

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**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): February 6, 2020**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESAM-RD-N, The Morrow Companies-Halcyon Pointe, SAM-2019-00995-JDC**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:** 4.57-acre project review area within a larger approximately 10.52-acre tract of undeveloped land immediately west of Halcyon Point Drive in Montgomery, Alabama.

State: Alabama County/parish/borough: Montgomery City: Montgomery  
Center coordinates of site (lat/long in degree decimal format): Lat. 32.372 °, Long. -86.1503 °  
Universal Transverse Mercator: [Click here to enter text.](#)

Name of nearest waterbody: Jenkins Creek

Name of watershed or Hydrologic Unit Code (HUC): 12-Digit HUC 031501100904 Jenkins Creek

- 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: February 5, 2020  
 Field Determination. Date(s): October 1, 2019 (Agent), December 10, 2019 (Corps), January 31, 2020 (Agent and Corps)

**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: Maps and work plans submitted by GEC (agent) and received by USACE on 30 October 2019, revised 4 February 2020.  
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.  
 Office concurs with data sheets/delineation report. As revised in submissions dated 4 February 2020.  
 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: [Click here to enter text.](#)  
 USGS NHD data.  
 USGS 8 and 12 digit HUC maps.  
 U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 Barachias 7.5 Minute Quadrangle  
 USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey, National Cooperative Soil Survey Version 15 Sept. 16, 2019, Montgomery County, Alabama. Available online at <http://websoilsurvey.nrcs.usda.gov/>  
 National wetlands inventory map(s). Cite name: NWI map downloaded from USFWS NWI Mapper <https://www.fws.gov/wetlands/data/mapper.html>.  
 State/Local wetland inventory map(s): [Click here to enter text.](#)  
 FEMA/FIRM maps: FIRM Map #011101C0232H. Effective date 02/05/2014.  
 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): 2018 Google Earth aerial photographs provided by the agent.  
 or  Other (Name & Date): Site-specific photos provided by the agent.  
 Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)  
 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.](#)

<sup>1</sup> 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.

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** Based on field evaluation and a review of available desktop resources including Web Soil Survey mapping, USGS topographic mapping, USFWS wetland mapping, aerial photography, and site plan drawings, the JD and project review area consists of 4.57 acres of upland/non-wetland, dry lands. Evaluated desktop resources and information provided by Geotechnical and Environmental Consultants, Inc. (GEC) indicate no wetlands, streams, or tributary features within the 4.57-acre JD review area in which the construction of an apartment complex and associated amenities (such as a picnic pavilion, gazebo, and outdoor fitness activity area) will occur. Potential jurisdictional aquatic resources exist adjacent to but outside the JD area/project review area.