

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 # 2011-00539-3E

18 JUNE 2013

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

Myrtle Beach Farms Company, Inc.
c/o Ms. Amanda Hynes
The Booth Company, Inc.
2411 Oak Street, Suite 404
Myrtle Beach, South Carolina 29577

for a permit to construct a commercial development within freshwater wetlands adjacent to an unnamed tributary of the

ATLANTIC INTRACOASTAL WATERWAY

at a location northeast of 29th Avenue North, northwest of Robert Grissom Parkway, southeast of US Highway 17 Bypass, in the City of Myrtle Beach, Horry County, South Carolina (Latitude 33.717273, Longitude -78.873171).

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 1.27 acres of jurisdictional waters of the United States. In detail, the work consists of the placement of approximately 1.24 acres of fill material in a jurisdictional wetland and the placement of 0.03 acre of fill material within a jurisdictional tributary. Complete avoidance of impacts to waters of the US was not possible due to the nature of the project and the location of the wetlands on site. According to the applicant, impacts were minimized by designing the lots depicted on the

development plan with the minimum depths possible according to SCDOT Access and Roadside Management Standards. The 300' lot depth allows for the required areas for parking, green space, and stormwater drainage. The mitigation plan proposed by the applicant includes purchasing 6.9 credits from Vandross Bay Mitigation Bank and preserving and buffering the remaining 2.3 acres of jurisdictional wetland on site. The purpose of the proposed project, as stated by the applicant, is to facilitate the proposed commercial development on site.

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. 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 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 1.27 acres of tidal marsh habitat with 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and 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 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

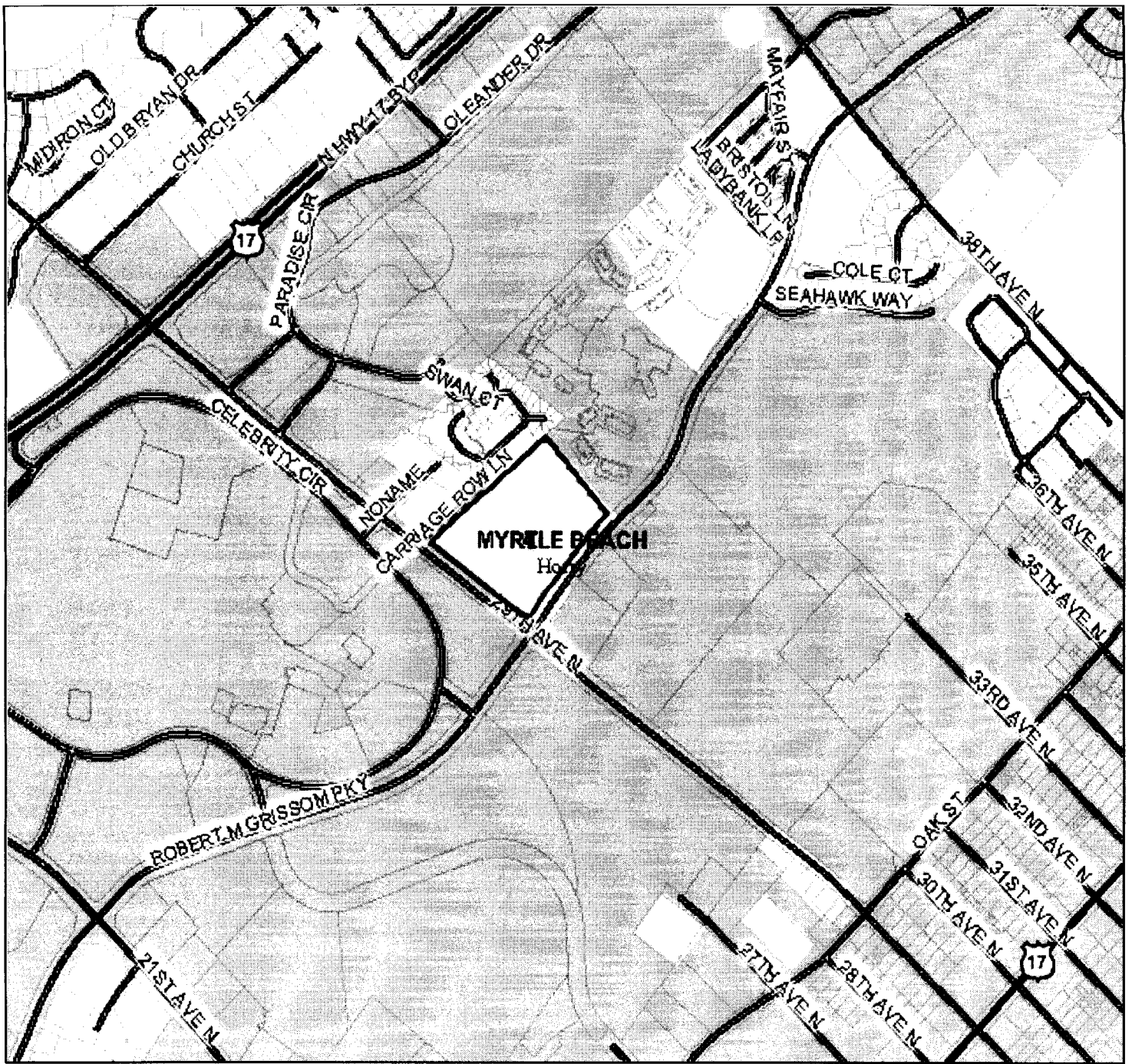
property listed as being eligible for inclusion in the Register. To insure that other cultural resources that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard 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.

