

**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):** 29 October 2012

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:**

Omaha District – NDDOT - NWO-2012-0508-BIS Form 1 of 1

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

Along US Highway 2 from the City of Churchs Ferry to SE of the City of Devils Lake

\*\*\*See attached Waters Table for Specific Location & Size Details of 66 Delineated Waters\*\*\*

State: North Dakota County/parish/borough: Ramsey & Benson City: Churchs Ferry & Devils Lake

Center coordinates of site (lat/long in degree decimal format): Lat. 48.16837° N, Long. -98.98944° W.

Universal Transverse Mercator: 14

Name of nearest waterbody: Devils Lake

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Devils Lake

Name of watershed or Hydrologic Unit Code (HUC): Devils Lake (9020201)

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: 17 October 2012

Field Determination. Date(s): 30 March 2012

**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. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Explain: \_\_\_\_\_.

**B. CWA SECTION 404 DETERMINATION OF JURISDICTION.**

There **Are** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

**1. Waters of the U.S.**

**a. Indicate presence of waters of U.S. in review area (check all that apply):**<sup>1</sup>

TNWs, including territorial seas

Wetlands adjacent to TNWs

Relatively permanent waters<sup>2</sup> (RPWs) that flow directly or indirectly into TNWs

Non-RPWs that flow directly or indirectly into TNWs

Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

Impoundments of jurisdictional waters

Isolated (interstate or intrastate) waters, including isolated wetlands

**b. Identify (estimate) size of waters of the U.S. in the review area:**

Non-wetland waters: linear feet: width (ft) and/or Devils Lake Open Water Areas (undetermined acres).

Wetlands: 180.39 acres.

**c. Limits (boundaries) of jurisdiction based on:** 1987 Delineation Manual

Elevation of established OHWM (if known): \_\_\_\_\_.

**2. Non-regulated waters/wetlands (check if applicable):**<sup>3</sup>

<sup>1</sup> Boxes checked below shall be supported by completing the appropriate sections in Section III below.

<sup>2</sup> For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

<sup>3</sup> Supporting documentation is presented in Section III.F.

**Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional. Explain:** The JD contains thirty-seven (37) isolated depressional wetlands consisting of closed basins, roadside ditch segments and highway medians. The total delineated acreage of these types of wetlands is 127.91 acres. All of these wetlands are field delineated sites that were confirmed as uplands and devoid of continuous surface connectivity to waters of the US, by the wetland consultant(s) performing the delineation.

The isolated waters determination is based upon the historic landscape position and physical characteristics of the natural basins prior to the construction of the US Highway 2 and the railroad. These natural wetlands are prairie potholes that do not exhibit a discernable outlet to waters of the US. The remaining wetland features delineated within the roadside ditch and highway medians were evaluated based upon whether or not they were constructed in uplands, or through naturally occurring wetlands. For those wetlands that have developed in the uplands, which lack a surface connection to waters of the US, an isolated determination was made. For those wetlands that have redeveloped within a historic natural wetland basin, which also lacks a discernable outlet to waters of the US, an isolated determination was made.

In summary: 1) the wetlands described above were delineated in the field, and confirmed to lack a discernable surface connection, other than overland sheetflow, to waters of the US; 2) these waters lack documented use by interstate or foreign travelers for water-borne recreation or other purposes; 3) these waters do not support fish or shellfish that could be taken and sold in interstate or foreign commerce; 4) these waters are not used for industrial purposes by industries in interstate commerce; and 5) these waters do not exhibit sufficient proximity and/or connectivity to jurisdictional "other waters"; whereby, nonspeculative ecological connection(s) could be made that would constitute adjacency.

Based upon these principle considerations, it is determined that the subject waters are *isolated and nonjurisdictional* under the auspices of Section 404 of the Clean Water Act.

(Note: all remaining 29 delineated wetlands as shown on the attached table, are determined to be jurisdictional waters of the US).

### **SECTION III: CWA ANALYSIS**

#### **A. TNWs AND WETLANDS ADJACENT TO TNWs**

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

##### **1. TNW**

Identify TNW: Devils Lake.

Summarize rationale supporting determination: Devils Lake is formally designated a TNW by the Omaha District due to its nexus to interstate and foreign commerce.

##### **2. Wetland adjacent to TNW**

Summarize rationale supporting conclusion that wetland is "adjacent": All wetlands determined to be adjacent to Devils Lake were in fact confirmed to exhibit a contiguous surface connection to Devils Lake. This continuous surface connection is provided either through the direct abutting of wetlands to Devils Lake itself, or through a complex of continuous wetlands, sloughs, or drainages that flow directly into Devils Lake. In all cases, the wetlands have a direct, physical surface connection to Devils Lake.

