

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 #2005-1E-046-C

11 March 2005

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

H. B. COX, JR.
938 COX FERRY CIRCLE
CONWAY, SOUTH CAROLINA 29526

for a permit to perform maintenance excavation in an existing canal adjacent to the

WACCAMAW RIVER

at 938 Cox Ferry Circle, Conway, Horry County, South Carolina.
(Latitude – 33.79413, Longitude – 79.05037)

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, 11 APRIL 2005

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

The proposed work consists of performing maintenance excavation in an existing canal. The excavated material, approximately 2500 cubic yards, will be deposited on either side of the canal in an existing spoil easement. Approval of this permit will give Federal authorization for a period of ten (10) years from the date of issuance. The applicant will be required to present plans for maintenance excavation to the District Engineer a minimum of thirty (30) days prior to commencement of work. All maintenance excavation is to be performed in accordance with Federal and State regulations governing such activities at the time the maintenance excavation is undertaken. The purpose of this work, as stated by the applicant, is to restore the canal depth.

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NOTE: Plans depicting the work described in this notice are available and will be made available upon written request, to anyone that is interested in obtaining a copy of the plans for a project. You must identify the project of interest by public notice number and a self-addressed envelope provided for mailing the drawings to you. Your request for drawings should be received by the District Engineer's office no later than 10:00 a.m. on the day of the public hearing.

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The work shown on this application must be certified as consistent with the Coastal Zone Management Program (15 CFR 930). The District Engineer will not issue a permit for this project until such certification is received. This activity may also require evaluation under the S.C. Construction in Navigable Waters Permit Program. State review, permitting, and approval by the S.C. Department of Health and Environmental Control. The applicant is responsible for providing all information may be required by the State to facilitate the review. Persons wishing to comment on certification or the navigable waters permit must submit all comments in writing to the District Engineer 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 required under the Stevens Fishery Conservation and Management Act. Implementation of the project will affect 0.48 acre of estuarine substrates and emergent wetlands utilized by various species including the red drum, shrimp, and snapper-grouper management complexes. Our review of the proposed action would not have a substantial individual or cumulative adverse effect on the fishery resources 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 consultation with the NMFS will be provided in a separate report for 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 critical habitat. The project does not require a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for information they may have on whether any listed or proposed endangered or threatened species or proposed critical habitat may be present in the area which would be affected by the project. The project is not subject to 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 in the Register, and this worksite is not included as a registered property or property listed in the Register. Consultation of the National Register constitutes the extent of the District Engineer's review, and he is otherwise unaware of the presence of such resources. If any archaeological, scientific, prehistorical, or historical data may be lost or destroyed as a result of the work 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 should be received by the District Engineer's office no later than 10:00 a.m. on the day of the public hearing. Reasons for holding a public hearing will be considered.

The decision whether to issue a permit will be based on an evaluation of the project and its cumulative impacts of the activity on the public interest. That decision will reflect the best available information.

