



**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): 8/6/2020
 ORM Number: LRN-2020-00218
 Associated JDs: LRN-2020-00218 PJD, LRN-2020-00218 AJD (WETA), 6/30/2020
 Review Area Location¹: State/Territory: TN City: Franklin County/Parish/Borough: Williamson
 Center Coordinates of Review Area: Latitude 35.850349 Longitude -86.784659

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
EPH4R1	157	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C
EPH1/WWC1	10	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C
EPH3/WWC3	417	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C.
EPH4/WWC4	157	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C.
EPH5/WWC5	75	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C
EPH7/WWC7	48	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C
EPH8/WWC8	194	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C
WWC9	915	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during normal conditions according to the APT tool. See section C
WWC10	669	linear feet	(b)(3) Ephemeral feature, including	No indication of groundwater input or base flow was observed during wetter than normal

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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Excluded waters ((b)(1) – (b)(12)): ⁴				
Exclusion Name	Exclusion Size		Exclusion ⁵	Rationale for Exclusion Determination
			an ephemeral stream, swale, gully, rill, or pool.	conditions according to the APT tool. See section C.
EPH11/WWC11	192	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	No indication of groundwater input or base flow was observed during wetter than normal conditions according to the APT tool. See section C.

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: [Request for Approved Jurisdictional Determination, July 10, 2020](#)

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

Rationale: [Previous application packages for JDs contained information to support determination.](#)

Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)

Photographs: **Other:** [Consultant photographs taken December 18, 2019, January 7, 2020, January 13, 2020, and March 25, 2020.](#)

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

Previous Jurisdictional Determinations (AJDs or PJDs): [PJD LRN-2020-00218, May 5, 2020. AJD LRN-2020-00218 June 30, 2020.](#)

Antecedent Precipitation Tool: [provide detailed discussion in Section III.B.](#)

USDA NRCS Soil Survey: [Web Soil Survey, dated December 17, 2019.](#)

USFWS NWI maps: [NWI Inventory Map, December 17, 2019.](#)

USGS topographic maps: [USGS Bethesda, TN 7.5 min Quad, December 17, 2019.](#)

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): [Field visits were conducted and documented on December 4, 2019 \(normal conditions\), January 7, 2020 \(Wetter than normal conditions\), and March 25, 2020 \(wetter than conditions\). Conditions were documented based on a report generated by the APT tool. 48 hours prior to the site visit on December 18, 2019, the site received 1.34 inches of rain. 48 hours prior to the site visit on January 7, 2020, the site received .15 inch of rain.](#)

C. Additional comments to support AJD: [After a significant rain event, EPH4R1, EPH1, EPH3, EPH4, EPH5, EPH7, EPH8, and EPH9 all had no base flow observed. These channels were formed and fed via](#)



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rainfall events. WWC10 and WWC11 exhibited limited flow directly following a significant rain event, however have no evidence of bed/bank or indicators of OHWM. Note that WET-A was covered under a previous AJD. S4R2, S1, S2, S3, S6, and Pond 1 were covered under a previous PJD. See MFR and previous application packages for further documentation.