



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, MEMPHIS DISTRICT
167 NORTH MAIN STREET B-202
MEMPHIS, TN 38103-1894

November 1, 2023

[REDACTED]

Dear [REDACTED]:

This is in response to your correspondence in which you requested a preliminary jurisdictional determination (PJD) for certain aquatic resources and an approved jurisdictional determination (AJD) for other potential aquatic resources on property located north of Fulton Road, south of Allen Cox Road, east of Moreau Rice Road, and west of Bailey Road in Durhamville, Haywood County, Tennessee, as shown on the enclosed map. Based on the information submitted to our office and a review of other information available to us, we concur by a PJD that wetlands WTL-1, WTL-2, WTL-3, WTL-4, WTL-5, WTL-6 and WTL-7, Streams STR-1, STR-2a, STR-2b, STR-3, STR-4, STR-5, STR-6, STR-7, STR-8, STR-9, STR-10, and STR-11, as well as a pond P-2 may be considered waters of the United States. If you wish to provide additional information concerning these features, you may request an approved jurisdictional determination. It is our AJD that there are six ephemeral channels (EPH-1, EPH-2, EPH-3, EPH-6a, EPH-6b, and EPH-7), two upland swales (EPH-4, EPH-5), sixteen erosional swales (ES-1, ES-2, ES-3, ES-4, ES-5, ES-6, ES-7, ES-8, ES-9, ES-10, ES-11, ES-12, ES-13, ES-14, ES-15, and ES-16), four agricultural drainage ditches (AGD-1, D-1, D-2, and D-3), and a farm pond (P-1) located on the property that are not considered waters of the United States. Permit authorization from the Corps of Engineers is not required under Section 404 of the Clean Water Act for the discharge of fill material into features that are not considered waters of the United States.

The PJD is included for concurrence. If you agree with this PJD please sign the form and return it to the address listed above. If the PJD is not returned within 30 days of the date of this letter, we will assume your concurrence. A PJD cannot be appealed. If you object to this PJD, please see Section I.E. of the attached Notification of Administrative Appeal Options and the Process and Request for Appeal (RFA) Form, on how to proceed or call the Memphis District, Regulatory Division for assistance at the number listed below.

The basis for our AJD is also included. This AJD is valid for five years from the date of this letter, unless new information warrants revision of the determination before the expiration date or the District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This letter contains an approved jurisdictional determination for part of your subject site. If you object to this determination, you may request an administrative appeal under Corps of Engineers regulations at 33 CFR Part 331. Enclosed you will find an RFA form. If you request to appeal this determination you must submit a completed RFA form to the Mississippi Valley Division at the following address:

Appeals Review Officer
Mississippi Valley Division
P.O. Box 80
Vicksburg, Mississippi 39181-0080

In order for an RFA to be accepted by the Corps of Engineers, the Corps of Engineers must determine that it is complete, that it meets the criteria for appeal under 33 CFR Part 331.5 and that it has been received by the division office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the above address by January 1, 2023. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

The delineation included herein has been conducted to identify the location and extent of the aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are United States Department of Agriculture (USDA) program participants, or anticipate participation in USDA programs, you should discuss the applicability of an Natural Resources Conservation Service Certified Wetland Determination with the local USDA service center, prior to starting work.

