



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): August 27, 2021

ORM Number: SAC-2020-01610

Associated JDs: SAC-2020-01610 Delineation Concurrence letter issued February 5, 2021.

Review Area Location<sup>1</sup>:

State/Territory: South Carolina City: Johns Island County: Charleston

Center Coordinates of Review Area: Latitude 32.6914°N Longitude -80.0485°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: After reviewing the best available information including aerial photographs, topographic maps, LiDAR information, soil survey maps, NWI maps, and wetland data sheets, the Corps has determined that the subject property consists entirely of dry land. The subject area is depicted as uplands on NWI maps and there are no aquatic resources depicted on topographic maps. In addition, the majority of the tract is mapped as St. Johns fine sand (non-hydric).
- ☐ 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

**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

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
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<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 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.

<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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N/A	N/A	N/A	N/A
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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))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	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 applicant/consultant: Chicken Farm AP site submittal received on November 10, 2020, by Ecological Associates, 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 / site photographs from the consultant dated November 10, 2020.
- ☐ Corps Site visit(s) conducted on: N/A
- ☒ Previous Jurisdictional Determinations (AJDs or PJDs): Delineation Concurrence letter issued February 5, 2021.
- ☒ 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 also provided by the consultant dated November 10, 2021.
- ☒ USFWS NWI maps: Wetlands Raster REST map service dated May 29, 2012, updated July 17, 2020.
- ☒ USGS topographic maps: USGS Topographic Maps / Centenary 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 Regulatory Viewer
State/Local/Tribal Sources	N/A.

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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 March 21, 2020. Output from the APT indicated “Wetter than Normal” conditions on March 21, 2020, with a condition value of 18. 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 14-mile radius were used.
- C. Additional comments to support AJD:** This form assesses a 4.78-acre tract that consists entirely of dry land. The majority of the site consists of non-hydric soils (St. Johns, fine sand). The site is depicted as uplands on NWI maps, and no aquatic resources are depicted on topographic maps. In addition, LiDAR information suggests the site is located in uplands.

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