



**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): 3/3/2021
 ORM Number: NAO-2020-00858 Endview Plantation
 Associated JDs: NAO-2020-0858 (PJD)
 Review Area Location¹: State/Territory: VA City: Newport News County/Parish/Borough: N/A
 Center Coordinates of Review Area: Latitude 37.208523 Longitude -76.566573

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.	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.	N/A.

Tributaries ((a)(2) waters):

(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
PS1	3,350	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
PS2	150	linear feet	(a)(2) Perennial tributary contributes	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).

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.	
PS3	190	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
PS4	150	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
PS5	100	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
PS6	100	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
IS1	480	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
IS2	370	linear feet	(a)(2) Perennial tributary contributes	This water flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).



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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.	

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	0.02 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W2	0.01 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W3	0.05 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W4	0.004 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W5	1.29 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W6	1.07 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W7	3.26 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W8	2.02 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).
W9	0.03 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).



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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
W10	0.14	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This wetland abuts a water that flows directly into Lee Hall Reservoir, which flows into the Warwick River (TNW).

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
EW1	0.07	acre(s)	(b)(1) Non-adjacent wetland.	This wetland does not have a direct surface connection to downstream waters, and is thus isolated.
EW2	0.59	acre(s)	(b)(1) Non-adjacent wetland.	This wetland does not have a direct surface connection to downstream waters, and is thus isolated
EW3	0.18	acre(s)	(b)(1) Non-adjacent wetland.	This wetland does not have a direct surface connection to downstream waters, and is thus isolated
EW4	0.10	acre(s)	(b)(1) Non-adjacent wetland.	This wetland does not have a direct surface connection to downstream waters, and is thus isolated
EIS1	740	linear feet	(b)(1) Surface water channel that does not contribute surface water flow directly or indirectly to an (a)(1) water in a typical year.	This is an intermittent water that does not have a direct surface connection. It is separated from downstream waters but a naturally occurring underground feature.
ES1	150	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This is an ephemeral stream channel that does not flow/connect to downstream waters except during precipitation events
ES2	160	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This is an ephemeral stream channel that does not flow/connect to downstream waters except during precipitation events

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
ES3	150	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	This is an ephemeral stream channel that does not flow/connect to downstream waters except during precipitation events
D1	120	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This is a roadside ditch constructed in uplands that receives stormwater runoff from uplands during precipitation events
D2	2,420	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This is a roadside ditch constructed in uplands that receives stormwater runoff from uplands during precipitation events
D3	440	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This is a roadside ditch constructed in uplands that receives stormwater runoff from uplands during precipitation events
D4	320	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	This is a roadside ditch constructed in uplands that receives stormwater runoff from uplands during precipitation events

III. SUPPORTING INFORMATION



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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: [Wetland Delineation Submittal by Jamie Armentrout, Wetland Studies and Solutions, Inc. Revised Figure 7 "Wetland Delineation" exhibit dated December 2020.](#)

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: [Other: Photographs of Data Points collected in March 2020 included in Wetland Delineation by WSSI](#)

Corps site visit(s) conducted on: [October 2021](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [PJD \(NAO-2020-00858\) dated July 23, 2020](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Soil Survey of Newport News, Virginia](#)

USFWS NWI maps: [Title\(s\) and/or date\(s\).](#)

USGS topographic maps: [Newport News North](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS Topographic Quadrangles
USDA Sources	Web Soil Survey
NOAA Sources	Digital Elevation Model (LIDAR)
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): [Normal conditions present during the delineation period.](#)

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