

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): April 18, 2019

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESWL, Matrix – Benton Co. Pre-Planning Considerations Large Scale Development, 2019-00068

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Arkansas County/parish/borough: Benton City: Lowell
Center coordinates of site (lat/long in degree decimal format): Lat. 36.26405 °, Long. -94.162468 °
Universal Transverse Mercator: NAD 83/UTM Zone 15, 4013889 Northing, 395200 Easting
Name of nearest waterbody: Cross Creek
Name of watershed or Hydrologic Unit Code (HUC): 11110103

- 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: April 18, 2019
 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: see electronic file
 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.
 U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Bentonville South
 USDA Natural Resources Conservation Service Soil Survey. Citation: Arkansas_Soils
 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): Google Earth Imagery accessed April 18, 2019
or Other (Name & Date):
 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: There are no aquatic resources currently onsite. A pond exists in the northwest corner of the property, but it was excavated entirely in uplands. At one point a second pond was present on the eastern side of the property, but that pond was filled in years ago. That area is largely flat but does drain north and under the road via three small culverts. However, there is no evidence of any sort of Ordinary High Water Mark or any other features of a stream (no change in vegetation, no bed and banks, no obvious microtopography) at this area. The area is simply a drain for surface water runoff. Note that NHD stream data shows this area as being the headwaters of Cross Creek.

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.

Lisa Boyle
Project Manager

April 18, 2019
Date