

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 16, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: MVP-2021-02227-MAD Magnuson Property

C. PROJECT LOCATION AND BACKGROUND INFORMATION: The review area includes an area measuring approximately 6.8 acres of the northeast portion of parcel # 10.230.0505.

State: Minnesota County/parish/borough: Nicollet County City: Oshawa Township
Center coordinates of site (lat/long in degree decimal format): Lat. 44.299277 °, Long. -94.003412 °
Universal Transverse Mercator: 419957.717529, 4905603.242729 Zone 15

Name of nearest waterbody: Minnesota River

Name of watershed or Hydrologic Unit Code (HUC): Upper Mississippi Region, HUC 8: 07020007

- ☒ 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 16, 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: Magnuson Property Wetland Delineation, October 18, 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: NHD, April 27, 2018
- ☒ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☐ U.S. Geological Survey map(s). Cite scale & quad name: [Click here to enter text.](#)
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Exhibit E: Nicollet County Soil Survey Map
- ☒ National wetlands inventory map(s). Cite name: Exhibit C: National Wetlands Inventory Map
- ☒ State/Local wetland inventory map(s): Exhibit D: Public Waters Inventory Map
- ☐ 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): Exhibit H: Historical Imagery 2006-2020
- ☐ or ☐ Other (Name & Date): [Click here to enter text.](#)
- ☐ 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): Exhibit B: 2-Foot LiDAR Contours Map

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: No watercourses or wetlands are identified in the review area by the National Wetlands

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.

inventory, National Hydrography Dataset or the Public Waters Inventory, and no wetland signatures are present on aerial imagery. Soil maps show hydric soils in the northwest corner of the property, but a delineation sample point revealed that area does not in fact have wetland soils or hydrology, and while vegetative cover did include FAC-Wet plants, the site did not pass the Dominance Test and Prevalence Index. NHD identifies a tributary 150 feet south of the project area, but a review of aerial imagery, NWI, PWI, and topographic maps did not indicate a surface or shallow subsurface water connection to the tributary.