



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): 23-JUL-2021

ORM Number: LRL-2021-00359

Associated JDs: N/A

Review Area Location¹:

State/Territory: KY City: Union County/Parish/Borough: Boone County

Center Coordinates of Review Area: Latitude 38.95408 Longitude -84.713948

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

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
Intermittent Stream 1	3965 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 1 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-8 feet, and a watershed area of 213 acres.
Intermittent Stream 10	85 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 10 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 5 acres.
Intermittent Stream 11	1390 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 11 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 25 acres.

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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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Intermittent Stream 12	320 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 12 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 5 acres.
Intermittent Stream 13	565 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 13 is an (a)(2) water with an intermittent flow regime, a bank full width of 4-6 feet, and a watershed area of 17 acres.
Intermittent Stream 14	2785 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 14 is an (a)(2) water with an intermittent flow regime, a bank full width of 7-20 feet, and a watershed area of 475 acres.
Intermittent Stream 15	860 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 15 is an (a)(2) water with an intermittent flow regime, a bank full width of 4-6 feet, and a watershed area of 17 acres.
Intermittent Stream 17	880 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 17 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 13 acres.
Intermittent Stream 18	365 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 18 is an (a)(2) water with an intermittent flow regime, a bank full width of 7-8 feet, and a watershed area of 35 acres.
Intermittent Stream 19	865 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 19 is an (a)(2) water with an intermittent flow regime, a bank full width of 4-6 feet, and a watershed area of 18 acres.
Intermittent Stream 2	215 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 2 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 5 acres. Intermittent Stream 2 receives flow from an upstream impoundment.
Intermittent Stream 20	450 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 20 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 9 acres.
Intermittent Stream 3	250 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 3 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 4 acres.
Intermittent Stream 4	545 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 4 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 12 acres.
Intermittent Stream 5	550 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 5 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 9 acres.
Intermittent Stream 6	40 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 6 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 25 acres.

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Intermittent Stream 7	10 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 7 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 32 acres.
Intermittent Stream 8	190 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 8 is an (a)(2) water with an intermittent flow regime, a bank full width of 1-3 feet, and a watershed area of 19 acres.
Intermittent Stream 9	305 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 9 is an (a)(2) water with an intermittent flow regime, a bank full width of 4-6 feet, and a watershed area of 17 acres.

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
Open Water 1	0.268 acres	(a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Open Water 1 is an (a)(3) water. Open water 1 was created by impounding Intermittent Stream 1. Based on historic aerial images, Open Water 1 exhibits a consistent water level. The consistent water level implies a ground water connection.
Open Water 2	0.155 acres	(a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Open Water 2 is an (a)(3) water. Open water 2 was created by impounding a portion of Intermittent Stream 11. Groundwater connections were identified, by Res (agent), in Intermittent Stream 11 above the Open water.

Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland 1	0.032 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 1 is an (a)(4) water. The wetland directly abutted Intermittent Stream 1 and was located in a depression along the upper reach of Intermittent Stream 1.
Wetland 2	0.04 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 2 is an (a)(4) water. The wetland directly abutted Intermittent Stream 1 and was located in a depression along the upper reach of Intermittent Stream 1.
Wetland 3	0.012 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 3 is an (a)(4) water. Wetland 3 is a fringe wetland abutting Pond 2, which is an impounded intermittent stream.
Wetland 4	0.01 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 4 is an (a)(4) water. Wetland 4 directly abuts Intermittent Stream 15.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Ephemeral Stream 1	20 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a

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			groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 10	530 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 9 acres. The agent did not identify a groundwater connection. The channel lost OHWMs near the site boundary.
Ephemeral Stream 11	315 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection. The channel lost stream characteristics and OHWMs below the wooded reach of the stream.
Ephemeral Stream 12	255 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 4 acres. The agent did not identify a groundwater connection.
Ephemeral Stream 13	135 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 14	70 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 15	170 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 1 acre. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 23, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 16	65 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 17	315 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection. The feature exhibited water in

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			the channel at the time of the March 23, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 18	610 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 8 acres. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 23, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 19	35 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 2	70 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 20	245 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 21	90 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 22	215 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection.
Ephemeral Stream 23	135 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection.
Ephemeral Stream 24	95 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection.

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Ephemeral Stream 25	155 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 23, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 26	80 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 23, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 27	220 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 28	110 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 29	30 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection.
Ephemeral Stream 3	165 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 30	35 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 3 acres. The agent did not identify a groundwater connection.
Ephemeral Stream 31	130 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 24, 2021 site visit.

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			The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source. The channel lost stream indicators and OHWMs on the lower reach prior to redeveloping at the confluence of Intermittent Stream 20 and Ephemeral Stream 30.
Ephemeral Stream 32	175 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection.
Ephemeral Stream 33	50 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 24, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 4	65 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 5	110 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 2 acres. The agent did not identify a groundwater connection.
Ephemeral Stream 6	50 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 7	170 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of less than 1 acre. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral	90 feet	(b)(3) Ephemeral feature, including	The feature is not an (a)(1-4) water. The feature

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 independent 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.

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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Stream 8		an ephemeral stream, swale, gully, rill, or pool	exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 3 acres. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Ephemeral Stream 9	10 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The feature is not an (a)(1-4) water. The feature exhibited an ephemeral flow regime dominated by precipitation and runoff/drainage and a watershed area of approximately 3 acres. The agent did not identify a groundwater connection. The feature exhibited water in the channel at the time of the March 22, 2021 site visit. The water present in the channel was from drainage of the surrounding saturated soils and not a ground water source.
Wetland 5	0.009 acres	(b)(1) Non-adjacent wetland	Wetland 5 is not an (a)(1-4) water. The wetland does not have a direct connection to an (a)(1-4) water. The wetland drains into Ephemeral Stream 2 to Wetland 4 to Intermittent Stream 15.
Wetland 6	0.04 acres	(b)(1) Non-adjacent wetland	Wetland 6 is not an (a)(1-4) water. The wetland did not have a direct connection to an (a)(1-4) water. The wetland drains into Ephemeral Stream 32 to Intermittent Stream 19.

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: *Ridgefield Farm: Request for Jurisdictional Determination. Dated April 20, 2021. Submitted by RES Kentucky, 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) Google Earth, 2021; Maps Submitted by the applicant/agent.*

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: *Title(s) and/or date(s).*

USFWS NWI maps: *Title(s) and/or date(s).*

USGS topographic maps: *1:24,000 Union, KY.*

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.

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.

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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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NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** The PDSI Index indicates “Moderate Wetness” at the project location. The Web WIMP H2O Balance indicates that the delineation was conducted during a wet season. The Antecedent Precipitation Tool determined that during the 30 days prior to the date of the site inspection by RES (agent) on March 23, 2021, normal conditions existed at the project site.
- C. Additional comments to support AJD:** N/A or provide additional discussion as appropriate.

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.

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