JOINT PUBLIC NOTICE

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

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia. South Carolina 29201

REGULATORY DIVISION

Refer to: P/N SAC-2019-00679 April 25, 2019

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

MB Development Holdings, LLC c/o DDC Engineers, Inc. 1298 Professional Drive Myrtle Beach, South Carolina 29577

for a permit to construct four (4) piling supported restaurants, a boardwalk, two (2) floating docks, and bank stabilization (rip-rap) in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at a location north of U.S. Highway 17, just east of S.C. Highway 22, within the Myrtle Beach Mall Site, in Myrtle Beach, Horry County, South Carolina (Latitude: 33.7934°, Longitude: -78.7685°), Hand Quad.

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice,

and SCDHEC will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the construction of four (4) piling supported restaurants, a

boardwalk, two (2) floating docks, and bank stabilization within the AIWW. In detail, the proposed work includes the construction of a 20,556 S.F. boardwalk that will vary in width and total 1,250 linear feet in length. Attached to the proposed boardwalk will be two (2) 10' x 150' floating docks each attached to the proposed boardwalk by a 6' x 32' adjusting ramp. Situated on the upland side of the proposed boardwalk, but partially extending over the Mean High Water (MHW) of the AIWW, will be four (4) piling supported restaurants totaling 10,583 S. F. of shading impacts. Finally, the proposed work will involve the placement of 1,740 cubic yards of rip-rap for bank stabilization of approximately 850 Linear feet of the AIWW. The proposed bank stabilization work will begin at the existing rip-rap material and extend approximately 850' northeast along the banks of the AIWW. The applicant offered no compensatory mitigation for impacts associated with the project. It is understood that this work is to be conducted on/or adjacent to an area subject to a prism and/or disposal area held by the United States. Appropriate provisions will been included in the permit to ensure the interests of the Federal Government are understood. The project purpose as stated by the applicant is to revitalize the economic impact of the existing Myrtle Beach Mall.

NOTE: This public notice and associated plans are available on the Corps' website at: http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices .

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 1.1 acre of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information that the West Indian Manatee (*Trichechus manatus*), Shortnose Sturgeon (*Acipenser brevirostrum*), and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), Federally *endangered* species are present in the vicinity of the project. However, it has been determined that the project will have <u>no effect</u> on Shortnose Sturgeon (Acipenser brevirostrum), or Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), and will not result in the destruction or adverse modification of designated or proposed critical habitat. Additionally, the District Engineer has determined that the project <u>may affect, not</u> likely to adversely affect the West Indian Manatee (*Trichechus manatus*) or result in the destruction

or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(/)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

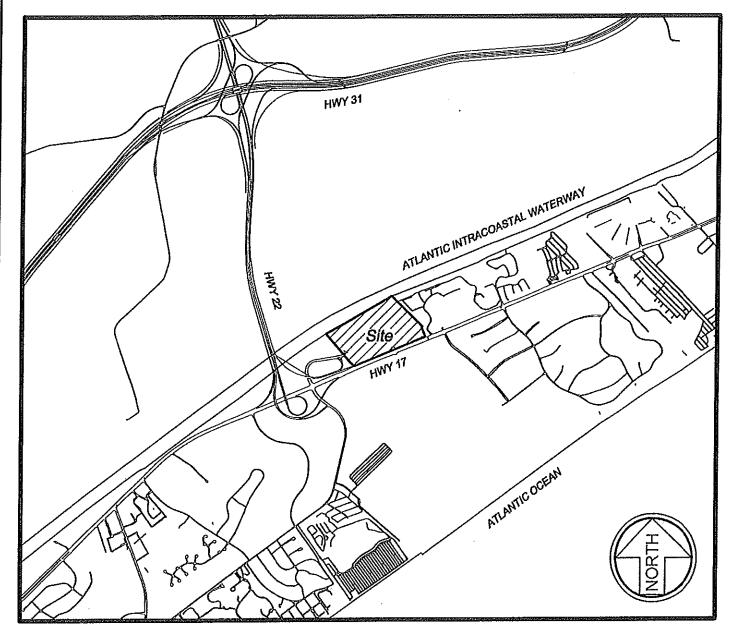
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the

preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 INDUSTRIAL PARK ROAD, ROOM 140
CONWAY, SOUTH CAROLINA 29526

If there are any questions concerning this public notice, please contact Rob Huff, Watershed Manager, at (843) 365-4239, or by email at Robert.C.Huff@usace.army.mil.



SAC-2019-00679

Myrtle Beach Mall Redevelopment Horry County, South Carolina

Date: April 12, 2019

Sheet 1 of 23

NAD 83 STATEPLANE DATUM: NGVD 88

HWL: 2.10' MHW: 1.87' MLW: -1.12'

SHEET

BANK STABILIZATION

IVRTLE BEACH MALL

FLOATING DO

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS REGULATORY PERMIT

VICINITY MAP

PURPOSE: COMMERCIAL

DEVELOPMENT

COUNTY: HORRY

STATE: SOUTH CAROLINA

MYRTLE BEACH MALL REDEVELOPMENT

1 OF 23

DDC PN: 18016E

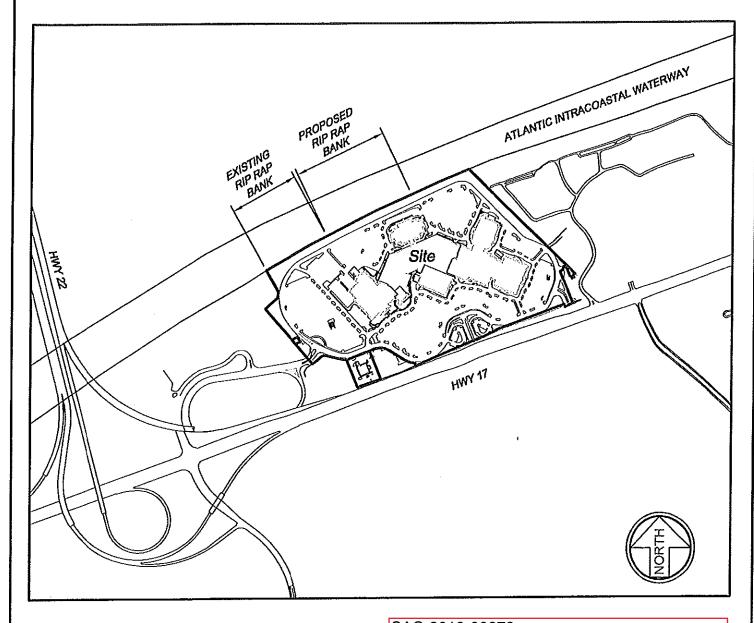
SCALE: NTS

DDC

Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210

ORIGINAL DATE: 4/12/19 REVISED DATE:

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC



NAD 83 STATEPLANE DATUM: NGVD 88

HWL: 2.10' MHW: 1.87' MLW: -1.12' SAC-2019-00679

Myrtle Beach Mall Redevelopment Horry County, South Carolina

Date: April 12, 2019

Sheet 2 of 23

MYRTLE BEACH MALL
REDEVELOPMENT

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS REGULATORY PERMIT

PURPOSE: COMMERCIAL DEVELOPMENT

COUNTY: HORRY

LOCATION MAP STATE: SOUTH CAROLINA

SHEET 2 OF 23

DDC PN: 18016E

SCALE: 1" = 800'

