



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): 13JAN2021
ORM Number: SAC-2020-01594
Associated JDs: N/A
Review Area Location¹: State: SC City: Bluffton County: Beaufort
Center Coordinates: Latitude 32.253422 Longitude -80.851102

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.

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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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Stream DD	326 Linear Feet	(b)(3) Ephemeral feature	The feature is located within a (b)(1) excluded water and does not meet the category of an (a)(2) water/tributary. Stream DD lacked hydrological indicators of flow greater than ephemeral (flowing in response to precipitation, non-channelized sheet flow, and flow from excluded Wetland DE-JD). Stream DD does not meet the (c)(12) definition of tributary and thus has been determined to be a (b)(3) ephemeral feature.
Wetland DB	0.99 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Wetland JA	0.006 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Wetland DE-JD	2.39 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Wetland DF	0.48 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Wetland DG	0.41 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Wetland DH	0.33 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Wetland DJ	0.25 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, is a closed boundary polygon that is not contiguous or directly abutting an (a)(1)-(a)(3) water. In

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			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).
Wetland DL	0.25 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Wetland DM	0.13 acre	(b)(1) Non-adjacent wetland	This wetland, even though extending beyond the site boundary, 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).
Pond DF	0.44 ac.	(b)(9) Water-filled depression 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)	Historic borrow area associated with adjacent upland development and roads. It is not an impoundment of a jurisdictional water.
Pond JE	0.93 ac.	(b)(9) Water-filled depression 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)	Historic borrow area associated with adjacent upland development and roads. It is not an impoundment of a jurisdictional water.
Pond DG	0.22 ac.	(b)(9) Water-filled depression 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)	Historic borrow area associated with adjacent upland development and roads. It is not an impoundment of a jurisdictional water.
Pond DI	0.19 ac.	(b)(9) Water-filled depression 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)	Historic borrow area associated with adjacent upland development and roads. It is not an impoundment of a jurisdictional water.
Pond DK	0.06 ac.	(b)(9) Water-filled depression 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)	Historic borrow area associated with adjacent upland development and roads. It is not an impoundment of a jurisdictional water.
Pond DN	0.06 ac.	(b)(10) Stormwater control feature 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)	Artificial retention pond that is not an impoundment of a jurisdictional water. It captures stormwater runoff from the adjacent electrical transfer sub-station, commercial development, and roadways.

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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: *Maps dated SEP2020 (Project Vicinity Map, Topographic, Soils, Waters of the US)*

This information is sufficient for purposes of this AJD.

Data sheets prepared by the Corps: Corps agrees with conclusions on data sheets provided by permit agent.

Photographs: Site photos dated August 2020 provided by permit agent.

Corps Site visit(s) conducted on: *Desktop (Virtual)*

___ Previous Jurisdictional Determinations (AJDs or PJDs): *N/A*

___ Antecedent Precipitation Tool:

USDA NRCS Soil Survey: *Beaufort County, SC dated 2003*

USFWS NWI maps: *Beaufort County, SC dated 2020*

USGS topographic maps: *Bluffton, SC / Spring Island, SC / Jasper, SC / Pritchardville, SC, dated 2017*

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	N/A
State/Local/Tribal Sources	N/A
Other Sources	N/A

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

C. Additional comments to support AJD: *N/A*

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