



**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): 7/15/2021
 ORM Number: SAS-2005-01902
 Associated JDs: SAS-2001-12370
 Review Area Location¹: State/Territory: Georgia City: Unincorporated Chatham County
 County/Parish/Borough: Chatham
 Center Coordinates of Review Area: Latitude 32.15076 Longitude -81.15262

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
Tidal Ditch 1	0.16	acre(s)	RHA Tidal water is subject to the ebb and flow of the tide	Subject water is open to the Savannah River and tidal flow was observed on February 23, 2021. Indicators of tidal flow such as moving water, scouring, high water mark, surface water, etc. were observed.
Tidal Ditch 2	2.01	Acre(s)	RHA Tidal water is subject to the ebb and flow of the tide	Subject water is open to the Savannah River and tidal flow was observed on February 23, 2021. Indicators of tidal flow such as moving water, scouring, high water mark, surface water, etc. were observed.
Open Water 1	6.62	Acre(s)	RHA Tidal water is subject to the ebb and flow of the tide	Subject water consists of the Savannah River and abutting tidal ditch. Indicators of tidal flow such as moving water, scouring, high water mark, surface water, etc. were observed.

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.	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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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.	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.	N/A.

Adjacent wetlands ((a)(4) waters):				
(a)(4) Name	(a)(4) Size		(a)(4) Criteria	Rationale for (a)(4) Determination
Wetland 7	0.03	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland is physically abutting the Savannah River

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland 1	0.9	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland 2	0.07	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 2 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland 3	0.04	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 3 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland 4	2.82	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 4 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does

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.



**U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
				not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland 5	0.09	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 5 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Wetland 6	1.93	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 6 is not adjacent to any (a)(1)-(a)(3) waters as defined by the NWPR. This wetland does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Ditch A	790.25	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ditch A is dug entirely in uplands and has ephemeral flow. This feature meets the definition of “ephemeral” in paragraph (c)(3).
Ditch B	884	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ditch A is dug entirely in uplands and has ephemeral flow. This feature meets the definition of “ephemeral” in paragraph (c)(3).
Ditch C	899	linear feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1).	Ditch C is dug entirely in uplands and supports hydrophytic vegetation but does not show signs of intermittent or perennial flow.
Pond 1	0.63	acre(s)	(b)(10) Stormwater control feature constructed or	Pond 1 is an upland dug pond with no outfall to any (a)(1)-(a)(3) waters as defined by the NWPR. This pond does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is



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 REGULATORY PROGRAM
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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Pond 2	0.2	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Pond 2 is an upland dug pond with no outfall to any (a)(1)-(a)(3) waters as defined by the NWPR. This pond does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.
Pond 3	0.07	acre(s)	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff.	Pond 3 is an upland dug pond with no outfall to any (a)(1)-(a)(3) waters as defined by the NWPR. This pond does not abut any (a)(1)-(a)(3) waters, is not inundated by any (a)(1)-(a)(3) waters, is physically separated from all (a)(1)-(a)(3) waters and does not have a directed hydrologic surface connection to any (a)(1)-(a)(3) waters in a typical year.



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APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
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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: [Supporting Documentation](#)
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: Chatham County 2019](#)
- 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: [NRCS Soils Map](#)
- USFWS NWI maps: [NWI Map](#)
- USGS topographic maps: [USGS Topo Map](#)

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): The field determination of the jurisdictional status of the above referenced excluded waters and wetlands was conducted on February 23, 2021 and April 26, 2021. Using the Antecedent Precipitation Tool Version 1.0, which used rainfall data from the Savannah International Airport weather station, we have determined that normal conditions were present during this assessment.

C. Additional comments to support AJD:

There are above-grade roads between Wetlands 4, 5, and 6 with no culverts. Based on site observations in February 2021, there is no sheet flow or direct hydrologic surface connection to an (a)(1)-(a)(3) water.

A railroad bed separates Wetland 4 from Wetland 1. A culvert which provides stormwater conveyance into Wetland 1 is located west of Wetland 4, but Wetland 4 is not hydrologically connected to the culvert. A second culvert connects Wetland 4 to a man-made ditch (Ditch B) that drains to the Savannah River, but Ditch B does not meet the definition of “tributary” under the NWPR. Therefore, there is no sheet flow or direct hydrologic surface connection between Wetland 4 and an (a)(1)-(a)(3) water.

Wetlands 2 and 3 are approximately 15 feet from an upland dug man-made ditch (Ditch A) which drains into a canal located off-site that drains to the Savannah River, but the wetlands are not directly connected to the ditch. Also, Ditch A exhibits ephemeral flow only and does not meet the definition of a “tributary” under the NWPR. Based on site observations in February 2021, there is no sheet flow or direct hydrologic



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surface connection to an (a)(1)-(a)(3) water. The two wetlands are otherwise surrounded by upland.

Wetland 1 is approximately 10 feet from a maintained stormwater canal located off-site which is currently receiving tidal flow due to failing tide gate structure at the outfall. However, Wetland 1 is not directly connected to the canal, and no sheet flow was observed on February 23, 2021 even though conditions were classified as normal conditions in the APT.

Ditches A and B are upland dug ephemeral ditches with no ordinary high water marks or other indicators of intermittent or perennial flow.

Ditch C is connected to the Savannah River via a tidal ditch, but Ditch C does not exhibit any signs of tidal exchange. Ditch C contains hydrophytic vegetation, but it originates in upland, extends through upland, and shows no sign of more than ephemeral flow.

Ponds 1, 2, and 3 were dug by previous landowners for stormwater or wastewater treatment from the previous industrial land-use. They are entirely surrounded by upland with no outfall to the Savannah River. During the site assessment, normal conditions were present, but no surface water connection was observed to an (a)(1) – (a)(3) water.