



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 13, 2021

ORM Number: SPK-2000-50057

Associated JDs: N/A

Review Area Location¹:

State/Territory: UT City: Logan County: Cache County

Center Coordinates of Review Area: Latitude 41.7106 Longitude -111.8403

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

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

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):

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 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.

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 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.

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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(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A	N/A	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
Wetland	2.22 acres	(b)(1) Non-adjacent wetland	Wetland is separated by approximately 232 feet from Spring Creek by a paved road. There are no culverts or other conveyance measures that connect this wetland to Spring Creek. This wetland is a remote isolated wetland since there is no hydrologic surface connection between the wetland and a paragraph (a)(1) through (3) water. A remote isolated wetland meets the (b)(1) exclusion.

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 Resource Delineation Report Johnson Property originally submitted November 2017, revised June 2021, submitted by Coleman Kline of the Civil Solutions Group, Inc.
This information is sufficient for purposes of this AJD.
Rationale: N/A.
- Data sheets prepared by the Corps: Title(s) and/or date(s).
- Photographs: (aerial and other) Aerials and photos included in the AR report for a site inspection done on June. Google Maps accessed on 6/29/2021.
- Corps Site visit(s) conducted on: Date(s).
- Previous Jurisdictional Determinations (AJD): A jurisdictional determination was issued for the site on January 1, 2001.
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: Aquatic Resource Delineation Report, Figure 4 dated 11/2/2017.
- USFWS NWI maps: Aquatic Resource Delineation Report, Figure 5 dated 11/2/2017.
- USGS topographic maps: Title(s) and/or date(s).

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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): N/A.

C. Additional comments to support AJD: The wetland is separated from Spring Creek by a paved road. The study area is a concave area surrounded by commercial development to the east, a state highway to the northwest, and a road to the south. One culvert inlet was observed within the project area in the southwest corner. Any water that would enter the inlet flows into the regional stormwater system. The drainage system conveys stormwater to the south and then empties into a wetland swale off-site to the east of project area. The project area has no drainage connection to the concrete stormwater system, or the off-site wetland swale. There are no culvert connections to any jurisdictional features. Based on information in the AR report, the wetland is supported by a high groundwater table as there was no evidence of a surface-water connection.

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