**B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):** This Section is not applicable to the waters identified in the JD request or submitted delineation report. No further analysis in this Section is necessary.

C. **SIGNIFICANT NEXUS DETERMINATION:** This Section is not applicable to the waters identified in the JD request or submitted delineation report. A Significant Nexus determination is not necessary.

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

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:

- TNWs: \_\_\_\_\_ linear feet \_\_\_\_\_ width (ft), Or, **DEVILS LAKE WATERS (undetermined acres).**
- Wetlands adjacent to TNWs: **69.39** acres.

2. **RPWs that flow directly or indirectly into TNWs.**

- Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial: \_\_\_\_\_.
- Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally: \_\_\_\_\_.

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: \_\_\_\_\_ linear feet \_\_\_\_\_ width (ft).
- Other non-wetland waters: \_\_\_\_\_ acres.  
Identify type(s) of waters: \_\_\_\_\_.

3. **Non-RPWs<sup>4</sup> that flow directly or indirectly into TNWs.**

- Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

- Tributary waters: \_\_\_\_\_ linear feet \_\_\_\_\_ width (ft).
- Other non-wetland waters: \_\_\_\_\_ acres.  
Identify type(s) of waters: \_\_\_\_\_.

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

- Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.
  - Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: **All wetlands that are determined to be abutting a Relatively Permanent Waters are part of a continuous surface connection to the Big Coulee / Lake Irvine complex. These are in fact perennial waterbodies. This direct, continuous surface connection between the delineated wetlands and these waters constitutes an abutting relationship.**
  - Wetlands directly abutting an RPW where tributaries typically flow “seasonally.” Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW: \_\_\_\_\_.

Provide acreage estimates for jurisdictional wetlands in the review area: **111.0 acres.**

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

- Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: \_\_\_\_\_ acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

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<sup>4</sup>See Footnote # 3.

Provide estimates for jurisdictional wetlands in the review area: \_\_\_\_\_ acres.

**7. Impoundments of jurisdictional waters.<sup>5</sup>**

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from “waters of the U.S.,” or
- Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
- Demonstrate that water is isolated with a nexus to commerce (see E below).

**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):<sup>6</sup>**

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
- from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- which are or could be used for industrial purposes by industries in interstate commerce.
- Interstate isolated waters. Explain: \_\_\_\_\_.
- Other factors. Explain: \_\_\_\_\_.

**Identify water body and summarize rationale supporting determination:** \_\_\_\_\_.

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: \_\_\_\_\_ linear feet \_\_\_\_\_ width (ft).
- Other non-wetland waters: \_\_\_\_\_ acres.  
Identify type(s) of waters: \_\_\_\_\_.
- Wetlands: \_\_\_\_\_ acres.

**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.
- Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
  - 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: 127.91 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):**

<sup>5</sup> To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

<sup>6</sup> Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: **Wetland Delineation Report Submitted by Applicant.**
- 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 : 24,000 – Grand Harbor, Devils Lake, Churchs Ferry, Penn, Tilden, Camp Grafton, ND.**
- USDA Natural Resources Conservation Service Soil Survey. Citation: \_\_\_\_\_.
- National wetlands inventory map(s). Cite name: **USFWS 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): **NAIP 2011, Google Earth 2009, 2005.**  
 or  Other (Name & Date): **Onsite photographs provided by applicant (2011).**
- Previous determination(s). File no. and date of response letter: \_\_\_\_\_.
- Applicable/supporting case law: \_\_\_\_\_.
- Applicable/supporting scientific literature: \_\_\_\_\_.
- Other information (please specify): \_\_\_\_\_.

