

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): December 9, 2019

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SAC-2019-01579 CDP Lancaster 2

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: South Carolina County/parish/borough: Lancaster County City: Lancaster
Center coordinates of site (lat/long in degree decimal format): Lat. 34.7765 °, Long. -80.7909 °
Universal Transverse Mercator: **NAD 83**
Name of nearest waterbody: unnamed tributary to Cane Creek
Name of watershed or Hydrologic Unit Code (HUC): 0305010303 Cane 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: **December 9, 2019**
 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: **Palmetto Environmental Consulting, 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 submitted data sheets.**
 Office does not concur with data sheets/delineation report.
 Data sheets prepared by the Corps:
 U.S. Geological Survey Hydrologic Atlas: **HA 730G, 1990**
 USGS NHD data.
 USGS 8 and 12 digit HUC maps. **030501030302 Headwaters Cane Creek-Catawba River**
 U.S. Geological Survey map(s). Cite scale & quad name: **1:24,000 Van Wyck**
 USDA Natural Resources Conservation Service Soil Survey. Citation: **SSURGO soil data as ArcMap layer: Cecil, Tatum.**
 National wetlands inventory map(s). Cite name: **USFWS NWI Version 2, Surface Waters & Wetlands Inventory as ArcMap layer**
 State/Local wetland inventory map(s):
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): **Digital Globe image as ArcMap layer dated 10/12/18**
 Other (Name & Date): **Consultant provided photos 1-5 of 5 dated 9/20/2019.**
 Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The topo map shows the top end of a draw along the eastern property line that further downstream offsite becomes a jurisdictional tributary and a second weak draw located along the southern property line. The upgradient half of the draw along the eastern property line shows evidence that water periodically flows through it but was covered in predominantly upland vegetation and lacked those characteristics (evidence of OHWM, sediment sorting, scour lines, etc.) to classify it as jurisdictional (it is ephemeral). The downgradient half of the eastern draw also contained generally upland vegetation but at a lower density than the upgradient portion. Periodic water flow was evident here too, but like the upper half of the draw, it lacked the characteristics of seasonal or perennial flow. The second weak draw along the southern property line is a flat area with no evidence of a channel and contains upland soils. Other 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.

sources indicate no wetlands or other waters are located on the site. Consultant photos show the site has been partially cleared but contains areas of mixed pine-hardwood forest. This office agrees with the conclusions of the submitted information documented on this form. The project area consists entirely of dry lands.