



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):

ORM Number: SAC-2021-00050

Associated JDs: N/A

Review Area Location¹: The intersection of Carolina Commercial Drive and Renee Drive

State/Territory: SC City: Myrtle Beach County: Horry County

Center Coordinates of Review Area: Latitude 33.76 Longitude -78.964

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.

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
Excluded Water 1	0.05 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	Excluded water 1 is a stormwater control feature, excavated from uplands, designed to store runoff from the surrounding roads and commercial development. Upon review of available resources, this feature does not meet the criteria of an (a)(1-4) waters and is determined to be an excluded feature.
Excluded Water 2	0.393 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	Excluded water 2 is a stormwater control feature, excavated from uplands, designed to store runoff from the surrounding roads and commercial development. Upon review of available resources, this feature does not meet the criteria of an (a)(1-4) waters and is determined to be an excluded feature.
Excluded Water 3	0.515 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	Excluded water 3 is a stormwater control feature, excavated from uplands, designed to store runoff from the surrounding roads and commercial development. Upon review of available resources, this feature does not meet the criteria of an (a)(1-4) waters and is determined to be an excluded feature.
Excluded Water 4	0.014 acres	(b)(10) Stormwater control feature constructed or excavated in upland or in a non-jurisdictional water to convey, treat, infiltrate, or store stormwater runoff	Excluded water 4 is a stormwater control feature, excavated from uplands, designed to store runoff from the surrounding roads and commercial development. Upon review of available resources, this feature does not meet the criteria of an (a)(1-4) waters and is determined to be an excluded feature.

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.

 x Information submitted by, or on behalf of, the applicant/consultant: **AJD request submitted by Mead & Hunt on behalf of Horry County, dated December 15, 2020 and revised on January 12, 2021.**

This information is sufficient for purposes of this AJD.

Rationale: The wetland data forms, and additional information submitted by the agent 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: *Title(s) and/or date(s).*

 x Photographs: *(aerial and other)* **Goggle Earth aerial photo 2019, USGS National Map 3D Elevation Program (3DEP) published August 13, 2020 2006 SCDNR aerial photo, Site**

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photos taken by the agent dated September 11, 2020.

- ___ 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.*
- _x_ USDA NRCS Soil Survey: NRCS / Soil Survey Geographic Database (SSURGO) Map Service dated April 4, 2019, updated August 26, 2020, ESRI Map Service depicts the soil types of Witherbee, Pocomoke, and Leon soils (All hydric for Horry County).**
- _x_ USFWS NWI maps: USFWS NWI - Wetlands Raster REST Map Service dated May 29, 2012, updated July 17, 2020, USFWS NWI Map Service Maps depicts the review area primarily as uplands. Information in the agents submittal indicated small portions of PUBHx and PUBHh (flooded palustrine areas) that were not consistent with aerial imagery and the regulators working knowledge of the area. Recent observations by USACE regulators in the field for this high traffic area confirmed the features to be open storm water ponds.**
- _x_ USGS topographic maps: USGS Topographic map / Nixonville Quad / 1:24000 / depicts forested areas with no wetland symbology.**

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	USACE Reg Viewer accessed on January 12, 2021
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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

C. Additional comments to support AJD: The review area is an approximately 11 acre area containing roads and commercial development and includes 4 excluded waters (storm water features). The remaining areas are comprised of uplands based on review of available desk top resources listed in Section III A of this form and information submitted by the agent in the submittal dated December 15, 2020 and revised on January 12, 2021.

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