



**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): 1/29/2021

ORM Number: LRN-2020-01115

Associated JDs: none

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

Center Coordinates of Review Area: Latitude 35.862085 Longitude -86.818728

**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
- ☐ 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 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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**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
WWC-1/EPH-1	113	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	WWC-1/EPH-1 was characterized by a channel dominated by rooted vegetation and sediment sorting. It was observed to be dry on all other visits by the project consultant. There was 0.6 inches of precipitation within 7 days of the site visit, with only snowmelt in the hours preceding the site visit in the previous 48 hours. Despite the presence of precipitation in the past 7 days, no flow was observed in the channel. This supports the justification that this is an ephemeral channel. Additionally, no aquatic life or algal growth was observed in the channel. Based on these sources of information, WWC-1/EPH-1 is classified as an ephemeral channel, which is not jurisdictional under the Navigable Waters Protection Rule.
WWC-2/EPH-2	531	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	WWC-2/EPH-2 was characterized by a channel dominated by rooted vegetation and sediment sorting. It was observed to be dry on all other visits by the project consultant. There was 0.6 inches of precipitation within 7 days of the site visit, with only snowmelt in the hours preceding the site visit in the previous 48 hours. Despite the presence of precipitation in the past 7 days, no flow was observed in the channel. This supports the justification that this is an ephemeral channel. Additionally, no aquatic life or algal growth was observed in the channel. Based on these sources of information, WWC-2/EPH-2 is classified as an ephemeral channel, which is not jurisdictional under the Navigable Waters Protection Rule.
WWC-A/EPH-A	293	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	WWC-A/EPH-A was characterized by a channel dominated by rooted vegetation and sediment sorting. It was observed to be dry on all other visits by the project consultant. There was 0.6 inches of precipitation within 7 days of the site visit, with only snowmelt in the hours preceding the site visit in the previous 48 hours. This supports the justification that this is an ephemeral channel. Additionally, no aquatic life or algal growth was observed in the channel.

<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
			Based on these sources of information, WWC-A/EPH-A is classified as an ephemeral channel, which is not jurisdictional under the Navigable Waters Protection Rule.

### 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 Determination, 4325 Long Lane, Franklin, Williamson County, Tennessee, CEC Project 305-469

This information is sufficient for purposes of this AJD.

Rationale: The JD request provided sufficient photo and narrative documentation of the site.

- ☐ Data sheets prepared by the Corps: Title(s) and/or date(s).
- ☐ Photographs: Select. Title(s) and/or date(s).
- ☒ Corps site visit(s) conducted on: 1/8/2021
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): none
- ☒ Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- ☒ USDA NRCS Soil Survey: NRCS Web Soil survey; accessed 1/27/2021
- ☐ USFWS NWI maps: Title(s) and/or date(s).
- ☒ USGS topographic maps: Bethesda, TN

**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):** Examination of data for 90 days prior to the site visit indicated that precipitation was characterized as wetter than normal. The precipitation in the 30 day period prior to 1/8/2021 exceeded the 70th percentile (wet). 0.6 inches of precipitation was recorded in the 7 day period prior to the date of the hydrological determination site visit.

**C. Additional comments to support AJD:** none