



**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): 2/16/2021

ORM Number: LRN-2020-01114

Associated JDs: N/A

Review Area Location¹: State/Territory: TN City: Mt. Juliet County/Parish/Borough: Wilson

Center Coordinates of Review Area: Latitude 36.208795° Longitude -86.479595°

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	
Stream 1	565	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream 1 begins at a spring and was observed to have bed & bank, and standing, pooled water at the time of the consultant's site visit. Stream 1 contributes surface water directly to Cedar Creek, which flows directly into the ((a)(1) water) Cumberland River/Old Hickory Lake.
Stream 2	1,800	linear feet	(a)(2) Perennial tributary contributes	Stream 2 flows across the northern edge of the property and was documented by the consultant to be actively flowing with fish and macroinvertebrates

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
			surface water flow directly or indirectly to an (a)(1) water in a typical year.	throughout its reach. Stream 2 contributes surface water directly to Cedar Creek, which flows directly into the ((a)(1) water) Cumberland River/Old Hickory Lake.
Stream 3	330	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Stream 3 begins at a seep flows into Stream 1, giving it a direct surface contribution to the ((a)(1) water) Cumberland River/Old Hickory Lake. At the time of the consultant's site visit, Stream 1 had sections of flowing water and sections of standing pools.

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 3	5.63	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland 3 directly abuts Stream 1 and exhibited hydrophytic vegetation, hydric soils, and saturation.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Ephemeral 1	610	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral 1 was dry at the time of the consultant's site visit and exhibited upland plant species throughout its channel. No macroinvertebrates were observed.
Ephemeral 2	900	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Ephemeral 2 was dry at the time of the consultant's site visit, lacked bed & bank and exhibited upland plant species throughout its channel. No macroinvertebrates were observed.
Wetland 1	0.37	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-	Wetland 1 is a dry stock pond, dug in uplands, with an evident berm and no outlet.

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination	
		jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).		
Wetland 4	0.38	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 4 is an isolated wetland feature that does not abut a jurisdictional water.

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...Preliminary Jurisdictional Determination Request...”](#), dated October 26, 2020.

This information is sufficient for purposes of this AJD.

Rationale: [N/A](#)

- ☐ Data sheets prepared by the Corps: [N/A](#)
- ☒ Photographs: [Aerial and Other: “Approved Jurisdictional Determination Request...Preliminary Jurisdictional Determination Request...”](#), dated October 26, 2020.
- ☒ Corps site visit(s) conducted on: [January 5, 2021](#)
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): [N/A](#)
- ☒ Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)
- ☒ USDA NRCS Soil Survey: [“Approved Jurisdictional Determination Request...Preliminary Jurisdictional Determination Request...”](#), dated October 26, 2020.
- ☒ USFWS NWI maps: [“Approved Jurisdictional Determination Request...Preliminary Jurisdictional Determination Request...”](#), dated October 26, 2020.
- ☒ USGS topographic maps: [“Approved Jurisdictional Determination Request...Preliminary Jurisdictional Determination Request...”](#), dated October 26, 2020.

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): [According to the APT, the consultant’s site visit was performed during normal conditions during the dry season and the Corps’ site visit was performed during normal conditions during the wet season. According to the National Weather Service’s website, <https://water.weather.gov/precip/?loctype=WFO&loc=wfoSJU#>, the site had received approximately 0.25”](#)



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of precipitation in the preceeding 48 hour period before the consultant's site visit and 0.02" of precipitation in the preceeding 48 hour period before the Corps' site visit.

- C. Additional comments to support AJD:** All features were verified using USACE DEM imagery maps, accessed February 16, 2021.