



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): May 14, 2021

ORM Number: SAC-2020-01792

Associated JDs: N/A

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

State/Territory: South Carolina City: Sumter County: Sumter

Center Coordinates of Review Area: Latitude 33.9342°N, Longitude -80.3126°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: 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

**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
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
Jurisdictional Wetland	3.8 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	The onsite wetland is part of a larger wetland system that continues offsite to the north until it intersects the

<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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			OWHM of Brunson Branch. Flowing water, sinuosity, sediment sorting, and wrack lines were observed within Brunson Branch during the field visit on April 1, 2021. Brunson Branch is a named feature and is depicted as a solid blue line on topo maps. It appeared that the section of Brunson Branch observed in the field had been man-altered and is routinely maintained for drainage purposes. The Corps determined Brunson Branch to have perennial flow.
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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
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: Map of site with coordinates submitted by the applicant dated March 17, 2021.  
This information is sufficient for purposes of this AJD.  
Rationale: The location map has GPS coordinates for 4 corners of the review area creating a reproducible project boundary.
- ☒ Data sheets prepared by the Corps: DP Wet dated April 1, 2021.
- ☒ Photographs: Google Earth Imagery 2020 / USGS National Map 3D Elevation Program (3DEP) published August 13, 2020 / site photographs dated April 1, 2021.
- ☒ Corps Site visit(s) conducted on: April 1, 2021.
- ☐ 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.
- ☒ USFWS NWI maps: USFWS NWI – Wetlands Raster REST map service dated May 29, 2012, updated July 17, 2020.
- ☒ USGS topographic maps: USGS Topographic Maps / Sumter East 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 accessed on May 13, 2021
State/Local/Tribal Sources	N/A.

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Other Sources

N/A.

- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated on April 1, 2021. Output from the APT indicated "Normal Conditions" with a condition value of 12. Hydrology (saturation) was observed to the surface within the onsite wetland under normal climatic conditions. For this assessment, a total of 4 weather stations within a 17-mile radius were used.
- C. Additional comments to support AJD:** The entire 3.8-acre review area consists of jurisdictional freshwater wetlands that continue offsite to the north until it intersects the OWHM of Brunson Branch (perennial tributary). The onsite wetland was observed in the field on April 1, 2021. Saturation was observed at the surface to 20" deep. Ponding and surface water were also observed. Hydric soils and hydrophytic vegetation were also observed within the wetland. The Corps has determined that the 3.8 wetland onsite is jurisdictional.

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