

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 # 2007-02841-3H

6 August 2015

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

THEODORE PETERSON
TRUE NORTH HOLDINGS, LLC
3391 COLLINS CREEK DRIVE
MURRELLS INLET, SOUTH CAROLINA 29576

for a permit to construct a dock and dredge in a man-made canal adjacent to the

WACCAMAW RIVER

at the location of 3654 LaBruce Lane, Murrells Inlet, in Georgetown County, South Carolina (Latitude 33.56319°N, Longitude -79.08389°W).

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 the **Corps** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

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

The proposed work consists of the construction of a private use dock and associated dredging in a man-made tidal canal adjacent to the Waccamaw River. In detail, the work consists

of the construction of an 80' x 6' by 20' x 6' "L" shaped floating dock attached to a 4' x 20' fixed pierhead by a 3' x 12' adjusting aluminum ramp. The fixed pierhead will be attached to onsite uplands. The floating dock will be secured by eight (8) marine grade 12" x 35' pilings. In addition, the work consists of the construction of a 32' x 20' gabled roof boatshed with a boat lift. The covered boatlift will be constructed adjacent to the 20' leg of the floating dock and the fixed pierhead. Finally, the proposed work consists of dredging approximately 200 cubic yards of material from 0.07 acres of open tidal waters to a depth of -8.0 below Mean Low Water (MLW). The proposed dredging will be accomplished by a long-reach mechanical excavator that will be stationed on temporary wooden mats located within the adjacent marsh area. The proposed wooden mats will provide access for the mechanical excavator and rubber tracked dump truck during the dredging operation. The applicant stated that the proposed temporary wood mats will be stationed within the marsh area for approximately 72 hours then removed and the marsh restored to pre-construction condition. Dredged material will be placed onto a dump truck and hauled to onsite uplands where it will be dewatered and utilized. The applicant stated that due to the minimal impacts to the aquatic resources associated with the proposed project, no compensatory mitigation is being offered. The applicant further stated that measures taken to avoid and minimize impacts to Waters of the United States consist of the following: installation of a dirt berm and silt fencing around the upland shoreline to prevent any material run back; employ a floating containment boom with a 5' turbidity curtain around the entire area of operations; excavator operator will pause the bucket at the water surface after its ascent through the water, allowing free water to drain; dredge operations will be conducted as expeditiously as possible to minimize disrupting the aquatic environment; and Best Management practices will be strictly adhered to with the operation of the long reach excavator (i.e., smoothly and slowly swinging the bucket the shortest distance to the receiving dump truck minimizing any spillage from the bucket). The project purpose as stated by the applicant is to provide the owner of the residence of 3654 LaBruce Lane, private, recreational boating access and mooring within the man-made canal adjacent to the Waccamaw River.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request 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). 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 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.

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 (0.07) acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's 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). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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 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 initially determined that no historic properties, nor properties eligible for inclusion in the National Register, are present; therefore, there will be no effect on historic properties. This public notices serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

