



**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): 8/4/2021

ORM Number: SAS-2012-01042

Associated JDs: SAS-2012-00394, SAS-2012-01041 and SAS-2014-00398 are all JDs associated with mining activities that are potentially related and adjacent to this project.

Review Area Location¹: State/Territory: GA City: Folkston County/Parish/Borough: Charlton

Center Coordinates of Review Area: Latitude 30.972773 Longitude -81.989105

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 28 | 2.97 | acre(s) | (a)(4) Wetland abuts an (a)(1)-(a)(3) water. | Wetland 28 is part of a larger off-site wetland system known as Big Bay. According to aerial imagery, USGS Topographic Maps, NWI data, and NHD data, Big Bay directly abuts a likely (a)(2) tributary known as Little Buffalo Creek. Little Buffalo Creek drains to the Satilla River which is an (a)(1) water. |
| Wetland 29 | 27.27 | acre(s) | (a)(4) Wetland abuts an (a)(1)-(a)(3) water. | Wetland 29 is part of a larger off-site wetland system. According to aerial imagery, USGS Topographic Maps, NWI data, and NHD data, this wetland system directly abuts a likely (a)(2) tributary known as Baileys Branch. Baileys Branch drains to the Satilla River. |

D. Excluded Waters or Features

| Excluded waters ((b)(1) – (b)(12)): ⁴ | | | | |
|--|----------------|---------|------------------------------|---|
| Exclusion Name | Exclusion Size | | Exclusion ⁵ | Rationale for Exclusion Determination |
| Wetland 6 | 41.33 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 16 | 1.5 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |

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 | |
| Wetland 17 | 1.24 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 18 | 7.77 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 19 | 0.83 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 20 | 1.07 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water 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 |
| Wetland 21 | 0.5 acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 22 | 6.98 acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 23 | 9.25 acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 24 | 6.18 acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |



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|--|----------------|------------------------|---------------------------------------|---|
| Exclusion Name | Exclusion Size | Exclusion ⁵ | Rationale for Exclusion Determination | |
| Wetland 25 | 39.6 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 26 | 1.91 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water in a typical year. |
| Wetland 27 | 1.02 | acre(s) | (b)(1) Non-adjacent wetland. | This wetland is not adjacent to an (a)(1)-(a)(3) water as defined by NWPR. This Wetland does not abut an (a)(1)-(a)(3) water. This wetland is not physically separated from an (a)(1)-(a)(3) water by only a berm, bank, dune, or similar natural feature. This wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. This wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure that allows for a direct hydrologic surface connection between the wetland and an (a)(1)-(a)(3) water 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: [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 Maxar dated December 2019.](#)

[Photosheets taken during delineation \(March 2021\) located in Appendix D](#)



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- Corps site visit(s) conducted on: [N/A](#)
- Previous Jurisdictional Determinations (AJDs or PJDs): [SAS-2012-01042](#)
- 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, Folkston, GA quadrangle.](#)

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): [Appendix E of the AJD Request Package contains Antecedent Precipitation Tool results and the Georgia Drought Monitor data. The data forms provided by HHNT are dated 3/11/2020. Using the Antecedent Precipitation Tool Version 1.0 \(APT\), which used rainfall data from a nearby weather station, the delineation data forms were completed during the wet season \(WebWIMP H2O Balance\) and “wetter than normal” rainfall conditions were present for the nearby weather station on the date of the wetland delineation. Based on the wetter than normal conditions, it is likely that the observations of non-adjacency are representative of what would be observed in a typical year.](#)

C. Additional comments to support AJD: [N/A](#)