



**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): 2/16/2021  
 ORM Number: (MVS-2018-358).  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: MO City: Imperial County/Parish/Borough: Jefferson  
 Center Coordinates of Review Area: Latitude 38.38372 Longitude -90.37950

**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
Tributary B	300 linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The channel received adequate drainage and was flowing during multiple site visits.

<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 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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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.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland E	0.28	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The channel was an original blue line drainage prior to the construction of I-55. The channel was then moved to the other side of the Interstate. It is now a maintained drainage swale that features wetland characteristics and receives flow.

**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
Pond A	0.02	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	The pond is an isolated feature with no drainage pattern.
Tributary A	100	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The channel does not exhibit bed and bank features, as well not receiving adequate drainage to support flows longer than short rainfall events.
Wetland A	0.38	acre(s)	(b)(1) Non-adjacent wetland.	The depressional area is located within area non-adjacent to an (a)(2) water.
Wetland B	0.17	acre(s)	(b)(1) Non-adjacent wetland.	The depressional area is located within area non-adjacent to an (a)(2) water.
Wetland C	0.16	acre(s)	(b)(1) Non-adjacent wetland.	The depressional area is located within area non-adjacent to an (a)(2) water.
Wetland D	0.19	acre(s)	(b)(1) Non-adjacent wetland.	The depressional area is located within area non-adjacent to an (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.

<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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Information submitted by, or on behalf of, the applicant/consultant: [SCI Engineering Wetland Delineation Report, July 6, 2018](#)

This information is sufficient for purposes of this AJD.

Rationale: [It accurately depicts the locations of the water areas on site](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).

Photographs: [Select. Title\(s\) and/or date\(s\)](#).

Corps site visit(s) conducted on: [February 3, 2021](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [MVS-2018-358 – Permit Authorization for Tributary B](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Title\(s\) and/or date\(s\)](#).

USFWS NWI maps: [NATIONAL WETLAND INVENTORY DATA OBTAINED FROM www.fws.gov.](#)

USGS topographic maps: [USGS TOPOGRAPHIC MAP MAXVILLE, MISSOURI QUADRANGLE DATED 1954; PHOTO REVISED 1982 OAKVILLE, MISSOURI QUADRANGLE DATED 1998 HERCULANEUM, MISSOURI QUADRANGLE DATED 1993 VELMEYER, ILLINOIS QUADRANGLE DATED 1993](#)

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

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">N/A.</a>

**B. Typical year assessment(s):** [02/03/2021 – Site Visit experienced normal conditions](#)

**C. Additional comments to support AJD:** [N/A](#)