



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): 29 July 2021

ORM Number: SAC-2008-00048

Associated JDs: SAC-2008-00048-3IT (2008), and the adjacent tract JD SAC-2008-01855-3H (2013)

Review Area Location<sup>1</sup>: a 52.88-acre site located west of and adjacent to Sandridge Road, TMS# 130-00-09-066,

State: SC City: Little River County: Horry County

Center Coordinates of Review Area: Latitude 33.8442 Longitude -78.6928

**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

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

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide or 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.

<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.

<sup>4</sup> 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.

<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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N/A	N/A	N/A	N/A
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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
EW 1	19.6 acres	(b)(1) Non-adjacent wetland	<p>Excluded Water 1 (wetland) does not abut and is not inundated by an (a)(1)-(3) water. Additionally, this wetland is physically separated from an (a)(2) water by multiple physical, man-made barriers (residential lots, roads, etc.) and uplands. Excluded Water 1 is surrounded by uplands (review of NWI, Topographic Maps, aerial, and soils maps) and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Additionally, the USGS TNM-National Hydrology Dataset updated March 29, 2021, depicts no flow of the wetlands outside the man-made barriers that include upland subdivisions, and public access roads that surround the entire wetland system. The surrounding roads are Pelican Bay Road, Old Sanders Road, S.C. Highway 90, Saint Joseph Road, Sandridge Road, Robert Edge Parkway, and Carolina Bays Parkway. Furthermore, Lidar 3DEP Hillshade and Horry DEM with Elevations denotes no discernable or traceable outfall of wetlands located within the review area.</p> <p>Previous JDs SAC-2008-0048-3IT and 2008-01855-3H document the wetland system as being isolated and not adjacent to any waters of the US.</p> <p>The onsite wetland is located approximately 0.7 mile north of the closet (a) (1) water, Atlantic Intracoastal Waterway (AIWW) and approximately 0.6 mile north from the closet (a) (2) water, unnamed tributary of the AIWW.</p>
EW 2	0.04 acres	(b)(1) Non-adjacent wetland	<p>Excluded Water 2 (wetland) does not abut and is not inundated by an (a)(1)-(3) water. Additionally, this wetland is physically separated from an (a)(2) water by multiple physical, man-made barriers (residential lots, roads, etc.) and uplands. Excluded Water 2 is surrounded by uplands (review of NWI, Topographic Maps, aerial, and soils maps) and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Additionally, the USGS TNM-National Hydrology Dataset updated March 29, 2021, depicts no flow of the wetlands outside the man-made barriers that include upland subdivisions, and public access roads that surround the entire wetland system. The surrounding roads are Pelican Bay Road, Old Sanders Road, S.C. Highway 90, Saint Joseph Road, Sandridge Road, Robert Edge Parkway, and Carolina Bays Parkway.</p>

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

<sup>2</sup> If the navigable water is not subject to the ebb and flow of the tide or 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.

<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.

<sup>4</sup> 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.

