

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

February 5, 2024

Regulatory Division

This is in response to your request for an Approved Jurisdictional Determination (AJD) (SAC-2023-00234) received in our office on April 14, 2023, for a 2.279-acre site located on a portion of TMS# 074-01-02-001 along Marlboro Avenue, Barnwell County, South Carolina (Latitude: 33.2173°, Longitude: -81.3569°). 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 survey plat entitled "CDP Barnwell 2, LLC Barnwell, South Carolina" and dated April 2023 [REDACTED]

Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, and soil survey information, and Wetland Determination Data Forms, we conclude the site, as shown on the referenced plat, 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 Memorandum for Record 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-2023-00234. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact [REDACTED]

Sincerely,

[REDACTED]

Attachments:

Memorandum for Record
Notification of Appeal Options
CDP Barnwell 2, LLC Barnwell, South Carolina

Copies Furnished:

[REDACTED]

SCDHEC – Bureau of Water
2600 Bull Street
Columbia, South Carolina 29201
WQCWetlands@dhec.sc.gov

SCDHEC - OCRM
1362 McMillan Avenue, Suite 400
North Charleston, South Carolina 29405
OCRMPermitting@dhec.sc.gov

SURVEYORS LEGAL DESCRIPTION:
All that tract or parcel of land lying and being approximately two miles South of the City of Barnwell in the County of Barnwell, State of South Carolina, and being the land conveyed to CDP Barnwell 2, LLC by Deed Book XXXX pages XXX-XXX, dated XX-XX-2023 and recorded in the Barnwell County Register of Deeds and being more particularly described as follows:

Commencing at an existing #4 rebar found at the intersection of the western Right of Way of Marlboro Avenue (Having a 100' Public Right of Way) and the southern Right of Way of Seay Street (Having a 66' Public Right of Way), being labeled the Point of Beginning; thence with said Right of Way S 80° 41' 08" E 408.00 feet to a #4 rebar set; thence leaving said Right of Way S 01° 43' 12" W 225.00 feet to a #4 rebar set; thence N 85° 21' 55" W 417.00 feet to a #4 rebar set on the Right of Way of Seay Street; thence with said Right of Way N 04° 23' 41" E 258.00 feet to the Point of Beginning, containing 2.279 Acres (99,289.90 square feet), more or less.

Bearings based on South Carolina Grid North, NAD83.

N/F
Low Country Housing
of Barnwell, LLC

Pin: 073-13-02-009
DB 828, pg. 92
PC A, Slide 244, pg. 7-B
(11.28 Acres)

SEAY STREET
(66' Public R/W per PC A, Slide 232, pg. 2-A)
(tie to #4 rebar found)
N80°41'08"W 518.61'

N/F
Leaning Oak Properties, LLC
& David H. Creech

Pin: p/o 074-01-02-001
DB 1220, pgs. 167-172
PC A, Slide 232, pg. 2-A
(8.20 Acres)

NOTE "A"
SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED DURING THIS SURVEY. ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON. NO STATEMENT IS MADE CONCERNING THE EXISTENCE OF UNDERGROUND CONTAINERS WHICH MAY AFFECT THE USE OF THIS TRACT.

NOTE "B"
THE LOCATION OF UNDERGROUND UTILITIES SHOWN HEREON ARE BASED ON VISIBLE EVIDENCE AND UTILITY INFORMATION PROVIDED BY THE SC811 LOCATE SERVICE (TICKETS # 2304060157 & 2304060166) AND ARE APPROXIMATE LOCATIONS BASED ON PAINT MARKS IDENTIFIED DURING THE FIELD SURVEY. OTHER UNDERGROUND UTILITIES AND STRUCTURES NOT COVERED BY THE LOCATE SERVICE MAY EXIST. CONTACT THE APPROPRIATE UTILITY COMPANIES FOR INFORMATION REGARDING ANY ADDITIONAL BURIED UTILITIES.

NOTE "C"
ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES. AREAS WERE DETERMINED BY COORDINATE COMPUTATION. ALL BOUNDARY CORNERS WERE FOUND/SET AND IDENTIFIED PER LEGEND, UNLESS NOTED OTHERWISE.

