



**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): 2/11/2021

ORM Number: LRN-2010-00632

Associated JDs: LRN-2010-00632, Approved Jurisdictional Determination dated March 31, 2010

Review Area Location¹: State/Territory: TN City: Mt. Pleasant County/Parish/Borough: Maury

Center Coordinates of Review Area: Latitude 35.548889 Longitude -87.173611

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	
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.	

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**

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
Wetland	0.47	acre(s)	(b)(1) Non-adjacent wetland.	Does not abut, receive flooding in a typical year from, or separated from an a(1), a(2), or a(3) water by a natural or artificial barrier. RD performed a field investigation on Jan 28, 2021 and confirmed the wetland area was isolated.

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: A report titled "Jurisdictional Waters Evaluation Report of Hoover Mason Recycling" submitted on September 15, 2020, by TriAd Environmental Consultants. The delineation report provided data sheets and site photos of the isolated wetland area.

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: Title(s) and/or date(s).

☒ Photographs: Aerial and Other: Google Earth Aerial submitted by the applicant dated September 2020 and site photos dated September 10, 2020. RD site photos dated January 28, 2021.

☒ Corps site visit(s) conducted on: January 28, 2021

☒ Previous Jurisdictional Determinations (AJDs or PJDs): LRN-2010-00632; On March 31, 2010, an Approved Jurisdictional Determination of another portion of the property, located adjacent to subject review area, documented the wetlands were constructed tailing ponds and were not jurisdictional waters of the U.S. Additionally, RD prepared a No Permit Required letter on same date, March 31, 2010.

☒ Antecedent Precipitation Tool: provide detailed discussion in Section III.B.

☒ USDA NRCS Soil Survey: Natural Resources Conservation Survey Soil Map – Maury Co, TN dated September 8, 2020

☒ USFWS NWI maps: USFWS National Wetlands Inventory Map dated September 10, 2020

☒ USGS topographic maps: Mt. Pleasant, TN Quadrangle Map; 1:24,000

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS 8, 10, 12 digit HUC maps	Sugar Fork Creek, HUC12-060400030302
USDA Sources	N/A.
NOAA Sources	N/A.
CorpsMap ORM Map Layers	ORMs Database Maps
LiDAR data/maps	LiDAR mapping on Jan 27, 2021; TDEC Hydrologic Determination
FEMA/FIRM maps	AJD Review Area is not within a FEMA mapped floodzone

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**

- B. Typical year assessment(s):** The applicant's consultant provided data that their field survey was performed on August 5, 2020 and the previous 7-day precipitation total at the site was 0.4 inches as measured by the onsite weather station/rain gage. The rainfall total from the previous month of July was 6.47 inches compared to a NOAA 30-year monthly climate normal of 4.75 inches which was slightly wetter than normal conditions for a typical year.
- C. Additional comments to support AJD:** The surrounding area is a previous quarry site and currently utilized as a recycling disposal/landfill area. Ponds shown on aerials were tailing ponds from the previous quarrying activities and determined to be non-jurisdictional. The subject isolated wetland was formed over time from the construction activities formed a depressional area which formed wetland features over period of time.