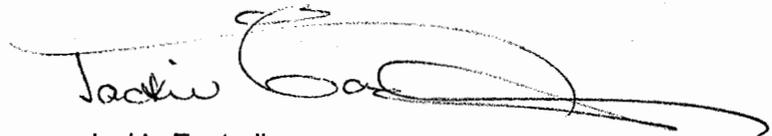
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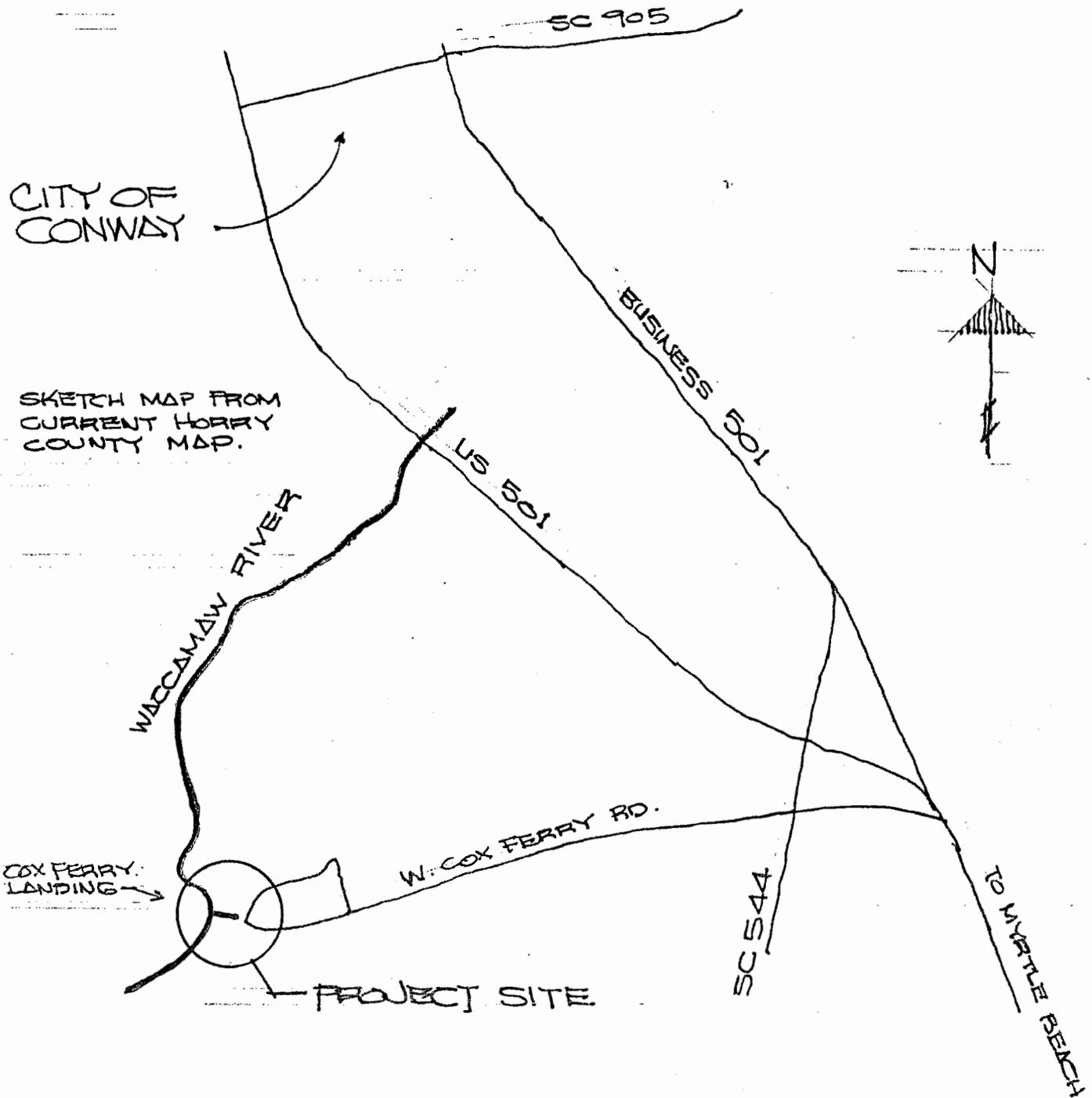
protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among 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.

