



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

I. ADMINISTRATIVE INFORMATION

Completion Date of Approved Jurisdictional Determination (AJD): 10/1/2020
 ORM Number: LRL-2020-809-sjk
 Associated JDs: N/A
 Review Area Location¹: State/Territory: IN City: Jonesboro County/Parish/Borough: Grant
 Center Coordinates of Review Area: Latitude 40.4393 Longitude -85.6648

II. FINDINGS

A. Summary: Check all that apply. At least one box from the following list MUST be selected. Complete the corresponding sections/tables and summarize data sources.

- The review area is comprised entirely of dry land (i.e., there are no waters or water features, including wetlands, of any kind in the entire review area). Rationale: N/A or describe rationale.
- There are “navigable waters of the United States” within Rivers and Harbors Act jurisdiction within the review area (complete table in Section II.B).
- There are “waters of the United States” within Clean Water Act jurisdiction within the review area (complete appropriate tables in Section II.C).
- There are waters or water features excluded from Clean Water Act jurisdiction within the review area (complete table in Section II.D).

B. Rivers and Harbors Act of 1899 Section 10 (§ 10)²

§ 10 Name	§ 10 Size	§ 10 Criteria	Rationale for § 10 Determination
N/A.	N/A.	N/A.	N/A.

C. Clean Water Act Section 404

Territorial Seas and Traditional Navigable Waters ((a)(1) waters): ³			
(a)(1) Name	(a)(1) Size	(a)(1) Criteria	Rationale for (a)(1) Determination
N/A.	N/A.	N/A.	N/A.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
N/A.	N/A.	N/A.	N/A.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):			
(a)(3) Name	(a)(3) Size	(a)(3) Criteria	Rationale for (a)(3) Determination
N/A.	N/A.	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A.	N/A.	N/A.	N/A.

¹ Map(s)/figure(s) are attached to the AJD provided to the requestor.

² If the navigable water is not subject to the ebb and flow of the tide or included on the District’s list of Rivers and Harbors Act Section 10 navigable waters list, do NOT use this document to make the determination. The District must continue to follow the procedure outlined in 33 CFR part 329.14 to make a Rivers and Harbors Act Section 10 navigability determination.

³ A stand-alone TNW determination is completed independently of a request for an AJD. A stand-alone TNW determination is conducted for a specific segment of river or stream or other type of waterbody, such as a lake, where upstream or downstream limits or lake borders are established. A stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland 1	0.3 acre(s)	(b)(1) Non-adjacent wetland.	Wetland is more than 1.5 miles away from the nearest potential tributary. It is not adjacent to nor is inundated by an (a)(1)-(a)(3) water in a typical year.
Wetland 2	0.8 acre(s)	(b)(1) Non-adjacent wetland.	Wetland is more than 1.5 miles away from the nearest potential tributary. It is not adjacent to nor is inundated by an (a)(1)-(a)(3) water in a typical year.
Wetland 3	2.3 acre(s)	(b)(1) Non-adjacent wetland.	Wetland is more than 1.5 miles away from the nearest potential tributary. It is not adjacent to nor is inundated by an (a)(1)-(a)(3) water in a typical year.

III. SUPPORTING INFORMATION

A. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

- Information submitted by, or on behalf of, the applicant/consultant: [USDA FSA Wetland Determination dated 8/18/2014.](#)

This information [is and is not](#) sufficient for purposes of this AJD.

Rationale: [The provided wetland determination was performed for the FSA; however, the report does contain wetland delineation data forms using the USACE 1987 Delineation Manual and Midwest Regional Supplement.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial: 1998 NAIP, 2014 NAIP, 6/3/2019 \(DigitalGlobe\)](#)
- Corps site visit(s) conducted on: [Date\(s\).](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\).](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Web Soil Survey, Grant County](#)
- USFWS NWI maps: [Scanned version of map in USDA determination.](#)
- USGS topographic maps: [7.5', Fairmont quad](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
LiDAR data/maps	LiDAR/DEM map obtained from LRL Regulatory Viewer 10/1/2020
Other Sources	N/A.

⁴ Some excluded waters, such as (b)(2) and (b)(4), may not be specifically identified on the AJD form unless a requestor specifically asks a Corps district to do so. Corps districts may, in case-by-case instances, choose to identify some or all of these waters within the review area.

⁵ Because of the broad nature of the (b)(1) exclusion and in an effort to collect data on specific types of waters that would be covered by the (b)(1) exclusion, four sub-categories of (b)(1) exclusions were administratively created for the purposes of the AJD Form. These four sub-categories are not new exclusions, but are simply administrative distinctions and remain (b)(1) exclusions as defined by the NWPR.



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B. Typical year assessment(s): *N/A*

C. Additional comments to support AJD: Per the “Memorandum to the Field Between the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS), the U.S. Department of the Army, Corps of Engineers (Corps), and the U.S. Environmental Protection Agency (EPA) Concerning Issues Related to the Implementation of Section 404 of the Clean Water Act (CWA) and the Food Security Act of 1985, As Amended (FSA)” dated July 2020: Section III(E) states, “...the Corps may obtain and rely on NRCS CWD information received from a landowner/operator regarding their subject property to inform the Corps when conducting DLs for purposes of the CWA.”