



**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): 1/25/2021
 ORM Number: NWW-2021-00029
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Idaho City: Salmon County/Parish/Borough: Lemhi
 Center Coordinates of Review Area: Latitude 45.18406439° Longitude -113.89715623°

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.

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 1	0.26	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 has no apparent physical connectivity to an (a)(1)-(a)(3) water. Wetland 1 abuts a ditch that receives water from overland flow and roadway drainage from US-93. However, the ditch does not meet the definition of a tributary (see exclusion (b)(5) below). Additionally, Wetland 1 has no apparent physical connectivity to the Salmon River located approximately 0.06 miles (320 ft.) away. Wetland 1 does not touch, is not inundated by flooding from, and is not separated only by a natural feature or artificial barrier from the Salmon River. US-93, residential housing, commercial buildings, and uplands separate Wetland 1 from the Salmon River. There are no other (a)(1)-(a)(3) waters nearby.
Outlet drainage ditch	1876	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 collects and conveys overland flow from US-93. Although the drainage feature has the potential to establish a hydrologic surface connection to the Salmon River, through a network of other ditches and culverts, the feature does not relocate a tributary, was not constructed in a tributary or adjacent wetland. USGS topo maps, USFWS National Wetland Inventory maps, and USDA web-soil survey maps support the lack of a tributary within the footprint of the constructed drainage ditch feature found in the review area.

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: [Aquatic Resource Delineation Report, US93, Bar Hill – MP 305.5 to MP 306.1, dated September 24, 2020](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

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

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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- Photographs: *Aerial and Other: Aerial imagery: 1) Google Earth Imagery dated: June 30, 2014; Site photos: Page 24 of the Aquatic Resource Delineation Report, US93, Bar Hill – MP 305.5 to MP 306.1, dated September 24, 2020*
- 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: *Pages 20-22 of the Aquatic Resource Delineation Report, US93, Bar Hill – MP 305.5 to MP 306.1, dated September 24, 2020*
- USFWS NWI maps: *Page 19 of the Aquatic Resource Delineation Report, US93, Bar Hill – MP 305.5 to MP 306.1, dated September 24, 2020*
- USGS topographic maps: *Salmon Quadrangle topo map, dated 1950, Scale 1:125K; Salmon 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 January 8, 2021 found that the wetland delineation and aquatic resource review on June 4, 2020 occurred during normal condition during the dry season.*

C. Additional comments to support AJD: *Hydrology from the study area drains along the west boundary of US93 to a culvert at latitude: 45.18610575N, longitude: -113.8975964W where it is then conveyed into an excavated canal which flows north, eventually discharging into the Salmon River at latitude 45.22993773, longitude 113.89349636. Estimates for the amount of linear feet (1876 ft.) of the outlet drainage ditch in the review area were derived from Google Earth aerial imagery. The estimates excluded the linear feet of the drainage ditch conveyed through culverts.*

Wetland 1 includes 4 separate wetland polygons.