



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): July 20, 2021  
ORM Number: LRB-2021-00445  
Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)  
Review Area Location<sup>1</sup>:  
State/Territory: OH City: County/Parish/Borough: Lorain County  
Center Coordinates of Review Area: Latitude 41.389178 Longitude -82.005818

**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 and 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
Wetland A	0.15 acres	(b)(1) Non-adjacent wetland	<p>Wetland A is located in a wooded area along the eastern property boundary. The wooded area is bordered to the east by Ranger Way, to the north by the Ridgeville Fire Station, to the east and south by a yard waste recycling facility. The wetland extends south from the northern property boundary. There are no tributaries near this wetland or on the adjacent property to the north and the wetland is not located within the 100-year floodplain of an (a)(1) or (a)(2) water. The wetland is reported to consist of the Olmsted loam, sandstone substratum which has a hydric rating of 100 and a flooding frequency rating reported as "none". The nearest (a)(2) water is French Creek is approximately 500 feet to the north. French Creek is separated from this property by a commercial development. A review of the USGS map and aerial photographs do not indicate the presence of any other potential (a)(1), (2), or (3) waters near Wetland A.</p> <p>Wetland A is not an:</p> <p>(a)(1) Assessment: The wetland is not an (a)(1) traditional navigable water or a water subject to the ebb and flow of the tide. The wetland is not on the Buffalo District Section 10 list, has not been determined by a Federal Court to be navigable under Federal law, and does not meet the legal definition of navigable-in-fact. The wetland has not been used, is not currently being used, and is not susceptible of being used (with or without reasonable improvements), as a highway for commerce over which trade and travel are, or may be conducted in the customary modes of trade and travel on water. The wetland does not support navigation of any sort and is hundreds of miles from the nearest tidal water.</p> <p>(a)(2) Assessment: The wetland is not a naturally occurring surface water channel, or a constructed or excavated channel used to convey water and therefore, is not an (a)(2) water.</p> <p>(a)(3) Assessment: The wetland does not meet the definition of an (a)(3) water as it is not a lake, pond, or impoundment of a jurisdictional water. The wetland is not a standing body of open water. Mapping resources do not indicate that a water of the U.S. previously existed in this location.</p> <p>(a)(4) Assessment: The subject wetland has been</p>

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<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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			<p>determined to not be "adjacent" to a paragraph (a)(1), (2), or (3) water. Each adjacency criteria is assessed below:</p> <ul style="list-style-type: none"> <li>•(i) The wetland does not abut/touch a water identified in paragraph (a)(1), (2), or (3) at any point or any side. The wetland is surrounded by upland on all sides as verified by the Corps in the field during the June 3, 2021 site visit. The nearest potential (a)(1), (2), or (3) water is French Creek, (See Section IIIC)</li> <li>•(ii) The wetland is not inundated by flooding from a water identified in paragraph (a)(1), (2), or (3) in a typical year. The wetland is located within FEMA Flood Zone X (area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level).</li> <li>•(iii) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by a natural berm, bank, dune, or similar natural feature.</li> <li>•(iv) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by an artificial dike, barrier, or similar artificial structure. . The wetland is not part of a larger wetland divided by a road or similar artificial structure.</li> </ul>
Wetland B	0.05 acres	(b)(1) Non-adjacent wetland	<p>Wetland B located in the southeast corner of the property, south of Wetland A. The wetland is in an area in which the trees were removed sometime after May 2017. There are no tributaries near this wetland or on the adjacent property to the north and the wetland is not located within the 100-year floodplain of an (a)(1) or (a)(2) water. The wetland is reported to consists of the Olmsted loam, sandstone substratum which has a hydric rating of 100 and a flooding frequency rating reported as "none". The nearest (a)(2) water is French Creek is approximately 1,000 feet to the north. French Creek is separated from this property by a commercial development.</p> <p>Wetland B is not an:</p> <p>(a)(1) Assessment: The wetland is not an (a)(1) traditional navigable water or a water subject to the ebb and flow of the tide. The wetland is not on the Buffalo District Section 10 list, has not been determined by a Federal Court to be navigable under Federal law, and does not meet the legal definition of navigable-in-fact. The wetland has not been used, is not currently being used, and is not susceptible of being used (with or without reasonable improvements), as a highway for commerce over which trade and travel are, or may be conducted in the customary modes of trade and travel on water. The wetland does not support navigation of any sort and is hundreds of miles from the nearest tidal water.</p> <p>(a)(2) Assessment: The wetland is not a naturally</p>

