



**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): 5/25/2021

ORM Number: NWS-2021-450

Associated JDs: N/A

Review Area Location¹: State/Territory: Washington City: Puyallup County/Parish/Borough: Pierce

Center Coordinates of Review Area: Latitude 47.118304 Longitude -122.311550

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 Z	0.2 acre(s)	(b)(1) Non-adjacent wetland.	The subject wetland does not abut an (a)(1) through (3) water; is not inundated by flooding from an (a)(1) through (3) water in a typical year; is not physically separated from an (a)(1) through (3) water by a natural berm, bank, dune, or similar natural feature or by an artificial dike, barrier, or similar artificial structure that allows for a direct hydrologic surface connection between the wetland and (a)(1) through (3) water in a typical year. See Section III.C. for additional details.

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: [Wetland Delineation Report dated 19 August 2019](#);
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 and Other: Historic aerial imagery accessed via NETRonline, May 2021; Aerial imagery accessed via Google Earth, May 2021; Photographs provided within the Wetland Delineation Report dated 19 August 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: [Web Soil Survey report for the subject property accessed May 2021](#)
- USFWS NWI maps: [NWI report for the subject property accessed May 2021](#)
- USGS topographic maps: [USGS Historic Topographic Maps accessed May 2021: Tacoma 1897, 1900, 1991; Tacoma South 1941, 1961; Seattle 1958; Frederickson 2014, 2020](#)

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.
State/Local/Tribal Sources	WDFW SalmonScape accessed May 2021
Other Sources	EPA WATERS Feature Layer accessed May 2021 via Google Earth

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

C. Additional comments to support AJD: *Wetland Z is an 8,309 square foot (sf), Category IV, depressional wetland located in the southwest portion of the subject property. The subject wetland is located within managed pasture area, and has been subject to prior land uses including pasture management, utilization by livestock, and mowing. Wetland Z received hydrology from a faulty livestock watering system as well as surface sheet flow from upland pasture area. No surface water inlet or outlet was observed during site investigations, and no signs of flowing water such as scour, sediment deposits, defined channels, or ditches were present. In addition, no artificial structures such as pipes, culverts, or catch basins were observed within the immediate vicinity of the subject wetland. Based on a review of USGS historic topographic maps, there are no historic or current potential waters of the U.S. within the immediate vicinity of the subject wetland. The nearest potential water of the U.S., which is depicted on the 2014 and 2020 USGS historic topographic maps, is Clover Creek. The WDFW SalmonScape web tool and EPA WATERS layer feature, accessed through Google Earth, both confirm that the nearest potential water of the U.S. is Clover Creek, located 0.4 mile southwest of the subject wetland. Wetland Z is separated from Clover Creek by numerous roads, residential subdivisions, driveways, parking lots, and other impervious surfaces. It is therefor unlikely that any hydrologic connection exists between the subject wetland and Clover Creek in a typical year. Based on the information above, Wetland Z is a non-adjacent wetland.*