



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): 03Nov20  
ORM Number: LRN-2013-00519  
Associated JDs: LRN-2013-00519 Community Health Systems 01-Nov-2013  
Review Area Location<sup>1</sup>:  
State/Territory: TN City: County/Parish/Borough: Knox County  
Center Coordinates of Review Area: Latitude 35.944579 Longitude -84.02243

**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
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 and 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 independent 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.

<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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**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
LRN-2013-00519- Wetland 1	3.5 acres	(b)(1) Non-adjacent wetland	Wetland 1 was determined to be a primarily forested wetland. Wetland 1 is not adjacent to an (a)(1) or (a)(2) stream. Wetland 1 is not flooded by an (a)(1) – (a)(3) water in a typical year. There is no evidence of flooding in aerial imagery. Wetland 1 is not physically separated solely from a paragraph (a)(1) – (a)(3) water by a natural berm, bank, dune, or similar natural feature and it is not physically separated from an (a)(1) – (a)(3) water by an artificial dike, barrier, or similar artificial structure. Wetland 1 does not have perennial or intermittent flow and does not meet the definition of an (a)(1) – (a)(3) water.
ILRN-2013-00819 WWC-1	651 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	WWC-1 was determined to have ephemeral flow regime based on evaluation of the submitted resources report, and a site visit. There is an absence of a continuous ordinary high water mark throughout the channel. A review of the NWI and NHD show the feature is not mapped and hydrology has been historically modified due to improvements of Middlebrook Pike and surrounding commercial and residential development.

**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: *USACE Individual Permit Application Tennova Medical Park Knoxville, Knox County, Tennessee S&ME Project No. 4143-20-062* received October 10, 2020.  
This information is sufficient for purposes of this AJD.  
Rationale: *N/A*.
- Data sheets prepared by the Corps: *Title(s) and/or date(s)*.
- Photographs: Provided in application *USACE Individual Permit Application Tennova Medical Park Knoxville, Knox County, Tennessee S&ME Project No. 4143-20-062* received October 10, 2020.
- Corps Site visit(s) conducted on: *April 9, 2013 and August 9, 2013*.
- Previous Jurisdictional Determinations (AJDs or PJDs): *LRN-2013-00519 dated November 1, 2013*.
- 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)*.

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\_\_\_ 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):** The Antecedent Precipitation Tool (APT) calculated that on May 7, 2020, the date of the data collection within the provided report, occurred during the wet season. The output indicates that the date the data was collected was at a time of wetter than normal conditions. The Palmer Drought Severity Index (PDSI) indicates the data was collected during a period of extreme wetness and WebWIMP indicates collection was during the wet season. Observed value for rainfall on the date of the data collection was approximately 25% higher than the normal 30-year range. The Antecedent Calculation was 18; indicating that the condition was Wetter Than Normal using nine weather stations within 9 miles or less of the project site.
- C. Additional comments to support AJD:** N/A or provide additional discussion as appropriate.

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