**B. ADDITIONAL COMMENTS TO SUPPORT JD: See attached Wetland Table and Delineation Maps**

Wetland Table								
			3-002(132)248, PCN 19333		3-002(133)250, PCN 19339			
			3-002(134)252, PCN 19340		3-002(135)253, PCN 19341			
			3-002(136)261, PCN 19342		3-002(137)274, PCN 19343			
			3-002(138)275, PCN 19344					
Wetland Number	Test Hole (in wetland)	Location	LONG / LAT (Dec. Deg.)	Cowardin Classification	Wetland Type	Wetland Size (acres)	Wetland Feature	Physical Characteristics of Potential Tributary*
1	1a	Sec. 22, T153N, R63W	-98.729434 W 48.050355 N	PEMAx	Road Ditch	0.14	Artificial	N/A
2	2a	Sec. 22, T153N, R63W	-98.733934 W 48.050355 N	PEMAx	Road Ditch	0.23	Artificial	N/A
3	3a	Sec. 22, T153N, R63W	-98.736238 W 48.050324 N	PEMAx	Road Ditch	0.51	Artificial	N/A
4	4a	Sec. 22, T153N, R63W	-98.741625 W 48.050293 N	PEMAx	Road Ditch	0.53	Artificial	N/A
5	5a-1	Sec. 22, T153N, R63W	-98.744182 W 48.050299 N	PEMAx	Road Ditch	23.51	Artificial	N/A
6	6a	Sec. 22, T153N, R63W	-98.745326 W 48.050067 N	PEMAx	Road Median	0.20	Artificial	N/A
7	7a	Sec. 21, T153N, R63W	-98.746338 W 48.050048 N	PEMAx	Road Median	0.37	Artificial	N/A
8	8a	Sec. 21, T153N, R63W	-98.746368 W 48.050053 N	PEMAx	Road Median	0.52	Artificial	N/A
9	9a	Sec. 21, T153N, R63W	-98.762343 W 48.051809 N	PEMAx	Road Median	0.19	Artificial	N/A
10	10a	Sec. 21, T153N, R63W	-98.762731 W 48.051929 N	PEMAx	Road Median	0.60	Artificial	N/A
11	11a	Sec. 21, T153N, R63W	-98.763446 W 48.052443 N	PEMC	Basin	5.15	Natural	N/A
12	12a	Sec. 21, T153N, R63W	-98.766644 W 48.052926 N	PEMA	Basin	0.59	Natural	N/A
13 <sup>1</sup>	13a-1	Sec. 20, T153N, R63W	-98.770793 W 48.056250 N	PEM/ABF	Basin	19.51	Natural	N/A
15	15a	Sec. 20, T153N, R63W	-98.782715 W 48.063229 N	PEMA	Basin	1.62	Natural	N/A
16	16a	Sec. 20, T153N, R63W	-98.781825 W 48.063452 N	PEMA	Basin	2.17	Natural	N/A
17	17a	Sec. 10, T154N, R65W	-98.985389 W 48.167732 N	PEMA	Basin	0.09	Natural	N/A
18	18a	Sec. 10, T154N, R65W	-98.985425 W 48.166560 N	PEMC	Basin	1.29	Natural	N/A
19	19a-1	Sec. 10, T154N, R65W	-98.983560 W 48.168391 N	PEMC	Basin	11.74	Natural	N/A
20	20a	Sec. 10, T154N, R65W	-98.989448 W 48.168377 N	PEMAx	Road Median	0.03	Artificial	N/A

<sup>1</sup> Wetlands 13 and 14 were identified separately in the field; however, it was later determined a culvert connected the wetlands. Wetland 14 was combined with wetland 13.

**Wetland Table**

3-002 (132)248, PCN 19333      3-002(133)250, PCN 19339  
 3-002(134)252, PCN 19340      3-002(135)253, PCN 19341  
 3-002(136)261, PCN 19342      3-002(137)274, PCN 19343  
 3-002(138)275, PCN 19344

