

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 23, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SAC-2003-31539 Shoals Energy Center, LLC

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: South Carolina County: Greenville County City: Piedmont
Center coordinates of site (lat/long in degree decimal format): Lat. 34.7081°, Long. -82.3355°
Universal Transverse Mercator: 17
Name of nearest waterbody: Huff Creek
Name of watershed or Hydrologic Unit Code (HUC): 03050109

- ☒ 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: 22-February-2023
- ☐ 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: ECS Southeast, LLP
- ☒ 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:
- ☐ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 Simpsonville Quad, map provided by agent titled “USGS Topographic Map” dated 9/14/2022
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Map provided by agent titled “USDA-NRCS, Published Soils Map” dated 9/14/2022
- ☒ National wetlands inventory map(s). Cite name: Map provided by agent titled “USFWS National Wetlands Inventory Map” dated 9/14/2022
- ☐ State/Local wetland inventory map(s):
- ☒ FEMA/FIRM maps: Map provided by agent titled “FEMA Flood Hazard Zone Map” dated 9/14/2022
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Map provided by agent titled “Waters of the U.S. Delineation Map” dated 9/14/2022
- ☐ ☒ Other (Name & Date): Photos provided by agent in submittal
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☒ Other information (please specify): Map provided by agent titled “NOAA LIDAR Elevation Model” dated 9/14/2022

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The site consists entirely of uplands. There are no features that exhibit the three parameters of a wetland or the features of a tributary.

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.