



**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): 7/6/2021

ORM Number: LRN-2007-02512

Associated JDs: N/A

Review Area Location¹: State/Territory: Alabama City: Huntsville County/Parish/Borough: Limestone

Center Coordinates of Review Area: Latitude 34.7392 Longitude -86.8469

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	
SBC	456	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	SBC flows into Martin Branch immediately outside the AJD review area, then into Limestone Creek (a TNW). SBC is a small stream that flows seasonally. SBC scored a 21 on the North Carolina Stream Identification Form indicating intermittent flow.

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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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
A-1	0.96	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	A-1 receives flooding from Martin Branch (an (a)(2) water) in a typical year via a series of waters described below that convey Martin Branch floodwaters. The City of Huntsville GIS Interactive map with a 2-foot contour layer indicates the elevation of A-1 ranges between 618-622 and the hydrologic connection to Martin Branch, is through SSE with an elevation between 618-622, SSD with an elevation between 618-620, A-2 with an elevation between 618-620, SSC with an elevation between 618-622 and finally Martin Branch with an elevation between 620-622. Martin Branch flows would need to rise less than two feet in elevation in order to flood A-1. A-1 is located within a FEMA-mapped 100-year floodplain.
A-2	1.25	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	A-2 receives flooding from Martin Branch (an (a)(2) water) in a typical year via SSC, an ephemeral stream that conveys Martin Branch floodwaters. The City of Huntsville GIS Interactive map with a 2-foot contour layer indicates the elevation of A-2 ranges between 618-620 and the hydrologic connection to Martin Branch, is through SSC with an elevation between 618-622 and Martin Branch with an elevation between 620-622. Martin Branch flows would need to rise less than two feet in elevation in order to flood A-2. A-2 is located within a FEMA-mapped 100-year floodplain.
A-6	0.40	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	A-6 receives flooding from Martin Branch (an (a)(2) water) in a typical year via an upland ditch that conveys Martin Branch floodwaters. The City of Huntsville GIS Interactive map with a 2-foot contour layer indicates the elevation of A-6 ranges between 616-618 and the hydrologic connection to Martin Branch, is through an upland ditch with an elevation between 616-618 and Martin Branch with an elevation between 616-618. Martin Branch flows would need to rise less than two feet in elevation in order to flood A-6. A-6 is located within a FEMA-mapped floodway.
A-7	0.31	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3)	A-7 receives flooding from Martin Branch (an (a)(2) water) in a typical year via an upland ditch that conveys Martin Branch floodwaters. The City of Huntsville GIS Interactive map with a 2-foot contour



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(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
			water in a typical year.	layer indicates the elevation of A-7 ranges between 614-618 and the hydrologic connection to Martin Branch, is through an upland ditch with an elevation between 616-618, then through A-6 with an elevation between 616-618, then through an upland ditch with an elevation between 616-618. Martin Branch's elevation at this point is between 616-618 meaning flows would need to rise less than two feet in elevation in order to flood A-7. A-7 is located within a FEMA-mapped floodway.
A-8	0.99	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	A-8 receives flooding from Martin Branch (an (a)(2) water) in a typical year via and upland channel on its south side and via SSA, an ephemeral stream that conveys Martin Branch floodwaters from the north. The City of Huntsville GIS Interactive map with a 2-foot contour layer indicates the elevation of A-8 ranges between 612-616 and the hydrologic connection to Martin Branch, is through an upland ditch with an elevation between 614-616 and Martin Branch with an elevation between 612-614. Martin Branch flows would need to rise approximately two feet in elevation in order to flood A-8. A-8 is located within a FEMA-mapped floodway.
A-14	0.10	acre(s)	(a)(4) Wetland inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	A-14 receives flooding from SBC (an (a)(2) water) in a typical year via SBD, an ephemeral stream that conveys SBC floodwaters. The City of Huntsville GIS Interactive map with a 2-foot contour layer indicates the elevation of A-14 ranges between 612-614 and the hydrologic connection to SBC is through SBD with an elevation between 612-614, and SBC has an elevation between 612-614. SBC flows would need to rise less than two feet in elevation in order to flood A-14. A-14 is located within a FEMA-mapped 100-year floodplain.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
A-3	0.51	acre(s)	(b)(1) Non-adjacent wetland.	A-3 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-3 appears to originally have been excavated within uplands for the purpose of mining gravel.

