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): 4/14/2021
ORM Number: LRL-2021-277-sjk
Associated JDs: N/A
Review Area Location[1]: State/Territory: IN City: Columbus County/Parish/Borough: Bartholomew
Center Coordinates of Review Area: Latitude 39.1434 Longitude -85.9460

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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
Stream 1 – Reach A	280	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The stream flows intermittently and briefly dissipates into a series of ephemeral channels within Reach B before becoming intermittent within Reach C. It then flows east and becomes Wales Ditch, which flows into Denios Creek, which flows to East Fork White River, which becomes a TNW.
Stream 1 – Reach C	289	linear feet	(a)(2) Intermittent tributary contributes	The stream flows intermittently to the east where is becomes Wales Ditch, which flows into Denios

[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.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	Creek and then East Fork White River, which becomes a TNW.
Stream 2	1,452	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The stream flows perennially and becomes Wales Ditch, flowing into Denios Creek and then East Fork White River, which becomes a TNW.
Stream A	490	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The stream flows intermittently into stream 2, which becomes Wales Ditch, then into Denios Creek and East Fork White River, which becomes a TNW.

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 2	0.2	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland directly abuts Stream 1 – Reach A, an intermittent tributary.
Wetland 4	0.189	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland directly buts Stream A, an intermittent tributary.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Wetland 1	0.716	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies along a low area along County Road 175 W. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.

[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.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Wetland 3	0.122	acre(s)	(b)(1) Non-adjacent wetland.	This wetland abuts Stream 1 – Reach B, an excluded stream.
Wetland 5	0.069	acre(s)	(b)(1) Non-adjacent wetland.	This wetland lies in a forested, low area. It neither abuts nor is inundated by Stream 2 in a typical year.
Wetland 6	0.037	acre(s)	(b)(1) Non-adjacent wetland.	This wetland is in an agricultural low area upslope from Stream 2. It neither abuts nor is inundated by Stream 2 in a typical year.
Wetland 7	0.008	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in a low area in a forested area near an agricultural field. It neither abuts nor is inundated by Stream 2 in a typical year.
Wetland 8	0.141	acre(s)	(b)(1) Non-adjacent wetland.	This wetland is in a forested area charged by agricultural runoff. It neither abuts nor is inundated by Stream 2 in a typical year.
Stream 1 – Reach B	465	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This portion of Stream 1 dissipates into a series of ephemeral channels before concentrating back into Reach C as intermittent.
Stream B	267	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This stream flows only in response to rain events.

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 Delineation and Stream Evaluation Report dated 3/25/2021 and updated delineation data received via email 4/12/2021 by FPBH, Inc.

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: undated aerials in delineation report; site photos in delineation report (2/25/21); 1/5/2020 (DigitalGlobe).

☐ 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, Bartholomew County

☒ USFWS NWI maps: NWI Digital Mapper (delineation report)

☒ USGS topographic maps: 7.5' Columbus, IN

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
LiDAR data/maps	DEM/Hillshade (LRL Regulatory Viewer)
FEMA/FIRM maps	3/2020 DFIRM map (delineation report)

B. Typical year assessment(s): 2/25/2021 (delineation): the inspection occurred during normal conditions with average amounts of precipitation in the monthly and 30-year rolling average.

C. Additional comments to support AJD: N/A or provide additional discussion as appropriate.