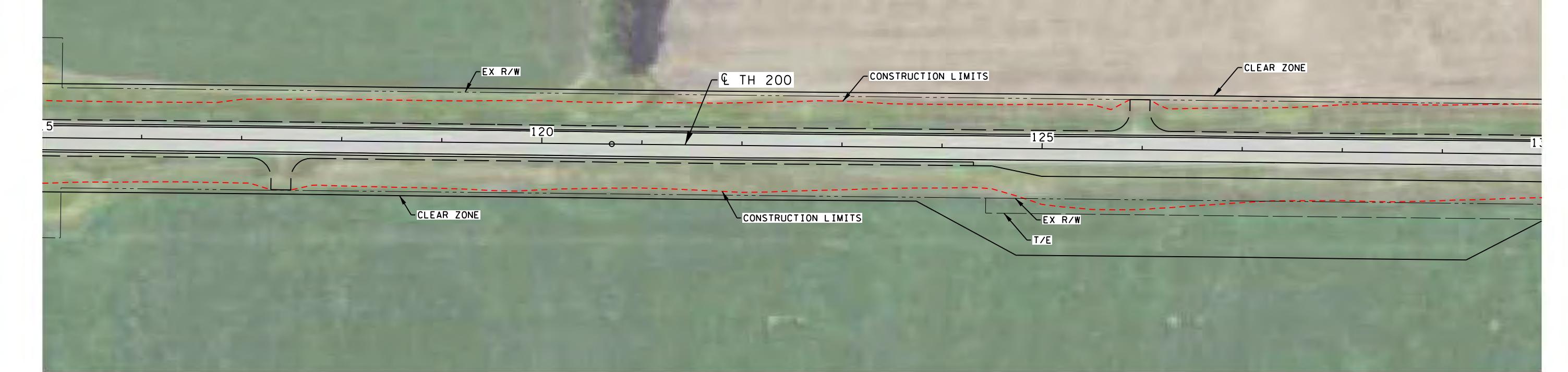
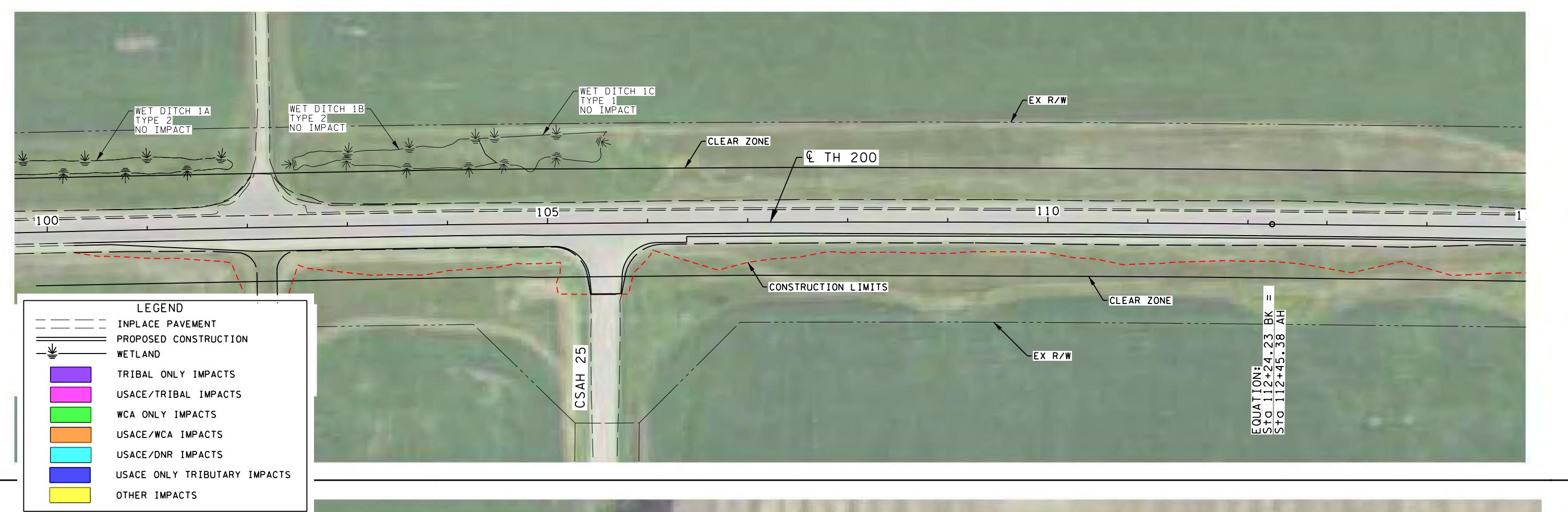


Project Area Map

TH 200 Shoulder Widening

White Earth Nation, MnDOT District 4

Figure 2



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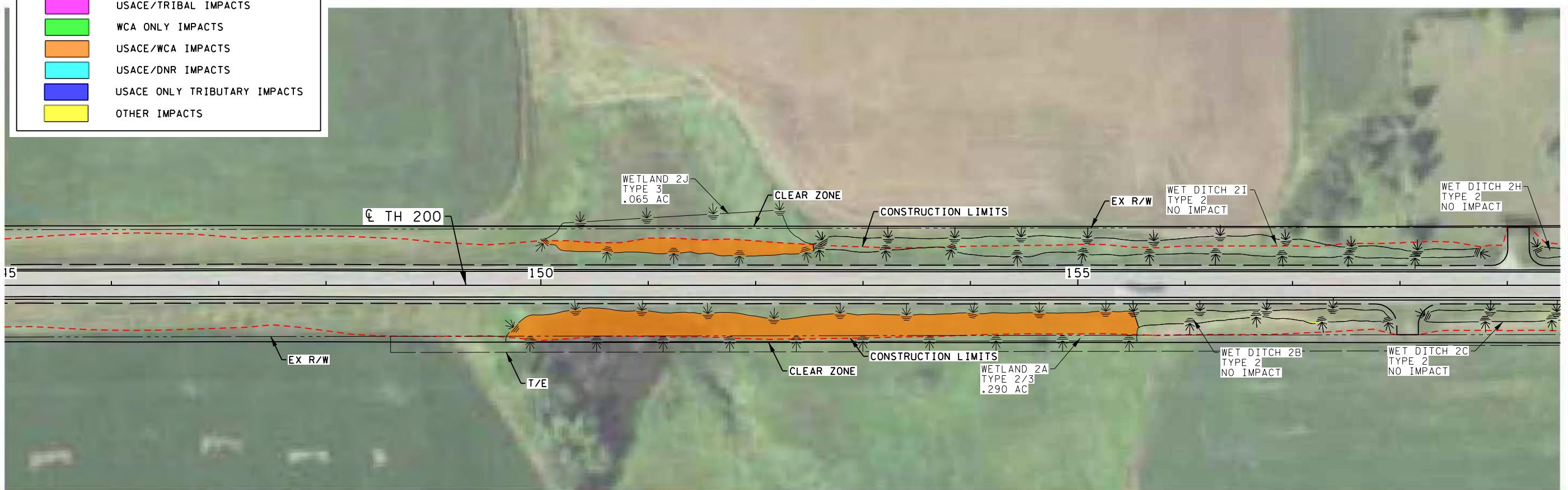
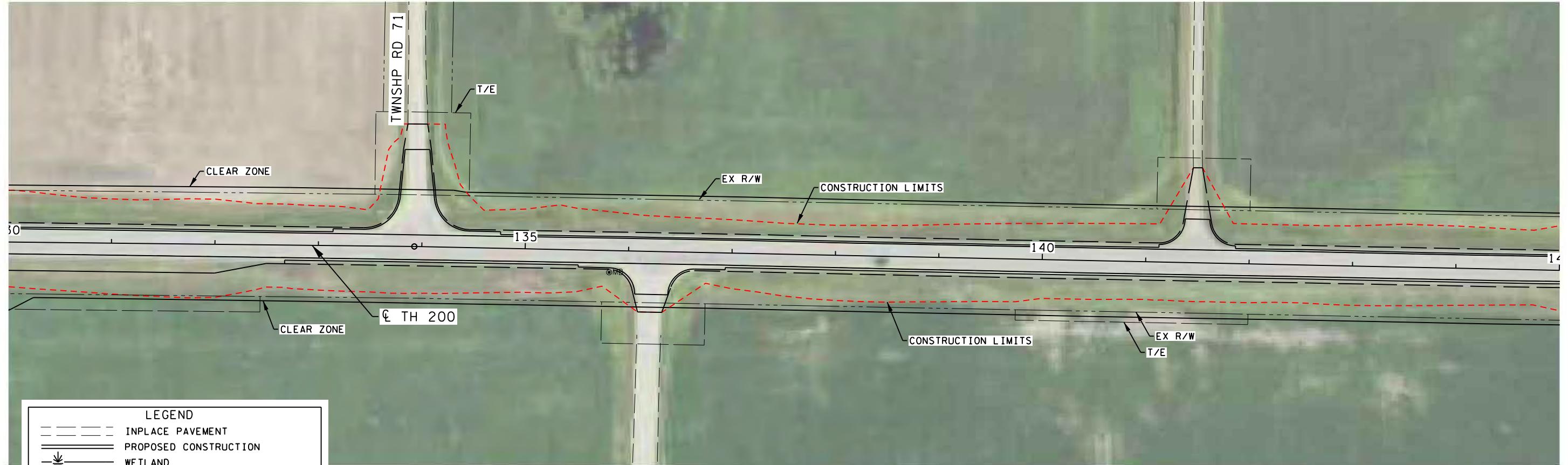
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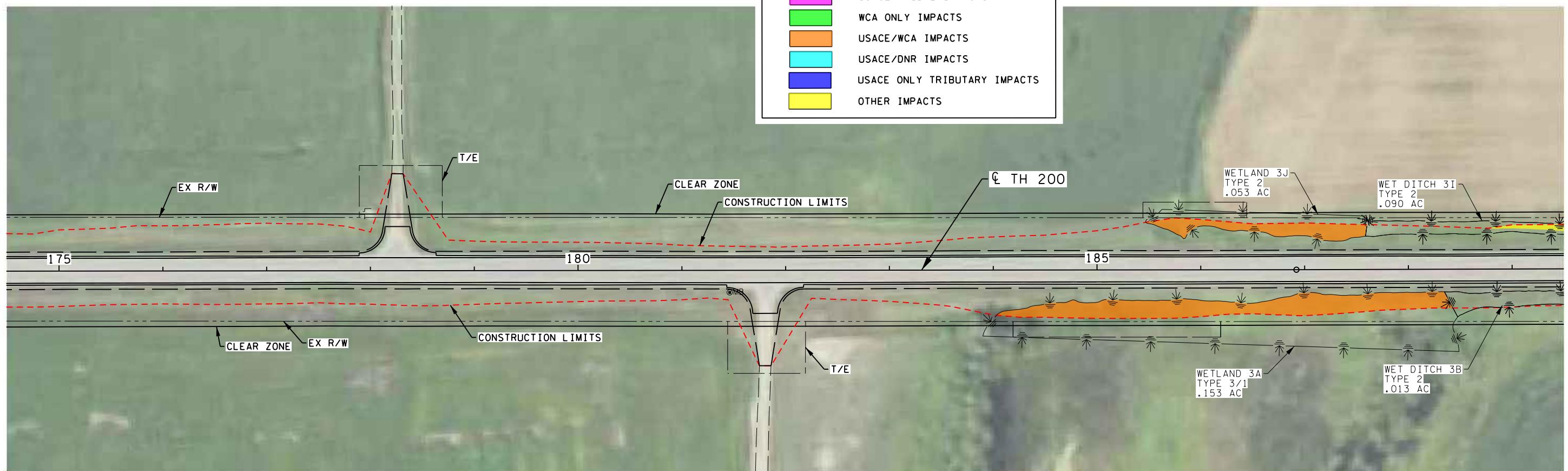
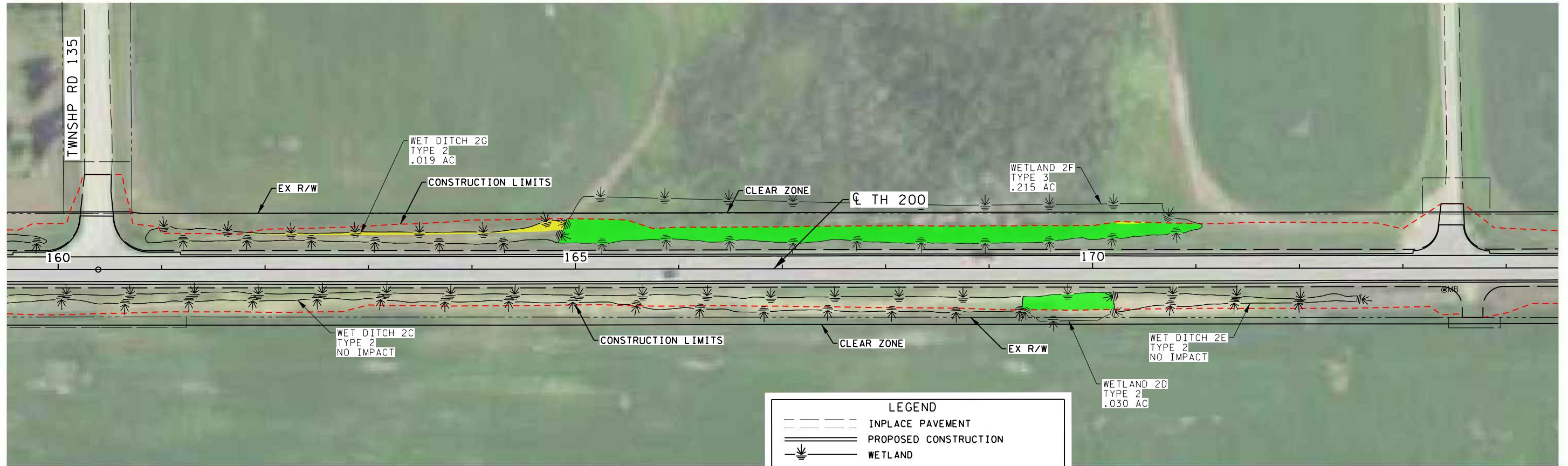
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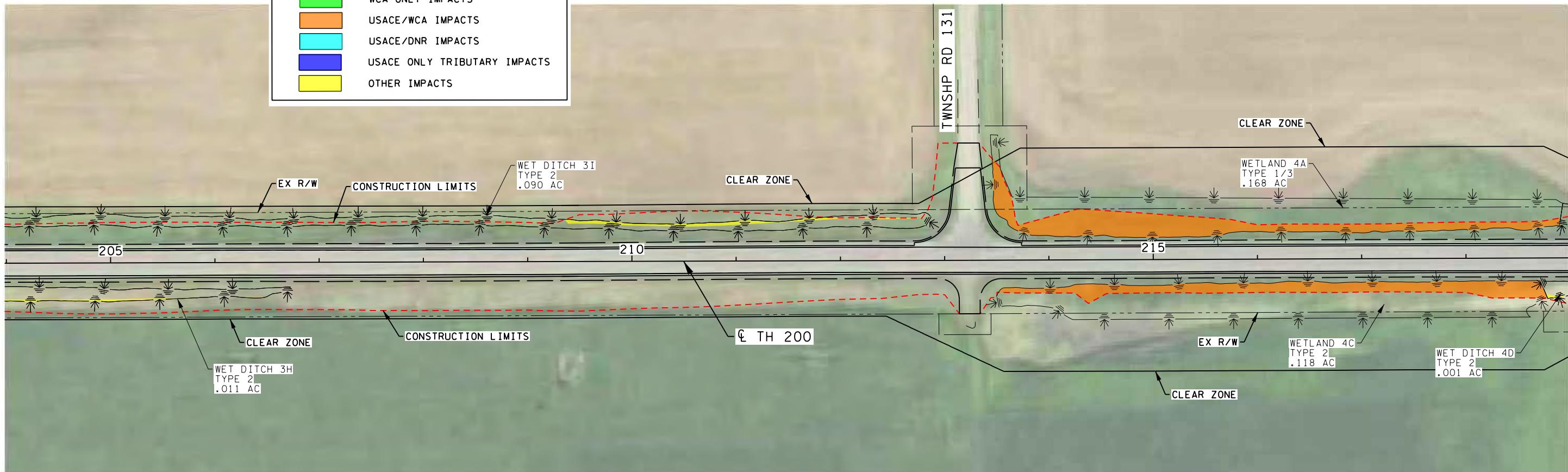
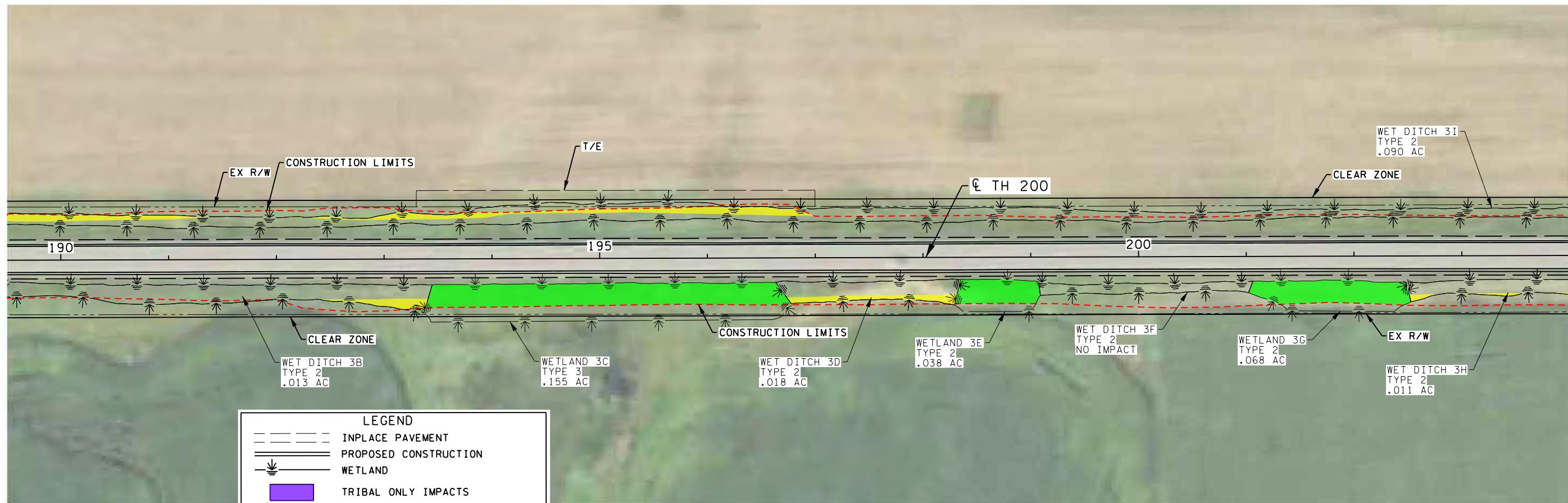


