



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): 13-DEC-2020

ORM Number: SAC-2020-01581

Associated JDs:

Review Area Location¹:

State: SC City: Florence County: Florence County

Center Coordinates of Review Area: Latitude 34.1470° Longitude -79.7737

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
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

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 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.

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.

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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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Excluded Water 1 (ditch)	315 feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1)	Excluded Water 1 (Ditch) located within the review area is excavated entirely from uplands and does not meet the criteria of a jurisdictional water. The feature is neither naturally occurring, a diversion of a tributary, nor constructed within the boundaries of an adjacent wetland. The feature is located within the central portion of an oval shaped depression. Flow within the feature appears to be in response to precipitation and runoff from the surrounding areas higher in elevation.
Excluded Water 2 (Pond)	0.06 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)	Excluded Water 2 (Pond) located within the review area is excavated entirely from uplands and does not meet the criteria of a jurisdictional water. The feature is neither naturally occurring, a diversion of a tributary, nor constructed within the boundaries of an adjacent wetland. The feature is located within the southern central portion of an oval shaped depression. Flow within the feature appears to be in response to precipitation and runoff from the surrounding areas higher in elevation.
Excluded Water 3 (ditch)	91 feet	(b)(5) Ditch that is not an (a)(1) or (a)(2) water, and those portions of a ditch constructed in an (a)(4) water that do not satisfy the conditions of (c)(1)	Excluded Water 3 (Ditch) located within the review area is excavated entirely from uplands and does not meet the criteria of a jurisdictional water. The feature is neither naturally occurring, a diversion of a tributary, nor constructed within the boundaries of an adjacent wetland. The feature is located within the southern central portion of an oval shaped depression. Flow within the feature appears to be in response to precipitation and runoff from the surrounding areas higher in elevation.

III. SUPPORTING INFORMATION

IV. Select/enter all resources that were used to aid in this determination and attach data/maps to this document and/or references/citations in the administrative record, as appropriate.

X Information submitted by, or on behalf of, the applicant/consultant: Jurisdictional determination request with maps and site pictures submitted on November 16, 2020, by Greenepond Consulting. Project site map titled: “Lampe Site / Aquatic Resources Map / Florence County”, dated November 11, 2020.

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

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

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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: *(aerial and other): Site pictures included with the initial submission, dated November 14, 2020; Google Earth Aerials, dated November 31, 2017; ESRI Aerial Basemap Map Service; USGS 3D Elevation Program (3DEP) Map Service;*
- Corps Site visit(s) conducted on: *Date(s).*
- Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: *NRCS SSURGO Map Service (Florence County) maps depict two soil types within the project area, principally Norfolk loamy sand (0-2% slopes), and to a lesser extent Coxville Fine Sandy Loam (0-2% slopes). Coxville Fine Sandy Loam is depicted within the same approximate footprint as the Carolina Bay. All on site soils are listed as Hydric for Florence County on the 2017 South Carolina Hydric Soils List.*
- USFWS NWI maps: *USFWS NWI - Wetlands Raster REST Map Service / depict palustrine forested wetland within the central portion of the site, approximately in the same area as the Carolina Bay. Additionally, one blue line feature is depicted running through the NWI defined wetland, in a north-south orientation, within the site; this feature is depicted to continue off-site southward through currently developed land.*
- USGS topographic maps: *the USGS Topographic Maps / 7.5 Minute Index / Florence West / 1:24000 map depicts the site as forested with wetland symbology and a dashed blue line feature within the central portion within the central portion of the site, approximately in the same area as the Carolina Bay and the USFWS NWI illustrated wetlands.*

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.
USACE Sources	SAC Regulatory Viewer accessed on December 9, 2020.
State/Local/Tribal Sources	N/A.

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Other Sources

N/A.

- A. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated based on field collection date denoted on the wetland determination data forms (October 5, 2020). Output from the APT indicated "normal conditions" at the time of data collection by the agent (Greenpond Consulting, LLC) with a condition value of 13. ATP outputs with a condition value greater than 14 indicate "wetter than normal" conditions onsite and may not accurately represent typical year hydrologic conditions. For this assessment, a total of 3 weather stations within a ~6-mile radius was used.
- B. Additional comments to support AJD:** This site consists of an approximate 10 acre forested and undeveloped 15+ year pine plantation (per Google Earth aerials the plot was thinned in ~2005). The site transects and encompasses approximately two-thirds of a historic Carolina Bay; indicated on LiDAR by an almond shaped depression, oriented north-northwest to south-southeast, and surrounded by relatively flat higher terrain. Additionally, this Carolina Bay feature is indicated as a "Bay" on historical USGS topographic maps. The only drainage point for the Carolina Bay is a ditch (Excluded Water 3) which begins on-site and terminates off-site where it drains via sheet-flow over uplands to an off-site excavated ditch.

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