



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): 25-JAN-2021

ORM Number: MVR-2020-01565-DH

Associated JDs: N/A

Review Area Location¹:

State: IA City: Ankeny County: Polk County

Center Coordinates of Review Area: Latitude 41.746227 Longitude -93.659988

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.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
2020-1565 st1	96 feet	(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)	No direct connection to (a)(2) water
2020-1565 wl A	0.01 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)	No direct connection to (a)(2) water
2020-1565 wl B	0.4 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)	No direct connection to (a)(2) water
2020-1565 wl C	0.02 acres	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Photo 2-6 has OHWM, defined B&B, visible under/thru culvert, but no water is visible. Image taken 6-6-2020 during the dry season but normal conditions it does not have flow regime to be jurisdictional. Therefore, it exhibits characteristics of an ephemeral channel (b)(3) which is excluded under NWPR so the abutting wetland would not be jurisdictional.
2020-1565 wl D	0.11 acres	(b)(1) Non-adjacent wetland	No direct connection to (a)(2) 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: *AJD Map Package 11/19/2020 & NW18th St Extension Delineation Report July 2020.*

This information is sufficient for purposes of this AJD.

Rationale: *N/A or describe rationale for insufficiency (including partial insufficiency).*

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

 X Photographs: *NW18th St Extension Delineation Report July 2020.*

 Corps Site visit(s) conducted on: *Date(s).*

 Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*

 X Antecedent Precipitation Tool: *during dry season but normal conditions; see IIIB*

 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:

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

B. Typical year assessment(s): APT: Image taken 6-6-2020 during the dry season but normal conditions it does not have flow regime to be jurisdictional. Therefore, it exhibits characteristics of an ephemeral channel (b)(3) which is excluded under NWPR so the abutting wetland would not be jurisdictional.

