

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): February 14, 2022

B. DISTRICT OFFICE, FILE NAME, AND NUMBER: SAC-2022-00104 Project Way

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: South Carolina County/parish/borough: Horry County City: Myrtle Beach
Center coordinates of site (lat/long in degree decimal format): Lat. 33.674 °, Long. -78.944 °
Universal Transverse Mercator: **NAD 83**

Name of nearest waterbody: Long Bay

Name of watershed or Hydrologic Unit Code (HUC): Socastee Swamp-Atlantic Intracoastal Waterway HUC: 030402060906

- 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: **February 14, 2022**

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: The site is shown on the depiction prepared by the Brigman Company titled “Approved Jurisdictional Determination Exhibit / Project Way / PIN# 442-00-00-0009, 0010, & 442-16-03-0036 / Myrtle Beach, Horry County, South Carolina” and dated January 7, 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: 1:24k Myrtle Beach Quad; USGS topographic survey information does not depict any blue line features or other symbols that would typically represent waters of the United States within the project boundary.
- USDA Natural Resources Conservation Service Soil Survey. Citation: **Yemassee loamy fine sand**. The entire project area is depicted as being comprised of Yemassee loamy fine sand, which is a somewhat poorly drained non-hydric soil that contains inclusions of 2% Ogeechee and 2% Bladen soils (both hydric).
- National wetlands inventory map(s). Cite name: NWIs do not depict any potential aquatic resources within the boundary of the project area.
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): Google Earth January 2021, February 2020, and February 2019; Aerial photographs depict a open fields and predominantly evergreen forest.
- Other (Name & Date): Site photographs submitted by the agent titled “Site Photographs / Project Way / Myrtle Beach, Horry County, South Carolina,” and dated January 7, 2022.
- Previous determination(s). File no. and date of response letter: Approved JD SAC-2008-00070 issued September 25, 2008 and SAC-2004-13616 issued on November 12, 2009.
- Applicable/supporting case law:
- Applicable/supporting scientific literature:
- Other information (please specify): USGS 3D Elevation Program (3DEP) Bare Earth DEM Dynamic service data published as of January 7, 2022

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: This form addresses a 20.8-acre tract that was determined to consist entirely of uplands. The project area was originally determined to consist entirely of uplands under Approved JD SAC-2008-00070 issued September 25, 2008 and SAC-2004-13616 issued on November 12, 2009. The USGS topographic survey information located within Myrtle Beach quad depicts the project area as uplands that do not contain any blue line features. In addition, NWIs do not depict any potential wetlands or tributaries onsite. The project area contains a series of shallow upland excavated ditches that do not exhibit the characteristics of a tributary, including indicators of flow, and are determined to be non-aquatic features. Additionally, soil survey information depicts non-hydric soils on site and the agent's data forms and photographs depict sandy soils comprised of >30% uncoated sand grains and indicate the review area lacked indicators of hydrology. Due to the consistent upland depiction in all available resources to this office, the project area addressed in this form is determined to consist entirely of uplands