

# 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): 12/2/2020

ORM Number: SAS-2019-00332 Associated JDs: SAS-2019-00332

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

Center Coordinates of Review Area: Latitude 32.076489 Longitude -81.198029

#### 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.	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):					
ĺ	(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.	

<sup>&</sup>lt;sup>1</sup> Map(s)/figure(s) are attached to the AJD provided to the requestor.

<sup>&</sup>lt;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>&</sup>lt;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 standalone 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	n Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination	
Wetland A	0.24	acre(s)	(b)(1) Non- adjacent wetland.	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 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: JD request dated Oct 16, 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: 1999, 2018 and site photographs
  - □ Corps site visit(s) conducted on: May 30, 2019
  - Previous Jurisdictional Determinations (AJDs or PJDs): SAS-2019-00332, ARDR dated June 4, 2019
  - Antecedent Precipitation Tool: <u>provide detailed discussion in Section III.B.</u>
  - ☑ USDA NRCS Soil Survey: NRCS Soil Map dated 10/16/2020, soils mapped include Ogeechee loamy fine sand, Ocilla complex, and Mascotte sand. Ogeechee loamy fine sand includes map units that are hydric soils.
  - □ USFWS NWI maps: National Wetlands Inventory Map dated 10/16/2020. NWI suggests isolated, depressional wetlands.

### 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.
LiDAR data/maps	NOAA Topographic LiDAR map dated 10/16/2020
FEMA/FIRM maps	FEMA Flood Map dated 10/16/2020 shows project area is outside mapped 100-year floodplains.

**B.** Typical year assessment(s): The resources jurisdictional status was assessed on 15 October 2020. Using the Atecedent Precipitation Tool Version 1.0, which used rainfall data from the Savannah

<sup>&</sup>lt;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>&</sup>lt;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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International Airport weather station, we have determined that wetter than normal conditions were present during this assessment. During a Corps site visit dated May 30, 2019, the APT indicated that the site was in the dry season, with normal rainfall conditions.

C. Additional comments to support AJD: Based on previous verified ARDR and desktop analysis of available mapping, wetlands on the site appear to be surrounded by higher elevation uplands and Wetland A does not appear to abut any (a)(1)-(a)(3) waters. There do not appear to be any surface water connections between the onsite wetland and any (a)(1)-(a)(3) waters. The site is located outside 100-year floodplain, so it is unlikely that the site is inundated by any (a)(1)-(a)(3) waters in a typical year. Based on these considerations, onsite Wetland A appears to meet exclusion (b)(1), non-adjacent wetlands.