



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): 5-AUG-2020
ORM Number: SAC-2020-00395
Associated JDs: N/A
Review Area Location¹:
State/Territory: SC City: Longs County: Horry County
Center Coordinates of Review Area: Latitude 34.021102 Longitude -78.78563

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: See Section III C.
- 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

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

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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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.

<u>X</u>	Information submitted by, or on behalf of, the applicant/consultant: <i>Request for Jurisdictional Determination submitted by Southern Palmetto Environmental for the Samuel Road Tract dated March 11, 2020.</i> This information is sufficient for purposes of this AJD. Rationale: <i>Wetland data forms and information included in the original submittal are considered to be a reasonable representation of site conditions at the time of collection.</i>
___	Data sheets prepared by the Corps: <i>N/A.</i>
<u>X</u>	Photographs: <i>aerial and other: 1999 Color Infrared Aerial and 2006 Color Infrared Aerial provided by Southern Palmetto Environmental; Google Earth aerials dated 4 Feb 2019, 15 Nov 2017, and 9 Oct 2014. All aerials depict a forested site with no signatures of potential aquatic resources. According to the information submitted by the agent, the site has been recently cleared of vegetation.</i>
___	Corps Site visit(s) conducted on: <i>N/A.</i>
___	Previous Jurisdictional Determinations (AJDs or PJDs): <i>N/A.</i>
<u>X</u>	Antecedent Precipitation Tool: <i>provide detailed discussion in Section III.B.</i>
<u>X</u>	USDA NRCS Soil Survey: <i>NRCS / Soil Survey Geographic Database (SSURGO) Map Service dated 1 Oct 2019. The site consists of Eulonia loamy fine sand, Yauhannah fine sandy loam, and Bladen fine sandy loam.</i>
<u>X</u>	USFWS NWI maps: <i>USFWS HQ ES National Wetlands Inventory created 29 May 2012 and updated on 17 Jul 2020. According to the NWIs, this site is predominately mapped wetlands (PFO1/4A). A linear feature, labeled R2UBHx, is depicted immediately south of the project boundary. According to the information submitted by the agent, the linear feature is located off site, and this site does not contain hydric soils or indicators of hydrology.</i>
<u>X</u>	USGS topographic maps: <i>USGS Topographic Maps / 7.5 Minute Index / Goretown Quad. The topographic map depicts this site as forested. Wetland symbols are present on the eastern portion of the site.</i>

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS Topographic Map

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USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	SAC Regulatory Viewer accessed on 3 Aug 2020.
State/Local/Tribal Sources	N/A.
Other Sources	Digital Elevation Model submitted by agent.

- B. Typical year assessment(s):** Antecedent Rainfall Calculator data for typical year determination was calculated based on field collection date denoted on wetland data forms submitted by the agent (10 March 2020). The Antecedent Rainfall Calculator data showed “wetter than normal” conditions at the time of data collection by the agent with a condition value of 16, which indicates that typical year hydrologic conditions may not be present. For this assessment, eight weather stations located within an 18 mile radius were used.
- C. Additional comments to support AJD:** The area in review contains 4.75 acres and does not include jurisdictional or excluded waters. Although the NWIs depict palustrine forested wetlands present on site, the information submitted by the agent, including data forms, found no hydric soils or indicators of hydrology present on site. The project site is surrounded by linear features, which are located outside of the property boundary and were not evaluated by this review. Therefore, the site was determined to consist entirely of uplands.

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