



**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): [January 20, 2021](#).

ORM Number: [SPK-2019-00308](#).

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

Review Area Location¹: State/Territory: [Utah](#). City: [Myton \(eastern terminus point\)](#) and [Kyune \(western terminus point\)](#). County/Parish/Borough: [Uintah, Duchesne, Carbon, and Utah](#).

Center Coordinates of Review Area: Latitude [40.1522 \(eastern terminus point\)](#) and [40.1519 \(western terminus point\)](#). Longitude [-110.084 \(eastern terminus point\)](#) and [-109.887 \(western terminus point\)](#).

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
<u>Price River:</u> R-40	12,325 Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	8.03 acre - The Price River is the largest perennial stream in the survey area, where its width varies from about 20 to 45 feet. Apart from an existing rail line embankment along stream banks and associated crossings at some locations, this stream appears to be in good condition, generally maintaining natural meanders and floodplain functions to support low terrace wetlands and some woody riparian habitat. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature. The Price River connects to the Green River which is a Section 10 RHA waterway downstream of the Price River confluence.
<u>Beaver Creek:</u> R-34	4,137 Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.71 acre - Small meandering stream that crosses under U.S. Highway 6 above the survey area and drains into the Price River. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature.
<u>Kyune Creek:</u> R-48, R-68	1,985 Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.35 acre – Moderately sized channel in a steep side canyon that drains into the Price River. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature.
<u>Horse Creek:</u>	1,302 Linear	(a)(2) Perennial	0.24 acre – Small, high gradient channel

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.



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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
R-245		feet	tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	higher in the survey area that exists as wet meadow when it transitions to lower gradient. Drains into Price River. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature.
<u>Willow Creek:</u> R-414	1,327	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.66 acre – Moderately sized stream that is somewhat meandering and runs adjacent to U.S. Route 191 in the survey area and divides Emma Park and Whitmore Park. Drains into Price River. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature.
<u>Pole Creek:</u> R-545	1,465	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.27 acre - Moderately sized stream in the Emma Park/Whitmore Park Region. Drains into the Price River. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature.
<u>Dry Fork Creek:</u> R-542, R546, R-547	6,600	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.96 acres - Small perennial channel that is a tributary to Pole Creek. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature.
<u>Indian Canyon Creek:</u> R-571, R-606, R-642, R-644, R-714, R-757, R-761, R-766, R-774, R-776, R-785, R-793, R-795, R-799, R-800, R-806, R-820, R-863, R-891, R-894, R-895, R-898, R-944	151,362	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	25.22 acres - Indian Canyon Creek is the longest perennial stream in the survey area. Indian Canyon Creek begins near the top of Indian Canyon and drains into the Strawberry River near the mouth of the canyon, north of the survey area. The Strawberry River drains to the Green River which is a Section 10 RHA waterway downstream of the Strawberry River confluence. In some places, at the time of the survey, nearly all surface flows were diverted into adjacent ditches. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature throughout the project area.
<u>Antelope Creek:</u> R-1407	1,680	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.15 acre - Small perennial stream that drains through semi-arid benchlands. Antelope Creek is a small tributary that flows into the Duchesne River. The Duchesne River drains to the Green Reiver which is a Section 10 RHA waterway. The AR delineation has shown with data points and aerial photographs that this tributary is a perennial feature.



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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
<u>Unnamed Channel:</u> R-92	362	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.02 acre - Small perennial channel below Emma Park Road that drains into Price River.
<u>Unnamed Channels:</u> R-469, R-472, R-511, R-512, R-514	6,572	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	1.38 acres - Small perennial channels that flows through forested montane zone and drains into stream Willow Creek.
<u>Unnamed Channels:</u> R-484 and R-498	1,335	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.07 acre - Small perennial channel that flows through forested montane zone and drains into stream R-469.
<u>Unnamed Channel:</u> R-518	1,197	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.05 acre - Small perennial channel that drains into Dry Fork.
<u>Unnamed Channel:</u> R-2031	511	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	0.12 acre - Small perennial channel that flows through forested montane zone and drains into stream R-472.
<u>Unnamed Channels:</u> R-96, R-97, R-98, R-99, R-113, R-134, R-142, R-268, R-330, R-366, R-391, R-509, R-558, R-564, R-572, R-575, R-589, R-616, R-869	9,942	Linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	1.04 acres - The intermittent stream channels were documented in the Emma Park/Whitmore Park and Indian Canyon Regions with no intermittent streams in the Price River or Semiarid Benchlands Regions. In the Emma Park/Whitmore Park Region, intermittent stream channels drain into the Price River. The characteristics of intermittent streams in Indian Canyon are typical of intermittent streams in mountainous terrain.
<u>Ditch:</u> R-670	590	Linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a	0.022 acre – Linear feature connecting the Price River with impoundment of water PUB-668. The linear feature meets the flow conditions of an (a)(2) water since it has perennial or intermittent surface water flow in a



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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			typical year	typical year and contributes surface water flow to a jurisdictional water in a typical year.

