



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 14, 2020

ORM Number: SAC-2020-01715

Associated JDs: N/A

Review Area Location¹:

State: SC City: Fort Lawn County: Chester County

Center Coordinates of Review Area: Latitude 34.6967 Longitude -80.8788

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
JT-1	5,960 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-1 is a naturally occurring tributary mapped by USGS as a dashed blue line, indicating potential perennial flow. During site visits the tributary exhibited strong flow, with associated channel development, sediment sorting and other indications of perennial flow. JT-1 carries flow to JT-7 (described below), and ultimately to the traditional navigable water (TNW) Catawba River. On this basis, JT-1 has been determined to be a tributary with perennial flow and thus an (a)(2) water.
JT-10	243 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1)	JT-10 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-8, which flows to JT-7 (described below), and ultimately flows to

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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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		water in a typical year	the TNW Catawba River. JT-10 has a well-developed OHWM, bed and banks, a well-defined channel, and a series of standing pools of water and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-10 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Therefore, the Corps has determined tributary JT-10 to be an (a)(2) water of the U.S.
JT-11	38 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-11 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-8, which flows to JT-7 (described below), and ultimately flows to the TNW Catawba River. JT-11 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-11 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-12 has been determined to be an (a)(2) water of the U.S.
JT-12	149 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-12 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-8, which flows to JT-7 (described below), and ultimately flows to the TNW Catawba River. JT-12 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-12 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-12 has been determined to be an (a)(2) water of the U.S.
JT-13	928 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-13 is a naturally occurring unnamed intermittent tributary that flows that flows directly into the (a)(3) impoundment JI-1 via wetland JW-O, ultimately contributing flow to the TNW Catawba River. JT-13 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits.

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			Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-13 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-13 has been determined to be an (a)(2) water of the U.S.
JT-14	105 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-14 is a naturally occurring unnamed intermittent tributary that flows that flows directly into the (a)(2) tributary JT-13 (described above), and then through the (a)(3) impoundment JI-1 via wetland JW-O, ultimately contributing flow to the TNW Catawba River. JT-14 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-14 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-14 has been determined to be an (a)(2) water of the U.S.
JT-15	463 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-15 is a naturally occurring unnamed intermittent tributary that flows that flows directly into the (a)(2) tributary JT-13 (described above), and then through the (a)(3) impoundment JI-1 via wetland JW-O, ultimately contributing flow to the TNW Catawba River. JT-15 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-15 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-15 has been determined to be an (a)(2) water of the U.S.
JT-16	543 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-16 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JI-1 (described below). JI-1 discharges via a culvert under Harbor House Drive into an unnamed tributary just southeast of the site. This offsite unnamed tributary then flows directly into the TNW Catawba River. JT-16 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series of standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of

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			information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-16 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Therefore, the Corps has determined the tributary to be an (a)(2) water of the U.S.
JT-17	1,412 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-17 is a naturally occurring unnamed tributary mapped by USGS as a dashed blue line, indicating potential perennial flow. During site visits the tributary exhibited strong flow, with associated channel development, sediment sorting and other indications of perennial flow. JT-17 carries flow to JT-7 (described below), and ultimately to the traditional navigable water (TNW) Catawba River. On this basis, JT-17 has been determined to be a tributary with perennial flow and thus an (a)(2) water.
JT-18	613 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-18 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-17, which flows to JT-7 (described below), and ultimately flows to the TNW Catawba River. JT-18 has a well-developed OHWM, bed and banks, a well-defined channel, and a series of standing pools of water and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-18 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Therefore, the Corps has determined tributary JT-18 to be an (a)(2) water of the U.S.
JT-19	32 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-19 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-18, which flows to JT-17, then to JT-7 (described below), and ultimately flows to the TNW Catawba River. JT-19 has a well-developed OHWM, bed and banks, a well-defined channel, and a series of standing pools of water and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-19 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Therefore, the Corps has determined tributary JT-19 to be an (a)(2) water of the U.S.
JT-2	269 feet	(a)(2) Intermittent tributary contributes surface water flow	JT-2 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-1, which

