

**APPROVED JURISDICTIONAL DETERMINATION FORM**  
**U.S. Army Corps of Engineers**

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

**SECTION I: BACKGROUND INFORMATION**

**A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):** **January 23, 2013**

**B. DISTRICT OFFICE, FILE NAME, AND NUMBER:** **Omaha District, City of Columbus Solid Waste Transfer Station, NWO-2012-02450-WEH**

**C. PROJECT LOCATION AND BACKGROUND INFORMATION:**

State: **Nebraska** County/parish/borough: **Platte** City: **Columbus**  
Center coordinates of site (lat/long in degree decimal format): Lat. **41.41388** N; Long. **97.34665** W (WGS 1984)  
Universal Transverse Mercator:

Name of nearest waterbody: **Loup River**

Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: **Loup River**

Name of watershed or Hydrologic Unit Code (HUC): **1021000906 Looking Glass Creek - Loup River**

Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

**D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):**

Office (Desk) Determination. Date: **December 10, 2012**

Field Determination. Date(s): **December 3, 2012**

**SECTION II: SUMMARY OF FINDINGS**

**A. RHA SECTION 10 DETERMINATION OF JURISDICTION.**

There are no "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]

Waters subject to the ebb and flow of the tide.

Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.

Explain: .

**B. CWA SECTION 404 DETERMINATION OF JURISDICTION.**

There are "waters of the U.S." within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area. [Required]

**1. Waters of the U.S.**

**a. Indicate presence of waters of U.S. in review area (check all that apply):<sup>1</sup>**

TNWs, including territorial seas

Wetlands adjacent to TNWs

Relatively permanent waters<sup>2</sup> (RPWs) that flow directly or indirectly into TNWs

Non-RPWs that flow directly or indirectly into TNWs

Wetlands directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to but not directly abutting RPWs that flow directly or indirectly into TNWs

Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs

Impoundments of jurisdictional waters

Isolated (interstate or intrastate) waters, including isolated wetlands

**b. Identify (estimate) size of waters of the U.S. in the review area:**

Non-wetland waters: **2,250** linear feet: **1.0** width (ft) and/or acres.

Wetlands: **4.71** acres.

**c. Limits (boundaries) of jurisdiction based on: 1987 Delineation Manual and Established by OHWM**

Elevation of established OHWM (if known): **not known** .

**2. Non-regulated waters/wetlands (check if applicable):<sup>3</sup>**

Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

Explain:

<sup>1</sup> Boxes checked below shall be supported by completing the appropriate sections in Section III below.

<sup>2</sup> For purposes of this form, an RPW is defined as a tributary that is not a TNW and that typically flows year-round or has continuous flow at least "seasonally" (e.g., typically 3 months).

<sup>3</sup> Supporting documentation is presented in Section III.F.

### **SECTION III: CWA ANALYSIS**

#### **A. TNWs AND WETLANDS ADJACENT TO TNWs**

The agencies will assert jurisdiction over TNWs and wetlands adjacent to TNWs. If the aquatic resource is a TNW, complete Section III.A.1 and Section III.D.1. only; if the aquatic resource is a wetland adjacent to a TNW, complete Sections III.A.1 and 2 and Section III.D.1.; otherwise, see Section III.B below.

##### **1. TNW**

Identify TNW: **Loup River** .

Summarize rationale supporting determination: The Loup River and its tributaries are popular boating destinations for canoeists and airboat enthusiasts. Several commercial outfitters advertize boat tours on the Loup River and its tributaries for recreation including adventurous rides, bird and other wildlife viewing, and water sports. At least one annual airboat race is held on the Loup River, attracting out-of-state participants.

##### **2. Wetland adjacent to TNW**

Summarize rationale supporting conclusion that wetland is “adjacent”:  
Approximately 4.45 acres of wetlands occur within a depression in the western half of the site. The delineated area consists of 2.87 acres of PEMA/C wetlands surrounded by a 1.58-acre ring of PFOA wetlands. The wetlands are separated from the Loup River by a man-made dike or levee. Further, the proximity of the wetland to the Loup River is reasonably close, approximately 360 feet. The wetland is located within the area of the Loup River floodplain protected by the levee.

