



**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): 4/16/2021

ORM Number: SAS-2020-00054

Associated JDs: N/A

Review Area Location¹: State/Territory: Georgia City: Garden City County/Parish/Borough: Chatham

Center Coordinates of Review Area: Latitude 32.1089 Longitude -81.1916

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
Wetland B	3.072	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is not adjacent to any (a)(1)-(a)(3) waters, nor does it abut any (a)(1)-(a)(3) waters, and it is not inundated by any (a)(1)-(a)(3) waters in a typical year. It 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 C	1.438	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is not adjacent to any (a)(1)-(a)(3) waters, nor does it abut any (a)(1)-(a)(3) waters, and it is not inundated by any (a)(1)-(a)(3) waters in a typical year. It 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 E	0.23	acre(s)	(b)(1) Non-adjacent wetland.	The wetland is not adjacent to any (a)(1)-(a)(3) waters, nor does it abut any (a)(1)-(a)(3) waters, and it is not inundated by any (a)(1)-(a)(3) waters in a typical year. It 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.

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 to Corps on 08/18/2020.](#)

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: [Other: Site photographs 8/2020](#)

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

Previous Jurisdictional Determinations (AJDs or PJDs): [ARDR completed 19 Feb 2020](#)

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

USDA NRCS Soil Survey: [dated August 2020](#)

USFWS NWI maps: [dated August 2020](#)

USGS topographic maps: [dated August 2020](#)

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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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	Figure 7 dated August 13, 2020LiDAR from 2010
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** The data forms provided by Resource Land Consultants indicate that they performed a wetland delineation of the project area on 8/30/2019. Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from the Savannah International Airport weather station, we have determined the delineation was conducted during the wet season (WebWIMP H2O Balance) and that “normal” rainfall conditions were present for the nearest weather station on the date of the wetland delineation.
- C. Additional comments to support AJD:** The depressional wetlands (Wetland B, Wetland C, and Wetland E) displayed on the attached survey entitled “A Wetland Exhibit of Tract A, Land Formerly Solomon Kahn Property” and dated 9/18/2019 are non-adjacent wetlands that meet exclusion (b)(1) of the Navigable Waters Protection Rule (NWPR). Wetland B and Wetland C are entirely surrounded by upland and Wetland E is surrounded by upland to the north, east and south and Dean Forrest Road to the west. These wetlands are approximately 3.2 miles from the nearest TNW (Savannah River).