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): October 6, 2020.
ORM Number: SPK-2009-01402.
Associated JDs: N/A.
Review Area Location[1]: State/Territory: Utah. City: Willard. County/Parish/Borough: Box Elder.
Center Coordinates of Review Area: Latitude 41.4366°. Longitude -112.0437.

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.
- ☐ 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).

[1] Map(s)/figure(s) are attached to the AJD provided to the requestor.

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.	acres	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.	acres	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.	acres	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.	acres	N/A.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland G	8.65	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland G extends beyond the study area to the north and west and flows through culverts under the Union Pacific Railroad and I-15 into a large contiguous complex of wet meadow, playa, saline wet meadow, and emergent marsh wetlands. This complex directly abuts and drains directly into the Great Salt Lake. Wetland G and the wetland complex is in fact one wetland that is adjacent in its entirety since it is divided by a railroad with culverts and a road with culverts, which allows for a direct hydrological connection through these features in a typical year, consistent with 33 CFR

[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.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
				328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). The off-site boundary of Wetland G extends up to the culverts and there are no other barriers or features that come between Wetland G and the culverts.
Wetland H	7.51	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland H extends beyond the study area to the north, south and west and flows through culverts under the Union Pacific Railroad and I-15 into a large contiguous complex of wet meadow, playa, saline wet meadow, and emergent marsh wetlands. This complex directly abuts and drains directly into the Great Salt Lake. Wetland H and the wetland complex is in fact one wetland that is adjacent in its entirety since it is divided by a railroad with culverts and a road with culverts, which allows for a direct hydrological connection through these features in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). The boundary of Wetland H extends up to the culverts and there are no other barriers or features that come between Wetland H and the culverts.
Wetland I	0.84	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland I extends beyond the study area to the south and west and flows through culverts under the Union Pacific Railroad and I-15 into a large contiguous complex of wet meadow, playa, saline wet meadow, and emergent marsh wetlands. This complex directly abuts and drains directly into the Great Salt Lake. Wetland I and the wetland complex is in fact one wetland that is adjacent in its entirety since it is divided by a railroad with culverts and a road

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
				with culverts, which allows for a direct hydrological connection through these features in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). The off-site boundary of Wetland I extends up to the culverts and there are no other barriers or features that come between Wetland I and the culverts.
Wetland J	21.06	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland J extends beyond the study area to the north and west and flows through culverts under I-15 into a large contiguous complex of wet meadow, playa, saline wet meadow, and emergent marsh wetlands. This complex directly abuts and drains directly into the Great Salt Lake. Wetland J and the wetland complex is in fact one wetland that is adjacent in its entirety since it is divided by a road with culverts, which allows for a direct hydrological connection through the roadway in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). The boundary of Wetland J extends up to the culverts and there are no other barriers or features that come between Wetland J and the culverts.
Wetland K	0.04	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland K is a drainage swale wetland that is contiguous with Wetland J and the larger overall wetland complex, which as noted above, directly abuts the Great Salt Lake.
Wetland L	0.15	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland L is a drainage swale wetland that is contiguous with Wetland J and the larger overall wetland complex, which as noted above, directly abuts the Great Salt Lake.
Wetland M	0.02	acres	(a)(4) Wetland separated from an	Wetland M is part of the Wetland K

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
			(a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	drainage swale that is contiguous with Wetland J and the larger overall wetland complex, which as noted above, directly abuts the Great Salt Lake. Wetland M is separated from Wetland K by a farm access road with a culvert, which allows for a direct hydrological connection through the road in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020).
Wetland N	0.09	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland N is a drainage swale wetland that is contiguous with Wetland J and the larger overall wetland complex, which as noted above, directly abuts the Great Salt Lake.
Wetland O	0.14	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland O is a drainage swale wetland that is separated from Wetland J by a farm access road with a culvert, which allows for a direct hydrological connection through the road in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). As noted above, Wetland J and the larger overall wetland complex directly abuts the Great Salt Lake.
Wetland P	0.03	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland P is a drainage swale wetland that is separated from Wetlands R, O and J by a farm access road with a culvert, which allows for a direct hydrological connection through the road in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). As noted above, Wetland J and the larger overall wetland complex directly abuts the Great Salt Lake.
Wetland R	0.15	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct	Wetland R is a drainage swale wetland that is separated from Wetlands O and J by a farm access

