

For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

| This report includes only factual information gained by documentation, onsite observations, and/or onsite interviews. |   |   |  |  |  |  |  |
|---|---|---|--|--|--|--|--|
| Inspector Name(s) Delia Garcia, Ph.D.   |   | Time In     9:30 AM     Start Date     May 18, 2022 |  |  |  |  |  |
|   | ne(s) Delia Garcia, Ph.D.   | Time Out 12:18 PM End Date May 18, 2022             |  |  |  |  |  |
| Inspector's Or  | Inspector's Organization U.S. Environmental Protection Agency, Region 7 |   |  |  |  |  |  |
| Organization I  | Requesting Inspection (if different)                                    |   |  |  |  |  |  |
| Inspection Typ  | De Evaluation   | Inspection Status Original                          |  |  |  |  |  |
| Site Name   | Villegas  |   |  |  |  |  |  |
| Site Address*   | S 13, T 12N, R 28W  |   |  |  |  |  |  |
| City* Brady   | County* Lincol  | n State* NE Zip Code* 69123                         |  |  |  |  |  |
| Mailing Addre   | ss* 25599 WCR 4   |   |  |  |  |  |  |
| City* Hudson  | County* Weld  | State* CO Zip Code* 80642                           |  |  |  |  |  |
| Latitude* 41.   | Latitude* 41.008047 Longitude* -100.453985                              |   |  |  |  |  |  |
| Estimated Size  | Estimated Size of Site (acres) 85 Is there a home on the site? Yes No   |   |  |  |  |  |  |
| Inspector<br>Signature  | DELIA GARCIA<br>GARCIA<br>Date: 2022.07.11 08:13:44 -05'00'             | Date  |  |  |  |  |  |
| Supervisor<br>Signature   | JODI BRUNO Digitally signed by JC Date: 2022.07.11 08:1                 |   |  |  |  |  |  |



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|  | Villegas   | Start Date                     | May 18, 2022                              |  |  |  |  |
|--|--|--------------------------------|---|--|--|--|--|
| Site Name  |  |                                |   |  |  |  |  |
|  |  |                                | May 18, 2022                              |  |  |  |  |
| Inspection Purpo   | se Initial site visit  |                                |   |  |  |  |  |
|  | Opening Conference   |                                |   |  |  |  |  |
| Presentation   | of Inspector Credentials   |                                |   |  |  |  |  |
| Name and Title (   | Use N/A if owner/operator not available to join the inspection)  |                                |   |  |  |  |  |
| N/A  |  |                                |   |  |  |  |  |
| 🔀 Opening Con  | ference  |                                |   |  |  |  |  |
| Name of person   | authorizing access if applicable   |                                |   |  |  |  |  |
| Tom Villegas thr   | ough his attorney Stephen Mossman  |                                |   |  |  |  |  |
| Notes from Ope   | ning Conference  |                                |   |  |  |  |  |
| No opening con   | ference took place since Mr. Villegas was unable to be at the site during th   | ne inspection                  | n.  |  |  |  |  |
| Access Issues  | if Any   |                                |   |  |  |  |  |
| Describe   |  |                                |   |  |  |  |  |
| at the site nobody asked that she ch   | I that Mr. Villegas would be meeting us at the site at 9:00 am on May 18, 20<br>was present. After waiting for approximately half an hour I called Natasha<br>eck with Mr. Villega's attorney (Stephen Mossman) to see if Mr. Villegas w<br>Villegas would not be able to join us for the inspection but that we could p | a Goss (assig<br>ould be joini | ned EPA Attorney) and ing us. Mr. Mossman |  |  |  |  |
| Inspection Observations and Sample Collection  |  |                                |   |  |  |  |  |
| Site Owner/Site  | Operator/Responsible Party (Name, title and contact information)   |                                |   |  |  |  |  |
| Amy and Tom V  | Amy and Tom Villegas, (Site Owner and Site Operator) 25599 WCR 4, Hudson, Colorado 80642 (303) 349-6213  |                                |   |  |  |  |  |
| Additional Perso   | ns Present at Inspection   |                                |   |  |  |  |  |
| Keith Simmons,   | Project Manager, U.S. Army Corps of Engineers, Omaha District  |                                |   |  |  |  |  |
| General Site Cha   | racteristics (layout of property, etc.)  |                                |   |  |  |  |  |
| The site is located approximately 4.5 miles southwest of Brady, Nebraska and is located south of Interstate 80. Landcover at the site consisted primarily of wooded and emergent wetlands and unnamed tributaries to the Platte River. The site consists of approximately 85 acres bordered on the North by wetlands and the Platte River, on the East and West by wetlands, and on the South by cropland (see Attachment 1) |  |                                |   |  |  |  |  |
| Purpose and Need for Discharge of Dredged and/or Fill Material   |  |                                |   |  |  |  |  |
| During my initial phone conversation with Mr. Villegas he stated that he was trying to eradicate Phragmites australis (an invasive plant species) from the wetlands.   |  |                                |   |  |  |  |  |
| Site Overview (P   | ast inspections, site description, permits, etc.)  |                                |   |  |  |  |  |
| included a summ  | ction, I reviewed the materials provided by the U.S. Army Corps of Enginee<br>ary and photos of their site visit on May 18, 2021. The COE has not issued<br>s conducted on the site and I am unaware of any other regulatory permits.  |                                |   |  |  |  |  |



<sup>n</sup> For inspections authorized pursuant to Clean Water Act sections 308 and 404 (33 U.S.C. §§ 1318 and 1344)

| Site Name   | Villegas  |                               | May 18, 2022   |
|---|---|-------------------------------|--|
|   |   |                               | May 18, 2022   |
| Scope of Inspect  | ion (Areas inspected or not inspected)  |                               |  |
| road. I stopped to<br>we reached the no<br>ponds were created | bservations on the southwest portion of the site and generally walked in a not<br>o document road crossings, excavated areas, tree piles, and /or filled areas.<br>For thern boundary of the property adjacent to the Platter River. There I made<br>and by excavation within the wetlands and of a large cleared area. We then us<br>outh. Any additional impacts that we came across were documented. | We continue<br>e note of an a | d our observations until<br>rea in which two channels/ |

I recorded the location of the larger tree piles that we came across but there were numerous smaller tree piles that I did not document.



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| Cite Name   | x7'11  | Start Date  | May 18, 2022   |  |  |  |  |  |  |
|---|--|---|--|--|--|--|--|--|--|
| Site Name   | Villegas   | End Date  | May 18, 2022   |  |  |  |  |  |  |
| Environmental C   | Environmental Conditions (e.g., wind, rain, smoke, dust, temperature, snow)  |   |  |  |  |  |  |  |  |
| Upon our arrival  | it was sunny with clear skies and the temperature was approximately 66 deg   | grees Fahren  | heit.  |  |  |  |  |  |  |
| Field Work Cond   | ucted  |   |  |  |  |  |  |  |  |
| site. We stopped<br>in Attachment 1)<br>hydric soils. A tr<br>0.044 acres (see<br>size (Photo 3 in A<br>Attachment 2). J<br>2). That crossing<br>did observe fish | Once we confirmed that we could proceed with our inspection we headed towards the stream crossings on the southwest area of the site. We stopped to take our first soil core sample( GPS 1) in an area south of the southern stream channels (GPS Locations Map in Attachment 1). We utilized the Munsell Soil-Color Charts to characterize colors of the soil profile and confirmed the presence of hydric soils. A tree pile was located just north of the first soil sample location (area A1 and tree location 1), it was approximately 0.044 acres (see Impact Map in Attachment 1). I then proceeded to walk around the perimeter of a berm (area A2) to measure its size (Photo 3 in Attachment 2). Located just northeast of that berm was the first stream crossing (A3) we came upon (Photo 5 in Attachment 2). Just southwest of that crossing we came upon a second crossing (A4) which I photographed (Photo 7 Attachment 2). That crossing is difficult to make out on the photograph due to vegetation overgrowth but it is clearly visible on aerial maps. I did observe fish within the stream channel on the east side of this crossing (stream channel in Photo 8 in Attachment 2). Mr. Simmons informed me that they were mosquitofish ( <i>Gambusia affinis</i> ). We also saw white tailed deer ( <i>Odocoileus virginianus</i> ) in the area. |   |  |  |  |  |  |  |  |
| sediment from th<br>of an area that ha<br>Attachment 2). I<br>that was placed i   | ng the A4 crossings we walked back to crossing A3 and walked around the e stream channel excavation (Area A5 in Impact Map in Attachment 1). We d been cleared of vegetation, of the elevated area, and of the excavated streat From the eastern edge of the wetland we could see stream crossing 3 (capture n it (see Photos 14-16 in Attachment 2). As we made our way back towards and algae present within the southern stream channel (Photos 17-18 in Attach   | walked arou<br>am channel<br>ed within Al<br>s stream cross | <ul><li>(Photos 10-12 in</li><li>(2) and the waterfowl blind</li></ul> |  |  |  |  |  |  |
| Attachment 1). Twillows (Salix sp   | A3 crossing we took another soil core sample (Photo 20 Attachment 2, GPS The area was dominated by green ash trees ( <i>Fraxinus pennsylvanica</i> ), cotton (.). We confirmed that the soil in this area was also hydric. From there we cam crossing number 2 (captured within area A6) (Photo 22 in Attachment 2   | nwood trees<br>continued wa                                 | ( <i>Populus deltoides</i> ) and liking north and stopped to           |  |  |  |  |  |  |
| (locations of all t<br>(GPS number 7 i<br>continued our wa<br>Just south of the   | We continued walking in a northwestern direction along the cleared path/road and stopped to document multiple tree piles (locations of all tree piles are documented in the Impact Map of Attachment 1). A third soil sample core was taken along this path (GPS number 7 in GPS Locations Map in Attachment 1, Photo 27 in Attachment 2). We confirmed that the soil was hydric. As we continued our walk towards the northern boundary of the property we documented two additional stream crossings (A7 and A8). Just south of the A8 crossing we took a soil core sample and confirmed presence of hydric soils (Photo 37 Attachment 2, and GPS number 14 in GPS Locations Map in Attachment 1).   |   |  |  |  |  |  |  |  |
| cleared area (Pho   | Once we reached the northern boundary of the property we took a soil core sample just west of the excavated channels and the cleared area (Photo 39 Attachment 2, GPS number 15 in GPS Locations Map in Attachment 1). The soil was confirmed to be hydric at this location. The area here had been planted with fescue.   |   |  |  |  |  |  |  |  |
| deposited as the deposited below a f  | We then proceeded to walk around the area which had been cleared of vegetation and upon which excavated material was<br>leposited as the channels/ponds were excavated (A9). The culvert that connected the excavated area with the Platte River was<br>ocated below a fenced line (see Photos 43-45 in Attachment 2). I also documented many piles of trees in the vicinity of this area<br>see Impact Map in Attachment 1).  |   |  |  |  |  |  |  |  |
|   | npleted our observations in the area, we headed south along the cleared path 10 and A11 (Photos 50 and 53 in Attachment 2). We also came across an an  |   | I  |  |  |  |  |  |  |



