



**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): 4/23/2021

ORM Number: MVS-2020-535

Associated JDs: N/A

Review Area Location¹: State/Territory: Missouri City: St. Louis County/Parish/Borough: St. Louis

Center Coordinates of Review Area: Latitude 38.7644 Longitude -90.1812

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
Stream 1 (Mississippi River)	1,100	linear feet	RHA Non-tidal water is on the district's Section 10 waters list	Mississippi River is considered non-tidal water on the St. Louis district's Section 10 waters list.

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
Stream 1 (Mississippi River)	1,100	linear feet	(a)(1) Water is also subject to Sections 9 or 10 of the Rivers and Harbors Act - RHA Tidal water is subject to the ebb and flow of the tide.	Mississippi River is a traditionally navigable water and is currently used for interstate and or foreign commerce.

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
Stream 2	500	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Direct flow into Mississippi River, characteristics consistent with intermittent stream.

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 B/ Forested Wetland	5.23	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Forested wetland abuts Mississippi River.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Stream 3 (Stormwater Drainage Ditch)	375	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditch constructed as part of road/bridge (I-270 and new Chain of Rocks Bridge. Historical tributary not evident.
Wetland A	1.56	acre(s)	(b)(1) Non-adjacent wetland.	Isolated wetland features.
Wetland B/ Scrub/Shrub	3.08	acre(s)	(b)(1) Non-adjacent wetland.	Small isolated depressional wetlands exist within the defined Wetland B scrub shrub area. These wetlands do not abut nor are they adjacent to the tributary or Mississippi River.

III. SUPPORTING INFORMATION

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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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: [SCI Natural Resource Report, March 9, 2021.](#)

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

Rationale: [Additional field reconnaissance was necessary to determine 404 jurisdiction and wetland extent.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial: St. Louis Regulatory Viewer Aerial Imagery Layer, 2021.](#)
- Corps site visit(s) conducted on: [March 29, 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: [USDA-NCSS SSURGO Database, Google Earth, 4/20/21.](#)
- USFWS NWI maps: [St. Louis Regulatory Viewer, NWI Layer, 4/20/21.](#)
- USGS topographic maps: [1955, 2017 and current TOPO maps.](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Stream stats	4/21/21
USDA Sources	N/A
NOAA Sources	N/A.
Other USACE data (specify)	St. Louis Regulatory Viewer, 2021
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): [The APT tool output indicated wetter than normal conditions existed on March 29, 2021 when Corps site visit was conducted. The ouput results confirmed the Corps determination, specifically within the identified scrub shrub Wetland B area, uplands make up the majority of this area with the excepton of smaller non-jurisdictional depressional wetlands.](#)

C. Additional comments to support AJD: [A Corps site visit was conducted on March 29, 2021 to confirm defined wetland areas and jurisdiction under the Clean Water Act Section 404. Wetland B area shown as part of the SCI submittal report and attached map contains isolated non-jurisdictional \(NWPR\) depressional wetlands characterized by pooled water and hydrophydic vegetation and soils. The majority of this area does not meet the wetland criteria per Corps of Engineers 1987 Wetland Delineatiom Manual. The soils within this area are consistent with fill material and vegetation is dominated by bush honeysuckle, eastern red cedar and elm tree species.](#)



STORMWATER DRAINAGE DITCH TO MISSISSIPPI RIVER (OUTSIDE STUDY AREA)

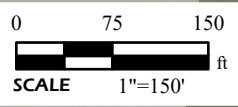
WETLAND B
8.31 AC TOTAL

GRADING IMPACT
0.49 AC

WETLAND A
1.56 AC TOTAL

APPROXIMATE PHOTO LOCATIONS
 APPROXIMATE SAMPLE LOCATIONS
WETLAND TYPES
 EMERGENT
 SCRUB/SHRUB
 FORESTED
 IMPACTED

WETLANDS			
WETLAND	TYPE	ACREAGE	IMPACTS
A	PEM	0.10	0
	PSS	0.09	0
	PFO	1.37	0
B	PSS	3.08	0.49
	PFO	5.23	0
TOTAL		9.87	0.49



PROJECT NAME MISSISSIPPI RIVER GREENWAY - CHAIN OF ROCKS PHASE I ST. LOUIS, MISSOURI			
WETLAND DELINEATION & PRELIMINARY SITE PLAN			
DRAWN BY	RCV	DATE	JOB NUMBER
CHECKED BY	LAV	03/2021	2015-0260.30

