

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 Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N SAC-2018-00660

May 18, 2018

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

Mr. Chris Tocitu
Wall Tec
6016 Fish Hawk Court
Myrtle Beach, South Carolina 29579

for a permit to place fill material and excavate in

IMPOUNDMENTS OF WATERS OF THE UNITED STATES

situated within an unnamed tributary system that flows through a series of impoundments until its confluence with the Atlantic Ocean located at 900 67th Avenue North, in the City of Myrtle Beach, Horry County, South Carolina (Latitude: 33.7460°N, Longitude: -78.8327°W), Quad Sheet: Ocean Forest.

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 impacting jurisdictional Waters of the United States (WOUS) for the construction of a single-family residential subdivision. In detail, the placement of 0.61 acre of fill and the excavation of 1.56 acres will occur within two (2) impoundments of WOUS located on the site. According to the applicant, the proposed development will require fill to be placed in the impoundments for the construction of the home sites, construction of a private road and parking, and grading for stormwater pond construction. According to the applicant, the excavation that will occur is for the purpose of achieving adequate depths within the impoundments required for stormwater retention. The impoundments will first be dewatered before excavation activities begin utilizing pumps to drawdown the impoundments to downstream drainage elevations. A flow bypass will be in place to drain the area if a large rain event occurs during drawdown. Spoil material will be placed into one of two containment and dewatering areas comprised of a double row of silt fence and allowed to dewater back into the impoundments and flow downstream to the Atlantic Ocean. In efforts to avoid and minimize impacts to WOUS, the applicant submitted the following statement: "Complete avoidance of any impacts to aquatic resources would present difficulties for almost any residential developments on this site, due to the unique geography of the existing ponds. Removal of fill impacts would dramatically reduce the number of potentially buildable lots, and present challenges to construction of access road along the northeast site boundary, requiring more costly construction techniques to stay out of the pond area. Additionally, any reasonably sized construction on the site would require stormwater detention volume that would exceed that of the existing capacity of the existing ponds. Without maintenance dredging of the ponds, there is not any feasible development option for the site that could use the ponds as they currently exist, and construction of additional stormwater detention areas in the uplands would further development potential by consuming more of the already minimal buildable area." The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 4.3 credits from the Waccamaw or Carter Stillely Wetland Mitigation Banks. The project purpose is single-family residential housing.

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 2.17 acres of freshwater impoundments upstream 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 that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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)(f)(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.

May 18, 2018


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 Wiley Bracey, Watershed Manager, at (843) 365-1707.



SITE / VICINITY
WALL TEC 67TH AVE NORTH
 JURISDICTIONAL WETLAND DETERMINATION





Scale
 1"=12,000
 1" = 1,000

EARTHWORKS
planning and design consultants

11655 HIGHWAY 707
 MURRELLS INLET, SC 29576
 P: 843-651-7900 F: 843-651-7903
 WWW.EARTHWORKSGROUP.COM

Project: Ocean Villas at 67th
 Applicant: Wall Tec
 Location: 67th Ave. North, Myrtle Beach,
 Horry County, South Carolina
 SAC# 2018-00660
 Date: 5/16/2018

Sheet 1 of 7

N 703251.89
E 2658738.10

N 702832.65
E 2659176.77

S46°17'49"E
608.79'

N43°44'42"E
780.43'

JURISDICTIONAL
POND A
±49,087 S.F.
±1.13 AC.

PROJECT SITE
TMS#165-14-08-004
PIN# 421-03-04-0005
±354,609 S.F.
±8.14 AC.

PROJECT
BOUNDARY

JURISDICTIONAL
POND B
±45,972 S.F.
±1.06 AC.

418.31'
S72°18'30"W

414.79'
S43°40'01"W

JURISDICTIONAL POND A: ±1.13 AC.
JURISDICTIONAL POND B: ±1.06 AC.
POND TOTAL: ±2.19 AC.

UPLAND AREA: ±5.95 AC.
SITE TOTAL: ±8.14 AC.

407.31'
N46°04'23"W

N 702405.52
E 2658491.83

67th Avenue North (60' Public: R/W)

Project: Ocean Villas at 67th

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Horry County, South Carolina
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planning and design consultants