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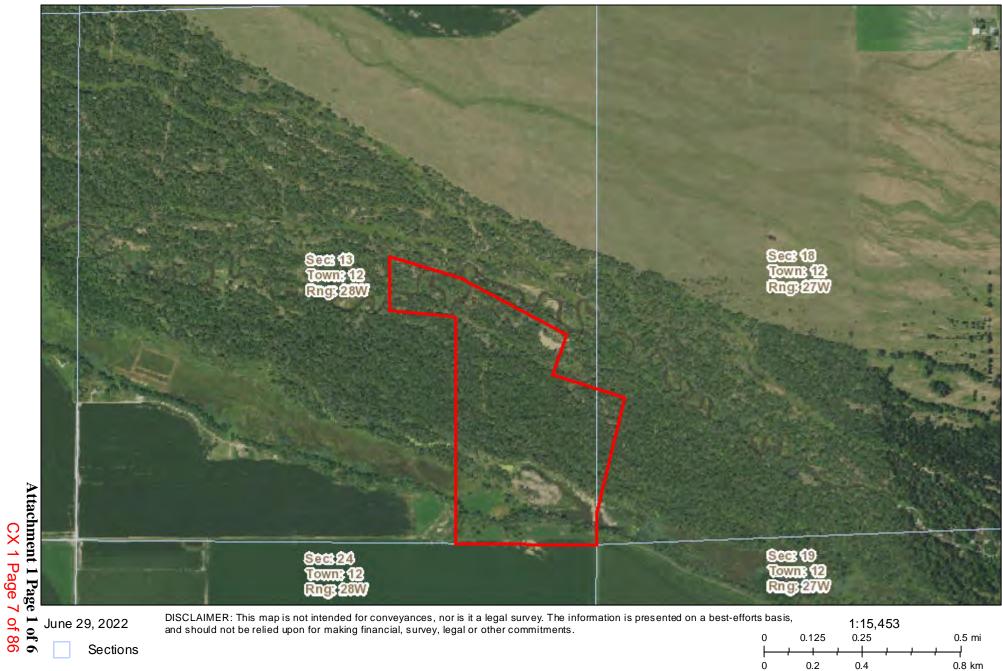
|   |   |  | N 10 2022   |  |  |  |  |  |
|---|---|--|---|--|--|--|--|--|
| Site Name   | Villegas  | Start Date   | May 18, 2022  |  |  |  |  |  |
|   |   | End Date   | May 18, 2022  |  |  |  |  |  |
| number 20 in GPS Locations Map in Attachment 1) which had been excavated and was located between the A10 and A11 stream crossings. It appeared as though it had served as a borrow area for the material that was utilized for one of those crossings |   |  |   |  |  |  |  |  |
|   | crossings. It appeared as though it had served as a borrow area for the material that was utilized for one of those crossings.  |  |   |  |  |  |  |  |
| Red-winged black<br>considerable amon<br>been cleared of v<br>created just north<br>two stream crossing<br>crossing 3 (Photo<br>excavated channed<br>crossings we notified  | We continued walking south and stopped once we reached the northern stream channel on the south side of the site. I saw and heard Red-winged blackbirds ( <i>Agelaius phoeniceus</i> ) in this area, and saw Asian carp ( <i>Cyprinus carpio</i> ) within the channel . I also saw a considerable amount of silt deposits in the excavated and expanded stream channel (Photo 56 in Attachment 2). A large area has been cleared of vegetation and graded (A13). I walked around both stream crossings (crossings 3 and 4) and the berm that was created just north of the excavated channel (all combined counted as A12). A waterfowl hunting blind was placed in between those two stream crossings (Photo 57 in Attachment 2). A considerable amount of erosion had occurred between the two culverts in crossing 3 (Photos 58 and 64 in Attachment 2). I also noticed that additional fill material had been placed on the north side of the excavated channels in this area but it was not as extensive (see Photo 63 in Attachment 2). As we walked across the two stream crossings (Photo 59 in Attachment 2) |  |   |  |  |  |  |  |
|   | Closing Conference  |  |   |  |  |  |  |  |
| Documents Rece  | ived and/or Requested During the Inspection   |  |   |  |  |  |  |  |
| N/A   |   |  |   |  |  |  |  |  |
| Compliance Assi   | stance Provided (If any)  |  |   |  |  |  |  |  |
| N/A   |   |  |   |  |  |  |  |  |
| Observations Re   | ayed to Site Owner/Operator   |  |   |  |  |  |  |  |
| N/A   |   |  |   |  |  |  |  |  |
| Actions Taken by  | owner/Operator During the Inspection (If any)   |  |   |  |  |  |  |  |
| N/A   |   |  |   |  |  |  |  |  |
| Potential Issues of   | of Concern Including Regulatory Citations   |  |   |  |  |  |  |  |
| 404 of the CWA,<br>the Secretary of t<br>Engineers, for an<br>apply for or recei  | the CWA, 33 U.S.C. 1311(a), prohibits the discharge of pollutants except i 33 U.S.C. 1344. Section 404 of the CWA, 33 U.S.C. 1344, specifically rec<br>he Army acting through the Chief of Engineers, commonly referred to as they discharge of "dredged or fill material" into the "navigable waters" of the Uve a Section 404 permit prior to the placement of fill within regulated water<br>amed tributaries to the Platte River, and the Platte River was done without   | quires a perso<br>e United Sta<br>Jnited States<br>rs. The disch | on to obtain a permit from<br>tes Army Corps of<br>5. The Villegas did not<br>narge of fill material into |  |  |  |  |  |
| Total minimum in  | Total minimum impacts are as follows (see Additional Notes Section below):  |  |   |  |  |  |  |  |
| Stream Acres: 0.<br>Total Acres: 5.78   | Wetland Acres: 5.697<br>Stream Acres: 0.091<br>Total Acres: 5.788<br>Linear Feet of Stream Impacted: 240  |  |   |  |  |  |  |  |

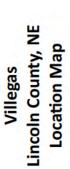


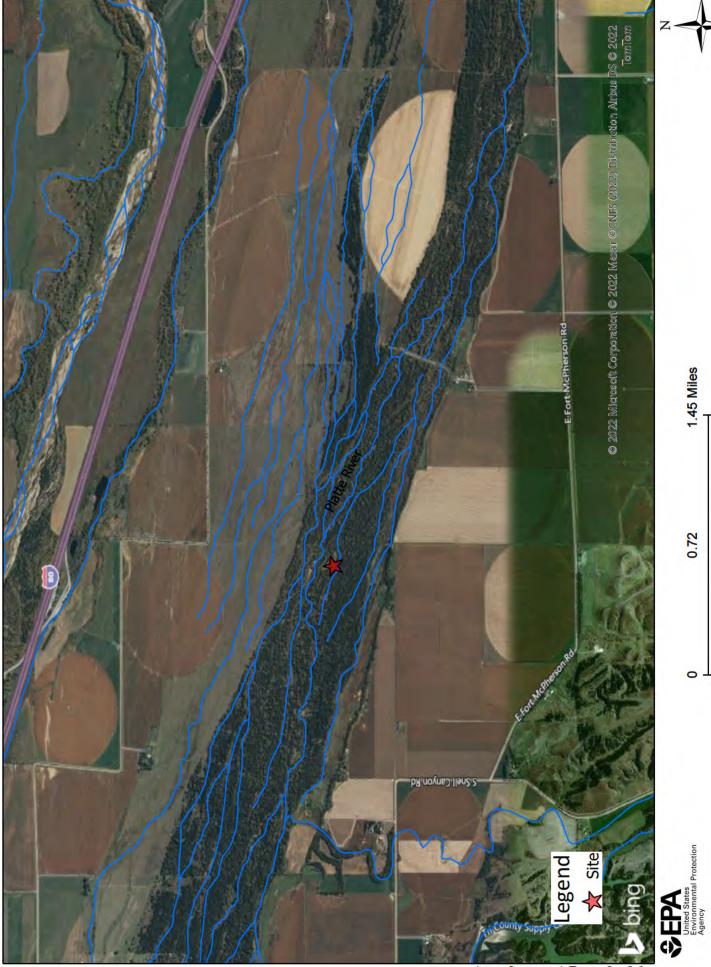
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| Cito Namo   |  | Start Date   | May 18, 2022                                      |  |  |  |  |  |
|---|--|--------------|---|--|--|--|--|--|
| Site Name   | Villegas   | End Date     | May 18, 2022                                      |  |  |  |  |  |
| See Attachment  | B for a detailed description of impacted areas.  |              |   |  |  |  |  |  |
|   |  |              |   |  |  |  |  |  |
|   |  |              |   |  |  |  |  |  |
|   |  |              |   |  |  |  |  |  |
|   | Attachments*   |              |   |  |  |  |  |  |
| 🔀 Maps and Ske  | tches  |              |   |  |  |  |  |  |
| Photographs   | (including location) and Photo Log   |              |   |  |  |  |  |  |
| 🔀 Other (SSIP, W  | /etlands Delineation Forms, etc.)  |              |   |  |  |  |  |  |
| Attachment 1: N   | laps (6 pages)   |              |   |  |  |  |  |  |
|   | lay 18, 2022 Photo Log and Photographs (73 pages)  |              |   |  |  |  |  |  |
| Attachment 3: Ir  | Attachment 3: Impact Description Table (1 page)  |              |   |  |  |  |  |  |
|   | Additional Notes   |              |   |  |  |  |  |  |
| ground measuren<br>excavated channe<br>included in the in | ns were estimated through a combination of on the ground measurements an<br>nents were conservative given that due to the terrain I stayed approximately<br>els for safety purposes. There were also multiple smaller piles of trees locat<br>npact calculations but are unauthorized fill material. There were also areas<br>and the elevation differences were not as obvious. | 1-2 feet awa | y from the stream or<br>ut the area that were not |  |  |  |  |  |