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			<p>occurring surface water channel, or a constructed or excavated channel used to convey water and therefore, is not an (a)(2) water.</p> <p>(a)(3) Assessment: The wetland does not meet the definition of an (a)(3) water as it is not a lake, pond, or impoundment of a jurisdictional water. The wetland is not a standing body of open water. Mapping resources do not indicate that a water of the U.S. previously existed in this location.</p> <p>(a)(4) Assessment: The subject wetland has been determined to not be "adjacent" to a paragraph (a)(1), (2), or (3) water. Each adjacency criteria is assessed below:</p> <ul style="list-style-type: none"> <li>•(i) The wetland does not abut/touch a water identified in paragraph (a)(1), (2), or (3) at any point or any side. The wetland is surrounded by upland on all sides as verified by the Corps in the field during the June 3, 2021 site visit. The nearest potential (a)(1), (2), or (3) water is French Creek, (See Section IIIC)</li> <li>•(ii) The wetland is not inundated by flooding from a water identified in paragraph (a)(1), (2), or (3) in a typical year. The wetland is located within FEMA Flood Zone X (area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level).</li> <li>•(iii) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by a natural berm, bank, dune, or similar natural feature.</li> <li>•(iv) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by an artificial dike, barrier, or similar artificial structure. . The wetland is not part of a larger wetland divided by a road or similar artificial structure.</li> </ul>
Wetland C	0.002 acres	(b)(1) Non-adjacent wetland	<p>Wetland C is in the northwest corner of the property, near the toe of slope of a large fill pile, that extends north to south across the property. The wooded area is bordered to the to the north by the Ridgeville Fire Station, to the west by a residential area and the south by a yard recycling facility. An unnamed tributary to French Creek is located approximately 100 feet to the north. This tributary is linear and appears to be a ditch. The wetland is not located within the 100-year floodplain of an (a)(1) or (a)(2) water. The wetland is reported to consists of the Olmsted loam, sandstone substratum which has a hydric rating of 100 and a flooding frequency rating reported as "none". The nearest (a)(2) water is French Creek is approximately 500 feet to the north. French Creek is separated from this property by a commercial development.</p> <p>Wetland C is not an:          (a)(1) Assessment: The wetland is not an (a)(1)</p>

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			<p>traditional navigable water or a water subject to the ebb and flow of the tide. The wetland is not on the Buffalo District Section 10 list, has not been determined by a Federal Court to be navigable under Federal law, and does not meet the legal definition of navigable-in-fact. The wetland has not been used, is not currently being used, and is not susceptible of being used (with or without reasonable improvements), as a highway for commerce over which trade and travel are, or may be conducted in the customary modes of trade and travel on water. The wetland does not support navigation of any sort and is hundreds of miles from the nearest tidal water.</p> <p>(a)(2) Assessment: The wetland is not a naturally occurring surface water channel, or a constructed or excavated channel used to convey water and therefore, is not an (a)(2) water.</p> <p>(a)(3) Assessment: The wetland does not meet the definition of an (a)(3) water as it is not a lake, pond, or impoundment of a jurisdictional water. The wetland is not a standing body of open water. Mapping resources do not indicate that a water of the U.S. previously existed in this location.</p> <p>(a)(4) Assessment: The subject wetland has been determined to not be "adjacent" to a paragraph (a)(1), (2), or (3) water. Each adjacency criteria is assessed below:</p> <ul style="list-style-type: none"> <li>•(i) The wetland does not abut/touch a water identified in paragraph (a)(1), (2), or (3) at any point or any side. The wetland is surrounded by upland on all sides as verified by the Corps in the field during the June 3, 2021 site visit. The nearest potential (a)(1), (2), or (3) water is French Creek, (See Section IIIC)</li> <li>•(ii) The wetland is not inundated by flooding from a water identified in paragraph (a)(1), (2), or (3) in a typical year. The wetland is located within FEMA Flood Zone X (area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level).</li> <li>•(iii) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by a natural berm, bank, dune, or similar natural feature.</li> <li>•(iv) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by an artificial dike, barrier, or similar artificial structure. . The wetland is not part of a larger wetland divided by a road or similar artificial structure.</li> </ul>
Wetland D	0.003 acres	(b)(1) Non-adjacent wetland	Wetland D is in the southwest corner of the property, near the toe of slope of a large fill pile, that extends north to south across the property. The wooded area is bordered to the to the south by a yard recycling facility.

