



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):

ORM Number: SAS-2021-00298

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State/Territory: GA City: Monticello County/Parish/Borough: Jasper County

Center Coordinates of Review Area: Latitude 33.322402 Longitude -83.635323

**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)<sup>2</sup>**

§ 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)<sup>3</sup>

(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

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> 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.

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Ephemeral Channel 1B (EC 1B)	73 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Feature only exhibits evidence of flow in direct response to precipitation. No evidence of hydric soils in channel. Channel has limited continuity.
Ephemeral Channel 1E (EC 1E)	268 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Feature only exhibits evidence of flow in direct response to precipitation. No evidence of hydric soils in channel. Channel has limited continuity.
Ephemeral Channel 1H (EC 1H)	371 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Feature only exhibits evidence of flow in direct response to precipitation. No evidence of hydric soils in channel. Channel has limited continuity.
Ephemeral Channel 3F (EC 3F)	319 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	Feature only exhibits evidence of flow in direct response to precipitation. No evidence of hydric soils in channel. Channel has limited continuity.

**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:

Aquatic Resource Delineation Verification Request, Scope of Analysis Request, and Jurisdictional Determination Request, SAS-2021-00298, GDOT PI# 0013618, Jasper County, dated March 31, 2021. This information is sufficient for purposes of this AJD.

Rationale: An Approved Jurisdictional Determination has been made based on the information provided.

\_\_\_ 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)*. Aerial and Other: Figures 3A-3D, Figure 4, and Figures 7A-7D (dated 3/12/2021); Photo pages (taken 8/31/11, 9/1/11, 11/8/11, 12/7/16, 5/20/20, and 06/18/20)

\_\_\_ 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)*. Figures 6A-6D (dated 03/12/2021)

USFWS NWI maps: *Title(s) and/or date(s)*. Figures 5A and 5B (dated 03/12/2021)

USGS topographic maps: *Title(s) and/or date(s)*. Figure 1 and Figures 2A-2D (dated 03/12/2021)

**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.

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USACE Sources	Antecedent Precipitation Tool
State/Local/Tribal Sources	N/A.
Other Sources	NC Stream Identification forms

**B. Typical year assessment(s):** Based on the results of the APT, the site was experiencing slightly drier than normal to normal precipitation compared to the 30-year average during the two most recent (May 20 and June 18, 2020) site visits during which waters were delineated. Both watershed (HUC10) and single point (approximate project center) analyses were conducted and produced the same result (“drier than normal”) indicated above.

**Additional comments to support AJD:** EC 1B, EC 1E, EC 1H, and EC 3F flow in response to precipitation following wet weather events in a typical year. They provide ephemeral surface water transport following rain events. The project site experienced slightly drier than normal to normal precipitation in the 30 days prior to assessment resulting in normal to slightly drier than normal conditions. As a result, no water was observed within the channel of EC 1B, EC 1E, EC 1H and EC 3F. Per the NCDWQ Stream ID, EC 1B was given a score of 9.5, EC 1E was given a score of 10, EC 1H was given a score of 19.5, and EC 3F was given a score of 14. Stream determination scoring is as follows: less than 19 is ephemeral, greater than or equal to 19 is intermittent, and greater than or equal to 30 is perennial. No evidence of intermittent or perennial flow characteristics (such as soil based evidence of a high water table, ordinary high water mark, etc.) were observed within the boundaries of EC 1B, EC 1E, EC 1H, and EC 3F that would classify these resources a tributaries. EC 1B, EC 1E, EC 1H, and EC 3F meet the definition of a b(3) water and the ephemeral flow definition in paragraph (c)(3) of the NWPR. Therefore, EC 1B, EC 1E, EC 1H, and EC 3F would be excluded under NWPR jurisdiction.

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