



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): April 16, 2021

ORM Number: SAC-2021-00347

Associated JDs: N/A

Review Area Location¹:

State: South Carolina City: Charleston County: Charleston

Center Coordinates of Review Area: Latitude 32.8479°N Longitude -79.9425°W

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: The entire site is a maintained grassy lot that is partially developed and consists of a sandy loam, non-hydric soil with a color matrix of 10YR 4/2 from 0-12 inches. In addition, no hydrology was observed by the consultant on November 4, 2020. The site is also depicted as uplands on NWI maps and topographic maps.
- ☐ 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 |

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 independent 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.

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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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 |

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

| Exclusion Name | Exclusion Size | Exclusion ⁵ | Rationale for Exclusion Determination |
|----------------|----------------|------------------------|---------------------------------------|
| N/A | N/A | N/A | N/A |

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 consultant: FLETC Charleston Training Venue Area 2 submittal dated December 8, 2020, by MAP Environmental, Inc.
This information is sufficient for purposes of this AJD.
Rationale: The Corps agrees with the conclusions of the submitted data sheets and submittal.
Data sheets prepared by the Corps: N/A
- ☒ Photographs: Google Earth 2019 Imagery / USGS National Map 3D Elevation Program (3DEP) published August 13, 2020, Aerial Imagery submitted by the consultant dated 1939, 1957, 1958, 1961, 1968, 1971, 1973, 1974, 1977, 1983, 1989, 1994, 1999, 2000, 2006, 2007, 2009, 2011, 2013, 2015, 2017, and 2019.
- ☐ Corps Site visit(s) conducted on: N/A
- ☐ Previous Jurisdictional Determinations (AJDs or PJDs): N/A
- ☒ Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- ☒ USDA NRCS Soil Survey: USA Soils Map Units (SSURGO) Map Service dated April 4, 2019; updated August 26, 2020 / Soil maps provided by the agent dated November 2020.
- ☒ USFWS NWI maps: Wetlands Raster REST map service dated May 29, 2012, updated July 17, 2020.
- ☒ USGS topographic maps: USGS Topographic Maps / Sewee Bay Quad / 7.5 Minute Index / 1:240000.

Other data sources used to aid in this determination:

| Data Source (select) | Name and/or date and other relevant information |
|----------------------------|---|
| USGS Sources | USGS Topographic Maps |
| USDA Sources | N/A. |
| NOAA Sources | N/A. |
| USACE Sources | USACE-SAC Regulatory Viewer |
| State/Local/Tribal Sources | N/A. |
| Other Sources | N/A. |

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- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) date for typical year determination was calculated on November 4, 2020. Output from the APT indicated “Drier than Normal” conditions on November 4, 2020, with a condition value of 9. Results of the APT indicate observations during this time would not be considered within a “typical year”. For this assessment, a total of 4 weather stations within a 6.6-mile radius were used.
- C. Additional comments to support AJD:** The site is approximately 1 acre and consists entirely of dryland. The site is a maintained grassy lot that is partially developed and contains non-hydric soils. The site is also depicted as uplands on NWI maps and topographic maps.

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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.

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