C. Additional comments to support AJD: N/A

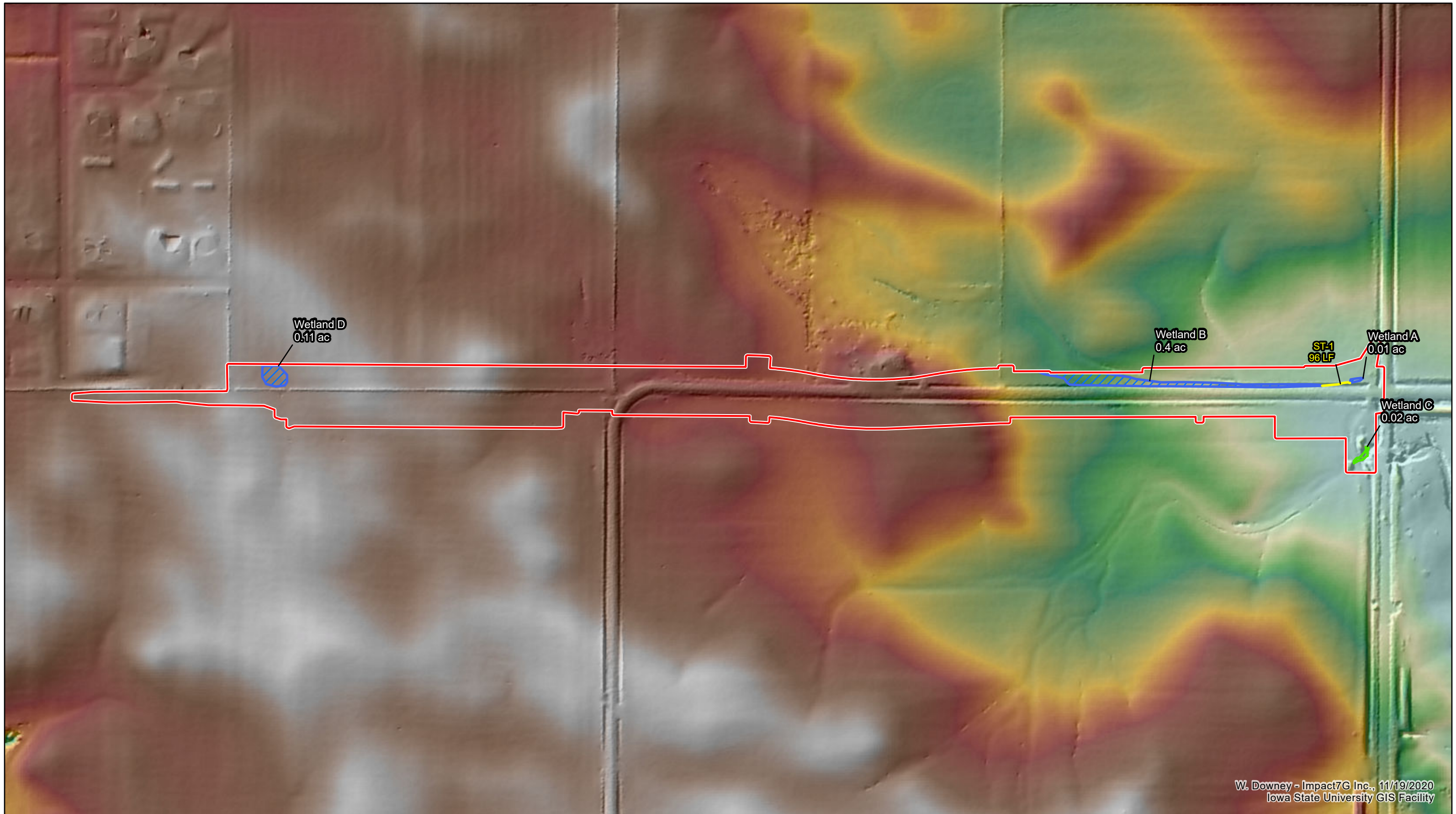
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