

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): March 12, 2019

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Columbia Gas Transmission LLC, LRL-2019-193-pjl, Upland Swale 1 and Ditches 1 and 2

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Kentucky County/parish/borough: Menifee City: Means
Center coordinates of site (lat/long in degree decimal format): Lat. 37.94566 °, Long. -83.758974 °
Universal Transverse Mercator:
Name of nearest waterbody: Slate Run Creek
Name of watershed or Hydrologic Unit Code (HUC): 05100101

- 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 12, 2019
 Field Determination. Date(s):

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: [Click here to enter text.](#)
 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:
 U.S. Geological Survey Hydrologic Atlas: CorpsMaps USGS NHD data layer
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: Means (KY)
 USDA Natural Resources Conservation Service Soil Survey. Citation: SSURGO Database 2015
 National wetlands inventory map(s). Cite name: National Wetlands Inventory by state - Kentucky, Revised 2014
 State/Local wetland inventory map(s):
 FEMA/FIRM maps: CorpsMap 100-year floodplain data layer; FEMA D-Firm National Flood Hazard Layer for Kentucky-dated 2008
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date):
 or Other (Name & Date): provided by applicant
 Previous determination(s). File no. and date of response letter:
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The review area consists primarily of existing pipeline ROW, agriculture crop and old field over approximately 12 acres. Civil & Environmental Consultants, Inc. identified four wetlands, three streams, two ditches and one swale within the project area. This review includes Swale 1, Ditch 1 and Ditch 2. Swale 1 is 405 linear feet (lft), Ditch 1 is 117 lft and Ditch 2 is 253 lft. Swale 1 did not exhibit defined bed or bank characteristics, did not exhibit an OHWM, and did not meet wetland criteria in the 1987 Corps of Engineers Wetland Delineation Manual or Eastern Mountain and Piedmont Supplement. It originated at the outlet of a stormwater culvert and drained to the

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.

east. Ditch 1 and 2 appear to have been wholly excavated in and drain upland areas adjacent to roadways. These ditches did not have an OHWM, did not show signs of relatively permanent flow, and did not exhibit wetland characteristics. These features do not exhibit characteristics of waters of the U.S. and are not susceptible to use in interstate or foreign commerce; thus they are not determined to be jurisdictional.