



**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): 7/9/2021

ORM Number: SAM-2021-00279-ELB

Associated JDs: N/A

Review Area Location¹: State/Territory: AL City: Daphne County/Parish/Borough: Baldwin County

Center Coordinates of Review Area: Latitude 30.6048 Longitude -87.847321

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: A desktop review was conducted for the 4.70 acre subject parcel located at 10275 CR 64 in Daphne, Alabama. The northern half of the subject property contains undeveloped mixed hardwood forested land, and the southern half of the property contains a single-family residential structure with appurtenance storage structures and driveway leading off County Road 64. Surrounding land-use is mixed low density single-family residential and commercial use. Desktop review indicates the review area is comprised of uplands with no jurisdictional waters within. On-site soils are shown to be composed primarily of well drained non-hydric red bay profile; and the eastern portion of the property contains well drained non-hydric Orangeburg soils. Wetland delineation data and site photos provided by the agent show no hydrology or hydrophytic plant species present within the review area, and on-site canopy vegetation includes longleaf pine (*Pinus palustris*), slash pine (*Pinus elliottii*), live oak (*Quercus virginiana*), water oak (*Quercus nigra*), and sparkleberry (*Vaccinium arboreum*).
- 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.

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	
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.	

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.	

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: [Wetland delineation report with data sheets, conducted by agent on February 26, 2021.](#)

This information is sufficient for purposes of this AJD.

Rationale: [This information is sufficient for the purposes of this AJD when combined with a desktop review conducted by the USACE Mobile District project manager.](#)

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

Photographs: [Aerial and Other: Photographs of the site provided by the agent, and Google Earth aerial imagery, 2018, accessed June 2021](#)

Corps site visit(s) conducted on: [Date\(s\).](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\).](#)

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

USDA NRCS Soil Survey: [Hydric rating by Map Unit – Baldwin County, Alabama, Survey Area Data ay 29, 2020; accessed July 2021](#)

USFWS NWI maps: [USFWS NWI Mapper, Baldwin County, Alabama; accessed July 2021](#)

USGS topographic maps: [Daphne, Baldwin County, 1:24,000](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS National Map; accessed July 2021
USDA Sources	N/A.
NOAA Sources	N/A.

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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Data Source (select)	Name and/or date and other relevant information
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
FEMA/FIRM maps	01003C0655M, eff. 4/19/2019

B. Typical year assessment(s): [N/A](#)

C. Additional comments to support AJD: [N/A](#)