



**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): 10/2/2020  
 ORM Number: LRP-2002-42  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: PA City: Florence County/Parish/Borough: Washington  
 Center Coordinates of Review Area: Latitude 40.426389 Longitude -80.407778

**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)<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
Stream 1	3949	N/A.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)
Stream 2	284	N/A.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)

<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 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.

<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 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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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	
Stream 3	137	N/A.	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)
Stream 100	189	N/A.	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)
Stream 100A	21	N/A.	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)
Stream 103	534	N/A.	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)
Stream 104	416	N/A.	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)
Stream 105	510	N/A.	(a)(2) Perennial tributary contributes	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)



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(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination	
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	
Stream 106	1626	N/A.	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)
Stream 107	1705	N/A.	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	UNT to Raccoon Creek > Raccoon Creek > Ohio River ((a)(1) water)

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.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination	
Wetland 3	0.0182	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 100, which is an (a)(2) water
Wetland 4	0.0093	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water
Wetland 5	0.6771	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water
Wetland 14	0.0032	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 2, which is an (a)(2) water
Wetland 15	1.605	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water
Wetland 16	0.0386	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water



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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland 17	0.0071	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water
Wetland 18	1.1172	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water
Wetland 22	0.0638	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 107, which is an (a)(2) water
Wetland 23	0.0715	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 107, which is an (a)(2) water
Wetland 24	0.765	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 107, which is an (a)(2) water
Wetland 101	0.0109	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water
Wetland 105	0.1161	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 107, which is an (a)(2) water
Wetland 107	0.006	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 103, which is an (a)(2) water
Wetland 112	0.3857	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 105, which is an (a)(2) water
Wetland 116	1.3063	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 106, which is an (a)(2) water
Wetland 117	0.0046	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 103, which is an (a)(2) water
Wetland 118	0.0147	N/A.	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Adjacent to Stream 1, which is an (a)(2) water

**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
Wetland 1	0.0136	acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria

<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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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>			
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Wetland 2	0.0113 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 6	0.006 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 7	0.003 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 8	0.281 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 9	0.017 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 10	0.019 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 11	0.049 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 12	0.168 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 13	0.01 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 19	0.049 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 20	0.028 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 21	0.0359 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 100	0.1598 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 102	0.0284 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 103	0.024 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 104	0.03 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 106	0.0316 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 108	0.198 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 109	0.005 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 110	0.1249 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 113	0.099 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 114	0.0075 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria N/A.
Wetland 115	0.014 acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria



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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Wetland 200	0.0019	acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Wetland 201	0.032	acre(s)	(b)(1) Non-adjacent wetland.	Non-adjacent, does not meet (a)(4) criteria
Stream 2A	33	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Non-adjacent, does not meet (a)(4) criteria
Stream 4	344	N/A.	(b)(1) Surface water channel that does not contribute surface water flow directly or indirectly to an (a)(1) water in a typical year.	Intermittent stream channel segment that does not contribute to an (a)(1) water in a typical year. Channel loses definition and connectivity to other waters.
Stream 5	213	N/A.	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature.
Stream 101	24	N/A.	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature.
Stream 102	98	N/A.	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature.
Open Water	1.98	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Depressional pond created by previous activities at the site. No outlet or contribution to jurisdictional waters.

**III. SUPPORTING INFORMATION**



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**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: [“Wetlands Report – Starpointe Phase 1C” dated November 2015](#)

This information is sufficient for purposes of this AJD.

Rationale: [Report accurately describes resources that are located within the project area. Sufficient information is contained within the report to make jurisdictional determinations for all resources described in the report.](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial and Other: Photos contained within “Wetlands Report – Starpointe Phase 1C” dated November 2015. Google Earth Aerial photos dated 8/21/2015](#)

Corps site visit(s) conducted on: [9/9/2020](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [LRP-2002-42 9/14/16](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Map contained within “Wetlands Report – Starpointe Phase 1C” dated November 2015. NRCS Soil Maps Online referenced 9/23/2020.](#)

USFWS NWI maps: [Map contained within “Wetlands Report – Starpointe Phase 1C” dated November 2015. NWI Maps Online referenced 9/23/2020.](#)

USGS topographic maps: [Map contained within “Wetlands Report – Starpointe Phase 1C” dated November 2015. Google Earth – Earth Point Topo Map Layer](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">N/A.</a>

**B. Typical year assessment(s):** [APT tool utilized. Condition calculation returned a score of 14, which is within the “Normal” range.](#)

**C. Additional comments to support AJD:** [N/A](#)