

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): June 6, 2013**
- B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CELRL-RDS, RaceTrac at Greenwood Road-Northern Parcel**
- C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Kentucky County/parish/borough: Jefferson City: Louisville
Center coordinates of site (lat/long in degree decimal format): Lat. 38.1485 °, Long. -85.8855 °
Universal Transverse Mercator: X:597653.8424324; Y:4222917.273496
Name of nearest waterbody: Mill Creek
Name of watershed or Hydrologic Unit Code (HUC): 051401010906 Fourmile Creek-Ohio River

- 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: June 6, 2013
- Field Determination. Date(s): [Click here to enter a date.](#)

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 RaceTrac at Greenwood Road Northern Parcel dated May 2, 2022 prepared by RES Kentucky, LLC
- 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: 24k Lanesville
- USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at <http://websoilsurvey.sc.egov.usda.gov/>. Accessed 06/06/2022
- National wetlands inventory map(s). Cite name: National Wetlands Inventory website. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. Available online at <http://www.fws.gov/wetlands/>. Accessed 06/06/2022.
- 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 Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth aerial dated 9/2/2019, 10/21/2018, 9/21/2017, 9/12/2016, 5/5/2012, 06/14/2008, 6/30/2005, 3/28/1998, 3/17/1993.
- or Other (Name & Date): Requestor's photos dated April 15, 2022
- Previous determination(s). File no. and date of response letter: LRL-2022-00061-mad. Letter dated 2/3/2022
- Applicable/supporting case law: [Click here to enter text.](#)
- Applicable/supporting scientific literature: [Click here to enter text.](#)
- Other information (please specify): [Click here to enter text.](#)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The review area covers 2.2 acres and includes three upland ditches. One 0.155 acres wetland is covered separately under a preliminary jurisdictional determination.

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.

Ditch 1 is in the central portion of the project boundary runs from west to east and measures 172 linear feet. This ditch was constructed in uplands between 2004-2006 near the same time as the construction of Green Mill Drive. The ditch provides a surface hydrological connection from the onsite wetland through a culvert below Green Mill Drive and continue offsite to Mill Creek. The ditch was excavated entirely in the uplands and does not carry relatively a permanent flow of water.

Ditch 2 is a roadside ditch which runs parallel to Green Belt Highway. The ditch measures 211 linear feet and appears to have been between 1971 and 1983 along with the adjacent roadway. The ditch was excavated entirely in the uplands and does not carry relatively a permanent flow of water.

Ditch 3 measures 161 ft and runs parallel to Ditch 2. The ditch is located between Ditch 2 and the wetland and was constructed sometime before 2006. The ditch was excavated entirely in the uplands and does not carry relatively permanent flow of water.