



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): 14-JUL-2020

ORM Number: SAC-2020-00702 Antioch Farms LLC AJD

Associated JDs: N/A

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

State/Territory: SC City: Little River County/Parish/Borough: Horry County

Center Coordinates of Review Area: Latitude 33.850861 Longitude -78.666345

**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 or describe rationale.
- 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

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

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<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.

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<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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**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
Excluded Water (Ditch)	320 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)	The feature is neither naturally occurring, a diversion of a tributary, or constructed within the boundaries of an adjacent wetland. Flow within feature appears to be stormwater drainage from surrounding development.

**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: **AJD request submitted by Ballou Associates on behalf of Jason White / Antioch Farms LLC. Submittal dated 13 May 2020 and received on May 14, 2020.**

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 is sufficient for purposes of this AJD.**

Data sheets prepared by the Corps: *Title(s) and/or date(s).*

Photographs: **(Aerial and other) 2019 Google Earth Imagery, 2006 SCNDR infrared Imagery, The USGS 3D Elevation Program (3DEP).**

Corps Site visit(s) conducted on: **Date(s). June 8, 2020**

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: **Title(s) and/or date(s). Horry County Soil Survey / Yauhannah (hydric for 2% of its mapped component), Hobonny (100% hydric), Blanton (hydric for 3% of its mapped component)**

USFWS NWI maps: **Title(s) and/or date(s). Horry County NWI / depicts PFO4/1B and PUBHx wetland symbology which were not present.**

USGS topographic maps: **Wampee Quad / 1:2400**

**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-SAC Regulatory Viewer
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated based on the Corps site audit (June 8, 2020), and indicated "Wetter than Normal" conditions with a value of 18. ATP outputs with a condition value greater than 14 indicate "wetter than normal" conditions, "normal" conditions range from 10-14, and values less than 10 are considered "drier than normal". For this assessment, the APT tool pulled data from 4 weather stations within an approximate radius of 18 miles. Results of the APT indicate the site visit was conducted within conditions considered by the Corps to be outside a "typical year". However, even though the audit was conducted during a period of "severe wetness", hydrology was not found within the review area.

After conducting a site visit and a review available office resources (USGS maps, aerial photos, and LiDAR imagery), the onsite ditch was confirmed to fit the criteria of an (b)(5) excluded water, a ditch constructed in wholly in uplands. A typical year assessment was not conducted based on the non-jurisdictional status of the feature and a lack of connection between upstream and downstream jurisdictional waters.

- C. Additional comments to support AJD:** The project area encompasses a total of 9.14 acres with a single excluded water. The excluded water ((b)(5) ditch) extends approximately 320 linear feet (southeast to northwest orientation) on the eastern side of the property. A site visit was conducted after a review of office resources indicates the topography on the extreme eastern portion of the property was similar in elevation to the adjacent TNW and the presence of Hobonny soils (100% hydric for Horry County). The Corps site audit of 8 June 2020, was conducted during a period of "severe wetness" as documented by the Antecedent Precipitation Tool (APT) data. During the site audit, a lack of hydrology was evident throughout the site with a greater than 30% uncoated sand grains for a dominantly sandy soil type. Hydric soils (relic) and marginal hydrophytic vegetation were observed on the eastern portions of the tract, but as previously stated no hydrology could be found during very wet conditions.

