

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 #2003-1W-274-C

12 SEPTEMBER 2003

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

SHEILA J. BENTON
1013 OLD PLANTATION DRIVE
PAWLEYS ISLAND, SOUTH CAROLINA 29585

for a permit to perform excavation in uplands and to construct a bulkhead, ramps and floating docks in the excavated area behind an existing bulkhead and to remove the existing bulkhead adjacent to and in waters of a canal that connects to the

WACCAMAW RIVER

at a location adjacent to lots 7 and 8 on Emerson Circle in Hagley Estates, Pawleys Island, Georgetown County, South Carolina (Latitude 33.4379°, Longitude 79.1785°)

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, 29 SEPTEMBER 2003

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

The proposed work consists of performing excavation to remove approximately 445 cubic yards of uplands in an area measuring 0.034 acres behind an existing 70 linear foot bulkhead and to construct a new 98 linear foot bulkhead, two 13' x 4' ramps that each lead to a 21' x 8' floating dock in this excavated area as shown on sheets 2 and 3 of 5. The work also includes removing the existing bulkhead adjacent to and in waters of a canal that connects to the Waccamaw River and flooding the excavated area. The excavation will be performed in the dry behind the existing bulkhead with a trackhoe and dump truck. The excavated material will be used on adjacent uplands for building fill. Any excess material will be hauled offsite to an approved landfill. The purpose

of the project is for private recreational and boating access to the canal leading to the Waccamaw River and to dock boats off of this narrow (approximately 26 feet wide) canal while allowing passage of other vessels that may use the canal.

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 0.034 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

12 SEPTEMBER 2003

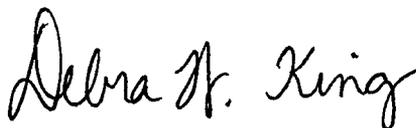
accomplished under the requested permit.

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. 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.

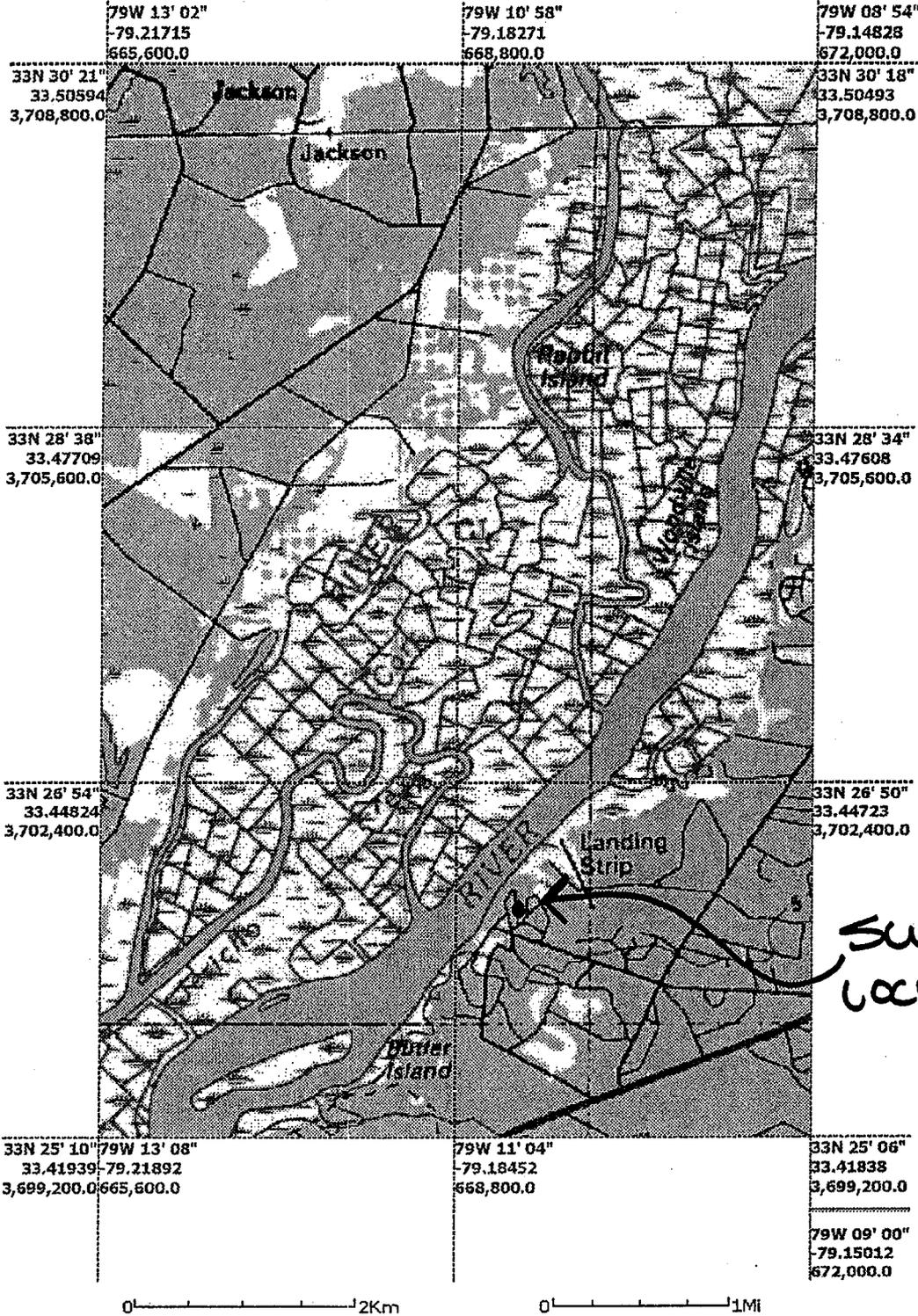
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