NOTE "D"
WETLANDS, JURISDICTIONAL WATERS OR OTHER CONDITIONS WHICH MAY BE REGULATED BY FEDERAL OR STATE OR LOCAL AGENCIES WERE NOT INVESTIGATED DURING THIS SURVEY. RIPARIAN BUFFERS AND OTHER RESTRICTIONS ON DEVELOPMENT MAY BE REQUIRED.

NOTE "E"
PARCEL SHOWN HEREON IS LOCATED IN THE FLOOD ZONE "X" DESIGNATION: FIRM MAP NUMBER: 45011C03280
COMMUNITY NUMBER: 450023, CITY OF BARNWELL.
PANEL NUMBER: 0328 AND DATED SEPTEMBER 29, 2010.

NOTE "F"
THIS PARCEL HAS NO DEFINED PARKING SPACES.

NOTE "G"
NO EVIDENCE OF RECENT EARTHWORK OR BUILDING CONSTRUCTION OBSERVED WHILE CONDUCTING FIELDWORK.

NOTE "H"
SUBJECT PARCEL SHOWN HEREON IS ZONED:
I, (INDUSTRIAL)
CITY OF BARNWELL ZONING MAP (11/01/2017).

NOTE "I"
THIS PARCEL MAY BE SUBJECT TO ANY EASEMENTS AND/OR RIGHT-OF-WAYS.

NOTE "J"
SUBJECT PARCEL TAKEN FROM SURVEY FOR "C.H. DICKS ESTATE" BY EDISTO SURVEYORS, INC., DATED JULY 20th, 1988 AND RECORDED IN PLAT CABINET A232, SLIDE 2-A IN THE BARNWELL COUNTY REGISTER OF DEEDS.

SYMBOL LEGEND	
● Iron Found (as noted)	○ Iron Set (#4 Rebar)
■ CONCRETE MONUMENT FOUND	
□ CALCULATED POINT	
⊕ SIGN	⊕ SANITARY MH
⊕ BENCHMARK	⊕ TELEPHONE PED
⊕ TRANSFORMER	⊕ FIRE HYDRANT
⊕ LIGHT POLE	⊕ POWER POLE
⊕ WATER METER	⊕ DECIDUOUS TREE
⊕ WATER VALVE	⊕ CONIFEROUS TREE

HATCH LEGEND	
▨ = Gravel	▨ = Rip-Rap
▨ = Concrete	▨ = Building
▨ = Drainage Easement	▨ = Maintenance Easement

ABBREVIATIONS			
AP	Antenna Pole	IPF	Iron Pipe Found (as noted)
DB	Deed Book	MH	Manhole (S-Sewer, D-Storm)
DI	Drop Inlet	OH	Overhead
FH	Fire Hydrant	TBM	Temporary Benchmark Set
FO	Fiber Optic	UP	Utility Pole
GV	Gas Valve	UG	Underground
GW	Guy Wire	WM	Water Meter
H#H	Handhole	WV	Water Valve



South Carolina 811 Dig Information
Ticket Numbers: 2304060157 & 2304060166

Utility Contacted:
BSZ129 = A1&T - (Fiber)
CBAS6 = CITY OF BARNWELL - (Water/Sewer)
COM242 = COMCAST CABLEVISION-LOW COUNTRY - (Cable)
SCED52 = DOMINION ENERGY ELECTRIC - (Power)
SCC52 = DOMINION ENERGY - (Gas)
EC091 = EDISTO ELECTRIC COOPERATIVE, INC. - (Communications)
PR1237 = PALMETTO RURAL TELEPHONE - (Telephone)

Marking Status:
Utilities marked as shown.
Utilities marked as shown.
No conflict.
Clear, 100% overhead facilities.
No conflict.
Utilities marked as shown.
Utilities marked as shown.

