



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): August 30, 2021

ORM Number: SAS-2021-00470

Associated JDs: N/A

Review Area Location¹:

State/Territory: GA City: Armuchee County/Parish/Borough: Floyd County

Center Coordinates of Review Area: latitude: 34.390781, longitude: -85.155832

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 and 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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
N/A	N/A	N/A	N/A

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: *JD PDF, received June 11, 2021, AJD request. Maps for Pond, PDF, received June 14, 2021, parcel maps, two pages.* This information *is and is not* sufficient for purposes of this AJD. Email Confirmation of Review Area for SAS-2021-00470, received August 27, 2021.

Rationale: *Additional data was accessed from external sites to support the AJD, additionally the review area was minimized to include only the proposed work area for a proposed recreational pond excavation and redistribution of excavated material to fill in the existing pool and low areas within the open pasture.*

___ Data sheets prepared by the Corps: *N/A*

___ Photographs: *aerial: Google Earth Aerial 1- 1993, and Google Earth Aerial 2 -1999, two png files, accessed August 25, 2021. Additional years aerial images were also reviewed.*

___ 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: *Soils Map SAS-2021-00470, PDF, accessed August 25, 2021.*

USFWS NWI maps: *NWI Map for 733 Floyd Springs Road, Arumchee, GA, PDF, accessed August 30, 2021.*

USGS topographic maps: *USGS Topo with location, and USGS Topo without Location, two png files), date accessed August 25, 2021; Topo map, png file, date accessed August 25, 2021.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Streamstats accessed August 25, 2021
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	Environmental Web App with Web AppBuilder for ArcGIS.

B. Typical year assessment(s): According to the information provided by the APT, which uses data available from GA Weather Stations within proximity of the review area, the site conditions in Floyd

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County on June 11, 2021 were normal. Therefore, there is a high level of confidence that no wetlands or other waters are present within the review area at the time of the determination. The nearest Traditionally Navigable Water (TNW) is the Oostanaula River.

- C. Additional comments to support AJD:** No waters or potential waters were identified within the approximately 25-acre review area, depicted on the delineation with a red polygon, located on the southern portion of the overall 62-acre parcel, depicted on the delineation with a black polygon.

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