DDC

SHEET ZOFZS

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC

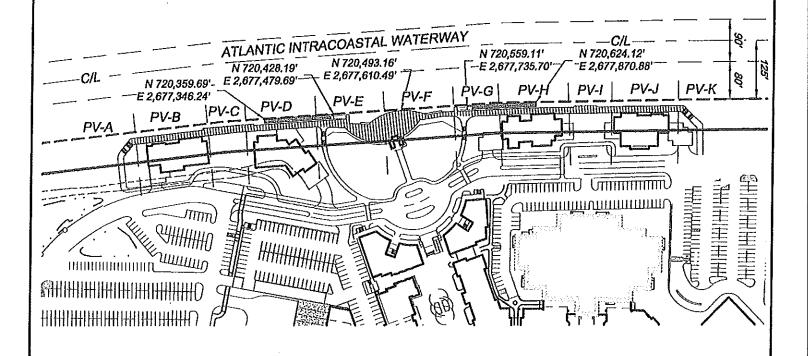


ORIGINAL DATE: 4/12/19
REVISED DATE:

LEGEND:

PV = PLAN VIEW





SAC-2019-00679

Myrtle Beach Mall Redevelopment

Horry County, South Carolina

Date: April 12, 2019

Sheet 3 of 23

NAD 83 STATEPLANE DATUM: NGVD 88

HWL: 2.10' MHW: 1.871 MLW: -1.12'

SHEET

MYRTLE BEACH MALL REDEVELOPMENT

3 OF 23

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS

REGULATORY PERMIT

PLAN VIEW KEY PLAN

DDC PN: 18016E

SCALE: 1" = 200'

ORIGINAL DATE: 4/12/19 REVISED DATE:

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC

DDC

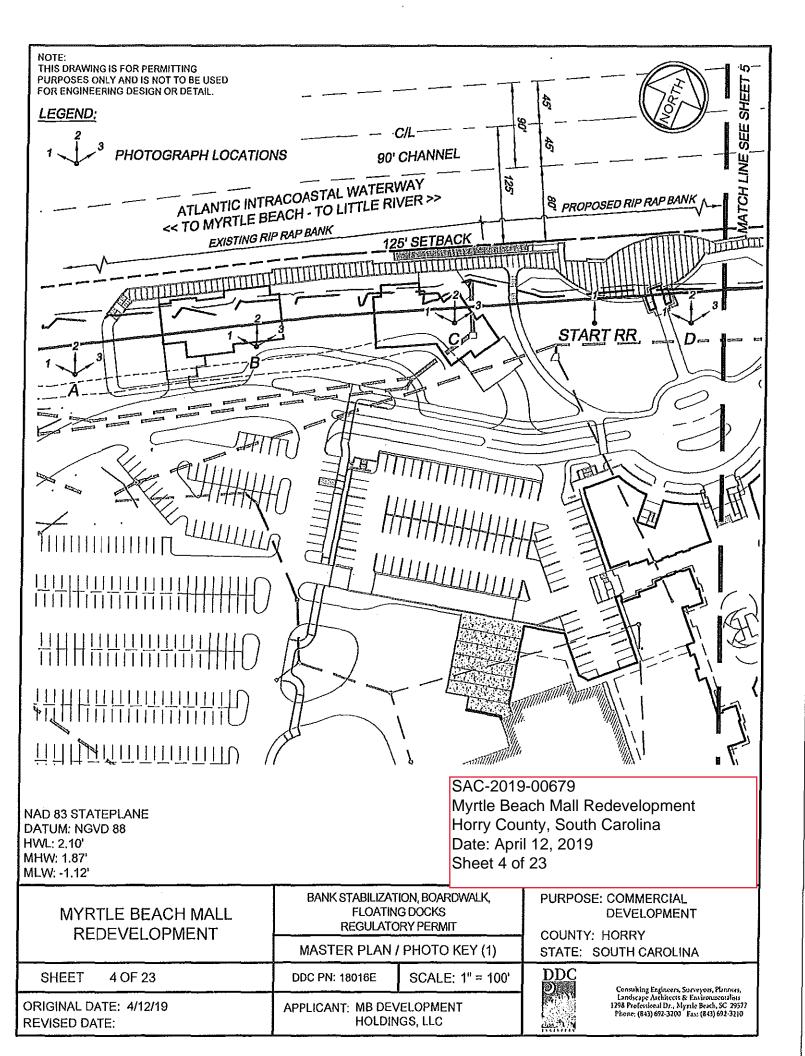
PURPOSE: COMMERCIAL

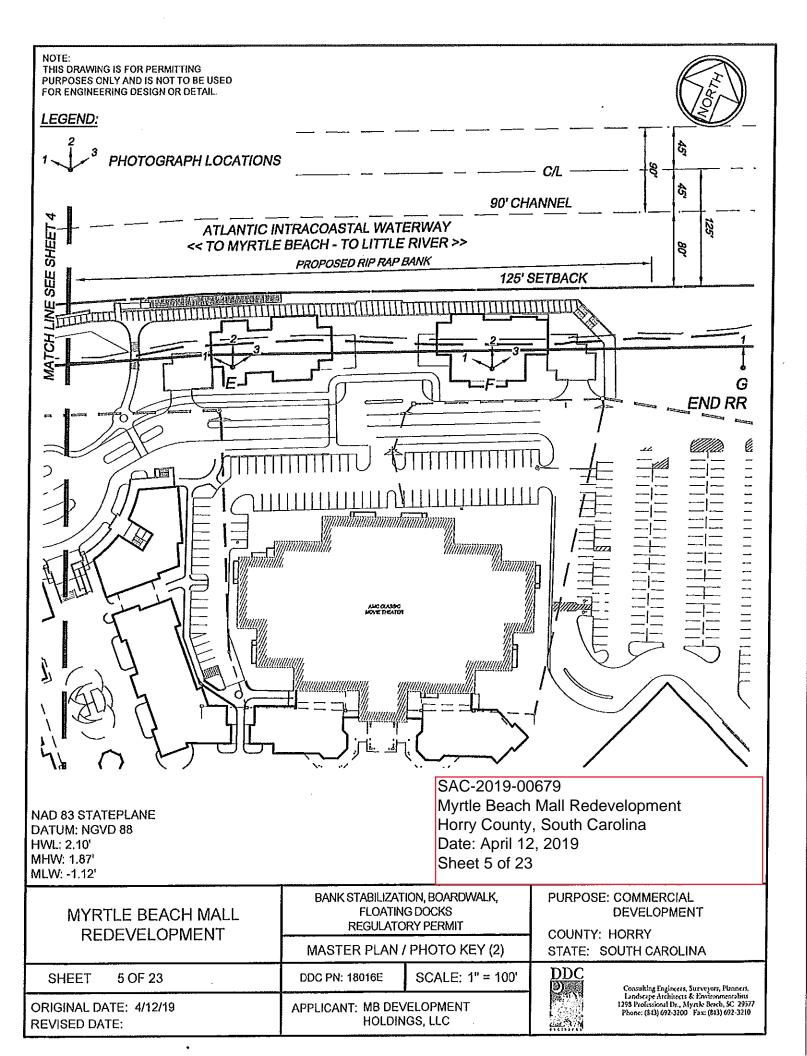
STATE: SOUTH CAROLINA

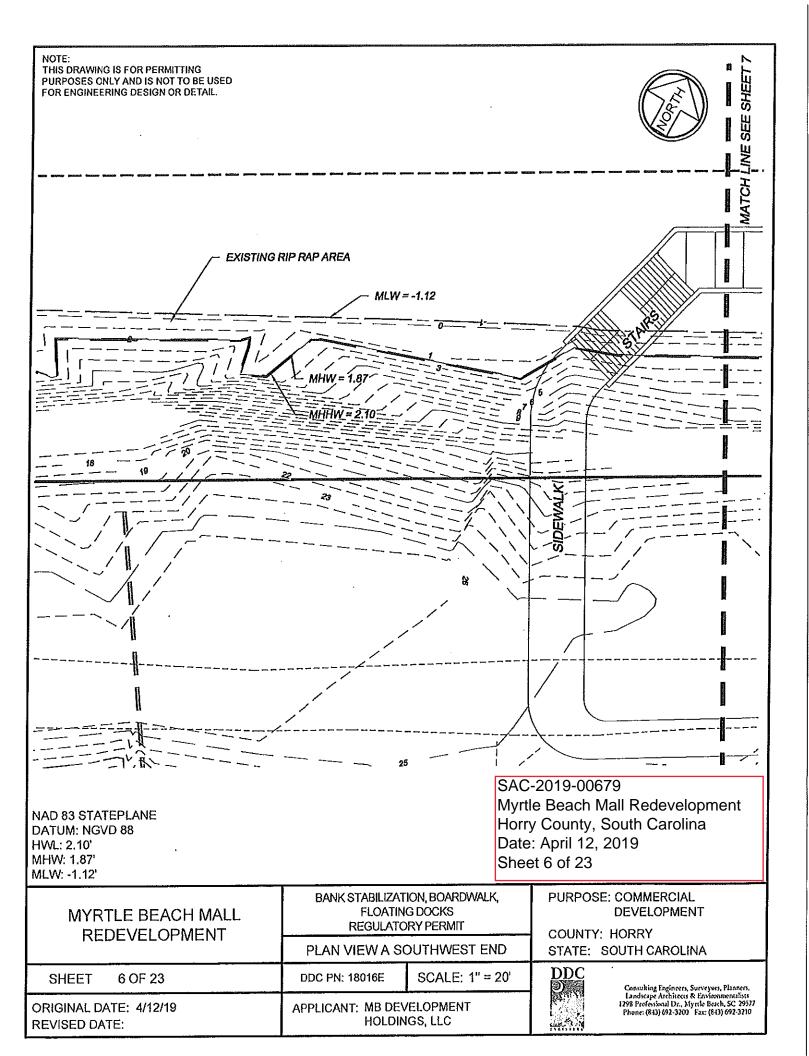
