



**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): 11/25/2020
 ORM Number: MVS-2016-741
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Illinois City: New Salem County/Parish/Borough: Pike
 Center Coordinates of Review Area: Latitude 39.7217° Longitude -90.8312°

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
- 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 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.



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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 |
| Ephemeral Drainage | N/A. | linear feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. | Ephemeral Drainage Ditch that has been manipulated over time to provide drainage for the adjacent Landfill Facility. (see Section C) |
| Ephemeral Stream 3 | N/A. | linear feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. | Ephemeral Stream (see Section C) |
| Wetland 1 | 0.6 | acre(s) | (b)(1) Non-adjacent wetland. | Non-adjacent wetland (see Section C) |
| Wetland 3 | 0.1 | acre(s) | (b)(1) Non-adjacent wetland. | Non-adjacent wetland (see Section C) |
| Pond/Wetland 4 | 1.0 | acre(s) | (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). | Constructed pond feature (see Section C) |
| Wetland 5W | 0.1 | acre(s) | (b)(1) Non-adjacent wetland. | Non-adjacent wetland (see Section C) |
| Wetland 5E | 0.3 | acre(s) | (b)(1) Non-adjacent wetland. | Non-adjacent wetland (see Section C) |

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: [Wetland Delineations](#)
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: [Aerial and Other: Historic Aerials, USDA NAIP Imagery, Google Earth](#)
- Corps site visit(s) conducted on: [N/A](#)

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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- Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: *Pike County, Illinois*
- USFWS NWI maps: *1980's; 1:58,000 scale; Color Infrared Source; PFO1C illustrated*
- USGS topographic maps: *New Salem, IL Quad; 1:24,000, 1955 (1975 revision)*

Other data sources used to aid in this determination:

| Data Source (select) | Name and/or date and other relevant information |
|----------------------------|---|
| USGS Sources | USGS topoView; 1:24,000 Scale |
| USDA Sources | USDA NRCS Web Soil Survey – Pike County (Obtained 11/25/20) |
| NOAA Sources | N/A. |
| USACE Sources | District Regulatory Viewer |
| State/Local/Tribal Sources | N/A. |
| Other Sources | USGS NHD Data, ILHMP: LiDAR Data |

B. Typical year assessment(s): Antecedent Precipitation Tool results: Normal Conditions. Under normal conditions the non-adjacent wetlands remains isolated within the concave depression along the project footprint.

C. Additional comments to support AJD: The (b)(1) wetlands described above do not meet any of the criteria necessary to meet the definition of an (a)(4) water including a direct hydrologic surface connection with an (a)(1)-(3) water. These (b)(1) wetlands are located adjacent to Ephemeral Stream 3 and the Ephemeral Drainage which does not serve as a connection to downstream (a)(1)-(3) waters. The (b)(8) pond is an artificial feature created from the construction of a small dam within the Ephemeral Drainage. The (b)(3) ephemeral stream 3 and ephemeral drainage only provides flow during a briefly after rain events.