



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-DEC-2020

ORM Number: SAC-2015-01693

Associated JDs: SAC-2015-01693 dated May 16, 2016

Review Area Location¹: South of adjacent to James Bellamy Circle

State: SC City: Little River County: Horry County

Center Coordinates of Review Area: Latitude 33.88745 Longitude -78.638354

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
Jurisdictional Tributary 1	68.03 linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Tributary 1 is a perennial tributary that is shown as a drainage pattern on the NWIs maps. The tributary is a naturally occurring surface water channel. The tributary continues off-site where it becomes a solid blue line on USGS topographic maps (Cedar Creek) and flows directly into the AIWW, a named TNW. LiDAR depicts the tributary as a well-defined channel. Google Street view of the tributary shows a clear bed and bank, an OHWM, and free of leaf litter.
Jurisdictional Tributary 2	1283.18 linear feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a	Tributary 2 is a perennial tributary that is shown as a drainage pattern on the NWIs maps. Tributary 2 is a continuation of the Tributary 1. The tributary continues

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 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.

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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		typical year	under James Bellamy Circle via a culvert, providing a direct hydrologic surface connection within a typical year to downstream (a)(1-2) waters. The tributary is a naturally occurring surface water channel. The tributary continues off-site where it becomes a solid blue line on USGS topographic maps (Cedar Creek) and flows directly into the Atlantic Intracoastal Waterway (AIWW), a named TNW. LiDAR depicts the tributary as a well-defined channel. Google Street view of the tributary shows a clear bed and bank, an OHWM, and free of leaf litter.
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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 1	0.13 acres	(a)(4) Wetland abuts an (a)(1) - (a)(3) water	Wetland 1 directly abuts the OHWM of the onsite tributary
Jurisdictional Wetland 2	1.76 acres	(a)(4) Wetland abuts an (a)(1) - (a)(3) water	Wetland 2 directly abuts the OHWM of the onsite tributary

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Excluded Water 3 (b)(1)	0.07 acres	(b)(1) Water or water feature that is not identified in (a)(1)-(a)(4) and does not meet the other (b)(1) sub-categories	Excluded Water 3 (wetland) is a closed boundary polygon that does not abut and is not inundated by an (a)(1)-(3). NWIs show the wetland is surround by uplands. The excluded water lacks a direct or indirect surface connection to (a)(1)-(3) waters. In addition, this wetland does not meet any of the other (a)(4) criteria for adjacency and thus is an excluded water (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.

X Information submitted by, or on behalf of, the applicant/consultant: AJD request submitted by The Brigman Company, on behalf of Shawn Godwin, on August 3, 2020. Sketch submitted by the agent titled “Wetland Delineation/ Determination/ **The Grove 2020/** Little River Township/ Horry County, South Carolina/ Tax May Number 118-00-04-016” dated July 27, 2020.

This information *is* sufficient for purposes of this AJD.

Rationale: The wetland data forms, and additional information submitted by the agent are a

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reasonable representation of site conditions at the time of collection and are sufficient for purposes of this AJD.

- Data sheets prepared by the Corps: *Title(s) and/or date(s)*.
- Photographs: (*aerial and other*) USGS National Map 3D Elevation Program (3DEP) published August 13, 2020, 2019 Google Earth Imagery, site photos submitted by the agent (July 21, 2020).
- Corps Site visit(s) conducted on: *Date(s)*.
- Previous Jurisdictional Determinations (AJDs or PJDs): SAC-2015-01693 issued on May 16, 2016.
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: Soil Survey Geographic Database (SSURGO) Map service dated April 4, 2019 revised August 26, 2020; The project area is comprised of the non-hydric soil Kenansville fine sand and the hydric soil Hobcaw fine sandy loam.
- USFWS NWI maps: Wetlands Raster REST Map Service dated May 29, 2012 and revised July 17, 2020; NWIs map the project area as combinations of uplands and forested wetlands (PFO1C/ PFO4/1C).
- USGS topographic maps: 7.5 Minute Index/ Longs Quad / 1:24000; USGS topographic survey information depicts a partially cleared forested area with wetland symbols present in the northern portion of the project boundary.

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
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	SAC Reg Viewer accessed on 11/19/2020
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): Antecedent Precipitation Tool (APT) data for typical year determination was calculated based on field collection data denoted on the originally included wetland delineation data forms (July 21, 2020). Output from the APT indicated " Normal Conditions" at the time of data

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collection by the agent (Brigman Company) with a value of 14. ATP outputs with a condition value greater than 14 indicate "wetter than normal" conditions, "normal" conditions range from 10-14, and values less than 10 are considered "drier than normal". For this assessment, the APT tool pulled data from 9 weather stations within an approximate radius of 17 miles. Results of the APT indicate the site visit was conducted under normal conditions considered by the Corps to be within a "typical year".

- C. Additional comments to support AJD:** This form address 11.92 acres in Little River, SC. Present on site are two tributaries ((a)(2) waters), two jurisdictional wetlands ((a)(4) waters), and one excluded water ((b)(1) water). The (a)(2) waters continue off-site and flow directly into in the AIWW, a named TNW. The (a)(4) waters on site immediately about the onsite (a)(4) waters. The onsite (b)(1) water is a closed boundary polygon that does not abut and is not inundated by an (a)(1)-(3).

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