COUNTY: HORRY

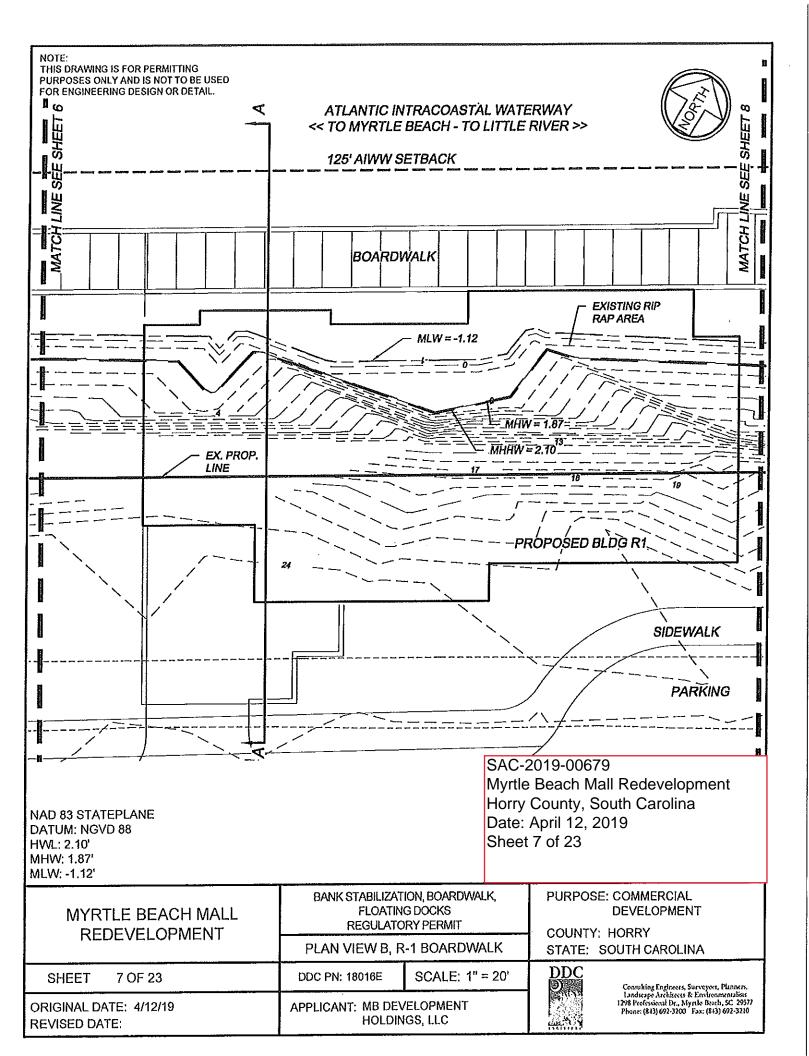
DEVELOPMENT

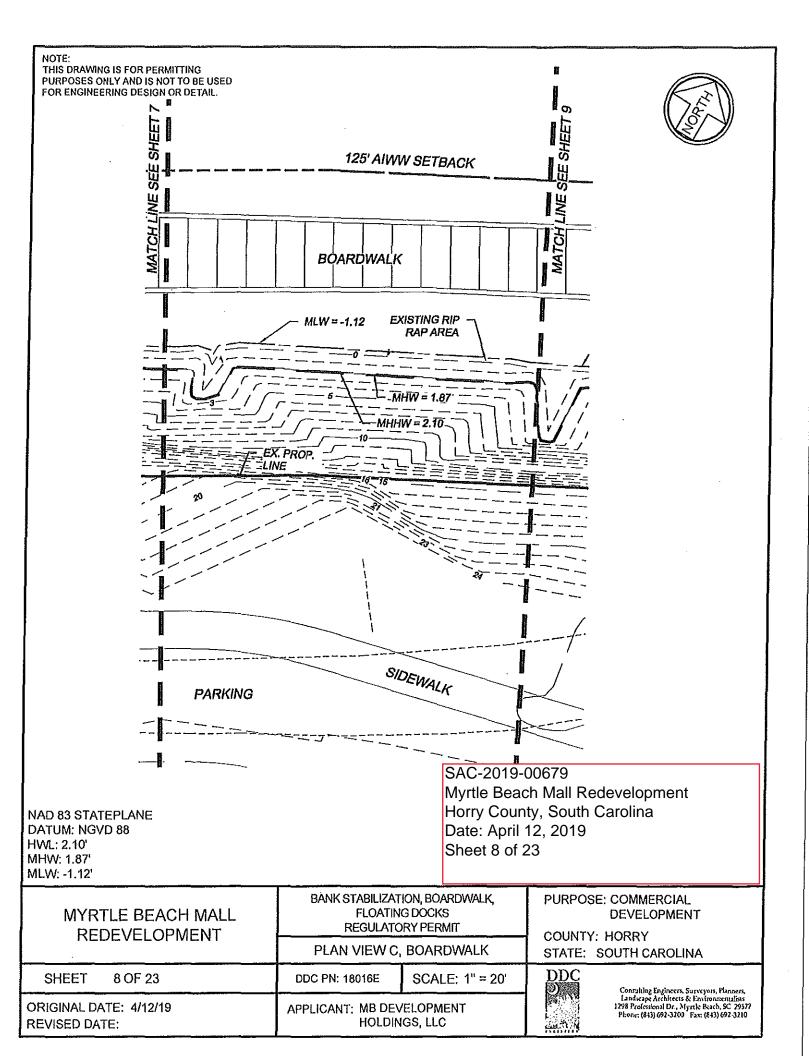
Consulting Engineers, Surveyors, Planners, Landstape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210

