

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): July 10, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CENAP 2017-00281, Provco Group LH

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Pennsylvania County/parish/borough: Lehigh City: Upper Saucon
Center coordinates of site (lat/long in degree decimal format): Lat. 40.522562° N, Long. -75.388259° W
Universal Transverse Mercator:

Name of watershed or Hydrologic Unit Code (HUC):

- 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 6, 2017
- Field Determination. Date(s): July 3, 2017

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: NOVA Consulting, LLC
- 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: Allentown East, PA 1:24,000 Quadrangle
 - USDA Natural Resources Conservation Service Soil Survey. Citation: Lehigh County, PA Soil Survey
 - National wetlands inventory map(s). Cite name: Allentown East, PA 1:24,000 Quadrangle
 - State/Local wetland inventory map(s):
 - FEMA/FIRM maps:
 - 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
 - Photographs: Aerial (Name & Date): Google Earth aerial imagery
 - or Other (Name & Date): Site Photographs submitted with the JD request
 - 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: The project area consists mostly of structures, paved road, and gravel parking lots. The wetland Delineation supplied by NOVA Consulting found no wetlands within the project area. A review of the available Google Earth aerial imagery supports this finding. There are no aerial signatures that suggest the presence of a wetland within the project area. A unnamed tributary to Laurel Run has been identified on the property immediately south of the project area. The unnamed tributary had flow in it on 3 July 2017 and appears to be perennial in nature. The project boundary area was drawn to specifically exclude the unnamed tributary. So while the unnamed tributary is located on the property it is not part of the final "Project Area" covered by the JD.

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.