



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): March 8, 2021

ORM Number: SAC-2020-00380

Associated JDs: N/A

Review Area Location¹:

State: SC City: Harleyville County: Dorchester County

Center Coordinates of Review Area: Latitude 33.1714 Longitude -80.3918

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 A	0.15 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland A continues off-site to the south and is part of a larger wetland complex that directly

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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			abuts Walnut Branch, an (a)(2) water. The wetland complex is divided off-site by E Main Street, however a culvert that is active at least once in a typical year provides a direct hydrologic connection. Please see Section III C for more information about Little Walnut Branch.
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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
Excluded Water Wetland B	2.4 acres	(b)(1) Non-adjacent wetland	Excluded Water Wetland B is a closed boundary polygon that extends offsite however it is surrounded by uplands onsite and offsite and is not contiguous or directly abutting an (a)(1)-(a)(3) water. Based on a review of a Google Earth Pro ^(c) photo dated February 6, 2019, the offsite portion of the wetland ends outside of the review area boundary and is surrounded by uplands offsite as well. 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).
Excluded Water Wetland C	0.45 acre	(b)(1) Non-adjacent wetland	Excluded Water Wetland C is a closed boundary polygon that extends offsite however it is surrounded by uplands onsite and offsite and is not contiguous or directly abutting an (a)(1)-(a)(3) water. Based on a review of a Google Earth Pro ^(c) photo dated February 6, 2019, the offsite portion of the wetland ends outside of the review area boundary and is surrounded by uplands offsite as well. 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).
Excluded Water Wetland D	0.85 acre	(b)(1) Non-adjacent wetland	This wetland is a closed polygon boundary that is not 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).
Excluded Water Wetland E	0.7 acre	(b)(1) Non-adjacent wetland	This wetland is a closed polygon boundary that is not 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).

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: *Request for Corps Jurisdictional Determination (JD) / Delineation dated March 6, 2020.*

This information (is) sufficient for purposes of this AJD.

Rationale: *N/A.*

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- Data sheets prepared by the Corps: *N/A.*
- Photographs: *(NA, aerial, other, aerial and other) Photo Documentation TMS 063-00-00-035 & 072 (22.82 Acres) Harleyville, Dorchester County, South Carolina dated January 28, 2020.*
- Corps Site visit(s) conducted on: *N/A.*
- Previous Jurisdictional Determinations (AJDs or PJDs): *N/A.*
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: *Figure 2 Soils Map (Source: NRCS Web Soil Survey) submitted as part of the JD request.*
- USFWS NWI maps: *Figure 3 National Wetlands Inventory Map submitted as part of the JD request.*
- USGS topographic maps: *Figure 1 USGS Topography Map (Source: USGS US Topo 7.5-minute map for Harleyville, SC 2020) submitted as part of the JD request.*

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	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	Google Earth Pro Aerial

- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination were calculated for the date of a best available aerial image via Google Earth Pro®, February 6, 2019. The APT data were calculated to determine if an off-site culvert provides a direct hydrologic connection under E Main Street. According to output from the APT, conditions for this date exhibited “Normal” conditions with a product of 12.
- C. Additional comments to support AJD:** Little Walnut Branch is displayed as a solid blue line tributary on USGS topographic maps and is a large bottomland hardwood wetland and tributary complex which supports perennial flow. According to APT data above conditions were normal for the best available aerial via Google Earth Pro® on February 6, 2019. Water is visible on the upstream and downstream sides of E Main Street in this location and the agent stated an active culvert is present within the roadbed of E Main Street. Therefore, this office has determined that the culvert is active at least once in a typical year and provides a direct hydrologic connection between the on-site Jurisdictional Wetland A and downstream waters.

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