



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-MAY-2021

ORM Number: MVR-2021-00634-SD

Associated JDs: N/A

Review Area Location<sup>1</sup>:

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

Center Coordinates of Review Area: Latitude 41.698715 Longitude -91.475351

**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: Project area is largely an agricultural field that lacks necessary wetland characteristics. The delineated stream and forested wetland area is listed as avoidance.
- ☐ 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
2021-0634 S1	1758 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Tributary is listed as perennial in the delineation and past aeriels show constant flow. Resource is not listed for impact.
2021-0634 S2	255 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Tributary is listed as intermittent and directly connects through perennial stream (2021-0634 S1). Resource is not listed for impact.
2021-0634 S3	603 feet	(a)(2) Intermittent tributary	Tributary is listed as intermittent and directly connects

<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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		contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	through perennial stream (2021-0634 S1). Resource is not listed for impact.
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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
N/A	N/A	N/A	N/A

#### 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
2021-0634 WL	0.06 acres	(b)(1) Non-adjacent wetland	Area is listed as Forested wetland in the delineation and lacks a direct connection to a jurisdictional 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: *Title(s) and date(s)*.  
This information *(is)* sufficient for purposes of this AJD.  
Rationale: *Project area is largely an agricultural field that lacks necessary wetland characteristics. The delineated stream and forested wetland area is listed as avoidance.*  
Data sheets prepared by the Corps: *Title(s) and/or date(s)*.  
☒ Photographs: *(Delineation maps, Google Earth, Lidar) Title(s) and/or date(s)*.  
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.

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

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State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** N/A

**C. Additional comments to support AJD:** Project area is largely an agricultural field that lacks necessary wetland characteristics. The delineated stream and forested wetland area is listed as avoidance.

