



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): March 5, 2021

ORM Number: NAO-2019-01270-JSH

Associated JDs: N/A

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

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

Center Coordinates of Review Area: Latitude 37.39 Longitude -77.511

**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
StreamC	738 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Naturally occurring surface water that contributes flow to an A1 water in a typical year
StreamD	2337 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Naturally occurring surface water that contributes flow to an A1 water in a typical year

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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<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 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.

<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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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
WetlandA	11.68 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly abuts an A-1 - A3 water that contributes flow downstream in a typical year
WetlandC	3.79 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly abuts an A-1 - A3 water that contributes flow downstream in a typical year
WetlandD	0.37 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly abuts an A-1 - A3 water that contributes flow downstream in a typical year
WetlandE	0.09 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly abuts an A-1 - A3 water that contributes flow downstream in a typical year

**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
WetlandB	3.3 acres	(b)(1) Non-adjacent wetland	Wetland does not abut any jurisdictional A1- A3 waters

**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: *“Courthouse Landing Wetland Delineation Map” dated January 22, 2021 and Corps date stamped as received February 19, 2021*

This information is sufficient for purposes of this AJD.

Rationale: Multiple site visits were conducted, and additional data collected which is accurately depicted on the above referenced map.

\_\_\_ Data sheets prepared by the Corps:

Photographs: Google Earth 3/1994 to 5/2018

Corps Site visit(s) conducted on *September 26, 2019, December 7, 2020, January 12, 2021*

\_\_\_ Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*

\_\_\_ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

USDA NRCS Soil Survey: *Corpsmap January 6, 2021*

USFWS NWI maps: *Title(s) Corpmap January 6, 2021*

\_\_\_ USGS topographic maps: *Corpmap January 6, 2021*

**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.

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Other Sources	N/A.
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**B. Typical year assessment(s):**

- C. Additional comments to support AJD:** Wetland B is isolated. Data was collected at logical areas where a possible connection may be present and hydric soils were not found between the isolated wetland the nearest A1 to A3 water.

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