



**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): 8/12/2021
 ORM Number: N/A
 Associated JDs: N/A
 Review Area Location¹: State/Territory: GA City: Brunswick County/Parish/Borough: Glynn
 Center Coordinates of Review Area: Latitude 31.145990 Longitude -81.576330

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
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.

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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Wetland	2.39 acre(s)	(b)(1) Non-adjacent wetland.	Wetland is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. Wetland does not abut any (a)(1)-(a)(3) waters. Wetland is not physically separated from an (a)(1)-(a)(3) water only by a berm, bank, dune, or similar natural feature. Wetland is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year. Wetland is not physically separated from an (a)(1)-(a)(3) water by only an artificial structure allowing for a direct hydrologic surface connection between the wetland and a (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: [AJD Request 08/12/2021](#)
This information is sufficient for purposes of this AJD.
Rationale: [N/A or describe rationale for insufficiency \(including partial insufficiency\).](#)
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Aerial: 2018 & 1999](#)
- 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: [08/11/2021 Soil Map](#)
- USFWS NWI maps: [08/11/2021 NWI Map](#)
- USGS topographic maps: [08/11/2021 Topographic Map](#)

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
Other USGS data (specify)	USGS Brunswick Quad
Other USDA data (specify)	NRCS Glynn County
NOAA Sources	N/A.
USACE Sources	N/A.
LiDAR data/maps	NOAA Lidar 2009 Glynn County
FEMA/FIRM maps	DFIRM

B. Typical year assessment(s): [RLC conducted a site visit on 08/6/2021. Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from the Brunswick Malcom Mckinnon Airport](#)

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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weather station, we have determined that wetter than normal rainfall conditions were present for the nearest weather station on the date of the site visit.

- C. Additional comments to support AJD:** The (b)(1) non-adjacent wetland displayed on the attached map entitled "Wetland Survey" and dated 05/21/2021 is a non-adjacent wetland that meet exclusion (b)(1) of the Navigable Waters Protection Rule (NWPR). The wetland is >0.5 miles from the nearest TNW (Turtle River). This wetland is completely surrounded by uplands or upland features. The adjacent uplands are approximately 2-3 foot higher in elevation than the average surface elevation within the wetlands. The wetlands are not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. An upland excavated ditch exits the wetland west to Plott Drive where it enters an upland excavated road side swale, south to Blythe Island Hwy, then north to the Turtle River for a total of 0.8 mile. As stated in the NWPR, "...a ditch cannot render an otherwise adjacent wetland an 'adjacent water' and thus jurisdictional on that basis unless the ditch itself is a tributary". The ditch is shallow and the bottom is covered with accumulated leaf litter, with no ordinary high water mark or other stream or tributary characteristics. The road side swale is vegetated and dry, maintained periodically by Glynn County. Additionally, "the final rule specifically clarifies that waters of the United States do not include the following: ditches that are not traditional navigable waters, tributaries, or that are not constructed in adjacent wetlands".