MINNESOTA DEPARTMENT OF TRANSPORTATION
AQUATIC RESOURCES IMPACT MAP
TH 200 SHOULDER WIDENING

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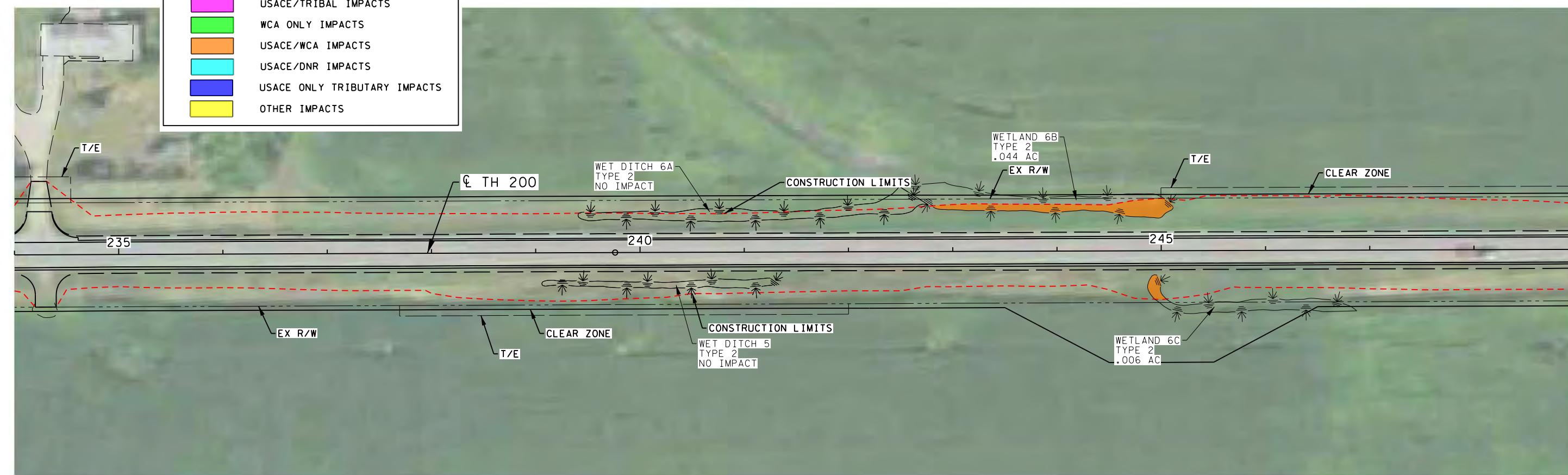
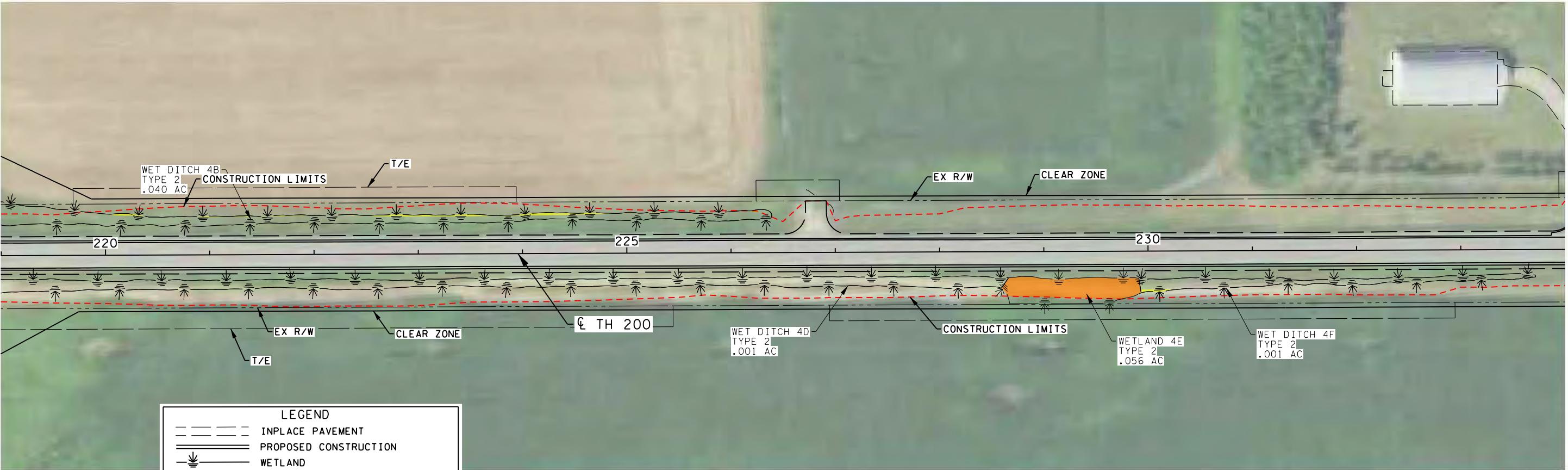
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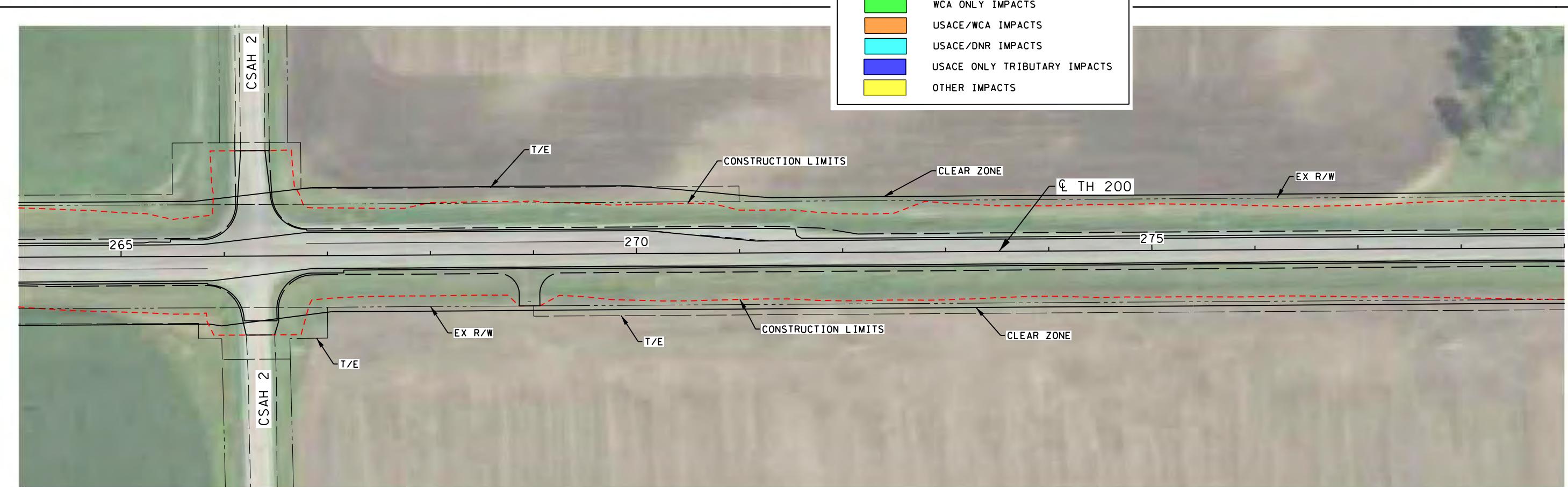
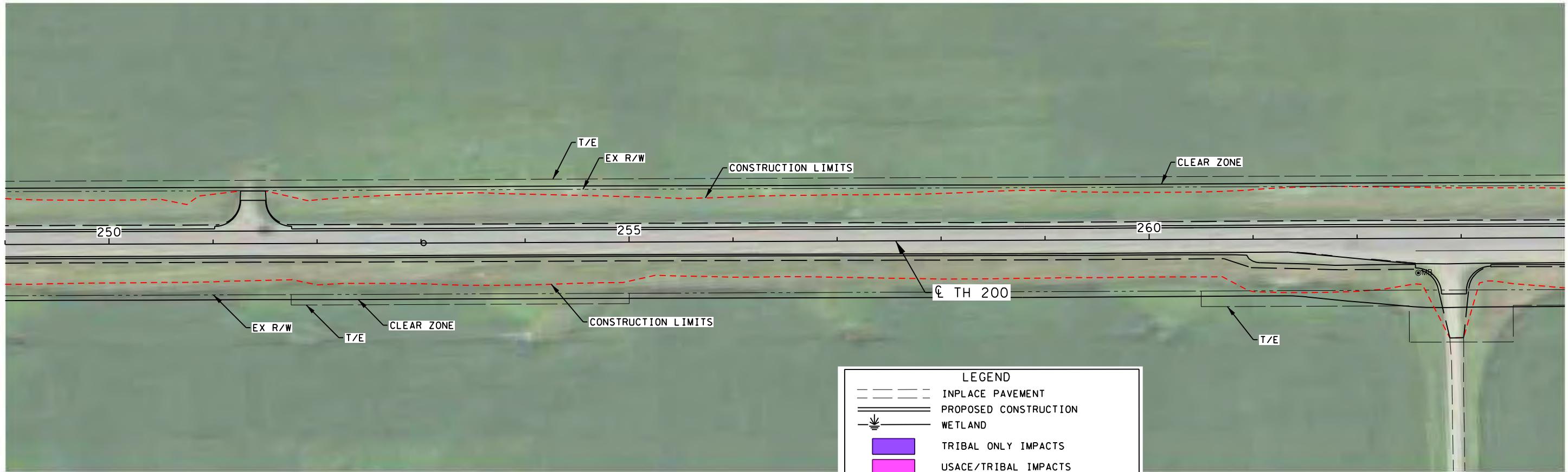
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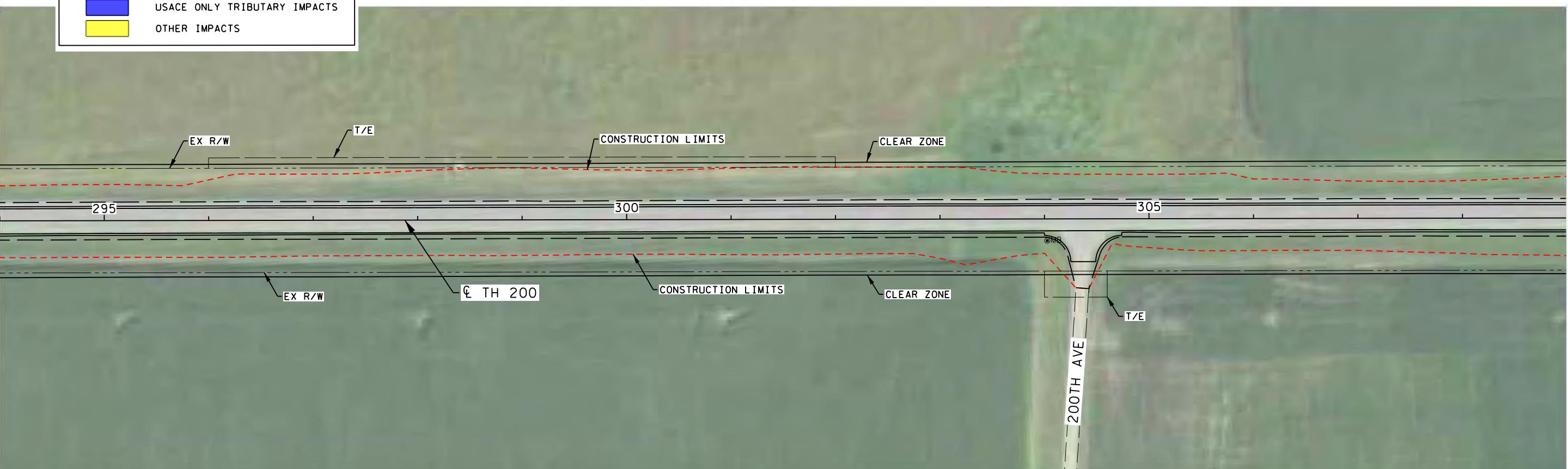
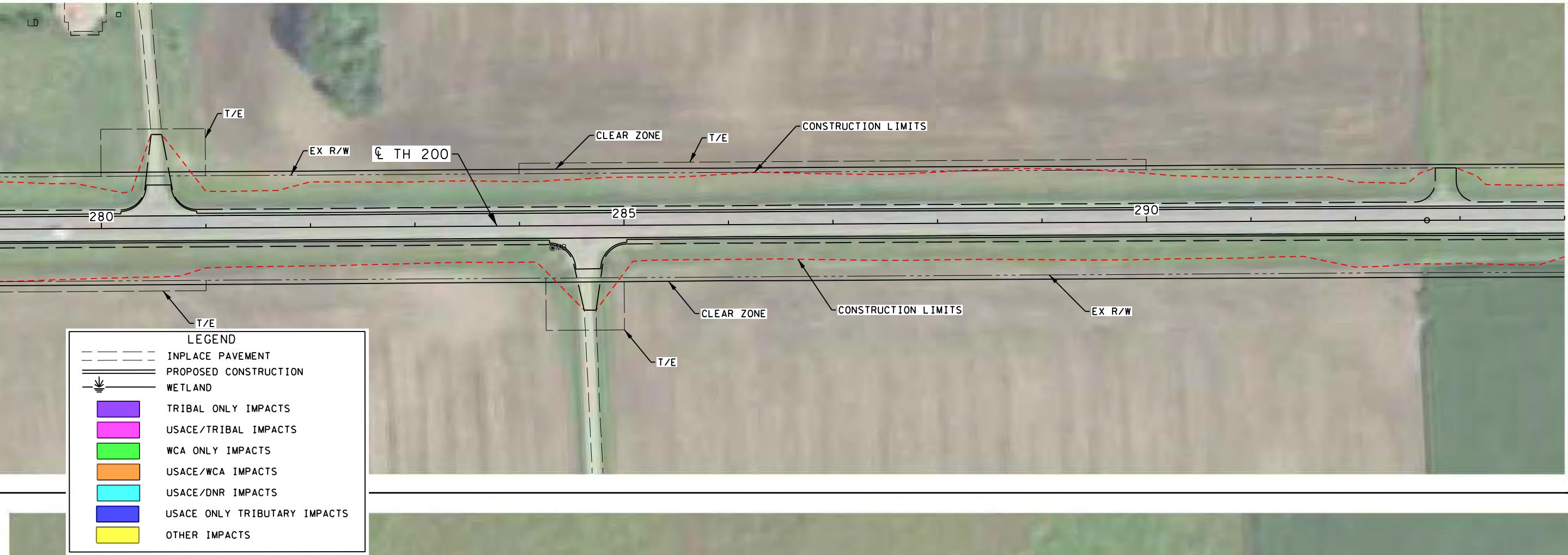
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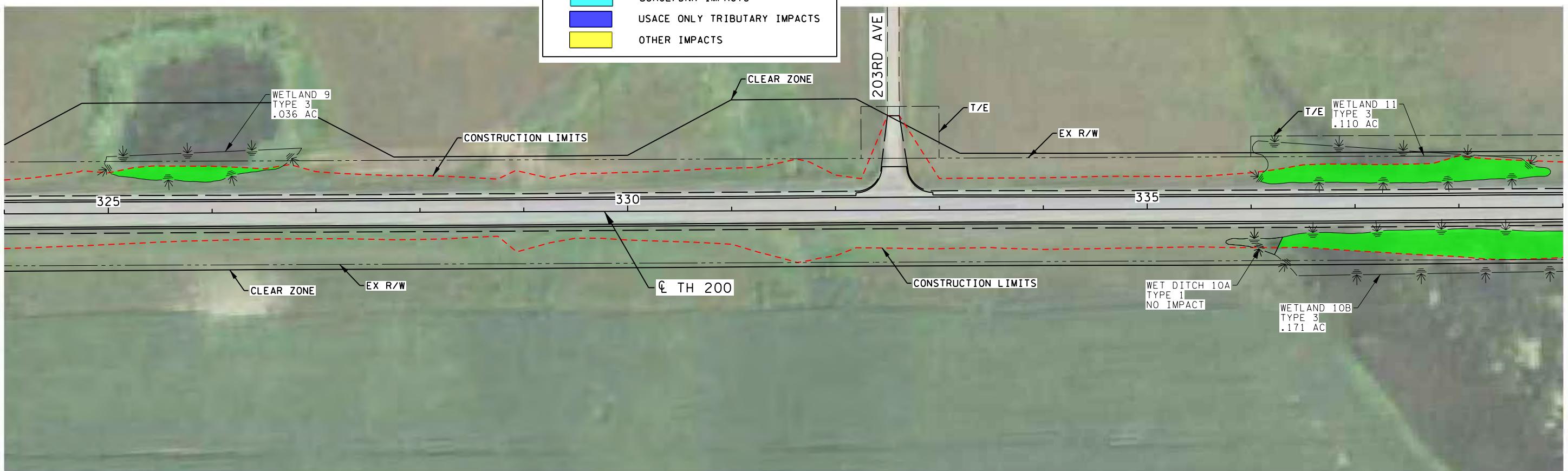
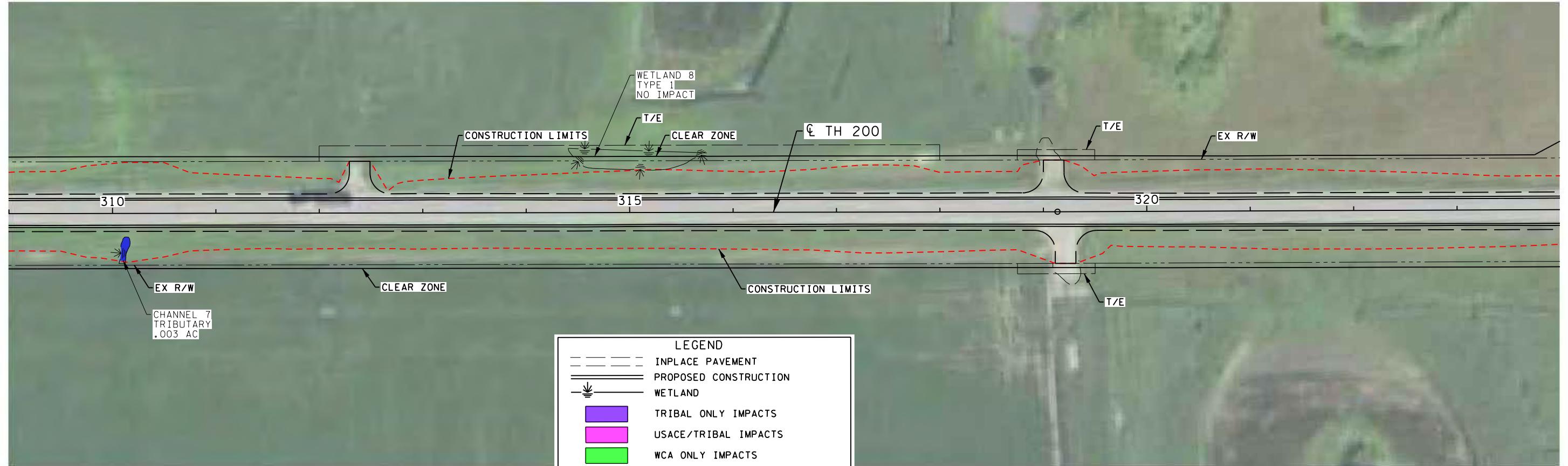
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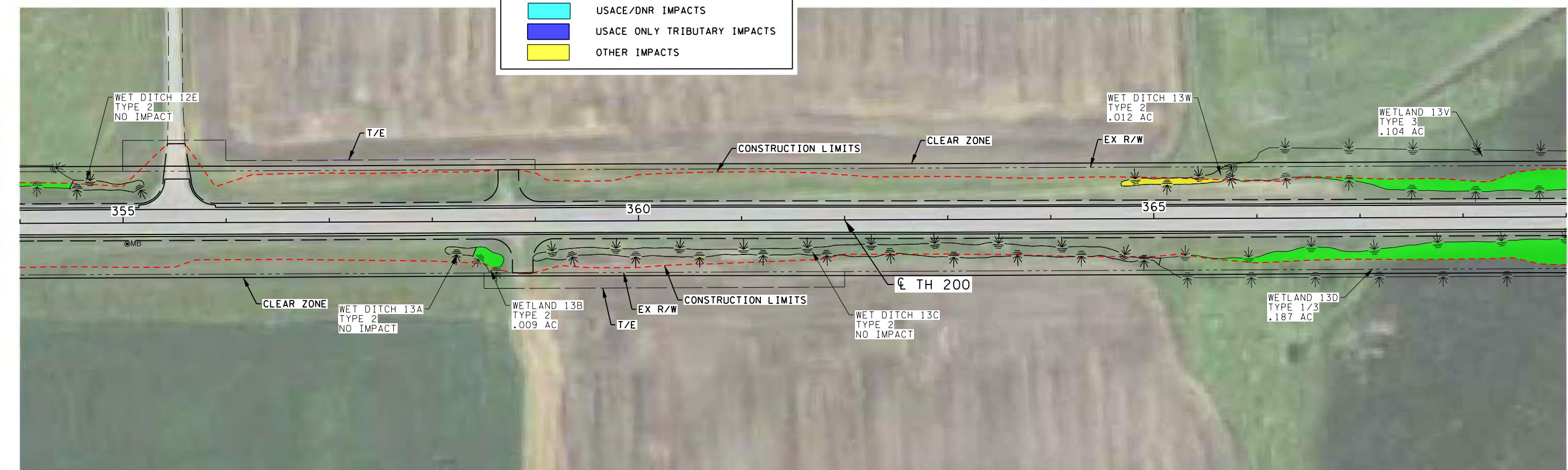
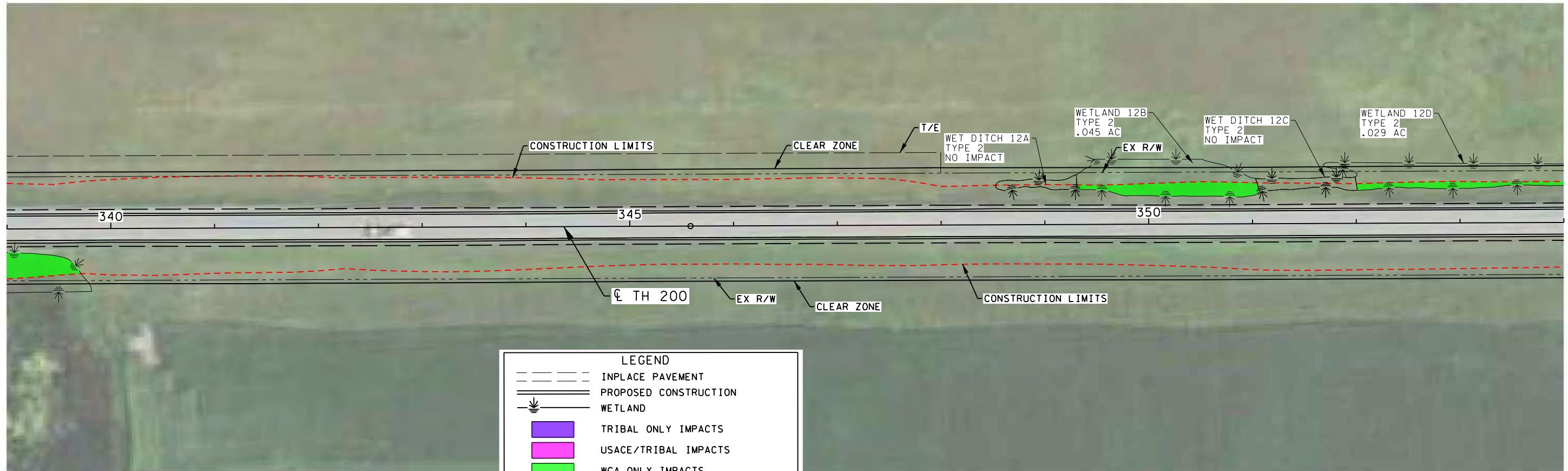
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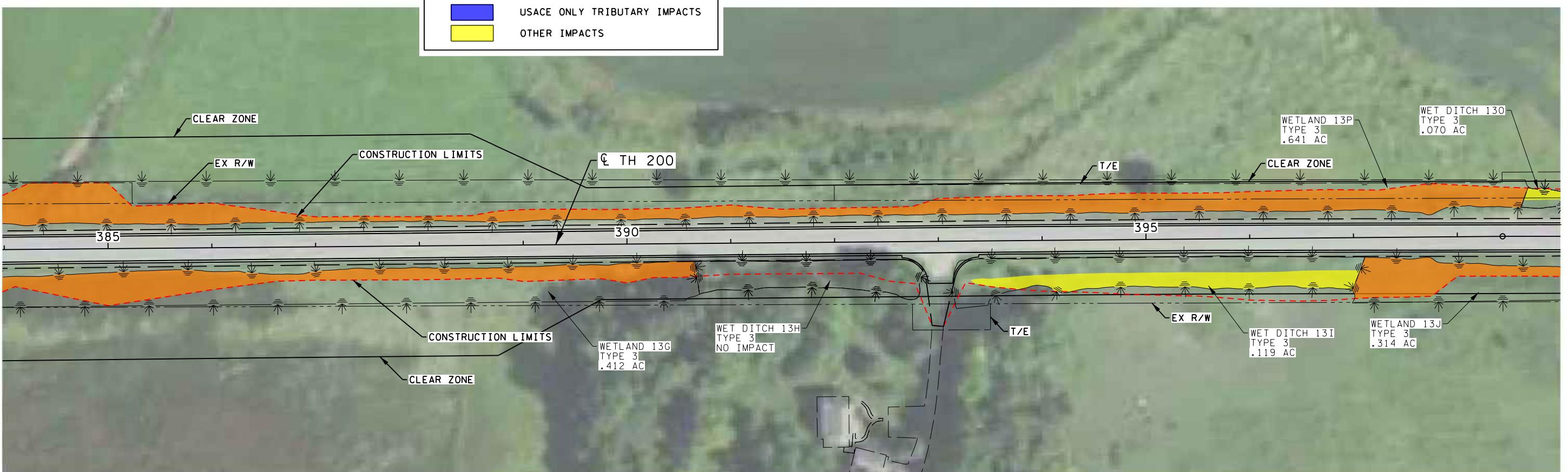
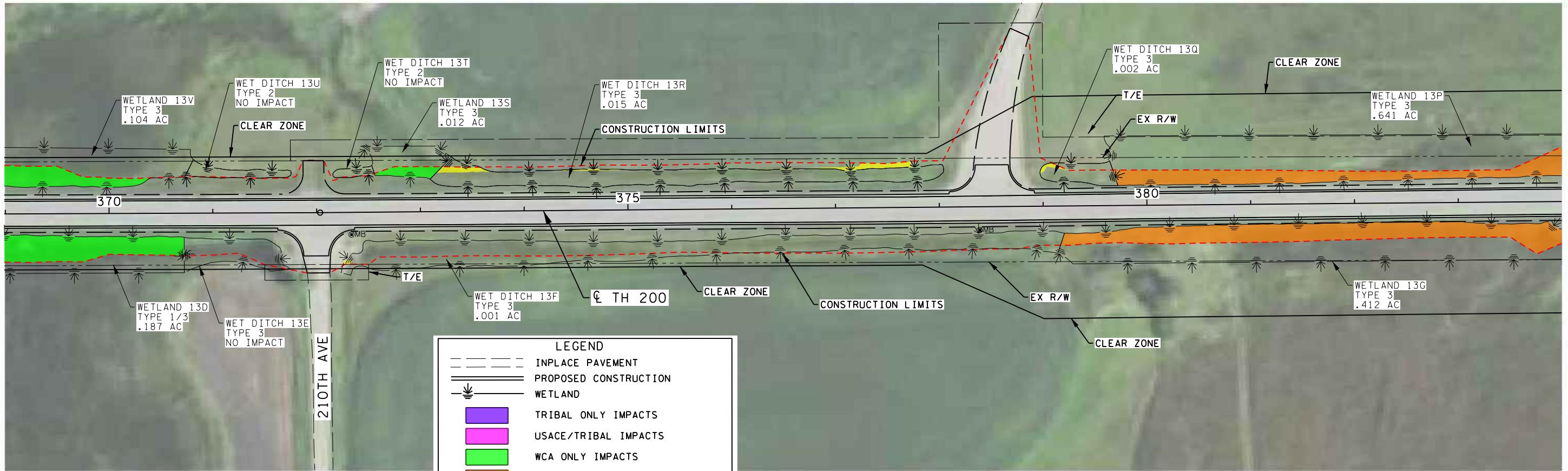
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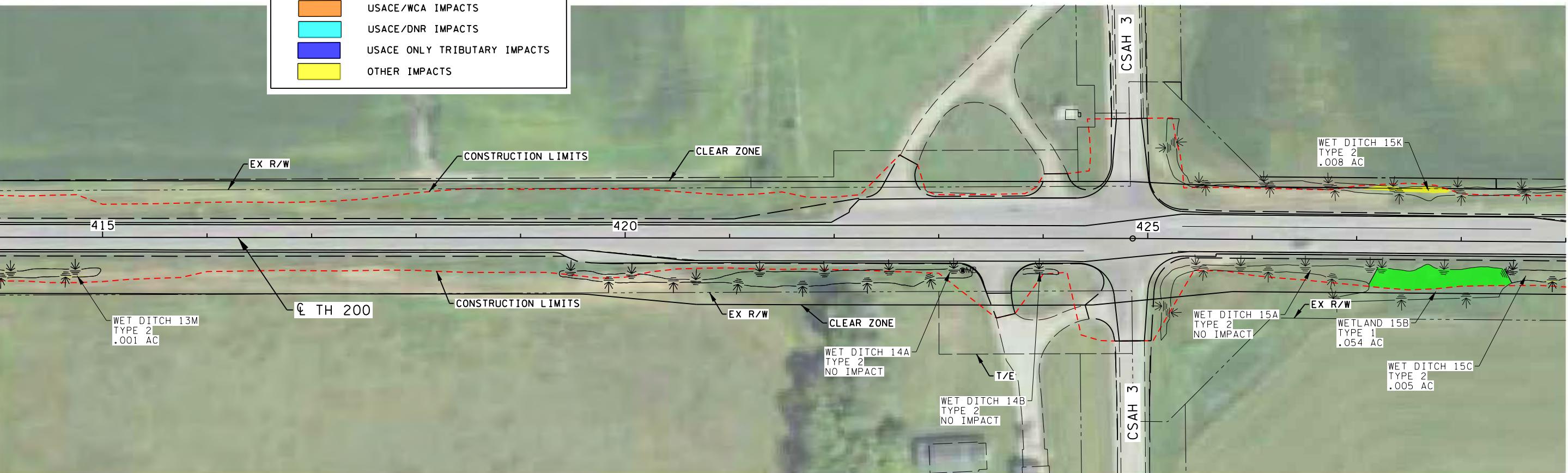
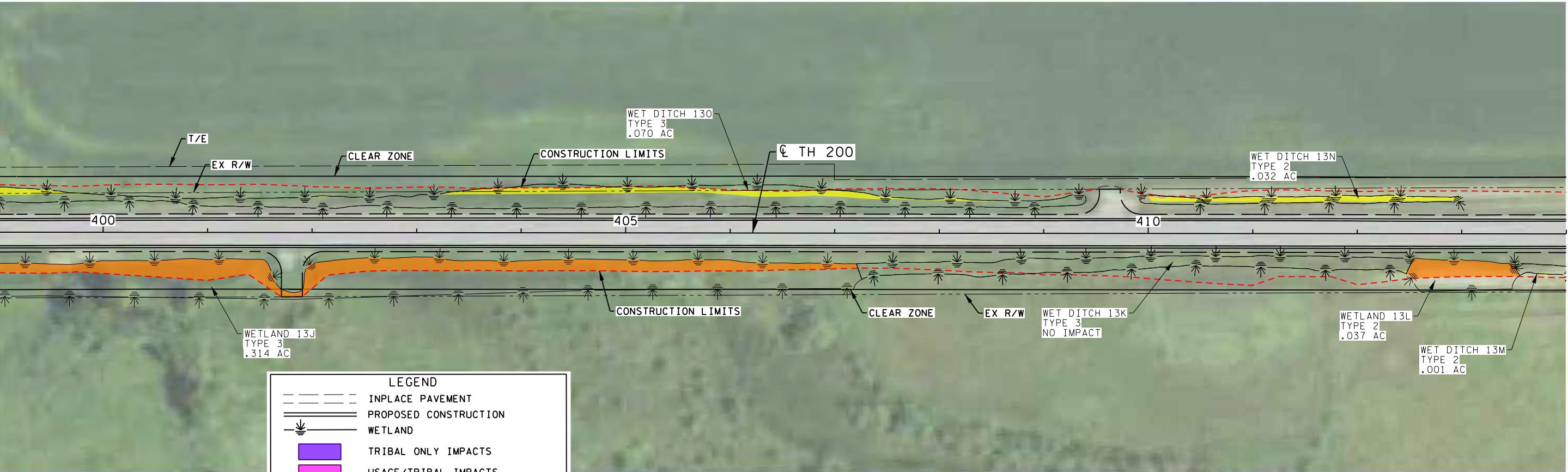


