



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): 19-JAN-2021

ORM Number: MVR-2020-00919-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: Warren County

Center Coordinates of Review Area: Latitude 41.50464 Longitude -93.702673

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
I-1	42 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	I-1 is an unnamed tributary that flows into P-3, which flows into Middle Creek, which flows into the North River, which flows into the Des Moines River a TNW/(a)(1)
P-1	59 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	P-1 is an unnamed tributary that flows into Middle Creek, which flows into the North River, which flows into the Des Moines River a TNW/(a)(1)
P-2	48 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	P-2 is Middle Creek, which flows into the North River, which flows into the Des Moines River a TNW/(a)(1)

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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P-3	21 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	P-3 is an unnamed tributary that flows into Middle Creek, which flows into the North River, which flows into the Des Moines River a TNW/(a)(1)
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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
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
Wetland A	0.06 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland abuts a tributary that flows directly into Lake Colechester (which is an impoundment of Middle Creek), which flows into the North River, which flows into the Des Moines River a TNW/(a)(1)
Wetland B	0.02 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland abuts a tributary that flows directly into Lake Colechester (which is an impoundment of Middle Creek), which flows into the North River, which flows into the Des Moines River a TNW/(a)(1)

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland C	0.11 acres	(b)(1) Non-adjacent wetland	This wetland does is not connected to another aquatic resource
Wetland D	0.08 acres	(b)(1) Non-adjacent wetland	This wetland does is not connected to another aquatic resource
Wetland E	0.07 acres	(b)(1) Non-adjacent wetland	This wetland does is not connected to another aquatic resource
Wetland F	0.07 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 drainage ditch used to manager stormwater runoff from the road
Wetland G	0.05 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 drainage ditch used to manager stormwater runoff from the road
Wetland H	0.02 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 drainage ditch used to manager stormwater runoff from the road
Wetland I	0.02 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 drainage ditch used to manager stormwater runoff from the road

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Wetland J	0.06 acres	(b)(1) Non-adjacent wetland	This wetland does is not connected to another aquatic resource
Wetland K	0.03 acres	(b)(1) Non-adjacent wetland	This wetland does is not connected to another aquatic resource
Wetland L	0.003 acres	(b)(1) Non-adjacent wetland	This wetland does is not connected to another aquatic resource

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: *Application, Nov 20, 2020*
This information *is* sufficient for purposes of this AJD.

Rationale: .

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

☒ Photographs: *Regulatory Viewer with Aerial and LIDAR layers, Jan 2021.*

☒ Corps Site visit(s) conducted on: *August 4, 2020*

☒ Previous Jurisdictional Determinations (AJDs or PJDs): *MVR-2020-0919, August 26, 2020*

☐ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

☒ USDA NRCS Soil Survey: *Websoil Survey, Jan 2021*

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

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

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Regulatory Viewer with NHD layer, Jan 2021
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	US Drought Monitor, Jan 2021

B. Typical year assessment(s): The antecedent precipitation tool's dataset was not working but the US Drought Monitor shows Warren County to be in normal conditions.

C. Additional comments to support AJD: A previous AJD was issued for this site on August 26, 2020. A site visit was conducted to verify the wetlands that the consultant was calling non-jurisdictional. After the site visit was completed, it was determined that many of the wetlands the consultant was calling non-jurisdictional, were in fact roadside drainage ditches, and are not jurisdictional under the NWPR. At the request of the consultant, a second AJD was issued, after further investigation showed that most of the wetlands are not adjacent to another aquatic resource, thus making them non-jurisdictional. The only jurisdictional wetlands are Wetlands A and B as they directly about a tributary.