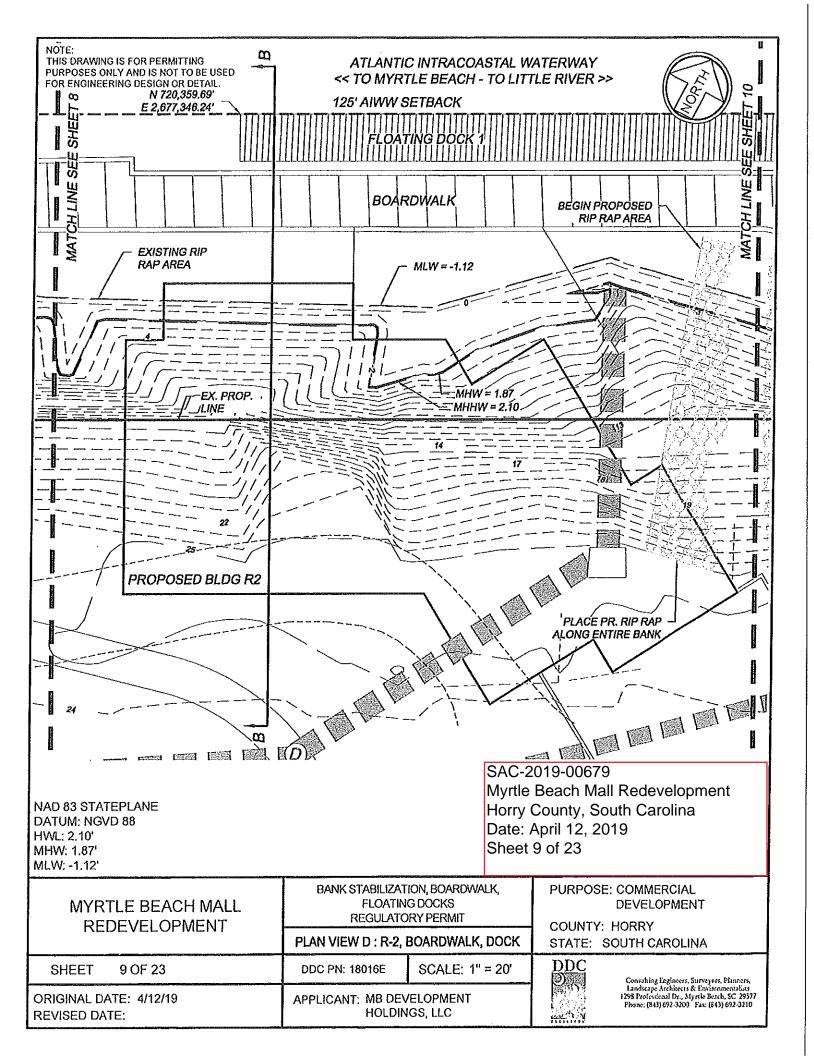


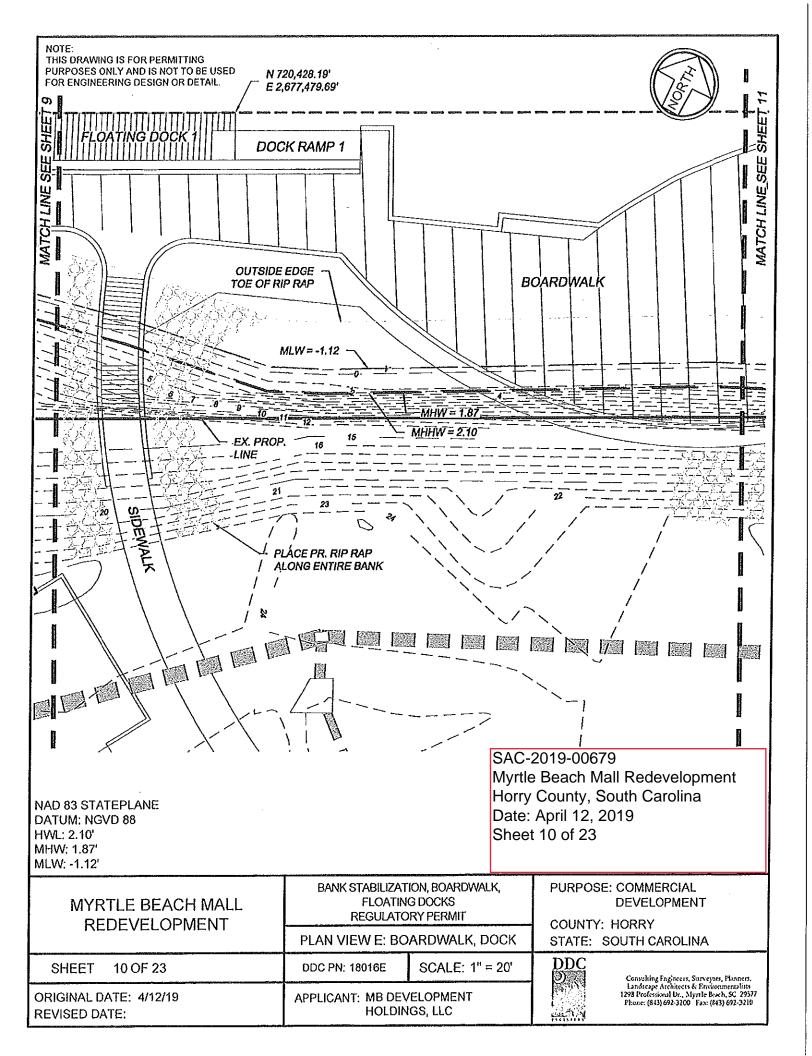


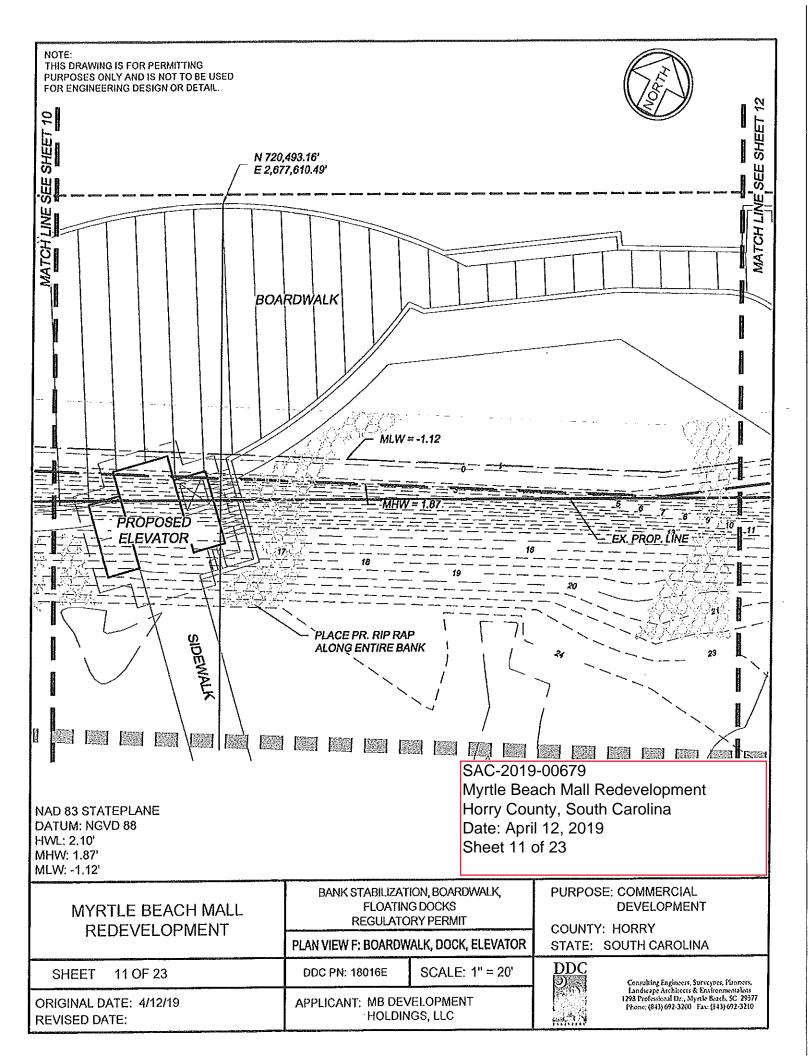


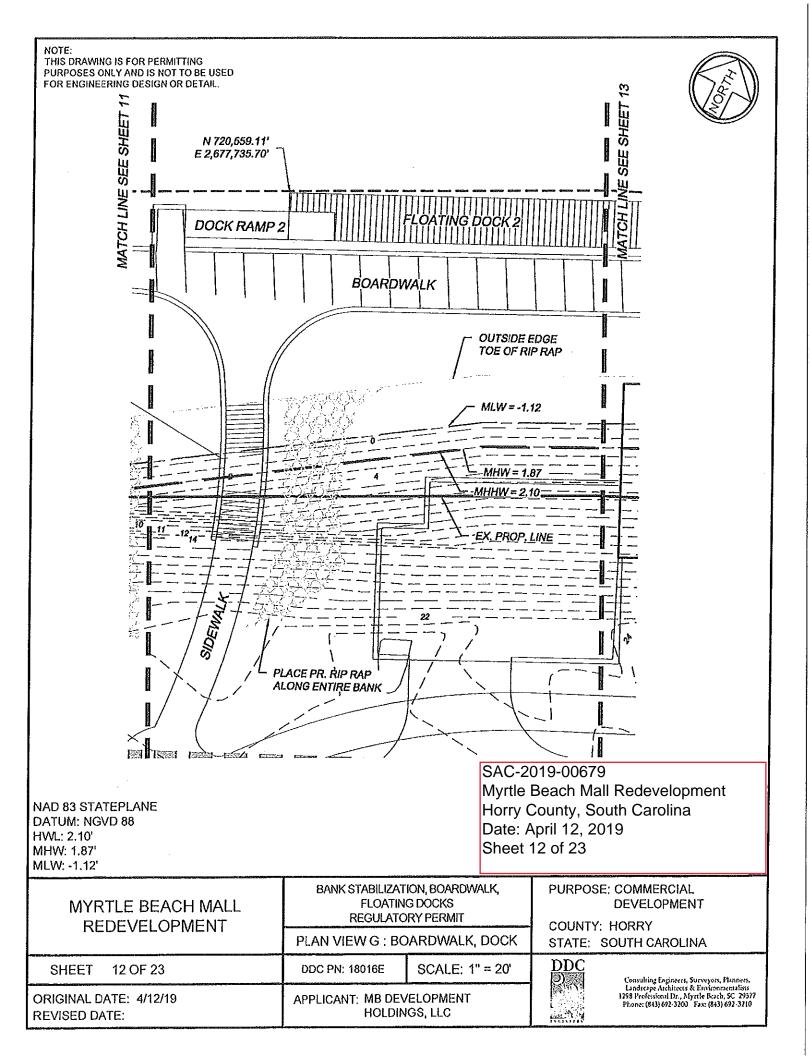


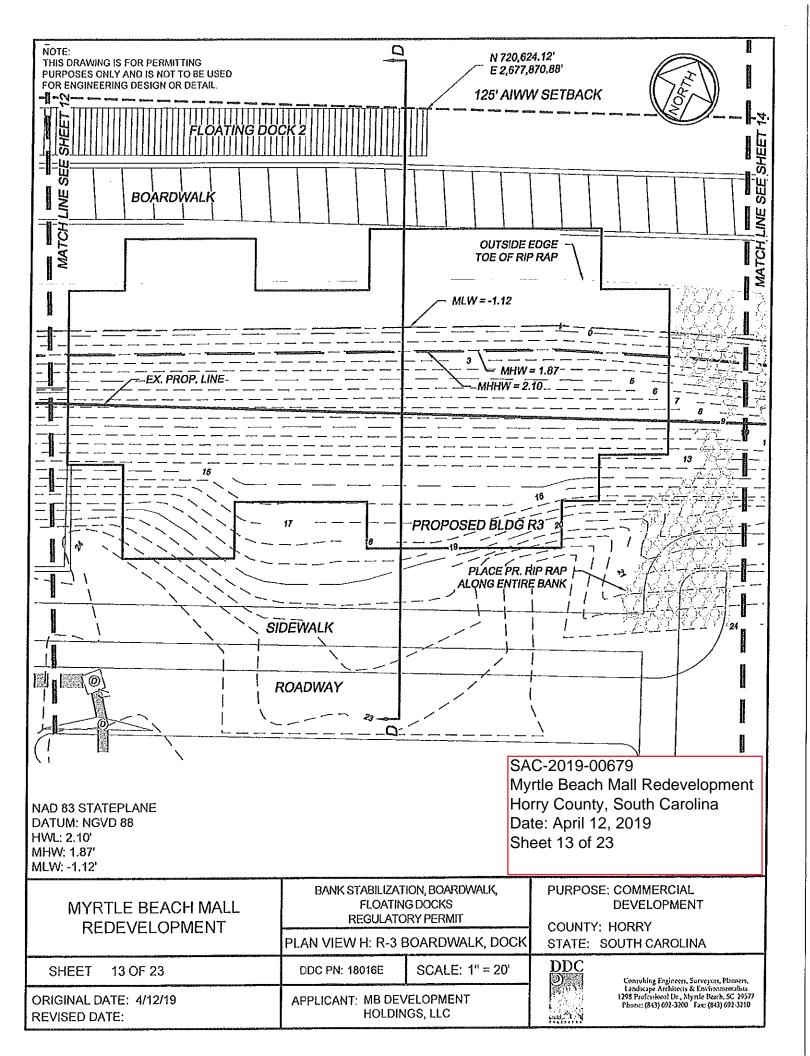


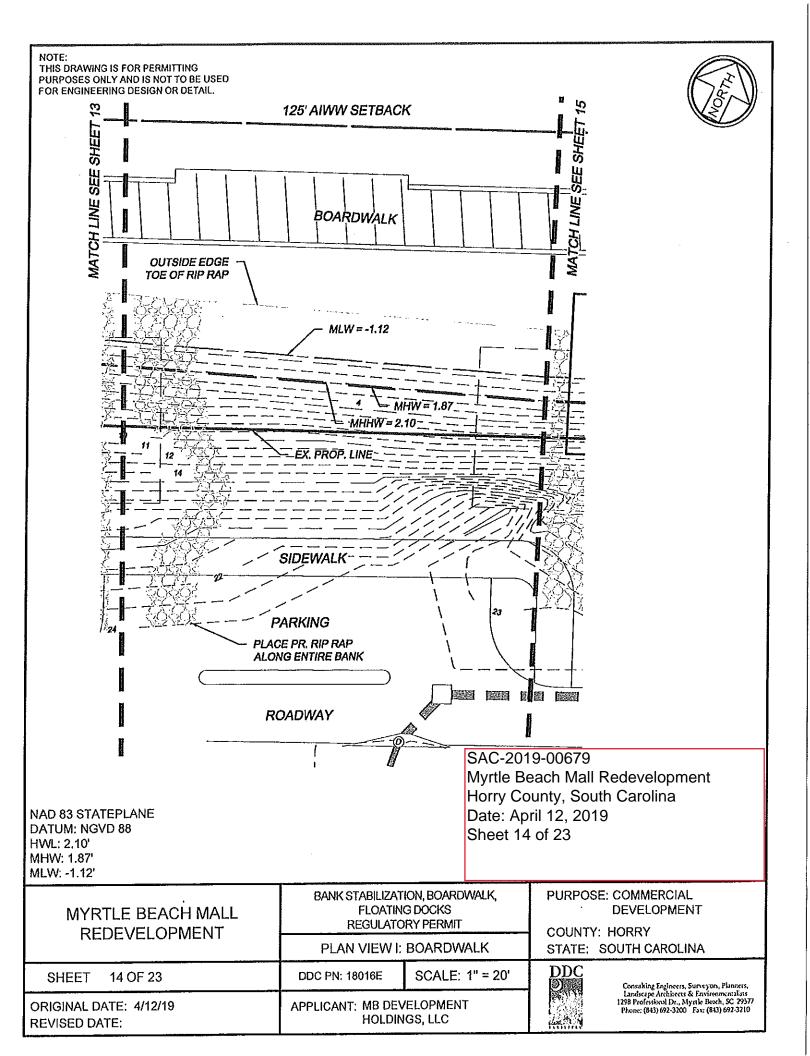


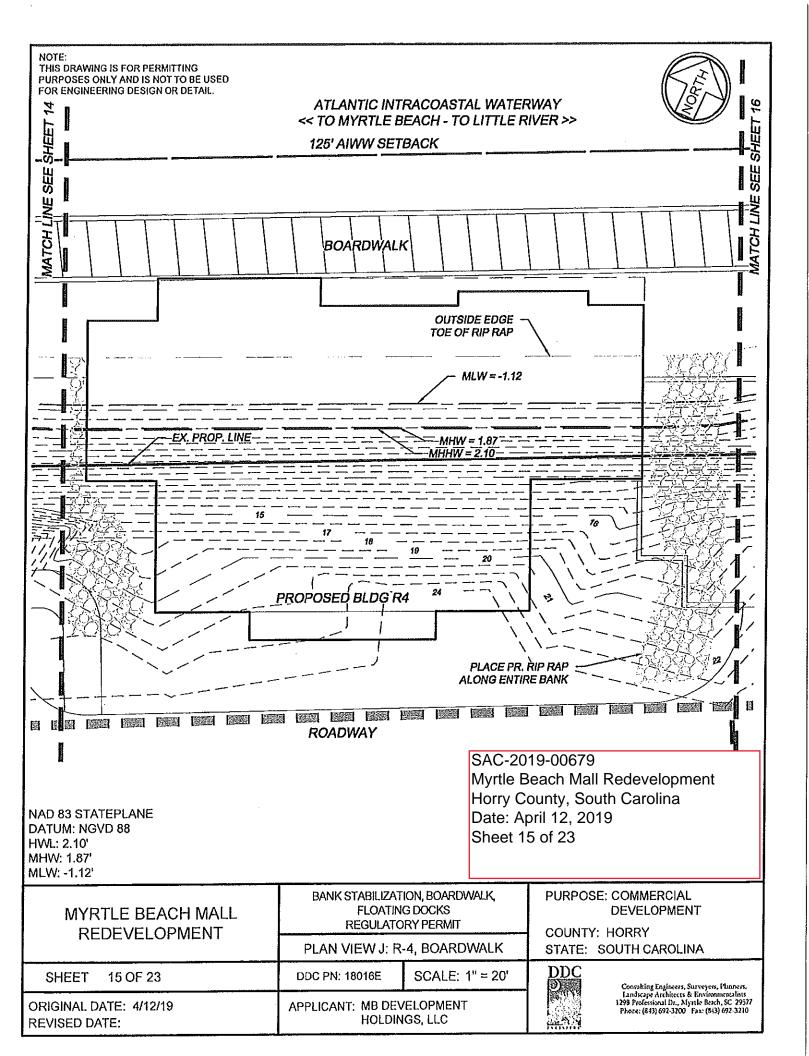


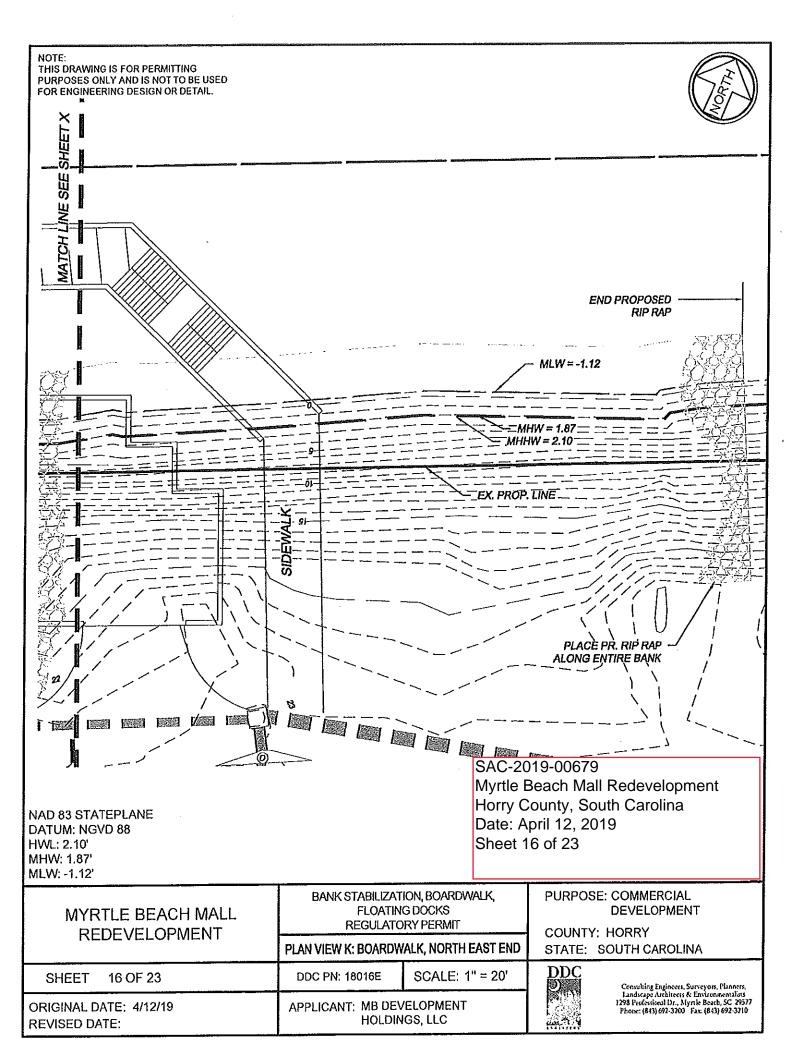


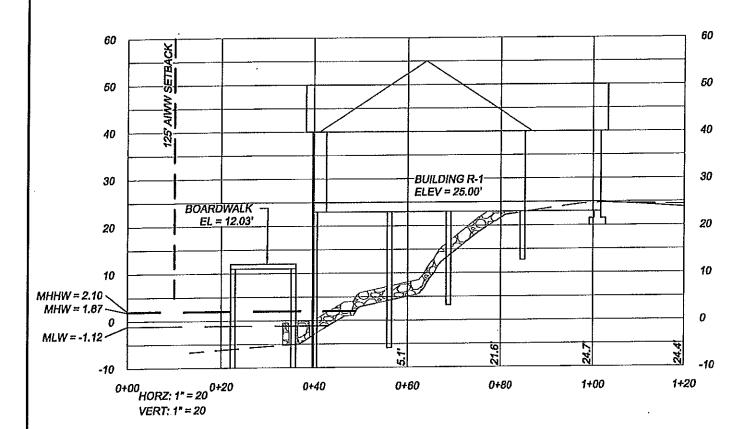












NAD 83 STATEPLANE **DATUM: NGVD 88**

HWL: 2.10' MHW: 1.87' MLW: -1.12' SAC-2019-00679

Myrtle Beach Mall Redevelopment Horry County, South Carolina

Date: April 12, 2019 Sheet 17 of 23

MYRTLE BEACH MALL
REDEVELOPMENT

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS **REGULATORY PERMIT**

PURPOSE: COMMERCIAL

DEVELOPMENT

COUNTY: HORRY

