



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): 05-JAN-2021

ORM Number: MVR-2020-01467-AM

Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)

Review Area Location¹:

State/Territory: IA City: County/Parish/Borough: Dubuque County

Center Coordinates of Review Area: Latitude 42.561062 Longitude -90.700722

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
WUS-1A	125 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial stream that flows into the Little Maquoketa River, which flows into the Mississippi River, a TNW
WUS-1B	130 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial stream that flows into the Little Maquoketa River, which flows into the Mississippi River, 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
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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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N/A	N/A	N/A	N/A
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Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
WL-1	4.57 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly abuts WUS-1B, a perennial stream that flows directly into the Little Maquoketa River, which flows directly into the Mississippi River, a TNW

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
EPH-1	300 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	This feature is an ephemeral stream, which is no longer a jurisdictional water
EPH-2	180 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	This feature is an ephemeral stream, which is no longer a jurisdictional water
EPH-3	140 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	This feature is an ephemeral stream, which is no longer a jurisdictional water
WL-2	0.26 acres	(b)(1) Non-adjacent wetland	This wetland is not connected to any waterway
WL-3	0.22 acres	(b)(1) Non-adjacent wetland	This wetland is not connected to any waterway
WL-4	0.48 acres	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1)	This wetland is a roadside ditch, constructed in uplands to convey stormwater
WL-5	0.65 acres	(b)(1) Non-adjacent wetland	This wetland is not connected to any waterway

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: *Delineation/Application, October 2020*

This information *is* sufficient for purposes of this AJD.

Rationale: *The Corps concurs with the delineation.*

☐ Data sheets prepared by the Corps: *Title(s) and/or date(s).*

☒ Photographs: *Regulatory Viewer with Aerial and LIDAR layers, Jan 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: *Included in Application.*

☒ USFWS NWI maps: *Regulatory Viewer with NWI layer, Jan 2021*

☒ USGS topographic maps: *Regulatory Viewer with Topo layer, Jan 2021*

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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	US Drought Monitor, Dec 2020

- B. Typical year assessment(s):** The antecedent rainfall calculator's dataset is causing errors with the program but the US Drought Monitor shows Dubuque County in normal conditions.
- C. Additional comments to support AJD:** This site is along West John Deere Road and South John Deere Road. The soils map shows no hydric soils and most of the wetlands on site are either road side ditches or non-adjacent wetlands. The jurisdictional wetland abuts an A-2 water. The perennial streams on site indirectly flow into the Mississippi. The ephemeral stream calls were aided by the NHD/Topo layers which had those streams listed as ephemeral streams or were not on the map.

