



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 25, 2021

ORM Number: SAS-2021-00224

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: GA City: Chatsworth County/Parish/Borough: Murray County

Center Coordinates of Review Area: Latitude 34.771833 Longitude -84.814596

**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

**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

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

<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 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.

<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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**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
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: *Treadwell Road AJD Request, PDF page 12, Figure 5: FEMA Map, SolAmerica Energy, LLC, Murray Treadwell Site, dated March 5, 2021; PDF page 13, Figure 6: Delineation Map, SolAmerica Energy, LLC, Murray Treadwell Site, dated March 5, 2021; PDF pages 1-7, Supplemental Information, SolAmerica, LLC, Murray Treadwell Site, date: March 12, 2021.*

This information is sufficient for purposes of this AJD.

Rationale: N/A

Data sheets prepared by the agent for the applicant: *Treadwell Road AJD Request, PDF pages 16-24 (3 sets), Upland data Sheets, SolAmerica Energy, LLC, Murray Treadwell Site, date: February 26, 2021.*

Photographs: *aerial and other: Treadwell Road AJD Request, PDF page 8, Figure 1: Location Map, SolAmerica Energy, LLC, Murray Treadwell Site, dated March 5, 2021; PDF page 14, Figure 7: Photo Location Map, SolAmerica Energy, LLC, Murray Treadwell Site, dated March 5, 2021; PDF pages 26-36, Site Photographs, SolAmerica – Murray Treadwell Property, Chatsworth, Murray County, GA, Photos 1-22, date: February 2021.*

Corps Site visit(s) conducted on: *Date(s). N/A*

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

Antecedent Precipitation Tool: *provide detailed discussion in Section III.B. Treadwell Road AJD Request, PDF page 39, APT for SolAmerica Energy, LLC, Murray Treadwell Site, for delineation date: February 26, 2021; PDF page 40, U.S. Drought Monitor, Georgia, Murray Treadwell Site, date: March 2, 2021.*

USDA NRCS Soil Survey: *Treadwell Road AJD Request, PDF page 10, Figure 3: Soils Map, SolAmerica Energy, LLC, Murray Treadwell Site, dated March 5, 2021.*

USFWS NWI maps: *Treadwell Road AJD Request, PDF page 11, Figure 4: NWI Map, SolAmerica Energy, LLC, Murray Treadwell Site, dated March 5, 2021.*

USGS topographic maps: *Treadwell Road AJD Request, PDF page 9, Figure 2: USGS Topographic Map, SolAmerica Energy, LLC, Murray Treadwell Site, dated March 5, 2021.*

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

Data Source (select)	Name and/or date and other relevant information
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USGS Sources	StreamStats accessed May 19, 2021
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** According to the APT, which used data available from GA Weather Stations within proximity to the review area, the conditions in Murray County were normal. Therefore, there is a high level of probability that the delineation is accurate and that no aquatic features are located on the project site.
- C. Additional comments to support AJD:** The information submitted for the AJD was sufficient to make a jurisdictional determination. The review area was previously used for agricultural production and is composed entirely of dry land.

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