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): December 22, 2017


C. PROJECT LOCATION AND BACKGROUND INFORMATION:

   State: Minnesota  County/parish/borough: Lyon  City: Tracy
   Center coordinates of site (lat/long in degree decimal format): Lat. 44.235616° N, Long. -95.63248° W.
   Universal Transverse Mercator:
   Name of nearest waterbody: Lone Tree Creek
   Name of watershed or Hydrologic Unit Code (HUC): 07020008
   Check if map/diagram of review area and/or potential jurisdictional areas is/are 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: December 4, 2017
   ☐ 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: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs: N/A

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY): N/A

C. SIGNIFICANT NEXUS DETERMINATION: N/A

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY): N/A

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY): N/A

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):
   ☐ Other: (explain, if not covered above):

SECTION IV: 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: Tetra Tech, Inc. Wetland Delineation and Natural Resources Aquarius Community Solar Gardens: October 5, 2017
   ☑ 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:
   ☐ Corps navigable waters’ study:
   ☐ USGS NHD data.
☐ USGS 8 and 12 digit HUC maps.
☐ USDA Natural Resources Conservation Service Soil Survey. Citation: SSURGO Lyon County Soil Survey
☐ National wetlands inventory map(s). Cite name: NWI (USFWS 2016)
☐ State/Local wetland inventory map(s): Public Waters Inventory: (MN DNR 2016)
☐ FEMA/FIRM maps:
☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
☐ Photographs: ☑ Aerial (Name & Date): Historical Information Gatherers (1984-2015)
  or ☑ Other (Name & Date): Google Earth (2004-2012)
☐ Previous determination(s). File no. and date of response letter:
☐ Applicable/supporting case law:
☐ Applicable/supporting scientific literature:
☐ Other information (please specify): MN DNR 2-foot elevation contours, Precipitation Data (MN State Climatology Office)

B. ADDITIONAL COMMENTS TO SUPPORT JD: The review area identified on the enclosed figures labeled MVP-2017-03674-MJB Pages 1-2 is an upland area and does not contain any wetlands or waters of the U.S. The area is not designated on the National Wetland Inventory.
Figure 1 - Site Location
Aquarius Community Solar Gardens
330th Avenue and South Street
Tracy, Lyon County, MN

Figure 2 - National Wetland Inventory
Aquarius Community Solar Gardens
330th Avenue and South Street
Tracy, Lyon County, MN

Source: Map adapted from Bing Map Server and U.S. Fish and Wildlife Service National Wetlands Inventory.

Legend:
- Freshwater Emergent Wetland
- Freshwater Forested/Shrub Wetland
- Freshwater Pond
- Riverine

Project Area

Distance Scale:
0 250 500 750 1,000 Feet