



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): 13-JUL-2021

ORM Number: MVR-2021-00911-SD

Associated JDs: N/A

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

State/Territory: IA City: Winterset County/Parish/Borough: Madison County

Center Coordinates of Review Area: Latitude 41.341154 Longitude -93.94534

**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))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
2021-0911 Imp	3.48 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Past arials show that the lake was excavated in upland artificially sometime post 1980.
2021-0911 S1	508 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral drainage pattern only carries water after precipitation events and lacks a defined connection to the nearby Middle River.
2021-0911 WL1	0.27 acres	(b)(1) Non-adjacent wetland	Wetland doesn't directly abut a jurisdictional Waters of the U.S. and is separated from the Middle River due to a raised elevation upland feature.
2021-0911 WL2	5.53 acres	(b)(1) Non-adjacent wetland	Wetland doesn't directly abut a jurisdictional Waters of the U.S. and is separated from the Middle River due to a raised elevation upland feature.
2021-0911 WL3	6.36 acres	(b)(1) Non-adjacent wetland	Wetland doesn't directly abut a jurisdictional Waters of the U.S. and is separated from the Middle River due to a raised elevation upland feature.
2021-0911 WL4	1.14 acres	(b)(1) Non-adjacent wetland	Wetland doesn't directly abut a jurisdictional Waters of the U.S. and is separated from the Middle River due to a raised elevation upland feature.

**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: *Applicant supplied a wetland delineation for a past quarry usage site. Wetlands are separated from the Middle River or other jurisdictional WotUS due to a raise in upland elevation.*
- \_\_\_\_ Data sheets prepared by the Corps: *Title(s) and/or date(s)*.  
☒ Photographs: *(Google Earth 2017, Lidar, Topographic, Applicant supplied photos) 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)*.

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**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Stream Stats – Topographic map
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	RegViewer
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** National Drought Monitor lists Madison County as No Drought to Abnormally Dry on June 1, 2021. The closest day to the field delineation date (6/4/21)
- C. Additional comments to support AJD:** *Applicant supplied a wetland delineation for a past quarry usage site. Listed wetlands are separated from the Middle River or other jurisdictional WotUS due to a raise in upland elevation. Impoundment was created artificially and a drainage pattern was determined to be ephemeral.*

