



**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): 3/2/2021

ORM Number: NWW-2021-00075

Associated JDs: N/A

Review Area Location¹: State/Territory: Idaho City: St. Maries County/Parish/Borough: Benewah

Center Coordinates of Review Area: Latitude 47.319246° Longitude -116.567800°

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)²

§ 10 Name	§ 10 Size		§ 10 Criteria	Rationale for § 10 Determination
N/A.	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.	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.	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.	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.	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 SM-01	0.30	acre(s)	(b)(1) Non-adjacent wetland.	Wetland SM-01 receives water from overland flow and roadway drainage from Railroad Avenue. Wetland SM-01 has no surface or physical connectivity to, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. The nearest (a)(1)-(a)(3) water is the St. Joe River. Approximately 203 linear feet of uplands and the Meadow Hurst levee separate Wetland SM-01 from the St. Joe River.
Wetland SM-02	0.01	acre(s)	(b)(1) Non-adjacent wetland.	Wetland SM-02 receives water from overland flow and roadway drainage from Railroad Avenue. Wetland SM-02 has no surface or physical connectivity to, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. The nearest (a)(1)-(a)(3) water is the St. Joe River. Approximately 218 linear feet of uplands and the Meadow Hurst levee separate Wetland SM-01 from the St. Joe River.
Wetland SM-03	0.01	acre(s)	(b)(1) Non-adjacent wetland.	Wetland SM-03 receives water from overland flow and roadway drainage from Railroad Avenue. Wetland SM-03 has no surface or physical connectivity to, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. The nearest (a)(1)-(a)(3) water is the St. Joe River. Approximately 433 linear feet of uplands and the Meadow Hurst levee separate Wetland SM-01 from the St. Joe River.
Wetland SM-04	0.04	acre(s)	(b)(1) Non-adjacent wetland.	Wetland SM-04 receives water from overland flow and roadway drainage from Railroad Avenue. Wetland SM-04 has no surface or physical connectivity to, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. The nearest (a)(1)-(a)(3) water is the St. Joe River. Approximately 312 linear feet of uplands and the Meadow Hurst levee separate Wetland SM-01 from the St. Joe River.
Wetland SM-05	0.02	acre(s)	(b)(1) Non-adjacent wetland.	Wetland SM-05 receives water from overland flow and roadway drainage from Railroad

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
			Avenue. Wetland SM-05 has no surface or physical connectivity to, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. The nearest (a)(1)-(a)(3) water is the St. Joe River. Approximately 498 linear feet of uplands and the Meadow Hurst levee separate Wetland SM-01 from the St. Joe River.
Wetland SM-06	0.04	acre(s)	(b)(1) Non-adjacent wetland. Wetland SM-06 receives water from overland flow and roadway drainage from Railroad Avenue. Wetland SM-06 has no surface or physical connectivity to, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from an (a)(1)-(a)(3) water. The nearest (a)(1)-(a)(3) water is the St. Joe River. Approximately 503 linear feet of uplands and the Meadow Hurst levee separate Wetland SM-01 from the St. Joe River.
Open Water 1	0.03	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. The open water pond within the review area receives storm runoff and overland flow from Railroad Ave and the commercial property located to the east. The open water pond does not contribute surface water flow directly or indirectly to an (a)(1) water. The ponded feature is separated from the St. Joe River, the nearest (a)(1)-(a)(3) water, by the Meadow Hurst levee. The 9 foot tall levee also eliminates flooding of the open water pond feature during a typical year from the St. Joe River.
Unnamed Stream 1	85	linear feet	(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 drainage ditch within the review area does not relocate a tributary, was not constructed in a tributary or adjacent wetland. The drainage ditch collects stormwater and overland flow from Railroad Avenue and the adjacent commercial parcels. The drainage extends out of the review area and continues to the east parallel to the railroad track for approximately 3040 linear feet. The drainage ditch has no off site connection to a downstream (a)(1)-(a)(3) water.

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: [City of St. Maries, Railroad Avenue Project, Aquatic Resource Delineation Report dated February 2021](#)

This information is sufficient for purposes of this AJD.



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Rationale: [N/A](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).
- Photographs: [Aerial and Other: \(1\)Google Earth Imagery dated: July 14, 2013, May 29, 2014; \(2\) Pages 41-45 of the City of St. Maries, Railroad Avenue Project, Aquatic Resource Delineation Report dated February 2021](#)
- 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: [Appendix D of City of St. Maries, Railroad Avenue Project, Aquatic Resource Delineation Report dated February 2021](#)
- USFWS NWI maps: [Appendix E of City of St. Maries, Railroad Avenue Project, Aquatic Resource Delineation Report dated February 2021](#)
- USGS topographic maps: [Spokane Quadrangle topo map, dated 1955, Scale 1:250K; St. Maries Quadrangle topo map, dated 2020, Scale 1:24K](#)

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	N/A.
Other Sources	N/A.

B. Typical year assessment(s): [APT output dated February 2, 2021 found that the wetland delineation and aquatic resource review on May 11, 2016 occurred during a wetter than normal field conditions, during the the dry season. However the wetter than normal condition would minimally affect the wetland delineation since the wetland boundaries were apparent given their confined geographic location \(i.e. roadside depressional features\).](#)

C. Additional comments to support AJD: [The Meadow Hurst levee \(#5505000175\) separates the St. Joe River from the identified aquatic resources in the Aquatic Resource Delineation Report dated May 2020.](#)