The depression containing the wetlands was reportedly created as borrow for the City of Columbus solid waste transfer station. According to the jurisdictional determination request, the transfer station was constructed 37 years ago (approximately 1975). USGS topographic mapping supports this timeline, as the post-construction depression shows up on the topographic map as a purple revision of the topography map originally based on 1951 photography. The purple revisions were based on 1976 aerial photography. The levee between the wetland and the Loup River also is indicated with the purple revision, indicating that it was constructed after 1951 and before 1976. The topographic map also indicates a blue-line intermittent stream feature progressing eastward from the depression, ultimately flowing into the Platte River, downstream from the Platte River - Loup River confluence.

#### **B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY):**

This section summarizes information regarding characteristics of the tributary and its adjacent wetlands, if any, and it helps determine whether or not the standards for jurisdiction established under *Rapanos* have been met.

The agencies will assert jurisdiction over non-navigable tributaries of TNWs where the tributaries are “relatively permanent waters” (RPWs), i.e. tributaries that typically flow year-round or have continuous flow at least seasonally (e.g., typically 3 months). A wetland that directly abuts an RPW is also jurisdictional. If the aquatic resource is not a TNW, but has year-round (perennial) flow, skip to Section III.D.2. If the aquatic resource is a wetland directly abutting a tributary with perennial flow, skip to Section III.D.4.

A wetland that is adjacent to but that does not directly abut an RPW requires a significant nexus evaluation. Corps districts and EPA regions will include in the record any available information that documents the existence of a significant nexus between a relatively permanent tributary that is not perennial (and its adjacent wetlands if any) and a traditional navigable water, even though a significant nexus finding is not required as a matter of law.

If the waterbody<sup>4</sup> is not an RPW, or a wetland directly abutting an RPW, a JD will require additional data to determine if the waterbody has a significant nexus with a TNW. If the tributary has adjacent wetlands, the significant nexus evaluation must consider the tributary in combination with all of its adjacent wetlands. This significant nexus evaluation that combines, for analytical purposes, the tributary and all of its adjacent wetlands is used whether the review area identified in the JD request is the tributary, or its adjacent wetlands, or both. If the JD covers a tributary with adjacent wetlands, complete Section III.B.1 for the tributary, Section III.B.2 for any onsite wetlands, and Section III.B.3 for all wetlands adjacent to that tributary, both onsite and offsite. The determination whether a significant nexus exists is determined in Section III.C below.

##### **1. Characteristics of non-TNWs that flow directly or indirectly into TNW**

###### **(i) General Area Conditions:**

Watershed size: 640 to 1,280 acres

Drainage area: HUC-12 102100090605 City of Columbus-Loup River = 44,998 acres

Average annual rainfall: 26.9 inches

<sup>4</sup> Note that the Instructional Guidebook contains additional information regarding swales, ditches, washes, and erosional features generally and in the arid West.

Average annual snowfall: 25.7 inches

(ii) **Physical Characteristics:**

(a) Relationship with TNW:

- Tributary flows directly into TNW.  
 Tributary flows through Pick List tributaries before entering TNW.

Project waters are 1 (or less) river miles from TNW.  
Project waters are Pick List river miles from RPW.  
Project waters are 1 (or less) aerial (straight) miles from TNW.  
Project waters are Pick List aerial (straight) miles from RPW.  
Project waters cross or serve as state boundaries. Explain: .

Identify flow route to TNW<sup>5</sup>: non-RPW flows into Loup River, a TNW  
Tributary stream order, if known: .

(b) General Tributary Characteristics (check all that apply):

**Tributary is:**  Natural  
 Artificial (man-made). Explain: .  
 Manipulated (man-altered). Explain: Flow patterns were generally west to east in the unaltered floodplain. The topographic map indicates west to east concentrated flow in at least two channels which bisected the location of the existing ephemeral channel / road ditch and continued eastward until flowing into the Platte River downstream from the Platte River - Loup River confluence. The west ditch of City of Columbus Road now appears to intercept at least some of the historic storm flow of these two channels, plus outflow from city storm sewers, and directs the flow southward into the Loup River.

