



**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): [January 4, 2021](#).

ORM Number: [SPK-2020-00905](#).

Associated JDs: [N/A](#).

Review Area Location¹: State/Territory: [Utah](#). City: [Syracuse](#). County/Parish/Borough: [Davis](#).

Center Coordinates of Review Area: Latitude [41.073324](#). Longitude [-112.068420](#).

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 Johnson/Rampton study/review area encompasses approximately 37.8 acres. The project site has been used historically as irrigated pasture. The source of hydrology that is suggested by historic images has been irrigation. Based on information in the Aquatic Resources \(AR\) Delineation Report for the Johnson/Rampton Property dated November 19, 2020, irrigation of the site has been diverted from the property. Active irrigation ended in 2017 and water was later diverted in 2020 at an upstream water control structure and no longer reaches the property. The property is bisected east-to-west by an abandoned irrigation ditch. The AR report indicates that hydrophytic vegetation was documented in 7 of the 9 sampling areas which are dominated by Baltic rush \(*Juncus balticus*\). The consultant installed nine groundwater monitoring wells to document hydrology at the site. No water was documented during the monitoring of the wells which occurred every 3 days from April 22, 2020 to June 30, 2020. The assessment of the site also revealed that none of the sampling areas exhibit hydric soil indicators. The aerial photos reviewed focused on the winter through early summer months with no hydrology signatures identified with the review area. A search of records indicates a previous delineation for this area which identified aquatic resources on-site. This previous delineation was done in July, 2017 as part of the West Davis Corridor project \(SPK-2007-01985\). In addition, the National Wetland Inventory map identifies potential wetlands on-site; however, the site was field check as part of the current approved jurisdictional determination review by the consultant and resulted in the identification of only the hydrophytic vegetation parameter in 7 of the 9 sample sites. The delineation report included photos of each of the potential aquatic resource features and clearly illustrated the lack of soils and hydrology required for wetland determination. Therefore, the entire 37.8 acre review area is 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).

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



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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. acres	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. acres	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. acres	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. acres	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. acres	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. acres	N/A.	N/A.

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.

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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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: [Aquatic Resources Delineation Report for the Johnson/Rampton Property prepared by Kagel Environmental, LLC dated November 19, 2020.](#)

This information *is* sufficient for purposes of this AJD.
Rationale: *N/A.*

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

Photographs: *Aerial: GoogleEarth 7.3.3.7692. (15 July 1997, 12 June 2003, 18 August 2003, 24 August 2004, 17 April 2004, 31 December 2005, 12 July 2006, 31 July 2006, 22 June 2009, 17 June 2010, 14 September 2011, 4 June 2013, 16 June 2015, 8 July 2016, 17 June 2017, 10 September 2018, 18 July 2019, 31 May 2020). Davis County, Utah 41.0731467 -112.0652321, eye alt 4988 ft. Retrieved December 31, 2020 from <http://www.earth.google.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.*

USDA NRCS Soil Survey: *N/A.*

USFWS NWI maps: *N/A.*

USGS topographic maps: *N/A.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	<i>N/A.</i>
USDA Sources	<i>N/A.</i>
NOAA Sources	<i>N/A.</i>
USACE Sources	<i>N/A.</i>
State/Local/Tribal Sources	<i>N/A.</i>
Other Issues	<i>N/A.</i>

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

C. Additional comments to support AJD: *This office has verified two No Permit Required projects (SPK-1998-50207 and SPK-1997-50114) in the vicinity of the review area and an Approved Jurisdictional Determination (SPK-2007-00676), none of these projects resulted with the identification of any aquatic resources and permits SPK-2019-00650 for a linear transportation project and utility line and SPK-2020-0032 for a residential development which resulted in impacts to aquatic resources.*