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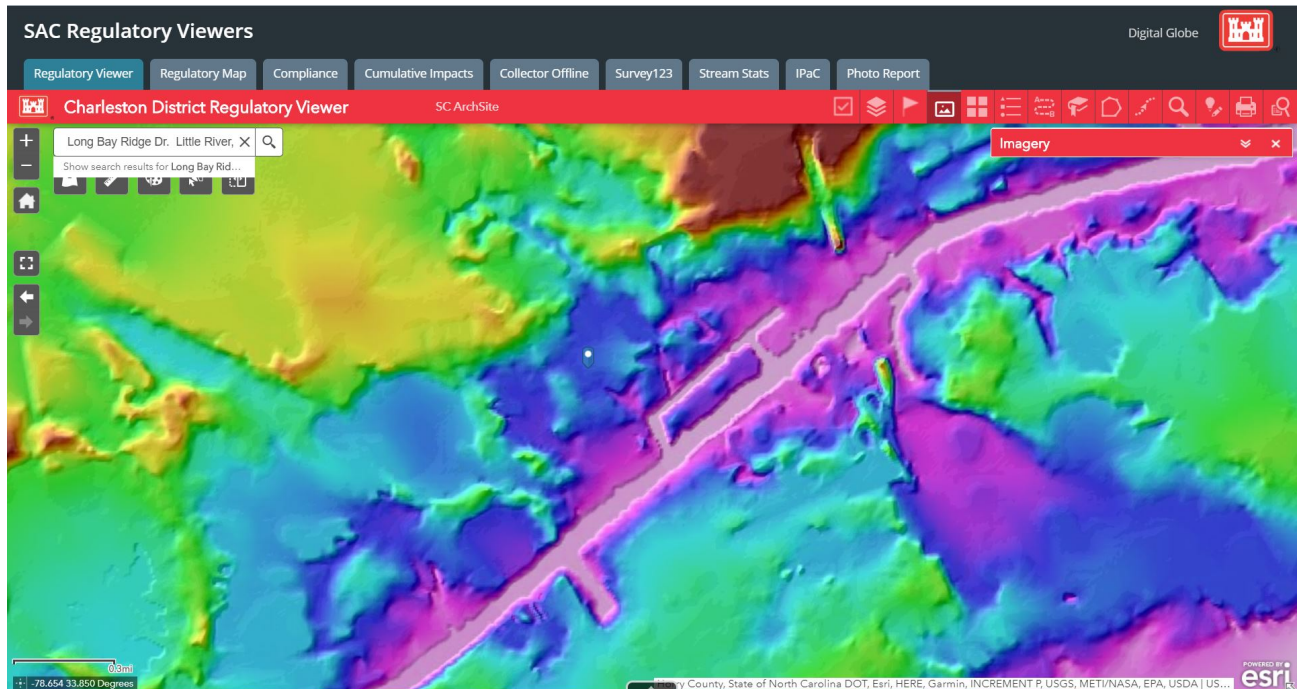


Figure 1: Hillshade DEM aerial interpretation showing project area (blue marker) with uplands to the northwest and the Atlantic Intracoastal Waterway to the southeast.

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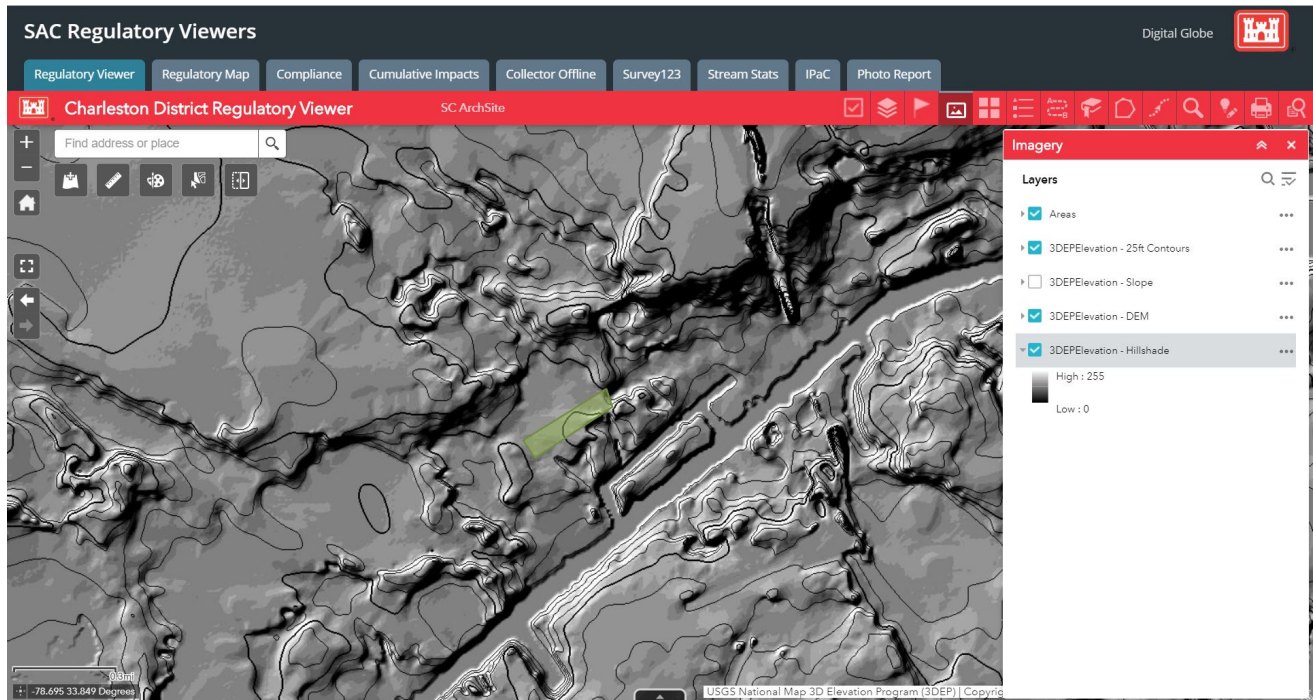


Figure 2: Project area overlain on LiDAR Hillshade aerial imagery.

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