



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, SAVANNAH DISTRICT
100 W. OGLETHORPE AVENUE
SAVANNAH, GEORGIA 31401-3604

November 9, 2023

Regulatory Division
SAS-2023-00104



Dear [REDACTED]:

I refer to a letter received January 12, 2023, submitted on your behalf by [REDACTED], requesting an Approved Jurisdictional Determination (AJD) for an approximately 4,700-acre site located north of State Route (SR) 253 and east of SR 310, near the City of Bainbridge, in Decatur County (Latitude 30.8948, Longitude -84.7062). I also refer to our AJD letter dated January 11, 2018, for SAS-2017-00397 and another AJD letter dated September 24, 2020, for an additional area under SAS-2020-00586. This project has been assigned number SAS-2023-00104 and it is important that you refer to this number in all communication concerning this matter.

We have completed an AJD for this site. Any wetlands on-site were delineated in accordance with criteria contained in the 1987 "Corps of Engineers Wetland Delineation Manual," as amended by the most recent regional supplements to the manual. I have enclosed an "AJD Memorandum for Record," which details whether aquatic resources present on the site are subject to the jurisdiction of the U.S. Army Corps of Engineers and how the Corps determined jurisdiction.

The features labeled "Wetlands A, B, C, D, E, G, H, I, J, K, M, N, O, P, Q, S, T, and U" as depicted on the enclosed exhibit entitled, "Tristate Solar Project, Figure 5 – Data Point and Field Delineated Wetlands Map," dated November 3, 2022, are not waters of the United States and are therefore not within the jurisdiction of Section 404 of the Clean Water Act (33 United States Code § 1344). The placement of dredged or fill material into non-jurisdictional waters would not require prior Department of the Army authorization pursuant to Section 404.

This approved JD will remain valid for a period of 5-years unless new information warrants revision prior to that date. You may request an administrative appeal for any approved JD under the Corps regulations at 33 Code of Federal Regulations (CFR) Part 331. Enclosed you will find a Notification of Administrative Appeal Options and Process and Request for Appeal form.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation and/or jurisdictional determination may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

If you intend to sell property that is part of a project that requires Department of the Army Authorization, it may be subject to the Interstate Land Sales Full Disclosure Act. The Property Report required by Housing and Urban Development Regulation must state whether, or not a permit for the development has been applied for, issued or denied by the U.S. Army Corps of Engineers (Part 320.3(h) of Title 33 of the CFR).

This communication does not convey any property rights, either in real estate or material, or any exclusive privileges. It does not authorize any injury to property, invasion of rights, or any infringement of federal, state or local laws, or regulations. It does not obviate your requirement to obtain state or local assent required by law for the development of this property. If the information you have submitted, and on which the U.S. Army Corps of Engineers has based its determination is later found to be in error, this decision may be revoked.

A copy of this letter is being provided via email to the following party:

[REDACTED]