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
Ponds: PUB-125, PUB-154, PUB-269, PUB-288, PUB-363, PUB-508, PUB-668, PUB-696, PUB-756, PUB-783, PUB-794, PUB-798, PUB-802, PUB-803, PUB-882, PUB-905, PUB-1010, PUB-1410, PUB-1985	3.2	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 and stock pond features that contribute water directly or indirectly to an (A)(1) water. These features abut, are located adjacent to, or impound perennial streams.
Impoundments: PUB-579, PUB-585, PUB-600	0.16	acre	(a)(3) Lake/pond or impoundment of a jurisdictional water inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	These features are beaver dam impoundments. These areas are inundated by flooding of Indian Canyon Creek, an (a)(2) water.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetlands Price River Region: PEM-24, PSS-27, PEM-28, PEM-31, PEM-33, PEM-35, PEM-37, PEM-39, PEM-41, PEM-43, PEM-45, PEM-46, PSS-52, PEM-53, PSS-55, PSS-56, PEM-59, PEM-61, PSS-72, PEM-76, PEM-78, PEM-81, PSS-82 PSS-83	4.277	acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The AR delineation has shown with data points and aerial photographs that 33 of the 34 wetlands delineated in the Price River Region of the survey area are hydrologically connected to the Price River, an (a)(2) water. Low terrace wetlands are common along the Price River. These resources are mainly wet meadow and shrub-scrub wetlands that are supported by shallow groundwater associated with the Price River and are occasionally inundated by flood flows. Dominant plant species in these wet meadows include <i>Carex nebrascensis</i> , <i>Carex praegracilis</i> , <i>Eleocharis palustris</i> , <i>Juncus arcticus</i> spp. <i>littoralis</i> , and <i>Phalaris arundinacea</i> . Shrub-scrub wetlands are dominated by <i>Salix</i> species with an herbaceous understory similar to wet meadow communities. These wetlands generally



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(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
PSS-84 PSS-85 PEM-86, PEM-88, PSS-89 PEM-90, PEM-93, PSS-94 PSS-95			appear to be in good condition with relatively low cover by invasive species and little evidence of human disturbance. The existing Union Pacific/Burlington Northern and Santa Fe Railway rail line embankment, which abuts wetlands at some locations, is an exception to the low disturbance characterization.
<u>Wetlands</u> <u>Emma</u> <u>Park/Whitmore</u> <u>Park Region:</u> PSS-103, PEM-117, PEM-130, PEM-131, PEM-140, PEM-148, PEM-189, PEM-199, PEM-216, PSS-478, PSS-481, PSS-483, PSS-492, PSS-497.	4.71	acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water. The AR delineation has shown with data points and aerial photographs that 14 of the 20 wetlands delineated in the Emma Park/Whitmore Park Region of the survey area are hydrologically connected to the Price River, an (a)(2) water. East of the Price River, wet meadows are common along the highbench area and drainage slopes known as Emma Park east of U.S. Route 191 and Whitmore Park west of U.S. Route 191. Narrow wet meadows are present in multiple drainage channels. Most of these wetlands are hydrologically supported by intermittent flows through the drainages, and a few of these wetlands abut perennial channels. Some larger wet meadows near Emma Park Road appear to be located in a groundwater discharge zone. Farther west near U.S. Route 191, Willow Creek runs through the survey area supporting some low terrace, wet meadow wetlands. Dominant plant species in these wet meadows include <i>Carex nebrascensis</i> , <i>Carex praegracilis</i> , <i>Eleocharis palustris</i> , and <i>Juncus arcticus</i> spp. <i>littoralis</i> . These wetlands can be generally be characterized as ranging from moderately degraded to good condition. Invasive plant cover is generally low, but most of these wetlands are degraded by livestock grazing, and several wetlands are bisected by roads.
<u>Wetlands</u> <u>Indian Canyon</u> <u>Region:</u> See JD Form Enclosure A for Exclusion Name	25.84	Acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water. The AR delineation has shown with data points and aerial photographs that 176 of the 184 wetlands delineated in the Indian Canyon Region of the survey area are hydrologically connected to Indian Canyon Creek, an (a)(2) water. Multiple small, low terrace wetlands are located along the creek. These resources are mainly wet meadow and shrub-scrub wetlands that are supported by shallow groundwater associated with Indian Canyon Creek and are occasionally inundated by flood flows.