Wetland Number	Test Hole (in wetland)	Location	LONG / LAT (Dec. Deg.)	Cowardin Classification	Wetland Type	Wetland Size (acres)	Wetland Feature	Physical Characteristics of Potential Tributary*
21 <sup>2</sup>	21a-1	Sec. 10, T154N, R65W	-99.004362 W 48.175331 N	PEMF	Drainage Swale	13.40	Natural	N/A
23	23a	Sec. 10, T154N, R65W	-99.005363 W 48.175863 N	PEMA	Basin	0.13	Natural	N/A
24	24a	Sec. 9, T154N, R65W	-99.006000 W 48.176147 N	PEMA	Basin	0.40	Natural	N/A
25	25a	Sec. 9, T154N, R65W	-99.007625 W 48.177363 N	PEMAx	Road Median	0.13	Artificial	N/A
26	26a	Sec. 9, T154N, R65W	-99.007654 W 48.177689 N	PEMC	Basin	1.17	Natural	N/A
27	27a	Sec. 9, T154N, R65W	-99.010538 W 48.178437 N	PEMAx	Road Ditch	1.27	Artificial	N/A
28	28a	Sec. 9, T154N, R65W	-99.009500 W 48.178241 N	PEMAx	Road Median	0.25	Artificial	N/A
29	29a	Sec. 9, T154N, R65W	-99.011262 W 48.179123 N	PEMAx	Road Median	0.12	Artificial	N/A
30	30a-1	Sec. 26, T155N, R66W	-99.101150 W 48.223760 N	PEMC	Basin	28.99	Natural	N/A
31	31a	Sec. 26, T155N, R66W	-99.099713 W 48.222674 N	PEMAx	Road Median	0.37	Artificial	N/A
32	32a	Sec. 26, T155N, R66W	-99.100060 W 48.223163 N	PEMAx	Road Ditch	0.05	Artificial	N/A
33	33a	Sec. 26, T155N, R66W	-99.097640 W 48.221330 N	PEMAx	Road Median	0.46	Artificial	N/A
34	34a	Sec. 26, T155N, R66W	-99.095840 W 48.220327 N	PEMC	Drainage Swale	5.22	Natural	N/A
35	35a-1	Sec. 22, T155N, R66W	-99.131382 W 48.236887 N	PEMA	Basin	83.10	Natural	N/A
36	36a	Sec. 22, T155N, R66W	-99.131492 W 48.236667 N	PEMAx	Road Median	0.33	Artificial	N/A
37	37a	Sec. 16, T155N, R66W	-99.138719 W 48.238688 N	PEMAx	Road Median	0.32	Artificial	N/A
38	38a	Sec. 16, T155N, R66W	-99.140212 W 48.239589 N	PEMAx	Road Median	0.19	Artificial	N/A
39	39a	Sec. 16, T155N, R66W	-99.142805 W 48.241868 N	PEMAx	Road Median	0.29	Artificial	N/A
40	40a	Sec. 16, T155N, R66W	-99.156434 W 48.250343 N	PEMAx	Road Median	0.13	Artificial	N/A

<sup>2</sup> Wetlands 21 and 22 were identified separately in the field; however, it was later determined a culvert connected the wetlands. Wetland 22 was combined with wetland 21.

Wetland Table

3-002 (132)248, PCN 19333      3-002(133)250, PCN 19339  
 3-002(134)252, PCN 19340      3-002(135)253, PCN 19341  
 3-002(136)261, PCN 19342      3-002(137)274, PCN 19343  
 3-002(138)275, PCN 19344

Wetland Number	Test Hole (in wetland)	Location	LONG / LAT (Dec. Deg.)	Cowardin Classification	Wetland Type	Wetland Size (acres)	Wetland Feature	Physical Characteristics of Potential Tributary*
41 <sup>3</sup>	41a-1	Sec. 8, T155N, R66W	-99.158801 W 48.251374 N	PEMA	Basin	10.33	Natural	N/A
42 <sup>4</sup>	42a	Sec. 16, T155N, R66W	-99.161867 W 48.253586 N	PEMA	Drainage Swale	17.52	Natural	N/A
45	45a-1	Sec. 8, T155N, R66W	-99.162066 W 48.253261 N	PEMAx	Road Median	0.93	Artificial	N/A
46	46a	Sec. 8, T155N, R66W	-99.171145 W 48.257667 N	PEMAx	Road Median	0.41	Artificial	N/A
47	47a	Sec. 8, T155N, R66W	-99.178870 W 48.260151 N	PEMAx	Road Ditch	2.88	Artificial	N/A
48	48a	Sec. 8, T155N, R66W	-99.178770 W 48.260497 N	PEMAx	Road Median	0.18	Artificial	N/A
49	49a	Sec. 7, T155N, R66W	-99.182304 W 48.261118 N	PEMAx	Road Median	0.15	Artificial	N/A
50	50a	Sec. 1, T155N, R67W	-99.179141 W 48.260254 N	PEMA	Basin	25.94	Natural	N/A
51	51a	Sec. 7, T155N, R66W	-99.195060 W 48.263007 N	PEMAx	Road Median	0.20	Artificial	N/A
52	52a	Sec. 7, T155N, R66W	-99.199552 W 48.263645 N	PEMAx	Road Median	0.44	Artificial	N/A
53	53a	Sec. 12, T155N, R67W	-99.206197 W 48.264597 N	PEMAx	Road Median	0.58	Artificial	N/A
54	54a-1	Sec. 12, T155N, R67W	-99.200256 W 48.264131 N	PEMA	Basin	26.54	Natural	N/A
55	55a	Sec. 12, T155N, R67W	-99.208549 W 48.265014 N	PEMAx	Road Median	0.46	Artificial	N/A
56	56a	Sec. 12, T155N, R67W	-99.214791 W 48.267097 N	PEMAx	Road Median	0.07	Artificial	N/A
57	57a	Sec. 1, T155N, R67W	-99.220041 W 48.270161 N	PEMAx	Road Median	0.32	Artificial	N/A
58	58a	Sec. 2, T155N, R67W	-99.221896 W 48.271257 N	PEMAx	Road Median	0.09	Artificial	N/A
59	59a	Sec. 2, T155N, R67W	-99.223080 W 48.272037 N	PEMAx	Road Median	0.02	Artificial	N/A
60	60a	Sec. 2, T155N, R67W	-99.224398 W 48.272877 N	PEMAx	Road Median	0.15	Artificial	N/A
61	61a-1	Sec. 1, T155N, R67W	-99.222191 W 48.272049 N	PEMF	Basin	2.54	Natural	N/A
62	62a-1	Sec. 2, T155N, R67W	-99.226366 W 48.274465 N	PEMA	Basin	8.61	Natural	N/A