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		directly or indirectly to an (a)(1) water in a typical year	joins JT-7 (described below), and ultimately flows to the TNW Catawba River. JT-2 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series of standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-2 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Therefore, the Corps has determined the tributary to be an (a)(2) water of the U.S.
JT-20	46 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-20 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-7 (described below), which flows to the TNW Catawba River. JT-20 has a well-developed OHWM, bed and banks, a well-defined channel, and a series of standing pools of water and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-20 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Therefore, the Corps has determined tributary JT-20 to be an (a)(2) water of the U.S.
JT-21	139 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-21 is a naturally occurring unnamed intermittent tributary that flows that flows directly into the TNW Catawba River via the (a)(4) wetland JW-Z (described below). JT-21 has a well-developed OHWM, bed and banks, a well-defined channel, and a series of standing pools of water and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-21 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Therefore, the Corps has determined tributary JT-21 to be an (a)(2) water of the U.S.
JT-22	416 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-22 is a naturally occurring unnamed intermittent tributary that flows that flows directly into the (a)(3) impoundment JI-2, which contributes flow during a typical year to the TNW Catawba River via the (a)(4) wetland JW-Z (described below). JT-22 has a well-developed OHWM, bed and banks, a well-defined channel, and a series of standing pools of water and

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			shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visit. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-22 satisfies the flow conditions and criteria included in the tributary definition (c)(12) of the NWPR. Typical year information is provided in Section III, B below. Therefore, the Corps has determined tributary JT-22 to be an (a)(2) water of the U.S.
JT-23	359 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-23 is a naturally occurring unnamed intermittent tributary that flows that flows directly into the TNW Catawba River via the (a)(4) wetland JW-Z (described below). JT-23 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-23 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-23 has been determined to be an (a)(2) water of the U.S.
JT-24	1,227 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-24 is a naturally occurring unnamed intermittent tributary that flows directly into the TNW Catawba River via the (a)(4) wetland JW-Z (described below). JW-Z is also contiguous and directly abutting JT-24 as well as the TNW Catawba River. JT-24 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-24 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-24 has been determined to be an (a)(2) water of the U.S.
JT-3	873 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-3 is a naturally occurring tributary mapped by USGS as a dashed blue line, indicating potential perennial flow. During site visits the tributary exhibited strong flow, with associated channel development, sediment sorting and other indications of perennial flow. JT-3 carries flow to JT-1, which flows to JT-7 (described below), and ultimately to the traditional navigable water (TNW) Catawba River. On this basis JT-3 has been determined to be a tributary with perennial flow and thus an (a)(2) water.

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JT-4	537 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-4 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-1, which flows to JT-7 (described below), and ultimately flows to the TNW Catawba River. JT-4 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-4 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-4 has been determined to be an (a)(2) water of the U.S.
JT-5	125 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-5 is a naturally occurring unnamed intermittent tributary that flows that flows into JT-4, which flows to JT-7 (described below), and ultimately to the TNW Catawba River. JT-5 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-5 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-5 has been determined to be an (a)(2) water of the U.S.
JT-6	2,710 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-6 is a naturally occurring unnamed tributary mapped by USGS as a dashed blue line, indicating potential perennial flow. During site visits the tributary exhibited strong flow, with associated channel development, sediment sorting and other indications of perennial flow. JT-6 carries flow to JT-1, which flows to JT-7 (described below), and ultimately to the TNW Catawba River. On this basis JT-6 has been determined to be a tributary with perennial flow and thus an (a)(2) water.
JT-7	6,003 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-7 is a naturally occurring unnamed tributary mapped by USGS as a dashed blue line, indicating potential perennial flow. During site visits the tributary exhibited strong flow, with associated channel development, sediment sorting and other indications of perennial flow. JT-7 serves as the main tributary on the site and into which all the jurisdictional and non-jurisdictional streams on the west side of the site flow, ultimately flowing directly into TNW Catawba River. On this basis, JT-7 has been determined to be a tributary with perennial flow and thus an (a)(2) water.
JT-8	4,189 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-8 is a naturally occurring unnamed tributary mapped by USGS as a dashed blue line, indicating potential perennial flow. During site visits the tributary exhibited strong flow, with associated channel development, sediment sorting and other indications of perennial flow. JT-8 carries flow to JT-1, which flows to JT-7 (described below), and ultimately to the TNW Catawba River. On this basis JT-8 has been determined to be a tributary with perennial flow and thus an (a)(2) water.