**Tributary** properties with respect to top of bank (estimate):

Average width: 1 - 2 feet  
Average depth: 1 feet  
Average side slopes: 4:1 (or greater).

Primary tributary substrate composition (check all that apply):

- |  |  |                                   |
|--|--|-----------------------------------|
| <input checked="" type="checkbox"/> Silts  | <input type="checkbox"/> Sands                     | <input type="checkbox"/> Concrete |
| <input type="checkbox"/> Cobbles           | <input type="checkbox"/> Gravel                    | <input type="checkbox"/> Muck     |
| <input type="checkbox"/> Bedrock           | <input type="checkbox"/> Vegetation. Type/% cover: |                                   |
| <input type="checkbox"/> Other. Explain: . |  |                                   |

Tributary condition/stability [e.g., highly eroding, sloughing banks]. Explain: gradually sloping road ditch

Presence of run/riffle/pool complexes. Explain: NA .

Tributary geometry: Relatively straight

Tributary gradient (approximate average slope): 1 %

(c) Flow:

Tributary provides for: Ephemeral flow

Estimate average number of flow events in review area/year: 11-20

Describe flow regime:

Other information on duration and volume: .

Surface flow is: Discrete. Characteristics: Flow events are likely to frequently inundate abutting wetlands.

Subsurface flow: Unknown. Explain findings:

Dye (or other) test performed: .

Tributary has (check all that apply):

- Bed and banks  
 OHWM<sup>6</sup> (check all indicators that apply):
- |  |  |
|--|--|
| <input type="checkbox"/> clear, natural line impressed on the bank | <input type="checkbox"/> the presence of litter and debris     |
| <input type="checkbox"/> changes in the character of soil          | <input type="checkbox"/> destruction of terrestrial vegetation |
| <input type="checkbox"/> shelving                                  | <input type="checkbox"/> the presence of wrack line            |

<sup>5</sup> Flow route can be described by identifying, e.g., tributary a, which flows through the review area, to flow into tributary b, which then flows into TNW.

<sup>6</sup> A natural or man-made discontinuity in the OHWM does not necessarily sever jurisdiction (e.g., where the stream temporarily flows underground, or where the OHWM has been removed by development or agricultural practices). Where there is a break in the OHWM that is unrelated to the waterbody's flow regime (e.g., flow over a rock outcrop or through a culvert), the agencies will look for indicators of flow above and below the break.

- vegetation matted down, bent, or absent
- leaf litter disturbed or washed away
- sediment deposition
- water staining
- other (list):
- sediment sorting
- scour
- multiple observed or predicted flow events
- abrupt change in plant community

Discontinuous OHWM.<sup>7</sup> Explain:

If factors other than the OHWM were used to determine lateral extent of CWA jurisdiction (check all that apply):

- High Tide Line indicated by:
  - oil or scum line along shore objects
  - fine shell or debris deposits (foreshore)
  - physical markings/characteristics
  - tidal gauges
  - other (list):
- Mean High Water Mark indicated by:
  - survey to available datum;
  - physical markings;
  - vegetation lines/changes in vegetation types.

**(iii) Chemical Characteristics:**

Characterize tributary (e.g., water color is clear, discolored, oily film; water quality; general watershed characteristics, etc.).

Explain: **The tributary conveys and filters sediments, lawn chemicals, and other pollutants from storm water system and the adjacent land. Standing or flowing water was not observed at time of field visit.**

Identify specific pollutants, if known:

**(iv) Biological Characteristics. Channel supports (check all that apply):**

- Riparian corridor. Characteristics (type, average width):
- Wetland fringe. Characteristics: **PEMA/C dominated by herbaceous hydrophytes**
- Habitat for:
  - Federally Listed species. Explain findings:
  - Fish/spawn areas. Explain findings:
  - Other environmentally-sensitive species. Explain findings:
  - Aquatic/wildlife diversity. Explain findings: **channel and lush wetland fringe together represent habitat that typically supports a diverse range of vertebrates and invertebrates such as amphibians, reptiles, mammals, and insects.**

**2. Characteristics of wetlands adjacent to non-TNW that flow directly or indirectly into TNW**

**(i) Physical Characteristics:**

(a) General Wetland Characteristics:

Properties:

Wetland size: **0.28** acres

Wetland type. Explain: **seasonal**

Wetland quality. Explain: **wetlands currently functioning as sediment and chemical trap for pollutants**

Project wetlands cross or serve as state boundaries. Explain: **NA**

(d) General Flow Relationship with Non-TNW:

Flow is: **Ephemeral flow.** Explain:

Surface flow is: **Discrete**

Characteristics: **flow path is within shallow ditch**

Subsurface flow: **Unknown.** Explain findings:

Dye (or other) test performed:

(e) Wetland Adjacency Determination with Non-TNW:

Directly abutting:

Not directly abutting

Discrete wetland hydrologic connection. Explain:

Ecological connection. Explain:

Separated by berm/barrier. Explain:

(f) Proximity (Relationship) to TNW

Project wetlands are **1 (or less)** river miles from TNW.

Project waters are **1 (or less)** aerial (straight) miles from TNW.

Flow is from: **Wetland to navigable waters.**

Estimate approximate location of wetland as within the **100 - 500-year** floodplain. **Part of the wetland is on the river side of the levee and part of the wetland is on the landward side of the levee.**

<sup>7</sup>Ibid.

**(ii) Chemical Characteristics:**

Characterize wetland system (e.g., water color is clear, brown, oil film on surface; water quality; general watershed characteristics; etc.). Explain: **water was not present, vegetation dominated by healthy hydrophytes which did not show signs of either drought or flood stress.**

Identify specific pollutants, if known: **storm flow from city streets, may contain herbicides, oils, heavy metals, and sediment**

**(iii) Biological Characteristics. Wetland supports (check all that apply):**

- Riparian buffer. Characteristics (type, average width):
- Vegetation type/percent cover. Explain: **wetland 100%**
- Habitat for:
  - Federally Listed species. Explain findings:
  - Fish/spawn areas. Explain findings:
  - Other environmentally-sensitive species. Explain findings:
  - Aquatic/wildlife diversity. Explain findings: **channel and lush wetland fringe together represent habitat that typically supports a diverse range of vertebrates and invertebrates such as amphibians, reptiles, mammals, and insects.**

**3. Characteristics of all wetlands adjacent to the tributary (if any)**

All wetland(s) being considered in the cumulative analysis: **1**  
Approximately ( **0.28** ) acres in total are being considered in the cumulative analysis.

For each wetland, specify the following:

Directly abuts? (Y/N)	Size (in acres)	Directly abuts? (Y/N)	Size (in acres)
<b>Y</b>			
<b>fringe wetland</b>	<b>0.28</b>		

Summarize overall biological, chemical and physical functions being performed: **The ephemeral channel receives storm flow from an unknown reach of the city's storm sewer system. That storm flow may contain herbicides, oils, heavy metals, and sediments that are subsequently trapped and treated by the wetland. The wetland vegetation provides cover for amphibians, reptiles, small mammals and insects, and a source of food for water fowl. Vegetation generally also assists in slowing the velocity of flowing water, reducing erosion.**

**C. Significant nexus determination**

**A significant nexus analysis will assess the flow characteristics and functions of the tributary itself and the functions performed by any wetlands adjacent to the tributary to determine if they significantly affect the chemical, physical, and biological integrity of a TNW. For each of the following situations, a significant nexus exists if the tributary, in combination with all of its adjacent wetlands, has more than a speculative or insubstantial effect on the chemical, physical and/or biological integrity of a TNW. Considerations when evaluating significant nexus include, but are not limited to the volume, duration, and frequency of the flow of water in the tributary and its proximity to a TNW, and the functions performed by the tributary and all its adjacent wetlands. It is not appropriate to determine significant nexus based solely on any specific threshold of distance (e.g. between a tributary and its adjacent wetland or between a tributary and the TNW). Similarly, the fact an adjacent wetland lies within or outside of a floodplain is not solely determinative of significant nexus.**

**Draw connections between the features documented and the effects on the TNW, as identified in the *Rapanos* Guidance and discussed in the Instructional Guidebook. Factors to consider include, for example:**

- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to carry pollutants or flood waters to TNWs, or to reduce the amount of pollutants or flood waters reaching a TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), provide habitat and lifecycle support functions for fish and other species, such as feeding, nesting, spawning, or rearing young for species that are present in the TNW?
- Does the tributary, in combination with its adjacent wetlands (if any), have the capacity to transfer nutrients and organic carbon that support downstream foodwebs?
- Does the tributary, in combination with its adjacent wetlands (if any), have other relationships to the physical, chemical, or biological integrity of the TNW?

