



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):

ORM Number: LRP-2021-00123

Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)

Review Area Location¹:

State/Territory: PA City: County/Parish/Borough: Butler County

Center Coordinates of Review Area: Latitude 40.707464 Longitude -80.025105

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
2021-123 WC-1	612 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-1A	37 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-1D	316 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	

¹ Map(s)/Figure(s) are attached to the AJD provided to the requestor.

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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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2021-123 WC-2	1694 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-3	1051 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-4	1266 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-5	156 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-5F	442 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-5H	592 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	
2021-123 WC-8	651 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	

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
2021-123 WDF-10	0.05 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-11	0.11 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-12	0.11 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-13	0.06 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-2	0.56 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-4	0.2 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-5	0.3 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-6	0.02 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	

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		water	
2021-123 WDF-7	0.24 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-8	0.19 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	
2021-123 WDF-9	0.12 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
2021-123 WC-1B	195 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	
2021-123 WC-1C	90 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	
2021-123 WC-1D1	178 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	
2021-123 WC-1F	72 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	
2021-123 WC-5E	15 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	
2021-123 WC-9	72 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	
2021-123 WDF-14	0.004 acres	(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.

X Information submitted by, or on behalf of, the applicant/consultant: *Wetland Delineation and Watercourse Identification Report (Oct 2016, Revised June 2021) and Watercourse Assessment Report (April 2021, Revised June 2021)*

This information is sufficient for purposes of this AJD.

Rationale: *N/A*

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

X Photographs: *Wetland Delineation and Watercourse Identification Report (Oct 2016, Revised June 2021) and Watercourse Assessment Report (April 2021, Revised June 2021); Corps site visit May 13, 2021*

X Corps Site visit(s) conducted on: *May 13, 2021*

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- ___ Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*
- ___ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- X USDA NRCS Soil Survey: *Wetland Delineation and Watercourse Identification Report (Oct 2016, Revised June 2021)*
- X USFWS NWI maps: *Wetland Delineation and Watercourse Identification Report (Oct 2016, Revised June 2021)*
- X USGS topographic maps: *Wetland Delineation and Watercourse Identification Report (Oct 2016, Revised June 2021)*

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: *Site Visit Conducted by the Corps on 5/13/2021*

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