



**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): 2/8/2021

ORM Number: LRE-2021-00062-175-J20

Associated JDs: NA

Review Area Location¹: State/Territory: Indiana City: Grovertown County/Parish/Borough: Starke

Center Coordinates of Review Area: Latitude 41.37152 Longitude -86.50733

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: NA
- 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
Wetland A	0.123	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A is an emergent wetland situated in a roadside depressional area with no observable hydrologic connection to an (a)(1)-(a)(3) water.
Wetland B	0.012	acre(s)	(b)(1) Non-adjacent wetland.	Wetland B is an emergent wetland situated in a roadside depressional area with no observable hydrologic connection to an (a)(1)-(a)(3) water.
Wetland C	0.086	acre(s)	(b)(1) Non-adjacent wetland.	Wetland C is an emergent wetland situated in a roadside depressional area with no observable hydrologic connection to an (a)(1)-(a)(3) water.

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: [Wetland delineation report completed on July 6, 2020 by HNTB on behalf of INDOT, for INDOT Des. No.: 1801870, US 30/SR23 intersection improvement project; revised report received February 4, 2021.](#)

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

Rationale: [Revisions were requested regarding the delineation based upon remote review of delineation soil data sheets and applicable resource maps.](#)

- Data sheets prepared by the Corps: [NA](#)
- Photographs: [Aerial and Other: Photos provided by HNTB on behalf of INDOT dated July 6, 2020](#)
- Corps site visit(s) conducted on: [Date\(s\)](#).
- 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: [Soil Map and Hydric Rating by Map Unit, Starke County – Indiana, Web Soil Survey](#)
- USFWS NWI maps: [USFWS online wetland mapper](#)
- USGS topographic maps: [1:24K, Knox east](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	NHD maps, Topographic map: 1:24K Knox east
USDA Sources	Web Soil Survey
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	IDNR, Indiana Floodplain information portal and Division of Water online research center

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
Other Sources	Digital Globe 2020, 2019, 2018 aerial images, and Indiana Ortho 2016 aerial image

B. Typical year assessment(s): NA

C. Additional comments to support AJD: Wetlands A, B, C are situated in depressional areas located at the toe-of-slope of an interstate highway road embankment (US 30). These wetlands do not meet the definition of an adjacent wetland as defined by 33 CFR Part 328 and are not hydrologically connected to an (A)(1)-(A)(3) water. Further, based upon review of relevant aerial imagery, NHD maps and topographic information the site did not contain any jurisdictional tributaries. The nearest tributary (Morse Ditch) is located approximately ¼ mile south of the review area and subject wetlands. Review of relevant aerial photography from multiple years did not indicate that Wetlands A, B, C were inundated by floodwaters from Morse Ditch. Further, the subject wetlands are not located within the mapped floodplain of any tributary system. In summary, Wetlands A, B, C lack a direct hydrologic surface connection to an (A)(1)-(A)(3) water and are therefore considered excluded waters.