



**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): 11/12/2020  
 ORM Number: LRL-2018-178-sjk  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: IN City: Crane County/Parish/Borough: Martin  
 Center Coordinates of Review Area: Latitude 38.8891 (DLA site), 38.8420 (Railcar site) Longitude -  
 86.8794 (DLA site), -86.8169 (Railcar site)

**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
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
N/A.	N/A.	N/A.	N/A.

<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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**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
Wetland A (DLA site)	0.46	acre(s)	(b)(1) Non-adjacent wetland.	The wetland receives stormwater runoff from a nearby roadside ditch and is confined by existing infrastructure. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
Wetland B (DLA site)	0.1	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is in a topographic bowl within a forested area. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
Wetland C (DLA site)	0.56	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is in a topographic bowl on a steep hillside and receives hydrology from the higher elevation runoff. It then discharges downslope through an ephemeral channel and culvert to Oberlin Lake. It neither abuts nor is inundated by flooding in a typical year by an (a)(1)-(a)(3) water.
Wetland A (Railcar site)	0.14	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	The wetland formed in a ditch that was constructed within upland for the purpose of conveying stormwater from upland areas.
Wetland B (Railcar site)	0.31	acre(s)	(b)(1) Non-adjacent wetland.	The wetland formed as a result of historic grading of the site and is constrained by an area of slightly higher elevation between the wetland and a tributary to Turkey Creek. The source of hydrology is from the higher elevated development to the west and not from the creek. The wetland discharges through a non-jurisdictional erosional gully to the creek. It is not abutting nor inundated by an (a)(1)-(a)(3) water in a typical year.
Wetland C (Railcar site)	0.04	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is in a topographic bowl confined by surrounding infrastructure and higher elevations. It neither abuts nor is inundated by flooding in a typical year by an (a)(1)-(a)(3) water.

**III. SUPPORTING INFORMATION**

<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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- 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 delineation reports for the Railcar Holding Yard and DLA Disposition Facility dated December 2017 by CJSeto Support Services, LLC.](#)  
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: Site photos in delineation reports dated 9/22/2017 and 9/23/2017; undated aerials in delineation reports.](#)
  - Corps site visit(s) conducted on: [Date\(s\).](#)
  - 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: [Web Soil Survey, Martin County \(see delineations\)](#)
  - USFWS NWI maps: [Digital layers on topo map \(see delineations\)](#)
  - USGS topographic maps: [7.5' Indian Springs quad \(see delineations\)](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS/WBD/NHD data/maps</a>	<a href="#">Digital layers on topo maps (see delineations)</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="#">FEMA/FIRM maps</a>	<a href="#">DFIRM layers on topo map (see delineations)</a>

- B. Typical year assessment(s):** [N/A or provide typical year assessment for each relevant data source used to support the conclusions in the AJD.](#)
- C. Additional comments to support AJD:** [N/A or provide additional discussion as appropriate.](#)