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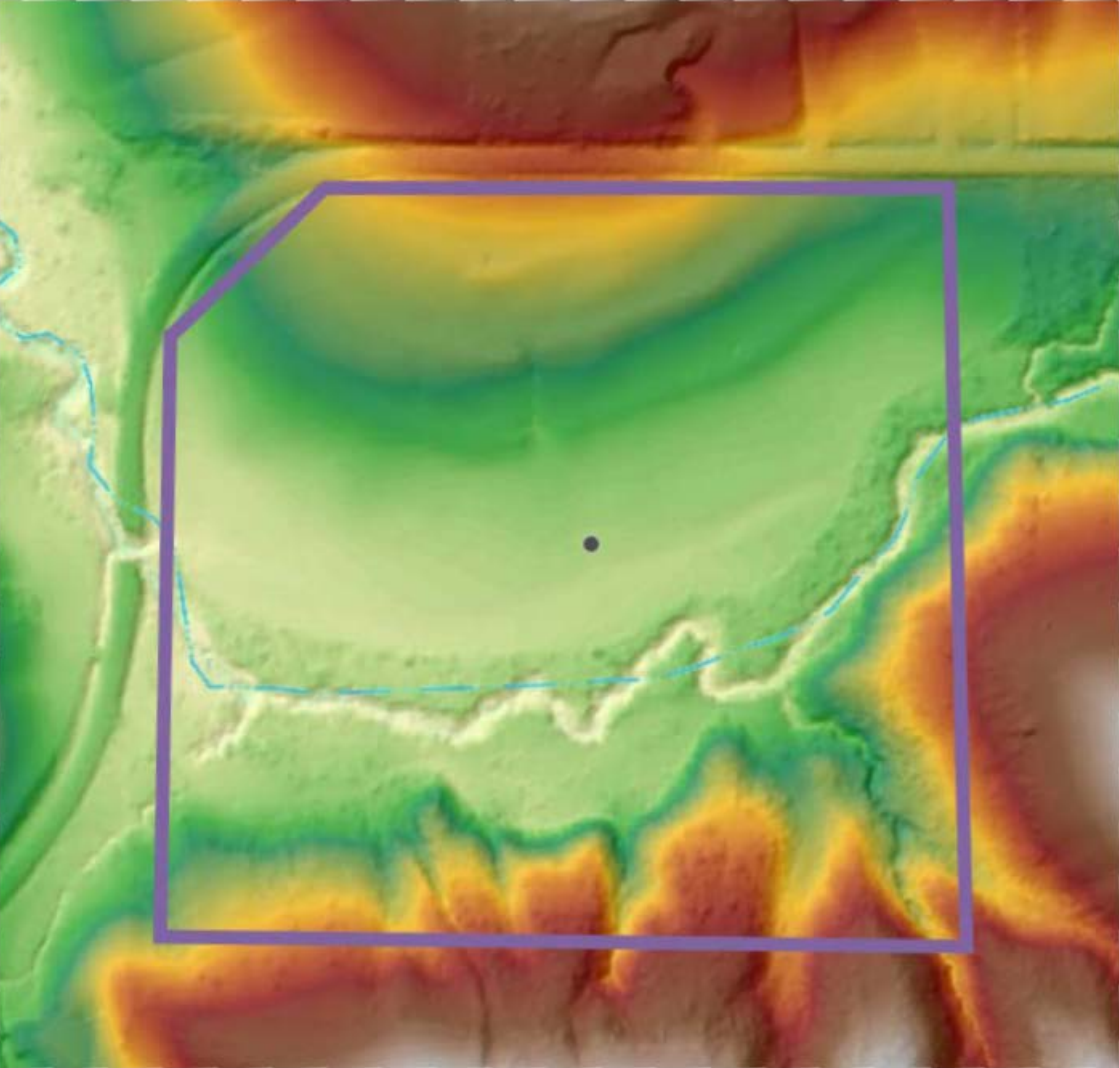
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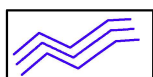
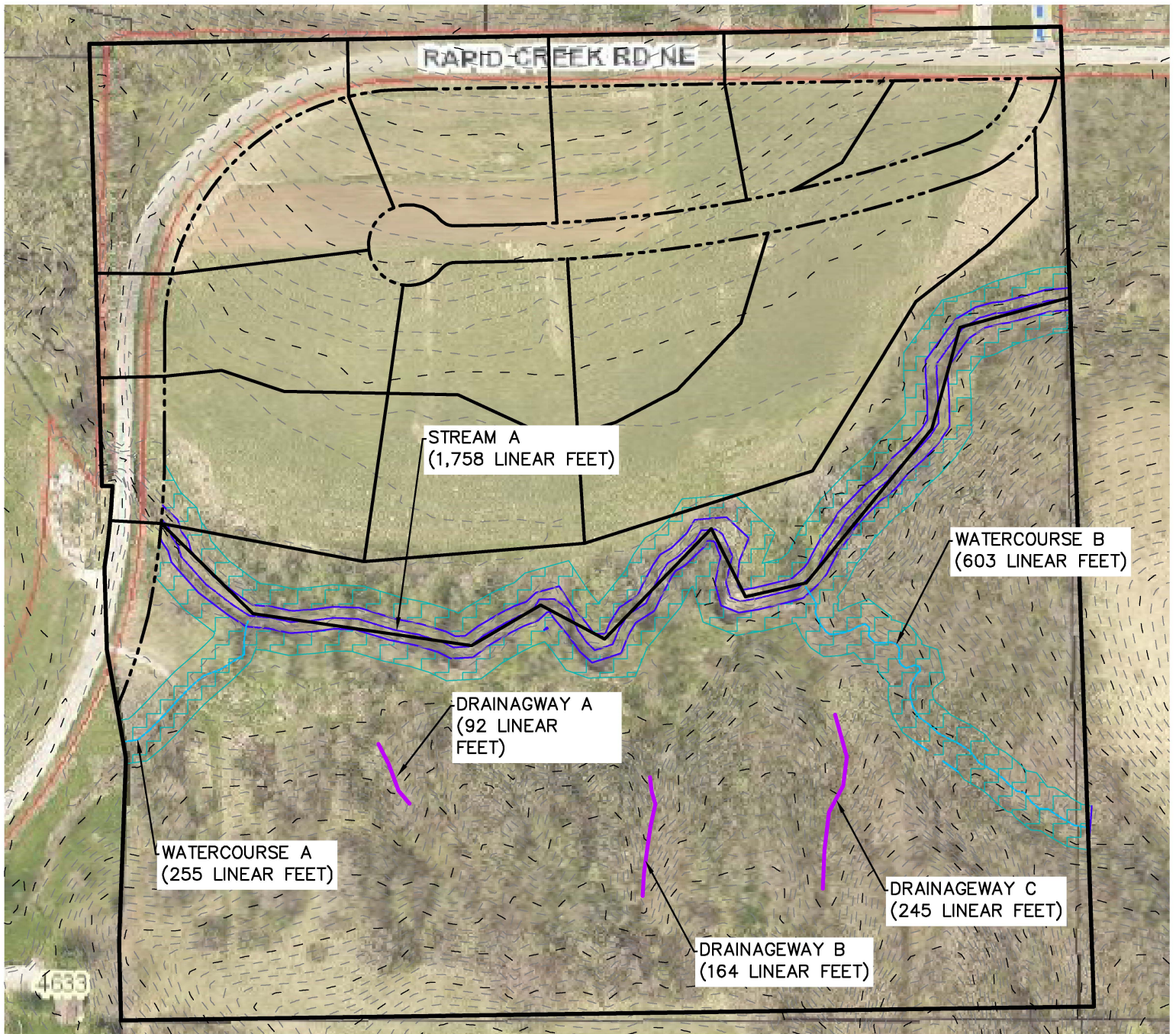
Rapid Creek Rd NE

