

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
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N # 2011-00632-3B

Date: March 28, 2014

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

STAN PARKER
SOUTHERN LAND PARTNERS, INC.
C/O BRITT FELDNER
THE BRIGMAN COMPANY
P.O. BOX 1532
CONWAY, SOUTH CAROLINA 29528

for a permit to place fill material in wetlands at a location described as Lots 108 & 109 in the Rear Phase of the Meadows of St. Patrick subdivision, in the Town of Surfside Beach, Horry County, South Carolina (Latitude: 33.612279°N; Longitude: -79.019765°W).

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 placement of fill material in jurisdictional freshwater wetlands. Specifically, approximately 0.19 acres of fill material will be placed in wetlands for the construction of building pads and driveways for two single-family residential lots located in the Rear Phase of the Meadows of St. Patrick subdivision. On February 14, 2013, 0.49 acres of impacts to wetlands were also authorized under Nationwide Permit #29 (SAC# 2011-00632-3NB) for the Rear Phase of the Meadows of St. Patrick subdivision for the construction of road crossings and building pads. The work previously authorized by Nationwide Permit #29 has been completed and 4.7 credits were purchased from the Vandross Bay Mitigation Bank. This public notice is for the authorization of an additional 0.19 acres of fill. As stated by the applicant, avoidance and minimization measures include limiting the impacts to 0.19 acres of partially impaired wetlands while avoiding impacts to 18.2

acres of onsite wetlands. The applicant also stated that Best Management Practices shall be employed during construction to minimize erosion and the migration of sediments off-site. To mitigate for unavoidable impacts to waters of the United States, the applicant proposes to purchase 1.8 credits from the Vandross Bay Mitigation Bank. As stated by the applicant, the project purpose is for building pads and access associated with a single family residence.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

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 South Carolina Coastal Zone Management Act (15 CFR 930). 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. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 (0.19) acres of freshwater depression wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely effect any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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 the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or

property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

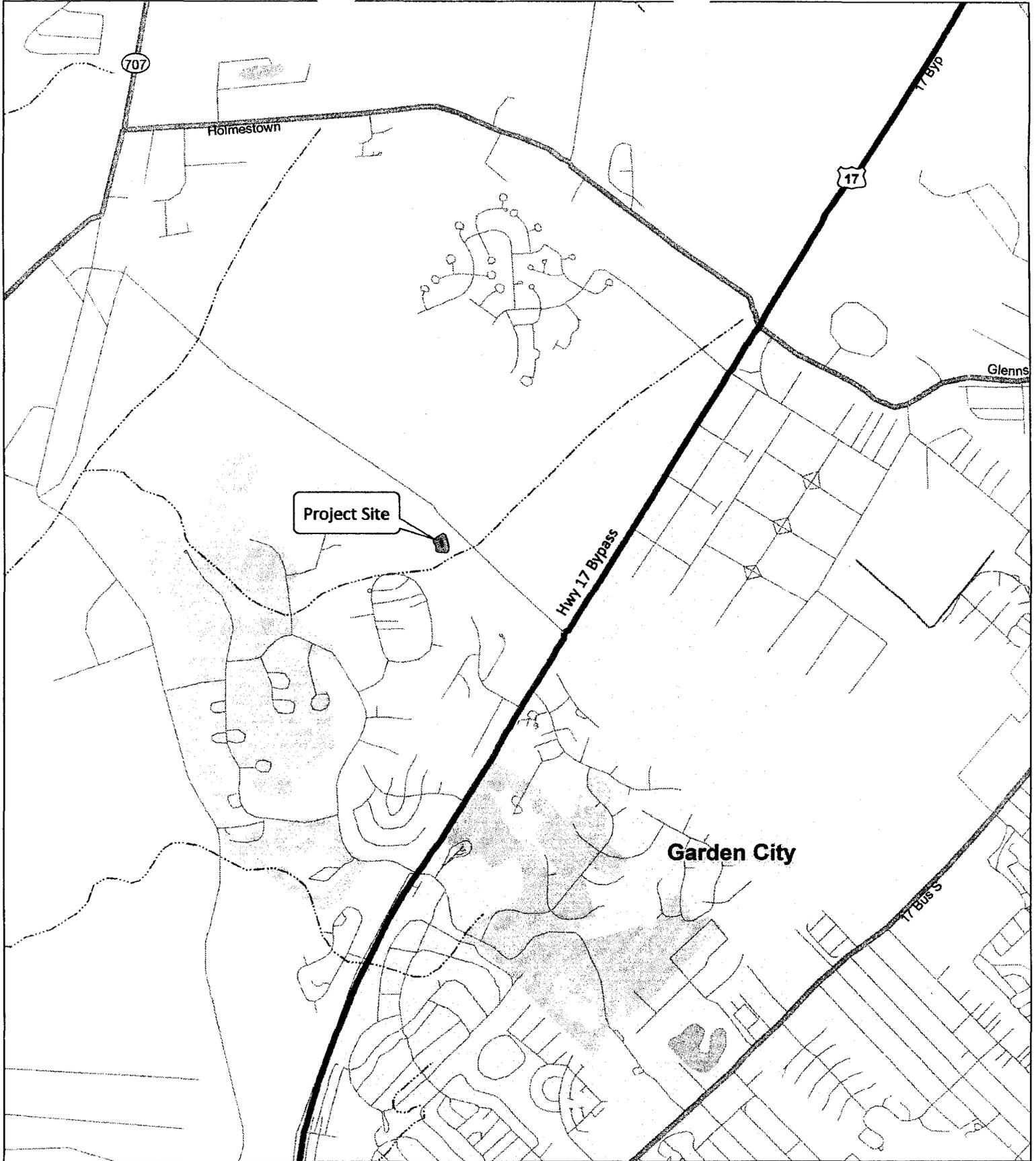
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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.

