

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 # 2004-1Z-356-C

14 JANUARY 2005

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

HAL B. HOLMES, JR.
POST OFFICE BOX 1659
2691 HIGHWAY 90
CONWAY, SOUTH CAROLINA 29526

for a permit to place fill material in wetlands adjacent to

CROSS SWAMP

at a location just off the U.S. Highway 501 frontage road at the Carolina Bays Parkway (SR31), near Myrtle Beach, in Horry County, South Carolina (Latitude – 33.7417°, Longitude 78.9567°).

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, 14 FEBRUARY 2005

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

The proposed work consists of constructing a road through wetlands. In detail, the applicant is proposing to place approximately 689 cubic yards of fill material in 1.1 acres of wetlands to construct a two-lane, paved access road. The proposed road will traverse approximately 750' of wetlands, and will be approximately 66'-wide (24'-wide paved surface). The new road will be located in approximately the same location, and will be of the same approximate width as an existing temporary mining haul road. For mitigation, the applicant proposes to purchase 11 mitigation credits from the Vandross Bay Mitigation Bank. The purpose of the proposed work is to provide access to the applicant's property.

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 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. 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 1.1 acres of freshwater wetlands located upstream 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.

14 JANUARY 2005

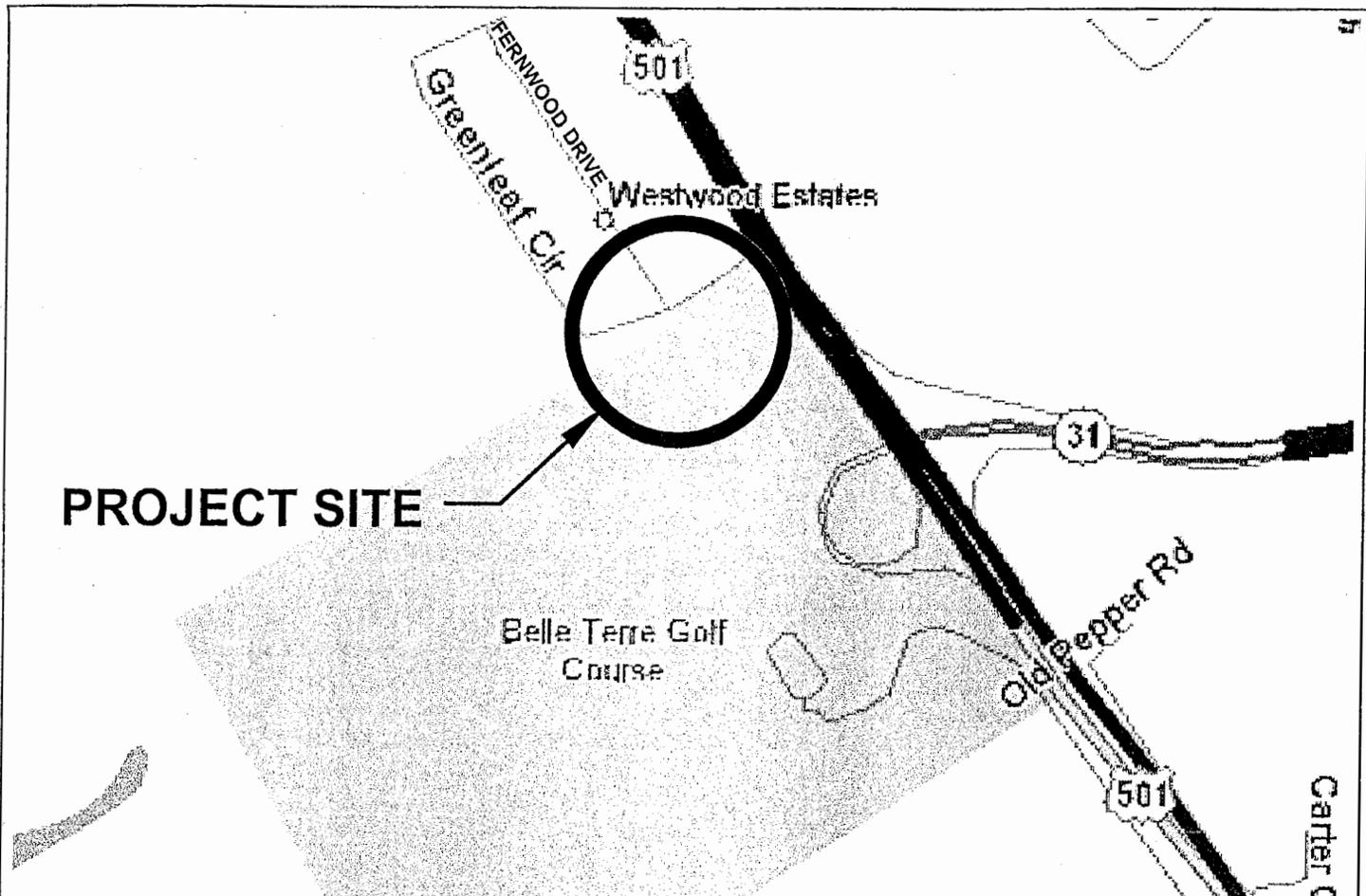
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section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

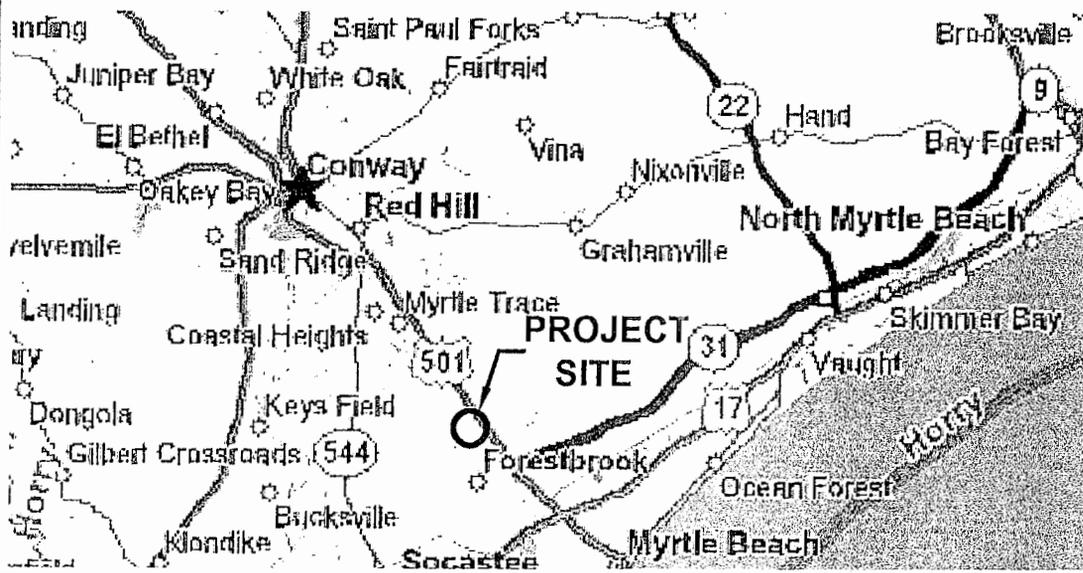
If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Larry Hanford
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