<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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			<p>Furthermore, Lidar 3DEP Hillshade and Horry DEM with Elevations denotes no discernable or traceable outfall of wetlands located within the review area.</p> <p>Previous JDs SAC-2008-0048-3IT and 2008-01855-3H document the wetland system as being isolated and not adjacent to any waters of the US.</p> <p>The onsite wetland is located approximately 0.7 mile north of the closet (a) (1) water, AIWW and approximately 0.6 mile north from the closet (a) (2) water, unnamed tributary of the AIWW.</p>
EW 3	0.51 acres	(b)(1) Non-adjacent wetland	<p>Excluded Water 3 (wetland) does not abut and is not inundated by an (a)(1)-(3) water. Additionally, this wetland is physically separated from an (a)(2) water by multiple physical, man-made barriers (residential lots, roads, etc.) and uplands. Excluded Water 3 is surrounded by uplands (review of NWI, Topographic Maps, aerial, and soils maps) and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Additionally, the USGS TNM-National Hydrology Dataset updated March 29, 2021, depicts no flow of the wetlands outside the man-made barriers that include upland subdivisions, and public access roads that surround the entire wetland system. The surrounding roads are Pelican Bay Road, Old Sanders Road, S.C. Highway 90, Saint Joseph Road, Sandridge Road, Robert Edge Parkway, and Carolina Bays Parkway. Furthermore, Lidar 3DEP Hillshade and Horry DEM with Elevations denotes no discernable or traceable outfall of wetlands located within the review area.</p> <p>Previous JDs SAC-2008-0048-3IT and 2008-01855-3H document the wetland system as being isolated and not adjacent to any waters of the US.</p> <p>The onsite wetland is located approximately 0.7 mile north of the closet (a) (1) water, AIWW and approximately 0.6 mile north from the closet (a) (2) water, unnamed tributary of the AIWW.</p>
EW 4	0.05 acres	(b)(1) Non-adjacent wetland	<p>Excluded Water 4 (wetland) does not abut and is not inundated by an (a)(1)-(3) water. Additionally, this wetland is physically separated from an (a)(2) water by multiple physical, man-made barriers (residential lots, roads, etc.) and uplands. Excluded Water 4 is surrounded by uplands (review of NWI, Topographic Maps, aerial, and soils maps) and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Additionally, the USGS TNM-National Hydrology Dataset updated March 29, 2021, depicts no flow of the wetlands outside the man-made barriers that include</p>

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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.

<sup>4</sup> 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.

<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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			<p>upland subdivisions, and public access roads that surround the entire wetland system. The surrounding roads are Pelican Bay Road, Old Sanders Road, S.C. Highway 90, Saint Joseph Road, Sandridge Road, Robert Edge Parkway, and Carolina Bays Parkway. Furthermore, Lidar 3DEP Hillshade and Horry DEM with Elevations denotes no discernable or traceable outfall of wetlands located within the review area.</p> <p>Previous JDs SAC-2008-0048-3IT and 2008-01855-3H document the wetland system as being isolated and not adjacent to any waters of the US.</p> <p>The onsite wetland is located approximately 0.7 mile north of the closet (a) (1) water, AIWW and approximately 0.6 mile north from the closet (a) (2) water, unnamed tributary of the AIWW.</p>
EW 5	0.02 acres	(b)(1) Non-adjacent wetland	<p>Excluded Water 5 (wetland) does not abut and is not inundated by an (a)(1)-(3) water. Additionally, this wetland is physically separated from an (a)(2) water by multiple physical, man-made barriers (residential lots, roads, etc.) and uplands. Excluded Water 5 is surrounded by uplands (review of NWI, Topographic Maps, aerial, and soils maps) and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Additionally, the USGS TNM-National Hydrology Dataset updated March 29, 2021, depicts no flow of the wetlands outside the man-made barriers that include upland subdivisions, and public access roads that surround the entire wetland system. The surrounding roads are Pelican Bay Road, Old Sanders Road, S.C. Highway 90, Saint Joseph Road, Sandridge Road, Robert Edge Parkway, and Carolina Bays Parkway. Furthermore, Lidar 3DEP Hillshade and Horry DEM with Elevations denotes no discernable or traceable outfall of wetlands located within the review area.</p> <p>Previous JDs SAC-2008-0048-3IT and 2008-01855-3H document the wetland system as being isolated and not adjacent to any waters of the US.</p> <p>The onsite wetland is located approximately 0.7 mile north of the closet (a) (1) water, AIWW and approximately 0.6 mile north from the closet (a) (2) water, unnamed tributary of the AIWW.</p>
EW 6	0.03 acres	(b)(1) Non-adjacent wetland	<p>Excluded Water 6 (wetland) does not abut and is not inundated by an (a)(1)-(3) water. Additionally, this wetland is physically separated from an (a)(2) water by multiple physical, man-made barriers (residential lots, roads, etc.) and uplands. Excluded Water 6 is surrounded by uplands (review of NWI, Topographic</p>

