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): 5/10/2021
ORM Number: LRN-2021-00254
Associated JDs: N/A
Review Area Location[1]: State/Territory: TN City: Mt. Juliet County/Parish/Borough: Wilson
Center Coordinates of Review Area: Latitude 36.202737 Longitude -86.575148

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)[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
S1	1426	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	S1 originates at a concrete drain in the neighboring subdivision. At the time of the Corps' site visit, interspersed pools of water, mineral stained rock, water stained leaves and absent vegetation within stream channel were observed. S1 is a tributary to the ((a)(2) water) Stoners Creek, which is a tributary to the ((a)(1) water) Stones River.
S2R1	173	linear feet	(a)(2) Intermittent tributary contributes	S2R1 had interspersed pools of water with moist substrate between pools. Macroinvertebrates, hydric soils, hydrophytic vegetation, mineral stained rock

[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.

U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

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.	and water stained leaves were observed by the Corps. S2R1 transitions into the perennial reach S2R2 at a seep.
S2R2	424	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	S2R2 was actively flowing actively flowing from a seep at transition point from S2R1. Caddisfly larvae and other macroinvertebrates, hydrophytic vegetation, mineral stained rock, algae and water stained leaves were observed by the Corps. S2R2 transitions into the intermittent reach S2R3 at an in channel sink.
S2R3	603	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	S2R3 had interspersed pools of water with moist substrate between pools. Macroinvertebrates, hydric soils, hydrophytic vegetation, mineral stained rock and water stained leaves were observed by the Corps. S2R3 is a tributary to the ((a)(2) water) Stoners Creek, which is a tributary to the ((a)(1) water) Stones River.
S6	75	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	S6 originates at a rock springhouse and was actively flowing during both the consultant's and Corps' site visits. Caddisfly casings with other macroinvertebrates, crayfish, algal mats and mineral stained rock were observed by the Corps. S6 is a tributary to S2R2.

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

U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

Excluded waters ((b)(1) – (b)(12)):[4]				
Exclusion Name	Exclusion Size		Exclusion[5]	Rationale for Exclusion Determination
S3	316	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S3 was dry during both the consultant's and Corps' site visits with no mineral stained rock, upland vegetation growing within the channel and non-hydric soils.
S4	792	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S4 was dry during both the consultant's and Corps' site visits with no mineral stained rock, upland vegetation growing within the channel and non-hydric soils.
S5	500	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S5 was dry during both the consultant's and Corps' site visits with no mineral stained rock, upland vegetation growing within the channel and non-hydric soils.
S7	321	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S7 was dry during both the consultant's and Corps' site visits with no mineral stained rock, upland vegetation growing within the channel and non-hydric soils.
S8	168	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S8 was dry during both the consultant's and Corps' site visits with no mineral stained rock, upland vegetation growing within the channel and non-hydric soils.
S9	140	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	S9 was dry during both the consultant's and Corps' site visits with no mineral stained rock, upland vegetation growing within the channel and non-hydric soils.

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: "Request for Approved Jurisdictional Determination, Canebrake Subdivision, Mt. Juliet, Wilson County, Tennessee…", dated March 9, 2021.

This information is sufficient for purposes of this AJD.
Rationale: N/A or describe rationale for insufficiency (including partial insufficiency).

☐ Data sheets prepared by the Corps: N/A.

☒ Photographs: Aerial and Other: "Request for Approved Jurisdictional Determination, Canebrake Subdivision, Mt. Juliet, Wilson County, Tennessee…", dated March 9, 2021.

[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.

U.S. ARMY CORPS OF ENGINEERS
REGULATORY PROGRAM
APPROVED JURISDICTIONAL DETERMINATION FORM (INTERIM)
NAVIGABLE WATERS PROTECTION RULE

- ☒ Corps site visit(s) conducted on: April 6, 2021.
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): N/A.
- ☒ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B*.
- ☒ USDA NRCS Soil Survey: Title(s) and/or date(s).
- ☒ USFWS NWI maps: Title(s) and/or date(s).
- ☒ USGS topographic maps: Title(s) and/or date(s).

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 in the wet season, and the Corps' site visit was performed during normal conditions in the wet season. According to the National Weather Service website, https://water.weather.gov/precip/?loctype=WFO&loc=wfoSJU, the site had received approximately 0.26" of precipitation in the preceding 48 hour period prior to the consultant's site visit, and 0.00" of precipitation in the preceding 48 hour period prior to the Corps' site visit.

C. Additional comments to support AJD: N/A.