



**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): 3/31/2021

ORM Number: SAM-2021-00280-ELB

Associated JDs: N/A

Review Area Location¹: State/Territory: Alabama City: Andalusia County/Parish/Borough: Covington

Center Coordinates of Review Area: Latitude 31.2779 Longitude -86.5097

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 8.1-acre subject review area, as shown within a red border on site aerial maps provided by the agent, Wildland Services, LLC. The subject review area is comprised primarily of undeveloped cleared agricultural fields that are bordered by mixed hardwood forested areas on the western and southwestern ends, and by Western Bypass highway on the eastern end. Surrounding land-use is 50% undeveloped mixed hardwood forested, 40% agricultural, 5% low density residential and 5% industrial. Historic aerial imagery indicates tilling and ongoing agricultural use of the site’s cleared region since at least the late 1980s. Dominant on-site soils are shown by the USDA SSURGO soil survey to be well drained non-hydric Cowarts-Dothan complex, Troup loamy sands, and Orangeburg sandy loam profiles. The soils report is supported by the agent sampling point taken near the southwestern site border which indicates no presence of hydrology, hydrophytic vegetation, nor hydric soil. The agent’s delineation data is further supported by photographs taken within the subject review area that do not show evidence of wetland indicators. On-site dominant vegetation is reported to include upland and facultative species such as Pinus taeda (FAC), Liriodendron tulipifera (FACU), Juniperus virginiana (FACU), Ligustrum sinense (FAC), and Smilax rotundifolia (FAC).
- 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

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.



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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
N/A.	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.	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.	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.	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 January 24, 2021.](#)

This information is sufficient for purposes of this AJD.

Rationale: [The wetland delineation data provided by the agent is supported by various agency database reports as listed below.](#)

- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Other: site photographs provided by agent, taken January 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 – Covington County, Alabama, May 29, 2020](#)
- USFWS NWI maps: [USFWS NWI Map, Covington County, Alabama, imagery date: April 28, 2019](#)
- USGS topographic maps: [1:24,000 Covington County, Alabama](#)

Other data sources used to aid in this 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.

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
USGS Sources	USGS National Map, LIDAR
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
FEMA/FIRM maps	01039C0270C eff. 11/04/2009, Zone X

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

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