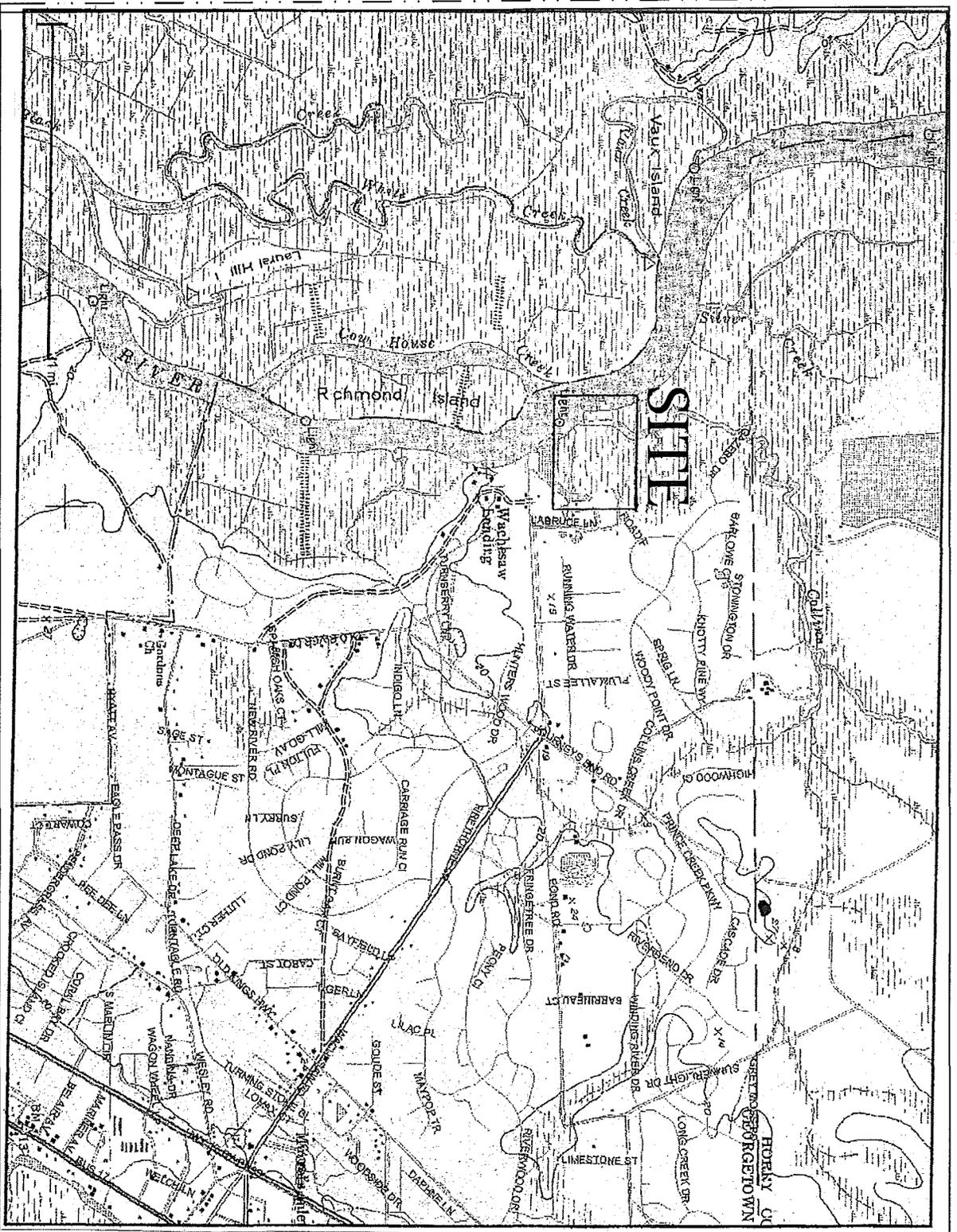
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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 cannot undertake to adjudicate rival claims.

