

DRY LAND APPROVED JURISDICTIONAL DETERMINATION FORM¹
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): October 5, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Charleston District, SAC-2017-00108, Cudd Property Pond

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: South Carolina County/parish/borough: Union County City: Union

Center coordinates of site (lat/long in degree decimal format): Lat. 34.7645 °, Long. -81.6319 °

Universal Transverse Mercator:

Name of nearest waterbody: Buffalo Creek

Name of watershed or Hydrologic Unit Code (HUC): 0305010603

- ☒ Check if map/diagram of review area is available upon request.
- ☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc...) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

- ☒ Office (Desk) Determination. Date: September 29, 2022
- ☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are **no** “*navigable waters of the U.S.*” within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are **no** “*waters of the U.S.*” within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

SECTION III: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: “Jurisdictional Determination Request Cudd Property” dated May 10, 2022 submitted by S&ME on behalf of the Union County Development Board
- ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant. Concurs with report’s conclusions.
- ☐ Office concurs with data sheets/delineation report.
- ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps:
- ☐ U.S. Geological Survey Hydrologic Atlas:
- ☐ USGS NHD data.
- ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Exhibit No. 2 “USGS Topographic Surface Features” dated May 6, 2022; Source: USATopo Maps, via ESRI Online – Spartanburg, SC – 1953.
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Exhibit No. 4 “NRCS Soil Associations” dated May 6, 2022; Source: NRCS Soil Associations, via Web Soil Survey – 2022.
- ☒ National wetlands inventory map(s). Cite name: Exhibit No.5 “NWI Mapped Features” dated May 6, 2022; Source: USFWS NWI Mapper.
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Exhibit No. 3 “Aerial Imagery” dated May 6, 2022.
- ☐ ☒ Other (Name & Date): Site Photographs 1 through 12
- ☒ Previous determination(s). File no. and date of response letter: SAC-2017-00108 AJD verified by letter dated June 12, 2017.
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND: There are no aquatic resources or potential aquatic resources in the 29-acre review area that would warrant the application of a wetland delineation, significant nexus analysis, navigability determination, and/or delineation of the ebb and flow of the tides. There are no features that have lateral limits of jurisdiction (e.g., OHWM).

¹ This form is for use only in recording approved JDs involving dry land. It extracts the relevant elements of the longer approved JD form in use since 2007 for aquatic areas and adds no new fields.

