



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): 19-AUG-2021

ORM Number: SAS-2021-00413

Associated JDs: N/A

Review Area Location¹:

State/Territory: GA City: County/Parish/Borough: Putnam County

Center Coordinates of Review Area: Latitude 33.302292 Longitude -83.36483

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)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
Intermittent Stream IS1	350 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.
Perennial Stream PS1 (Rooty Creek)	1881 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.
Perennial Stream PS2	751 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.

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 independent 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.

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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Perennial Stream PS3	48 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.
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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
Wetland A	0.55 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	See Section III B below.
Wetland B	0.06 acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by a natural feature	See Section III B below.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Ephemeral Stream ES1	199 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: *Materials submitted in conjunction with the Request for Approved Jurisdictional Determination, prepared by Geotechnical & Environmental Consultants, Inc., dated April 30, 2021.*

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: *(NA, aerial, other, aerial and other) Title(s) and/or date(s).*

Corps Site visit(s) conducted on: *Date(s).*

Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*

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

USDA NRCS Soil Survey: *Title(s) and/or date(s).*

USFWS NWI maps: *Title(s) and/or date(s).*

USGS topographic maps: *Title(s) and/or date(s).*

Other data sources used to aid in this determination:

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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): Site conditions during the consultant’s April 23, 2021, delineation were normal based on the APT’s capability to evaluate the normal range of precipitation in this delineation’s geographic area. These data are based on a projected 30-day rolling average of precipitation documented within the 30th and 70th percentile of the 30-year record for average precipitation. Therefore, there is a high level of confidence that included features are jurisdictional and excluded features are not jurisdictional. The nearest Traditionally Navigable Water (TNW) is Lake Sinclair. Perennial Stream PS1 (Rooty Creek) flows directly into the headwaters of Lake Sinclair. PS1 exhibits physical characteristics of an Ordinary High-Water Mark (OHWM), per RGL 05-05, bed and bank morphology and flows continuously year-round, meeting the definition of “perennial” in paragraph (c)(8). It is best characterized as an (a)(2) feature, per 33 CFR 328.3 Definitions. Perennial Stream PS2 transitions directly into Intermittent Stream IS1, which is directly confluent with PS1 immediately east of the subject review area. PS2 and IS1 each exhibit physical characteristics of OHWM and bed and bank morphology, and flow continuously and seasonally, respectively per the definitions at (c)(8) and (c)(5), respectively. Perennial Stream PS3 is directly confluent with PS1 immediately north of the subject review area. PS3 exhibits physical characteristics of OHWM, bed and bank morphology, and flows continuously year-round. The two wetland features delineated within the review area meet the three parameters for a wetland, per the 1987 Corps of Engineers Wetland Delineation Manual and the Eastern Mountains and Piedmont Regional Supplement to this manual. Wetland A is a wetland that abuts PS1, and therefore meets the definition of “Adjacent wetlands” in paragraph (c)(1)(i). Wetland A is best characterized as an (a)(4) feature, per 33 CFR 328.3 Definitions. Wetland B is a wetland that is separated by a natural levee immediately to the southwest PS1, and therefore meets the definition of “Adjacent wetlands” in paragraph (c)(1)(i). Wetland B is best characterized as an (a)(4) feature, per 33 CFR 328.3 Definitions.

C. Additional comments to support AJD: Ephemeral Stream ES1 transitions directly into PS2. However, ES1 does not exhibit physical characteristics of an OHWM and does not exhibit intermittent or perennial flow. Rather, ES1 solely exhibits flow in response to precipitation events, though no surface flow was observed at the time of the delineation. This feature also does not meet the three parameters for a wetland, per the 1987 Corps of Engineers Wetland Delineation Manual and the Eastern Mountains and Piedmont Regional Supplement to this manual. Consequently, ES1 is best characterized as (b)(3) excluded feature, per 33 CFR 328.3 Definitions.

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