

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 28, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: New England District, Atlantic Golf Course, NAE-2022-01643

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: Massachusetts County/parish/borough: Bristol City: Attleboro

Center coordinates of site (lat/long in degree decimal format): Lat. 41.916912 °, Long. -71.356676 °

Universal Transverse Mercator: 19 N 304566 4643237

Name of nearest waterbody: Sevenmile River

Name of watershed or Hydrologic Unit Code (HUC): 0109000404

- 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: February 3, 2023

Field Determination. Date(s): [Click here to enter a date.](#)

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: The review area is indicated on a plan titled “USACE Jurisdictional Determination Area of Review A.P. 69, Lot 26B, 754 Newport Ave Attleboro, Massachusetts” and dated 02/01/23.
- 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: [Click here to enter text.](#)
- U.S. Geological Survey Hydrologic Atlas: [Click here to enter text.](#)
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: 2015 Attleboro, MA-RI Scale 1:24000
- USDA Natural Resources Conservation Service Soil Survey. Citation: <https://websoilsurvey.sc.egov.usda.gov/> Bristol County, Massachusetts Soil Survey.
- National wetlands inventory map(s). Cite name: <https://fws.gov/program/national-wetlands-inventory/wetlands-mapper> (USFWS NWI website)
- State/Local wetland inventory map(s): [Click here to enter text.](#)
- FEMA/FIRM maps: [Click here to enter text.](#)
- 100-year Floodplain Elevation is: [Click here to enter text.](#) (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 1939, 1952, 1981, 1997, 2014, and 2019 aerial photos provided by requester
- or Other (Name & Date): Photos of field and drainage features dated May 25, 2022
- Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)
- Applicable/supporting case law: [Click here to enter text.](#)
- Applicable/supporting scientific literature: [Click here to enter text.](#)
- Other information (please specify): [Click here to enter text.](#)

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

The soil survey map indicated that the majority of the 12 acre open field review area within the larger golf course site was comprised of a Swansea muck soil with 0 to 1% slopes. This type of soil is a very poorly drained hydric soil consisting of highly decomposed organic material

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.

over loose sandy and gravelly glaciofluvial deposits. This is why the requester was told by the state to consult with USACE regarding the presence or absence of wetlands within the field. The requester had delineated wetland and stream features primarily within wooded areas of the golf course but had not delineated any aquatic resources within the open field review area.

The 2015 USGS quadrangle map does not show any wetland or stream features within the 12-acre open field review area. The NWI map does not show any wetland or stream features within the review area.

The elevation and hydrology of this open field review area within the golf course has been manipulated for about 100 years based on aerial photography. Therefore the area was reviewed under Chapter 5 of the Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Northcentral and Northeast Region (Version 2.0). The overall site is an active golf course and would continue to be so if the proposed residential complex were abandoned. Therefore it was not feasible to completely stop manipulating the area for a year or two to see if wetlands would form.

The vegetation in the field is uniform and planted and consists of perennial rye grass (*Lolium perenne*). There was no evidence of colonization attempts by hydrophytic vegetation. Chapter 5 recommends examining the vegetation on an undisturbed reference area with soils and hydrology similar to those on the site. The areas directly abutting the open field review area are either similarly managed open areas or forested uplands. There are some wetlands within the forested areas outside the review area but the review area directly abuts forested uplands.

The soil samples did not show evidence of organic matter and therefore did not match the Swansea muck description. The soil samples were indicative of disturbed soils and human-transported material. There were some redox features in the soil but it was hard to tell if they were relict features and/or related to irrigation practices.

There are both drains and irrigation features in the soils of the open field. The requester stated that irrigation of the grasses is required in the spring, summer, and fall which would seem to indicate that any hydrology would not be present at the site long enough to meet the requirements for wetland hydrology.