



**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): 9/11/2020

ORM Number: SAM-2020-00440-MJF

Associated JDs: N/A

Review Area Location¹: State/Territory: MS City: Ocean Springs County/Parish/Borough: Jackson

Center Coordinates of Review Area: Latitude 30.382076 Longitude -88.719618

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
N/A.	N/A.	N/A.	N/A.

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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland 1 Eastern Parcel	20	acre(s)	(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).	The eastern parcel drains to the northeast through a culvert built in uplands, through upland ditches and into a wetland area which eventually becomes an intermittent tributary.
Wetland 1 Eastern Parcel	20	acre(s)	(b)(1) Non-adjacent wetland.	The parcel also drains to the eastern side and then southward. This drainage ends in a wetlands area that is surrounded by an upland ridge. The water does not leave the site through any ditches or tributaries. In addition, this wetland does not abut and is not inundated by flooding from an a1, a2, or a3 water. It is not physically separated from an a1, a2, or a3 water by a natural feature or by an artificial structure.
Wetland 2 Western Parcel	20	acre(s)	(b)(1) Non-adjacent wetland.	The western parcel drains to the east through culverts built in wetlands and enters the eastern parcel (see above). This western parcel also drains to the south through culverts built in wetlands on one end and terminating in a large culvert built in an upland ridge running mostly underground. This underground structure then flows the water under the large upland ridge for approximately 690 feet to the east side of Belle Fontaine Road. There is a subdivision located adjacent to the west and south of this southern parcel which was constructed almost entirely on the large upland ridge. Only the upper northeast corner of the subdivision was delineated as wetlands. This large ridge effectively severs all connection of this wetland parcel to any a1, a2, or 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: [Mr. Dana Sanders, delineation](#)

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

Rationale: **N/A**

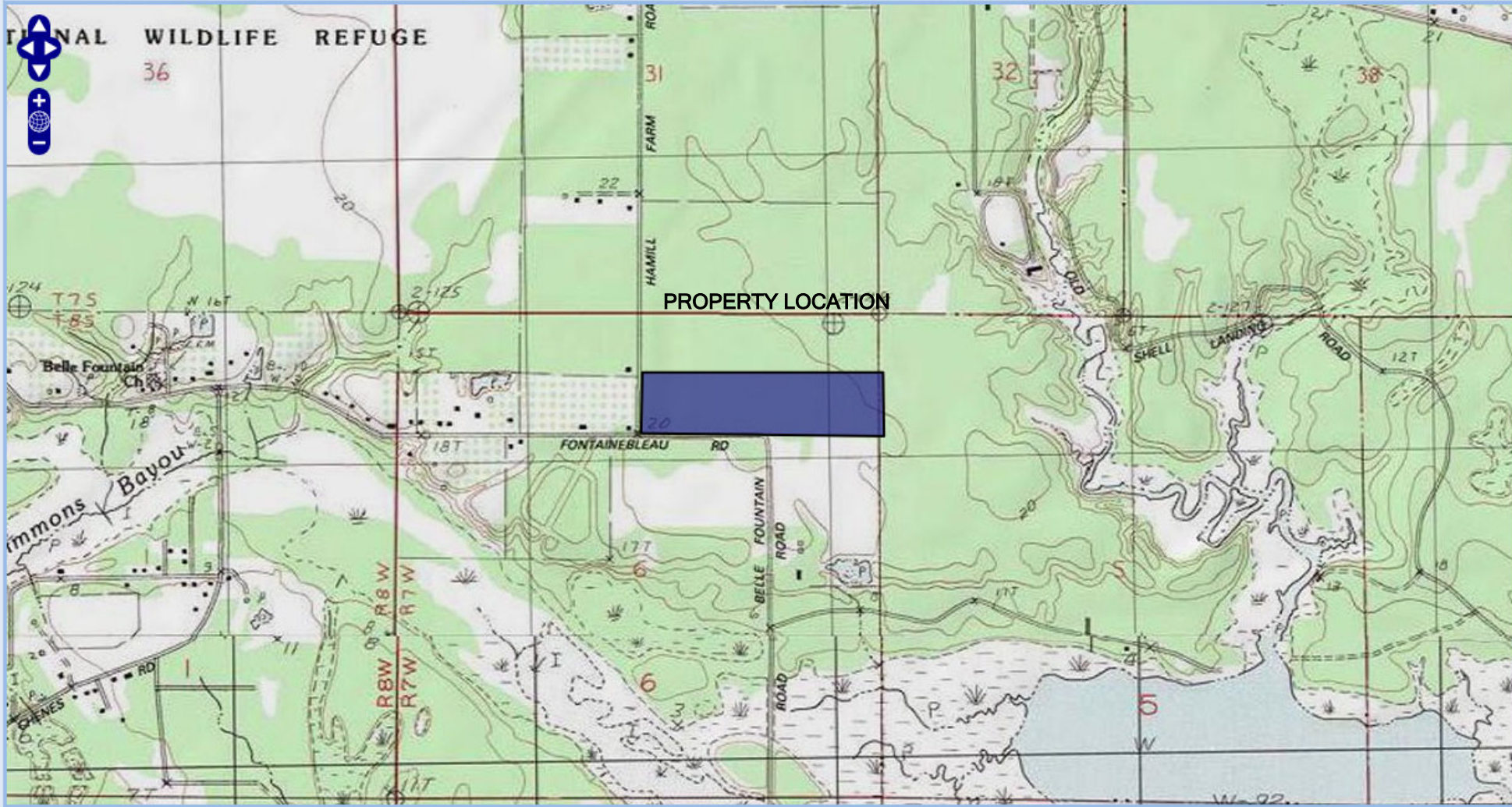
- Data sheets prepared by the Corps: **Title(s) and/or date(s).**
- Photographs: **Aerial and Other: June 30, 2020, from Google Earth**
- Corps site visit(s) conducted on: **June 29, 2020, August 31, 2020, September 8, 2020 and September 11, 2020**
- Previous Jurisdictional Determinations (AJDs or PJDs): **2001-03207; 2008-00463;2016-00583;2017-00188**
- Antecedent Precipitation Tool: ***provide detailed discussion in Section III.B.***
- USDA NRCS Soil Survey: **June 30, 2020 from Web Soil Survey online. Jackson County MS soils surveys from 1964 and 2006**
- USFWS NWI maps: **June 30, 2020 from ORM Layers**
- USGS topographic maps: **Gautier North**