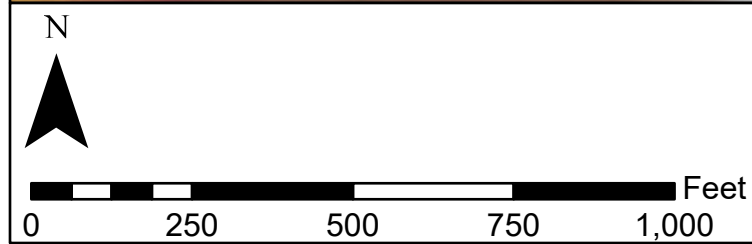
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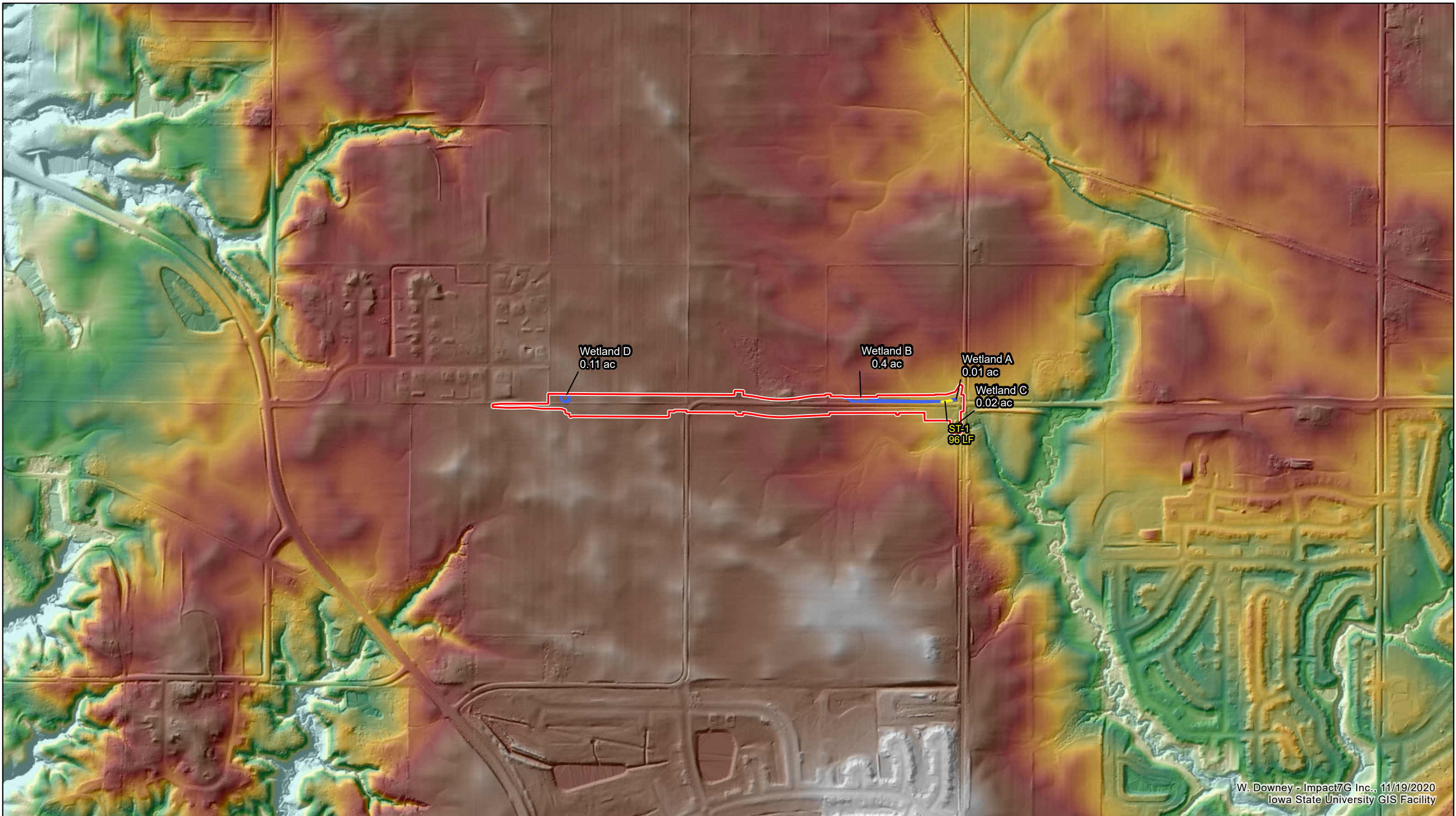


