

Attachment B

JD Request Form

U.S. Army Corps of Engineers – Charleston District - Regulatory Division

JURISDICTIONAL DETERMINATION REQUEST

For Identifying Waters of the U.S., Including Wetlands and Tributaries, and Jurisdictional Status

This form is intended for use by anyone requesting a jurisdictional determination from the U.S Army Corps of Engineers, Charleston District (Corps). Please supply the following information and supporting documents described below. This document can be completed electronically and then printed. **This document must be signed by the current property owner(s) to be considered a formal request.** We require original signatures; faxes and emails with scanned copies are not acceptable. Per the required property owner's signature below, please be advised that submitting this request authorizes the Corps to conduct on-site investigations, if necessary, to inform the jurisdictional determination process. Please contact us if you need any assistance with filling out this form, as well as for jurisdictional determination requests associated with corridor projects involving multiple property owners. You may attach extra pages/authorizations if needed. The printed form and supporting documents should be mailed to the appropriate office (refer to the enclosed service area map):

Charleston Office: US Army Corps of Engineers Regulatory Division 69A Hagood Avenue Charleston, SC 29403 (ph) 843-329-8044	Columbia Office: US Army Corps of Engineers Regulatory Office 1835 Assembly Street, Room 865 B-1 Columbia, SC 29201 (ph) 803-253-3444	Conway Office: US Army Corps of Engineers Regulatory Office 1949 Industrial Park Road, Room 140 Conway, SC 29526 (ph) 843-365-4239
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Directions: Sections I-V must be completed upon submittal. Failure to do so may result in additional delays.

I. PROPERTY AND AGENT INFORMATION

A. Project Details/Location:

Project Name: _____ Date: _____
County: _____ Latitude/Longitude: _____
Tax Map Sequence (TMS) #(s): _____
Property Address(es): _____
Acreage(s): _____

B. Property Owner(s): (if there are multiple property owners, please attach additional pages)

Name: _____
(*Current Legal Property Owner Name and Contact Information are required.)
Company Name (if applicable): _____
Address: _____
Phone: _____ Email: _____

C. Requestor Of Jurisdictional Determination (check here ☐ if same as Property Owner):

Name: _____
Company Name (if applicable): _____
Address: _____
Phone: _____ Email: _____

Select one:

- ☐ I am the current property owner
☐ I am an interested buyer or am under contract to purchase the property
☐ Other, please explain.

D. Consultant/Agent (if applicable):

Consultant/Agent Name: _____
Company Name (if applicable): _____
Address: _____
Phone: _____ Email: _____

II. PROPERTY ACCESS AUTHORIZATION

I, the undersigned, a duly authorized owner of record of the below parcel number(s), do hereby authorize representatives of the U.S. Army Corps of Engineers, Charleston District, to enter upon the below parcel number(s) for the purposes of conducting on-site investigations (e.g., digging and refilling shallow holes) and issuing a jurisdictional determination associated with Waters of the U.S. subject to Federal Jurisdiction under Section 404 of the Clean Water Act and/or Section 10 of the Rivers and Harbors Act of 1899.

I acknowledge that under South Carolina common law, a person who authorizes, advises, encourages, procures, or incites another to commit a trespass, is liable along with the actual perpetrator.

I further acknowledge that 18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Mailing Address of Property Owner

Property Address

TMS #(s)

Property Owner Name (please print)

Signature of Property Owner:

Date:

III. AGENT/CONSULTANT AUTHORIZATION ☐ Not applicable

I, the undersigned, do authorize the agent/consultant listed above (on page 1) to act in my behalf in the processing of this request and to furnish supplemental information in support of this request.

I acknowledge that 18 U.S.C. Section 1001 provides that: Whoever, in any manner within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals, or covers up any trick, scheme, or disguises a material fact or makes any false, fictitious or fraudulent statements or representations or makes or uses any false writing or document knowing same to contain any false, fictitious or fraudulent statements or entry, shall be fined not more than \$10,000 or imprisoned not more than five years or both.