PROPERTY INFORMATION:

Parcel:
PIN: p/o 074-01-02-001
Barnwell County
Acreage: 8.20 Acres

Address:
Marlboro Avenue (US Highway 278
& SC Route 3)
Barnwell, SC 29812

Legal Descriptions:
DB 1220 pgs. 167-172
PB A232 pg. 2-A

New Lot Area:
2.279 Acres
99,289.90 sq.ft

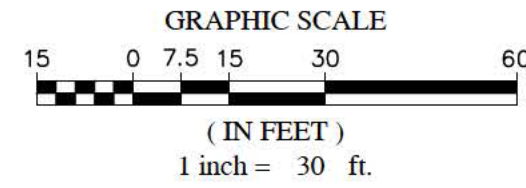
(tie to #4 rebar found)
S1°43'12"W 408.66'

ALTA/NSPS LAND TITLE SURVEY
THIS SURVEY IS MADE FOR THE BENEFIT OF CDP BARNWELL 2, LLC, AND INVESTORS TITLE INSURANCE COMPANY (COMMITMENT # XXXX.XXXXXX).

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 3, 5, 8, 11b, 13, 14, & 16 OF TABLE "A" THEREOF.
THE FIELDWORK WAS COMPLETED ON APRIL 10TH-11TH, 2023.

SCHEDULE "B", SECTION 2 EXCEPTIONS: AS NOTED HEREON.
DATE OF PLAT OR MAP APRIL XXTH, 2023.

NEAL H. O'CONNOR, JR., PLS REGISTRATION #15190



CERTIFICATE OF POSITIONAL ACCURACY

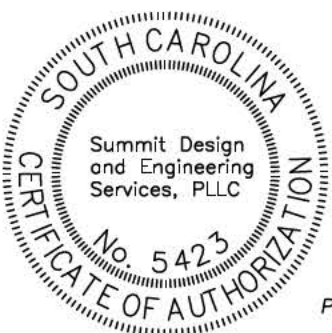
I, NEAL H. O'CONNOR, JR., SC-PLS# 15190, CERTIFY THAT THE SC GRID DATA SHOWN ON THIS PLAT WAS OBTAINED FROM AN ACTUAL GPS SURVEY MADE UNDER MY SUPERVISION AND THE FOLLOWING INFORMATION WAS USED TO PERFORM THE SURVEY:

- (1) CLASS OF SURVEY: "A"
- (2) POSITIONAL ACCURACY: 0.07"
- (3) GPS PROCEDURE: SCGS NETWORK RTK USING A TRIMBLE SPS985 ROVER W/ TSC3 CONTROLLER
- (4) DATES OF SURVEY: APRIL 10TH-11TH, 2023
- (5) DATUM/EPOCH: NAD83 (NRS2011)
- (6) PUBLISHED/FIXED CONTROL USED: SC VRS NETWORK
- (7) GEOID MODEL: GEOID18 (CONUS)
- (8) COMBINED GRID FACTOR: 0.99981499
- (9) UNITS: INTERNATIONAL SURVEY FEET

CERTIFICATE OF ACCURACY

I, NEAL H. O'CONNOR, JR., S.C.P.L.S. #15190, CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY CONDUCTED UNDER MY DIRECTION.

I FURTHER HEREBY STATE AND AFFIRM THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREIN WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN; ALSO THIS PROPERTY IS SUBJECT TO ALL EASEMENTS, ZONING ORDINANCES, AND RIGHTS OF WAY, OF RECORD OR NOT OF RECORD, IF ANY.



NEAL H. O'CONNOR, JR., PLS
PROFESSIONAL LAND SURVEYOR, SC #15190
SIGNED APRIL XXTH, 2023.

ALTA/NSPS BOUNDARY SURVEY FOR:

CDP Barnwell 2, LLC
Barnwell, South Carolina

SURVEY PREPARED: April XXTH, 2023
CITY OF BARNWELL, BARNWELL COUNTY, SC
FIELD WORK PERFORMED APRIL 10TH-11TH, 2023

PROJECT NO.

23-0118.700

DRAWING NO.
23-0118.700_DOLLAR_GENERAL_BARNWELL_ALTA

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DESIGN AND ENGINEERING

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PROJECT MANAGER
NHO

DRAWN BY
NHO
SCALE
1"=50'

CLIENT'S ADDRESS:

P.B. Salons Engineering
1000 Highway 278
Barnwell, SC 29812
(803) 699-9512



Creatively Inspired - Technically Executed

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