

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): November 3, 2021

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Savannah District, Regulatory Division, Piedmont Branch, SAS-2021-00868

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Georgia County/parish/borough: Cobb City: Marietta

Center coordinates of site (lat/long in degree decimal format): Lat. 34.010641°, Long. -84.510785°

Universal Transverse Mercator: UTM Easting: 729872.22, UTM Northing: 3766129.93, UTM Zone: 16S

Name of nearest waterbody: Little Noonday Creek, Farmland Lake

Name of watershed or Hydrologic Unit Code (HUC): 031501040808, Lower Noonday Creek

- 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 3, 2021
- Field Determination. Date(s): N/A

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 0.051-acre 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 0.051-acre 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: AJD Request Supporting Documents, PDF pages 2-4, Site Development Plans, Milstead Storm System Improvements, 2356 Milstead Circle, Marietta, GA 30066, Parcel ID: 16063300310, Dated July 9, 2021.
- 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: N/A
- U.S. Geological Survey Hydrologic Atlas: AJD Request Supporting Documents, page 10, USGS National Hydrography Dataset, dated October 2021.
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: N/A
- USDA Natural Resources Conservation Service Soil Survey. Citation: AJD Request Supporting Documents, PDF page 6-8, Web Soil Survey, National Cooperative Soil Survey, dated October 7, 2021.
- National wetlands inventory map(s). Cite name: AJD Request Supporting Documents, PDF page 9, National Wetlands Inventory, 2356 Milstead Circle Wetland, dated October 8, 2021.
- State/Local wetland inventory map(s): N/A
- FEMA/FIRM maps: AJD Request Supporting Documents, PDF page 5, National Flood Hazard Layer FIRMette, Received October 8, 2021.
- 100-year Floodplain Elevation is: 986 feet (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth, and Streamstats reviewed.
- or Other (Name & Date): AJD Request Supporting Documents, PDF pages 13-15, Site Photographs, three images, received October 8, 2021.
- Previous determination(s). File no. and date of response letter: N/A
- Applicable/supporting case law: N/A
- Applicable/supporting scientific literature: N/A
- Other information (please specify): AJD Request Supporting Documents, PDF page 11-12, Antecedent Precipitation Tool (APT), received October 8, 2021.

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.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: There is a stormwater swale feature located within the review area. The feature begins at a culvert and the channel is lined with rip-rap. The channel is eroding and does not have permanent flow, the feature does not display the physical characteristics of an Ordinary High Water mark indicative of streams, and there is vegetation in the channel near the culvert. Therefore, the feature is an erosional feature that formed due to man-made stormwater infrastructure. According to the information in the APT the site conditions were wetter than normal during the site delineation. Therefore, there is a high probability that the feature is not a jurisdictional feature.