

APPROVED JURISDICTIONAL DETERMINATION FORM
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):** March 5, 2018
- B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Amazon-Vesper Property, Florence, Boone County, Kentucky, LRL-2017-00843
- C. PROJECT LOCATION AND BACKGROUND INFORMATION:**
State: Kentucky County/parish/borough: Boone City: Florence
Center coordinates of site (lat/long in degree decimal format): Lat. 39.022913 °, Long. -84.677633 °
Universal Transverse Mercator: 16 S 701043 m E 4321918 MN
Name of nearest waterbody: Gunpowder Creek
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: Ohio River
Name of watershed or Hydrologic Unit Code (HUC): 050902030806 (Gunpowder)
- Check if map/diagram of review area and/or potential jurisdictional areas is/are 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:
- Field Determination. Date(s): September 7, 2017

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. [Required]

- Waters subject to the ebb and flow of the tide.
- Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain: [Click here to enter text.](#)

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There *Choose an item.* "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

1. Waters of the U.S.

a. Indicate presence of waters of U.S. in review area (check all that apply):¹

- TNWs, including territorial seas
- Wetlands adjacent to TNWs
- Relatively permanent waters² (RPWs) that flow directly or indirectly into TNWs
- Non-RPWs that flow directly or indirectly into TNWs
- Wetlands directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs
- Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs
- Impoundments of jurisdictional waters
- Isolated (interstate or intrastate) waters, including isolated wetlands

b. Identify (estimate) size of waters of the U.S. in the review area:

Non-wetland waters: # linear feet: # width (ft) and/or # acres.
Wetlands: 0.57 acres and 0.59 acre Open Water (Pond)

c. Limits (boundaries) of jurisdiction based on: *Choose an item.*

Elevation of established OHWM (if known): [Click here to enter text.](#)

2. Non-regulated waters/wetlands (check if applicable):³

- Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.
Explain: There are two wetlands (Wetland E at 0.47 acre and Wetland F at 0.10 acre), and two ponds (Pond 1 at 0.14 acre and Pond 5 at 0.45) that are physically isolated on the landscape with no surface or subsurface hydrological connection to "waters of the United States."

¹ Boxes checked below shall be supported by completing the appropriate sections in Section III below.

² For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

³ Supporting documentation is presented in Section III.F.

APPROVED CAM
3/8/18