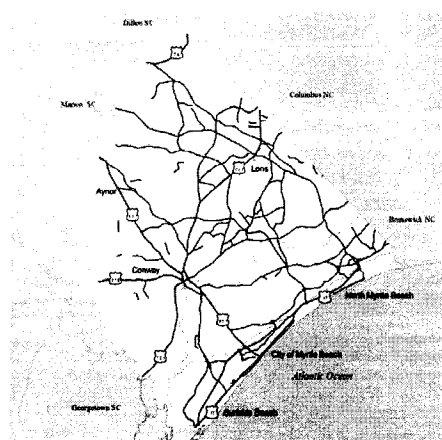
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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 Ann Eaddy at 843-365-1709.



SITETECH
OneSource



- Interstates
- US Hwys
- St Hwys
- Ramps

- Railroads
- Local Roads

Notes:

Broadway 3
Permit Application

- Parcels
- Municipalities
- Water Features
- OneSource Service Area
- Surrounding Counties



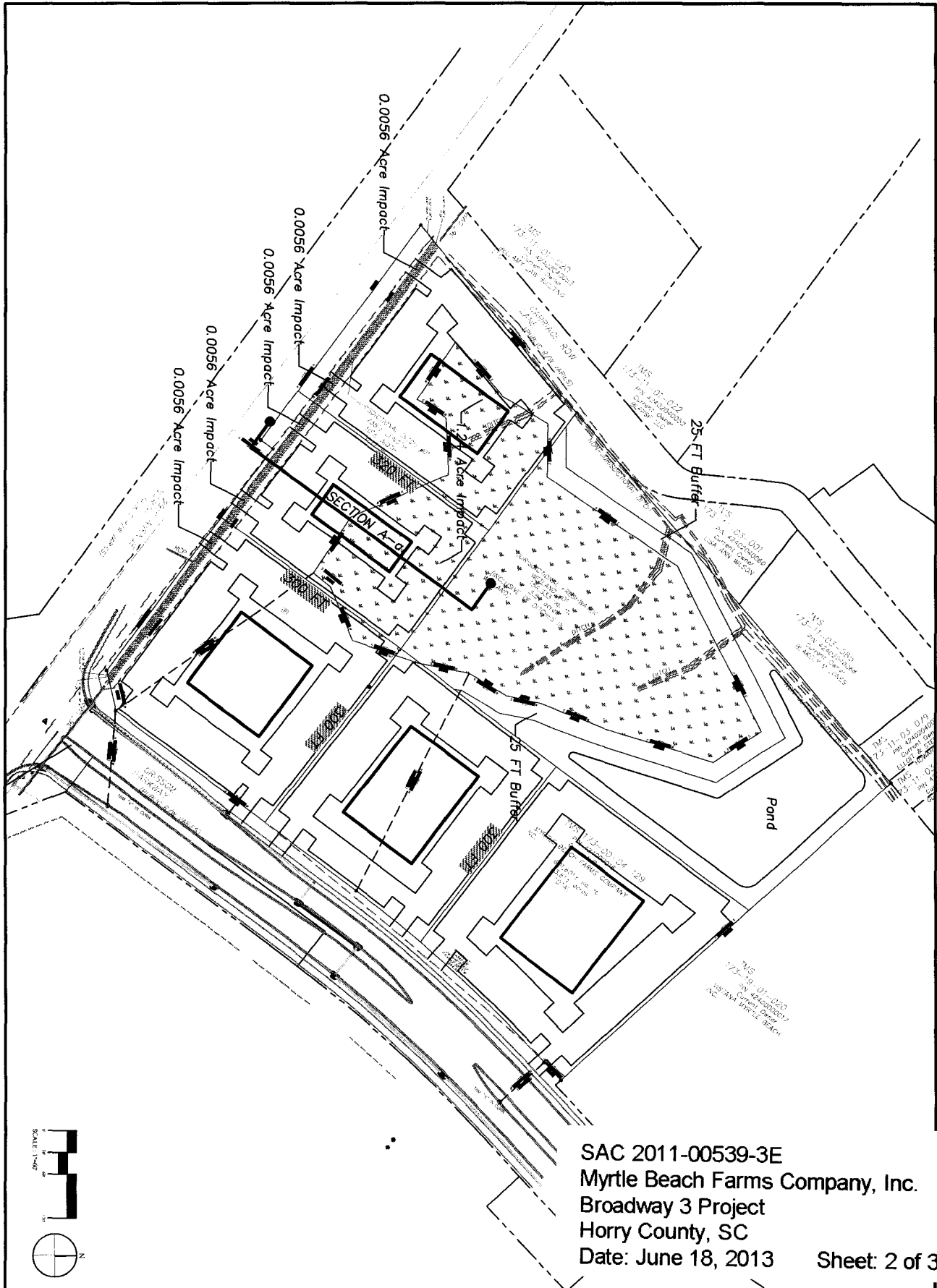
SAC 2011-00539-3E
Myrtle Beach Farms Company, Inc.
Broadway 3 Project
Horry County, SC
Date: June 18, 2013 Sheet: 1 of 3



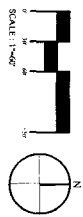
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 Horry County, SC
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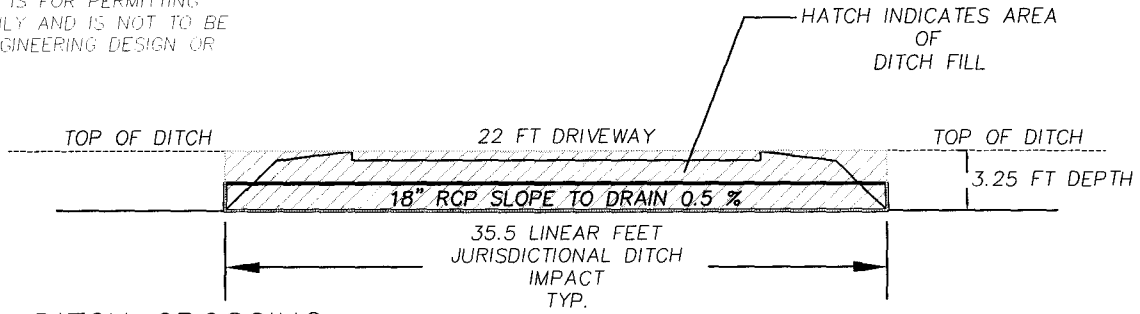
REVISIONS	
NO.	DESCRIPTION