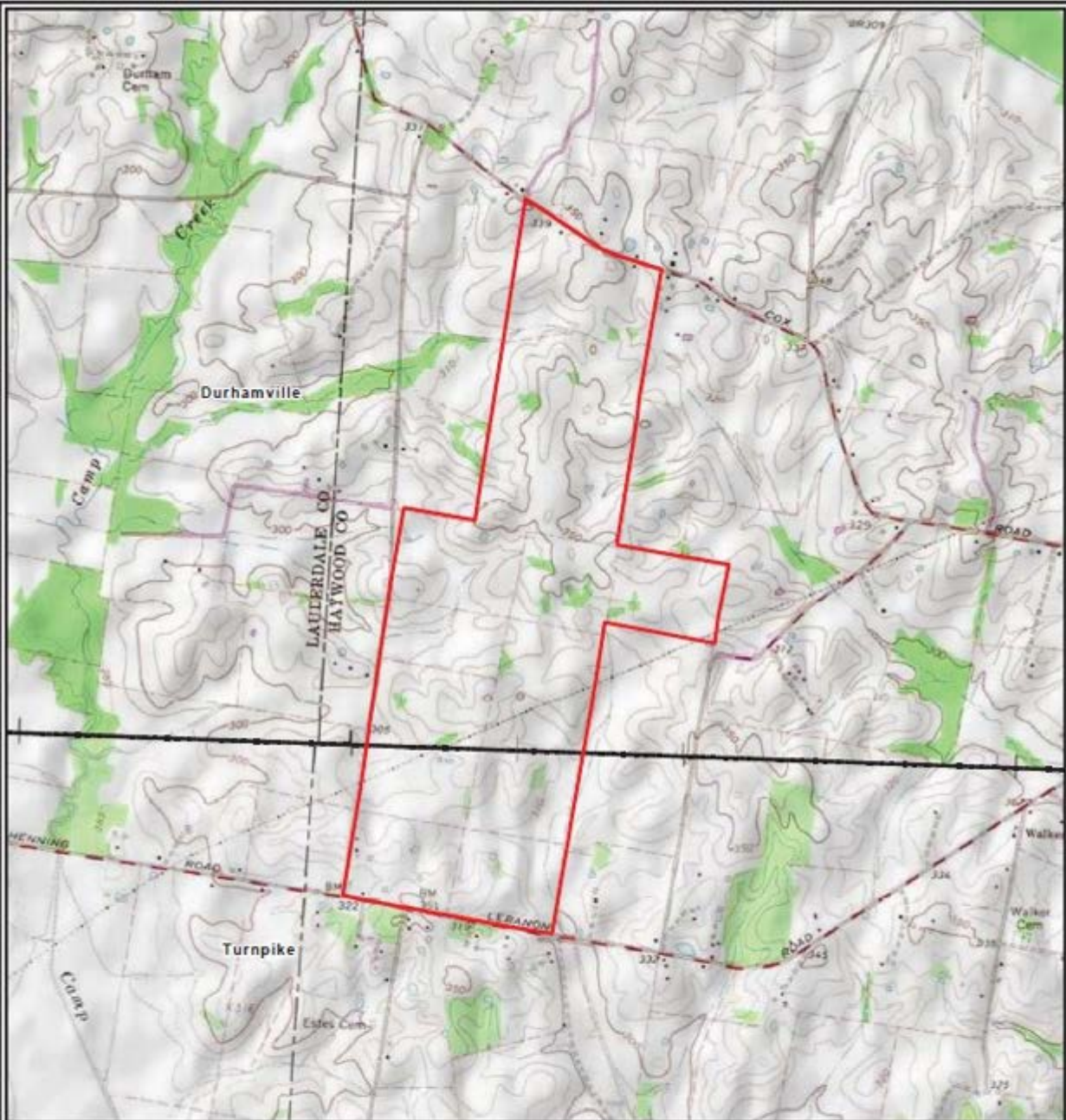
The Memphis District, Regulatory Division is committed to providing quality and timely service to our customers. In an effort to improve customer service, we invite you to complete a Customer Service Survey found on our web site at <https://regulatory.ops.usace.army.mil/customer-service-survey/>. Your comments, positive or negative, will not affect any current or future dealing with the Corps of Engineers.

If you have questions, please contact [REDACTED] at [REDACTED] and refer to File No. MVM-2023-137.

