

**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): November 30, 2021**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: NAO-2021-02796**

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

State: Virginia County/parish/borough: N/A City: Virginia Beach  
Center coordinates of site (lat/long in degree decimal format): Lat. 36.898827 °, Long. -76.183000 °  
Universal Transverse Mercator:  
Name of nearest waterbody: Lake Whitehurst  
Name of watershed or Hydrologic Unit Code (HUC): 02080108

- 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: November 30, 2021  
 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: AJD submittal and access via Google Earth Pro  
 USDA Natural Resources Conservation Service Soil Survey. Citation: AJD submittal and access via Google Earth Pro  
 National wetlands inventory map(s). Cite name: AJD submittal and access via Google Earth Pro  
 State/Local wetland inventory map(s): [Click here to enter text.](#)  
 FEMA/FIRM maps: see AJD submittal  
 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Google Earth Pro, Bing, ArcGIS Pro, Digital Globe  
 or  Other (Name & Date): various dates  
 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): LiDAR

**B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:** Agent provided 3 datasheets for 3 datapoints that were located in the most questionable spots on the property (i.e., swale in northeast corner and areas mapped as wetland by NWI). For all 3 datasheets, none of the 3 wetland factors

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<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.

were met. The area mapped as wetland by the NWI was mapped as non-hydric soils by the NRCS, and the representartive datapoint confirmed the presence of non-hydric soils at this location.