



**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): [2/23/2021](#)
 ORM Number: [NAO-2021-00154-rhs](#)
 Associated JDs: [N/A](#)
 Review Area Location¹: State/Territory: [VA](#) City: [Enter](#). County/Parish/Borough: [Loudoun](#)
 Center Coordinates of Review Area: Latitude [39.060278](#) Longitude [-77.438333](#)

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.

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.

Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
S-1	64	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year. This intermittent stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into Broad Run which then flows into the Potomac River, a TNW.
S-2	37	linear feet	(a)(2) Intermittent tributary contributes This intermittent stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into

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.



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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.	Broad Run which then flows into the Potomac River, a TNW.
S-3	23	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This intermittent stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into Broad Run which then flows into the Potomac River, a TNW.
S-4	83	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This intermittent stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into Broad Run which then flows into the Potomac River, a TNW.
S-5	80	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This intermittent stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into Broad Run which then flows into the Potomac River, a TNW.
S-6	43	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This intermittent stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into Broad Run which then flows into the Potomac River, a TNW.
S-7	25	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This perennial stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into Broad Run which then flows into the Potomac River, a TNW.
S-8	6	linear feet	(a)(2) Perennial tributary contributes	This perennial stream was delineated using the 1987 Manual and Regional supplement and has an OHWM and bed and bank. This stream flows into



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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.	Broad Run which then flows into the Potomac River, a TNW.

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.

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
W-1	< 0.01 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This PSS wetland directly abuts a perennial stream, which flows into Broad Run and goes into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-2	0.02 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This POW directly abuts a perennial stream, which flows into Broad Run and goes into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-3	< 0.01 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This PEM wetland directly abuts a perennial stream, which flows into Broad Run and goes into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-4	< 0.01 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This PSS wetland directly abuts off-site to Broad Run and goes into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-5	0.05 acres(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This PFO wetland directly abuts off-site to Broad Run and goes into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-6	0.03 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This PEM wetland directly abuts off-site to Broad Run and goes into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.

D. Excluded Waters or Features



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
SW-1	< 0.01 acre(s)	(b)(1) Non-adjacent wetland.	This isolated PEM wetland lacks a direct hydrological connection to other streams or waters of the U.S.

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: [Attachment I: Waters of the U.S. \(Including Wetlands\) Delineation Map; Broad Run Farms Waterline](#)
This information [Select.](#) sufficient for purposes of this AJD.
Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial and Other: Fall 2002 Natural Color Imagery from Aerials Express, Spring 2017 Near Color Infrared Imagery from Virginia Base Mapping Program, and Spring 2020 Natural Color Imagery from Loudoun Office of Mapping and Geographic Information. Study area photographs from October 27 and 28, 2020.](#)
- Corps site visit(s) conducted on: [Date\(s\).](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\).](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Loudoun County Digital Data, 2018](#)
- USFWS NWI maps: [Downloaded October 2020](#)
- USGS topographic maps: [Sterling, MD VA 1998](#)

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	N/A.

B. Typical year assessment(s): [Based on the APT Tool, conditions were normal at the time of the wetland delineation.](#)

C. Additional comments to support AJD: [N/A or provide additional discussion as appropriate.](#)

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.