PROJECT SITE

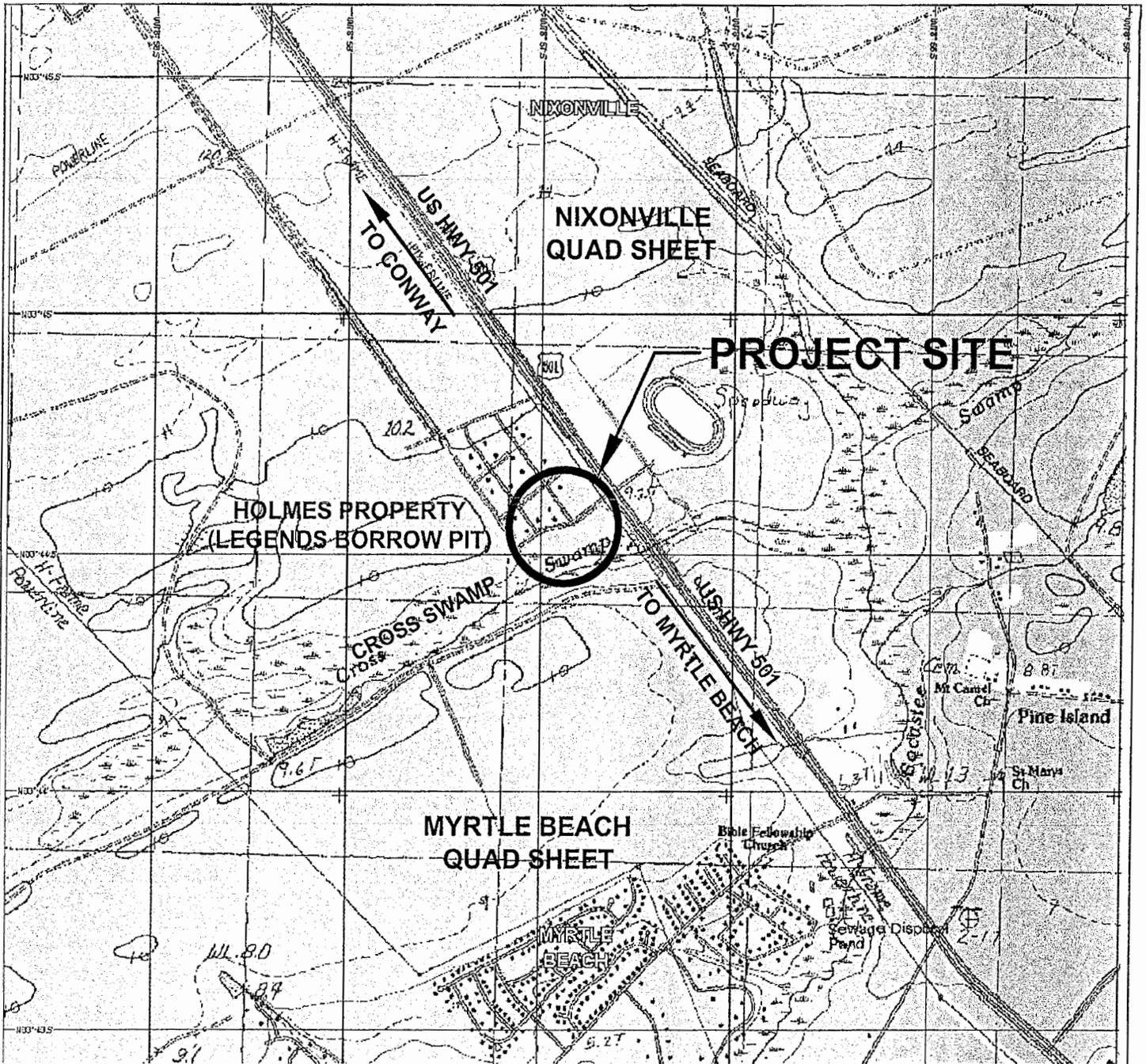


MAPS BY MAPQUEST



NO SCALE

<p><u>OWNER/APPLICANT:</u> DR. HAL B. HOLMES JR. ET AL</p>	<p>LOCATION MAP</p> <p>HOLMES TRACT ENTRANCE ROAD HOLMES PROPERTY AT BELLE TERRE</p>	<p><u>PROPOSED:</u> TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.</p> <p>NEAR: MYRTLE BEACH ON: US HWY 501 (FRONTAGE RD) COUNTY OF: Horry STATE OF: SC REVISED DATE: DATE: 11/04/04 SHEET: 1 OF 14 <i>2004-12-356</i></p>
<p><u>ADJACENT PROPERTY OWNERS:</u></p> <ol style="list-style-type: none"> 1) WESTWOOD ESTATE SUBDIVISION 2) STATE FARM INS. COMPANY 		

