



**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): 8/31/2021
 ORM Number: SAS-2021-00219
 Associated JDs: N/A
 Review Area Location¹: State/Territory: Georgia City: Brunswick County/Parish/Borough: Glynn
 Center Coordinates of Review Area: Latitude 31.2426 Longitude -81.4888

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



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Excluded Ditch D	0.007	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditches dug entirely in uplands and that are not dug in a previous tributary. Feature exhibits no flow, no OHWM and not tributary features.
Excluded Ditch KB	0.019	acre(s)	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditches dug entirely in uplands and that are not dug in a previous tributary. Feature exhibits no flow, no OHWM and not tributary features.
Excluded Ephemeral Swale 1	0.089	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This stormwater feature is dug entirely in uplands and that are not dug in a previous tributary. Feature exhibits no flow, no OHWM and not tributary features.
Excluded Ephemeral Swale 2	0.02	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This stormwater feature is dug entirely in uplands and that are not dug in a previous tributary. Feature exhibits no flow, no OHWM and not tributary features.

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 Ephemeral Swale 3	0.052	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This stormwater feature is dug entirely in uplands and that are not dug in a previous tributary. Feature exhibits no flow, no OHWM and not tributary features.
Excluded Non-Adjacent Wetland AA-KA	5.923	acre(s)	(b)(1) Non-adjacent wetland.	This feature 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 in a typical year, 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. Additionally, the wetland is not an impoundment of jurisdictional waters that would meet the conditions of paragraph (c)(6) of the NWPR, nor has it been excavated in historically adjacent wetlands.
Excluded Non-Adjacent Wetland AB	0.073	acre(s)	(b)(1) Non-adjacent wetland.	This feature 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 in a typical year, 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. Additionally, the wetland is not an impoundment of jurisdictional waters that would meet the conditions of paragraph (c)(6) of the NWPR, nor has it been excavated in historically adjacent wetlands.
Excluded Non-Adjacent Wetland KD	0.129	acre(s)	(b)(1) Non-adjacent wetland.	This feature 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 in a typical year, 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. Additionally, the wetland is not an impoundment of jurisdictional waters that would meet the conditions of paragraph (c)(6) of the NWPR, nor has it been excavated in historically adjacent wetlands.



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Excluded Non-Adjacent Wetland KE	0.073	acre(s)	(b)(1) Non-adjacent wetland.	This feature 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 in a typical year, 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. Additionally, the wetland is not an impoundment of jurisdictional waters that would meet the conditions of paragraph (c)(6) of the NWPR, nor has it been excavated in historically adjacent wetlands.
Excluded Stormwater Canal A	0.016	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This stormwater feature is dug entirely in uplands and that are not dug in a previous tributary. Feature exhibits no flow, no OHWM and not tributary features.
Excluded Stormwater Canal B	0.005	N/A.	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	This stormwater feature is dug entirely in uplands and that are not dug in a previous tributary. Feature exhibits no flow, no OHWM and not tributary features.

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 JD Request submitted to the Corps on March 21, 2021](#)

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: FEMA Floodplain](#)
- Corps site visit(s) conducted on: [June 2, 2021](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Figure No. 3: NRCS Soil Map](#)



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- 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
USGS Sources	N/A.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The project was submitted to the Corps on March 21, 2021, indicating that Environmental Service Inc (ESI) had reviewed the site on April 16, 2020. Furthermoe the Corps conducted a site visit on June 2, 2021 and the APT results for that time frame indicate that the site visit was conducted during the “normal” (Drought Index (PDSI)) under “normal” conditions.

C. Additional comments to support AJD: A review of aerial imagery, USFWS NWI data, USGS Topographic Maps, and other data sources does not indicate that any features listed have a clear potential to meet the definition of an (a)(1)-(a)(3) under the NWPR.