



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): 27-JAN-2021

ORM Number: NAO-2020-02296

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: VA City: County/Parish/Borough: Fairfax County

Center Coordinates of Review Area: Latitude 38.927379 Longitude -77.142637

**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)<sup>2</sup>**

§ 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)<sup>3</sup>

(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
Little Pimmit Run	6984 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	This perennial stream has an OHWM, bed and bank, and flows into Pimmit Run which then flows into the Potomac River, TNW.
S2, S3, S4, S5, S7, S8, S9, S10, S11, S12, S13, S14, S15	1669 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	This intermittent stream has an OHWM, bed and bank, and flows into Little Pimmit run to Pimmit Run which then flows into the Potomac River, TNW.
S6	148 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	This perennial stream has an OHWM, bed and bank, and flows into Little Pimmit Run to Pimmit Run which then flows into the Potomac River, TNW

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide and 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.

<sup>3</sup> 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 independent 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.

<sup>4</sup> 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.

<sup>5</sup> 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.



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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
W1, W2, W4, W6, W8, W9, W12, W16, W18	0.78 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This PFO wetland directly abuts Little Pimmit Run, which flows into Pimmit Run and goes into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W3, W10, W11, W17	0.2 acres	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year	This PFO wetland is flooded in a typical year by Little Pimmit Run, a USGS-mapped perennial stream, which flows into Pimmit Run and into the Potomac River, a TNW. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W5, W7, W13, W14, W15	0.11 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This PEM wetland directly abuts an intermittent stream which goes into Little Pimmit Run, which flows into Pimmit 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**

Excluded waters ((b)(1) – (b)(12))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
E1, E2, E3, E4, E5, E6	0.07 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	This feature was constructed and excavated in uplands or in non-jurisdictional waters to convey, treat, infiltrate, or store stormwater runoff and is not considered to be a waters of the U.S. The primary source of hydrology for this non-jurisdictional stormwater conveyance feature is from run-off associated with adjacent surrounding development during rain and/or storm events. Based on field observations this feature did not display the characteristics of a stream (i.e., an ordinary high water mark and bed or bank, etc.).
SW1, SW2	275 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	This stream was determined to be ephemeral due to the absence of hydric soils and it typically flows only during precipitation events.

**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: Little Pimmit Run at Chesterbrook Road, 12/1/2020.

This information *is and is not* sufficient for purposes of this AJD.  
Rationale: *N/A*.

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- Data sheets prepared by the Corps: *Title(s) and/or date(s)*.
- Photographs: Aerial and Other: Spring 2009 Natural Color Imagery from Virginia Base Mapping Program (VBMP), Spring 2017 Natural Color Imagery from VBMP, and February 2020 Natural Color Imagery from Nearmap®. Study area photographs from June 8 through 10, 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: Fairfax County Digital Data, 2018.
- USFWS NWI maps: U.S. Fish and Wildlife Service; March 2019.
- USGS topographic maps: Falls Church, MD VA 1997.

**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 results, this area is experiencing wetter than normal conditions.
- C. Additional comments to support AJD:** N/A or provide additional discussion as appropriate.

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