



**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): 5/4/2021
 ORM Number: SWT-2021-00118
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Oklahoma City: Oklahoma City
 County/Parish/Borough: Oklahoma
 Center Coordinates of Review Area: Latitude 35.450204 Longitude -97.655329

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
Stream 1	798 linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The denoted Stream 1 with the review area is indicated on the USGS Topographic map and USGS NHD as part of a second order (Strahler 1952) reach of an intermittent, unnamed tributary of the North Canadian River. A portion of the stream channel within the review area was authorized to be filled from the original alignment, pursuant to Section 404 of the Clean Water Act (Department of the Army permit - Identification No. SWT-2014-00857). A riparian area surrounding the tributary exists both

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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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
			upstream and downstream of the review area. USGS StreamStats indicated a 1.65 ft ³ /s average daily stream flow and a contributing drainage area of 1.73 square miles from a point at and upstream of South Council Road. Additionally, indicators of seasonal intermittent flow were observed during a 25 March 2021 site visit (i.e., presence of stream flow still present a couple of days following a precipitation event potentially producing runoff; trash and organic debris piles immediately upstream and south of SW 15th Street); stream flow observable on Google Earth street view; and hydrology visible in multiple years of satellite imagery. These indicators would indicate the reach within the review area would be part of a tributary that would contribute intermittent flow to an (a)(1) water in a typical year.

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.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	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: [Wetland and Waters of the U.S. Delineation Report, dated February 11, 2021](#)

This information is and is not sufficient for purposes of this AJD.

Rationale: [The report only described conditions observed during one site visit specific to the review area geomorphic position. The review area stream reach, both bed and bank, has been channelized and armored in the past. The Corps concurs with the no wetlands present determination.](#)

- 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: Google Earth, Delineation Report photographs, and Corps photographs](#)
- Corps site visit(s) conducted on: [25 March 2021](#)
- 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: [USDA NRCS Web Soil Survey](#)
- USFWS NWI maps: [USFWS NWI Online Mapper](#)
- USGS topographic maps: [1:24K; Mustang, OK](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS NHD; USGS StreamStats
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
FEMA/FIRM maps	Panel 40027C0025J

- B. Typical year assessment(s):** [The 2 October 2020 APT indicated WebWIMP H2O Balance as the wet season and within the 30 year normal range. The 25 March 2021 APT indicated WebWIMP H2O Balance as wet season and within the 30 year normal range.](#)
- C. Additional comments to support AJD:** [The review area is approximately 5.1 acres. The unnamed tributary of the North Canadian River, from a point near the confluence of the North Canadian River, has an approximatley overall contributing drainage area of 3.26 square miles and an average daily streamflow of 2.92 ft³/s according to USGS StreamStats. From September 12 to October 2 a total of 0.08 inches were reported for the NWS OKC Station; 1.5 inches total for March 2021; 2.56 inches total for September 1 to Oct 2. Mean precipitation for the June to October is 17.1 inches and November to May is 18.4 inches according to USGS StreamStats. A portion of the review area is indicated in the 500 year floodplain according to FEMA/FIRM Map \(the stream alignment prior to modification for approximately 570 linear feet\).](#)