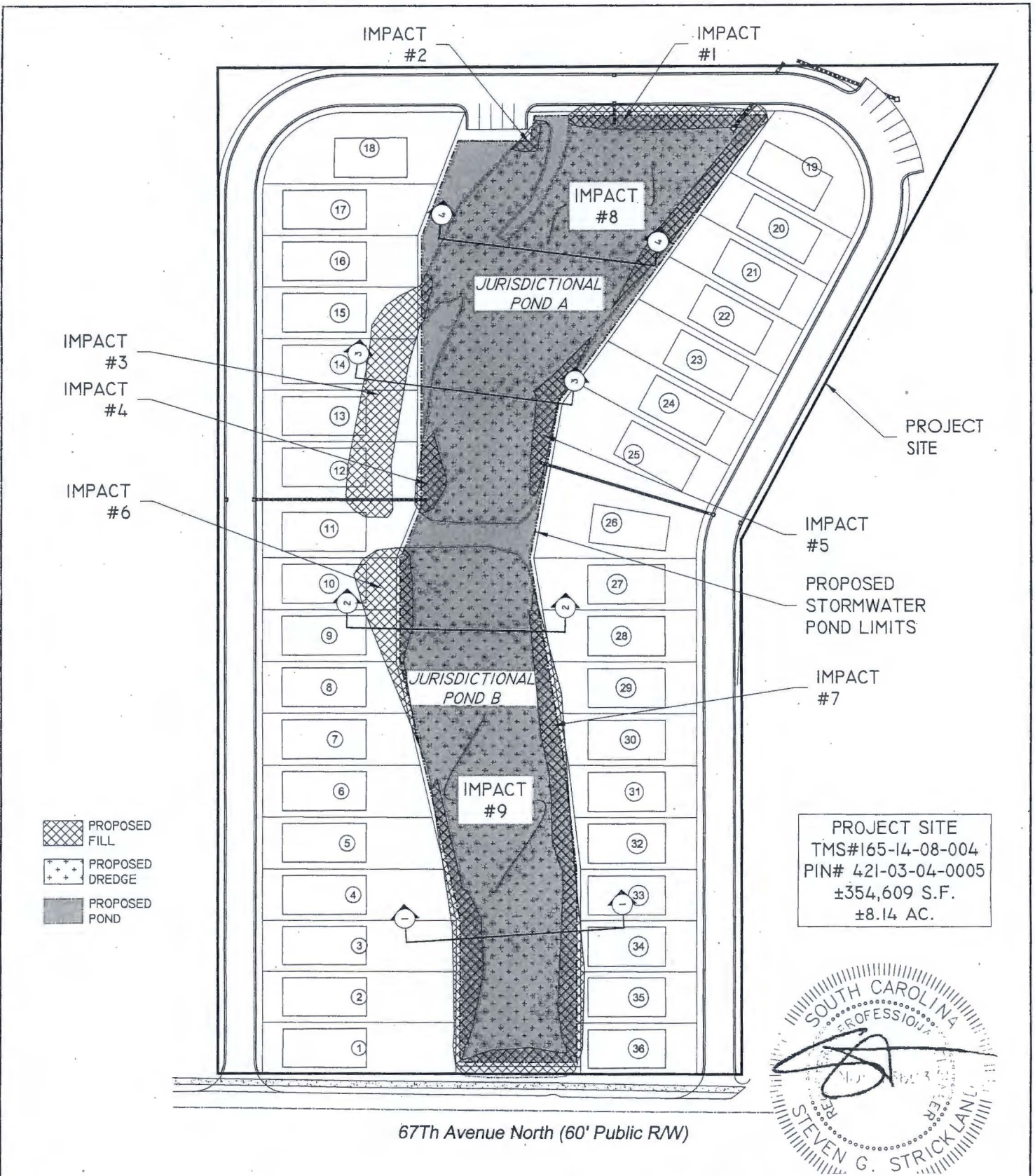
11655 HIGHWAY 707
MURRELLS INLET, SC 29576
phone - 843.651.7900
fax - 843.651.7903
earthworksgroup.com



SCALE
1" = 100'

USGS QUAD: OCEAN FOREST

TEG PN: 171097



FOR PERMITTING PURPOSES ONLY - NOT FOR CONSTRUCTION

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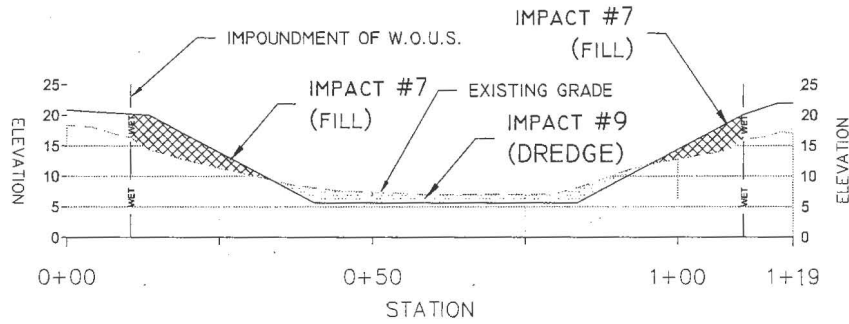
Sheet 3 of 7



