



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): 17 NOV 2020  
ORM Number: SAC-2020-01243  
Associated JDs: SAC-2006-2471 adjacent site JD dated 3/4/2013  
Review Area Location<sup>1</sup>: The Review Area is a 14.79-acre site located south of and adjacent to S.C. Highway 90, TMS #127-00-01-068,  
State: SC City: Conway Township County: Horry County  
Center Coordinates of Review Area: Latitude 33.8484 Longitude -78.8374

**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
Jurisdictional Tributary 1	840 feet	(a)(2) Perennial tributary contributes surface water flow directly or indirectly to an (a)(1) water in a typical year	The tributary is a naturally occurring named tributary (Jones Big Swamp) that flows directly to the Waccamaw River an (A)(1) water. The tributary was determined to have a perennial flow regime by previous site visits for adjacent Jurisdictional Determinations, (SAC-2006-02471), review of USGS Topographic Maps, Horry County Soil Survey, various aerial photos and USGS National Hydrology Dataset (NHD) map.

Lakes and ponds, and impoundments of jurisdictional waters ((a)(3) waters):

<sup>1</sup> Map(s)/Figure(s) are attached to the AJD provided to the requestor.

<sup>2</sup> 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.

<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.

<sup>4</sup> 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.

<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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(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	6.9 acres	(a)(4) Wetland abuts an (a)(1)-(a)(3) water	Wetland directly abuts the OHWM of the onsite tributary

**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 Waters 1	0.07 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	Excluded Waters 1 is a pond located within the review area and was determined to be wholly excavated from uplands, does not contribute flow to an (a)(1-3) water, and does not meet the criteria of a jurisdictional feature as identified in paragraph (c)(6). The onsite pond appears to be an abandoned agriculture pond or borrow area.

**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 submitted by The Brigman Company, on behalf of Jimmy Jordan, dated September 9, 2020.*

This information is sufficient for purposes of this AJD.

Rationale: *The wetland data forms, and additional information submitted by the agent are a reasonable representation of site conditions at the time of collection and are sufficient for purposes of this AJD.*

Data sheets prepared by the Corps: *N/A.*

Photographs: *Aerial and other photos submitted by Brigman in the submittal dated September 9, 2020, and 2019 Google Earth and 2006 SCDNR aerial photos.*

Corps Site visit(s) conducted on: *N/A.*

Previous Jurisdictional Determinations (AJDs or PJDs): *Adjacent tract JD SAC-2006-02471, date 3/4/2013*

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

USDA NRCS Soil Survey: *NRCS / Soil Survey Geographic Database (SSURGO) Map Service dated April 4, 2019, updated August 26, 2020, ESRI Map Service depicts the soil types of Ogeechee and Meggett*

USFWS NWI maps: *USFWS NWI - Wetlands Raster REST Map Service dated May 29, 2012, updated July 17, 2020, USFWS NWI Map Service Maps depicts review area as uplands with with the delineated wetlands as wetlands. NWI map depicts the upland excavated pond (Excluded Waters 1) as uplands with no symbol of open water.*

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- X** USGS topographic maps: *USGS Topographic Map / 7.5 Minute Index / Hand Quad / 1:24000. Topographic map depicts the review area as forested uplands and wetlands with a solid blue line feature running through wetlands. Solid blue line features on topographic maps typically represent tributaries with a flow regime of perennial.*

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

Data Source (select)	Name and/or date and other relevant information
USGS Sources	Topographic map and National Hydrology Dataset (NHD) map
USDA Sources	Soil Survey.
NOAA Sources	N/A.
USACE Sources	SAC Regulatory Viewer accessed on 17 NOV 2020.
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

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

**C. Additional comments to support AJD:** *The review is a partially cleared site with non-disturbed forested wetlands. The review contains the run (tributary) of Jones Big Swamp, freshwater wetlands adjacent, directly abutting the tributary and an upland excavated agriculture pond or borrow area determined to be an excluded water. Site visit was not performed.*

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