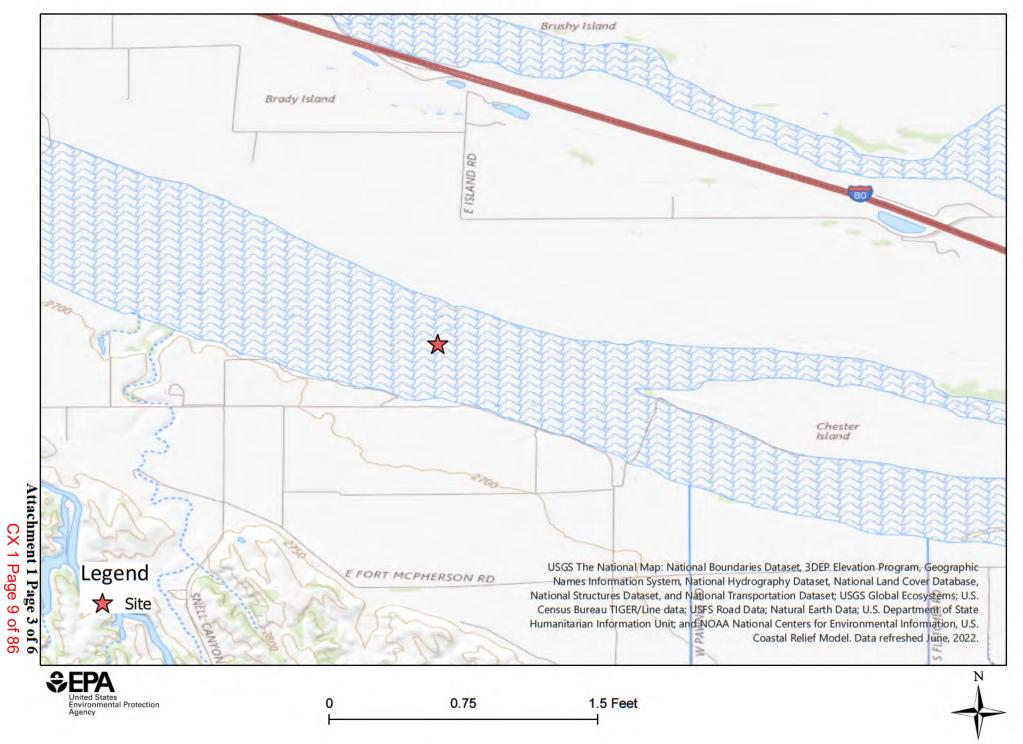




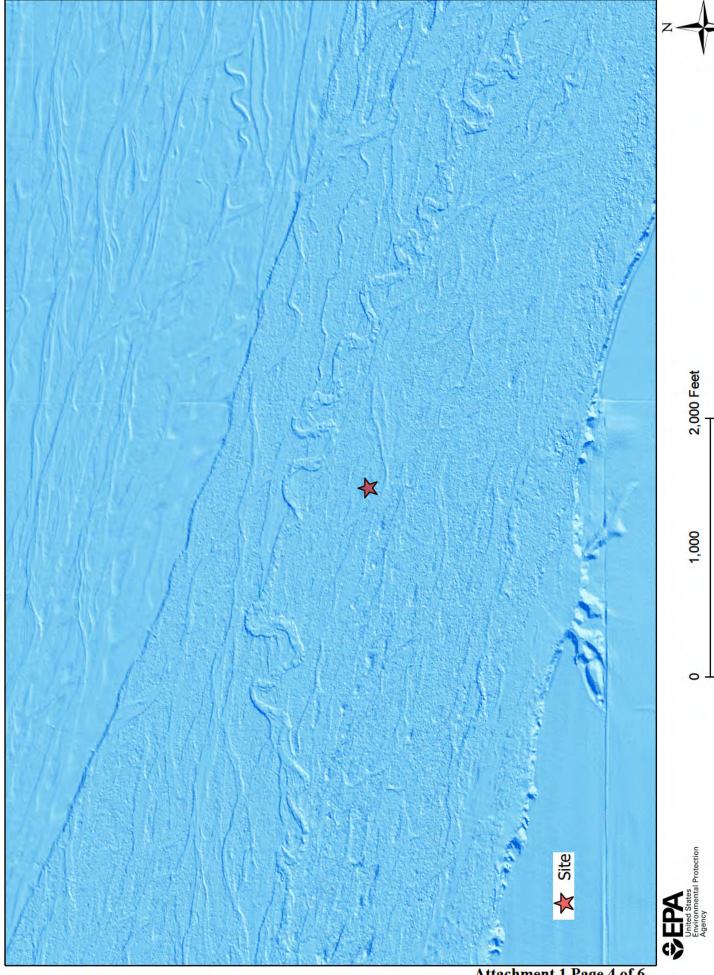


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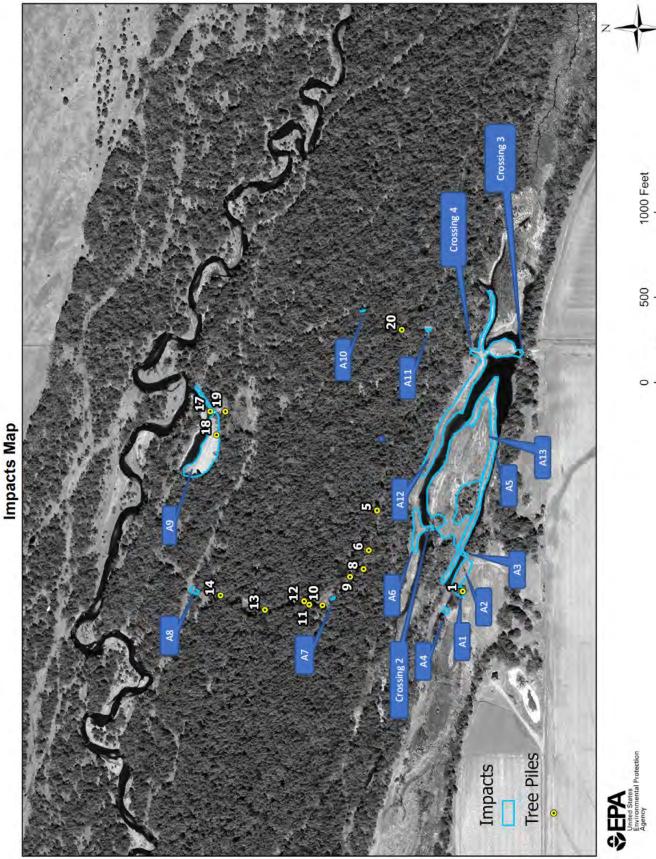






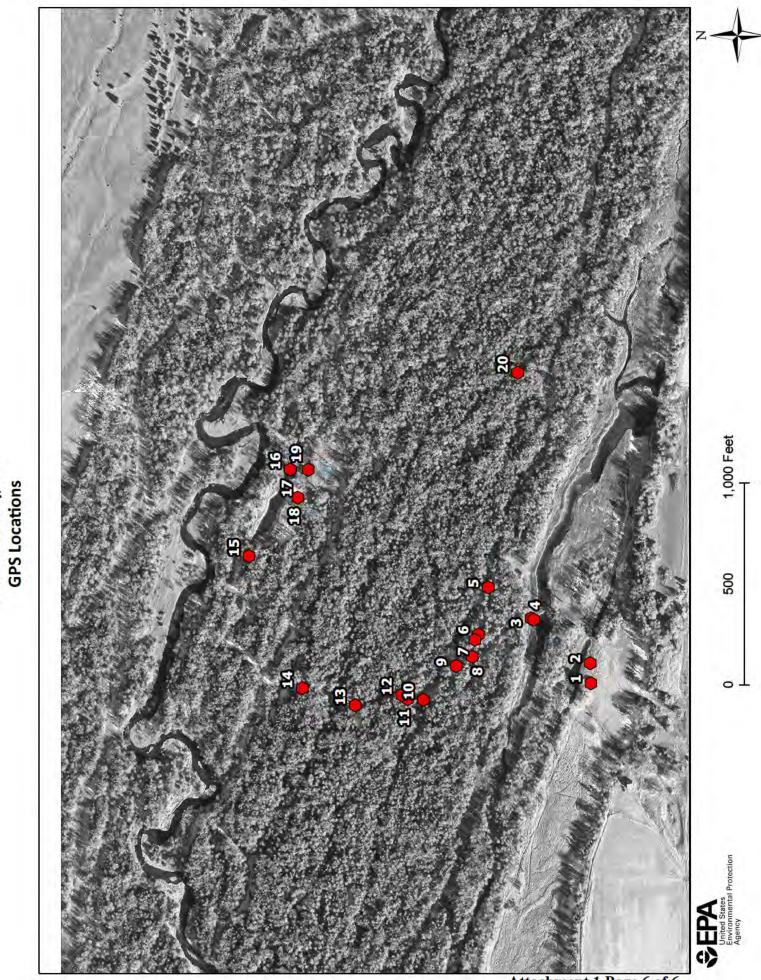


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Attachment 1 Page 5 of 6 CX 1 Page 11 of 86

Villegas Lincoln County, NE



Attachment 1 Page 6 of 6 CX 1 Page 12 of 86

Villegas Lincoln County, NE GPS Locations

#### PHOTO AND VIDEO LOG DOCUMENTATION LIST CHAIN OF CUSTODY DOCUMENT

#### VILLEGAS LINCOLN COUNTY, NE MAY 18, 2022

Facility Name / County: Villegas, Lincoln County, NE
Facility ID# N/A
Date: May 18, 2022
Approximate Time Taken (Military Time): Between 0943 – 1210 hours.
Photographer / Videographer: Photos and videos were taken by Delia Garcia, Ph.D.
Type of Camera: Nikon, Coolpix W300 #: 30010053
Digital Recording Media: Sony SD 32GB Card
All digital photos & video were copied by: Delia Garcia, Ph.D. on May 19, 2022
All digital photos & video were copied to: CD-R
Original copy is stored in: CD-R. Digital photos were downloaded to CD-R by Delia Garcia, Ph.D.

