



**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): 7/13/2020
 ORM Number: MVS-2020-356
 Associated JDs: City of Mt. Vernon 2020 Sewer Improvements
 Review Area Location¹: State/Territory: Illinois City: Mt. Vernon County/Parish/Borough: Jefferson
 Center Coordinates of Review Area: Latitude 38.312641° Longitude -88.885866°

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)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
Casey Fork Creek	15	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.
Secondary Channel of	10	linear feet	(a)(2) Intermittent tributary contributes

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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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
Casey Fork Creek		surface water flow directly or indirectly to an (a)(1) water in a typical year.	the original Casey Fork Creek channel. The channel still provides flow for at least half the year.

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
Forested Wetland	0.3 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland abuts Casey Fork Creek, a perennial stream. Casey Fork Creek also has a secondary channel in this location which also provides a hydrological connections to the wetland during high flow periods. The wetland is completely forested in this location.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Ditch adjacent to Railroad	10 linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The ditch is a created feature adjacent to a railroad bed. The ditch has a drainage area less than 5-acres.

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: [Application and Submitted Plans](#)
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: [5/22/2020](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Jefferson County, IL](#)

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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- USFWS NWI maps: 1980's; 1:58,000 scale; Color Infrared Source; PFO1C illustrated
- USGS topographic maps: Mt. Vernon, 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 (Shows Casey Fork Creek and Forested Wetland Area)
USDA Sources	USDA NRCS Web Soil Survey – Jefferson County (Obtained 7/13/20)
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): N/A

C. Additional comments to support AJD: The wetland abuts Casey Fork Creek and a secondary channel of Casey Fork. Therefore the site is (a)(4) water with a direct hydrologic surface connection with an (a)(1)-(3) water. The project requires the placement of a new sewer main through this section of Casey Fork Creek and the forested wetland. 400-feet of sewer main will be bored below Casey Fork, the secondary channel and a portion of the wetland. Approximately, 900-feet of wetland will be trenched through resulting in a temporary wetland impact. The sewer main also crossed a ditch feature with ephemeral flow. This feature is excluded under (b)(3).