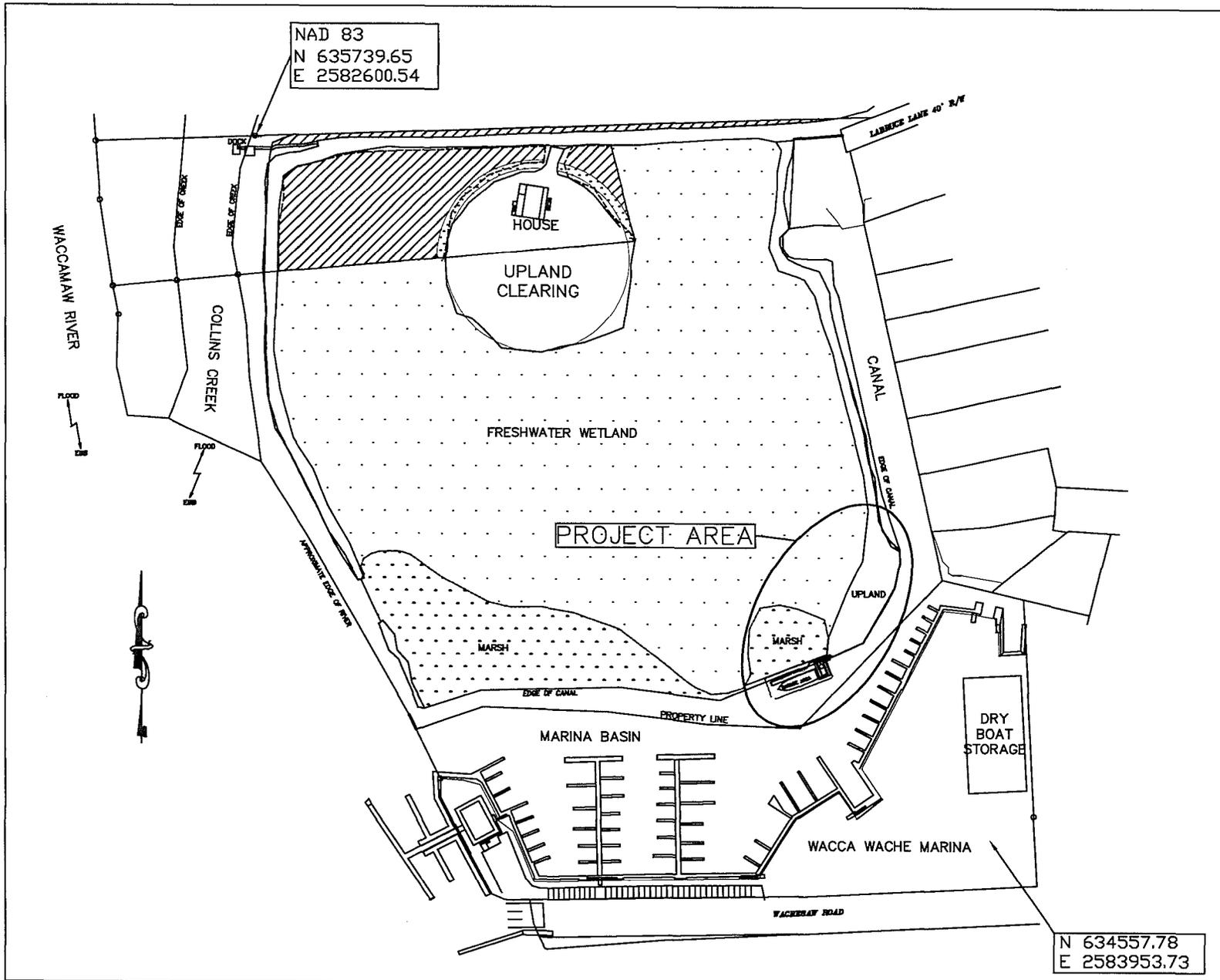
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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 843-365-4239.



