

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): January 13, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Louisville District, JD Request, LRL-2021-1048

C. PROJECT LOCATION AND BACKGROUND INFORMATION: 3060 Nicholasville Road.

State: Kentucky County/parish/borough: Jessamine City: Nicholasville
Center coordinates of site (lat/long in degree decimal format): Lat. 37.93315°N, Long. 84.54871°W
Universal Transverse Mercator:

Name of nearest waterbody: Marshall Branch

Name of watershed or Hydrologic Unit Code (HUC): Hickman Creek HUC-10 Watershed

- 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 13, 2022
- 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: Property layouts (dated 11/30/21) were submitted by the requestor as part of the JD request submitted 12/06/21.
- 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:
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Nicholasville
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name: <https://www.fws.gov/wetlands/Data/Mapper.html> Map scale 1:2,257
Latitude 37.933 | Longitude -84.548
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Drone footage of the review area submitted by the requestor (12/20/21)
 or Other (Name & Date):
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): Aerial imagery gathered by the assigned Project Manager utilized desktop tools that included the National Regulatory Viewer - Great Lakes and Ohio River Division and HISTORICALAERIALS.COM

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Based on desktop tools, an open water aquatic resource was present on the property till 1985. Between 1985 and 1997 the resource was filled and no longer visible in aerial imagery by 1997. In 2002 no discernable indicators of the resources were visible in aerial imagery. This office has determined that the referenced site, does not contain any aquatic resources, including

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.

aquatic resources that would be subject to regulatory jurisdiction under Section 404 of the CWA or Section 10 of the Rivers and Harbors Act of 1899.