



**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): 7/10/2020
 ORM Number: NWK-2020-472
 Associated JDs: NWK-2007-1625
 Review Area Location¹: State/Territory: MO City: Riverside County/Parish/Borough: Platte
 Center Coordinates of Review Area: Latitude 38.16785 Longitude -94.65243

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.

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.	

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	
2020-472- 1	0.77	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	The wetland is a ditch excavated in an upland alongside and servicing public streets. Hydrology to it is supplied from a combination of other upland ditches and enclosed stormwater management systems within the industrial park.
2020-472- 2	0.15	acre(s)	(b)(1) Non-adjacent wetland.	The wetland does not abut an (a)(1)-(3) water. Due to the presence of the Missouri River levee, the area is in a FEMA zone of reduced risk, and is excluded from inundation by an (a)(1)-(3) water in a typical year. The wetland is located in a depressional area of the project site and connectivity is not merely severed by a single natural barrier, nor does it abut a manmade barrier (levee) with a direct surface water connection. The wetland is connected to an (a)(3) water only by a series of excavated ditches that are not tributaries. The wetland is separated from an (a)(1) water by an artificial structure, (levee) and does not abut the levee.
2020-472-3	0.53	Acre(s)	(b)(1) Non-adjacent wetland	Same as above
2020-472- 4	0.36	acre(s)	(b)(1) Non-adjacent wetland.	Same as above
2020-472- 5	0.41	acre(s)	(b)(1) Non-adjacent wetland.	Same as above
2020-472- 6	0.57	acre(s)	(b)(1) Non-adjacent wetland.	Same as above
2020-472- 7	1.71	acre(s)	(b)(1) Non-adjacent wetland.	Same as above
2020-472- 8	0.03	acre(s)	(b)(1) Non-adjacent wetland.	Same as above
2020-472-9	0.04	acre(s)	(b)(1) Non-adjacent wetland.	Same as above

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
2020-472-10	0.07	acre(s)	(b)(1) Non-adjacent wetland.
2020-472-11	0.09	acre(s)	(b)(1) Non-adjacent wetland.
2020-472-12	0.77	acre(s)	(b)(1) Non-adjacent wetland.
2020-472-13	0.04	acre(s)	(b)(1) Non-adjacent wetland.
2020-472- 14	0.02	acre(s)	(b)(1) Non-adjacent wetland.
2020-472-15	0.01	acre(s)	(b)(1) Non-adjacent wetland.

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: [Jurisdictional Assessment \(JA\) Report, Terra Technologies, dated June 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The submitted JA report by Terra Technologies contains the information required to evaluate the wetland conditions related to hydrology, vegetation and soils.](#)

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

Photographs: [Aerial and Other: Historic & Current Aerial Photography via Google Earth Pro & NWK ArcGIS Viewer. Onsite photography provided by agent for applicant in JA Report and taken during 19 May 2020 site visit.](#)

Corps site visit(s) conducted on: [Date\(s\).](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [NWK-2007-1625](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [16 Sept 2019](#)

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

USGS topographic maps: [Parkville, MO, 2017](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Topographic Map, 2017, Lidar imagery
USDA Sources	Soil survey, Platte County, MO
NOAA Sources	N/A.
CorpsMap ORM Map Layers	Aerial photography coverage- Digital Globe imagery
Other state/local data (specify)	N/A.
Other Sources	FEMA NFHL map

B. Typical year assessment(s): [explain APT non us- no flood typical year](#)



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C. Additional comments to support AJD: The Platte County, Missouri soil survey mapping for the project site is no longer accurate due to extensive ground disturbance activities. The FEMA NFHL mapping for this site indicates that it is within an area having a reduced flood risk due to the presence of a levee, (Zone X). The site is located with the protection zone of Missouri River federal levee No. L-385, operated by the City of Riverside, Missouri. The levee protects the interior lands upon which the project site is located from inundation by flood flows in a typical year.