



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): February 16, 2021
ORM Number: SAC-2020-01187
Associated JDs: N/A
Review Area Location¹: A 37.73-acre site located at 4128 US-78.
State: SC City: Dorchester County: Dorchester County
Center Coordinates of Review Area: Latitude 33.164262, Longitude -80.485985

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 A- Pineland Branch	1,822.51 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	The tributary is a blue line stream channel identified as Pineland Branch on the USGS topo map. The stream flows into Indian Field Swamp, into the Edisto River, and out into the Atlantic Ocean. Jurisdictional Wetland A on either side of the tributary contributes hydrological input year-round. Furthermore, the tributary width is approximately 2'-4' and the bank height is 1'-3'.

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

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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Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Jurisdictional Wetland A	5.49 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	The wetland directly abuts and shares a boundary with Jurisdictional Tributary A-Pineland Branch an (a)(2) water.

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 B	0.32 acre	(b)(1) Non-adjacent wetland	The wetland is not contiguous or directly abutting an (a)(1)-(a)(3) water. Furthermore, the wetland does not meet any other of the (a)(4) criteria for adjacency and thus is an excluded water pursuant to (b)(1).
Excluded Water - Wetland C	0.35 acre	(b)(1) Non-adjacent wetland	The wetland is not contiguous or directly abutting an (a)(1)-(a)(3) water. Furthermore, the wetland does not meet any other of the (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: Request for Corps Jurisdictional Determination (JD)/Delineation package (JD package) submitted by Infrastructure Consulting & Engineering and received by this office August 28, 2020. This information is sufficient for purposes of this AJD.
Rationale: N/A

Data sheets prepared by the Corps: N/A

Photographs: 2006 and 1999 infrared aerials created by this office.

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

Previous Jurisdictional Determinations (AJDs or PJDs): AJD SAC 81-97-0890(M) dated October 23, 1997 encompassed a larger 90.18-acre area which included the subject site.

Antecedent Precipitation Tool: N/A

USDA NRCS Soil Survey: "Figure 4: Soils" in JD package.

USFWS NWI maps: N/A

USGS topographic maps: "Figure 2: Topographic and Flowlines" in JD package; Harleyville, SC Quad.

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	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	Lidar created by this office.

- B. Typical year assessment(s):** N/A.
- C. Additional comments to support AJD:** N/A.

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