



**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): 7/9/2021

ORM Number: SAS-2021-00523

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: GA City: Martinez County/Parish/Borough: Columbia County

Center Coordinates of Review Area: Latitude 33.536828 Longitude -82.074892

**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)<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
S-1	106	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.
S-2	45	linear feet	(a)(2) Intermittent tributary contributes

<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 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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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
		surface water flow directly or indirectly to an (a)(1) water in a typical year.	
S-3	37	linear 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
S-4	141	linear 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
S-7	1028	linear feet (a)(2) Perennial 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
OWA	0.625	acre(s) (a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	See Section III B below

Adjacent wetlands ((a)(4) waters):			
(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
WA	0.09	acre(s) (a)(4) Wetland abuts an (a)(1)-(a)(3) water.	See Section III B below



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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
WB	0.026	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	See Section III B below.

**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
S-5	117	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	See Section III C below.
S-6	407	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	See Section III C below.

**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: *AJD Request Received June 23, 2021, as prepared by TTL, Incorporated, PDF page 19, Figure 5 – Hydrologic Unit Code (HUC) Map, dated February 8, 2021; PDF page 20, Waters of the U.S. Map, dated February 15, 2021*

This information is sufficient for purposes of this AJD.

Rationale: *N/A*

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

Photographs: *Aerial and Other: AJD Request Received June 23, 2021, as prepared by TTL, Incorporated, PDF page 16, Site Location Map and Aerial Photograph, dated February 8, 2021; PDF page 25-29, Appendix B: Site Photographs, dated February 2, 2021.*

Corps site visit(s) conducted on: *N/A*

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

Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

USDA NRCS Soil Survey: *AJD Request Received June 23, 2021, as prepared by TTL, Incorporated, PDF page, PDF page 17, Figure 3 – Natural Resource Conservation Service (NRCS) Soils Map, dated February 8, 2021.*

USFWS NWI maps: *AJD Request Received June 23, 2021, as prepared by TTL, Incorporated, PDF page, PDF page 18, Figure 4 – National Wetland Inventory (NWI) Map dated February 8, 2021.*

USGS topographic maps: *AJD Request Received June 23, 2021, as prepared by TTL, Incorporated, PDF page 15, Figure 1 – Site Location and Topographic Map, dated February 8, 2021.*

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

Data Source (select)	Name and/or date and other relevant information
USGS Sources	StreamStats
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	Google Earth Pro

**B. Typical year assessment(s):** Site conditions (during the consultant's 2/4/2021 visit) were normal based on the Antecedent Precipitation Tool's capability to evaluate the normal range of precipitation in this delineation's geographic area within a rolling 30-year period; therefore, there is a high level of confidence that excluded features are not jurisdictional. The nearest Traditionally Navigable Water (TNW) is the Savannah River. All aquatic resources on the site flow northward into Reed's Creek which flows into the Savannah River. Streams S-1, S-2, S-3, and S-4 only flow continuously during certain times of the year and meet the definition of "intermittent" in paragraph (c)(5). Therefore, they are best characterized as (a)(2) features, per 33 CFR 328.3 Definitions. S-7 flows continuously year-round and meets the definition of "perennial" in paragraph (c)(8). It is best characterized as an (a)(2) feature, per 33 CFR 328.3 Definitions. WA and WB are wetlands that abut (a)(2) waters and meet the definition of "Adjacent wetlands" in paragraph (c)(1)(i). WA abuts S-7 and WB abuts S-2, S-3, and S-4. Both wetlands are best characterized as (a)(4) features, per 33 CFR 328.3 Definitions. OWA is an impoundment of S-1, a jurisdictional feature that has a direct surface water to TNWs and therefore meets the definition of "Lakes and ponds, and impoundments of jurisdictional waters" in paragraph (c)(6). OWA is best characterized as a (b)(3) feature, per 33 CFR 328.3 Definitions.

**C. Additional comments to support AJD:** S-5 and S-6 only flow during heavy precipitation events. They are best characterized as (b)(3) features as they meet the definition of "ephemeral" in paragraph (c)(3), per 33 CFR 328.3 Definitions. Flows conveyed through S-5 and S-6 have no continuous hydrologic connection to downstream navigable waters in a typical year.