



**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): 12/3/2020
 ORM Number: LRN-2020-00952
 Associated JDs: N/A
 Review Area Location¹: State/Territory: TN City: Dickson County/Parish/Borough: Dickson
 Center Coordinates of Review Area: Latitude 36.02426 Longitude -87.281604

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.	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.	N/A.

Tributaries ((a)(2) waters):				
(a)(2) Name	(a)(2) Size		(a)(2) Criteria	Rationale for (a)(2) Determination
Channel 1	1,429	linear feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year.	Channel 1 was directly observed on site to have base flow in normal conditions in the dry part of the growing season according to the APT tool. Channel 1 was also observed to have fish, direct groundwater input, and hydric soils. Channel 1 is an unnamed tributary to Nails Creek and a blue line stream that can be traced directly to an (a)(1) water via aerial imagery.
Channel 1B	197	linear feet	(a)(2) Intermittent tributary contributes	Channel 1B was directly observed on site. Channel 1B was found to have base flow in normal conditions in the dry part of the growing season according to

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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Tributaries ((a)(2) waters):			
(a)(2) Name	(a)(2) Size	(a)(2) Criteria	Rationale for (a)(2) Determination
		surface water flow directly or indirectly to an (a)(1) water in a typical year.	the APT tool. Channel 1B also had fish, direct groundwater input, amphibians, and hydric soils. Channel 1B flows directly into channel 1 and can be traced to an (a)(1) water using aerial imagery.

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	0.10 acre(s)	(a)(4) Wetland abuts an (a)(1)-(a)(3) water.	Wetland 1 was directly observed on site abutting a jurisdictional water (channel 1) and is therefore jurisdictional.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Channel 1A	400 linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 1A was found to have no base flow and a highly vegetated channel in normal conditions in the dry part of the growing season according to the APT tool.
Channel 1A1	184 linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 1A1 was found to have no base flow and a highly vegetated channel in normal conditions in the dry part of the growing season according to the APT tool.
Channel 1B1	550 linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 1B1 was directly observed on site. Channel 1B1 was found to have no base flow in normal conditions in the dry part of the growing season according to the APT tool.
Channel 1C	291 linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 1C was found to have no base flow, weak channelization, and minimal indicators of OHWM in normal conditions in the dry part of the growing season according to the APT tool.
Channel 1C1	39 linear feet	(b)(3) Ephemeral feature, including an ephemeral	Channel 1C1 was found to have no base flow in normal conditions in the dry part of the growing season according to the APT tool.

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
			stream, swale, gully, rill, or pool.	
Channel 2	195	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 2 was found to have no base flow and a highly eroded streambed in normal conditions in the dry part of the growing season according to the APT tool.
Channel 3	276	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 3 was found to have no base flow and a highly eroded streambed in normal conditions in the dry part of the growing season according to the APT tool.
Channel 4	38	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 4 was found to have no base flow and a highly vegetated channel in normal conditions in the dry part of the growing season according to the APT tool.
Channel 4a	138	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 4a was found to have no base flow and a highly vegetated channel in normal conditions in the dry part of the growing season according to the APT tool.
Channel 5	113	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 5 was found to have no base flow and a highly vegetated channel in normal conditions in the dry part of the growing season according to the APT tool.
Channel 5a	159	linear feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool.	Channel 5a was found to have no base flow and a highly vegetated channel in normal conditions in the dry part of the growing season according to the APT tool.
Pond 1	0.27	acre(s)	(b)(1) Lake/pond or impoundment that does not contribute surface water flow directly or indirectly to an (a)(1) water and is not inundated by flooding from an (a)(1)-(a)(3) water in a typical year.	Pond 1 was determined to be isolated and was confirmed to have no direct connection to other aquatic resources on site using DEM maps.

III. SUPPORTING INFORMATION



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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: [Wetlands Delineation Report – Dickson County, September 23, 2020 and Additional Information on Channel 1B1/1B, November 24, 2020.](#)
This information **is not** sufficient for purposes of this AJD.
Rationale: [Field visit required to verify connectivity.](#)
- Data sheets prepared by the Corps: [Title\(s\) and/or date\(s\).](#)
- Photographs: [Other: Water Resource Photograph Log, taken July 28, 2020. Additional Consultant Photos taken November 24, 2020. USACE photos, taken October 21, 2020.](#)
- Corps site visit(s) conducted on: [October 21, 2020.](#)
- 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: [Soils Map, August 14, 2020.](#)
- USFWS NWI maps: [Title\(s\) and/or date\(s\).](#)
- USGS topographic maps: [Project DV Project Area Map, August 14, 2020.](#)

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): [The consultant site visit on July 28, 2020 was conducted in normal conditions in the dry part of the growing season. The consultant site visit on November 24, 2020 was conducted in normal conditions in the dry part of the growing season. The USACE site visit conducted on October 21, 2020 was in normal conditions in the dry part of the growing season.](#)

C. Additional comments to support AJD: [Additional information was provided verifying the transition between Channel 1B and Channel 1B1. A site visit was conducted and Channel 1, Channel 2, Channel 3, Wetland 1, Channel 1B, Channel 1B1 and Channel 1C were verified.](#)