



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 29, 2021

ORM Number: SAC-2021-00649

Associated JDs: N/A

Review Area Location¹:

State: SC City: Hardeeville County: Jasper County

Center Coordinates of Review Area: Latitude 32.186004 Longitude -81.050974

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
- 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):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Jurisdictional Wetland 10	27.17 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 10 is part of the extensive wetland system known and mapped as Monkey John

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			Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.
Jurisdictional Wetland 11	8.91 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 11 is part of the extensive wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.
Jurisdictional Wetland 12	1.21 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 12 is part of the extensive wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.
Jurisdictional	261.19 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3)	Jurisdictional Wetland 13 is part of the extensive

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Wetland 13		water	wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.
Jurisdictional Wetland 14	79.78 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 14 is part of the extensive wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.
Jurisdictional Wetland 2	16.44 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 2 is part of the extensive wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.

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Jurisdictional Wetland 3	0.33 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 3 is part of the extensive wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.
Jurisdictional Wetland 4	9.79 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 4 is part of the extensive wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical Year Assessment.
Jurisdictional Wetland 5	10.94 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 5 is part of the extensive wetland system known and mapped as Monkey John Swamp. This wetland system is contiguous to, and directly abutting the (a)(1) traditional navigable water Savannah River. This adjacency is based on the presence of numerous culverts beneath the Seaboard Coast Railroad connecting on-site portions of the wetland to downstream portions of Monkey John Swamp that flow beneath US Highway 17 directly to the Savannah River. In addition, all the jurisdictional wetlands on this site (Jurisdictional Wetlands 2, 3, 4, 5, 10, 11, 12, 13, and 14) are part of the same wetland system based on interconnected culverts that are active during a typical year, and thus all of which are directly abutting the (a)(1) traditional navigable water Savannah River. Typical year information, including APT results are provided below in III. Supporting Information, B. Typical

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			Year Assessment.
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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Non-Jurisdictional Feature A	5.81 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	This feature was constructed in an area determined to be uplands by this approved jurisdictional determination. The area did not satisfy all three wetland factors (hydrology, hydric soils, hydrophytic vegetation) in normal circumstances for a typical year. Additionally, the location of the pond does not lie below the ordinary high water mark or the high tide line of a jurisdictional water. Therefore, this office has determined this pond to be situated in uplands and therefore an excluded non-jurisdictional water.
Non-Jurisdictional Feature B	5.14 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	This feature was constructed in an area determined to be uplands by this approved jurisdictional determination. The area did not satisfy all three wetland factors (hydrology, hydric soils, hydrophytic vegetation) in normal circumstances for a typical year. Additionally, the location of the pond does not lie below the ordinary high water mark or the high tide line of a jurisdictional water. Therefore, this office has determined this pond to be situated in uplands and therefore an excluded non-jurisdictional water.
Non-Jurisdictional Feature C	5.74 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	This feature was constructed in an area determined to be uplands by this approved jurisdictional determination. The area did not satisfy all three wetland factors (hydrology, hydric soils, hydrophytic vegetation) in normal circumstances for a typical year. Additionally, the location of the pond does not lie below the ordinary high water mark or the high tide line of a jurisdictional water. Therefore, this office has determined this pond to be situated in uplands and therefore an excluded non-jurisdictional water.
Non-Jurisdictional Feature D	0.3 acre	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	This feature was constructed in an area determined to be uplands by this approved jurisdictional determination. The area did not satisfy all three wetland factors (hydrology, hydric soils, hydrophytic vegetation) in normal circumstances for a typical year. Additionally, the location of the pond does not lie below the ordinary high water mark or the high tide line of a jurisdictional water. Therefore, this office has determined this pond to be situated in uplands and therefore an excluded non-jurisdictional water.
Non-Jurisdictional Feature DC 1	0.18 acre	(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 ditch segment on this parcel represents 0.18 acre of ditch excavated within uplands and that does not meet criteria as any category of water. The ditch does carry flow but does so only in response to precipitation.
Non-	0.42 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not

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Jurisdictional Wetland 15			contiguous or directly abutting an (a)(1)-(a)(3) water. In addition, this wetland does not meet any of the other (a)(4) criteria for adjacency and thus is an excluded water pursuant to (b)(1).
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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: JD Request package submitted by Resource & Land Consultants.
This information is sufficient for purposes of this AJD.
Rationale: JD Request package included all necessary information and level of detail.
- Data sheets prepared by the Corps:
- Photographs: 2017 NAIP Ortho Aerial photograph; site photographs
- Corps Site visit(s) conducted on:
- Previous Jurisdictional Determinations (AJDs or PJDs): SAC 2014-00211.
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: USDA Soil Survey Jasper County
- USFWS NWI maps: USFWS NWI Jasper County
- USGS topographic maps: USGS Topographic Survey Jasper County, 1:24,000.

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	National Regulatory Viewer.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): Pipes and culverts referenced above are present in the Seacoast Rail Line and US Highway 17 rights-of-way within and outside the project limits of this AJD, as well as in other internal road locations within the site. These pipes and culverts actively flow during extended portions of any typical year, including 2020 and 2021. APT results were generated for March 4, 2020 (date of consultant site visit) and show that site visits during this time were made during normal conditions. These results combined with on-site observations of flow at relevant culvert connection locations support the wetland adjacency determinations made above.

C. Additional comments to support AJD: N/A.

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