



**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): 7/7/2020  
 ORM Number: MVS-2019-642 (Harvester Tract)  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: MO City: St. Peters County/Parish/Borough: St. Charles  
 Center Coordinates of Review Area: Latitude 38.746201 Longitude -90.580265

**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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
B Intermittent	180	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Sufficient drainage area, stream meanders, bed and bank width demonstrates jurisdictional features

<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
N/A.	N/A.	N/A.	N/A.	N/A.

**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
A Ephemeral	400	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Upper end of the drainage and channel was dry during site visit.
B Ephemeral	160	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Upper end of the drainage and channel was dry during site visit.
A PFO	0.08	acre(s)	(b)(1) Non-adjacent wetland.	Site was heavily disturbed decades prior to project proposal. Ephemeral Channel was filled and formed linear wetland features.
A PSS	0.07	acre(s)	(b)(1) Non-adjacent wetland.	Site was heavily disturbed decades prior to project proposal. Ephemeral Channel was filled and formed linear wetland features.
A PEM	0.43	acre(s)	(b)(1) Non-adjacent wetland.	Site was heavily disturbed decades prior to project proposal. Ephemeral Channel was filled and formed linear wetland features.
B Isolated	0.05	acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	Site was heavily disturbed decades prior to project proposal. This is a depression area that was manipulated in dry lands.
C Isolated	0.01	acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	Site was heavily disturbed decades prior to project proposal. This is a depression area that was manipulated in dry lands.

<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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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>			
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
D Isolated	0.07	acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.
			Site was heavily disturbed decades prior to project proposal. This is a depression area that was manipulated in dry lands.

**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: [Wetlad Delineation & Aerial Photograph - 7/2/2020](#)

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\(s\)](#).

Photographs: [Other: Site Visit Photos](#)

Corps site visit(s) conducted on: [12/5/2019](#)

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: [12/5/2019](#)

USFWS NWI maps: [12/5/2019](#)

USGS topographic maps: [12/5/2019](#)

**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>

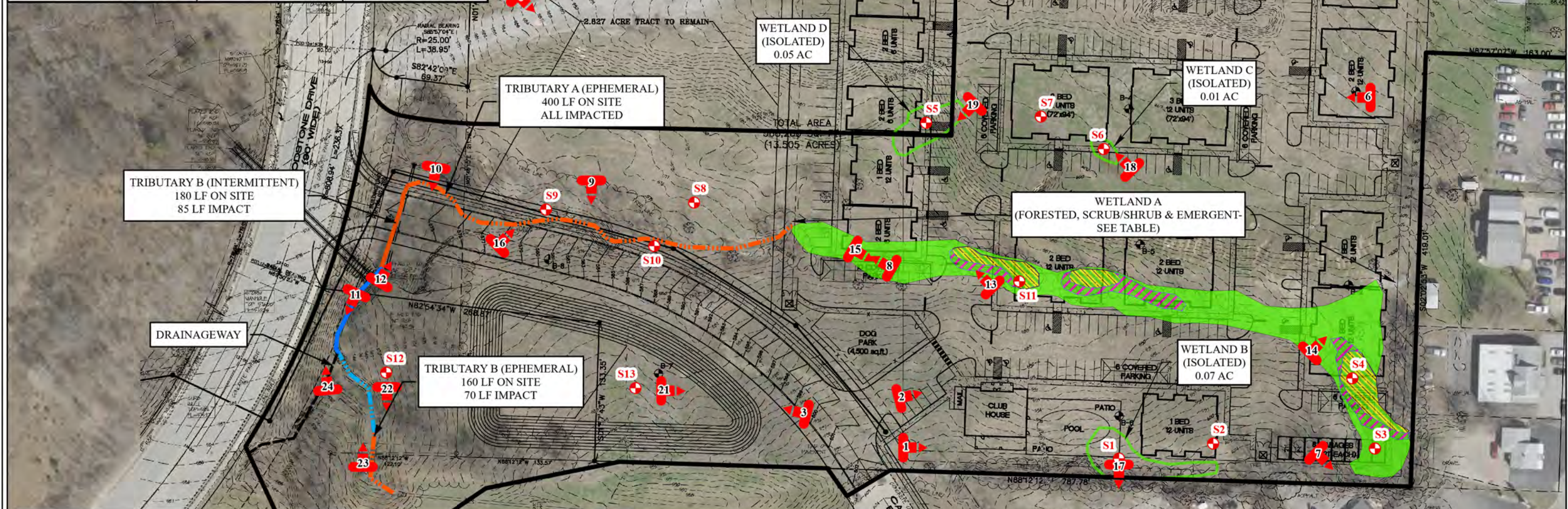
**B. Typical year assessment(s):** [N/A](#)

**C. Additional comments to support AJD:** [The wetland does not meet any of the criteria necessary to meet the definition of an \(a\)\(4\) water including a direct hydrologic surface with an \(a\)\(1\)-\(3\) water. The non-adjacent wetland impounds localized surface run-off from an approximate 12-acre watershed within the depressional area on-site.](#)



STREAMS			
NAME	TYPE	ON SITE (LF)	IMPACT (LF)
A	EPHEMERAL	400	400
B	INTERMITTENT	180	85
B	EPHEMERAL	160	70
<b>TOTAL</b>		<b>740</b>	<b>555</b>

WETLANDS			
NAME	TYPE	ON SITE (AC)	IMPACT (AC)
A	PFO	0.08	0.08
	PSS	0.07	0.07
	PEM	0.43	0.43
B	ISOLATED	0.05	NA
C	ISOLATED	0.01	NA
D	ISOLATED	0.07	NA
<b>TOTAL</b>		<b>0.71</b>	<b>0.58</b>



STREAMS		WETLANDS	
	INTERMITTENT - IMPACTED		EMERGENT
	EPHEMERAL - IMPACTED		FORESTED
	EPHEMERAL - NO IMPACT		SCRUB/SHRUB
	INTERMITTENT - NO IMPACT		ISOLATED, NON-JURISDICTIONAL
	DRAINAGEWAY - NON-JURISDICTIONAL		

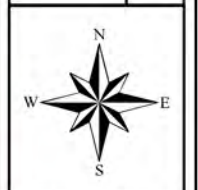
- APPROXIMATE SAMPLE LOCATIONS
- APPROXIMATE PHOTO LOCATIONS

GENERAL NOTES/LEGEND

PLAN DATED 1/20/2020 BY BAX ENGINEERING.  
 AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.  
 DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY. DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

PROJECT NAME  
 127 HARVESTER COURT  
 ST. PETERS, MISSOURI

WETLAND DELINEATION &  
 AERIAL PHOTOGRAPH



JOB NUMBER  
 2007-0261.31

DATE  
 02/2020

DRAWN BY  
 RCV

CHECKED BY  
 LAV

FIGURE  
 3

