



**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): 7/22/2021
 ORM Number: SAS-2018-00914
 Associated JDs: N/A
 Review Area Location¹: State/Territory: GA City: Wrens County/Parish/Borough: Warren
 Center Coordinates of Review Area: Latitude 33.307901 Longitude -82.443174

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.

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
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.

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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Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland MC	1.14	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Surface water provides connectivity from Wetland feature to an (off-site) stream channel.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland MA	0.33	acre(s)	(b)(1) Non-adjacent wetland.	See Section C Statement below.
Wetland MB	2.84	acre(s)	(b)(1) Non-adjacent wetland.	See Section C Statement below
Wetland MD	0.17	acre(s)	(b)(1) Non-adjacent wetland.	See Section C Statement below
Wetland ME	0.28	acre(s)	(b)(1) Non-adjacent wetland.	See Section C Statement below
Channel SMA	490.5	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	See Section C Statement 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 from HHNT, dated January 7, 2021, includes the Vicinity Map \(dated Sept. 7, 2018\), FEMA Map \(dated Oct. 1, 2018\), Delineation Maps \(dated Dec 22, 2020\); Photo Location Map \(dated Dec. 22, 2020\), and Atlantic and Gulf Coastal Plain Regional Supplement Data Forms \(dated Sept. 11, 2018\).](#)

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 October 2016. Digital photographs taken during delineation \(September 2018\).](#)
- Corps site visit(s) conducted on: [N/A](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [ARDR, dated April 9, 2019.](#)
- Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- USDA NRCS Soil Survey: [Figure 3 – Soils Map, dated October 1, 2018.](#)
- USFWS NWI maps: [Figure 4 – NWI Map, dated October 1, 2018.](#)
- USGS topographic maps: [Figure 2 - USGS Topo Map \(Bowdens Pond, GA quadrangle\), dated Sept. 7, 2018.](#)

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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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	U.S. Drought Monitor (Dec. 8, 2020)
NOAA Sources	U.S. Drought Monitor (Dec. 8, 2020)
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): Site conditions were normal based on an analysis performed by the consultant when using the Antecedent Precipitation Tool to evaluate the normal range of precipitation within a rolling 30-year period. According to U.S. Drought Monitor data, the site experienced minor (abnormally dry) drought conditions during the consultant's delineation on December 8, 2020. Jurisdictional Wetland MC is an (abutting) wetland, based on surface water connectivity to the adjacent Unnamed Tributary to Reedy Creek, an (a)2 water.

C. Additional comments to support AJD: Based on ongoing practices within the existing Thiele Kaolin Company's Hobbs Mine, the subject on-site resources identified as Wetlands MA, MB, MD, ME and Channel SMA are identified as non-jurisdictional wetlands meeting the three parameters, however, these features are non-adjacent per 33 CFR 328.3(c)(1). Channel SMA was previously delineated as an intermittent stream feature, as verified by the Corps under an Aquatic Resources Delineation Review, dated April 9, 2019. This channel feature appears to be ephemeral per (c)(3) - "surface water flowing or pooling only in direct response to precipitation" with no connection to downstream asserted jurisdictional waters. Channel SMA has no surface water connection to downstream waters. This channel occasionally carries water from the upgradient wetlands, yet eventually dries up as any waters flow downstream. Additionally, no influence of flow/flood waters exist in order to currently support the outcome of our previous delineation.