



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 14, 2021

ORM Number: SAC-2021-00179

Associated JDs: N/A

Review Area Location¹: A 2.72-acre site located at 2509 Boone Hill Road.

State: SC City: Summerville County: Dorchester County

Center Coordinates of Review Area: Latitude 32.979612 Longitude -80.242223

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	0.05 acre	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	The wetland extends off-site and is part of a wetland complex that directly abuts and shares a boundary with

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 and 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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			<p>an intermittent tributary to the Ashley River. The continuation of the wetland off-site is documented in Delineation Concurrence SAC-2020-00841. The continuation of the wetland complex to the connection with the intermittent tributary can be seen in lidar, a 2006 infrared aerial, soil survey, and the USGS topographic map. Specifically the intermittent tributary is identified as a solid blue line tributary on the topo map.</p>
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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 Ditch	380 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 ditch was excavated in the uplands and is not a relocated tributary. Furthermore, the ditch does not carry flow from an upgradient (a)(1)-(4) water. Lastly, the ditch does not meet the criteria as any category of jurisdictional water.

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 a Jurisdictional Determination submitted by ECS Southeast, LLP dated January 25, 2021 and received by this office January 25, 2021.

This information is sufficient for purposes of this AJD.

Rationale: N/A

Data sheets prepared by the Corps:

Photographs: Site visit ground pictures taken January 14, 2021; 2006 infrared aerial created by the Corps

Corps Site visit(s) conducted on:

Previous Jurisdictional Determinations (AJDs or PJDs): Delineation Concurrence SAC-2020-00841 on an adjacent property.

Antecedent Precipitation Tool:

USDA NRCS Soil Survey: USDA-NRCS Soil Survey Map of Dorchester County, SC dated 1980 Sheet: 42 prepared by ECS

USFWS NWI maps: USFWS National Wetlands Inventory Map prepared by ECS

USGS topographic maps: USGS Topographic Map Waltherboro Dated; 1990 SC Quadrangles prepared by ECS

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	N/A.

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USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	N/A.
State/Local/Tribal Sources	N/A.
Other Sources	NOAA LIDAR Elevation Data prepared by ECS

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

C. Additional comments to support AJD: N/A

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