**Note: the above list of considerations is not inclusive and other functions observed or known to occur should be documented below:**

1. **Significant nexus findings for non-RPW that has no adjacent wetlands and flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary itself, then go to Section III.D:
  
2. **Significant nexus findings for non-RPW and its adjacent wetlands, where the non-RPW flows directly or indirectly into TNWs.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D: **An ephemeral channel with 0.28 acres of abutting PEMA/C fringe wetlands flows southward in the west ditch of City of Columbus Road. The ephemeral channel is continuous from a point near the north property line of the facility to the Loup River. The channel flows through two driveway culverts as well as a culvert through the levee. The channel exhibits sufficient flow, duration, and volume to transport sediment and contaminants at a frequency and manner that confirms this system has the capacity to have more than a speculative affect on the chemical, physical, and ecological integrity of the Loup River (TNW). Among other useful functions, the tributary and its abutting wetlands have the capacity to reduce the amount of chemical pollutants from reaching downstream waters. From the physical standpoint, the tributary and wetlands can stabilize sediments and reduce the velocity of concentrated flows from the storm water sewer system. Ecologically, the tributary and wetlands provide in-stream habitat, food, and refuge for wildlife, enhancing the biological integrity of the local ecosystem and downstream TNWs.**
  
3. **Significant nexus findings for wetlands adjacent to an RPW but that do not directly abut the RPW.** Explain findings of presence or absence of significant nexus below, based on the tributary in combination with all of its adjacent wetlands, then go to Section III.D:

**D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY):**

1. **TNWs and Adjacent Wetlands.** Check all that apply and provide size estimates in review area:

TNWs: **1,500** linear feet **500** width (ft), Or, acres.

Wetlands adjacent to TNWs: **4.45** acres.

2. **RPWs that flow directly or indirectly into TNWs.**

Tributaries of TNWs where tributaries typically flow year-round are jurisdictional. Provide data and rationale indicating that tributary is perennial:

Tributaries of TNW where tributaries have continuous flow “seasonally” (e.g., typically three months each year) are jurisdictional. Data supporting this conclusion is provided at Section III.B. Provide rationale indicating that tributary flows seasonally:

Provide estimates for jurisdictional waters in the review area (check all that apply):

Tributary waters: linear feet width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters:

3. **Non-RPWs<sup>8</sup> that flow directly or indirectly into TNWs.**

Waterbody that is not a TNW or an RPW, but flows directly or indirectly into a TNW, and it has a significant nexus with a TNW is jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional waters within the review area (check all that apply):

Tributary waters: **2,200** linear feet **1.0** width (ft).

Other non-wetland waters: acres.

Identify type(s) of waters:

4. **Wetlands directly abutting an RPW that flow directly or indirectly into TNWs.**

Wetlands directly abut RPW and thus are jurisdictional as adjacent wetlands.

Wetlands directly abutting an RPW where tributaries typically flow year-round. Provide data and rationale indicating that tributary is perennial in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

Wetlands directly abutting an RPW where tributaries typically flow “seasonally.” Provide data indicating that tributary is seasonal in Section III.B and rationale in Section III.D.2, above. Provide rationale indicating that wetland is directly abutting an RPW:

Provide acreage estimates for jurisdictional wetlands in the review area: acres.

<sup>8</sup>See Footnote # 3.

5. **Wetlands adjacent to but not directly abutting an RPW that flow directly or indirectly into TNWs.**

- Wetlands that do not directly abut an RPW, but when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide acreage estimates for jurisdictional wetlands in the review area: \_\_\_\_\_ acres.

