



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): 23-JUL-2021

ORM Number: NAO-2021-00660

Associated JDs: N/A

Review Area Location¹:

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

Center Coordinates of Review Area: Latitude 38.749504 Longitude -77.492887

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
SA - R3	919 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	This perennial tributary has an OHWM and bed and bank. This stream flows into Cannon Branch which flows through other tributaries and then into the Potomac River, a TNW.
SB - R4	518 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	This intermittent tributary has an OHWM and bed and bank. This stream flows into Cannon Branch which flows through other tributaries and then 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
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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 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.

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 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.

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.



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N/A	N/A	N/A	N/A
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Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
WC	0.12 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This PEM wetland abuts an intermittent tributary, which flows into Cannon Branch which flows through other tributaries and then 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))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
EphA	44 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 even.
EphB	64 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 even.
SWM1	311 feet	(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 water 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.
WA	0.18 acres	(b)(1) Non-adjacent wetland	This PFO wetland lacks a surface connection to jurisdictional wetlands or other waters of the U.S.
WB	0.1 acres	(b)(1) Non-adjacent wetland	This PFO wetland lacks a surface connection to jurisdictional wetlands or other 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: Manassas Zumot. This information is and is not sufficient for purposes of this AJD. Rationale: N/A.
- Data sheets prepared by the Corps: Title(s) and/or date(s).
- Photographs: Aerial and Other: February 9, 2021, October 2012, September 2011, April 2011, and August 2010, aerial imagery. Study area photographs from February 10 and 12, 2021, and June 2021.
- Corps Site visit(s) conducted on: Date(s).
- Previous Jurisdictional Determinations (AJDs or PJDs): NAO-2021-00660/ March 29, 2021.

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- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: Manassas, VA/February 9, 2021.
- USFWS NWI maps: U.S. Fish and Wildlife Service; February 9, 2021.
- USGS topographic maps: Manassas and Independent Hill, VA 7.5 Minute Quadrangle.

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 results, this area is experiencing wetting than normal conditions.
- C. Additional comments to support AJD:** N/A.

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