| Taken<br>by: | Date     | Approximate<br>Time (mil) | File Name    | Photo/Video<br>Number | Description  |
|--------------|----------|---------------------------|--------------|-----------------------|--|
| D.<br>Garcia | 05/18/22 | 0943                      | DSCN012.JPG  | 1                     | Soil core sample, hydric soil present.   |
| D.<br>Garcia | 05/18/22 | 0951                      | DSCN013.JPG  | 2                     | Frog within channel (bottom center third of photograph).   |
| D.<br>Garcia | 05/18/22 | 0954                      | DSCN014.JPG  | 3                     | Facing berm created from<br>sidecasted material that was<br>excavated from channel.  |
| D.<br>Garcia | 05/18/22 | 0954                      | DSCN015.JPG  | 4                     | Large pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 0955                      | DSCN0016.JPG | 5                     | Facing northeast at stream crossing (A3).  |
| D.<br>Garcia | 05/18/22 | 0957                      | DSCN0017.JPG | 6                     | Looking at channel within berm<br>in Photo 3. This area was<br>approximately 6 feet wide and<br>discharged into excavated<br>tributary just north of it.         |
| D.<br>Garcia | 05/18/22 | 1000                      | DSCN0018.JPG | 7                     | Looking at another stream<br>crossing (A4) located to the west<br>of crossing 1  |
| D.<br>Garcia | 05/18/22 | 1002                      | DSCN0019.JPG | 8                     | Looking at stream channel just<br>west of crossing in Photo 7.<br>There were some minnows<br>present within this channel but<br>photograph did not capture them. |
| D.<br>Garcia | 05/18/22 | 1003                      | DSCN0020.JPG | 9                     | Looking at excavated stream<br>channel near stream crossing A3.  |

| D.<br>Garcia | 05/18/22 | 1013 | DSCN0021.JPG | 10 | Near the edge of the berm,<br>looking at one of the cleared<br>areas.  |
|--------------|----------|------|--------------|----|--|
| D.<br>Garcia | 05/18/22 | 1014 | DSCN0022.JPG | 11 | Looking straight down at edge of<br>berm crated from sidecasted<br>excavated material.   |
| D.<br>Garcia | 05/18/22 | 1014 | DSCN0023.JPG | 12 | Looking at stream channel that<br>was excavated and expanded to<br>create more of a pond.  |
| D.<br>Garcia | 05/18/22 | 1015 | DSCN0024.JPG | 13 | Taken from same location as<br>Photo 12 but facing the other<br>direction.   |
| D.<br>Garcia | 05/18/22 | 1017 | DSCN0025.JPG | 14 | Looking at stream crossing 4.  |
| D.<br>Garcia | 05/18/22 | 1017 | DSCN0026.JPG | 15 | Looking at waterfowl blind<br>(metal/white looking object<br>towards center of photograph) in -<br>between stream crossings 3 and 4. |
| D.<br>Garcia | 05/18/22 | 1017 | DSCN0027.JPG | 16 | Looking at stream crossing 3.  |
| D.<br>Garcia | 05/18/22 | 1022 | DSCN0028.JPG | 17 | Looking down at silt and algae within excavated stream channel.  |
| D.<br>Garcia | 05/18/22 | 1022 | DSCN0029.JPG | 18 | Same as photo 18, just slightly different angle.   |
| D.<br>Garcia | 05/18/22 | 1024 | DSCN0030.JPG | 19 | Looking at culvert in stream crossing (A3).  |
| D.<br>Garcia | 05/18/22 | 1027 | DSCN0031.JPG | 20 | Soil core sample, hydric soil present.   |
| D.<br>Garcia | 05/18/22 | 1035 | DSCN0032.JPG | 21 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1039 | DSCN0033.JPG | 22 | Stream crossing 2.   |
| D.<br>Garcia | 05/18/22 | 1039 | DSCN0034.JPG | 23 | Looking at excavated stream<br>channel on which stream crossing<br>2 was built.  |
| D.<br>Garcia | 05/18/22 | 1039 | DSCN0035.JPG | 24 | Looking at excavated stream<br>channel, opposite view from that<br>shown on Photo 23.  |
| D.<br>Garcia | 05/18/22 | 1042 | DSCN0036.JPG | 25 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1043 | DSCN0037.JPG | 26 | Another pile of cleared trees.   |

| D.<br>Garcia | 05/18/22 | 1045 | DSCN0038.JPG | 27 | Soil core sample, hydric soil present.   |
|--------------|----------|------|--------------|----|--|
| D.<br>Garcia | 05/18/22 | 1047 | DSCN0039.JPG | 28 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1047 | DSCN0040.JPG | 29 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1048 | DSCN0041.JPG | 30 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1049 | DSCN0042.JPG | 31 | Stream crossing (A7)   |
| D.<br>Garcia | 05/18/22 | 1053 | DSCN0043.JPG | 32 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1053 | DSCN0044.JPG | 33 | Coyote scat.   |
| D.<br>Garcia | 05/18/22 | 1054 | DSCN0045.JPG | 34 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1056 | DSCN0046.JPG | 35 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1058 | DSCN0047.JPG | 36 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1059 | DSCN0048.JPG | 37 | Soil core sample, hydric soil present.   |
| D.<br>Garcia | 05/18/22 | 1103 | DSCN0049.JPG | 38 | Stream crossing (A8)   |
| D.<br>Garcia | 05/18/22 | 1109 | DSCN0050.JPG | 39 | Soil core sample, hydric soil present.   |
| D.<br>Garcia | 05/18/22 | 1113 | DSCN0051.JPG | 40 | Looking at berm that was created<br>from side casting of sediment that<br>was excavated to create channel,<br>and the excavated channel. |
| D.<br>Garcia | 05/18/22 | 1115 | DSCN0052.MP4 | 41 | Short video trying to capture<br>school of fish present, but video<br>was too short.   |
| D.<br>Garcia | 05/18/22 | 1117 | DSCN0053.MP4 | 42 | Video same location as previous<br>video. Showing fish swimming<br>within the channel.   |
| D.<br>Garcia | 05/18/22 | 1118 | DSCN0054.JPG | 43 | Looking at culvert that connects<br>excavated channels to the Platte<br>River.   |

| D.<br>Garcia | 05/18/22 | 1120 | DSCN0055.JPG | 44 | Culvert from Photo 43 that<br>connects excavated channel to<br>Platte River.             |
|--------------|----------|------|--------------|----|--|
| D.<br>Garcia | 05/18/22 | 1121 | DSCN0056.JPG | 45 | Same culvert as the one in Photos<br>43 and 44, this end is on the<br>excavated channel. |
| D.<br>Garcia | 05/18/22 | 1122 | DSCN0057.JPG | 46 | Looking at excavated channel that connects to the Platte River.                          |
| D.<br>Garcia | 05/18/22 | 1123 | DSCN0058.JPG | 47 | Two piles of cleared trees along<br>the banks of the excavated<br>channel.               |
| D.<br>Garcia | 05/18/22 | 1127 | DSCN0059.MP4 | 48 | Video that shows multiple tree<br>piles near the northern boundary<br>of the site.       |
| D.<br>Garcia | 05/18/22 | 1132 | DSCN0060.JPG | 49 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1140 | DSCN0061.JPG | 50 | Stream crossing (A10)  |
| D.<br>Garcia | 05/18/22 | 1142 | DSCN0062.JPG | 51 | Pile of cleared trees.   |
| D.<br>Garcia | 05/18/22 | 1143 | DSCN0063.JPG | 52 | Borrow area, potentially used as<br>fill material for stream crossing<br>A11.            |
| D.<br>Garcia | 05/18/22 | 1144 | DSCN0064.JPG | 53 | Stream crossing A11  |
| D.<br>Garcia | 05/18/22 | 1146 | DSCN0065.JPG | 54 | Stream channel over which stream crossing A11 was built.                                 |
| D.<br>Garcia | 05/18/22 | 1146 | DSCN0066.JPG | 55 | Other side of stream channel in Photo 54.  |
| D.<br>Garcia | 05/18/22 | 1153 | DSCN0067.JPG | 56 | Note all sediment/silt deposits in excavated/expanded stream channel.                    |
| D.<br>Garcia | 05/18/22 | 1157 | DSCN0068.JPG | 57 | Close view of waterfowl blind from Photo 15.   |
| D.<br>Garcia | 05/18/22 | 1158 | DSCN0069.JPG | 58 | Culverts in stream crossing 3,<br>note the amount of erosion that<br>has taken place.    |
| D.<br>Garcia | 05/18/22 | 1159 | DSCN0070.JPG | 59 | Cut in uplands, might have used<br>material to build stream crossings<br>and berms.      |
| D.<br>Garcia | 05/18/22 | 1200 | DSCN0071.JPG | 60 | Looking at excavated stream channel.   |

| D.<br>Garcia | 05/18/22 | 1201 | DSCN0072.JPG | 61 | Looking at excavated stream channel.  |
|--------------|----------|------|--------------|----|---|
| D.<br>Garcia | 05/18/22 | 1202 | DSCN0073.JPG | 62 | Looking at excavated stream channel.  |
| D.<br>Garcia | 05/18/22 | 1204 | DSCN0074.JPG | 63 | Looking at excavated stream<br>channel. Standing on top of fill<br>material but not as extensive as in<br>other locations (in terms of<br>depth). |
| D.<br>Garcia | 05/18/22 | 1210 | DSCN0075.JPG | 64 | Close view of erosion taking<br>place between the two culverts in<br>stream crossing 3. Same area as<br>Photo 58.                                 |

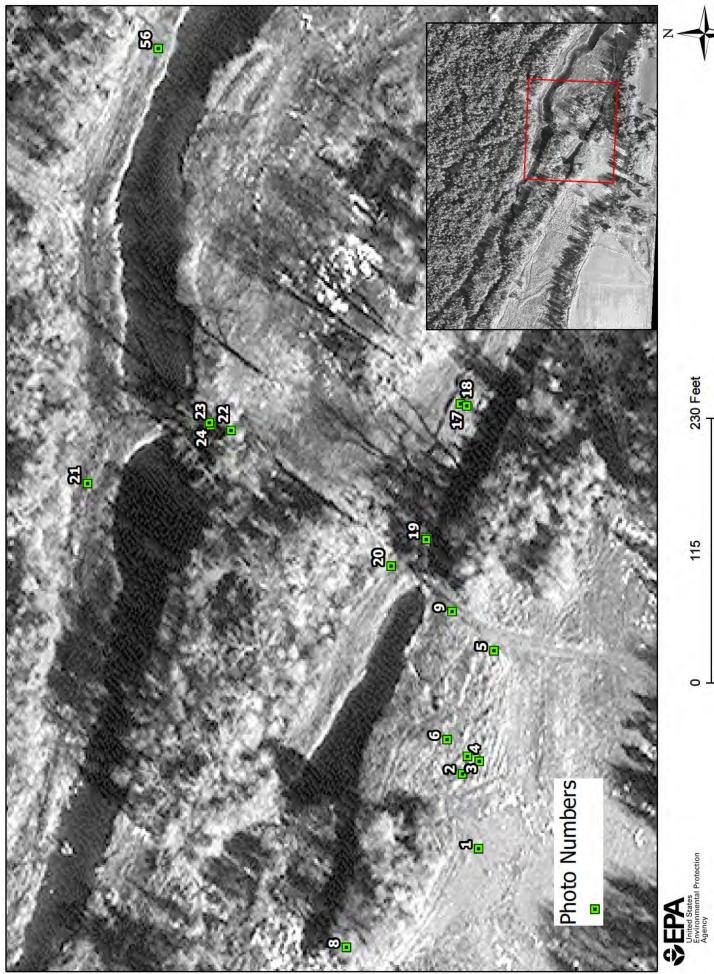
ଞ୍ଚ 0<mark>.</mark> **.** 150 Feet φ. ထ Villegas Lincoln County, NE Photo Locations a 75 ದು 0 0 Photo Numbers 0. SEPA United States Environmental Protection Agency