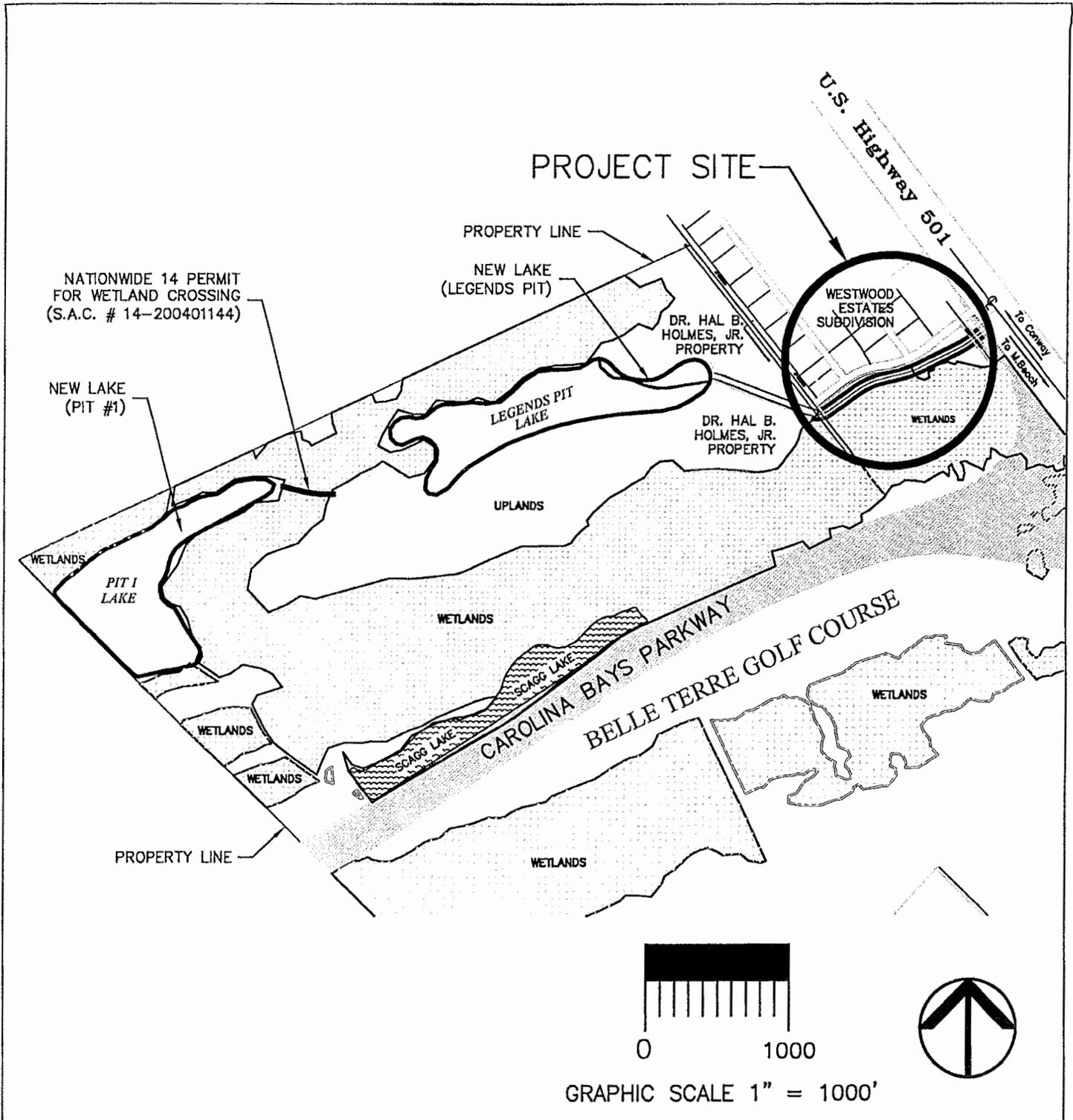


LATITUDE: N 33° 44.54'
 LONGITUDE: W78° 57.4'



SCALE: 1" = 2000'

<p><u>OWNER/APPLICANT:</u> DR. HAL B. HOLMES JR. ET AL</p>	<p>NIXONVILLE AND MYRTLE BEACH QUAD MAP</p>	<p><u>PROPOSED:</u> TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.</p>
<p><u>ADJACENT PROPERTY OWNERS:</u> 1) WESTWOOD ESTATE SUBDIVISION 2) STATE FARM INS. COMPANY</p>	<p>HOLMES TRACT ENTRANCE ROAD HOLMES PROPERTY AT BELLE TERRE</p>	<p>NEAR: MYRTLE BEACH ON: US HWY 501 (FRONTAGE RD) COUNTY OF: HORRY STATE OF: SC REVISED DATE: DATE: 11/04/04 SHEET: 2 OF 14</p>



OWNER/APPLICANT:
 DR. HAL B. HOLMES JR. ET AL

ADJACENT PROPERTY OWNERS:

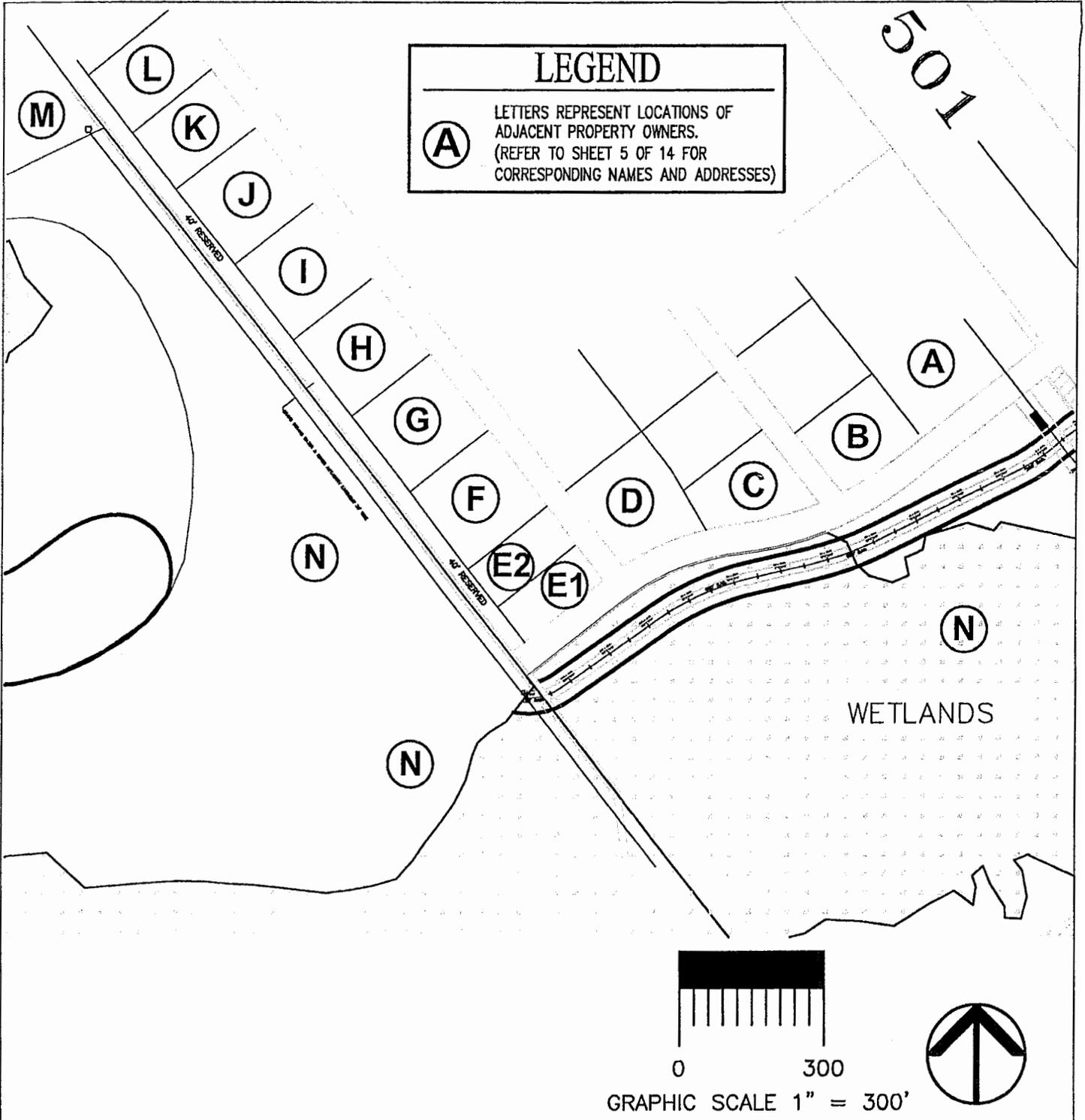
- 1) WESTWOOD ESTATE SUBDIVISION
- 2) STATE FARM INS. COMPANY

EXISTING OVERALL SITE PLAN

HOLMES TRACT ENTRANCE ROAD
 HOLMES PROPERTY
 AT BELLE TERRE

PROPOSED: TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.

