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): JUL 06 2018

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER:
Robert Piram Trail, MVP-2017-00727-BBY

C. PROJECT LOCATION AND BACKGROUND INFORMATION:
State: Minnesota  County/parish/borough: Ramsey County  City: City of Saint Paul
Center coordinates of site (lat/long in degree decimal format): Lat. 44.928464° N, Long. -93.074119° W.
Universal Transverse Mercator: 15 X: 494151.001951 Y: 4975006.418533
Name of nearest waterbody: Mississippi River
Name of watershed or Hydrologic Unit Code (HUC): 07010206  Upper Mississippi Region
☑ Check if map/diagram of review area and/or potential jurisdictional areas is 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: June 27, 2018
☐ 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 "wetlands of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. Waters of the U.S.: N/A

2. Non-regulated waters/wetlands (check if applicable):¹
☑ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain: The general locations of the aquatic resources are shown on the enclosed maps labeled MVP-2016-00727-BBY Page 1 of 4 through Page 4 of 4. The review area for this determination contains one roadside ditch labeled as STP-1 and one stormwater pond labeled as Wetland F on the enclosed figures labeled MVP-2016-00727 Page 2 of 4 through Page 4 of 4.

The linear ditch STP-1 was constructed in uplands, does not convey relatively permanent flow, and does not laterally drain a wetland or another water of the United States. Per the Rapanos decision this drainage ditch is not waters of the U.S (WOUS).

The stormwater pond labeled Wetland F was constructed in uplands and is not a water of the US. The non-jurisdictional determination for this pond is in accordance with the preamble to the 1986 Corps Regulations (33 CFR Parts 320-330), which states that the Corps does not generally consider the following to be waters of the US; artificial lakes or ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins or rice growing.

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

¹ Supporting documentation is presented in Section III.F.
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 Wetland Delineation Manual and/or appropriate Regional Supplements.
  ☐ Prior to the Jan 2001 Supreme Court decision in "SWANCC," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
  ☐ Waters do not meet the ‘Significant Nexus’ standard, where such a finding is required for jurisdiction. Explain:
  ☒ Other (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource:
☐ Wetlands: acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction (check all that apply):

☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
☐ Lakes/ponds: acres.
☐ Other non-wetland waters: acres. List type of aquatic resource:
☐ Wetlands: acres.

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: t̶k̶d̶a̶t̶
☒ 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 NHID data.
☐ USGS 8 and 12 digit HUC maps.
☐ U.S. Geological Survey map(s). Cite scale & quad name:
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Ramsey County
☒ National wetlands inventory map(s). Cite name: USFWS NWI and MnDNR NWI
☐ State/Local wetland inventory map(s):
☐ FEMA/FIRM maps:
☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
  or ☐ Other (Name & Date):
☐ Previous determination(s). File no. and date of response letter:
☐ Applicable/supporting case law:
☐ Applicable/supporting scientific literature:
☒ Other information (please specify): Ramsey County LIDAR

B. ADDITIONAL COMMENTS TO SUPPORT JD:
PROJECT LOCATION #1
CITIES: ST. PAUL, SOUTH ST. PAUL
LATITUDE: 44.9421° N
LONGITUDE: 93.0712° W
TOWNSHIP 28 N, RANGE 22 W, SECTIONS 5, 6, 8, 9, 16
ZIP CODE: 55107, 55075

PROJECT LOCATION #2
CITY: LILYDALE
LATITUDE: 44.9051° N
LONGITUDE: 93.1350° W
TOWNSHIP 28 N, RANGE 23 W, SECTIONS 14, 23
ZIP CODE: 55118

PROJECTS ARE NOT LOCATED IN A DRINKING WATER SUPPLY MANAGEMENT OR WELLHEAD PROTECTION AREA.

RECEIVING WATER: MISSISSIPPI RIVER IMPAIRED FOR MERCURY IN FISH TISSUE AND WATER COLUMN, PCB AND PFOS IN FISH TISSUE, FECAL COLIFORM, AND TURBIDITY

RECEIVING WATER: AIRPORT MARSH NOT IMPAIRED FOR CONSTRUCTION RELATED IMPAIRMENTS

COUNTY BOUNDARY (TYP.)

CITY BOUNDARY (TYP.)

WELLHEAD PROTECTION AREA

DRINKING WATER SUPPLY MANAGEMENT AREA

PROJECT LOCATION #1

PROJECT LOCATION #2

Lilydale

Mendota Heights

West Saint Paul

South Saint Paul

Dakota County

Ramsey County

ROBERT PIRAM TRAIL
MULTI-USE, OFF-ROAD TRAIL

SWPPP LOCATION MAP
Review Area for Wetland STP-1

**Legend**
- Super-elevation transition
- Remove sewer pipe (storm)
- Construction Limits
- Delineated Wetland
- Existing Right-of-Way
- Existing Easement
- Permanent Easement
- Temporary Easement
- Delineated Wetland STP-1
  - Fresh Wet Meadow
  - Size = 0.15 AC. (May 2016)
  - Type 2
- Delineated Wetland STP-2
  - Type 1/2/3
  - Size = 37.4 AC. (May 2016)
  - SEASONALLY FLOODED BASIN/PFO1/EM1/AB/A/C/G
  - Type 1/3/4

**Wetland Impacts**
- Permanent wetland fill impact
- Permanent wetland cut impact
- Proposed profile
- Proposed ground line

**Trail C Profile**

**Permanent Wetland Fill Impact**
- Area = 351 SQ FT
- Volume = 5.4 CU. YD.

**Permanent Wetland Cut Impact**
- Area = 1569 SQ FT
- Volume = 66.5 CU. YD.

**100-Year Floodplain Elev.**
- Mississippi River
- Elev. = 706.3

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