WACCAMAW RIVER FLOOD RISK MANAGEMENT INTEGRATED FEASIBILITY STUDY AND ENVIRONMENTAL ASSESSMENT

EXHIBIT C

ASSESSMENT OF NON-FEDERAL SPONSOR'S REAL ESTATE ACQUISITION CAPABILITY

I. NON-FEDERAL SPONSOR:

Horry County, South Carolina

II. LEGAL AUTHORITY:

a. Does the Non-Federal Sponsor have legal authority to acquire and hold title to real property for project purposes?

Yes, Horry County, South Carolina, as the Non-Federal Sponsor for a federal civil works project, has the legal authority to acquire and hold title to real property for project purposes under S.C. Code Ann. § 4-9-30(2)

b. Does the Non-Federal Sponsor have the power of eminent domain for this project?

Yes, Horry County, South Carolina, as the Non-Federal Sponsor, has the power of eminent domain under the South Carolina Eminent Domain Procedures Act, Section 28-2-10, et seq.

c. Does the Non-Federal Sponsor have "quick-take" authority for this project?Yes, Horry County, South Carolina, as the Non-Federal Sponsor, has this authority under the South Carolina Eminent Domain Procedures Act, S.C. Code Ann. § 28-2-10, et seq.

d. Are any of the lands/interests in the land required for the project located outside the Non-Federal Sponsor's political boundary?

No, all lands required for the project are within the Sponsor's political boundary.

e. Are any of the lands/interests in the land required for the project owned by an entity whose property the Non-Federal Sponsor cannot condemn?

No, there are no lands/interest required for the project that the Non-Federal Sponsor cannot condemn.

III. HUMAN RESOURCES REQUIREMENTS:

a. Will the Non-Federal Sponsor's in-house staff require training to become familiar with the real estate requirements of Federal projects including P.L. 91-646, as amended?

No, the Sponsor does not require training to become familiar with the real estate requirements of Federal projects, including P.L. 91-646.

b. If the answer to II.a is yes, has a reasonable plan been developed to provide such training?

Not Applicable.

c. Does the Non-Federal Sponsor's in-house staff have sufficient real estate acquisition experience to meet its responsibilities for the project?

Yes, the Sponsor's in-house staff has sufficient real estate acquisition experience to meet its responsibilities for the project.

d. Is the Non-Federal Sponsor's projected in-house staffing level sufficient considering its other workload, if any, and the project schedule?

Yes, the Non-Federal Sponsor's projected in-house staffing level is sufficient in regards to other workload and project schedule.

e. Can the Non-Federal Sponsor obtain contractor support, if required, in a timely fashion?

Yes, if necessary, the Non-Federal Sponsor can obtain contract support in a timely fashion to assist with real estate acquisition for the project.

f. Will the Non-Federal Sponsor likely request USACE assistance in acquiring real estate?

As of this assessment, the Non-Federal Sponsor has not requested USACE assistance to acquire the real estate on their behalf. It is unlikely USACE would acquire the real estate on behalf of the Non-Federal Sponsor since the Sponsor: (1) possesses the professional capability to acquire the real estate needed for the project; (2) can reasonably obtain, if necessary, real estate acquisition contracting services from sources other than the Federal Government; (3) have sufficient general and legal acquisition authority to acquire all the real estate required for the project; and (4) intend on entering into a partnership agreement with the local municipality to assist with real estate acquisition activities. However, since the standard project partnership agreement offers the Sponsor the opportunity to request USACE assistance

with real estate acquisition, the option remains open to the Sponsor for further discussion.

IV. OTHER PROJECT VARIABLES:

a. Will the Non-Federal Sponsor's staff be located within reasonable proximity to the project site?

Yes, the Non-Federal Sponsor's staff is located within a reasonable proximity to the project site.

b. Has the Non-Federal Sponsor approved the project/real estate schedule/ milestones?

USACE and the Non-Federal Sponsor will coordinate and assess real estate acquisition requirements and processes, including experiences from other partnered civil works projects. As of this assessment the Non-Federal Sponsor has not approved real estate schedule/milestones.

V. OVERALL ASSESSMENT:

a. Has the Non-Federal Sponsor performed satisfactorily on other USACE projects?

Yes, the Non-Federal Sponsor has performed satisfactorily on other completed and on-going USACE projects.

b. With regard to this project, the Non-Federal Sponsor is anticipated to be: Highly capable/ fully capable/ moderately capable/ marginally capable/ insufficiently capable?

The Non-Federal Sponsor is highly capable of performing its real estate acquisition responsibilities for the project.

VI. COORDINATION:

a. Has this assessment been coordinated with the Non-Federal Sponsor?

This assessment has been coordinated with the Non-Federal Sponsor.

b. Does the Non-Federal Sponsor concur with this assessment?

This assessment has been coordinated with the Non-Federal Sponsor for concurrence.

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