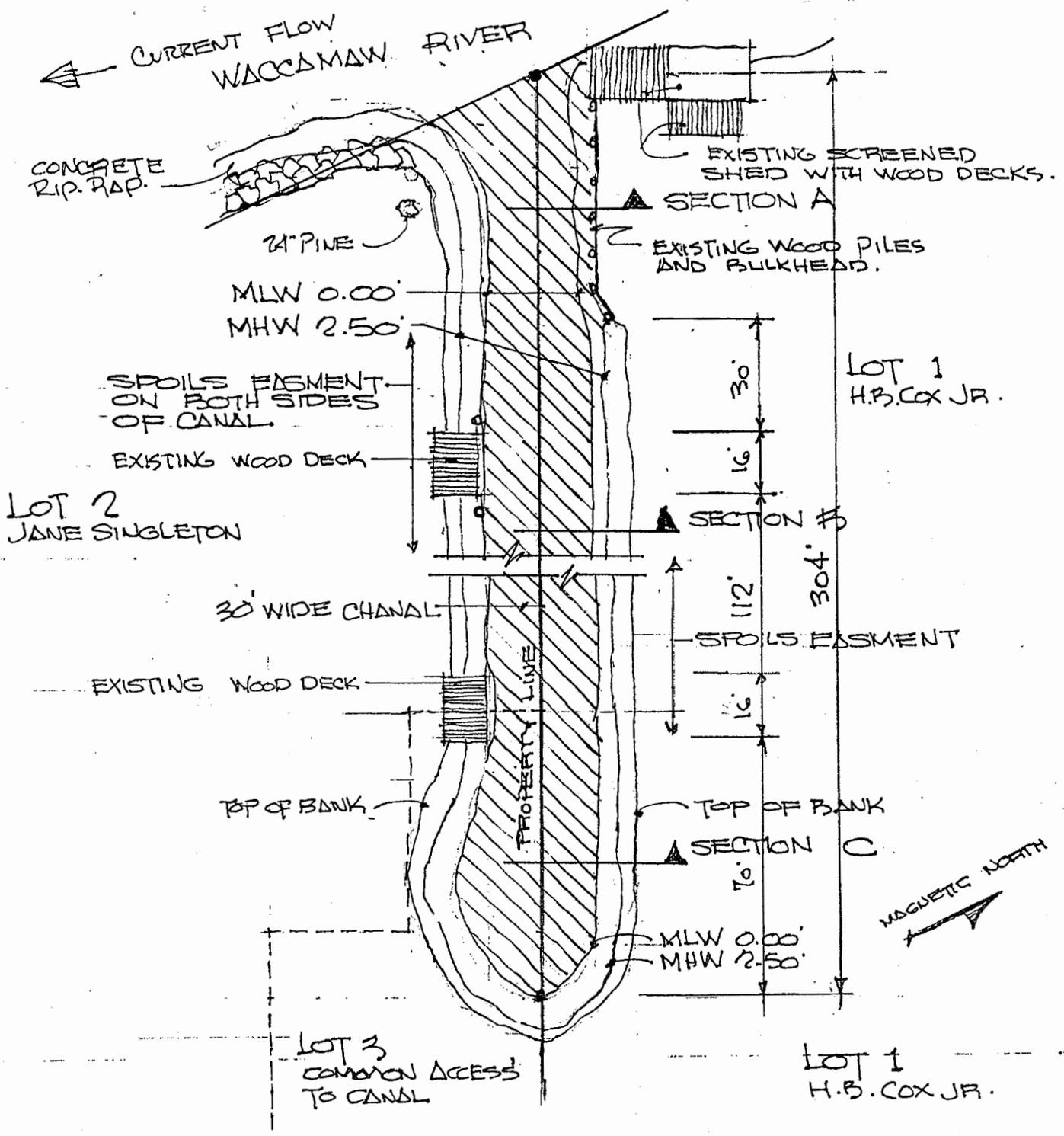
If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink, appearing to read "Jackie Easterling", with a long, sweeping horizontal flourish extending to the right.

