



**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): 11/13/2020  
 ORM Number: SAS-2002-05890  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: GA City: Georgetown County/Parish/Borough: Chatham  
 Center Coordinates of Review Area: Latitude 31.9845 Longitude -81.2369

**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)<sup>2</sup>**

§ 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): <sup>3</sup>			
(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.

<sup>1</sup> Map(s)/figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> 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.

<sup>3</sup> 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)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Wetland A	0.436	acre(s)	(b)(1) Non-adjacent wetland.	Wetlands on subject property do not meet the definition of adjacency at 33 CFR 328.3(c)(1) They are not connected to (a)(1) waters. I.e., they do not abut (a)(1) waters. There are no culverts connecting them to (a)(1) waters and there is no evidence that they ever connect to (a)(1) waters in a typical year.
Wetland B	1.076	acres	(b)(1) Non-adjacent wetland.	See above
Wetland C	3.911	N/A.	(b)(9) Water-filled depression constructed/excavated in upland/non-jurisdictional water incidental to mining/construction or pit excavated in upland/non-jurisdictional water to obtain fill/sand/gravel.	Feature is noted as a borrow pit on the NRCS soils map and meets the exclusion at (b)(9). The south side of the wetland abuts the CSX Railroad. There are no off site culverts or connections to an (a)(1) water. The closest (a)(1) water is the Little Ogeechee River approximately 1.5 miles to the east.

**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: [Appendix 1, NWPR Approved Delineation Form](#)

This information [Select.](#) sufficient for purposes of this AJD.

Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial and Other: 9/8/2020](#)

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: [NRCS Web Soil Survey 9/28/2020](#)

USFWS NWI maps: [NWI Map from USFWS Wetlands Mapper 8/20/2020](#)

<sup>4</sup> 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.

<sup>5</sup> 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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USGS topographic maps: [Google Earth Pro Earth Point Topo Maps 2020](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	N/A.
<a href="#">USDA Sources</a>	N/A.
<a href="#">NOAA Sources</a>	N/A.
<a href="#">USACE Sources</a>	N/A.
<a href="#">State/Local/Tribal Sources</a>	N/A.
<a href="#">Other Sources</a>	N/A.

**B. Typical year assessment(s):** According to the Antecedent Precipitation Tool (See attached graph), 2020 has been a “normal” year for rainfall. It is noteworthy, however, that rainfall prior to the most recent site visit on 9/8/2020 had been considerably above normal. Consultant walked and flagged the perimeters of each wetland on the site, and indicates that none of the non adjacent wetlands have superficial hydrological connections leading into or out of the property. In fact, even after all the recent rainfall wetlands A and B were dry. Wetland C (borrow pit) was partially inundated. The transitions from wetlands to adjacent uplands are abrupt and marked by major changes in hydrology, soil characteristics and vegetative communities, as is evident from the data forms provided.

**C. Additional comments to support AJD:** The wetlands on this property have no surface connections nor apparent subsurface connections to any other waters of the U.S. (no culverts, ditches or other hydrological connections.) They are not connected to other jurisdictional waters in a typical year. The closest “water” is an upland dug borrow pit bordering the property to the North West, and the closest (a)(1) water us the Little Ogeechee River approximately 1.5 miles to the east. There entire area is blocked off from the neighboring areas by rail lines with no culverts in the project vicinity.