

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): August 1, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: LRN-2018-00395; Former BP Terminal, Third Creek Road

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Tennessee County/parish/borough: Knox City: Knoxville
Center coordinates of site (lat/long in degree decimal format): Lat. 35.96672 °, Long. -83.99358 °

Universal Transverse Mercator:

Name of nearest waterbody: Third Creek

Name of watershed or Hydrologic Unit Code (HUC): 060102010204

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: August 1, 2018

Field Determination. Date(s):

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: Report submitted by consultant dated May 7, 2018

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. 060102010204 (Third Creek)

U.S. Geological Survey map(s). Cite scale & quad name: 1:20,000; Knoxville, TN

USDA Natural Resources Conservation Service Soil Survey. Citation: Jurisdictional Waters Report Former BP Terminal dated May 7, 2018

National wetlands inventory map(s). Cite name: Jurisdictional Waters Report Former BP Terminal dated May 7, 2018

State/Local wetland inventory map(s):

FEMA/FIRM maps:

100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)

Photographs: Aerial (Name & Date):

or Other (Name & Date): Jurisdictional Waters Report Former BP Terminal dated May 7, 2018

Previous determination(s). File no. and date of response letter:

Applicable/supporting case law:

Applicable/supporting scientific literature:

Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The site was formerly utilized as a fuel terminal which included multiple structures (all structures were previously removed). The 1978 USGS topographic map does not indicate that any features occur within the site. Review of the national wetland inventory (NWI) database was performed and no aquatic features were mapped on-site. Report provided by consultant includes detailed photos of stormwater drainage feature that was constructed during past use and the feature is completely vegetated with excessive amount of riprap in and surrounding it. After extensive review of all available data it was determined that area in review contains only dryland.

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.