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Stream Stats Flow Path June 29, 2020 and National Hydrography Database
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): APT run on 8/31/2020 gave a 10.5 score “Normal Condition” in the Dry Season. APT run from 7/8/2020 through 9/6/2020 gave a score of 11 “Normal Condition” in the Wet Season.

C. Additional comments to support AJD: **N/A**



WESTERN PARCEL

EASTERN PARCEL

Hammill Farm Rd

Village Cir

Palmetto Springs Dr

Seagrass Dr

Fountainbreak Rd

Belle Fontaine Rd

© 2022 Google

Google Earth

30°22'54.95" N 88°43'09.68" W elev 17 ft eye alt 2742 ft

1992



Red Lines = constructed ditches
Blue Lines = culverts

© 2020 Google

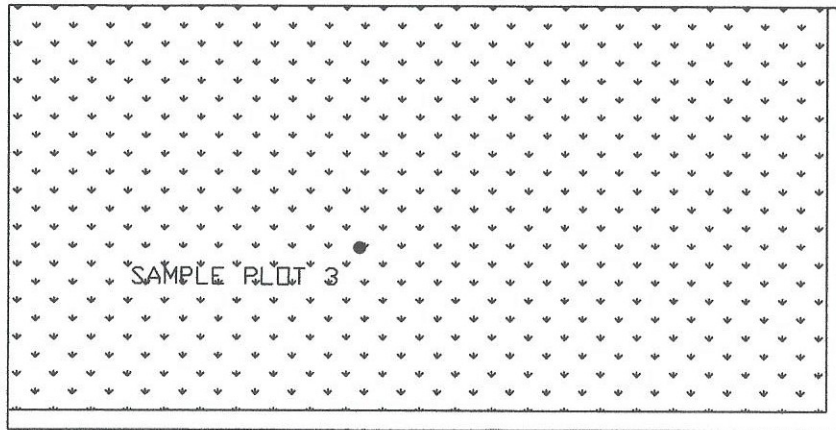
Google Earth

30°22'54.95" N 88°43'09.68" W elev 17 ft eye alt 2742 ft

1992

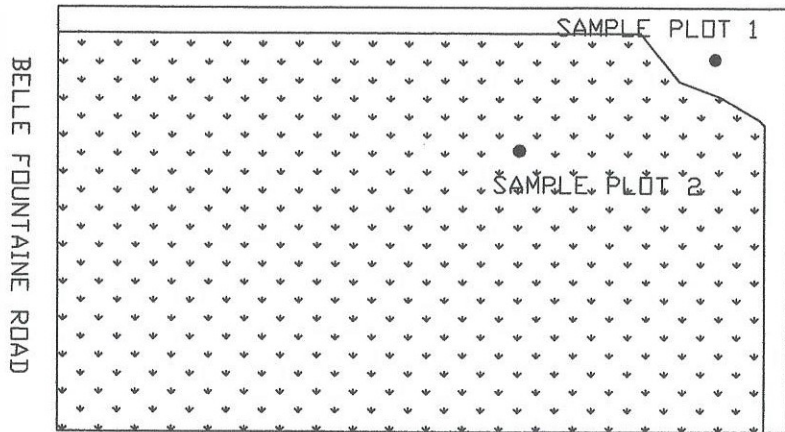
D.R. HORTON PARCEL #0250620.000 WETLAND DELINEATION
JACKSON COUNTY, MISSISSIPPI 2/13/2020

THE VILLAGE SUBDIVISION



FOUNTAINBLEAU ROAD

PALMETTO POINT SUBDIVISION



