



**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): 11/6/2020

ORM Number: SAS-2020-00591

Associated JDs: N/A

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

Center Coordinates of Review Area: Latitude 32.1046 Longitude -81.3231

**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)<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
Adjacent Wetland	1.18	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water. This wetland is part of a large forested wetland system that is directly abutting the Little Ogeechee River.

<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	1.99 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 directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.

**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 and ARDR request submitted to Corps on 8/17/2020.](#)

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: Figure No. 5: 2018 NAIP Ortho Aerial and Figure No. 6: 1999 Color-Infrared Imagery](#)

Corps site visit(s) conducted on: [9/24/2020](#)

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 No. 3: NRCS Soil Map](#)

USFWS NWI maps: [Figure No. 4: National Wetlands Inventory](#)

USGS topographic maps: [Figure No. 2: USGS Topographic Map](#)

**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="#">Figure No. 7: NOAA Topographic LiDAR</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 wetland delineation was conducted in May of 2020. Delineated resources jurisdictional status was assessed on 05 August, 2020. Using the Antecedent Precipitation Tool Version 1.0 \(APT\), which used rainfall data from the Savannah International Airport weather station, we have determined that “wetter than normal” conditions were present for the nearest weather station](#)

<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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during the assessments during the delineation in 2020. Further, a site visit with the Corps was conducted on September 24, 2020 and the APT results for that date indicate that the site visit was conducted during the “wet season” under “wetter than normal” conditions. The lack of connectivity through or over the roads surrounding the feature labeled as “Non-Adjacent Wetland” during the “wetter than normal” conditions strongly supports the non-jurisdictional determination for this feature.

- C. Additional comments to support AJD:** Non-adjacent Wetland A is surrounded entirely by uplands. Non-adjacent Wetland A is separated from other adjacent wetlands by an elevated road. This site was a part of a larger site assessment conducted by Environmental Services, Inc. (ESI) in 2006. ESI determined that the current project area was solely comprised of upland. Additionally, as part of the extension of Jimmy DeLoach Parkway a portion of the subject site was evaluated by GDOT and no wetlands were noted within this area. It appears that construction activities associated with Jimmy DeLoach Parkway has impacted the site and resulted in impounding of stormwater. Based on the previous evaluations and the current site conditions, it is our opinion that the 1.18 acre manmade wetland is a non-adjacent/non-jurisdictional wetland. Under normal conditions this wetland does not have a directed hydrologic surface connection to any (a)(1)-(3) waters in a typical year. Further, historic aerial imagery indicate that the location of the wetland was an upland field that did not exhibit any aerial signatures indicative of wetland hydrology or soils. It appears that recent roadway work has cause water to back up within the site and create wetland conditions. A roadside ditch is within the project area, but it is a ditch constructed through uplands and did not exhibit an OHWM or meet the three criteria to be considered as a wetland.