

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 #2007-1457-3IH

17 August 2007

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

SB&C CAPITAL PARTNERS, LLC
c/o H. WAYNE BEAM
P.O. BOX 11863
COLUMBIA, SOUTH CAROLINA 29211-1863

for a permit to dredge and construct a dry storage and docking facility in the

ATLANTIC INTRACOASTAL WATERWAY

at a location described as east of and adjacent to Harbor Boulevard Extension, south of U.S. Highway 501, Myrtle Beach, South Carolina (Latitude: 33.7053; Longitude -78.9349)

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 17 SEPTEMBER 2007

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

The proposed work consists of dredging approximately 5,723 cubic yards of material from 0.47 acres of the AIWW to create a drop well for the proposed dry boat storage facility and afford adequate depths under the proposed docking structures to support navigation. The dredged material will be excavated by mechanical means with a long boom trackhoe and temporarily stored on uplands as depicted on sheet 2 of 4 of this notice. The supernatant from the spoil material in the temporary basin will decant through a return line to the AIWW. After sufficient drying, the material will be transported by truck to a permanent upland disposal site location described as 2041 West Beargrass Road, Longs, South Carolina. In addition, 333 feet of bulkhead will be

constructed. Furthermore, eight 6 ft. x 22 ft. floating docking structures will be constructed each being attached to high ground by a 3 ft. x 18 ft. ramp. The agent stated this site was previously part of a tract of land being developed pursuant to P/N 2005-1E-063-C. The subject tract is now under new ownership and will be a separate operation from the adjacent property. 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 be included in the permit to ensure the interests of the Federal Government are understood. The purpose of the proposed project is for a commercial docking and dry storage facility.

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 Coastal Zone Management Program (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 or the navigable waters permit 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 0.47 acres 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.

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 Rob Huff at 843-365-1726.



HARBOR BLVD EXTENSION

SPOIL BASIN SECTION
NTS

PROPERTY LINE

FLOYD
TMS 180-35-01-111

HORRY CO.
TMS 180-00-01-015

OVERFLOW STRUCTURE AND
DRAIN TO AICWW

SPOIL DISPOSAL AREA
200' X 200' X 6" DEEP
8800 CY CAPACITY

PROPOSED BULKHEAD 333 LF

HARBOR VIEW DRIVE

PROPOSED DROP WELL
AND DOCKS - SEE
DETAIL SITE PLAN

RR DEVELOPMENT
TMS 180-35-01-002

EXISTING BULKHEAD

MHW
MLW

R/W
80' o/s

EDGE CHANNEL

EDGE CHANNEL

INTRACOASTAL WATERWAY
320' R/W

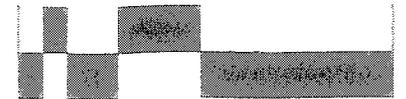
EBB

FLOOD

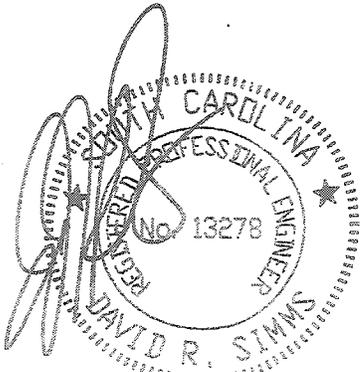
R/W

SITE PLAN

0 100 200 400



1" = 200'



FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

APPLICANT:

LOCATION:

