



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): December 28, 2020

ORM Number: SAC-2012-00224

Associated JDs: N/A

Review Area Location¹: Two parcels (TMS# 151-00-00-033 & 151-00-00-119)

State: SC City: Summerville County: Dorchester County

Center Coordinates of Review Area: Latitude 32.9774 Longitude -80.2448

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.
- 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 |
|--------------------------|----------------|-----------------------------|---|
| Excluded Water Wetland A | 2.29 acres | (b)(1) Non-adjacent wetland | This wetland is a closed polygon boundary that is not contiguous or directly abutting an (a)(1)-(a)(3) water. In addition, this wetland does not meet any of the other (a)(4) criteria for adjacency and thus is an excluded water pursuant to (b)(1). |
| Excluded Water Wetland B | 0.93 acre | (b)(1) Non-adjacent wetland | This wetland continues offsite to the east and is a part of Excluded Water Wetland C. However, according to best available information, it exhibits a closed polygon boundary in the off-site portion of the wetland. Additionally, it is not contiguous or directly abutting an (a)(1)-(a)(3) water. Lastly, this wetland does not meet any of the other (a)(4) criteria for adjacency and thus is an excluded water pursuant to (b)(1). |
| Excluded Water Wetland C | 3.48 acres | (b)(1) Non-adjacent wetland | This wetland continues offsite to the east and is a part of Excluded Water Wetland B. However, according to best available information, it exhibits a closed polygon boundary in the off-site portion of the wetland. Additionally, it is not contiguous or directly abutting an (a)(1)-(a)(3) water. Lastly, this wetland does not meet any of the other (a)(4) criteria for adjacency and thus is an excluded water pursuant to (b)(1). |

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: *Slandsville Tract NEI Project # 01-1755a2 Dorchester County, South Carolina dated April 28, 2020.*

This information is sufficient for purposes of this AJD.

Rationale: *N/A.*

Data sheets prepared by the Corps: *N/A.*

Photographs: *Aerial: Data Point and Photo Location Map dated April 2020. Site Photographs dated April 2020.*

Corps Site visit(s) conducted on: *N/A.*

Previous Jurisdictional Determinations (AJDs or PJDs): *AJD SAC-2012-00224-2JY dated August 27, 2012.*

Antecedent Precipitation Tool: *N/A.*

USDA NRCS Soil Survey: *Soil Map dated April 2020.*

USFWS NWI maps: *NWI Map dated April 2020.*

USGS topographic maps: *USGS Quad Map dated April 2020.*

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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. |
| NOAA Sources | N/A. |
| USACE Sources | N/A. |
| State/Local/Tribal Sources | N/A. |
| Other Sources | N/A. |

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

C. Additional comments to support AJD: The review area includes three (3) non-jurisdictional excluded wetlands totaling 6.70 acres and are not subject to Section 404 of the Clean Water Act.

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