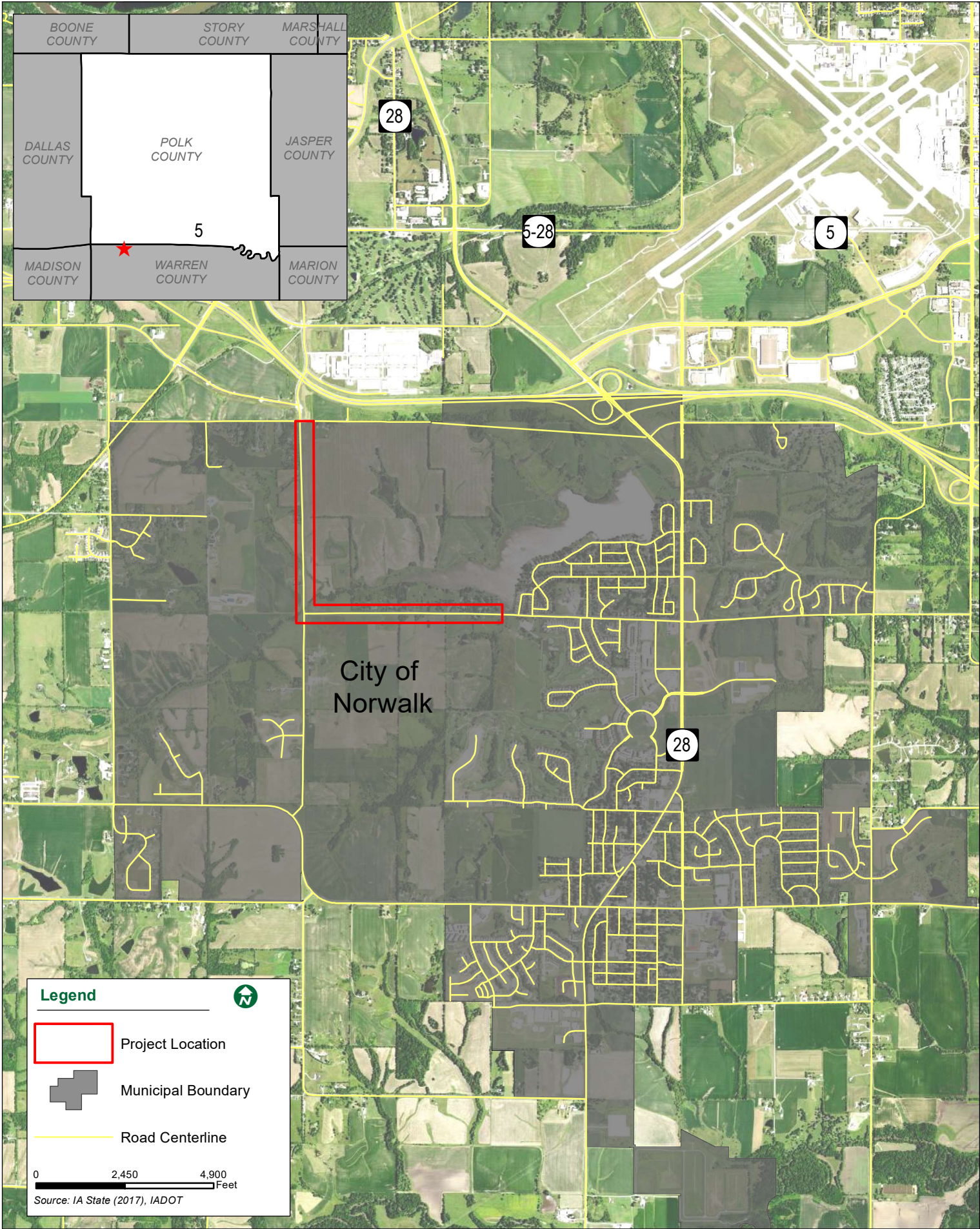
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