

**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): January 22, 2020**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CELRL, Lakeside Garden Development, LRL-2019-1022-cat**

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

State: Indiana County/parish/borough: Clark City: Jeffersonville  
Center coordinates of site (lat/long in degree decimal format): Lat. 38.338642 °, Long. -85.702000 °  
Universal Transverse Mercator:

Name of nearest waterbody: Lancassange Creek

Name of watershed or Hydrologic Unit Code (HUC): 051401010605

- 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 21, 2020

Field Determination. Date(s): December 5, 2019

**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: Application for Section 404 Regional General Permit – Lakeside Gardens Development – Submitted by Redwing Ecological Services, Inc. dated November 5, 2019 and a revised Site Map received December 5, 2019.
- 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: [Click here to enter text.](#)
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 Jeffersonville, IN
- USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey of Clark and Floyd Counties. 1974
- National wetlands inventory map(s). Cite name: [Click here to enter text.](#)
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: [Click here to enter text.](#)
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Google Earth, 2020
- or  Other (Name & Date): IGS Map, 2020 (<https://igws.indiana.edu/IHAPI/Map/>)
- Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)
- Applicable/supporting case law: [Click here to enter text.](#)
- Applicable/supporting scientific literature: [Click here to enter text.](#)
- Other information (please specify): Site Visit: December 5, 2019

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** The ponds on site were constructed in the uplands. OW1 did not exhibit a jurisdictional channel above or below the pond within the site boundaries. OW2 did not exhibit a jurisdictional channel above or below the pond within the site boundaries. OW2 appears to have been created in abandoned farm land after 1968. The features were not constructed from nor do the ponds capture waters of the U.S. Therefore, the ponds are not waters of the U.S. and are not regulated under the Clean Water Act.

<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.