



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):

ORM Number: NAN-2020-00816-EMC

Associated JDs: N/A

Review Area Location¹:

State/Territory: NJ City: Woodbridge County/Parish/Borough: Middlesex County

Center Coordinates of Review Area: Latitude 40.551781 Longitude -74.26905

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
Open Water 3: Woodbridge River Tributary	0.32 acres	RHA Tidal water is subject to the ebb and flow of the tide	Woodbridge River is a tidally influenced (subject to the ebb and flow of the tide) navigable waterbody that includes a high tide line.
Spa Spring Creek	0.02 acres	RHA Tidal water is subject to the ebb and flow of the tide	Spa Spring Creek is a tidally influenced perennial relatively permanent water that directly contributes surface water flow to the Woodbridge River in a typical year. Spa Spring Creek shows physical indicators of beds and banks.
Woodbridge River	1.22 acres	RHA Tidal water is subject to the ebb and flow of the tide	Tributary of Woodbridge River is a tidally influenced perennial relatively permanent water that directly contributes surface water flow to Woodbridge River in a typical year. The Tributary shows physical indicators of beds and banks.

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):

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 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.



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(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
Wetland 1/4	9.71 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 1/4 was delineated according to the 1987 Manual/Regional Supplement and directly abuts the Woodbridge River.
Wetland 2	0.06 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 2 was delineated according to the 1987 Manual/Regional Supplement. Wetland 2 is a continuation of Wetland 1 above the Spring High Tide Line, and according to FEMA map Number 34023C0067F it is located in the frequent floodplain of the Woodbridge River.
Wetland 3	0.08 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 3 was delineated according to the 1987 Manual/Regional Supplement. Wetland 2 is a continuation of Wetland 1 above the Spring High Tide Line, and according to FEMA map Number 34023C0067F it is located in the frequent floodplain of the Woodbridge River.
Wetland 5/6	0.62 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 5/6 was delineated according to the 1987 Manual/Regional Supplement and directly abuts Open Water 3: Woodbridge River Tributary.
Wetland 7	2.07 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 7 was delineated according to the 1987 Manual/Regional Supplement. Wetland 7 is a continuation of Wetland 1 situated at a similar elevation separated mostly by a five-foot high berm with an opening that allows free flow between the two areas.
Wetland 8	0.14 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland 8 was delineated according to the 1987 Manual/Regional Supplement. Wetland 8 directly abuts tidal waters associated with the Woodbridge River.

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

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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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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:

- This information (*is/is not/is and is not*) sufficient for purposes of this AJD.
Rationale: *N/A or describe rationale for insufficiency (including partial insufficiency).*
- Data sheets prepared by the Corps
- Photographs: *Attachment B: Annotated Color Photographs*
- Corps Site visit(s) conducted on: *October 21, 2020*
- Previous Jurisdictional Determinations (AJDs or PJDs)
- Antecedent Precipitation Tool
- USDA NRCS Soil Survey: *Custom Soil Resource Report for Middlesex County, New Jersey dated July 8, 2020*
- USFWS NWI maps: *Figure 3: National Wetland Inventory dated June 18, 2020*
- USGS topographic maps:

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Site Location dated June 18, 2020
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	Figure 4: NJDEP Wetlands and Waters dated June 18, 2020
Other Sources	Attachment C, Vegetative Species List and FEMA Map #34023C0067F

B. Typical year assessment(s): N/A or provide typical year assessment for each relevant data source used to support the conclusions in the AJD.

- a. The antecedent precipitation tool (APT) was run for October 21, 2020, the date the USACE site visit was conducted. According to the APT, October 21, 2020 exhibited normal conditions.

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

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