NEAR: MYRTLE BEACH
 ON: US HWY 501 (FRONTAGE RD.)
 COUNTY OF: HORRY
 STATE OF: SC
 REVISED DATE:
 DATE: 11/04/04
 SHEET: 3 OF 14 *2004-12-356*



LEGEND

LETTERS REPRESENT LOCATIONS OF ADJACENT PROPERTY OWNERS.
 (REFER TO SHEET 5 OF 14 FOR CORRESPONDING NAMES AND ADDRESSES)

OWNER/APPLICANT:
 DR. HAL B. HOLMES JR. ET AL

ADJACENT PROPERTY OWNERS:
 1) WESTWOOD ESTATE SUBDIVISION
 2) STATE FARM INS. COMPANY

**ADJACENT PROPERTY OWNER'S
 LOCATION AND KEY SHEET**

HOLMES TRACT ENTRANCE ROAD
 HOLMES PROPERTY
 AT BELLE TERRE

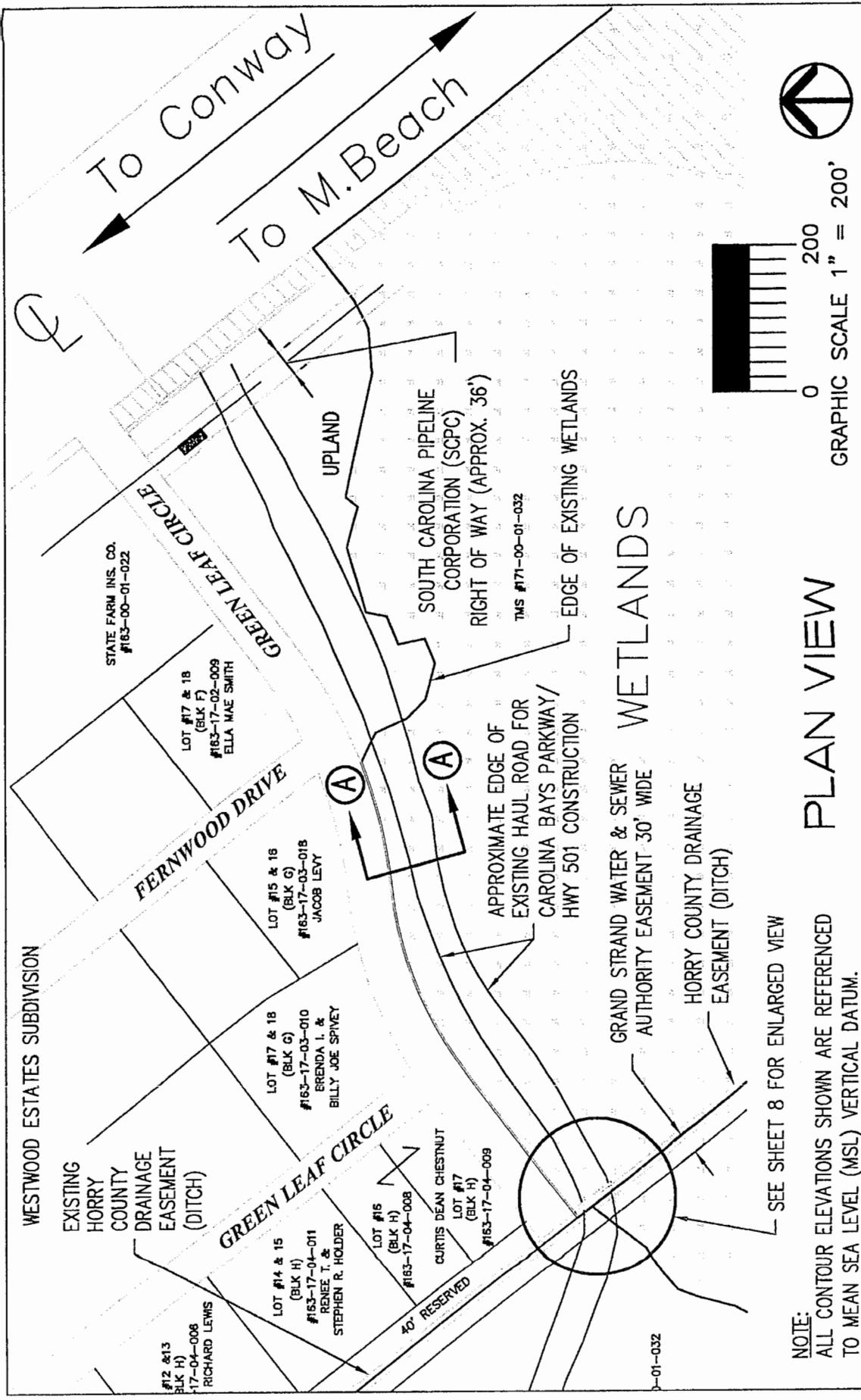
PROPOSED: TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.

NEAR: MYRTLE BEACH
 ON: US HWY 501 (FRONTAGE RD)
 COUNTY OF: HORRY
 STATE OF: SC
 REVISED DATE:
 DATE: 11/04/04
 SHEET: 4 OF 14 *2004-12-356*

(A)	STATE FARM INS. CO. 1 STATE FARM PLAZA BLOOMINGTON, ILLINOIS 61710-0001
(B)	ELLA MAE SMITH 4302 FERNWOOD DRIVE MYRTLE BEACH, SC 29579-6800
(C)	JACOB LEVY 4305 FERNWOOD DRIVE MYRTLE BEACH, SC 29579-6801
(D)	BRENDA I. & BILLY JOE SPIVEY 202 GREENLEAF CIRCLE MYRTLE BEACH, SC 29579-6802
(E1)	CURTIS DEAN CHESTNUT 801 GREENLEAF CIRCLE MYRTLE BEACH, SC 29577-0000
(E2)	CURTIS DEAN CHESTNUT 841 GREENLEAF CIRCLE MYRTLE BEACH, SC 29577-0000
(F)	RENEE T. & STEPHEN R. HOLDER 215 GREENLEAF CIRCLE MYRTLE BEACH, SC 29579-6803
(G)	CHARLES RICHARD LEWIS P.O. BOX 3787 MYRTLE BEACH, SC 29578-3787

(H)	E.R. SPEIGHTS P.O. BOX 786 MYRTLE BEACH, SC 29578-0786
(I)	MINDY & CHARLES EVANS JR. 245 GREENLEAF CIRCLE MYRTLE BEACH, SC 29579-6803
(J)	WILLIAM M. & MARTHA O. HOWE 265 GREENLEAF CIRCLE MYRTLE BEACH, SC 29579-6803
(K)	TYSON W. & PENELOPE L. WILLIAMS 275 GREENLEAF CIRCLE MYRTLE BEACH, SC 29579-6803
(L)	NEAL BRYANT 285 GREENLEAF CIRCLE MYRTLE BEACH, SC 29579-6803
(M)	NORTHEAST DEVELOPMENT ASSOC., LLC. 100 WEST MAIN ST. BABYLON, NY 11702-3437
(N)	DR. HAL B. HOLMES JR. P.O. BOX 1659 CONWAY, SC 29528-1659

