



**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): 11/25/2020

ORM Number: LRP-2020-420

Associated JDs: N/A

Review Area Location¹: State/Territory: Ohio City: Canfield Township County/Parish/Borough: Mahoning

Center Coordinates of Review Area: Latitude 41.030247 Longitude -80.794623

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
- 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
D1	275	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.
D2	746	linear feet	(a)(2) Perennial tributary contributes

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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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.	
D3a	343	linear feet (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Unnamed Tributary drains to Meander Creek, which drains to Mahoning River, which is an (a)(1) water.
D3b	946	linear feet (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Unnamed Tributary drains to Meander Creek, which drains to Mahoning River, which is an (a)(1) water.
D3c	86	linear feet (a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Unnamed Tributary drains to Meander Creek, which drains to Mahoning River, which is an (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.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
W1	5.06	acre(s) (a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland abuts D1 and D2, which are (a)(2) waters
W7	0.24	acre(s) (a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland abuts D3a, which is an (a)(2) water
W8	0.005	acre(s) (a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland abuts D3a, which is an (a)(2) water

D. Excluded Waters or Features



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
W2	0.14	acre(s)	(b)(1) Non-adjacent wetland.
W2b	0.25	acre(s)	(b)(1) Non-adjacent wetland.
W3	0.33	acre(s)	(b)(1) Non-adjacent wetland.
W4	0.46	acre(s)	(b)(1) Non-adjacent wetland.
W5	0.36	acre(s)	(b)(1) Non-adjacent wetland.
W6	1.51	acre(s)	(b)(1) Non-adjacent wetland.
W9	0.04	acre(s)	(b)(1) Non-adjacent wetland.
W10	0.77	acre(s)	(b)(1) Non-adjacent wetland.
W11	0.03	acre(s)	(b)(1) Non-adjacent wetland.

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: [“Neff Property Site – Aquatic Resources Delineation Report” dated October 3, 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial and Other: Photos included in delineation report, photos from 11/19/20 site visit, and Google Earth aeriels.](#)
- Corps site visit(s) conducted on: [11/19/20](#)
- 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: [NRCS Soil Survey maps online referenced on 11/18/20](#)
- USFWS NWI maps: [NWI maps online referenced on 11/18/20](#)
- USGS topographic maps: [Google Earth “Earth Point” Topo Map](#)

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.

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
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): [APT tool returned a score of 16, which is in the “Wetter Than Normal” range. This does not impact jurisdictional determination of any resources within the survey area.](#)

C. Additional comments to support AJD: [N/A or provide additional discussion as appropriate.](#)