



**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): 7/21/2020

ORM Number: SAS-2020-00290

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: Georgia City: Savannah County/Parish/Borough: Chatham

Center Coordinates of Review Area: Latitude 32.088267 Longitude -81.087023

**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)<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   |
| Non-Adjacent Wetland                             | 0.48           | acre(s) | (b)(1) Non-adjacent wetland. | Non-Adjacent Wetland is a depressional wetland that is completely surrounded by uplands and is not adjacent to any (a)(1) through (a)(3) waters as defined by the NWPR. |

**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: [JD request package from RLC submitted to Corps on 3/10/2020 and supplemental info submitted via email on 7/1/2020](#)

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: [Trade Center Parcel Wetland Form 6/16/2020](#)

Photographs: [Aerial and Other: 2015 NAIP Ortho Aerial and 1999 Ortho Imagery](#)

Corps site visit(s) conducted on: [6/16/2020](#)

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: [NRCS Soil Survey for Trade Center Expansion Parcel 7](#)

USFWS NWI maps: [National Wetlands Inventory, Trade Center Parcel 7](#)

USGS topographic maps: [1:2k, USGS Topographic Map, Trade Center Parcel 7](#)

**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>               | <a href="#">N/A.</a>  |
| <a href="#">USDA Sources</a>               | <a href="#">N/A.</a>  |
| <a href="#">NOAA Sources</a>               | <a href="#">NOAA Topographic LiDAR, Trade Center Expansion Parcel 7</a> |
| <a href="#">USACE Sources</a>              | <a href="#">N/A.</a>  |
| <a href="#">State/Local/Tribal Sources</a> | <a href="#">N/A.</a>  |
| <a href="#">Other Sources</a>              | <a href="#">N/A.</a>  |

**B. Typical year assessment(s):** [The data forms provided by Resources Land Consultants on 7/1/2020. indicate that a they performed a wetland delineation of the project area on June 16, 2020. Using the Atecedent Precipitation Tool Version 1.0, which used rainfall data from several nearby weather stations to estimate a 30 year normal range for rainfall conditions, we have determined that normal rainfall conditions were present in the vicinity of the site on the date of the wetland delineation.](#)

**C. Additional comments to support AJD:** [Non-Adjacent Wetland \(0.48 acre\) as shown within the blue Project Area on the delineation map, titled "Wetland Exhibit, Trade Ceneter Expansion, Parcel 7", dated July 01, 2020. This wetland is a depressional wetland that is completely surrounded by uplands and is not adjacent to any \(a\)\(1\) through \(a\)\(3\) waters as defined by the NWPR.](#)

<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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Further, this wetland is not within a floodplain of an (a)(1) through (a)(3) water and does 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 Non-Adjacent and any other jurisdictional water. There is no evidence of surface-water flow to or from this wetland. 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 243.5 feet from the nearest jurisdictional water and 0.02 mile from the 100 year floodplain.

Further, the wetland is 0.29 mile from the nearest named waterway and TNW Savannah River. No surface connections were found between the wetland and other jurisdictional waters. The wetland is surrounded by uplands on all sides. The uplands that surround Non-Adjacent Wetland are higher in elevation than the surface elevation of the wetland. A shallow, narrow swale extends from the wetland to the northeast, but this swale is discontinuous, covered in leaves, has no signs of an ordinary high water mark, and ends (transitions into upland). 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 this wetland to another water body. The upland soils between Non-Adjacent Wetland and closest jurisdictional feature has a texture of sand, allowing for percolation of water. Based on observed site conditions and soil permeability, it appears that any subsurface flow would occur from the upland into the wetland.

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**Sarah F. Spatzer  
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