W. Downey - Impact7G Inc., 11/19/2020
Iowa State University GIS Facility

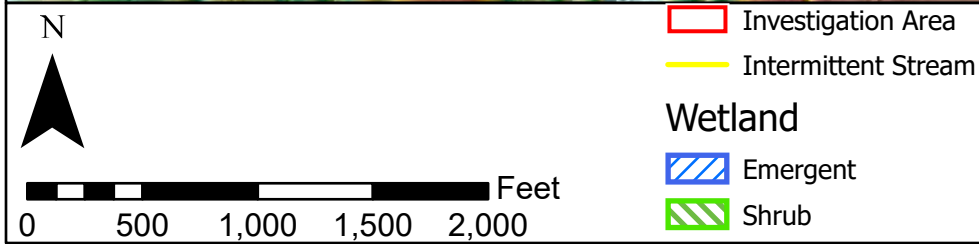


- Investigation Area
- Intermittent Stream
- Wetland**
 - Emergent
 - Shrub



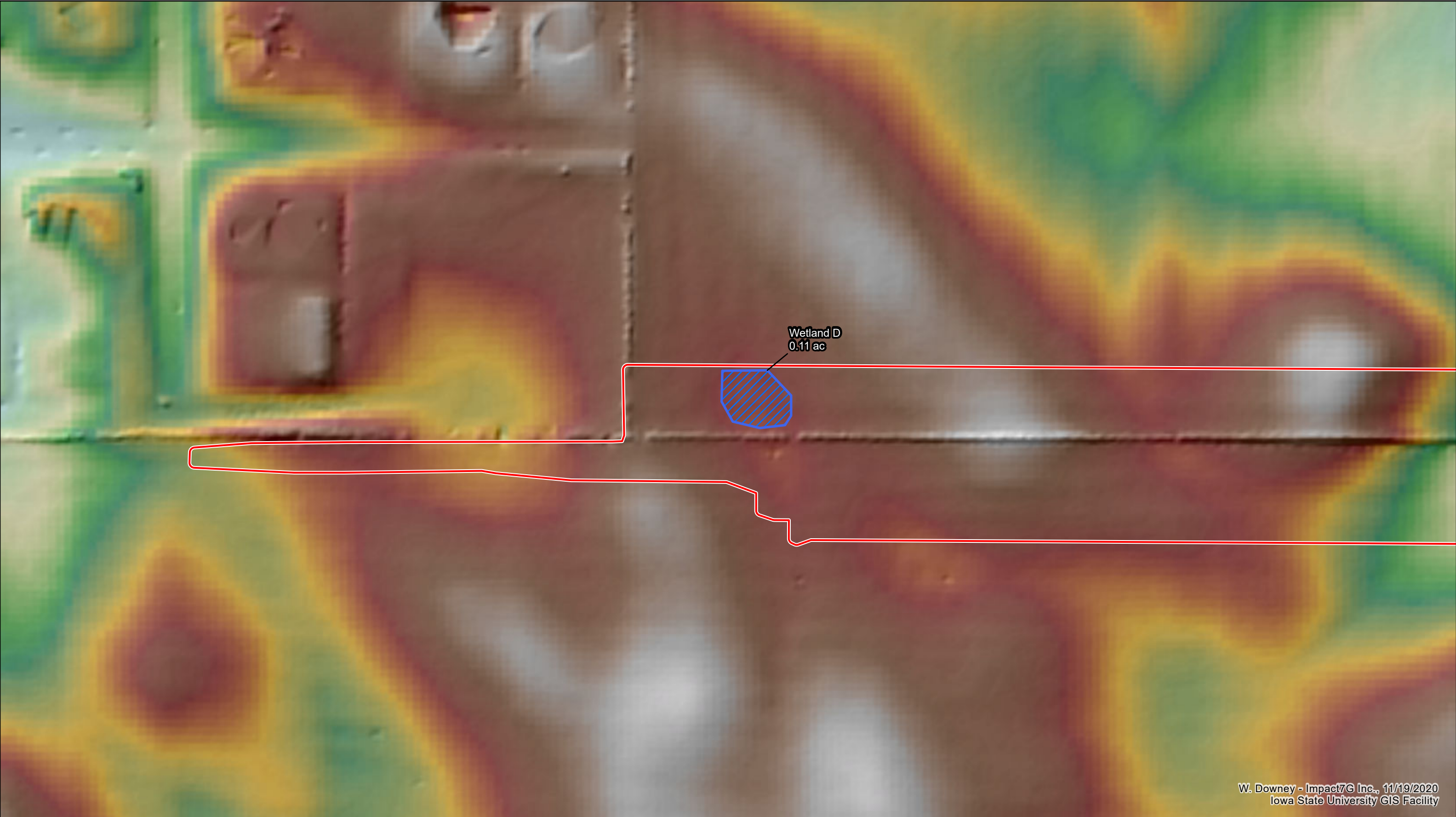


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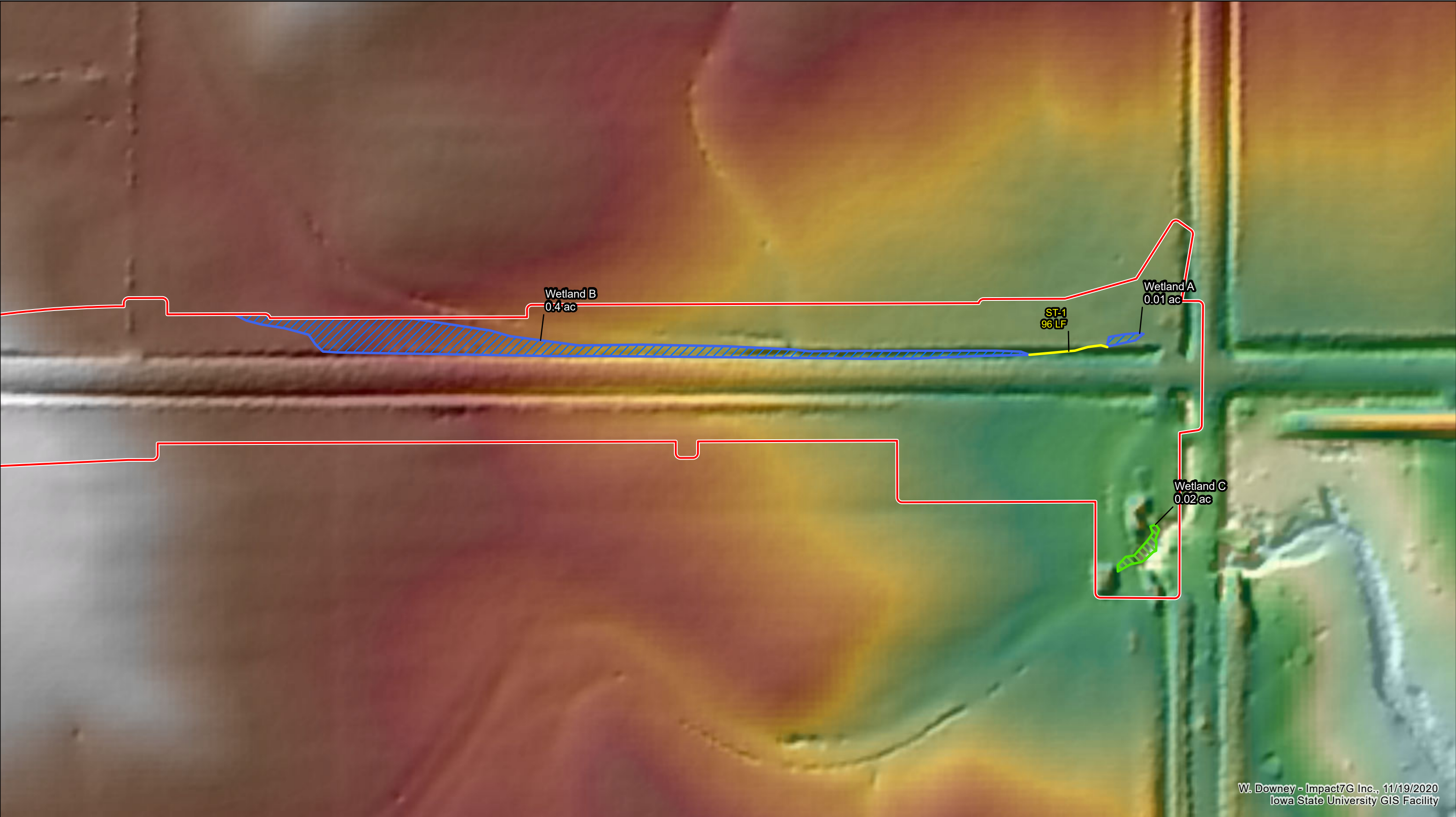
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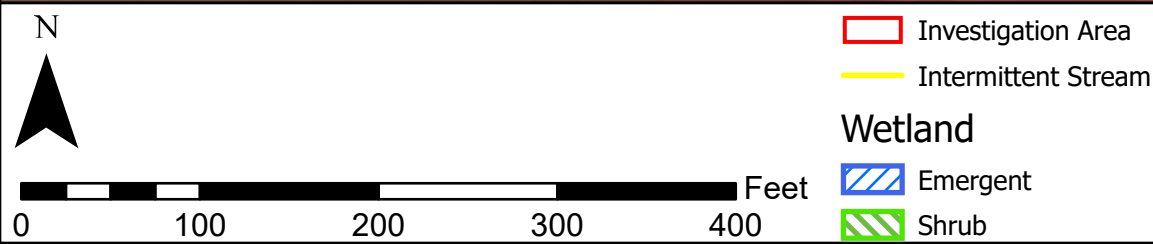