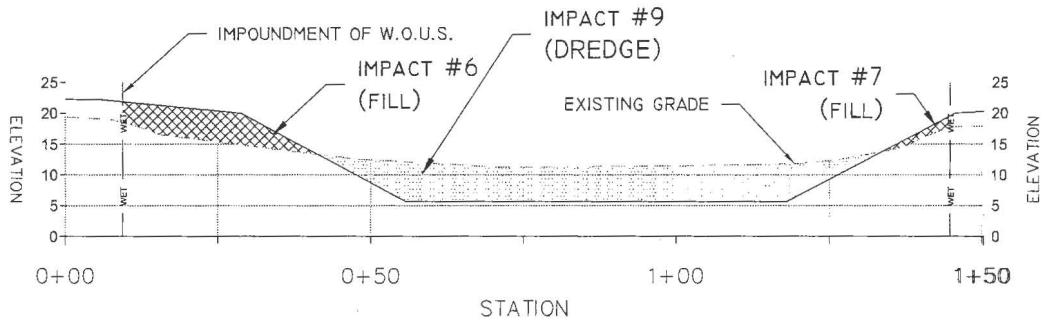
SCALE
1" = 100'

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CROSS SECTION - 1



CROSS SECTION - 2



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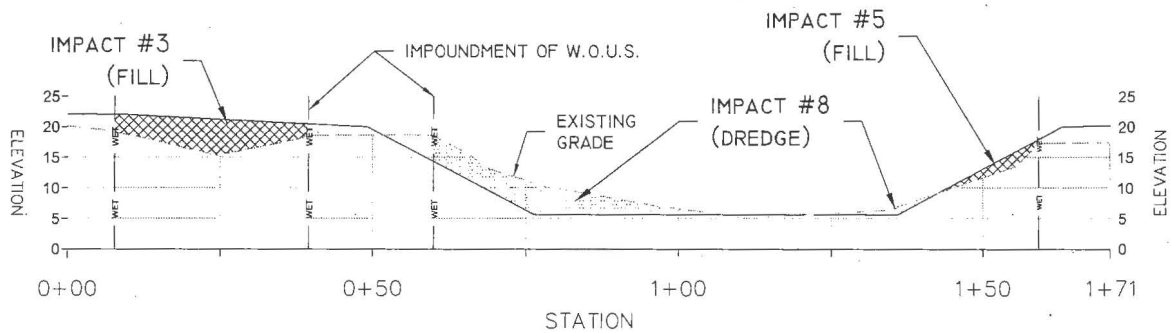
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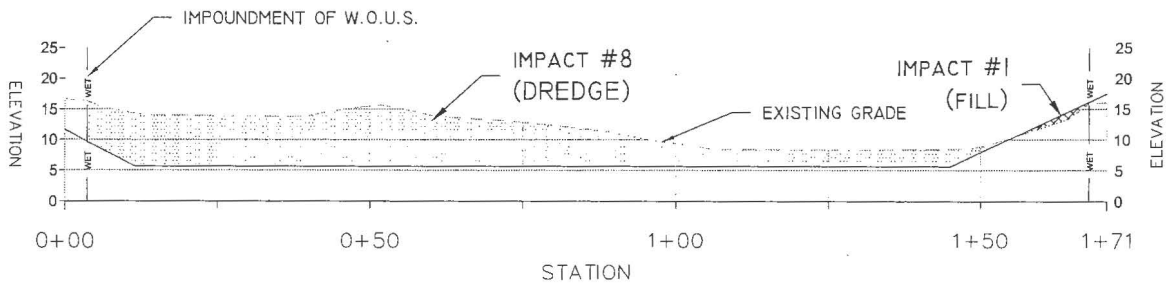
SCALE
 1" = 30'

USGS QUAD: OCEAN FOREST

CROSS SECTION - 3



CROSS SECTION - 4



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SCALE
 1" = 30'

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WETLAND IMPACT TABLE

	TYPE	LOC.	S.F.	ACRES	C.Y.
IMPACT 1	FILL	POND A	4,475	0.103	476
IMPACT 2	FILL	POND A	315	0.007	24
IMPACT 3	FILL	POND A	5,885	0.135	931
IMPACT 4	FILL	POND A	996	0.023	61
IMPACT 5	FILL	POND A	1,524	0.035	56
IMPACT 6	FILL	POND B	3,367	0.077	490
IMPACT 7	FILL	POND B	10,231	0.235	883
FILL SUBTOTAL:			26,793	0.615	2,921
IMPACT 8	DREDGE	POND A	35,887	0.824	5,781
IMPACT 9	DREDGE	POND B	32,197	0.739	4,112
DREDGE SUBTOTAL:			68,084	1.563	9,893
IMPACT TOTAL:			94,877	2.178	12,814