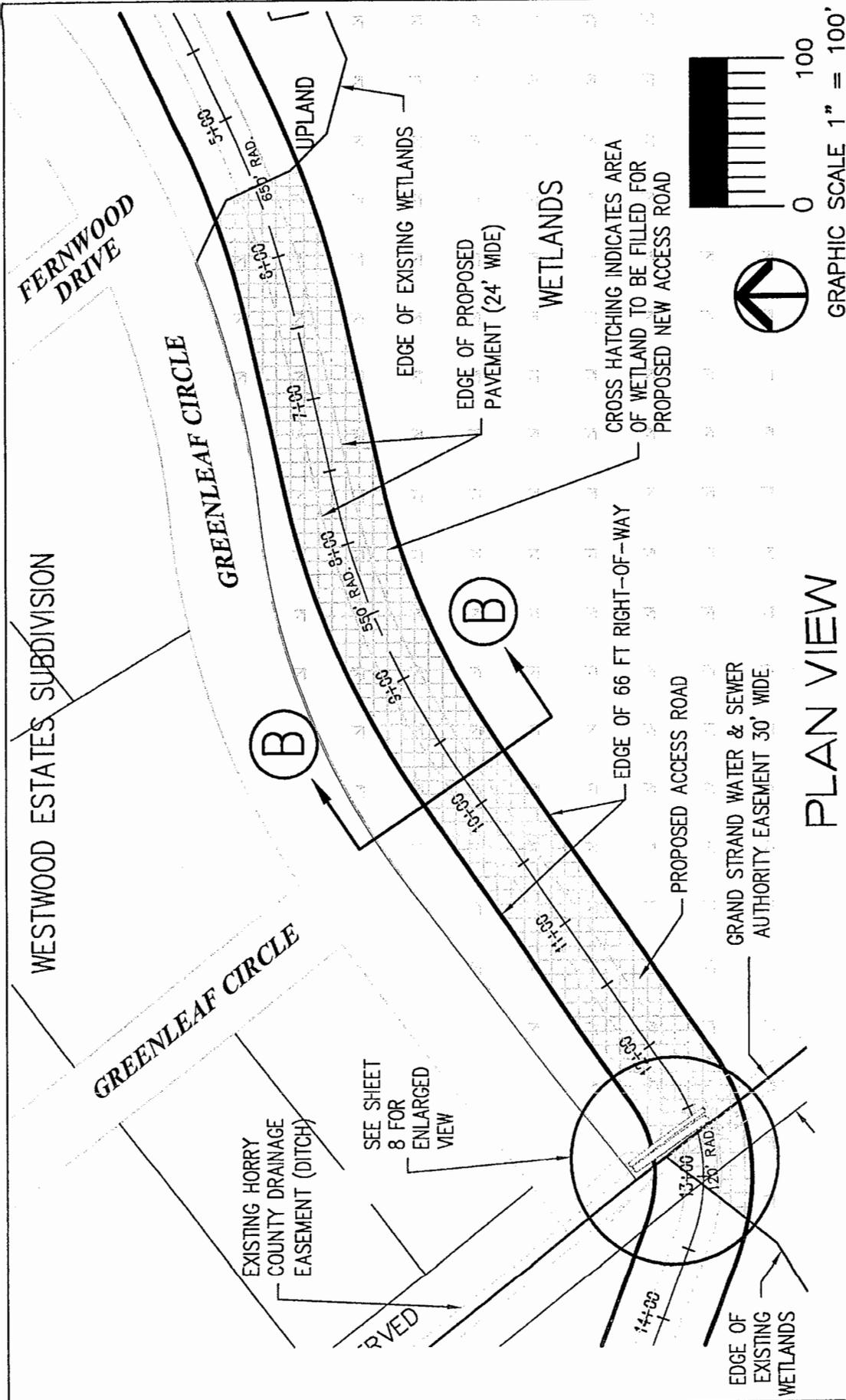
<p>OWNER/APPLICANT: DR. HAL B. HOLMES JR. ET AL</p> <p>ADJACENT PROPERTY OWNERS: 1) EASTWOOD ESTATE SUBDIVISION 2) STATE FARM INS. COMPANY</p>	<p>ADJACENT PROPERTY OWNERS NAMES AND ADDRESSES</p> <p>LEGENDS BORROW PIT HAUL ROAD HOLMES PROPERTY AT BELLE TERRE</p>	<p>PROPOSED: TO KEEP EXISTING HAUL ROAD OPEN FOR PERMANENT USE TO PROVIDE ACCESS TO FUTURE DEVELOPMENT AND LAKE ON PROPERTY.</p> <p>IN: CONWAY TOWNSHIP ON: US HWY 501 (FRONTAGE RD) COUNTY OF: Horry STATE OF: SC REVISED DATE: DATE: 11/04/04 SHEET: 5 OF 14 <i>2004-12-356</i></p>
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PLAN VIEW

NOTE:
 ALL CONTOUR ELEVATIONS SHOWN ARE REFERENCED
 TO MEAN SEA LEVEL (MSL) VERTICAL DATUM.

<p>OWNER/APPLICANT: DR. HAL B. HOLMES JR. ET AL</p> <p>ADJACENT PROPERTY OWNERS: 1) WESTWOOD ESTATE SUBDIVISION 2) STATE FARM INS. COMPANY</p>	<p>EXISTING HAUL ROAD</p> <p>HOLMES TRACT ENTRANCE ROAD HOLMES PROPERTY AT BELLE TERRE</p>	<p>PROPOSED: TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.</p> <p>NEAR MYRTLE BEACH ON US HWY 501 (FRONTAGE RD.) COUNTY OF HORRY STATE OF SC REVISED DATE DATE 11/04/04 SHEET: 6 OF 14</p> <p>2004-12-356 ZANDE-JON GLEBBY TAYLOR PE FILE: HOLMES/LEGENDS PIT HAUL RD. P-BASE</p>
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PLAN VIEW

PROPOSED TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.

NEAR MYRTLE BEACH
 ON US HWY 501 (FRONTAGE RD.)
 COUNTY OF Horry
 STATE OF SC
 REVISED DATE
 DATE 11/04/04
 SHEET 7 OF 14

