

**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):** September 23, 2022

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** CESAM-RD-N, E.O. Byars Construction, Inc. – Lewey Borrow Pit, SAM-2022-00887-AGK

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:** 4-acre borrow material site for use for ALDOT project BR-0247(501)

State: AL County/parish/borough: Franklin City: Russellville

Center coordinates of site (lat/long in degree decimal format): Lat. 34.551898°, Long. -87.986865°

Universal Transverse Mercator: 16

Name of nearest waterbody: Cedar Creek

Name of watershed or Hydrologic Unit Code (HUC): 060300060204 Cody Branch-Cedar 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: September 21, 2022

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: Figures provided by DSM Design Group
- 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: Google Earth KML EPA WATERS feature layer accessed September 12, 2022.
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: National Regulatory Viewer accessed September 19, 2022 - <https://arcportal-ucop-corps.usace.army.mil/>
- USDA Natural Resources Conservation Service Soil Survey. Citation: Franklin County, AL Accessed September 19, 2022 - <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
- National wetlands inventory map(s). Cite name: National Regulatory Viewer accessed September 19, 2022 - <https://arcportal-ucop-corps.usace.army.mil/>
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: National Regulatory Viewer accessed September 19, 2022 - <https://arcportal-ucop-corps.usace.army.mil/>
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Google Earth current and historical aerial photographs accessed
- or  Other (Name & Date): Current site and soil profile photographs provided by DSM Design Group September 19, 2022.
- 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:** The proposed site is a 4 acre parcel and includes excavation of suitable soil to be used as fill material.

<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.