6. **Wetlands adjacent to non-RPWs that flow directly or indirectly into TNWs.**

- Wetlands adjacent to such waters, and have when considered in combination with the tributary to which they are adjacent and with similarly situated adjacent wetlands, have a significant nexus with a TNW are jurisdictional. Data supporting this conclusion is provided at Section III.C.

Provide estimates for jurisdictional wetlands in the review area: **0.28** acres.

7. **Impoundments of jurisdictional waters.**<sup>9</sup>

As a general rule, the impoundment of a jurisdictional tributary remains jurisdictional.

- Demonstrate that impoundment was created from “waters of the U.S.,” or
- Demonstrate that water meets the criteria for one of the categories presented above (1-6), or
- Demonstrate that water is isolated with a nexus to commerce (see E below).

E. **ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY):**<sup>10</sup>

- which are or could be used by interstate or foreign travelers for recreational or other purposes.
- from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- which are or could be used for industrial purposes by industries in interstate commerce.
- Interstate isolated waters. Explain: \_\_\_\_\_
- Other factors. Explain: \_\_\_\_\_

**Identify water body and summarize rationale supporting determination:** \_\_\_\_\_

Provide estimates for jurisdictional waters in the review area (check all that apply):

- Tributary waters: \_\_\_\_\_ linear feet \_\_\_\_\_ width (ft).
- Other non-wetland waters: \_\_\_\_\_ acres.  
Identify type(s) of waters: \_\_\_\_\_
- Wetlands: \_\_\_\_\_ acres.

F. **NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):**

- If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
  - Prior to the Jan 2001 Supreme Court decision in “SWANCC,” the review area would have been regulated based solely on the “Migratory Bird Rule” (MBR).
- Waters do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction. Explain: \_\_\_\_\_
- Other: (explain, if not covered above): \_\_\_\_\_

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), 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.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the “Significant Nexus” standard, where such a finding is required for jurisdiction (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.

<sup>9</sup> To complete the analysis refer to the key in Section III.D.6 of the Instructional Guidebook.

<sup>10</sup> Prior to asserting or declining CWA jurisdiction based solely on this category, Corps Districts will elevate the action to Corps and EPA HQ for review consistent with the process described in the Corps/EPA Memorandum Regarding CWA Act Jurisdiction Following Rapanos.