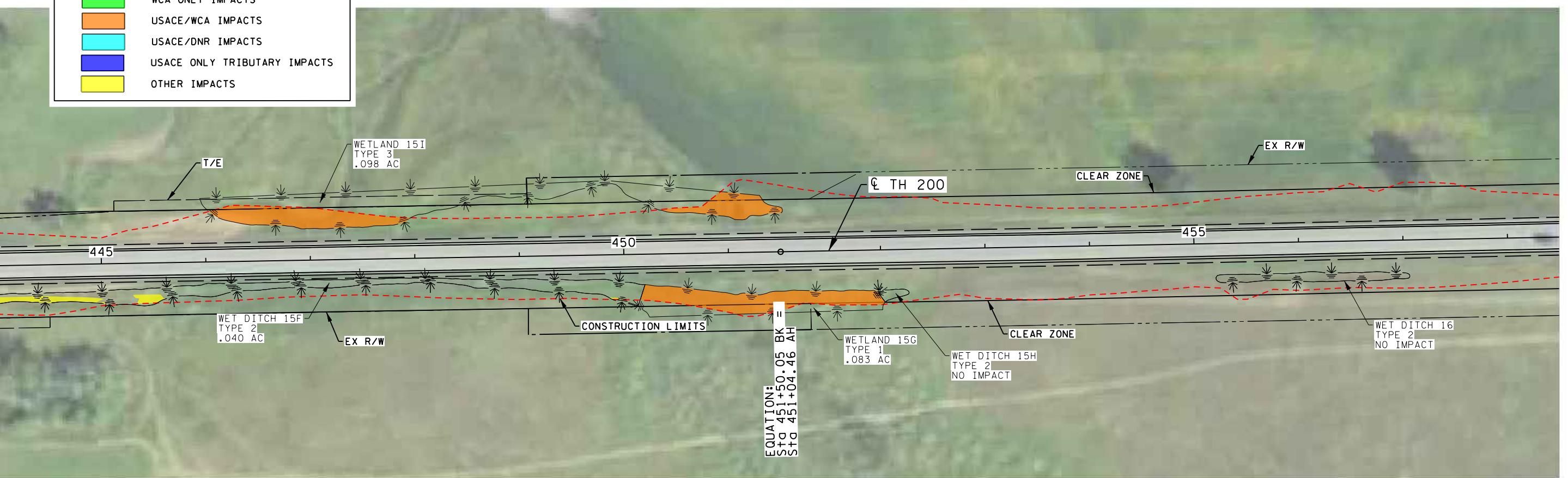
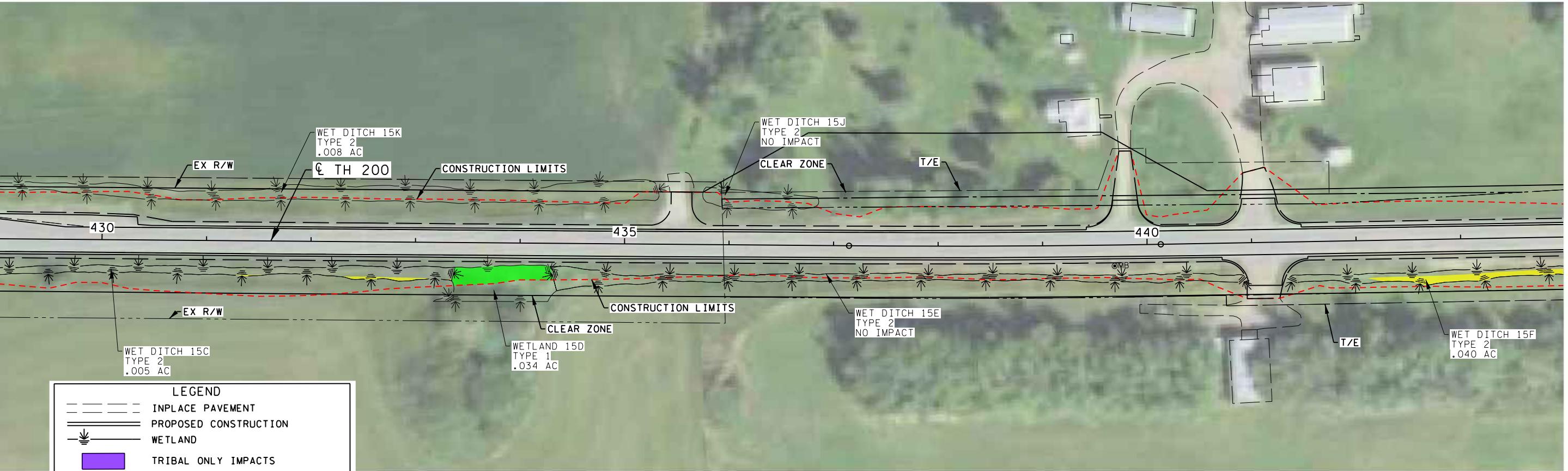
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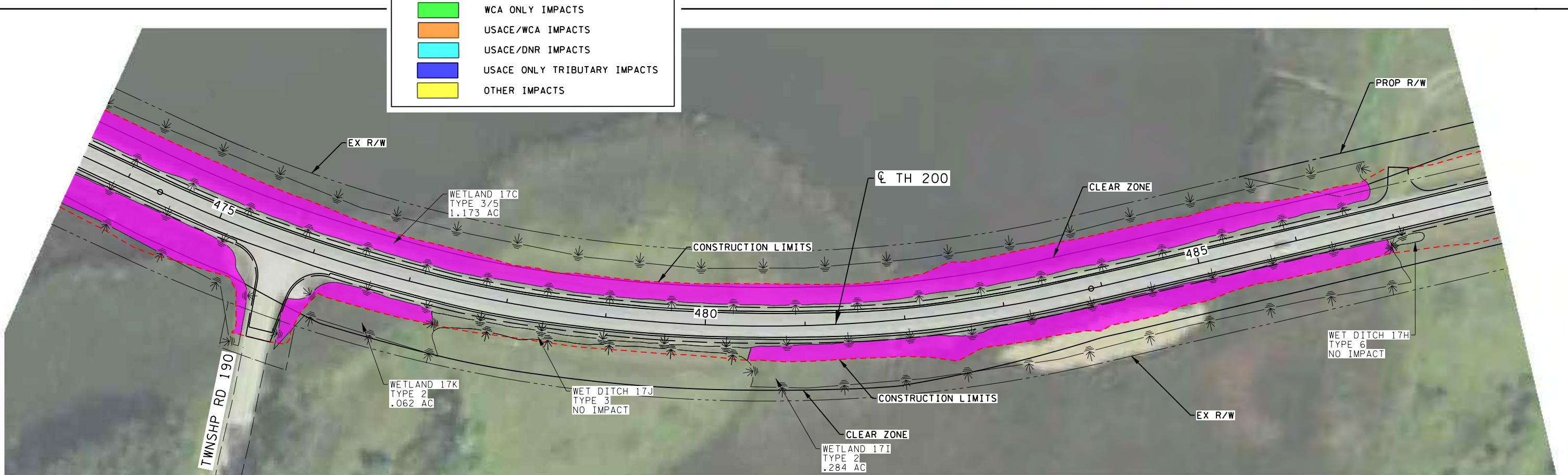
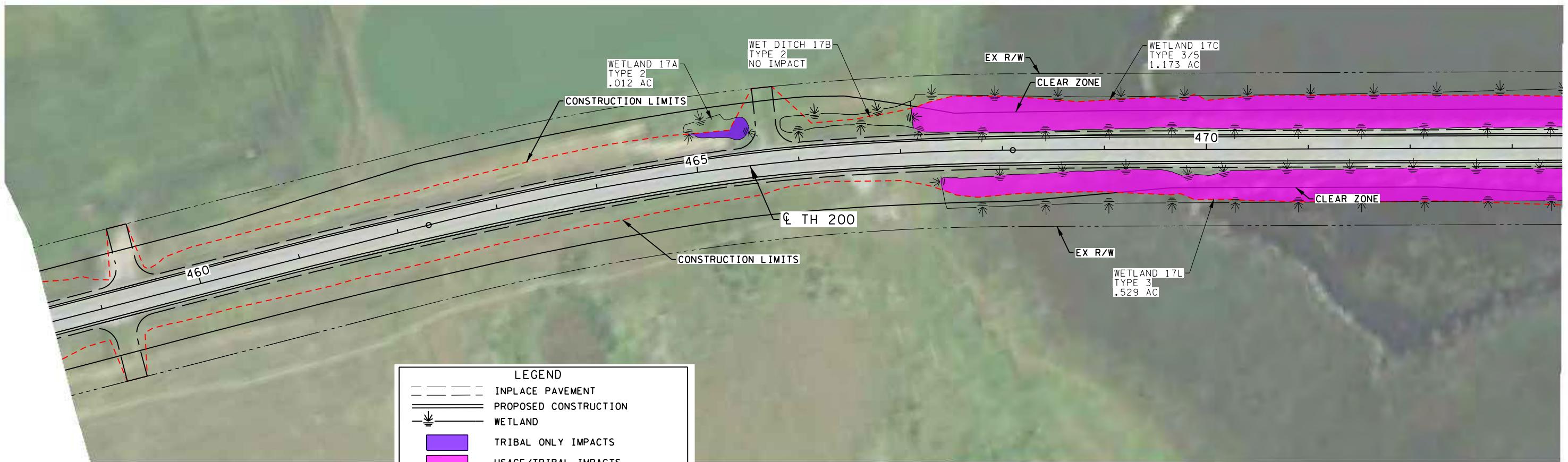
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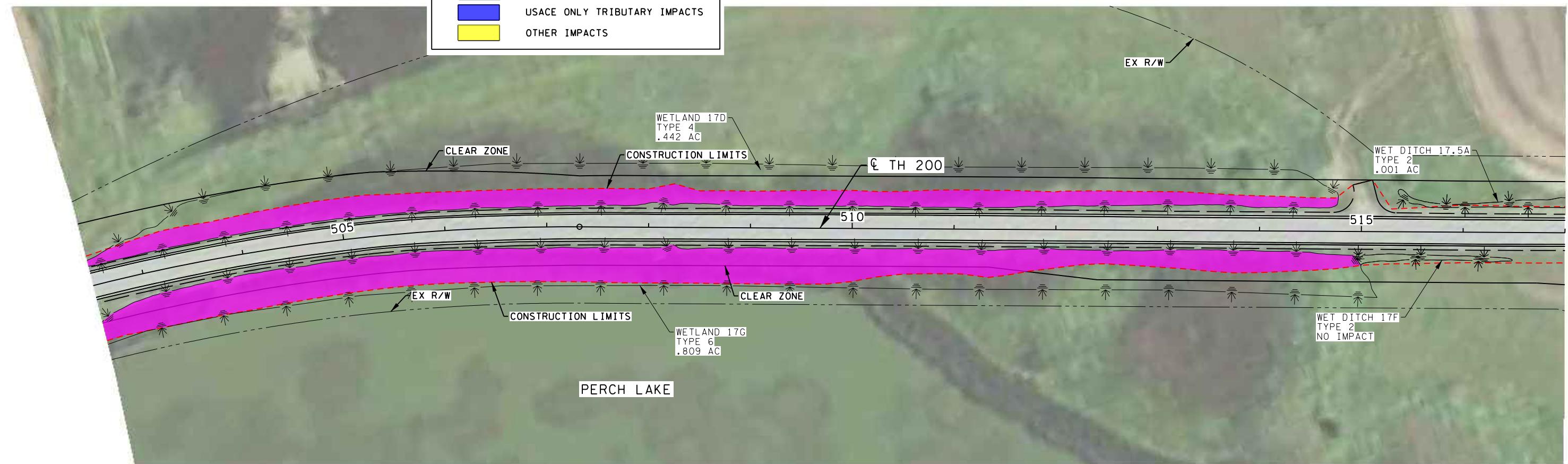
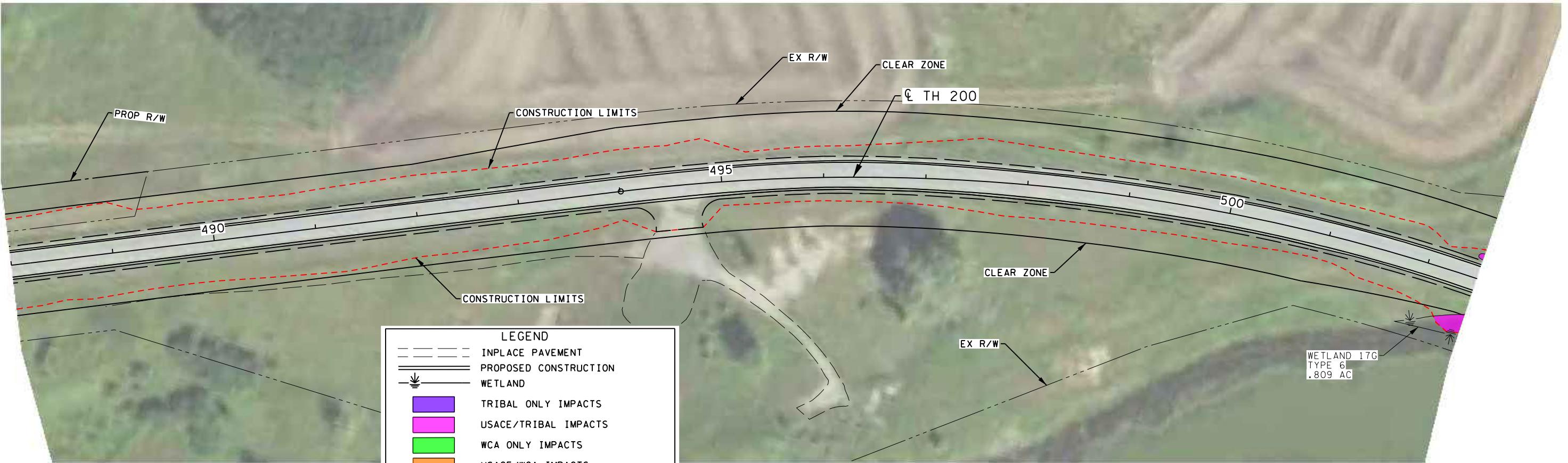
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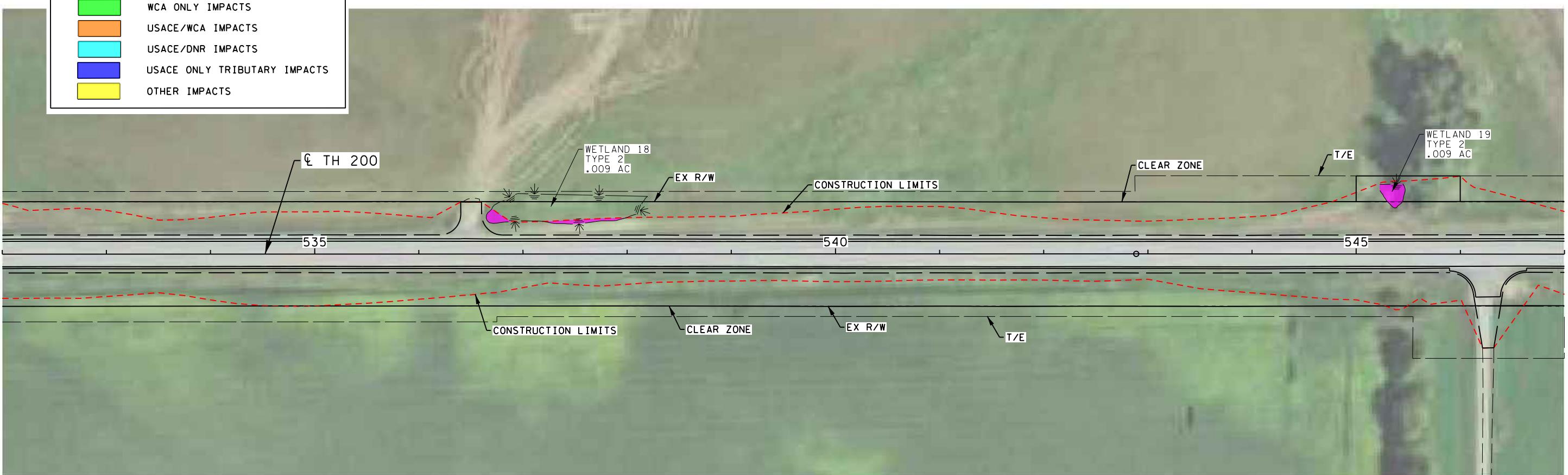
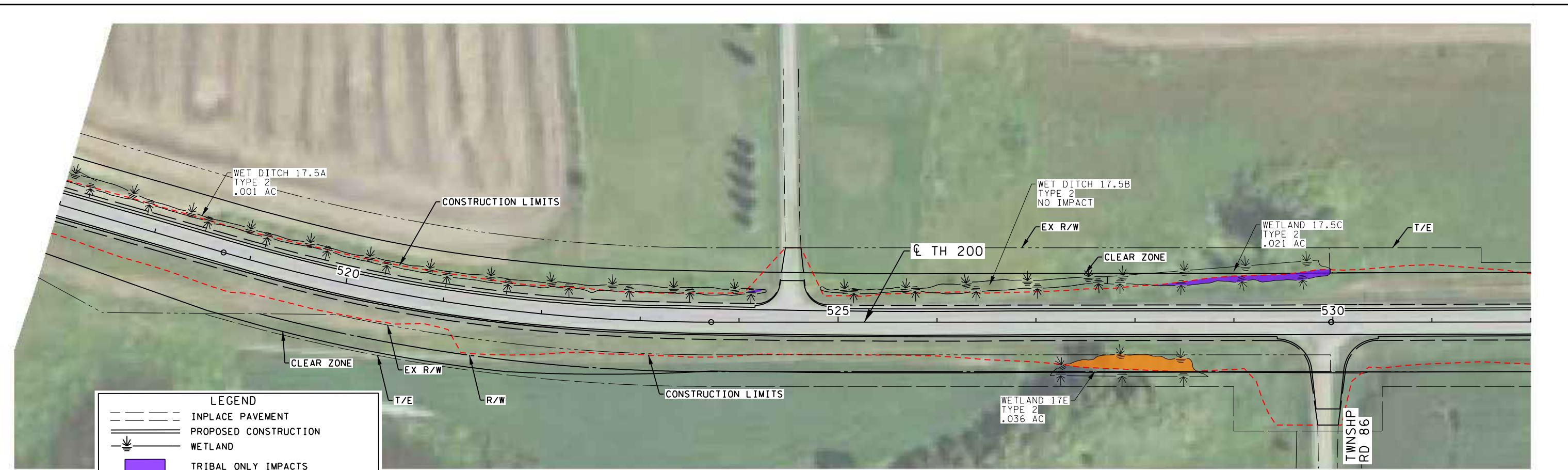
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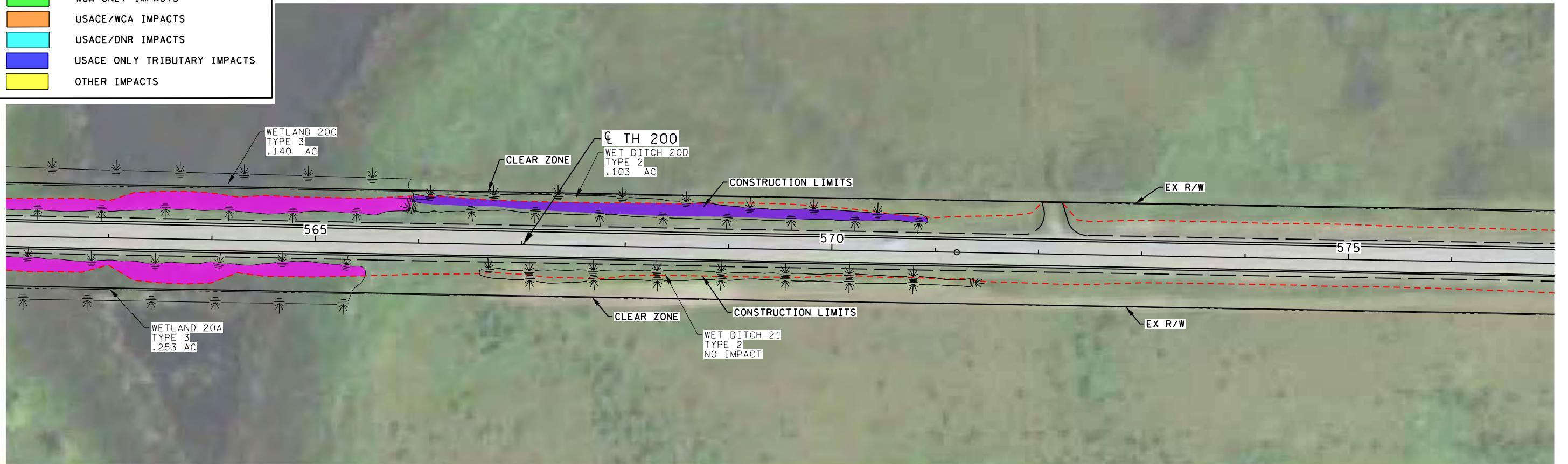
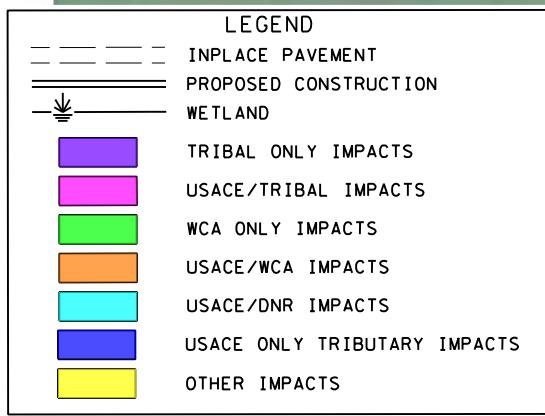
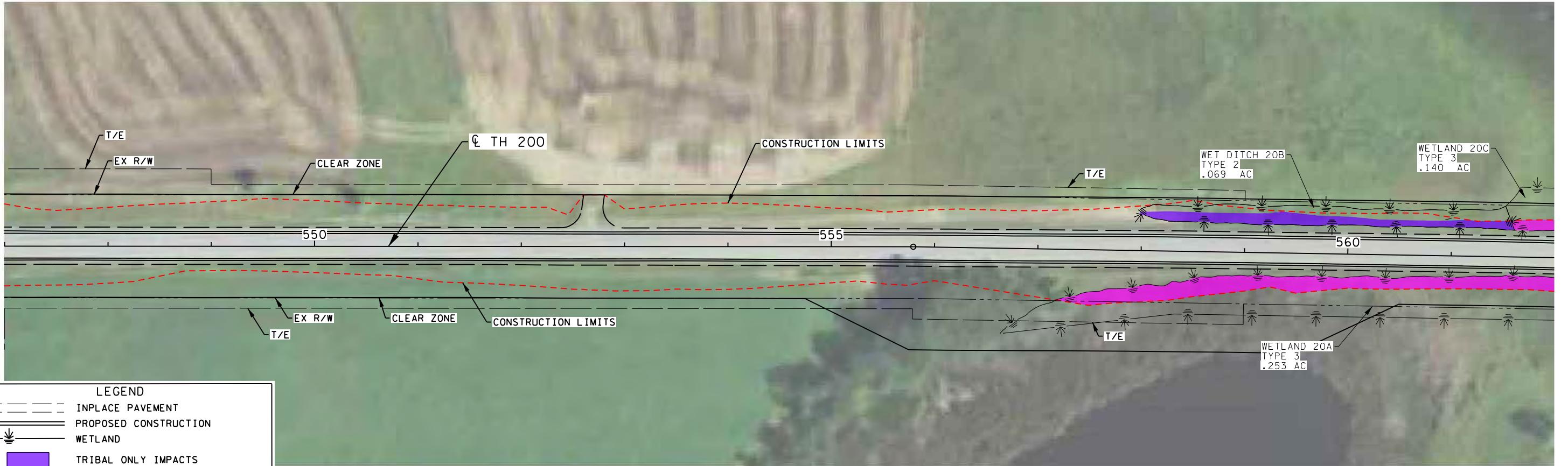
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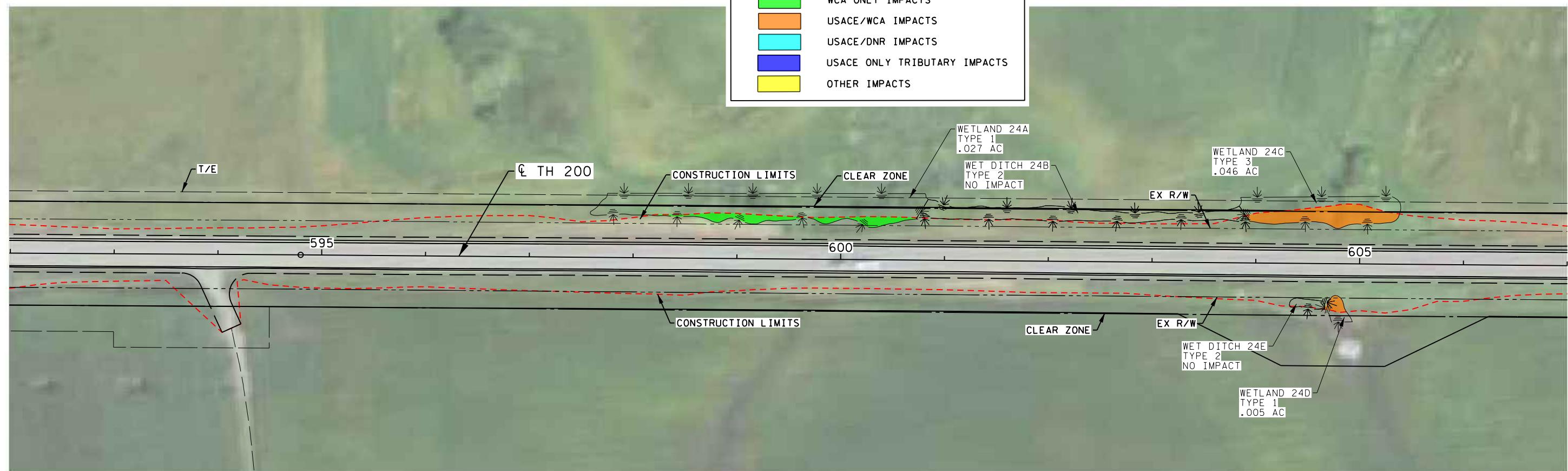
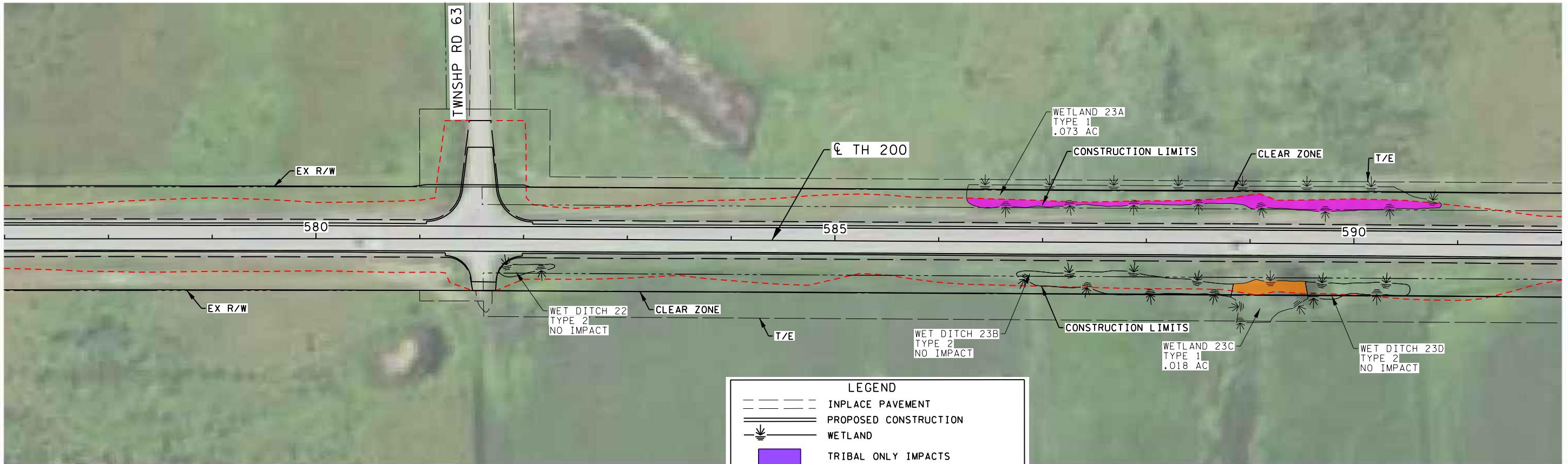
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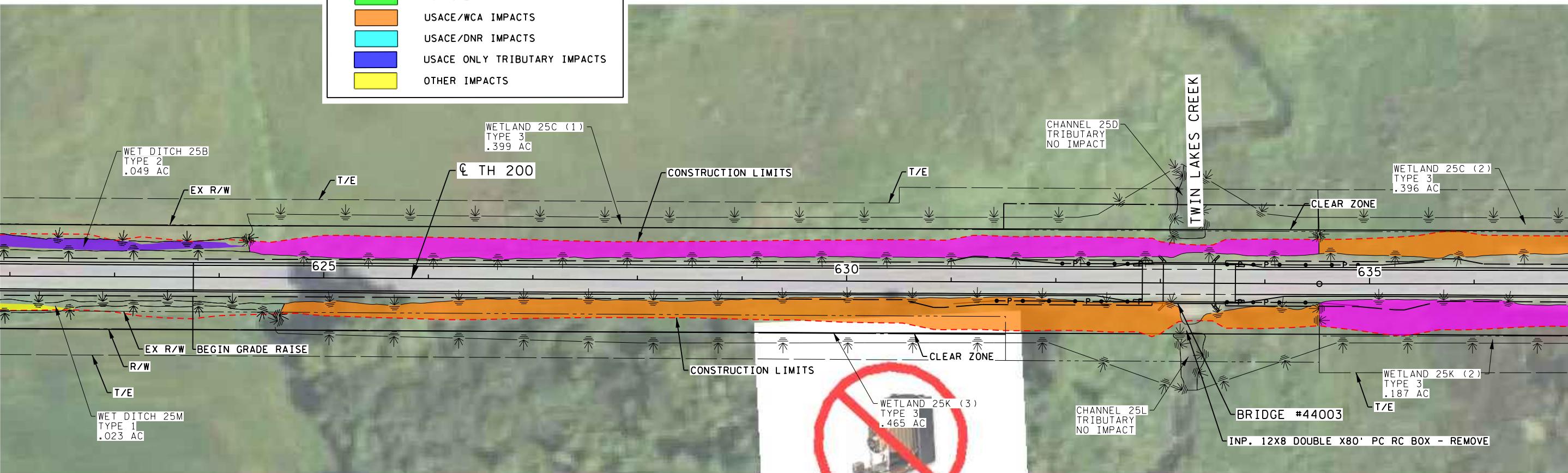
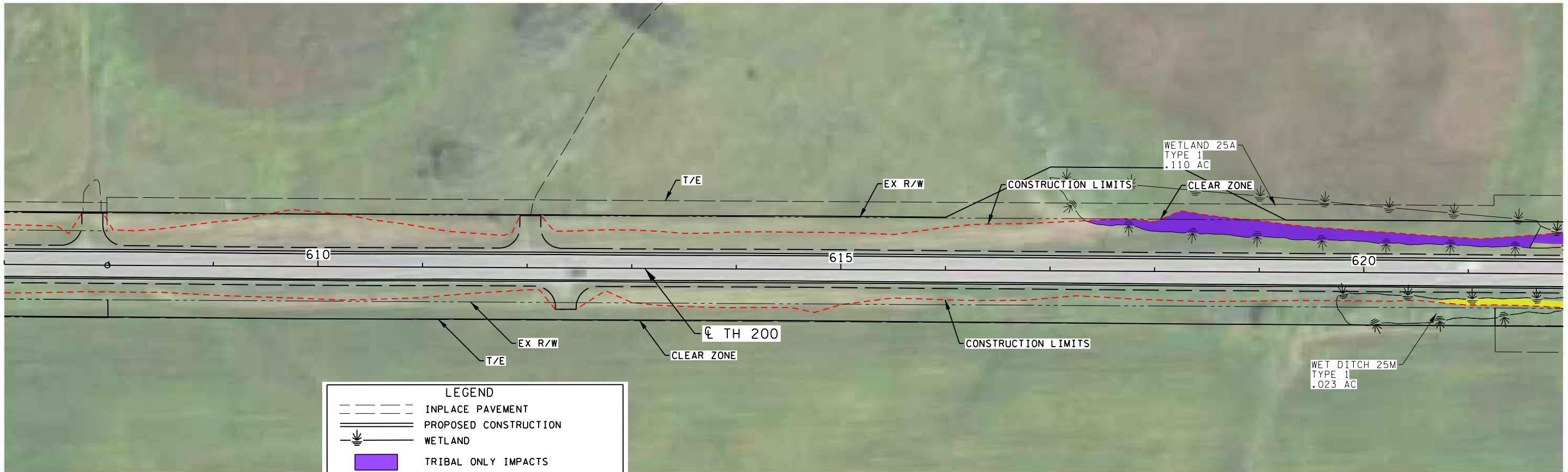


