



**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): 7/14/2020  
 ORM Number: LRL-2019-612  
 Associated JDs: PJD:LRL-2019-612 on July 9th, 2019  
 Review Area Location<sup>1</sup>: State/Territory: IN City: Jasper County/Parish/Borough: Dubois  
 Center Coordinates of Review Area: Latitude 38.49766 Longitude -87.03521

**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)<sup>2</sup>**

§ 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): <sup>3</sup>			
(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
4AS1	361	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.
4AS2	496	linear feet	(a)(2) Intermittent tributary contributes

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

<sup>2</sup> 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.

<sup>3</sup> 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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(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4AS3	1065	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4AS4	6519	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4AS4A	674	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4AS4B	889	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4AS4B-2	826	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4AS4B7	388	linear feet	(a)(2) Intermittent tributary contributes	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with



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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4AS4C	858	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS2-1	601	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS3-1	1454	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4-1	1289	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4-2	2075	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A1	223	linear feet	(a)(2) Intermittent tributary contributes	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with



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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A-1	530	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MSA10	542	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A13	1276	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A14	152	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A15	372	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A2	771	linear feet	(a)(2) Intermittent tributary contributes	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with



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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A2-1	772	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A2B	200	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4A6-1	973	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4B-1	1280	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4B1A	98	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4B2	159	linear feet	(a)(2) Intermittent tributary contributes	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with



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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4B-3	386	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4B7-1	626	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4MS4B7C	73	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4NS2-3	775	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4NS4A-2	1258	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4NS4A-3	1195	linear feet	(a)(2) Intermittent tributary contributes	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with



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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
		surface water flow directly or indirectly to an (a)(1) water in a typical year.	intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
4NS4A6	554	linear feet (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
6AS1A	1542	linear feet (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
6AS1C	1569	linear feet (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.
6MS1	1030	linear feet (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream exhibited water in the channel during site visit which was not in direct response to a rain event. In addition stream morphology was consistent with intermittent channel, and the channel was observed to lack presents of water at times as seen in numerous aerial images documented in Section III(A). This stream flows through (a)(2) tributaries directly into East Fork White River which is a TNW.

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
4MO2	0.75	acre(s) (a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an	The pond has a direct hydrologic connection to 4MS4A14, an (a)(2) tributary.



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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
			(a)(1) water in a typical year.	
4MO4	0.73	acre(s)	(a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The pond has a direct hydrologic connection to 4AS4B8, which through a series of continuous surface water connects contributes flow to the East Fork White River, an (a)(1) water.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
4MW12	0.86	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is abutting and has a direct hydrologic connection to 4NS4A, an (a) (2) water.
4MW13	0.14	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is part of the riparian corridor and directly abutting stream 4MS4A2, an (a) (2) water
4MW14	0.16	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is abutting and has a direct hydrologic connection to 4NS4A, an (a) (2) water.
4MW15	0.13	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is part of the riparian corridor and directly abutting stream 4MS4A2 an (a)(2) water
4MW16	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is directly abutting and part of the riparian corridor of 4NS4A-3 an (a)(2) water
4MW20	0.09	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is part of the riparian corridor and directly abutting stream 4AS4B7 an (a)(2) water
4MW21	0.09	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is part of the riparian corridor and directly abutting stream 4AS4B-2 an (a)(2) water
4MW22	0.02	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is part of the riparian corridor and directly abutting stream 4AS4B-2 an (a)(2) water
6AW1	0.83	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland is abutting an intermittent (a) (3) tributary which is outside the review area the west. Field and aerial observation of the abutting tributary documented water in the channel over several occasion more than 48 hours after precipitation events and morphological characteristic consistent with an intermittent stream. This tributary flows to East Fork White River.



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**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
4MS2E	204	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS2E1	212	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS2E1A	56	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS2E1B	80	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS2-4	222	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS3D	269	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS3E	139	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS3-2	228	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS3F	150	linear feet	(b)(3) Ephemeral feature, including	The feature was observed multiple times during both the wet and dry season. The feature only

<sup>4</sup> 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.

