



**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): 7/6/2021

ORM Number: SWT-2021-303

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: OK City: Oklahoma City County/Parish/Borough: Canadian

Center Coordinates of Review Area: Latitude 35.452370 Longitude -97.682340

**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)<sup>2</sup>**

§ 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): <sup>3</sup>			
(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.

<sup>1</sup> Map(s)/figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> 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.

<sup>3</sup> 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)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
EDF-1	530	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EDF-1 is an ephemeral stream that is not mapped on USGS Topographic Quadrangle Maps, USFWS Wetland Inventory Maps, or NHD Maps. EDF-1 receives its hydrology primarily from stormwater discharge from an RCB located at the west end of EDF-1 that captures stormwater from the adjacent development and the highway along the south side of the review area. EDF-1 also receives flow from EDF-2 before exiting the review area. Upon a site visit conducted on 6/23/2021, EDF-1 did not display flowing or pooled water. EDF-1 did exhibit a defined bed and bank. However, in areas of sparse canopy cover, woody and herbaceous growth was found within the stream channel that would not be present if the stream channel conveyed intermittent flow. Therefore, EDF-1 is a non-jurisdictional ephemeral stream.
EDF-2	2100	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EDF-2 is an ephemeral stream that is not mapped on USGS Topographic Quadrangle Maps, USFWS Wetland Inventory Maps, or NHD Maps. EDF-2 is a headwater feature that receives its hydrology from stormwater run-off from the adjacent residential/commercial developments and overland flow from the surrounding uplands. Upon a site visit conducted on 6/23/2021, EDF-2 did not display flowing or pooled water. In conclusion, EDF-2 only contributes flow during and immediately following rain events. Therefore, EDF-2 is a non-jurisdictional ephemeral stream.

<sup>4</sup> 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.

<sup>5</sup> 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)): <sup>4</sup>			
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
EDF-3	755	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool. EDF-3 is an ephemeral swale that is not mapped on USGS Topographic Quadrangle Maps, USFWS Wetland Inventory Maps, or NHD Maps. EDF-3 receives its hydrology from stormwater run-off from the adjacent residential development and from overland sheet flow from the surrounding uplands. EDF-3 does not have a discernable bed and bank and displays herbaceous growth throughout it's reach. EDF-3 only contributes flow during and immediately following rain events. Therefore, EDF-3 is a non-jurisdictional ephemeral feature.

**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: [Undeveloped 60 MOL Delineation Report \(003\), 6/7/2021; Chisholm Springs - Evaluation permit letter 05.05.2021 - signed \(004\), 5/5/2021](#)  
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: [Aerial and Other: Google Earth 1990-2020, Site Visit Photos 6/23/2021](#)
- Corps site visit(s) conducted on: [6/23/2021](#)
- 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: [Title\(s\) and/or date\(s\)](#).
- USFWS NWI maps: [USFWS Wetland Inventory Maps](#)
- USGS topographic maps: [USGS 7.5 Minute Mustang Quadrangle](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS/WBD/NHD data/maps</a>	<a href="#">NHD</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">N/A.</a>

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

**C. Additional comments to support AJD:** [N/A](#)