JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
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 #2002-1W-086-C(Revised)

29 August 2003

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 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

MR. THOMAS C. McCASKILL, II
c/o W. H. RICE
236 WOODVILLE CIRCLE
PAWLEYS ISLAND, SC 29585

for a permit modification to construct a covered boat lift and docking facilities in waters of the

BLACK RIVER

at a location adjacent to Lot B Beneventum Road, Kingsbury Place in Georgetown County, South Carolina (Latitude 33.44837°, Longitude 79.26122°)

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, 15 SEPTEMBER 2003

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

The permitted work (2002-1W-086) to occur in a canal leading to the Black River was advertised on public notice on April 26, 2002, and consisted of placing rip rap in two areas, one that measured 110' x 6' to extend 5' below MHW, the other area measured 30' x 6' to extend 5' below MHW and a timber bulkhead that measured 125' that required 185 cubic yards of backfill below the plane of MHW. The project also included excavation of a 0.02 acre area waterward of the timber bulkhead that measured approximately 75' x 15' x 4' using a track hoe in an area proposed for a 30' x 14' covered boat lift and the approach to the lift and placing the excavated material on Lot B to construct a building pad and access road. A 60' x 4' courtesy dock was also proposed. The applicant has now obtained additional river frontage on the Black River at the same address and requests a modification to the existing permit. The modification would eliminate all of the work proposed in the canal and only include work in the Black River. This modified work only includes the construction of a 55' x 6'

walkway leading to a 25' x 15' covered boat lift with a 25' x 4' access walkway on the east side of the walkway and a 15' x 3' ramp on the west side of the walkway leading to a 25' x 10' floating dock as shown on sheets 2 and 3 of 3. The purpose of the project remains for private recreational use.

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
69A Hagood Avenue
Charleston, South Carolina 29403-5107

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 0.0 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.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on 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).

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown

archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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.

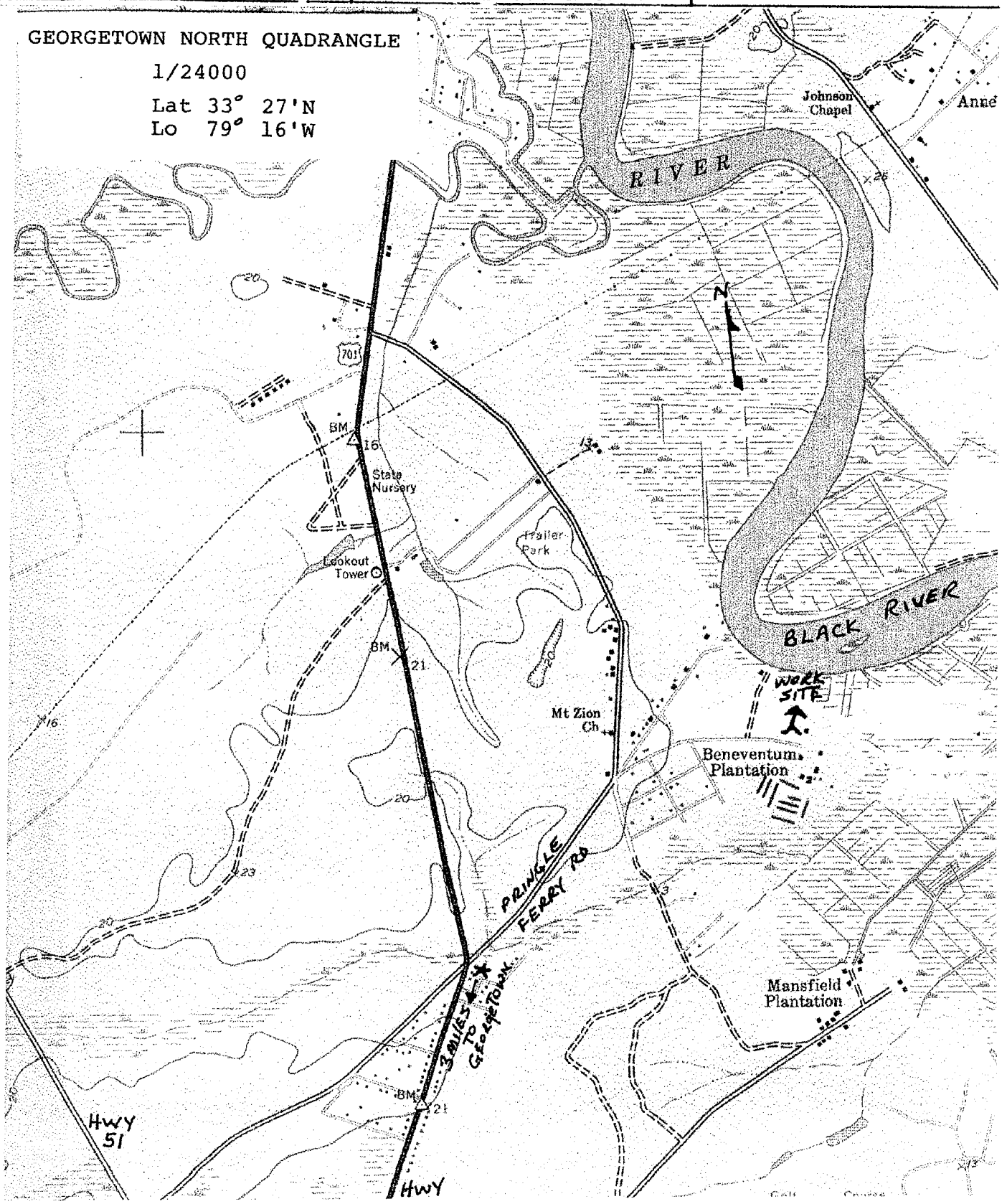
If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