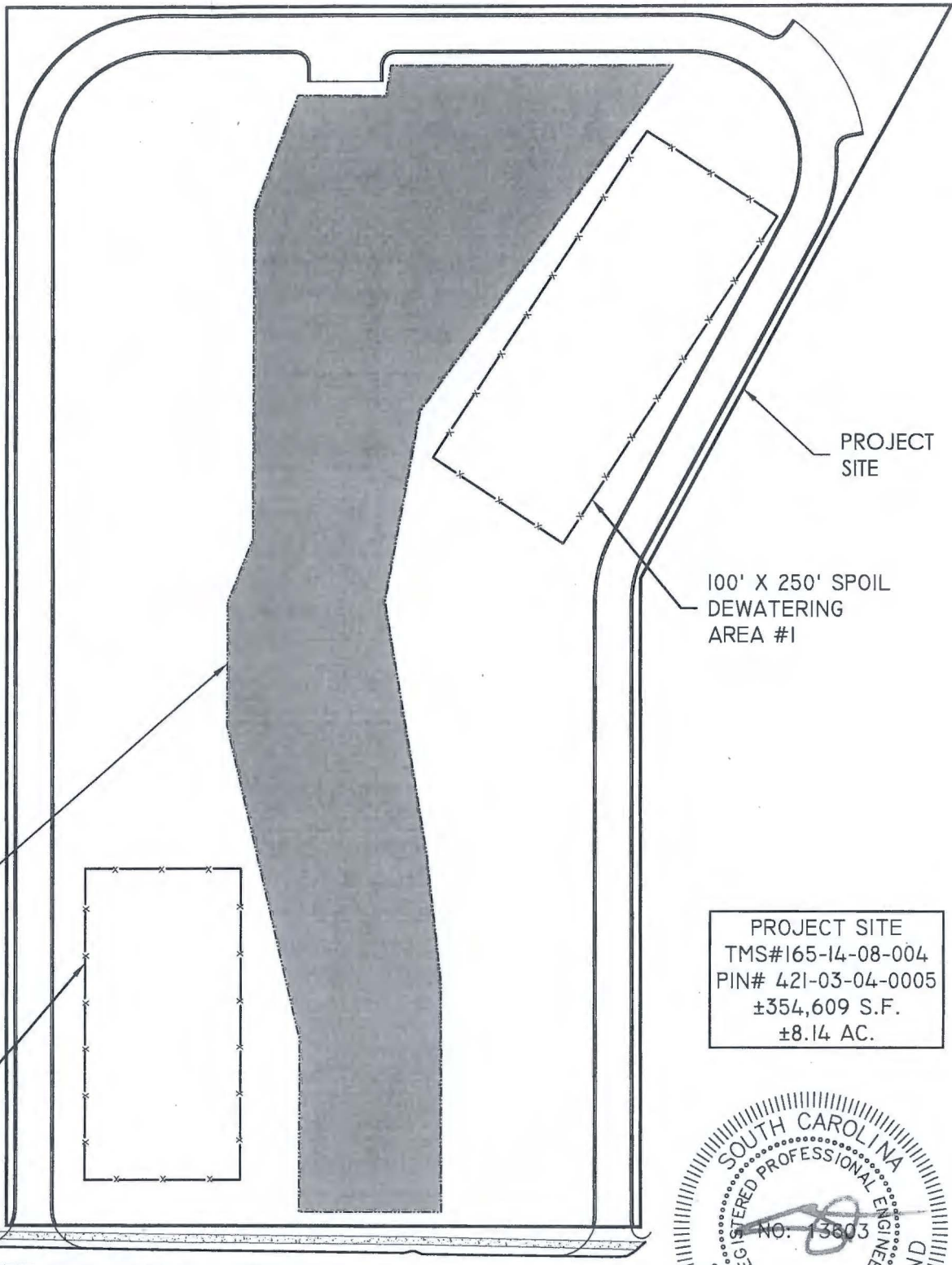
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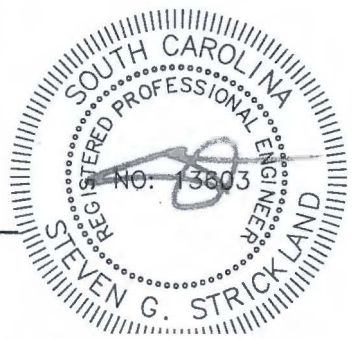
PROJECT SITE

100' X 250' SPOIL DEWATERING AREA #1

STORMWATER MAINTENANCE BASELINE 2.09 AC.

100' X 200' SPOIL DEWATERING AREA #2

PROJECT SITE
 TMS#165-14-08-004
 PIN# 421-03-04-0005
 ±354,609 S.F.
 ±8.14 AC.



67th Avenue North (60' Public R/W)

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