

## DEPARTMENT OF THE ARMY

U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT 1949 INDUSTRIAL PARK ROAD, ROOM 140 CONWAY, SOUTH CAROLINA 29526

January 3, 2024

## Regulatory Division



This is in response to your request for an Approved Jurisdictional Determination (AJD) (SAC-2023-00966) received in our office on July 24, 2023, for a 52.32-acre site identified as Tax Map Sequence (TMS) # 172-00-05-273,180-00-02-134 & 180-00-02-135, located at the intersection of and adjacent to 17 Bypass and US 501 in Myrtle Beach, Horry County, South Carolina (Latitude: 33.708522°, Longitude: -78.920824°). 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 plats entitled "WETLAND MAP OF / 18.51 ACRES OF LAND / PIN: 426-00-00-0169 / PIN: 426-12-04-0002 / MYRTLE BEACH, HORRY COUNTY, SOUTH CAROLINA / PREPARED FOR: / " & "WETLAND MAP OF / 33.81 ACRES OF LAND / PIN: 426-12-02-0001 / TMS: 172-00-05-273 / MYRTLE BEACH, HORRY COUNTY, SOUTH CAROLINA / PREPARED FOR: / " and both plats dated July 12, 2023, prepared by Development Resource Group LLC. Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, soil survey information, Wetland Determination Data Form(s), and previous Approved Jurisdictional Determinations documented under SAC-1998-40320-3JH, letter dated July 8, 2010, and SAC-2011-00116-3JH, letter dated February 3, 2011, we conclude the site, as shown on the referenced plats, 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-2023-00966. A copy of this letter is forwarded to State and/or Federal agencies for their information. If you have any questions, please contact Rob Huff, Team Lead, at (843) 365-4239, or by email at Robert.C.Huff@usace.army.mil.

Sincerely,

Rob Huff Team Lead

Rob Huff

Attachments:

Memorandum for Record

**Notification of Appeal Options** 

Survey plats entitled "WETLAND MAP OF / 18.51 ACRES OF LAND / PIN: 426-00-00-0169 / PIN: 426-12-04-0002 / MYRTLE BEACH, HORRY COUNTY, SOUTH CAROLINA / PREPARED FOR: / MYRTLE BEACH FARMS COMPANY INC" & "WETLAND MAP OF / 33.81 ACRES OF LAND / PIN: 426-12-02-0001 / TMS: 172-00-05-273 / MYRTLE BEACH, HORRY COUNTY, SOUTH CAROLINA / PREPARED FOR: / MYRTLE BEACH FARMS COMPANY INC."

## Copies Furnished:

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