

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 10, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Louisville District, Betty Yancey-Griffith Trust Property, LRL-2018-260-mck

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: KY County/parish/borough: Scott City: Georgetown

Center coordinates of site (lat/long in degree decimal format): Lat. 38.243354 °N, Long. 84.565268 °W

Universal Transverse Mercator:

Name of nearest waterbody: Dry Run

Name of watershed or Hydrologic Unit Code (HUC): 051002050805

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: March 26, 2018

Field Determination. Date(s): March 23, 2018

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: Request for Jurisdictional Determination dated 13 March 2018.

Data sheets prepared/submitted by or on behalf of the applicant/consultant.

Office concurs with data sheets/delineation report.

Choose an item.

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, Georgetown

USDA Natural Resources Conservation Service Soil Survey. Citation:

National wetlands inventory map(s). Cite name: U. S. Fish and Wildlife Service. Publication date (found in metadata).

National Wetlands Inventory website. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C.

<http://www.fws.gov/wetlands/>

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 views.

or Other (Name & Date): Photos taken by Corps staff 3/23/2018

Previous determination(s). File no. and date of response letter:

Applicable/supporting case law:

Applicable/supporting scientific literature:

Other information (please specify): Corps staff site visit 3/23/2018 & University of Kentucky, Kentucky Geological Society, Karst Potential Layer, <http://kgs.uky.edu/kgsmap/kgsgeoserver/viewer.asp>

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The feature identified as upland swale within the Approved Jurisdictional Determination (AJD) boundary as shown on the map titled, "Betty Yancey -Griffith Trust Property, Waters Map," does not exhibit a defined bed, bank or ordinary high water mark, nor does it meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual or appropriate Regional

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.

Supplements for wetlands. The upland swale appears to convey stormwater runoff from the adjacent agricultural fields and roadway (U.S. 25 North) to the property immediately south of the AJD boundary and in addition, it appears that some of the stormwater surface flow is lost in the karst topography of the site. Therefore, the identified feature, upland swale, is not considered to be a “waters of the United States,” is not susceptible to interstate or foreign commerce and is not jurisdictional.