



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT
69A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403-5107

May 19, 2023

Regulatory Division

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

This is in response to your request for an Approved Jurisdictional Determination (AJD) (SAC-2022-01723) received in our office on December 6, 2022, for a 2-acre site located at Sumter Highway in Alcolu, Clarendon County, South Carolina (Latitude: 33.7438°, Longitude: -80.2144°). An AJD is used to indicate the Corps has identified the presence or absence of wetlands and/or other aquatic resources on a site, including their accurate location(s) and boundaries, as well as their jurisdictional status pursuant to Section 404 of the Clean Water Act (CWA) (33 U.S.C. § 1344) and/or navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act of 1899 (RHA) (33 U.S.C. § 403).

The site is shown on the attached plat entitled "Alta Survey" and dated February 1, 2023 prepared by Mathis and Muldrow Land Surveying, Inc. Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, soil survey information, and Wetland Determination Data Forms, we conclude the site, as shown on the referenced map, does not contain any aquatic resources, including aquatic resources that would be subject to regulatory jurisdiction under Section 404 of the CWA or Section 10 of the RHA.

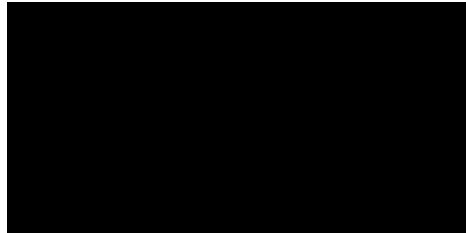
Attached is a form describing the basis of jurisdiction for the delineated area(s). Note that some or all of these areas may be regulated by other state or local government agencies and you should contact the South Carolina Department of Health and Environmental Control, Bureau of Water, or Department of Ocean and Coastal Resource Management, to determine the limits of their jurisdiction.

This AJD is valid for five (5) years from the date of this letter unless new information warrants revision before the expiration date. This AJD is an appealable action under the Corps of Engineers administrative appeal procedures defined at 33 CFR Part 331. The administrative appeal options, process and appeals request form is attached for your convenience and use.

This AJD was conducted pursuant to Corps of Engineers' regulatory authority to identify the limits of Corps of Engineers' jurisdiction for the particular site identified in this request. This AJD may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

In all future correspondence, please refer to file number SAC-2022-01723. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact Brittany Fournet, Project Manager, at 843-329-8046, or by email at brittany.a.fournet@usace.army.mil.

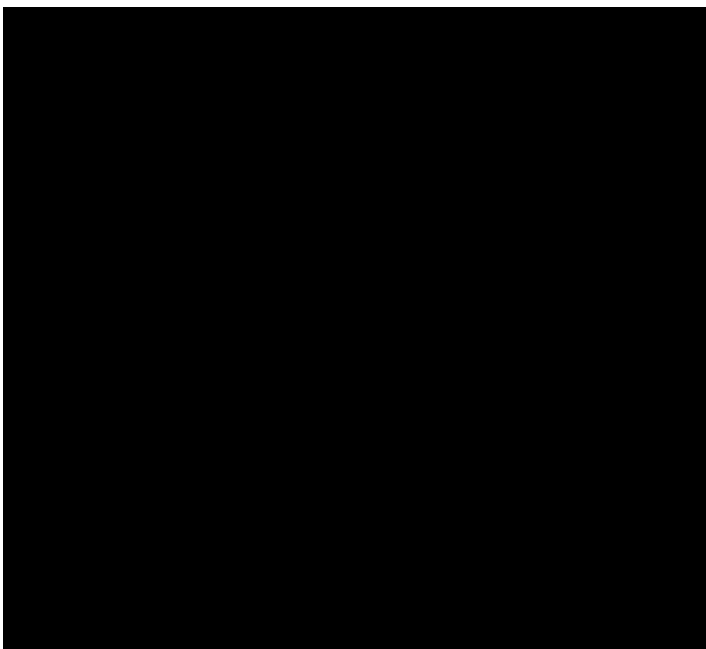
Sincerely,



Attachments:

Dry Land Approved Jurisdictional Determination Form
Notification of Appeal Options
"Photo and Data Point Locations" Map

Copies Furnished:



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): May 19, 2023

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: Charleston District, SAC-2022-01723, CDP Alcolu Site

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: South Carolina County/parish/borough: Clarendon County City: Alcolu
Center coordinates of site (lat/long in degree decimal format): Lat. 33.7438 °, Long. -80.2144 °
Universal Transverse Mercator:
Name of nearest waterbody: Big Branch River
Name of watershed or Hydrologic Unit Code (HUC): Huc 12-030402050404

