



**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-2020-00689
 Associated JDs: N/A
 Review Area Location¹: State/Territory: GA City: Harlem County/Parish/Borough: Columbia
 Center Coordinates of Review Area: Latitude 33.4825 Longitude -82.3044

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

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Non-Adjacent Wetlands 1-3.	3.07	acre(s)	(b)(1) Non-adjacent wetland.	Wetlands 1-3 are not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. These wetlands don't abut any (a)(1)-(a)(3) waters, are not inundated by any (a)(1)-(a)(3) waters, are physically separated from all (a)(1)-(a)(3) waters and do not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Ditches 1- 2	485	linear feet	(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 1-2 appear to be ditches that were dug through upland areas to drain depressional wetland areas. These ditches did not meet the flow requirements to be considered as a tributary under the NWPR. Further, they don't appear to be adjacent wetlands in accordance with the NWPR.

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 request submitted by RLC on 9/18/2020.](#)

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: Multiple aerial imagery maps of the site \(1981, 1999, and 2017\) and site photos submitted by agent on 12/22/2020](#)

Corps site visit(s) conducted on: [Date\(s\).](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [1"=500'; Columbia County, GA](#)

USFWS NWI maps: [1"=500'; Columbia County, GA](#)

USGS topographic maps: [1"=500'; Columbia County, GA](#)

Other data sources used to aid in this determination:

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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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	Antecedent Precipitation Tool
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The data forms provided by Resource Land Consultants, LLC indicate that a they performed a wetland delineation of the project area on 9/10/2020. Using the Atecedent Precipitation Tool Version 1.0, which used rainfall data from multiple weather stations, we have determined the delineation was conducted during the dry season (WebWIMP H2O Balance) and that “Wetter than Normal” rainfall conditions were present on the date of the wetland delineation.

C. Additional comments to support AJD:

Non-adjacent Wetland 1 is surrounded by upland in all directions. This wetland drains into an upland cut ditch (Ditch 1) to the southeast that flows into a wetland abutting a pond that appears to have been constructed in wetland. Based on historic aerials, there is no clear evidence that the ditch was constructed in a jurisdictional water.

Non-adjacent Wetland 2 is surrounded by upland in all directions. Non-adjacent Wetland 2 drains into an upland cut ditch (Ditch 2) to the east that flows into a roadside ditch. Ditch 2 appears to be a vegetated swale that would not meet the requirements to be considered as a tributary under the NWPR. Further, it appears to have been constructed through an upland area in order to drain the depressional wetland area labeled as Non-adjacent Wetland 2.

Non-adjacent Wetland 3 is surrounded by upland to the west, north and south. The wetland is bordered by a roadside ditch to the east. The roadside ditch was cut through uplands and would not be considered as a tributary under the NWPR.