3654 LaBruce Lane Dock & Dredge
 SAC 2007-02841-3H
 Georgetown County, South Carolina
 Sheet 1 of 9, Dated: 8/5/2015

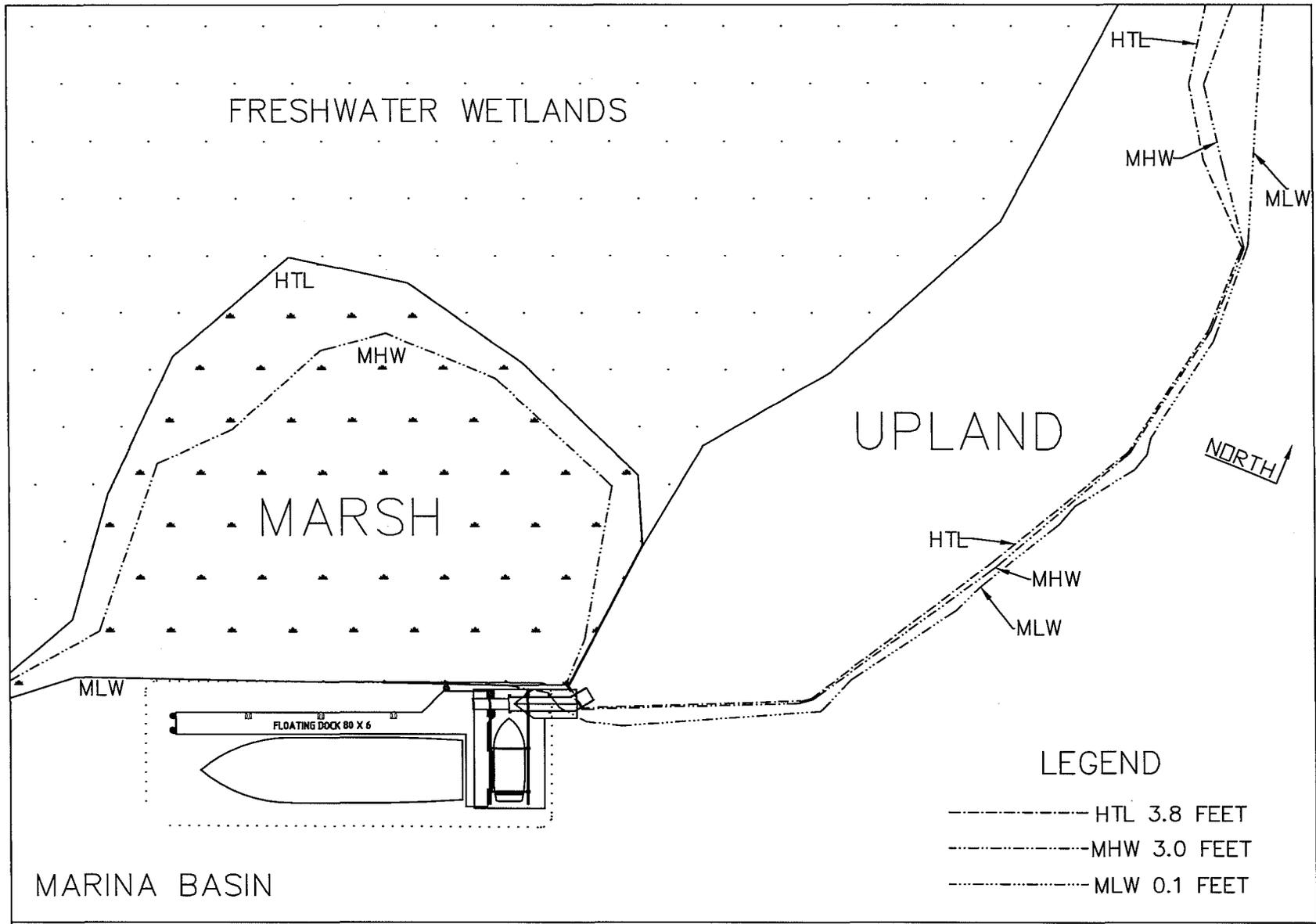
DOCK PROJECT
 ET, SC 29576



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3654 LaBruce Lane Dock & Dredge
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Georgetown County, South Carolina
Sheet 2 of 9, Dated: 8/5/2015

