



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): June 28, 2021

ORM Number: LRL-2021-00435

Associated JDs: N/A

Review Area Location¹:

State/Territory: KY City: County/Parish/Borough: Warren County

Center Coordinates of Review Area: Latitude 36.877927 Longitude -86.443859

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 independent 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.

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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Pond 1	1.06 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	Pond 1 provides drainage for surrounding agricultural fields however lacks sufficient connection to traditional Waters of the U.S.
Wetland A	0.15 acres	(b)(1) Non-adjacent wetland	Primary source of hydrology is stated as high-water table and overland sheet flow from surrounding forested and agricultural fields. Wetland A displays no discernable connection to Waters of the U.S., is a (b)(1) water, and is therefore excluded from the rule.

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: *Greenwood South JD Request 20210430 (April 30, 2021).*

This information is sufficient for purposes of this AJD.

Rationale: *N/A*

Data sheets prepared by the Corps: *N/A*

Photographs: *(aerial and other) Appendix B – Representative Stream and Wetland Photographs of the Greenwood South JD Request 20210430 (April 30, 2021).*

Corps Site visit(s) conducted on: *N/A*

Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*

Antecedent Precipitation Tool: *N/A*

USDA NRCS Soil Survey: *N/A*

USFWS NWI maps: *Map scale 1:9,028
Latitude 36.872 | Longitude -86.458*

USGS topographic maps: *1:24K Quad Name - Drake*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	<i>N/A.</i>
USDA Sources	<i>N/A.</i>
NOAA Sources	<i>N/A.</i>
USACE Sources	Regulatory viewer with 3DEP Elevation contours, DEM, and hill-shade layers.
State/Local/Tribal Sources	<i>N/A.</i>
Other Sources	Google Earth Pro (2010 - 2018) with NHD, Google Maps with Terrain layer, and USGS Earth point Topo map layers

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- B. Typical year assessment(s):** Typical year assessment was conducted utilizing desktop tools identified above and the submitted request for jurisdictional determination with supporting documentation. Based on the aforementioned supporting documentation, the conditions as described in Part II: Findings under Section C Clean Water Act Section 404 and Section D Excluded Waters or Features were determined to be typical.
- C. Additional comments to support AJD:** N/A

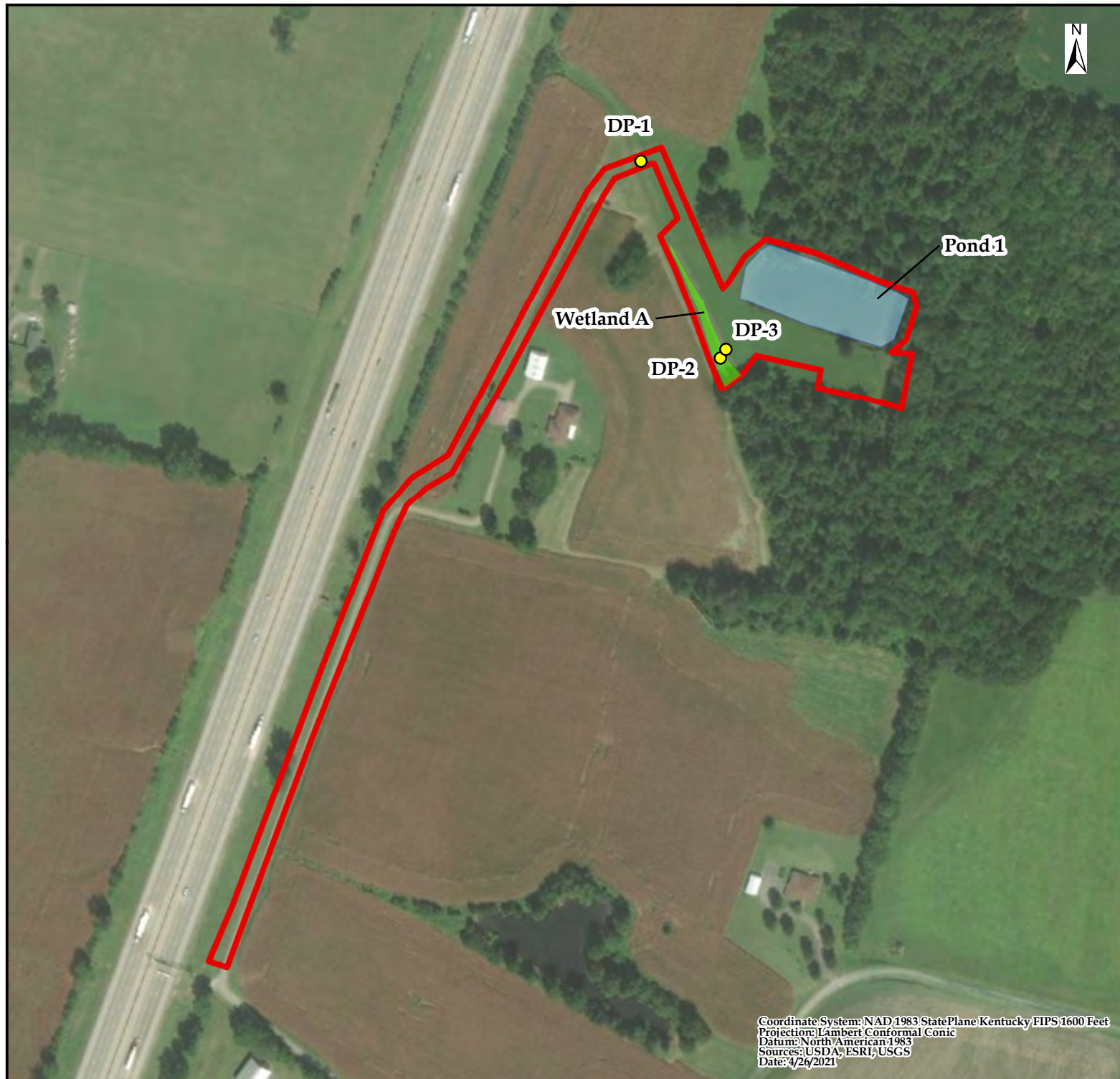
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COPPERHEAD
ENVIRONMENTAL CONSULTING





Prepared for:




TRILEAF
environmental architecture engineering

FIGURE 4:
Wetland and Stream Delineation Map
Greenwood South Project
Warren County, Kentucky

Legend

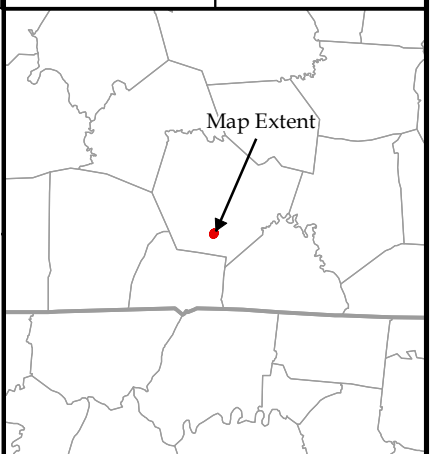
-  Data Point
-  PEM Wetland
-  PUB Pond
-  Study Area



Feet
Scale: 1 in = 300 ft

Prepared by :
Copperhead Environmental Consulting, Inc.
471 Main Street
P.O. Box 73
Paint Lick, Kentucky 40461

Drawn by:	MRT	Date:	4/26/2021
Checked by:	EB	Revision:	00



Coordinate System: NAD 1983 StatePlane Kentucky FIPS 1600 Feet
Projection: Lambert Conformal Conic
Datum: North American 1983
Sources: USDA, ESRI, USGS
Date: 4/26/2021