



**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): 8/26/2021

ORM Number: LRN-2021-00617

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: TN City: Murfreesboro County/Parish/Borough: Rutherford

Center Coordinates of Review Area: Latitude 35.842089 Longitude -86.301065

**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	
STR-1	1,390	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	STR-1 was observed on site to have moderate bed and bank, hydric soils, a saturated bedrock bottom, standing water, and hydrophytic vegetation. STR-1 had pools and saturation during the consultant site visit and no flow during the Corps site visit. STR-1 could be traced using LiDAR/DEM and NHD maps to flow into blue line stream (Dry Branch), which flows into an (a)(1) water.
STR-2	130	linear feet	(a)(2) Intermittent tributary contributes	STR-2 is documented with moderate bed and bank, hydric soils, saturated channel bottom, and hydrophytic vegetation. STR-2 had pools and

<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 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.	saturation during the consultant site visit and no flow during the Corps site visit. STR-2 flows directly into STR-1.

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 Area A	0.96	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland Area A and Wetland Area B are part of the same wetland drainage area. Wetland Area A is directly abutting Wetland Area B, which directly abuts STR-1 ((a)(2) water) and is therefore jurisdictional.
Wetland Area B	0.05	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland Area B directly abuts STR-1 ((a)(2) water) and is therefore jurisdictional.
Wetland Area C	0.07	acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland Area C directly abuts STR-1 ((a)(2) water) and is therefore jurisdictional.

**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
Pond 1	0.009	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 on site to be an isolated feature and is therefore non-jurisdictional.
WWC-1	120	linear feet	(b)(3) Ephemeral feature, including an ephemeral	WWC-1 was observed on site to have very weak bed and bank, roots throughout the channel, and no direct groundwater input.

<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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Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination	
		stream, swale, gully, rill, or pool.		
WWC-2	230	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	WWC-2 was observed on site to have weak bed and bank, a heavily vegetated channel, and no indicators of groundwater input.
WWC-3	100	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	WWC-3 was observed on site to have a lined bed and bank with rock (man made), no direct groundwater input, and no active flow.
Wetland Area D	0.06	acre(s)	(b)(1) Non-adjacent wetland.	Wetland Area D was verified on site to be abutting only ephemeral features and is therefore non-jurisdictional.

### 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: [Jurisdictional Waters Determination, Glover Property, October 2, 2020.](#)

This information is not sufficient for purposes of this AJD.

Rationale: [A field visit was required to verify the delineation](#)

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

☒ Photographs: [Aerial and Other: Corps Photos taken August 12, 2021. Consultant photos taken September 22, 2020.](#)

☒ Corps site visit(s) conducted on: [August 12, 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: [Jurisdictional Waters Determination, Glover Property, October 2, 2020.](#)

☒ USFWS NWI maps: [Jurisdictional Waters Determination, Glover Property, October 2, 2020.](#)

☒ USGS topographic maps: [Jurisdictional Waters Determination, Glover Property, October 2, 2020.](#)

#### Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	<a href="#">N/A.</a>
<a href="#">USDA Sources</a>	<a href="#">N/A.</a>
<a href="#">NOAA Sources</a>	<a href="#">N/A.</a>
<a href="#">USACE Sources</a>	<a href="#">N/A.</a>
<a href="#">State/Local/Tribal Sources</a>	<a href="#">N/A.</a>
<a href="#">Other Sources</a>	<a href="#">N/A.</a>



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- B. Typical year assessment(s):** [The consultant site visit on September 22, 2020 was in drier than normal conditions in the dry part of the growing season. The Corps site visit on August 12, 2021 was in wetter than normal conditions in the dry part of the growing season.](#)
- C. Additional comments to support AJD:** [See LRN-2021-00617\\_20210823\\_MFR-SVN for more details.](#)