USGS 15 km NE of Georgetown, South Carolina, United States 01 Jul 1983

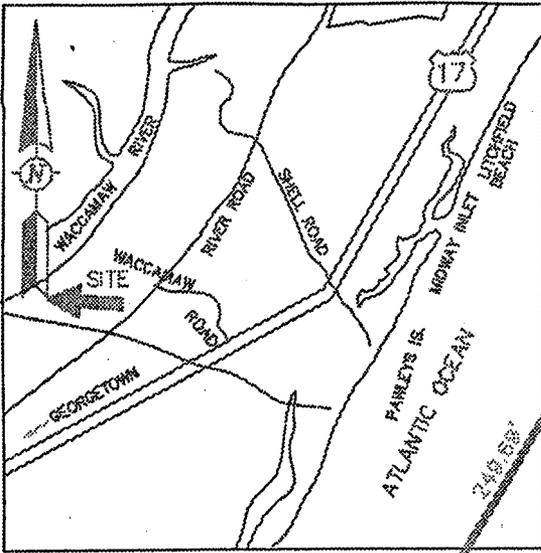


SUBJECT LOCATION

Image courtesy of the U.S. Geological Survey
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P/N 2003-1W-274-C

<p>Applicant: Sheila Benton Activity: Joint Recreational Dock</p>	<p>Location: Lots 7&8 Emerson Circle Hagley Estates Pawleys Island, SC</p>	<p>Adjacent Property Owners: Bryan Leatherman North Side Charles Cameron South Side</p>
<p>Location 33.26.302 N 79.10.655W</p>	<p>County: Georgetown Date: March 15, 2003</p>	<p>Drawing Title: USGS MAP Scale: As Shown 1 of 5</p>



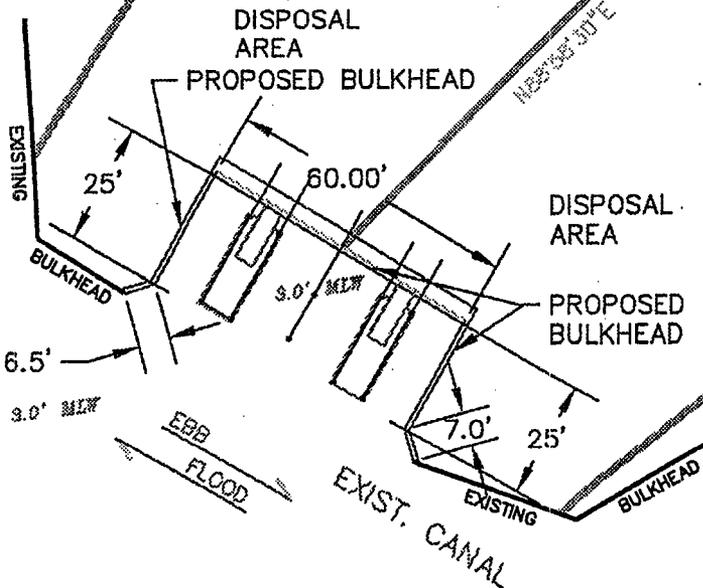
VICINITY MAP

Charles Cameron

LOT 8

LOT 7

Brian Leatherman



P/N 2003-1W-274-C

Applicant: Sheila Benton
Activity: Joint Recreational Dock

Location: Lots 7&8 Emerson Circle
Hagley Estates
Pawleys Island, SC

Adjacent Property Owners:
Bryan Leatherman North Side
Charles Cameron South Side

Location
33.26.302 N
79.10.655W

County: Georgetown
Date: March 15, 2003

Drawing Title: Overall Plan

Scale: 1"=40'