PROFILE VIEW: R-1, BOARDWALK

STATE: SOUTH CAROLINA

17 OF 23 SHEET

DDC PN: 18016E

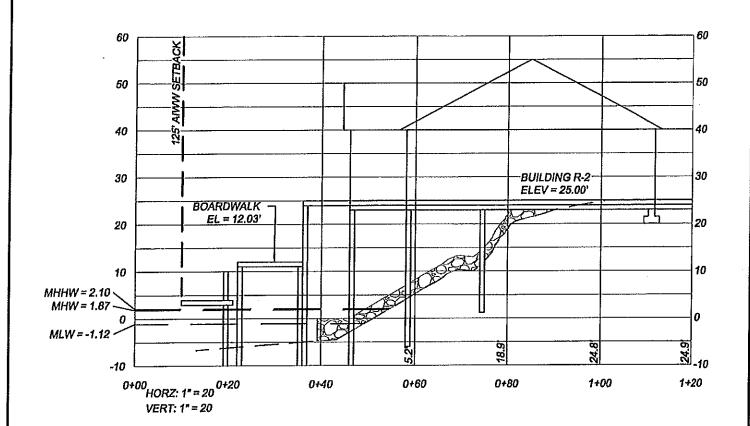
SCALE: 1" = 20'

DDC

Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210

ORIGINAL DATE: 4/12/19 REVISED DATE:

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC



NAD 83 STATEPLANE DATUM: NGVD 88

HWL: 2.10' MHW: 1.87' MLW: -1.12' SAC-2019-00679

Myrtle Beach Mall Redevelopment

Horry County, South Carolina

Date: April 12, 2019

Sheet 18 of 23

MYRTLE BEACH MALL REDEVELOPMENT

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS REGULATORY PERMIT PURPOSE: COMMERCIAL

DEVELOPMENT

PROFILE VIEW: R-2, BOARDWALK, DOCK STATE: SO

COUNTY: HORRY STATE: SOUTH CAROLINA

SHEET 18 OF 23