NONWETLAND - 3.89 ACRES 

WETLANDS - 36.11 ACRES 



General

Measure Tool

Elevation Profile Tool

Show Your Location

Network Navigation

Flow (Raindrop) Path

Network Path

Network Trace

Other

PROSPER Tool



Base Maps



Application Layers

 National Layers MS Map Layers

Zoom Level: 16
Map Scale: 1:9,027
Lat: 30.3773, Lon: -88.7208

200 m

500 f.

Street view

Looking south from Palmetto Pointe Drive toward subject wetland.

Legend



Google Earth

© 2020 Google

4.86 ft



Street view

Looking north from Palmetto Pointe Drive toward ditch that takes flow to subdivision to the northeast

Legend



Google Earth

© 2020 Google

6.38 ft

Exploration Tools



General

→ Measure Tool

📈 Elevation Profile Tool

📍 Show Your Location

Network Navigation

💧 Flow (Raindrop) Path

↩ Network Path

📄 Network Trace

Other

PROSPER Tool

Layers



Base Maps



Application Layers



National Layers



MS Map Layers



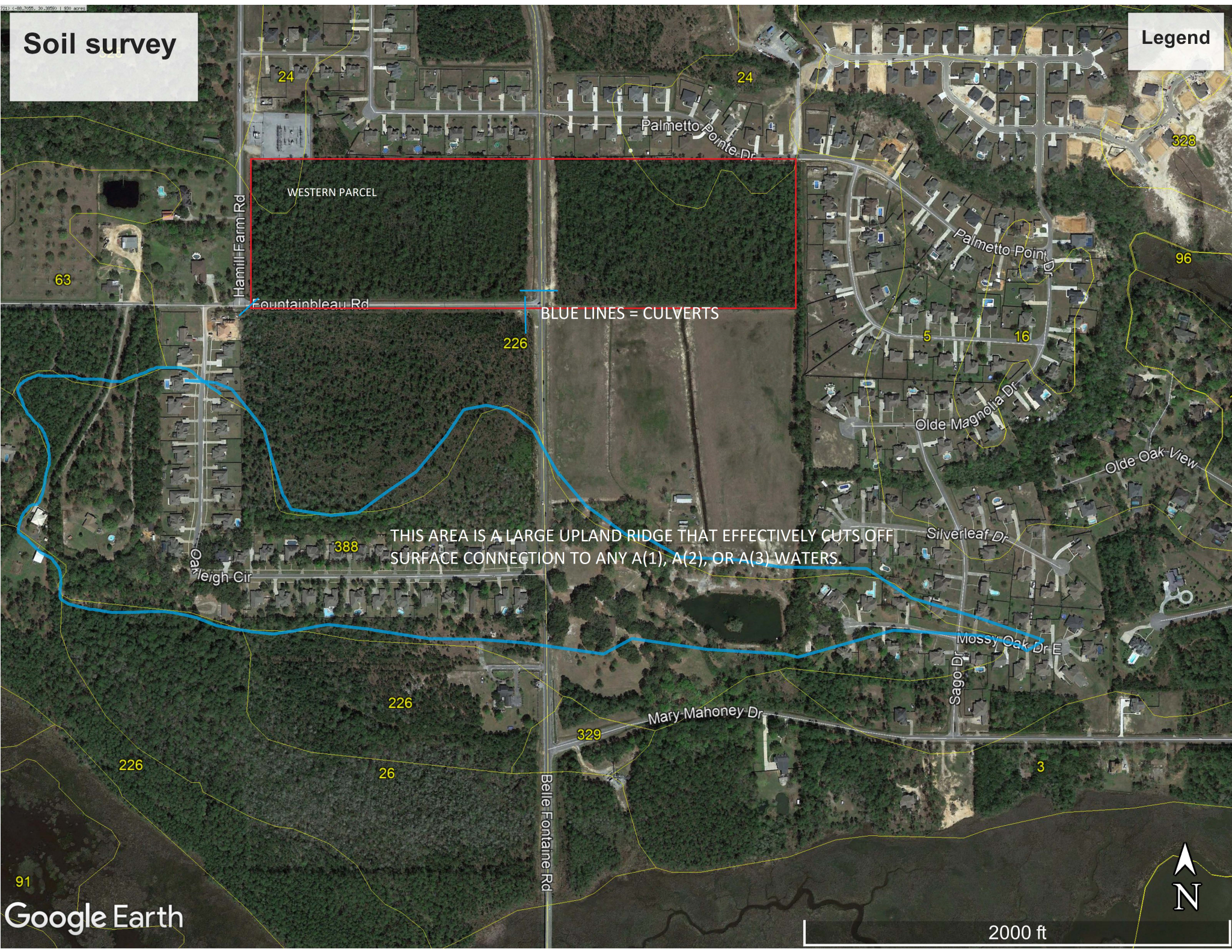
Zoom Level: 16
Map Scale: 1:9,027
Lat: 30.3771, Lon: -88.7262