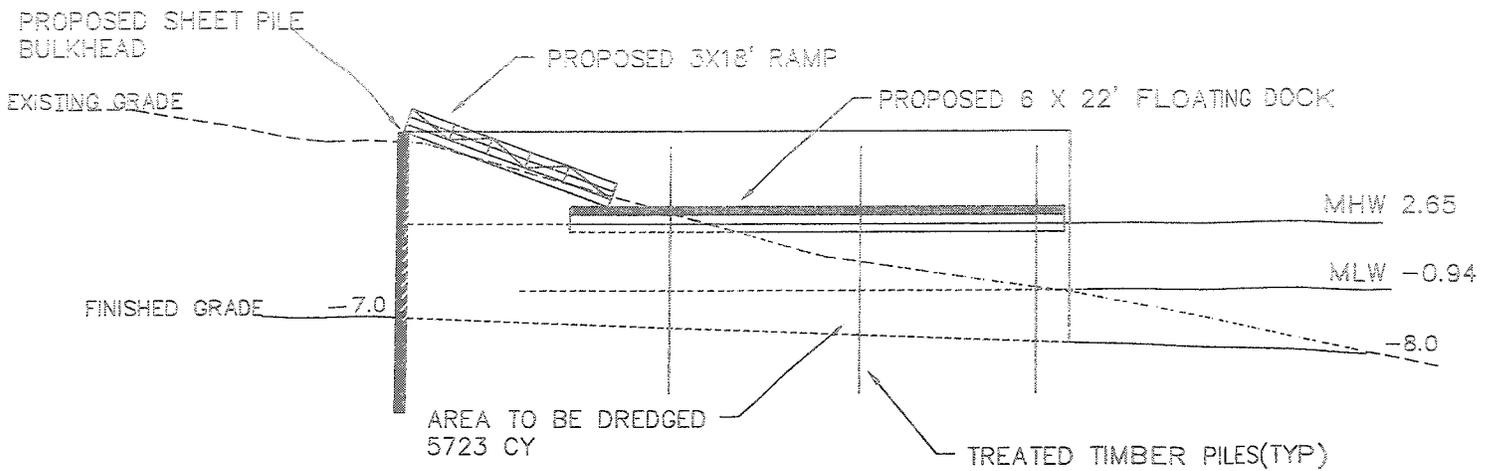
INTRACOASTAL WATERWAY
Myrtle Beach

COUNTY: Horry

DATE: 5/25/2007

SB&C CAPITAL PARTNERS, LLC
DRY STORAGE AND DOCKING FACILITY
P/N 2007-1457-31H

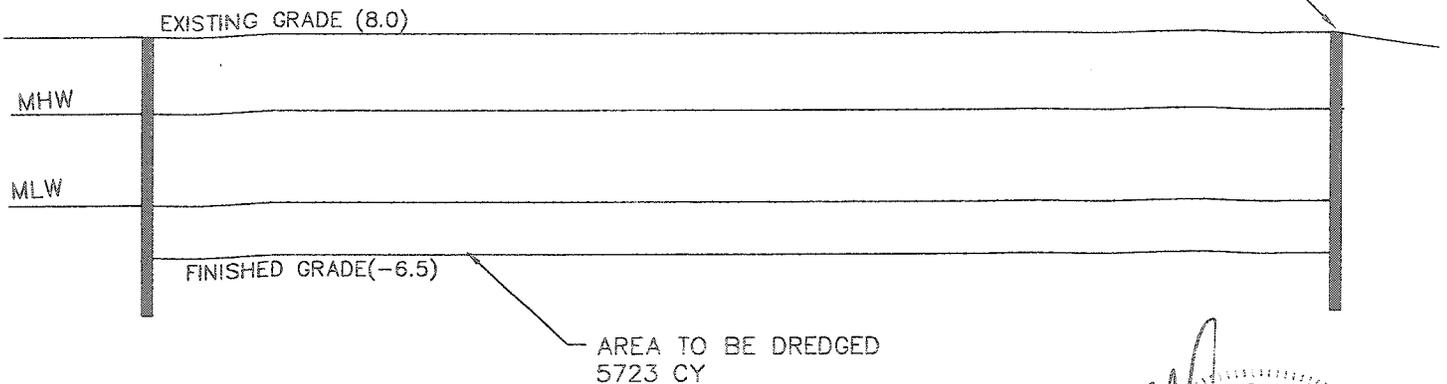
SHEET 2 OF 4



SECTION - A-A

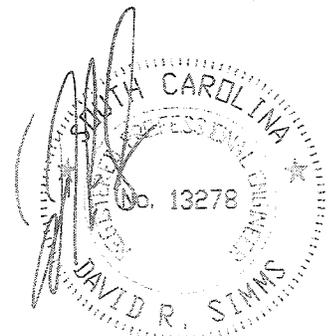
NTS

PROPOSED SHEET PILE BULKHEAD



SECTION - B-B

NTS



FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

APPLICANT: SB&C Capital Partners,

LOCATION:

INTRACOASTAL WATERWAY
Myrtle Beach

SB&C CAPITAL PARTNERS, LLC
Y STORAGE AND DOCKING FACILITY
P/N 2007-1457-3IH

COUNTY: Horry

DATE: 5/25/2007

SHEET 4 of 4