<sup>5</sup> 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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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			an ephemeral stream, swale, gully, rill, or pool.	exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS3B-1	258	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A10-1	510	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A10A	166	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A11	315	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A1-1	596	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A13A	192	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A13B	109	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A13C	130	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A13D	108	linear feet	(b)(3) Ephemeral feature, including an ephemeral	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation.



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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination	
			stream, swale, gully, rill, or pool.	The features has a morphology typical of an ephemeral stream in this region.
4MS4A13E	73	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A13F	188	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A13G	81	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A13H	90	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A14-1	72	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A15-1	338	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A15A	429	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A1A	227	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A1B	155	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.



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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination	
4MS4A1C	181	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A2-2	208	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A2A	146	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A2B-1	599	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A2C	291	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A2D	236	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A2E	240	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A3	70	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A3-1	190	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A4	121	linear feet	(b)(3) Ephemeral feature, including	The feature was observed multiple times during both the wet and dry season. The feature only



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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			an ephemeral stream, swale, gully, rill, or pool.	exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A6-2	346	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A6B	158	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A6C	202	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A6D	64	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A6E	114	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4A6F	71	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B1-1	261	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B5	402	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B6-1	234	linear feet	(b)(3) Ephemeral feature, including an ephemeral	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation.



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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool.	The features has a morphology typical of an ephemeral stream in this region.
4MS4B6A	157	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B6B	174	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B7A	174	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B7B	167	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B8-1	328	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MS4B9	149	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4NS4A12	165	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4NS4A5	209	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4NS4A6A	181	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.



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Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
4NS4A7	170	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4NS4A8	130	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4NS4A9	353	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4NS4C-1	586	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4NS4F	209	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was observed multiple times during both the wet and dry season. The feature only exhibited flow in direct response to precipitation. The features has a morphology typical of an ephemeral stream in this region.
4MO1	0.94	acre(s)	(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.	This feature is an artificial impoundment of 4MSA2E, a (b) (3) excluded feature. The feature was constructed sometime after 1958. The feature has an artificial berm which severs connection to downstream ephemeral resources.
4MW9	0.18	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is physically isolated in the landscape from nearby resources except for a pipe which drains the wetland to 4MS4A6F, a (b) (3) excluded feature.

**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: [Shamrock Mine JD Report dated April 30, 2019 prepared by Wetland Services, Inc., supplemental AJD information dated July 9th, 2020.](#)



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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: Google Earth-\(3/28/16;9/22/13;6/19/10, 7/26/06, 3/28/98\); historicaerials.com/viewer-Aerials\(1958\); PJD Stream Assessment Worksheet-Stream photographs from March-April 2018; Submittal AJD Information-photographs taken July 8, 2020.](#)
- Corps site visit(s) conducted on: [June 18 and 25th, 2019](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [PJD:LRL-2019-612 on July 9th, 2019](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>
- USFWS NWI maps: [NWI mapper](#)
- USGS topographic maps: [1:24,000 Glendale, Otwell, IN](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">N/A.</a>

**B. Typical year assessment(s):** [The Antecedent Precipitation Tool was utilized for the Corps site visit on June 25th, 2019 and the applicant stream assessment dates of March 28, 2018 and April 5, 2018, and supplemental information from July 8, 2020. The data shows that the Corps site visit was during the normal conditions in the dry season. The applicants' assesment dates were during wetter than normal conditions in the wet season in 2018 and the July 8th assessment date was in normal conditions during the dry season. The Corps' site assement was considered during a typical year condition, and conditions during the other two assesment were considered wetter than typical year](#)

**C. Additional comments to support AJD:** [A Level III Rosgen Stream Assement was conducted on all streams from March - April 2018 which provided a stream morphological description and a stream state evaluation.](#)