



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

November 27, 2023

Regulatory Division



Dear [REDACTED]:

This is in response to your request for an Approved Jurisdictional Determination (AJD) (SAC-2023-00794) received in our office on June 12, 2023, for a 217.32-acre site identified as Tax Map Sequence (TMS) #s 053-00-01-313, 053-00-01-185, 053-00-01-186 and 053-00-01-396, located at 1790 US-501, near Galivants Ferry, Horry County, South Carolina (Latitude: 34.017439°, Longitude: -79.226058°). 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 map entitled "Wetland Delineation/Determination / **Rolling Hills Subdivision** / Galivants Ferry Township, / Horry County, South Carolina / Tax Map Number 053-00-01-185, 186, 313, & 396" and dated June 2, 2023, prepared by The Brigman Company. Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, soil survey information, and Wetland Determination Data Form(s), we conclude the referenced map accurately reflects the location and boundaries of aquatic resources within the site. The site contains 16.17 acres of jurisdictional wetlands, and 2.74 acres (Impoundments) and 5,343 linear feet (Tributaries) of other waters of the United States that are subject to Corps' jurisdiction under Section 404 of the CWA.

The site also contains 0.06 acre of freshwater wetlands as federally defined by the 1987 Corps of Engineers Wetland Delineation Manual and applicable regional supplement; however, the 0.06 acre of freshwater wetlands are not subject to Corps' jurisdiction based upon U.S. Supreme Court decisions. The location and configuration of these non-jurisdictional areas are reflected on the above referenced map. It should be clearly noted that decisions of the U.S. Supreme Court to exclude certain waters and wetlands from federal jurisdiction under the CWA have no effect on any state or local government restrictions or requirements concerning wetlands. You are strongly

cautioned to ascertain whether such restrictions or requirements exist for the area in question before undertaking any activity which might impact these aquatic resources.

The site in question also contains aquatic resources that are not 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). Be aware that a Department of the Army (DA) permit may be required for certain activities in the areas subject to Corps' regulatory jurisdiction, and these areas may be subject to restrictions or requirements of other state or local government agencies.

If you submit a permit application as a result of this AJD, include a copy of this letter and the map as part of the application. Not submitting the letter and depiction will cause a delay while we confirm an AJD was performed for the proposed permit project area. Note that some or all of these areas may be regulated by other state or local government entities, 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-2023-00794. 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,

Ronnie Smith

Ronnie Smith
Chief, Northeast Branch

Attachments:

Memorandum for Record

Notification of Appeal Options

Map entitled "Wetland Delineation/Determination / Rolling Hills Subdivision / Galivants Ferry Township, / Horry County, South Carolina / Tax Map Number 053-00-01-185, 186, 313, & 396"

Copies Furnished:



SCDHEC - OCRM

1362 McMillan Avenue, Suite 400

North Charleston, South Carolina 29405

OCRMPermitting@dhec.sc.gov



Wetland Delineation/Determination

Rolling Hills Subdivision

Galivants Ferry Township,
Horry County, South Carolina
Tax Map Number 053-00-01-185, 186, 313, & 396

Area Summary:	
Jurisdictional Tributary (JT x)	5343 LF
Jurisdictional Wetlands (JW x)	1617
Non-jurisdictional Wetland (NjW x)	1006
Uplands	2774
Jurisdictional Pond (JP x)	19834
Total	21732

- Notes**
1. Potential wetland/non-wetland areas depicted here on have not been verified by the US Army Corps of Engineers. Areas depicted as wetlands were identified using a combination of available remote sensing and onsite investigation. Prior to any land disturbing activities, a final jurisdictional determination should be obtained from the US Army Corps of Engineers.
 2. Boundary information was provided by the client.
 3. Onsite inspection was conducted on 8-5, 8-6, & 8-10-21.

Legend

Line Legend

- Boundary
- Adjacent Boundary
- Right of Way
- Jurisdictional Tributary
- Non-jurisdictional Feature
- Dirt Road
- Bulkhead

Symbol Legend

- Jurisdictional Wetland
- Non-jurisdictional Wetland
- Jurisdictional Pond
- Data Point
- Photo Point
- Property Corner

Prepared For
Job #
Date

Diamond Shores
01887-21180
6-2-23



TBC

THE BRIGMAN CO.

P.O. Box 1532 - Conway, SC 29528 - p(843) 248-9388 f(843) 248-9596