



**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): 11/19/2020

ORM Number: LRB 2020-01117

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: Ohio City: Wapakoneta County/Parish/Borough: Auglaize

Center Coordinates of Review Area: Latitude 40.548489 Longitude -84.175667

**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 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)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Wetland 1	0.470	acre(s)	(b)(1) Non-adjacent wetland	Wetland 1 is a depressional wetland located in the center of a woodlot that is bordered to the north and west by agricultural fields a utility easement to the south and a residential wooded area to the east. Based upon a 27 October 2020 site visit the wetland and in not located near nor does it have a connection to an a(1-3) water. There are no tributaries on the subject property and the nearest mapped tributary is located to the west of Progress Drive. Wetland 1 is not located within the 100-year floodplain of an A1 or A2 water
Wetland 2	0.052	acre(s)	(b)(1) Non-adjacent wetland	Wetland 2 is a depressional wetland located in the east end and immediately north of Wetland 3. The woodlot is bordered to the north and west by agricultural fields a utility easement to the south and a residential wooded area to the east. Based upon a 27 October 2020 site visit the wetland and in not located near nor does it have a connection to an a(1-3) water. There are no tributaries on the subject property and the nearest mapped tributary is located to the west of Progress Drive. Wetland 2 is not located within the 100-year floodplain of an A1 or A2 water.
Wetland 3	0.061	acre(s)	(b)(1) Non-adjacent wetland	Wetland 3 is a depressional wetland located in the east end of a woodlot and immediately south of Wetland 2. The woodlot is bordered to the north and west by agricultural fields a utility easement to the south and a residential wooded area to the east. Based upon a 27 October 2020 site visit the wetland and in not located near nor does it have a connection to an a(1-3) water. There are no tributaries on the subject property and the nearest mapped tributary is located to the west of Progress Drive. Wetland 3 is not located within the 100-year floodplain of an A1 or A2 water
Wetland 4	0.082	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 4 is a depressional wetland located in the west end of the woodlot and received runoff from the adjacent agricultural area to the north. The woodlot is bordered to the north and west

<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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				by agricultural fields a utility easement to the south and a residential wooded area to the east. Based upon a 27 October 2020 site visit the wetland and in not located near nor does it have a connection to an a(1-3) water. There are no tributaries on the subject property and the nearest mapped tributary is located to the west of Progress Drive. Wetland 4 is not located within the 100-year floodplain of an A1 or A2 water.
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**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: Preliminary Jurisdictional Waters Determination (PJWDProject Name: Wapakoneta Greenhouse Expansion PJWDSite Location: 1902 Progress Drive, Wapakoneta, Ohio – August 7, 2020 and Preliminary Jurisdictional Waters Determination – Addendum #1 - November 3, 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 – 1994, 2004 to 2006, 2009 to 2012, 2014, 2016 and 2018. Consultant Photographs July 31, 2020 and October 27, 2020
- Corps site visit(s) conducted on: 27 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: Wapakoneta
- USGS topographic maps: Wapakoneta – 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.

**B. Typical year assessment(s):** The Antecedent Precipitation Tool determined precipitation were normal on the date of the the Consultants site visit on July 31, 2020 and Corps site visit of October 27, 2020. On the July 31, 2020 site visit the Tool determined condition were normal as the observed precipitation of 3.57874 inches was between the 30 percentile of 2.651181 inches and the 70 percentile of 5.262992 inches. The model also indicates that 30 days prior on July 1, 2020 that precipitation of 2.334646 inches was considered dry conditions as precipitatio was below the 30 percentile of 2.912992 inches. Sixty days prior



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the tool estimated precipitation was normal on June 1, 2020 as the observed precipitation of 5.523622 inches was between the 30 percentile of 2.355906 inches and the 70 percentile of 5.543701 inches. .

The Antecedent Precipitation Tool indicated that on October 27, 2020 the precipitation was observed at 3.492126 inches was above the 70 percentile of 3.205118 inches. Thirty days prior on September 27, 2020, precipitation rate was considered to be normal as the observed rate of 3.720473 inches was between the 30 percentile of 2.141732 inches and the 70 percentile of 3.902756 inches. Sixty days prior the tool reports conditions were dry as the observed rate of 1.433071 inches was below the 30 percentile of 2.52126 inches.

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