



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): 7/16/2020

ORM Number: SAC-2020-00124

Associated JDs: N/A

Review Area Location¹:

State/Territory: SC City: Irmo County/Parish/Borough: Richland County

Center Coordinates of Review Area: Latitude 34.098855 Longitude -81.168189

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 |
|----------------|----------------|--|--|
| Pond | 0.52 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) | The non-jurisdictional pond was constructed in an area determined to be uplands by this approved jurisdictional determination. The area did not meet all three wetland criteria and the location of the pond is outside the OHWM of a jurisdictional water. Therefore, the Corps has determined the pond to be situated in uplands and an excluded non-jurisdictional water. |

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: **JD request received by property owner dated 1/23/2020.**

This information is sufficient for purposes of this AJD.

Rationale: **The applicant requested the Corps conduct the delineation of the aquatic features. The applicant provided the location of the property and the TMS boundary map.**

Data sheets prepared by the Corps: *Title(s) and/or date(s).* **“Upland DP” 6/24/2020**

Photographs: **1-16 of 16 photos taken by the Corps during Corps delineation**

Corps Site visit(s) conducted on: *Date(s).* **6/24/2020**

Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).* **N/A**

Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

USDA NRCS Soil Survey: *Title(s) and/or date(s).* **SSURGO soil data as ArcMap layer: Nanford, Georgeville**

USFWS NWI maps: *Title(s) and/or date(s).* **USFWS National Wetland Inventory**

USGS topographic maps: *Title(s) and/or date(s).* **USGS webservice topo map Irmo 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. |
| USACE Sources | SAC Regulatory Viewer |
| State/Local/Tribal Sources | SCDNR Richland County LiDAR Data |
| Other Sources | N/A. |

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- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated for the date the site was visited by the Corps (6/24/2020). This date was considered to be Normal conditions.
- C. Additional comments to support AJD:** The USGS webservice topo map Irmo Quad depicted a blue polygon with no adjacency to any other potential water, and the USFWS National Wetland Inventory depicted a polygon codified as PEM1Fx, this modifier is used to identify wetland basins or channels that were excavated by humans. This project includes one non-jurisdictional upland dug pond that was constructed wholly in uplands making it an excluded water. Precipitation data generated for this date indicated the site visit was conducted within normal conditions.

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