



**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): [March 12, 2021](#).
 ORM Number: [SPK-2021-00094](#).
 Associated JDs: [N/A](#).
 Review Area Location¹: State/Territory: [CA](#). City: [Vacaville](#). County/Parish/Borough: [Solano](#).
 Center Coordinates of Review Area: Latitude [38.39633](#). Longitude [-121.95086](#).

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](#).
- 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. 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

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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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
SW-1.	0.012	acre	(b)(1) Non-adjacent wetland	The SW-1 wetland does not abut, nor is it otherwise directly connected to, an (a)(1) through (a)(4) water. The subject wetland also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water. There are no man-made berms to separate the SW-1 wetland from any (a)(1) through (a)(4) waters.
SW-2	0.088	acre	(b)(1) Non-adjacent wetland	The SW-1 wetland does not abut, nor is it otherwise directly connected to, an (a)(1) through (a)(4) water. The subject wetland also does not lie within the typical year floodplain of an (a)(1) through (a)(4) water. There are no man-made berms to separate the SW-1 wetland from any (a)(1) through (a)(4) waters.

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: [HennerTank_ARD_report, March 9, 2020.](#)

This information **is** sufficient for purposes of this AJD.

Rationale: [N/A.](#)

- Data sheets prepared by the Corps: .
- Photographs: [Aerial and Other. HennerTank_ARD_report, March 9, 2020.](#)
- Corps site visit(s) conducted on: .
- Previous Jurisdictional Determinations (AJDs or PJDs): .
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [20210209_NRCS_Soil_Survey, February 9, 2021.](#)
- USFWS NWI maps: [SPK-2021-00094 NWI View, February 9, 2021.](#)
- USGS topographic maps: [The National Map - Topo, February 9, 2021.](#)

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 Issues	N/A.

B. Typical year assessment(s): [N/A](#)

C. Additional comments to support AJD: [The AJD review area consists of a 5.14 acre parcel bounded on the north by a trailer sales lot, on the east by the I-505 South Bound off-ramp, on the south by a gas station with a drive thru restaurant, and to the west by Crocker Drive. There are no stormwater management features such as ditches, swales, or other drainage features adjacent to the subject property. The NRCS Soil Survey results demonstrates the soils in the review are comprised of Altamont clay and Corning gravelly loam, both non-hydric soils. The topographic map shows there is a shallow depression adjacent to Crocker Road and along the eastern boundary, which collects rainwater and creates isolated seasonal wetland features.](#)