



REPLY TO ATTENTION OF
REGULATORY BRANCH

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

December 11, 2020

Regulatory File No. 2016-01166-CLJ

Mr. Joel Praska
Middle-Snake-Tamarac Rivers Watershed District
453 North McKinley St
Warren, MN 56762
Dear Mr. Albright:

This letter serves as Corps of Engineers (Corps) concurrence with your selected alternative as the Least Environmentally Damaging Practicable Alternative (LEDPA), identified in the Judicial Ditch #14 Watershed Plan Concurrence Point #3 (CP3 submittal) dated November 4, 2020, as part of the Flood Damage Reduction (FDR) Project Development and Clean Water Act (CWA) Section 404 merger process for the proposed Judicial Ditch #14 Watershed Project. The project location is in Marshall County and Pennington County, Minnesota.

As a result of our review of the CP3 submittal, we concur that your selected alternative, identified as Alternative 11, appears to be the LEDPA of the alternatives analyzed in the CP3 submittal.

Because the LEDPA determination can only be made as part of a permit decision, concurrence point 3 is characterized as a non-binding preliminary determination. The next step of the FDR/Section 404 merger process will involve avoidance and minimization of impacts to Waters of the U.S. during project design of Alternative 11.

We are requesting you provide details on the measures taken to avoid and minimize impacts to Waters of the U.S. during your project design. We also recommend engaging the Corps during the project design to identify potential minimization and reduce the possibility of having to re-design a project to satisfy Clean Water Act Section 404 requirements.

If you have any questions, please contact me in our Bemidji Regulatory field office at (651) 290-5337. In any correspondence or inquiries, please refer to the Regulatory number shown above.

Sincerely,

Craig Jarnot
Chief, MN North Branch

cc: Tony Nordby, Houston Eng.
Matt Johnson, BWSR
Stephanie Klamm, MNDNR