

Appendix E (Addendum to Appendix D)
(Revised January 4, 2013)

APPROVED JURISDICTIONAL DETERMINATION FORM FOR ISOLATED AND OTHER NON-JURISDICTIONAL WATERS

SECTION I: SUMMARY OF FINDINGS

A. INTRASTATE AND NON-NAVIGABLE WATERS, INCLUDING WETLANDS:

(If **both** boxes under Section I.A are not checked then this form does not apply; use Appendix B)

If potential waters were assessed within the review area, these aquatic features exist or occur within the boundaries of a single state and are thus intrastate. Basis for decision (explain intrastate designation):

If potential waters were assessed within the review area, these areas are non-navigable. Basis for decision (explain non-navigable designation):

B. ISOLATED, NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS:

(If **one** of the two boxes under Section I.B is not checked then this form does not apply; use Appendix B)

1. Non-Wetland Waters

If potential non-wetland waters were assessed within the review area, these areas have a bed and bank or display indicators of an Ordinary High Water Mark (See 33 CFR 328.3(e) and RGL 05-05).

a. Summarize rationale supporting conclusion that waters, including wetlands, are isolated:

No hydrologic connectivity connecting isolated water(s), including wetland(s), to downstream traditional navigable water. Basis for decision (factors to consider but not limited to landscape position, location within the watershed, proximity to a TNW):

No ecological connectivity connecting isolated water(s), including wetland(s), to downstream navigable traditional water. Basis for decision (factors to consider but not limited to habitat and lifecycle support functions for fish and other aquatic species):

b. Summarize rationale supporting conclusion that waters, including wetlands, have no substantial nexus to interstate (or foreign) commerce:

Water(s), including wetland(s), are not and could not be used by interstate or foreign travelers for recreational or other purposes.

Explain:

Water(s), including wetland(s), are not and could not be used for fish or shellfish production, taken and sold in interstate or foreign commerce.

Explain:

Water(s), including wetland(s), are not and could not be used for industrial purposes by industries in interstate commerce.

Explain:

Other substantial nexus to interstate (or foreign) commerce.

Explain:

Basis for decision (explain):

2. Wetlands

If potential wetlands were assessed within the review area, these areas meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.

a. Summarize rationale supporting conclusion that waters, including wetlands, are isolated:

No hydrologic connectivity connecting isolated water(s), including wetland(s), to downstream traditional navigable water. Basis for decision (factors to consider but not limited to landscape position, location within the watershed, proximity to a TNW):

No ecological connectivity connecting isolated water(s), including wetland(s), to downstream navigable traditional water. Basis for decision (factors to consider but not limited to habitat and lifecycle support functions for fish and other aquatic species):

b. Summarize rationale supporting conclusion that waters, including wetlands, have no substantial nexus to interstate (or foreign) commerce:

Water(s), including wetland(s), are not and could not be used by interstate or foreign travelers for recreational or other purposes.

Explain:

Water(s), including wetland(s), are not and could not be used for fish or shellfish production, taken and sold in interstate or foreign commerce.

Explain:

Water(s), including wetland(s), are not and could not be used for industrial purposes by industries in interstate commerce.

Explain:

Other substantial nexus to interstate (or foreign) commerce.

Explain:

Basis for decision (explain):

3. Summary

Provide acreage estimates for non-jurisdictional waters in the review area using best professional judgment (check all that apply):

- Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
 Lakes/ponds: acres
 Other non-wetland waters: acres. List type of aquatic resource:
 Wetlands: acres