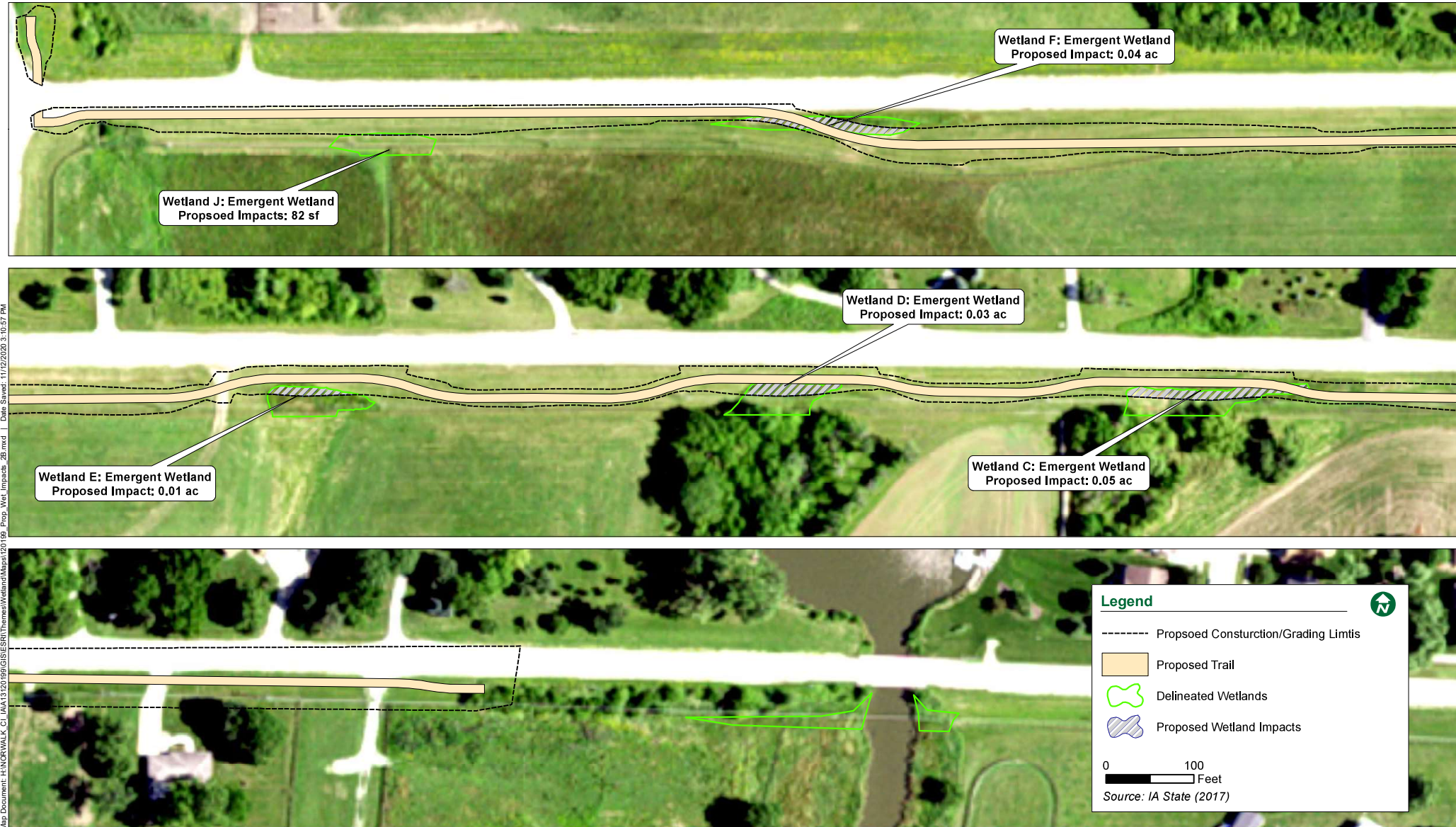
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