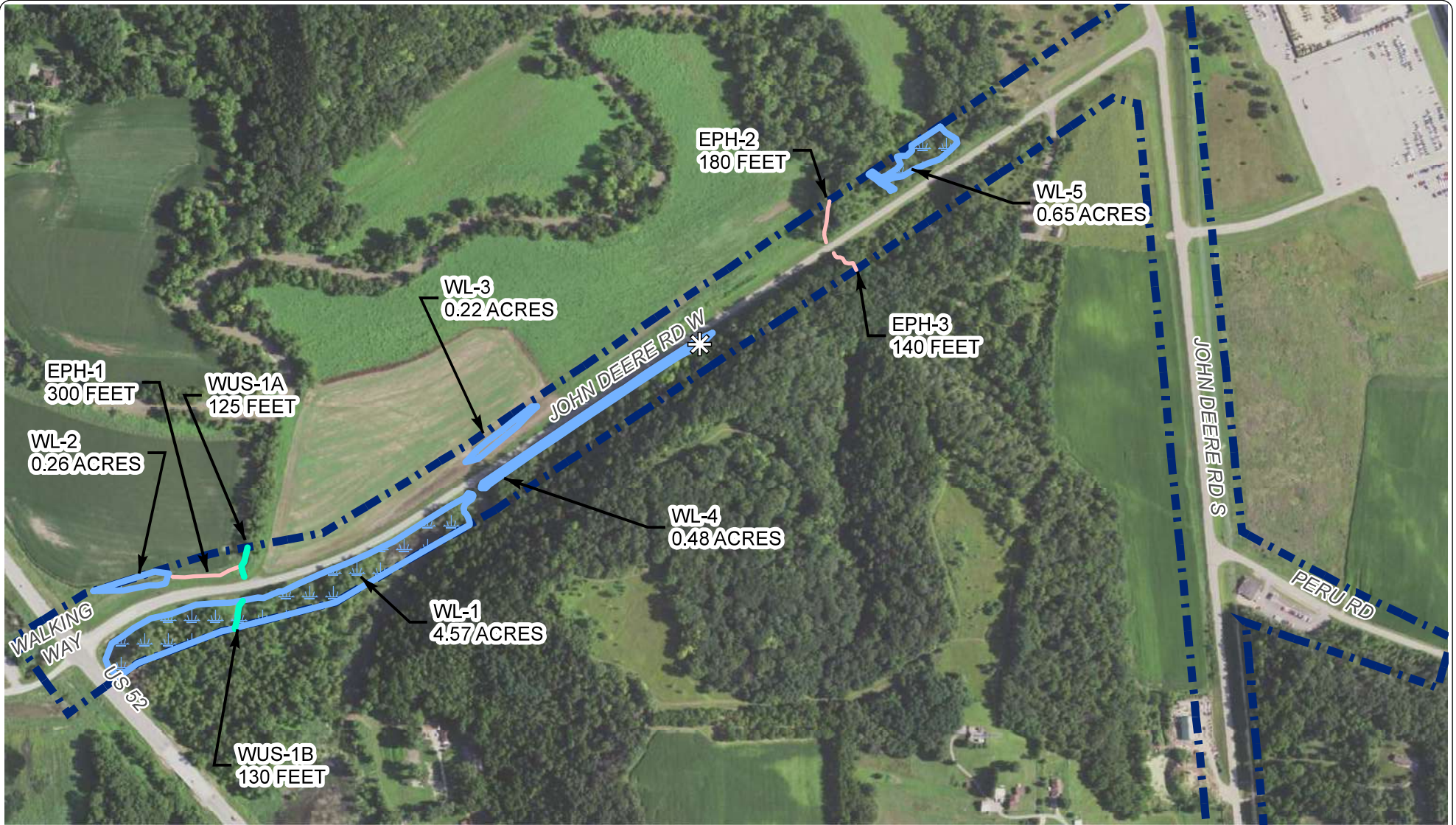
¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

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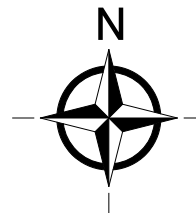
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LEGEND