If there are any questions concerning this public notice, please contact Wiley Bracey at 843-365-1707.

Location Map



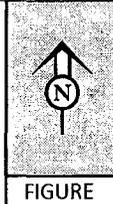
Meadows of St. Patrick - Lots 108 & 109

Horry County

Date: February 11, 2014

Date Revised:

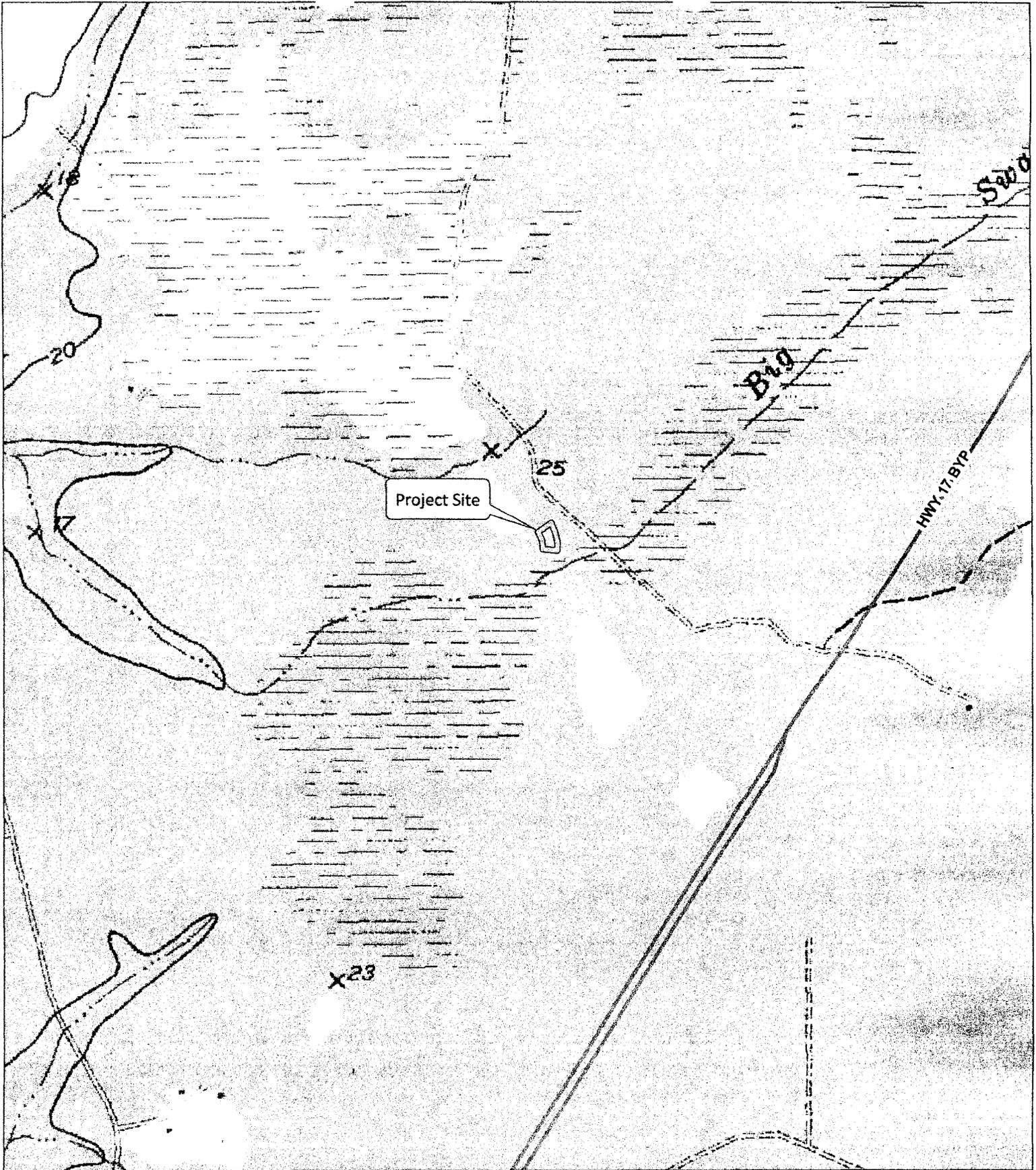
Application No. SAC# 2011-00632-3B



