

PRELIMINARY JURISDICTIONAL DETERMINATION (PJD) FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): May 8, 2019

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:

Mr. Gary Wiggins
Winslow Farm Community Association
739 E. Winslow Farm Drive
Bloomington, IN 47401

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: CELRL-RDN, Winslow Farm
Neighborhood Ponds, LRL-2019-192

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION:
(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)

State: Indiana County: Monroe City: Bloomington

Center coordinates of site: Latitude and Longitude (NAD 83):

Latitude: 39.136484 North, Longitude: -86.521671 West

Name of nearest waterbody: Clear Creek

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination

Date: May 8, 2019

Field Determination

Date(s): *Date*

**TABLE OF AQUATIC RESOURCES IN REVIEW ARE WHICH "MAY BE"
SUBJECT TO REGULATORY JURISDICTION**

Site Number	Latitude (decimal degrees)	Longitude (decimal degrees)	Estimated Amount of Aquatic Resource in Review Area (acreage and linear feet, if applicable)	Type of Aquatic Resource (i.e. wetland, stream, impoundment, etc.)	Geographic authority to which the aquatic resource "may be" subject (i.e., Section 404 or Section 10/404)
Pond 1	39.137981	-86.518679	0.11 acre	Impoundment	Section 404
Pond 2	39.137935	-86.519168	0.06 acre	Impoundment	Section 404
Pond 3	39.137981	-86.519528	0.34 acre	Impoundment	Section 404
Pond 4	39.137516	-86.520316	0.27 acre	Impoundment	Section 404
Pond 5	39.137058	-86.520851	0.13 acre	Impoundment	Section 404
Pond 6	39.137133	-86.521377	0.34 acre	Impoundment	Section 404
Pond 7	39.136404	-86.521617	0.45 acre	Impoundment	Section 404
Stream 1	39.136382	-86.522000	110 feet	Intermittent Stream	Section 404
Stream 2	39.136898	-86.521357	50 ft	Intermittent stream	Section 404

- 1) The Corps of Engineers believes that there may be jurisdictional aquatic resources in the review area, and the requestor of this PJD is hereby advised of his or her option to request and obtain an approved JD (AJD) for that review area based on an informed decision after having discussed the various types of JDs and their characteristics and circumstances when they may be appropriate.
- 2) In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an AJD for the activity, the permit applicant is hereby made aware that: (1) the permit applicant has elected to seek a permit authorization based on a PJD, which does not make an official determination of jurisdictional aquatic resources; (2) the applicant has the option to request an AJD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an AJD could possibly result in less compensatory mitigation being required or different special conditions; (3) the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) undertaking any activity in reliance upon the subject permit authorization without requesting an AJD constitutes the applicant's acceptance of the use of the PJD; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a PJD constitutes agreement that all aquatic resources in the review area affected in any way by that activity will be treated as jurisdictional, and waives any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an AJD or a PJD, the JD will be processed as soon as practicable. Further, an AJD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331. If, during an administrative appeal, it becomes appropriate to make an official determination whether geographic jurisdiction exists over aquatic resources in the review area, or to provide an official delineation of jurisdictional aquatic resources in the review area, the Corps will provide an AJD to accomplish that result, as soon as is practicable. This PJD finds that there "may be" waters of the U.S. and/or that there "may be" navigable waters of the U.S. on the subject review area, and identifies all aquatic features in the review area that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply)- checked items should 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:
Jurisdictional Determination Request sent via electronic mail received February 25, 2019

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.](#)

Corps navigable waters' study: [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: 1:24,000, Bloomington

USDA Natural Resources Conservation Service Soil Survey. Citation: [Click here to enter text.](#)

National wetlands inventory map(s). Cite name: [Click here to enter text.](#)

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): Google Earth, 2019

or Other (Name & Date): [Click here to enter text.](#)

