



**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): 6/7/2021
 ORM Number: SAS-2017-00758
 Associated JDs: SAS-2017-00758 (ARDR issued on 3/14/2019)
 Review Area Location¹: State/Territory: GA City: Richmond Hill County/Parish/Borough: Bryan
 Center Coordinates of Review Area: Latitude 31.902697 Longitude -81.284172

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 Y	0.47	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland C	2.139	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland CC	0.877	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland D	0.017	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland DD	1.070	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland E	0.79	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland G	1.544	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland H	2.120	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland I	1.102	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland J	0.724	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland K	0.898	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland L	0.689	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland M	19.761	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland N	1.307	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland O	1.425	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland P	1.054	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland Q	2.125	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland R	0.547	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland S	1.527	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland T	1.183	acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.

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
Wetland U	0.098 acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland V	0.40 acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland W	1.767 acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.
Wetland X	0.896 acre(s)	(b)(1) Non-adjacent wetland.	See III.C. below for Rationale.

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: [Wetland Exhibit 10/21/2020](#)
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 10/14/2020; Figures 9 - 11](#)
- Corps site visit(s) conducted on: [4/30/2021](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [SAS-2017-00758; 3/14/2019](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [1"=1000' Bryan County, GA 10/12/2020](#)
- USFWS NWI maps: [1"=1000' Bryan County, GA 10/12/2020](#)
- USGS topographic maps: [1"=2000' Bryan County, GA 10/12/2020](#)

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	1"=1000' Bryan County, GA 10/12/2020
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): [The Corps conducted a site visit with the agent on 4/30/2021. Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from a nearby weather station, we have determined the site visit was conducted during the wet season \(WebWIMP H2O Balance\) and that "wetter than normal" rainfall conditions were present for the nearby weather station on the date of the site visit.](#)

C. Additional comments to support AJD: [The wetlands listed in Table II.D. are not adjacent to any \(a\)\(1\)-\(a\)\(3\) waters as defined by the NWPR. The wetlands do not abut any \(a\)\(1\)-\(a\)\(3\) waters, are not inundated by any \(a\)\(1\)-\(a\)\(3\) waters, are physically separated from all \(a\)\(1\)-\(a\)\(3\) waters and do not have a direct hydrologic surface connection to any \(a\)\(1\)-\(a\)\(3\) waters in a typical year. Wetland M is surrounded by uplands to the east, west and south, but is bounded by Port Royal Road to the north. There is no culvert through the road and no wetlands immediately north of the road. While the LiDAR indicates that the](#)



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wetland feature could have historically continued either to the north or the south, years of human activity have severely altered the landscape and there is no clear evidence in the field that this wetland has the potential to be adjacent. There is a ditch along Port Royal Road that allows for surface water flows in a typical year from the northern portion of Wetland M east towards the Ogeechee River, but this roadside ditch is mostly a vegetated swale that does not exhibit flow sufficient to be considered a tributary under the NWPR. This ditch is just offsite along the properties northern boundary.