



**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): 11/16/2020

ORM Number: LRB 2020-01118

Associated JDs: N/A

Review Area Location¹: State/Territory: Ohio City: Henry Township County/Parish/Borough: Wood

Center Coordinates of Review Area: Latitude 41.19635 Longitude -83.72622

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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
N/A	N/A	acre(s)	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.	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	acre(s)	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
Ditch 1	700	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This feature is a linear ephemeral roadside ditch that contains an ordinary highwater mark but lacks any indication of consistent flow. Much of the ditch bottom contained plastic water bottles and woody debris that contained sediment deposits and appeared to have been in the ditch bottom for an extended period. It did not appear there was much movement of water downstream (north) as blackened leaves from the past year(s) were still present in the ditch bottom. There is no indication the ditch was constructed within or is adjacent to any wetland areas. No water was observed in the ditch at the time of the site visit and no water is observed in the ditch in the latest Google Earth aerial on April 4, 2018 and April 4, 2016.

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: [Title\(s\) and date\(s\)](#)
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: [Sampling Plots 1 to 3, 27 October 2020](#)
- Photographs: [Aerial and Other: Google Earth – 1994, 2004-2006, 2009-2011 and 2014-2016 and 2018; Wood County Auditor – 2006, 2009, 2012, 2015 and 2018 and Site Photos – 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: [NRCS Websoil Survey](#)
- USFWS NWI maps: [USFWS North Baltimore 21 August 2020](#)
- USGS topographic maps: [North Baltimore, Ohio - 1:24,000](#)

Other data sources used to aid in this determination:

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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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 was normal on the date of the the Corps site visit of October 27, 2020 and the dates of the latest Google Earth aerials of April 18, 2018 and April 16, 2016. On the October 27, 2020 site visit the Tool determined area was in a mild drought however overall precipitation for the 60 day review period was normal. Precipitation on the date of the site visit was determined be wet as the observed 4.700788 was above the 70 percentile of 3.243307. The model also indicates that 30 days prior on September 27, 2020 that precipitation was 1.559055 which was below the 30 percentile of 1.834252 and considered to be dry conditions. Sixty days prior the tool estimated precipitation was wet on August 28, 2020 as the observed precipitation was 4.374016 which was above the 70 percentile of 4.275984.

The Antecedent Precipitation Tool indicates that on April 18, 2018, that precipitation was observed at a rate of 3.72441 which is normal between the 30 percentile of 2.44252 and the 70 percentile of 3..807874. Thirty days prior on March 3, 2018, precipitation rate was considered to be wet as the observed rate of 3.807087 was above the 70 percentile of 2.845669. Sixty days prior the tool reports conditions were normal as the observed rate of 1.937008 was between the 30 percentile of 1.388583 and the 70 percentile of 2.258268.

The Antecedent Precipitation Tool indicates that on April 22, 2016, that precipitation was observed at a rate of 3.413386 which is normal between the 30 percentile of 2.478347 and the 70 percentile of 3.945276. Thirty days prior on March 17, 2016, precipitation rate was considered to be wet as the observed rate of 3..496063 was above the 70 percentile of 2.737008. Sixty days prior the tool reports conditions were dry as the observed rate of 0.905512 was below the 30 percentile of 1.46378.

C. Additional comments to support AJD: .