Debra W. King

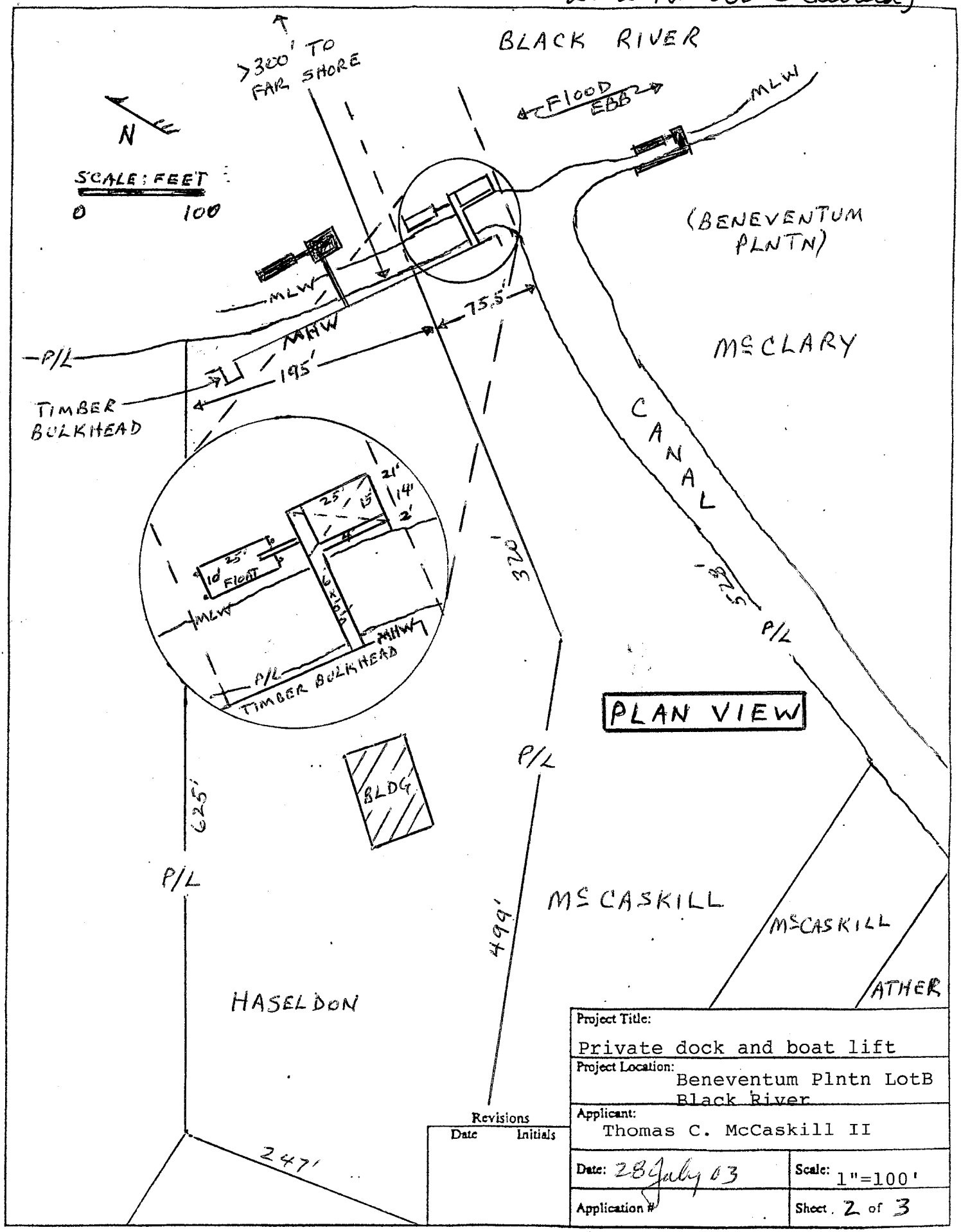
Debra W. King
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

2002-1W-086-C (Revised)

