



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): 30-Jul-21

ORM Number: LRN-2021-00539

Associated JDs: N/A

Review Area Location¹:

State/Territory: TN City: Loudon County/Parish/Borough: Loudon County

Center Coordinates of Review Area: Latitude 35.770378 Longitude -84.404558

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
Tennessee River	570 Foot	RHA Non-tidal water is on the district's Section 10 waters list	The Tennessee River is listed as a Navigable Water in ORNOR-F 86-23 dated May 8, 1986

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

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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.

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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
WTL-1	0.1 acres	(b)(1) Non-adjacent wetland	WTL1 (35.77012, -85.40639) is an excluded water as a non-adjacent water and is not jurisdictional under the Navigation Waters Protection Rule of the Clean Water Act due to the following: (a) W1 is not adjacent to an A(1) or A(2) stream. W1 is approximately 1500 linear feet from the nearest mapped stream. (b) WTL1 does not abut at least one point or side of an (a)(1)-(3) water. (c) WTL1 is not flooded by an (a)(1)-(3) water in a typical year. (d) WTL1 is not physically separated solely from a paragraph (a)(1)-(3) water by a natural berm, bank, dune, or similar natural feature and it is not physically separated from a paragraph (a)(1)-(3) by an artificial dike, barrier, or similar artificial structure. (e) WTL1 does not have perennial or intermittent flow and does not meet the definition of an (a)(1)-(3) water
WTL-2	0.02 acres	(b)(1) Non-adjacent wetland	WTL2 (35.76885, -84.40833) is an excluded water as a non-adjacent water and is not jurisdictional under the Navigation Waters Protection Rule of the Clean Water Act due to the following: (a) WTL2 is not adjacent to an A(1) or A(2) stream. WTL2 is approximately 2,270 linear feet from the nearest mapped stream. (b) WTL2 does not abut at least one point or side of an (a)(1)-(3) water. (c) WTL2 is not flooded by an (a)(1)-(3) water in a typical year. (d) WTL2 is not physically separated solely from a paragraph (a)(1)-(3) water by a natural berm, bank, dune, or similar natural feature and it is not physically separated from a paragraph (a)(1)-(3) by an artificial dike, barrier, or similar artificial structure. (e) WTL2 does not have perennial or intermittent flow and does not meet the definition of an (a)(1)-(3) water
WTL-3	0.06 acres	(b)(1) Non-adjacent wetland	WTL3 (35.76878, -84.40694) is an excluded water as a non-adjacent water and is not jurisdictional under the Navigation Waters Protection Rule of the Clean Water Act due to the following: (a) WTL3 is not adjacent to an A(1) or

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			A(2) stream. WTL3 is approximately 2,100 linear feet from the nearest mapped stream. (b) W1 does not abut at least one point or side of an (a)(1)-(3) water. (c) WTL3 is not flooded by an (a)(1)-(3) water in a typical year. (d) WTL3 is not physically separated solely from a paragraph (a)(1)-(3) water by a natural berm, bank, dune, or similar natural feature and it is not physically separated from a paragraph (a)(1)-(3) by an artificial dike, barrier, or similar artificial structure. (e) WTL3 does not have perennial or intermittent flow and does not meet the definition of an (a)(1)-(3) water
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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: *"Approved Jurisdictional Determination Request Package, Tennessee National Golf Club, POD 8" dated June 3, 2021* by BargeDesign Solutions.
This information is sufficient for purposes of this AJD.
Rationale: *N/A*
- ☐ Data sheets prepared by the Corps: *N/A*
- ☒ Photographs: *(Aerial and Other: Aerial Imagery from Google Earth dated 10/28/2004 to 11/09/2019, USGS 3D Elevation Program (3DEP) access via LRN Regulatory Viewer and GIS base layers were obtained from ESRI/USGS. Site photos provided for each water feature within the jurisdictional waters request from the consultant's onsite observation on April 19, 2021. Site photos provided by RD during site visit on July 2, 2021.*
- ☒ Corps Site visit(s) conducted on: *Date(s). July 2, 2021*
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s). N/A*
- ☒ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- ☒ USDA NRCS Soil Survey: *Accessed July 2, 2021 via NRCS Web Soil Survey website: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>.*
- ☒ USFWS NWI maps: *Provided in AJD request/delineation report and accessed within ORM2 July 2, 2021*
- ☒ USGS topographic maps: *TN-CAVE CREEK 1:24K.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
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USGS Sources	Hines Creek HUC 0601020103; 1:24,000; CAVE CREEK TN Quadrangle Map
USDA Sources	NRCS WETS tables, Included on Antecedent Precipitation Tool, Determined to be drier than normal conditions
NOAA Sources	NCDC Palmer Drought Severity Index was not available for the period of May 2021 to June 2021.
USACE Sources	ORM2, National Regulatory Viewer, Accessed July 2 and July 28, 2021.
State/Local/Tribal Sources	Tennessee Property Assessment (https://assessment.cot.tn.gov/RE_Assessment/)
Other Sources	N/A

- B. Typical year assessment(s):** A site visit was conducted on July 2, 2021. The APT calculated that the date occurred during the dry season in which it showed that the observation occurred during a period of projected estimated decrease in soil moisture over the entire year. The Output indicated that the date of the site visit was in dryer than normal conditions year. The Palmer Drought Severity Index (PDSI) was not available for this period at this location. WebWIMP indicated this is the “Dry Season.” Observed rainfall on the data collection date was within the expected limit for the 30-Year Normal Range. The Antecedent Condition Calculation was 9; indicating that the condition was Drier than Normal using 5 weather stations ranging from 5 miles to 10 miles from the project site.
- C. Additional comments to support AJD:** Aerial photography from Google Earth dated October 28, 2005, which is prior to development show no indications of streams or wetlands at the locations of WTL-1, WTL-2, WTL-3.

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