



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): 01-JUL-2021

ORM Number: SAS-2021-00365

Associated JDs: N/A

Review Area Location¹:

State/Territory: GA City: Chamblee County/Parish/Borough: DeKalb County

Center Coordinates of Review Area: Latitude 33.888633 Longitude -84.297939

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 A	929 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Significant baseflow at the time of analysis. The tributary banks were incised and the substrate consisted of native material and concrete and asphalt rubble.
Stream B	83 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Feature B flows into Feature A and is an intermittent flow tributary. The stream exhibited baseflow at the time of the survey during the rainy season but under normal climatic conditions.
Stream E	645 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Significant baseflow at the time of analysis. The tributary banks were incised and the substrate consisted of native material and concrete and asphalt rubble.

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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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

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Detention Basin C	0.04 acres	(b)(11) Groundwater recharge, water reuse, or a wastewater recycling structure constructed or excavated in upland or in a non-jurisdictional water	Man-made detention pond associated with previous developments constructed entirely in upland. Google Earth provides evidence that these ponds were constructed during the 2007-2008 time period.
Detention Basin D	0.05 acres	(b)(11) Groundwater recharge, water reuse, or a wastewater recycling structure constructed or excavated in upland or in a non-jurisdictional water	Man-made detention pond associated with previous developments constructed entirely in upland. Google Earth provides evidence that these ponds were constructed during the 2007-2008 time period.
Detention Basin F	0.06 acres	(b)(11) Groundwater recharge, water reuse, or a wastewater recycling structure constructed or excavated in upland or in a non-jurisdictional water	Man-made detention pond associated with previous developments constructed entirely in upland. Google Earth provides evidence that these ponds were constructed during the 2007-2008 time period.

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: *PCN submittal by Golder Associates, Inc. submitted on May 6, 2021.*
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: *(aerial and other) Site Photographs, February 20, 2021 and Google Earth aerial imagery 1993-2021.*
- Corps Site visit(s) conducted on: *Date(s).*
- Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: *NRCS SOIL SURVEY DATA DOWNLOADED FROM NRCS GEOSPATIAL DATA GATEWAY ON AUGUST 24, 2018.*

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- USFWS NWI maps: *NWI DATA DOWNLOADED FROM [HTTPS://WWW.FWS.GOV/WETLANDS/DATA/MAPPER.HTML](https://www.fws.gov/wetlands/data/mapper.html) ON SEPTEMBER 02, 2018.*
- USGS topographic maps: *USACE PRE-CONSTRUCTION NOTIFICATION LOCATION OVERVIEW, APRIL 22, 2021, SOURCES: ESRI, HERE, GARMIN, USGS, INTERMAP, INCREMENT P, NRCAN, ESRI JAPAN, METI, ESRI CHINA (HONG KONG), ESRI KOREA, ESRI(THAILAND), NGCC, (C) OPENSTREETMAP CONTRIBUTORS, AND THE GIS USER COMMUNITY COPYRIGHT:© 2013 NATIONAL GEOGRAPHIC SOCIETY, I-CUBED.*

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	StreamStats
NOAA Sources	Lidar
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** The APT indicated normal conditions at the time of the wetland and waters delineation conducted on January 12, 2021. This provides a reasonable indication of confidence in the findings of the delineation.
- C. Additional comments to support AJD:** There is a high level of confidence in this jurisdictional determination due to the preponderance of evidence available that depicts the construction of the upland stormwater ponds.

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