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		typical year	strong flow, with associated channel development, sediment sorting and other indications of perennial flow. JT-8 carries flow to JT-7 (described above), and ultimately to the TNW Catawba River. On this basis JT-8 has been determined to be a tributary with perennial flow and thus an (a)(2) water.
JT-8A	262 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-8A is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-8, which flows to JT-7 (described above), and ultimately flows to the TNW Catawba River. JT-8A has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-8A satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-8A has been determined to be an (a)(2) water of the U.S.
JT-9	72 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	JT-9 is a naturally occurring unnamed intermittent tributary that flows that flows directly into JT-8, which flows to JT-7 (described above), and ultimately flows to the TNW Catawba River. JT-9 has a well-developed OHWM, bed and banks, a well-defined channel, and had a series standing water pools and shallow subsurface/hyporheic water in the channel sediment at the time of the flagging/Corps site visits. Based on site evaluation and review of information submitted by applicant, it has been determined that the tributary flows continuously during certain times of the year and more than in direct response to precipitation. JT-9 satisfies the flow conditions and criteria included in the (c)(12) tributary definition of the NWPR. Therefore, JT-9 has been determined to be an (a)(2) water of the U.S.

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
Jl-1	1.654 acres	(a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Jl-1 is an impoundment of the combined flow from the (a)(2) tributaries JT-13 and JT-16. Jl-1 discharges via a 24" concrete culvert (and an auxiliary overflow swale with 18" concrete culvert) beneath Harbor House Drive into an unnamed stream off the site to the southeast. This unnamed stream exhibited flow directly into the TNW Catawba River during a December 2020 site visit (typical year information is provided below in Section III, B).
Jl-2	16.196 acres	(a)(3) Lake/pond or impoundment of a jurisdictional water contributes surface water flow directly or	Jl-2 is an impoundment of (a)(2) tributary JT-22 (described above). Jl-2 discharges during a typical year via a culvert that provides a direct continuous

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		indirectly to an (a)(1) water in a typical year	hydrologic connection to the TNW Catawba River via the (a)(4) wetland JW-Z (described below).
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Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
JW-A	0.533 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-A (extending partly off the site) is contiguous and directly abutting the (a)(2) tributary JT-1 described above. On this basis, wetland JW-A is an (a)(4) water.
JW-AA	0.126 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-AA is contiguous and directly abutting the (a)(2) tributary JT-22 described above. On this basis, wetland JW-AA is an (a)(4) water.
JW-B	0.557 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-B is contiguous and directly abutting both (a)(2) tributary JT-1 and (a)(2) tributary JT-2 described above. On this basis, wetland JW-B is an (a)(4) water.
JW-BB	0.601 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-BB is contiguous and directly abutting (a)(2) tributary JT-23 described above. On this basis, wetland JW-BB is an (a)(4) water.
JW-C	0.154 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-C is contiguous and directly abutting (a)(2) tributary JT-3 described above. On this basis, wetland JW-C is an (a)(4) water.
JW-CC	0.904 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-CC is contiguous and directly abutting (a)(2) tributary JT-24 described above. On this basis, wetland JW-CC is an (a)(4) water.
JW-D	0.004 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-D is contiguous and directly abutting (a)(2) tributary JT-1 described above. On this basis, wetland JW-D is an (a)(4) water.
JW-DD	0.063 acre	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by a natural feature	Wetland JW-DD is separated from the TNW Catawba River by only a natural river berm. Wetland JW-DD is also inundated by flooding from the Catawba River during periods of high water levels in the river. Flooding was observed during delineation visits in October 2020. On this basis, JW-DD is considered an (a)(4) water.
JW-E	0.128 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-E is contiguous and directly abutting (a)(2) tributary JT-4 described above. On this basis, wetland JW-E is an (a)(4) water.
JW-EE	0.99 acre	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by a natural feature	Wetland JW-EE is situated behind a natural berm on the bank of the TNW Catawba River. On this basis, wetland JW-EE is an (a)(4) water.
JW-F	0.048 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-F is contiguous and directly abutting (a)(2) tributary JT-6 described above. On this basis, wetland JW-F is an (a)(4) water.
JW-FF	0.262 acre	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by a natural feature	Wetland JW-FF is situated behind a natural berm on the bank of the TNW Catawba River. On this basis, wetland JW-FF is an (a)(4) water.
JW-G	0.035 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-G is contiguous and directly abutting (a)(2) tributary JT-7 described above. On this basis, wetland JW-G is an (a)(4) water.
JW-GG	0.128 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-GG is contiguous and directly abutting (a)(2) tributary JT-13 described above. On this basis,