DDC PN: 18016E

SCALE: 1" = 20'

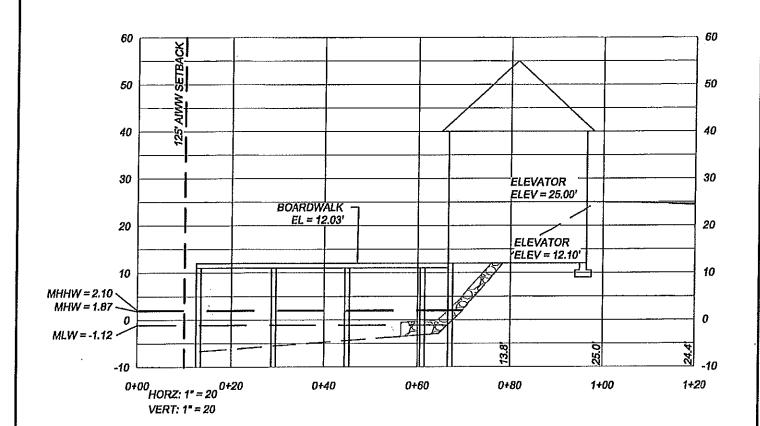
ORIGINAL DATE: 4/12/19

REVISED DATE:

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC



Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrde Beach, SC 29577 Phone; (843) 692-3200 Fax: (843) 692-3210



NAD 83 STATEPLANE DATUM: NGVD 88

HWL: 2.10^t MHW: 1.87^t MLW: -1.12' SAC-2019-00679

Myrtle Beach Mall Redevelopment Horry County, South Carolina

Date: April 12, 2019

Sheet 19 of 23

MYRTLE BEACH MALL REDEVELOPMENT

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS REGULATORY PERMIT

PURPOSE: COMMERCIAL

DEVELOPMENT

COUNTY: HORRY

PROFILE VIEW: ELEVATOR, BOARDWALK, DOCK STATE: SOUTH CAROLINA

SHEET 19 OF 23 DDC PN: 18016E

SCALE: 1" = 20'