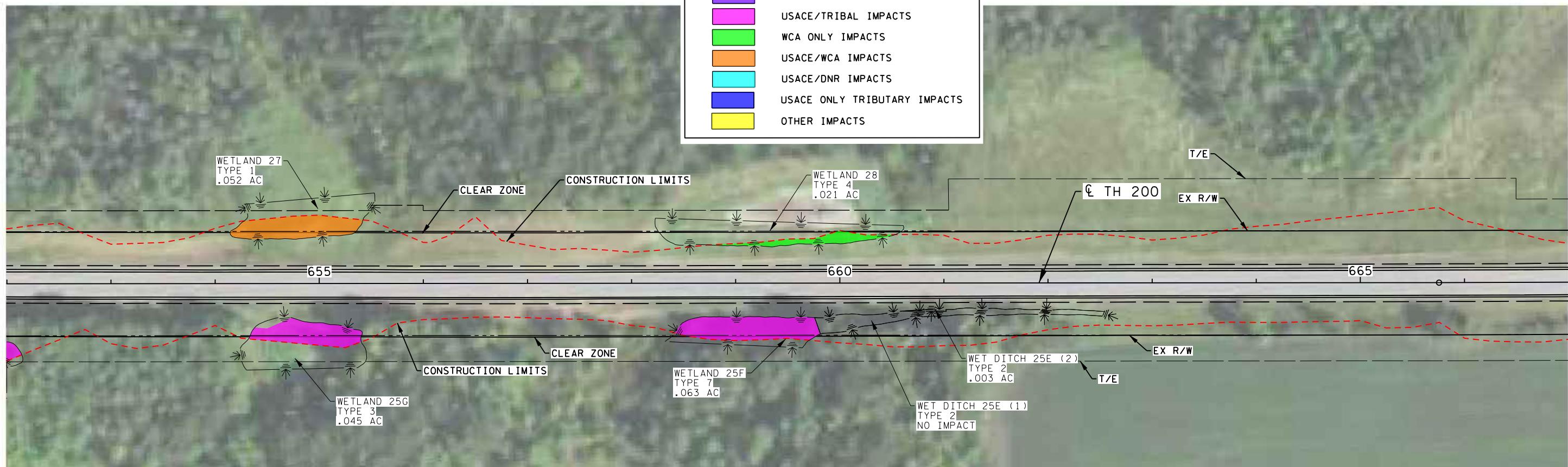
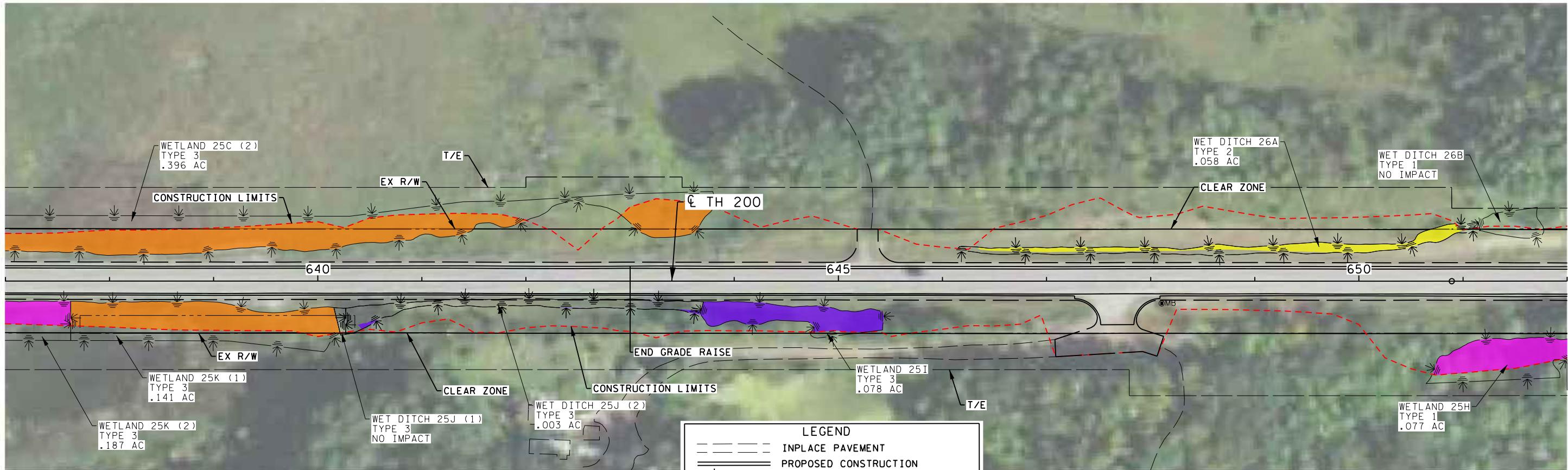
MINNESOTA DEPARTMENT OF TRANSPORTATION
 AQUATIC RESOURCES IMPACT MAP
 TH 200 SHOULDER WIDENING

