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): 8/4/2020
ORM Number: SWL 2014-00125-3
Associated JDs: 2008-00226, SWL 2014-00124, SWL 2014-00125-1
Review Area Location[1]: State/Territory: Arkansas City: Jacksonville County/Parish/Borough: Pulaski
Center Coordinates of Review Area: Latitude 34.917147° Longitude -92.144111°

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.	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
S01	10,334	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is BM.
S02	1,885	linear feet	(a)(2) Intermittent tributary contributes	The Contributing surface flow path before entering a TNW is 01 then BM.

[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.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	
S03	9,311	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 01 then BM.
S07	853	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 03, 01, then BM.
S08	908	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 03, 01, then BM.
S11	2,910	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface low path before entering a TNW is 08, 03, 01, then BM.
S13	3,441	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 08, 03, 01, then BM.
S17	8,928	linear feet	(a)(2) Intermittent tributary contributes	The contributing surface flow path before entering a TNW is 20, JB, BTP, then BM.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	
S18	1,652	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 20, JB, BTP, then BM.
S19	2,017	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 20, JB, BTP, then BM.
S20	8,077	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is JB, BTP, then BM.
S21	3,223	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 20, JB, BTP, then BM.
S22	3,531	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is JB, BTP, then BM.
S23	8,666	linear feet	(a)(2) Intermittent tributary contributes	The contributing surface flow path before entering a TNW is 20, JB, BTP, then BM.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	
S27	4,562	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	The contributing surface flow path before entering a TNW is 23, 20, JB, BTP, then BM

Arkansas River – TNW
Bayou Meto – BM
Jacks Bayou – JB
Bayou Two Prairie - BTP

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.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
W04	0.18	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W04 is a herbaceous wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.
W05	0.16	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W05 is a herbaceous wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.
W14	0.47	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W14 is a forested wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.
W15	3.77	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W15 if a forested wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.
W16	0.30	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W16 is a forested wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
W17	0.62	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W17 is a forested wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.
W18	3.20	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W18 is a scrub-shrub wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.
W19	1.87	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	W19 is a emergent wetland that abuts an (a)(2) water. This wetland, along with the RPW it abuts are part of the watershed that flow into Bayou Meto, which is a significant source of water flow in this watershed.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
S04	960	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S04 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S05	405	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S05 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S06	854	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S06 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S09	352	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S09 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S10	379	linear feet	(b)(3) Ephemeral feature, including an ephemeral	S10 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.

[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.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool.	
S12	483	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S12 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S14	73	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S14 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S15	70	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S15 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S16	380	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S16 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S24	594	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S24 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S25	1,092	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S25 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S26	2,121	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S23 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S28	129	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S28 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S29	139	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S29 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
S30	126	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S30 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S31	539	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S31 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S32	176	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S32 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S33	142	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S33 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S34	187	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S34 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S35	457	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S35 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
S36	261	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S36 is an ephemeral feature that exhibits surface water flowing only in direct response to precipitation.
W01	0.12	acre(s)	(b)(1) Non-adjacent wetland.	W01 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W02	0.13	acre(s)	(b)(1) Non-adjacent wetland.	W02 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W03	0.47	acre(s)	(b)(1) Non-adjacent wetland.	W03 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
				This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W04	0.18	acre(s)	(b)(1) Non-adjacent wetland.	W04 is a herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W06	0.57	acre(s)	(b)(1) Non-adjacent wetland.	W06 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR. W06 was previously identified as a wetland on the 2019 AJD that was connected to S27 (a)(2). However, W06 has been removed from jurisdiction due to topographic mapping by PMI revealing this high area to be a break point in the watershed; therefore, W06 is not connected to S27.
W07	0.08	acre(s)	(b)(1) Non-adjacent wetland.	W07 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W08	0.08	acre(s)	(b)(1) Non-adjacent wetland.	W08 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W09	0.28	acre(s)	(b)(1) Non-adjacent wetland.	W09 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W10	0.09	acre(s)	(b)(1) Non-adjacent wetland.	W10 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W11	0.23	acre(s)	(b)(1) Non-adjacent wetland.	W11 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W12	0.13	acre(s)	(b)(1) Non-adjacent wetland.	W12 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
				This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W13	0.01	acre(s)	(b)(1) Non-adjacent wetland.	W13 is an herbaceous wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W20	0.30	acre(s)	(b)(1) Non-adjacent wetland.	W20 is an emergent wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W21	0.40	acre(s)	(b)(1) Non-adjacent wetland.	W21 is a scrub-shrub wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.
W22	0.50	acre(s)	(b)(1) Non-adjacent wetland.	W22 is a scrub-shrub wetland that does not abut or otherwise connect to a (a)(2) tributary. This wetland is only connected to a (b)(3) ephemeral feature which is categorically excluded under the NWPR.

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: PMI,Inc. - AJD Requst 6-24-2020, received by SWL on 29 June 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).

☒ Photographs: Select. PMI, Inc. – AJD Request (22 February 2019)

☒ Corps site visit(s) conducted on: Site visits related specifically to AJD analysis occurred on 27 February 2015 and 1 July 2019. Site visits related to permit compliance where relevant field observations were made during the previous runway project occurred 16, 22, and 27 February 2017 as well as 23 May 2018.

☒ Previous Jurisdictional Determinations (AJDs or PJDs): 2008-00226 (20 May 2008), 2014-00125 (27 February 2015), 2014-00125-1, (18 September 2019)

☒ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B*.

☐ USDA NRCS Soil Survey: Title(s) and/or date(s).

☐ USFWS NWI maps: Title(s) and/or date(s).

☒ USGS topographic maps: 24K, AR Olmstead

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	Applicants agent conducted site visit for wetland delineation purposes on 09 January 2019.

B. Typical year assessment(s): The APT finds that four observational dates ranging from 23 May 2018 to 18 September 2019, are wetter than normal with an average antecedent condition calculation of 16.25. Values greater than 14 are considered wetter than normal and 10-14 are normal. During observations on 1 August 2020, 27 February 2017 and 20 May 2008 a normal condition with an average antecedent condition calculation of 12.66 was found. One observation on 30 September 2014 was drier than normal with a score of 8. All observational dates correlate to field visits or prior AJD decision points. Based on 8 APT observations an average score of 13.87 is calculated. This score places the current and prior AJD assessments and field observations on average as being analyzed in normal condition years.

C. Additional comments to support AJD: This AJD relies heavily on the currently valid Raponos AJD completed by SWL on 18 September 2019. The applicant's agent has confirmed that the review area is identical to the prior JD analysis. The review area has been heavily manipulated by prior construction projects completed by the LRAFB since construction on the LRAFB was initiated in November of 1953.