Jurisdictional Determination (JD) Information Checklist

U.S. Army Corps of Engineers Baltimore District

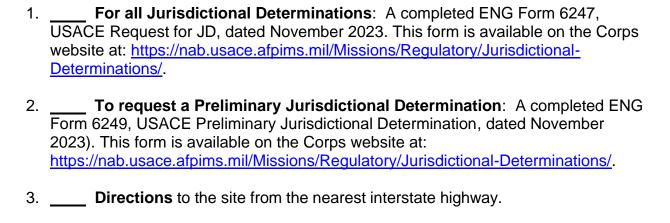
Regulatory Guidance Letter 16-01

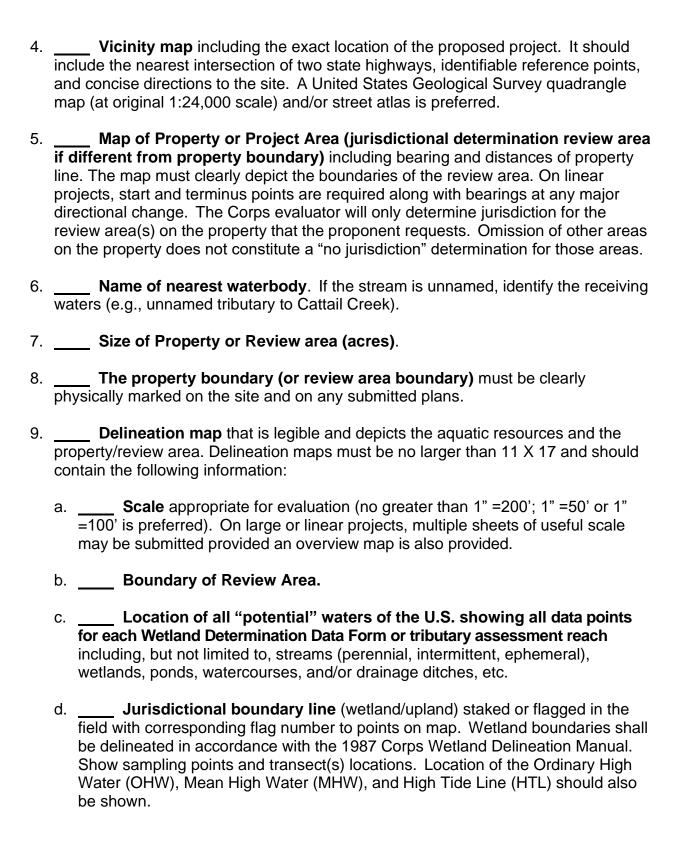
(https://usace.contentdm.oclc.org/utils/getfile/collection/p16021coll9/id/1256) provides information on JDs to ensure that all parties have a common understanding of the different options for addressing Clean Water Act and Rivers and Harbors Act geographic jurisdiction so that the most appropriate mechanism for addressing the needs of a person requesting a JD can be identified. All parties requesting a JD are encouraged to review the document.

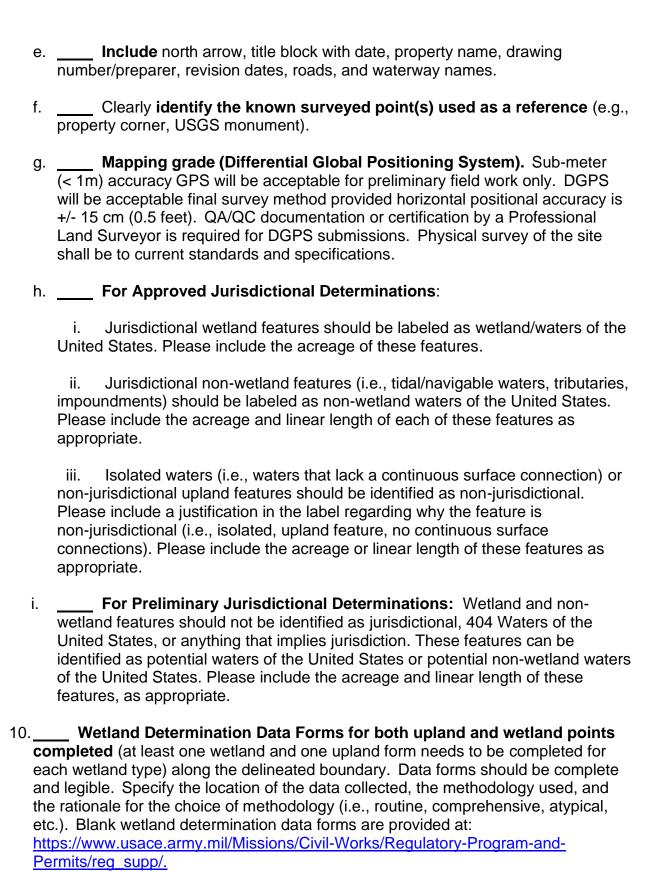
The United States Army Corps of Engineers (USACE) has launched its new Regulatory Request System (RRS). The RRS, currently in a beta version, provides general information on the Regulatory Program and allows the public to submit preapplication meeting requests and JD requests electronically. Use of the system will promote a timelier review and the submission of information needed to complete a JD or preapplication request. You can access the RRS at: https://rrs.usace.army.mil/rrs.