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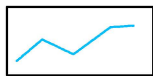
Rapid Creek Rd NE



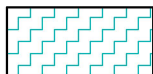




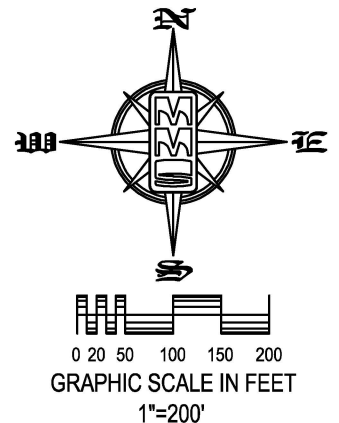
STREAM CORRIDORS  
(1,758 LINEAR FEET)



WATERCOURSES  
(858 LINEAR FEET)



30' STREAM CORRIDOR/  
SURFACE WATER BODY  
BUFFER



Designed by: LRS	Scale: 1"=200'
Drawn by: LRS	Date: 02/11/2021
Checked by: LRS	Project No: 7596-118

**STREAM CORRIDORS & WATERCOURSES**

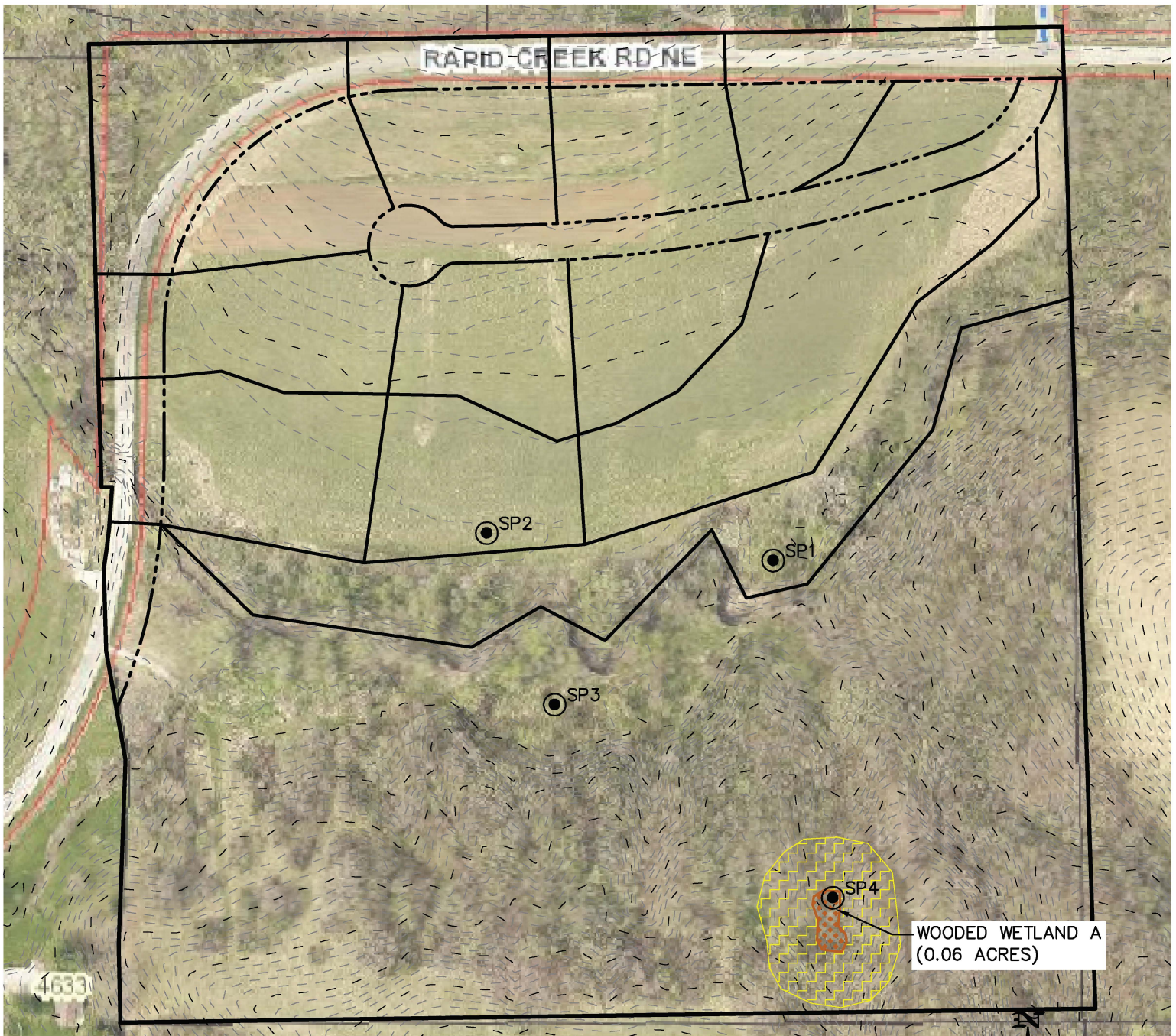
**YELLOW ROCK**  
NE1/4, NW1/4, SEC.31-T80N-R5W  
IOWA CITY  
JOHNSON COUNTY, IOWA

