

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**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): June 4, 2018**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: NAE-2018-00617, Wallingford Renewable Energy LLC**

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

State: Connecticut County/parish/borough: New Haven City: Wallingford  
Center coordinates of site (lat/long in degree decimal format): Lat. 41.4372743736354 °, Long. -72.8419448923635 °  
Universal Transverse Mercator: 18  
Name of nearest waterbody: Tributary to the Quinnipiac River  
Name of watershed or Hydrologic Unit Code (HUC): 01100004

- 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: June 1, 2018  
 Field Determination. Date(s): [Click here to enter a date.](#)

**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):**

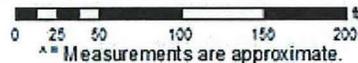
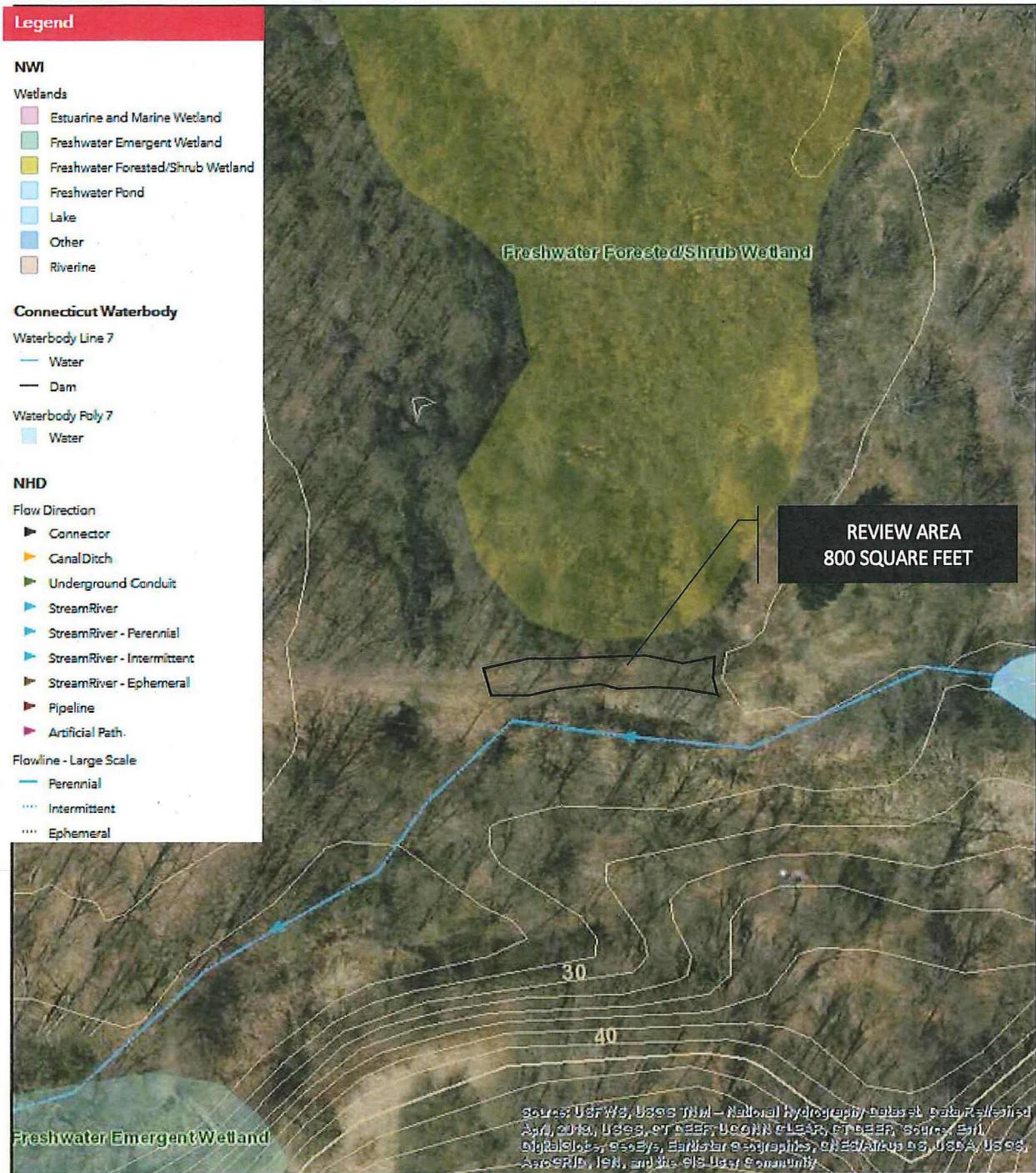
- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: **ATTACHED - RMA Ecological Services, LLC April 3, 2018 Memorandum; 3/29/18 wetland delineation data sheets; REMA Ecological Services Figure 1 dated April 2, 2018 depicting review area and transect location.**
- Data 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: **Updated Vegetation Data Worksheet of June 1, 2018 to include omitted plants with NWPL indicator status**
- U.S. Geological Survey Hydrologic Atlas: USGS NHD dataset updated April 2018  
 USGS NHD data.  
 USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24k Wallingford
- USDA Natural Resources Conservation Service Soil Survey. Citation: Web Soil Survey Soils Map 1 inch:5,310 ft ± 1% (created June 1, 2018)
- National wetlands inventory map(s). Cite name: [Click here to enter text.](#)
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: [Click here to enter text.](#)
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Google Earth Pro Image from April 20, 2016 accessed March 21, 2018;  
 or  Other (Name & Date): Photos submitted by applicant from March 29, 2018
- 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.](#)

<sup>1</sup> 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.

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** Farm Road on the subject parcel owned by the Materials Innovation and Materials Authority (MIRA) appears in 1934 aerial photographs - Wetland B5 is located within the south-central portion of the MIRA Property, and is roughly 5.4 acres in size (see Figures 2, and 2G, Photos 27B to 36B). - An east-west trending roadway was cleared through the wetland over a period of many decades, and runs along the southern property boundary of the MIRA Property. The farm road was constructed through the placement of many layers of predominantly sandy fill, alluvial in origin. The roadway may also have been used during the presence of a residential trailer park in the 1970's.

Documentation indicates that Wetland B5 once flowed south to the wetland beyond the parcel boundary. A minimal-functioning collapsed culvert is present at a right angle perpendicular to the roadway. Under existing conditions the flow from B5 during seasonally-high groundwater condition and/or high intensity rainfall events may overtop the roadway, but evidence from soil morphology indicates that the duration of such events is not of sufficient length to develop indicators hydric soil.

# MIRA Wallingford Renewable NAE-2018-00617



**DATA SOURCE:**  
 Streams – CT DEEP, UCONN –USGS NHD April 2018  
 Wetlands – USFWS National Wetland Inventory  
 Topography – State of Connecticut 2 foot contours  
 MAP PREPARED BY: Cori M. Rose, USACE June 1, 2018

Figure C-3

# JURISDICTIONAL DETERMINATION PARCEL BOUNDARY – CORPS FILE NO. NAE-2018-00617

