



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): 19-MAR-2021
ORM Number: NAO-2020-01566
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: Southampton County
Center Coordinates of Review Area: Latitude 36.688205 Longitude -77.38909

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
N/A	N/A	N/A	N/A

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
wetland 1	0.3 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland connects to PFO wetlands associated with Three Creek through overland flow over an unpaved

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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			agricultural road. Mike Faulk from NRCS documented this connection with site photos. It is expected that this flow would occur several times in a typical year.
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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
wetland 2	2.6 acres	(b)(1) Non-adjacent wetland	This wetland is located at the top of a hill and appears to be isolated. There is no evidence from historic topos that a natural wetland feature was located here. It may have been created as a borrow source for Route 58 but that is not certain.

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: *Environmental Evaluation Review by NRCS dated August 14, 2020; USDA NRCS Partial Wetland Determination Map for Corps Reference dated 1/29/2021; USDA NRCS LiDAR DEM Map dated 1/29/2021*
This information is sufficient for purposes of this AJD.

Rationale: *N/A*

Data sheets prepared by the Corps: *Wetland data sheets prepared by G. Janek on Jan. 27, 2021 at isolated wetland. Area meets the three parameters as described in 1987 Corps manual and Coastal Plain Supplement.*

Photographs: Google earth pro and ground-level photos taken by Mike Faulk, NRCS, on Oct. 26, 2020.

Corps Site visit(s) conducted on: *January 27, 2021*
 Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*

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

USDA NRCS Soil Survey: *Soil series is Uchee loamy sand, well drained, with seasonal zone of water saturation 48 inches during Jan, Feb, March, April, and Dec (from 12-15-20 email from Allison Hammer)*

USFWS NWI maps: *N/A*

USGS topographic maps: *Adams Grove, 24,000 scale, 1981. Also referred to 1942, 1953, 1966 topo maps on USGS Historical Topographic Map Explorer website.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	See above
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.

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State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s): The date of the site visit is designated wetter than normal.**
- C. Additional comments to support AJD: The northern wetlands shown in blue on the “USDA NRCS Partial Wetland Determination Map for Corps Reference” by Allison Hammer dated 1/29/2021 is connected by flow events in a typical year to wetlands located to the west.**

The wetlands shown in yellow and designated as AW, to the north of Route 58, on the same map as above, appear to be isolated wetlands that may have been created when fill was excavated for this area during the construction of the adjacent highway.

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