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): 8/11/2021
ORM Number: LRL-2021-632-sjk
Associated JDs: N/A
Review Area Location[1]: State/Territory: IN City: Hartford City to Dunkirk County/Parish/Borough: Blackford and Jay
Center Coordinates of Review Area: Latitude 40.4113 Longitude -85.2811

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 01	59	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 year-round into Little Lick Creek, Big Lick Creek, Mississinewa River, then Wabash River (TNW).

[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
Stream 03 (Little Lick Creek)	77	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 year-round into Little Lick Creek, Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 05	234	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 Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 07	785	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 Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 09	98	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 year-round into Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 14 (Gronendyke Ditch)	107	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 year-round into Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 17 (Big Lick Creek)	126	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 year-round into Mississinewa River, then Wabash River (TNW).

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
Stream 19	60	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 year-round into Dunkirk Drain, Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 20	60	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 Dunkirk Drain, Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 21 (Big Lick Creek)	95	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 year-round into Mississinewa River, then Wabash River (TNW).
Stream 22 (Belt Run)	120	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 Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 23 (Dunkirk Drain)	454	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 year-round into Big Lick Creek, Mississinewa River, then Wabash River (TNW).
Stream 24	142	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 Big Lick Creek, Mississinewa River, then Wabash River (TNW).

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
Stream 25	143	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 Big Lick Creek, Mississinewa River, then Wabash River (TNW).
N/A.	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.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
WET-JJ	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland abuts Stream 19, an (a)(2) water.
WET-SS	0.06	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland abuts Stream 22, an (a)(2) water.
WET-VV	0.09	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland directly abuts an off-site impoundment of Stream 05, an (a)(2) water.
WET-WW	0.16	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland directly abuts Stream 24, an (a)(2) water.
WET-AAA	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland flows offsite to the north where it abuts a tributary to Little Lick Creek. See III C for additional discussion.
WET-DDD	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The wetland directly abuts Stream 09, an (a)(2) water.
N/A.	N/A.	N/A.	N/A.	N/A.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Stream 02	181	linear feet	(b)(3) Ephemeral feature, including an ephemeral	The stream flows only in response to rain events.

