

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): May 13, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: LRB, Willoughby SR MOB, LLC., Phase 1 (4.32-acre Site), 2021-01447

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Ohio County/parish/borough: Lake City: Willoughby
Center coordinates of site (lat/long in degree decimal format): Lat. 41.645653 °, Long. -81.390899 °
Universal Transverse Mercator: 17

Name of nearest waterbody: Chagrin River

Name of watershed or Hydrologic Unit Code (HUC): 04110003

- 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: May 13, 2022
- Field Determination. Date(s): May 10, 2022

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: Wetland and Water Resource Delineation Report, 11.52 acre Project Area, SE of Mentor Ave., Mentor Lake County, OH (Parcel ID: 27-A-032-0-00-015-0), Dated 5-OCT-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: [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: [Click here to enter text.](#)
- USDA Natural Resources Conservation Service Soil Survey. Citation: <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
- National wetlands inventory map(s). Cite name: USACE ORM 2 Dataset
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: [Click here to enter text.](#)
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Eagleview Connect Explorer 3/13/2021, 11/14/2020, 4/27/2019, 11/28/2017, 4/21/2014
- or Other (Name & Date): Photographs submitted with the Wetland Delineation Report
- 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): [Click here to enter text.](#)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: A jurisdictional waters assessment was conducted for the 4.32-acre site. Wetland data points were taken in accordance with the current version of the 1987 United States Army Corps of Engineers Wetland Delineation Manual and the appropriate regional supplement of the Corps 1987 Wetland Delineation Manual. A review of wetland data points 1 and 6 taken within the 4.32-acre Phase 1 site did not meet any of the three wetland criteria and lacked hydrology, hydric soils and hydrophytic vegetation indicators. Data point 2 met hydrophytic vegetation and wetland hydrology indicators but lacked hydric soils. The 4.32-acre Phase 1 site was field verified on 10-MAY-2022. The Corps verified that the soil taken at Data Point 2 did not meet any of the hydric soil indicators. Wetland was not observed

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.

within the 4.32-acre Phase 1 site. After a review of aerial imagery, review of the wetland data point information and an on-site field verification, it has been determined that the 4.32-acre Phase 1 site contains only uplands and no Waters of the United States are present.