

**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): July 2, 2019**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: NAO-2002-02257**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Virginia County/parish/borough: City: Suffolk  
Center coordinates of site (lat/long in degree decimal format): Lat. 36.872766 °, Long. -76.441237 °  
Universal Transverse Mercator:

Name of nearest waterbody: Knotts Creek  
Name of watershed or Hydrologic Unit Code (HUC): 02080208

- 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: July 1, 2019  
 Field Determination. Date(s) March 12, 2019  
(by consultant):

**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: "Figure 2: Site Conditions 5845 Harbour View Blvd." by Bay Environmental, Inc. dated March 12, 2019  
 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:  
 U.S. Geological Survey Hydrologic Atlas: 02080208  
 USGS NHD data.  
 USGS 8 and 12 digit HUC maps.  
 U.S. Geological Survey map(s). Cite scale & quad name: USGS Bowers Hill, VA Quadrangle  
 USDA Natural Resources Conservation Service Soil Survey. Citation: NRCS Soil Survey Shapefile for Virginia  
 National wetlands inventory map(s). Cite name: USFWS NWI Invenotry Shapefile for Virginia  
 State/Local wetland inventory map(s):  
 FEMA/FIRM maps: FEMA NFHL Flood Hazard Zones  
 100-year Floodplain Elevation is: Zone X (National Geodectic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): ESRI World Image  
 or  Other (Name & Date): Ground photos from 12 March 2019  
 Previous determination(s). File no. and date of response letter: 02-R2031  
 Applicable/supporting case law:  
 Applicable/supporting scientific literature:  
 Other information (please specify): Original JD map with a much larger site boundary depicted this same area as uplands.

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** This small 2.1 acre site is part a very large development known as the "Harbour View Development". The project manager is familiar with Harbour View and has visited portions of this development many times since the early 2000's. This parcel is completely surrounded by roads and other development. The original JD map for Harbour View with a much larger study boundary was located and that map depicts this same area as uplands. In addition, a NWP 39 was issued for a stormwater pond to the north back in November, 2002, and this 2.1 acre area was shown as uplands on that map. Most of the property has been cleared and is an open field. A small

<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.

forested area with an upland swale runs in the middle of the site and the USGS topo map indicates a dirt road was once located near this current tree line. No wetlands are depicted on the NWI maps, and the soil is mapped as Nansemond fine sandy loam (16A), which is moderately well drained and nonhydric. A data point taken by the consultant did not identify hydrophytic vegetation, hydric soils or hydrology on the site. Ground photos submitted with the consultant's wetland report confirm the findings.