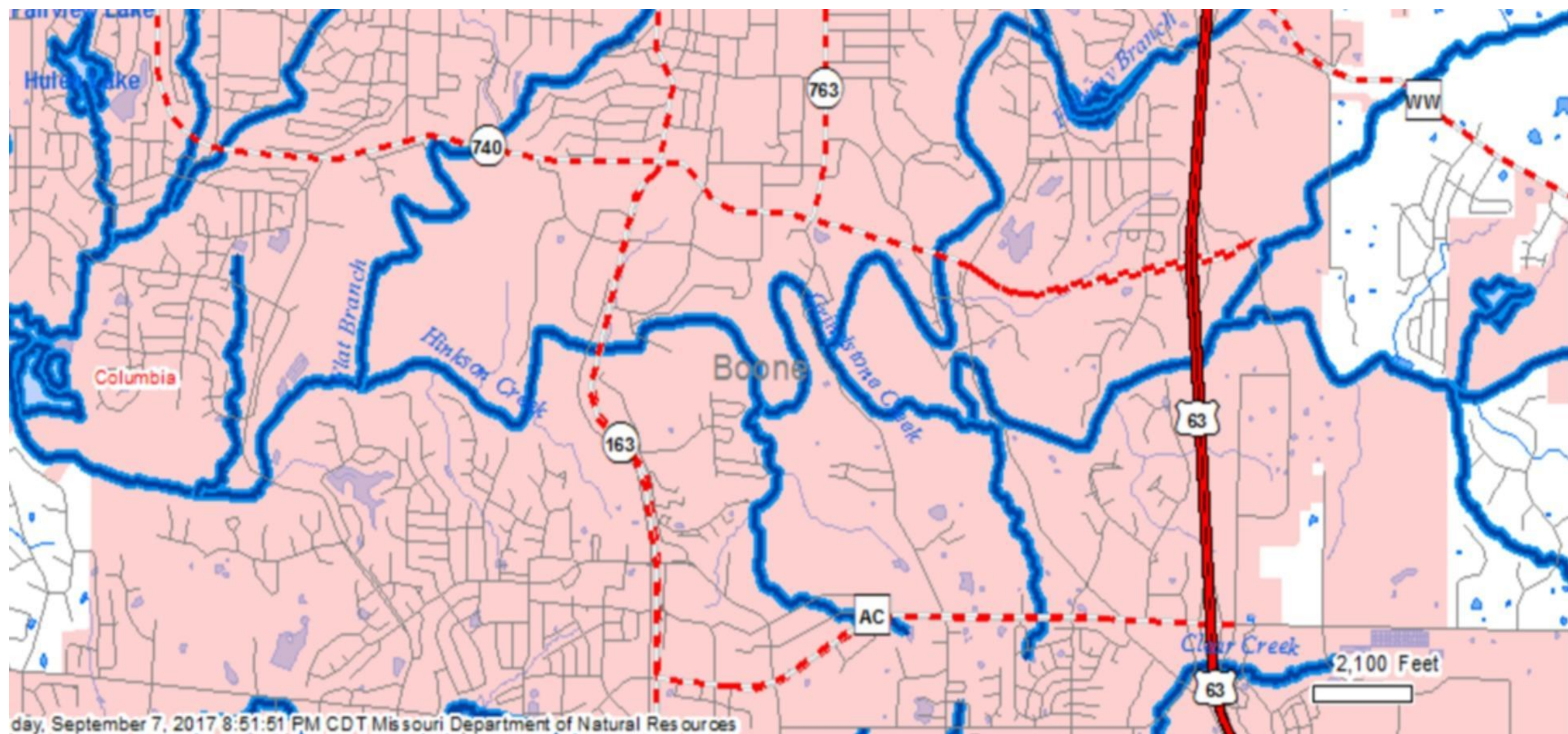


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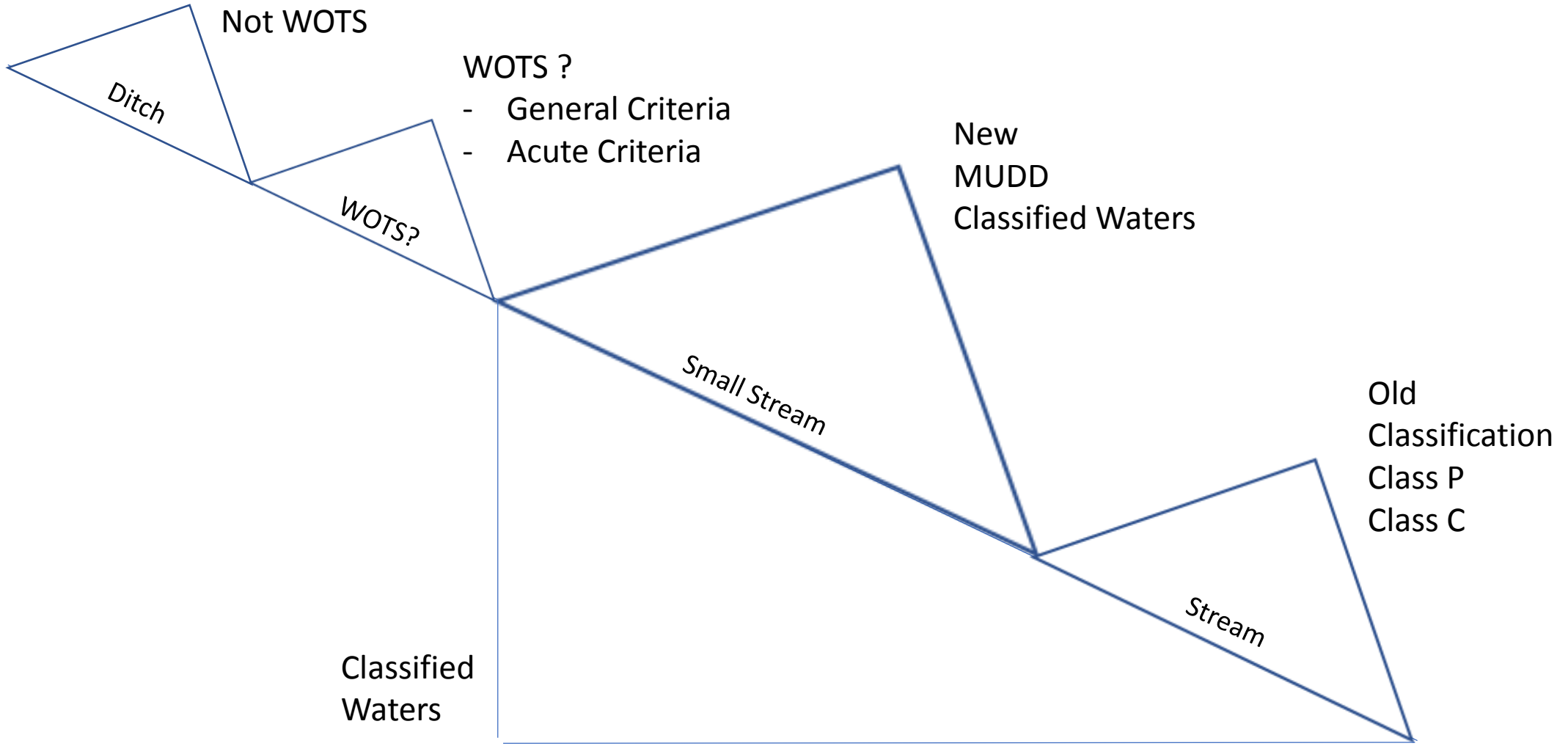
- Revised definition of
“Waters of the State”

“Waters of the state” 644.016(27), RSMo.

(27) “Waters of the state”, **all waters within the jurisdiction of this state, including** all rivers, streams, lakes and other bodies of surface and subsurface water lying within or forming a part of the boundaries of the state which are not entirely confined and located completely upon lands owned, leased or otherwise controlled by a single person or by two or more persons jointly or as tenants in common ~~and includes waters of the United States lying within the state.~~



Top of Hill/Watershed



MDNR Letter on Jurisdictional Determination

- Based on aerial imagery available from the 2014 National Agricultural Imagery Program, hydrographic data contained in the National Hydrography Dataset, and your letter of *****, which references “watercourses on the ***** property”, it is clear that the property contains water and is within the boundaries of the state. It is also clear that the streams that originate on this property appear to convey water beyond the property boundaries and be hydrologically connected to downstream waters, and therefore the waters “are not entirely confined and located completely upon lands owned, leased or otherwise controlled by” the permittee.

MDNR Letter on Jurisdictional Determination

- In light of these factors, the waters on the ***** property are waters of the state, with accompanying uses and protections of general criteria. The department would be willing to consider all reasonable evidence that demonstrates otherwise, including any approved jurisdictional determinations conducted by the U.S. Army Corps of Engineers.