



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):  
ORM Number: SPK-2020-00927  
Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)  
Review Area Location<sup>1</sup>:  
State/Territory: UT City: Moab County/Parish/Borough: Grand County  
Center Coordinates of Review Area: Latitude 38.744527 Longitude -109.76468

**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
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

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
Ephemeral Stream 1	1591 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Aerial imagery, ground photos, xeric vegetation within the channel (e.g., sagebrush ( <i>Artemisia tridentata</i> ), rabbitbrush ( <i>Ericameria nauseosa</i> ), and greasewood ( <i>Sarcobatus vermiculatus</i> )), the lack of hydrophytic and facultative shrub species typical of intermittent streams in this area (e.g., willows, tamarisk, mule-fat, etc.) are absent on this stream indicating water availability is insufficient to support species. As such, the National Wetlands Inventory's classification of this stream as intermittent is not supported. Therefore, the feature meets the criteria of a (b)(3) water as defined in paragraph (c)(3).

**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 Investigation for Armstrong Consultants, Inc. Canyonlands Field Airport Runway Extension Project*, dated November 17, 2020.  
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. 1.) Ground photos: Aquatic Resources Delineation Report Investigation for Armstrong Consultants, Inc. Canyonlands Field Airport Runway Extension Project, Appendix D, Habitat Photographs*, dated November 17, 2020.

2.) Aerial imagery: Google Earth Imagery (August 24, 2019; July 27, 2015; March 19, 2003). Moab, Utah. Latitude 38.744527 N, Longitude -109.76468 W, eye alt. 5862 feet. Retrieved January 12, 2021 from <http://www.earth.google.com>.  
Worldview (February 2, 2020; December 4, 2020). WV02 Strip Pan Sharpened Natural Color and Natural Color Multiple Mosaic Product, respectively. 20160d4fbac85cd51502bec7dfe84829 and 4a8a27f7524c7a699d78875acd01e1ec, respectively. Moab, Utah, USA; DigitalGlobe, Inc.

Corps Site visit(s) conducted on: *N/A*.

Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*.

Antecedent Precipitation Tool: *N/A*.

USDA NRCS Soil Survey: *Aquatic Resources Delineation Report Investigation for Armstrong Consultants, Inc. Canyonlands Field Airport Runway Extension Project, Appendix C, NRCS*

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*Soils Map*, dated November 17, 2020.

USFWS NWI maps: *Aquatic Resources Delineation Report Investigation for Armstrong Consultants, Inc. Canyonlands Field Airport Runway Extension Project, Figure 1, NWI Mapper*, dated November 17, 2020.

USGS topographic maps: *Aquatic Resources Delineation Report Investigation for Armstrong Consultants, Inc. Canyonlands Field Airport Runway Extension Project, Appendix B, 7.5 Minute Quadrangle Map*, dated November 17, 2020.

**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):** N/A.

**C. Additional comments to support AJD:** The ephemeral wash in the study area drains into the Colorado River approximately 17.4 miles downstream to the southeast. A review of aerial imagery from Google Earth and Digital Globe focusing on times of non-drought conditions, snowpack, and when flows would be expected for ephemeral features, resulted in no signatures of saturation or inundation for the study area or adjacent areas. Pre-field analysis for this project included a USFWS NWI map which indicated the potential presence of intermittent riverine features rather than ephemeral riverine features. The project's agent, HRL Compliance Solutions, Inc., conducted field work on November 11, 2020, and found no ordinary high water mark indicators throughout the study area and a low-flow channel with early stages of cryptobiotic soil formation, indicating infrequent large water events. Best available information did not indicate that the features within the study area flow except in response to precipitation events.

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