



**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): 1/15/2021

ORM Number: SAS-2016-00652

Associated JDs: N/A

Review Area Location¹: State/Territory: GA City: Sandersville County/Parish/Borough: Washington

Center Coordinates of Review Area: Latitude 32.9955 Longitude -83.0176

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
- 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 2	±2.4	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 2 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. The 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 3	±0.1	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 3 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. The 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 4	±1.2	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 4 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. The 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 5	±0.3	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 5 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. The 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 6	±0.02	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 6 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. The 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.

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	
Wetland 7	±0.4	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 7 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. The 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.
Pond 1	±2.0	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	Based on review of available information, the pond was constructed in upland as part of mining activities.
Ephemeral Feature 1	±0.011	N/A.	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral stream 1 flows only in direct response to precipitation, is not a tributary, and does not experience perennial or intermittent flow in a typical year.
Ephemeral Feature 2	±0.005	acre(s)	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral stream 2 flows only in direct response to precipitation, is not a tributary, and does not experience perennial or intermittent flow in a typical year.
Ephemeral Feature 3	±0.036	acre(s)	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral stream 3 flows only in direct response to precipitation, is not a tributary, and does not experience perennial or intermittent flow in a typical year.
Ephemeral Feature 4	±0.002	acre(s)	(b)(3) Ephemeral feature, including an ephemeral	Ephemeral stream 4 flows only in direct response to precipitation, is not a tributary, and does not experience perennial or intermittent flow in a typical year.



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
		stream, swale, gully, rill, or pool.	

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: [Wetland Exhibit, dated 10/19/2020](#)
This information **is** sufficient for purposes of this AJD.
Rationale: [N/A](#)
- Data sheets prepared by the Corps: [N/A](#)
- Photographs: [Select. Title\(s\) and/or date\(s\).](#)
- Corps site visit(s) conducted on: [Date\(s\).](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [SAS-2016-00652, dated 10/11/2016](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [1"=500' Washington County 10/19/2020](#)
- USFWS NWI maps: [1"=500' Washington County 10/19/2020](#)
- USGS topographic maps: [1"=500' Washington County 10/19/2020](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	1"=2000' Washington County USGS Topographic Survey 10/19/2020
USDA Sources	1"=500' Washington County USDA Soil Survey 10/19/2020
NOAA Sources	N/A.
USACE Sources	Antecedent Precipitation Tool
LiDAR data/maps	N/A
Other Sources	N/A.

B. Typical year assessment(s): [The wetland delineation was conducted in October 2020. The jurisdictional delineation of on-site resources occurred on October 15, 2020. Using the Antecedent Precipitation Tool and use of rainfall data from the Sandersville weather station, it was determined that wetter than normal conditions were present during the October 2020 delineation.](#)

C. Additional comments to support AJD:

[Non-adjacent Wetland 2 is surrounded entirely by uplands except for an ephemeral stream to the north. Down gradient features do not allow for a direct hydrologic surface connection to an \(a\)\(1\)-\(3\) water during a typical year. There is no regulated direct hydrologic surface connection between Wetland 2 and any other jurisdictional water. This wetland is greater than 4 miles from the nearest TNW, Oconee River.](#)



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Non-adjacent Wetland 3 is surrounded entirely by uplands except for ephemeral streams to the north and south. The ephemeral streams do not allow for a direct hydrologic surface connection to an (a)(1)-(3) water during a typical year. There is no regulated direct hydrologic surface connection between Wetland 3 and any other jurisdictional water. This wetland is greater than 4 miles from the nearest TNW, Oconee River.

Non-adjacent Wetland 4 is surrounded entirely by uplands except for an ephemeral stream to the south. The ephemeral stream does not allow for a direct hydrologic surface connection to an (a)(1)-(3) water during a typical year. There is no regulated direct hydrologic surface connection between Wetland 4 and any other jurisdictional water. This wetland is greater than 4 miles from the nearest TNW, Oconee River.

Non-adjacent Wetland 5 is surrounded entirely by uplands except for an ephemeral stream to the south. The ephemeral stream does not allow for a direct hydrologic surface connection to an (a)(1)-(3) water during a typical year. There is no regulated direct hydrologic surface connection between Wetland 5 and any other jurisdictional water. This wetland is greater than 4 miles from the nearest TNW, Oconee River.

Non-adjacent Wetland 6 is surrounded entirely by upland except for an ephemeral stream to the south. The ephemeral stream does not allow for a direct hydrologic surface connection to an (a)(1)-(3) water during a typical year. There is no regulated direct hydrologic surface connection between Wetland 6 and any other jurisdictional water. This wetland is greater than 4 miles from the nearest TNW, Oconee River.

Non-adjacent Wetland 7 is surrounded entirely by upland. There is no regulated direct hydrologic surface connection between Wetland 7 and any other jurisdictional water. This wetland is greater than 4 miles from the nearest TNW, Oconee River.

Non-jurisdictional, upland dug Pond 1 is surrounded entirely by uplands. The pond was constructed within uplands as a result of mining activities.

The ephemeral streams 1-4 do not experience perennial or intermittent flow in a typical year. Per the NWPR, "Surface features that flow only in direct response to precipitation, such as ephemeral streams, swales, gullies and rills, are not tributaries. These features lack the required perennial or intermittent flow to satisfy the "tributary" definition and therefore are not jurisdictional." Based on this definition, the ephemeral stream channels were evaluated as excluded features under NWPR.