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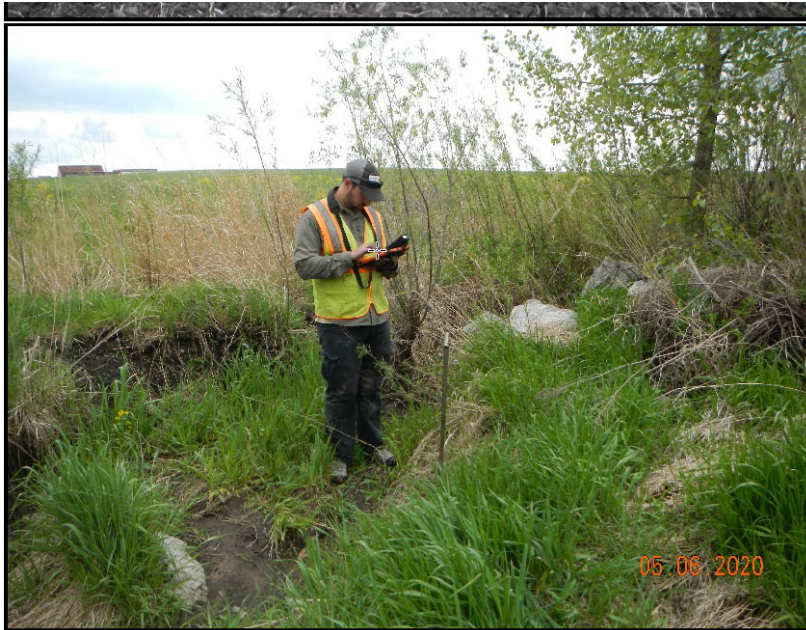
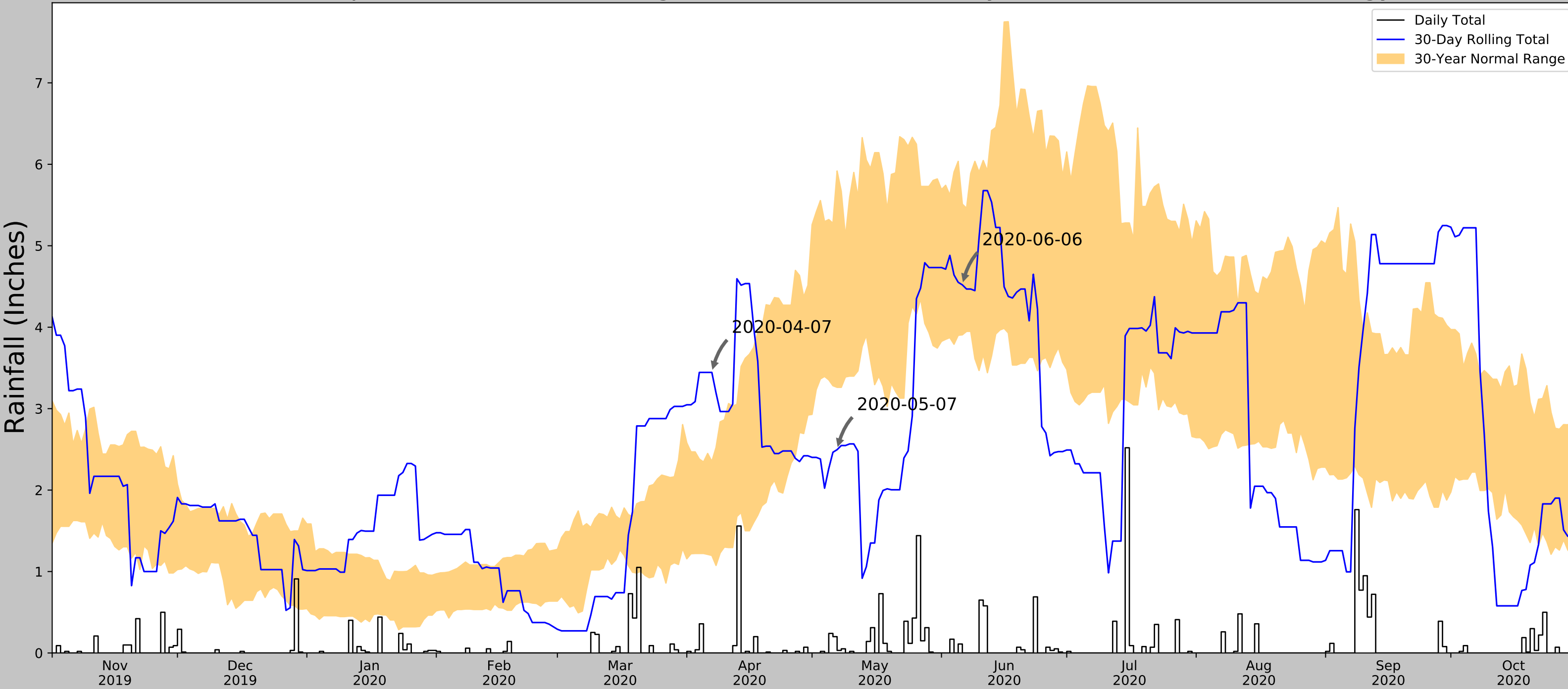


