



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 2, 2021

ORM Number: SAC-2021-00722

Associated JDs: SAC-2007-00524 Letter dated May 30, 2017

Review Area Location<sup>1</sup>:

State: South Carolina City: Sumter County: Sumter

Center Coordinates of Review Area: Latitude 33.9622°N Longitude -80.35538°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)<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
Tributary A (Shot Pouch Branch)	790 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	Shot Pouch Branch is a man-altered, natural, named tributary with perennial flow. It is depicted as a solid blue line on topographic maps. Shot Pouch Branch has previously been determined to be a perennial tributary by the Corps.

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

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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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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))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	Rationale for Exclusion Determination
Ditch	1500 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)	The onsite ditch was constructed within uplands to carrying stormwater and only flows in direct response to rainfall events.
Wetland A	2.44 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	0.04 acres	(b)(1) Non-adjacent wetland	Wetland B does not abut and is not inundated by an (a)(1)-(3) water. Wetland B is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland C	0.02 acres	(b)(1) Non-adjacent wetland	Wetland C does not abut and is not inundated by an (a)(1)-(3) water. Wetland C is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland D	0.29 acres	(b)(1) Non-adjacent wetland	Wetland D does not abut and is not inundated by an (a)(1)-(3) water. Wetland D is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland E	0.44 acres	(b)(1) Non-adjacent wetland	Wetland E does not abut and is not inundated by an (a)(1)-(3) water. Wetland E is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Wetland E is separated from Shot Pouch Branch by a man-made berm constructed from the manipulation and alterations of the tributary. There is no direct hydrologic connection (i.e. culvert, etc.) between Wetland E and Shot Pouch Branch.
Wetland F	0.37 acres	(b)(1) Non-adjacent wetland	Wetland F does not abut and is not inundated by an (a)(1)-(3) water. Wetland F is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters. Wetland F is separated from Shot Pouch Branch by a man-made berm constructed from the manipulation and alterations of the tributary. There is no direct hydrologic connection (i.e. culvert, etc.) between Wetland F and Shot Pouch Branch.
Wetland G	0.29 acres	(b)(1) Non-adjacent wetland	Wetland G does not abut and is not inundated by an (a)(1)-(3) water. Wetland G is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Wetland H	0.5 acres	(b)(1) Non-adjacent wetland	Wetland F does not abut and is not inundated by an

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<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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		(a)(1)-(3) water. Wetland F is completely encompassed by uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
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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: SC State Veterans Nursing Home Sumter (FAI 45-009) submitted by Matt Thomas (JMT) and dated April 9, 2021. This information is sufficient for purposes of this AJD. Rationale: The Corps agrees with the conclusions of the submitted data sheets and submittal. Data sheets prepared by the Corps: *N/A*
- Photographs: USGS National Map 3D Elevation Program (3DEP) published August 13, 2020 / Site photographs submitted by the applicant dated April 2021, Google Earth Imagery. Corps Site visit(s) conducted on: *N/A*
- Previous Jurisdictional Determinations (AJDs or PJDs): SAC-2007-00524 Letter dated May 30, 2017.
- 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 July 17, 2020.
- USGS topographic maps: Olin Quad / 7.5 Minute Index / 1:240000.

**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-SAC 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 based on field collection data denoted on wetland delineation forms (March 13, 2021). Output from the APT indicated “Wetter than Normal” conditions at the time of data collection by the agent (JMT) with a condition value of 16. APT output values with a condition value greater than 14 indicate “Wetter then Normal” conditions onsite and may not accurately represent typical year hydrologic conditions. For this assessment, a total of 6 weather stations within an approximate 18-mile radius was used.

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- C. Additional comments to support AJD:** This form assesses a 77.79 acre site that consists of 4.39 acres of Excluded Waters (b)(1) non-adjacent wetlands, 1,500 linear feet of Excluded Waters (b)(5) ditch, and 790 linear feet of a jurisdictional tributary (Shot Pouch Branch) (a)(2) perennial tributary. Shot Pouch Branch is a man-altered, natural, named tributary with perennial flow. It is depicted as a solid blue line on topographic maps. Shot Pouch Branch has previously been determined to be a perennial tributary by the Corps. The onsite wetlands (Wetlands A thru H) were determined to be Excluded Waters (b)(1) non-adjacent wetlands. The onsite wetlands do not abut and are not inundated by an (a)(1)-(3) water. The onsite wetlands are completely encompassed by uplands and lack a direct or indirect surface connection to (a)(1)-(3) waters. Wetlands E and F are separated from Shot Pouch Branch by a man-made berm constructed from the manipulation and alterations of the tributary. There is no direct hydrologic connection (i.e. culvert, etc.) between Wetlands E and F and Shot Pouch Branch.

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