



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 30, 2020

ORM Number: SAC-2020-01420

Associated JDs: N/A

Review Area Location¹:

State/Territory: SC City: Marion County: Marion County

Center Coordinates of Review Area: Latitude 34.2248° N Longitude -79.3897° W

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: Review area consists of a residential home site and lot. The site was analyzed with remote data sources and found to consist only of uplands, see Section III for details.
- 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):

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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(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: *Jurisdictional determination request with maps and site pictures submitted on October 12, 2020. Project site map titled: “**Location Map** / SC-HM16-09622 / 215 Hillcrest Ct / Marion, SC 29571 / 34.224819, -79.389712”, dated October 8, 2020, submitted by Horne, LLP, on behalf of the South Carolina Disaster Recovery Office Housing Recovery Program*

This information is sufficient for purposes of this AJD.

Rationale: *While data sheets were not submitted to the Corps, site pictures, maps, and remote data clearly illustrates the project site are uplands containing a single-family residence with a maintained (mowed) lawn.*

Data sheets prepared by the Corps: *None*

Photographs: *Site pictures dated August 25, 2020; Google Earth Aerials dated February 18, 2017; Charleston Regulatory Viewer (ESRI / Created: Dec 12, 2009 Updated: Nov 19, 2020);*

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

Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s).*

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

USDA NRCS Soil Survey: *Marion County soil survey maps depict one soil within the project area, Fuquay sand (0 to 6 percent slopes). Fuquay sand is not listed as hydric in the 2017 hydric soils list for Marion County.*

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- x USFWS NWI maps: *NWI maps depict approximately 0.08 acres of site as palustrine forested wetlands. Off-site to the west is a large wooded area that likely contains wetlands that were once historically adjacent to Catfish Swamp.*
- x USGS topographic maps: *Topographic map / Marion Quad / 1:24000 / depict the site as non-forested with wetland symbology adjacent to the project site (west of). Within the project site no other aquatic features (blue line features) are depicted on topographic maps.*

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 Reg Viewer – Accessed on October 21, 2020.
State/Local/Tribal Sources	N/A.
Other Sources	Williamsburg County LiDAR aerial imagery.

- B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for typical year determination was calculated based on field conditions observed on the date of the application form (October 12, 2020). Output from the APT indicated "normal conditions" at the time of data collection by the agent with a condition value of 16. ATP outputs with a condition value greater than 14 indicate "wetter than normal" conditions onsite and may not accurately represent typical year hydrologic conditions. For this assessment, a total of 5 weather stations within a ~19 mile radius was used.
- C. Additional comments to support AJD:** This 0.10 acre project site contains a single-family house and a small maintained (mowed) yard. This site was analyzed without a site-visit via remote data sources, including: topographic maps, NWI maps, Williamsburg County soil maps, LiDAR digital elevation model (DEM) data, site pictures (supplied with original submittal), and aerials from Google Earth (February 18, 2017) and the Charleston Regulatory Viewer tool. After a careful analysis of the aforementioned data sources on October 21, 2020, this site was found to contain 0.10 acres of uplands and no aquatic resources under the Corps jurisdiction.

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