



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 26, 2021

ORM Number: SAC-2021-00585

Associated JDs: N/A

Review Area Location¹:

State: SC City: Kingstree County: Williamsburg County

Center Coordinates of Review Area: Latitude 33.6879° N, Longitude -79.80137° 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: The project area is developed and consist of an existing residential home site with building pad, single family home and parking.
- 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):

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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| (a)(4) Name | (a)(4) Size | (a)(4) Criteria | Rationale for (a)(4) Determination |
|-------------|-------------|-----------------|------------------------------------|
| N/A | N/A | N/A | N/A |

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

| Exclusion Name | Exclusion Size | Exclusion ⁵ | Rationale for Exclusion Determination |
|----------------|----------------|------------------------|---------------------------------------|
| N/A | N/A | N/A | N/A |

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: Jurisdictional determination request with maps and site pictures received on March 26, 2021, by the applicant’s consultant Horne, LLP., on behalf of the South Carolina Disaster Recovery Office Housing Recovery Program. Project site map titled: “**Location** / SC-HM16-06562 / 115 Canaan Way / Kingstree, SC 29556 / 33.688008, -79.801364”, dated March 16, 2021.

This information is sufficient for purposes of this AJD. Rationale: The project area consists of an existing residential homesite which was determined not to contain any potential waters of the US based on Aerial photographs, Google Street View, and LiDAR.

___ Data sheets prepared by the Corps:

Photographs: Aerial and other maps and site information submitted by Horne, LLP., dated January 12, 2021; Google Earth Aerials dated March 10, 2017; USGS National Map 3D Elevation Program (3DEP). Google Street View.

___ Corps Site visit(s) conducted on:

___ Previous Jurisdictional Determinations (AJDs or PJDs):

Antecedent Precipitation Tool: Wetter than normal conditions. See detailed discussion in Section III.B.

USDA NRCS Soil Survey: NRCS / Soil Survey Geographic Database (SSURGO) Map Service, Darlington County, depicts Autryville sand (0-2% slopes), which is listed as hydric for Williamsburg County in the 2017 South Carolina Hydric Soils List.

USFWS NWI maps: USFWS NWI - Wetlands Raster REST Map Service dated May 29, 2012,

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updated July 17, 2020, depicts palustrine wetlands within the southern half of the project site. However Google Street View and LiDAR data shows that the site is an upland lot with building pad, existing house and parking, that does not contain any potential aquatic resources.

- X** USGS topographic maps: USGS Topographic Maps / 7.5 Minute Index / Kingstree Quad / 1:24000 depicts a cleared upland site with wetland symbology located offsite which is in agreement with the LiDAR.

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 accessed on June 2, 2021. |
| State/Local/Tribal Sources | N/A. |
| Other Sources | N/A. |

- B. Typical year assessment(s): N/A – No potential aquatic resources in question.**
- C. Additional comments to support AJD:** This 0.10-acre site can be described as an existing single-family home site. Utilizing remote data resources, including LiDAR and site photographs, this site was determined to contain no potential aquatic resources. LiDAR does not depict any low-lying areas that would potentially indicate waters of the United States and the palustrine area depicted on NWIs can be seen containing an upland berm. Google Street images show an existing mobile home, yard and parking area.

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