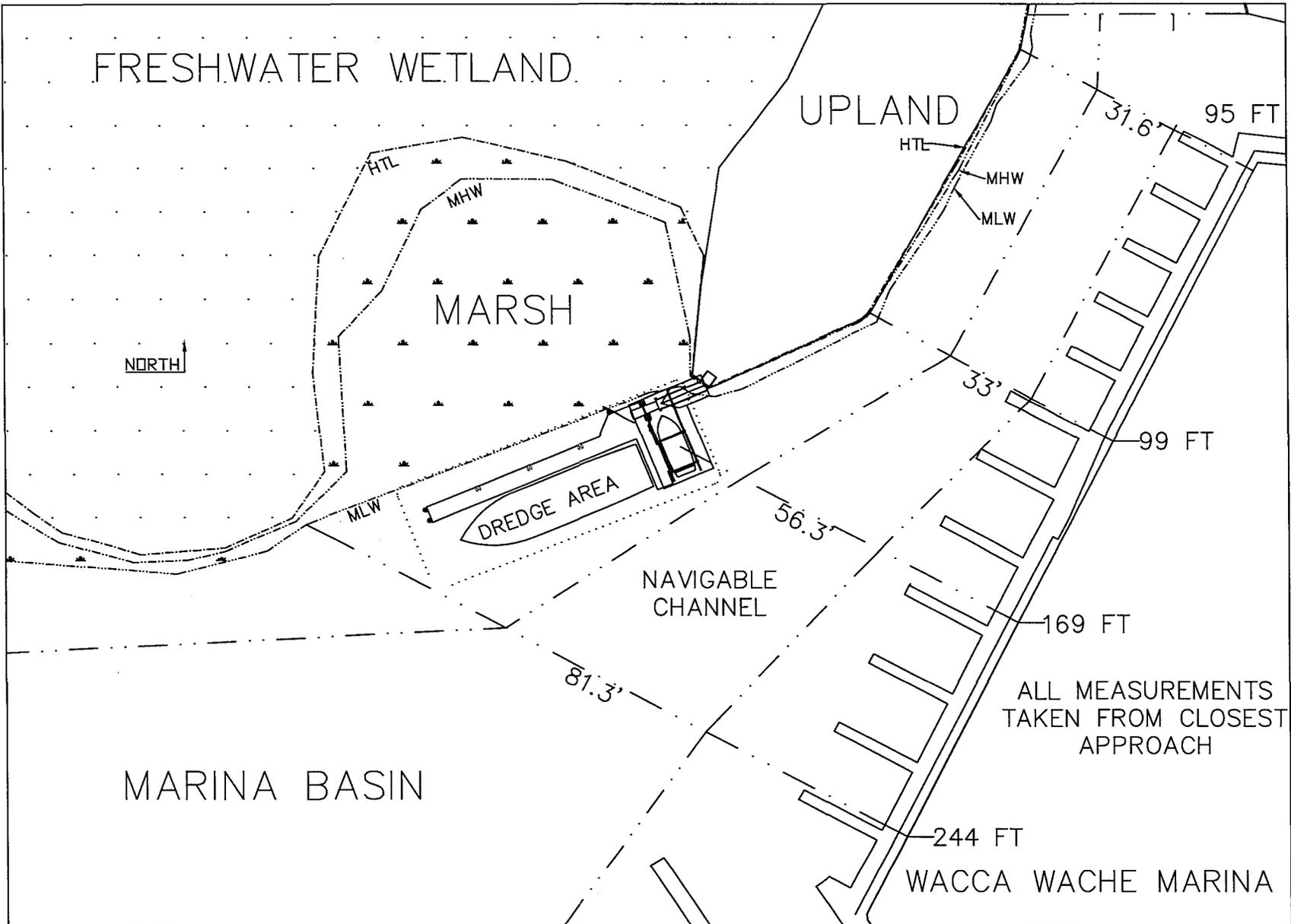
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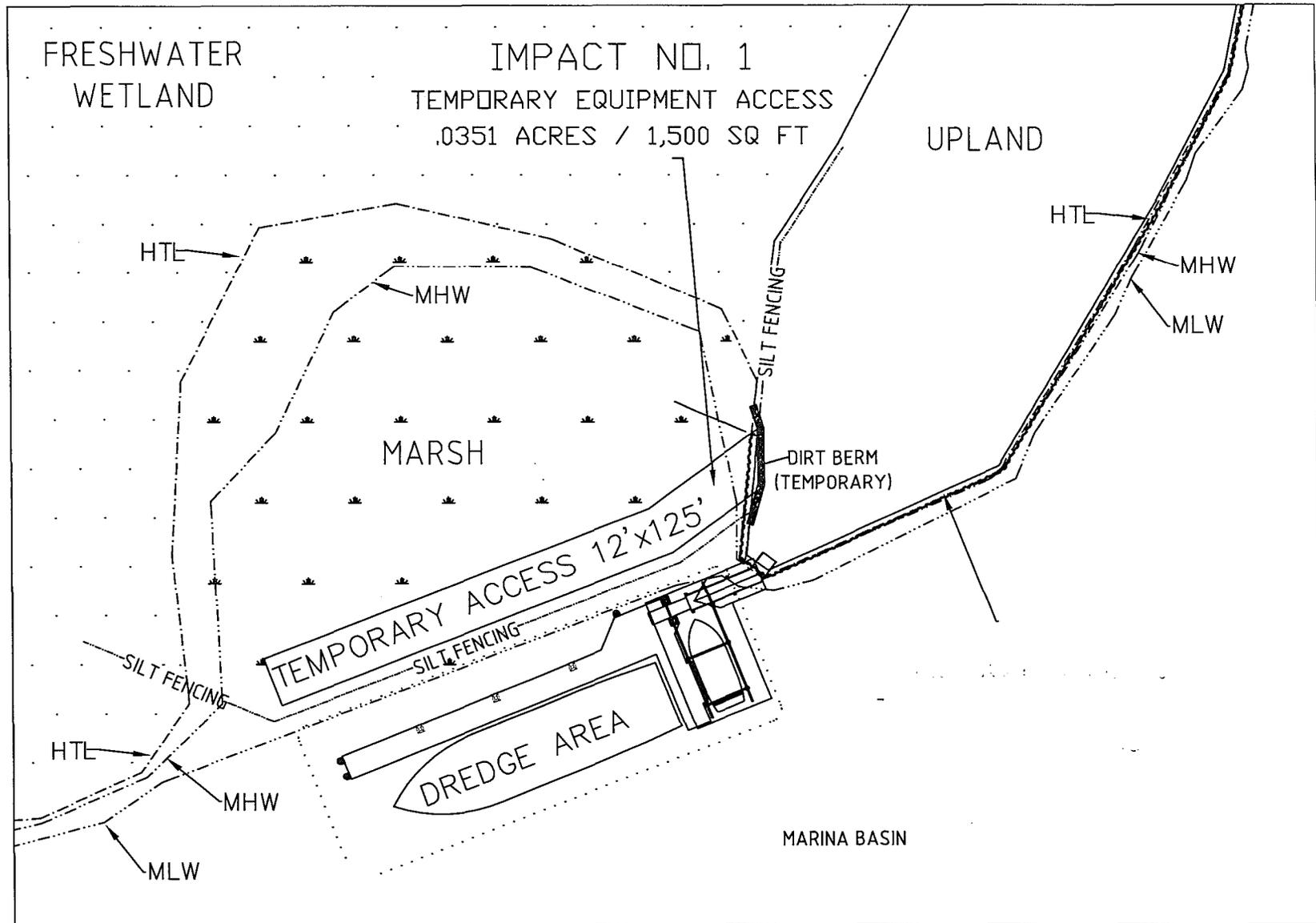
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3654 LaBruce Lane Dock & Dredge
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CHANNEL
 AND DOCK PROJECT
 WELLS INLET, SC 29576

