



**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): 2/11/2021
 ORM Number: LRH-2020-836-SCR-Paint Creek
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Ohio City: Greenfield County/Parish/Borough: Ross
 Center Coordinates of Review Area: Latitude 39.513118 Longitude -80.482131

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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
Stream s001	1009	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s001 is a perennial tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s001 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s004	1528	linear feet	(a)(2) Intermittent tributary contributes	Stream s004 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of

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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(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.	the AOI. Stream s004 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s005	186	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s005 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s005 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s006	4011	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s006 is a perennial tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s006 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s007	705	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s007 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s007 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s008	1896	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s008 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s008 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s010	248	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s010 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s010 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s011	492	linear feet	(a)(2) Intermittent tributary contributes	Stream s011 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of



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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	the AOI. Stream s011 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s015	638	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s015 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s015 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s017	462	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s017 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s017 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s018	318	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s018 is an intermittent tributary to Paint Creek, an (a)(2) water and direct tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s018 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s019	2036	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s019 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s019 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s022	189	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s022 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s022 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s025	1655	linear feet	(a)(2) Perennial tributary contributes	Stream s025 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of



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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	the AOI. Stream s025 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s031	2054	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s031 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s031 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s103	270	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s103 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s103 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s104	1283	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s104 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s104 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s105	1454	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s105 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s105 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s106	360	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s106 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s106 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s107	460	linear feet	(a)(2) Intermittent tributary contributes	Stream s107 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of



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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	the AOI. Stream s107 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s201	2351	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s201 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s201 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s205	2188	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s205 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s205 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s206	825	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s206 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s206 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s207	755	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s207 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s207 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s208	1816	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s208 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s208 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s211	1118	linear feet	(a)(2) Perennial tributary contributes	Stream s211 is a perennial tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of



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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.	the AOI. Stream s211 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s213	4684	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s213 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s213 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s215	1073	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s215 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s215 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream s216	3302	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Stream s216 is an intermittent tributary to Buckskin Creek, an (a)(2) water and indirect tributary to the Scioto River, an (a)(1) TNW, at a location outside of the AOI. Stream s216 contributes surface water flow indirectly to the Scioto River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).

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 w001	0.83	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland w001 is an (a)(4) water that directly abuts Stream s004, an intermittent (a)(2) water in a typical year.
Wetland w002	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland w002 is an (a)(4) water that directly abuts Stream s006, a perennial (a)(2) water in a typical year.
Wetland w003	0.45	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland w003 is an (a)(4) water that directly abuts Stream s006, a perennial (a)(2) water in a typical year.



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Wetland w004	0.09	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland w004 is an (a)(4) water that directly abuts Stream s006, a perennial (a)(2) water in a typical year.
Wetland w009	0.66	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w009 is an (a)(4) water that directly abuts Stream s011, an intermittent (a)(2) water in a typical year.
Wetland w010	0.02	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w010 is an (a)(4) water that directly abuts Stream s011, an intermittent (a)(2) water in a typical year.
Wetland w011	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w010 is an (a)(4) water that directly abuts Stream s025, a perennial (a)(2) water in a typical year.
Wetland w104	0.06	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w104 is an (a)(4) water that directly abuts Stream s105, a perennial (a)(2) water in a typical year.
Wetland w105	0.001	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w105 is an (a)(4) water that directly abuts Stream s105, a perennial (a)(2) water in a typical year.
Wetland w106	0.001	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w106 is an (a)(4) water that directly abuts Stream s105, a perennial (a)(2) water in a typical year.
Wetland w107	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w107 is an (a)(4) water that directly abuts Stream s106, an intermittent (a)(2) water in a typical year.
Wetland w109	0.06	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w109 is an (a)(4) water that directly abuts Stream s104, a perennial (a)(2) water in a typical year.
Wetland w110	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w110 is an (a)(4) water that directly abuts Stream s104, a perennial (a)(2) water in a typical year.
Wetland w203	0.01	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w203 is an (a)(4) water that directly abuts Stream s213, an intermittent (a)(2) water in a typical year.
Wetland w204	0.12	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w204 is an (a)(4) water that directly abuts Stream s213, an intermittent (a)(2) water in a typical year.
Wetland w205	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w205 is an (a)(4) water that directly abuts Stream s213, an intermittent (a)(2) water in a typical year.
Wetland w206	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w206 is an (a)(4) water that directly abuts Stream s213, an intermittent (a)(2) water in a typical year.
Wetland w209	0.76	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w209 is an (a)(4) water that directly abuts Stream s205, a perennial (a)(2) water in a typical year.
Wetland w210	0.33	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w210 is an (a)(4) water that directly abuts Stream s201, a perennial (a)(2) water in a typical year.



