



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): 26-JAN-2021

ORM Number: MVR-2021-00082-WF

Associated JDs: N/A

Review Area Location¹:

State/Territory: IL City: Springfield County/Parish/Borough: Sangamon County

Center Coordinates of Review Area: Latitude 39.831708 Longitude -89.681875

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 and 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 |
|---------------------|----------------|--|--|
| 2021-0082 S1 | 81 feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool | Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Consultant states stream contains water only in response to rainfall events, on site photos show dry gully. |
| 2021-0082 S2 | 617 feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool | Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Consultant states stream contains water only in response to rainfall events, on site photos show dry gully. |
| 2021-0082 S3 | 552 feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool | Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Consultant states stream contains water only in response to rainfall events, on site photos show dry gully. |
| 2021-0082 S4 | 153 feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool | Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Consultant states stream contains water only in response to rainfall events, on site photos show dry gully. |
| 2021-0082 S5 | 392 feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool | Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Consultant states stream contains water only in response to rainfall events, on site photos show dry gully. |
| 2021-0082 S6 | 96 feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool | Stream indicators missing from USGS maps (blue line) and National Wetland Inventory. Consultant states stream contains water only in response to rainfall events, on site photos show dry gully. |
| 2021-0082 Wetland 1 | 0.02 acres | (b)(1) Non-adjacent wetland | The wetland is present on an excluded feature therefore, it is non-jurisdictional. |

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: *Wetlands and Other Waters of the United States Delineation Report by CMT on December 10, 2020. The water resources map attached to this AJD shows the non-regulated features.*

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: *On-site photos taken by CMT on October 4, 2020. Aerial Photos viewed on Google Earth from March of 2014.*

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.*

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- USDA NRCS Soil Survey: *NRCS SSURGO Soil Survey Map supplied by CMT, Dec 2020. Showed the project area had no hydric soils.*
- USFWS NWI maps: *NWI – NHD Map supplied by CMT December 2020.*
- USGS topographic maps: *USGS Topographic – Springfield West, IL Quadrangle 2013 supplied by CMT.*

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):** Using the APT tool verified normal conditions were present on the date photographs were taken (October 4, 2020).
- C. Additional comments to support AJD:** N/A or provide additional discussion as appropriate.

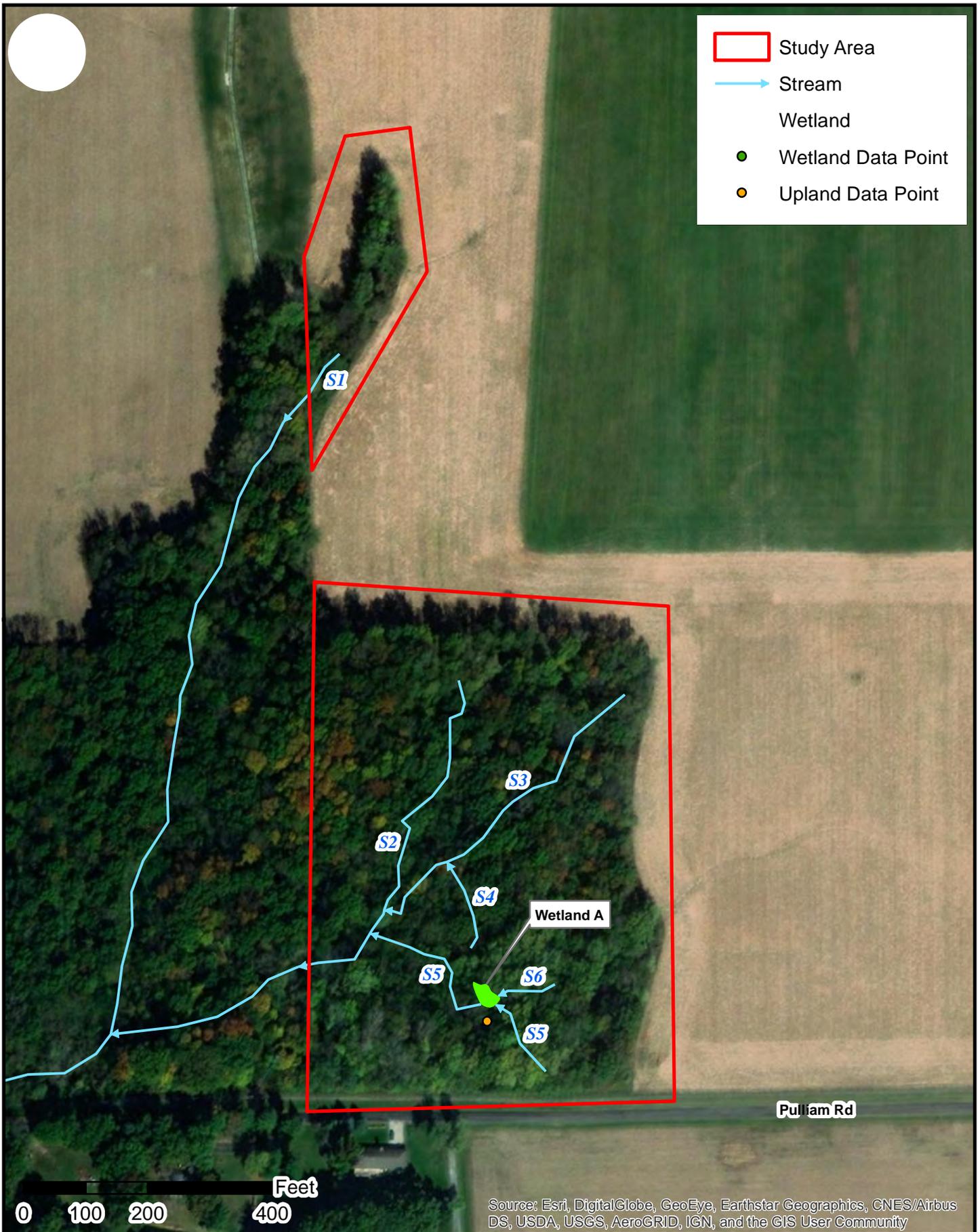
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SPI Southwest Tree Clearing Water Resources Map