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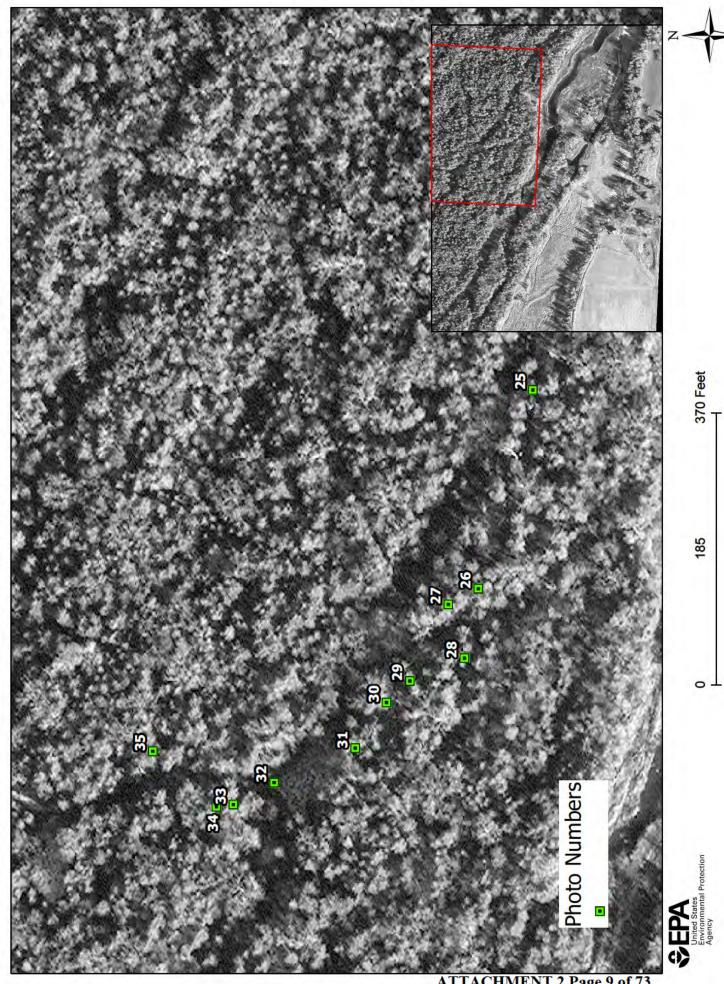


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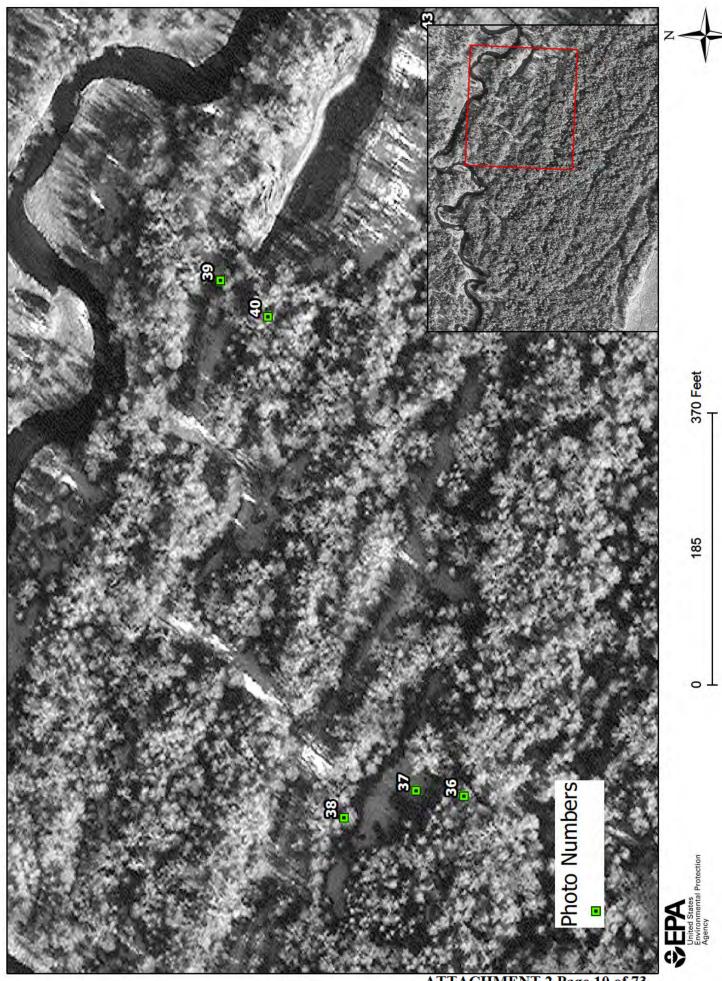




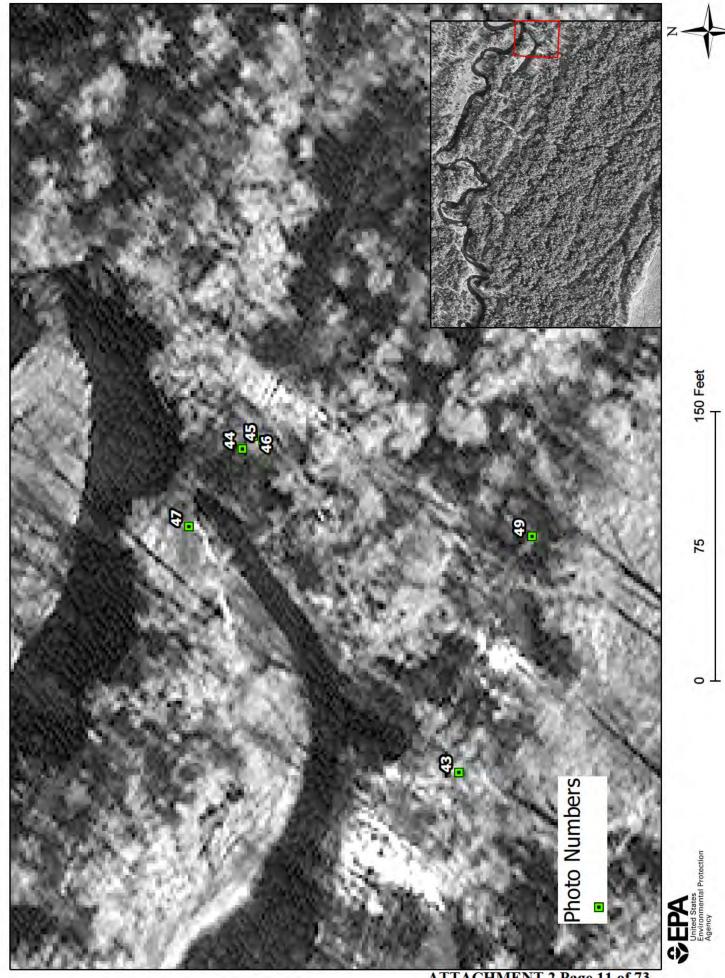
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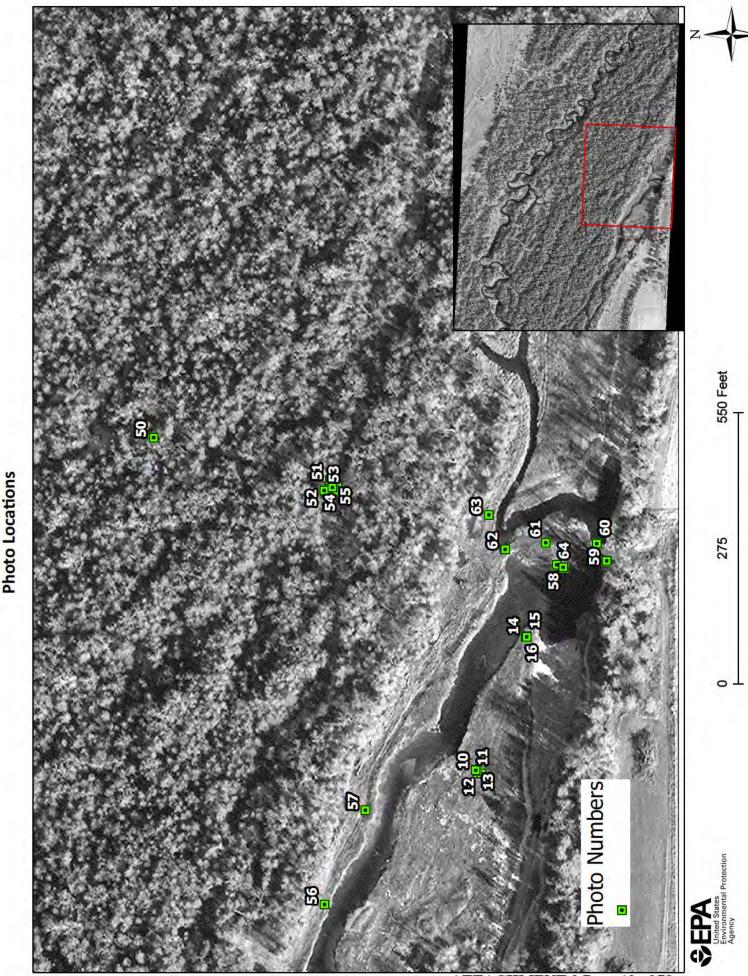
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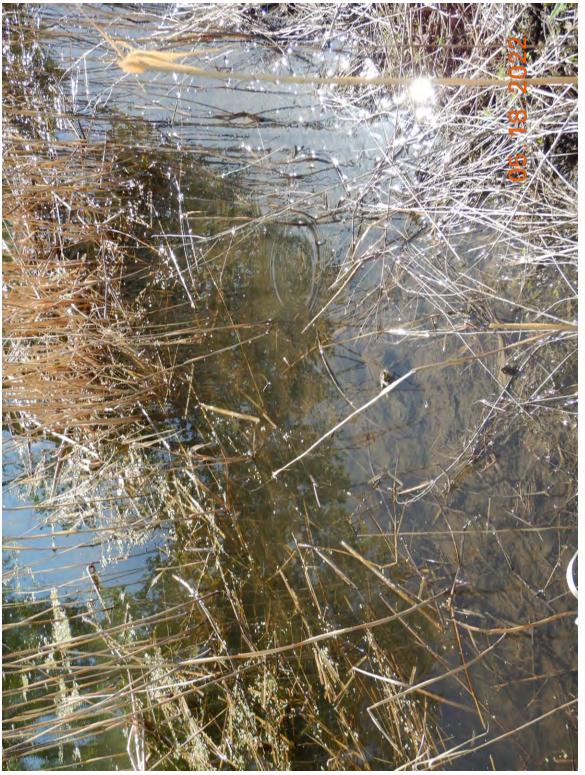
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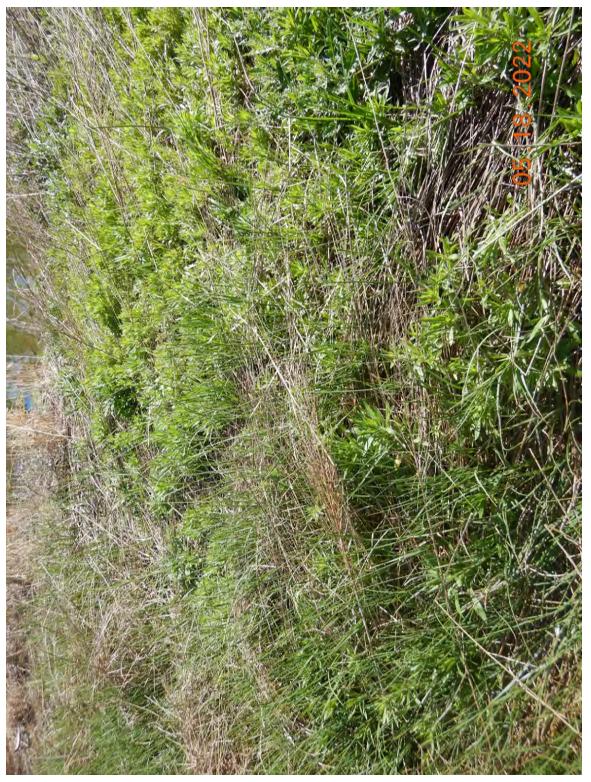
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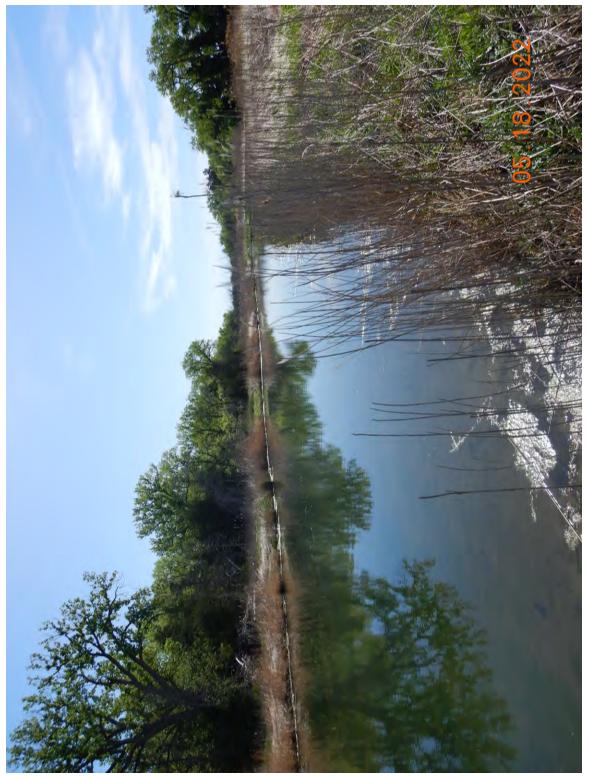
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Photo 15

