



**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): 10/5/2020  
 ORM Number: MVM-2019-049  
 Associated JDs: MVM-2019-049  
 Review Area Location<sup>1</sup>: State/Territory: Arkansas City: Searcy County/Parish/Borough: White County  
 Center Coordinates of Review Area: Latitude 35.22407 Longitude -91.69465

**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.

**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.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
Glades Creek	6,065 linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Glades Creek is mapped as a blue line stream on the topographic map. Bank full flow of approximately 23 feet, although this width varies through the project area, was observed during site visits.

<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.



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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-06	0.17	acre(s)	N/A.	Met 1987 Wetland Delineation Manual Criteria and Regional Supplement.

**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			
(b)(1)							
Pond-01	8.55	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.	Some of these features were likely man-created as a borrow site for dirt. Some of these features were created for water sources for livestock. No of these features have apparent surface water connections to downstream waters.			
Pond-02	20.73						
Pond-04	7.00						
Pond-06	1.06						
Pond-07	0.44						
Pond-08	0.46						
Pond-09	0.20						
Pond-10	0.73						
Pond-11	0.42						
(b)(6)							
Wetland-01	7.38				acre(s)	(b)(6) Prior converted cropland.	The wetlands listed are located in areas that the NRCS determined to be prior converted cropland. The prior converted cropland areas within the project area are actively farmed, grazed and/or used for hay production.
Wetland-02	14.73						
Wetland-04	0.49						
Wetland-07	80.46						
Wetland-21	0.20						
Wetland-22	0.66						
Wetland-23	1.13						
Wetland-24	44.45						
Wetland-25	24.00						
(b)(3)							
Ditch-01	1,433	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Based on site visits and aerial and topographic maps, these features flow or pool in direct response to precipitation.			
Ditch-02	1,520						
Ditch-03	1,624						
Ditch-04	462						
Ditch-06	1,764						
Ditch-07	976						
Ditch-08	2,534						

<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.



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**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: [Wetlands and Other Waters of the United States Delineation Report prepared by Tetra Tech](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).

Photographs: [Aerial: Google Earth](#)

Corps site visit(s) conducted on: [2/5/2019](#)

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: [White County](#)

USFWS NWI maps: [Title\(s\) and/or date\(s\)](#).

USGS topographic maps: [Kensett, AR 1:24000](#)

**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="#">N/A.</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):** [Based on information provided by APT, the time during my site visit normal conditions existed at the project site.](#)

**C. Additional comments to support AJD:** [The subject area is dominated by active agricultural lands. Wetlands, streams, and other non-wetland waters are present within the project area. Required wetland criteria in the 1987 Wetland Delineation Manual and the Regional Supplement are present.](#)