PROPOSED ACTIVITY: wetland fill

APPLICANT: Southern Land Partners, Inc

'JSGS Topographic Map



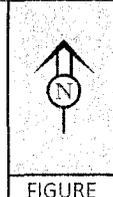
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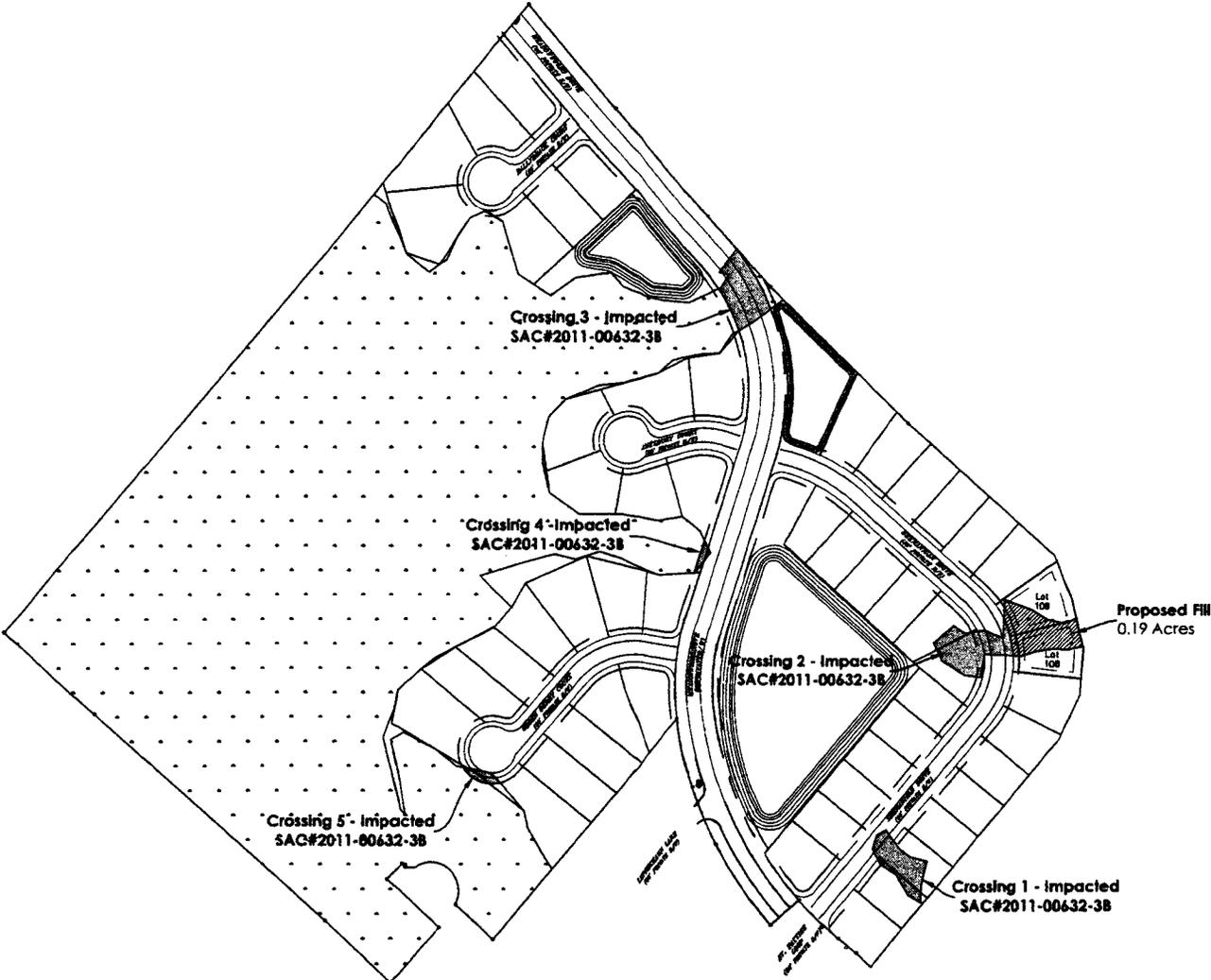
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Overall Plan View