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			<p>An unnamed tributary to French Creek is located approximately 100 feet to the north. This tributary is linear and appears to be a ditch. The wetland is not located within the 100-year floodplain of an (a)(1) or (a)(2) water. The wetland is reported to consist of the Olmsted loam, sandstone substratum which has a hydric rating of 100 and a flooding frequency rating reported as "none". The nearest (a)(2) water is French Creek is approximately 500 feet to the north. French Creek is separated from this property by a commercial development.</p> <p>Wetland D is not an:</p> <p>(a)(1) Assessment: The wetland is not an (a)(1) traditional navigable water or a water subject to the ebb and flow of the tide. The wetland is not on the Buffalo District Section 10 list, has not been determined by a Federal Court to be navigable under Federal law, and does not meet the legal definition of navigable-in-fact. The wetland has not been used, is not currently being used, and is not susceptible of being used (with or without reasonable improvements), as a highway for commerce over which trade and travel are, or may be conducted in the customary modes of trade and travel on water. The wetland does not support navigation of any sort and is hundreds of miles from the nearest tidal water.</p> <p>(a)(2) Assessment: The wetland is not a naturally occurring surface water channel, or a constructed or excavated channel used to convey water and therefore, is not an (a)(2) water.</p> <p>(a)(3) Assessment: The wetland does not meet the definition of an (a)(3) water as it is not a lake, pond, or impoundment of a jurisdictional water. The wetland is not a standing body of open water. Mapping resources do not indicate that a water of the U.S. previously existed in this location.</p> <p>(a)(4) Assessment: The subject wetland has been determined to not be "adjacent" to a paragraph (a)(1), (2), or (3) water. Each adjacency criteria is assessed below:</p> <ul style="list-style-type: none"> <li>•(i) The wetland does not abut/touch a water identified in paragraph (a)(1), (2), or (3) at any point or any side. The wetland is surrounded by upland on all sides as verified by the Corps in the field during the June 3, 2021 site visit. The nearest potential (a)(1), (2), or (3) water is French Creek, (See Section IIIC)</li> <li>•(ii) The wetland is not inundated by flooding from a water identified in paragraph (a)(1), (2), or (3) in a typical year. The wetland is located within FEMA Flood</li> </ul>
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			Zone X (area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level). •(iii) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by a natural berm, bank, dune, or similar natural feature. •(iv) The wetland is not physically separated from a water identified in paragraph (a)(1), (2), or (3) only by an artificial dike, barrier, or similar artificial structure. . The wetland is not part of a larger wetland divided by a road or similar artificial structure.
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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: *Wetland Delineation Report - ~4.3 Acre Study Area, Rangers Way, North Ridgeville, Ohio Proposed New Police Station Site – March 15, 2021 (Revised June 10, 2021).*  
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: *Google Earth – 2020 AUG 20, 2020 SEP 17, 2018 JUL 6, 2017 MAY 14, 2016 OCT 25 JUN 11 and, 2015 JUL 3, 2014 JUN 14, 2012 APR 6, 2011 OCT 27, 2010 MAY 29, 2009 DEC 31 AND JUN 4, 2007 MAY 32, 2006 FEB 28, 2005 JUN 20, 2004 JUN 3, 2002 DEC 31, 2000 OCT 19 AND 1994 APR 19. Connect Explorer - 2021 MAR 13, 2020 APR 11, 2019 MAY 15, 2018 APR 07, 2017 OCT 17 and APR 8, 2016 MAR 22, 2015 APR 29, 2014 DEC 4, 2013 DEC 4 AND 2011 JUL 20,*
- Corps Site visit(s) conducted on: *3 JUN 2021).*  
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: *USDA NRCS Web – 3 Jun and 12 July 2021*
- USFWS NWI maps: *NWI – Wetland Mapper - 3 Jun and 12 July 2021*
- USGS topographic maps: *1901 Oberlin 1:62500, 1953, 1963, 1994, 2010 2019 Avon 1:24000*