200 m

500 f.

Soil survey

Legend

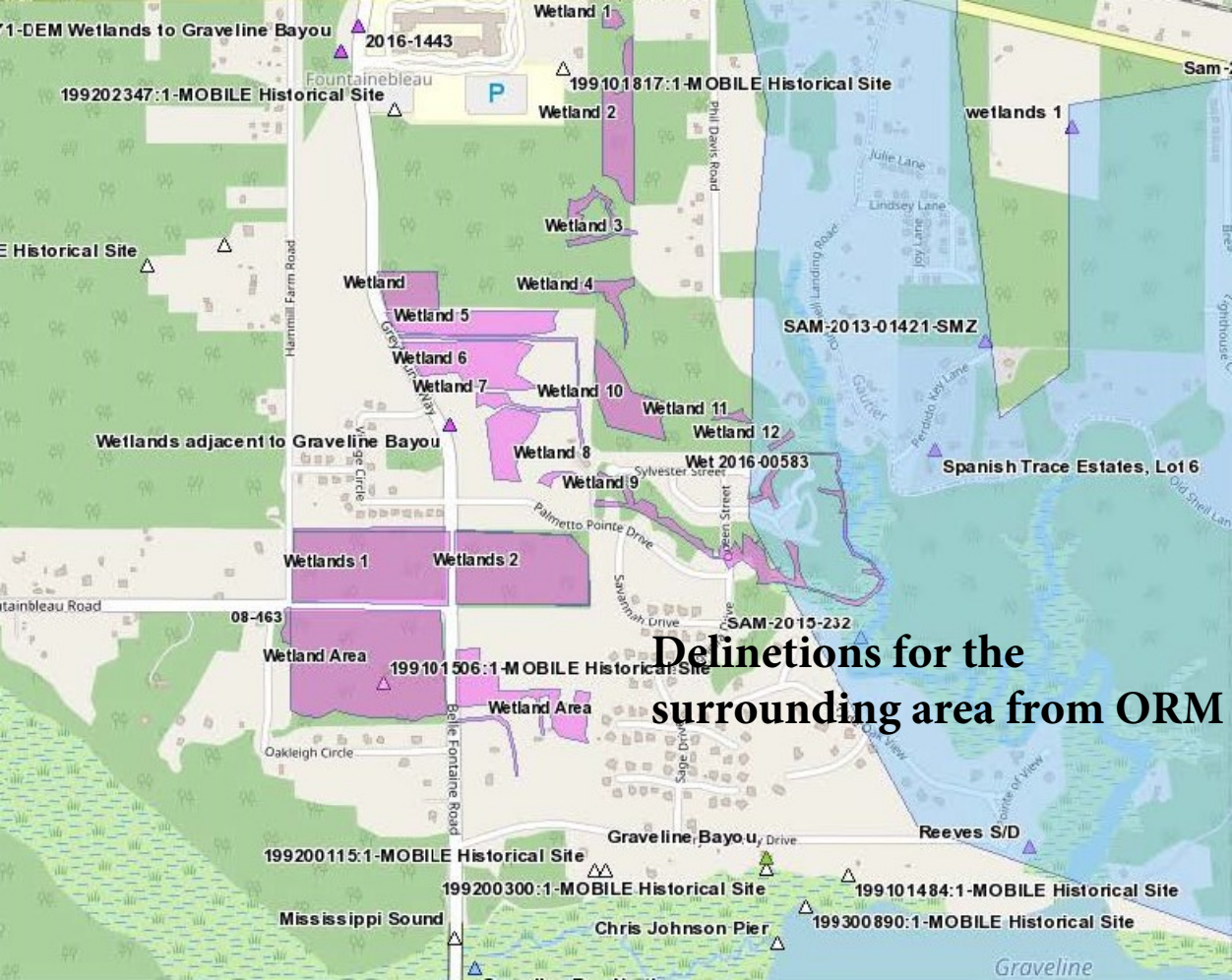


WESTERN PARCEL

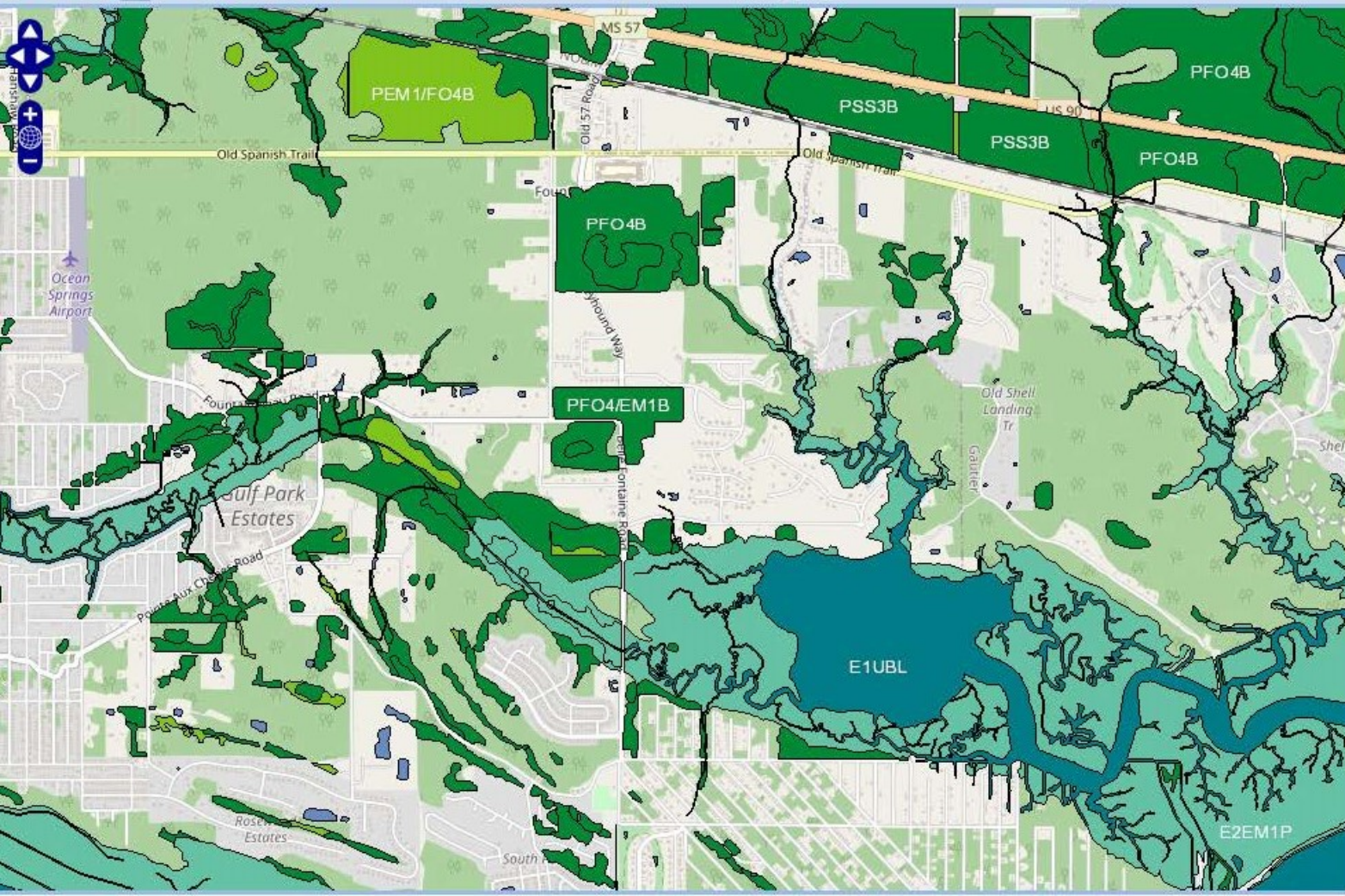
BLUE LINES = CULVERTS

THIS AREA IS A LARGE UPLAND RIDGE THAT EFFECTIVELY CUTS OFF SURFACE CONNECTION TO ANY A(1), A(2), OR A(3) WATERS.