**SECTION IV: DATA SOURCES.**

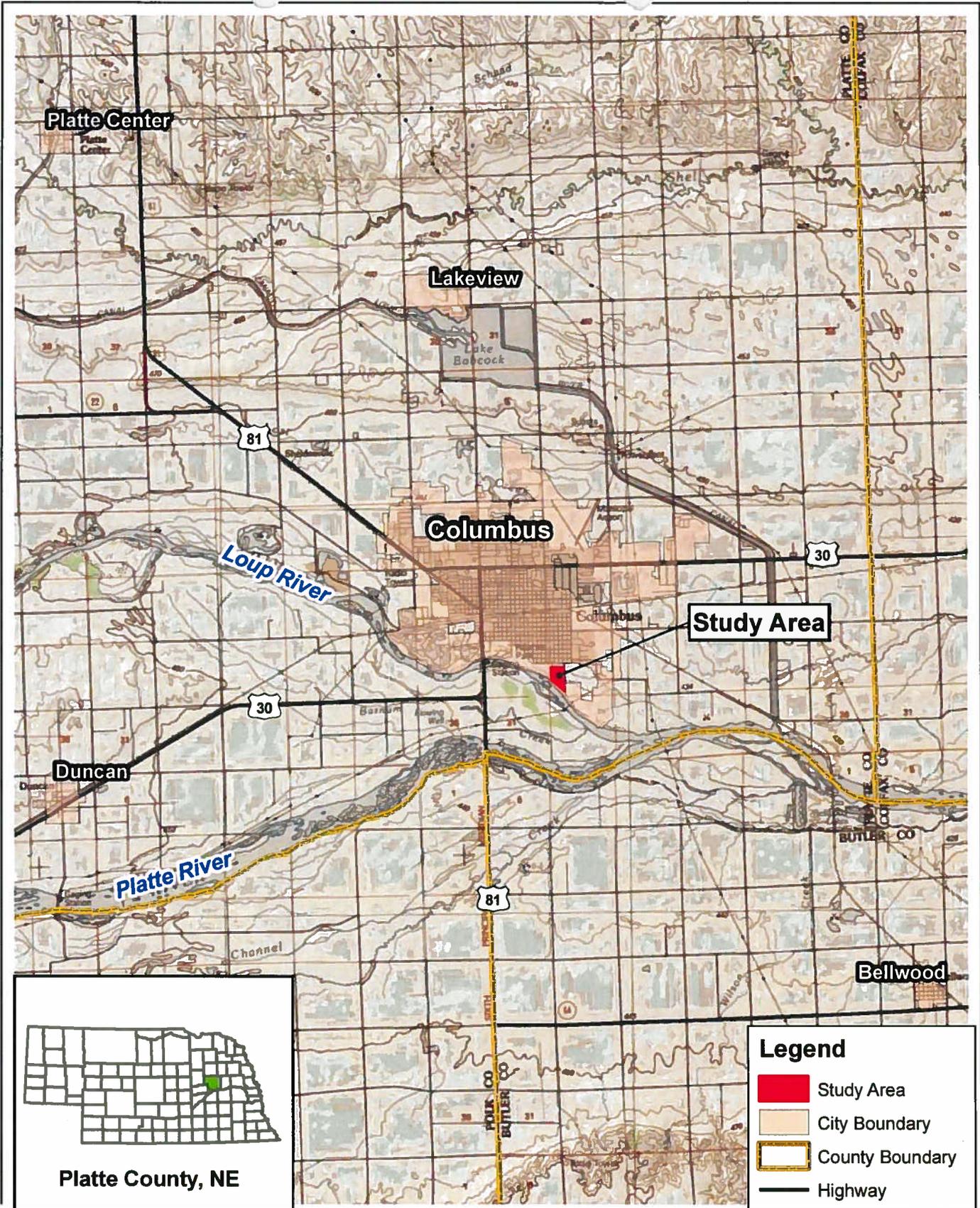
**A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):**

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: [prepared by HDR Engineering, Inc.](#)
- Data sheets prepared/submitted by or on behalf of the applicant/consultant. [prepared by HDR Engineering, Inc.](#)
- Office concurs with data sheets/delineation report. [delineation confirmed with Corps staff site visit 3 December 2012](#)
- Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps: .
- Corps navigable waters' study: .
- U.S. Geological Survey Hydrologic Atlas: .
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: [Columbus 1:24,000](#)
- USDA Natural Resources Conservation Service Soil Survey. Citation: [Platte County Soil Survey, 1988](#)
- National wetlands inventory map(s). Cite name: [Columbus 1:24,000](#) .
- State/Local wetland inventory map(s): .
- FEMA/FIRM maps: [Floodplain\\_v4, ArcGIS Map Service, http://maps.dnr.ne.gov/arcgis/services](#) .
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs:  Aerial (Name & Date): [Google aerials, various years.](#)  
or  Other (Name & Date): [ground photos by applicant](#)
- Previous determination(s). File no. and date of response letter: .
- Applicable/supporting case law: .
- Applicable/supporting scientific literature: .
- Other information (please specify): .

**B. ADDITIONAL COMMENTS TO SUPPORT JD:** [The wetlands in the west-central portion of the site are jurisdictional because they are adjacent to a TNW. The wetlands are reasonably close \(within 360 feet\) to the Loup River and are separated from the river by a man-made dike.](#)

[The ephemeral channel near the east site boundary is jurisdictional because the channel is a non-relatively permanent water \(non-RPW\) that flows directly into a TNW.](#)

[The wetland near the east site boundary is jurisdictional because the wetland is adjacent to a non-RPW that flows directly into a TNW.](#)



