



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): 17-JUN-2021  
ORM Number: MVR-2021-00896-JN  
Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)  
Review Area Location<sup>1</sup>:  
State/Territory: IA City: County/Parish/Borough: Des Moines County  
Center Coordinates of Review Area: Latitude 41.0438 Longitude -90.9756

**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: After review of the site the new deck is not being built in WOTUS.
- 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
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

<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 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.

<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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N/A	N/A	N/A	N/A
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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
N/A	N/A	N/A	N/A

**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:  
*49541\_JointApplication.pdf, Elevation Certificate - Janssen 2004.pdf, Final deck sketch.pdf.*  
 6/16/2021

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: 2017 aerial.pdf, LiDAR.pdf, Quad Map.pdf. June 17, 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: *Title(s) and/or date(s).*
- USFWS NWI maps: *Title(s) and/or date(s).*
- USGS topographic maps: *Title(s) and/or date(s).*

**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):** N/A

**C. Additional comments to support AJD:** Review of the site shows that the deck will not be built in WOTUS.

<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.

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Regulatory Viewer

Regulatory Map

Compliance Viewer

IPaC

I-Sites

Mitigation Banking

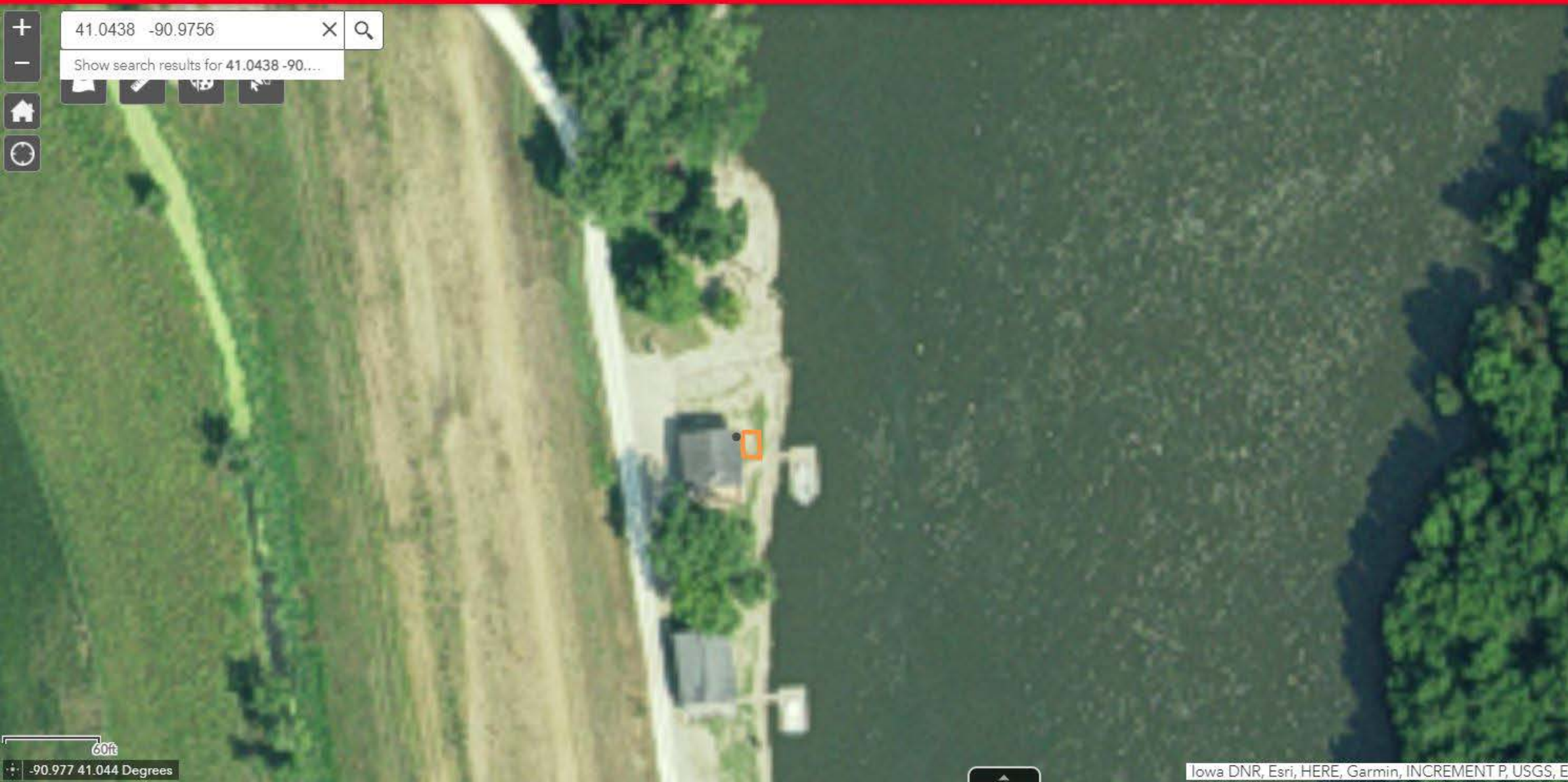
IL IAS

## Rock Island District Regulatory Viewer



41.0438 -90.9756

Show search results for 41.0438 -90...



