



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): 10-March-2021

ORM Number: SAC-2020-00832

Associated JDs: N/A

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

State: SC City:Charleston County: Charleston County

Center Coordinates of Review Area: Latitude 32.703595 Longitude -80.036097

**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)<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
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 1	1.84 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 1 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono

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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.

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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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			River, a TNW. This determination is based on Jurisdictional Wetland 1 being a portion of an extensive forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within Stono River drainage area.
JURISDICTIONAL WETLAND 2	27.09 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 2 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono River, a TNW. This determination is based on Jurisdictional Wetland 2 being a portion of an extensive forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within Stono River drainage area
JURISDICTIONAL WETLAND 3	2.56 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 3 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono River, a TNW. This determination is based on Jurisdictional Wetland 3 being a portion of an extensive forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within Stono River drainage area
JURISDICTIONAL WETLAND 4	5.54 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 4 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono River, a TNW. This determination is based on Jurisdictional Wetland 4 being a portion of an extensive forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within Stono River drainage area
JURISDICTIONAL WETLAND 5	29.2 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 5 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono River, a TNW. This determination is based on Jurisdictional Wetland 5 being a portion of an extensive forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within Stono River drainage area
JURISDICTIONAL WETLAND 6	71.71 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 6 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono River, a TNW. This determination is based on Jurisdictional Wetland 6 being a portion of an extensive forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within Stono River drainage area
JURISDICTIONAL WETLAND 7	18.16 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 7 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono River, a TNW. The wetland flows through an impoundment prior to reaching the Stono River. This determination is based on Jurisdictional Wetland 7 being a portion of an extensive forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within the Stono River drainage area
JURISDICTIONAL WETLAND 8	0.32 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 8 continues off-site and is adjacent to the off-site (a)(1) water known as the Stono River, a TNW. This determination is based on Jurisdictional Wetland 8 being a portion of an extensive

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			forested floodplain wetland which is contiguous to and directly abutting the (a)(1) water within Stono River drainage area.
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**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
EXCLUDED WATER (DITCH 1)	1903 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)	This ditch segment on the site is excavated within uplands and does not meet criteria as any category of water. The ditch does carry flow, but does so only in response to precipitation. On this basis, Ditch 1 is an excluded water.
EXCLUDED WATER (DITCH 2)	532 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)	This ditch segment on the site is excavated within uplands and does not meet criteria as any category of water. The ditch does carry flow, but does so only in response to precipitation. On this basis, Ditch 2 is an excluded water.
EXCLUDED WATER (WETLAND 10)	0.39 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 11)	0.33 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 12)	0.3 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 13)	0.34 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 14)	1.22 acres	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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	0.05 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to or directly abutting an (a)(1)-(a)(3) water.

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(WETLAND 15)			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 16)	0.36 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 17)	0.14 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 18)	0.36 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 19)	0.17 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 20)	0.9 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 21)	0.15 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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 9)	0.49 acre	(b)(1) Non-adjacent wetland	This wetland is a closed boundary polygon that is not contiguous to 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: *COE Wetland*

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*Jurisdictional Determination Request June 12, 2020.*

This information *is* sufficient for purposes of this AJD.

Rationale: *N/A*

- Data sheets prepared by the Corps: *Title(s) and/or date(s).*
- Photographs: Aerial and aerial overlays from World Imagery 2018; site photographs.
- Corps Site visit(s) conducted on: *August 28, 2020*
- Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*
- Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*
- USDA NRCS Soil Survey: World Imagery 2018, with SCDNR Soils overlay.
- USFWS NWI maps: World Imagery 2018, with SCDNR NWI overlay.
- USGS topographic maps: USGS 7.5 Minute Quad Legareville.

**Other data sources used to aid in this determination:**

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS 3D Elevation Program (3DEP) Bare Earth DEM 08/2020
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

**B. Typical year assessment(s):** *N/A*

**C. Additional comments to support AJD:** Waters described on this form include both jurisdictional and excluded features for the 462.85-acre site. The site contains a total of 156.42 acres of jurisdictional wetlands.

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