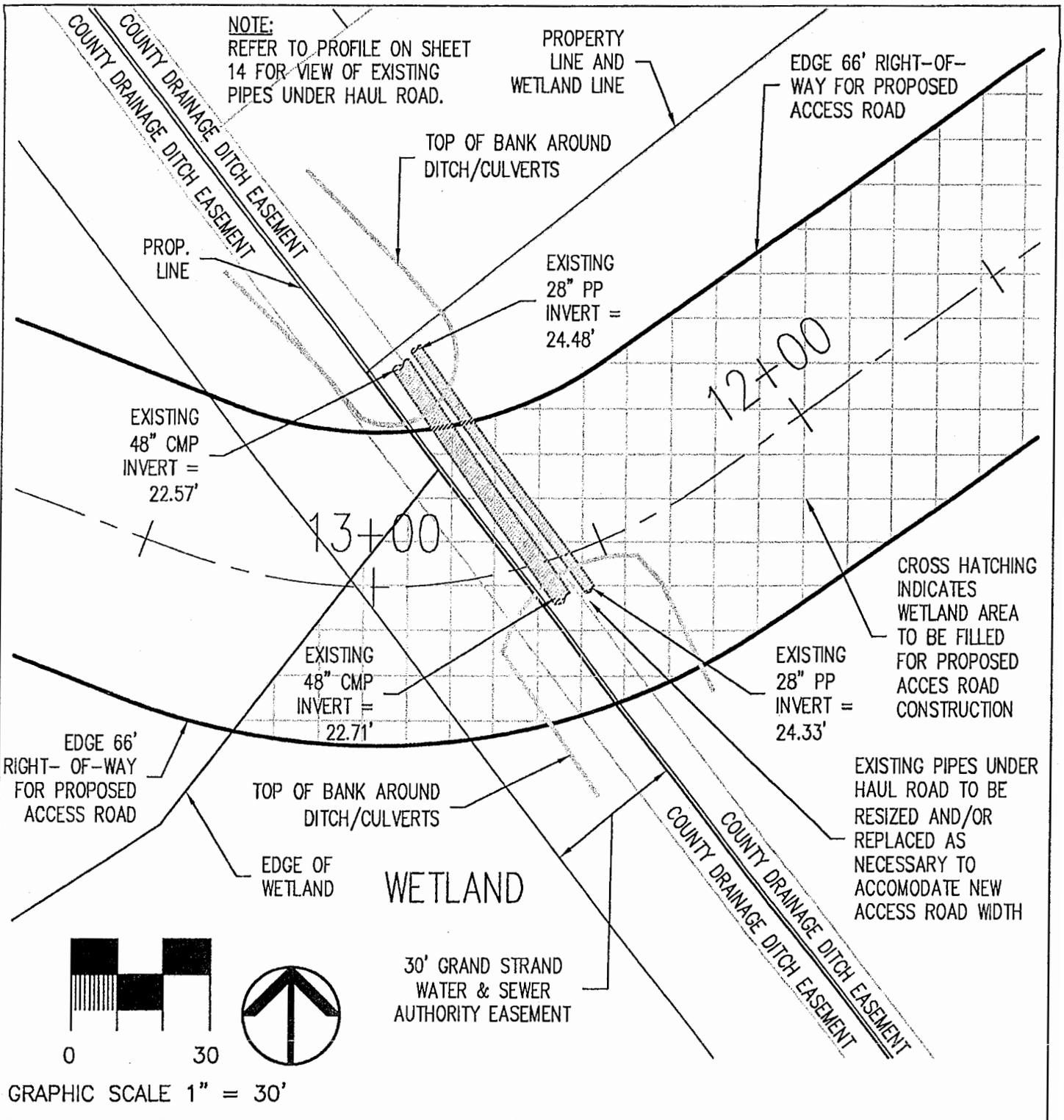
PROPOSED NEW ACCESS ROAD

HOLMES TRACT ENTRANCE ROAD
 HOLMES PROPERTY
 AT BELLE TERRE

OWNER/APPLICANT:
 DR. HAL B. HOLMES JR. ET AL

ADJACENT PROPERTY OWNERS:
 1) WESTWOOD ESTATE SUBDIVISION
 2) STATE FARM INS. COMPANY

2004-12-356



OWNER/APPLICANT:
DR. HAL B. HOLMES JR. ET AL

ADJACENT PROPERTY OWNERS:
1) EASTWOOD ESTATE SUBDIVISION
2) STATE FARM INS. COMPANY

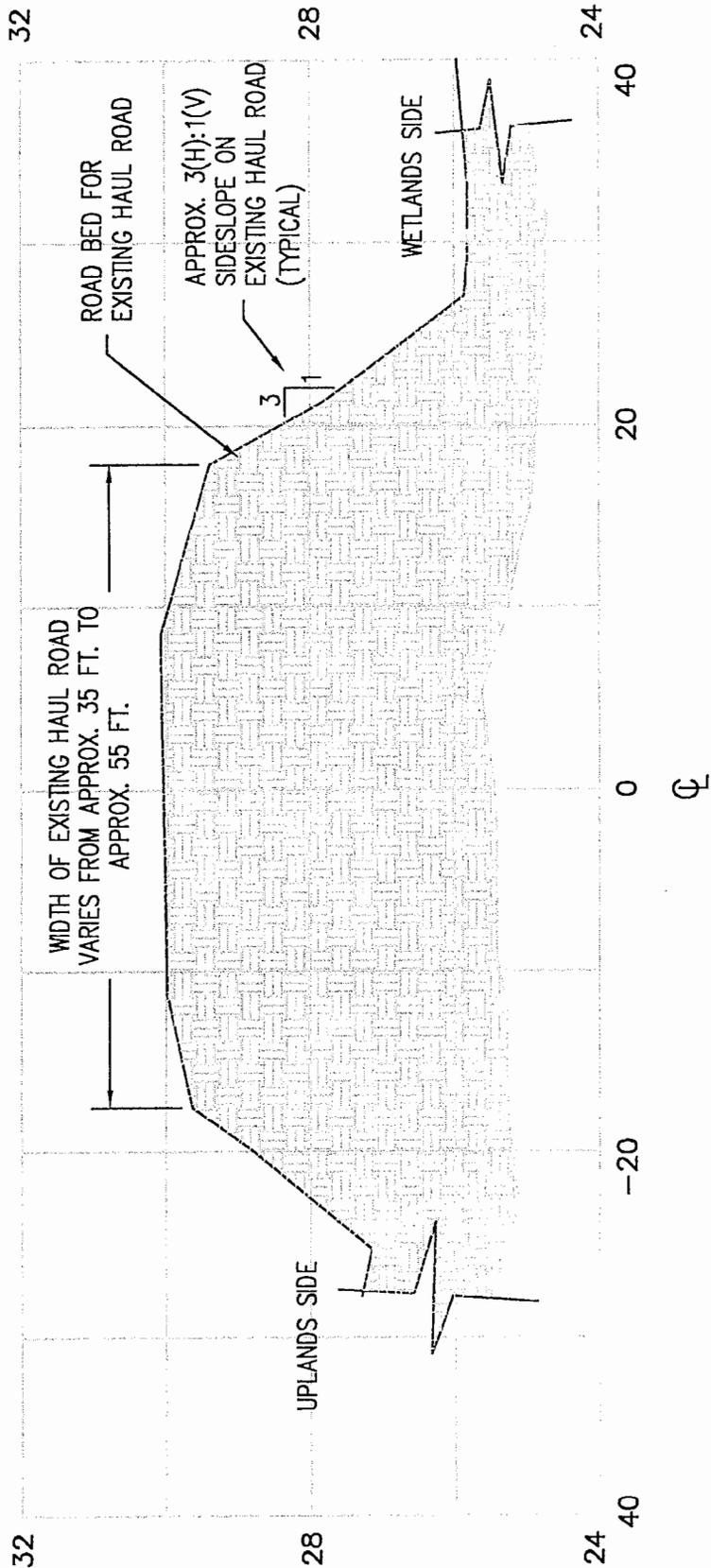
EXISTING GRAND STRAND WATER AND SEWER, AND COUNTY DRAINAGE EASEMENT

HOLMES TRACT ENTRANCE ROAD
HOLMES PROPERTY
AT BELLE TERRE

PROPOSED: TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.

NEAR: MYRTLE BEACH
ON: US HWY 501 (FRONTAGE RD)
COUNTY OF: Horry
STATE OF: SC
REVISED DATE:
DATE: 11/04/04
SHEET: 8 OF 14

2004-12-356



TYPICAL EXISTING HAUL ROAD CROSS SECTION (SECTION A-A)

HORIZONTAL SCALE: 1" = 10'
 VERTICAL SCALE: 1" = 25'

NOTE:
 ALL ELEVATIONS ARE REFERENCED TO
 MEAN SEA LEVEL (MSL) VERTICAL DATUM.

PROPOSED: TO PROVIDE OWNER WITH
 ACCESS ROAD TO PROPERTY.

