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): 01-DEC-2020
ORM Number: MVR-2020-01562-AM
Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)
Review Area Location[1]:
State/Territory: IA City: County/Parish/Borough: Delaware County
Center Coordinates of Review Area: Latitude 42.5165 Longitude -91.4664

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
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

[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.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))[4]:

Exclusion Name	Exclusion Size	Exclusion[5]	Rationale for Exclusion Determination
drainage ditch	253 feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	Ditch connects to a roadside drainage ditch along the road. This feature was constructed in uplands and conveys stormwater. This feature does not exhibit any stream characteristics or OHWM features

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 and photographs, November 2020*
This information *is* and isn't sufficient for purposes of this AJD.
Rationale: *The joint application and photgraphs were useful. The information was sufficient once the Corps Regulatory Viewer was also used.*

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

_X_ Photographs: *Regulatory Viewer Aerial, December 7, 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.*

_X_ USDA NRCS Soil Survey: *Websoil Survey website, December 7, 2020*

_X_ USFWS NWI maps: *Regulatory Viewer Aerial with NWI/NHD Layers, December 7, 2020*

_X_ USGS topographic maps: *Regulatory Viewer Topo Layer, December 7, 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 Aerial with NHD Layer, December 7, 2020
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	Regulatory Viewer, December 7, 2020
State/Local/Tribal Sources	N/A.
Other Sources	Google Birds Eye View Map, December 7, 2020

B. Typical year assessment(s): The Antecedent rainfall calculator is having dataset issues and is not working but the US Drought Monitor shows Delware County is not in a drought and is in normal conditions.

C. Additional comments to support AJD: The only feature on site is a drainage ditche that is connected to a roadside ditch. This feature does not contain any evidence of an OHWM or other

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stream characteristics. There is no evidence of any additional wetlands, streams, or other aquatic resources on site based on the supporting information that was reviewed.

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PROJECT_LOCATION | 1900 IA-13 - Google Maps

google.com/maps/@42.5165352,-91.4660711,3a,75y,264.69h,75.47t/data=!3m7!1e1!3m5!1sxgYPDgc2os1S7ITH9Z5ZjQ!2e0!6s%2F%2Fgeo2.ggpht.com%2Fcbk%3Fpanoid%3DxgYPDgc2os1S7...

Apps | _USACE | DigiGlobe | StreamStats | Historic Aerials | I-Sites | Iowa Bridges | MVR | MVR Regulatory | ORM | Reg Viewer | IPaC | Soils | GMaps | RIBITS | Drought

Websoilsurvey.pdf

Show all

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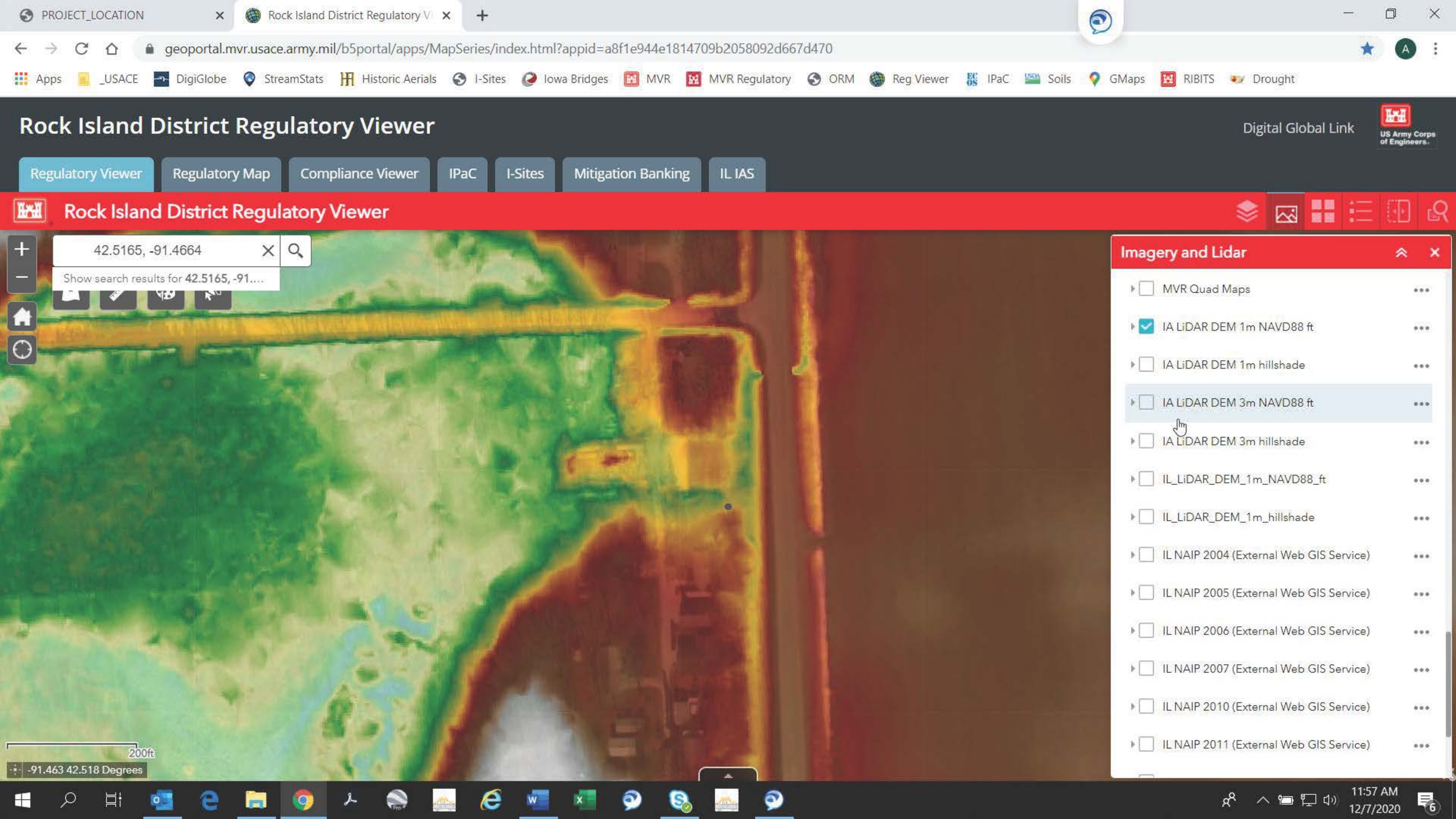
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Rock Island District Regulatory V
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Apps
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42.5165, -91.4664
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Imagery and Lidar
MVR Quad Maps
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Rock Island District Regulatory Viewer

