



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): 11-AUG-2021

ORM Number: MVR-2020-01606-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: Boone County

Center Coordinates of Review Area: Latitude 42.090199 Longitude -93.749483

**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
Wetland 1	2.34 acres	(b)(1) Non-adjacent wetland	This wetland is not directly or indirectly connected to an (a)(1-4) water
Wetland 2	5.94 acres	(b)(1) Non-adjacent wetland	This wetland is not directly or indirectly connected to an (a)(1-4) 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.

☒ Information submitted by, or on behalf of, the applicant/consultant: *AJD request and project plans, Dec 2020*

This information is *not* sufficient for purposes of this AJD.

Rationale: *A wetland delineation/NRCS wetland determination was not submitted for this project; therefore a site visit was necessary.*

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

☐ Photographs: *Regulatory Viewer with aerials and LIDAR layers, Dec 2020*

☒ Corps Site visit(s) conducted on: *Aug 11, 2021*

☐ 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: *Web Soil Survey, Dec 2021*

☒ USFWS NWI maps: *NWI Map, Aug 2021*

☒ USGS topographic maps: *Regulatory Viewer with topo layer, Dec 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, Dec 2020
USDA Sources	N/A.
NOAA Sources	Drought Monitor, Aug 2021
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** The US Drought Monitor shows this portion of Boone County in a Severe Drought, and the APT states that this area is drier than normal and in a Moderate Drought. This does not affect the AJD as there are no streams on or near the project site. There are only grassed waterways that these wetlands are connected to.

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- C. Additional comments to support AJD:** As no delineation/wetland determination was submitted, a field visit was conducted to verify if wetlands on site would be jurisdictional or not. There are no streams on site, and the surrounding properties were reviewed by aerial photography and by from the roads. There are no streams going in or out of the properties surrounding this AJD area.

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# AJD Map

MVR-2020-1606  
Dated: August 11, 2021

## Legend

-  AJD Area
-  Wetland