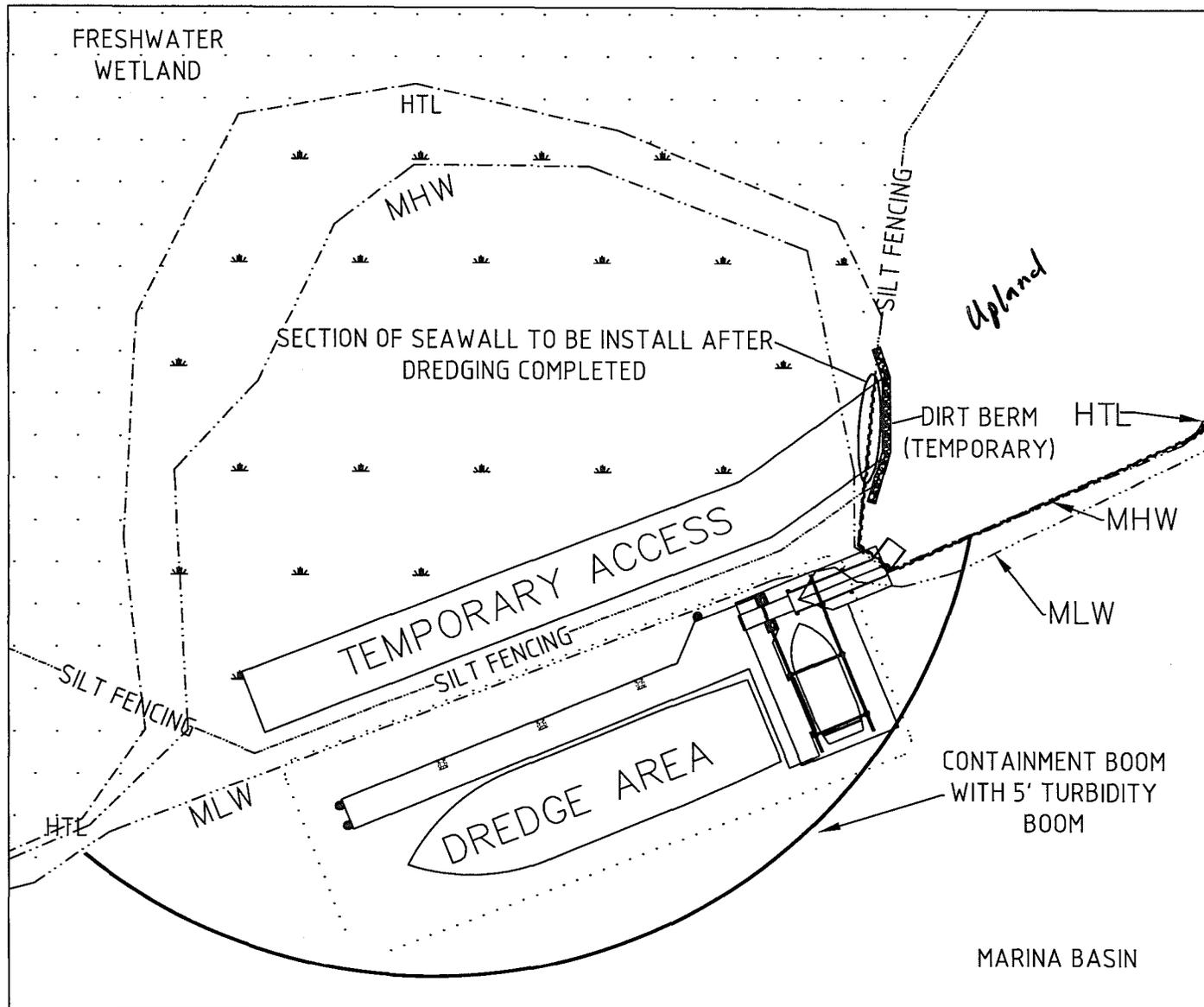


PROPOSED IMPACT MAP

3654 LaBruce Lane Dock & Dredge
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LA