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Wetland w211	0.17	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w211 is an (a)(4) water that directly abuts Stream s206, a perennial (a)(2) water in a typical year.
Wetland w213	0.14	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w213 is an (a)(4) water that directly abuts Stream s208, a perennial (a)(2) water in a typical year.
Wetland w214	0.02	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w214 is an (a)(4) water that directly abuts Stream s215, an intermittent (a)(2) water in a typical year.
Wetland w216	0.15	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w216 is an (a)(4) water that directly abuts Stream s216, an intermittent (a)(2) water in a typical year.
Wetland w217	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland w217 is an (a)(4) water that directly abuts Stream s216, an intermittent (a)(2) water in a typical year.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Stream s002	52	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream s002 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s003	519	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream s003 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s009	799	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s009 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s012	66	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s012 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s013	127	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream s013 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Stream s014	71	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s014 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s016	85	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s016 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s020	230	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s020 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s021	51	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s021 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s023	539	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s023 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s024	70	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s024 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s026	532	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s026 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s027	119	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s027 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s028	220	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s028 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s029	666	linear feet	(b)(3) Ephemeral feature, including	Stream s029 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3).



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			an ephemeral stream, swale, gully, rill, or pool	Reference Section III D for typical year assessments.
Stream s030	436	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s030 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s101	177	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s101 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s102	44	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s103 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s103	270	linear feet	(b)(1) Surface water channel that does not contribute surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream s103 is an intermittent stream that does not contribute surface water flow directly or indirectly to an (a)(1) water in a typical year. Reference Section III D for typical year assessments.
Stream s108	97	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s108 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s109	42	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s109 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s110	130	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s110 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s111	21	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s111 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Stream s112	61	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s112 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s113	58	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s113 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s202	514	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s202 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s203	339	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s203 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s204	195	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s204 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s209	101	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s209 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s210	423	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s210 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s212	84	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s212 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream s214	1629	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Stream s214 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Wetland w005	0.05	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w006	0.10	acre(s)	(b)(1) Non-adjacent wetland. Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w007	0.31	acre(s)	(b)(1) Non-adjacent wetland. Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w008	0.05	acre(s)	(b)(1) Non-adjacent wetland. Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w101	0.13	acre(s)	(b)(1) Non-adjacent wetland. Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w102	0.01	acre(s)	(b)(1) Non-adjacent wetland. Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w103	0.01	acre(s)	(b)(1) Non-adjacent wetland. Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland w108	0.01	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w201	0.06	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w202	0.06	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w207	0.09	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w208	0.11	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w212	1.42	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.
Wetland w215	0.15	acre(s)	(b)(1) Non-adjacent wetland.	Feature does not meet the definition of an adjacent wetland (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			Section III B of this AJD form for typical year assessments.
Pond p001	0.33	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. Feature does not meet the definition of an adjacent lake/pond or impoundment (33 CFR 328.3(c)(1)(i)-(iv)), is not considered a water of the United States per 33 CFR 328.3(b)(1), and is not subject to regulation under Section 404. Reference Section III B of this AJD form for typical year assessments.

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: [Cardno, Inc. on behalf of Ross County Solar, LLC, submitted a delineation report for Ross County Solar Project dated June 2020 \(JD, June 2020\).](#)

This information is sufficient for purposes of this AJD.

Rationale: [The information provided by or on behalf of the applicant accurately reflects the district's conclusions on the AJD.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Other: Appendix B: Site Photographs \(JD, June 2020\).](#)
- Corps site visit(s) conducted on: [December 16, 2020](#)
- 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: [Figures 4.01-4.10: Soil Survey \(JD, June 2020\)](#)
- USFWS NWI maps: [Figure 2. NWI & Watershed \(JD, June 2020\).](#)
- USGS topographic maps: [Figure 2. USGS Topographic Map \(JD, Nov 2020\)](#)

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	ORM Aquatic Resources Layer
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): A typical year occurs over a rolling thirty year period and includes the analysis of precipitation and other climatic variables to establish a normal period range (seasonally or annually) for a specific geographic region where the aquatic resource occurs. One (1) point-in-time data source, dated 3 June 2020, with a corresponding APT report, was included in the evaluation for the excluded features on-site. The



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antecedent precipitation tool was utilized to determine typical year for point-in-time data sources. Based on the antecedent precipitation tool, 3 June 2020 is included during the Web-based Water-Budget Interactive Modeling Program dry season and has a Palmer Drought Severity Index of (3.55), severe wetness, and an antecedent precipitation condition score of 14. The antecedent precipitation condition is considered “normal” for that point in time.

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