



**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): 1/29/2021
 ORM Number: LRH-2020-891-HOC-Clear Fork
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Ohio City: Enterprise County/Parish/Borough: Hocking
 Center Coordinates of Review Area: Latitude 39.557307 Longitude -82.492208

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 SCRA-001 /Clear Fork	51	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream SCRA-001 is a perennial portion of Clear Fork, an (a)(2) water and indirect tributary to the Hocking River, an (a)(1) TNW, at a location outside of the AOI. Stream SCRA-001 contributes surface water flow indirectly to the Hocking River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).

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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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 WCRA-001	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland WCRA-001 is an (a)(4) water that directly abuts Stream SCRA-001/Clear Fork, a perennial (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 SCRA-002	86	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream SCRA-002 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Stream SCRA-003	15	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Stream SCRA-003 is an ephemeral stream and meets the definition of “ephemeral” in paragraph (c)(3). Reference Section III D for typical year assessments.
Wetland WCRA-002	0.16	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not in direct contact with, not located in a position to be inundated by, and not naturally or artificially separated from a water defined in 328.3(a)(1)-(a)(3)
Wetland WCRA-003	0.001	acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not in direct contact with, not located in a position to be inundated by, and not naturally or artificially separated from a water defined in 328.3(a)(1)-(a)(3)

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: [Arcadis U.S., Inc., on behalf of Columbia Gas Transmission, LLC](#), submitted a delineation report for Crawford Well 12135 Abandonment Site dated 14 December 2020 (JD, Dec 2020) and additional information received 18 December 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 A: Photographic Log \(JD, Dec 2020\).](#)

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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- 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: [Figure 3-1 & 3-2. NRCS Soils Map \(JD, Dec 2020\)](#)
- USFWS NWI maps: [Figure 2. NWI/NHD/FEMA Map \(JD, Dec 2020\)](#).
- USGS topographic maps: [Figure 1. Topographic Map \(JD, Dec 2020\)](#)

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 14 October 2020, with a corresponding APT report, was included in the evaluation for the excluded features on-site. The antecedent precipitation tool was utilized to determine typical year for point-in-time data sources. Based on the antecedent precipitation tool, 14 October 2020 is included during the Web-based Water-Budget Interactive Modeling Program dry season and has a Palmer Drought Severity Index of (2.31) moderate wetness and an antecedent precipitation condition score of 8. The antecedent precipitation condition is considered “drier than normal” for that point in time. The delineated ephemeral streams did not have a defined bed and bank, were highly vegetated and did not exhibit any flow. The only stream present on NHD mapping was Stream/SCRA-001/Clear Fork. Wetland WCRA-002 and WCRA-003 would be considered to be non-jurisdictional in wetter conditions due to a lack of adjacency. Neither wetland is abutting a jurisdictional feature, would be inundated by flooding from a jurisdictional feature in a typical year, or are separated only by a natural or artificial feature from a jurisdictional feature. Therefore, the Corps has determined that the conclusions reached during the field delineation during drier than normal conditions would still be accurate in normal conditions.

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