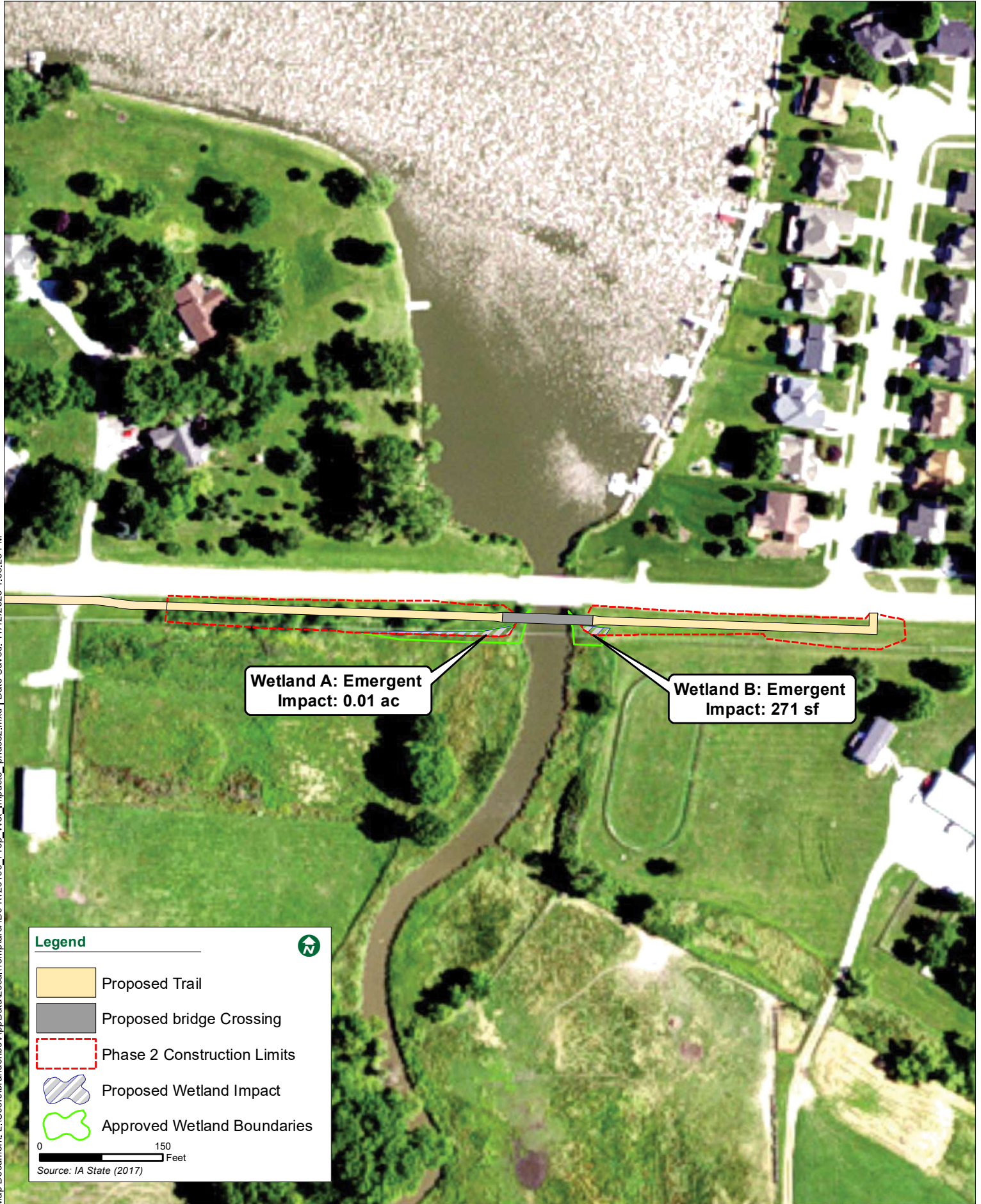