<sup>3</sup> Wetlands 41 and 43 were identified separately in the field; however, it was later determined a culvert connected the wetlands. Wetland 43 was combined with wetland 41.

<sup>4</sup> Wetland numbers range from 1 to 70, however there is no wetland numbered 44.

**Wetland Table**

3-002(132)248, PCN 19333      3-002(133)250, PCN 19339  
 3-002(134)252, PCN 19340      3-002(135)253, PCN 19341  
 3-002(136)261, PCN 19342      3-002(137)274, PCN 19343  
 3-002(138)275, PCN 19344

Wetland Number	Test Hole (in wetland)	Location	LONG / LAT (Dec. Deg.)	Cowardin Classification	Wetland Type	Wetland Size (acres)	Wetland Feature	Physical Characteristics of Potential Tributary*
63	63a	Sec. 2, T155N, R67W	-99.228966 W 48.275443 N	PEMC	Basin	0.52	Natural	N/A
64	64a	Sec. 2, T155N, R67W	-99.228404 W 48.274890 N	PEMAx	Road Median	0.11	Artificial	N/A
65	65a	Sec. 2, T155N, R67W	-99.232957 W 48.276054 N	PEMAx	Road Ditch	2.09	Artificial	N/A
66	66a	Sec. 2, T155N, R67W	-99.236021 W 48.275576 N	PEMC	Basin	1.72	Natural	N/A
67	67a	Sec. 2, T155N, R67W	-99.234527 W 48.275841 N	PEMAx	Road Median	0.03	Artificial	N/A
68	68a	Sec. 2, T155N, R67W	-99.236076 W 48.275885 N	PEMAx	Road Median	0.02	Artificial	N/A
69	69a	Sec. 2, T155N, R67W	-99.236897 W 48.275917 N	PEMAx	Road Median	0.03	Artificial	N/A
70	70a	Sec. 2, T155N, R67W	-99.238740 W 48.275980 N	PEMAx	Road Median	0.11	Artificial	N/A
<b>TOTAL</b>						<b>308.30</b>		

\* Physical Characteristics of Potential Tributary: Other Tributary Features:

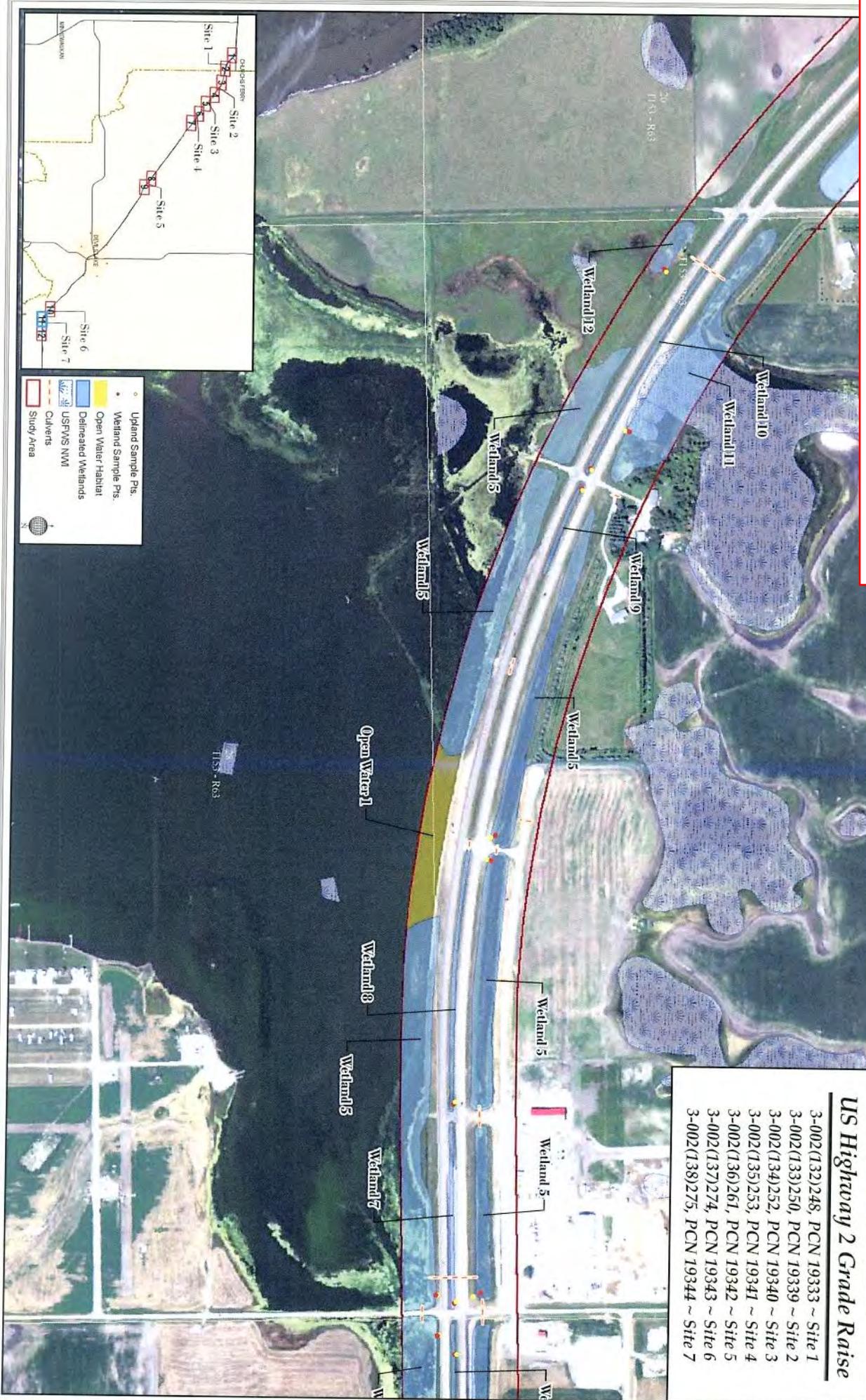
- |                              |   |  |
|------------------------------|---|--|
| Substrate composition:       | 10) Bed and banks                             | 20) Leaf litter disturbed or washed away       |
| 1) Silts                     | 11) Ordinary High Water Mark                  | 21) Scour                                      |
| 2) Sands                     | 12) Clear, natural line impressed on the bank | 22) Sediment deposition                        |
| 3) Concrete                  | 13) The presence of litter and debris         | 23) Multiple observed or predicted flow events |
| 4) Cobbles                   | 14) Changes in the character of soil          | 24) Water staining                             |
| 5) Gravel                    | 15) Destruction of terrestrial vegetation     | 25) Abrupt change in plant community           |
| 6) Muck                      | 16) Shelving                                  |  |
| 7) Bedrock                   | 17) The presence of wrack line                |  |
| 8) Vegetation (Type/% Cover) | 18) Vegetation matted down, bent, or absent   |  |
| 9) Other. Explain:           | 19) Sediment sorting                          |  |