To facilitate JD and preapplication requests, the Baltimore District developed this checklist. This checklist includes supporting information to include with your submitted request. Once a Corps Regulatory Project Manager has been assigned to your request, you should coordinate with the Corps Project Manager to determine if additional information is needed to complete your request.

Please note that JDs and delineation verifications may require a site investigation by a Corps Project Manager. Should you wish to have your property or project area delineated for waters of the U.S., the Corps Project Manager may not be able to accomplish this delineation in a timeframe suitable for your needs due to available resources and workload. To expedite your request, the Corps recommends that you contract with an environmental consultant to perform this delineation and coordinate with the Corps to verify the completed delineation. While the Baltimore District does not maintain a list of consultants, nor can we recommend or endorse a consultant, names and contact information can be obtained from local telephone directories, chambers of commerce, internet resources, civil engineering and land surveying companies, or similar resources.







- 11. ____ Reference information from as many of the following sources as are available (NOTE: all information should have source, data, and a scale):
 - a. Aerial photographs (from multiple years where available) on sites greater than 5 acres.
 - b. National Wetland Inventory (NWI) and/or State Wetland maps.
 - c. Soil surveys from the most recent soil survey effort (data available from SSURGO or other source) including series descriptions.
 - d. FEMA 100-year floodplain boundary, and/or local FEMA approved Flood Plain studies.
 - e. USGS Quadrangle topographic map.
 - f. Aerial photography if available.
 - g. LIDAR maps.
 - h. Other Assessment Forms.
- 12. Size of waters of the United States (acreage of each wetland; linear feet and width of each stream) in the jurisdictional determination review area.
- 13. ____ Identify site safety issues by checking with the Environmental Protection Agency (EPA), State (Pennsylvania Department of the Environment in Pennsylvania or Maryland Department of the Environment in Maryland), or other local environmental protection information sources. Ensure site is free of contaminants that are considered hazardous and note any potential "Risk" areas on the site map.

EPA Superfund Sites: https://www.epa.gov/superfund/search-superfund-sites-where-you-live

EPA Action Programs: https://www.epa.gov/hwcorrectiveactioncleanups/corrective-action-programs-around-nation#3

In Maryland:

https://mde.maryland.gov/programs/land/marylandbrownfieldvcp/pages/bf_info.aspx

In Pennsylvania: https://www.dep.pa.gov/Business/Land/SiteRemediation/Hazardous-Sites-Cleanup-Program/pages/default.aspx

14. **Site Access Permission verification**. A right of entry form is required for each property owner. On large or linear projects that cross multiple property boundaries. contact the individual property owners within 48 hours of the site visit to confirm permission for site access by all parties. Signed site access permission forms (or other USACE accepted notification forms) should be brought to the site visit along with a tracking log containing the most recent efforts to contact and verify site permissions with individual property owners. USACE employees are not allowed to access a site for jurisdiction verification unless **explicit** permission is granted by the property owner or their designee. 15. **Optional items** can be supplied that will assist in the jurisdictional determination review and subsequent permit evaluations: a. Note the general **climatological condition** of the site at the time of evaluation. b. Onsite, ground level **photographs** from representative locations with photo index map identifying photograph location and direction. c. Cowardin Classification of wetland areas. d. Current and historic land uses (i.e., agricultural, industrial, residential, cropland, lawn, forested, etc.). e. **Total acreage of wetlands** to be affected by the project (if known). f. Rate of average annual flow in CFS for streams. g. General geologic and topographic conditions. **Pre-application Checklist Note**: While a pre-application meeting is not a required component of a JD, the Corps highly recommends using the JD field visit and JD review process as an opportune time to discuss possible impacts to regulated areas. Providing the Corps with as many of these items as is reasonably available generally will enhance the permit review process. 1. ____ Site development plans (separate sheet(s); if available). 2. **Environmental Assessment** of aquatic resources on site.

3. Adjacent property owner(s) including names, addresses (mailbox number),

and reference points (e.g. along the west side of Cattail Creek).

4. **Proposed and existing structures** clearly defined as such.

5.	Location, dimensions, and type of sewage/septic system proposed.
6.	Dimensions of proposed structures such as driveway, house, garage, and other.
7.	Structures which are proposed in wetlands or other potential aquatic resources.
8.	List of all approvals and certifications required and/or received from other federal, interstate, state, or local agencies for the development of the project site.