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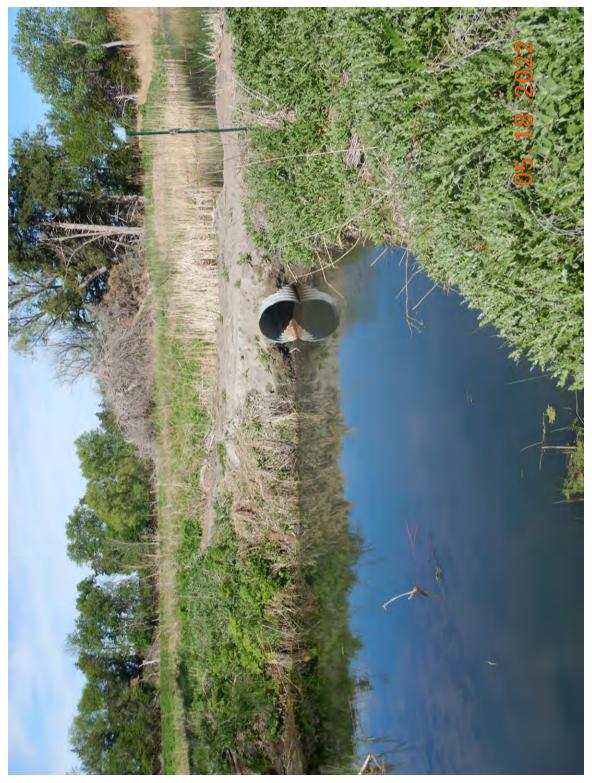
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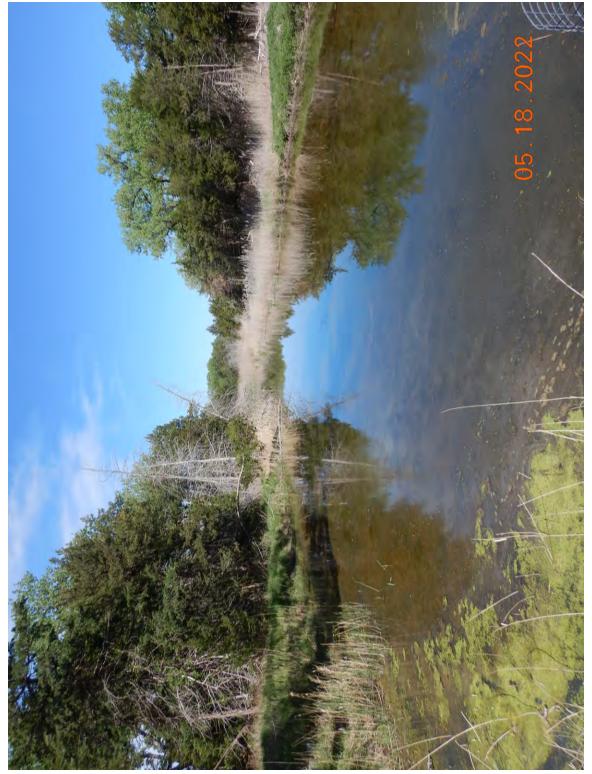
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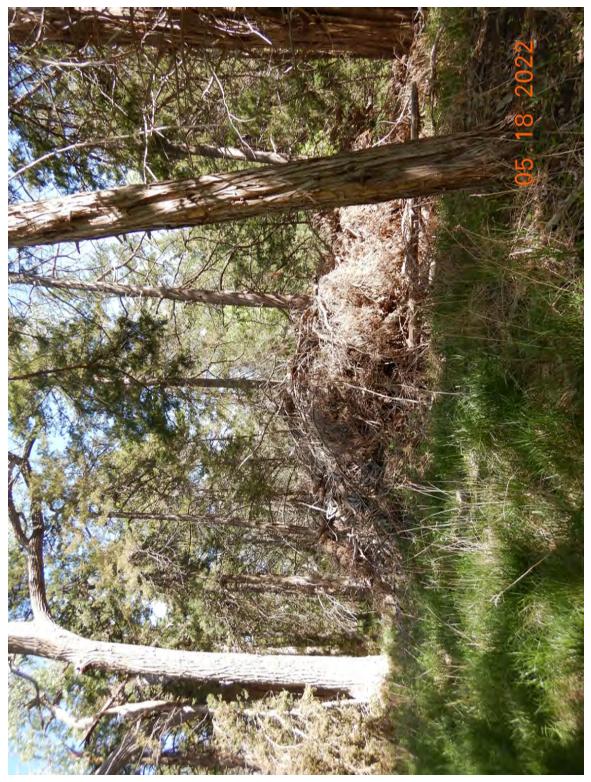
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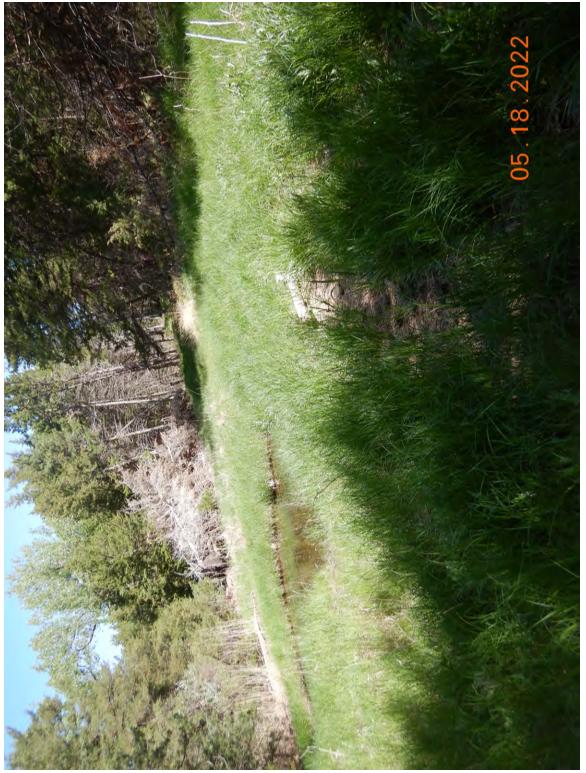
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Photo 35

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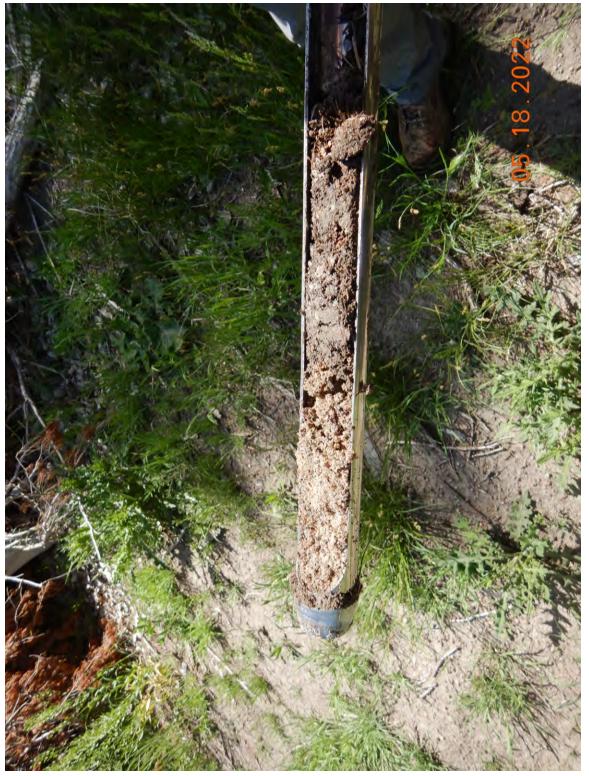