NEAR: MYRTLE BEACH
 ON: US HWY 501 (FRONTAGE RD)
 COUNTY OF: HORRY
 STATE OF: SC
 REVISED DATE:
 DATE: 11/04/04
 SHEET: 9 OF 14

EXISTING HAUL ROAD CROSS SECTION

HOLMES TRACT ENTRANCE ROAD
 HOLMES PROPERTY
 AT BELLE TERRE

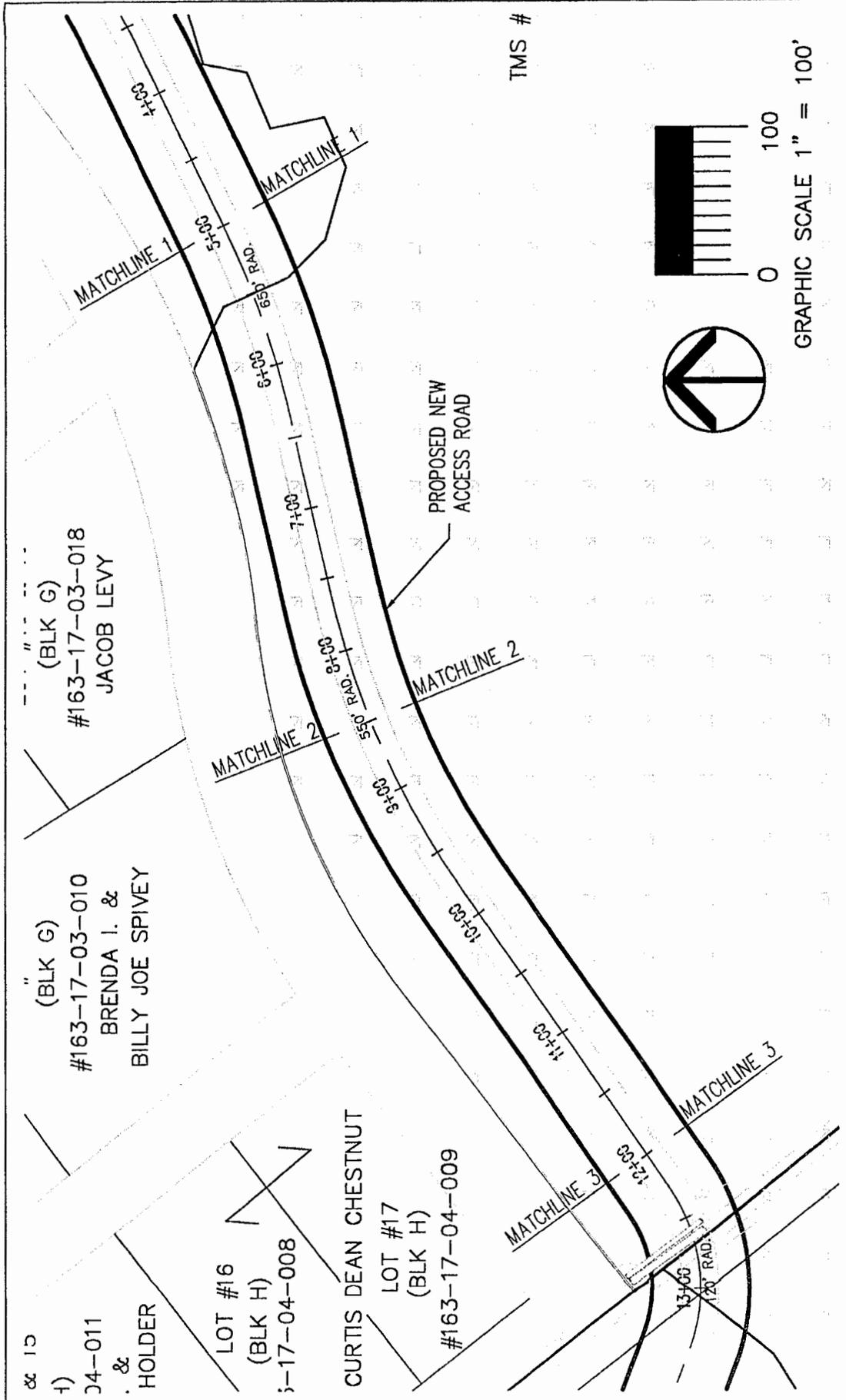
OWNER/APPLICANT:

DR. HAL B. HOLMES JR. ET AL

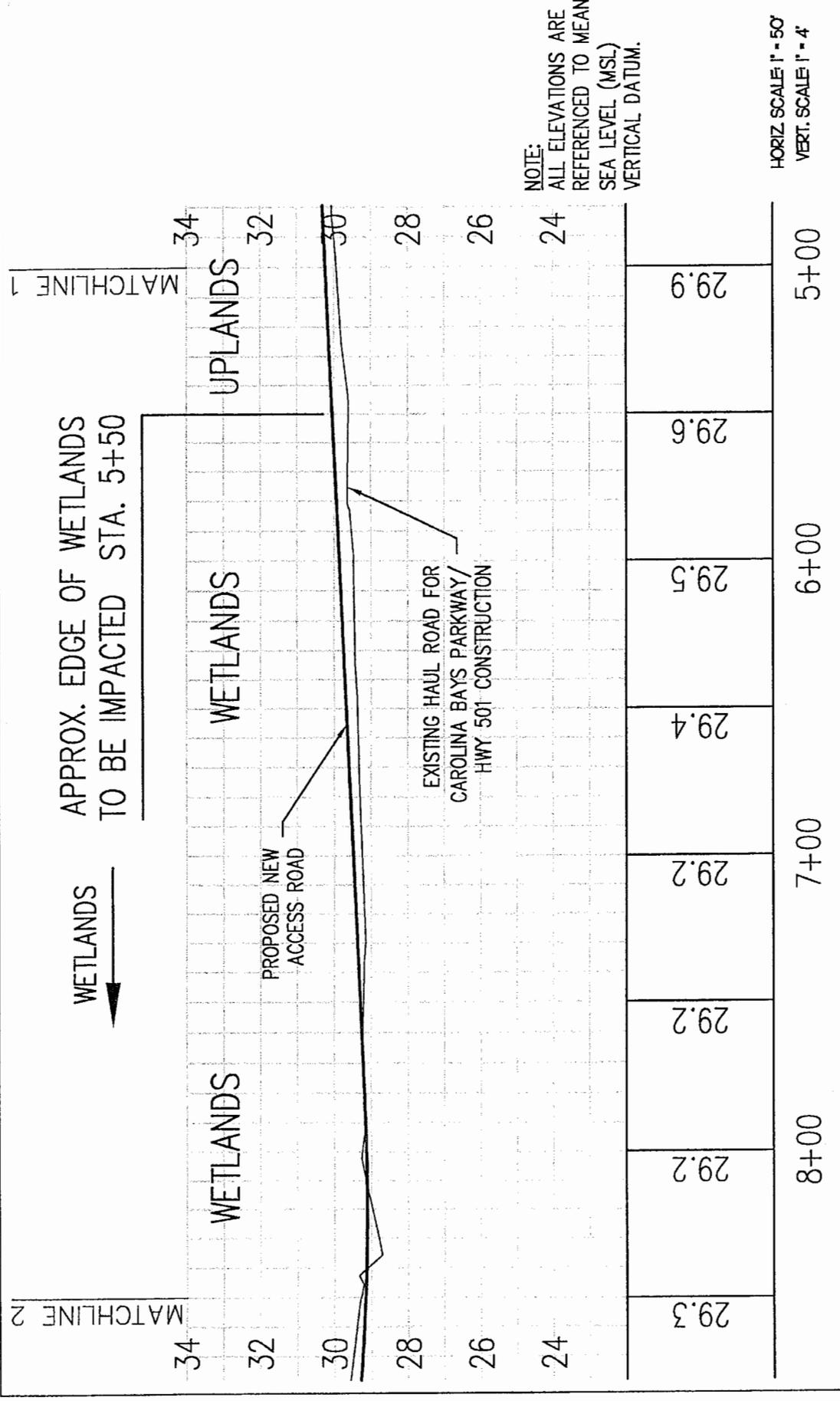
ADJACENT PROPERTY OWNERS:

