



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): November 10, 2020
ORM Number: SAC-2010-00026
Associated JDs: N/A
State: SC City: Blythewood County: Richland County
Center Coordinates of Review Area: Latitude 34.180619 Longitude -80.919308

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
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 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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D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
(b)(1)	0.216 acre	(b)(1) Non-adjacent wetland	The wetland identified on site 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). Additional discussion is provided below in Section III.

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: Application dated 07-22-2020.

This information is not sufficient for purposes of this AJD.

Rationale: Additional information was required in order for the Corps to delineate the site.

Data sheets prepared by the Corps: Wetland Data point dated 07-27-2020.

Photographs: ESRI Aerial base map accessed 11-05-2020. Corps site visit photos 1-14 taken 07-27-2020.

Corps Site visit(s) conducted on: July 27, 2020.

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

Antecedent Precipitation Tool: Detailed discussion in Section III.B.

USDA NRCS Soil Survey: NRCS SSURGO Map Service accessed 11-05-2020.

USFWS NWI maps: USFWS NWI Map Service accessed 11-05-2020.

USGS topographic maps: USGS topo ESRI base map accessed 11-05-2020.

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
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

B. Typical year assessment(s): The Antecedent Precipitation Tool (APT) was used to determine whether the site visit and wetland identification and delineation occurred during a typical year. For the date of the Corps' site visit, the APT calculated a condition value of 12, indicating "normal" conditions at the time of the Corps' data collection on July 27, 2020. Accordingly, site conditions observed during the site visit would not be expected to be obscured as a result of unusually wet or dry conditions.

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- C. Additional comments to support AJD:** The identified wetland was observed to meet all three wetland parameters. The lot on which the wetland is located is within a developed subdivision and is surrounded by developed lots on two sides and by roads on two sides. The wetland is located at the bottom of the slope from the surrounding development. There is a catch basin (concrete box) located on the southern part of the property and leads to a culvert that runs beneath the road bounding the property to the south. The catch basin drops down and a culvert goes under the road. During the Corps' site visit, the area around the catch basin was observed to have leaf litter and pine straw with no flow patterns or indication of disturbance by flow. The wetland was not abutting the catch basin. Therefore, while the wetland could drain through the catch basin and culvert, available evidence indicates that water does not flow through the culvert in a typical year. On this basis, the wetland is not abutting an (a)(1)-(a)(3) water, and further, does not meet any other (a)(4) adjacency criteria set forth in (c)(1) where adjacent wetlands are defined.

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