Purpose: Private Use Datum: MLW Adjacent Property Owners: 1. Suzanne H. McClary 2. Lewis G. Haseldon, Jr	VICINITY MAP Thomas C. McCaskill II 200 West Broadway Myrtle Beach, SC 29577 Date: 28 July 03 Sheet 1 of 3	Proposed Private Dock and Boat Lift In: Black River At: Lot abutting Beneventum Plntn County: Georgetown



2002-1W-086-C (Revised)

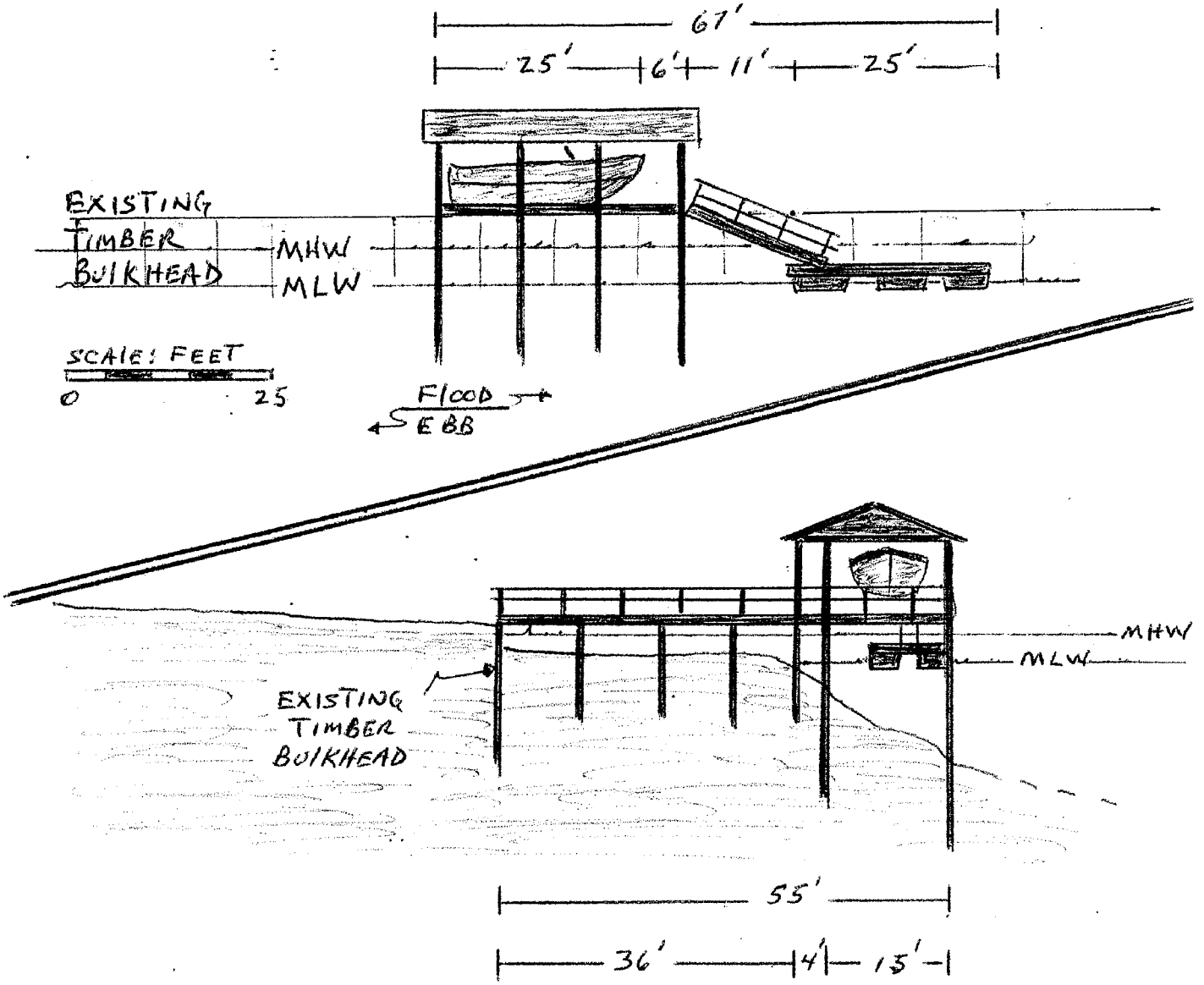


Revisions	
Date	Initials

Project Title: Private dock and boat lift	
Project Location: Beneventum Plntn LotB Black River	
Applicant: Thomas C. McCaskill II	
Date: 28 July 03	Scale: 1"=100'
Application #	Sheet 2 of 3

2002-1W-086-C (Revised)

SECTION VIEW



Project Title: Private dock and boat lift	
Project Location: Beneventum Plntn Lot B Black River	
Applicant: Thomas C. McCaskill II	
Date: 28 July 03	Scale: 1"=20'
Application #	Sheet 3 of 3

Revisions

Date	Initials