



**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): 6/28/2021  
 ORM Number: MVS-2021-337  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: MO City: Moberly County/Parish/Borough: Randolph  
 Center Coordinates of Review Area: Latitude 39.4012695568 Longitude -92.4019446606

**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  |
| Unnamed Tributary to Coy Creek | 3,020<br>linear feet | (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year. | During a typical year the tributary contributes intermittent surface water flow through several (a)(2) perennial tributaries: Coy Creek then into Coon Creek, the Salt River before flowing into (a)(1) navigable Mississippi River.<br><br>USGS Topo Maps at the 1:24,000 that evaluate resources general conditions found intermittent flow through the stream length in the review area. Point in time data sources from Google Earth aerial photographs and site observation at multiple stream |

<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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| Tributaries ((a)(2) waters): |             |                 |   |
|------------------------------|-------------|-----------------|---|
| (a)(2) Name                  | (a)(2) Size | (a)(2) Criteria | Rationale for (a)(2) Determination  |
|                              |             |                 | length sample areas found flow present in the tributary. Site visit conditions showed consistent flows with macroinvertebrates present within stone riffles in the tributary. A well-established, meandering channel, with consistent flow, in the context of the office resources gathered, supported the determination of intermittent flow in the tributary. |

| 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.                               |

**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  |
| Ephemeral Stream 1                               | 740<br>linear feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. | Ephemeral Stream 1 contributes ephemeral flow south to north in the review area for 740 linear feet before joining the mainstem unnamed tributary to Coy Creek which then ultimately flows to the (a)(1) Mississippi River. Site visit observations found that the stream segment has defined bed and bank but had limited flow with exposed roots across the streambed channel. A review of office resources supported site observations of limited topographic relief and a small drainage area that contributes ephemeral flows following rain events to the downstream receiving stream. |
| Ephemeral Stream 2                               | 170<br>linear feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. | Ephemeral Stream 2 contributes ephemeral flow northwest to southeast outside of the review area before joining the mainstem unnamed tributary to Coy Creek, which then ultimately flows to the (a)(1) Mississippi River. Site visit observations found that the stream segment has defined bed and bank with a steeped channel profile and active head cuts observed in the channel and roots exposed along streambed. A review of office resources supported the site   |

<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   |
|  |                |                        | observations of limited topographic relief and a small drainage area that contributes ephemeral flows following rainfall events to the downstream receiving stream. |

**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: [Title\(s\) and date\(s\)](#)  
This information [Select](#). 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: [Aerial: Google Earth Aerial Photos: 4/1/1995, 3/29/2018, 3/2/2020 & USGS Topo Viewer Aerials: 1949, 1980, 1983, 1986, 2003](#)
- Corps site visit(s) conducted on: [6/24/2021](#)
- 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: [GoogleEarth Soilweb live linked layer queried 6/23/2021](#)
- USFWS NWI maps: [ORM USFWS NWI Wetlands layer queried 6/23/2021](#)
- USGS topographic maps: [USGS TopoViewer maps: Moberly 1:24,000 - 2012, 2017, 2021; Moberly 1:125,000 – 1890, 1953](#)

**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="#">Ecological Site R113XY002MO Loess Upland Prairie description, accessed 6/23/2021</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):** The Corps visited the site within the region’s dry period, when streams can experience their driest periods annually. A review of the APT prior to the site visit found that in the prior few weeks rainfall quantities had been well below normal, over the weekend (4 days prior) there had been a single significant rainfall event within the normal rainfall precipitation quantities. At the time of the site visit it was raining.

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