

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD):

B. DISTRICT OFFICE: Nashville District
FILE NAME: Generic JD for All Section 10 Navigable Waters
FILE NUMBER:

C. PROJECT LOCATION AND BACKGROUND INFORMATION: The proposed project is located on a navigable water located within the regulatory jurisdiction of the Nashville District Corps of Engineers. The Nashville District has previously determined the extent of navigable waters within the drainage areas of the Tennessee and Cumberland Rivers located within the states of Tennessee, Kentucky, Alabama, and Mississippi. Posting of this JD establishes that the Corps has jurisdiction over navigable waters under Section 10 of the Rivers and Harbors Act of 1899 not only for this application but also for all future permit applications located on recognized navigable waters. Future permit applications will reference this generic JD which will eliminate the need to post separate JDs for each future application. Since jurisdiction over Section 10 navigable waters is straightforward, we have determined that it serves no useful purpose to perform and post a separate JD for each action. Development and posting of this generic JD will allow limited staff resources to be focused on other JDs that require more in-depth analysis. (Additionally, since a significant nexus determination and related factors are not required for this JD, non-relevant sections of the standard seven-page JD form have been eliminated in the interest of brevity and clarity.)

State: _____ County: _____ City: _____
Center coordinates of site (lat/long in degree decimal format): Lat _____ N, Long. _____ W.
Name of nearest Traditional Navigable Water (TNW) into which the aquatic resource flows: _____
Name of watershed or Hydrologic Unit Code (HUC): _____
 Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.
 Check if other sites (e.g., adjacent wetlands, offsite mitigation sites, disposal sites, etc) are associated with this action and recorded on a different JD form.

D. REVIEW PERFORMED FOR EVALUATION: Office (Desk) Determination. Date: _____

SUMMARY OF FINDINGS
RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **Are** "navigable waters of the U.S." within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area. [Required]
 Waters subject to the ebb and flow of the tide.
 Waters are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce.
Explain: Prior to the determination and listing of the Nashville District's navigable waters, detailed navigability studies were performed throughout the Nashville District to determine which waters meet the navigable waters definition found in 33 CFR Part 329. These studies are available for review in the Nashville District office. Upon completion of these navigability studies, the Nashville District issued Public Notice #86-23, dated 8 May 1986, listing all navigable waters within the district. The complete list of navigable waters can be found on the district's website at http://www.lrn.usace.army.mil/cof/navigable_waters_list.htm.
 Identify TNW: _____
Summarize rationale supporting determination: _____

DATA SOURCES

SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Location map submitted with application.
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- Corps navigable waters' study: Navigable water as listed in Nashville District Public Notice #86-23, dated 8 May 1986.
- U.S. Geological Survey map(s). Cite scale & quad name: _____
- USDA Natural Resources Conservation Service Soil Survey. Citation: _____
- FEMA/FIRM maps: _____
- 100-year Floodplain Elevation is: _____ (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): _____
or Other (Name & Date): _____
- Previous determination(s). File no. and date of response letter: _____
- Applicable/supporting case law: _____
- Applicable/supporting scientific literature: _____
- Other information (please specify): _____