



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): 14-DEC-2020

ORM Number: MVR-2020-01388-AM

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: Johnson County

Center Coordinates of Review Area: Latitude 41.622018 Longitude -91.61232

**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
wetland 1	0.36 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland directly connects offsite to an intermittent stream, which flows down into Old Mans Creek, which

<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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			flows into the Iowa River, which flows into the Mississippi River, a TNW
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**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
N/A	N/A	N/A	N/A

**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: *N/A*

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

☒ Photographs: Regulatory Viewer with Aerial Layer, December 2020; Google Maps Street View, December 2020

☐ 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: *Regulatory Viewer with Hydric Soil layer, December 2020*

☒ USFWS NWI maps: *Regulatory Viewer with NWI layer, December 2020.*

☒ USGS topographic maps: *Regulatory Viewer with Topo layer, December 2020.*

**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, December 2020
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	US Drought Monitor, December 2020

**B. Typical year assessment(s):** The Antecedent Rainfall Calculator's dataset has errors and will not pull data but the US Drought Monitor shows Johnson County is not in a drought and is experiencing normal conditions.

**C. Additional comments to support AJD:** The wetland on site shows up as an intermittent stream, on the NWI, NHD, and topo layers/maps. The photographs provided by the consultant show that the wetland no longer has OHWM characteristics, but the datasheets show that it meets the criteria for a wetland.

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Figure 3: Wetland Delineation  
MAIER WEST AT&T



0 150 300  
Feet

### Legend

- Project Area
- Delineated Wetland
- Sample Point

Date: 9/15/2020

Image Source: Farm Service Agency (2015)

WSN Job No. 2020-10361

0.36 acres

1A  
1B  
5  
2B  
2A  
3A  
3B  
4C  
4B  
4A

4218 Yvette St SW  
Iowa City, Iowa

Google

Street View



# Rock Island District Regulatory Viewer

Digital Global Link



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

## Rock Island District Regulatory Viewer



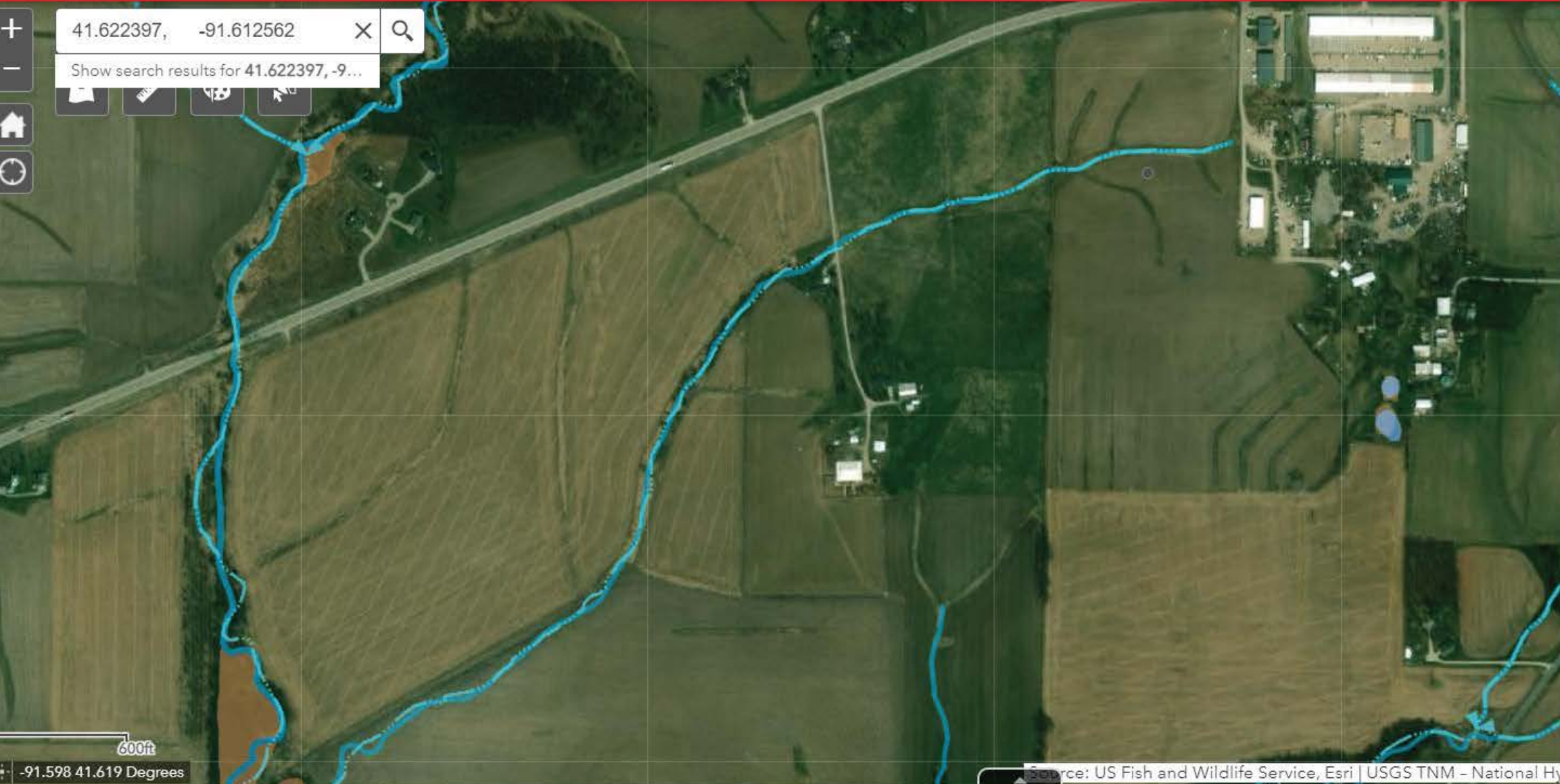
- Layer List
- ☐ USACE\_Boundaries - USACE Districts
  - ☐ MVR Counties
  - ☐ Roads
  - ☐ Localities for Reg Viewer
  - ☐ PLSS
  - ☐ PADUS (External Web GIS Service)
  - ☐ Real Estate for Reg Viewer
  - ☐ National Hydrography Dataset (NHD) (External Web GIS Service)
  - ☐ Watersheds (External Web GIS 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)