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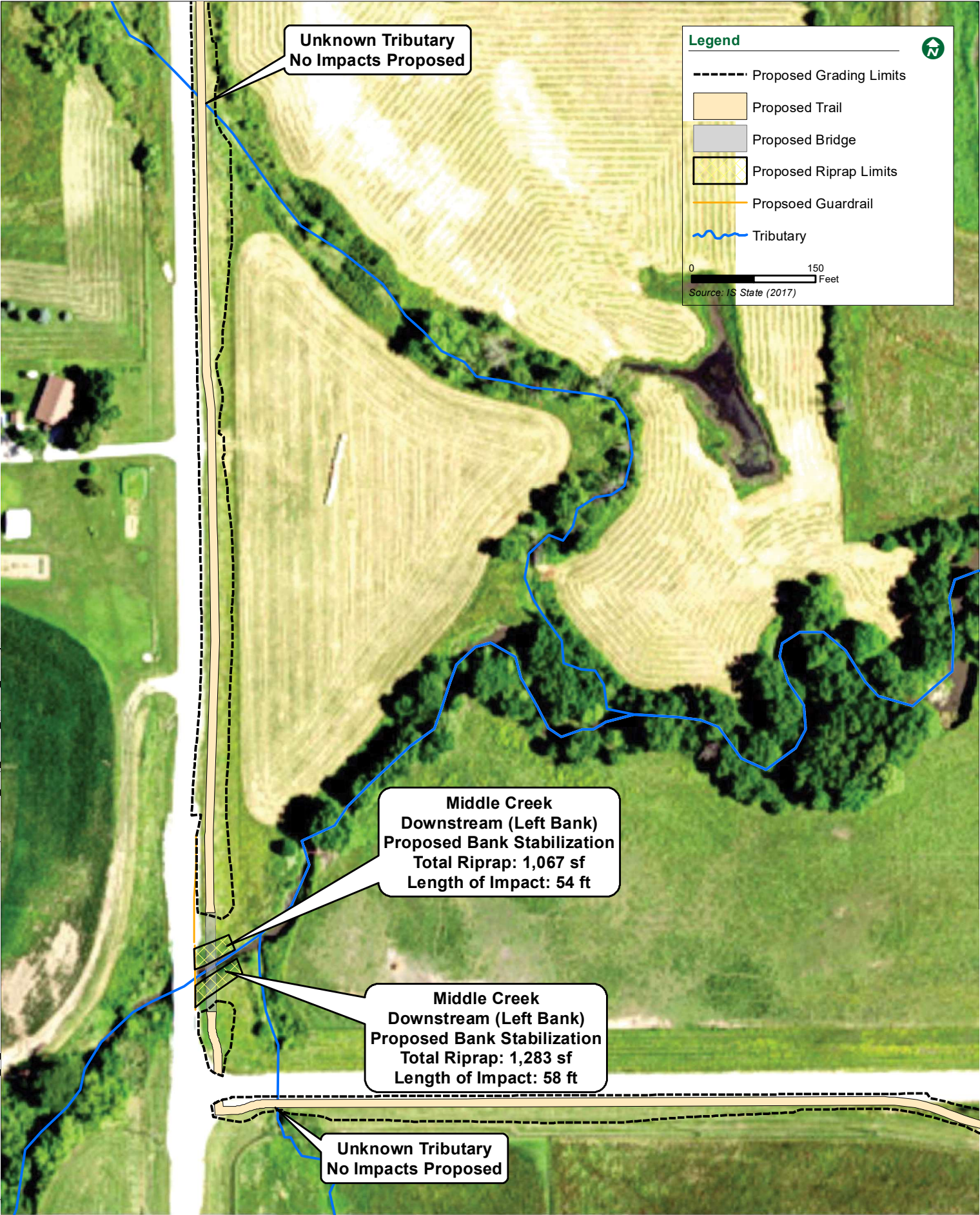