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			wetland JW-GG is an (a)(4) water.
JW-H	0.013 acre	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by a natural feature	Wetland JW-H is contiguous and directly abutting (a)(2) tributary JT-8 described above. On this basis, wetland JW-H is an (a)(4) water.
JW-I	0.471 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-I is contiguous and directly abutting (a)(2) tributary JT-8 described above. On this basis, wetland JW-I is an (a)(4) water.
JW-J	0.036 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-J is contiguous and directly abutting (a)(2) tributary JT-7 described above. On this basis, wetland JW-J is an (a)(4) water.
JW-K	0.005 acre	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by a natural feature	Wetland JW-K is separated from JT-7 only by a natural berm, and on this basis is an (a)(4) water. In addition, JW-K is inundated by flooding from (a)(2) tributary JT-7 in a typical year (typical year information is provided in Section III, B below). Flooding was observed during delineation visits in October 2020.
JW-L	0.15 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-L is contiguous and directly abutting (a)(2) tributary JT-7 described above. On this basis, wetland JW-L is an (a)(4) water.
JW-M	0.111 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-M is contiguous and directly abutting (a)(2) tributary JT-7 described above. On this basis, wetland JW-M is an (a)(4) water.
JW-N	0.013 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-N is contiguous and directly abutting both (a)(2) tributaries JT-13 and JT-14 (both described above). On this basis, wetland JW-N is an (a)(4) water.
JW-O	0.367 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-O is contiguous and directly abutting both the (a)(3) impoundment JI-1 and the (a)(2) tributary JT-13 (both described above). On this basis, wetland JW-O is an (a)(4) water.
JW-P	0.015 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-P is contiguous and directly abutting (a)(2) tributary JT-16 described above. On this basis, wetland JW-P is an (a)(4) water.
JW-Q	0.018 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-Q is contiguous and directly abutting (a)(2) tributary JT-18 described above. On this basis, wetland JW-Q is an (a)(4) water.
JW-R	0.737 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-R is contiguous and directly abutting both (a)(2) tributary JT-17 and (a)(2) tributary JT-18 described above. On this basis, wetland JW-R is an (a)(4) water.
JW-S	0.143 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-S is contiguous and directly abutting (a)(2) tributary JT-17 described above. On this basis, wetland JW-S is an (a)(4) water.
JW-T	0.443 acre	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water in a typical year	Wetland JW-T is separated from (a)(2) tributary JT-20 by a dirt road artificial barrier, but is connected by an artificial structure (culvert) that provides a direct surface hydrologic connection that is active in a typical year (typical year information is provided in Section III, B below). On this basis, wetland JW-T is an (a)(4) water.
JW-U	0.007 acre	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by a natural feature	Wetland JW-U is separated from JT-7 only by a natural berm, and on this basis is considered an (a)(4) water. In addition, wetland JW-U is inundated by flooding from (a)(2) tributary JT-7 in a typical year (typical year

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			information is provided in Section III, B below). Flooding was observed during delineation visits in October 2020.
JW-V	0.009 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-V is contiguous and directly abutting (a)(2) tributary JT-7 described above. On this basis, wetland JW-V is an (a)(4) water.
JW-W	0.03 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-W is contiguous and directly abutting (a)(2) tributary JT-7 described above. On this basis, wetland JW-W is an (a)(4) water.
JW-X	0.077 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-X is separated from (a)(4) wetland JW-W by a dirt road which was established through the historic single wetland, and over which water from JW-X flows into JW-W during a typical year (typical year information is provided in Section III, B below). On this basis, JW-X is considered part of wetland JW-W and thus is an (a)(4) water.
JW-Y	0.055 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-Y is contiguous and directly abutting (a)(2) tributary JT-7 described above. On this basis, wetland JW-Y is an (a)(4) water.
JW-Z	81.7609 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland JW-Z is contiguous and directly abutting the TNW Catawba River, and also directly abuts the (a)(2) tributary JT-7 described above. Wetland JW-Z includes three small remnant portions (depicted on sheets 2, 6 13 and 14) that were separated by constructed artificial barriers, but that maintain direct continuous hydrologic connectivity via culverts through the artificial barriers. On this basis, wetland JW-Z is an (a)(4) water.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
NJF-1	172 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-1 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-1 does receive flow from wetland NJW-5, but exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-1 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-10	362 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-10 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-10 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-10 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-11	928 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-11 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge).

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			NJF-11 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-11 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-12	996 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-12 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-12 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-12 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-13	747 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-13 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-13 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-13 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-14	114 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-14 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-14 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-14 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-15	518 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-15 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-15 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-15 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-16	620 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-16 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-16 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-16 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-17	580 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-17 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-17 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-17 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.