Digital Global Link

US Army Corps of Engineers

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

Rock Island District Regulatory Viewer

42.5165, -91.4664

Show search results for 42.5165, -91....

Search result

42°30'59.400"N 91°27'59.040"W

Zoom to

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)

Quaker Mill Pond

200ft

-91.463 42.518 Degrees

Source: US Fish and Wildlife Service, Esri | USGS TNM – National Hy

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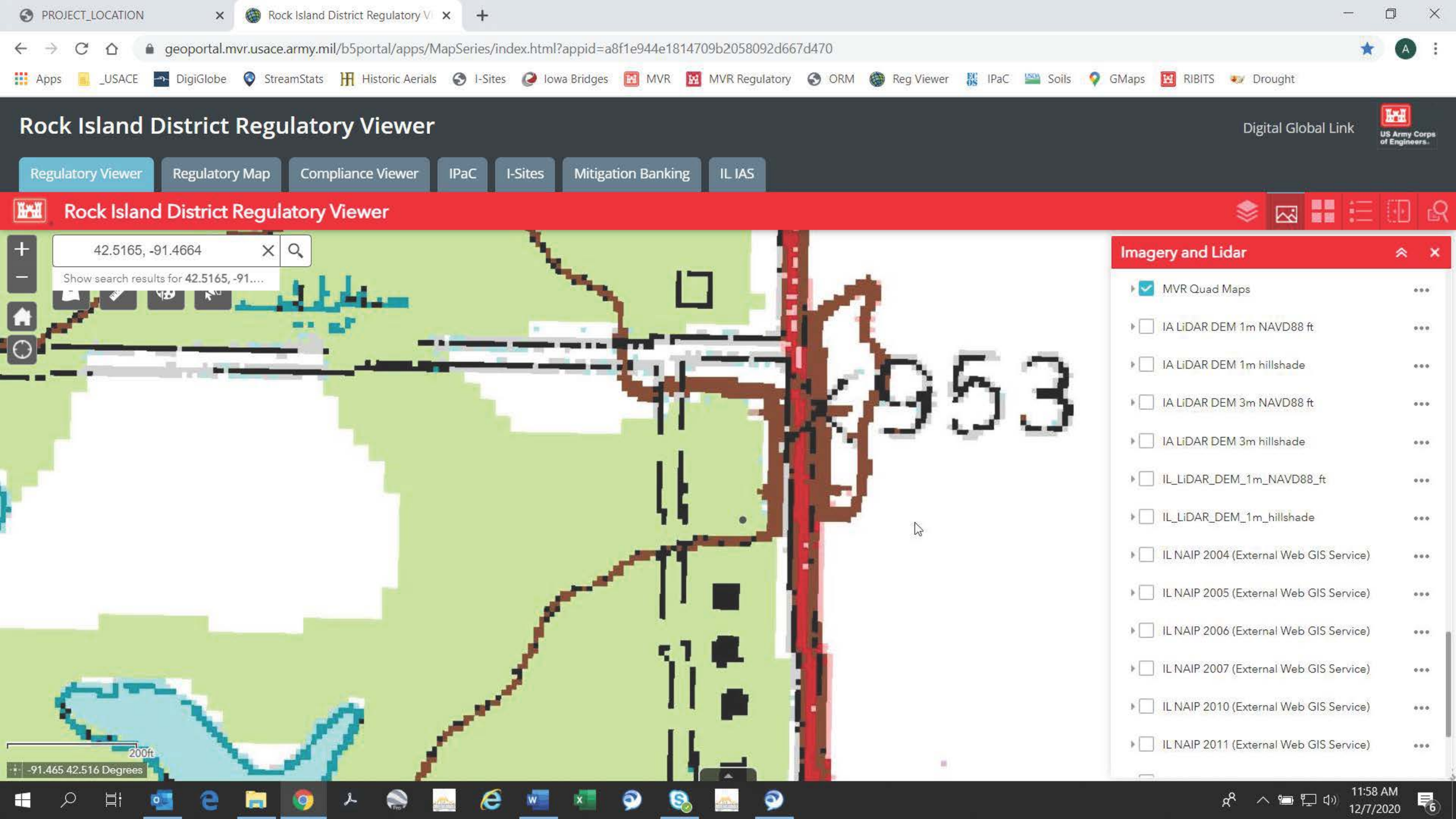
12/7/2020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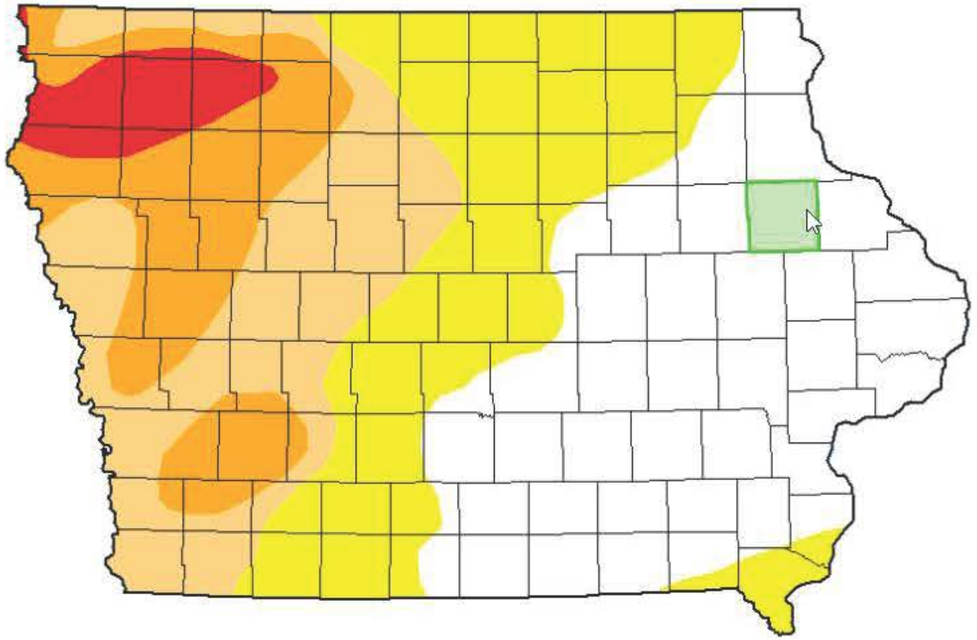
Iowa



Map released: Thurs. December 3, 2020

Data valid: December 1, 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):

Richard Heim, NOAA/NCEI

The Drought Monitor focuses on broad scale

Map Scale: 1:407 if printed on A portrait (8.5" x 11") sheet.

N

Meters: 0 5 10 20 30

Feet: 0 15 30 60 90

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 15N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils

Soil Rating Polygons
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Lines
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Soil Rating Points
- Hydric (100%)
- Hydric (66 to 99%)
- Hydric (33 to 65%)
- Hydric (1 to 32%)
- Not Hydric (0%)
- Not rated or not available

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:15,800.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Delaware County, Iowa
Survey Area Data: Version 27, Jun 10, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 12, 2011—Feb 9, 2017

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Hydric Rating by Map Unit

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
776	Lilah sandy loam, 0 to 2 percent slopes	0	0.3	41.0%
777	Wapsie loam, 0 to 2 percent slopes	0	0.5	59.0%
Totals for Area of Interest			**0.8**	**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, 2006) and in the "Soil Survey Manual" (Soil Survey Division 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