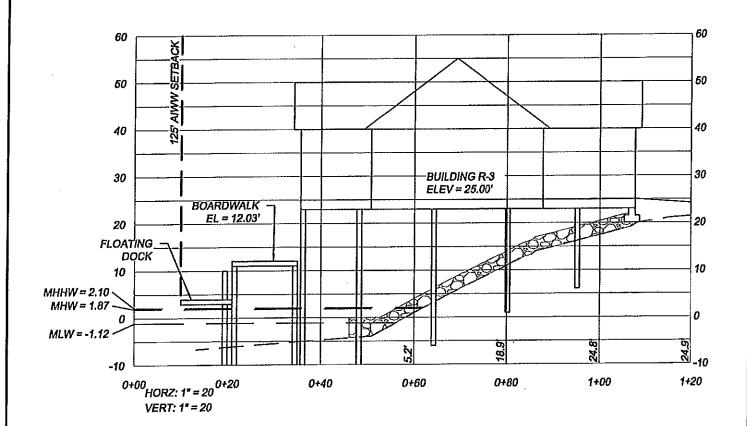
ORIGINAL DATE: 4/12/19

REVISED DATE:

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC



Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrile Berth, SC 29577 Phone: (843) 692-3201 Fas: (843) 692-3210



NAD 83 STATEPLANE **DATUM: NGVD 88**

HWL: 2.10' MHW: 1.871 MLW: -1.12' SAC-2019-00679

Myrtle Beach Mall Redevelopment Horry County, South Carolina

Date: April 12, 2019

Sheet 20 of 23

MYRTLE BEACH MALL

REDEVELOPMENT

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS REGULATORY PERMIT

PURPOSE: COMMERCIAL

DEVELOPMENT

COUNTY: HORRY

PROFILE VIEW: R-3, BOARDWALK, DOCK

STATE: SOUTH CAROLINA

20 OF 23 SHEET

DDC PN: 18016E

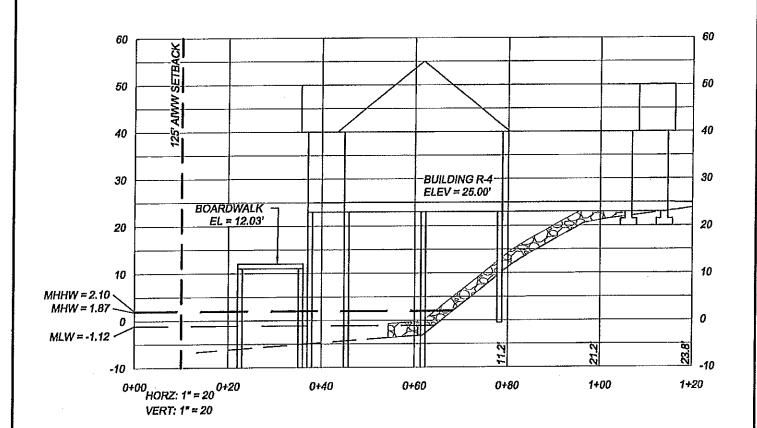
SCALE: 1" = 20'

DDC

Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrike Beach, SC 29577 Phone: (843) 692-3203 Faz: (843) 692-3210

ORIGINAL DATE: 4/12/19 REVISED DATE:

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC



NAD 83 STATEPLANE DATUM: NGVD 88

HWL: 2.10' MHW: 1.87' MLW: -1.12' SAC-2019-00679

Myrtle Beach Mall Redevelopment

Horry County, South Carolina

Date: April 12, 2019 Sheet 21 of 23

MYRTLE BEACH MALL REDEVELOPMENT

21 OF 23

BANK STABILIZATION, BOARDWALK, FLOATING DOCKS REGULATORY PERMIT

PURPOSE: COMMERCIAL

DEVELOPMENT

COUNTY: HORRY

STATE: SOUTH CAROLINA

PROFILE VIEW: R-4, BOARDWALK

SCALE: 1" = 20'

 DDC

Consulting Engineers, Surveyors, Planners, Landrage Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210

SHEET ORIGINAL DATE: 4/12/19

REVISED DATE:

DDC PN: 18016E

APPLICANT: MB DEVELOPMENT HOLDINGS, LLC

NOTE: THIS DRAWING IS FOR PERMITTING PURPOSES ONLY AND IS NOT TO BE USED FOR ENGINEERING DESIGN OR DETAIL. TOP OF BANK ±25.0 RIP RAP 3' THICK (TYP) MHHW = 2.10 **GEOTEXSTILE** MHW = 1.87FILTER FABRIC 6° GRAVEL FILTER MLW = -1.12SAC-2019-00679 Myrtle Beach Mall Redevelopment Horry County, South Carolina NAD 83 STATEPLANE DATUM: NGVD 88 Date: April 12, 2019

BANK STABILIZATION, BOARDWALK, PURPOSE: COMMERCIAL FLOATING DOCKS DEVELOPMENT MYRTLE BEACH MALL REGULATORY PERMIT COUNTY: HORRY REDEVELOPMENT PROPOSED RIP RAP DETAIL STATE: SOUTH CAROLINA DDC DDC PN: 18016E SCALE: NTS SHEET 22 OF 23 Consulting Engineers, Surveyors, Phoneers, Landscape Architects & Envirounostralists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210 APPLICANT: MB DEVELOPMENT ORIGINAL DATE: 4/12/19 HOLDINGS, LLC REVISED DATE:

Sheet 22 of 23

HWL: 2.10'

MHW: 1.87' MLW: -1.12'

IMPACT QUANTITIES BELOW MHHW

TYPE IMPACT	TOTAL AREA	TOTAL QUANTITY	
Boardwalk	20,556 S.F.	n/a	
Dock 1	10' x 150' = 1,500 S.F.	00 S.F. n/a	
Dock 1 Ramp	6' x 32' = 192 S.F.	п/а	
Dock 2	10' x 150' = 1,500 S.F.	n/a	
Dock 2 Ramp	6' x 32' = 192 S.F.	n/a	
Rip-RapEntire Bank	55' x 870' = 47,850 S.F.	3' x 55' x 870' = 143,550 C.F. 5,317 C.Y.	
Rip-Rap Below MHHW	18' x 870' = 15,660 S.F.	3' x 18' x 870' = 46,980 C.F. 1,740 C.Y.	

NOTES: Dimensions of Boardwalk vary. Area calculations done by computer on a scaled plan view drawing.

Only the Rip-Rap below MHHW is an impact. Total Rip-Rap quantity included for clarity.

IMPACT QUANTITIES OF BUILDINGS AND ATTACHED DECKS BELOW MHW

TYPE IMPACT	BUILDING S.F.	ATTACHED DECK S.F.	TOTAL AREA S.F.
Restaurant R-1	1,780	388	2,168
Restaurant R-2	1,097	339	1,436
Restaurant R-3	2,668	137	2,805
Restaurant R-4	3,335	808	4,143
Elevator	31	-	31
			######################################
Total	8,911	1,672	10,583

HOLDINGS, LLC

NAD 83 STATEPLANE DATUM: NGVD 88 HWL: 2.10'

MHW: 1.87' MLW: -1.12'

REVISED DATE:

SAC-2019-00679

Myrtle Beach Mall Redevelopment

Horry County, South Carolina Date: April 12, 2019

Sheet 23 of 23

MYRTLE BEACH MALL

BEDEVICE OF MEANT

BANK STABILIZATION, BOARDW.

FLOATING DOCKS

REGULATORY PERMIT

COUNTY: HORRY

STATE: SOUTH CAROLINA

REDEVELOPMENT

IMPACT QUANTITIES BELOW MHHW

SHEET 23 OF 23

DDC PN: 18016E SCALE: NTS

ORIGINAL DATE: 4/12/19

APPLICANT: MB DEVELOPMENT

DDC

Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1293 Professional Dr., Myrtle Berch, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210