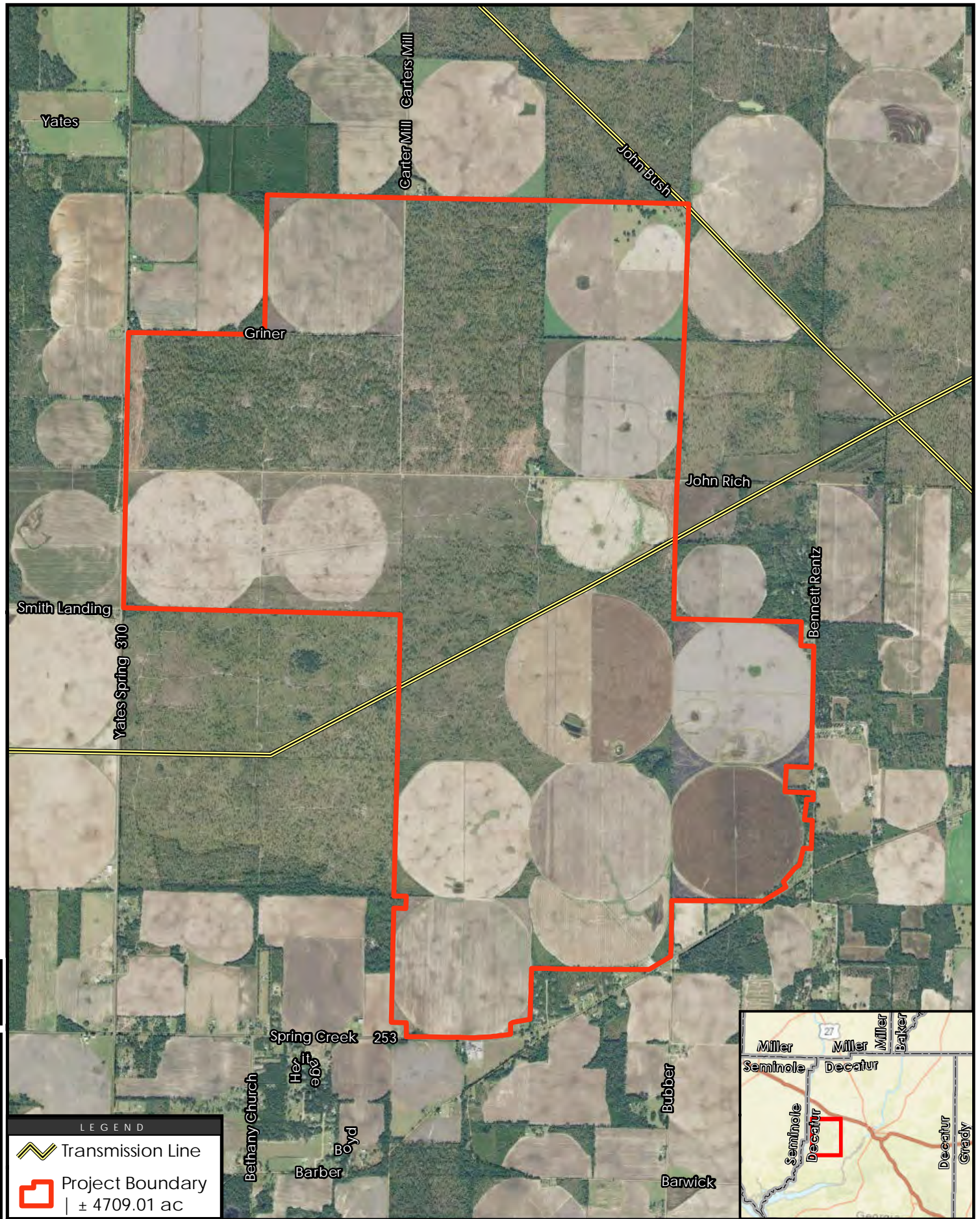
If you have any questions, please contact

[REDACTED]



Sincerely,

[REDACTED]

