



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 6, 2021

ORM Number: SAC-2020-00856

Associated JDs: N/A

Review Area Location¹:

State: South Carolina City: Aiken County: Aiken

Center Coordinates of Review Area: Latitude 33.511416 Longitude -81.69655

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: There are no features that exhibit tributary characteristics, meet the three parameters of a wetland, or would be considered excluded waters. The site consists entirely of uplands.
- 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 and 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 applicant/consultant: **Jurisdictional Determination Request dated June 18, 2020.**
This information is sufficient for purposes of this AJD.
Rationale: **The wetland data form, and additional information submitted by the agent are a reasonable representation of site conditions at the time of collection and are sufficient for purposes of this AJD.**
- Data sheets prepared by the Corps: N/A
- Photographs: **Photos 1-3 submitted by agent in JD request dated June 18, 2020. Figures 1-8 of 8 submitted by agent on October 10, 2020. Aerial photo provided by applicant titled “Soil Map – Aiken County Area, South Carolina (Watson Property)” dated June 16, 2020.**
- Corps Site visit(s) conducted on: N/A
- Previous Jurisdictional Determinations (AJDs or PJDs): N/A
- Antecedent Precipitation Tool: Detailed discussion in Section III.B.
- USDA NRCS Soil Survey: **NRCS Web Soil Survey provided by applicant titled “Soil Map – Aiken County Area, South Carolina (Watson Property)” dated June 16, 2020.**
- USFWS NWI maps: **USFWS NWI Map Service**
- USGS topographic maps: **1:24,000 Aiken**

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS 3D Elevation Map Service
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	SAC Regulatory Viewer accessed 6/29/2020, and 4/2/2021
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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- B. Typical year assessment(s):** The Antecedent Precipitation Tool (APT) was utilized to determine whether the site was observed in a typical year. The APT was calculated for the date the agent collected data (4/6/2020, and 7/10/2020). Output from the APT indicated normal conditions during the dry season at the time of first data collection by the agent with a condition value of 11, and wetter than normal conditions during the wet season at the time of second data collection by the agent with a condition value of 15. APT outputs with condition values greater than or equal to 15 indicate “wetter than normal” conditions, condition values between 10 and 14 indicate “normal” conditions, and condition values less than or equal to 9 indicate “drier than normal” conditions.
- C. Additional comments to support AJD:** The NWI, Topo, and Soil maps show a blue-line linear feature possibly indicating the presence of a linear aquatic feature within project boundaries. According to the APT data recorded above, this site and the location where the NWI, Topo, and Soil maps show the blue-line feature, has been observed by the agent in both normal and wetter than normal condition and no such aquatic feature is located within the project boundary.

There are no features that exhibit tributary characteristics, meet the three parameters of a wetland, or would be considered excluded waters. The site consists entirely of uplands.

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