

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): April 15, 2020

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Solar Park Energy, LLC (2020-00450)

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: New York County/parish/borough: Monroe City: Sweden
Center coordinates of site (lat/long in degree decimal format): Lat. 43.1841 °, Long. -77.9875 °
Universal Transverse Mercator: UTM zone 18
Name of nearest waterbody: unnamed tributary of East Branch of Sandy Creek
Name of watershed or Hydrologic Unit Code (HUC): 04130003

- 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: April 15, 2020
- 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: plan view diagram prepared by Ingalls & Associates, LLP and dated 24 September 2020.
- 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: 1:24K Brockport Quadrangle Map
- USDA Natural Resources Conservation Service Soil Survey. Citation: Soil survey for Monroe County, NY
- National wetlands inventory map(s). Cite name: 1:24K Brockport Quadrangle Map
- 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): [Click here to enter text.](#)
- or Other (Name & Date): Photographs provided by Ingalls & Associates on August 30, 2019.
- 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 review area, which contains dry land, includes **only** the ~30 acre portion of the 130+/- acre project site, on which the solar panels will be installed. A wetland area is located near the southwest corner of the project site. A JD has **not** been conducted for this wetland area.

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.



WETLANDS TABLE (WITHIN REVIEW AREA)

WETLAND "A" AREA: 0.79± AC.

MCGS NOTES:

THIS PROJECT IS LESS THAN 1200' FROM THE NEAREST MONROE COUNTY MONUMENTATION AND IS TIED INTO MONROE COUNTY MONUMENTS. THE HORIZONTAL DATUM IS REFERENCED TO THE NEW YORK STATE PLANE COORDINATE SYSTEM, WEST ZONE 3101 (NAD 83). PERIMETER SURVEY AND MONUMENT TIES WERE PERFORMED TO ACHIEVE AN ACCURACY OF NO LESS THAN 1 IN 10,000.

MONUMENT	NORTHING	EASTING	ELEV.
MON 767	116320.744	1307301.096	681.91
MON ARMER AZ	1161810.892	1307308.774	678.50
MON 766	1159831.041	1307268.159	673.13

SEA LEVEL AND GRID FACTOR: 0.999938
DISTANCES AS SHOWN ARE GROUND DISTANCES.

LEGEND	
●	IRON ROD FOUND
□	MCGS MONUMENT (AS NOTED)
—	POWER/UTILITY POLE
⊥	WETLAND FLAG
—	PROPERTY LINE
—	EXISTING CONTOUR
—	OVERHEAD UTILITY LINE
—	EDGE OF TREELINE/HEDGEROW
▨	WETLAND AREA

DEED REFERENCES:

1) SUBJECT PARCEL CONVEYED BY LAURIE TWOMBLY, AS EXECUTRIX OF THE LAST WILL AND TESTAMENT OF DONALD SHETLER TO BRENDA DEBONA & JANET RABJOHN BY DEED DATED SEPTEMBER 11, 2012 AND RECORDED IN THE MONROE COUNTY CLERK'S OFFICE ON OCTOBER 5, 2012 IN LIBER 11175 OF DEEDS AT PAGE 250.

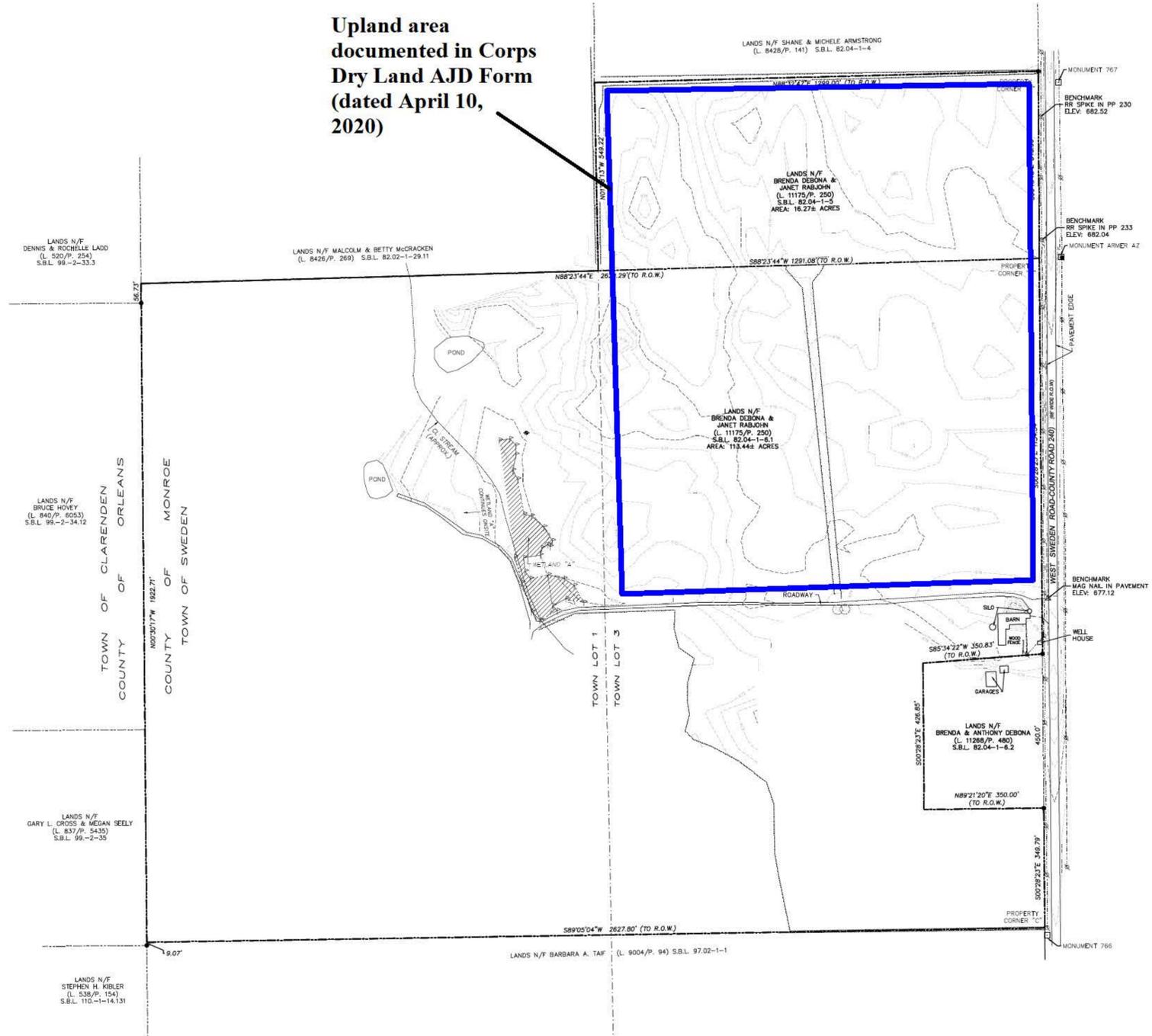
MAP REFERENCES:

1) MAP ENTITLED "DEBONA SUBDIVISION" AS PREPARED BY SCHULTZ ASSOCIATES ON FEBRUARY 6, 2013 AND LAST REVISED MARCH 1, 2013 AND FILED IN MONROE COUNTY CLERK'S OFFICE IN LIBER 345 OF MAPS AT PAGE 36.

NOTES:

- 1) SURVEYED PARCEL: TOWN OF SWEDEN - TAX MAP 82.04, BLOCK 1, PARCEL 6.1.
- 2) BOUNDARY AND TOPOGRAPHIC SURVEY PREPARED BY INGALLS & ASSOCIATES, LLP FROM A SEPTEMBER 2019 FIELD SURVEY. WETLAND AREA SURVEY PREPARED BY INGALLS & ASSOCIATES, LLP FROM A SEPTEMBER 2019 FIELD DELINEATION.
- 3) NORTH IS REFERENCED TO NAD 83 NEW YORK STATE PLANES, WEST ZONE. ELEVATION DATUM BASED UPON NAVD 88.
- 4) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTION; RECORDED OR UNRECORDED.
- 5) SUBJECT TO ANY STATEMENT OF FACT AN UP-TO-DATE ABSTRACT OF TITLE WOULD DISCLOSE.
- 6) SUBJECT TO THE RIGHTS OF THE PUBLIC TO THAT PORTION OF LANDS LYING WITHIN THE RIGHT OF WAY FOR WEST SWEDEN ROAD-COUNTY ROAD 240. WEST SWEDEN ROAD-COUNTY ROAD 240 HAVING A RIGHT OF WAY WIDTH OF 66 FEET PER MONROE COUNTY RECORDS.
- 7) UNDERGROUND UTILITIES IF SHOWN HEREON ARE BASED ON VISIBLE PHYSICAL EVIDENCE. THEY SHOULD BE CONSIDERED SCHEMATIC ONLY AND ARE SHOWN TO DEPICT GENERAL UTILITY LOCATIONS AND CONNECTIONS RATHER THAN EXACT UNDERGROUND LOCATIONS. INGALLS & ASSOCIATES, LLP MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE UNDERGROUND UTILITY LOCATIONS AND OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.
- 8) SURVEY IS PREPARED IN ACCORDANCE WITH THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS CODE OF PRACTICE FOR LAND SURVEYS AS ADOPTED IN OCTOBER OF 1966 AND LAST REVISED ON JULY 18, 1997.
- 9) NO WETLAND SURVEY SHALL BE DEEMED FINAL WITHOUT A JURISDICTIONAL DETERMINATION FROM THE UNITED STATES ARMY CORPS OF ENGINEERS (USACE) AND/OR THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION (NYSDEC).

Upland area documented in Corps Dry Land AJD Form (dated April 10, 2020)



Solar Park Energy 12 LLC
D/A Processing No. 2020-00450
Monroe County, NY
Quad: Brockport
Sheet 1 of 1



NOTE: 48 HOURS PRIOR TO ANY CONSTRUCTION ACTIVITIES, THE CONTRACTOR SHALL CONTACT DIG SAFELY NEW YORK TO LOCATE ALL UNDERGROUND UTILITIES. 1-800-962-7962

NO.	DATE	REVISIONS	BY

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DAVID F. INGALLS, JR., P.E.
N.Y.S. LIC. NO. 064993

EXISTING CONDITIONS
SOLARPARK ENERGY 12 LLC
423 WEST SWEDEN ROAD

TOWN OF SWEDEN
COUNTY OF MONROE STATE OF NEW YORK

DATE: SEPTEMBER 24, 2019 CHECKED BY: D.F.I.
JOB NO. 19-039

DRAWN BY: NDC
CADD FILE: 19-039 DF.dwg

SCALE: 1" = 150'

SHEET 2 OF 6

FOR INFORMATION ONLY
NOT FOR CONSTRUCTION