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Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
			Additionally, a few large wet meadows were delineated on the floor of Indian Canyon, above Indian Canyon Creek's low terraces. Beaver dams, which were observed at many locations. In addition to wet meadow and shrub-scrub wetlands, a few emergent marsh wetlands were delineated.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
<u>Ponds and Impoundments:</u> PUB-258, PUB-501, PUB-517, PUB-555, PUB-804	0.78 acre	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Delineated open water features within the study area generally consist of constructed impoundments such as irrigation ponds and stock ponds, and beaver ponds along Indian Canyon Creek. These features typically lack vegetation. These areas do not contribute water flows, directly or indirectly, and are not inundated by flooding from (a)(1)-(a)(3) waters; therefore, the (B)(1) exclusion applies.
<u>Wetlands Price River Region:</u> PEM 64	0.07 acre	(b)(1) Non-adjacent wetland.	The AR delineation has shown with data points and aerial photographs that 1 of the 34 wetlands delineated in the Price River Region of the survey meets the definition of paragraph (c)(16); however, it does not abut, nor is it inundated by flooding from, an (a)(1) – (a)(3) water in a typical year, nor is it physically separated from an (a)(1) – (a)(3) water by a natural or artificial barrier. Furthermore, the report indicates that there is no hydrologic surface water connection between the wetland and an (a)(1) – (a)(3) water. This area is a meadow wetland dominated by mountain rush with hydrology from ephemeral sources.

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
<u>Wetlands Emma Park/Whitmore Park Region:</u> PEM-155, PEM-156, PEM-169, PEM-180, PEM-240, PEM-242	0.24	acre	(b)(1) Non-adjacent wetland.	The AR delineation has shown with data points and aerial photographs that 6 of the 20 wetlands delineated in the Wetlands Emma Park/Whitmore Park Region of the survey area meet the definition of paragraph (c)(16); however, they do not abut, nor are inundated by flooding from, (a)(1) – (a)(3) waters in a typical year, nor they are physically separated from an (a)(1) – (a)(3) water by natural or artificial barriers. Furthermore, the AR report indicates that there is no hydrologic surface water connection between these wetlands and (a)(1) – (a)(3) waters. These areas are wet meadow wetlands typically dominated by common spikerush and mountain rush with hydrology from ephemeral sources.
<u>Wetlands Indian Canyon Region:</u> PEM-560, PEM-663, PEM-682, PEM-684, PEM-685, PEM-805, PEM-824, PEM-879.	0.59	acres	(b)(1) Non-adjacent wetland.	The AR delineation has shown with data points and aerial photographs that 8 of the 184 wetlands delineated in the Indian Canyon Region of the survey area meet the definition of paragraph (c)(16); however, they do not abut, nor are inundated by flooding from, (a)(1) – (a)(3) waters in a typical year, nor they are physically separated from an (a)(1) – (a)(3) water by natural or artificial barriers. Furthermore, the AR report indicates that there is no hydrologic surface water connection between these wetlands and (a)(1) – (a)(3) waters. These areas are meadow wetlands typically dominated by common spikerush and mountain rush with hydrology from ditches or abandoned channels.



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
<u>Wetlands</u> <u>Semiarid</u> <u>Benchlands</u> <u>Region:</u> PEM-1593, PEM-1596, PEM-1647, PSS- 1649, PEM-1780	6.68	acres	(b)(1) Non-adjacent wetland. The AR delineation has shown with data points and aerial photographs that all 5 wetlands delineated in the Semiarid Benchlands Region of the survey area meet the definition of paragraph (c)(16); however, they do not abut, nor are inundated by flooding from, (a)(1) – (a)(3) waters in a typical year, nor they are physically separated from an (a)(1) – (a)(3) water by natural or artificial barriers. Furthermore, the AR report indicates that there is no hydrologic surface water connection between these wetlands and (a)(1) – (a)(3) waters. These areas are wet meadow wetlands with hydrology typically accumulating from ephemeral sources.
<u>Ephemeral</u> <u>Streams:</u> JD Form Enclosure A for Exclusion Name	487,285	Linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff. The study area supports 1,288 ephemeral features, a total of 487,285 linear feet (40.93 acres), that only flows in direct response to precipitation. In the Price River and Emma Park/Whitmore Park Regions, ephemeral channels drain into the Price River, and most are highly incised. These conditions might be due to a combination of naturally erosive soils and livestock grazing in the Price River watershed. Multiple ephemeral streams were delineated in the survey area that drain into Indian Canyon Creek. The characteristics of these streams are typical of ephemeral streams in mountainous terrain. Development of alluvial features such as floodplains and bankfull benches was generally lacking along the steeper drainages. East of Indian Canyon, the survey area traverses low, arid benchlands that include numerous ephemeral streams. The stream gradients in the area vary from steep to low-gradient. At lower gradients, development of alluvial features such as floodplains, braiding, low flow channels, and bankfull benches is generally present. Many portions of these streams are in good condition, but some segments are heavily disturbed by land uses such as oil and gas development. The areas have shown no signatures of saturation or inundation for the features or adjacent areas. There are no



