



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 6, 2021

ORM Number: SAC-2021-00350

Associated JDs: SAC-2020-00780

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

State: South Carolina City: Conway County: Horry County

Center Coordinates of Review Area: Latitude 33.8453 Longitude -79.0948

**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 A1	0.49 acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an	Jurisdictional Wetland A1 is part of a larger wetland system that continues offsite to the east and would abut

<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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		artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water in a typical year	the downstream unnamed tributary (a)(2) to Crabtree Canal [(a)(1) perennial tributary] but for the artificial structure, Ernest Finney Road. A direct hydrologic surface connection to the downstream (a)(1) water is provided through a culvert under Ernest Finney Road and provides a surface connection within a typical year. A larger portion of this wetland to the west was previously assessed and determined to be jurisdictional (SAC-2020-00780).
Jurisdictional Wetland E	0.726 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland E is part of a larger wetland complex that continues offsite to the east and is adjacent (directly abutting) to the offsite (a)(2) tributary (Altman Branch). Altman Branch is depicted as a solid blue-line stream on topographic maps and flows directly into Crabtree Canal (a large perennial, man-altered tributary) that traverses the City of Conway. A larger portion of this wetland was previously assessed and determined to be jurisdictional (SAC-2020-00780).
Jurisdictional Wetland F	0.026 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland F is part of a larger wetland complex that continues offsite to the north and is adjacent (directly abutting) to the offsite (a)(2) tributary (Altman Branch). Wetland F and Wetland E are part of the same larger offsite wetland complex that abuts Altman Branch. A larger portion of this wetland was previously assessed and determined to be jurisdictional (SAC-2020-00780).

**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.

- X Information submitted by, or on behalf of, the applicant/consultant: Conway Perimeter Road Phase II submittal dated February 2021 by Mead & Hunt on behalf of SCDOT.  
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: *Title(s) and/or date(s)*.
- X Photographs: Site photographs provided by the consultant dated February 4, 2021, Google Earth Imagery 2019.
- X Corps Site visit(s) conducted on: A site visit was conducted on July 10, 2020 for SAC-2020-00780 which includes portions of the wetlands assessed on this form.
- Previous Jurisdictional Determinations (AJDs or PJDs): N/A
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.

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- ☒ **USDA NRCS Soil Survey:** USA Soils Map Units (SSURGO) Map Service dated April 2019, updated August 26, 2020, Soil maps also provided by the agent dated February 3, 2021.
- ☒ **USFWS NWI maps:** USFWS NWI – Wetlands Raster REST map Service dated May 29, 2012, updated July 17, 2020. / NWI maps also provided by the agent dated February 3, 2021.
- ☒ **USGS topographic maps:** USGS Topographic Maps / Conway 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.

**B. Typical year assessment(s):** N/A.

**C. Additional comments to support AJD:** The wetlands assessed on this form (Jurisdictional Wetlands A1, E, and F), were determined to be jurisdictional. Portions of these same wetlands were previously determined to be jurisdictional on December 9, 2020 (SAC-2020-00780).

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