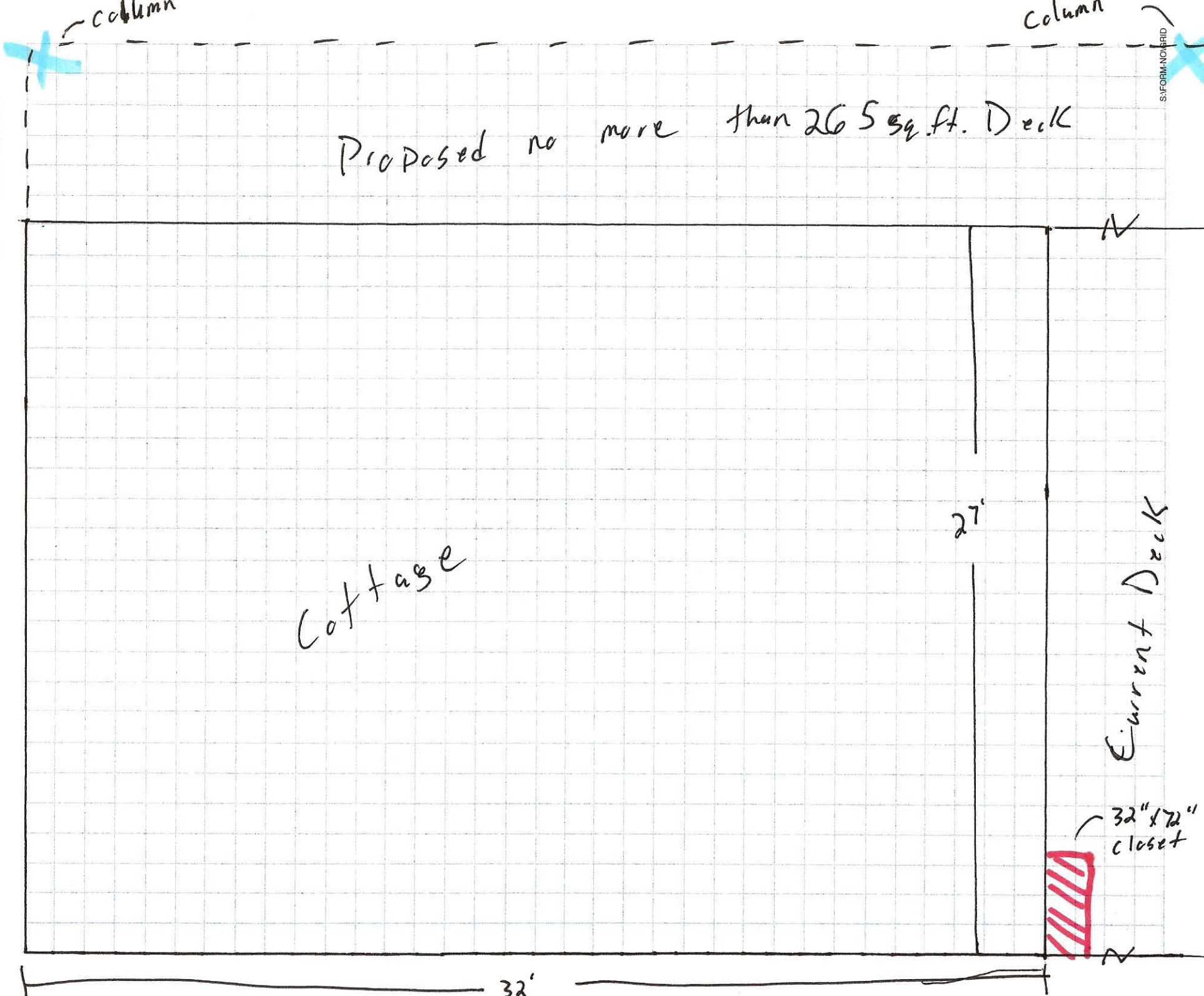
### Layer List

- 303b Waters
- 305b Waters
- RPBB High Potential Zones
- OIW Nondegradation Zone
- Indian Reservations
- cpn\_internal - Corps Project - point
- cpn\_internal - Corps Project - area
- orm\_internal\_new - Projects - point
- orm\_internal\_new - Actions - point
- orm\_internal\_new - Section 408 - point
- orm\_internal\_new - Aquatic Resources - point
- orm\_internal\_new - Aquatic Resources (PRM) - point
- orm\_internal\_new - Projects - line
- orm\_internal\_new - Actions - line
- orm\_internal\_new - Aquatic Resources - line
- orm\_internal\_new - Aquatic Resources (PRM) - line

60ft

-90.977 41.044 Degrees

Iowa DNR, Esri, HERE, Garmin, INCREMENT P, USGS, EPA



Proposed no more than 265 sq. ft. Deck

Cottage

27'

Current Deck

32" x 72" closet

32'