- BOUNDARY OF ASSESSED AREA
- HILLSIDE SEEP
- WUS
- DRAINAGE FEATURE
- WETLAND



WETLAND DELINEATION MAP

JOHN DEERE ROAD CORRIDOR
IOWA HIGHWAY 3 TO PERU ROAD
DUBUQUE COUNTY, IOWA

0 165 330 660

FEET

PROJECT ID. #: 20D025.00

DATE: 10/13/2020

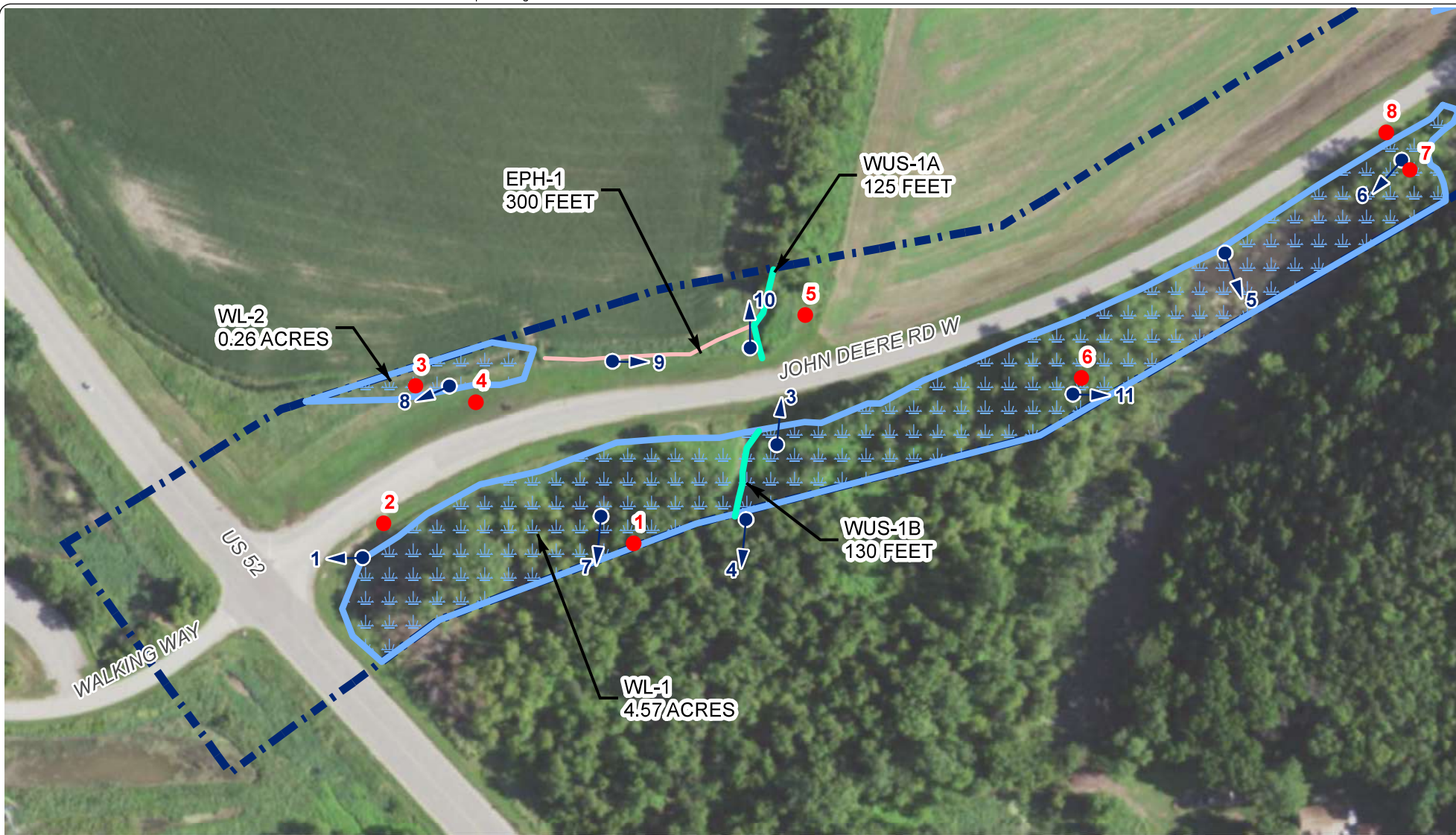
PREPARED BY: KRG

CHECKED BY: ESM



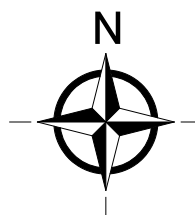
FIGURE NO.

