APPENDIX B

US ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
2023 RULE

ORM Project Name: Enter ORM project Name
ORM Identification Number: Enter ORM ID number

Appendix B #X of X: **Significant Nexus Analysis for potential paragraph (a)(5)(ii) waters:** Completion of this appendix is ***required*** for all potential paragraph (a)(5)(ii) waters.

1. Identify and describe the catchment (region): (location of downstream limit of catchment, and approximate size and extent of the catchment) (include map of catchment showing all waters within the review area[2] that are being analyzed under paragraph (a)(5)(ii), and the location of the review area):
   Click or tap here to enter text.

2. Identify the paragraph (a)(1) water to which the tributary that is most closely associated with the potential (a)(5)(ii) water(s) directly or indirectly flows:
   Click or tap here to enter text.

3. Describe the flowpath from the downstream limit of the tributary most closely associated with the potential (a)(5)(ii) water(s) to the paragraph (a)(1) water:
   Click or tap here to enter text.

4. Use the table below to list each intrastate lake or pond, stream, and/or wetland within the review area that is being analyzed under paragraph (a)(5)(ii) and to provide information supporting the rationale that this waterbody is most closely associated with the tributary reach that was selected to define the region.

Lake or pond, stream, or wetland name	Resource type	Explain why the subject water does not meet the criteria for paragraphs (a)(1) through (a)(4) or paragraph (a)(5)(i). Support the rationale that this waterbody is most closely associated with the tributary reach that was selected to define the region.
N/A	N/A	N/A

[1] The final rule "Revised Definition of 'Waters of the United States'" (2023 Rule) was published in the *Federal Register* on 18 January 2023 and the effective date is 20 March 2023. See https://www.federalregister.gov/documents/2023/01/18/2022-28595/revised-definition-of-waters-of-the-united-states.

[2] In implementing the significant nexus standard, the agencies generally intend to analyze waters under paragraph (a)(5) individually to determine if they significantly affect the chemical, physical, or biological integrity of a paragraph (a)(1) water. This approach reflects the agencies' consideration of public comments, as well as implementation considerations for waters assessed under paragraph (a)(5). (See 88 FR 3102). When assessing waters individually under paragraph (a)(5)(ii) of the 2023 Rule, it is not necessary to identify or consider any similarly situated waters in the region that are located outside of the review area. Supplemental information to identify and describe in the region, which are located outside of the review area, may be referenced in Section IV.C or provided in Section IV.D of the AJD form.

5. Use the tables below to consider the factors and assess the functions provided by each potential paragraph (a)(5)(ii) water(s) listed above. Each potential paragraph (a)(5)(ii) water should generally be evaluated individually. Complete the factors table by describing the site-specific conditions that relate to the potential paragraph (a)(5)(ii) water.[3]

FACTORS
Distance from a water identified in paragraph (a)(1) (river miles and straight-line miles):
Click or tap here to enter text.
Hydrologic factors, such as the frequency, duration, magnitude, timing, and rate of hydrologic connections, including shallow subsurface flow:
Click or tap here to enter text.
Size, density, or number of waters that have been determined to be similarly situated[4]:
Click or tap here to enter text.
Landscape position and geomorphology:
Click or tap here to enter text.
Climatological variables such as temperature, rainfall, and snowpack:
Click or tap here to enter text.

For each function, consider each factor to evaluate the likely strength of any effect of that function on a paragraph (a)(1) water. Consider whether the factors are likely to increase or decrease the strength of the influence of the function on the paragraph (a)(1) water.

FUNCTIONS
Contribution of flow:
Click or tap here to enter text.
Trapping, transformation, filtering, and transport of materials (including nutrients, sediment, and other pollutants):
Click or tap here to enter text.
Retention and attenuation of floodwaters and runoff:
Click or tap here to enter text.
Modulation of temperature in waters identified in paragraph (a)(1):
Click or tap here to enter text.
Provision of habitat and food resources for aquatic species located in waters identified in paragraph (a)(1):
Click or tap here to enter text.

6. For each potential paragraph (a)(5)(ii) water within the review area, enter the name(s) of the water(s) in the table below and select a conclusion statement from the drop-down menu that applies to that water. Consider the factors and assess the functions of the potential

[3] Supplemental information to consider the factors and assess the functions of waters in the region, which are located outside of the review area, may be referenced in Section IV.B. or IV.C. or provided in Section IV.D. of the AJD form.
[4] Note that, because waters assessed under paragraph (a)(5)(ii) are generally assessed individually, generally only the total size of the potential paragraph (a)(5)(ii) water will be described.

paragraph (a)(5)(ii) water and whether the subject water significantly affects the chemical, physical, or biological integrity of the paragraph (a)(1) water to support the conclusion in the summary table.

Conclusion Summary	
Water name: Click or tap here to enter text.	Conclusion: N/A
Rationale Summary: Click or tap here to enter text.	