



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): 03-AUG-2021

ORM Number: LRL-2021-00600-MAD

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: KY City: County/Parish/Borough: Hardin County

Center Coordinates of Review Area: Latitude 37.847781 Longitude -85.966236

**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

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 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.

<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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**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
LRL-2021-00600, Intermittent 1	250 feet	((b)(1) Surface water channel that does not contribute surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent Stream 1 originates from a culvert beneath Hill Street that drains an offsite wetland. Intermittent Stream 1 flows east for 250 linear feet through the project area before continuing off site. Outside of the project area, Intermittent Stream 1 appears to lose bed and bank and exhibits ephemeral characteristics before connecting to a grassy swale that connects into Logsdon DS Main Basin. Logsdon DS Main Basin drains into Woods Hollow#1 which has two ephemeral streams that lead down into the bottom of the basin where all the basin outlet structures are located. This basin then overflows/connects to Timberwood DS Basin which is the ultimate downstream point of this basin watershed system. There is no outlet to this basin. The basin does not contribute surface water directly or receive flooding from a jurisdictional feature.
LRL-2021-00600, Ephemeral 1	135 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Ephemeral 2	120 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Ephemeral 3	375 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Ephemeral 4	195 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Ephemeral 5	160 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Ephemeral 6	95 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Ephemeral 7	210 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Ephemeral 8	105 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	The stream does not exhibit flow more than in response to precipitation and has a morphology typical of ephemeral stream in the region.
LRL-2021-00600, Wetland 1	0.017 acres	(b)(1) Non-adjacent wetland	The emergent wetland originates from a culvert drainage beneath Bramblett Boulevard. The feature is physically isolated in the landscape and has no indication of consolidated flow connection to any downstream resources.

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**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: *Request for Jurisdictional Determination North Logsdon Flood Mitigation Project* prepared by RES Kentucky, LLC date 6/30/2021, and additional information dated 8/2/2021.  
This information (is) 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 and other) Applicant Photos 10/19,20,23/2020. Google Earth aerial 6/620, 2/25/2018, 09/22/2014, 08/29/2021, 06/30/2010, 02/09/2007, 06/19/2004, 03/28/1998*
- 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: *Soil Survey Staff, Natural Resources Conservation Service, United States Department of Agriculture. Web Soil Survey. Available online at <http://websoilsurvey.sc.egov.usda.gov/>. Accessed 08/02/2021*
- USFWS NWI maps: *USFWS NWI maps: National Wetlands Inventory website. U.S. Department of the Interior, Fish and Wildlife Service, Washington, D.C. Available online at <http://www.fws.gov/wetlands/>. Accessed 08/02/2021*
- USGS topographic maps: *1:24,000 – Vine Grove, Kentucky Quadrangle.*

**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.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** The Antecedent Precipitation Tool was utilized the applicant’s site assessment dates of October 23, 2020. The data shows that the assessment was wetter than normal conditions during the wet season. The assessment was during wetter than typical year conditions.

**C. Additional comments to support AJD:** N/A

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