Photo 37

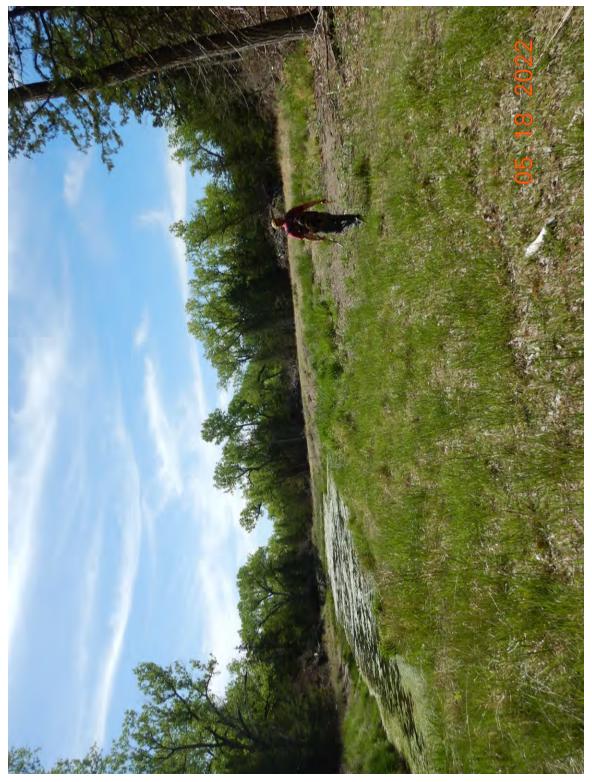
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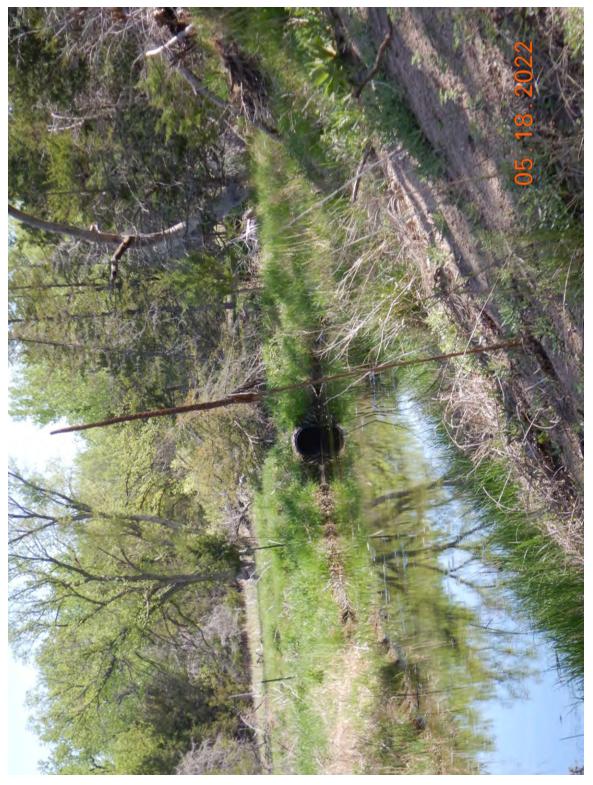
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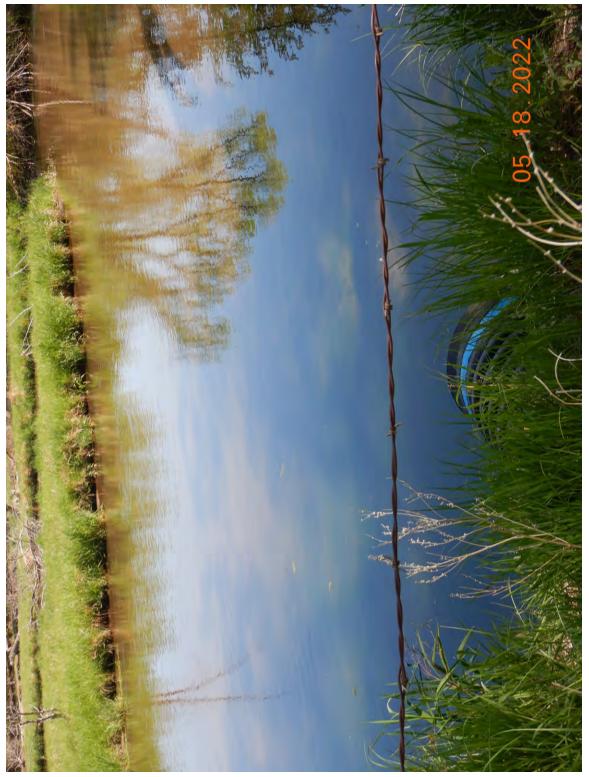
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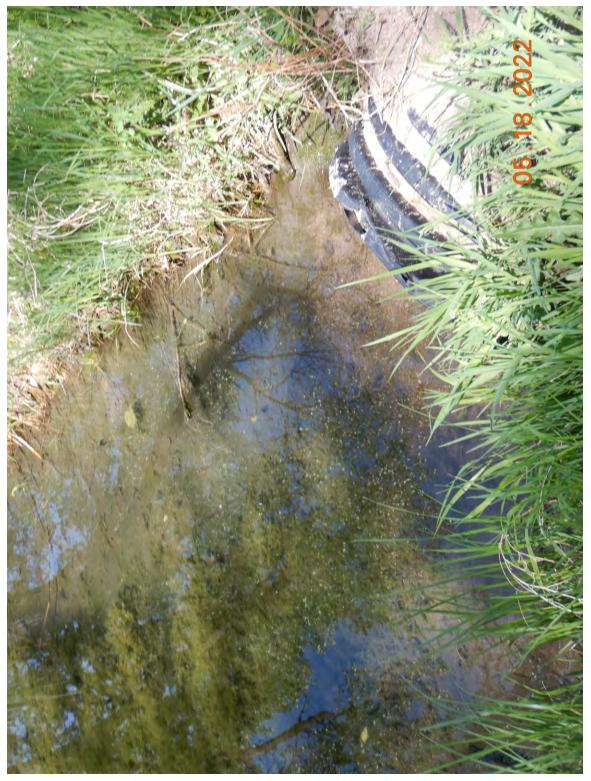
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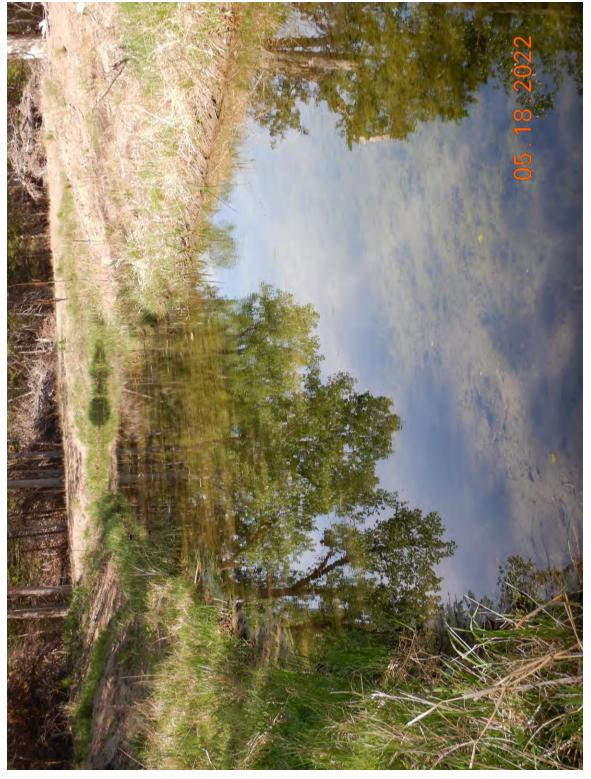
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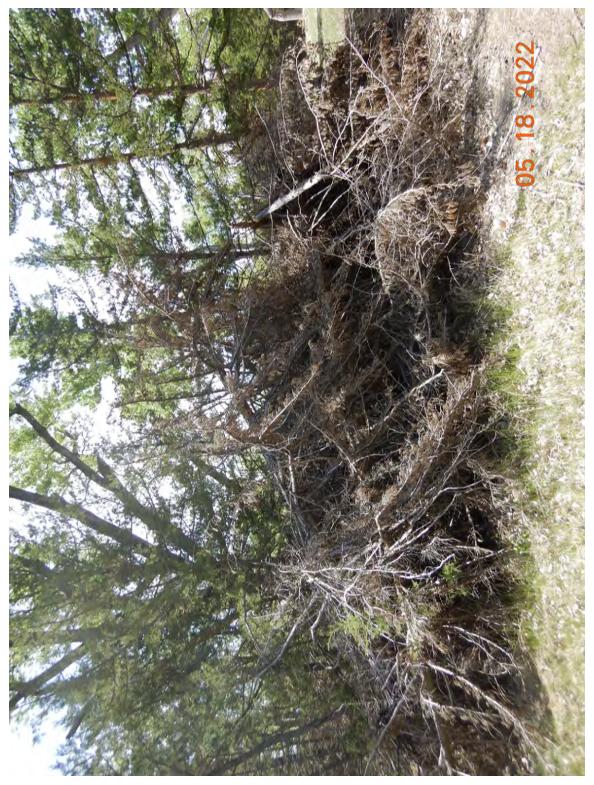
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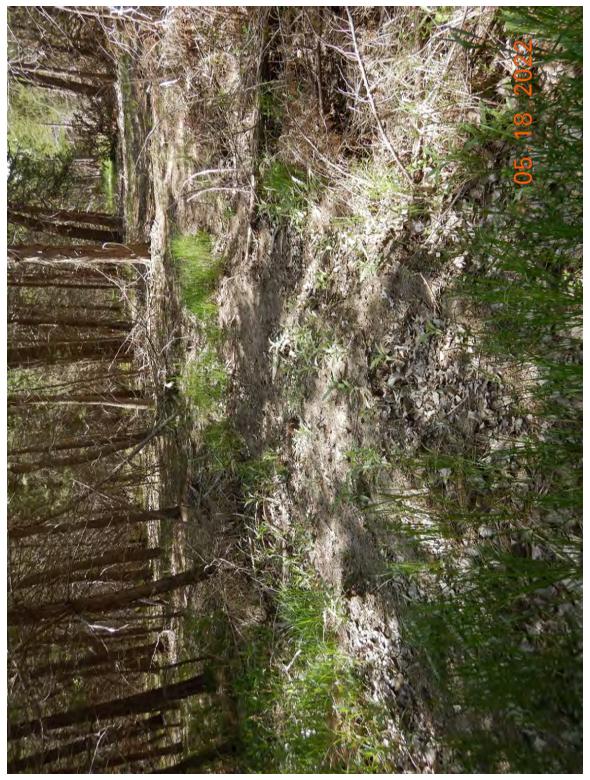
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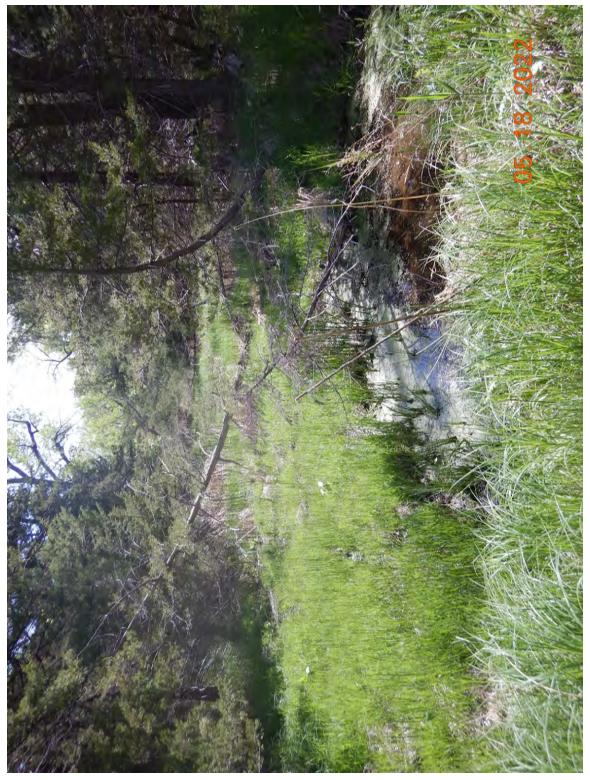
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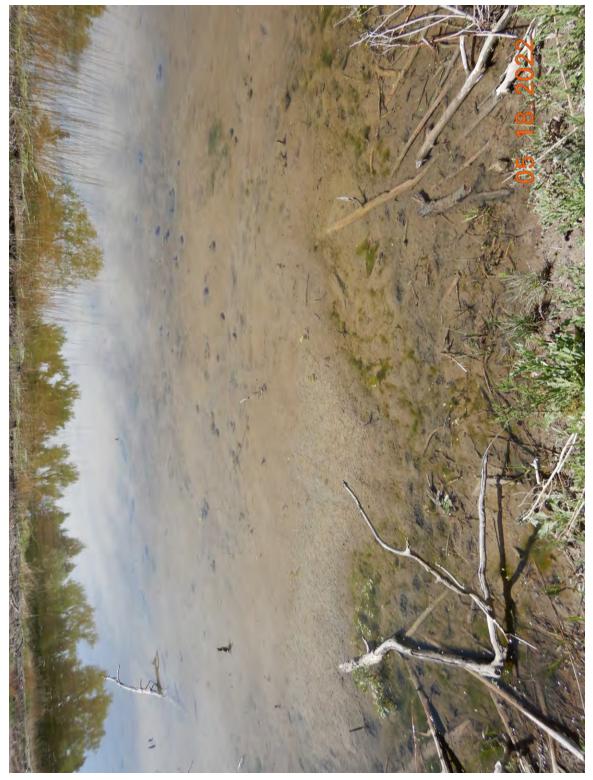
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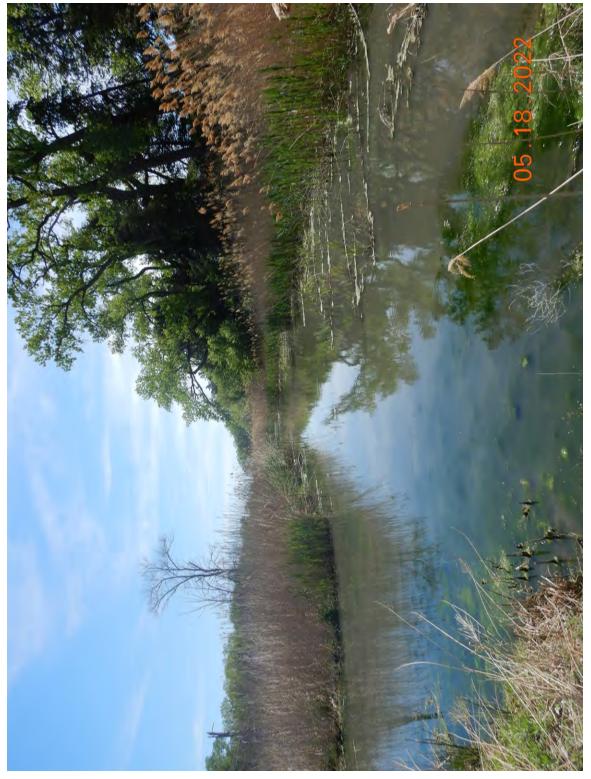
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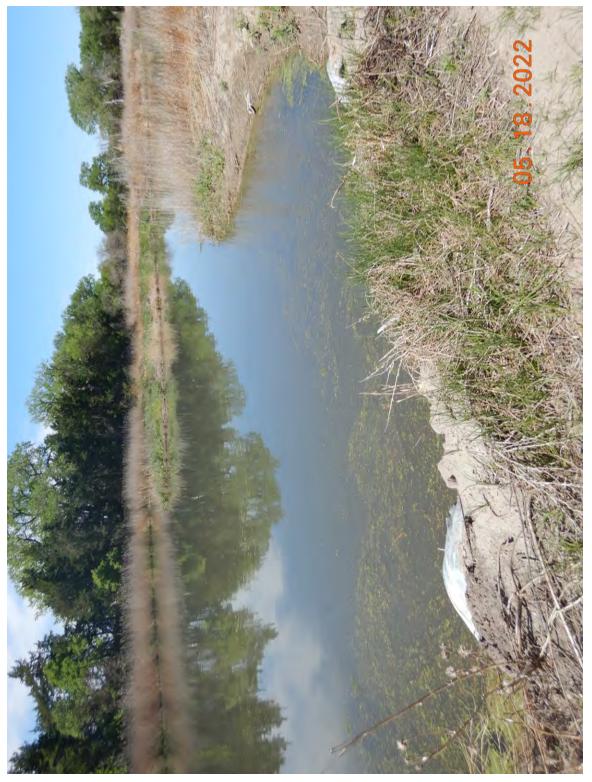
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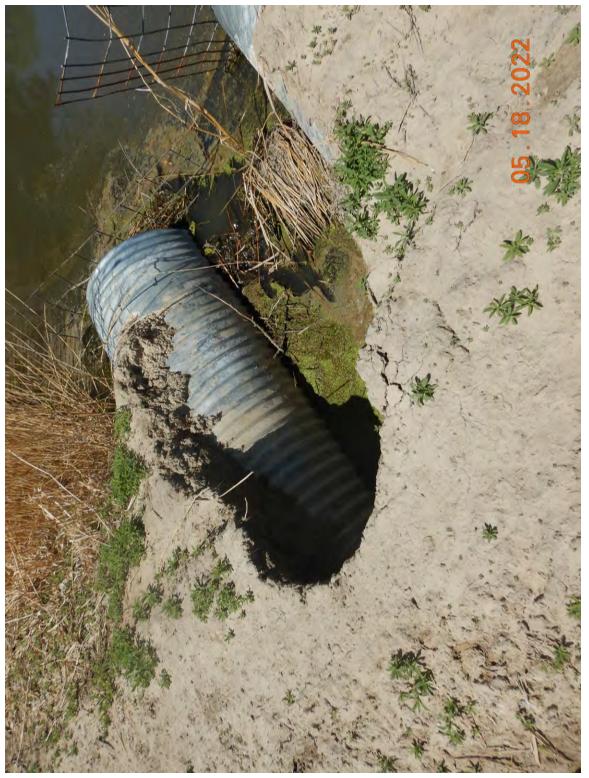
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| Area   | Impact Description   | Acres                   |
|--|--|-------------------------|
| A1   | Tree pile, note this is the same as tree pile noted<br>by number 1 | 0.044                   |
| A2   | Berm formed from sidecast excavated material                       | 0.181                   |
| A3   | Crossing   | 0.013                   |
| A4   | Crossing   | 0.018                   |
| A5   | Berm formed from sidecast excavated material                       | 0.739                   |