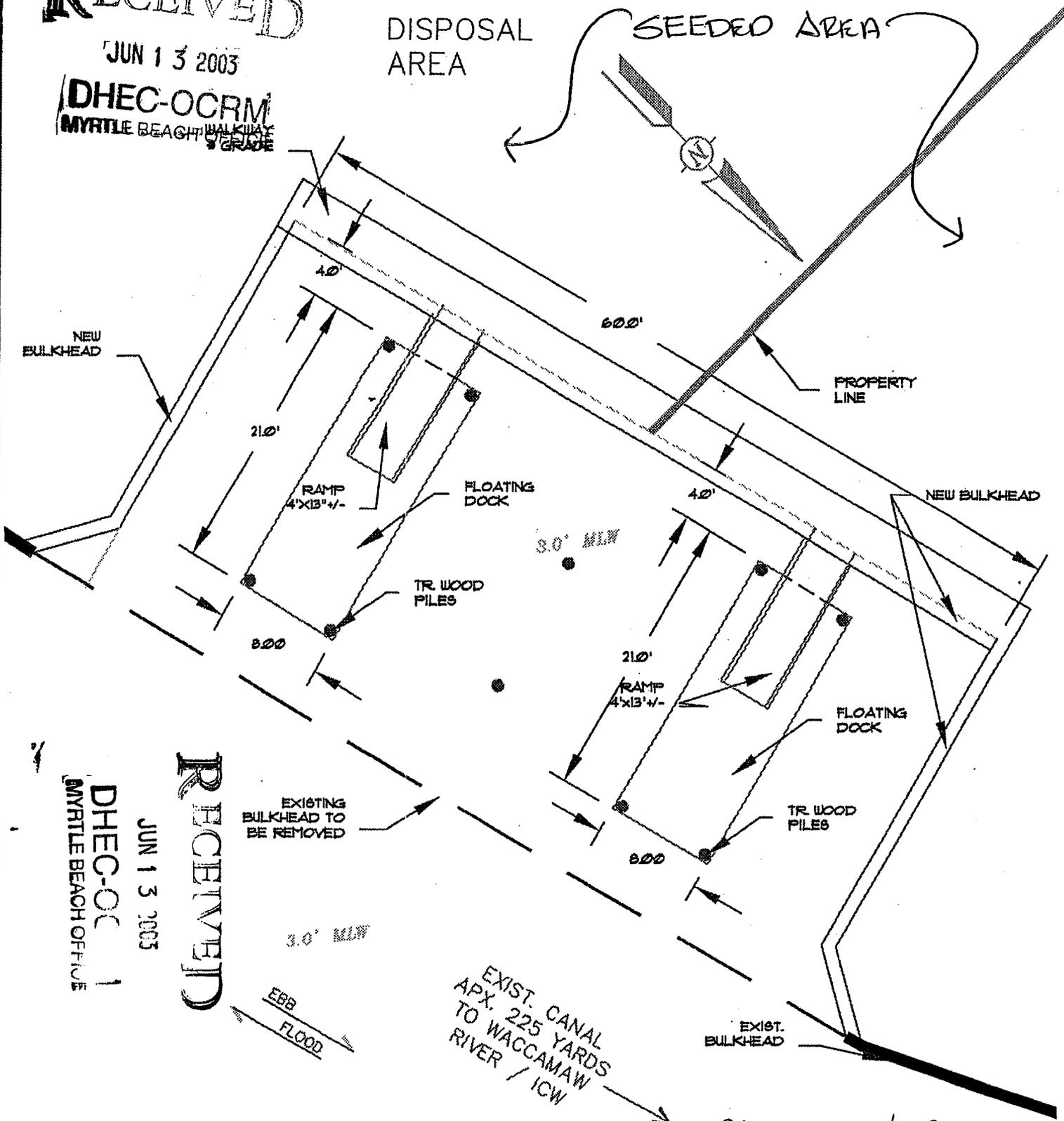
RECEIVED

JUN 13 2003

DHEC-OCRM
MYRTLE BEACH OFFICE

DISPOSAL
AREA

SEEDED AREA



DHEC-OCRM
MYRTLE BEACH OFFICE

JUN 13 2003

RECEIVED

EXISTING
BULKHEAD TO
BE REMOVED

3.0' MLW

EBB
FLOOD

EXIST. CANAL
APX. 225 YARDS
TO WACCAMAW
RIVER / ICW

EXIST.
BULKHEAD

P/N 2003-1W-274-C

Applicant: Shella Benton