- ☒ 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: 5/10/2023

☐ 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: Photo and Data Point Locations Map dated December 6, 2022
- ☒ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
- ☐ 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: USGS Topo map submitted as part of the JD request dated December 6, 2022
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Aerial Photo/Soils Map submitted as part of the JD request dated December 6, 2022
- ☒ National wetlands inventory map(s). Cite name: NWI map submitted as part of the JD request dated December 6, 2022
- ☐ State/Local wetland inventory map(s):
- ☐ FEMA/FIRM maps:
- ☒ 100-year Floodplain Elevation is: X (National Geodetic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Photo and Data Point Locations map submitted as part of the JD request dated December 6, 2022
- ☐ Other (Name & Date): Site photos submitted as part of the JD request dated December 6, 2022
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☒ Other information (please specify): The Applicant submitted only a portion of property TMS# 172-14-02-015-00 for review.

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.

B. REQUIRED ADDITIONAL COMMENTS TO SUPPORT JD. EXPLAIN RATIONALE FOR DETERMINATION THAT THE REVIEW AREA ONLY INCLUDES DRY LAND:

NOTES:
1) THIS DOCUMENT DOES NOT REPRESENT A TITLE EXAMINATION.
2) NOT A VALID DOCUMENT WITHOUT ORIGINAL SIGNATURE AND RAISED EMBOSSED SEAL.

DATE: FEBRUARY 1, 2023
JOB NO: 23018
FIELD BOOK: D/M BY SM
JOB REFERENCE: DB A820 PG 31
TAX MAP NO. 172-14-02-015-00

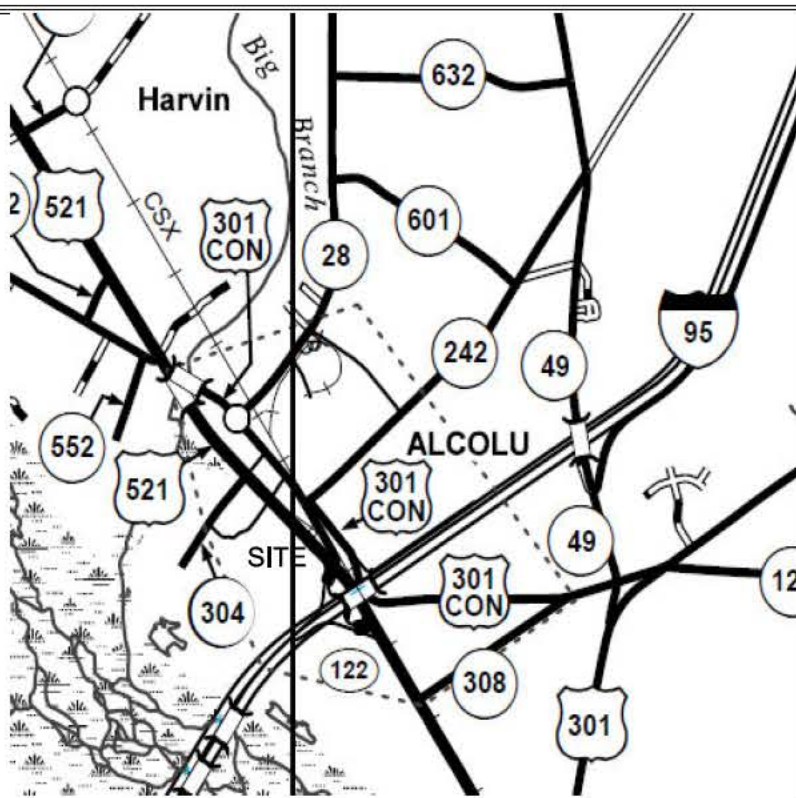


CERTIFICATION:
TO: CDP ALCOLU, LLC. and Investors Title Insurance Company

This is to certify that this map or plat and survey on which it is based were made in accordance with the 2016 Minimum Standards Detail Requirements for ALTA/NSPA Land Title Surveys, jointly established and adopted by ALTA and NSPS, and includes items 1, 2, 3, 4, 5 of Table A thereof.

