



**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): 7/14/2020
 ORM Number: SAS-2020-00316
 Associated JDs: N/A
 Review Area Location¹: State/Territory: GA City: Buford County/Parish/Borough: Gwinnett
 Center Coordinates of Review Area: Latitude 34.0731 Longitude -84.0017

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
Eph Stream 1	60	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature is absent of numerous geomorphologic and most hydrologic features, similar to those found in other stream types. Feature is located within stony soils with 15-45% slopes (Pacolet-Saw complex).
Eph Stream 2	212	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature is absent of numerous geomorphologic and most hydrologic features, similar to those found in other stream types. Feature is located within stony soils with 15-45% slopes (Pacolet-Saw complex).
Eph Stream 3	20	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature is absent of numerous geomorphologic and most hydrologic features, similar to those found in other stream types. Feature is located within eroded soils with 6-10% slopes (Cecil clay loam).
Eph Stream 4	101	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral feature is absent of numerous geomorphologic and most hydrologic features, similar to those found in other stream types. Feature is located within moderately eroded soils with 15-45% slopes (Madison sandy clay loam).

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: [NC DWQ Stream Identification Form, V.4.11](#)

This information is 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: Delineation of Aquatic Resources \(Aerial\), SAIA Trucking Terminal; Digital Photo 2: Ephemeral Stream 1.](#)
- 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: [Provided via April 24, 2020 field delineation reporting.](#)
- USFWS NWI maps: [Provided via April 24, 2020 field delineation reporting.](#)
- USGS topographic maps: [Provided via April 24, 2020 field delineation reporting.](#)

Other data sources used to aid in this determination:

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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Data Source (select)	Name and/or date and other relevant information
USGS Sources	Alpharetta Weather Station and Buford Weather Stations.
USDA NRCS WETS tables	30-year period evaluated, between 1981-2010.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other information (specify)	Georgia Drought Monitor Map.

- B. Typical year assessment(s):** Historical, long term data was collected from the Alpharetta local weather station and monthly total precipitation was collected from the Buford Weather Station. This data was utilized to gather input for WETS tables analysis; collection of data was weighted/averaged to evaluate normal conditions at the site. As a result, the WETS table scored an 18, indicating that the prior 3-month period was wetter than normal. The Drought Monitor (as of January 27, 2019) indicates that local conditions were normal and no drought was occurring in this region at the time of inspection.
- C. Additional comments to support AJD:** Site is comprised of primarily upland soils. Available topographic map imagery does not depict on-site major stream valleys with downstream flow throughout the location of ephemeral features. The NWI map depicts one on-site stream channel, however, this feature is not located within vicinity of any ephemeral features.