

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): September 14, 2021

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Industrial Drive Extension SWL-2021-00275

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Arkansas County/parish/borough: Washington City: Fayetteville

Center coordinates of site (lat/long in degree decimal format): Lat. 36.03559 °, Long. -94.14436 °

Universal Transverse Mercator: NAD 83/UTM Zone 15, 396905.725 Northing, 3988495.68 Easting

Name of nearest waterbody: Town Branch

Name of watershed or Hydrologic Unit Code (HUC): Beaver Reservoir (11010001)

- 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 14, 2021
- Field Determination. Date(s): [Click here to enter a date.](#)

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: Preliminary Waters of the U.S. Assessment and Wetland Delineation Report, Proposed Industrial Drive Extension, Fayetteville, Washington County, Arkansas by Cattails Environmental, LLC dated August 2021.
- 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: [Click here to enter text.](#)
- U.S. Geological Survey Hydrologic Atlas: USGS NHD data accessed via National Regulatory Viewer; HUC accessed on USGS' National Map.
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: Fayetteville, AR (1:24K)
- USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey of Washington County, Arkansas (1969) and Web Soil Survey.
- National wetlands inventory map(s). Cite name: NWI Map of subject property provided by Cattails Environmental in report dated August 2021.
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: FEMA National Flood Hazard Layer provided by Cattails Environmental in report dated August 2021.
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth (1994-2020); aerial maps provided by Cattails Environmental in report dated August 2021.
or Other (Name & Date): Site photographs provided in Cattails Environmental wetland delineation report dated August 2021.
- Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)

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 case law: [Click here to enter text.](#)
- Applicable/supporting scientific literature: [Click here to enter text.](#)
- Other information (please specify): LiDAR data for project corridor accessed via National Regulatory Viewer on September 13, 2021.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The consultant's wetland delineation describes the subject property as being located entirely in uplands. In addition, there are no waters features mapped by NHD, USGS topographic quadrangles, or visible on aerial photography/LiDAR. In summary, the subject property supported upland conditions devoid of potential waters of the U.S.

David Rupe
Project Manager

September 14, 2021
Date