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

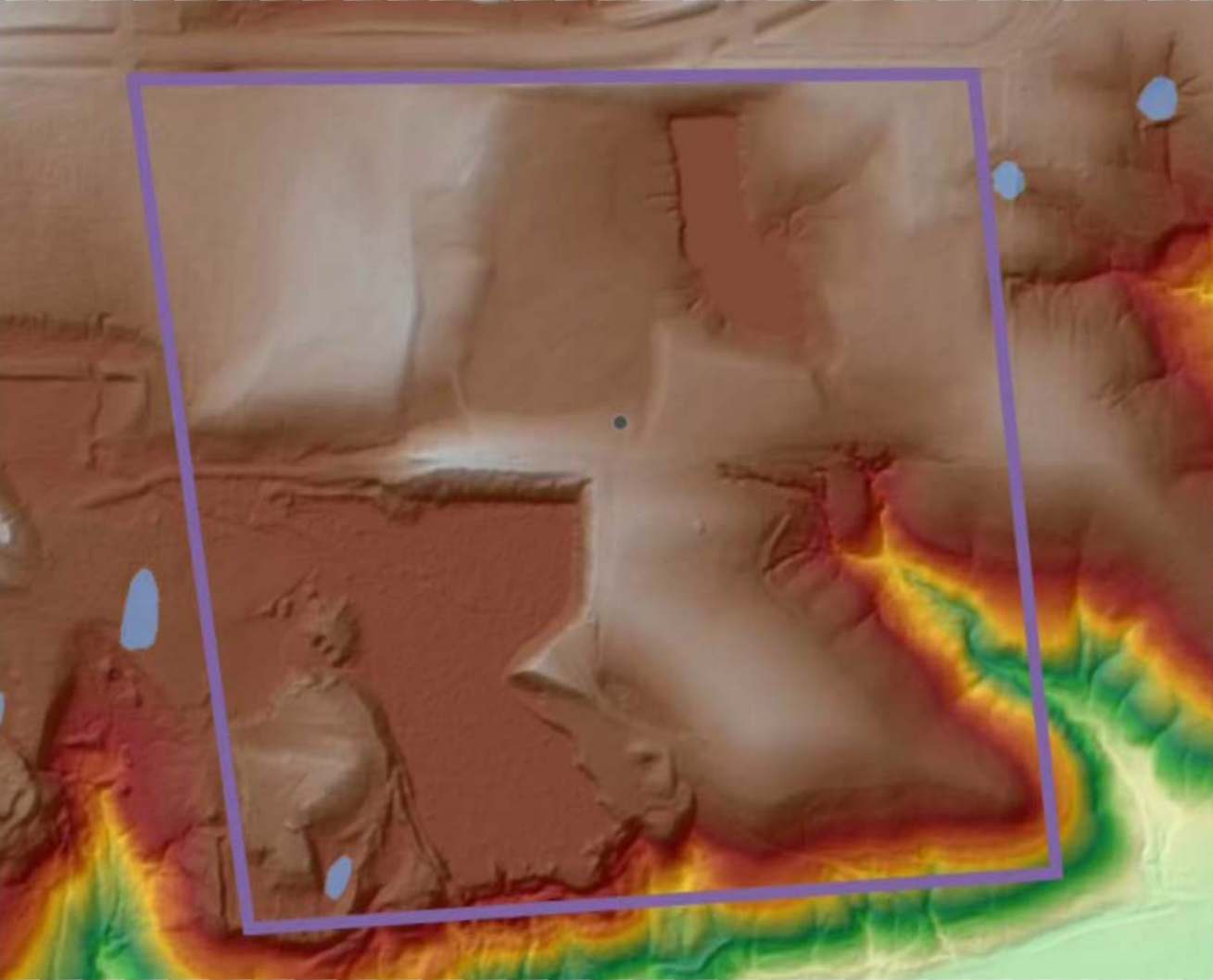
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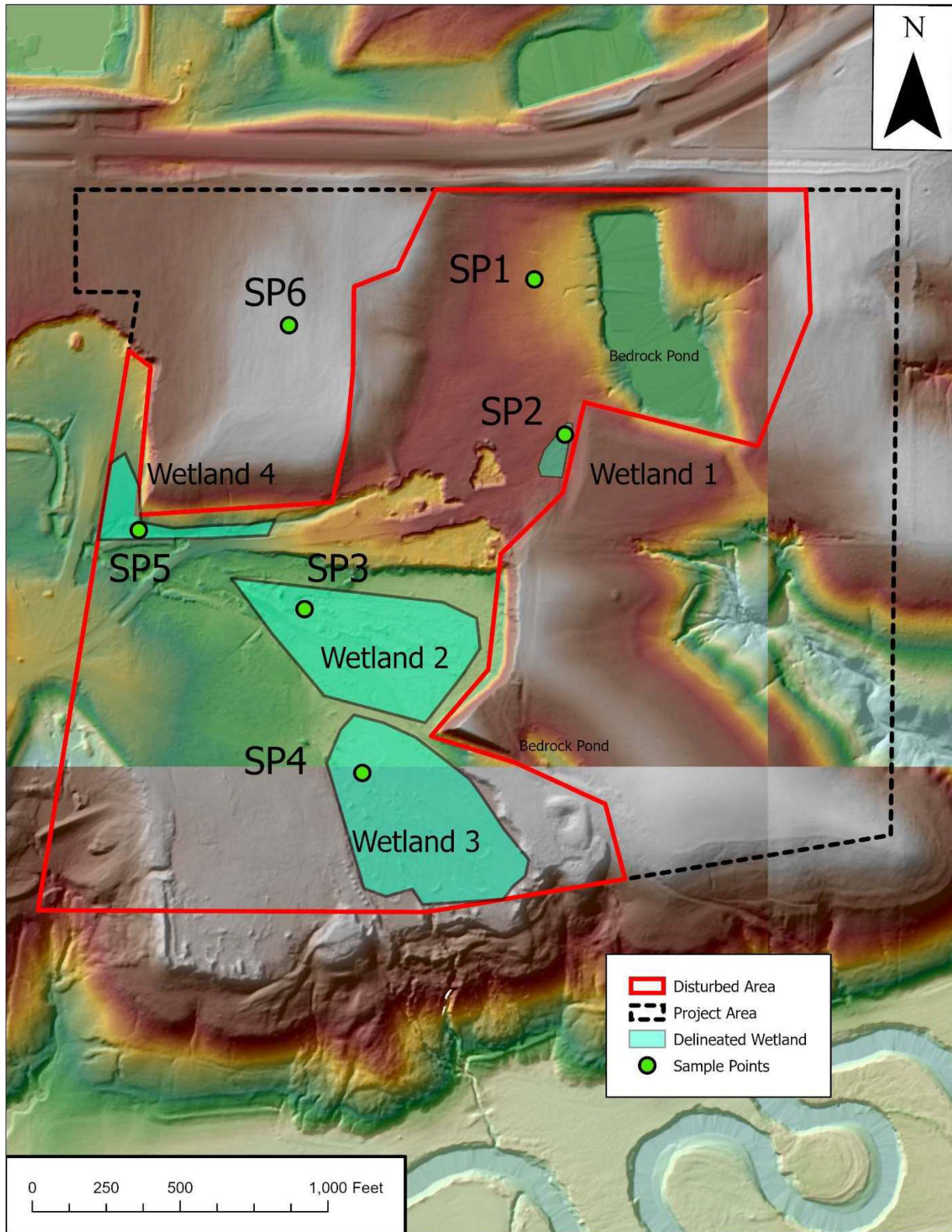


Figure 6. Light Detection and Radar (LiDAR) maps with sample point locations and delineated wetlands.