5



LEGEND

- ▬▬▬▬▬▬ BOUNDARY OF ASSESSED AREA
- ▬▬▬▬▬▬ WETLAND
- ▬▬▬▬▬▬ WUS
- ▬▬▬▬▬▬ DRAINAGE FEATURE
- DATA POINT
- PHOTO LOCATION



WETLAND DELINEATION MAP

JOHN DEERE ROAD CORRIDOR
IOWA HIGHWAY 3 TO PERU ROAD
DUBUQUE COUNTY, IOWA

0 50 100 200
FEET

PROJECT ID. #: 20D025.00

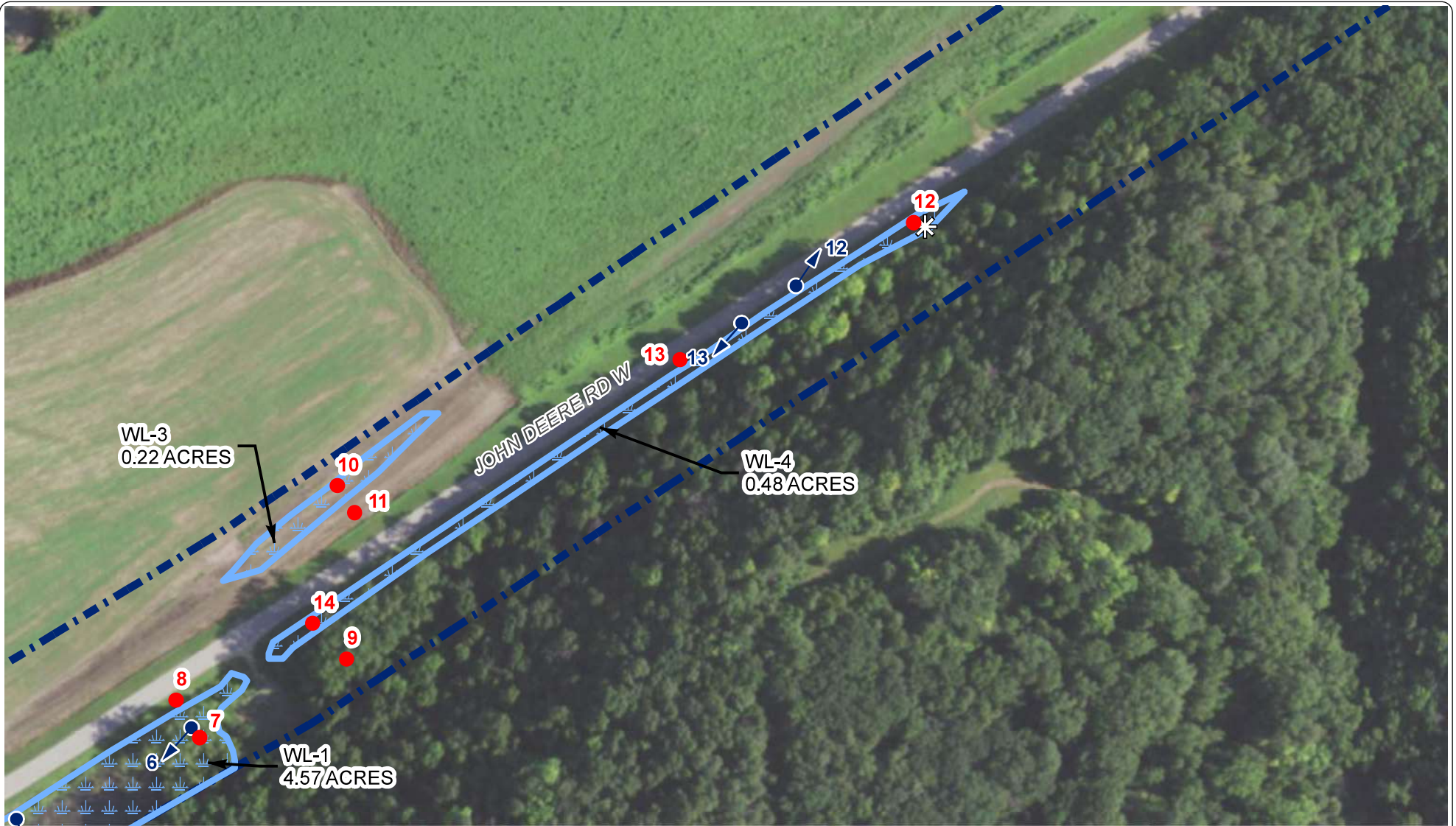
DATE: 10/13/2020

PREPARED BY: KRG

CHECKED BY: ESM

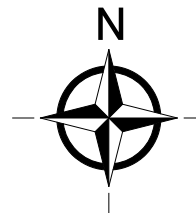


FIGURE NO.
5A



LEGEND

- BOUNDARY OF ASSESSED AREA
- WETLAND
- HILLSIDE SEEP
- DATA POINT
- PHOTO LOCATION



WETLAND DELINEATION MAP

JOHN DEERE ROAD CORRIDOR
IOWA HIGHWAY 3 TO PERU ROAD
DUBUQUE COUNTY, IOWA

0 50 100 200
FEET

PROJECT ID. #: 20D025.00

DATE: 10/12/2020

PREPARED BY: KRG

CHECKED BY: ESM

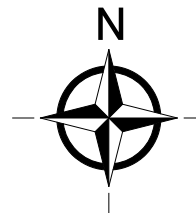


FIGURE NO.
5B



LEGEND

- BOUNDARY OF ASSESSED AREA
- WETLAND
- DRAINAGE FEATURE
- DATA POINT
- PHOTO LOCATION



WETLAND DELINEATION MAP

JOHN DEERE ROAD CORRIDOR
