

**APPROVED JURISDICTIONAL DETERMINATION FORM**  
**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):** JUL 26 2017

**B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER:** Libra Community Solar Garden  
MVP-2017-01851-BBY

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Minnesota County/parish/borough: Pope City: Minnewaska Township

Center coordinates of site (lat/long in degree decimal format): Lat. 45.6712° N, Long. -95.3885° W.

Universal Transverse Mercator:

Name of nearest waterbody: Lake Minneswaska

Name of watershed or Hydrologic Unit Code (HUC): 07020005 Upper Mississippi Region

☒ 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: July 18, 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):**

☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers

☐ 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

☒ 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:

☐ U.S. Geological Survey Hydrologic Atlas:

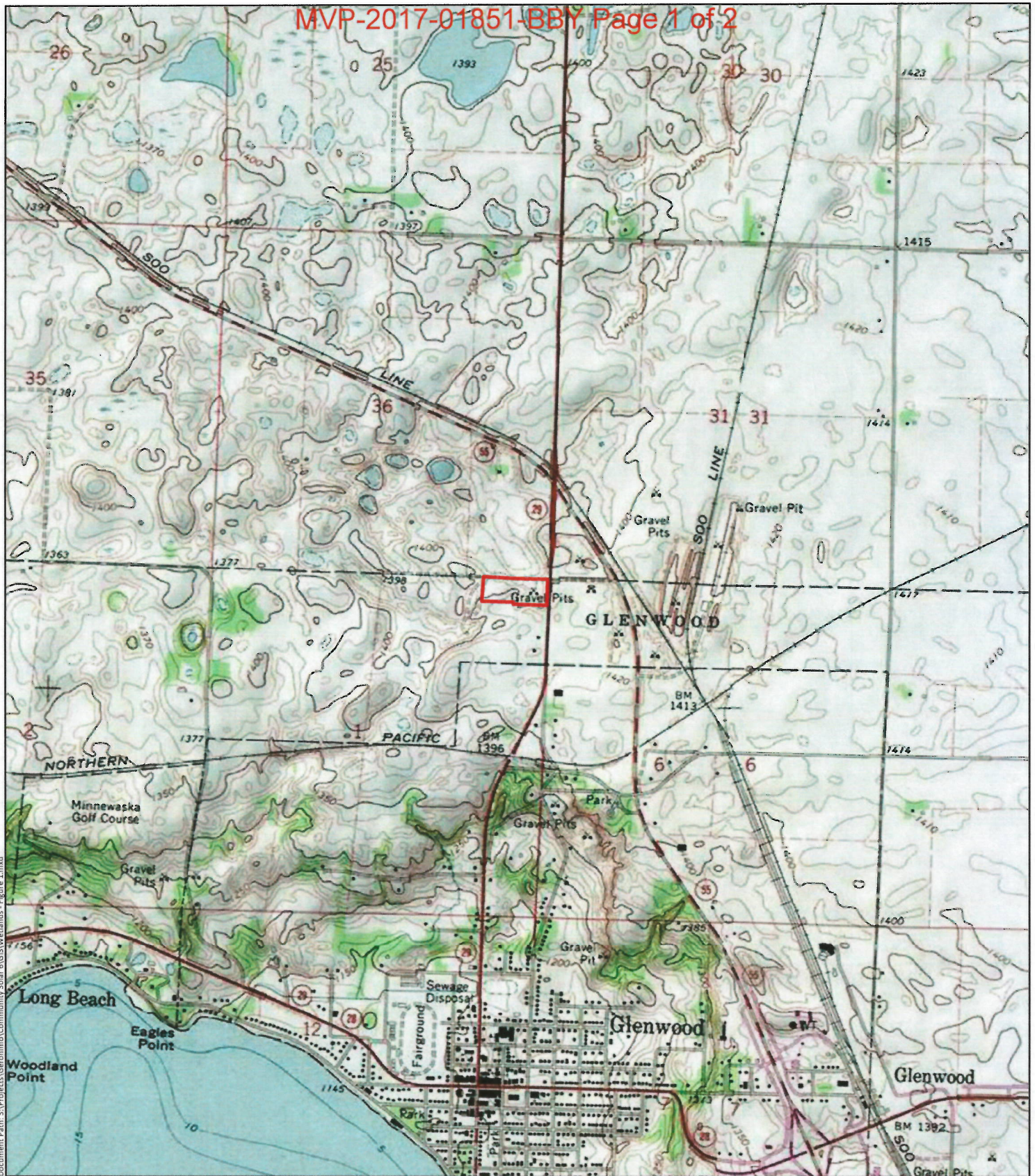
☐ USGS NHD data.

☐ USGS 8 and 12 digit HUC maps.

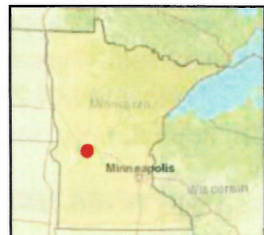
- ☐ U.S. Geological Survey map(s). Cite scale & quad name:
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Pope County Soil Survey
- ☒ National wetlands inventory map(s). Cite name: USFWS NWI
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Historic aerial photos 1981, 1984, 1987, 1989, 1991, 1994, 1997, 2000, 2003, 2004, 2006, 2008, 2009, 2010, 2013, 2015, 2016  
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): Pope County LIDAR

**B. ADDITIONAL COMMENTS TO SUPPORT JD:** The review area identified on the enclosed figure is an upland area and does not contain any wetlands or waters of the U.S. The area is not designated as a wetland on the NWI and the Soil Survey of Pope County shows that the project area is mapped as predominately non-hydric soils. Additionally, a review of 17 years of historic aerial photographs found no indicators of wetland hydrogology. Based on this information, there are no wetland or waters of the U.S. in the review area.





Source: Map adapted from ArcGIS Map Server USA Topos - 24k - (Glenwood [1968] and Villard [1976], Minnesota); NE 1/4 of Section 1, Township 125N, Range 38W.



 Project Area

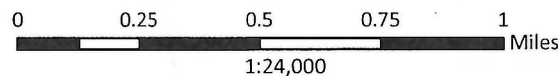


Figure 1 - Site Location  
 Libra Community Solar Garden  
 T-98 & MN 29  
 Glenwood, Pope County, MN







Source: Map adapted from Bing Map Server and Minnesota Department of Natural Resources 2-foot elevation contours.



## 2-foot Contour

- Index Contour
- Intermediate Contour

 Project Area

0 150 300  
Feet



Figure 5 - Elevation  
Libra Community Solar Garden  
T-98 and MN 29  
Glenwood, Pope County, MN

