



**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): 9/29/2020
 ORM Number: SAS-2020-00527
 Associated JDs: N/A
 Review Area Location¹: State/Territory: GA City: Rincon County/Parish/Borough: Effingham
 Center Coordinates of Review Area: Latitude 32.262572 Longitude -81.204048

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.	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.	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.	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.	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.	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
Non-Adjacent Wetland 1	76.96	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Non-Adjacent Wetland 2	7.18	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 2 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Non-Adjacent Wetland 3	21.49	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 3 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Non-Regulated Pond 2	0.04 Acres	acre(s)	(b)(1) Non-adjacent wetland	Pond 2 is pit excavated in upland to obtain fill/sand/gravel. It is not a currently active mining pit, nor does it fit into another paragraph (b) exclusion. However, it does not meet the definition of any other paragraph (a) water.
D-1	482.2	linear feet	(b)(5) Upland Dug Ditch	Ditch dug entirely in uplands and presents ephemeral flow.
D-2	328.2	linear feet	(b)(5) Upland Dug Ditch	Ditch dug entirely in uplands and presents ephemeral flow.
D-3	333.9	linear feet	(b)(5) Upland Dug Ditch	Ditch dug entirely in uplands and presents ephemeral flow.

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: **Title(s) and date(s)**
This information **Select.** sufficient for purposes of this AJD.

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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Rationale: *N/A or describe rationale for insufficiency (including partial insufficiency).*

- Data sheets prepared by the Corps: *Old Augusta Tract, 5/19/2020*
- Photographs: *Select. Title(s) and/or date(s).*
- Corps site visit(s) conducted on: *8/18/2020*
- 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: *Old Augusta Tract, NRCS Soil Map, 7/27/2020*
- USFWS NWI maps: *Old Augusta Tract, National Wetland Inventory Map, 7/22/2020*
- USGS topographic maps: *Old Augusta Tract, Topographic Map, 7/22/2020*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	<i>N/A.</i>
USDA Sources	<i>N/A.</i>
NOAA Sources	<i>N/A.</i>
USACE Sources	<i>Antecedent Precipitation Tool</i>
LiDAR data/maps	<i>2010 Coastal GA</i>
Other Sources	<i>N/A.</i>

B. Typical year assessment(s): *The wetland delineation was conducted in May and June of 2020, delineated resources jurisdictional status was assessed on 7 July, 2020. Using the Atecedent Precipitation Tool Version 1.0, which used rainfall data from the Savannah International Airport weather station, we have determined that wetter than normal conditions were present during this assessment.*

C. Additional comments to support AJD: *Wetland 1 is a depressional landform surrounded on all sides by upland. An ephermeral channel exists between Wetland 1 and another non-adjacent depressional wetland off of the subject site to the south. This off site wetland has previously been verified as "Isolated, Non-Jurisdictional." No direct hydrologic surface connection exists between this wetland and an (a)(1)-(3) water during a typical year. Wetland 1 is 1.64 miles from the nearest TNW, Abercorn Creek.*

Wetland 2 is a depressional landform surrounded on all side by upland. There is no direct hydrologic surface connection between Wetland A and an (a)(1)-(3) water. Wetland 2 is 1.61 miles from the nearest TNW, Abercorn Creek.

Wetland 3 is a depressional landform surrounded on all sides by upland. An upland cut ditch runs east from Wetland 3, this ditch has ephermeral flow and does not allow for a direct hydrologic surface connection to an (a)(1)-(3) water during a typical year. Wetland 3 is 1.39 miles from the nearest TNW, Abercorn Creek.

Wetland 10 is a depressional wetland, surrounded by upland from all sides. There is no hydrological surface connection between this system and an (a)(1)-(3) water in a typical year.

Pond 2 is an upland excavated pit for the purpose of obtaining fill for road maintenance on the property. This pit is no longer active and does not meet the criteria for another paragraph (a) water. Pond 2 does not have a direct surface water connection to an (a)(1)-(3) water in a typical year.