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
A-4	0.29	acre(s)	(b)(1) Non-adjacent wetland.	A-4 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-4 appears to originally have been excavated within uplands for the purpose of mining gravel.
A-9	0.09	acre(s)	(b)(1) Non-adjacent wetland.	A-9 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-9 appears to originally have been excavated within uplands for the purpose of mining gravel.
A-15	0.5	acre(s)	(b)(1) Non-adjacent wetland.	A-15 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-15 appears to originally have been excavated within uplands for the purpose of mining gravel.
A-17	0.39	acre(s)	(b)(1) Non-adjacent wetland.	A-17 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-17 appears to originally have been excavated within uplands for the purpose of mining gravel.
A-18	0.67	acre(s)	(b)(1) Non-adjacent wetland.	A-18 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-18 appears to originally have been excavated within uplands for the purpose of mining gravel.
A-19	0.54	acre(s)	(b)(1) Non-adjacent wetland.	A-19 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-19 appears to originally have been excavated within uplands for the purpose of mining gravel.
A-20	0.56	acre(s)	(b)(1) Non-adjacent wetland.	A-20 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-20 appears to originally have been excavated within uplands for the purpose of mining gravel.
A-21	1.03	acre(s)	(b)(1) Non-adjacent wetland.	A-21 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. A-21 appears to originally have been excavated within uplands for the purpose of mining gravel.
WBA	0.28	acre(s)	(b)(1) Non-adjacent wetland.	WBA does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. WBA appears to originally have been excavated within uplands for the purpose of mining gravel.
SBD	181	linear feet	(b)(3) Ephemeral feature, including	This is a small ephemeral stream that connects wetland A-14 and intermittent stream SBC. SBD



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			an ephemeral stream, swale, gully, rill, or pool.	conveys overflows from A-14 to SBC and flood flows from SBC to A-14 but does not have flow of its own.
SBB	518	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SBB was dry during USACE site inspection on 9 March 2021 which was during a typical precipitation year. Intermittent and perennial streams in North Alabama have flow during March in typical years. SBB scored a 10 on the North Carolina Stream Identification Form indicating ephemeral flow.
SBE	446	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SBE was dry during USACE site inspection on 9 March 2021 which was during a typical precipitation year. Intermittent and perennial streams in North Alabama have flow during March in typical years. SBE is upgradient of SBB, another ephemeral reach of the same channel.
SSA	1,570	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SSA was dry during USACE site inspection on 9 March 2021 which was during a typical precipitation year. Intermittent and perennial streams in North Alabama have flow during March in typical years. SSA scored a 5 on the North Carolina Stream Identification Form indicating ephemeral flow.
SSB	175	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SSB was dry during USACE site inspection on 9 March 2021 which was during a typical precipitation year. Intermittent and perennial streams in North Alabama have flow during March in typical years. SSB scored a 6.5 on the North Carolina Stream Identification Form indicating ephemeral flow.
SSC	218	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SSC scored a 16 on the North Carolina Stream Identification Form indicating ephemeral flow.
SSD	586	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SSD is upgradient of SSA, SSB, and SSC which are each ephemeral and has less drainage area.
SSE	92	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SSE is upgradient of SSA, SSB, SSC, and SSD which are each ephemeral and has less drainage area.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
B-1	0.07	acre(s)	(b)(1) Non-adjacent wetland.	B-1 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-1 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-2	0.04	acre(s)	(b)(1) Non-adjacent wetland.	B-2 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-2 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-3	0.11	acre(s)	(b)(1) Non-adjacent wetland.	B-3 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-3 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-4	0.07	acre(s)	(b)(1) Non-adjacent wetland.	B-4 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-4 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-5	0.02	acre(s)	(b)(1) Non-adjacent wetland.	B-5 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-5 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-6	0.03	acre(s)	(b)(1) Non-adjacent wetland.	B-6 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-6 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-7	0.11	acre(s)	(b)(1) Non-adjacent wetland.	B-7 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-7 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-8	0.18	acre(s)	(b)(1) Non-adjacent wetland.	B-8 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-8 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-9	0.71	acre(s)	(b)(1) Non-adjacent wetland.	B-9 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-9 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-10	0.14	acre(s)	(b)(1) Non-adjacent wetland.	B-10 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or



