



**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-2021-00192

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: Georgia City: Statesboro County/Parish/Borough: Bulloch

Center Coordinates of Review Area: Latitude 32.3873 Longitude -81.8201

**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
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
MC	0.52	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.
			Wetland MC is part of a wetland system that abuts an unnamed tributary that directly flows into Lotts

<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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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
				Creek, a tributary of the Canoochee River located south of the review area.
MA	0.89	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland MA is part of a larger contiguous wetland system that abuts an unnamed tributary that directly flows into Little Lotts Creek, a tributary of the Canoochee River located south of the review area.
MD	1.80	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland MD is part of a wetland system that abuts an unnamed tributary that directly flows into Lotts Creek, a tributary of the Canoochee River located south of the review area.

**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
SWA	2.04	acre(s)	(b)(1) Non-adjacent wetland.	Wetland SWA is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. The wetland does not abut any (a)(1)-(a)(3) waters in a typical year, 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.
D1	453	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).	Based on supplied exhibits, documentation, and available online data sources described in Section III.A. of this form, it was determined that the 453 linear feet ditch was constructed through uplands, does not exhibit perennial or intermittent flow, and is defined as a paragraph (b)(5) non-jurisdictional water under 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 S,mith](#)  
This information [is](#) sufficient for purposes of this AJD.  
Rationale: [N/A](#)
- Data sheets prepared by the Corps: [N/A](#)

<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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- Photographs: **Aerial:** Aerial photography taken from Google Earth dated October 2016. Photosheets taken during delineation (February 2021) located in Appendix D
- 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: *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, 2020 Statesboro, GA quadrangle.*

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

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">NHD; GIS Layers</a>
<a href="#">USDA Sources</a>	<i>N/A.</i>
<a href="#">NOAA Sources</a>	<i>N/A.</i>
<a href="#">USACE Sources</a>	<i>N/A.</i>
<a href="#">State/Local/Tribal Sources</a>	<i>N/A.</i>
<a href="#">Other Sources</a>	<i>N/A.</i>

**B. Typical year assessment(s):** The data forms provided by HHNT, Inc. indicate that the wetland site assessment of the property was performed on 2/17/2021. Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from a nearby weather station, we have determined the delineation 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 wetland site assessment.

**C. Additional comments to support AJD:** Historical aerial imagery depicts D1 as being constructed sometime between 3/2015 to 12/2015. HHNT, Inc. confirmed that the ditch was constructed with the purpose of providing an outfall channel for wetland SWA, which was historically used as a livestock pond.