



**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): 8/13/2021
 ORM Number: SAM-2021-00582-JSC
 Associated JDs: SAM-2021-00582-JSC_PJD
 Review Area Location¹: State/Territory: Alabama City: Vance County/Parish/Borough: Tuscaloosa
 Center Coordinates of Review Area: Latitude 33.170928 Longitude -87.211911

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
- 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	1.2	acre(s)	(b)(1) Non-adjacent wetland.	Based on a review of available desktop resources and information provided by the consultant, and a site inspection on August 9, 2021, Wetland 1 does not touch at least at one point or side of, an (a)(1) – (a)(3) water, is not inundated by flooding from an (a)(1) – (a)(3) water in a typical year, is not physically separated from an (a)(1) – (a)(3) water only by a natural berm, bank, dune, or similar natural feature; nor is it physically separated from an (a)(1) – (a)(3) water only by an artificial dike, barrier, or similar artificial structure so long as that structure allows for a direct hydrologic surface connection between the wetlands and the water in a typical year, such as through a culvert, flood or tide gate, pump, or similar artificial feature. Therefore, Wetland 1 is a non-adjacent wetland.

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: [Approved Jurisdictional Determination Request and supplemental information submitted by VHB dated 05/17/2021, 07/12/2021, 08/11/2021, and 08/13/2021.](#)
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: Site-specific photographs of the project area provided by consultant dated 04/2021. Aerial photography from multiple dates reviewed via Google Earth.](#)
- Corps site visit(s) conducted on: [August 9, 2021](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [PJD, SAM-2021-00582-JSC, August 13, 2021](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [USDA Web Soil Survey tool accessed at https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx](#)
- USFWS NWI maps: [USFWS Wetlands Mapper accessed at https://www.fws.gov/wetlands/Data/mapper.html](#)
- USGS topographic maps: [Woodstock, AL 1:24,000; 7.5 Minute USGS topographic quadrangle](#)

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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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.
FEMA/FIRM maps	National Flood Hazard Layer FIRMette downloaded August 13, 2021

B. Typical year assessment(s): An APT analysis was performed using the date of the site inspection (9 August 2021) as the time point. According to this analysis, the WebWIMP H2O Balance indicates the site is in the Dry Season, but is experiencing wetter than normal conditions (17), and has a Drought Index (PDSI) classification of extreme wetness (2021-07). For comparison, an additional APT analysis was performed using the date (22 April 2021) of the agent's data collection (stream forms, wetland data forms, etc) as the time point. According to the analysis for April 22, 2021, the WebWIMP H2O Balance indicates that the site to be in the Wet Season and experiencing normal conditions (10) with a Drought Index (PDSI) classification of mild wetness.

C. Additional comments to support AJD: N/A or provide additional discussion as appropriate.