



**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): 5/4/2021

ORM Number: NAO-2020-01667-rdb

Associated JDs: Adjacent AJDs include Centreport, issued October 28, 2020 (#NAO-2020-01667-rdb) and VM Stafford, issued on September 24, 2020 (#NAO-2020-01227-rdb).

Review Area Location¹: State/Territory: Virginia City: Fredericksburg County/Parish/Borough: Stafford

Center Coordinates of Review Area: Latitude 38.89611 Longitude -77.45916

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
S-1	3,307 linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This perennial tributary to Potomac Creek has an OHWM, bed and bank, and flows into Potomac Creek, an (a)(2) water, which then flows into the Potomac River, an (a)(1) water.
S-2	20 linear feet	(a)(2) Intermittent tributary	This intermittent tributary has an OHWM, bed and bank, and flows into S-1 (an unnamed perennial

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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(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
		contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	tributary to Potomac Creek, an (a)(2) water, then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-3	429	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-4	121	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-5	297	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-6	4	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-7	105	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-8	19	linear feet (a)(2) Intermittent tributary	This intermittent tributary has an OHWM, bed and bank, and flows into S-1 (an unnamed perennial



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			contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-9	195	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-10	79	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-11	409	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-12	111	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.
S-13	397	linear 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, bed and bank, and flows into S-1 (an unnamed perennial tributary to Potomac Creek, an (a)(2) water), then into Potomac Creek, which then flows into the Potomac River, (a)(1) water.



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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
W-19	0.02	acre(s)	(a)(3) Lake/pond or impoundment of a jurisdictional water inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	This POW impoundment is flooded in a typical year by S-1, a perennial stream, an (a)(2) water, which flows into Potomac Creek, an (a)(2) water outside of the study area. This POW has been constructed within the FEMA floodplain of S-1.
N/A.	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
W-1	0.44	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-3 and S-4, intermittent streams, (a)(2) waters, and S-1, a perennial stream, an (a)(2) water, which flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-2	0.0003	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-2, an intermittent stream, an (a)(2) water, which flows into S-1, a perennial stream, an (a)(2) water, then flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-3	0.01	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-4	0.003	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-3, an intermittent stream, an (a)(2) water, which flows S-1, a perennial stream, an (a)(2) water, then flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-5	0.001	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-6	0.01	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	The A4WETFLOOD PFO wetland is located in a FEMA floodplain, and is flooded in a typical year by adjacent abutting (a)(4) wetlands and/or by S-1, a perennial stream, an (a)(2) water, which flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-7	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-5, an intermittent stream, an (a)(2) water, which flows S-1, a perennial stream, an (a)(2) water, then flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-8	0.02	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-5, an intermittent stream, an (a)(2) water, which flows S-1, a perennial stream, an (a)(2) water, then flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.



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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
W-9	0.001	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-5, an intermittent stream, an (a)(2) water, which flows into S-1, a perennial stream, an (a)(2) water, then flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-10	2.59	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-5, an intermittent stream, an (a)(2) water, which flows S-1, a perennial stream, an (a)(2) water, then flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-11	0.01	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-12	0.001	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	The A4WETFLOOD PFO wetland is located in a FEMA floodplain, and is flooded in a typical year by S-1, a perennial stream, an (a)(2) water, and flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement
W-13	0.01	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-14	2.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-15	0.86	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PEM wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-16	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-11 a perennial stream, an (a)(2) water, which flows into S-1, a perennial stream, an (a)(2) water, which flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-17	0.003	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PEM wetland is bordering and contiguous to S-11 a perennial stream, an (a)(2) water, which flows into S-1, a perennial stream, an (a)(2) water, which flows into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-18	0.26	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PEM wetland is bordering and contiguous to S-11 and S-1, perennial streams and (a)(2) waters, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-20	0.04	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-21	0.002	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PEM wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-22	0.06	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.



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(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
W-23	0.02	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PSS wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-24	1.55	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PEM wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-25	0.16	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PFO wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-26	0.05	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PSS wetland is bordering and contiguous S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. The limits of this wetland were determined using the 1987 Manual and Regional Supplement.
W-27	0.01	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	The A4WETABUT PSS wetland is bordering and contiguous to S-1, a perennial stream, an (a)(2) water, which then flow into Potomac Creek, an (a)(2) water outside of the study area. 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
N/A.	N/A.	N/A.	N/A.	N/A.

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: [Attachment I: Waters of the U.S. \(Including Wetlands\) Delineation Map, Project Clover PRM.](#)

This information **Select.** sufficient for purposes of this AJD.

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial and Other: Spring 2009 Natural Color Imagery from Virginia Base Mapping Program \(VBMP\), Spring 2017 Near Color Infrared Image from VBMP, February 2020 Natural Color Image from Nearmap®; study area photographs from May 7, May 8, 2020 and May 12, 2020. February 2020 Natural Color Imagery from Nearmap®; study area photographs from February 15 and 16, 2021.](#)

Corps site visit(s) conducted on: [3/26/2021](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [Adjacent AJDs include Centreport, issued October 28, 2020 \(#NAO-2020-01667-rdb\) and VM Stafford, issued on September 24, 2020 \(#NAO-2020-01227-rdb\).](#)

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

USDA NRCS Soil Survey: [Stafford County Soils Map data, USDA 2019](#)

USFWS NWI maps: [Digital NWI map, downloaded October 2020](#)

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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USGS topographic maps: [Stafford, VA 1997 USGS 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): [According to Antecedent Precipitation Tool, rainfall was within normal range at the time of delineation field work.](#)

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