Activity: Joint Recreational
Dock

Location
33.26.302 N
79.10.655W

Location: Lots 7&8 Emerson Circle
Hagley Estates
Pawleys Island, SC

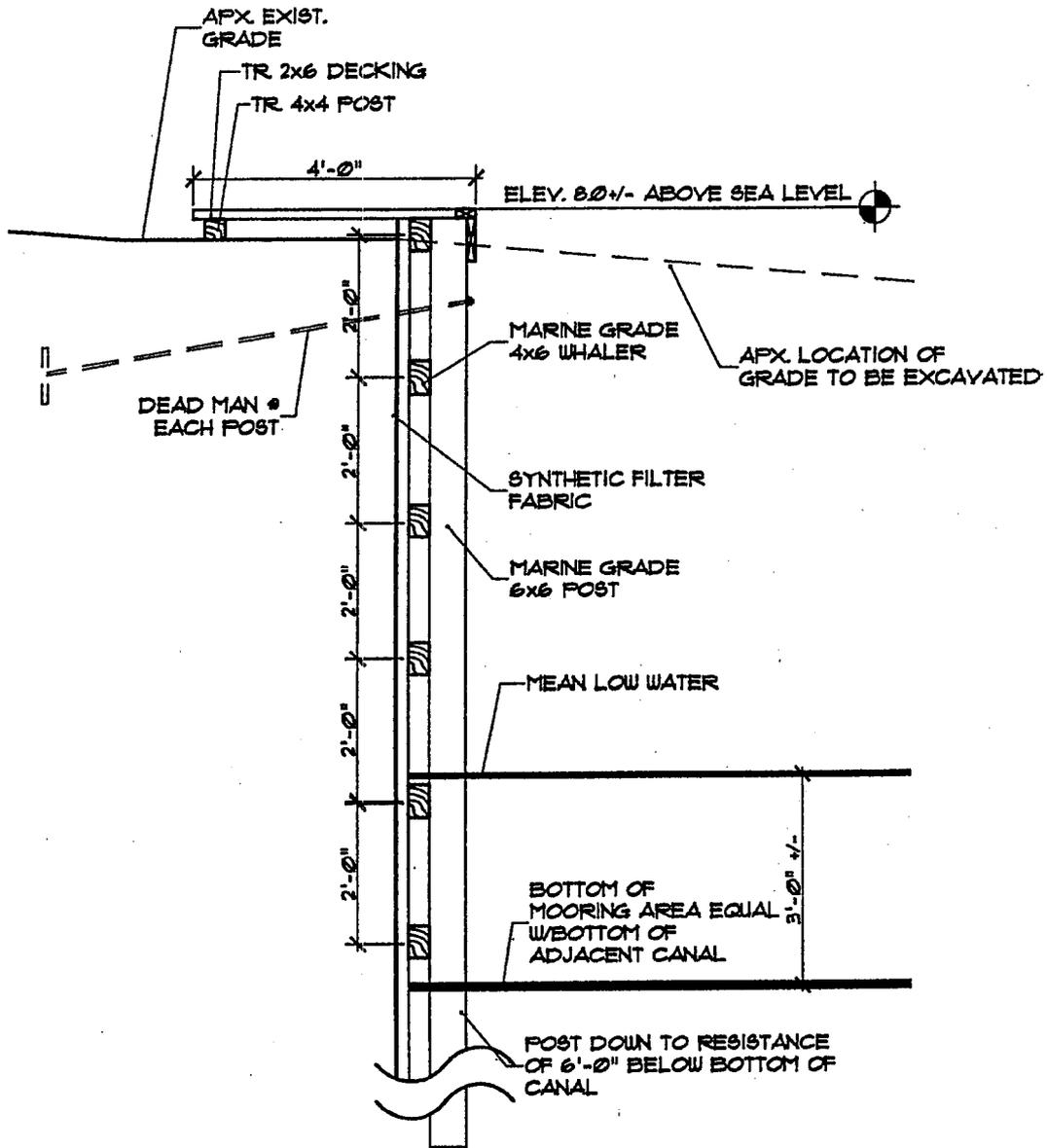
County: Georgetown
Date: March 15, 2003
Rev. 6-1-00

Adjacent Property Owners:
Bryan Leatherman North Side
Charles Cameron South Side

Drawing Title: Enlarged Plan

Scale: 1"=10'

