

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): October 25, 2021

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: LRL-2021-497-sjk

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: IN County/parish/borough: Boone City: Whitestown
Center coordinates of site (lat/long in degree decimal format): Lat. 39.9782°, Long. -86.4104°
Universal Transverse Mercator: [Click here to enter text.](#)

Name of nearest waterbody: Fishback Creek
Name of watershed or Hydrologic Unit Code (HUC): 05120201, Upper White

- 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 1, 2021
 Field Determination. Date(s): October 21, 2021

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: Delineation report dated 6/3/2021 by Earth Source, Inc.
 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.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: 7.5', Fayette quad.
 USDA Natural Resources Conservation Service Soil Survey. Citation: Web Soil Survey, Boone County
 National wetlands inventory map(s). Cite name: USFWS digital NWI map
 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 Geodectic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): 1972, 2003, 2004, 2006, 2007, 2012, 2014, 2020 (delineation report); 9/3/2017, 6/4/2018, 11/5/2019, 11/20/2020, 3/2/2021, 6/5/2021 (DigitalGlobe)
 or Other (Name & Date): 5/27/2021 site photos in delineation report
 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): LiDAR

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: A wetland delineation was conducted on the property, and no data point met the three wetland criteria. Aerial imagery shows the site has areas of possible saturation that appear only during the wet seasons and that the areas are successfully cropped annually. A site inspection on 10/21/2021 confirmed that no evidence of wetland vegetation or visual observations of hydrology were present.

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.