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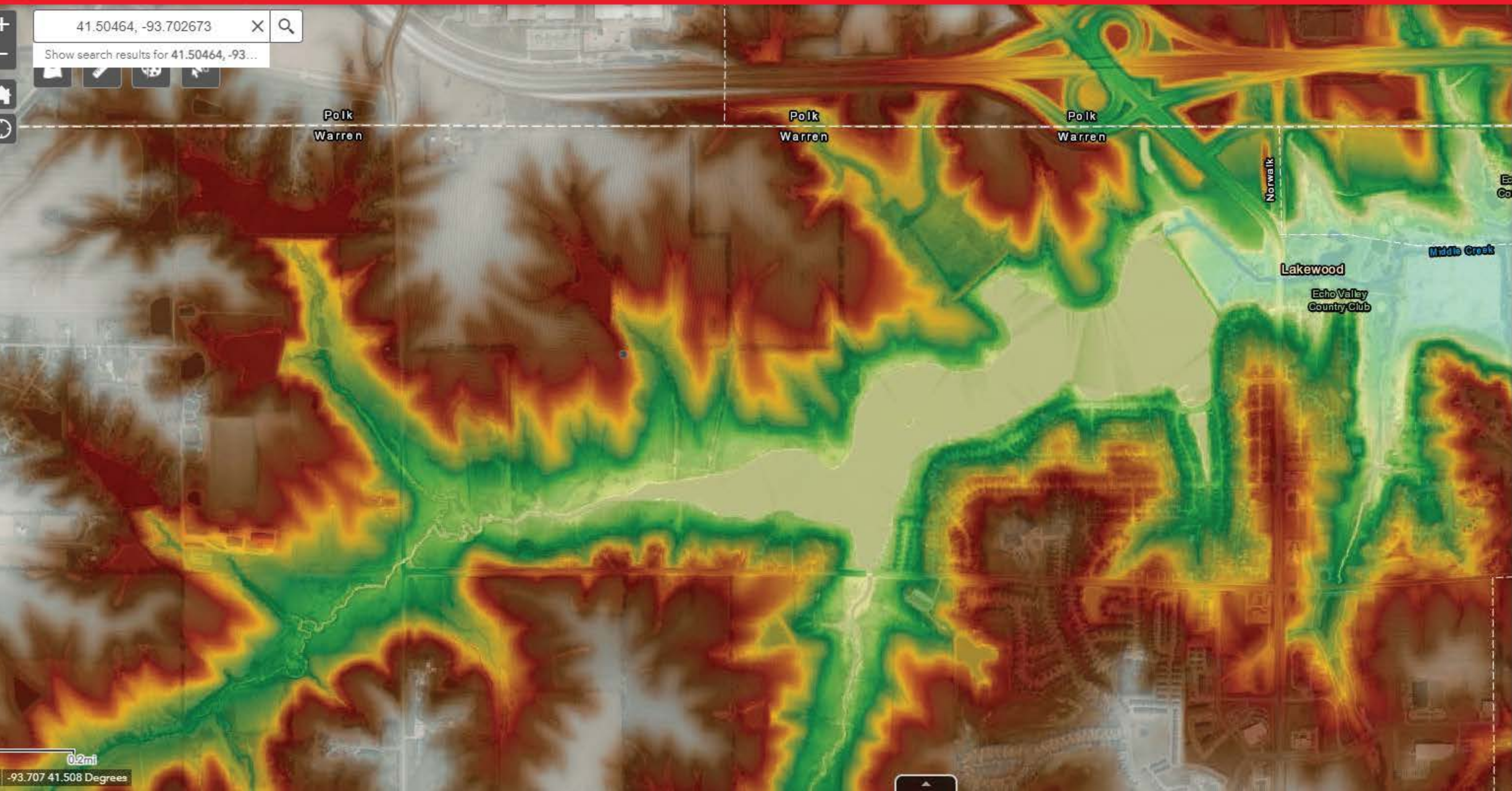






