



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): 24-FEB-2021

ORM Number: SAC-2005-41211

Associated JDs: SAC-1998-40345

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

State: SC City: Surfside Beach County: Horry County

Center Coordinates of Review Area: Latitude 33.62433 Longitude -78.97397

**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 or describe rationale.
- 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):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
N/A	N/A	N/A	N/A

<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 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.

<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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**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
Excluded Waters #1	0.19 acres	(b)(1) Non-adjacent wetland	Excluded Waters #1 does not abut and is not inundated by an (a)(1)-(3) water. Additionally, this wetland is physically separated from an (a)(1)-(3) water by multiple physical, man-made barriers (roads, etc.) Excluded Waters #1 is encompassed entirely by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.

**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: **Submittal entitled “Cottages at Deerfield (3.99 +/- acres)” dated September 14, 2020 / Wetland Delineation Forms dated September 10, 2020**

This information (is) sufficient for purposes of this AJD.

Rationale: **Wetland data forms and information included in the original submittal are considered to be a reasonable representation of site conditions at the time of collection.**

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

Photographs: **2019 Google Earth Imagery / USGS National Map 3D Elevation Program (3DEP) published August 13, 2020, Maps included with the agent’s submittal dated September 14, 2020.**

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

Previous Jurisdictional Determinations (AJDs or PJDs): **ORM data base indicated file number SAC-1998-40345 was located in the vicinity of this review and was finalized on June 22, 1998 with no jurisdictional resources. However, the administrative record for this file number was not available, so no reliance on this file was utilized.**

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

USDA NRCS Soil Survey: **NRCS / Soil Survey Geographic Database (SSURGO) created April 4, 2019 – updated August 26, 2020. Review area includes the following hydric soils (Hobcaw & Leon)**

USFWS NWI maps: **USFWS NWI - Wetlands Raster REST service created May 29 2012 – updated July 17, 2020. Review area does not include NWI wetland symbology.**

USGS topographic maps: **USGS Topographic Maps / 7.5 Minute Index / Surfside Beach Quad / depicts a forested area with now wetland or other aquatic resources symbology**

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

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Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS resources as cited above
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	USACE-SAC Regulatory Viewer accessed on February 24, 2021
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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

**C. Additional comments to support AJD:** This review covers a 3.99 acre parcel and includes a single excluded water (0.19 acre). The excluded wetland appears to be surrounded entirely by natural uplands and paved and maintained county and private roads that would constitute more than a single artificial barrier based on a review of aerial photography and other resources cited in Section III.A. A site visit was not performed

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