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		<p>Maps, aerial, and soils maps) and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Additionally, the USGS TNM-National Hydrology Dataset updated March 29, 2021, depicts no flow of the wetlands outside the man-made barriers that include upland subdivisions, and public access roads that surround the entire wetland system. The surrounding roads are Pelican Bay Road, Old Sanders Road, S.C. Highway 90, Saint Joseph Road, Sandridge Road, Robert Edge Parkway, and Carolina Bays Parkway. Furthermore, Lidar 3DEP Hillshade and Horry DEM with Elevations denotes no discernable or traceable outfall of wetlands located within the review area.</p> <p>Previous JDs SAC-2008-0048-3IT and 2008-01855-3H document the wetland system as being isolated and not adjacent to any waters of the US.</p> <p>The onsite wetland is located approximately 0.7 mile north of the closet (a) (1) water, AIWW and approximately 0.6 mile north from the closet (a) (2) water, unnamed tributary of the AIWW.</p>
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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: *AJD request submitted by The Brigman Company, on behalf of SDG Holdings, LLC, dated April 27, 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: *N/A.*
- Photographs: *(aerial and other) Goggle Earth aerial photo 2019, 2006 SCDNR aerial photo, Site photos taken by the agent dated April 13, 2021.*
- Corps Site visit(s) conducted on: *N/A.*
- Previous Jurisdictional Determinations (AJDs or PJDs): *SAC-2008-00048, Letter dated October 6, 2008, and the adjacent tract JD documented under 2008-01855-3H, Letter dated July 24, 2013. Both JDs concluded that the wetland system was isolated and not adjacent to any other waters of the US. Both Determinations were coordinated with EPA and USACE Head Quarters prior to issuance. Neither EPA nor USACE Headquaters provided any comments in response to the District's determination of isolated non-jurisdictional.*
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: *NRCS / Soil Survey Geographic Database (SSURGO) Map*

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*Service dated March 31, 2021, updated April 26, 2021, ESRI Map Service depicts the soil types of Rutlege, and Blanton.*

**\_X\_** USFWS NWI maps: *NWII Map Service created March 30, 2021 and updated May 19, 2021 depicts the review area as palustrine wetlands and uplands. In addition, NWI map depicts the review as being completely surrounded by uplands.*

**\_X\_** USGS topographic maps: *USGS Topographic Map / 7.5 Minute Index / Wampee Quad / 1:24000. Topographic map depicts the review area, partially as forested wetlands with the remainder of review area as forested uplands. Topographic map does not depict a symbol that typically represents an (a)(1)-(3) within the review area or in close proximity of review area.*

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	3DEPElevation- DEM and 3DEPElevation- Hillshade (LiDAR), and, USGS TNM-National Hydrology Dataset.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	SAC Regulatory Viewer.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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

**C. Additional comments to support AJD:** The project site is comprised of 52.88 acres of which, 20.25 acres are determined to be excluded (b)(1) waters (EW 1-6). The excluded wetlands do not abut and are not inundated by an (a)(1)-(3) water. Additionally, these wetlands are physically separated from any (a)(1)-(3) waters by multiple physical, man-made barriers (residential lots, roads, etc.) and uplands. The excluded waters are surrounded by uplands (review of NWI, Topographic Maps, aerial, and soils maps) and lack a direct or indirect surface connection to (a)(1)-(3) waters. Additionally, the USGS TNM-National Hydrology Dataset, depicts no flow of the wetlands outside the man-made barriers to include subdivisions, and public access roads that surround the entire wetland system. Additionally, Lidar 3DEP Hillshade and Horry DEM with Elevations denotes no discernable or traceable outfall of wetlands located within the review area to an (a)(1)-(3) waters. Previous JDs determined the onsite wetlands to be isolated and not adjacent to any waters of the US. The wetlands are located approximately 0.7 mile from an (a) (1) water and 0.6 mile from an identified (a) (2) water. A site visit was performed for this Jurisdictional Determination. Site visits were preformed for the previous two (2) JDs documented under SAC-2008-00048-3IT and SAC-2008-01855-3H.

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