



**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): 12/15/2020  
 ORM Number: LRN-2020-00317  
 Associated JDs: LRN-2020-00317, PJD, dated August 20, 2020.  
 Review Area Location<sup>1</sup>: State/Territory: TN City: Spring Hill County/Parish/Borough: Williamson  
 Center Coordinates of Review Area: Latitude 35.765948 Longitude -86.885036

**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
D-3	239	linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.
			Stream D-3 was found to have active flow in the normal conditions in the dry part of the growing season. Stream D-3 also was found to have indicators of groundwater input such as the presence of macroinvertebrates. Stream D-3 can be traced using DEM maps to an a(1) water.

<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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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	
Wetland 1	0.22 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland 1 is abutting jurisdictional water D-3 and is therefore jurisdictional.	

**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	
D-1	452 linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	D-1 had no active flow in normal conditions in the dry part of the growing season according to the APT tool. D-1 was documented as having no indicators of groundwater input, weak channelization, and a heavily vegetated streambed.	
D-2	174 linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	D-2 had pools of water, but no active flow in normal conditions in the dry part of the growing season according to the APT tool. D-2 was documented as having no indicators of groundwater input, weak channelization, and a heavily vegetated streambed.	
Wetland-2	0.51 acre(s)	(b)(1) Non-adjacent wetland.	Wetland-2 does not abut a jurisdictional water and is therefore non-jurisdictional.	

**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 Request, June 16, 2020.](#)

This information is sufficient for purposes of this AJD.

Rationale: [Additional photographs also submitted on August 31, 2020.](#)

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

Photographs: [Aerial and Other: Google Earth, accessed 9/29/2020. Site Photographs, taken 10/9/19, 11/22/19, and 12/19/19.](#)

Corps site visit(s) conducted on: [October 29, 2020](#)

Previous Jurisdictional Determinations (AJDs or PJDs): [LRN-2020-00317, PJD, dated August 20, 2020.](#)

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

<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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- USDA NRCS Soil Survey: [Title\(s\) and/or date\(s\)](#).
- USFWS NWI maps: [Title\(s\) and/or date\(s\)](#).
- USGS topographic maps: [Site Location Map, January 10, 2020](#).

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

Data Source (select)	Name and/or date and other relevant information
<a href="#">USGS Sources</a>	N/A.
<a href="#">USDA Sources</a>	N/A.
<a href="#">NOAA Sources</a>	N/A.
<a href="#">USACE Sources</a>	N/A.
<a href="#">State/Local/Tribal Sources</a>	N/A.
<a href="#">Other Sources</a>	N/A.

**B. Typical year assessment(s):** The consultant site visit conducted on November 22, 2019 was in normal conditions in the dry part of the growing season and the consultant site visit conducted on December 19, 2020 were in normal conditions in the wet part of the growing season. The USACE site visit was conducted on October 29, 2020 in wetter than normal conditions in the dry part of the growing season.

**C. Additional comments to support AJD:** Additional information was also provided by the consultant verifying the lack of connectivity between Wetland-2 and a jurisdictional water. Ephemeral channels D-2 and D-3 were directly observed on site to verify stream status. The southern portion of D-2 was evaluated further due to additional information submitted at a later date. Work had already begun, directly impacting stream D-2, making it difficult to evaluate. The delineation of the southern section of stream D-2 was confirmed using aerial photography, consultant photography, TDEC staff site visit information, historic hydrological determinations, and DEM mapping. See [LRN-2020-00317\\_20201029\\_MFR-SVN](#) and [LRN-2020-00317\\_20201209\\_MFR-NOTES](#) for additional information.