

# 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): 1/28/2021

ORM Number: SAS-2018-00784 Associated JDs: SAS-2018-00784

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

Center Coordinates of Review Area: Latitude 32.022028 Longitude -81.310756

### 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):							
(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 wetla	Adjacent wetlands ((a)(4) waters):							
(a)(4) Name	(a)(4) Siz	ze .	(a)(4) Criteria	Rationale for (a)(4) Determination				
Wetland A	14.06	acre(s)	(a)(4) Wetland separated from an (a)(1)-(a)(3)	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water in a typical year.				

<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 stand-alone TNW determination should be completed following applicable guidance and should NOT be documented on the AJD Form.



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Adjacent wetla	ands ((a)(4) waters):		
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
		water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water, in a typical year.	Wetland connects to a culvert that runs under Hwy 204 and thence to the Ogeechee River, which is an (a)(1) water.

### D. Excluded Waters or Features

Excluded waters (	Excluded waters ((b)(1) – (b)(12)):4						
Exclusion Name	Exclusion	n Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination			
Wetland C	0.82	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, 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.			
Wetland E	0.02	acres	(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, 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.			
Wetland F	0.09	acres	(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, 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.			
Borrow Pit D	0.76	acres	(b)(9) Pit excavated in	This is a borrow pit excavated in uplands. It does not contribute surface water flow to an (a)(1) water in a typical year as it has no outlet			

<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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Excluded waters (	(b)(1) - (b)	)(12)):4		
Exclusion Name	Exclusion	n Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			upland to obtain fill/sand/gravel	and is surrounded by uplands. This feature is also not inundated by flooding from an (a)(1)-(a)(3) water 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: Revised Appendix 1v2, 8/5/2018 This information Select. sufficient for purposes of this AJD.

Rationale: N/A or describe rationale for insufficiency (including partial insufficiency).

- ☐ Data sheets prepared by the Corps: Title(s) and/or date(s).
- ☐ Photographs: Select. Title(s) and/or date(s).
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): ORM Number(s) and date(s).
- Antecedent Precipitation Tool: <u>provide detailed discussion in Section III.B.</u>
- □ USFWS NWI maps: USFWS Wetlands Mapper 7/15/20

### 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): Wetland delineation was performed on June 12, 2018, Antecedent Precipitation Tool was used and determined during that site visit it was a wetter than normal year.
- C. Additional comments to support AJD: N/A