| A6   | Berm formed from sidecast excavated material and crossing          | 0.194                   |
| A7   | Crossing   | 0.003                   |
| A8   | Crossing   | 0.023                   |
| A9   | Piled sidecast material and clearing                               | 0.626                   |
| A10  | Crossing   | 0.002                   |
| A11  | Crossing   | 0.005                   |
| A12  | Berm formed from sidecast excavated material<br>and crossing       | 1.088                   |
| A13  | Fill material from clearing  | 2.528                   |
| 1  | Tree pile- see A1  | 1                       |
| 5  | Tree pile 30 x 20 feet   | 0.014                   |
| 6  | Tree pile 30 x 20 feet   | 0.014                   |
| 8  | Tree pile 20 x 30 feet   | 0.014                   |
| 9  | Tree pile 30 x 30 feet   | 0.021                   |
| 10   | Tree pile 30 x 20 feet   | 0.014                   |
| 11   | Tree pile 30 x 15 feet   | 0.01                    |
| 12   | Tree pile 40 x 20 feet   | 0.018                   |
| 13   | Tree pile 60 x 30 feet   | 0.041                   |
| 14   | Tree pile 60 x 20 feet   | 0.028                   |
| 17   | Tree pile 30 x 20 feet   | 0.014                   |
| 18   | 8 tree piles 30 x 20 feet each                                     | 0.112                   |
| 19   | Tree pile 30 x 20 feet   | 0.014                   |
| 20   | Tree pile 15 x 30 feet   | 0.01                    |
| Total Acres<br>Wetland Acres<br>Stream Acres |  | 5.788<br>5.697<br>0.091 |
| Linear Feet Strear                           | n  | 240                     |