

**DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM<sup>1</sup>**  
**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):** March 24, 2022

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** Detroit District, Shan Land Development, LRE-2022-00113-120

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: Indiana County/parish/borough: Elkhart City: Elkhart  
Center coordinates of site (lat/long in degree decimal format): Lat. 41.7346 °, Long. -85.8893°  
Universal Transverse Mercator: 16  
Name of nearest waterbody: Heaton Lake  
Name of watershed or Hydrologic Unit Code (HUC): 04050001

- 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: March 24, 2022  
 Field Determination. Date(s): March 17, 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:  
 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: Elkhart Quad 1:24,000  
 USDA Natural Resources Conservation Service Soil Survey. Citation: Web Soil Survey  
 National wetlands inventory map(s). Cite name: Elkhart Quad 1:24,000  
 State/Local wetland inventory map(s):  
 FEMA/FIRM maps:  
 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)  
 Photographs:  Aerial (Name & Date): Indiana Ortho 2008, 2010, 2011, and 2016  
 or  Other (Name & Date):  
 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:** Excavated area appears on the 1961 USGS map as a new feature, however the excavated ponded area was filled in between 2008 and 2010 when the adjacent barn was taken down. On-site investigation conducted on March 17, 2022 revealed that area is currently an upland agricultural field with no indicators of an excavated pond or other waterway. Soil survey classified the area as a non-hydric soil and the excavated pond appears have been constructed from a non-hydric soil prior to being filled.

<sup>1</sup> 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.