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): 15-APR-2021
ORM Number: SAS-2020-00887
Associated JDs: SAS-2005-01017 and SAS-2005-01018
Review Area Location[1]:
State/Territory: Georgia City: Conyers County/Parish/Borough: Rockdale County
Center Coordinates of Review Area: Latitude 33.64977 Longitude -84.031516

## 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 |
|---|---|---|---|
| Intermittent Stream 1 | 1929 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows into Perennial Stream 2, prior to entering Wetland 6. |
| Intermittent Stream 2 | 546 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows directly into Wetland 6. |
| Intermittent Stream 3 | 53 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows directly into Wetland 6. |

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[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 independent 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.
[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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| Intermittent Stream 4 | 77 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows through Perennial Stream 4, prior to entering Wetland 6. |
| Intermittent Stream 5 | 904 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows directly into Wetland 6. |
| Intermittent Stream 6 | 544 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and contiguously flows through Wetland 6. |
| Intermittent Stream 7 | 188 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows through Perennial Stream 6, prior to entering Wetlands 13 and 21. |
| Intermittent Stream 8 | 1182 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows directly into Wetland 13. |
| Intermittent Stream 9 | 349 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows into Intermittent Stream 8 prior to entering Wetland 13. |
| Intermittent Stream 10 | 538 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows directly into Wetland 13. |
| Intermittent Stream 11 | 767 feet | (a)(2) Intermittent tr butary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Stream channel averages 6-foot width and flows directly into Wetland 22. |
| Perennial Stream 1 | 756 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 1 flows into Perennial Stream 2, prior to entering Wetland 6. |
| Perennial Stream 2 | 4660 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 2 flows into Wetland 6. |
| Perennial Stream 3 | 738 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 3 flows through Perennial Stream 2 and into Wetland 6. |
| Perennial Stream 4 | 338 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 4 flows through Perennial Stream 2 and into Wetland 6. |
| Perennial Stream 5 | 1684 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 5 flows directly into Wetland 6. |

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| Perennial Stream 6 | 3838 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 6 flows directly into Wetland 13. |
| Perennial Stream 7 | 777 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 7 contiguously flows through Wetland 21. |
| Perennial Stream 8 | 1095 feet | (a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year | Perennial Stream 8 flows directly into Wetland 6. |

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 |
|---|---|---|---|
| Wetland 1 | 0.007 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 1 initiates flow at headwaters of Intermittent Stream 1. |
| Wetland 2 | 0.023 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 2 initiates flow at headwaters of Intermittent Stream 1. |
| Wetland 3 | 0.016 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 3 initiates flow at headwaters of Perennial Stream 1. |
| Wetland 4 | 0.87 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 4 is a contiguous wetland system located along Perennial Stream 5. |
| Wetland 5 | 0.35 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 5 is a contiguous wetland system located along Perennial Stream 5. |
| Wetland 6 | 38.3 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 6 is a forested wetland area with multiple stream drainages entering the 38-acre aquatic resource. |
| Wetland 7 | 0.002 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 7 is a contiguous wetland system located along Perennial Stream 2. |
| Wetland 8 | 0.02 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 8 abuts Intermittent Stream 5. |
| Wetland 9 | 0.013 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 9 abuts Intermittent Stream 5. |
| Wetland 10 | 0.016 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 10 abuts Intermittent Stream 5. |
| Wetland 11 | 0.59 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 11 abuts Intermittent Stream 7. |
| Wetland 12 | 0.001 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 12 abuts Intermittent Stream 7. |
| Wetland 13 | 16.4 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 13 is a forested wetland area with multiple stream drainages entering the 16-acre aquatic resource. |
| Wetland 14 | 0.005 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 14 abuts Intermittent Stream 8. |
| Wetland 15 | 0.22 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) | Wetland 15 abuts Intermittent Stream 8. |

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| | | | |
|---|---|---|---|
| | | water | |
| Wetland 16 | 0.004 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 16 abuts the headwaters of Intermittent Stream 8. |
| Wetland 17 | 0.006 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 17 abuts the headwaters of Intermittent Stream 10. |
| Wetland 18 | 0.002 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 18 abuts the headwaters of Intermittent Stream 10. |
| Wetland 19 | 0.002 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 19 abuts the headwaters of Intermittent Stream 10. |
| Wetland 20 | 0.003 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 20 is a contiguous wetland system located along Intermittent Stream 10. |
| Wetland 21 | 0.003 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 21 is a contiguous wetland system located along Intermittent Stream 10. |
| Wetland 22 | 0.14 acres | (a)(4) Wetland abuts an (a)(1)-(a)(3) water | Wetland 22 receives flow from upstream Intermittent Channel 11 and Ephemeral Channel 1. |

## D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))[4]:

| Exclusion Name | Exclusion Size | Exclusion[5] | Rationale for Exclusion Determination |
|---|---|---|---|
| Ephemeral Stream 1 | 486 feet | (b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool | Ephemeral Channel 1 shows complete absence of any biologic and hydrologic parameters. The stream channel contains weak geomorphologic parameters within the channel, with minor presence of bed-and-bank and natural valley characteristics. The stream channel is approximately 3 feet wide, comprised of sand and gravel substrates and is entrenched down to 1-foot. |

## 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.

__X__ Information submitted by, or on behalf of, the applicant/consultant: *Delineation Report, dated 2/19/2021.*
This information *(is/is not/is and is not)* sufficient for purposes of this AJD.
Rationale: *N/A*

___ Data sheets prepared by the Corps: *Title(s) and/or date(s).*

__X__ Photographs: *(digital) Site photos, dated between 11/10/2020 and 11/18/2020.*

___ Corps Site visit(s) conducted on: *Date(s).*

___ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*

__X__ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

__X__ USDA NRCS Soil Survey: *2/19/2021.*

__X__ USFWS NWI maps: *2/19/2021.*

__X__ USGS topographic maps: *2/19/2021.*

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**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 | WETS Table |
| NOAA Sources | N/A. |
| USACE Sources | N/A. |
| State/Local/Tribal Sources | N/A. |
| Other Sources | Georgia Drought Monitor; FEMA FIRM map. |

**B. Typical year assessment(s):** WETS table identifies wetter than normal conditions during the period of the consultant's site visit. The Georgia Drought Monitor identifies no abnormal weather/drought events during the week of November 10, 2020.

**C. Additional comments to support AJD:** Previous jurisdictional determination (performed under SAS-2005-01017 and dated April 22, 2014) also resulted in the delineation of an ephemeral stream channel along the same stream corridor, further supporting this requested exclusion of the ephemeral stream feature from Section 404 of CWA jurisdiction.

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