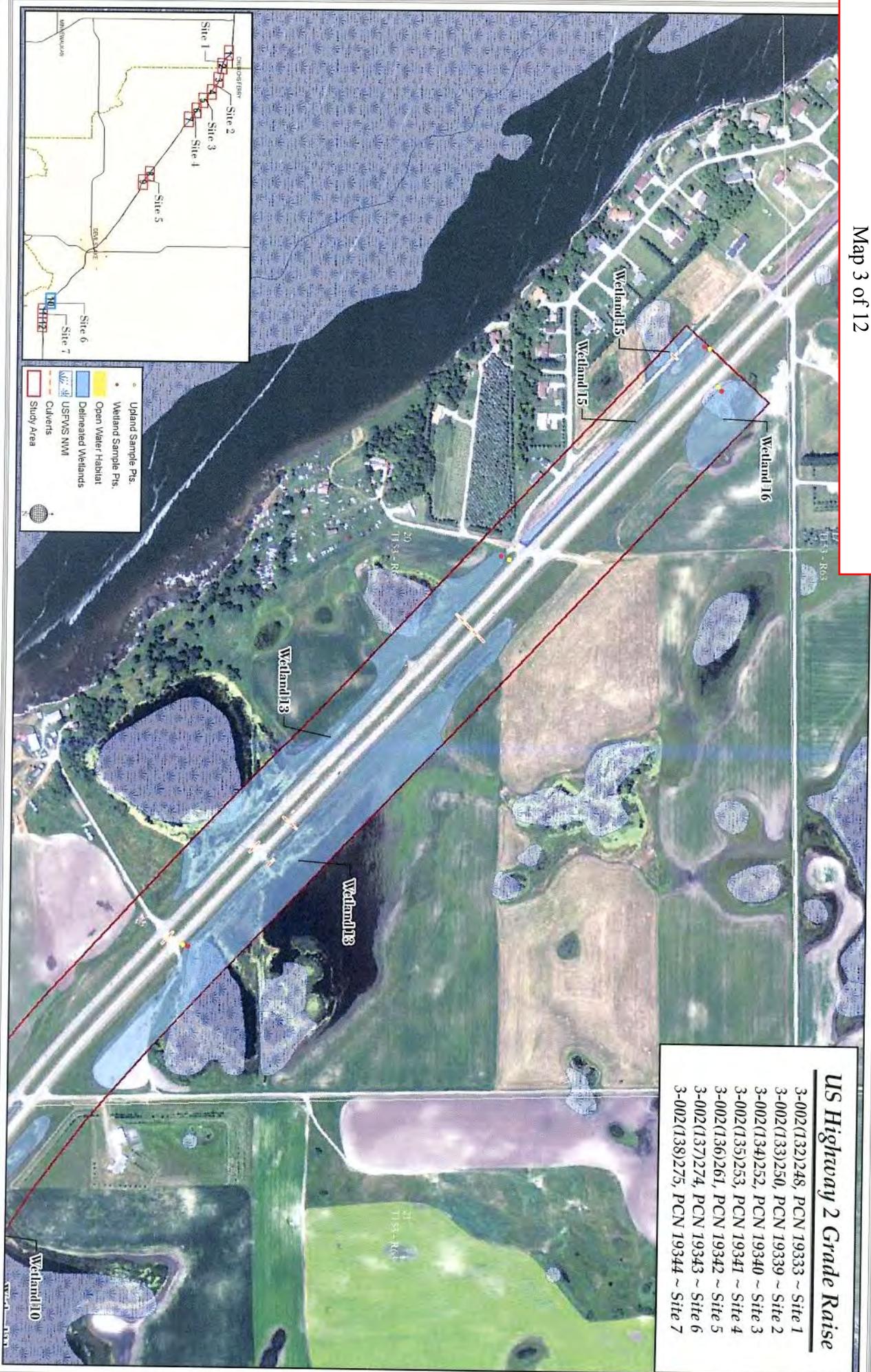
Open Water Habitat Table

3-002 (132)248, PCN 19333      3-002(133)250, PCN 19339  
 3-002(134)252, PCN 19340      3-002(135)253, PCN 19341  
 3-002(136)261, PCN 19342      3-002(137)274, PCN 19343  
 3-002(138)275, PCN 19344

Number	Location	LONG / LAT (Dec. Deg.)	Type	Size (Acres)	Feature	Physical Characteristics of Potential Tributary*
OW1	Sec. 28, T153N, R63W	-98.766555 W 48.050014 N	Open Water	2.31	Natural	N/A
OW2	Sec. 7, T155N, R66W	-99.181966 W 48.261482 N	Open Water	3.83	Natural	N/A
OW3	Sec. 7, T155N, R66W	-99.187704 W 48.261571 N	Open Water	4.32	Natural	N/A
OW4	Sec. 1, T155N, R67W	-99.218426 W 48.269690 N	Open Water	4.99	Natural	N/A
OW5	Sec. 7, T155N, R66W	-99.182511 W 48.260784 N	Open Water	1.71	Natural	N/A
<b>TOTAL</b>				<b>17.16</b>		