Photo 6: Shrub-scrub Wetland
Data Point 2-06
Date: 5/6/2020
Direction: facing southwest

Antecedent Precipitation vs Normal Range based on NOAA's Daily Global Historical Climatology Network



Coordinates	41.7456, -93.6535
Observation Date	2020-06-06
Elevation (ft)	952.07
Drought Index (PDSI)	Normal
WebWIMP H ₂ O Balance	Dry Season

30 Days Ending	30 th %ile (in)	70 th %ile (in)	Observed (in)	Wetness Condition	Condition Value	Month Weight	Product
2020-06-06	3.906299	5.511024	4.519685	Normal	2	3	6
2020-05-07	3.261417	5.91811	2.496063	Dry	1	2	2
2020-04-07	1.197638	2.352362	3.444882	Wet	3	1	3
Result							Normal Conditions - 11



Figure and tables made by the
Antecedent Precipitation Tool
Version 1.0

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

Weather Station Name	Coordinates	Elevation (ft)	Distance (mi)	Elevation Δ	Weighted Δ	Days (Normal)	Days (Antecedent)
ANKENY	41.7322, -93.65	975.066	0.943	22.996	0.446	10686	86
ANKENY 2.3 WNW	41.7321, -93.6498	996.063	0.952	43.993	0.47	452	0
ANKENY 1.5 NNE	41.7438, -93.5909	924.869	3.23	27.201	1.541	76	4
DES MOINES WSFO-JOHNSTON	41.7367, -93.7236	958.99	3.666	6.92	1.675	108	0
JOHNSTON 3.7 NNW	41.7366, -93.7236	958.99	3.667	6.92	1.676	1	0
DES MOINES INTL AP	41.5339, -93.6531	957.021	14.627	4.951	6.655	29	0