



**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): 11/24/2020
 ORM Number: LRB 2020-01126
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Ohio City: Toledo County/Parish/Borough: Lucas
 Center Coordinates of Review Area: Latitude 41.715 Longitude -83.5911

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)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.

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 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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland A	6.257	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A is a 6.257 acres depressional wetland consisting of 5.59 acres of emergent wetland and 0.998 acre of forested wetlands. The wetland complex is located east of an existing school building and parking lot, south of a natural berm, west of residential area and north of Northover Road and a residential area. Based upon an October 28, 2020 site visit the wetland and is not located near nor does it have a connection to an a(1-3) water. There are no tributaries on the subject property or adjacent properties and the wetland is not located within the 100-year floodplain of an A1 or A2 water

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: [Waters Resources Delineation Report – 12 Acres, Northover Road, Toledo, Lucas County, Ohio – August 2020](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial and Other: Google Earth – 1993, 1994, 200, 2003 to 2006, 2009 to 2011, 2014 to 2016 and 2018. Consultant Photographs July 31, 2020 and October 27, 2020](#)

Corps site visit(s) conducted on: [28 October 2020](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\).](#)

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

USDA NRCS Soil Survey: [Title\(s\) and/or date\(s\).](#)

USFWS NWI maps: [Toledo](#)

USGS topographic maps: [Toledo – 1:24,000](#)

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.

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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B. Typical year assessment(s): The Antecedent Precipitation Tool determined precipitation were drier than normal and the areas was under mild drought conditions on the date of the the Consultants site visit of July 8, 2020 and the Corps site visit of October 28, 2020. On the July 8, 2020 site visit the Tool determined condition were dry as the observed at 1.685039 inches was below the 30 percentile of 1.696063 inches. The model also indicates that 30 days prior on June 8, 2020 that precipitation dry as the observed at 1.944882 inches was below the 30 percentile of 1.2.46378 inches. Sixty days prior the tool estimated precipitation was dry on May 9, 2020 as the observed precipitation was dry as the observed at 0.299213 inches was below the 30 percentile of 2.3874002 inches. .

The Antecedent Precipitation Tool indicated that on October 28, 2020 that precipitation was observed at 2.16291 inches which is between the 30 perecntile of 1.676772 inches and the 70 percentile of 2.648425 inches. Thirty days prior on September 28, 2020, precipitation rate was considered to be dry as the observed rate of 0.937008 inches was below the 30 percentile of 1.66811 inches. Sixty days prior the tool reports conditions were dry as the observed rate of 1.948819 inches was below the 30 percentile of 1.997244 inches.

C. Additional comments to support AJD: The Antecedent Percipitation Tool determined that precipitation was drier than normal and the area was under mild drought conditions for both the consultants site visit on July 8, 2020 and the Corps site visit on October 28, 2020. The wetland is located in a residential area with a school complex to the west, a natural berm and residential areas to the north and residential areas to the east and south.