BRUCE LANE DOCK PROJECT

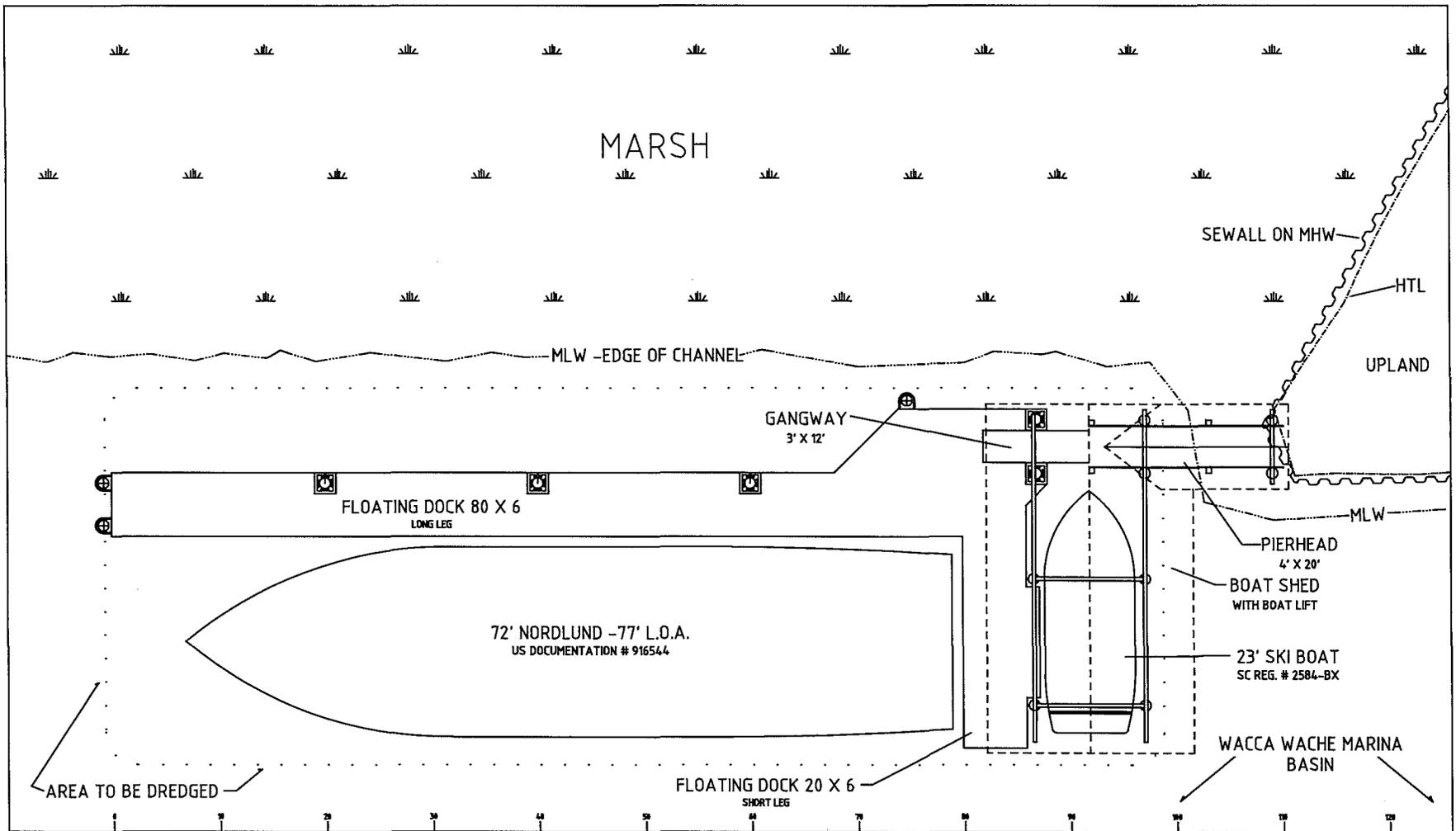
3654 LA BRUCE LANE, HURRELLS INLET, SC 29576



