

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): January 4, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESWL-RD, RLH, INCORPORATED, 1994-12252-4

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Arkansas County/parish/borough: Baxter City: Three Brothers
Center coordinates of site (lat/long in degree decimal format): Lat. 36.461149 °, Long. -92.446871 °
Universal Transverse Mercator: NAD 83/UTM Zone 15, 4035240.66 Northing, 549560.73 Easting

Name of nearest waterbody: unnamed tributary of Hutch Creek

Name of watershed or Hydrologic Unit Code (HUC): 11010006

- 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: January 4, 2023
 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: Approved Jurisdictional Determination request and Delineation Report submitted by SCS Engineers, dated December 2022.
 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 11010006; Arkansas-White-Red Region
 USGS NHD data.
 USGS 8 and 12 digit HUC maps. HUC 11010006 Upper White; HUC 110100060703 Little Pigeon Creek-Norfolk Lake
 U.S. Geological Survey map(s). Cite scale & quad name: 24K; Midway
 USDA Natural Resources Conservation Service Soil Survey. Citation: Web Soil Survey of Baxter County, Arkansas accessed 3 January 2023.
 National wetlands inventory map(s). Cite name: USFWS National Wetland Inventory Website accessed 3 January 2023.
 State/Local wetland inventory map(s):
 FEMA/FIRM maps: National Flood Hazard Layer accessed 4 January 2023
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Google Earth (1994-2020)
or Other (Name & Date): Delineation Report submitted by SCS Engineers, dated December 2022
 Previous determination(s). File no. and date of response letter: 1994-12252-3, 30 March 2012; 1994-12252-1, 13 October 2010
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify):

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.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Upon review of the delineation report and above-mentioned resources, the Corps concurs with the delineation report. The 11 features identified in the delineation report dated December 2022 are non-jurisdictional erosional drains.

John Bridgeman
Regulatory Specialist

January 4, 2023
Date