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NJF-18	233 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-18 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-18 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-18 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-19	61 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-19 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-19 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-19 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-2	257 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-2 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-2 does receive flow from wetland NJW-6, but exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-2 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-20	84 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-20 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-20 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-20 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-21	1,222 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-21 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-21 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-21 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-22	65 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-22 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-22 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-22 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-23	176 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-23 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-23 originated in uplands, exhibited no clear and

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			continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-23 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-24	116 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-24 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-24 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-24 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-25	389 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-25 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-25 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-25 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-26	145 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-26 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-26 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-26 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-27	491 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-27 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-27 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-27 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-28	87 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-28 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-28 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-28 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-29	754 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-29 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-29 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-29 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-3	174 feet	(b)(3) Ephemeral feature, including	NJF-3 lacked hydrological indicators of flow greater

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		an ephemeral stream, swale, gully, rill, or pool	than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-3 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-3 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-30	845 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-30 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-30 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-30 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-31	531 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-31 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-31 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-31 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-32	296 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-32 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-32 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-32 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-33	605 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-33 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-33 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-33 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-34	104 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-34 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-34 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-34 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-35	507 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-35 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-35 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-35 does not meet the

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			(c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-36	377 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-36 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-36 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-36 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-37	135 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-37 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-37 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-37 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-38	225 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-38 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-38 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-38 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-39	83 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-39 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-39 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-39 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-4	123 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-4 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-4 was constructed to accommodate high water overflow from (a)(3) impoundment JI-1, and was flowing during a December 2020 site visit. Otherwise, NJF-4 exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed as observed during other site visits. NJF-4 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-40	75 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-40 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-40 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-40 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.

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NJF-41	331 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-41 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-41 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-41 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-42	78 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-42 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-42 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-42 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-43	520 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-43 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-43 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-43 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-44	378 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-44 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-44 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-44 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-45	170 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-45 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-45 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-45 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-46	73 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-46 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-46 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-46 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-47	465 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-47 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-47 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and

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			debris within the streambed. NJF-47 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-48	131 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-48 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-48 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-48 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-49	254 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-49 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-49 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-49 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-5	353 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-5 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-5 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-5 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-50	65 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-50 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-50 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-50 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-51	74 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-51 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-51 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-51 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-52	150 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-52 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-52 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-52 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-53	507 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully,	NJF-53 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to

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		rill, or pool	precipitation and non-channelized sheet flow recharge). NJF-53 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-53 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-54	547 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-54 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-54 originated in uplands and also receives ephemeral flow from NJF-53 (described above), but exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-54 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-55	89 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-55 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-55 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-55 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-56	167 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-56 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-56 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-56 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-57	232 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-57 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-57 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-57 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature. While there is a wetland (NJW-8) contiguous to NJF-57, neither the wetland nor NJF-57 meet any jurisdictional criteria.
NJF-58	392 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-58 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-58 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-58 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-59	315 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully,	NJF-59 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to

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		rill, or pool	precipitation and non-channelized sheet flow recharge). NJF-59 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-59 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-6	448 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-6 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-6 does connect to NJW-1 (described below) at its origin, the stream exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-6 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-60	232 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-60 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-60 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-60 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-61	176 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-61 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-61 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-61 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-7	261 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-7 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-7 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-7 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-8	401 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-8 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-8 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-8 does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJF-9	190 feet	(b)(3) Ephemeral feature, including an ephemeral stream, swale, gully, rill, or pool	NJF-9 lacked hydrological indicators of flow greater than ephemeral (flowing only in direct response to precipitation and non-channelized sheet flow recharge). NJF-9 originated in uplands, exhibited no clear and continuous OHWM, and had abundant leaf litter and debris within the streambed. NJF-9 does not meet the