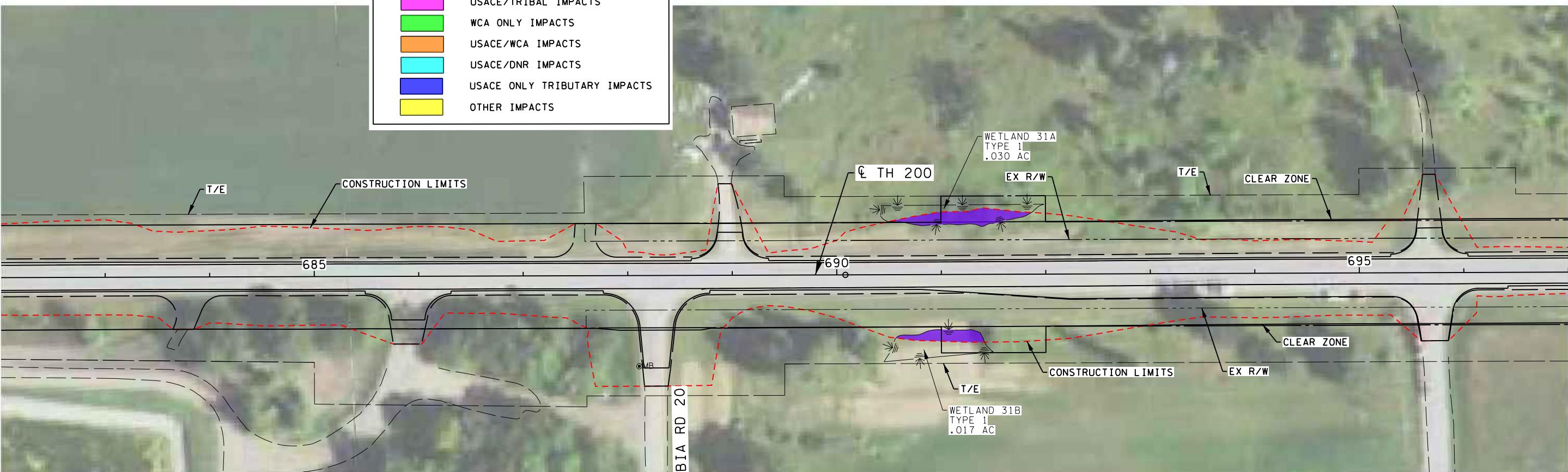
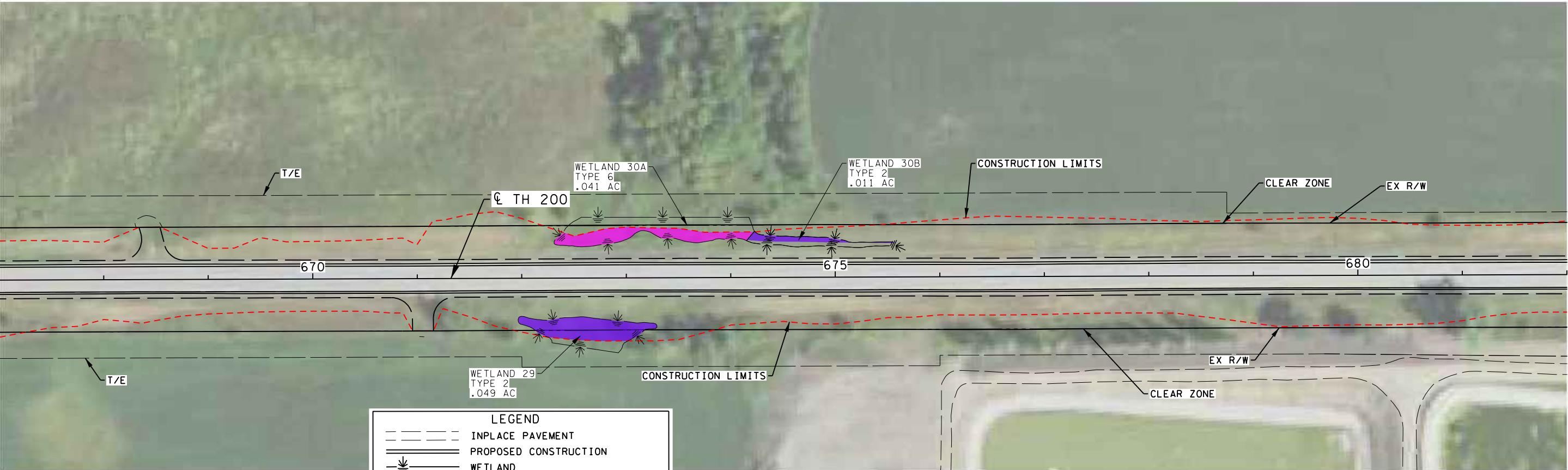
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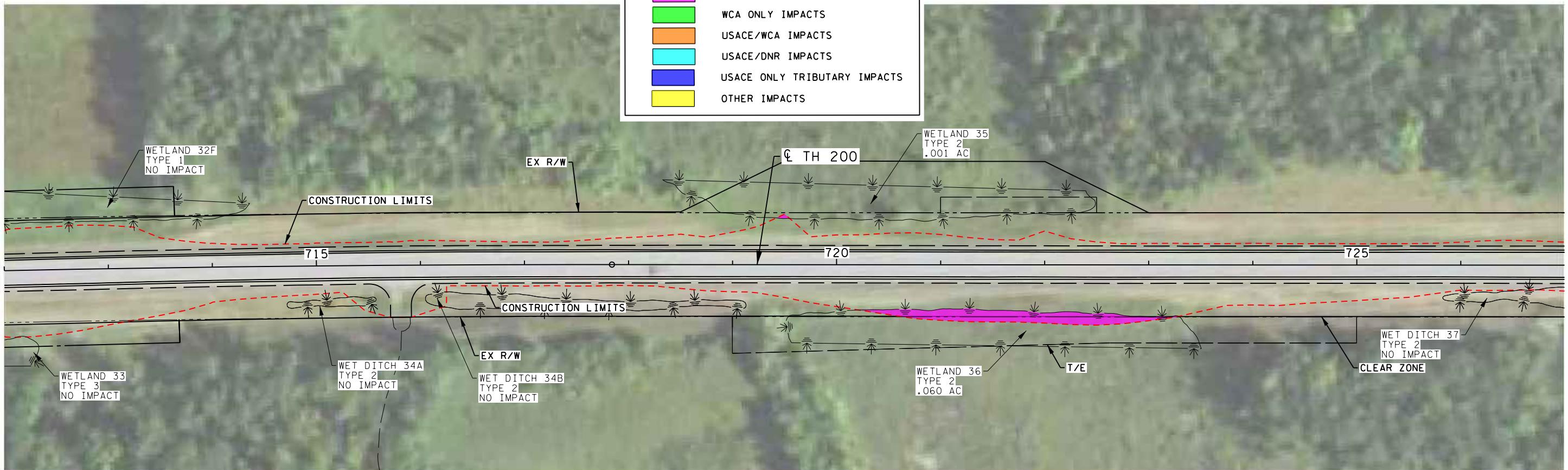
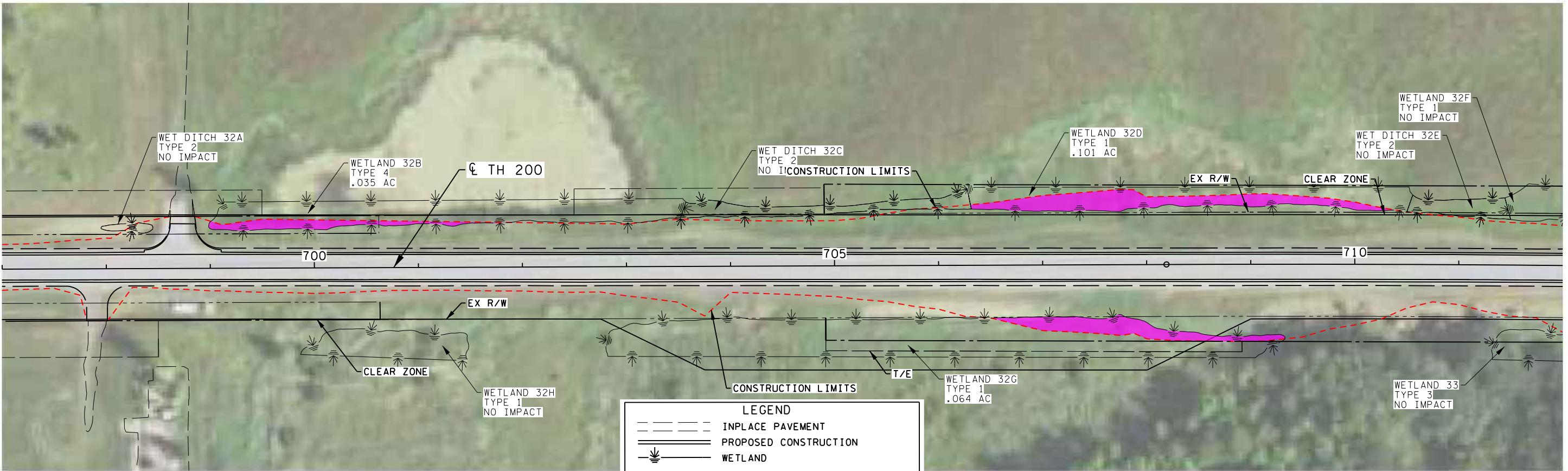


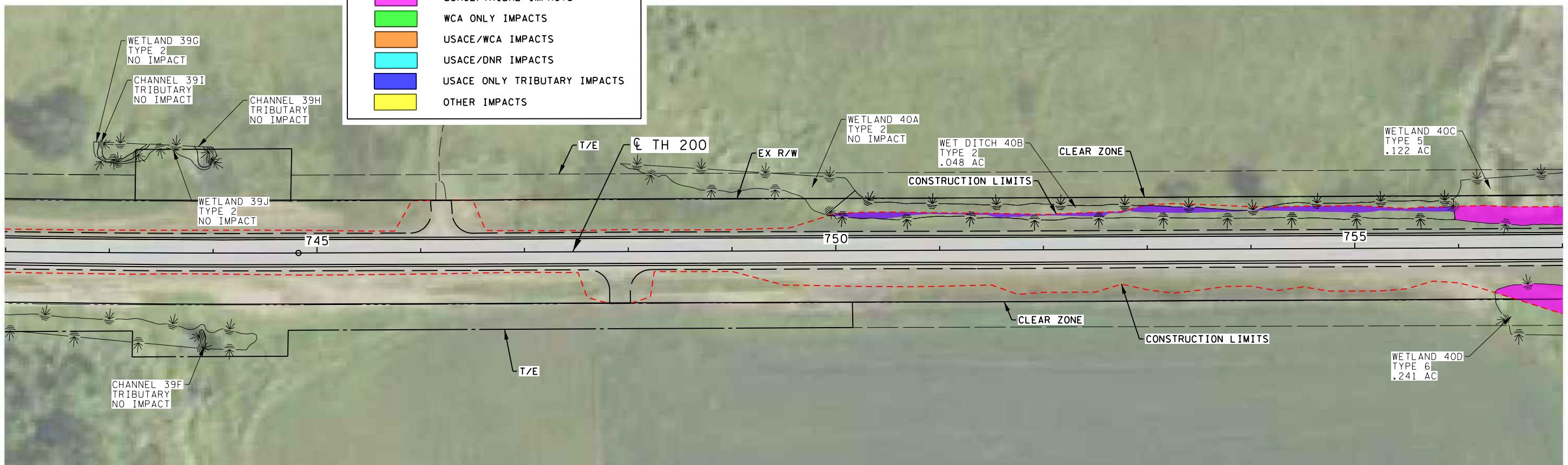
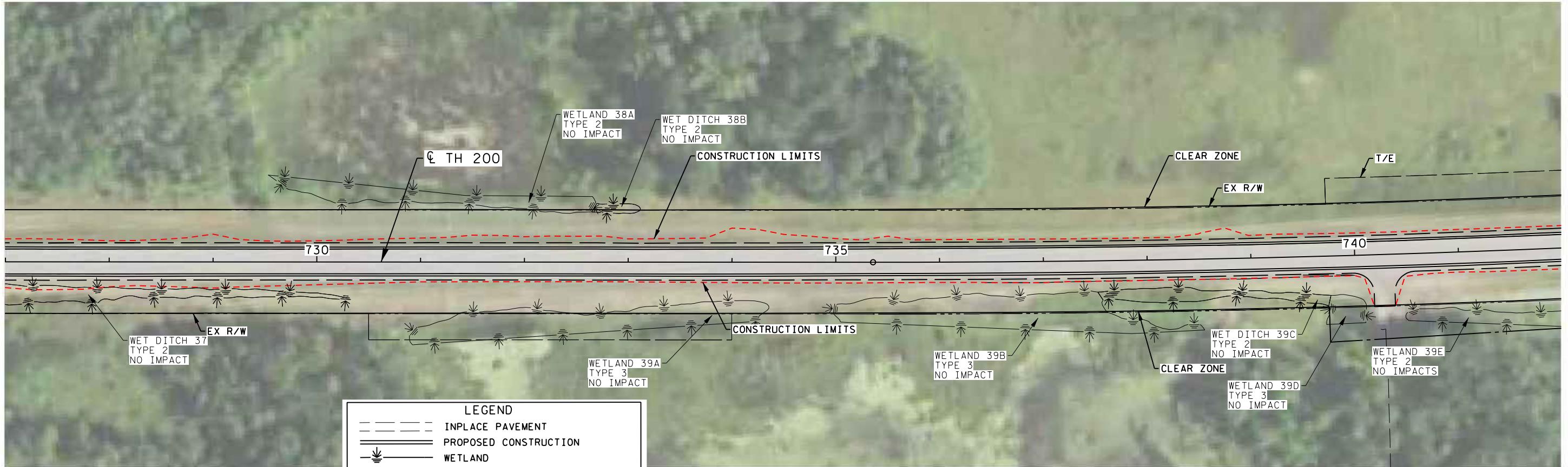


