



**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): 8/3/2020

ORM Number: NWK-2015-1932.

Associated JDs: Preliminary JD NWK-2015-1932, issued 22 September 2015.

Review Area Location<sup>1</sup>: State/Territory: Missouri City: St. Joseph County/Parish/Borough: Buchanan

Center Coordinates of Review Area: Latitude 39.759495 Longitude -94.906989

**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)<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
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
Browning Lake	0.73 acre(s)	(a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an	Browning Lake is an oxbow lake that formed when the Missouri River cut off the meander during the 1951 flood. The Corps has identified surface water flow directly into the Missouri River via Google Earth Pro aerial photography. The Missouri River is an A-1 water.

<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
		(a)(1) water in a typical year.	

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
PEM1C wetland 1	0.17 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This palustrine emergent wetland abuts Browning Lake which flows into the Missouri River, an A-1 water.
PEM1C wetland 2	0.10 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This palustrine emergent wetland abuts Browning Lake which flows into the Missouri River, an A-1 water.

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

**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: [Rosecrans Memorial Airport Jurisdictional Assessment, dated 22 June 2020, prepared by The Watershed Institute.](#)

This information is sufficient for purposes of this AJD.

Rationale: [Sufficient for this AJD.](#)

Data sheets prepared by the Corps: [N/A.](#)

Photographs: [Aerial: Google Earth Pro aerial photography](#)

Corps site visit(s) conducted on: [N/A.](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [Preliminary JD NWK-2015-1932, issued 22 September 2015](#)

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

USDA NRCS Soil Survey: [Figure 7 Soil Map, 22 June 2020.](#)

USFWS NWI maps: [Figure 6 NWI Map, 22 June 2020.](#)

USGS topographic maps: [Figure 5 Topographic Map, 22 June 2020.](#)

**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>

<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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Data Source (select)	Name and/or date and other relevant information
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** N/A. The hydrologically connection between Browning Lake and the Missouri River has been consistent throughout Google Earth Pro photography aerials from 1991 through 2019 to such an extent that the use of the antecedent precipitation tool is not required.
- C. Additional comments to support AJD:** This approved jurisdictional determination encompasses two review areas at the Rosecrans Memorial Airport. One review area is titled "Pavement Expansion Area" is approximately 16 acres. The other review area titled the, "Vehicle Service Road Relocation Area" is approximately 5 acres. The review areas are located within Section 11, Township 57 N, Range 36 W, Buchanan County, Missouri (39.759495, -94.906989).