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
			hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	road with a culvert, which allows for a direct hydrological connection through the road in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). As noted above, Wetland J and the larger overall wetland complex directly abuts the Great Salt Lake.
Wetland S	0.08	acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland S is a drainage swale wetland that is separated from Wetlands R, O and J by a farm access road with a culvert, which allows for a direct hydrological connection through the road in a typical year, consistent with 33 CFR328.3(c)(1)(iv) and the preamble (85 FR 22312-22313, 21 April 2020). As noted above, Wetland J and the larger overall wetland complex directly abuts the Great Salt Lake.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Wetland A	0.07	acres	(b)(1) Non-adjacent wetland.	Wetland A is located in a depression surrounded by uplands in an agricultural field. Hydrology primarily comes from high groundwater and there is no indication of flow or hydrologic connection from this feature to any (a)(1)-(a)(3) waters.
Wetland B	0.27	acres	(b)(1) Non-adjacent wetland.	Wetland B is located in a depression surrounded by uplands in an agricultural field. Hydrology primarily comes from high groundwater and there is no

[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
				indication of flow or hydrologic connection from this feature to any (a)(1)-(a)(3) waters.
Wetland C	0.02	acres	(b)(1) Non-adjacent wetland.	Wetland C is located in a depression surrounded by uplands in an agricultural field. Hydrology primarily comes from high groundwater and there is no indication of flow or hydrologic connection from this feature to any (a)(1)-(a)(3) waters.
Wetland D	0.03	acres	(b)(1) Non-adjacent wetland.	Wetland D is located in a depression surrounded by uplands in an agricultural field. Hydrology primarily comes from high groundwater and there is no indication of flow or hydrologic connection from this feature to any (a)(1)-(a)(3) waters.
Wetland E	0.01	acres	(b)(1) Non-adjacent wetland.	Wetland E is located in a depression surrounded by uplands in an agricultural field. Hydrology primarily comes from high groundwater and there is no indication of flow or hydrologic connection from this feature to any (a)(1)-(a)(3) waters.
Wetland F	0.12	acres	(b)(1) Non-adjacent wetland.	Wetland F is located in a depression surrounded by uplands in an agricultural field. Hydrology primarily comes from high groundwater and there is no indication of flow or hydrologic connection from this feature to any (a)(1)-(a)(3) waters.
Wetland Q	0.02	acres	(b)(1) Non-adjacent wetland.	Wetland Q is located in a depression surrounded by uplands in an agricultural field. Hydrology primarily comes from high groundwater and there is no indication of flow or hydrologic connection from this feature to any (a)(1)-(a)(3) waters.

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: Kagel Environmental; Wetland Delineation Report of Kunzler/Fairview Farms; August 28, 2009.
This information is. sufficient for purposes of this AJD.
Rationale: .

☐ Data sheets prepared by the Corps: .

☒ Photographs: Aerial:. Google Earth 7.3.3.7692.(1993, September 8; 2011, September 14; 2017, June 18; 2018, September 14). Logan, Utah. Latitude 41.7291 Longitude -111.8576, eye alt 11,500 ft. Retrieved October 6, 2020, from http://www.earth.google.com.

☐ Corps site visit(s) conducted on: .

☐ Previous Jurisdictional Determinations (AJDs or PJDs): SPK-2009-01402; September 16, 2010 and August 27, 2015.

☐ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B*.

☐ USDA NRCS Soil Survey: .

☐ USFWS NWI maps: .

☐ USGS topographic maps: .

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 Issues	N/A.

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

C. Additional comments to support AJD: Wetlands G, H, I, J, K, L, M, N, O, P, R, S and the larger overall wetland complex are in fact one wetland that is adjacent to the Great Salt Lake. Over time, agricultural practices and development have introduced man-made barriers with culverts to maintain hydrologic connectivity throughout the study area for conveyance and drainage purposes.