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			(c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
NJP-1	0.451 acre	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	NJP-1 is an artificially constructed pond wholly excavated in upland soils (Pacolet, Cecil) according to USDA-NRCS mapping. Pond NJP-1 is not an impoundment of a jurisdictional water. Therefore, the Corps has determined the NJP-1 to be a (b)(8) excluded water.
NJP-2	2.401 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	NJP-2 is an artificially constructed pond wholly excavated in upland soils (Cecil) according to USDA-NRCS mapping. Pond NJP-2 is not an impoundment of a jurisdictional water. Therefore, the Corps has determined the NJP-1 to be a (b)(8) excluded water.
NJW-1	0.019 acre	(b)(1) Non-adjacent wetland	Wetland NJW-1 is a closed boundary polygon 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). While there is an ephemeral channel (NJF-6) between NJW-1 and downstream waters (JT-8A), this non-jurisdictional feature cannot alter the adjacency of a wetland.
NJW-2	0.007 acre	(b)(1) Non-adjacent wetland	Wetland NJW-2 is a closed boundary polygon 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).
NJW-3	0.011 acre	(b)(1) Non-adjacent wetland	Wetland NJW-3 is a closed boundary polygon 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).
NJW-5	0.054 acre	(b)(1) Non-adjacent wetland	Wetland NJW-5 is a closed boundary polygon 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). While there is an ephemeral channel (NJF-1) between NJW-5 and downstream waters (JT-14), this non-jurisdictional feature cannot alter the adjacency of a wetland.
NJW-6	0.243 acre	(b)(1) Non-adjacent wetland	Wetland NJW-6 is a closed boundary polygon 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). While there is an ephemeral channel (NJF-2) between NJW-6 and downstream waters (JT-15), this non-jurisdictional feature cannot alter the adjacency of a wetland.
NJW-7	0.013 acre	(b)(1) Non-adjacent wetland	Wetland NJW-7 is a closed boundary polygon 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

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			excluded water pursuant to (b)(1). While there is an ephemeral channel (NJF-58) between NJW-7 and downstream waters (JT-7), this non-jurisdictional feature cannot alter the adjacency of a wetland.
NJW-8	0.026 acre	(b)(1) Non-adjacent wetland	Wetland NJW-8 is a closed boundary polygon 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). While there is an ephemeral channel (NJF-57) between NJW-8 and downstream waters (JT-22), this non-jurisdictional feature cannot alter the adjacency of a wetland.
NJWWP-1	1.34 acres	(b)(12) Waste treatment system	Lagoon NJWWP-1 serves as a wastewater/process treatment and disposal basin for the nearby Springs Industries (Riverlawn, Elliott, and Frances Plants), and on this basis is a (b)(12) excluded water.
NJWWP-2	2.121 acres	(b)(12) Waste treatment system	Lagoon NJWWP-2 serves as a wastewater/process treatment and disposal basin for the nearby Springs Industries (Riverlawn, Elliott, and Frances Plants), and on this basis is a (b)(12) excluded water.
NJWWP-3	0.375 acre	(b)(12) Waste treatment system	Lagoon NJWWP-3 serves as a wastewater/process treatment and disposal basin for the nearby Springs Industries (LeRoy Plant), and on this basis is a (b)(12) excluded water.

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 Package submitted by SM&E, Inc. on December 8, 2020. This information is sufficient for purposes of this AJD.
Rationale: Request package all necessary resources and mapping, data sheets, etc.
Data sheets prepared by the Corps: N/A.
- Photographs: World Imagery, 2018 aerial overlays, site photographs.
- Corps Site visit(s) conducted on: November 10 and December 1, 2020.
- Previous Jurisdictional Determinations (AJDs or PJDs): N/A.
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: SCDNR Soils Data overlaid on 2018 World Imagery.
- USFWS NWI maps: SCDNR NWI Data overlaid on 2018 World Imagery.
- USGS topographic maps: 7.5-Minute Quadrangle Fort Lawn and Lancaster, SC 1969.

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.

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USACE Sources	SAC Regulatory Viewer.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** November and December 2020 site visits were conducted during the wet season in conditions that were wetter than normal based on results of the Antecedent Precipitation Tool (APT), which is available in the project file. Despite of wet conditions, the wetland boundaries, and stream/tributary lateral and upstream limits were readily identifiable. Site conditions were assessed to be generally normal, and not unduly affected by regionally wet conditions. This is because the site exhibits topographic contours and stream incision that promote rapid runoff in ephemeral streams as well as in intermittent and perennial tributaries. Culverts identified on the site (indicated on the depiction) were carrying flow and were described as routinely functioning by the long-time site caretaker who was present during a portion of the Corps field visit. Based of the on-site evaluation as well as agent and property caretaker information, flow requirements are determined to be met for those jurisdictional circumstances where it is required.
- C. Additional comments to support AJD:** This site includes 25 (a)(2) waters, two (a)(3) waters, and 33 (a)(4) waters that were determined to be waters of the United States.

The site also includes seven (b)(1) excluded waters, 61 (b)(3) excluded waters, two (b)(8) excluded waters, and three (b)(12) excluded waters that were determined not to be waters of the United States.

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