



**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): 9/10/2020

ORM Number: SAS-2020-00421

Associated JDs: N/A.

Review Area Location¹: State/Territory: GA City: Savannah County/Parish/Borough: Chatham

Center Coordinates of Review Area: Latitude 32.072697 Longitude -81.109889

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	
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.	

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 Wetlands	0.37	acre(s)	(b)(1) Non-adjacent wetland.	The wetlands do not abut an (a)(1)-(a)(3) water. The closest (a)(1) water is the Springfield Canal, to the west 573.5 feet, but there are no hydrologic surface connections in a typical year to the canal. Therefore, the wetlands are non-jurisdictional.

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.

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

- ☒ Data sheets prepared by the Corps: [Tenenbaum 3/20/2020](#)
- ☐ Photographs: [Select](#). [Title\(s\) and/or date\(s\)](#).
- ☒ Corps site visit(s) conducted on: [June 16, 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: [Tenenbaum Parcel, Figure 3, July 2020](#)
- ☒ USFWS NWI maps: [Tenenbaum Parcel, Figure 4, July 2020](#)
- ☒ USGS topographic maps: [Tenenbaum Parcel, Figure 2, July 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	LiDAR DEM and Contour Data, Figure 6, July 2020
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): [The data forms provided by Environmental Services, Incorporated \(a Terracon Company\) on 7/1/2020. indicate that a they performed a wetland delineation of the project area on March 20, 2020. Using the Atecedent Precipitation Tool Version 1.0, which used rainfall data from several nearby weather stations to estimate a 30 year wetter than normal range for rainfall conditions, we have determined that wetter than normal rainfall conditions were present in the vicinity of the site on the date of the wetland delineation.](#)

C. Additional comments to support 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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The wetlands as shown within the yellow Approved JD Project boundary on the delineation sketch. These wetlands are depressional wetlands that are completely surrounded by uplands and are not adjacent to any (a)(1) through (a)(3) waters as defined by the NWPR. Further, these wetlands are not within a floodplain of an (a)(1) through (a)(3) and do not appear to receive flood flows from one of these types of waters in a typical year. There is no natural or man-made discrete and/or confined surface water connection between these wetlands and any other jurisdictional water. There is no evidence of surface-water flow to or from these wetlands. Therefore, during times of heavy precipitation, there is a very low probability that floodwaters would reach an elevation necessary for water to flow from other jurisdictional waters into this wetland. The wetland is located approximately 573.5 feet from the nearest jurisdictional water.

Further, the wetland is 1.23 miles from the nearest TNW (Savannah River). No surface connections were found between the wetlands and other jurisdictional waters. These wetlands are surrounded by uplands on all sides with. The uplands that surround the wetlands are higher in elevation than the surface elevation of the wetlands. A shallow, narrow swale extends from the wetland to the southeast, but this swale is discontinuous, covered in leaves, has no signs of an ordinary high water mark, and ends (transitions into upland) prior to connecting to another wetland. This swale contains isolated areas of saturation and water staining during heavy periods of precipitation, but under normal conditions, no positive signs of hydrology are present. Therefore, the swale does not provide ordinary flow from the wetland to another receiving waterbody, and even during high rainfall periods, there is no evidence that water could flow from these wetlands to another water body. The upland soils between the wetlands have a texture of hazardous soil material. Based on observed site conditions and soil permeability, it appears that any subsurface flow would occur from the upland into the wetland.

A site inspection for this site was completed on June 16, 2020.