



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): 16-AUG-2021

ORM Number: SAC-2021-01041

Associated JDs: N/A

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

State: SC City: Georgetown County: Georgetown County

Center Coordinates of Review Area: Latitude 33.3630 Longitude - 79.2268

**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, open water features, features that exhibit tributary characteristics or meet the three parameters of a wetland. 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)<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):

<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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(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: **Baruch Institute / Site submittal dated June 14, 2021 by the agent (terra icognita) / Wetland Delineation Forms dated June 10, 2021**

This information is sufficient for purposes of this AJD.

Rationale: **Wetland data forms and information included in the original submittal are NOT considered to be a reasonable representation of site conditions at the time of collection. The Corps requested revised data forms which the agent submitted that remained incomplete therefore the Corps completed a desktop determination based on the following: relative small size of the project (0.5 acres), working knowledge of the area by Corps personnel by recent approved jurisdictional determination (SAC-2021-00169), Corps generated soils / NWI maps, site photographs, and LiDAR imagery.**

\_\_\_ Data sheets prepared by the Corps: *Title(s) and/or date(s).*

Photographs: **aerial and other: 2019 Google Earth Imagery / USGS National Map 3D Elevation Program (3DEP) Published August 13, 2021, Agent submitted an undated location map likely generated by Georgetown County GIS website.**

\_\_\_ Corps Site visit(s) conducted on: *Date(s).*

\_\_\_ Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*

\_\_\_ Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

USDA NRCS Soil Survey: **NRCS / Soil Survey Geographic Database (SSURGO) created March 31, 2021, updated April 26, 2021.**

USFWS NWI maps: **ESRI Layer National Wetland Inventory USFWS created March 30, 2021, updated May 19, 2021**

USGS topographic maps: *Title(s) and/or date(s).* **USGS Topographic Maps / 7.5 Minute Index / North Island**

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.
USDA Sources	N/A.

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NOAA Sources	N/A.
USACE Sources	USACE-SAC Regulatory Viewer accessed on June 17, 2021
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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

**C. Additional comments to support AJD:** The area in review contains 0.5 acres comprised entirely of uplands. There are no features that exhibit characteristics of a tributary or areas that meet the three parameters of a wetland located within the project area. The site consists entirely of uplands.

<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.

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