Sincerely,

[REDACTED]
Deputy Chief
Regulatory Division

Enclosures



DURHAMVILLE & TURNPIKE 7.5 MINUTE QUADRANGLE



USGS 24k Topo Map Boundary

Project Study Area



1 inch = 2,000 feet

0 500 1,000 2,000 3,000 Feet

PROJECT
Silicon Ranch Corporation
Durhamville Solar Project
Durhamville, Haywood County, Tennessee

TITLE
USGS SITE LOCATION MAP

PROJ NO: 3609522

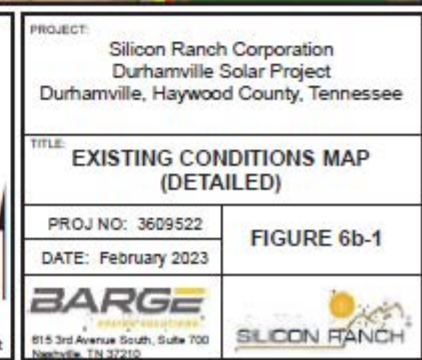
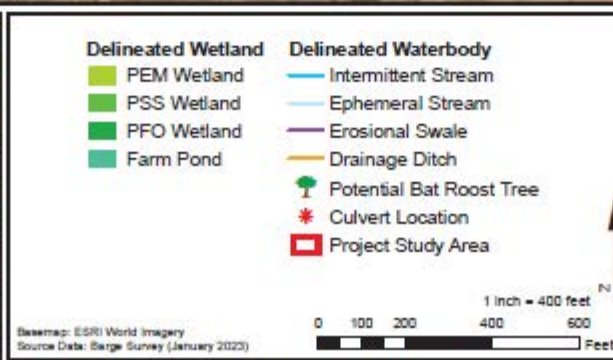
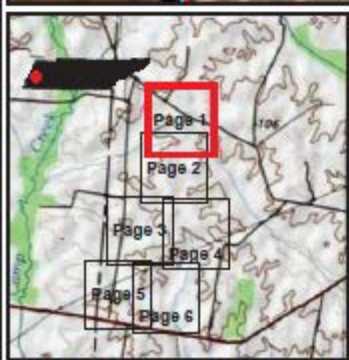
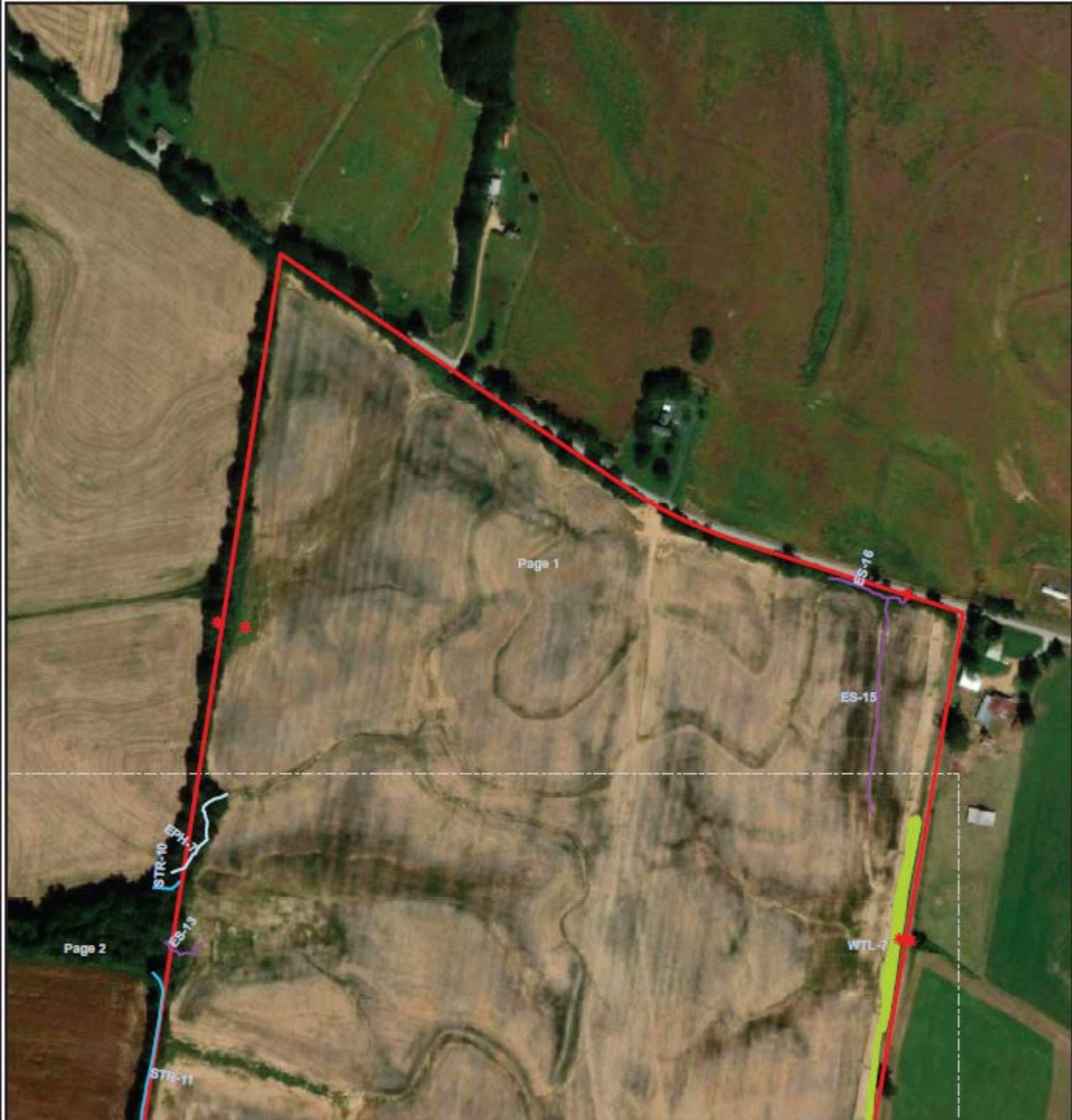
DATE: February 2023

