



**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): 5/17/2021

ORM Number: LRL-2021-249-sam

Associated JDs: N/A

Review Area Location¹: State/Territory: IN City: Reelsville County/Parish/Borough: Putnam County

Center Coordinates of Review Area: Latitude 39.5556 Longitude -86.9958

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
S-JLB-001-INT	31	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.
			The stream is identified as an unnamed, mapped NHD stream that is emanates from a 6-foot wide steel corrugated culvert underneath S County Road 800 W into and adjacent to the review area. The stream is mapped as a tributary of Johnson Branch, to which it flows southwest approximately 800-feet, then southeast to Big Walnut Creek, then south to Eel River, then south to White River, a TNW. The stream was assessed via the Ohio EPA HHEI procedure, achieving a score of 67 which relates to Intermittent or perennial flow. The stream exhibited

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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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
			defined bed and banks and an OHWM, with exposed substrates dominated by cobble and gravel, and was flowing at the time of field assessment (1/19/2021).

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.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
W-JBL-001-PEM	0.01 acre(s)	(b)(1) Non-adjacent wetland.	Emergent wetland located in a depressional area at the edge of the agricultural field. The wetland does not have any direct hydrological connection to the nearby intermittent stream S-JBL-001-INT, and it is not separated from that stream by a berm or other artificial barrier.

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: [Natural Resource Assessment report, dated February 2021](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).

Photographs: [Aerial and Other: Natural Resource Assessment, Figure 3: Site Location Aerial Map with Project Findings, February 2021; and Photolog with representative photographs of delineated resources, 1/19/2021](#)

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: [SSURGO Database for Putnam County, Indiana, 2020; and Natural Resource Assessment Figure 2: Site Location Aerial Map with NRCS/NWI/NHD Overlay and Project Findings](#)

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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- USFWS NWI maps: [Natural Resource Assessment Figure 2: Site Location Aerial Map with NRCS/NWI/NHD Overlay and Project Findings](#)
- USGS topographic maps: [Natural Resource Assessment Figure 1: Site Location USGS Topographic Map with FEMA/HUC Overlay](#)

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.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** Based upon the PDSI (NOAA, January 2021), the region of Indiana that includes the review area was “mid-range”, indicating typical year climatic conditions. Based upon the Antecedent Precipitation Tool (APT) output for the review area on the day of field survey activities (1/19/2021), the review area had experienced average to slightly below average precipitation for the 3-months prior to field survey activities.
- C. Additional comments to support AJD:** The APT data indicates that the review area was in the wet season but was dryer than normal conditions. Water was still observed flowing through S-JLB-001-INT supporting the decision call of an intermittent stream.