



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): 24-NOV-2020

ORM Number: SAC-2020-01275

Associated JDs: SAC-2014-01255 dated November 13, 2014

Review Area Location<sup>1</sup>: The project is located south of and adjacent to the intersection of U.S. HWY 17 and Wachesaw Road.

State: SC City: Murrells Inlet County: Georgetown County

Center Coordinates of Review Area: Latitude 33.5488 Longitude -79.04812

**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: The area in review contains 1.61 acres and does not include jurisdictional or excluded waters.
- 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
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):

<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 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.

<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)(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))<sup>4</sup>:

Exclusion Name	Exclusion Size	Exclusion <sup>5</sup>	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 submitted by Blakeway Corporation, on behalf of Encore Real estate, on September 14, 2020. Plat submitted by the agent titled "HWY. 17 AND WACHESAW RD./ LAYOUT PLAN" dated September 14, 2020.

This information *is* sufficient for purposes of this AJD.

Rationale: Wetland data forms and supplemental information included in the original submittal are a reasonable representation of site conditions at the time of collection

\_\_\_ Data sheets prepared by the Corps: *Title(s) and/or date(s)*.

Photographs: (*aerial and other*) USGS National Map 3D Elevation Program (3DEP), 2019 Google Earth Imagery, site photos submitted by the agent (September 14, 2020).

\_\_\_ Corps Site visit(s) conducted on: *Date(s)*.

Previous Jurisdictional Determinations (AJDs or PJDs): SAC-2014-01255 issued on November 13, 2014.

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

USDA NRCS Soil Survey: Soil Survey Geographic Database (SSURGO) Map service dated April 4, 2019 revised August 26, 2020; The soil survey information depicts the project area as being comprised of Chipley fine sand. Chipley fine sand is listed as a somewhat poorly drained non-hydric soil that contains 2% or less hydric inclusions

USFWS NWI maps: Wetlands Raster REST Map Service dated May 29, 2012 and revised July 17, 2020; NWI map depicts the project area as uplands

<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.

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<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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- X USGS topographic maps: 7.5 Minute Index/ Brookegreen Quad / 1:24000: USGS topographic survey information depicts a cleared area void of blue lines or wetland symbols.

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

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS Topographic Map
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	SAC Reg Viewer accessed on 11/09/2020
State/Local/Tribal Sources	N/A.
Other Sources	N/A.

- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated based on field collection data denoted on the originally included wetland delineation data forms (April 14, 2020). Output from the APT indicated "Normal Conditions" at the time of data collection by the agent (Blakeway Corporation) with a value of 14. ATP outputs with a condition value greater than 14 indicate "wetter than normal" conditions, "normal" conditions range from 10-14, and values less than 10 are considered "drier than normal". For this assessment, the APT tool pulled data from 10 weather stations within an approximate radius of 22 miles. Results of the APT indicate the site visit was conducted under normal conditions considered by the Corps to be within a "typical year".
- C. Additional comments to support AJD:** The area in review contains 1.61 acres that does not include jurisdictional or excluded waters. Based on the consistent identification of upland areas observed throughout the aerial photographs, Georgetown County soil survey information, and NWIs, the project area was determined to consist entirely of uplands. Additionally, previous Approved JD SAC-2014-01255 issued on November 13, 2014 identified the project area as uplands.

<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 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.

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