



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): June 30, 2020

ORM Number: SAC-2020-00888

Associated JDs: N/A

Review Area Location¹:

State/Territory: SC City: Murrells Inlet County/Parish/Borough: Georgetown County

Center Coordinates of Review Area: Latitude 33.5619 Longitude -79.0304

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: A review of all available desktop resources documented in Section III of this document, as well as the supporting field data submitted by S&ME, Inc. in the submittal dated January 16, 2020, indicate the absence of aquatic resources.
- 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

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 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.

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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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

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: The AJD request dated January 16, 2020, Inlet Retreat Block Property, prepared and submitted by S&ME, Inc. This information is sufficient for purposes of this AJD.
Rationale: *N/A*.
- Data sheets prepared by the Corps: *N/A*
- Photographs: Site photos provided by S&ME, Inc., dated January 16, 2020, SCDNR 2006, Google Earth 02/2019, Charleston District Regulatory Viewer Aerial Imagery.
- Corps Site visit(s) conducted on: Site visit was not performed.
- Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s)*.
- Antecedent Precipitation Tool (ATP): *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: Georgetown County Soil Survey depicts the soil type of Lakeland fine sand. The soil type of Lakeland is not listed on the National Hydric Soil List. The following information for the project site was obtained from the Charleston District Regulatory Viewer:
 - 1).USA Soils Drainage Class – Soils on site are Excessively Drained,
 - 2). USA Soils Hydric Class - Indicates that soils on site are not hydric.
- USFWS NWI maps: USFWS NWI classifies the site as Developed Uplands (U12). Charleston District Reg. Viewer NWI indicates the absence of wetlands.
- USGS topographic maps: Brookgreen Quad, 1973, 7.5 MIN Quad. Quad depicts the site as Uplands. No symbols that typically represent a waters of the US are depicted within the boundaries of the project site.

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	CESAC Regulatory Viewer. Review date June 30, 2020
State/Local/Tribal Sources	N/A.

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Other Sources	N/A.
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- B. **Typical year assessment(s):** The site is comprised entirely of uplands. The Wetland Determination Data Form submitted by S&ME, Inc., dated January 16, 2020, documents the absence of all three (3) parameters that define a wetland as outlined in the 1987 Corps Wetland Delineation Manual and Regional Supplement. The ATP evaluated data from 10 Weather Stations for the date of January 16, 2020, and concluded that “normal conditions” were present at the time field data was collected. In addition, the ATP Drought Index (PDSI) indicates that the area was “Mild Wetness” at the time of data collection for the site.
- C. **Additional comments to support AJD:** A site visit was not warranted due to the review of available desktop resources (listed above in Section III.A) and information provided by S&ME, Inc. in the submittal dated January 16, 2020. All available desktop resources reviewed for this determination indicated the absence of aquatic resources; therefore, a site visit was not performed.

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