- 1) WESTWOOD ESTATE SUBDIVISION
- 2) STATE FARM INS. COMPANY

2004-12-356



<p>OWNER/APPLICANT: DR. HAL B. HOLMES JR. ET AL</p>	<p>MATCHLINE KEY SHEET ACCESS ROAD PROFILES</p>	<p>PROPOSED: TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.</p>
<p>ADJACENT PROPERTY OWNERS: 1) EASTWOOD ESTATE SUBDIVISION 2) STATE FARM INS. COMPANY</p>	<p>HOLMES TRACT ENTRANCE ROAD HOLMES PROPERTY AT BELLE TERRE</p>	<p>NEAR: MYRTLE BEACH ON: US HWY 501 (FRONTAGE RD) COUNTY OF: HORRY STATE OF: SC REVISED DATE: 11/04/04 DATE: 11/04/04 SHEET: 11 OF 14</p>



NOTE:
 ALL ELEVATIONS ARE
 REFERENCED TO MEAN
 SEA LEVEL (MSL)
 VERTICAL DATUM.

HORIZ SCALE: 1" = 50'
 VERT. SCALE: 1" = 4'

<p>OWNER/APPLICANT: DR. HAL B. HOLMES JR. ET AL</p> <p>ADJACENT PROPERTY OWNERS: 1) WESTWOOD ESTATE SUBDIVISION 2) STATE FARM INS. COMPANY</p>	<p>EXISTING HAUL ROAD PROFILE</p> <p>HOLMES TRACT ENTRANCE ROAD HOLMES PROPERTY AT BELLE TERRE</p>	<p>PROPOSED: TO PROVIDE OWNER WITH ACCESS ROAD TO PROPERTY.</p> <p>NEAR: MYRTLE BEACH ON US HWY 501 (FRONTAGE RD) COUNTY OF: HORRY STATE OF: SC REVISED DATE: DATE: 11/04/04 SHEET: 12 OF 14 2004-12-356</p>
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MATCHLINE 3

MATCHLINE 2

34
32
30
28
26
24

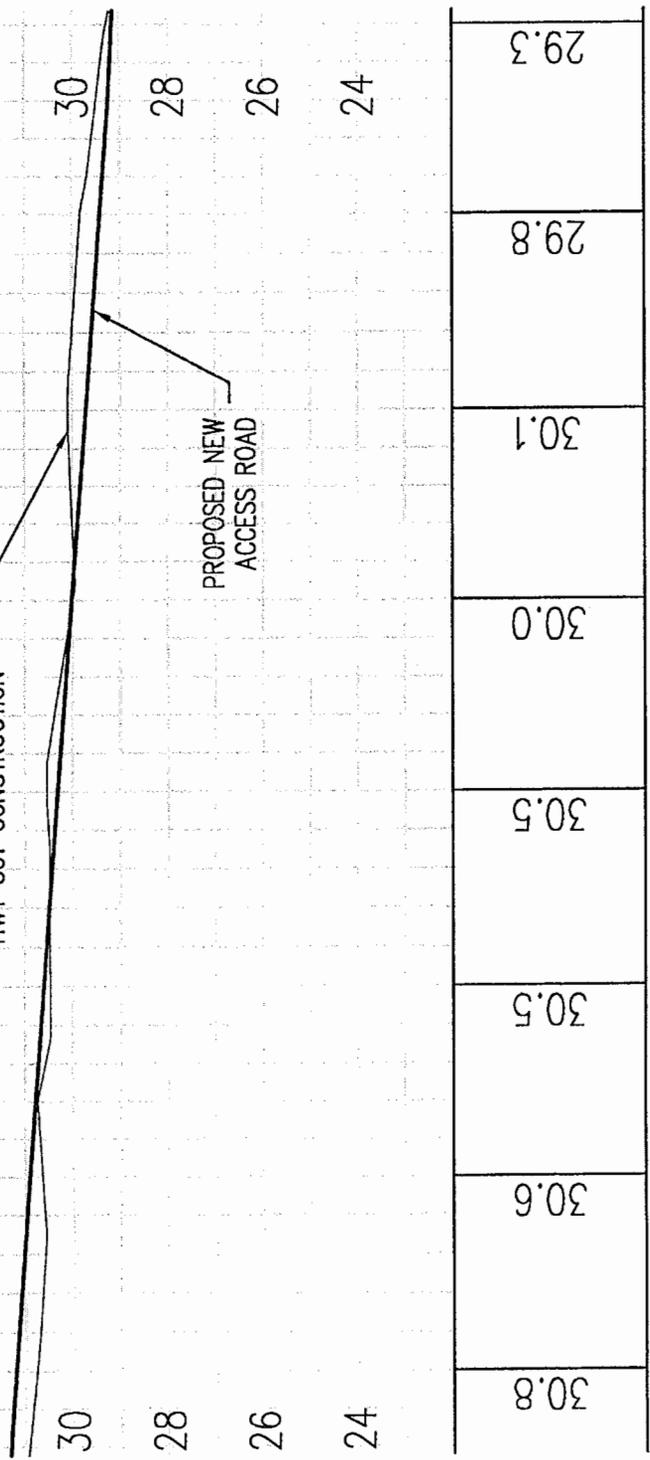
34
32
30
28
26
24

WETLANDS

WETLANDS

EXISTING HAUL ROAD FOR
CAROLINA BAYS PARKWAY/
HWY 501 CONSTRUCTION

PROPOSED NEW
ACCESS ROAD



NOTE:
ALL ELEVATIONS ARE
REFERENCED TO MEAN
SEA LEVEL (MSL)
VERTICAL DATUM.

HORIZ. SCALE: 1" = 50'
VERT. SCALE: 1" = 4'

30.8	30.6	30.5	30.5	30.0	30.1	29.8	29.3
12+00	11+00	10+00	9+00				

OWNER/APPLICANT:
DR. HAL B. HOLMES JR. ET AL

ADJACENT PROPERTY OWNERS:
1) WESTWOOD ESTATE SUBDIVISION
2) STATE FARM INS. COMPANY

EXISTING HAUL ROAD PROFILE

HOLMES TRACT ENTRANCE ROAD
HOLMES PROPERTY
AT BELLE TERRE

PROPOSED: TO PROVIDE OWNER WITH
ACCESS ROAD TO PROPERTY.

NEAR: MYRTLE BEACH
ON: US HWY 501 (FRONTAGE RD)
COUNTY OF: Horry
STATE OF: SC
REVISED DATE:
DATE: 11/04/04
SHEET: 13 OF 14

2004-12-356

