



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): 21-DEC-2020
ORM Number: LRE-2020-02715-146-J20
Associated JDs: N/A
Review Area Location¹: 2.2 acre parcel at 8626 South 100 West
State/Territory: Indiana City: Union Mills County/Parish/Borough: LaPorte County
Center Coordinates of Review Area: Latitude 41.481687 Longitude -86.72044

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 entirely of dry land. No jurisdictional aquatic features or non-jurisdictional aquatic features meeting the definition of excluded waters were observed during the December 18, 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)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

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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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))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	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: *Wetland Delineation Report – Shultz Property, prepared by Cardno, Inc., dated October 23, 2020.*

This information is sufficient for purposes of this AJD.

Rationale: *N/A*

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

XX Photographs: *Beacon GIS Aerial Imagery, LaPorte County, 2018, 2020; Wetland Delineation Photographs, October 19, 2020; Site Inspection Photographs, December 18, 2020.*

XX Corps Site visit(s) conducted on: *Site Inspection Report in Case File, December 18, 2020.*

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

Antecedent Precipitation Tool: *N/A*.

XX USDA NRCS Soil Survey: *Wetland Delineation Report, Figure 3, Soil Map.*

XX USFWS NWI maps: *Wetland Delineation Report, Figure 2, National Wetland Inventory.*

XX USGS topographic maps: *1:24,000, IN- Kingsford Heights.*

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. The U.S. Fish and Wildlife Service National Wetland Inventory (NWI) did indicate the potential presence of a forested wetland near the western portion of the review area. However, data points

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collected by the consultant within the boundary of the NWI polygon indicate the area was upland and did not meet wetland criteria. This was confirmed during the site inspection. Further, based upon the December 18, 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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