



**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): 7/26/2021  
 ORM Number: SAS-2013-00045  
 Associated JDs: N/A or ORM numbers and identifiers (e.g. HQS-2020-00001-MSW-MITSITE).  
 Review Area Location<sup>1</sup>: State/Territory: Georgia City: St. Simons Island County/Parish/Borough: Glynn  
 Center Coordinates of Review Area: Latitude 31.1837 Longitude -81.3824

**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)<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
N/A.	N/A.	N/A.	N/A.

<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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**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
Wetland	0.98	acre(s)	(b)(1) Non-adjacent wetland.	This wetland is not adjacent to any (a)(1)-(a)(3) waters as defined in the NWPR. It does not abut any (a)(1)-(a)(3) waters, it is not inundated by any (a)(1)-(a)(3) waters in a typical year, it is physically separated from all (a)(1)-(a)(3) waters and does not have a direct surface water connection to any (a)(1)-(a)(3) waters in a typical year.

**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 submitted to the Corps on 05/06/2021 by Resource and Land Consultants.](#)

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: Google Imagery and Site Visit photos dated 11/17/2020](#)
- Corps site visit(s) conducted on: [11/17/2020](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [920016320](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Figure 3 10/22/2020](#)
- USFWS NWI maps: [Figure 4 10/22/2020](#)
- USGS topographic maps: [Figure 2 10/22/2020](#)

**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	LiDAR Figure 7 10/22/2020
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	2018 NAIP Ortho Aerial Figure 5 10/22/2020

**B. Typical year assessment(s):** The data forms provided by Resource Land Consultants indicate that they performed a wetland delineation of the project area on 10/23/2020. Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from area weather stations, we have determined the delineation was conducted during incipient drought (Drought Index (PDSI)) and that “normal” rainfall conditions were present for the nearest weather station (Brunswick Malcolm Mckinnon Airport) on the date of the wetland

<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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delineation. Additionally, we have determined the Corps site visit was conducted during incipient drought (Drought Index (PDSI)) and that “normal” rainfall conditions were present for the nearest weather station on that date.

- C. Additional comments to support AJD:** The 0.98 acre wetland is surrounded entirely by upland. A culvert located on the west side of the wetland connects to an (a)(4) adjacent wetland approximately 0.09 miles northwest. However, this culvert is slightly elevated above the wetland surface and is blocked with sediment and debris. Therefore it does not connect surface water flow in a typical year to an (a)(1)-(a)(3) water. The wetland is approximately 0.25 miles from the nearest TNW, Dunbar Creek.

Historically, the wetland was connected to another wetland via an upland dug ditch. This ditch was not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water did not satisfy the conditions of (c)(1). Permit 920016320 defined this wetland as “isolated” in a letter dated December 11, 1992 before the culvert was installed within the upland dug ditch.