



**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): 4/29/2021

ORM Number: LRH-2021-00323-MUS

Associated JDs: N/A

Review Area Location¹: State/Territory: Ohio City: Geen Township County/Parish/Borough: Ashland

Center Coordinates of Review Area: Latitude 40.723518 Longitude -82.316218

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
N/A.	N/A.	N/A.	N/A.

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
N/A.	N/A.	N/A.	N/A.

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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland WLUC-006	0.04 acre(s)	(b)(1) Non-adjacent wetland.	The subject wetland, Wetland WLUC-006, has been determined to not be “adjacent” to a paragraph (a)(1), (2), or (3) water (33 CFR 328.3(c)(1)(i)-(iv)). Refer to Section III C. for an assessment of each adjacency criteria.

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: [The “Columbia Gas Transmission, LLC Wetland and Waterbody Delineation Report Lucas Well 8864 Workover Project Ashland County, Ohio” \(Delineation Report\), dated March 2021, prepared by Arcadis U.S., Inc., on behalf of Columbia Gas Transmission, LLC.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The information provided accurately reflects the district’s conclusions on the aquatic resource within the geographic boundary of the AJD Review Area.](#)

- Data sheets prepared by the Corps: [N/A](#)
- Photographs: [Aerial and Other: Figures 2 and 3 of the Delineation Report; aerial imagery accessed in the Huntington District Viewer.](#)
- Corps site visit(s) conducted on: [N/A](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [NRCS Soil Types Map \(Delineation Report and NRCS Web Soil Survey\).](#)
- USFWS NWI maps: [Accessed from the Huntington District Viewer.](#)
- USGS topographic maps: [Figure 1: Project Overview \(Delineation Report\).](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	National Hydrography Dataset (NHD) accessed in the Huntington District Regulatory Viewer.
USDA Sources	Other than the Web Soil Survey Report listed above, no other USDA sources were used.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal 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
Other Sources	National Flood Hazard Layer Map accessed in the Huntington District Regulatory Viewer.

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 periodic range (seasonally or annually) for a specific geographic region where the aquatic resource occurs. One (1) point-in-time data source, 13 January 2021, with a corresponding APT report, was included in the evaluation for the excluded non-adjacent wetland, listed in Section II D. According to the APT report for 13 January 2021, drier than normal conditions were observed during the WebWIMP wet season with a Palmer Drought Severity Index (PDSI) Value of mild wetness. The antecedent precipitation condition with a score of 9 is considered “drier than normal” for that point in time. The periodic range used for this typical assessment was the three (3) 30-day periods preceding the observation date and the nearest available weather station (Mansfield Lahm Muni AP) within the Mohican River watershed in the 8-digit HUC (05040002). This geographic range is appropriate because it is the same 8-digit HUC as the aquatic resources within the geographic boundary of the AJD Review Area

C. Additional comments to support AJD: 33 CFR 328.3(b)(1) - The subject wetland, Wetland WLUC-006, has been determined to not be “adjacent” to a paragraph (a)(1), (2), or (3) water (33 CFR 328.3(c)(1)(i)-(iv)). Each adjacency criteria is assessed below:

- (i) The subject wetland does not abut a paragraph (a)(1), (2), or (3) water as evidenced by the submitted wetland delineation report and a review of remoting sensing resources. The subject wetland persists in a terrace landform in the landscape, corresponds to sloping contour lines, and is entirely surrounded by uplands on all sides. No (a)(1)-(3) waters were observed within the immediate vicinity of the perimeter of the subject wetland or the AJD boundary, therefore, the subject wetland is not abutting a paragraph (a)(1)-(3) water.

- (ii) No evidence of inundation by flooding from a paragraph (a)(1), (2), or (3) water was documented in the Delineation Report. Based on remoting sensing, no potential (a)(1)-(3) waters were observed within the immediate vicinity of the subject wetland. Based on a review of mapping resources and aerial photographs, the nearest potential mapped (a)(1)-(3) water is a stream approximately 1,150 feet east of the subject parcel. Additionally, the subject parcel is located outside of the Federal Emergency Management Agency 500-year floodplain. The Delineation Report and remoting sensing resources do not indicate the subject wetland is prone to being inundated by flooding from a paragraph (a)(1)-(3) water, the subject wetland has been determined to not meet adjacency criteria (ii).

- (iii) The subject wetland persists in a terrace landform in the landscape, corresponds to sloping contour lines, and is entirely surrounded by uplands on all sides. The subject wetland is not separated from a paragraph (a)(1)-(3) water by a natural berm, bank, dune, or similar natural feature and, therefore, it does not meet adjacency criteria (iii).



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- (iv) The subject wetland persists in a terrace landform in the landscape, corresponds to sloping contour lines, and is entirely surrounded by uplands on all sides. Based on remote sensing resources and the Delineation Report, there were no artificial dikes, barriers, or similar artificial structures documented around the perimeter of the subject wetland nor were there any artificial features (e.g. culverts) documented within or stemming from the subject wetland. The subject wetland is not separated from a paragraph (a)(1)-(3) water by an artificial dike, barrier, or similar artificial structure and, therefore, it does not meet adjacency criteria (iv).