



**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): 10/20/2020
 ORM Number: SAS-2008-00436
 Associated JDs: SAS-2008-00436 (Delineation Concurrence issued on 9/16/2019)
 Review Area Location¹: State/Territory: Georgia City: Savannah County/Parish/Borough: Chatham
 Center Coordinates of Review Area: Latitude 32.0688 Longitude -81.1586

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 |
| Wetland A | 5.64 | 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 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. |
| Wetland B | 0.83 | 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 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. This wetland is located near the stormwater canal that runs through the site, but this feature is separated hydrologically from the canal by an artificial berm along the length of the canal. Further, the canal is not considered to be a jurisdictional water under the NWPR. |
| Wetland C | 0.18 | 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 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. This wetland is located near the stormwater canal that runs through the site, but this feature is separated hydrologically from the canal by an artificial berm along the length of the canal. Further, the canal is not considered to be a jurisdictional water under the NWPR. |
| Canal | 1153 | linear feet | (b)(10) Stormwater control feature constructed or | This feature 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 |

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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| Excluded waters ((b)(1) – (b)(12)): ⁴ | | | |
|--------------------------------------------------|----------------|----------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Exclusion Name | Exclusion Size | Exclusion ⁵ | Rationale for Exclusion Determination |
| | | excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff. | 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. |

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: [AJD request submitted to Corps on 9/4/2020 and revised delineation map submitted on 9/30/2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: [Aerial and Other: Aerial – Figure No. 7; Photo Pages – Photosheet 1](#)

Corps site visit(s) conducted on: [9/18/2020](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [SAS-2008-00436 Delineation Concurrence issued on 9/16/2019](#)

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

USDA NRCS Soil Survey: [Figure 3: NRCS Soil Survey, September 2020](#)

USFWS NWI maps: [Figure 4: National Wetland Inventory \(NWI\), September 2020](#)

USGS topographic maps: [Figure 2: Topographic Maps, September 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 | Digital Access Viewer LiDAR Data, Figure 6 |
| USACE Sources | N/A. |
| State/Local/Tribal Sources | N/A. |
| Other Sources | FEMA Floodzone Data, Figure 5 |

B. Typical year assessment(s): Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from nearby weather stations, we have determined the Corps site visit was conducted during the wet season (WebWIMP H2O Balance) and that “Wetter than Normal” rainfall conditions were present for the nearest weather stations on the date of the wetland delineation. The APT results support the determination that the ditch feature labeled as “Canal” did not meet the flow requirements to be considered a tributary under the NWPR in a typical year. Further, these results strongly support the observation that the wetlands within the review area do not receive any inundation from an (a)(1)-(3) water in a typical year.

C. Additional comments to support AJD: [N/A or provide additional discussion as appropriate.](#)