PROPOSED DESIGN

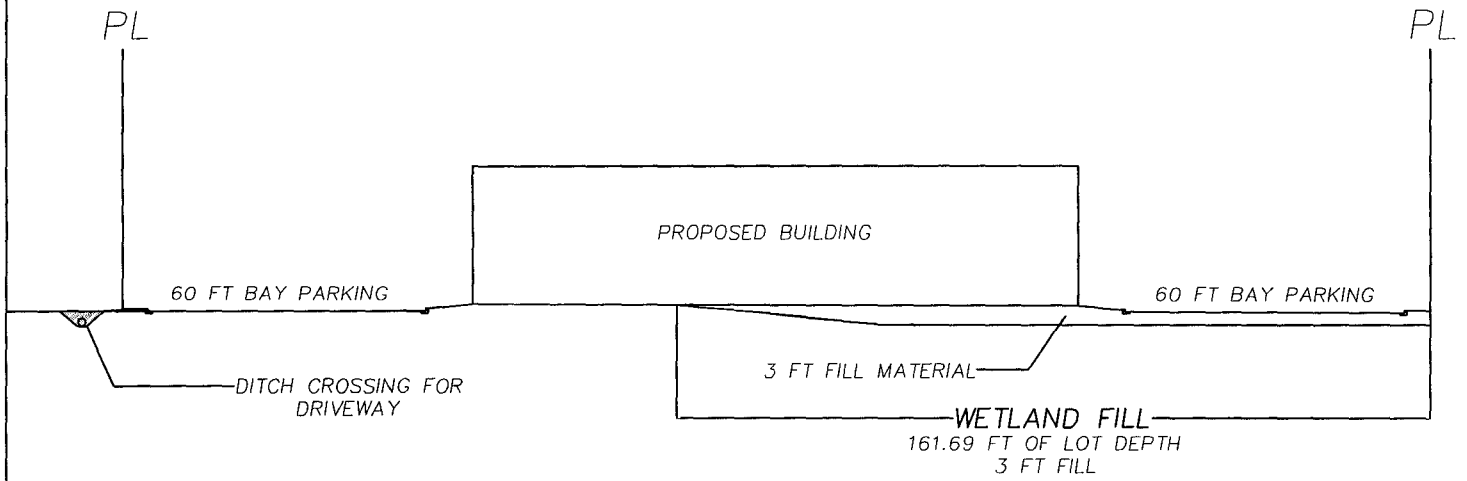
**29th Avenue
 MYRTLE BEACH, SC**
 Prepared for - Myrtle Beach Farms Company, Inc.

Southeastern Planning and Design Services, LLC
 4220 HIGHWAY 1008
 LITTLE RIVER, SOUTH CAROLINA 29577
 803-224-9280 - SPDS@SCCOAST.NET

NOTE:
THIS DRAWING IS FOR PERMITTING
PURPOSES ONLY AND IS NOT TO BE
USED FOR ENGINEERING DESIGN OR
DETAIL.



TYPICAL DITCH CROSSING
SECTION
1"=10'



CROSS SECTION A-a
1"=40'

SAC 2011-00539-3E
Myrtle Beach Farms Company, Inc.
Broadway 3 Project
Horry County, SC
Date: June 18, 2013 Sheet: 3 of 3

TYPICAL CROSS SECTIONS	SECTION VIEW		PURPOSE: NATIONWIDE PERMIT
			COUNTY: HORRY COUNTY STATE: SOUTH CAROLINA
SHEET 3 OF 4	PROJECT #:	SCALE: NA	Southeastern Planning and Design Services, LLC 4220 Highway 1008 Little River, SC 29566 Phone: (843) 424-9280
ORIGINAL DATE: 11/20/12 REVISED DATE:	APPLICANT: MYRTLE BEACH FARMS COMPANY, INC.		