

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**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):** November 9, 2018

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Nashville District, Spring Avenue; SJ & L General Contractors, LRN-2018-00735

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: AL County/parish/borough: Madison County City: Huntsville

Center coordinates of site (lat/long in degree decimal format): Lat. 34.7834°, Long. -86.6493°

Universal Transverse Mercator:

Name of nearest waterbody: Indian Creek

Name of watershed or Hydrologic Unit Code (HUC): Upper Huntsville Spring Branch; 0603000205

- 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: September 18, 2018
- Field Determination. Date(s): October 5, 2018

**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: (Reference report submitted by Barbara Lehman of GEO Solutions, L.L.C, on September 17, 2018)
- Data sheets prepared/submitted by or on behalf of the applicant/consultant. (Reference report submitted by Barbara Lehman of GEO Solutions, L.L.C, on September 17, 2018)
  - 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: Jeff Quadrangle Alabama 7.5 Minute Topographical Map, 1"=2000'
- USDA Natural Resources Conservation Service Soil Survey. Citation:(Decatur, AL; NRCS Web Soil Survey URL: <http://websoilsurvey.nrcs.usda.gov>)
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Aerial photos reference Google Maps.
  - or  Other (Name & Date): Digital photos taken by Adam McHann, USACE, during site visit on October 5, 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:** USACE performed a site visit to the property on 8/5/2018. The immediate area had been consistently disturbed as the area is a small agricultural field. Soil map shows no hydric soils adjacent to the property and the immediate area does not display the proper color/chroma to be eligible as hydric. No indication of hydric vegetation, and a local drainage is off property with no

<sup>1</sup> 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.

connection to the area. USACE has determined the JD area to be non-jurisdictional due to not meeting the three wetland parameters listed in the 1987 Corps Delineation Manual.