



**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): 6/15/2021
 ORM Number: NWS-2021-199
 Associated JDs: N/A
 Review Area Location¹: State/Territory: WA City: Puyallup County/Parish/Borough: Pierce
 Center Coordinates of Review Area: Latitude 47.102958 Longitude -122.259069

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.	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 A	0.62 acre(s)	(b)(1) Non-adjacent wetland.	Wetland A has no known surface water outlet and does not contribute surface water flow to a water of the U.S., does not abut a jurisdictional water of the U.S., and is not inundated by flooding from a water of the U.S. in a typical year. See Section III.C. for additional information.
Wetland B	0.37 acre(s)	(b)(1) Non-adjacent wetland.	Wetland B has no known surface water outlet and does not contribute surface water flow to a water of the U.S., does not abut a jurisdictional water of the U.S., and is not inundated by flooding from a water of the U.S. in a typical year. See Section III.C. for additional information.

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: [Technical Memorandum dated February 19, 2021, Wetland Delineation and Conceptual Mitigation Plan dated December 12, 2019, and Final Storm Drainage Report for Emerald Hollow, dated January 2021 revised June 2021.](#)

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: [Other: Onsite photos taken December 2018 and January 2019](#)
- 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: [Title\(s\) and/or date\(s\).](#)
- USFWS NWI maps: [Title\(s\) and/or date\(s\).](#)
- USGS topographic maps: [Title\(s\) and/or date\(s\).](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE 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
State/Local/Tribal Sources	Pierce County Stormwater Map accessed 15 June 2021
Other Sources	N/A.

B. Typical year assessment(s): N/A

C. Additional comments to support AJD: Wetland A was identified within the north/northeastern portion of the project site and extends offsite to the east. Wetland A measured 0.62-acre in size and was classified as a Category III Palustrine Forested Seasonally Saturated/Flooded, excavated wetland. Wetland B was identified within the southern portion of the project site and extends offsite to the south. Wetland B measured 0.37-acre in size and was classified as a Category III Palustrine Forested Seasonally Saturated/Flooded wetland. Wetlands A and B are both seasonally flooded closed depressional wetlands with no surface water outlets. The nearest potentially jurisdictional feature is an unnamed tributary to the Puyallup River located 1 mile east of the subject wetlands. Impervious surfaces including roads, driveways, and residential developments are present between the subject wetlands and unnamed tributary which prevents a hydrologic connection between the wetlands and potentially jurisdictional water. There are no ditches, drainages, or other water bodies identified onsite that would convey flow to or from the identified wetlands to an offsite jurisdictional feature. Pierce County stormwater map confirms there are no catch basins or pipes leading toward or away from the wetlands. Based on this information, Wetlands A and B are non-adjacent wetlands.