IOWA HIGHWAY 3 TO PERU ROAD
DUBUQUE COUNTY, IOWA

0 50 100 200
FEET

PROJECT ID. #: 20D025.00

DATE: 10/12/2020

PREPARED BY: KRG

CHECKED BY: ESM

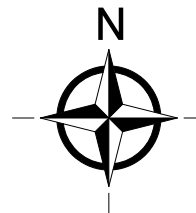


FIGURE NO.
5C



LEGEND

-  BOUNDARY OF ASSESSED AREA
-  PHOTO LOCATION



WETLAND DELINEATION MAP

JOHN DEERE ROAD CORRIDOR
IOWA HIGHWAY 3 TO PERU ROAD
DUBUQUE COUNTY, IOWA

0 50 100 200
FEET

PROJECT ID. #: 20D025.00

DATE: 10/12/2020

PREPARED BY: KRG

CHECKED BY: ESM

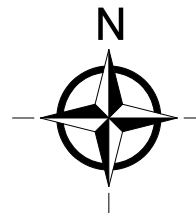


FIGURE NO.
5D



LEGEND

-  BOUNDARY OF ASSESSED AREA
-  PHOTO LOCATION



WETLAND DELINEATION MAP

JOHN DEERE ROAD CORRIDOR
IOWA HIGHWAY 3 TO PERU ROAD
DUBUQUE COUNTY, IOWA

0 50 100 200
FEET

PROJECT ID. #: 20D025.00

DATE: 10/12/2020

PREPARED BY: KRG

CHECKED BY: ESM






FIGURE NO.
5E

Iowa

[Current Map](#) > [Iowa](#)**Map released: Thurs. December 31, 2020**

Data valid: December 29, 2020 at 7 a.m. EST

Intensity:

