

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
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.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): August 3, 2018

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: CESAC-RD-NE, SAC-2018-00765 CDP Syracuse, LLC / CDP Syracuse Site

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: **South Carolina** County/parish/borough: **Darlington County** City: **Darlington**
Center coordinates of site (lat/long in degree decimal format): Lat. **34.2315 °**, Long. **-79.9807 °**
Universal Transverse Mercator: **17S 593850 3788077**

Name of nearest waterbody: **Jeffries Creek**

Name of watershed or Hydrologic Unit Code (HUC): **03040201-09 (Jeffries Creek)**

- Check if map/diagram of review area is available upon request.
- Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- Office (Desk) Determination. Date: **August 1, 2018**
- Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There **are no** “*navigable waters of the U.S.*” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There **are no** “*waters of the U.S.*” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. 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: Data sheets provided by Palmetto Environmental Consulting. Survey map provided by Mathis & Muldrow Surveying, Inc., titled “**CDP SYRACUSE LLC. / PLAT OF A DIVISION OF 1.83 ACRES BEING PART OF A LARGER TRACT AS SHOWN / ON A PLAT RECORDED IN PLAT BOOK 162 PAGE 91.**” dated May 24, 2018.
- 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:
- U.S. Geological Survey Hydrologic Atlas: **03040201-09 (Jeffries Creek)**
- USGS NHD data.
- USGS 8 and 12 digit HUC maps.
- U.S. Geological Survey map(s). Cite scale & quad name: **Timmonsville Quad and USGS Topography depicts an upland non-forested land type over the entire project site.**
- USDA Natural Resources Conservation Service Soil Survey. Citation: **Darlington County Soil Survey, Pg. 38, depicts a single soil type of Goldsboro sandy loam, which is a moderately well-drained soil that is classified as hydric within Darlington County when found within depressions. With all indicators classifying the project location as upland, including the locations geography and soil samples provided by Palmetto Environmental Consulting Inc., the soil within the project area would be classified as non-hydric.**
- National wetlands inventory map(s). Cite name: **National Wetland Inventory map depicts upland cropland/pasture (U21) over the entire project site.**
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): **Google Earth 2017; SCDNR 2006; 1999 Aerial Index 11234:25**
- or Other (Name & Date): **Site photos provided by Palmetto Environmental Consultants, Inc.**
- Previous determination(s). File no. and date of response letter:

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): **ArcGIS LiDAR derived Digital Elevation Model (DEM) utilizing a “Hill-shade” mosaic depicts a flat upland area over the project site with minor surface relief in a linear pattern along the northern and western property boundaries, indicating upland excavated roadside drainage ditches for storm-water conveyance. In addition, LiDAR depicts sloping elevation leading to a channelized ditch to the south of project site running in an east-west direction within the center of the wetland area; the project site is within the upland side of this slope and not within the aquatic resources. The projects sites geography and ditching was verified with Google Earth aerial and street-view imagery, dated September 7, 2017, and May 2018, respectively.**

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

Aerial imagery, including recent Google Earth imagery dated September 7, 2017, depict the 1.83 acre project site in its entirety as an upland sports park that likely was historically used for agriculture. Adjacent, and to the south, of the project property line is densely wooded freshwater forested wetland that runs in linear fashion generally from east-west. Abutting the project on the west and northern borders are county roads (South Center Rd and Lamar Hwy, respectively), and to the east of the project site is a residential property owner.

According to the survey map, provided by Mathis & Muldrow Land Surveying, Inc., titled “**CDP SYRACUSE LLC. / PLAT OF A DIVISION OF 1.83 ACRES BEING PART OF A LARGER TRACT AS SHOWN / ON A PLAT RECORDED IN PLAT BOOK 162 PAGE 91.**” dated May 24, 2018, the property owned by CDP Syracuse consists of a 2.46 acre contiguous tract encompassing the wetland area to the south of the project site, however these aquatic resources are not included within the project area, therefore there is no USACE aquatic resource jurisdiction within the project boundaries.

The applicant’s environmental consultant, Palmetto Environmental Consulting Inc., captured a data point on the southwestern corner of the project site (34.2312, -79.9811), closest to the wooded area with NWI depicted wetlands and USGS labeled aquatic resources, and this data point was not reported to have hydric soil, hydroptic vegetation, nor wetland hydrology.

ArcGIS LiDAR derived Digital Elevation Model (DEM) utilizing a “Hill-shade” mosaic depicts a flat upland area over the project site with minor surface relief in a linear pattern along the northern and western property boundaries, indicating upland excavated roadside drainage ditches for storm-water conveyance. In addition, LiDAR depicts sloping elevation leading to a channelized ditch to the south of project site running in an east-west direction within the center of the wetland area; the project site is within the upland side of this slope and not within the aquatic resources. The projects sites geography and ditching was verified with Google Earth aerial and street-view imagery, dated September 7, 2017, and May 2018, respectively.

Timmonsville Quad and USGS Topography depicts an upland non-forested land type over the entire project site. To the south of the project the USGS topographic map depicts a linear forested area bounding a solid blue line feature that lines up with the feature seen on LiDAR. Again, these aquatic resource features are outside of the project boundary as shown on the surveyed map provided by Mathis & Muldrow.

Darlington County Soil Survey, Pg. 38, depicts a single soil type of Goldsboro sandy loam, which is a moderately well-drained soil that is classified as hydric within Darlington County when found within depressions. With all indicators classifying the project location as upland, including the locations geography and soil samples provided by Palmetto Environmental Consulting Inc., the soil within the project area would be classified as non-hydric.

National Wetland Inventory map depicts upland cropland/pasture (U21) over the entire project site.

This site was assessed using a single-basis form.