

#### 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): 18-FEB-2021 ORM Number: MVR-2021-00085 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: Humboldt County Center Coordinates of Review Area: Latitude 42.656587 Longitude -94.183246

#### 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
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

<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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#### D. Excluded Waters or Features

Excluded waters  $((b)(1) - (b)(12))^4$ :

Exclusion Name	Exclusion Size	Exclusion⁵	Rationale for Exclusion Determination
Open Water Feature	0.76 acres	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non- jurisdictional water to obtain fill/sand/gravel	This open water feature is an old quarry, that was excavated in uplands, and is now filled with water.

#### 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.
  - **\_X\_** Information submitted by, or on behalf of, the applicant/consultant: *Joint Application, January* 2021

This information *is not* sufficient for purposes of this AJD.

Rationale: The information provided showed the area of this AJD but historic aerials needed to be reviewed to confirm that the open water feature was an old quarry.

- Data sheets prepared by the Corps: *Title(s) and/or date(s)*.
- **X** Photographs: *Regulatory Viewer Historic Aerials, Years: 1930, 1950, 1960, 1980, 1990, 2002, 2010, 2017*
- Corps Site visit(s) conducted on: Date(s).
- Previous Jurisdictional Determinations (AJDs or PJDs): ORM Number(s) and date(s).
- **X** Antecedent Precipitation Tool (APT): *provide detailed discussion in Section III.B.*
- X\_ USDA NRCS Soil Survey: Websoil Survey, February 2021
- X USFWS NWI maps: Regulatory Viewer with NWI Layer, February 2021
- X\_ USGS topographic maps: *Regulatory Viewer with Topo Layer, February 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, February 2021
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	

**B.** Typical year assessment(s): The APT shows that the project site is in normal conditions.

<sup>&</sup>lt;sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>&</sup>lt;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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<sup>&</sup>lt;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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**C.** Additional comments to support AJD: The area covered in this AJD is an approximately 0.76-acre site and that area currently is filled with water. After review of historic aerials, from 1930-2017, the site is an old quarry, and a pit was excavated in uplands. The NWI shows a wetland, due to the quarry being located at a low elevation. The hydric soils listed in this site are not strong indicators of wetlands being present. This open water feature is a non-regulated feature and no other aquatic features were located in this area.

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<sup>&</sup>lt;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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# MVR-2021-0085

Turkey Ridge Land Co Dated: February 19, 2021

### Legend

AJD Area & Open Water Feature

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USDA Natural Resources

**Conservation Service** 

Web Soil Survey National Cooperative Soil Survey 2/18/2021 Page 1 of 5



## Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
27B	Terril loam, 2 to 6 percent slopes	8	2.3	20.1%
256G	Lester-Belview complex, 22 to 40 percent slopes	0	0.1	0.9%
536	Hanlon fine sandy loam, 0 to 2 percent slopes, occasionally flooded	10	2.3	19.8%
1585	Spillville-Coland complex, channeled, 0 to 2 percent slopes, frequently flooded	35	6.8	59.2%
Totals for Area of Intere	est		11.5	100.0%

### Description

This rating indicates the percentage of map units that meets the criteria for hydric soils. Map units are composed of one or more map unit components or soil types, each of which is rated as hydric soil or not hydric. Map units that are made up dominantly of hydric soils may have small areas of minor nonhydric components in the higher positions on the landform, and map units that are made up dominantly of nonhydric soils may have small areas of minor hydric components in the lower positions on the landform. Each map unit is rated based on its respective components and the percentage of each component within the map unit.

The thematic map is color coded based on the composition of hydric components. The five color classes are separated as 100 percent hydric components, 66 to 99 percent hydric components, 33 to 65 percent hydric components, 1 to 32 percent hydric components, and less than one percent hydric components.

In Web Soil Survey, the Summary by Map Unit table that is displayed below the map pane contains a column named 'Rating'. In this column the percentage of each map unit that is classified as hydric is displayed.

Hydric soils are defined by the National Technical Committee for Hydric Soils (NTCHS) as soils that formed under conditions of saturation, flooding, or ponding long enough during the growing season to develop anaerobic conditions in the upper part (Federal Register, 1994). Under natural conditions, these soils are either saturated or inundated long enough during the growing season to support the growth and reproduction of hydrophytic vegetation.

The NTCHS definition identifies general soil properties that are associated with wetness. In order to determine whether a specific soil is a hydric soil or nonhydric soil, however, more specific information, such as information about the depth and duration of the water table, is needed. Thus, criteria that identify those estimated soil properties unique to hydric soils have been established (Federal Register, 2002). These criteria are used to identify map unit components that normally are associated with wetlands. The criteria used are selected estimated soil properties that are described in "Soil Taxonomy" (Soil Survey Staff, 1999) and "Keys to Soil Taxonomy" (Soil Survey Staff, 1993).

If soils are wet enough for a long enough period of time to be considered hydric, they should exhibit certain properties that can be easily observed in the field. These visible properties are indicators of hydric soils. The indicators used to make onsite determinations of hydric soils are specified in "Field Indicators of Hydric Soils in the United States" (Hurt and Vasilas, 2006).

#### References:

Federal Register. July 13, 1994. Changes in hydric soils of the United States. Federal Register. September 18, 2002. Hydric soils of the United States. Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18.

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service. U.S. Department of Agriculture Handbook 436.

Soil Survey Staff. 2006. Keys to soil taxonomy. 10th edition. U.S. Department of Agriculture, Natural Resources Conservation Service.

### **Rating Options**

Aggregation Method: Percent Present Component Percent Cutoff: None Specified Tie-break Rule: Lower







Coordinates	42.656587, -94.183246
Observation Date	2020-02-18
Elevation (ft)	1050.16
Drought Index (PDSI)	Extreme wetness
WebWIMP H <sub>2</sub> O Balance	Wet Season

30 Days Ending	30 <sup>th</sup> %ile (in)	70 <sup>th</sup> %ile(in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2020-02-18	0.69685	1.442126	1.059055	Normal	2	3	6
2020-01-19	0.431102	1.356693	2.437008	Wet	3	2	6
2019-12-20	0.812205	1.774016	0.724409	Dry	1	1	1
Result							Normal Conditions - 13

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation ∆	Weighted $\Delta$	Days (Normal)	Days (Antecedent)
FT DODGE 5NNW	42.5836, -94.2006	1115.158	5.12	64.998	2.637	10838	89
BADGER 3.1 NW	42.6426, -94.1879	1108.924	0.995	58.764	0.506	430	1
HUMBOLDT WTP	42.7197, -94.2203	1100.066	4.749	49.906	2.374	35	0
HUMBOLDT 3 W	42.7181, -94.2689	1109.908	6.082	59.748	3.1	25	0
WEBSTER CITY	42.4686, -93.7975	1071.85	23.539	21.69	11.103	3	0
CLARION	42.72, -93.7336	1155.84	23.253	105.68	12.921	21	0



Figure and tables made by the Antecedent Precipitation Tool Version 1.0

Written by Jason Deters U.S. Army Corps of Engineers

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