

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 23, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SAC-2017-01849 Shelby Hwy-Keller Borrow Pit

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **South Carolina** County/parish/borough: **Cherokee County** City: **Gaffney**

Center coordinates of site (lat/long in degree decimal format): Lat. **35.10218°N**, Long. **81.61926°W**

Universal Transverse Mercator: **NAD 83**

Name of nearest waterbody: **Providence Branch**

Name of watershed or Hydrologic Unit Code (HUC): **HUC 03050105-16 Cherokee Creek-Broad River**

- 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 14, 2018**

Field Determination. Date(s): **January 12, 2018**

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: **ButeoBiotics**
- 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. **HUC 03050105-16 Cherokee Creek-Broad River**
- U.S. Geological Survey map(s). Cite scale & quad name: **1:24,000 Blacksburg South**
- USDA Natural Resources Conservation Service Soil Survey. Citation: **Cherokee County Soil Map 8, Cecil, Guilled land, Madison & Cecil**
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): **11200:10 1999, 2006, 2015**
- or Other (Name & Date): **Photos 1-12 of 12 provided by USACE dated January 12, 2018, photos 1-3 of 3 taken by consultant on January 27, 2018**
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): **Corps Site Visit**

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: There are no navigable waters of the U.S. or waters of the U.S. as documented on this form. The tract in question contains only dry land. There are no areas under 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.