



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): July 21, 2021

ORM Number: SAC-2009-00033

Associated JDs: N/A

Review Area Location¹:

State/Territory: South Carolina City: Florence County: Florence

Center Coordinates of Review Area: Latitude 34.2026°N Longitude -79.6127°W

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)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
Jurisdictional Tributary 2 (a)(2)	3392 feet	(a)(2) Intermittent tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Jurisdictional Tributary 2 is an intermittent natural tributary that is located within a wetland and exhibits water flowing continuously during certain times of the year and more than in direct response to precipitation. Flowing water was observed by the Corps on March 2, 2021. The tributary is depicted as a solid blue line on topographic maps and is visible on aerial photographs and LiDAR maps.

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
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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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N/A	N/A	N/A	N/A
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Adjacent wetlands ((a)(4) waters):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Jurisdictional Wetland D (a)(4)	15.37 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland D directly abuts the OHWM of Jurisdictional Tributary 2.
Jurisdictional Wetland G (a)(4)	0.76 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland G directly abuts the OHWM of Jurisdictional Tributary 2.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Ditch 3 Excluded Water (b)(5)	2853 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)	Ditch 3 was constructed within uplands to carry stormwater and only flows in direct response to rainfall events.
Ditch 4 Excluded Water (b)(5)	689 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)	Ditch 4 was constructed within uplands to carry stormwater and only flows in direct response to rainfall events.
Ditch 5 Excluded Water (b)(5)	1132 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)	Ditch 5 was constructed within uplands to carry stormwater and only flows in direct response to rainfall events.
Wetland A Excluded Water (b)(1)	8.27 acres	(b)(1) Non-adjacent wetland	Wetland A does not abut and is not inundated by an (a)(1)-(3) water. Wetland A is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland B Excluded Water (b)(1)	7.34 acres	(b)(1) Non-adjacent wetland	Wetland B does not abut and is not inundated by an (a)(1)-(3) water. Wetland A is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland C Excluded Water (b)(1)	3.8 acres	(b)(1) Non-adjacent wetland	Wetland C does not abut and is not inundated by an (a)(1)-(3) water. Wetland A is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland E Excluded Water (b)(1)	2.17 acres	(b)(1) Non-adjacent wetland	Wetland E does not abut and is not inundated by an (a)(1)-(3) water. Wetland A is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland F Excluded Water (b)(1)	0.51 acres	(b)(1) Non-adjacent wetland	Wetland F does not abut and is not inundated by an (a)(1)-(3) water. Wetland A is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.

III. SUPPORTING INFORMATION

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

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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: Britton Bostic Winona Tract submitted by S&ME, Inc. dated October 7, 2020.
This information is sufficient for purposes of this AJD.
Rationale: The Corps agrees with the conclusions of the submitted data sheets, submittal, and information obtained during March 2, 2021 site visit.
Data sheets prepared by the Corps: N/A
- Photographs: USGS National Map 3D Elevation Program (3DEP) published August 13, 2020 / Site photographs dated March 2, 2021, Google Earth Imagery, National Regulatory Viewer.
- Corps Site visit(s) conducted on: March 2, 2021.
- Previous Jurisdictional Determinations (AJDs or PJDs): SAC-2009-00033-JJ Letter dated January 11, 2010.
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: USA Soils Map Units (SSURGO) Map Service dated April 4, 2019, updated August 26, 2020.
- USFWS NWI maps: USFWS NWI – Wetlands Raster REST map service dated May 29, 2012, updated August 26, 2020.
- USGS topographic maps: Pee Dee Quad / 7.5 Minute Index / 1:240000.
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Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS Topographic Maps
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	USACE National Regulatory Viewer
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): Antecedent Precipitation Tool (APT) data for typical year determination was calculated on September 2, 2020. Output from the APT indicated “Normal” conditions at the time of the data collection by the agent (S&ME, Inc.) with a condition value of 12. For this assessment, a total of 3 weather stations within an approximate 11-mile radius was used. APT data for typical year determination was also calculated on March 2, 2021. Output from the APT indicated “Wetter than Normal” conditions at the time of the site visit with a condition value of 17. APT output values with a condition value greater than 14 indicate “Wetter than Normal” conditions onsite and may not accurately represent typical year hydrologic conditions. For this assessment, a total of 3 weather stations within an approximate 11-mile radius was used.

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- C. Additional comments to support AJD:** This form assesses a 326.52 acre tract that consists of 3,302 linear feet of jurisdictional tributaries, 16.13 acres of jurisdictional wetlands, 22.09 acres of excluded waters (b)(1) non-adjacent wetlands, and 4,674 linear feet of excluded waters (b)(5) ditches.

The onsite tributary (Jurisdictional Tributary 2) was observed in the field on March 2, 2021. Flowing water was observed at the time of the site visit. Evidence of sediment sorting, sinuosity, hard sandy bottom, wrack lines, and OHWM were also observed in the field. The tributary is depicted as a solid blue line on topographic maps and is easily observed on aerial photographs and LiDAR maps. The tributary flows within the boundaries of Jurisdictional Wetland D and Jurisdictional Wetland G.

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