



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): 4-NOV-2020

ORM Number: SAS-2020-00674

Associated JDs: N/A

Review Area Location¹:

State/Territory: GA City: McDonough County/Parish/Borough: Henry County

Center Coordinates of Review Area: Latitude 33.438784 Longitude -84.037051

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
Intermittent 1	20.33 linear feet	Indirectly contributes surface water flow to an (a)(1) water.	Intermittent stream continues offsite draining to Island Shoals Creek.

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
W1	0.255 acres	Abuts an (a)(2) water offsite	Wetland is part of a larger offsite wetland that abuts an

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 and 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 independent 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.

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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			(a)(2) water.
W2	0.002 acres	Adjacent under (c)(1)(iv) criteria	Physically separated from an (a)(2) water by a road which provides a direct hydrologic surface connection across the road in a typical year.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Ephemeral Feature	412 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Feature flows only in direct response to precipitation. Groundwater "baseflow" was not noted at the time of the site visit.
Farm Pond	0.15 acre	(b)(8) Farm pond that is not an impoundment of jurisdictional waters.	Old farm pond identified on historical aerial imagery.

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: *Aquatic Resource Review, Contour Environmental September 15, 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 site) Site photographs and aerial photograph September 15, 2020.*

___ 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: *Web Soil Survey May 13, 2020*

USFWS NWI maps: *Wetlands Mapper May 13, 2020*

USGS topographic maps: *Ola, GA USDA, USGS, AeroGRID, IGN, and the GIS User Community, Copyright:©2013 National Geographic Society May 15, 2020.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS Stream Stats, accessed 9/21/2020 and 10/29/2020
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	ESRI LIDAR imagery
State/Local/Tribal Sources	N/A.
Other Sources	FEMA FIRMette May 13, 2020; Wets Table Accumulated Precipitation - McDonough 5 ENE, GA

B. Typical year assessment(s): Using WETS tables, climatic variables are within the normal periodic range for the geographic area. According to the WETs Accumulation Graph of McDonough, Georgia,

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during the time of the site visit, precipitation accumulation was above the lowest accumulation and below the highest accumulation level. The APT indicated wetter than normal conditions at the time of the site survey.

- C. Additional comments to support AJD:** Based on review of submitted photographs, LIDAR, Stream Stats, historical aerial imagery and other available information, (b)(3) feature was determined to have an ephemeral flow regime. Feature meets the definition of a (b)(3) feature under 33 CFR 328.3 Definitions. Excluded feature (b)(8) is an old farm pond that is not an impoundment of a jurisdictional water. Feature meets the definition of a (b)(8) feature under 33 CFR 328.3.

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