



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): October 1, 2020

ORM Number: SAC-2020-01098 Indian Hut Road Tract

Associated JDs: N/A

Review Area Location<sup>1</sup>:

State: SC City: Georgetown County: Georgetown

Center Coordinates of Review Area: Latitude 33.4325°N; Longitude -79.4413°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: The site is a recently cultivated silviculture site that has been manipulated for years. In addition, according to the consultant's data sheets, all three parameters (vegetation, soils, hydrology) did not meet the criteria for a wetland set forth in the 1987 Corps of Engineers Wetland Delineation Manual.
- 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                                |

<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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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))<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: Indian Hut Road Tract submittal dated August 10, 2020 by S&ME, Inc.  
This information is sufficient for purposes of this AJD.  
Rationale: Wetland data forms and information included in the original submittal are considered to be a reasonable representation of site conditions at the time of collection.  
Data sheets prepared by the Corps: N/A
- Photographs: (aerial and other) USGS National Map 3D Elevation Program (3DEP) published August 13, 2020 / Google Earth Imagery dated March 10, 2017 / site photographs from consultant dated August 10, 2020.
- Corps Site visit(s) conducted on: *Date(s)*. N/A
- Previous Jurisdictional Determinations (AJDs or PJDs): *ORM Number(s) and date(s)*. N/A
- Antecedent Precipitation Tool: provide detailed discussion in Section III.B.
- USDA NRCS Soil Survey: USA Soils Map Units (SSURGO) Map Service dated April 4, 2019, updated August 26, 2020.
- USFWS NWI maps: USFWS NWI – Wetlands Raster REST map Service dated May 29, 2012, updated July 17, 2020.
- USGS topographic maps: Olin Quad / 7.5 Minute Index / 1:240000

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

| Data Source (select)       | Name and/or date and other relevant information |
|----------------------------|---|
| USGS Sources               | USGS Topographic Maps                           |
| USDA Sources               | N/A.  |
| NOAA Sources               | N/A.  |
| USACE Sources              | USACE-SAC Regulatory Viewer                     |
| State/Local/Tribal Sources | N/A.  |
| Other Sources              | N/A.  |

**B. Typical year assessment(s):** Antecedent Precipitation Tool (APT) data for a typical year determination was calculated based on field collection data denoted on wetland delineation forms

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(August 10, 2020). Output from the APT indicated “wetter than normal” conditions at the time of data collection by the agent (S&ME) with a condition value of 18. APT output values 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 14 weather stations within an approximate 25-mile radius were used.

**Additional comments to support AJD:** The area in review contains 69.46 acres and does not include jurisdictional or excluded waters. The NWI’s depict the entire site as uplands. Although the soil survey depicts an area in the center of the property as Leon (hydric) soils, the information submitted by the agent, including data forms, found no hydric soils or indicators of hydrology present on the site. Therefore, the site was determined to consist entirely of uplands.

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