

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): February 5, 2019

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Mobile District, The Westervelt Group/ X-Elio – Bracey Solar Site, SAM-2018-00895-JEB

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: AL County/parish/borough: Marengo City: Linden
Center coordinates of site (lat/long in degree decimal format): Lat. 32.283947N °, Long. -87.854568W °
Universal Transverse Mercator:
Name of nearest waterbody: Buckeye Creek
Name of watershed or Hydrologic Unit Code (HUC): 031602010109

- ☒ 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: February 5, 2019
☒ Field Determination. Date(s): November 20, 2018

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: Environmental Resources Management, Inc.
☒ 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: AL-Linden 1:24,000
☒ USDA Natural Resources Conservation Service Soil Survey. Citation: USDA NRCS Web Soil Survey for Marengo County, Alabama
☒ National wetlands inventory map(s). Cite name: USFWS NWI - Google Earth overlay
☐ State/Local wetland inventory map(s): [Click here to enter text.](#)
☒ FEMA/FIRM maps: Linden area flood elevation map
☐ 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
☒ Photographs: ☒ Aerial (Name & Date): Google Earth 2015
☐ 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): [Click here to enter text.](#)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The upland review areas are indicated in blue on the attached site map. The red cross-hatching represents wetland avoidance and set-back areas and does not depict accurate wetland boundaries on the site. A separate verification of wetland boundaries along with a preliminary or approved Department of the Army jurisdictional determination will be required to determine actual wetland boundaries.

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.