

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 9, 2017

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Buffalo District; Basile, Karen; LRB-2017-00267

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: New York County: Oneida City: Western

Center coordinates of site (lat/long in degree decimal format): Lat. 43.30789 °, Long. -75.41387 °

Universal Transverse Mercator: [Click here to enter text.](#)

Name of nearest waterbody: Delta Lake Reservior

Name of watershed or Hydrologic Unit Code (HUC): Delta Reservoir HUC 12: 010100040105

- 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: April 26, 2017

Field Determination. Date(s): April 28, 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: Plot maps, photographs, NWI map provided by the applicant
- 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 and HUC Maps, no hydrology or wetland signatures indicated on USGS maps.
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 1:24K Quad – NY Westernville, Delta Lake noted in close proximity to review area. Contour lines show a gradual slope towards the Lake to the southeast of the property.
- USDA Natural Resources Conservation Service Soil Survey. Citation: Soil Survey Map downloaded 5/1/2017, shows 0% hydric soils in the project area
- National wetlands inventory map(s). Cite name: Provided by applicant, shows possible forested wetlands in the project area, initiated the need by the applicant, at the request of the town, to obtain a determination from the Corps. The NWI map shows a possible wetland that includes the review area, as well as a pond that is located off site of the review area to the Northwest.
- State/Local wetland inventory map(s): NYS Wetlands map; no state wetlands are mapped in the project area, the nearest mapped wetland is over 0.25 miles away from the review area, on the opposite shore of Delta Lake.
- FEMA/FIRM maps: The project area is not within a flood plain
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth 2016, 2011, 2003 – No wetland indicators observed, pond noted off site to the Northwest and Delta Lake Reservoir off-site to the Southeast.
- or Other (Name & Date): Photographs provided by landowner taken April, 2017 – No wetland indicators present
- 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 US Army Corps of Engineers personnel conducted a site visit on 4/28/2017. There were no

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.

signs of hydrology on the site. Vegetation within the review area consisted of upland species: *Acer saccharum* (sugar maple) and *Fraxinus Americana* (white ash), ground cover consisted of manicured lawn with *Trifolium sp.* (Clover) and *Teraxacum officinale* (dandelion), and a patch of *Erythronium albidum* (trout lily) along one side of the review area. No wetland hydrology or vegetation exists within the review area; therefore, it was not necessary to take a soil sample.