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Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
			(a)(3) water by a natural or artificial barrier. B-10 appears to originally have been excavated within uplands for the purpose of mining gravel.	
B-11	0.28	acre(s)	(b)(1) Non-adjacent wetland.	B-11 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-11 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-12	0.11	acre(s)	(b)(1) Non-adjacent wetland.	B-12 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-12 appears to originally have been excavated within uplands for the purpose of mining gravel.
B-13	0.10	acre(s)	(b)(1) Non-adjacent wetland.	B-13 does not abut, receive flooding in a typical year from, or separated from an (a)(1), (a)(2), or (a)(3) water by a natural or artificial barrier. B-13 appears to originally have been excavated within uplands for the purpose of mining gravel.

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: "Rogers Group Inc., West Huntsville Quarry; Limestone County, Alabama; Approved Jurisdictional Determination Request", dated September 25, 2020, and revisions submitted on 18 March 2021.

This information is sufficient for purposes of this AJD.

Rationale: Following USACE site visit on 9 March 2021, a JD report addendum was supplied on 18 March 2021.

☐ Data sheets prepared by the Corps: Title(s) and/or date(s).

☒ Photographs: Aerial and Other: Images from both the JD report and photographs taken by USACE staff during 9 March 2021 site visit.

☒ Corps site visit(s) conducted on: 9 March 2021

☒ Previous Jurisdictional Determinations (AJDs or PJDs): LRN-2007-02512 on 18 March 2008, 10 February 2009, 29 September 2010, and 7 July 2011. The previous JDs dealt with only portions of the current AJD review area.

☒ Antecedent Precipitation Tool: provide detailed discussion in Section III.B.

☒ USDA NRCS Soil Survey: Limestone County, Alabama

☒ USFWS NWI maps: Greenbrier, AL

☒ USGS topographic maps: Greenbrier, AL

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.



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Data Source (select)	Name and/or date and other relevant information
NOAA Sources	N/A.
USACE Sources	Various layers from ORM2
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** The Antecedent Precipitation Tool (APT) was used to evaluate the project area for the months preceding my 9 March 2021 site inspection. A single point centered on the AJD review area was used to evaluate the rainfall data. The 90-day period preceding 9 March 2021 was determined to be normal with the nearest 30-day period ending 9 March 2021 being normal, the 30-day period ending 7 February 2021 being drier than the 30th percentile, and the 30-day period ending 8 January 2021 being normal. The drought index further describes the period ending on 9 March 2021 as moderate wetness.
- C. Additional comments to support AJD:** Martin Branch is an (a)(2) water, a perennial stream, that is located just outside the east and southern boundaries of the AJD review area. Martin Branch is a medium-sized creek that receives flow from Limestone Creek, a TNW. The Limestone Creek flows in Martin Branch causes it to be a part of the FEMA-mapped floodway and therefore its floodwaters drain into the lower elevated wetlands within the AJD review area during typical years. The City of Huntsville GIS Interactive Map 2-Foot contour layer was utilized to help define which wetlands would receive flooding from Martin Branch during typical precipitation years.