Jackie Easterling
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



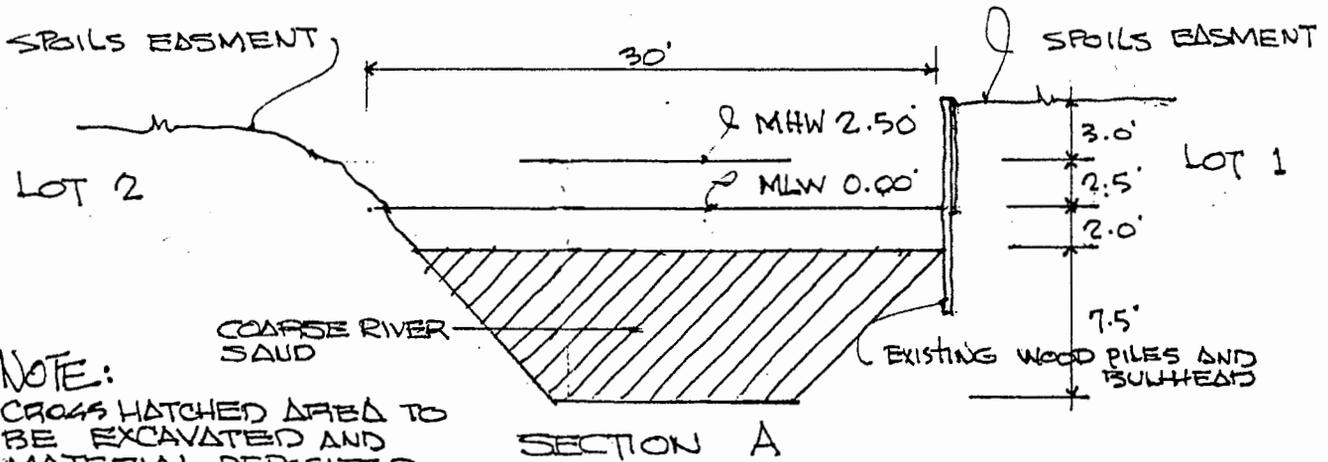
<p>PURPOSE: RESTORE CANAL DEPTH</p> <p>DATUM: MLW 0.00'</p> <p>ADJACENT PROPERTY OWNERS:</p> <ol style="list-style-type: none"> 1. H.B. COX JR. 938 COX FERRY CR. CONWAY SC 29526 2. JANE SINGLETON 1301 COX FERRY RD CONWAY SC 29526 3. COMMON ACCESS TO CANAL: 	<p>VICINITY MAP</p> <p>1" = 1/2 MILE</p> <p>H.B. COX JR. 938 COX FERRY CR. CONWAY SC 29526</p> <p>2008-1E-046</p>	<p>PROPOSE RESTORATION OF CANAL DEPTH</p> <p>IN: WACCAMAW RIVER</p> <p>NEAR: COX FERRY LNDG.</p> <p>COUNTY OF: HORRY</p> <p>STATE OF: SC</p> <p>APPLICATION BY: H.B. COX JR.</p> <p>SHEET 1 OF 3 DATE 2.24.05</p>
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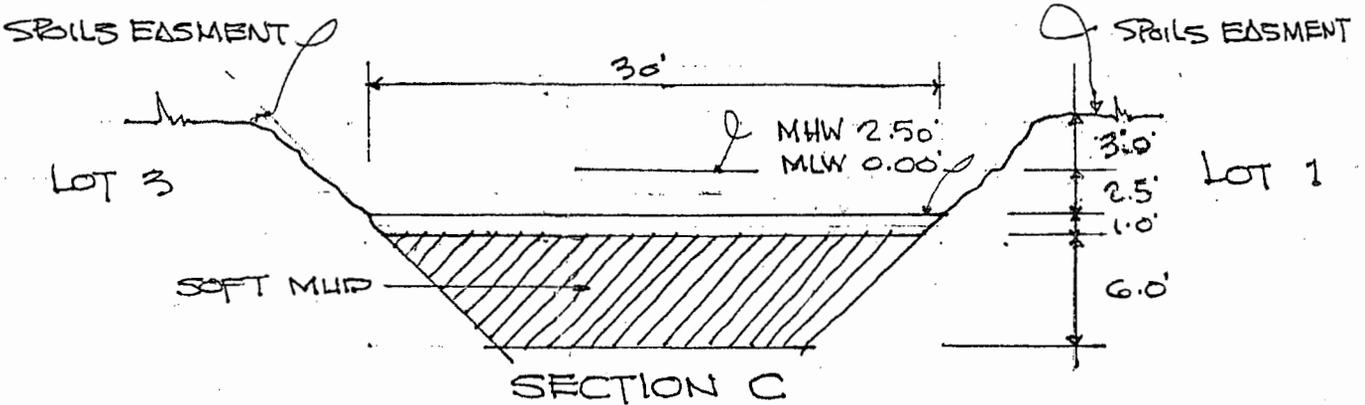
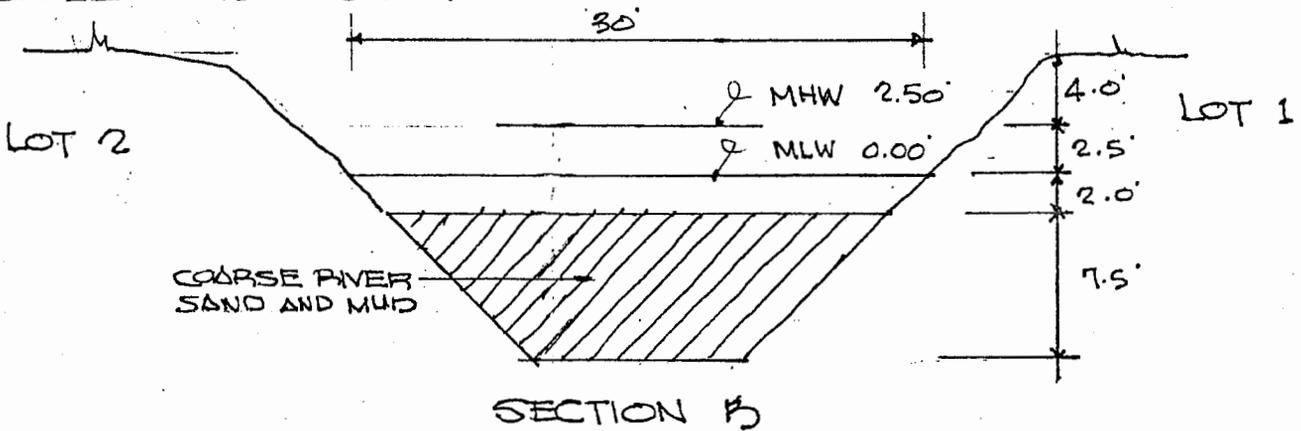
PURPOSE: RESTORE CANAL DEPTH
 DATUM: MLW 0.00'
 ADJACENT PROPERTY OWNERS:
 1. H.B. COX JR.
 755 COX FERRY CR.
 CONWAY SC 29526
 2. JANE SINGLETON
 1301 COX FERRY RD.
 CONWAY SC 29526
 3. COMMON ACCESS TO CANAL.