[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
			stream, swale, gully, rill, or pool.	
Stream 04	36	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 06	140	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 08	42	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 10	208	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 11	118	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 12	109	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 13	27	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 15	28	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 16	115	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Stream 18	69	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 26	33	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 27	145	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 28	475	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 29	46	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
Stream 30	402	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The stream flows only in response to rain events.
WET-A-01/02	0.32	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is confined between existing road/railroad infrastructure and industrial development. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-B	0.11	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	The pond was constructed in dry land and does not impound, nor is inundated by, a jurisdictional water.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
WET-C	0.38	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-D	0.06	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is confined by existing road/railroad infrastructure. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-E	0.02	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-F-01/02	0.63	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-G	0.09	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-H	0.1	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography on the edge of a wooded area. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-I	0.45	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-J-01/02	0.14	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography that collects regional drainage and is impounded by a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-K-01/02	0.06	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-L	0.02	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-M-01/02	0.05	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-N	0.04	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is located at the outfall of pond WET-XX and is impounded by a railroad. It neither abuts not is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-O-01/02	0.59	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-P	0.07	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
WET-Q	0.03	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-R	0.03	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-S	0.13	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in a topographically lower area confined by infrastructure and agricultural land. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-T	0.03	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies along a railroad and abuts Stream 10, an excluded water.
WET-U-01/02/03	0.19	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in a topographically lower area abutting Stream 11, an excluded water.
WET-V	0.15	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography that collects regional drainage and is impounded by a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-W	0.65	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-X-01/02	0.18	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in a topographically lower area abutting Stream 12, an excluded water.
WET-Y	0.02	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography in the corner of an agricultural field. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-Z-01/02/03/04	1.26	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography that collects regional drainage and is impounded by a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-AA	0.06	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-BB	0.15	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-CC	0.07	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-DD	0.02	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad and abuts Stream 16, an excluded water.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
WET-EE	0.11	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-FF	0.03	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-GG	0.09	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-HH	0.13	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad and abuts Stream 18, an excluded water.
WET-II	0.03	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-KK	0.03	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-LL	0.01	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-MM	0.02	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography in a fallow field. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-NN	0.01	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in a topographically low area that abuts Stream 04, an excluded water.
WET-OO	0.1	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in a topographically low area and abuts Stream 27, an excluded water. The wetland
WET-PP	0.13	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	The pond was constructed in dry land and does not impound, nor is inundated by, a jurisdictional water.
WET-QQ	0.02	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography adjacent to a fallow field and SR 167. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
WET-RR-01/02	0.07	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is separated from Stream 22 by higher elevations and collects agricultural runoff from adjacent fields. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-TT	0.13	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography in an agricultural field. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-UU	0.01	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography at the edge of a wooded area. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-XX	0.09	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	This is a pond that was constructed in dry land and outfalls to WET-N, an excluded feature. It is not flooded by an (a)(1)-(a)(3) water in a typical year.
WET-YY-01/02	0.42	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography that collects regional drainage and is impounded by a railroad. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-ZZ	0.01	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in a topographically lower area at the edge of an agricultural field. It is more than 50 feet away from Big Lick Creek and separated by land that is of higher elevation.
WET-BBB	0.003	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography in a fallow field. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
WET-CCC	0.11	acre(s)	(b)(1) Non-adjacent wetland.	The wetland lies in lower topography in a forested area.0.11. It neither abuts nor is inundated by an (a)(1)-(a)(3) water in a typical year.
DD-02	43	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale in an agricultural field that is the headwaters of ephemeral Stream 30.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
DD-03	318	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a vegetated swale in an agricultural field.
DD-04	105	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-05	128	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale in an agricultural field associated with a buried drainage tile system.
DD-06	194	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-07	155	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-08	81	linear feet	(b)(10) Stormwater control feature constructed or excavated in	This feature is a roadside ditch constructed in dry land to convey stormwater.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
			upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	
DD-09	263	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-10	44	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is an agricultural ditch constructed in dry land for the purpose of conveying stormwater away from fields.
DD-11	110	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale associated with a buried field tile system conveying agricultural runoff under a railroad.
DD-12	188	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale associated with a buried field tile system conveying agricultural runoff under a railroad.
DD-13	468	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale associated with a buried field tile system conveying agricultural runoff under a railroad.
DD-14	127	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale associated with a buried field tile system conveying agricultural runoff under a railroad.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
DD-15	41	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale carrying agricultural runoff into a culvert under a railroad.
DD-16	72	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is an ephemeral swale constructed in dry land that conveys drainage under CR 400 S.
DD-17	91	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a swale in an agricultural field associated with a buried field tile. It is the headwater area of Buckles Run.
DD-18	76	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-19	67	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-20	67	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
DD-21	33	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This swale is an erosional feature resulting from drainage from adjacent agricultural fields.
DD-22	74	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-23	60	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-24	267	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-25	245	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or	This feature is a roadside ditch constructed in dry land to convey stormwater.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
			store stormwater runoff.	
DD-26	61	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This feature is a roadside ditch constructed in dry land to convey stormwater.
DD-27	596	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This ephemeral feature is the headwaters of Stream 23 that flows only in response to rain events.
DD-28	41	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This erosional feature developed as a result of concentrated agricultural flow.
DD-29	24	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This erosional feature developed as a result of concentrated agricultural flow.
DD-30	656	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This swale conveys agricultural drainage from fields to the north into WET-DDD.

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 Determination and Stream Assessment Letter Report, dated June 25, 2021, by POWER Engineers.

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 report (10/21/2019, 10/22/2019, 10/23/2019, 10/24/2019, 10/25/2019, 10/29/2019, 10/30/2019, 10/6/2020, 1/5/2021, 1/6/2021, 1/7/2021, 4/6/2021, 6/17/2021; undated aerials in delineation report; Google Streetview photos of DD-27; 2/28/2005, 2/2012,

2016, 9/25/2019 (Google Earth); 9/21/2015, 6/16/2016, 12/9/2018, 6/6/2019, 9/25/2019, 2/7/2020, 5/1/2020, 2/25/2021, 3/1/2021 (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: Title(s) and/or date(s).
☒ USFWS NWI maps: Layer on delineation graphics.
☒ USGS topographic maps: 7.5' Hartford City East, Pennville (delineation report)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS/WBD/NHD data/maps	Layer on delineation graphics.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	DEM (USACE NRV)
State/Local/Tribal Sources	County Regulated Drains (delineation report)
FEMA/FIRM maps	Layers in delineation report graphics.

B. Typical year assessment(s): N/A

C. Additional comments to support AJD: WET-AAA continues offsite to the north where it abuts a tributary to Little Lick Creek (which flows from the southeast where it turns sharply to the northeast and is channelized through agricultural land). Aerial imagery dated 2/28/2005, 9/21/2015, 6/16/2016, 12/9/2018, 9/25/2019, and 5/1/2020 all indicate the presence of water in the channel from the point it flows northeast. Therefore, the channel appears to convey perennial flow.