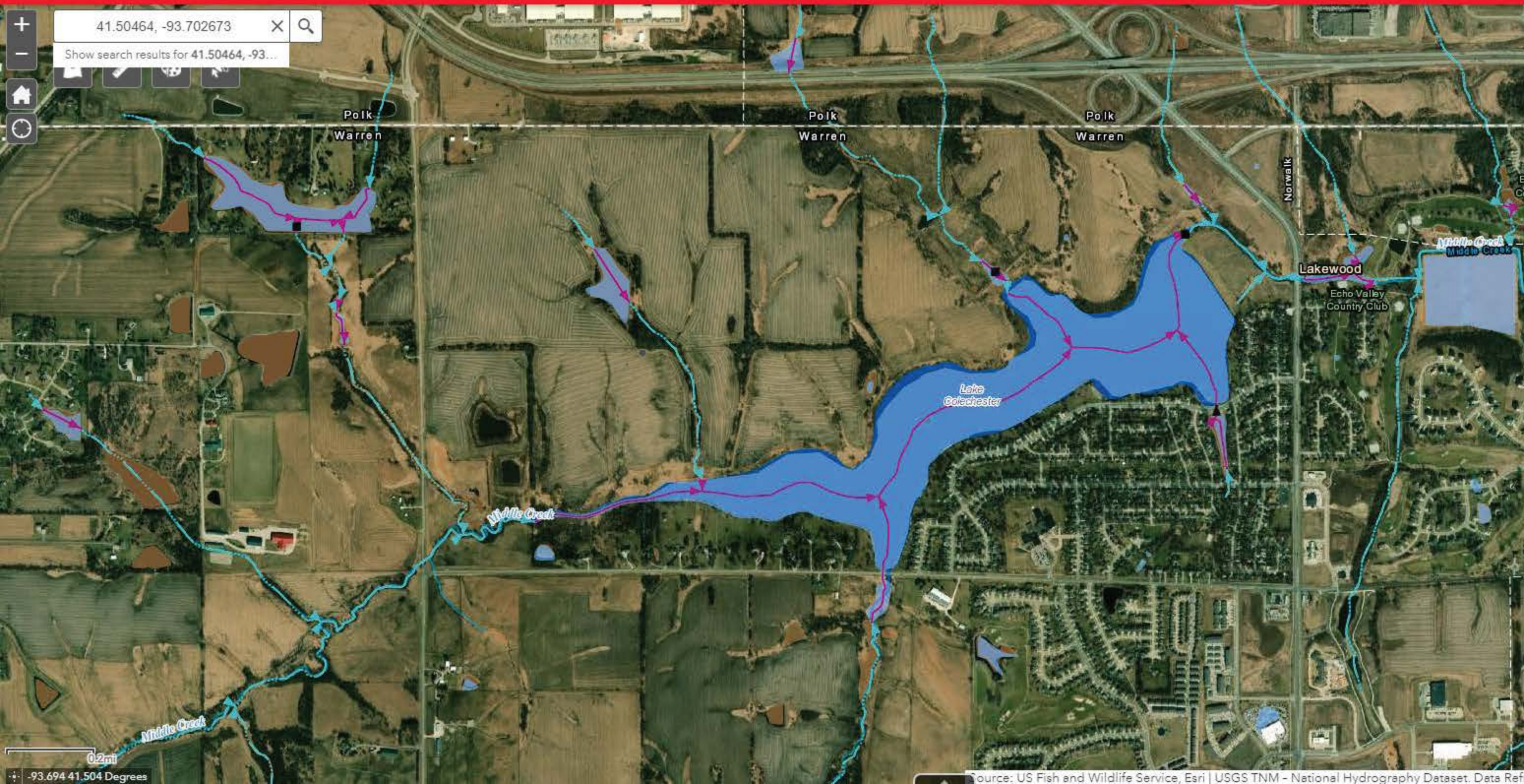
- Regulatory Viewer
- Regulatory Map
- Compliance Viewer
- IPaC
- I-Sites
- Mitigation Banking
- IL IAS

