



**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): [September 30, 2020](#).

ORM Number: [SPK-2020-00579](#).

Associated JDs: [N/A](#).

Review Area Location¹: State/Territory: [Utah](#). City: [Logan](#). County/Parish/Borough: [Cache](#).

Center Coordinates of Review Area: Latitude [41.7291](#). Longitude [-111.8576](#).

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.



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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
N/A.	N/A. acres	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
Wetland A	2.15 acres	Non-adjacent wetland.	Wetland A on the delineation map is located in a depression that intercepts ground water and retains surface water. The wetland drains toward the western study area boundary where a roadway (1000 West) blocks flow. Flow typically

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.

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
				does not leave the site except during abnormally wet periods, when impounded water reaches an overflow storm drain grate adjacent to the road fill slope. Flow reaching the grate enters the storm drain system and does not have a direct hydrologic connection to any (a)(1)-(a)(3) waters.
Wetland B	0.18	acres	Non-adjacent wetland.	Wetland B on the delineation map is located in a depression that intercepts ground water and retains surface water. The wetland is completely surrounded by uplands and does not have a direct hydrologic connection 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: [Civil Solutions Group, Aquatic Resource Delineation \(Parcel #05-064-00280\), July 16, 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: *N/A.*

Data sheets prepared by the Corps:

Photographs: [Aerial: Google Earth 7.3.3.7692.\(1993, August 13; 2011, September 14; 2018, September 14\). Logan, Utah. Latitude 41.7291 Longitude -111.8576, eye alt 10,200 ft. Retrieved September 30, 2020, from <http://www.earth.google.com>.](#)

Corps site visit(s) conducted on:

Previous Jurisdictional Determinations (AJDs or PJDs):

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	<i>N/A.</i>



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Data Source (select)	Name and/or date and other relevant information
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: The delineation mentions a couple of abandoned ditch features on site that are not formally identified as aquatic features. These shallow, man made upland features are former irrigation laterals with no ordinary high water mark and no evidence of flow conveyance. These abandoned ditch features do not meet the definition of "ditch" pursuant to 33 CFR 328.3(c)(2) as they are not used to convey water.