

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): October 24, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Wasatch Peaks Ranch Resort, SPK-2018-00538

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Utah County/parish/borough: Morgan County City: Peterson
Center coordinates of site (lat/long in degree decimal format): Lat. 41.092220°, Long. -111.813366°
Universal Transverse Mercator: 12 431689.77 4549313.16
Name of nearest waterbody: Peterson Creek
Name of watershed or Hydrologic Unit Code (HUC): Lower Weber, 16020102

- 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: October 24, 2022
- Field Determination. Date(s): August 26, 2021

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: Wasatch Peaks Ranch Development Project, Three Toes Pond Diversion Ditch Study Area; November 17, 2021; Frontier Corporation USA
- 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):
- USDA Natural Resources Conservation Service Soil Survey. Citation:
- National wetlands inventory map(s):
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: ([National Geodectic Vertical Datum of 1929](#) / [North American Vertical Datum of 1988](#))
- Photographs (Aerial): Google Earth Historic Aerial Imagery
- Photographs (Other):
- Previous determination(s):
- 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: The information provided by the applicant has demonstrated that Ditch R35 has no ordinary high water mark (OHWM) indicators. The amount, frequency, and duration of flow in the ditch is too minimal to establish reliable or consistent OHWM indicators. The review area is limited to this specific ditch feature and no other aquatic features are present or being evaluated under this AJD. A previous PJD was issued for the much larger Wasatch Peaks Ranch project area reviewed concurrently with this AJD request.

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.