Enclosures



LEGEND


-  Transmission Line
-  Project Boundary | ± 4709.01 ac

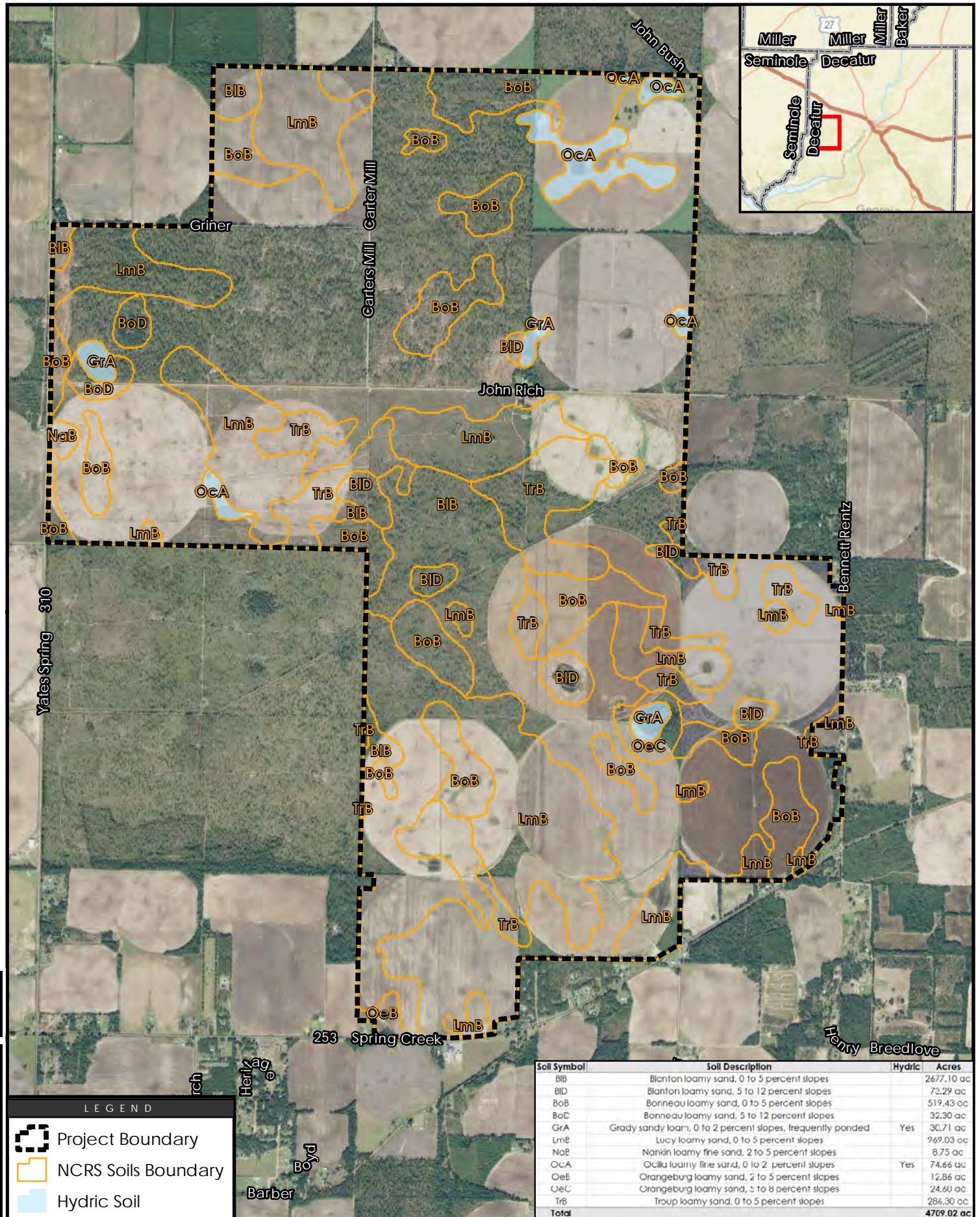
Disclaimer: [redacted] assumes no responsibility for data supplied in electronic format. The recipient accepts full responsibility for verifying the accuracy and completeness of the data. The recipient releases [redacted] its officers, employees, consultants and agents from any and all claims arising in any way from the content or provision of the data.

Notes:
 1. Coordinate System: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
 2. Source data: [redacted]
 3. Imagery: USGS NAIP

Tristate Solar Project
 Figure 1 Project Boundary Location Map
 November 2022

0 1,500 3,000 Feet





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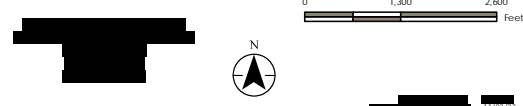
- Project Boundary
- NRCS Soils Boundary
- Hydric Soil