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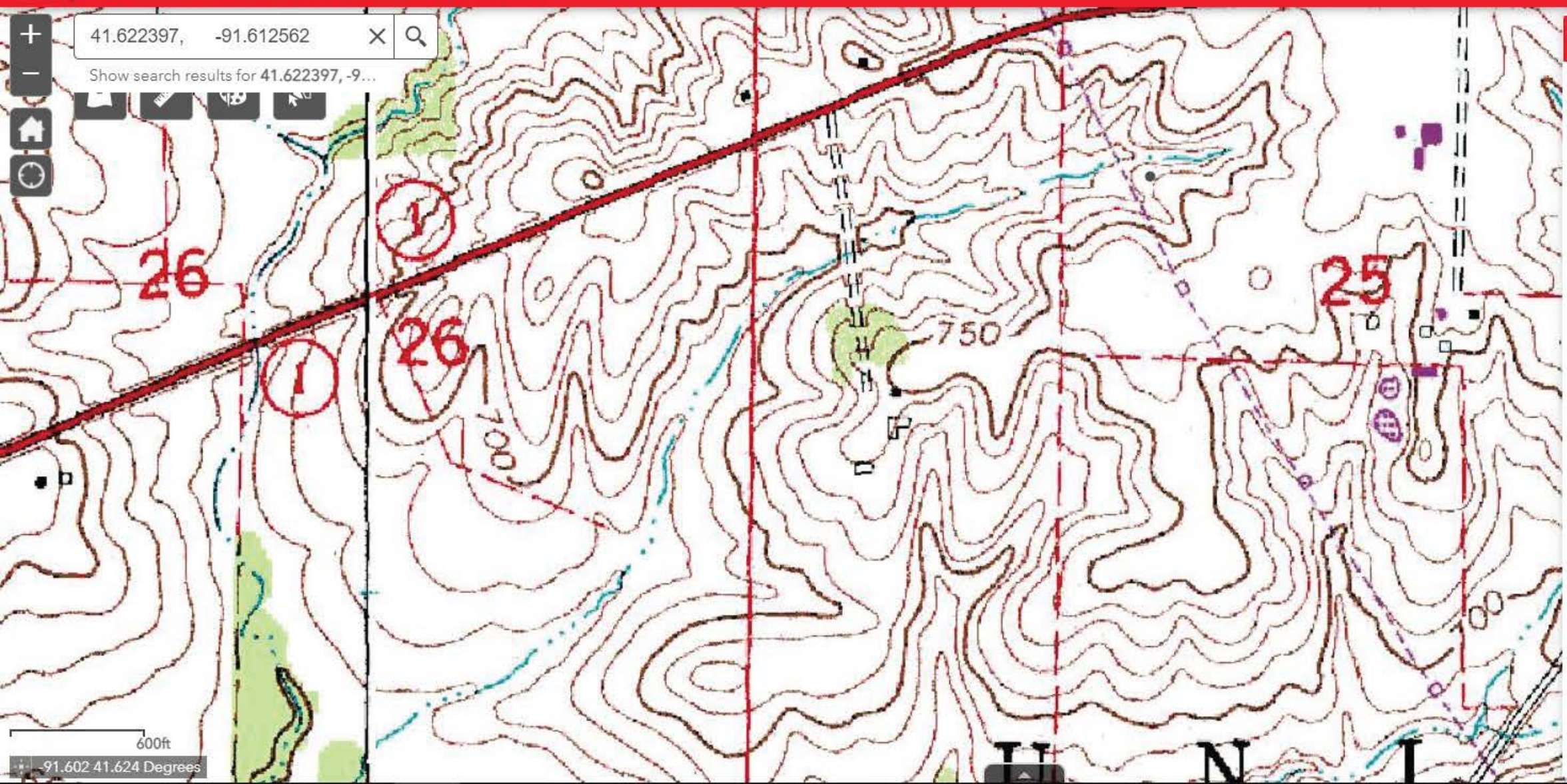
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### Imagery and Lidar

- ☐ IA naip 2011 nc (External Web GIS Service) ...
- ☐ IA naip 2013 cir (External Web GIS Service) ...
- ☐ IA naip 2013 nc (External Web GIS Service) ...
- ☐ IA naip 2014 cir (External Web GIS Service) ...
- ☐ 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 ...