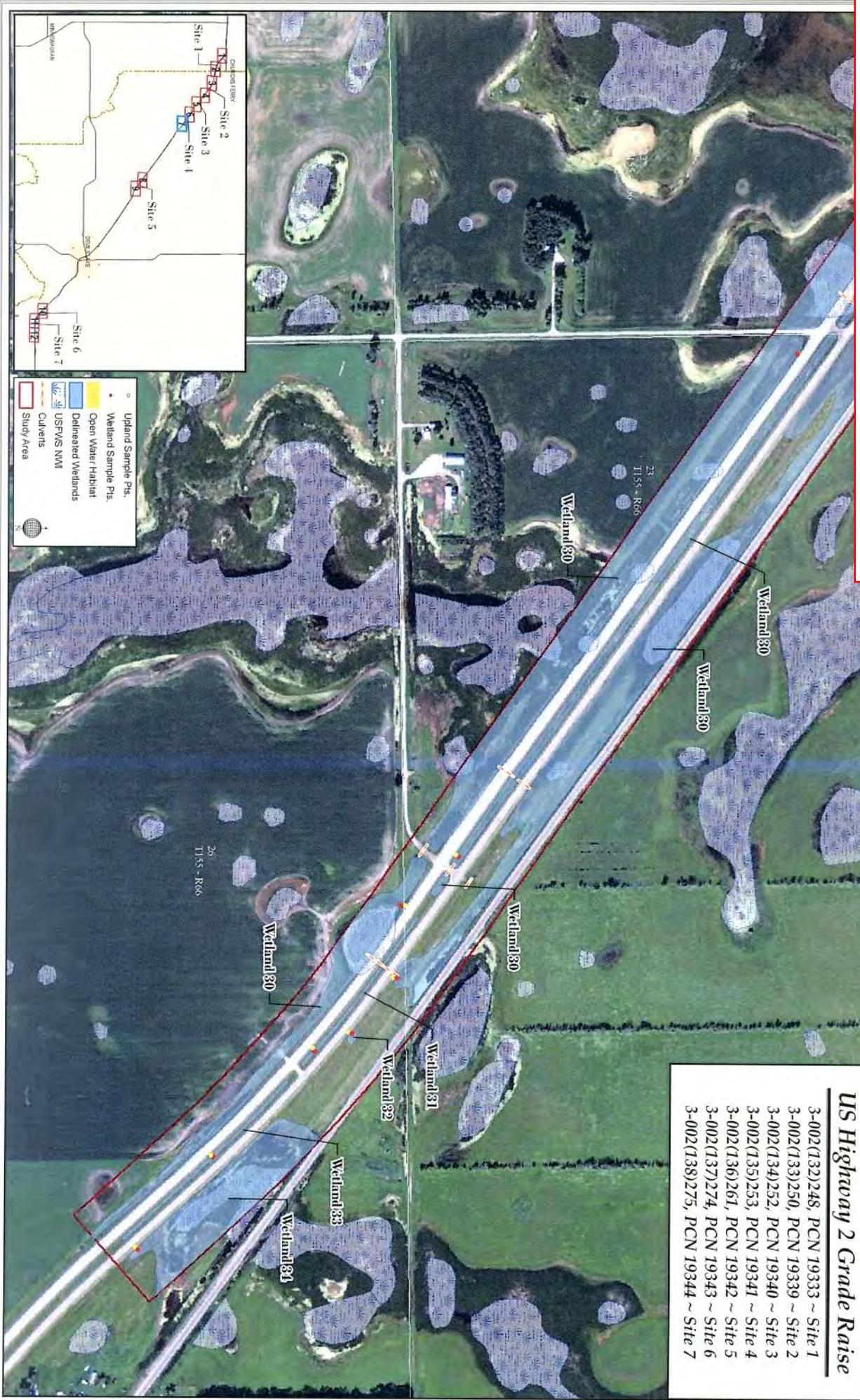




- US Highway 2 Grade Raise**
- 3-002(132)248, PCN 19333 ~ Site 1
  - 3-002(133)250, PCN 19339 ~ Site 2
  - 3-002(134)252, PCN 19340 ~ Site 3
  - 3-002(135)253, PCN 19341 ~ Site 4
  - 3-002(136)261, PCN 19342 ~ Site 5
  - 3-002(137)274, PCN 19343 ~ Site 6
  - 3-002(138)275, PCN 19344 ~ Site 7







**US Highway 2 Grade Raise**

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3-002(133)250, PCN 19339	~ Site 2
3-002(134)252, PCN 19340	~ Site 3
3-002(135)253, PCN 19341	~ Site 4
3-002(136)261, PCN 19342	~ Site 5
3-002(137)274, PCN 19343	~ Site 6
3-002(138)275, PCN 19344	~ Site 7

- Upland Sample Pts.
- Wetland Sample Pts.
- Open Water/Habitat
- Delineated Wetlands
- USFWS NMI
- Culverts
- Study Area



**US Highway 2 Grade Raise**

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