



**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): 2/5/2021

ORM Number: MVM-2020-323

Associated JDs: N/A

Review Area Location<sup>1</sup>: State/Territory: TN City: Collierville County/Parish/Borough: Shelby County

Center Coordinates of Review Area: Latitude 35.015563 Longitude -89.720076

**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.	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.	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.	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.	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.	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
Wetland 1	0.01	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 is a small wooded wetland 0.01-acre in size located near the southwest corner of the property. The wetland does not touch at least one point or side of an a(1)-a(3) water and is not inundated by flooding from an a(1)-a(3) water in a typical year. The wetland is non-adjacent.
Wetland 2	0.03	acre(s)	(b)(1) Non-adjacent wetland.	Wetland 1 is a small wooded wetland 0.03-acre located near the east boundary of the property. The wetland does not touch at least one point or side of an a(1)-a(3) water and is not inundated by flooding from an a(1)-a(3) water in a typical year. The wetland is non-adjacent.
Isolated Farm Pond	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).	There is a farm pond located in a wooded area near the north property boundary. The farm pond is small at 0.01-acre is size. During a site visit on October 27, 2020, the applicant observed that the pond was previously constructed in uplands and there is a discernible berm that is not breached. There was no evidence of seepage or any other indicators of hydrological connectivity to a(1)-a(3) waters. The pond is not an impoundment of a jurisdictional water that meets (c)(6). The farm pond meets the b(8) exclusion.

**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: [Approved Jurisdictional Determination Request, EnSafe, 05 February 2021](#)

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: Attachment A \(Aerial Imagery\) & Attachment B \(Photo Log\)](#)
- 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: [Attachment A, Figure 3: https://websoilsurvey.sc.egov.usda.gov/](#)
- USFWS NWI maps: [Attachment A, Figure 4: NWI – https://www.fws.gov/wetlands](#)

<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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USGS topographic maps: [Attachment A, Figure 1: Collierville & Byhalia NW Quadragles, Tennessee, 1:24,000, 7.5 minute series.](#) [Figure 2: Collierville Quadragle, Tennessee, 1:24,000, 7.5 minute series](#)

**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 Antecedent Precipitation Tool was used to determine local climatic weather patterns. The APT tool determined that the time period under review was 'wetter than normal' but remained within the 30 year normal range. The finding based on this assessment is that the time period under review was typical.](#)

**C. Additional comments to support AJD:** [N/A or provide additional discussion as appropriate.](#)