



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): May 18, 2021

ORM Number: SAS-2021-00206

Associated JDs: N/A

Review Area Location¹:

State/Territory: GA City: Roswell County/Parish/Borough: Fulton County

Center Coordinates of Review Area: latitude: 34.0532, longitude: -84.3567

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
Stream channel	100 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	See Section III. B. below.

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):

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 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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(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A	N/A	N/A	N/A

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
N/A	N/A	N/A	N/A

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: *1080 Lancaster Square Civil Plans, March 9, 2021. RAI plans: Chatham Park, Final Plat, one page, received: May 13, 2021; Chatham park Construction Plans, twenty pages, received May 13, 2021.*
This information is sufficient for purposes of this AJD.

Rationale: *Original Construction plans requested and received on May 13, 2021 made the information provided sufficient for the purposes of this AJD request.*

Data sheets prepared by the Corps: *N/A*

Photographs: *Aerials, Google Earth aerial imagery April 2002 Screenshot SAS-2021-00206, accessed: May 10, 2021; Google Earth Aerial Imagery FEB. 1999 Screenshot SAS-2021-00206, accessed: May 10, 2021; Google Earth Aerial Imagery Screenshot SAS-2021-00206, accessed May 10, 2021; Google Earth Aerial Imagery Screenshot SAS-2021-00206 w areas circled, accessed: May 12, 2021, (all png file types). Historic Aerials 1955 SAS-2021-00206, accessed may 12, 2021; Historic Aerials 1960 SAS-2021-00206, accessed: May 12, 2021 (all png file types).*

Corps Site visit(s) conducted on: *Desktop review with virtual site visit using remote tools. May 10-May 17, 2021.*

Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*

Antecedent Precipitation Tool:

USDA NRCS Soil Survey: *NRCS Soil Survey Screenshot SAS-2021-00206 (png file type), accessed: may 10, 2021.*

USFWS NWI maps: *NWI Map for SAS-2021-00206 at 1080 Lancaster Square, Roswell, accessed: May 10, 2021.*

USGS topographic maps: *TOPO Map SAS-2021-00206 screenshot, (png file type), accessed: May 17, 2021.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Streamstats accessed: May 14, 2021
USDA Sources	N/A.

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NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	FEMA Flood Hazard Zones Map Screenshot, SAS-2021-00206 (png file type), accessed: May 10, 2021. USFWS Wetlands Screenshot SAS-2021-00206 (png file type), accessed: May 10, 2021.

- B. Typical year assessment(s):** According to the APT, which used data available from GA Weather Stations within proximity of the review area, the conditions in Fulton County were drier than normal on March 9, 2021. Therefore, the original construction plans and plats for the residential development were requested to support the location of any aquatic resources and culverts associated with the original development. The on-site stream channel has intermittent flow and drains to downstream tributaries to contribute to hydrology in a typical year. The stream channel is best characterized as an (a)(2) tributary, per (CFR) Part 328.3(a). The nearest TNW is the Chattahoochee River. The on-site stream channel flows into the on-site pond via a culver then to an unnamed tributary located to the north of the review area via culverts for the pond. The unnamed tributary located north of the review area flows into Foe Killer Creek, then Foe Killer Creek flows into Big Creek and Big Creek flows into the Chattahoochee River.
- C. Additional comments to support AJD:** Streamstats, NRCS soil survey, NWI, historic aerials on historic aerials .com and google earth and other remote tools were utilized to conduct a virtual site visit to verify the delineation. There are no excluded features identified on the site.

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