



**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): 9/15/2020  
 ORM Number: LRN-2019-00500; TDOT PIN 115366.01  
 Associated JDs: N/A  
 Review Area Location<sup>1</sup>: State/Territory: TN City: N/A County/Parish/Borough: Marion  
 Center Coordinates of Review Area: Latitude 35.213575 Longitude -85.799420

**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 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  | 325<br>linear<br>feet | (b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1). | WWC-1 is a ditch, and is a constructed or excavated channel used to convey water. Documentation indicates that WWC-1 is a roadside drainage ditch, which was constructed in uplands to provide stormwater drainage along I-24. Remote data and TDOT data indicate that WWC-1 does not relocate a tributary, is not constructed in a tributary, and is not constructed in an adjacent wetland. Additionally, topographic data depicts no valley landform immediately uphill or downhill from this feature, thus further supporting that this feature does not relocate a tributary and is not constructed in a tributary. |

**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: [TDOT “Preliminary Jurisdictional Determination” report dated 13 Jun 2019](#)

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: [Aerial and Other: Photographs located within the TDOT “Preliminary Jurisdictional Determination” report dated 13 Jun 2019.](#)

Corps site visit(s) conducted on: [Date\(s\)](#).

Previous Jurisdictional Determinations (AJDs or PJDs): [ORM Number\(s\) and date\(s\)](#).

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: [USGS “Monteagle, TN Quadrangle” located within the TDOT “Preliminary Jurisdictional Determination” report dated 13 Jun 2019.](#)

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

| Data Source (select)                   | Name and/or date and other relevant information  |
|--|--|
| <a href="#">USGS/WBD/NHD data/maps</a> | <a href="#">NHD data was reviewed on 14 Sep 2020 via the LRN Regulatory Viewer. No features were shown within the review area.</a> |
| <a href="#">USDA Sources</a>           | <a href="#">N/A.</a>   |
| <a href="#">NOAA Sources</a>           | <a href="#">N/A.</a>   |

<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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| Data Source (select)       | Name and/or date and other relevant information  |
|----------------------------|--|
| USACE Sources              | Topographic data was reviewed on 14 Sep 2020 via the LRN Regulatory Viewer.  |
| State/Local/Tribal Sources | N/A.   |
| Other Sources              | N/A.   |
| USGS Stream stats          | StreamStats data was reviewed on 14 Sep 2020 via the LRN Regulatory Viewer. No features were shown within the review area. |

**B. Typical year assessment(s):** *N/A*

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