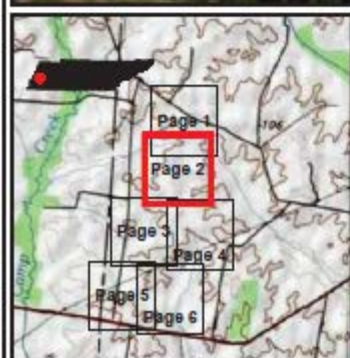
FIGURE 2

BARGE
a subsidiary of

615 3rd Avenue South, Suite 700
Nashville, TN 37210

SILICON RANCH





Delineated Wetland

- PEM Wetland
- PSS Wetland
- PFO Wetland
- Farm Pond

Delineated Waterbody

- Intermittent Stream
- Ephemeral Stream
- Erosional Swale
- Drainage Ditch
- Potential Bat Roost Tree
- Culvert Location
- Project Study Area

Base map: ESRI World Imagery
Source Data: Barge Survey (January 2023)

0 100 200 400 600
1 inch = 400 feet
Feet

PROJECT: Silicon Ranch Corporation
Durhamville Solar Project
Durhamville, Haywood County, Tennessee

TITLE: EXISTING CONDITIONS MAP
(DETAILED)

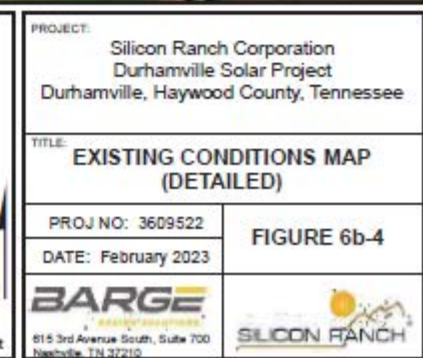
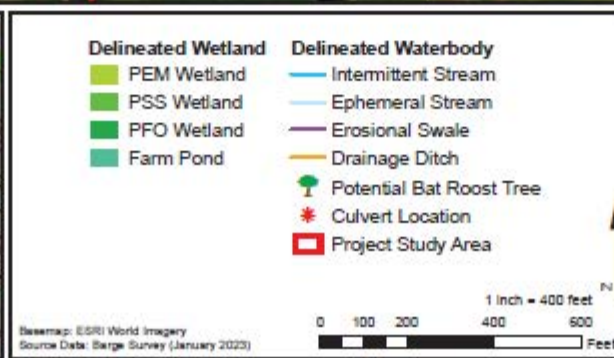
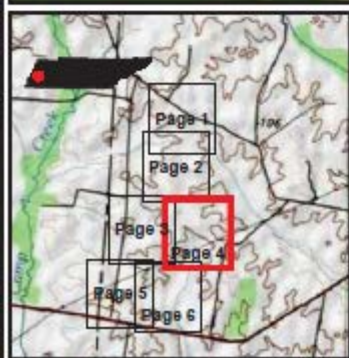
PROJ NO: 3609522

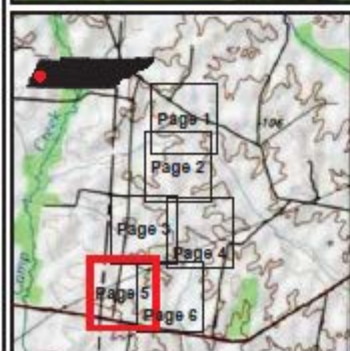
DATE: February 2023

FIGURE 6b-2

BARGE
Engineering & Surveying
815 3rd Avenue South, Suite 700
Nashville, TN 37210

SILICON RANCH





Delineated Wetland

- PEM Wetland
- PSS Wetland
- PFO Wetland
- Farm Pond

Delineated Waterbody

- Intermittent Stream
- Ephemeral Stream
- Erosional Swale
- Drainage Ditch
- Potential Bat Roost Tree
- Culvert Location
- Project Study Area

Basemap: ESRI World Imagery
Source Date: Barge Survey (January 2023)

0 100 200 400 600 Feet

PROJECT: Silicon Ranch Corporation
Durhamville Solar Project
Durhamville, Haywood County, Tennessee

TITLE: **EXISTING CONDITIONS MAP
(DETAILED)**

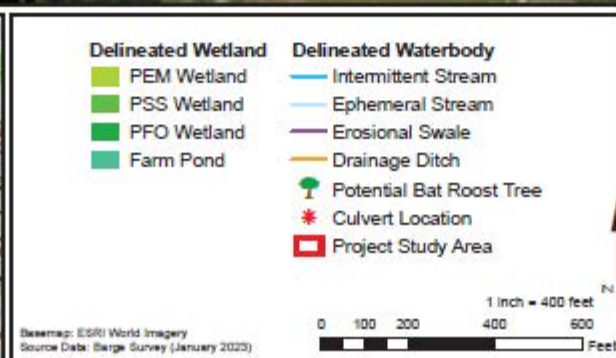
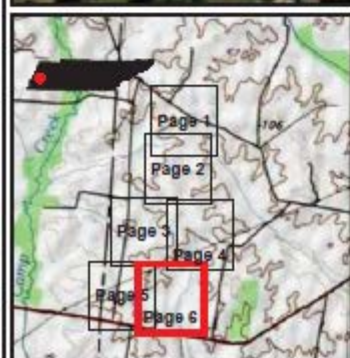
PROJ NO: 3609522

DATE: February 2023

FIGURE 6b-5

BARGE
615 3rd Avenue South, Suite 700
Nashville, TN 37210

SILICON RANCH



PROJECT:		Silicon Ranch Corporation Durhamville Solar Project Durhamville, Haywood County, Tennessee	
TITLE: EXISTING CONDITIONS MAP (DETAILED)			
PROJ NO: 3609522		FIGURE 6b-6	
DATE: February 2023			
815 3rd Avenue South, Suite 700 Nashville, TN 37210			