



**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): 4/20/2021

ORM Number: LRH-2021-238-WAL-UNT Black Fork Mohican River

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: Ohio City: Monroe Township County/Parish/Borough: Richland

Center Coordinates of Review Area: Latitude 40.717398 Longitude -82.357631

**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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
Stream SSM-004	45	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream SSM-004 is an intermittent tributary to Black Fork Mohican River, an (a)(2) water and direct tributary to the Walholding River, an (a)(1) TNW, at a location outside of the AOI. Stream SSM-004 contributes surface water flow indirectly to the Walholding River, an (a)(1) TNW, in a typical year (reference Section III B of this AJD form).
Stream SSM-005	5	linear feet	(a)(2) Perennial tributary contributes	Stream SSM-005 is a perennial tributary to Black Fork Mohican River, an (a)(2) water and indirect tributary to the Walholding River, an (a)(1) TNW, at

<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.



**U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE**

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.	a location outside of the AOI. Stream SSM-005 contributes surface water flow indirectly to the Walholding 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.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland W-1	0.07 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland W-1 is an (a)(4) water that directly abuts Stream SSM-004, an intermittent (a)(2) water in a typical year.
Wetland W-2	0.14 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland W-2 is an (a)(4) water that directly abuts Stream SSM-004, an intermittent (a)(2) water in a typical year.
Wetland WSM-003	0.02 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland WSM-003 is an (a)(4) water that directly abuts Stream SSM-005, a perennial (a)(2) water in a typical year.

**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
Stream S-100	394 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 S-100 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.
Wetland W-4	0.77 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.

**III. SUPPORTING INFORMATION**

<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.



**U.S. ARMY CORPS OF ENGINEERS  
REGULATORY PROGRAM  
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)  
NAVIGABLE WATERS PROTECTION RULE**

**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 New Lucas Well 12613 Project dated March 2021 \(Report, Mar 2021\).](#)

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 \(Report, Mar 2021\).](#)
- 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: [Figures 3-1, 3-2 and 3-3: NRCS Soils Map \(Report, Mar 2021\)](#)
- USFWS NWI maps: [Figures 2-1 and 2-2. NWI/NHD/FEMA Map \(Report, Mar 2021\).](#)
- USGS topographic maps: [Figure 1. Topographic Map \(Report, Mar 2021\)](#)

**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="#">ORM Aquatic Resources Layer</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):** 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 27 April 2017, 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, 27 April 2017 is included during the Web-based Water-Budget Interactive Modeling Program wet season and has a Palmer Drought Severity Index of (0.37), normal, and an antecedent precipitation condition score of 11. 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.](#)