



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, ST. LOUIS DISTRICT  
1222 SPRUCE STREET  
ST. LOUIS, MISSOURI 63103

December 5, 2023

Regulatory Branch  
File Number: MVS-2023-679



To whom it may concern:

This letter is regarding an approved jurisdictional determination for the project known as the Big Creek Solar Development (the Review Area), located 2.30-miles north of Brighton at the southeast corner of the intersection of US 267 and Miles Station Road in Macoupin County, Illinois. The Review Area is approximately 24.05 acres and located in Section 7, Township 7 North, and Range 9 West. Approximate geographic coordinates for the site are Latitude 39.0721° and Longitude -90.1415°.

For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA), the 2023 Rule as amended, as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

The features included in this approved jurisdictional determination are:

- Highway 267/Main Street Drainage Ditch (984 linear feet), non-jurisdictional
- Miles Station Road Drainage Ditch (1,088 linear feet), non-jurisdictional

For an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the boundary in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five-year period provided you submit a written request, and our staff are able to verify that the limits established during the original determination are still accurate.

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 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.

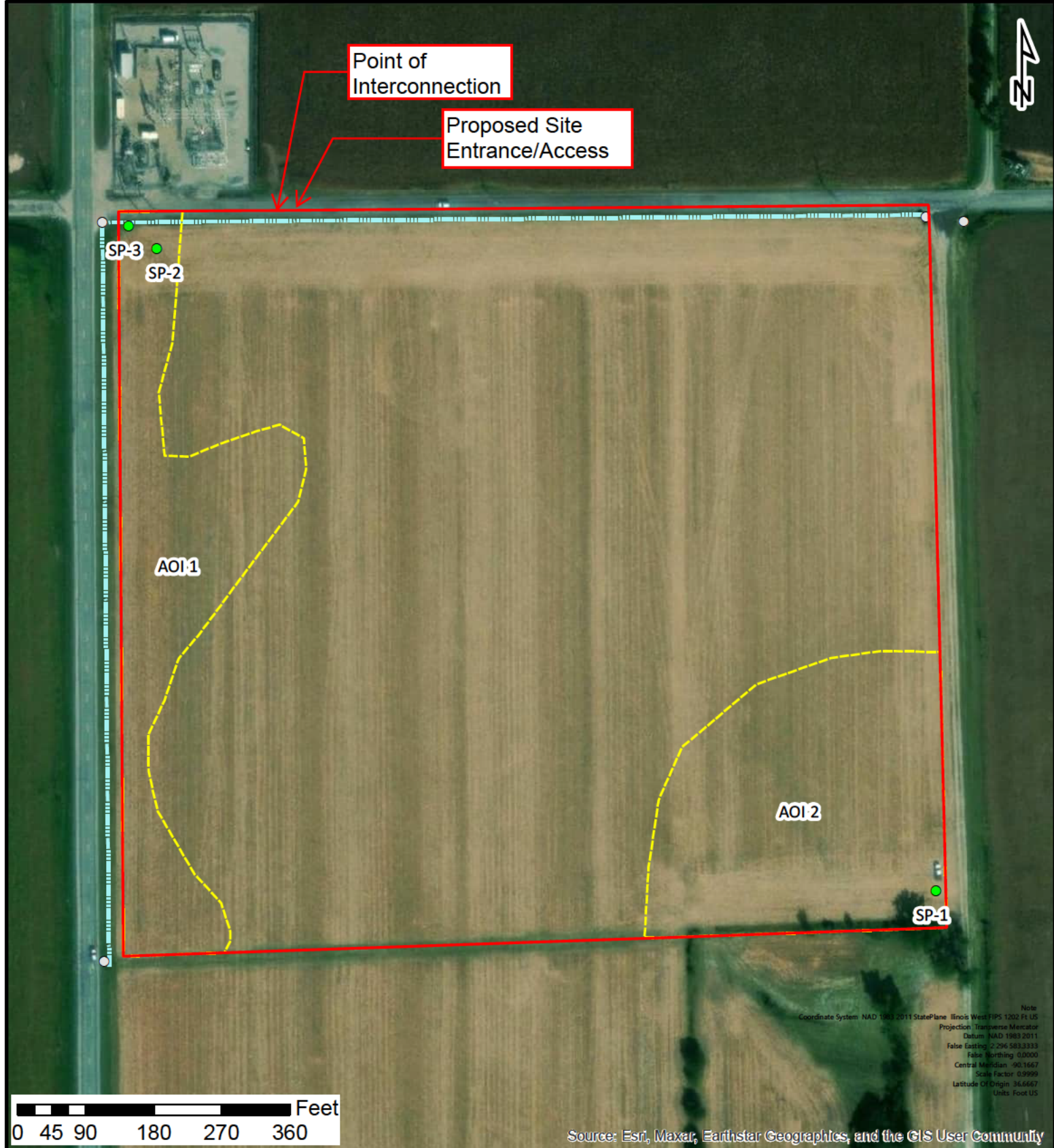
This review is applicable only to the permit program administered by the Corps of Engineers. It does not eliminate the need to obtain other Federal, state, or local approvals before beginning work and any modification that includes impacts to potential waters may require subsequent review and authorization from this office.

If you have any questions, please contact me at [REDACTED] or [REDACTED]. In any correspondence or inquiries, please refer to the File Number **MVS-2023-679**. The St. Louis District Regulatory Branch is committed to providing quality and timely service to our customers. In an effort to improve customer service, please take a moment to go to our Customer Service Survey found on our web site at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

[REDACTED]

Enclosures



Note  
 Coordinate System: NAD 1983 2011 StatePlane Illinois West FIPS 1202 F1 US  
 Projection: Transverse Mercator  
 Datum: NAD 1983 2011  
 False Easting: 2,296,583.8333  
 False Northing: 0.0000  
 Central Meridian: -90.1667  
 Scale Factor: 0.9999  
 Latitude Of Origin: 36.6667  
 Units: Foot US

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**FIGURE 2: SITE PLAN**

**Legend**

- Subject Property
- Areas of Interest (AOI)
- Sample Points
- Drainage Ditches
- Culverts

No wetlands or surface water features were identified on the subject property.

SOURCES: ESRI, Field Data	DRAWN BY: [Redacted]	SCALE: 1 inch = 172 feet
PROJECT NUMBER: 23-4211391	FILE NAME: Big Creek Site Solar (Brighton, IL)	DATE: 9/26/2023