



**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): 8/6/2021

ORM Number: 2021-00142

Associated JDs: N/A

Review Area Location¹: State/Territory: TX City: Enloe County/Parish/Borough: Delta

Center Coordinates of Review Area: Latitude 33.450182 Longitude -95.663476

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

t§ 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.	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.

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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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.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Swale 1	191	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 2	159	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 3	451	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 4	551	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 5	748	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 6	164	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 7	833	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 8	527	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral swale fully vegetated without discernible OHWM.

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
			stream, swale, gully, rill, or pool.	
Swale 9	346	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 10	704	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 11	103	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 12	208	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 13	145	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 14	156	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 15	95	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 16	279	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 17	184	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Swale 18	229	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 19	880	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 20	144	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 21	235	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 22	333	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 23	530	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 24	702	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 25	104	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 26	393	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 27	104	linear feet	(b)(3) Ephemeral feature, including	Ephemeral swale fully vegetated without discernible OHWM.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			an ephemeral stream, swale, gully, rill, or pool.	
Swale 28	2,632	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 29	461	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 30	546	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 31	316	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 32	515	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 33	515	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 34	521	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 35	140	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 36	195	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral swale fully vegetated without discernible OHWM.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		stream, swale, gully, rill, or pool.		
Swale 37	207	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 38	245	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 39	252	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 40	556	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 41	955	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 42	80	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 43	146	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 44	853	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Swale 45	188	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.



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Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Swale 46	616	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral swale fully vegetated without discernible OHWM.
Erosional Feature 1	1,208	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 2	242	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 3	77	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 4	499	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 5	444	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 6	272	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 7	987	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 8	839	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 9	384	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 10	770	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 11	970	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 12	670	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 13	715	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 14	495	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 15	158	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 16	611	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 17	455	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 18	394	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 19	317	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 20	547	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 21	745	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 22	1,174	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 23	389	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 24	437	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 25	496	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 26	366	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 27	391	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 28	390	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 29	898	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 30	2,187	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 31	891	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 32	694	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 33	1,205	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 34	158	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 35	183	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 36	607	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 37	176	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 38	232	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 39	223	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 40	759	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 41	197	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 42	339	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 43	224	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 44	171	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 45	607	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 46	390	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 47	483	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 48	775	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 49	322	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 50	357	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 51	481	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 52	374	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 53	272	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 54	281	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool	conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 55	328	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 56	396	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Erosional Feature 57	519	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral feature lacking OHWM at time of site visit but readily visible on aerial photography. Under normal circumstances (non-plowing conditions feature would either continue to cut and maintain OHWM due to cut banks and ephemeral flow conditions) or vegetate in and be a swale. Flow conditions clearly would be ephemeral in nature of low and infrequent flows.
Ditch 1	934	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).	Ditch
Ditch 2	810	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	Ditch



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		conditions of (c)(1).		
Stream 1	528	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 2	814	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 3	1,713	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 4	400	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 5	1,995	Linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream. Initially identified as intermittent by consultant but site visit revealed no indicators for intermittent classification from New Mexico Hydrology Protocol and channel was dry. Located toward upper end of watershed with existing stock tank which has small reach of ephemeral channel leading into heavily vegetated upland swale that contributes to stream. Stream was dry during site visit which occurred during wetter than normal conditions according to APT output.
Stream 6	78	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 7	219	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 8	1,021	linear feet	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		stream, swale, gully, rill, or pool		
Stream 9	684	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 10	110	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 11	47	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Stream 12	261	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Ephemeral stream based on no indicators contained in the New Mexico Hydrology Protocol being discernible. Review of aerial photographs (Google Earth) show no flow conditions.
Upland Pond 1	0.08	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 2	0.13	acre(s)	(b)(8) Artificial lakes and ponds, including water	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);		
Upland Pond 3	0.20	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 4	0.25	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
			farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	
Upland Pond 5	0.23	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 6	0.14	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering,	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	
Upland Pond 7	0.25	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 8	0.13	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds,	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	
Upland Pond 9	0.08	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 10	0.23	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	
Upland Pond 11	0.26	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 12	0.36	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	
Upland Pond 13	0.26	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 14	0.17	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);		
Upland Pond 15	1.32	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 16	0.03	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	
Upland Pond 17	0.19	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 18	0.19	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			waters that meet the conditions of paragraph (c)(6);	
Upland Pond 19	0.23	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 20	0.40	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			the conditions of paragraph (c)(6);	
Upland Pond 21	0.29	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 22	0.17	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
Upland Pond 23	0.42	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond. A channel exists downslope of pond and was viewed in the field and determined to be ephemeral in nature. The feature was not added to the report or this table.
Upland Pond 24	0.32	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Upland Pond 25	0.15	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 26	0.10	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Upland Pond 27	0.27	acre(s)	(b)(8) Artificial lakes and ponds,	No jurisdictional feature upslope or immediately downslope of pond.



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Excluded waters ((b)(1) – (b)(12)). ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	
Upland Pond 28	0.01	acre(s)	(b)(8) Artificial lakes and ponds, including water storage reservoirs and farm, irrigation, stock watering, and log cleaning ponds, constructed or excavated in upland or in non-jurisdictional waters, so long as those artificial lakes and ponds are not impoundments of jurisdictional waters that meet the conditions of paragraph (c)(6);	No jurisdictional feature upslope or immediately downslope of pond.
Wetland 1	0.01	acre(s)	(b)(1) Non-adjacent wetland.	Wetland non-adjacent to jurisdictional waters.
Wetland 2	0.17	acre(s)	(b)(1) Non-adjacent wetland.	Wetland non-adjacent to jurisdictional waters.



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland 3	0.83	acre(s)	(b)(1) Non-adjacent wetland.
Wetland 4	0.16	acre(s)	(b)(1) Non-adjacent wetland.

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: [See the file.](#)

This information [is and is not](#) sufficient for purposes of this AJD.

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)

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

- ☒ Photographs: [Aerial and Other: Aerial Photography – TNRS and NAIP, 1996, 2004, 2016; Ground Level Photographs, September 2020. GoogleEarth imagery of 3/6/17, 3/12/14, 4/18/12, 8/2/02, 6/27/05, 6/18/03, and 2/1/1995 also viewed and used.](#)

- ☒ Corps site visit(s) conducted on: [7/13/2021](#)

- ☐ 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 Web Soil Survey Map, 2020](#)

- ☒ USFWS NWI maps: [National Wetlands Inventory Map, USFWS, HUC: 1114030104 and 1114030103](#)

- ☒ USGS topographic maps: [USGS Topographic Map; Quad Names: Cooper North](#)

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 was considered relative to site visit date of 7/13/21. Period was considered to be wetter than normal due to recent precipitation events as well as 30-day rolling total being well outside the 70th percentile. No water was found in any channels, including 1 stream initially classified as intermittent by the consultant. No flowing water was visible in any aerial photographs reviewed with AJD review.](#)

C. Additional comments to support AJD: [All linear features identified on site were determined to be ephemeral streams, swales, erosional features, or ditches, and therefore non-jurisdictional under the Navigable Waters Protection Rule. Wetlands identified onsite were not adjacent to jurisdictional features. Ponds onsite were constructed in uplands or non-jurisdictional features. More than 30 locations were investigated in field during Corps site visit to confirm potential water/wetland feature signatures from Google Earth and Digital Globe imagery. Erosional and ephemeral features were added while no wetland areas were identified.](#)



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