GENERAL NOTES/LEGEND

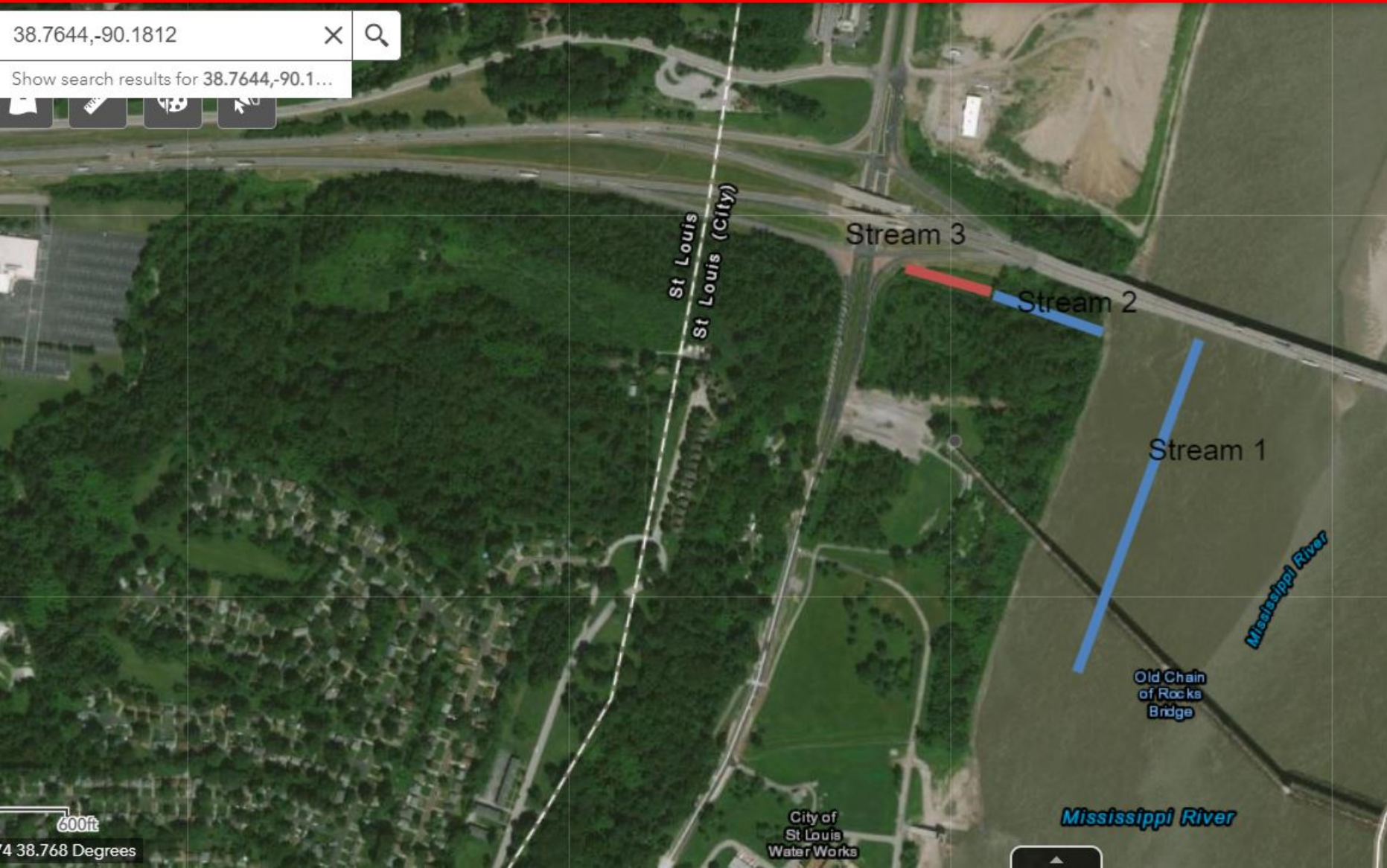
PLAN DATED 9/21/2020 BY PLANNING DESIGN STUDIO.
 AERIAL PHOTOGRAPH OBTAINED FROM ARCGIS ONLINE, WORLD IMAGERY.
 DIMENSIONS AND LOCATIONS ARE APPROXIMATE; ACTUAL MAY VARY.
 DRAWING SHALL NOT BE USED OUTSIDE THE CONTEXT OF THE REPORT FOR WHICH IT WAS GENERATED.

FIGURE
4

St. Louis District Regulatory Viewer

38.7644,-90.1812

Show search results for 38.7644,-90.1...



600ft

4 38.768 Degrees

