



**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): 7/8/2021

ORM Number: SAS-2020-00870

Associated JDs: N/A

Review Area Location¹: State/Territory: GA City: Clio County/Parish/Borough: Effingham

Center Coordinates of Review Area: Latitude 32.447312 Longitude -81.310117

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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
Jurisdictional Ditch D1	0.07	acre(s)	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	This ditch exhibits intermittent flow and appears to have been constructed in an area that would have been historically adjacent wetlands based on LiDAR, USGS Topography, and NRCS Soils data. The feature is a man-dug ditch on site, but quickly transitions to a natural intermittent/perennial stream just north of the project area. Further, this feature contributes surface water flows in a typical year to the Savannah River, an (a)(1) water, through multiple named tributaries.

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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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.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland ME	0.70	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland ME extends off-site and is part of a larger wetland system that directly abuts an unnamed tributary to Turkey Branch, an (a)(2) tributary with perennial flow characteristics.
Wetland MD	0.15	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland MD extends off-site and is part of a larger wetland system that directly abuts an unnamed tributary to Runs Branch, an (a)(2) tributary with perennial flow characteristics.
Wetland MC	0.98	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland MC extends off-site and is part of a larger wetland system that directly abuts an unnamed tributary to Turkey Branch, an (a)(2) tributary with perennial flow characteristics.
Wetland MA	35.3	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland MA extends off-site and is part of a larger wetland system that directly abuts an unnamed tributary to Runs Branch, an (a)(2) tributary with perennial flow characteristics.
Wetland MI	2.09	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland MI extends off-site and is part of a larger wetland system that directly abuts an unnamed tributary to Runs Branch, an (a)(2) tributary with perennial flow characteristics.
Wetland FA	22.75	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland FA extends off-site and is part of a larger wetland system that directly abuts an unnamed tributary to Turkey Branch, an (a)(2) tributary with perennial flow characteristics.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland MJ	1.10	acre(s)	(b)(1) Non-adjacent wetland.	Wetland MJ 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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland MK	0.97	acre(s)	(b)(1) Non-adjacent wetland.	Wetland MK is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland

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
			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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland MG	1.82	acre(s)	(b)(1) Non-adjacent wetland. Wetland MG 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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland MH	1.54	acre(s)	(b)(1) Non-adjacent wetland. Wetland MH 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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland MZ	1.09	acre(s)	(b)(1) Non-adjacent wetland. Wetland MZ 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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland MN	1.32	acre(s)	(b)(1) Non-adjacent wetland. Wetland MN 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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland MM	0.59	acre(s)	(b)(1) Non-adjacent wetland. Wetland MM 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 direct hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.



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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Non-Jurisdictional Ditches	20226	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	These ditches on site do not exhibit either intermittent or perennial flow nor do they meet the criteria to be considered as an adjacent wetland. Some of these ditches appear to have been constructed through historically adjacent wetlands, but they do not meet the necessary criteria to be considered as jurisdictional under the NWPR.

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: [HHNT, Inc.; Brandon Smith](#)

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: Aerial photography taken from Google Earth dated 1/25/2019. Photosheets taken during delineation \(July 2020\) located in Appendix D of original DRAR application.](#)
- Corps site visit(s) conducted on: [5/19/2021](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [495.63-acre project area](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Appendix A, Figure 3 – Soils Map.](#)
- USFWS NWI maps: [Appendix A, Figure 4 – NWI Map](#)
- USGS topographic maps: [Appendix A, Figure 2 – USGS Topo Map, Springfield North, GA](#)

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	N/A.

B. Typical year assessment(s): [The data forms provided by HHNT. indicate that the wetland delineation of the property was performed on 7/23/2020. Using the Antecedent Precipitation Tool Version 1.0 \(APT\), which used rainfall data from a nearby weather station, the delineation was conducted during the dry season \(WebWIMP H2O Balance\) and “drier than normal” rainfall conditions were present for the nearby weather station on the date of the wetland delineation. The Corps conducted a site visit on 5/19/2021 and according to the APT the site visit was conducted during the dry season \(WebWIMP H2O Balance\) and “normal” rainfall conditions were present. We have determined that the site was observed under typical year conditions.](#)



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C. Additional comments to support AJD: [N/A or provide additional discussion as appropriate.](#)