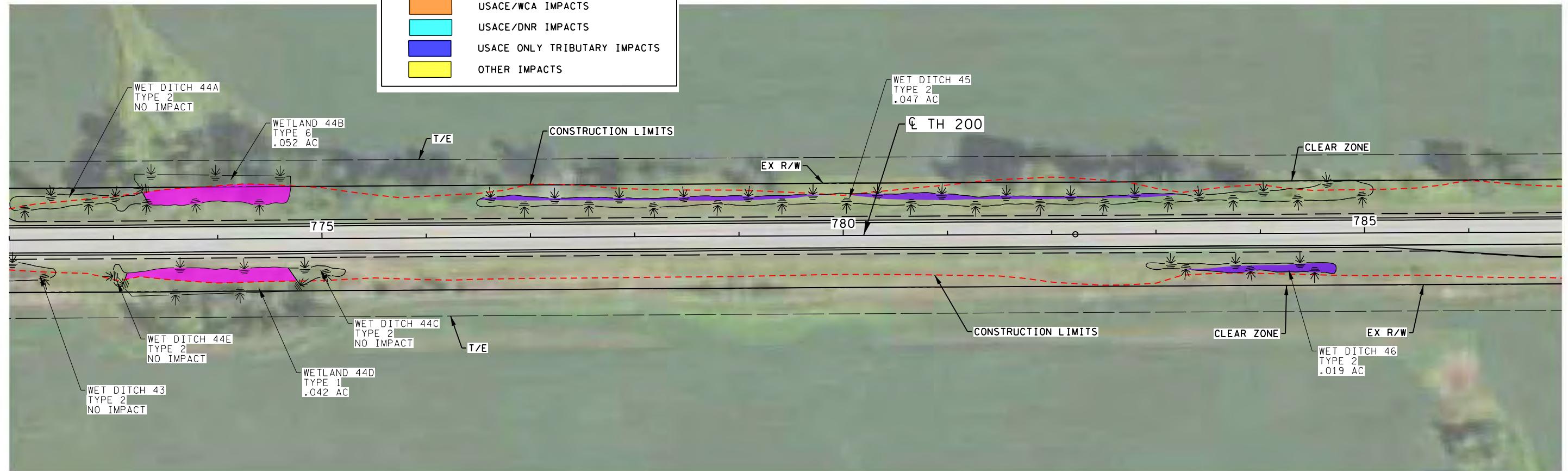
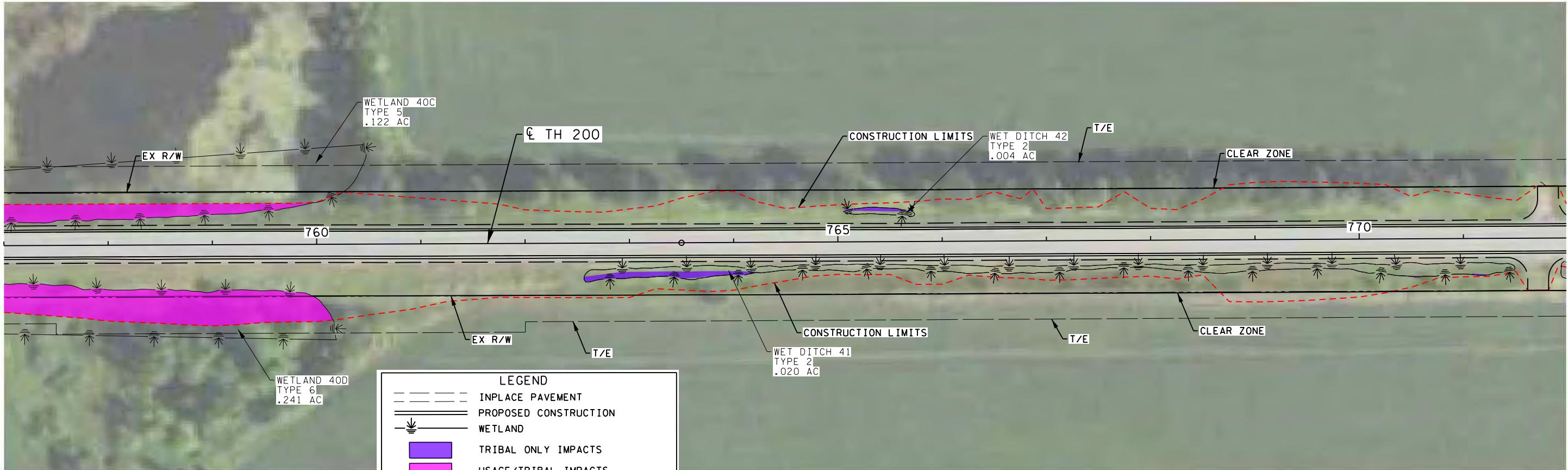










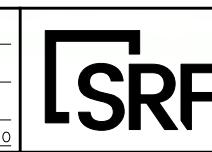


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Date _____ License # 47896

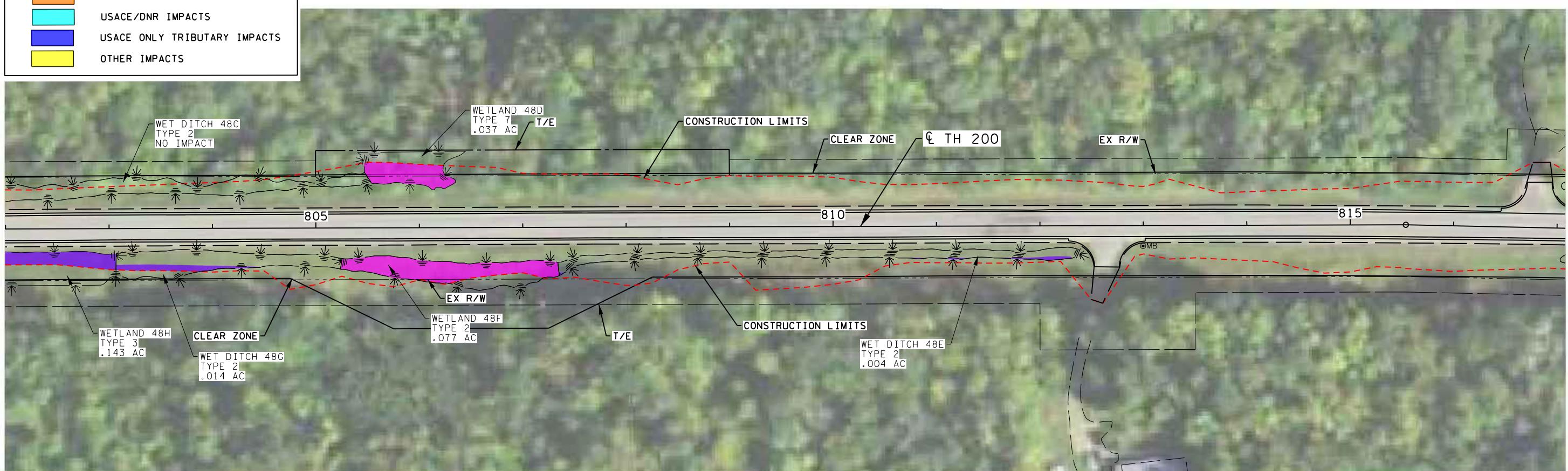
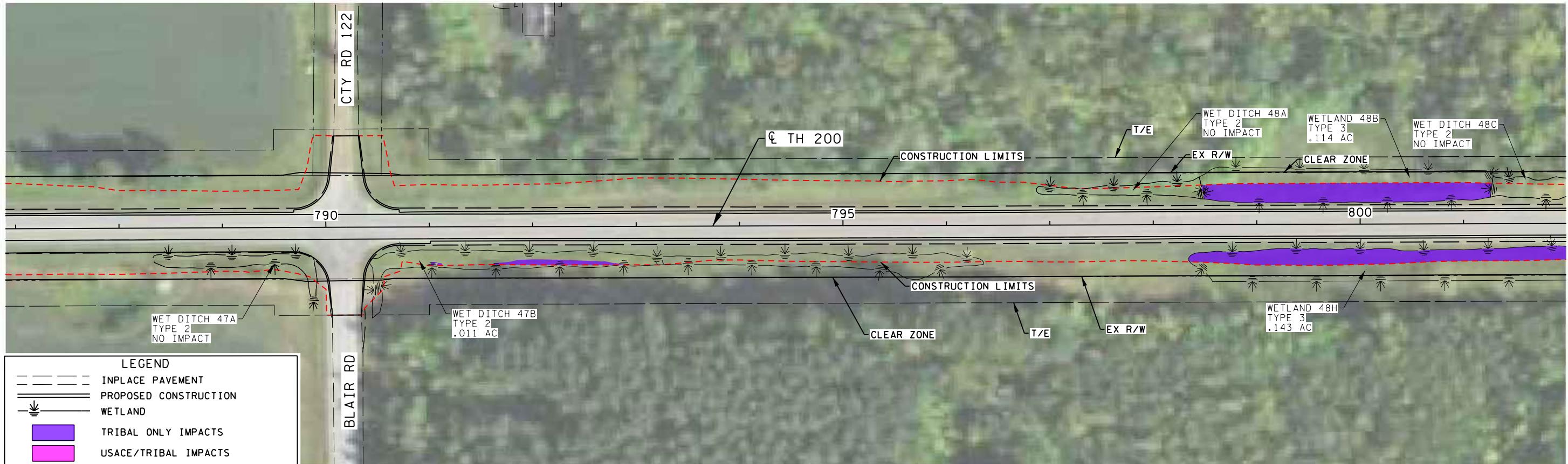
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1504-16 (TH200)

DRAWN BY
D. FITCHORN
DESIGNED BY
S. JOHNSON
CHECKED BY
J. NORDICK
COMM. NO. 0010270



MINNESOTA DEPARTMENT OF TRANSPORTATION
AQUATIC RESOURCES IMPACT MAP
TH 200 SHOULDER WIDENING

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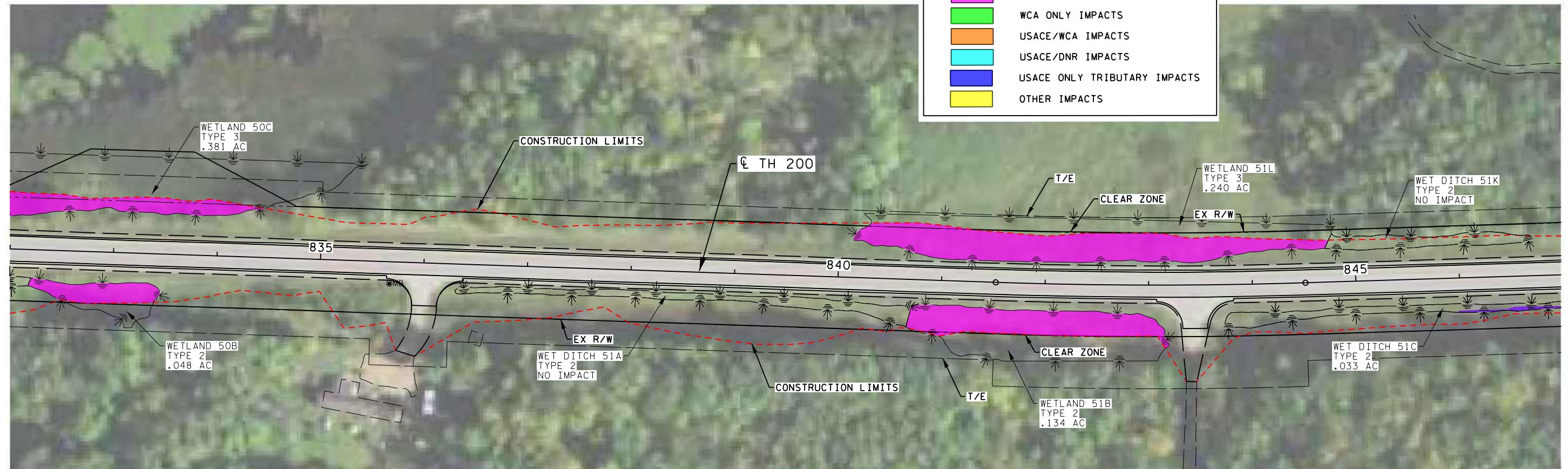
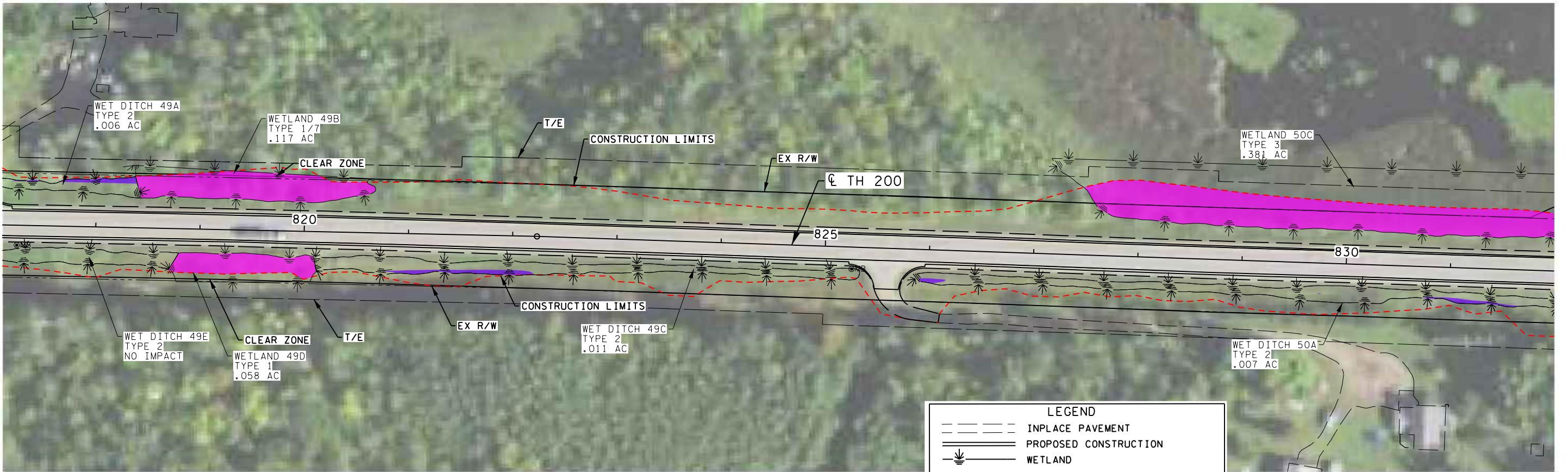
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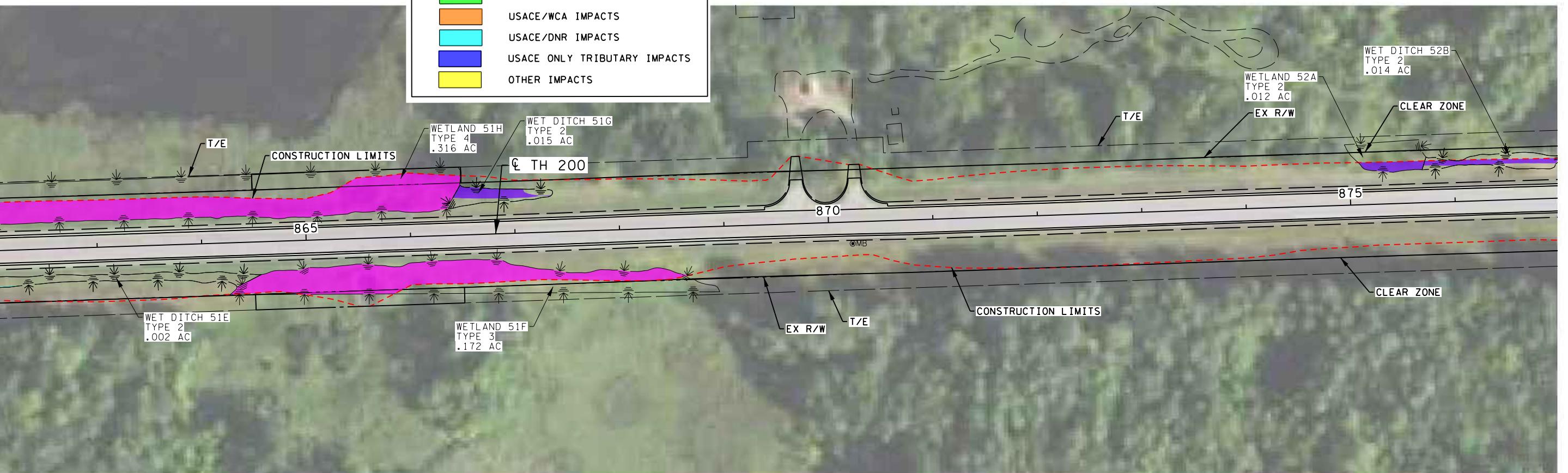
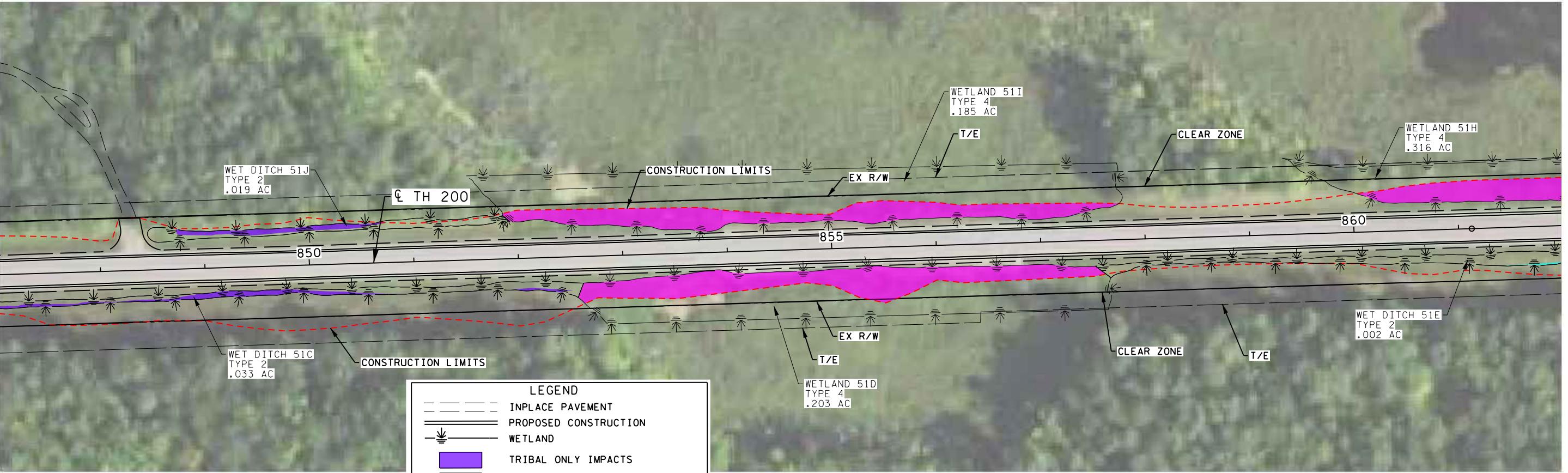
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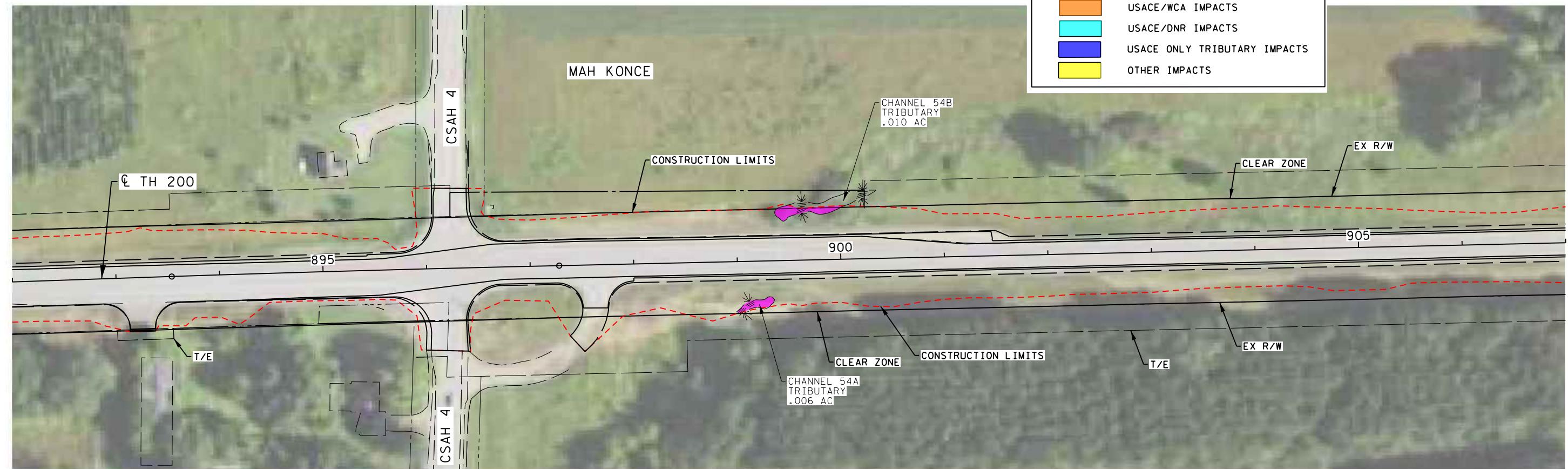
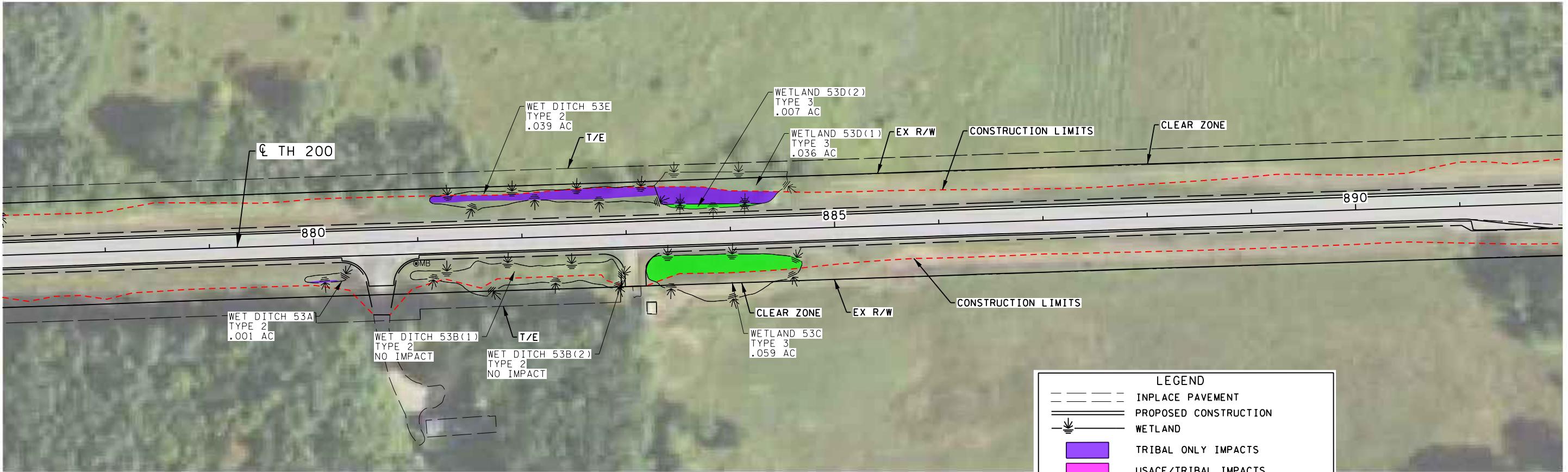