Meadows of St. Patrick - Lots 108 & 109
 Horry County
 Date: February 11, 2014
 Date Revised:
 Application No. SAC# 2011-00632-38

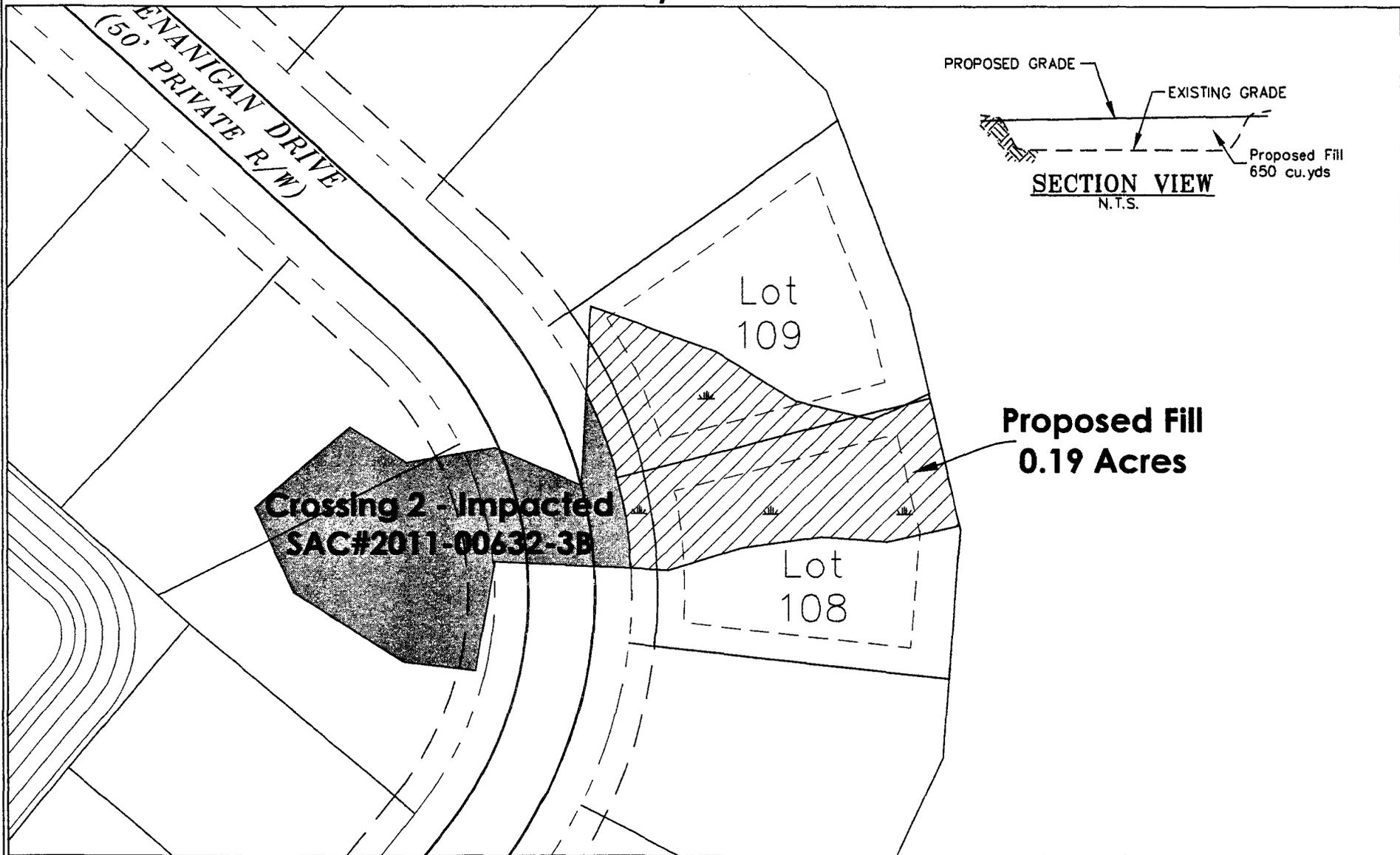


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FIGURE
 Sheet 3 of 4

SCALE IN FEET
 300' 0' 300'

Plan/Section View



Meadows of St. Patrick - Lots 108 & 109

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FIGURE

Sheet 4 of 4

PROPOSED ACTIVITY: wetland fill

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SCALE IN FEET

