

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): April 11, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVP-2022-00224-MJB

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Minnesota County/parish/borough: Dakota City: Rosemount
Center coordinates of site (lat/long in degree decimal format): Lat. 44.75653°N, Long. -93.05952°W
Universal Transverse Mercator: X: 495288.96, Y: 4955906.45
Name of nearest waterbody: Mississippi River.
Name of watershed or Hydrologic Unit Code (HUC): 07040001

- ☒ 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: April 11, 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: Wetland Determination Report for Pine Bend Solar Farm
- ☐ 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:
- ☐ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Inver Grove Heights
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Dakota County
- ☒ National wetlands inventory map(s). Cite name: Accessed 4/11/2022
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth accessed 4/11/2022
- ☐ 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: There are no aquatic resources in the review areas, Areas 1, 2, 3, 4, 5, 6, and 7. The applicant submitted information to demonstrate the review area contains no aquatic resources and no wetlands were identified on site. Information included the Natural Resource Conservation Service (NRCS) soil maps and the National Wetland Inventory (NWI) maps. United States Geological Survey (USGS) map, and historical aerial photographs were also reviewed. The NRCS did not identify hydric soils anywhere within the review area. The NRCS identified a potential wetland area. Site investigation of the area indicated no wetland or other aquatic resource exists in this area. The USGS map does not indicate the presence of any aquatic resources, such as tributaries within the review area. No wetlands, tributaries, or other aquatic resources are present within the review area. Therefore, it is the U.S. Army Corps of Engineer's determination that the review area does not contain any waters of the U.S.

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.