

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
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): March 28, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVP-2022-00165-DDP (SAP 071-591-003)

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Minnesota County/parish/borough: Sherburne County City: City of Zimmerman

Center coordinates of site (lat/long in degree decimal format): Lat. 45.440064 °, Long. -93.59363 °

Universal Transverse Mercator: 15

Name of nearest waterbody: Tibbits Brook

Name of watershed or Hydrologic Unit Code (HUC 8): 07010203 Upper Mississippi Region

- ☒ Check if map/diagram of review area 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: March 24, 2022
- ☐ 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** "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: 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: November 23, 2021, Sherburne SWCD Wetland Delineation Report
- ☒ 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:
- ☒ U.S. Geological Survey Hydrologic Atlas: National Regulatory Viewer Accessed March 24, 2022
- ☒ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Quad Name: Lake Fremont National Regulatory Viewer Accessed March 24, 2022
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: National Regulatory Viewer Accessed March 24, 2022
- ☒ National wetlands inventory map(s). Cite name: National Regulatory Viewer Accessed March 24, 2022
- ☒ State/Local wetland inventory map(s): National Regulatory Viewer Accessed March 24, 2022
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Aerial and other provided by the applicant and Google Earth 1985, 1991, 2003, 2004, 2006, 2008, 2009, 2011, 2015, 2017, 2021 & 2022.
- 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):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: From the Minnesota Wetland Conservation Act Notice of Decision dated 03/04/2022: The LGU and TEP conducted a site visit (Nov. 2021) and concur with the delineation dated 11/23/2021 completed by Miranda Wagner of the Sherburne County Soil and Water Conservation District. No wetlands existing within the project area.

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.