

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 5, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Detroit District, Michiana Branch, CELRE-ORM, LRE-2015-00598-102-A21-2

C. PROJECT LOCATION AND BACKGROUND INFORMATION: 12-acre review area within Franke Park

State: Indiana County/parish/borough: Allen City: Fort Wayne
Center coordinates of site (lat/long in degree decimal format): Lat. 41.104752 °, Long. -85.159457 °
Universal Transverse Mercator: Zone 16, X654444, Y4552043

Name of nearest waterbody: Spy Run Creek

Name of watershed or Hydrologic Unit Code (HUC): 04100004 Great Lakes Region – Western Lake Erie

- 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 3, 2022
 Field Determination. Date(s):

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 Delineation Report, Franke Park – Park Drive, prepared for: City of Fort Wayne, Parks & Recreation Department, 705 East State Boulevard, Fort Wayne, Indiana 46805, prepared by: Earth Source, Inc. 14921 Hand Road, Fort Wayne, Indiana 46805, Dated December 14, 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:
- 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: Fort Wayne West - Ind. Quadrangle
- USDA Natural Resources Conservation Service Soil Survey. Citation: Allen County Soil Survey Map, wetland delineation attachment F4 dated December 12, 2021.
- National wetlands inventory map(s). Cite name: NWI Map, wetland delineation attachment F3, dated December 12, 2021
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 2020 aerial photograph, wetland delineation attachment F5, dated December 12, 2021
- or Other (Name & Date): Wetland delineation site photographs, Appendix B, dated December 2, 2021.
- Previous determination(s). File no. and date of response letter:
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): Corps site inspections were conducted in the immediate vicinity of the 12-acre review area for permit evaluation and compliance actions associated with the Spy Run Creek Restoration Project; file number LRE-2015-00598-102-N17. No wetlands or waters were observed in the 12-acre review area at the site inspections conducted on September 11, 2015, February 1, 2018, August 14, 2019, and December 2, 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: Based upon the wetland delineation report and previous Corps site inspections conducted in the immediate vicinity of the site of this AJD request, the 12-acre review area consists entirely of dry land.