

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): January 28, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Summergate-Hastings-Best, MVP-2021-01894-RMH

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Minnesota County/parish/borough: Dakota County City: Marshan Township

Center coordinates of site (lat/long in degree decimal format): Lat. 44.703955 °, Long. -92.827183 °

Universal Transverse Mercator: X: 513690.598873 Y: 4950078.925555 Zone 15

Name of nearest waterbody: Vermillion River

Name of watershed or Hydrologic Unit Code (HUC): Upper Mississippi Region Watershed 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: January 28, 2022

☐ Field Determination. Date(s): [Click here to enter a date.](#)

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: No Wetland Delineation Report for Summergate-Hastings-Best Property submitted by Westwood Professional Services dated August 27, 2021

☒ 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: [Click here to enter text.](#)

☐ U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)

☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

☒ U.S. Geological Survey map(s). Cite scale & quad name: USGS 1:24K Quad Name: Hastings

☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Dakota County Soil Survey

☒ National wetlands inventory map(s). Cite name: Accessed via ORM

☐ State/Local wetland inventory map(s): [Click here to enter text.](#)

☐ FEMA/FIRM maps: [Click here to enter text.](#)

☐ 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)

☒ Photographs: ☒ Aerial (Name & Date): USDA Farm Service Agency: 1992, 2003, 2008-2010, 2013, 2015, 2017, Google Earth: 2004, 2006, 2012, 2014, 2016, 2017-2020, ESRI USA: 2020

☐ or ☒ Other (Name & Date): Site photos submitted with delineation report

☐ Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)

☐ Applicable/supporting case law: [Click here to enter text.](#)

☐ Applicable/supporting scientific literature: [Click here to enter text.](#)

☒ Other information (please specify): National Wetlands Inventory (NWI), National Hydrography Dataset (NHD), Minnesota Department of Natural Resources (MN DNR) Public Waters and Wetlands Inventory (PWI) Public Waters Inventory, National Wetlands Inventory map and USGS NHD Map, NRCS Web Soil Survey for Dakota County, Lidar Contours

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE

REVIEW AREA ONLY INCLUDES DRY LAND: The National Wetlands Inventory Map shows no wetlands within the study area. The Dakota County Soil Survey Map shows non-hydric soils throughout the entire study area. There is an unnamed flowline in northeast corner of the study area. Sample points were

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.

completed along what is mapped as a watercourse feature in the NWI, NHD and PWI datasets. Neither of the points exhibited physical OHWM characteristics, lacked hydrology and were dominated by upland vegetation. In addition, a review of aerial imagery showed no evidence of a watercourse in the area.