

**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):** May 19, 2020

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** NAO-2020-00860 East Mercury Boulevard Bike and Pedestrian Improvements Project

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

State: Virginia County/parish/borough: City: Hampton  
Center coordinates of site (lat/long in degree decimal format): Lat. 37.019991°, Long. -76.316640°  
Universal Transverse Mercator:  
Name of nearest waterbody: Mill 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: May 19, 2020  
 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: [Click here to enter text.](#)  
 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: [Click here to enter text.](#)  
 USGS NHD data.  
 USGS 8 and 12 digit HUC maps.  
 U.S. Geological Survey map(s). Cite scale & quad name: Hampton USGS quad  
 USDA Natural Resources Conservation Service Soil Survey. Citation: SSURGO data  
 National wetlands inventory map(s). Cite name: GIS layer; Hampton USGS quad  
 State/Local wetland inventory map(s): [Click here to enter text.](#)  
 FEMA/FIRM maps: [Click here to enter text.](#)  
 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Various dates & sources (GIS, Google Earth, Digital Globe)  
 or  Other (Name & Date): [Click here to enter text.](#)  
 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): VHB documentation sent in with their JD request

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** No wetlands or other waters of U.S. are in the project area. Project area limited to the existing paved roadway. VBB

<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.

notes "VHB has performed a site visit, and no jurisdictional waters/wetlands are present within the project area. The project area falls entirely in uplands occupied by roadway infrastructure, residential yards, and business lots. Furthermore, there are no ditches that would require a jurisdictional review."