Rock Island District Regulatory Viewer



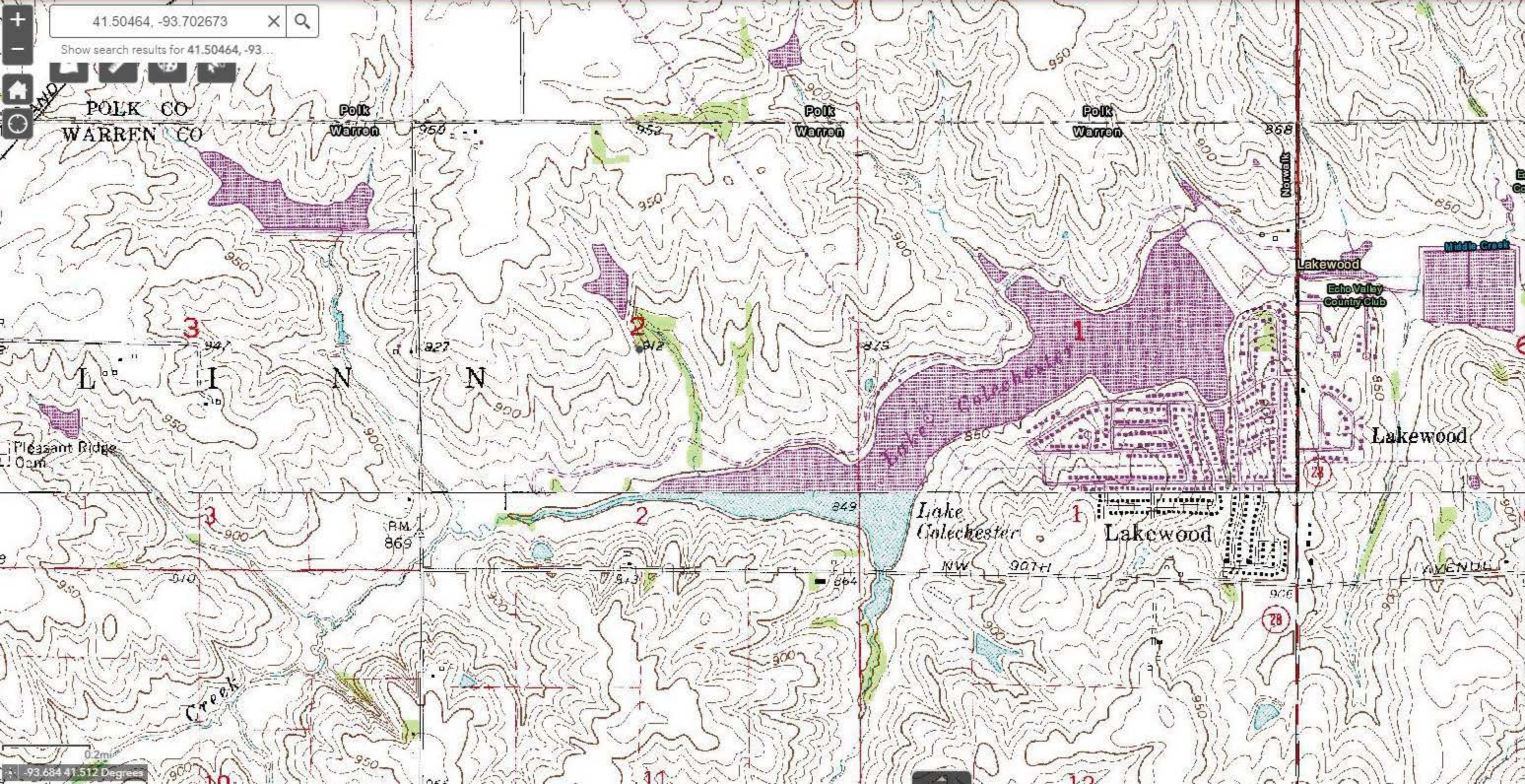
Imagery and Lidar

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- ☐ IA ortho 2007 2010 cir (External Web GIS Service) ...
- ☐ IA ortho 2007 2010 nc (External Web GIS Service) ...
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- ☐ 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 ...



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

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- ☐ 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 ...

United States Drought Monitor

| Login

Current Map Maps Data Summary About Conditions & Outlooks En Español NADM

Iowa

Current Map > Iowa

Map released: Thurs. January 14, 2021

Data valid: January 12, 2021 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):

Deborah Bathke, National Drought Mitigation Center

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

Map Download

No text: PNG JPG