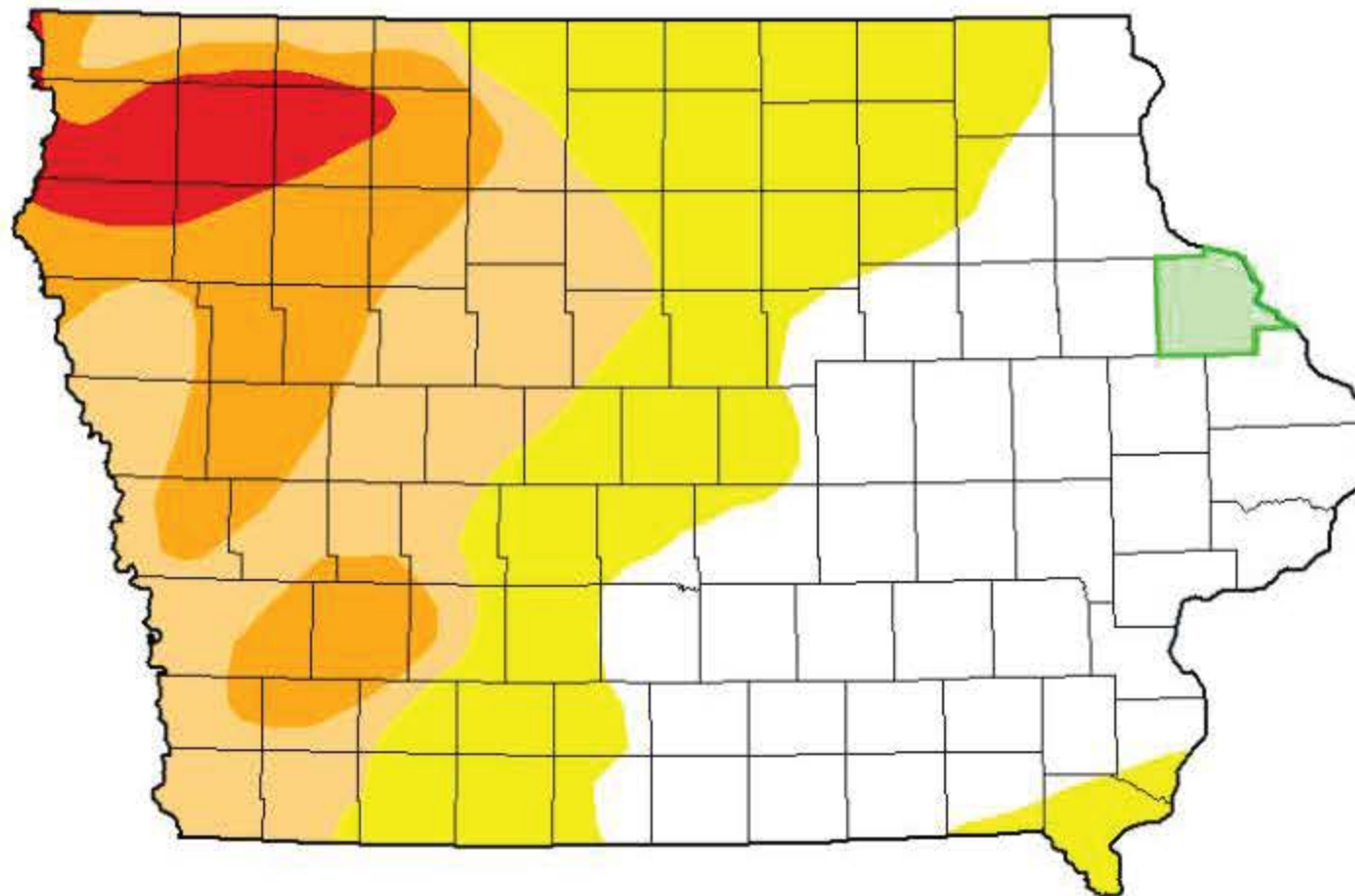
-  None
-  D0 (Abnormally Dry)
-  D1 (Moderate Drought)
-  D2 (Severe Drought)
-  D3 (Extreme Drought)
-  D4 (Exceptional Drought)
-  No Data

Author(s):[Adam Hartman](#), NOAA/NWS/NCEP/CPC

The Drought Monitor focuses on broad-scale conditions. Local conditions may vary. See accompanying [text summary](#) for forecast statements.

Map Download

No text:



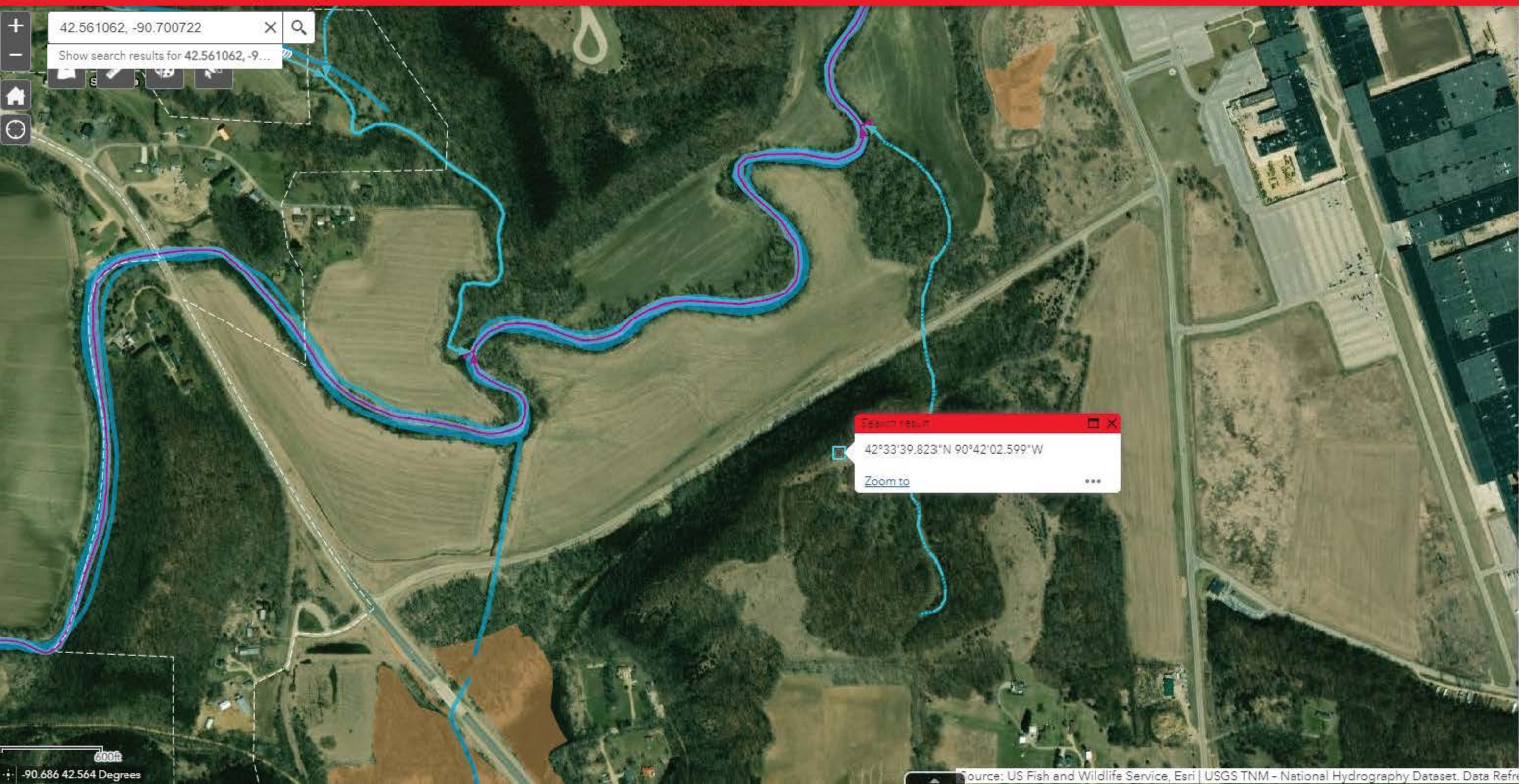
42.561062, -90.700722

Show search results for 42.561062, -9...