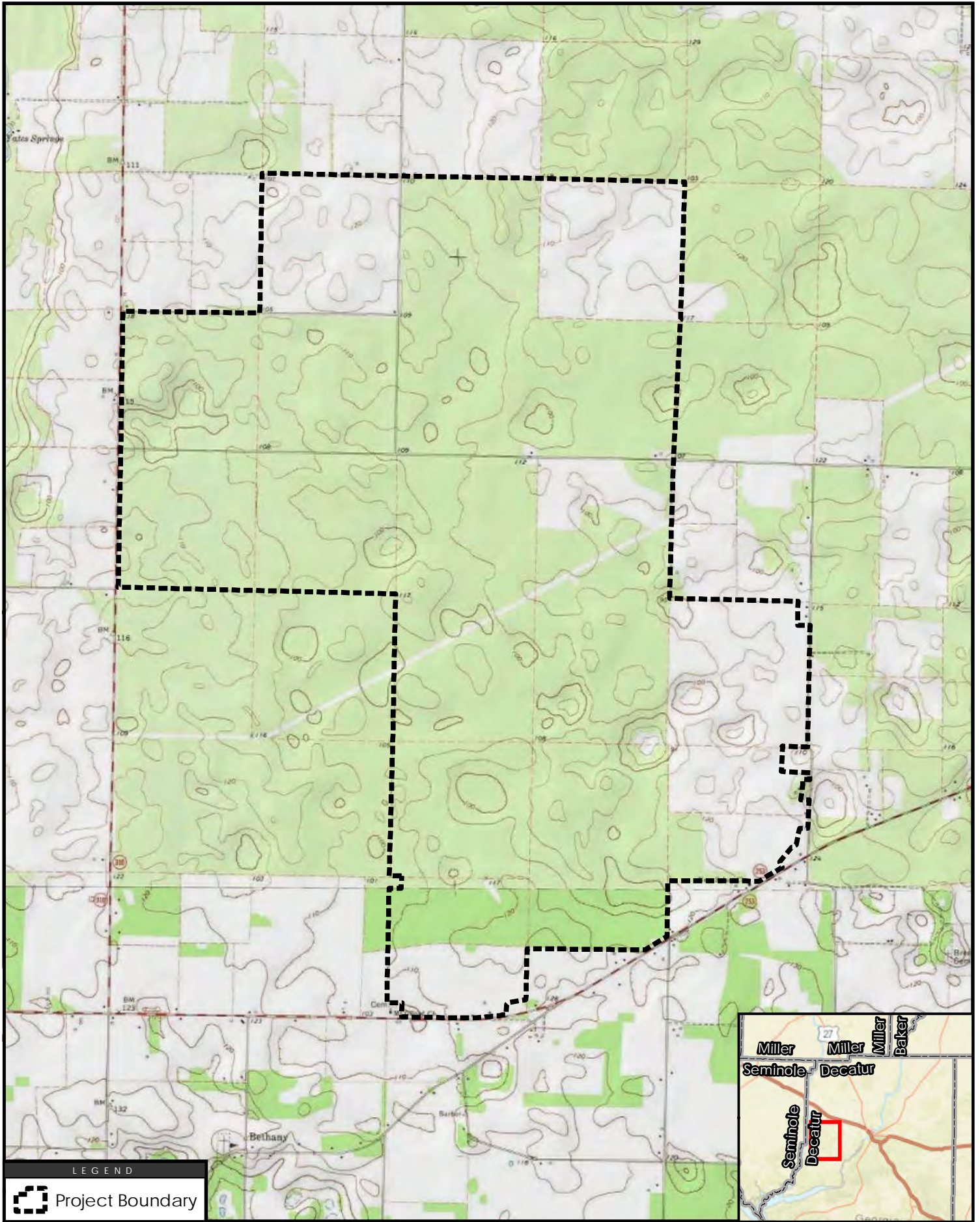
Soil Symbol	Soil Description	Hydric	Acres
BIB	Bicnton loamy sand, 0 to 5 percent slopes		2677.10 ac
BID	Blanton loamy sand, 5 to 12 percent slopes		73.29 ac
BoB	Bonneau loamy sand, 0 to 5 percent slopes		519.43 ac
BoC	Bonneau loamy sand, 5 to 12 percent slopes		32.30 ac
GrA	Grady sandy loam, 0 to 2 percent slopes, frequently ponded	Yes	30.71 ac
LmB	Lucy loamy sand, 0 to 5 percent slopes		969.03 ac
NaB	Nanlin loamy fine sand, 2 to 5 percent slopes		8.75 ac
OcA	Ocilla loamy fine sand, 0 to 2 percent slopes	Yes	74.66 ac
OeB	Orangeburg loamy sand, 2 to 5 percent slopes		12.86 ac
OeC	Orangeburg loamy sand, 5 to 8 percent slopes		24.60 ac
TrB	Troup loamy sand, 0 to 5 percent slopes		286.30 ac
Total			4709.02 ac

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Notes:
 1. Coordinate System: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
 2. Source data: NRCS Soils
 3. Imagery: USDA NADP

Tristate Solar Project
 Figure 2 - NRCS Soils Map
 November 2022





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 Project Boundary

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Tristate Solar Project
 Figure 3 - USGS Topographic Quadrangle Map
 November 2022

1. Coordinate System: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
 2. Source data: USGS
 3. Imagery: USGS Topographic





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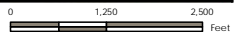
-  Project Boundary
-  NWI Wetlands | ± 84.65 ac