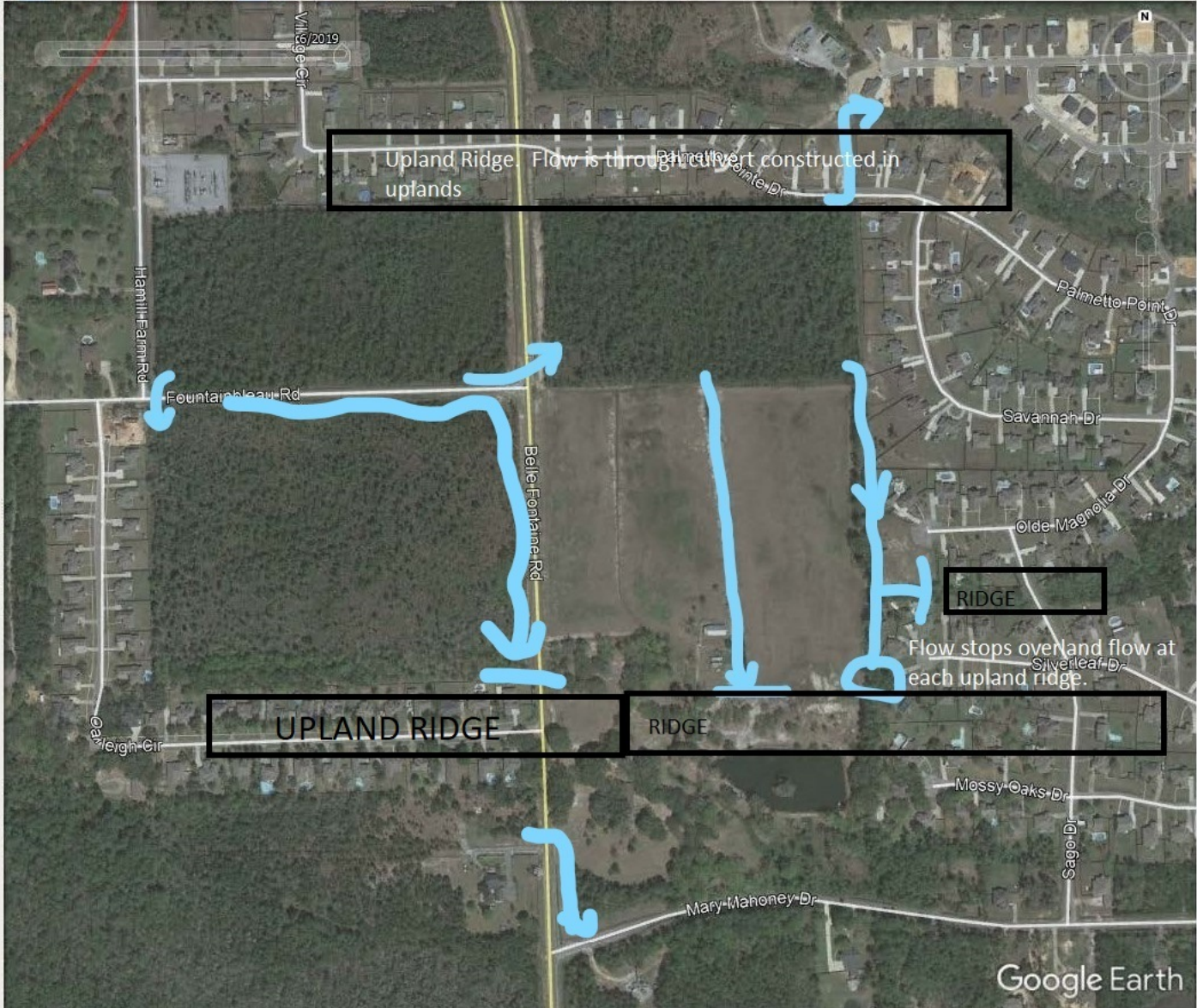


Delineations for the surrounding area from ORM





NWI Map showing upland ridges



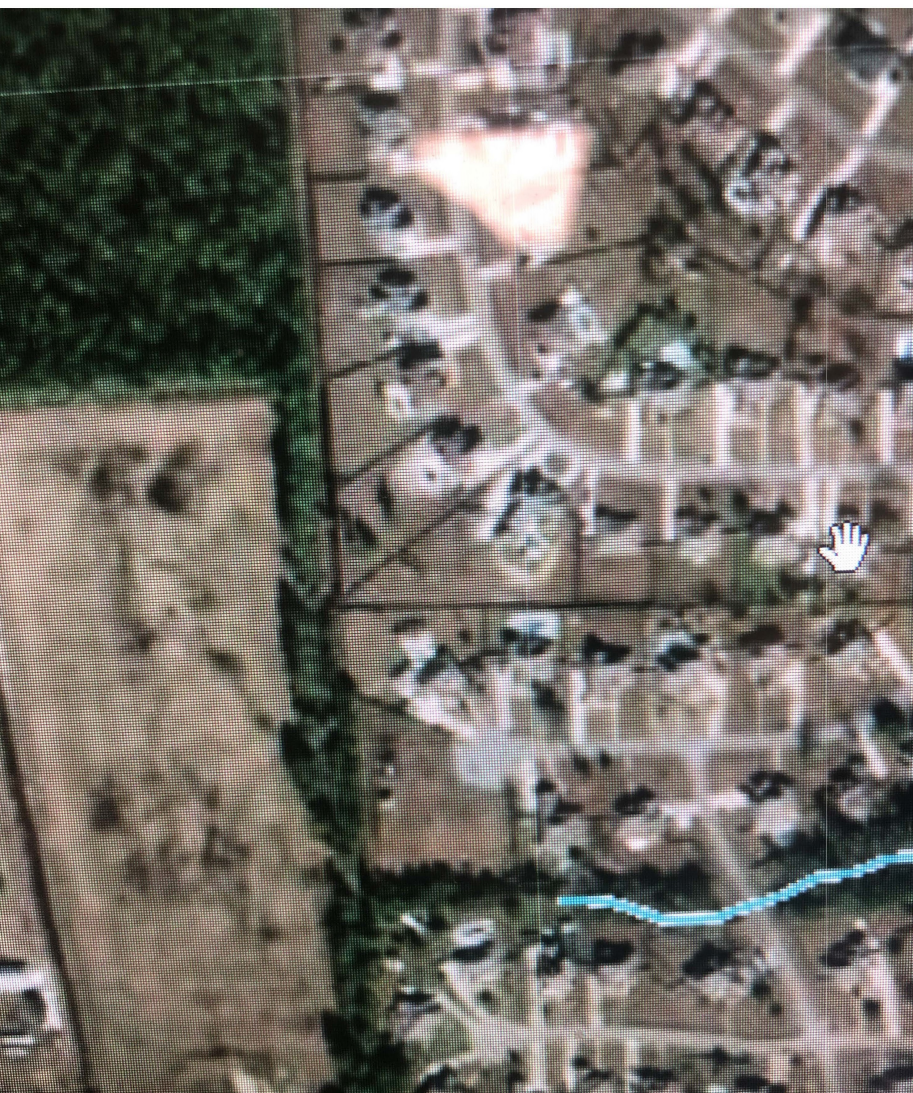
Upland Ridge Flow is through Palmetto Point constructed in uplands

RIDGE

Flow stops over land flow at each upland ridge.

UPLAND RIDGE

RIDGE



National Hydrography Mapping showing headwaters of lower southern ephemeral tributary. It begins on the opposite side of the upland ridge,