



**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): 4/20/2021
 ORM Number: SAS-2020-00924
 Associated JDs: SAS-2011-00688, JD completed in 2011 (Attached), ARDR completed in 2016. (Attached)
 Review Area Location¹: State/Territory: Georgia City: Unincorporated Chatham County
 County/Parish/Borough: Chatham
 Center Coordinates of Review Area: Latitude 32.1297902 Longitude -81.1616060

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
 - 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
Pond 1	0.273	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Pond 1 was constructed entirely within uplands to store stormwater run-off.
Pond 2	1.813	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Pond 2 was built as part of a Waste-Water Treatment Settling Pond constructed sometime between 1971 and 1983; however, in 1995 industrial use ceased at this location, and in 2008 solids were removed from the pond and disposed of at a certified disposal site. Since 2008 ponds are only used to receive limited property stormwater and groundwater. This pond was constructed in uplands to treat and store stormwater runoff.
Pond 3	0.11	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Pond 3 was built as part of a Waste-Water Treatment Settling Pond constructed sometime between 1971 and 1983; however, in 1995 industrial use ceased at this location, and in 2008 solids were removed from the pond and disposed of at a certified disposal site. Since 2008 ponds are only used to receive limited property stormwater and groundwater. This pond was constructed in uplands to treat and store stormwater runoff.
Pond 4	1.691	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or	Pond 4 was built as part of a Waste-Water Treatment Settling Pond constructed sometime between 1971 and 1983; however, in 1995 industrial use ceased at this location, and in 2008 solids were removed and disposed of at a certified disposal site. Since 2008 ponds are only used to receive limited property stormwater and groundwater. This pond was constructed in uplands to treat and store stormwater runoff.

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		store stormwater runoff.		
Ditch A	773	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ditch A is dug entirely in uplands and has ephemeral flow. This feature meets the definition of “ephemeral” in paragraph (c)(3).
Ditch B1	807	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ditch B1 is dug entirely in uplands and appears to have been constructed for agriculture use on this site. Based on aerial imagery it was constructed before 1951. This feature meets the definition of “ephemeral” in paragraph (c)(3).
Ditch B2	187	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ditch B2 is dug entirely in uplands and appears to have been constructed for agriculture use on this site. Based on aerial imagery it was constructed before 1951. This feature meets the definition of “ephemeral” in paragraph (c)(3).
Ditch C1	826	linear feet	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Ditch C1 is a ditch that at its most northern edge has a dam. This dam was built as part of the remediation on this site in 2008 to control wastewater, stormwater, and groundwater discharge. Ditch C has perennial flow for most of the ditch. However, the portion of Ditch C1 does not meet the definition of a tributary. It is not a relocated stream, or a channelized stream, nor is it constructed in an adjacent wetland.
Wetland 3	0.091	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 3 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 4	0.182	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 4 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 5	1.171	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 5 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



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			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 6	2.474	acre(s)	(b)(1) Non-adjacent wetland. Wetland 6 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 7	0.298	acre(s)	(b)(1) Non-adjacent wetland. Wetland 7 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 9	2.484	acre(s)	(b)(1) Non-adjacent wetland. Wetland 9 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 10	2.956	acre(s)	(b)(1) Non-adjacent wetland. Wetland 10 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 12	0.14	acre(s)	(b)(1) Non-adjacent wetland. Wetland 12 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 13	0.045	acre(s)	(b)(1) Non-adjacent wetland. Wetland 13 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



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Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
			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.

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: [Supporting Documentation, PCS AJD, SAS-2011-00682](#).
This information is 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: PCS Site Photos 12/2/2020](#)
- Corps site visit(s) conducted on: [Date\(s\)](#).
- Previous Jurisdictional Determinations (AJDs or PJDs): [SAS-2011-00688 PJD in 2016 and AJD with a PJD in 2011](#).
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B](#).
- USDA NRCS Soil Survey: [NRCS Soils Map, PCS Site](#)
- USFWS NWI maps: [NWI Map, PCS Site](#)
- USGS topographic maps: [USGS Topo Map, PCS Site](#)

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	PCS Site Exhibit

B. Typical year assessment(s): The field determination of the jurisdictional status of the above referenced excluded waters and wetlands was conducted on December 02, 2020. Using the Atecedent Precipitation Tool Version 1.0, which used rainfall data from the Savannah International Airport weather station, we have determined that normal conditions were present during this assessment.

C. Additional comments to support AJD:

Wetlands 4, 5, 6, and 7 are all part of the original remediation requested in 2007 for this site to be cleaned up as part of the wastewater, stormwater, and groundwater system on property. These four areas were required to be excavated and material removed at a certified location due to the industrial use on this site from 1950 to 1995. This assisted greatly in the creation of the wetlands at these locations.

Wetland 5 connects to Ditch C1 through a dam that was installed as part of the stormwater, groundwater, and waster treatment ongoing on the site.



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Additionally, an above-grade lateral berm occurs between Wetlands 9, 10. Based on tree age and aerial imagery, this appears to have been there for approximately 30 years or longer.

There is a roadside ditch (beyond project boundary) that runs laterally along Jimmy Deloach Parkway just west of Wetlands 9, and 10; however, most of the ditch does not have true bed and bank.