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): January 22, 2021
ORM Number: NAB-2020-00378-M30
Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE)
Review Area Location[1]:
State/Territory: MD City: County/Parish/Borough: Prince George's County
Center Coordinates of Review Area: Latitude 38.803106 Longitude -76.969462

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	0.1932 acres	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S1 originated offsite and flows through culverts onto the site. The stream has a bed and bank with ordinary high-water mark and flows during a typical year. In addition, this tributary flows into the large perennial tributary (S2) and contributes to down stream flow.
S-10	0.0026 acres	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S910) is a small tributary that begins onsite and flows off site. It provides a direct hydrological connection to an a(1) water.
S-2	1.2267 acres	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a	S(2) is a large perennial stream which flows during a typical year and during times of drought. This tributary has a direct hydrological connection to a a(1) water..

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[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 independent 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.

		typical year	
S-3	0.0192 acres	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S(3) is an intermittent stream that has a direct hydrological connection to an a (1) water. This tributary flows into the S(2) tributary onsite.
S-4	0.0607 acres	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S(4) is located within the existing horse pasture and begins as a seep within the field. It becomes confined and has a direct hydrological connection to an a (1) water. It lows during a typical year.
S-5	0.1242 acres	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S(5) is located with the horse pasture and includes flow from S(4). The tributary provides a direct hydrological connection to an a(1) water offsite. The tributary flows year round and during a typical year.
S-6	1046 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S(6) is a large tributary that begins offsite and flows into a culvert and is piped into tributary S(5). This tributary has a direct hydrological connection to an a(1) water and flows during a typical year.
S-7	0.0209 acres	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S(7) is a large perennial system which begins off property and flows along the property boundary. This tributary flow year round during a typical year. The tributary has a direct hydrological connection to an a(1) water.
S-9	0.0523 acres	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	S(9) is a small tributary which begins as a collection of seeps and flows during a typical year. The tributary flows into a culvert which includes the flows from S(5) and has a direct hydrological connection to an a(1) tributary.

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
W-1	0.2104 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-12	0.0181 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-13	0.0074 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-14	0.0006 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-15	0.0016 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-16	0.0022 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-17	0.0017 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-18	0.0056 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.

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W-19	0.0087 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-20	0.0732 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-22	0.0009 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-3	0.0157 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-4	0.0109 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-5	0.0103 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-6	0.8346 acres	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year	This wetland is located within the floodplain of an (a)(2) tributary. The wetland is inundated by flooding during a typical year.
W-7	0.0132 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-8	4.714 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.
W-9	0.0242 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	This wetland touches an (a)(2) water and provides a direct hydrological surface connection.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))[4]:

Exclusion Name	Exclusion Size	Exclusion[5]	Rationale for Exclusion Determination
S-8	0.1338 acres	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year	S-8 is an intermittent stream channel that becomes a losing stream. The water goes into the ground water table and does not maintain a surface hydrological connection.
W-2	0.0208 acres	(b)(1) Non-adjacent wetland	Wetland-2 does not have a direct hydrological surface connection to a tributary, in not inundated by flooding, and is not separated by a natural barrier.
W-10	0.1367 acres	(b)(1) Non-adjacent wetland	W-10 is connected to an (a)(2) tributary through a non-jurisdictional ditch. This wetland is not inundated by flooding or separated by a natural barrier. This wetland is considered isolated.
W-11	0.0332 acres	(b)(1) Non-adjacent wetland	Wetland-11 does not have a direct hydrological surface connection to a tributary, in not inundated by flooding, and is not separated by a natural barrier. This wetland is considered isolated
W-24	0.1058 acres	(b)(1) Non-adjacent wetland	Wetland-24 does not have a direct hydrological surface connection to a tributary, in not inundated by flooding, and is not separated by a natural barrier. This wetland is considered isolated

III. SUPPORTING INFORMATION

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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.

_X_ Information submitted by, or on behalf of, the applicant/consultant: *Brinkley Road Property-Waters of the U.S. delineation dated June 24, 2020.*
This information *is* sufficient for purposes of this AJD.
___ Data sheets prepared by the Corps: *Title(s) and/or date(s).*
_X_ Photographs: *Onsite and Google Earth imagery.*
X__ Corps Site visit(s) conducted on: August 18, 2020
___ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*
_X_ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
_X_ USDA NRCS Soil Survey: Websoil Online Survey, May 2020
_X_ USFWS NWI maps: *Digital NWI Mapp; may 2020*
_X_ USGS topographic maps: *USGS 7.5' Quad online Map; May 2020*

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	MD iMAP Spring 2017 Color Infrared

B. Typical year assessment(s): The Corps visited the site during a wetter than normal timeframe as identified in the Antecedent Precipitation Tool; however, the site visit completed by the consultant occurred during normal conditions. The photographs from the initial delineation and the Corps site visit were reviewed in addition to the available aerial imagery and the color infrared. All the streams and wetlands had easily identifiable markings. Based upon the multiyear aerial imagery, onsite photographs, and the Corps site visit ,a typical year determination was made.

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

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