Property Owner Name (or Requestor Name) (please print)

Signature of Property Owner (or Requestor): **Date:**

The Consultant/Agent is acting on behalf of the *(check all that apply)*:

☐ Property Owner

☐ Requestor

☐ Other, please explain: _____

*The SCDOT, acting under The Eminent Domain Procedure Act (South Carolina Code of Laws Title 28, Chapter 2, Article 1), has identified multiple properties which are being investigated for possible future right of way acquisition and/or easement access. The SCDOT is requesting assistance from the USACE to verify water features identified within the project study corridor having been accessed through The Eminent Domain Procedure Act (EDA).

IV. Type of Submittal (Select one)

A. I am an environmental/wetland consultant representing a JD requestor who is submitting a wetland delineation for review and verification by the Corps. Please refer to pages **4-8** for the "Information Required for Wetland Delineations and Jurisdictional Determination Submittals."

B. I am a JD requestor without an environmental/wetland consultant requesting that the Corps investigate the above property for the presence or absence of wetlands, tributaries, or other Waters of the U.S., and establish the geographic extent of these areas. *Please note that while the Corps offers wetland delineation services, time frames to fulfill requests are dependent on site size, property conditions, workload priorities, and staffing levels. To expedite the wetland delineation process, property owners and/or requestors are encouraged to hire an environmental consultant. A courtesy list of environmental consultants can be found on our website at www.sac.usace.army.mil/Missions/Regulatory/PermittingProcess.aspx.*

For requestors with no environmental/wetland consultant for box IV. B. above, the first three items listed below MUST accompany your request. Complete only this page and disregard the following pages.

1. Accurate location maps (from County Map, USGS Quad Sheet, etc.), street address and directions to site from a nearby major intersection.
2. Copy of Survey Property Plat, Tax Map of Property, or depiction showing project review area/property boundary with GPS coordinates.
3. Statement that the project review area/property boundaries are marked and a description of how the project review area/property boundaries are marked onsite. See below note* for more information.
4. Additional information, such as soil survey information, aerial photographs, etc.

*Note: The project review area/property boundaries must be accurately marked onsite PRIOR to the Corps site visit. The property owner may need to hire a registered land surveyor to locate and mark the property corners and/or boundaries. Small sites and/or sparsely vegetated sites may only require the property corners be marked. However, sites that are large, oddly shaped, and/or have thick vegetative cover may require additional marking efforts, such as cut sight lines, the use of a series of flags, etc., in order for Corps staff to identify and locate the boundaries while onsite.

V. Type of Jurisdictional Determination Requested (select one):

A. Accurate-Approved B. Approximate-Approved C. Accurate-Preliminary * D. Approximate-Preliminary

Description of the Types of Jurisdictional Determinations:

Preliminary – Preliminary determinations will identify whether wetlands or other waters are present on the site and will presume that they are jurisdictional. Preliminary jurisdictional determinations may be completed more quickly than Approved jurisdictional determinations and do not expire.

Approved – Approved jurisdictional determinations will identify whether wetlands or other waters are present on the site and will include a determination of their jurisdictional status. Approved jurisdictional determinations expire in 5 years.

Description of the Types of Delineations:

Accurate: Location and extent (boundaries) of all Waters of the U.S. are identified and surveyed by a registered land surveyor. Project review area/property boundary must be surveyed or represented by a tax map (or by GPS points if no Waters of the U.S. are present).

Approximate: Location and extent (boundaries) of all Waters of the U.S. are identified and depicted approximately on a sketch. Project review area/property boundary must be surveyed or represented by a tax map or GPS coordinates.

***Note: For Accurate-Preliminary Jurisdictional Determinations, although the jurisdictional determination will not expire, the surveyed location and extent (boundaries) of wetlands and/or waters will expire after 5 years.**