

**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): January 31, 2018**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER: NAN-2017-01475-EMI**

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

State: New York      County/parish/borough: Suffolk County      City: Town of Southold  
Center coordinates of site (lat/long in degree decimal format): Lat. 41.118894 °, Long. -72.338154 °  
Universal Transverse Mercator: N/A

Name of nearest waterbody: Spring Pond, a tributary of Gardiners Bay

Name of watershed or Hydrologic Unit Code (HUC): N/A

- 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 30, 2018  
 Field Determination. Date(s): N/A

**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: Prepared by Costello Marine Contracting Corp. dated October 13, 2017
- 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:
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s). Cite name:
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): Google Earth Pro 20117, dated May 2016  
 or  Other (Name & Date): Existing Conditions, dated October 14, 2017
- 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:** Our review indicated that the proposed work does not include dredging or construction activities in or over any navigable waters of the United States, or the placement of any dredged or fill material in any waters of the United States, or the accomplishment of any work affecting the course, location, condition or capacity of such areas. All bank stabilization activities as provided in the project plans dated October 13, 2017, and e-mail correspondence dated January 23, 2018, indicate that all discharges/excavation occurs above the Spring High Water line on dry land, and no work regulated by USACE occurs within regulatory jurisdiction.

<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.