**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.

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**B. Typical year assessment(s):** The APT evaluates normal precipitation conditions based on the three 30-day periods preceding the observation date. For each period, a weighted condition value is assigned by determining whether the 30-day precipitation total falls within, above, or below the 70th and 30th percentiles for totals from the same date range over the preceding 30 years. The APT then makes a determination of “normal,” “wetter than normal,” or “drier than normal” based on the condition value sum. The APT also displays results generated via the Palmer Drought Severity Index (PDSI) and the University of Delaware WebWIMP.

Inputs/Data Sources

Weather Stations: Cleveland, Elyria, North Ridgeville 2.4 SSW and North Ridgeville 2.8 SSW

Latitude	Longitude	Date	PDSI Value	PDSI Class	Season	ARC Score	Antecedent Precip Condition
41.3892	-82.0058	6/3/2021	-1.2	Mild drought	Dry Season	11	Normal Conditions
41.3892	-82.0058	3/10/2021	-1.24	Mild drought	Wet Season	7	Drier than Normal
41.3892	-82.0058	8/20/2020	-1.47	Mild drought	Dry Season	12	Normal Conditions
41.3892	-82.0058	9/17/2019	2.6	Moderate wetness	Dry Season	11	Normal Conditions
41.3892	-82.0058	7/6/2018	1.47	Mild wetness	Dry Season	17	Wetter than Normal
41.3892	-82.0058	6/11/2016	-0.72	Incipient drought	Dry Season	10	Normal Conditions
41.3892	-82.0058	10/25/2015	2.04	Moderate wetness	Wet Season	11	Normal Conditions
41.3892	-82.0058	7/3/2015	2.54	Moderate wetness	Dry Season	14	Normal Conditions
41.3892	-82.0058	6/14/2014	3.3	Severe wetness	Dry Season	12	Normal Conditions
41.3892	-82.0058	4/6/2012	3.73	Severe wetness	Wet Season	13	Normal Conditions
41.3892	-82.0058	10/27/2011	5.85	Extreme wetness	Wet Season	18	Wetter than Normal

<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 and 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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41.3892	-82.0058	6/29/2010	0.98	Incipient wetness	Dry Season	11	Normal Conditions
41.3892	-82.0058	12/31/2009	-0.94	Incipient drought	Wet Season	10	Normal Conditions
41.3892	-82.0058	6/4/2009	0.05	Normal	Dry Season	13	Normal Conditions
41.3892	-82.0058	5/31/2007	2.28	Moderate wetness	Wet Season	9	Drier than Normal
41.3892	-82.0058	2/28/2006	0.78	Incipient wetness	Wet Season	14	Normal Conditions
41.3892	-82.0058	6/20/2005	-1.7	Mild drought	Dry Season	10	Normal Conditions
41.3892	-82.0058	6/3/2004	3.39	Severe wetness	Dry Season	16	Wetter than Normal
41.3892	-82.0058	12/31/2002	-1.6	Mild drought	Wet Season	16	Wetter than Normal
41.3892	-82.0058	10/19/2000	2.79	Moderate wetness	Wet Season	14	Normal Conditions
41.3892	-82.0058	4/19/1994	-0.71	Incipient drought	Wet Season	12	Normal Conditions

**C. Additional comments to support AJD:** The Corps site visit June 3, 2021 was conducted during the wet season during a mild drought but under normal conditions in the dry season. The consultant's delineation on March 10, 2021 was in the wet season during a mild drought under drier than normal conditions. A review of aerial photographs did not depict any hydrological connections between the wetlands on site and French Creek located to the north of the property.

<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.

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