20 of 5



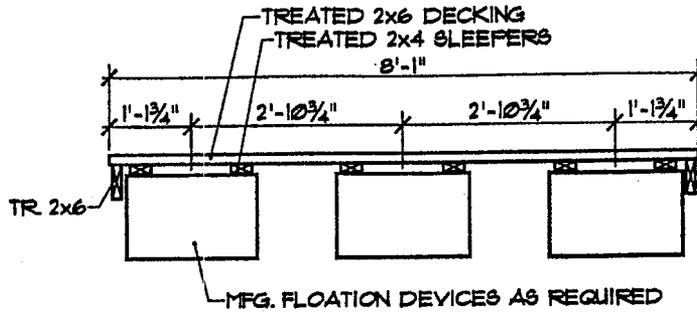
P/N 2003-1W-274-C

Applicant: Sheila Benton
 Activity: Joint Recreational Dock
 Location
 33.26.302 N
 79.10.655W

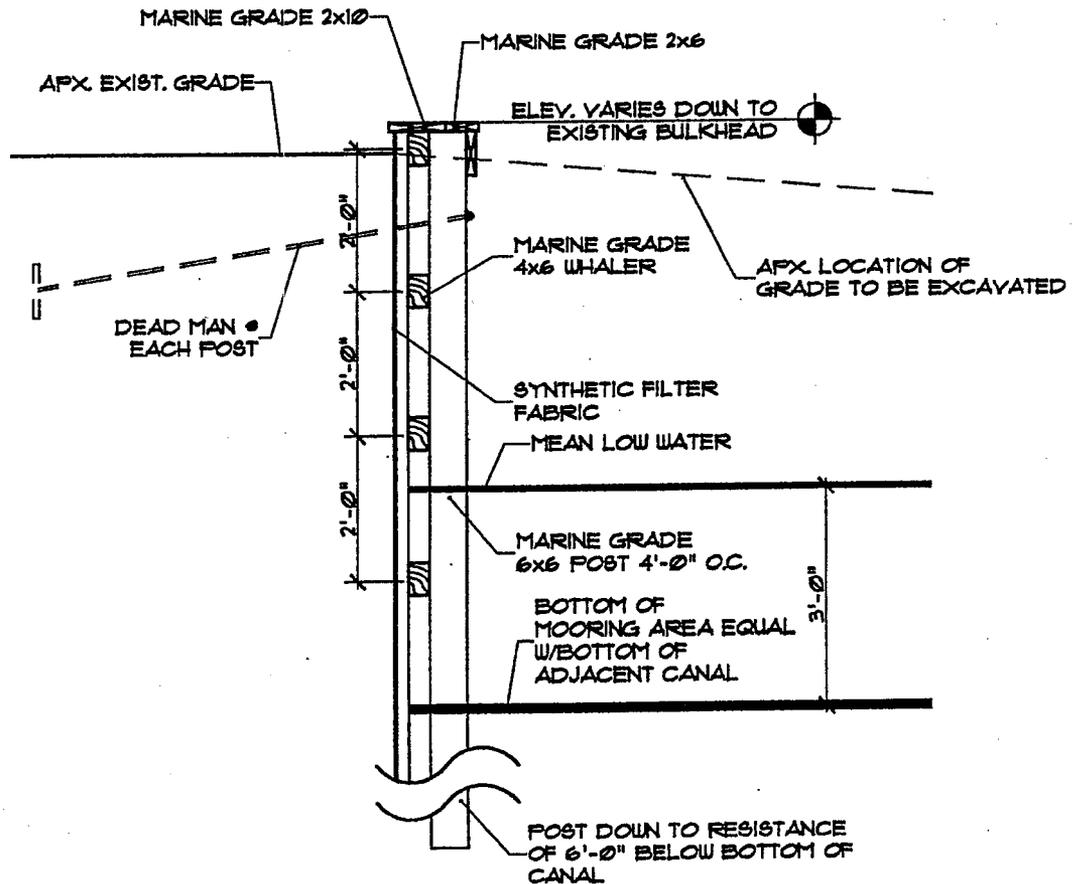
Location: Lots 7&8 Emerson Circle
 Hagley Estates
 Pawleys Island, SC
 County: Georgetown
 Date: March 15, 2003

Adjacent Property Owners:
 Bryan Leatherman North Side
 Charles Cameron South Side

Drawing Title: High Bulkhead Section
 Scale: 3/8"=1'-0"



Floating Dock Section



Low Bulkhead Section

P/N 2003-1W-274-C

Applicant: Sheila Benton

Activity: Joint Recreational
Dock

Location
33.26.302 N
79.10.655W

Location: Lots 7&8 Emerson Circle
Hagley Estates
Pawleys Island, SC

County: Georgetown

Date: March 15, 2003

Adjacent Property Owners:
Bryan Leatherman North Side
Charles Cameron South Side

Drawing Title: As Noted

Scale: 3/8"=1'-0"

5 of 5