



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): January 29, 2021

ORM Number: SAC-2003-34994

Associated JDs: N/A

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

State: SC City: Ridgeland County: Jasper County

Center Coordinates of Review Area: Latitude 32.4947 Longitude -80.9515

**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: The review area consists of 25.33 acres of dry land. Additionally, the review area contains a total of 34.38 acres of preserved areas including a total of 3.78 acres of preserved buffers, protected in perpetuity in accordance with restrictive covenants recorded on August 6, 2007 as compensatory mitigation for Department of the Army Permit No. SAC 14-2006-1525-1NP.
- 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

<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 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.

<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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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

**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
N/A	N/A	N/A	N/A

**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 Jurisdictional Determination Bees Creek Road Tract, SAC-2003-0403 Jasper County, South Carolina (32.494104°, -80.950964°).*

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 and are sufficient for purposes of this AJD.*

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

Photographs: *Figure No. 5 2015 NAIP Ortho Aerial, Source: 2015 NAIP Ortho Aerial, dated January 8, 2020; Figure No. 6 2009 Color-Infrared Imagery, Source: 2009 Color-Infrared Imagery of Jasper County, SC, dated January 8, 2020.*

Corps Site visit(s) conducted on: *December 30, 2020.*

Previous Jurisdictional Determinations (AJDs or PJDs): *SAC 81-2003-0403 (Q) dated August 14, 2003.*

Antecedent Precipitation Tool: *N/A.*

USDA NRCS Soil Survey: *Figure No. 3 NRCS Soil Map, Source: USDA Soil Survey of Chatham County, GA; 2015 NAIP Ortho Aerial, dated January 8, 2020.*

USFWS NWI maps: *Figure No. 4 National Wetlands Inventory, Source: USFWS NWI, Jasper County, SC; 2015 NAIP Ortho Aerial, dated January 8, 2020.*

USGS topographic maps: *Figure No. 2 USGS Topographic Map, Source: USGS Topographic Survey Jasper County, dated January 8, 2020.*

**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	Figure No. 7 NOAA Topographic Lidar, Source: 2007 NOAA Digital Coast Lidar; 2015 NAIP Ortho Aerial, dated January 8, 2020.

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

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USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	Figure No. 8 FEMA Flood Map, Source: FEMA 2009 Digital Flood Insurance Rate Map, dated January 8, 2020.

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

**C. Additional comments to support AJD:** The review area consists of 25.33 acres of dry land. Additionally, the review area contains a total of 34.38 acres of preserved areas including a total of 3.78 acres of preserved buffers, protected in perpetuity in accordance with restrictive covenants recorded on August 6, 2007 as compensatory mitigation for Department of the Army Permit No. SAC 14-2006-1525-1NP.

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