Date of Plat or Map: February 1, 2023
STEVEN M. MULDROW, SCPLS Reg. No. 29500

- LEGEND
- WM — WATER METER
 - IPF — IRON PIN FOUND
 - IPS — IRON PIN SET
 - CATV — CABLE TV PEDESTAL
 - PP — POWER POLE
 - PH — TELEPHONE PEDESTAL



LOCATION MAP - NOT TO SCALE

SCHEDULE B - SECTION II OF TITLE COMMITMENT No. 2022- 142

1. Taxes for the year 2023, and subsequent years, not yet due and payable.
2. Subject to the Easement to SCDOT, recorded May 23, 2003 in Book A469 at Page 58 in the official records of the Clarendon County Recording Office.
3. Taxes, special assessments and other governmental charges that are not shown as existing liens by the public records (governmental charges may be made for acreage fees, top-on fees, cost of weed cutting, user fees, roll-back taxes, demolition of condemned buildings, and other matters that are not shown as existing liens on the property on public record.); or Unlisted personal property taxes (if discovered, such taxes and any penalties may be assessed as alien on the subject property).
4. Any facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession of the land.
5. Unrecorded Mechanics or Materialmens' Liens (Liens may be files by persons or entities furnishing labor or materials to any to any improvements to real property within the 90 days in SC from the last day of performance and will upon perfection relate in priority to the first day of performance as a valid lien or real property. If a Mechanic's Liens not foreclosed within 180 days in SC, the lien is unenforceable).
6. Security Interests that may have attached to fixtures on the subject property as provided in Article 9 of the Uniform Commercial Code of South Carolina.
7. Compliance with local, county, state or federal government law or regulation relative to environment, zoning, subdivision, occupancy, use, construction or development of the subject property.
8. Easements, liens or encumbrances, or claims thereof which are not shown in Public Records.
9. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land and not shown by the Public Records.
10. Notwithstanding reference to acreage in Schedule A, the Company does not insure amount of Land or acreage.
11. Subject to the Easement to State Rural Electric Authority, recorded January 18, 1938 in Book B8 at Page 37 in the official records of the Clarendon County Recording Office.
12. Subject to the Easement to the Railroad RW, recorded December 20, 1928 in Book A9 Page 208 in the official records of the Clarendon County Recording Office.

LEGAL DESCRIPTION:

All that piece, parcel, or tract of land, together with improvements thereon, lying, being and situate near the Town of Alcolu, School District No. 2 of Clarendon County, South Carolina, containing 2. acres more or less, and bounding now or formerly as follows; on the Northwest by a roadway; on the Northeast by U.S. Highway 521; on the Southeast by lands of Johnson; and on the Southwest by lands of Georgie-Pacific Corporation.

This being the same property conveyed to Frank B. Jones by Deed of Mary B. Gerrald dated May 30, 2008 and recorded May 30, 2008 in Deed Book A701 at Page 74 in the Register of Deeds Office for Clarendon County, South Carolina.

Tax Map No. 172-14-02-015-00 (Part)

Beginning at the centerline junction of U.S Highway 521 (Sumter Hwy) ; Spigner Road being the Point of Commencement (P.O.C.)

Thence N 10° 26' 59" W along the tie line having a distance of 103.94' to a 1/4" pipe (found) at the common corner of Robert Lane & JBJ Alcolu Properties, LLC and the eastern right of way of U.S. HWY 521 being the Point of Beginning (P.O.B);

