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): 6/23/2021
ORM Number: LRN-2021-00157
Associated JDs: N/A
Review Area Location[1]: State/Territory: TN City: Brentwood County/Parish/Borough: Williamson
Center Coordinates of Review Area: Latitude 35.962807 Longitude -86.718673

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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
PER-1	2,682	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	PER-1 was observed in drier than normal conditions in the wet part of the growing season in drier than normal conditions in the dry part of the growing season. PER-1 was observed with base flow, iron staining, moderate bed and bank, hydrophytic vegetation, and direct groundwater input.
Edmondson Branch (PER-2)	2,184	linear feet	(a)(2) Perennial tributary contributes	PER-2 was observed in drier than normal conditions in the wet part of the growing season in drier than normal conditions in the dry part of the growing

[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.

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.	season. PER-2 was observed with base flow, iron staining, macroinvertebrates, strong bed and bank, and direct groundwater input.
INT-1	911	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	INT-1 was observed in drier than normal conditions in the wet part of the growing season and in drier than normal conditions in the dry part of the growing season. INT-1 had active flow during the Corps site visit and no active flow during the consultant site visit. INT-1 was observed with hydric soils, direct groundwater input, moderate bed and bank, and sediment sorting.
INT-2	741	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	INT-2 was observed in drier than normal conditions in the wet part of the growing season and in normal conditions in the wet part of the growing season. INT-2 was observed with hydric soils, iron staining, moderate bed and bank, and sediment sorting.

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
N/A.	N/A.	N/A.	N/A.	N/A.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
EPH-1	400	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EPH-1 was observed in drier than normal conditions in the wet part of the growing season. EPH-1 was observed with very weak bed and bank, no active flow, and leaf litter throughout the channel.
EPH-2	653	linear feet	(b)(3) Ephemeral feature, including an ephemeral	EPH-2 was observed in drier than normal conditions in the wet part of the growing season. EPH-2 was observed to have weak bed and bank, a vegetated channel, and no active flow.

[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.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
			stream, swale, gully, rill, or pool.	
EPH-3	497	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EPH-3 was observed in drier than normal conditions in the wet part of the growing season. EPH-3 was observed to have weak bed and bank, a very heavily vegetated channel, and no active flow.
EPH-4	473	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EPH-4 was observed in drier than normal conditions in the wet part of the growing season. EPH-4 was observed to have weak bed and bank, roots throughout the channel, leaf litter throughout the channel, and no active flow.
EPH-5	539	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EPH-5 was observed in drier than normal conditions in the wet part of the growing season. EPH-5 was observed to have weak bed and bank, a vegetated channel, and no active flow.
EPH-6	155	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EPH-6 was observed in drier than normal conditions in the dry part of the growing season. EPH-6 was observed to have a moderate erosional bed and bank, roots throughout the channel, and no active flow.
EPH-7	329	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	EPH-7 was observed in normal conditions in the wet part of the growing season. EPH-7 was observed to have a weak bed and bank, leaf litter in the channel, and no active flow.
Wetland 1	0.08	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 does not abut an (a)(1)-(3) jurisdictional water; is not inundated by flooding from an (a)(1)-(3) water in a typical year; is not physically separated from an (a)(1)-(3) water solely by a natural berm, bank, dune, or similar natural feature; nor by an artificial dike, barrier, or similar artificial structure. Wetland 1 appears to be an isolated resource, possibly draining into isolated pond feature Pond 1. Wetland 1 does not have perennial or intermittent flow and does not meet the definition of an (a)(1)-(3) water.
Wetland 2	0.21	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 2 does not abut an (a)(1)-(3) jurisdictional water; is not inundated by flooding from an (a)(1)-(3) water in a typical year; is not physically separated from an (a)(1)-(3) water solely by a natural berm, bank, dune, or similar natural feature; nor by an artificial dike, barrier, or similar artificial structure. Wetland 2 appears to be an isolated resource, possibly draining into isolated pond feature Pond 2. Wetland 2 does

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
				not have perennial or intermittent flow and does not meet the definition of an (a)(1)-(3) water.
Wetland 3	0.20	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 3 does not abut an (a)(1)-(3) jurisdictional water; is not inundated by flooding from an (a)(1)-(3) water in a typical year; is not physically separated from an (a)(1)-(3) water solely by a natural berm, bank, dune, or similar natural feature; nor by an artificial dike, barrier, or similar artificial structure. Wetland 3 appears to be an isolated resource. Wetland 3 does not have perennial or intermittent flow and does not meet the definition of an (a)(1)-(3) water.
Wetland 4	0.15	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 4 does not abut an (a)(1)-(3) jurisdictional water; is not inundated by flooding from an (a)(1)-(3) water in a typical year; is not physically separated from an (a)(1)-(3) water solely by a natural berm, bank, dune, or similar natural feature; nor by an artificial dike, barrier, or similar artificial structure. Wetland 4 appears to be an isolated resource, possibly draining into isolated pond feature Pond 4. Wetland 4 does not have perennial or intermittent flow and does not meet the definition of an (a)(1)-(3) water.
Pond 1	0.08	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Pond 1 was verified using LiDAR/DEM maps and aerial imagery to be an isolated resource.
Pond 2	0.21	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Pond 2 was directly observed in the field. The only outlet of Pond 2 was ephemeral stream EPH-4.

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
Pond 3	0.11	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Pond 3 was verified using LiDAR/DEM maps and aerial imagery to be an isolated resource.
Pond 4	0.08	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Pond 4 was directly observed in the field to be an isolated resource. Pond 4 had no inlet or outlet.
Pond 5	0.08	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Pond 5 was verified using LiDAR/DEM maps and aerial imagery to be an isolated resource.

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: AJD Request GAW Site, February 8, 2021. GAW RAI Report, May 17, 2021.

This information is not sufficient for purposes of this AJD.

Rationale: A field visit was required to verify the delineation as well as an RAI response.

☐ Data sheets prepared by the Corps: Title(s) and/or date(s).

☒ Photographs: Aerial and Other: Consultant photos taken on June 3, 2020 and April 27, 2021. Corps photos taken March 16, 2021.

- ☒ Corps site visit(s) conducted on: March 16, 2021
- ☐ 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: AJD Request GAW Site, February 8, 2021.
- ☒ USFWS NWI maps: AJD Request GAW Site, February 8, 2021.
- ☒ USGS topographic maps: AJD Request GAW Site, February 8, 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.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The Corps site visit on March 16, 2021 was conducted in drier than normal conditions. The consultant visit on June 3, 2020 was conducted in drier than normal conditions in the dry part of the growing season. The consultant site visit on April 27, 2021 was in normal conditions in the wet part of the growing season.

C. Additional comments to support AJD: See notes page LRN-2021-00157_20210317_MFR-SVN for more details.