



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): 30-SEP-2020

ORM Number: LRE-2020-02078-146-J20

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: Indiana City: LaPorte County/Parish/Borough: LaPorte County

Center Coordinates of Review Area: Latitude 41.566903 Longitude -86.62875

**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 review area is comprised of entirely dryland. No jurisdictional aquatic features or non-jurisdictional aquatic features meeting the definition of excluded waters were observed during the September 22, 2020, site inspection. See Section III. C. for additional information.
- 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

<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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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

**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
N/A	N/A	N/A	N/A

**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.

**XX** Information submitted by, or on behalf of, the applicant/consultant: *Steven Brown, JD Request Submittal.*

This information is and is not sufficient for purposes of this AJD.

Rationale: *No delineation was submitted with the Request for Corps Jurisdictional Determination. The Corps prepared its own data sheet following the September 22, 2020, Site Inspection.*

**XX** Data sheets prepared by the Corps: *Dykstra Property, September 22, 2020.*

**XX** Photographs: *Beacon GIS Aerial Imagery, LaPorte County, 2018, 2020; Site Inspection Photographs, 2020.*

**XX** Corps Site visit(s) conducted on: *Site Inspection Report in Case File, September 22, 2020.*

Previous Jurisdictional Determinations (AJDs or PJDs): *N/A.*

Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

**XX** USDA NRCS Soil Survey: *USDA Web Soil Survey, LaPorte County.*

**XX** USFWS NWI maps: *USFWS Online Wetlands Mapper (NWI).*

**XX** USGS topographic maps: *1:24,000, IN- Laporte East.*

**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:** *Review of the applicable resource maps listed above, indicated the review area did not contain jurisdictional aquatic resources and/or excluded features.*

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The U.S. Fish and Wildlife Service National Wetland Inventory (NWI) did indicate the potential presence of a forested wetland immediately east of South 350 East through much of the review area. However, a data point collected within the boundary of the NWI polygon indicated this area was upland and did not meet wetland criteria. Based upon the September 22, 2020, site inspection, no other features were observed within the review area that met the definition of a jurisdictional water of the United States or excluded feature.

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