



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): April 1, 2021

ORM Number: SPK-2021-00115

Associated JDs: N/A

Review Area Location¹: 849 West Alan Point Drive

State/Territory: UT City: Draper County/Parish/Borough: Salt Lake County

Center Coordinates of Review Area: Latitude 40.5361 Longitude -111.9139

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: The property encompasses approximately 1.89 acres with 0.71 acre of vacant land. The U.S. Geological Service (USGS) topographic map shows a blue line on the west side of the property. This blue line is the Jordan River which is located approximately 400-feet to the west of the west boundary line. A second blue line can be observed to the east of the property. This 2nd blue line is a stream that was piped between 1997 and 2002, possibly as a result of the construction of the housing development on the east side of Alan Point Drive, across the street from the subject property. No records for piping of the stream were found from an ORM search. The U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) mapping shows no indications of wetlands within the property. The U.S. Department of Agriculture (USDA) Natural Resource Conservation Service Soil Survey shows hydric soils (Chipman Series) within most of the property with no hydrologic soils (Magna Series and Hillfield-Taylorsville Series) on the northeast and southwest ends of the property. A review of Digital Globe aeriels and Google Earth aeriels focused on the winter through early summer months with no hydrology signatures identified with the review area. This office verified No Permit Required (NPR) projects SPK-2020-00169 on February 26, 2020, and SPK-2021-00069 on March 12, 2021, two and three houses north of the subject site. A site visit for SPK-2020-00169 and a review of the site conducted virtually using remote tools for SPK-2021-00069 for the NPR reviews resulted in the identification of no aquatic resources in the area. LIDAR data retrieved on March 9, 2021, revealed that the elevations along the subject site and the neighboring properties are consistent.

The property owner provided a report dated February 2021 with photos of the site. Based on the information from the photos, active construction is taking place around the property. Although the subject area is at a lower elevation than the adjacent properties due to construction, the photos did not reveal the presence of potential aquatic features and clearly illustrate the lack of wetland indicators. Based on a review of the information provided by the property owner, the USGS topographic maps, USFWS NWI wetland mapper, USDA soils maps,

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 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.

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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historic aerials, and LIDAR data, the entire review area is comprised of dry land with no aquatic resources.

- 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

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

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

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
N/A	N/A	N/A	N/A

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.

 x Information submitted by, or on behalf of, the applicant/consultant: *89 West Alan Point drive Draper, Ut 84020 dated February 2021 prepared by Gilson Engineering, Inc.* This information is sufficient for purposes of this AJD.

¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

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Rationale: *N/A*

___ Data sheets prepared by the Corps: *N/A*

x Photographs: GoogleEarth 7.3.3.7692. (1985 December 30, 1997 October 3, 2002 May 3, 2003 August 18, 2004 August 24, 2004 October 4, 2005 June 23, 2005 July 11, 2005 December 31, 2006 July 31, 2007 April 27, 2009 June 22, 2010 June 17, 2011 September 14, 2013 June 4, 2015 June 16, 2016 July 8, 2017 June 15, 2019 September 10, 2019 July 18, 2019 October 10, 2020 May 31, 2020 September 11). Draper, Utah Latitude: 40.536423 Longitude: -111.914631, eye alt 882. Retrieved April 1, 2021.

___ Digital Globe. (2016 May 13, 2019 April 18, 2020 February 2). Draper, Utah Latitude: 40.536423 Longitude: -111.914631, zoom level 13 (3,000 feet). Retrieved April 1, 2021, from <https://evwhs.digitalglobe.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. N/A*

___ USDA NRCS Soil Survey: USDA – Web Soil Survey National Cooperative Soil Survey. Salt Lake Area, Utah. Retrieved April 1, 2021 from <https://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>

___ USFWS NWI maps: USFWS. (n.d.). National Wetland Inventory. Project area: Draper, Utah. Source imagery date: 1998 Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Washington, D.C.: U.S. Fish and Wildlife Service, Dept. of the Interior. Retrieved March 9, 2021 from Wetland Mapper: <https://www.fws.gov/wetlands/data/mapper.html>.

___ USGS topographic maps: USGS. (1909). Topographic Maps Midvale, UT 2020 1:24,000 scale. Reston, VA, USA: U.S. Dept. of the Interior. Retrieved March 9, 2021 from <https://ngmdb.usgs.gov/topoview/viewer/#12/42.2093/-111.0122>.

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	LIDAR Data – ARCMAP 10.5.1 Retrieved on March 9, 2021 Latitude: 40.5361 Longitude -111.9139

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

C. Additional comments to support AJD: *N/A*

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