

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): June 23, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: NAO-2021-2100, Jamer River Energy Center

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Virginia County/parish/borough: City: City of Lynchburg
Center coordinates of site (lat/long in degree decimal format): Lat. 37.4643 °, Long. -79.18788 °
Universal Transverse Mercator: 17

Name of nearest waterbody: James River
Name of watershed or Hydrologic Unit Code (HUC): 02080203

- 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: June 23, 2022
 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: ECS Mid-Atlantic
 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:
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: 1"=24,000' - Lynchburg
 USDA Natural Resources Conservation Service Soil Survey. Citation: NRCS Web Soils Survey
 National wetlands inventory map(s). Cite name: COE GIS
 State/Local wetland inventory map(s):
 FEMA/FIRM maps: provided by agent
 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): COE GIS, Google Earth 2022
 or Other (Name & Date): Site photos provided by applicant
 Previous determination(s). File no. and date of response letter:
 Applicable/supporting case law:
 Applicable/supporting scientific literature:
 Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

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.

ECS conducted the WOUS Delineation on the 4.1 acre parcel referenced above on June 11, 2021. The methods used to identify potentially jurisdictional WOUS, including wetlands, were those set forth in the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual (Y-87-I), and the 2012 Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Eastern Mountains and Piedmont (Version 2.0). The property known as the James River Energy Center is currently a residential property that is mainly maintained lawn/field and is bordered by 2 paved roads, the CSX railroad easement and forested area. The agent completed 2 data points on the site and neither met the any of the three required criteria. Additionally, the site did not possess any areas that possessed evidence of an ordinary high watermark