



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): May 10, 2021

ORM Number: SAC-2021-00053

Associated JDs: N/A

Review Area Location¹:

State: SC City: Loris County: Horry County

Center Coordinates of Review Area: Latitude 34.0365° N, Longitude -78.8308° 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)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 1	3.89 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Jurisdictional Wetland 1 is a portion of a larger wetland that continues off-site and directly abuts the OHWM of

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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			Buck Creek, a tributary with adjacent wetlands that provides downstream recharge to Simpson Creek.
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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 Waters 1	0.83 acres	(b)(1) Non-adjacent wetland	Wetland 1 Excluded Water is located along the southwestern portion of the site and does not abut nor is inundated by an (a)(1)-(3) water. Excluded Waters 1 is completely surrounded by uplands (review of NWI, Topographic Maps, aerial, and soils maps) and lacks a direct or indirect surface connection to (a)(1)-(3) waters.

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.

X Information submitted by, or on behalf of, the applicant/consultant: *Jurisdictional determination request with maps and site pictures submitted on January 6, 2021, by the applicant's consultant, Southern Palmetto Environmental Consulting. Project site map titled: "Wetland Determination / Rosewood Waccamaw Farms Tract (12 +/- ac) / TMS#: 060-00-00-034 / Horry County, South Carolina", dated December 29, 2020.*

This information is sufficient for purposes of this AJD. Rationale: N/A.

 Data sheets prepared by the Corps: N/A

X Photographs: *(aerial and other) site pictures and maps submitted by Southern Palmetto Environmental Consulting, dated December 29, 2021; Google Earth Aerials dated September 7, 2017; USGS National Map 3D Elevation Program (3DEP).*

 Corps Site visit(s) conducted on:

 Previous Jurisdictional Determinations (AJDs or PJDs): N/A

X Antecedent Precipitation Tool: *provide detailed discussion in Section III.B.*

X USDA NRCS Soil Survey: *NRCS / Soil Survey Geographic Database (SSURGO) Map Service, Horry County, depicts four soil types within the project site including Nansemond loamy fine sand (0-2% slopes), Coxville fine sandy loam, and Pocomoke fine sandy loam. All on-site soils are listed as hydric for Horry County in the 2017 South Carolina Hydric Soils List.*

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- X USFWS NWI maps: *USFWS NWI - Wetlands Raster REST Map Service dated May 29, 2012, updated July 17, 2020, depicts two palustrine forested wetlands within the site. The locations of the illustrated NWI wetlands is approximately at the locations of the delineated on-site Excluded Water 1 and Jurisdictional Wetland 1 (southwestern boundary and western boundary).*
- X USGS topographic maps: *USGS Topographic Maps / 7.5 Minute Index / Goretown Quad / 1:24000 depicts a forested site with wetland symbology along the western boundary of the site, approximately at the same location as Jurisdictional Wetland 1. Adjacent to the western project boundary, but off-site, is one solid blue line feature labeled "Buck Creek."*

B. 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	SAC Regulatory Viewer accessed on January 15, 2021, and May 10, 2021.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- C. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated based on field collection date denoted on the wetland determination data forms (February 2, 2021). Output from the APT indicated "normal conditions" at the time of data collection by the agent with a condition value of 13. ATP outputs with a condition value greater than 14 indicate "wetter than normal" conditions onsite and may not accurately represent typical year hydrologic conditions. For this assessment, a total of 7 weather stations within a ~18-mile radius was used.
- D. Additional comments to support AJD:** This 12-acre forested site contains 3.89 acres of jurisdictional wetlands and 0.83 acres of excluded waters (non-adjacent wetlands).

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