



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): September 23, 2020

ORM Number: SAC-2020-00861

Associated JDs: N/A

Review Area Location¹:

State: SC City: Georgetown County: Georgetown

Center Coordinates of Review Area: Latitude 33.3493 Longitude -79.3801

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: N/A
- 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):

(a)(4) Name	(a)(4) Size	(a)(4) Criteria	Rationale for (a)(4) Determination
Jurisdictional Wetland 4	19.26 acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an	The onsite wetland is part of a larger wetland system that continues offsite to the southwest and would abut

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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		artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water in a typical year	the downstream unnamed tidal tributary (a)(1) to the Sampit River but for the artificial structure, a linear transportation corridor that contains Woodstock Road and a railroad. A direct hydrologic surface connection to the downstream (a)(1) water is provided through culverts and provides a surface connection within a typical year.
Jurisdictional Wetland 5	26.29 acres	(a)(4) Wetland separated from an (a)(1)-(a)(3) water only by an artificial structure allowing a direct hydrologic surface connection between the wetland and the (a)(1)-(a)(3) water in a typical year	The onsite wetland is part of a larger wetland system that continues offsite to the northwest and would abut the downstream unnamed tidal tributary (a)(1) to the Sampit River but for the artificial structure, a linear transportation corridor that contains Woodstock Road and a railroad. A direct hydrologic surface connection to the downstream (a)(1) water is provided through culverts and provides a surface connection within a typical year.

D. Excluded Waters or Features

Excluded waters ((b)(1) – (b)(12))⁴:

Exclusion Name	Exclusion Size	Exclusion ⁵	Rationale for Exclusion Determination
Excluded Water 1 (b)(1)	0.18 acres	(b)(1) Non-adjacent wetland	Excluded Water 1 does not abut and is not inundated by an (a)(1)-(3) water. Excluded Water 1 is completely encompassed by natural uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Excluded Water 2 (b)(1)	0.17 acres	(b)(1) Non-adjacent wetland	Excluded Water 2 does not abut and is not inundated by an (a)(1)-(3) water. Excluded Water 2 is completely encompassed by natural uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Excluded Water 3 (b)(1)	0.97 acres	(b)(1) Non-adjacent wetland	Excluded Water 3 does not abut and is not inundated by an (a)(1)-(3) water. Excluded Water 3 is completely encompassed by natural uplands and lacks a direct or indirect surface connection to (a)(1)-(3) waters.
Excluded Water Borrow Pit (b)(8)	0.08 acres	(b)(8) Artificial lake/pond constructed or excavated in upland or a non-jurisdictional water, so long as the artificial lake or pond is not an impoundment of a jurisdictional water that meets (c)(6)	The onsite pond is constructed wholly in uplands and does not contribute flow to an (a)(1)-(a)(3) water.

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: Woodstock Road Site submittal dated June 19, 2020 by The Brigman Company.

This information is sufficient for purposes of this AJD.

Rationale: The Corps agrees with the conclusions of the submitted data sheets and submittal.

Data sheets prepared by the Corps: N/A

Photographs: (aerial and other) USGS National Map 3D Elevation Program (3DEP) published

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August 13, 2020 / Google Earth Imagery dated March 10, 2017 / site photographs from the consultant dated June 2, June 10, June 11, and September 4, 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: USGS Topographic Maps / Kilssock Island 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 typical year determination was calculated on September 15, 2020. Output from the APT indicated “Normal Conditions” on September 15, 2020 with a condition value of -14. APT output with a condition value less than 14 indicates “Normal Conditions” onsite and accurately represents typical year hydrologic conditions.
- C. Additional comments to support AJD:** The area in review contains 116.42 acres and includes two (2) jurisdictional wetlands and four (4) excluded waters. Jurisdictional Wetlands 4 and 5 are part of larger wetland systems that continue offsite to the west and would abut the downstream unnamed tidal tributary (a)(1) to the Sampit River (a)(1) but for the artificial structure, a linear transportation corridor that contains Woodstock Road and a railroad. Woodstock Road and the adjacent railroad track are situated within the shared transportation corridor, acting as a singular linear artificial structure. A direct hydrologic surface connection to the downstream (a)(1) water is provided through culverts placed directly in the wetlands, which provide the requisite surface connection within a typical year. Excluded Waters 1,2, and 3 are non-adjacent wetlands (b)(8) completely surrounded by natural uplands and lack a direct and/or indirect surface connection to (a)(1)-(3) waters, and were determined to be non-jurisdictional.

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