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
				physical indicators of water persisting in these channels beyond response to rainfall.
Ditches: see JD Form Enclosure A for Exclusion Name	49,548	Linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	The study area supports 3.438 acres of non-jurisdictional ditches and canals. The AR delineation and Corps research has shown with data points and aerial photographs that 47 of the 48 ditches within the study area do not relocate a tributary or were constructed in a tributary or constructed in adjacent wetlands. Most of the ditches are located in Indian Canyon as diversions to Indian Canyon Creek. A few ditch segments were delineation in the Semiarid Benchlands Region. Therefore, since the features are not tributaries under (a)(2), exclusion (b)(5) applies for 47 of the ditches/canals within the study area.

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: [Aquatic Resources Delineation Report SPK-2019-00305 Uinta Basin Railway Seven County Infrastructure Coalition and Uinta Basin Railway, LLC dated November 23, 2020 prepared by HDR, LLC, Inc.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A.](#)

Data sheets prepared by the Corps: [N/A.](#)

Photographs: [Aerial: Aerial Imagery: GoogleEarth 7.3.3.7692. \(5 July 1997, 24 August 2004, 11 August 2005, 19 February 2006, 12 July 2006, 31 December 2005, 27 August 2009, 14 September 2011, 9 June 2012, 11 June 2012, 1 June 2013, 18 June 2015\). Uintah, Duchesne, Carbon, and Utah Counties, Utah. 40.148617 \(eastern terminus point\) and 39.839449 \(western terminus point\), -109.861781 \(eastern terminus point\) and -110.981295 \(western terminus point\) eye alt 3,395. Retrieved January 19, 2021 from <http://www.earth.google.com>.](#)

Corps site visit(s) conducted on: [N/A.](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [N/A.](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [N/A.](#)

USFWS NWI maps: [N/A.](#)

USGS topographic maps: [N/A.](#)



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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): The Corps Antecedent Precipitation Calculator Tool indicates that during the July-September 2014, April-November, 2019, and June-October 2020 delineation surveys, the study area was experiencing drier than normal conditions in July, normal conditions in August, and wetter than normal conditions in September and the drought index PDSI was indicating moderate to incipient drought. For the 2019 period, the project area was experiencing normal conditions in April and May, wetter than normal conditions in June, normal conditions in July and August, and drier conditions from September to the end of November. The drought index PDSI was indicating moderate wetness for April, extreme wetness for May and July, incipient drought for August, mild drought for September through November. For the 2020 period, the project area was experiencing wetter than normal conditions in the beginning of June with normal conditions until August, and drier than normal conditions until the end of October. The drought index PDSI was indicating a mild drought in June, a moderate drought in July, a severe drought in August, and extreme drought in September and October. Google Earth aerial photography including records from typically wet periods (February 2006) did not reveal the presence of surface water in ephemeral features. The photos included in the AR report were taken during the wet season and confirm the site conditions described in the reports' narrative. Therefore, based on the information documented during the aerial review, the site photographs, and the Corps Antecedent Precipitation Calculator Tool, the site conditions are reflective of a typical year.

C. Additional comments to support AJD: A review of historic aerials focusing on times of non-drought conditions, snowpack or when flows would be expected for ephemeral features, resulted in no signatures of saturation or inundation for the ephemeral features or adjacent areas. Waters within the study area were identified on available mapping and aerial photographs. A team of HDR scientist inspected the study area in person and reviewed each water body and to assess its condition. The inspections were done during July through September 2014, April through November 2019, and June through October 2020. Based on the information evaluated in this AJD, jurisdictional waters within the study area include the Price River, Beaver Creek, Kyune Creek, Horse Creek, Willow Creek, Pole Creek, Dry Fork, Indian Canyon Creek, Antelope Creek, 11 unnamed perennial channels, 19 intermittent unnamed channels, 19 ponds, 3 Impoundments, 33 wetlands delineated in the Prince River Region, 14 wetlands delineated in the Emma Park/Whitmore Park Region and 175 wetlands delineated in the Indian Canyon Region with the remaining 5 ponds, 1 wetland delineated in the Price River Region, 6 wetlands delineated in the Emma park/Whitmore Park Region, 9 wetlands delineated in the Indian Canyon Region, 5 wetlands delineated in the Semiarid Benchlands Region, 1,288 ephemeral streams, and 48 ditches excluded as waters of the U.S. per the (b)(3) of the NWPR.