

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): April 8, 2020

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SAC-2019-02015 Midway Green Project

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **South Carolina** County/parish/borough: **Union County** City: **Union**
Center coordinates of site (lat/long in degree decimal format): Lat. **34.70402°N**, Long. **81.66093°W**
Universal Transverse Mercator: **NAD 83**

Name of nearest waterbody: **Unnamed tributary to Shoal Creek**
Name of watershed or Hydrologic Unit Code (HUC): **03050107-04 Fairforest 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: **April 7, 2020**
 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: **S&ME, Inc.**
 Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 Office concurs with data sheets/delineation report. **This office agrees with the conclusions of the data sheets.**
 Office does not concur with data sheets/delineation report.
 Data sheets prepared by the Corps:
 U.S. Geological Survey Hydrologic Atlas: **HA 730-G, 1990**
 USGS NHD data.
 USGS 8 and 12 digit HUC maps. **03050107-04 Fairforest Creek**
 U.S. Geological Survey map(s). Cite scale & quad name: **1:24,000 Union West**
 USDA Natural Resources Conservation Service Soil Survey. Citation: **SSURGO 2019 Cartecay, Cecil, Hiwassee, Madison**
 National wetlands inventory map(s). Cite name: **USFWS NWI**
 State/Local wetland inventory map(s):
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): **Google Earth Aerial dated April 20, 2018**
 Other (Name & Date): **Photos 1-16 of 16 taken by the consultant dated on December 9, 2019 and January 6, 2020**
 Previous determination(s). File no. and date of response letter: **SAC-2011-00064-5JC dated September 25, 2012**
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The tract in question contains only dry land. There are no areas within jurisdiction of the Clean Water Act or Rivers and Harbors Act.

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.