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 AQUATIC RESOURCES IMPACT MAP
 TH 200 SHOULDER WIDENING

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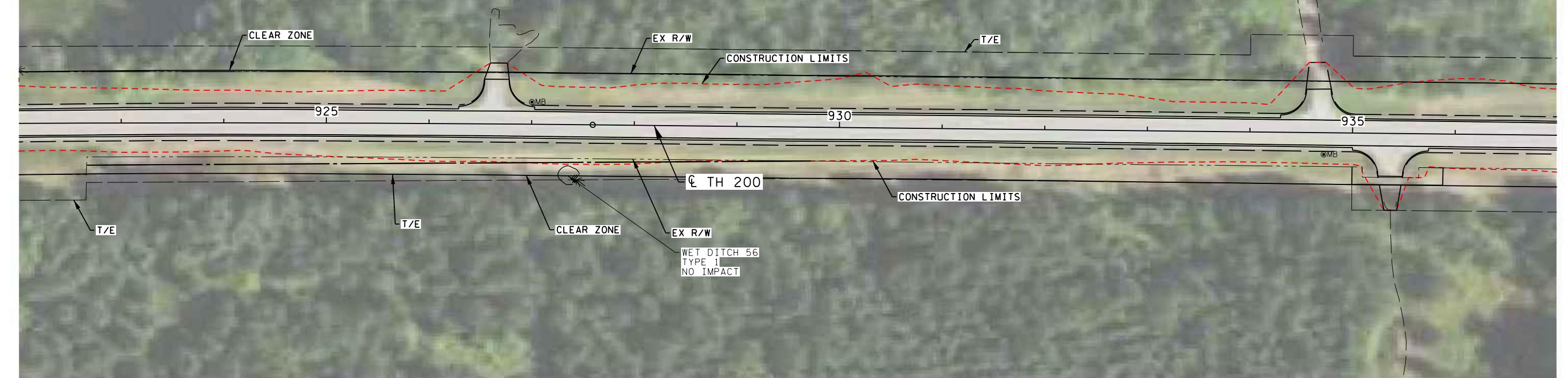
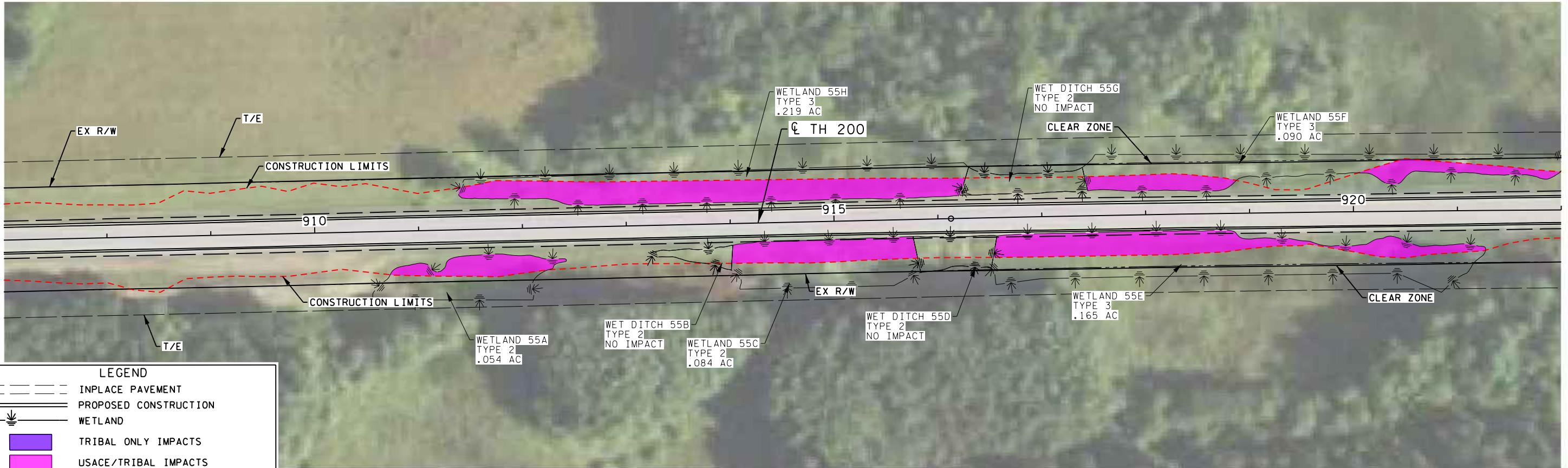
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 AQUATIC RESOURCE IMPACT MAP
 TH 200 SHOULDER WIDENING

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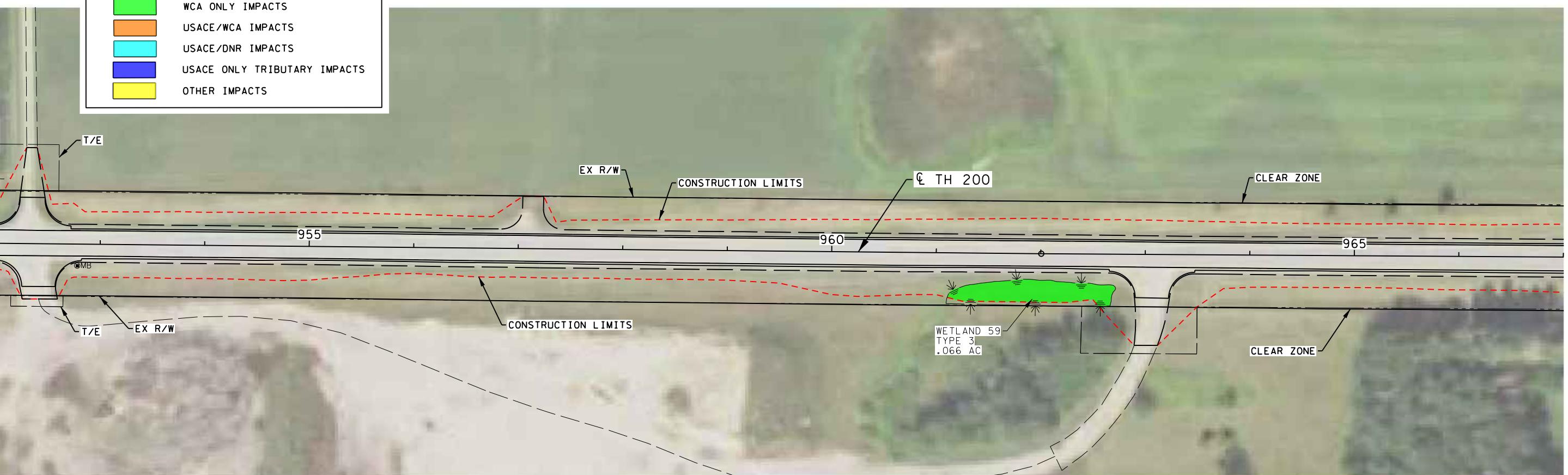
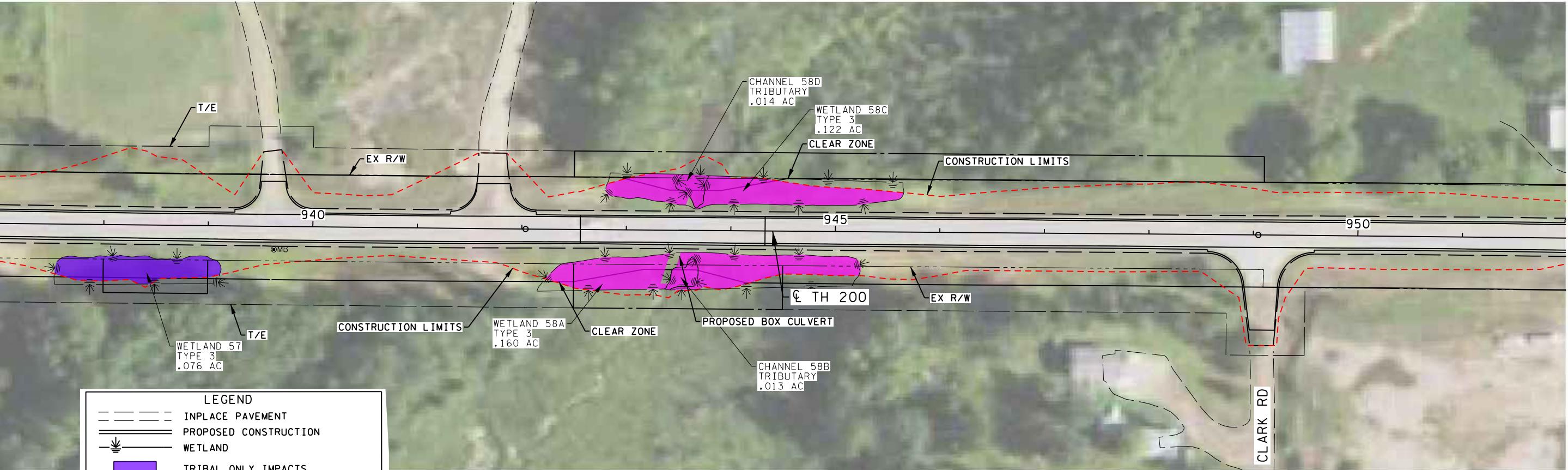
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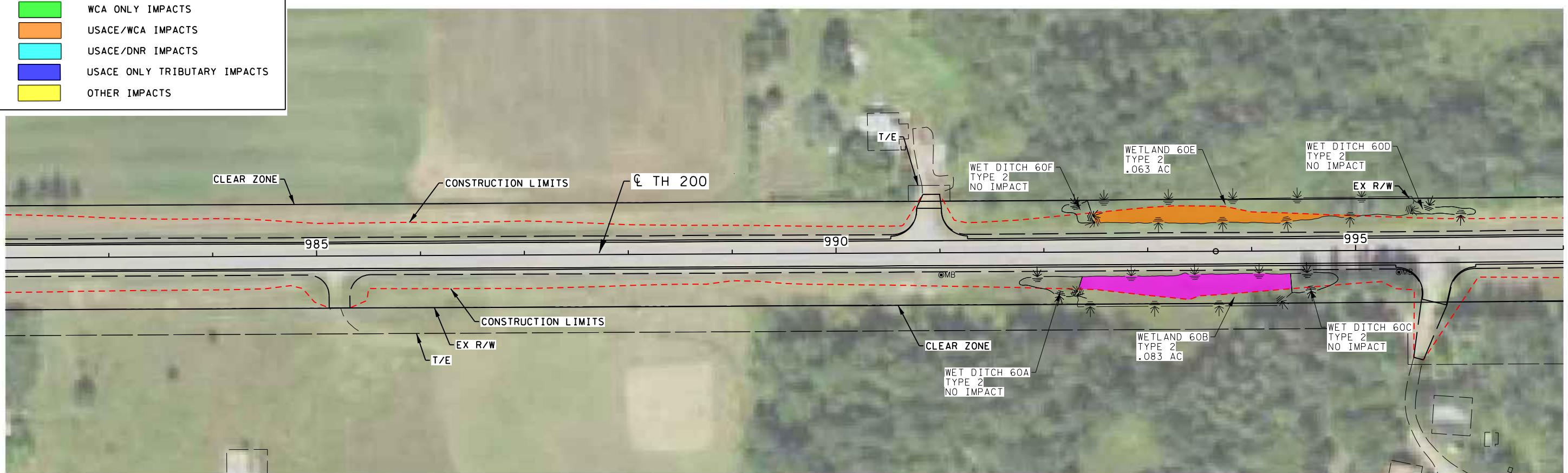
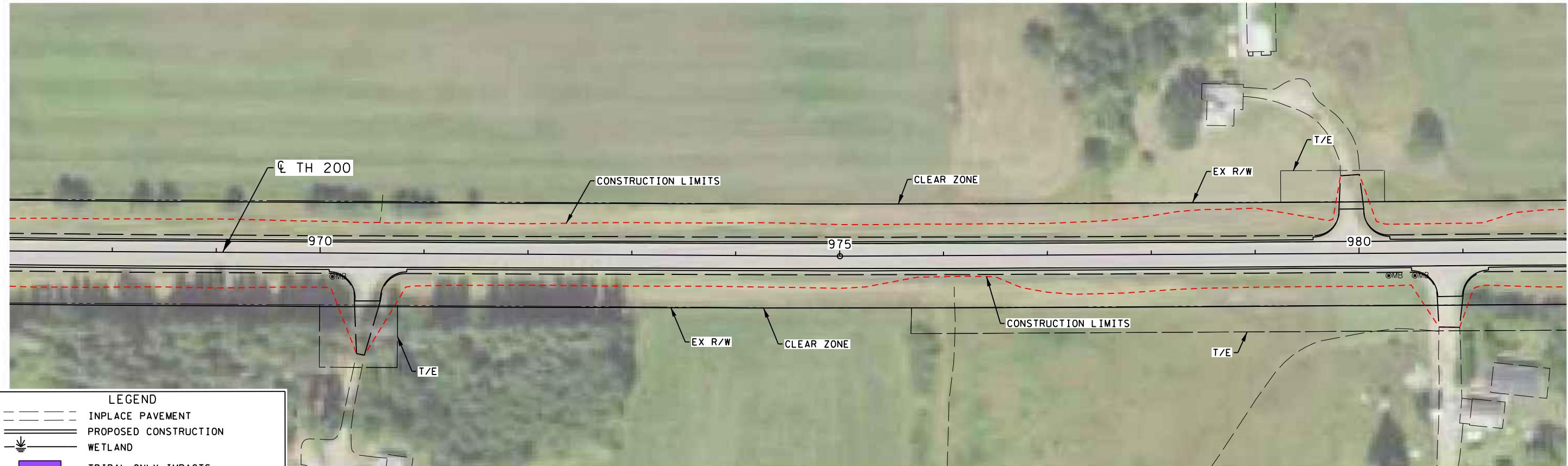
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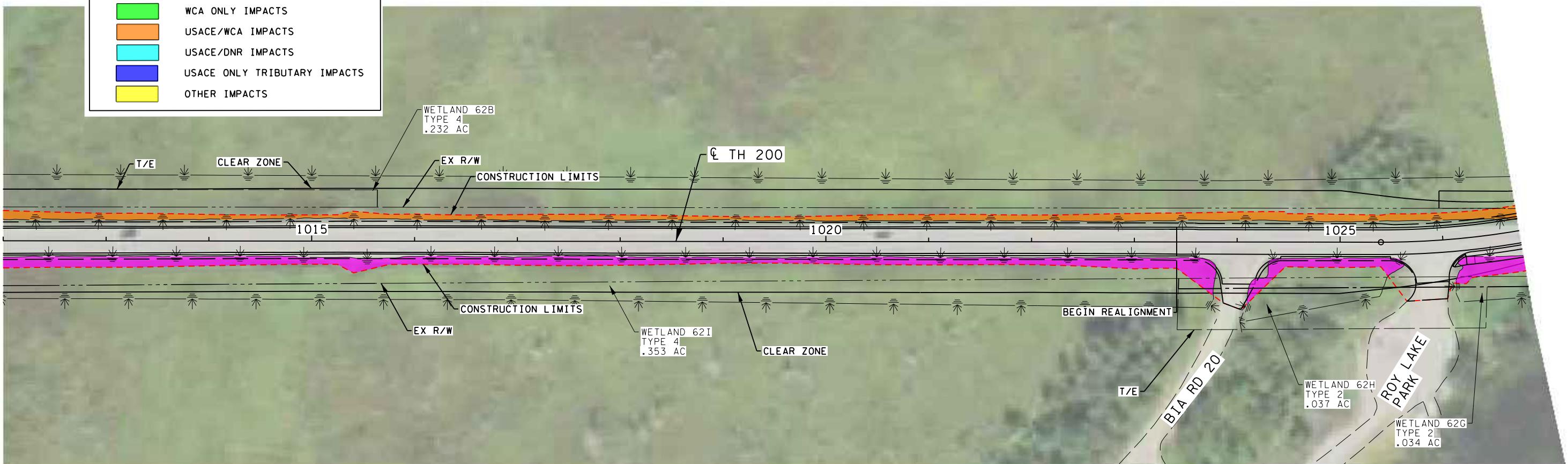
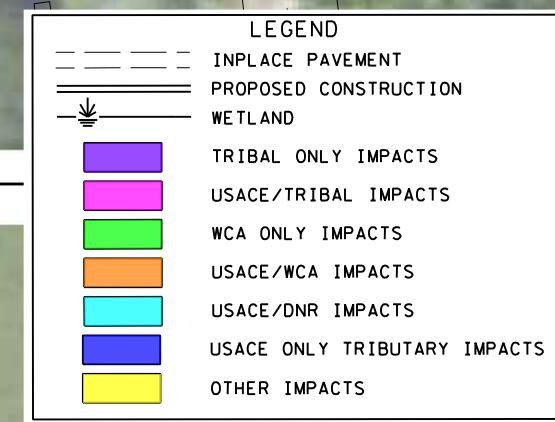
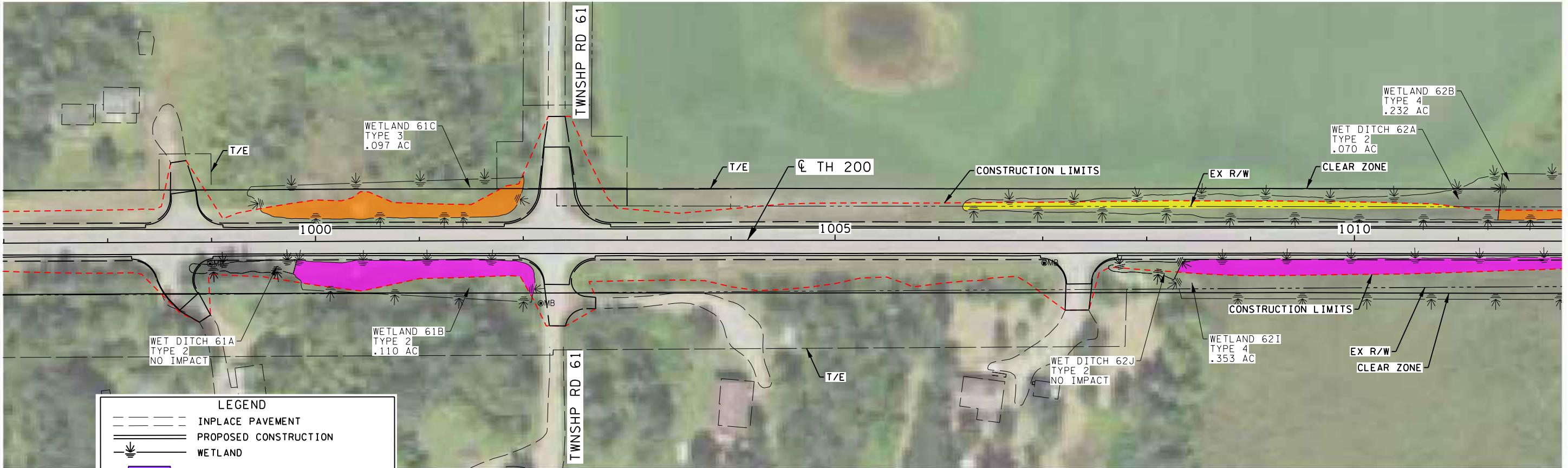


