



**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): 8/18/2021

ORM Number: MVS-2021-394

Associated JDs: N/A

Review Area Location¹: State/Territory: Illinois City: Edwardsville County/Parish/Borough: Madison

Center Coordinates of Review Area: Latitude 38.7621° Longitude -90.0112°

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
- 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
N/A.	N/A.	N/A.	N/A.

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
Wetland A	0.93	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.
			Wetland A is a forested wetland, which has been historically mapped as an unnamed tributary. Due to changes in land use and development within the

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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Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
			watershed, the hydrologic regime has likely changed resulting in slower flows and more sediment deposition. The wetland is separated from the downstream unnamed perennial tributary by a single box culvert under Chain of Rocks Road.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland B	1.18	acre(s)	(b)(1) Non-adjacent wetland.	Wetland B is a forested wetland, which lies within a depressional area along State Highway 157. A 2 to 3 foot elevation change disconnects Wetland A and Wetland B. Based on aerial imagery, the isolated depressional area is likely a result of the construction of State Highway 157. Remnant spoil piles exist around the limits of the wetland.

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: [Wetland Investigation dated June 2021 - 7.63acre Chain of Rocks Road Tract](#)

This information is sufficient for purposes of this AJD.

Rationale: [Complete wetland delineation with exhibits and dataforms](#)

- Data sheets prepared by the Corps: [N/A](#)
- Photographs: [Aerial and Other: Historic Aerials, USDA NAIP Imagery, Google Earth](#)
- Corps site visit(s) conducted on: [08-12-21](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Madison County, Illinois \(IL119\)](#)
- USFWS NWI maps: [1980's; 1:58,000 scale; Color Infrared Source; PFO1A and PEM1Cx illustrated](#)
- USGS topographic maps: [Edwardsville, IL Quad; 1:24,000, Various years and revisions](#)

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 isolated depression)
USDA Sources	USDA NRCS Web Soil Survey – Madison County (Obtained 8-18-21)
NOAA Sources	N/A.
USACE Sources	District Regulatory Viewer

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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Data Source (select)	Name and/or date and other relevant information
State/Local/Tribal Sources	N/A.
Other Sources	USGS NHD Data, ILHMP: LiDAR Data

- B. Typical year assessment(s):** Antecedent Precipitation Tool results: Dry Season – Normal Conditions. Under normal conditions in the dry season, the non-adjacent forested wetland (Wetland B) remains isolated within the concave depression on the subject property. Wetland A and B were observed with 1 to 4 inches of standing water, both lying far below their OHWM. The area received approximately 8 inches of rainfall in July (Wet Conditions) and 5 inches through 12 days of August (Normal Conditions)
- C. Additional comments to support AJD:** Per 33CFR328.3(c)(1)(iv): Adjacent wetlands include wetlands physically separated from a water identified in paragraph (a)(1), (2), or (3) only by an artificial dike, barrier, or similar artificial structure so long as that structure allows for a direct hydrologic surface connection between the wetlands and the water identified in paragraph (a)(1), (2), or (3) in a typical year, such as through a culvert, flood or tide gate, pump, or similar artificial feature. Wetland A is directly connected to a downstream (off-site) (a)(2) water through a single box culvert. No evidence of a hydrologic connection between Wetland A and Wetland B was observed during the site evaluation on 8-12-21. Additionally, elevation data indicates the topographic rise between the two features to be a minimum of 2 feet.