

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): February 6, 2020

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESAM-RD-N, Village at Hixon Pond II, Ltd., SAM-2019-01093-JDC

C. PROJECT LOCATION AND BACKGROUND INFORMATION: A 9.05-acre undeveloped parcel east of Interstate 59 and west of Hixon Road in Fort Payne, Alabama.

State: Alabama County/parish/borough: DeKalb County City: Fort Payne
Center coordinates of site (lat/long in degree decimal format): Lat. 34.4802 °, Long. -85.7029 °

Universal Transverse Mercator: [Click here to enter text.](#)

Name of nearest waterbody: Hixon Pond and Beeson Branch

Name of watershed or Hydrologic Unit Code (HUC): 12-Digit HUC 031501060101 Headwaters Big Wills 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 4, 2020
- Field Determination. Date(s): November 25, 2019 (Agent)

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, drawings and jurisdictional determination report dated December 6, 2019, submitted by Wildland Services, 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: [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 Fort Payne, AL
- 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 11 Sept. 16, 2019, DeKalb County, Alabama. Available online at <http://websoilsurvey.nrcs.usda.gov/>
- National wetlands inventory map(s). Cite name: fws.gov/wetlands/data/Mapper
- 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): Color aerial photo submitted by Wildland Services, LLC
- or Other (Name & Date): Site specific color digital photographs taken December 2019 and submitted by Wildland Services, LLC.
- 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.](#)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: Based on review of available desktop resources including Web Soil Survey mapping,

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.

USGS topographic mapping, aerial photography, and current site-specific photos, the JD review area consists of 9.05 acres of upland/non-wetland, dry lands. Aerial photography shows the JD review area consists of a 9.05-acre undeveloped forested parcel. Desktop resources evaluated also indicate the JD review area lacks any streams or tributary features.