



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): 28 June 2021
 ORM Number: NAO-2008-01512
 Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)
 Review Area Location¹:
 State/Territory: VA City: County/Parish/Borough: Pittsylvania County
 Center Coordinates of Review Area: Latitude 36.562651 Longitude -79.56038

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
A - i	5725 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
A - p	8225 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial channel on USGS and site visit confirmed perennial flow
BB - i	2950 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow

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BB - p	4090 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
CC - i	1790 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
CC - p	1791 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial channel on USGS and site visit confirmed perennial flow
D	180 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
DD	1792 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
E	100 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
EE	200 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
F	300 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
F2	270 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
G	675 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
HH	440 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
I	600 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
JJ	350 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial channel on USGS and site visit confirmed perennial flow

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K	1050 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
KK	75 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
LL	90 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
M	1775 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
MM	100 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
OO	585 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
PP	580 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
QQ	215 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
R - i	225 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
R - p	1250 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial channel on USGS and site visit confirmed perennial flow
RR	240 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
SS	300 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
T	1500 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow

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V	900 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
Y	8250 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial channel on USGS and site visit confirmed perennial flow
Y2	375 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
Z - i	1150 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Intermittent stream on USGS and site visit confirmed intermittent flow
Z - p	900 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Perennial channel on USGS and site visit confirmed perennial flow

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
LW1	65 feet	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
LW2	70 feet	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
LW3	150 feet	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
LW4	70 feet	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
LW5	125 feet	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
LW6	300 feet	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
LW8	90 feet	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W1	0.06 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W10	0.36 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W12	0.04 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W13	0.16 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W14	0.31 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River

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		water	
W15	0.22 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W16	0.19 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W17	0.12 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W18	0.12 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W19	0.02 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W2	0.56 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W20	0.22 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W22	0.07 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W23	0.03 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W24	0.18 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W25	0.03 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W26	0.73 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W27	0.23 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W28	0.09 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W29	0.17 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W3	3.19 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W31	0.48 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W33	23.4 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W34	0.1 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W35	0.22 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W37	0.49 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W38	0.25 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W4	0.1 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W40	0.03 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W41	5.65 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River

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W42	2.91 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W45	14.21 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W47	1.56 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W5	0.22 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W51	0.99 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W54	0.03 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W55	12.13 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W6	0.04 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W7	0.21 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W8	0.08 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River
W9	0.06 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly connected to UT of Dan River

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
LW7	275 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Dry stream bed at time of site visit, no sign of flow, sorting of bed load, or OHW
NN	125 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Dry stream bed at time of site visit, no sign of flow, sorting of bed load, or OHW
Q	300 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Dry stream bed at time of site visit, no sign of flow, sorting of bed load, or OHW
W11	0.19 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W21	0.6 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W30	0.16 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W32	0.22 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the

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			streams flood into the wetland in a typical year.
W36	0.16 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W39	0.08 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W43	5.65 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W44	4.42 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W46	1.25 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W48	0.9 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W49	0.32 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W50	0.39 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W52	0.28 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
W53	0.15 acres	(b)(1) Non-adjacent wetland	Wetland has no direct discrete tributary flow to an (a)(1)-(a)(3) water. No field indicators that the wetland flows to any jurisdictional water or that any of the streams flood into the wetland in a typical year.
X	260 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Dry stream bed at time of site visit, no sign of flow, sorting of bed load, or OHW

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: Soil and Water Consultants PA: Wetland Sketch Map: Triangle Brick Danville - March 16, 2021
-

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 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.



U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

This information is sufficient for purposes of this AJD.

Rationale: *N/A*

Data sheets prepared by the Corps: *Title(s) and/or date(s)*.

Photographs: *(NA, aerial, other, aerial and other) Title(s) and/or date(s)*.

Corps Site visit(s) conducted on: October 28, 2020

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: Pittsylvania County

USFWS NWI maps: Danville

USGS topographic maps: Brosville

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): The Antecedent Precipitation Tool showed it was a wetter than average year in 2020 and wetter than average during the October site visit.

C. Additional comments to support AJD: N/A

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

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