



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): 23-SEP-2020

ORM Number: SAC-2020-00719

Associated JDs: N/A

Review Area Location¹:

State: SC City: Hemingway County: Georgetown County

Center Coordinates of Review Area: Latitude 33.671351 Longitude -79.318354

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: There are no features on site that exhibit tributary characteristics or meet the three parameters of a wetland. Additionally, there are no excluded waters present on site. The 3.0 acre site consists entirely of uplands.
- 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: *AJD Request submitted by Palmetto Environmental Consulting, Inc., on behalf of CDP Hemingway, LLC, on 15 May 2020.*

This information is sufficient for purposes of this AJD.

Rationale: *The information submitted by the agent, including wetland data forms, was considered to be 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) *ESRI Basemap Map Service and Google Earth Aerial dated 10 Mar 2017. Photographs submitted by the agent dated 15 May 2020. The aerials and photographs depict an undeveloped, forested site with no signatures of potential aquatic resources.*

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

___ Previous Jurisdictional Determinations (AJDs or PJDs): *N/A.*

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

USDA NRCS Soil Survey: *NRCS Soil Survey Geographic Database (SSURGO) created 4 Apr 2019 and updated 26 Aug 2020. The site consists of Eulonia loamy fine sand and Wahee fine sandy loam, which are non-hydric soils with hydric inclusions.*

USFWS NWI maps: *USFWS NWI – Wetlands Raster REST Map Service created 29 May 2012 and updated on 17 Jul 2020. The NWIs map the entire site as uplands.*

USGS topographic maps: *USGS Topographic Map / 7.5 Minute Quad / Outland Quad. The topographic map depicts this site as uplands.*

Other data sources used to aid in this determination:

Data Source (select)	Name and/or date and other relevant information
USGS Sources	USGS National Map 3D Elevation Program (3DEP) Map Service and USGS Topographic Map.
USDA Sources	N/A.
NOAA Sources	N/A.
USACE Sources	SAC Regulatory Viewer accessed on 22 Sep 2020.
State/Local/Tribal Sources	N/A.

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Other Sources

N/A.

- B. Typical year assessment(s):** Antecedent Rainfall Calculator Data for typical year determination was calculated based on the field collection date provided by the agent (8 May 2020). The Antecedent Rainfall Calculator Data showed “normal” conditions at the time of data collection by the agent with a condition value of 14, which indicates that typical year hydrologic conditions were present. For this assessment, ten weather stations within a 19-mile radius were used.
- C. Additional comments to support AJD:** Based on a review of the above listed resources, this 3.0 acre site was determined to consist entirely of uplands. No (a)(1)-(a)(4) waters nor excluded waters are present within the project boundary.

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