



**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): 10/19/2020

ORM Number: SAS-2008-01253

Associated JDs: SAS-2008-01253

Review Area Location¹: State/Territory: GA City: Savannah (Port Wentworth)

County/Parish/Borough: Chatham

Center Coordinates of Review Area: Latitude 32.204656 Longitude -81.198413

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.

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
Wetland A	7.33	acre(s)	(b)(1) Non-adjacent wetland.	Wetland A 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 nor does it have a direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year. The wetland is physically separated from all (a)(1)-(a)(3) waters.
Wetland B	0.96	acre(s)	(b)(1) Non-adjacent wetland.	Wetland B 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 nor does it have a direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year. The wetland is physically separated from all (a)(1)-(a)(3) waters.
Wetland C	0.04	acre(s)	(b)(1) Non-adjacent wetland.	Wetland C 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 nor does it have a direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year. The wetland is physically separated from all (a)(1)-(a)(3) waters.
Wetland D	0.01	acre(s)	(b)(1) Non-adjacent wetland.	Wetland D 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 nor does it have a direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year. The wetland is physically separated from all (a)(1)-(a)(3) waters.
Wetland E	0.26	acre(s)	(b)(1) Non-adjacent wetland.	Wetland E 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 nor does it have a direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year. The wetland is physically separated from all (a)(1)-(a)(3) waters.

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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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: [Approved Jurisdictional Determination request submitted to the Corps on 9/14/20.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

☐ Data sheets prepared by the Corps: [N/A](#)

☐ Photographs: [Select.](#)

☒ Corps site visit(s) conducted on: [October 2, 2008, July 26, 2016, August 28, 2013, August 14, 2018](#)

☒ Previous Jurisdictional Determinations (AJDs or PJDs): [SAS-2008-01253](#)

☒ Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

☒ USDA NRCS Soil Survey: [NRCS Soil Map dated 9/10/2020](#)

☒ USFWS NWI maps: [National Wetlands Inventory dated 9/10/2020.](#)

☒ USGS topographic maps: [USGS Topographic Map dated 9/10/2020](#)

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	N/A.
USACE Sources	Antecedent Precipitation Tool
LiDAR data/maps	2010
FEMA/FIRM maps	N/A.

B. Typical year assessment(s): Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from the Savannah International Airport weather station, we have determined that normal rainfall conditions were present for the nearest weather station on the date of the most recent site visit by the Corps, August 14, 2018.

C. Additional comments to support AJD: Wetland A extends to the northern and eastern boundary of the JD survey area, and Wetlands C and D are partially bounded by the eastern edge of the survey area. While it appears that Wetland A extends off the property to the North, any potential surface water connection for Wetlands A, C, and D to (a)(1) to (a)(3) waters is precluded by the presence of verified uplands along the eastern edge of the property. The adjacent property is part of the permit area for SAS-2003-07880, which does not expire until September 30, 2024. The limits of aquatic resources and jurisdictional status of wetlands for the adjacent property were verified by the Corps on 14 Jun 2003. Based on repeated site visits to verify the limits and jurisdictional status of wetlands in the JD review area for SAS-2008-01253, along with LiDAR mapping and the verified JD for the adjacent property that is still valid by permit extension through 2024, Wetlands A, C, and D appear to be completely surrounded by existing development including roads, single family residential development and USACE verified upland approved for residential development. Therefore, there appears to be no surface water connection to any (a)(1)-(a)(3) waters and these wetlands are physically separated from all (a)(1) to (a)(3) waters. While these wetlands include portions of the 100-year floodplain associated with Black Creek, based on the



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elevation of these features, there does not appear to be any likelihood of the wetlands being inundated by flooding from Black Creek in a typical year. These wetlands are approximately 2.5 miles from the nearest TNW (Savannah River).

Wetland B is located completely inside the JD review area and based on repeated site visits to this property as well as LiDAR mapping this system is completely surrounded by uplands at higher elevation. There is no direct surface water connection to any (a)(1) to (a)(3) waters, the wetland is physically separated from any (a)(1) to (a)(3) waters. Due to the elevation of this feature, there is no potential that this feature is inundated by flooding in a typical year, as it is located outside the 100-year floodplain of Black Creek.

Wetland E is is located completely inside the JD review area and based on repeated site visits to this property as well as LiDAR mapping this system is completely surrounded by uplands at higher elevation. There is no direct surface water connection to any (a)(1) to (a)(3) waters, the wetland is physically separated from any (a)(1) to (a)(3) waters. Due to the elevation of this feature, there is no potential that this feature is inundated by flooding in a typical year, as it is located outside the 100-year floodplain of Black Creek.