**MMS CONSULTANTS, INC.**  
IOWA CITY, IOWA 52240  
(319) 351-8282  
[www.mmsconsultants.net](http://www.mmsconsultants.net)

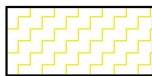


Field Book No: FIELDBOOK	
Date	Revision





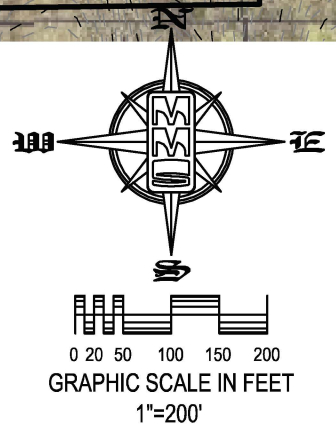
CLASS 2 WETLANDS  
(0.06 ACRES)



75' WETLAND BUFFER



SAMPLE POINT



Designed by: LRS	Scale: 1"=200'
Drawn by: LRS	Date: 02/11/2021
Checked by: LRS	Project No: 7596-118

## WETLANDS

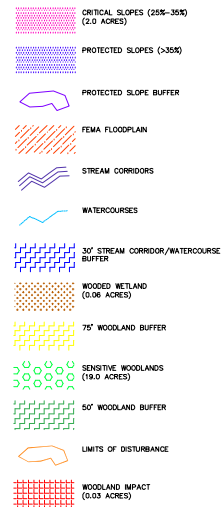
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1. PERMITTED BUFFER USES AS OUTLINED WITHIN THE UDO SHALL BE FOLLOWED.
2. PROPOSED LIMITS OF DISTURBANCE HAVE BEEN PROVIDED. IMPACT TO AREAS BEYOND THE LIMITS OF DISTURBANCE (UNLESS IT IS A PERMITTED ACTIVITY AS LISTED WITHIN THE UDO) CONSTITUTES A VIOLATION OF THE APPROVED SENSITIVE AREAS REPORT.
3. THE LIMITS OF DISTURBANCE SHALL BE FLAGGED ON THE SITE PRIOR TO ANY CONSTRUCTION ACTIVITIES.
4. PRIOR APPROVAL FROM THE COUNTY IS REQUIRED FOR ANY MODIFICATION TO THE LIMITS OF DISTURBANCE.

<b>POTENTIAL BUILDING</b>		PROPERTY &/or BOUNDARY LINE CONFESSIONAL, SECTION LINES POST-OR-BY-LINE LINES CENTER LINES CENTER LINES LOT LINES INTERNAL SIDE LINES PLATTED OR BY DEED PROPOSED EASEMENT LINES EXISTING EASEMENT LINES BENCHMARKS RECORDING DIMENSIONS CURVE CENTER NUMBER
<b>(N)</b> <b>22-1</b>	<b>-EXIST-</b>	<b>-PROP-</b>
	POWER POLE W/O/RUP POWER POLE W/A/RUP CHOLE LIGHT POLE SANITARY MANHOLE FIRE HYDRANT WATER VALVE DRAINAGE MANHOLE EXISTING EDGE OF GRADE FENCE LINE EXISTING SANDWICH SIGNER PROPOSED SANDWICH SIGNER CENTER LINE PROPOSED STORM SEWER ELECTRICAL LINES TELEPHONE LINES GAS LINES CONTINUED LINES (2' INTERVAL) PROPOSED ROAD EXISTING TREE LINE EXISTING DECIDUOUS TREES & SHRUBS EXISTING EVERGREEN TREES	P.S.S. P.B.S.
	= POTENTIAL INDIVIDUAL ADJUTANT SYSTEM = POTENTIAL BUILDING SITE	

THE ACTUAL SIZE AND LOCATION OF ALL PROPOSED FACILITIES SHALL BE VERIFIED WITH COMPARATIVE DOCUMENTS, WHERE ARE TO BE PREPARED AND SUBMITTED SUBSEQUENT TO THE REVIEW OF THIS RECORD.