

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): August 3, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESAC-RD-NE, Vincent Solar JD, SAC-2017-00567

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **South Carolina** County/parish/borough: **Lee County** City: **Lynchburg**
Center coordinates of site (lat/long in degree decimal format): Lat. **34.0926 °**, Long. **-80.1072 °**
Universal Transverse Mercator:

Name of nearest waterbody: **Lynches River**

Name of watershed or Hydrologic Unit Code (HUC): **03040202-05 (Lynches River)**

- 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: **July 31, 2018**
- 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: 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: Data sheets and map provided by Pilot Environmental. Map titled “**Wetland Map** / Vincent Solar Farm / Approximate 41 Acre Tract / Lynchburg, Lee County, SC / Pilot Project 2584.2” and dated May 1, 2018.
- 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:
- U.S. Geological Survey Hydrologic Atlas: **HUC: 03040202-05 (Lynches River)**
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: **Lynchburg Quad and USGS Topography depicts an upland non-forested land type over the majority of the project site with a small area (~0.80 ac.) of forested land along the central portion of the southern project boundary. The elevation decreases sharply off the northwestern edge of the property in-vicinity -- where the adjacent property abuts Lynches River, however the project site is well-within the upland portion of the sloping elevation.**
- USDA Natural Resources Conservation Service Soil Survey. Citation: **Lee County Soil depicts a complex of soil types including: Barnwell loamy coarse sand (2-6% slopes), Norfolk loamy sand (0-2% slopes), Noboco loamy sand (2-6% slopes), Noboco-and Goldsboro Complex (0-2% slopes). All soil types are non-hydric due to their location; Goldsboro sandy loam is hydric within Lee county if found within stream terraces, additionally, Noboco-Goldsboro complex and Norfolk loamy sand are hydric in Lee county only within Carolina Bays. Furthermore, the historic use of this site as an agricultural field with drainage ditching along the periphery of the North, South, and Western property lines likely would preclude hydric soil formation even with conducive hydrology and climate.**
- National wetlands inventory map(s). Cite name: **National Wetland Inventory map depicts upland cropland/pasture (U21) over entire project site.**
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: Click here to enter text. (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): **Google Earth 2017; SCDNR 2006; 1999 Aerial Index 11225:27**

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.

- or Other (Name & Date): **Site photos provided by Pilot Environmental.**
- Previous determination(s). File no. and date of response letter: **A portion of this project site was provided an AJD on July 7, 2017, under SAC-2017-00567.**
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): **ArcGIS LiDAR derived Digital Elevation Model (DEM) utilizing a "Hill-shade" mosaic depicts a flat upland area over project site with minor surface relief in a linear pattern along the North, South, and Western property boundaries, likely indicating roadside ditches for storm-water conveyance.**

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

A portion of this project site was provided an AJD on July 7, 2017, under SAC-2017-00567.

Aerials, including Google Earth imagery dated September 7, 2017, depict project site in entirety as an upland agricultural field with densely wooded forestland abutting the Northwest-Western project boundary, an adjacent agricultural field abutting the northern project line, and roads abutting the southwest and southeastern boundaries.

The applicant's environmental consultant, Pilot Environmental, captured a data point on the Northwestern project boundary (34.0949, -80.1058), closest to the wooded area with NWI depicted wetlands and USGS labeled aquatic resources, and this data point was reported to have hydroptic vegetation, but neither hydric soil nor wetland hydrology.

Lynchburg Quad and USGS Topography depicts an upland non-forested land type over the majority of the project site with a small area (~0.80 ac.) of forested land along the central portion of the southern project boundary. The elevation decreases sharply off the northwestern edge of the property in-vicinity -- where the adjacent property abuts Lynches River, however the project site is well-within the upland portion of the sloping elevation.

Lee County Soil depicts a complex of soil types including: Barnwell loamy coarse sand (2-6% slopes), Norfolk loamy sand (0-2% slopes), Noboco loamy sand (2-6% slopes), Noboco-and Goldsboro Complex (0-2% slopes). All soil types are non-hydric due to their location; Goldsboro sandy loam is hydric within Lee county if found within stream terraces, additionally, Noboco-Goldsboro complex and Norfolk loamy sand are hydric in Lee county only within Carolina Bays. Furthermore, the historic use of this site as an agricultural field with drainage ditching along the periphery of the North, South, and Western property lines likely would preclude hydric soil formation even with conducive hydrology and climate.

National Wetland Inventory map depicts upland cropland/pasture (U21) over entire project site.

ArcGIS LiDAR derived Digital Elevation Model (DEM) utilizing a "Hill-shade" mosaic depicts a flat upland area over project site with minor surface relief in a linear pattern along the North, South, and Western property boundaries, likely indicating upland excavated roadside and agricultural field drainage ditches for storm-water conveyance.

This site was assessed using a single-basis form.