**Legend**

- Study Area
- City Boundary
- County Boundary
- Highway

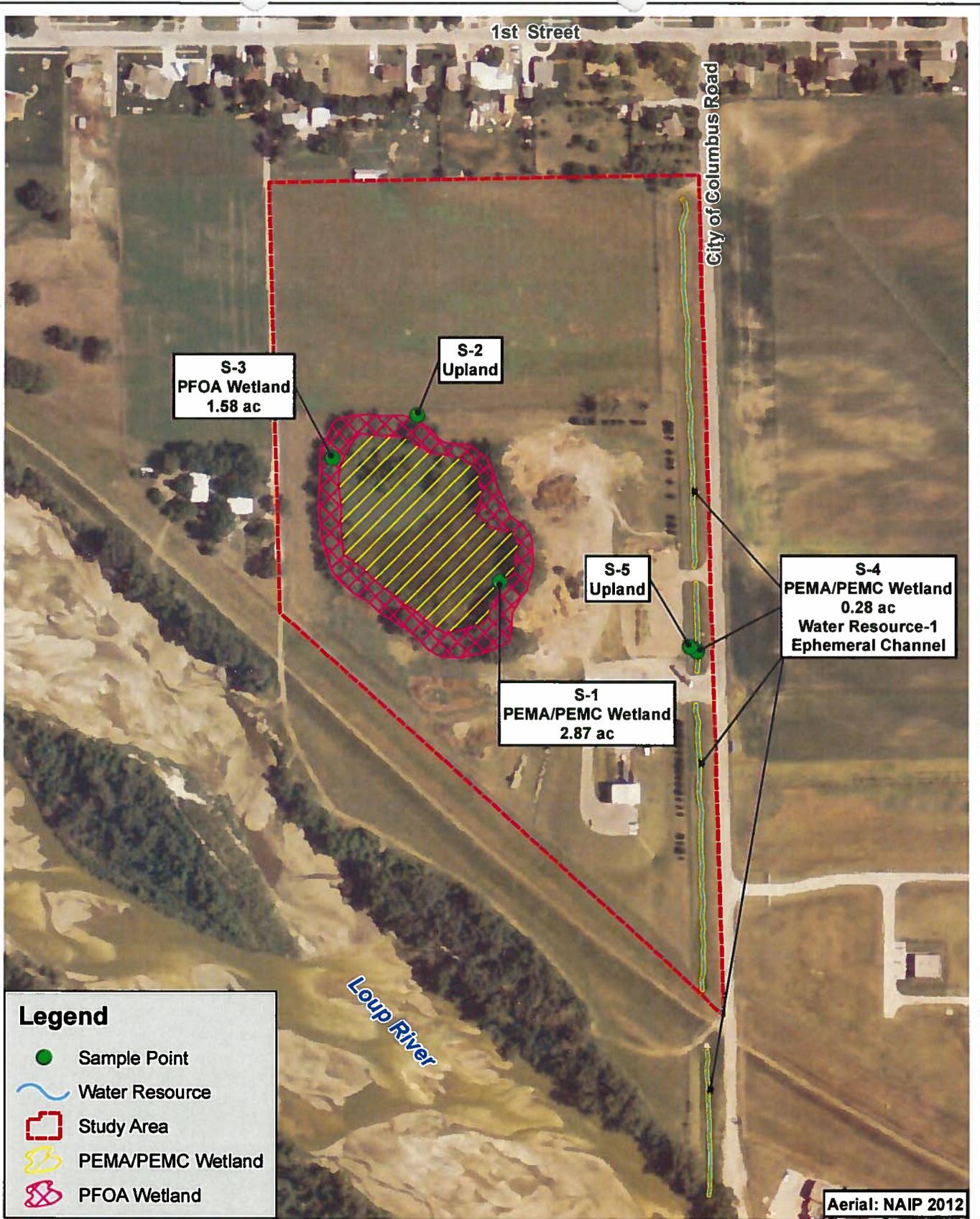
**Platte County, NE**

**Study Area**

City of Columbus - Solid Waste Transfer Station  
Platte County, NE  
Wetland Delineation Report

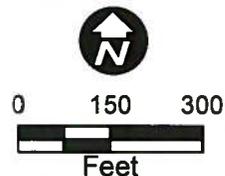
DATE  
October 2012

FIGURE  
1



## Wetlands and Water Resources

City of Columbus - Solid Waste Transfer Station  
Platte County, NE  
Wetland Delineation Report



DATE  
October 2012

FIGURE  
2