



**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): 11/27/2020  
 ORM Number: LRN-2013-01177  
 Associated JDs: LRN-2013-01177; PJD dated January 28, 2014, documented features on the property.  
 Review Area Location<sup>1</sup>: State/Territory: TN City: Mt. Pleasant County/Parish/Borough: Maury  
 Center Coordinates of Review Area: Latitude 35.571105 Longitude -87.1739

**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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
S-1; (Patterson Branch); identified as S9b in 2014 PJD	2796	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	S-1 is identified as Patterson Branch on USGS Topographic Map. It flows/connects into Bigby Creek, an (a)(1) water, approximately 1-mile NW of the review area. Large perennial flow adequate to sustain fish and other aquatic life. Classified as perennial in 2014 PJD.
S-2; identified as	751	linear feet	(a)(2) Perennial tributary contributes	S-2 is a perennial tributary that flows to Patterson Branch, an (a)(1) water. Flow adequate to sustain

<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
S10 in 2014 PJD			surface water flow directly or indirectly to an (a)(1) water in a typical year.	fish and other aquatic life. Classified as perennial in 2014 PJD.

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
Campbell Lake	16.64	acre(s)	(a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Campbell Lake contributes surface flow to S-2 which is a perennial tributary to Patterson Branch, an (a)(1) water. Campbell Lake is an impoundment to a jurisdictional water.

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**

Excluded waters ((b)(1) – (b)(12)): <sup>4</sup>				
Exclusion Name	Exclusion Size		Exclusion <sup>5</sup>	Rationale for Exclusion Determination
S-3; identified as S9a in 2014 PJD	136	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was dry during an onsite observation with no evidence of groundwater input such as iron staining or macroinverts. A lacked a continuous bed and bank or an ordinary high water mark. Upland vegetation was growing throughout the majority of the channel. Any flow is in response to runoff from a large rain event. Classified as ephemeral in 2014 PJD.
S-4	72	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was dry during an onsite observation with no evidence of groundwater input such as iron staining or macroinverts. A lacked a continuous bed and bank or an ordinary high water mark. Upland vegetation was growing throughout the majority of the channel. Any flow is in response to runoff from a large rain event. This feature was not included in 2014 PJD review area.

<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	
S-5	139	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was dry during an onsite observation with no evidence of groundwater input such as iron staining or macroinverts. A lacked a continuous bed and bank or an ordinary high water mark. Upland vegetation was growing throughout the majority of the channel. Any flow is in response to runoff from a large rain event. This feature was not included in the 2014 PJD review area.
S-6 ; identified as S7a in 2014 PJD.	1536	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was dry during an onsite observation with no evidence of groundwater input such as iron staining or macroinverts. A lacked a continuous bed and bank or an ordinary high water mark. Upland vegetation was growing throughout the majority of the channel. Any flow is in response to runoff from a large rain event. Classified as ephemeral in 2014 PJD.
S-7; identified as S8 in 2014 PJD	57	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	The feature was dry during an onsite observation with no evidence of groundwater input such as iron staining or macroinverts. A lacked a continuous bed and bank or an ordinary high water mark. Upland vegetation was growing throughout the majority of the channel. Any flow is in response to runoff from a large rain event. Classified as ephemeral in 2014 PJD.
WA	0.25	acre(s)	(b)(1) Non-adjacent wetland.	No connection to a-1, a-2, or a-3 waters. No inlet or outlet drainages. This feature was not included in the 2014 PJD review area.
WB ; identified as Wetland 3 in 2014 PJD	0.061	acre(s)	(b)(1) Non-adjacent wetland.	No connection to a-1, a-2, or a-3 waters. Excavated area in upland converted to wetland with no inlet or outlet drainages.
WC ; identified as Wetlands 4 and 5 in 2014 PJD.	0.154	acre(s)	(b)(1) Non-adjacent wetland.	No connection to a-1, a-2, or a-3 waters. Excavated area in upland converted to wetland with no inlet or outlet drainages.
WD ; identified as Wetland 6 in 2014 PJD.	N/A	acre(s)	(b)(1) Non-adjacent wetland.	No connection to a-1, a-2, or a-3 waters. Excavated area in upland converted to wetland with no inlet or outlet drainages.

**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 request made within document titled "Waters of the U.S. Delineation and Hydrologic Determination Report" dated August 6, 2020 prepared by TTL, Inc.. Additional information with aerials and previous PJD prepared for the property received on November 13, 2020.

This information is sufficient for purposes of this AJD.



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Rationale: Revised information received on November 13, 2020 provided sufficient information.

- Data sheets prepared by the Corps: Data Sheets prepared by CEC and found in JD request package
- Photographs: Aerial and Other: 2019 Google aerial imagery of the review area and vicinity dated April 2019 and found within the JD request package. Site photos dated June 18 and 26, 2020 provided for each feature and surrounding uplands provided within the JD request package. Additional information received on November 13, 2020 provided additional information regarding b(1) and b(3) features.
- Corps site visit(s) conducted on: November 12, 2013 and November 19, 2020
- Previous Jurisdictional Determinations (AJDs or PJDs): LRN-2013-01177; PJD dated January 28, 2014 documented features (perennial, intermittent, ephemeral, and wetlands) within the review area. This AJD review area does not exactly match the boundaries of the 2014 PJD review area. This AJD identifies some features not within the PJD and the PJD identifies some features not within this AJD review area.
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: Provided in JD Package (Figure 5) and accessed within ORM2
- USFWS NWI maps: U.S. Fish and Wildlife Service National Wetlands Map provided in JD Package and accessed within ORM2.
- USGS topographic maps: Provided in JD Package and accessed within ORM2.

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

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS StreamStats v4.3.11, 1:24,000; Mt. Pleasant, TN USGS Topographic Map HUC12-060400030303 Lower Bigby
USDA Sources	N/A.USDA Web Soil Survey <a href="http://websoilsurvey.nrcs.usda.gov">http://websoilsurvey.nrcs.usda.gov</a>
NOAA Sources	Earth System Research Laboratory, Physical Sciences Division (historic precipitation data) <a href="http://www.esrl.noaa.gov">http://www.esrl.noaa.gov</a>
USACE Sources	Layers accessed include the USGS topographical quad map, USFWS National Wetland Inventory map, and NRCS Soil Survey Map Maury County
State/Local/Tribal Sources	TDEC DWR Guidance for Making Hydrologic Determinations; HD Field Worksheets
Other Sources	FEMA Map Service Center (Flood Insurance Rate Map);

**B. Typical year assessment(s):** TTL, Inc. provided documentation they calculated the site’s normal weather conditions before performing site work in June 2020 to understand whether aquatic features in the landscape may exhibit certain characteristics related to current and near past hydrologic regime. They obtained data from an on-line NRCS climactic database, Agricultural Applied Climate Information System (AgACIS), and derived the calculation method from TDEC’s guide for making hydrologic determinations (TDEC 2011). An evaluation of weather conditions was performed for the 3-month period (March-May 2020) prior to the field investigation in June 2020. Calculations for the site indicate that the weather conditions were “normal” for the time of year that field work was performed. As an additional cross-reference, the U.S. Drought Monitor was accessed and evaluated which is produced through a partnership between the National Drought Mitigation Center for USDA and NOAA. The most recent update of the U.S. Drought Monitor (June 2020) Map of Tennessee showed no drought conditions in the vicinity of the review area occurred for the 3 months prior to the field work. See Appendix B of JD request for documentation.

**C. Additional comments to support AJD:** N/A or provide additional discussion as appropriate.