



**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): 1/14/2021

ORM Number: LRE-2020-02838-237-A20

Associated JDs: na

Review Area Location¹: State/Territory: Michigan City: Mt. Pleasant County/Parish/Borough: Isabella

Center Coordinates of Review Area: Latitude 43.6171 Longitude -84.7391

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):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) 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 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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Brehms Lake Home wetlands	7.0 acre(s)	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) subcategories.	In-office resources (aerial photos, soil maps, topo maps, and Isabella County GIS show subject wetlands unable to contribute surface water flow to downstream waters and strongly suggests it cannot be inundated by flooding by other waters; 14 Jan 2021 site inspection confirmed no surface water connections from subject wetlands to downstream waters. A ditch/drain along Airport Road could possibly link the subject wetlands—including on property to the west—to the Hance Improvement Drain; however, the Airport Road ditch is man-made and does not appear to be taking the role/place of a formerly natural watercourse (it shows up as a ditch in 1930, 1971, and subsequent topo maps).

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: [location maps submitted by Saginaw Chippewa Indian Tribe and 2008 delineation report by consultants to Tribe](#)

This information is sufficient for purposes of this AJD.

Rationale: [na](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).
- Photographs: [Select. Title\(s\) and/or date\(s\)](#).
- Corps site visit(s) conducted on: [14Jan2021](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\)](#).
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Isabella County Soil Survey 1985](#)
- USFWS NWI maps: [date unknown, in ORM2](#)
- USGS topographic maps: [1930, 1971](#)

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.

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.

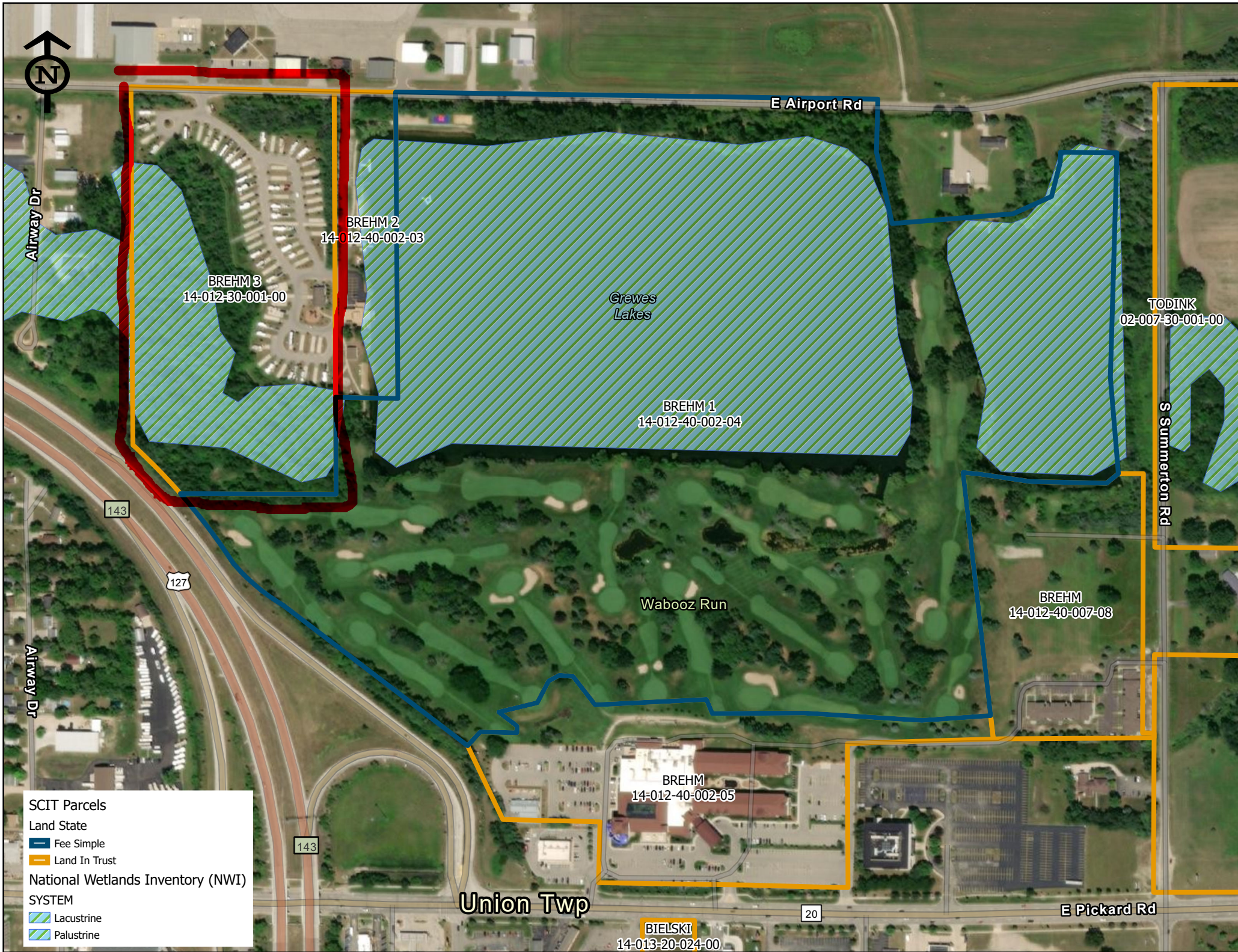


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Data Source (select)	Name and/or date and other relevant information
USACE Sources	N/A.
State/Local/Tribal Sources	See above
Other Sources	Google Earth aerial photography, several years 1998-2015

B. Typical year assessment(s): [na](#)

C. Additional comments to support AJD: [uncertain on approximate size of excluded wetlands as consultant's report is from 2008 and we had no need to perform a delineation](#)



SCIT Parcels

Land State

- Fee Simple
- Land In Trust

National Wetlands Inventory (NWI) SYSTEM

- Lacustrine
- Palustrine

BREHM 2
14-012-40-002-03

BREHM 3
14-012-30-001-00

Grewes
Lakes

BREHM 1
14-012-40-002-04

TODINK
02-007-30-001-00

143

127

Wabooz Run

BREHM
14-012-40-007-08

Airway Dr

S Summerton Rd

143

Union Twp

BREHM
14-012-40-002-05

20

E Pickard Rd

BIELSKI
14-013-20-024-00