

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): February 2, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: NAB-2023-00054 (Frederick Airport Pre-App/AJD)

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Maryland County/parish/borough: Frederick City: Frederick
Center coordinates of site (lat/long in degree decimal format): Lat. 39.410145 °, Long. -77.367670 °
Universal Transverse Mercator:
Name of nearest waterbody: Monocacy River
Name of watershed or Hydrologic Unit Code (HUC): 020700090606

- 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: January 26, 2023
 Field Determination. Date(s): August 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: Documents included in case file.
 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: Water Resources Registry Layer- accessed January 26, 2023
 USGS NHD data.
 USGS 8 and 12 digit HUC maps.
 U.S. Geological Survey map(s). Cite scale & quad name: Water Resources Registry Layer- accessed January 26, 2023
 USDA Natural Resources Conservation Service Soil Survey. Citation: NRCS Web Soil Survey- Accessed January 26, 2023
 National wetlands inventory map(s). Cite name: Water Resources Registry Layer- accessed January 26, 2023
 State/Local wetland inventory map(s): MERLIN website- accessed January 26, 2023
 FEMA/FIRM maps:
 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
 Photographs: Aerial (Name & Date): Submitted with document in case file.
 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): LIDAR- accessed through Water Resources Registry on January 26, 2023

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: The Corps received a pre-application request to review a proposed 117-acre industrial development surrounding Bowman Farm Road, known as Frederick Airport Park, in Frederick, Frederick County, Maryland. On August 17, 2022,

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.

The Corps conducted a field review to confirm the review area only includes dryland. During the field review, three stormwater management ponds (Features H, I, and J) were observed in the north portion of the Corps Area of Review and single stormwater management feature (Feature Z) was observed in the south portion of the Corps Area of Review. The Corps carefully reviewed the USGS NHD, USGS Topographic Quads, USFWS NWI maps, local wetland inventories, historic photographs and LIDAR, and has determined that these features are man-made stormwater features constructed in uplands to manage stormwater. Based on the documentation provided by the consultant and the Corps observations during the August 17, 2022 site visit, the Corps has determined the review area includes only dry land and no jurisdictional waters of the U.S.