



**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): 9/24/2020

ORM Number: SAS-2020-00151

Associated JDs: N/A

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

Center Coordinates of Review Area: Latitude 32.115790 Longitude -81.228155

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.	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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland 1	12.69	acre(s)	(b)(1) Non-adjacent wetland.	<p>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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.</p> <p>The agent investigated an off-site ditch network and confirmed that this feature drains through an onsite ditch to an off-site ditch network with the adjacent warehouse complex. However, they found that the ditch network terminates in uplands based on photo pages referenced in Section III.A of this form.</p>
Wetland 2	3.95	acre(s)	(b)(1) Non-adjacent wetland.	<p>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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.</p>
Ditch 1	0.19	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	<p>Ditch 1 does not alter or relocate a naturally occurring surface water channel. Further, no evidence was observed to indicate that this feature was dug in an adjacent wetland. This feature did not exhibit intermittent or perennial flow on the date of observation (6/15/2020) and appeared to pond water during, and after, precipitation events.</p>

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: [ARDR Request submitted on 2/7/2020 and AJD Request submitted on 7/23/2020.](#)

This information is 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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE**

Rationale: [N/A](#)

- ☐ Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\)](#).
- ☒ Photographs: [Aerial and Other: Figure 7: Sub-meter GPS Wetland Delineation and Photo Pages provided in both the ARDR and AJD request packages.](#)
- ☒ Corps site visit(s) conducted on: [6/15/2020](#)
- ☐ 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: [Figure 3: NRCS Soil Data](#)
- ☒ USFWS NWI maps: [Figure 4: USFWS National Wetland Inventory \(NWI\) Data](#)
- ☒ USGS topographic maps: [Figure 2: USGS Topographic Data](#)

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	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** [The data forms provided by ESI indicate that a they performed a wetland delineation of the project area on 2/4/2020. Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from nearby weather stations, we have determined the delineation was conducted during the wet season \(WebWIMP H2O Balance\) and that "Normal" rainfall conditions were present for the nearest weather stations on the date of the wetland delineation. With regards to the site visit on 6/15/2020, the Antecedent Precipitation Tool results, which used rainfall data from nearby weather stations, indicated that the site visit was conducted during the dry season \(WebWIMP H2O Balance\) and that "Normal" rainfall conditions were present for the nearest weather stations on the date of the wetland delineation.](#)
- C. Additional comments to support AJD:** [The area surrounding the project area has been heavily manipulated due to commercial and industrial development activities that likely pre-date the CWA in many instances. There is a ditch network on-site that goes off-site. The ditches on site did not appear to meet the flow requirements to be considered as an \(a\)\(2\) tributary under the NWPR. The ditches immediately off-site appear to terminate in uplands based on documentation \(photo pages\) provided by the agent. There is no clear evidence to support that these wetlands are, or were ever, adjacent to any potential \(a\)\(1\)-\(a\)\(3\) waters.](#)