



**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): 10/13/2020
 ORM Number: LRN-2019-00600
 Associated JDs: N/A
 Review Area Location¹: State/Territory: TN City: Monterey County/Parish/Borough: Putnam
 Center Coordinates of Review Area: Latitude 36.155233 Longitude -85.22264

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.



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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
SWA (Pond-1)	0.01	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	SWA-was determined to be a pond constructed in uplands. Location: 36.155237, -85.223295
SWB (Pond-2)	0.01	acre(s)	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6).	SWB- was determined to be a pond constructed in uplands. Location: 36.155355, -85.223597
SRF- Ephemeral Stream	175	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	SRF was determined to have ephemeral flow regime based on an evaluation of the submitted hydrologic determination forms, topographical maps, Antecedent Precipitation Tool, and online resources. There was an absence of a continuous OHWM throughout the channel. A review of aerial imagery and site evaluation concludes the channels starting terminus is at 36.155181, -85.223102 and end terminus is at 36.155191, -85.222642. NHD and NWI layers do not have the feature mapped. The nearest NHD mapped stream is approximately 206 linear feet east.

III. SUPPORTING INFORMATION

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.



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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: "Review of Aquatic Resources Request and Non-Jurisdictional Determination Request HHNT Project Number: 8020-020, dated 16 JUL 2020 recived 14 AUG 2020."

This information is and is not sufficient for purposes of this AJD.

Rationale: Additional resources were required to be considered to make jurisdictional determinations (see below resources considered).

- Data sheets prepared by the Corps: Title(s) and/or date(s).
- Photographs: Aerial and Other: "Review of Aquatic Resources Request and Non-Jurisdictional Determination Request HHNT Project Number: 8020-020, dated 16 JUL 2020."
- 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: NWI Mapper Accessed 22 SEP 2020
- 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 NRCS WETS tables	Included on Antecedent Precipitation Tool; determined to be wetter than normal.
NOAA NCDC Palmer Drought Severity Index	For the period of March 2020-May 2020 the location was determined to be "Very Moist +3.00 to +3.99".
Other USACE data (specify)	Nashville District Regulatory Viewer, Accessed 22 SEP 2020.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The Antecedent Precipitation Tool was used to evaluate the project area for the previous 90 days, with a date of May 29, 2020. A single point centered on the center of the project site was used to evaluate the rainfall data and was determined to be sufficient based on the small geographic size of the site. The 90 day period beginning March 30, 2020 was determined to be wet. The rainfall exceeded the 70th percentile, for the last 30 day period. The drought index further describes the period as wetter than normal and the rainfall for the previous 30 days exceeded the 30-year rolling. No flow was observed in SRF and was determined to be ephemeral.

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