Column

S:\FORM\NOV\RID

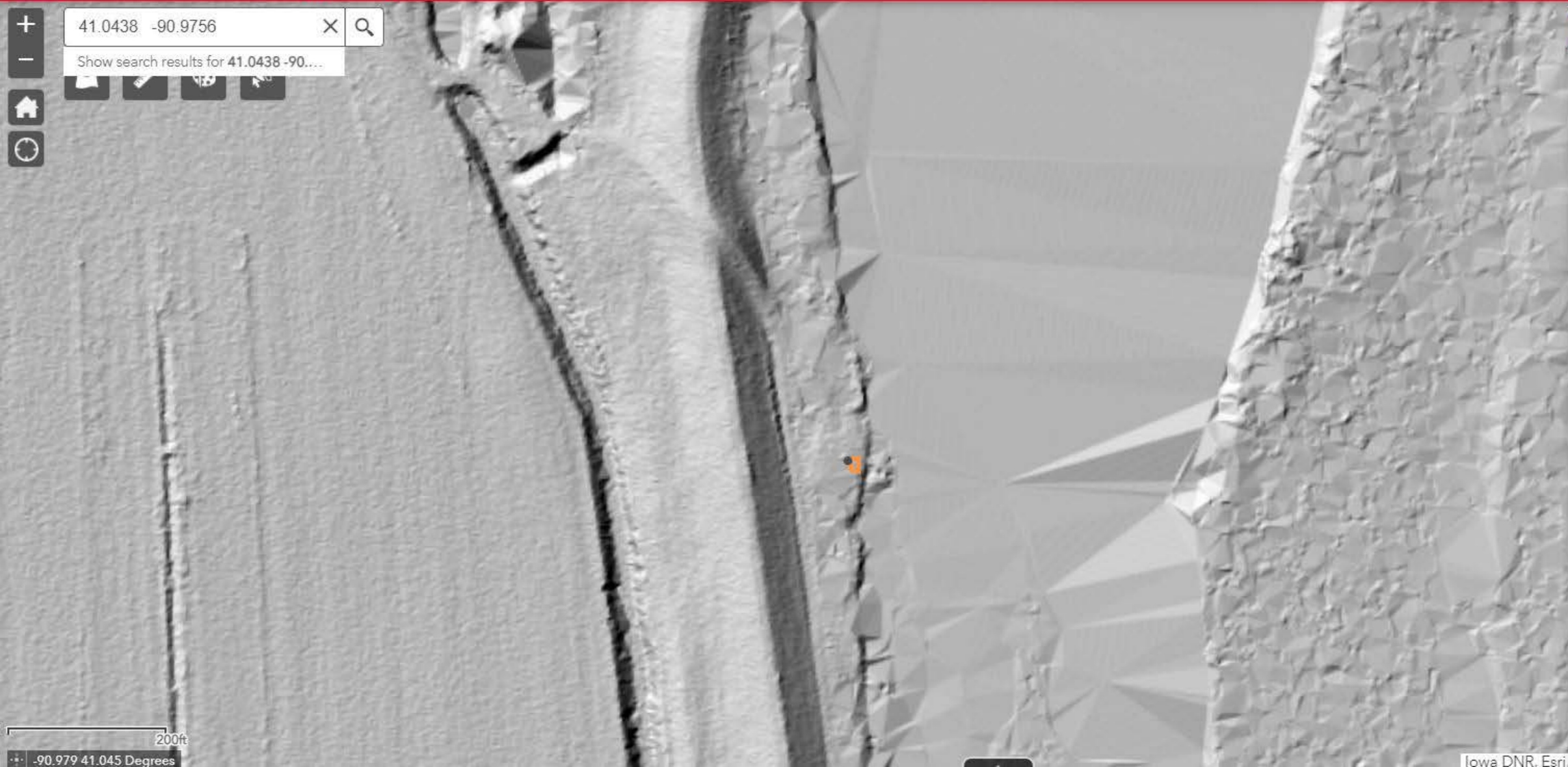
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Show search results for 41.0438 -90....



### Imagery and Lidar

- IA naip 2017 cir (External Web GIS Service) ...
- IA naip 2017 nc (External Web GIS Service) ...
- MVR\_NAIP\_2017 ...
- Photo Dates (External Web GIS Service) ...
- MVR Quad Maps ...
- IA LiDAR DEM 1m NAVD88 ft ...
- IA LiDAR DEM 1m hillshade ...
- IA LiDAR DEM 3m NAVD88 ft ...
- IA LiDAR DEM 3m hillshade ...
- IL\_LiDAR\_DEM\_1m\_NAVD88\_ft ...
- IL\_LiDAR\_DEM\_1m\_hillshade ...
- IL NAIP 2004 (External Web GIS Service) ...
- IL NAIP 2005 (External Web GIS Service) ...
- IL NAIP 2006 (External Web GIS Service) ...
- IL NAIP 2007 (External Web GIS Service) ...

200ft

-90.979 41.045 Degrees

Iowa DNR. Esri

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- Compliance Viewer
- IPaC
- I-Sites
- Mitigation Banking
- IL IAS

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