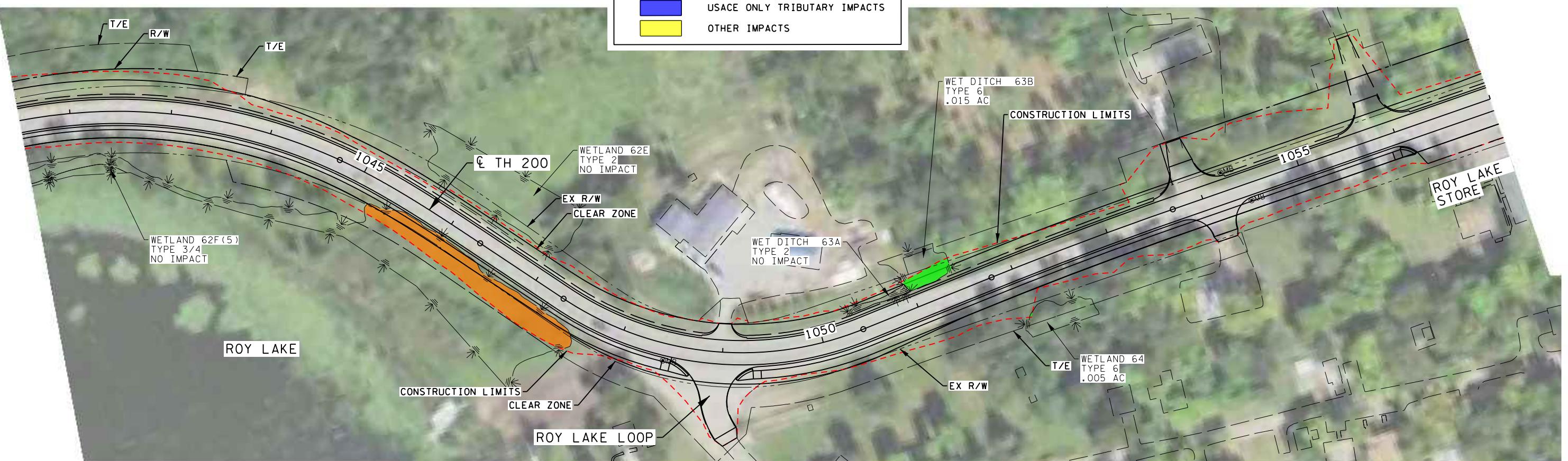
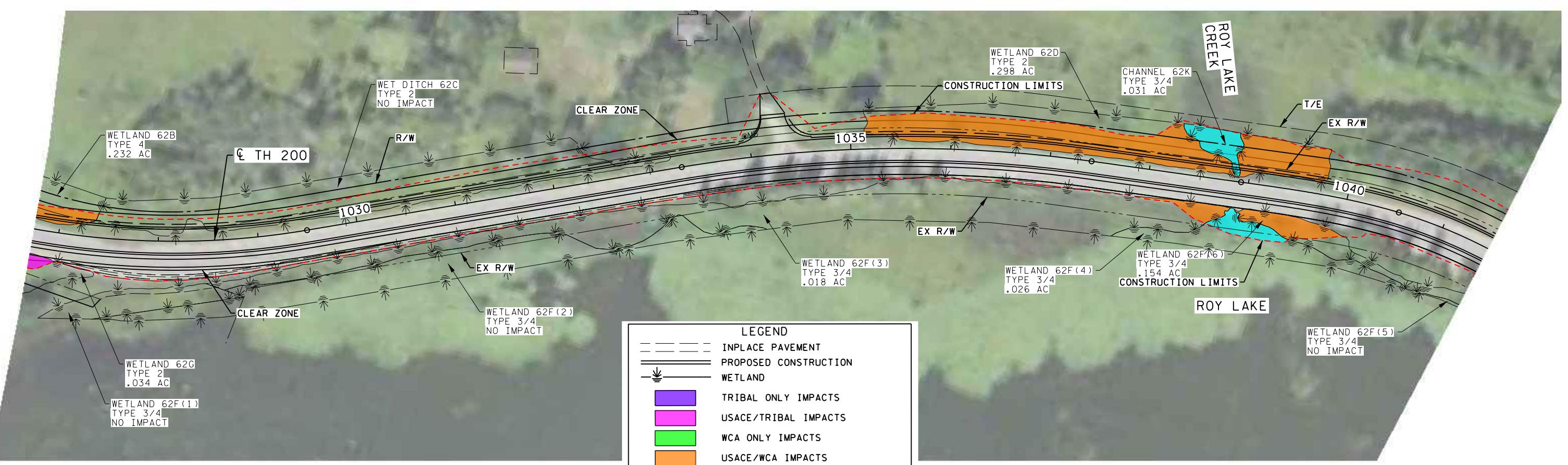
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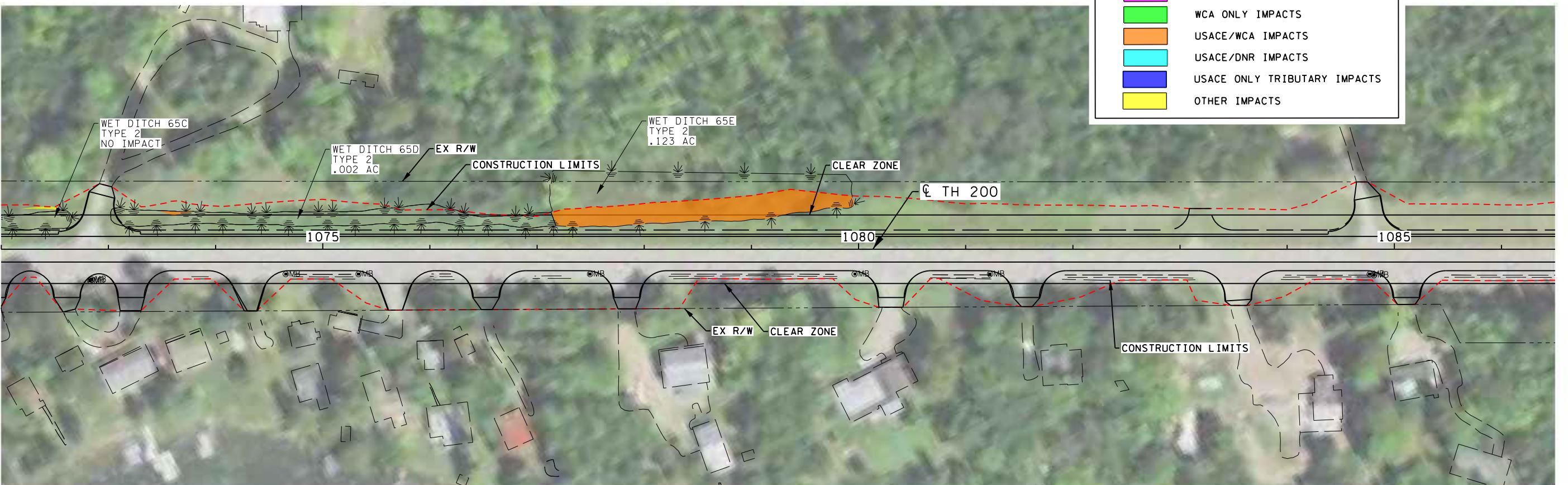
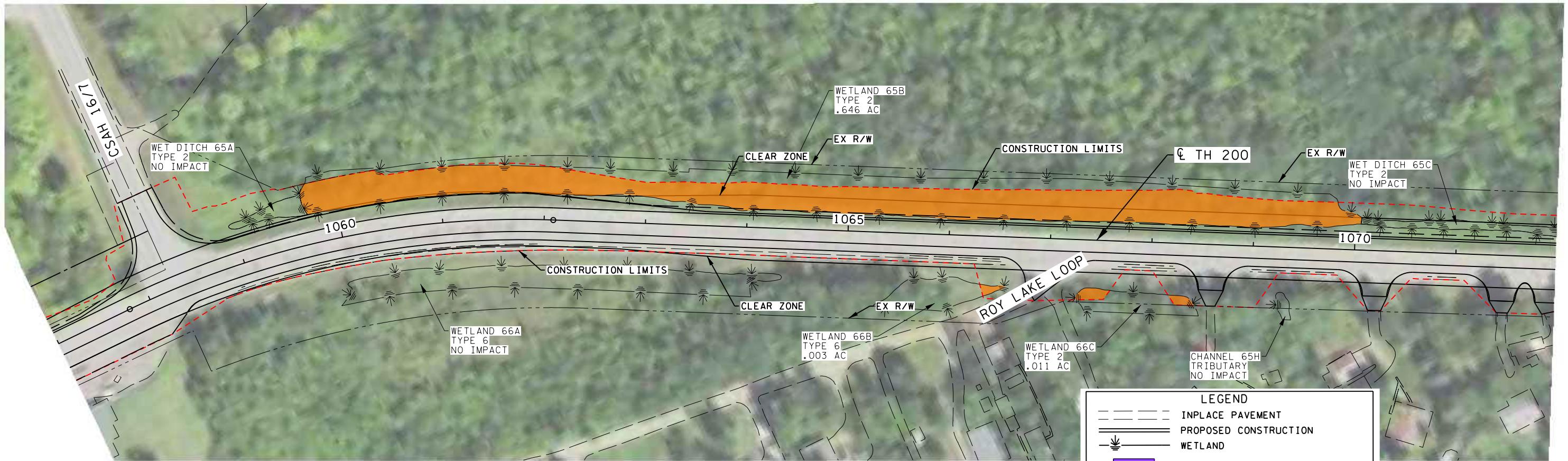
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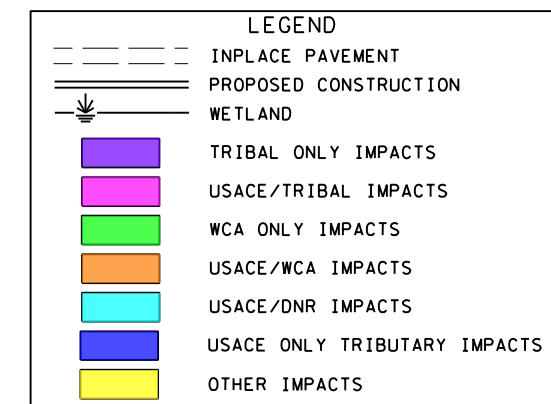
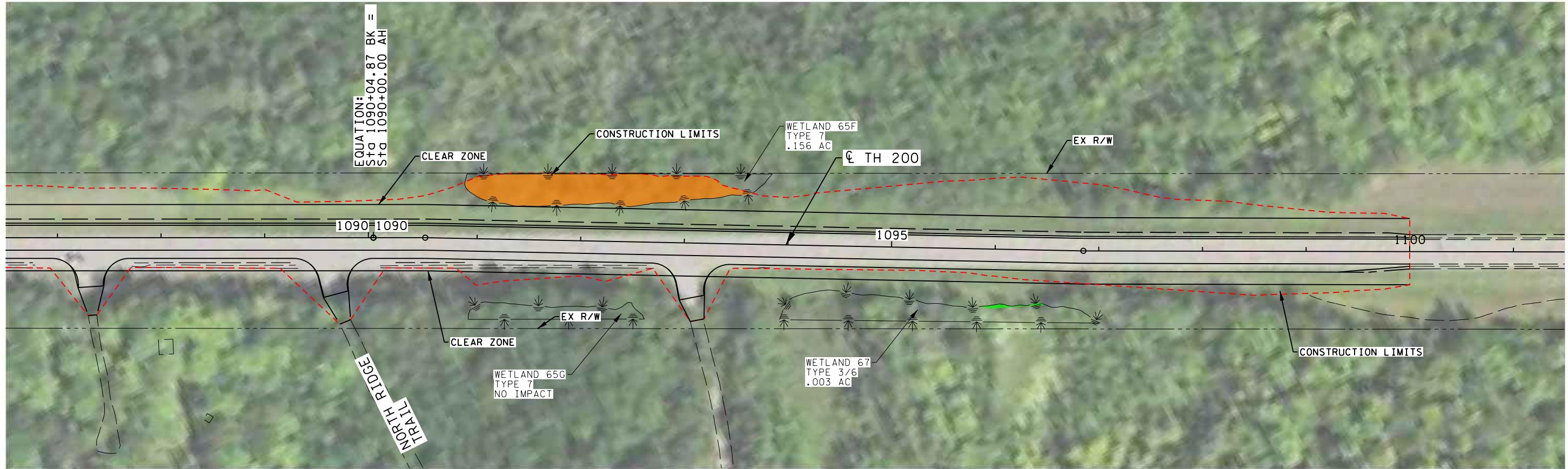












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AQUATIC RESOURCES IMPACT MAP
TH 200 SHOULDER WIDENING

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REPORT_ID	RESOURCE	PLSS	CIRC_39 / EGGERS REED	TRUST LAND	WCA	USACE	DNR	JURISDICTION *	SIZE_AC	IMPACT_SF	IMPACT_ACRE	IMPACT_SF	IMPACT_ACRE	CHANGE
Wetland 62F (5)	Wetland	36, T145N, R39W	3 / Shallow Marsh; 4 / Deep Marsh	NO	YES	YES	YES	USACE/DNR	0.01	0	0.000	0	0.000	0
Wetland 62F (6)	Wetland	36, T145N, R39W	3 / Shallow Marsh; 4 / Deep Marsh	NO	YES	YES	NO	USACE/WCA	0.47	7,508	0.172	6,692	0.154	-817
Wetland 62G	Wetland	1, T144N, R39W	2 / Fresh (Wet) Meadow	YES	NO	YES	NO	USACE/TRUST LAND	0.09	1,481	0.034	1,477	0.034	-3
Wetland 62H	Wetland	1, T144N, R39W	2 / Fresh (Wet) Meadow	YES	NO	YES	NO	USACE/TRUST LAND	0.15	1,851	0.042	1,616	0.037	-235
Wetland 62I	Wetland	1, T144N, R39W	4 / Deep Marsh	YES	NO	YES	NO	USACE/TRUST LAND	1.51	15,134	0.347	15,372	0.353	238
Wet Ditch 62J	Ditch Wetland	1, T144N, R39W	2 / Fresh (Wet) Meadow	YES	NO	NO	NO	TRUST LAND	0.02	0	0.000	0	0.000	0
Channel 62K	Wetland	36, T145N, R39W	3 / Shallow Marsh; 4 / Deep Marsh	NO	YES	YES	YES	USACE/DNR	0.03	1,021	0.023	1,366	0.031	345
Wet Ditch 63A	Ditch Wetland	6, T144N, R38W	2 / Fresh (Wet) Meadow	NO	NO	NO	NO	OTHER	0.01	0	0.000	0	0.000	0
Wetland 63B	Wetland	6, T144N, R38W	6 / Shrub-Carr	NO	YES	NO	NO	WCA	0.04	578	0.013	670	0.015	92
Wetland 64	Wetland	6, T144N, R38W	6 / Shrub-Carr	NO	YES	NO	NO	WCA	0.04	204	0.005	0	0.000	-204
Wet Ditch 65A	Ditch Wetland	6, T144N, R38W	2 / Fresh (Wet) Meadow	NO	NO	NO	NO	OTHER	0.02	0	0.000	0	0.000	0
Wetland 65B	Wetland	6, T144N, R38W	1 / Seasonally Flooded Basin; 7 / Hardwood Swamp	NO	YES	YES	NO	USACE/WCA	0.83	27,927	0.641	28,147	0.646	220
Wet Ditch 65C	Ditch Wetland	6, T144N, R38W	2 / Fresh (Wet) Meadow	NO	NO	NO	NO	OTHER	0.05	53	0.001	0	0.000	-53
Wet Ditch 65D	Ditch Wetland	6, T144N, R38W	2 / Fresh (Wet) Meadow	NO	NO	NO	NO	OTHER	0.12	542	0.012	67	0.002	-476
Wetland 65E	Wetland	6, T144N, R38W	2 / Fresh (Wet) Meadow	NO	YES	YES	NO	USACE/WCA	0.29	4,845	0.111	5,341	0.123	497
Wetland 65F	Wetland	6, T144N, R38W	7 / Hardwood Swamp	NO	YES	YES	NO	USACE/WCA	0.18	6,522	0.150	6,779	0.156	256
Wetland 65G	Wetland	6, T144N, R38W	7 / Hardwood Swamp	NO	YES	YES	NO	USACE/WCA	0.05	0	0.000	0	0.000	0
Channel 65H	Tributary	6, T144N, R38W		NO	NO	YES	NO	USACE	0.01	0	0.000	0	0.000	0
Wetland 66A	Wetland	6, T144N, R38W	6 / Shrub-Carr	NO	YES	YES	NO	USACE/WCA	0.21	0	0.000	0	0.000	0
Wetland 66B	Wetland	6, T144N, R38W	6 / Shrub-Carr	NO	YES	YES	NO	USACE/WCA	0.06	199	0.005	152	0.003	-47
Wetland 66C	Wetland	6, T144N, R38W	2 / Fresh (Wet) Meadow	NO	YES	YES	NO	USACE/WCA	0.05	432	0.010	487	0.011	55
Wetland 67	Wetland	6, T144N, R38W	3 / Shallow Marsh; 6 / Hardwood Swamp	NO	YES	NO	NO	WCA	0.13	125	0.003	125	0.003	0

*OTHER = Incidental wetlands on private fee land that are not Waters of the US.

Total Impacts	749,978	17.217	773,288	17.752	23,310
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Trust Land Only Natural Wetland Impacts	0.63		0.70	0.07
Trust Land Only Incidental Wetland Impacts	0.64		0.55	-0.09
USACE/Trust Land Wetland Impacts	8.54		8.79	0.25
WCA Only Impacts	1.29		1.49	0.21
USACE/WCA Impacts	5.39		5.50	0.11
USACE/DNR Wetland Impacts	0.05		0.06	0.01
Trust Land Only Tributary Impacts	0.00		0.00	0.00
USACE/Trust Land Tributary Impacts	0.05		0.04	-0.01
USACE/DNR Tributary Impacts	0.01		0.00	-0.01
USACE Only Tributary Impacts	0.00		0.00	0.00
Other Impacts *	0.62		0.62	0.00
Old Total	17.22	Current Total	17.75	0.53