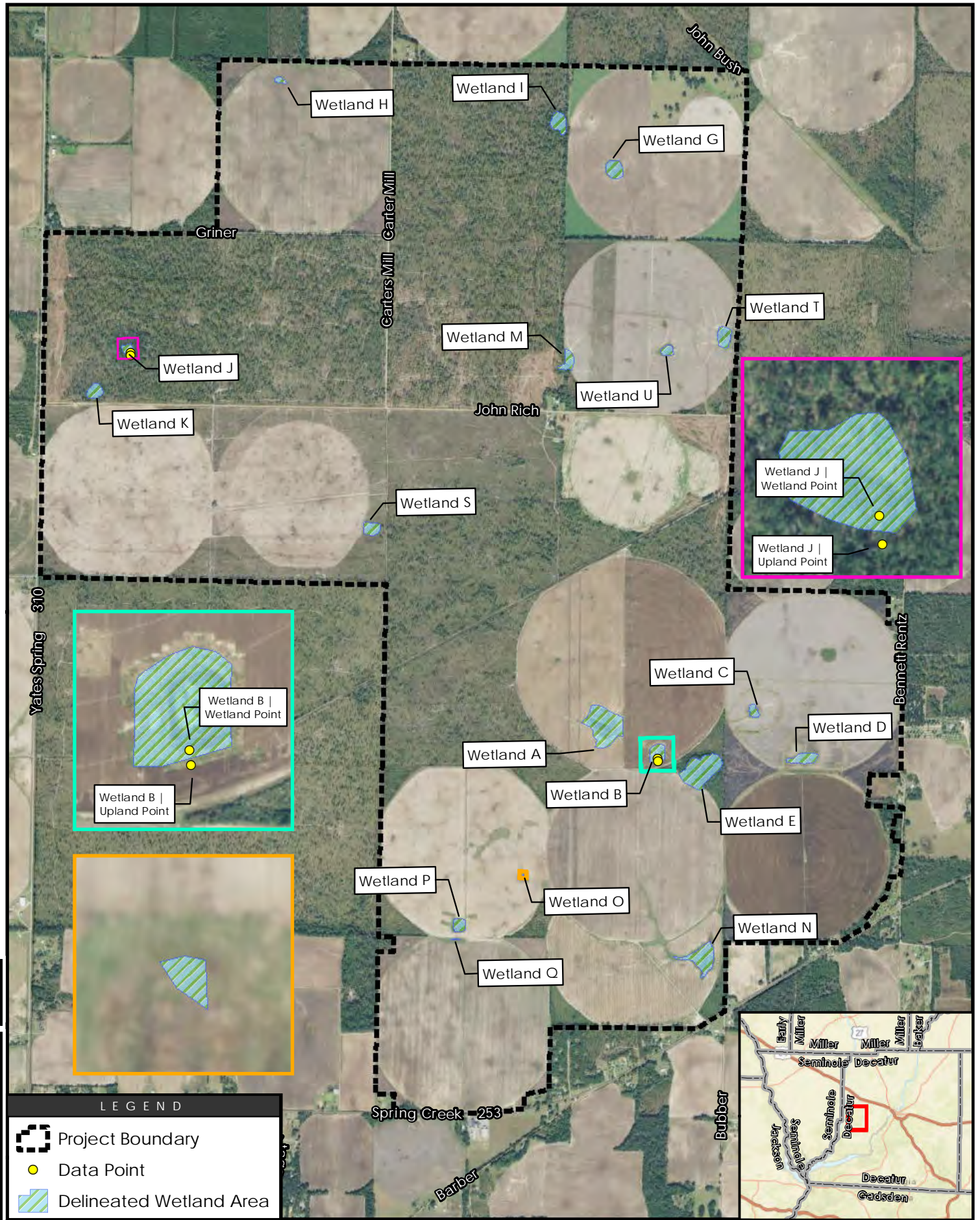
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Notes:




1. Coordinate System: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
2. Source data: NWI
3. Imagery: USDA NIP

Tristate Solar Project
 Figure 4 - NWI Wetland Location Map
 November 2022





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-  Project Boundary
-  Data Point
-  Delineated Wetland Area

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Notes:
 1. Coordinate System: NAD 1983 StatePlane Georgia West FIPS 1002 Feet
 2. Source data: Stantec
 3. Imagery: USDA NMAP

Tristate Solar Project
 Figure 5 - Data Point and Field Delineated Wetlands Map
 November 2022



0 1,200 2,400 Feet

