

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): February 10, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESWL-RD, SWL 2022-00342

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Arkansas County/parish/borough: Benton City: Bentonville

Center coordinates of site (lat/long in degree decimal format): Lat. 36.356553° N, Long. -94.241474° W

Universal Transverse Mercator: NAD 83/UTM Zone 15, Northing, Easting

Name of nearest waterbody: Little Osage Creek

Name of watershed or Hydrologic Unit Code (HUC): HUC 8: 11110103 (Illinois River); HUC 12: 111101030020 (Little Osage Creek)

- ☒ 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: December 23, 2022
- ☒ Field Determination. Date(s): January 18, 2023

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: SOCO Church Wetland Delineation with Maps 11-20-22 & RGL 16-01 Appendix 1 Completed
- ☒ 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: HUC 8: 11110103 (Illinois River); HUC 12: 111101030020 (Little Osage Creek)
- ☒ USGS NHD data.
- ☒ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: US Geologic Survey (USGS) topographic quadrangle Bentonville, AR (7.5 minute series)
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at the following link:
<https://websoilsurvey.sc.egov.usda.gov/>
- ☒ National wetlands inventory map(s). Cite name: U. S. Fish and Wildlife Service. Publication date (found in metadata). National Wetlands Inventory website (accessed Dec 2022)
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): SWL 2022-00342 Maps & Figures
or ☒ Other (Name & Date): SOCO Church Wetland Delineation with Maps 11-20-22
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:

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.

- ☐ Applicable/supporting scientific literature:
☒ Other information (please specify): Google Pro Earth (2000-2021 Imagery). Lat: 36.356553° N, -94.241474° W (accessed Dec 2022)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

Historically there was an intermittent stream channel flowing from east to west across the northern boundary of the proposed project area. Due to development over the last few decades, the stream channel was diverted through a stormwater drainage system and culvert out of the proposed project area. Therefore, based on desktop and field evaluations it was determined that there are no longer any aquatic features in the proposed project area.

Pablo Bacon
Regulatory Specialist

February 10, 2023
Date