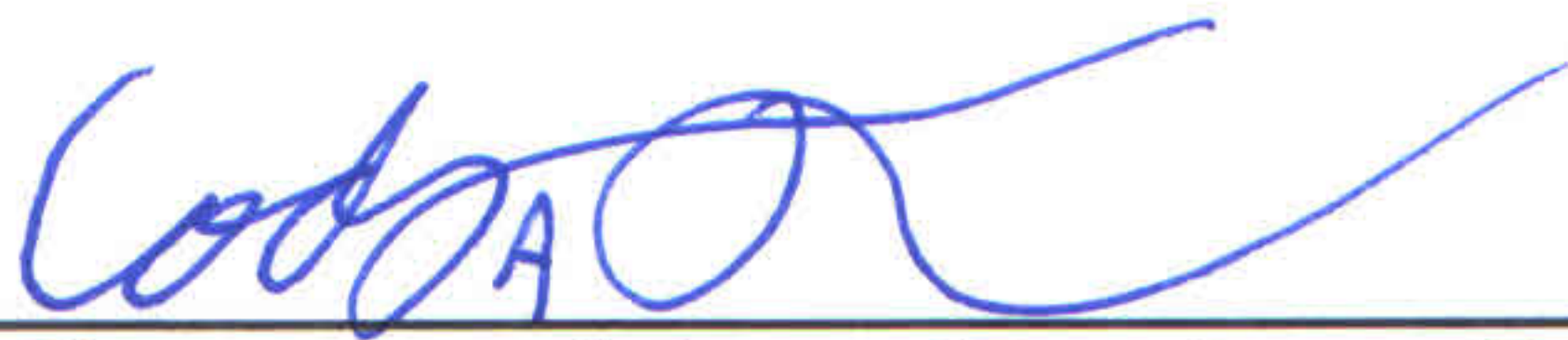
Previous determination(s). File no. and date of response letter: [Click here to enter text.](#)

Applicable/supporting case law: [Click here to enter text.](#)

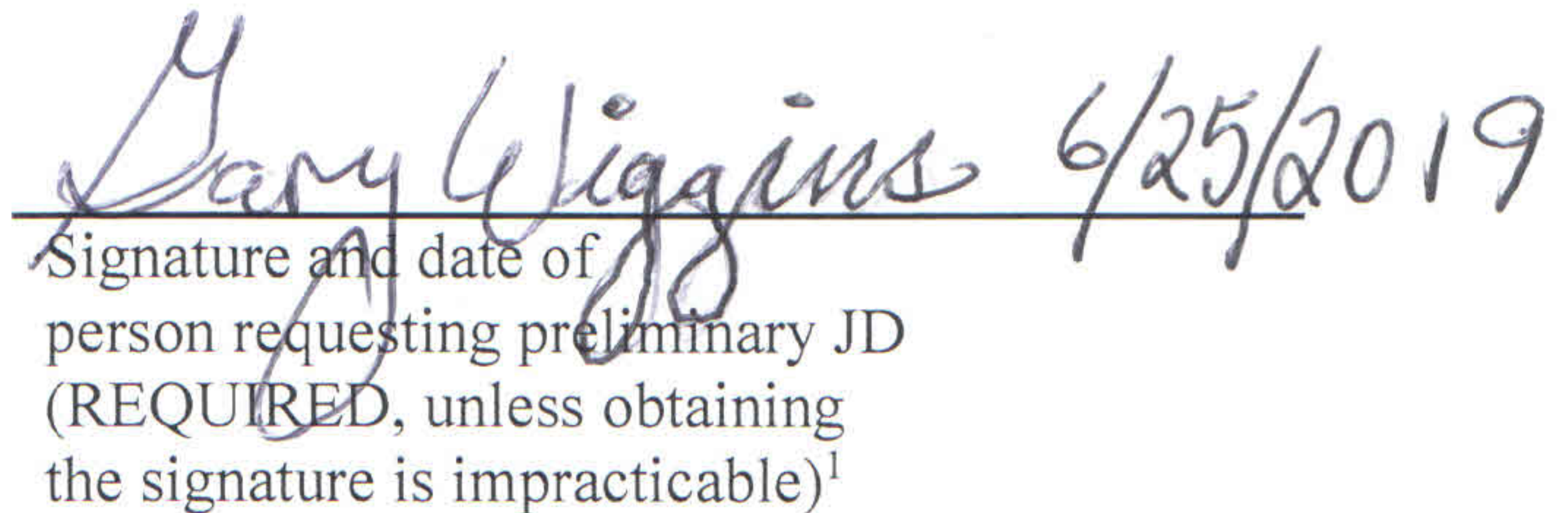
Applicable/supporting scientific literature: [Click here to enter text.](#)

Other information (please specify): [Click here to enter text.](#)

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.



Signature and date of Regulatory Project Manager
(REQUIRED)



Signature and date of
person requesting preliminary JD
(REQUIRED, unless obtaining
the signature is impracticable)¹

¹ Districts may establish timeframes for requestor to return signed PJD forms. If the requestor does not respond within the established time frame, the district may presume concurrence and no additional follow up is necessary prior to finalizing an action.