



**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): 5/21/2021

ORM Number: SAC-2021-00830

Associated JDs: N/A

Review Area Location¹: State/Territory: South Carolina City: Bluffton County/Parish/Borough: Beaufort

Center Coordinates of Review Area: Latitude 32.260637 Longitude -80.961817

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: No aquatic features were identified within the review area and the parcel is comprised entirely of dry land. See Section III for additional information.
- 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.

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 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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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)): ⁴			
Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
N/A.	N/A.	N/A.	N/A.

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: [AJD request package submitted by the requestor's consultant on May 6, 2021.](#)

This information is and is not sufficient for purposes of this AJD.

Rationale: [The package contains sufficient information regarding site conditions and a wetland delineation data sheet. However, the submittal minimal photo documentation of the site.](#)

Data sheets prepared by the Corps: [N/A](#)

Photographs: [Aerial and Other: Site photo taken on 5/4/2021 \(consultant\); Google Earth Aerial imagery from November – 2014 to March 2021; Google Street View photography taken in June 2019 and June 2013.](#)

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: [Beaufort County, South Carolina](#)

USFWS NWI maps: [NWI Wetlands Mapper, accessed May 12, 2021](#)

USGS topographic maps: [Jasper 7.5 minute quadrangle, 2017](#)

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.
LiDAR data/maps	Beaufort DEM; South Carolina Department of Natural Resources
Other Sources	N/A.

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

C. Additional comments to support AJD: [The review area consists of a 2-acre, undeveloped parcel of land located at the corner of State Highway 170 \(Okatie Highway\) and Lawton Boulevard. LiDAR data and the](#)

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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7.5' quadrangle for the area indicates that the parcel is flat and nearly level with no indications of streams, ponds or other features which may convey or collect water. To determine if wetlands were present within the review area, a wetland delineation of the site was conducted by the requestor's consultant in May 2021 following the Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain Regional Supplement. Per the U.S. Army Corps of Engineers Wetland Delineation Manual (1987), a site must consist of hydric soils, vegetation, and hydrology to be considered a wetland.

A data sheet provided in the request indicates that hydric vegetation was present on the site based on a positive Dominance Test result. The data sheet indicates that the site supports Facultative or Facultative-Wet species such as *Pinus taeda*, *Magnolia grandiflora*, *Quercus laurifolia*, *Quercus nigra*, and *Magnolia virginiana*. NRCS Soil Survey information indicates that 2/3 of the site consists of a non-hydric soil type (Seabrook fine sand). The remaining 1/3 of the site consists of a soil listed as hydric (Leon fine sand, 0 to 2 percent slope). The hydric soils were mapped on the eastern third of the parcel, which is in the vicinity of a potential wetland area (indicated by NWI data and visible water) located outside of the review area. However, a soil test pit dug within the review area and did not contain any indicators of a hydric soil. Furthermore, no indicators of hydrology was observed on the parcel.

Based on the lack of aquatic features, hydric soils and hydrology within the review area, the parcel does not support potential Waters of the U.S. and consists entirely of dry land.