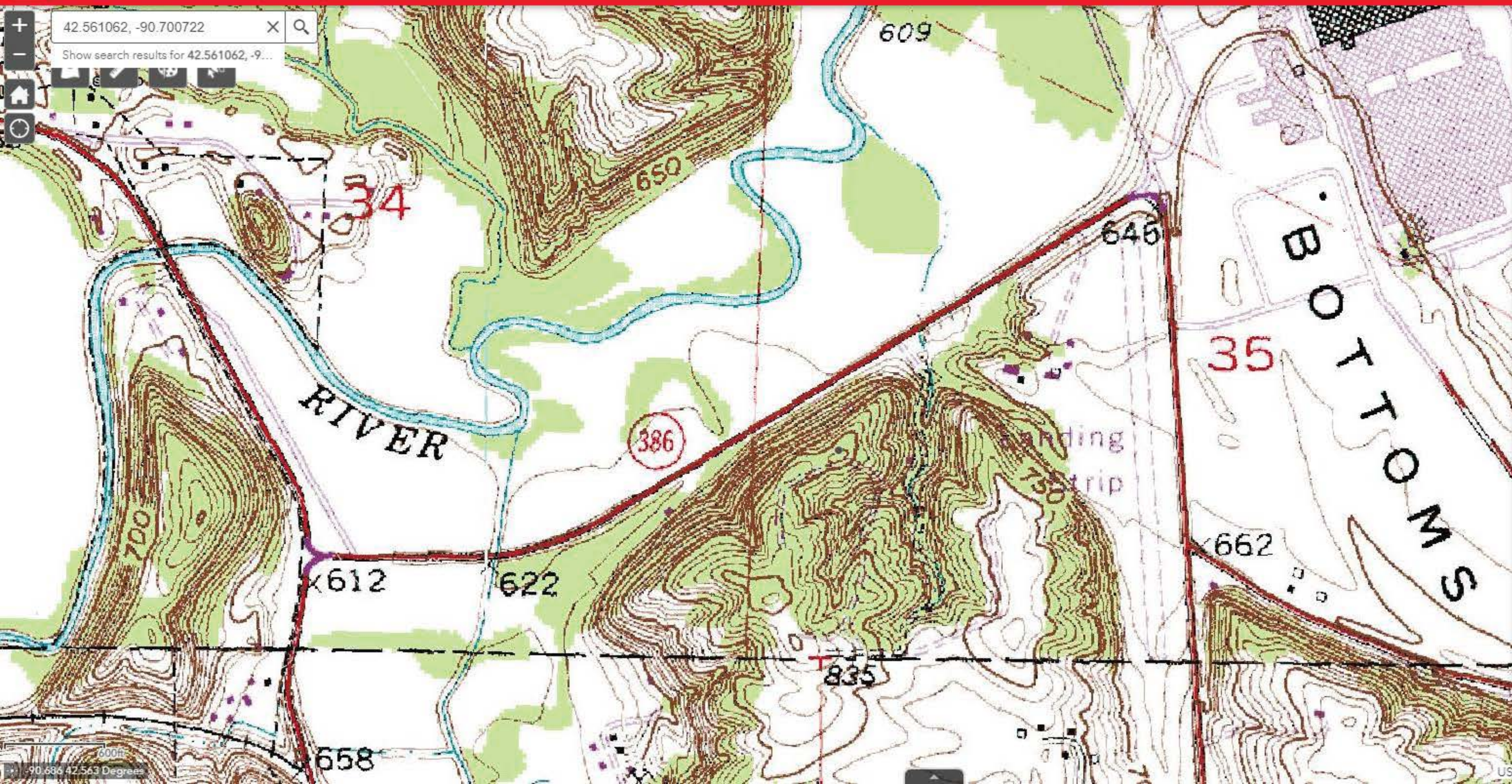


Imagery and Lidar

- ☐ IA naip 2014 nc (External Web GIS Service) ...
- ☐ 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) ...
- ☐ IL NAIP 2010 (External Web GIS Service) ...
- ☐ IL NAIP 2011 (External Web GIS Service) ...
- ☐ IL NAIP 2012 (External Web GIS Service) ...



- Layer List
- ☐ orm_internal_new - Aquatic Resources - area ...
 - ☐ orm_internal_new - Aquatic Resources (PRM) - area ...
 - ☐ River Miles - 1 Mile ...
 - ☐ NLD - Levee Centerline ...
 - ☐ NLD - Leveed Area ...
 - ☐ USACE_Boundaries - USACE Districts ...
 - ☐ MVR Counties ...
 - ☐ Roads ...
 - ☐ Localities for Reg Viewer ...
 - ☐ PLSS ...
 - ☐ PADUS (External Web GIS Service) ...
 - ☐ Real Estate for Reg Viewer ...
 - ☒ National Hydrography Dataset (NHD) (External Web GIS Service) ...
 - ☐ Watersheds (External Web GIS Service) ...
 - ☐ Section 10 Waters ...
 - ☒ National Wetlands Inventory (External Web GIS Service) ...
 - ☐ USA Soils Hydric Class (External Web GIS Service) ...
 - ☐ USA Soils Map Units (External Web GIS Service) ...



Imagery and Lidar

- ☒ 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) ...
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- ☐ MO_LiDAR_DEM_1m_hillshade ...