PLAN VIEW
 0 40 80
 1" = 40'
 H.B. COX JR.
 938 COX FERRY CR.
 CONWAY SC 29526
 2006-1E-046

PROPOSE RESTORATION OF CANAL DEPTH
 IN: WACCAMAW RIVER
 NEAR: COX FERRY LNDG.
 COUNTY OF: HOBBS
 STATE OF: SC
 APPLICATION BY:
 H.B. COX JR.
 SHEET 2 OF 3 DATE 2.24.05



NOTE:
 CROSS HATCHED AREA TO
 BE EXCAVATED AND
 MATERIAL DEPOSITED
 ON BOTH SIDES OF
 CANAL IN SPILL EASMENT



<p>PURPOSE: RESTORE CANAL DEPTH DATUM: MLW 0.00' ADJACENT PROPERTY OWNERS</p> <ol style="list-style-type: none"> H.B. COX JR. 938 COX FERRY CR. CONWAY SC 29526 JANE SINGLETON 1301 COX FERRY RD. CONWAY SC 29526 COMMON ACCESS TO CANAL 	<p>SECTIONS</p> <p>1" = 10'</p> <p>H.B. COX JR. 938 COX FERRY CR. CONWAY SC 29526</p> <p>2005-1E-046</p>	<p>PROPOSE RESTORATION OF CANAL DEPTH IN: WACCAMAW RIVER NEAR: COX FERRY LNDS. COUNTY OF: HOBBS STATE OF: SC</p> <p>APPLICATION BY: H.B. COX JR.</p> <p>SHEET 3 OF 3 DATE 2-24-05</p>
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