



**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): 3/10/2021

ORM Number: SAS-2019-00025

Associated JDs: N/A

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

Center Coordinates of Review Area: Latitude 32.845634 Longitude -83.071027

**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): <sup>3</sup>				
(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
P1	38	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	P1, also known as Edmonds Branch, is a perennial tributary that contributes surface water flow in a typical year to the Oconee River (TNW) indirectly through Commissioner Creek.
P2	2,821	linear feet	(a)(2) Perennial tributary contributes	This feature is a perennial tributary that contributes surface water flow to P1 through wetland A before

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

<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>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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Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	flowing through Commissioner Creek which flows directly into the Oconee River (a TNW).
I1	140	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This feature flows directly into P2 which is a perennial tributary that indirectly contributes surface water flow to the Oconee River in a typical year.
I2	41	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This feature flows directly into P2 which is a perennial tributary that indirectly contributes surface water flow to the Oconee River in a typical year.
I3	161	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This feature contributes surface water flow offsite into the wetland system abutting P1, which flows indirectly into Oconee River (TNW).
I4	829	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This feature flows directly into P2 which is a perennial tributary that indirectly contributes surface water flow to the Oconee River in a typical year.

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 wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wet A	7.87	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This feature abuts streams P1 and P2.



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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wet A2	0.32	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This feature abuts stream I4.
Wet B	0.32	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wet B abuts stream P2
Wet C	0.09	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wet C abuts stream P2
Wet D	0.11	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wet D abuts stream P2
Wet E	0.01	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wet E abuts stream P2
Wet F	0.59	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wet F abuts stream P2
Wet G	0.67	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	This feature is an extension of wetland A that was mapped as its own unit. The entire system abuts both streams P1 and P2

**D. Excluded Waters or Features**

Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
E1	1,185	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No hydric soils present in channel bottom or base of banks. No OHWM or evidence of sediment sorting or other channel formation characteristics.
E2	286	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No hydric soils present in channel bottom or base of banks. No OHWM or evidence of sediment sorting or other channel formation characteristics.
E3	194	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No hydric soils present in channel bottom or base of banks. No OHWM or evidence of sediment sorting or other channel formation characteristics.
E4	829	linear feet	(b)(3) Ephemeral feature, including an ephemeral	No hydric soils present in channel bottom or base of banks. No OHWM or evidence of

<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>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)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool.	sediment sorting or other channel formation characteristics.
Wet A3	0.06	acre(s)	(b)(1) Non-adjacent wetland.	This feature 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 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. This feature is upslope of an ephemeral stream which would not be considered as a tributary under the NWPR.
Wet G	0.37	acre(s)	(b)(1) Non-adjacent wetland.	This feature 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 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. This feature is upslope of an ephemeral stream which would not be considered as a tributary under the NWPR.
Wet H	0.07	acre(s)	(b)(1) Non-adjacent wetland.	This feature 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 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. This feature is upslope of an ephemeral stream which would not be considered as a tributary under 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: **Figures and plan sheets**  
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: **Aerial and Other: Figure 2 and Duncan Boone Jurisdictional Impact Plan 2 of 2\_Revised\_6.16.2020**
- Corps site visit(s) conducted on: **11/06/2019**
- Previous Jurisdictional Determinations (AJDs or PJDs): **ORM Number(s) and date(s).**
- Antecedent Precipitation Tool: **provide detailed discussion in Section III.B.**
- USDA NRCS Soil Survey: **See Figure 5 of application**



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- USFWS NWI maps: [See Figure 6 of application](#)
- USGS topographic maps: [See Figure 3 of application](#)

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Flood inundation mapping</a>	<a href="#">FEMA floodplain data, see Figure 6 of application</a>
<a href="#">USDA Sources</a>	N/A.
<a href="#">NOAA Sources</a>	N/A.
<a href="#">USACE Sources</a>	N/A.
<a href="#">State/Local/Tribal Sources</a>	N/A.
<a href="#">Other Sources</a>	N/A.

**B. Typical year assessment(s):** Jurisdictional Waters Delineation was conducted on December 11-13, 2017 and the USACE site review was conducted on November 6, 2019. Based on the Antecedent Precipitation Tool for both time periods, the conditions during the time of the field delineation and USACE site review were typical year normal conditions with scores of 13 for both dates. Therefore, since normal conditions existed previous to the time of delineation and USACE site review, then there should have not been any influence from weather conditions on the determinations that were made in the field.

**C. Additional comments to support AJD:** [N/A](#)