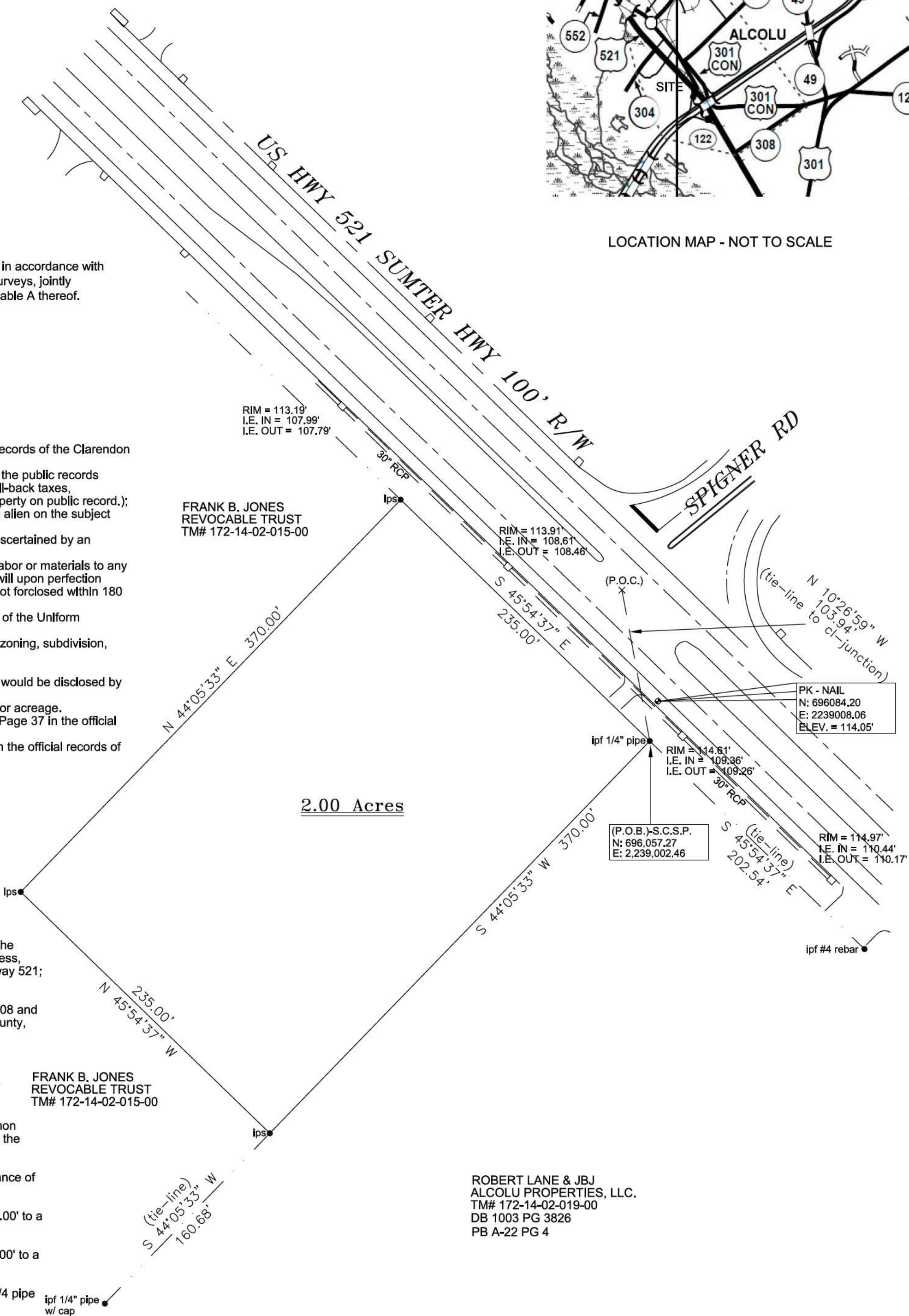
(Thence S 44° 05' 33" W along the common line of Robert Lane & JBJ Alcolu Properties, LLC. for a distance of 370.00' to iron pin (set) at the common corner of Robert Lane & JBJ Alcolu Properties, LLC;

Thence N 45° 54' 37" W along the common line of Frank B. Jones Revocable Trust for a distance of 235.00' to a iron pin (set) at the common corner of Frank B. Jones Revocable Trust;

Thence N 44° 05' 33" E along the common line of Frank B. Jones Revocable Trust for a distance of 370.00' to a iron pin (set) at the common corner of Frank B. Jones Revocable Trust;

Thence returning S 45° 54' 37" E along the right of way of U.S. HWY 521 for a distance of 235.00' to a 1/4 pipe (found) being the Point of Beginning (P.O.B);

Said Tract contains 2.00 acres (87,120 sqft)



"ALTA SURVEY"

TAX MAP No. 172-14-02-015-00 (PART)

SOUTH CAROLINA

CLARENDON COUNTY

DISTRICT 2

SURVEYED FOR:
CDP ALCOLU, LLC.

DIVISION SURVEY OF 2.00 ACRES SHOWN AS PART OF A LARGER TRACT AS DESCRIBED IN DEED BOOK A820 PAGE 31.



MATHIS & MULDROW LAND SURVEYING, INC.

575 SANDPIT LANE, MAYESVILLE, S.C. 29104

OFFICE (803) 435-2425

EMAIL: MULDROWLANDSURVEYING@GMAIL.COM

I HEREBY STATE TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "B" SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO ENCROACHMENTS, PROJECTIONS AFFECTING THE PROPERTY OTHER THAN THOSE SHOWN.

IS THIS PROPERTY IN AN F.I.A. DESIGNATED FLOOD HAZARD AREA? NOT IN
FIRM MAP NUMBER: 45027C0252C EFFECTIVE DATE AUGUST 19, 2013