SOIL MIGRATION PREVENTION

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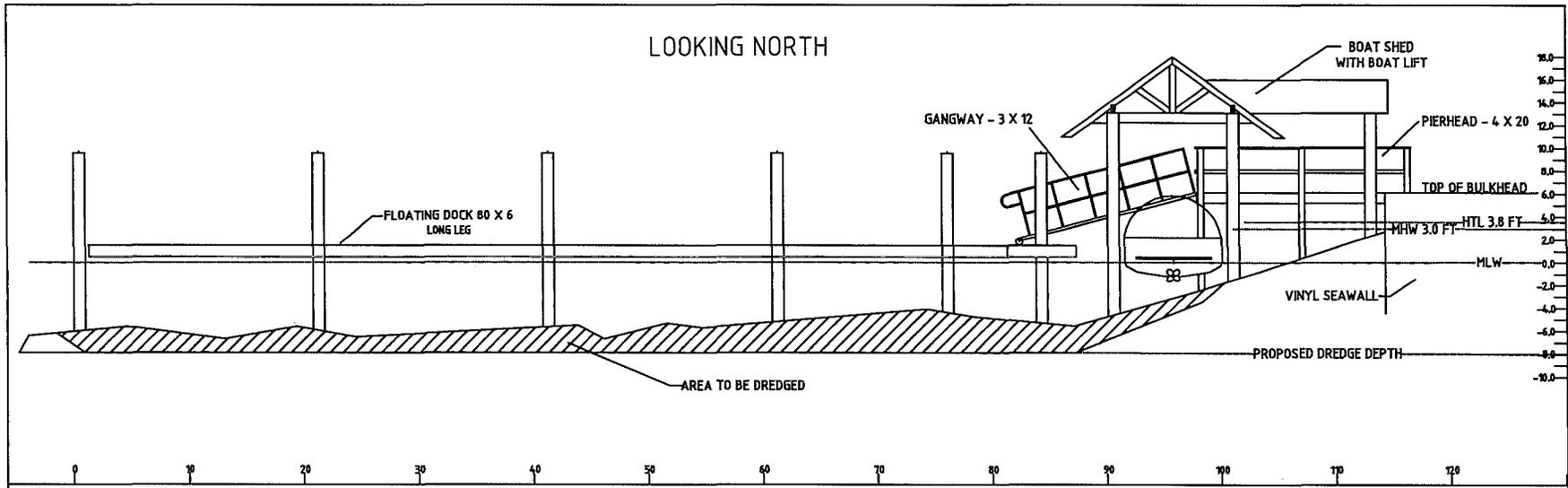
DOCK PROJECT
 LS INLET, SC 29576



DOCK AND BOAT SHED - PLAN VIEW

3654 LaBruce Lane Dock & Dredge
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 Georgetown County, South Carolina
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AND DOCK PROJECT
 RELLS INLET, SC 29576



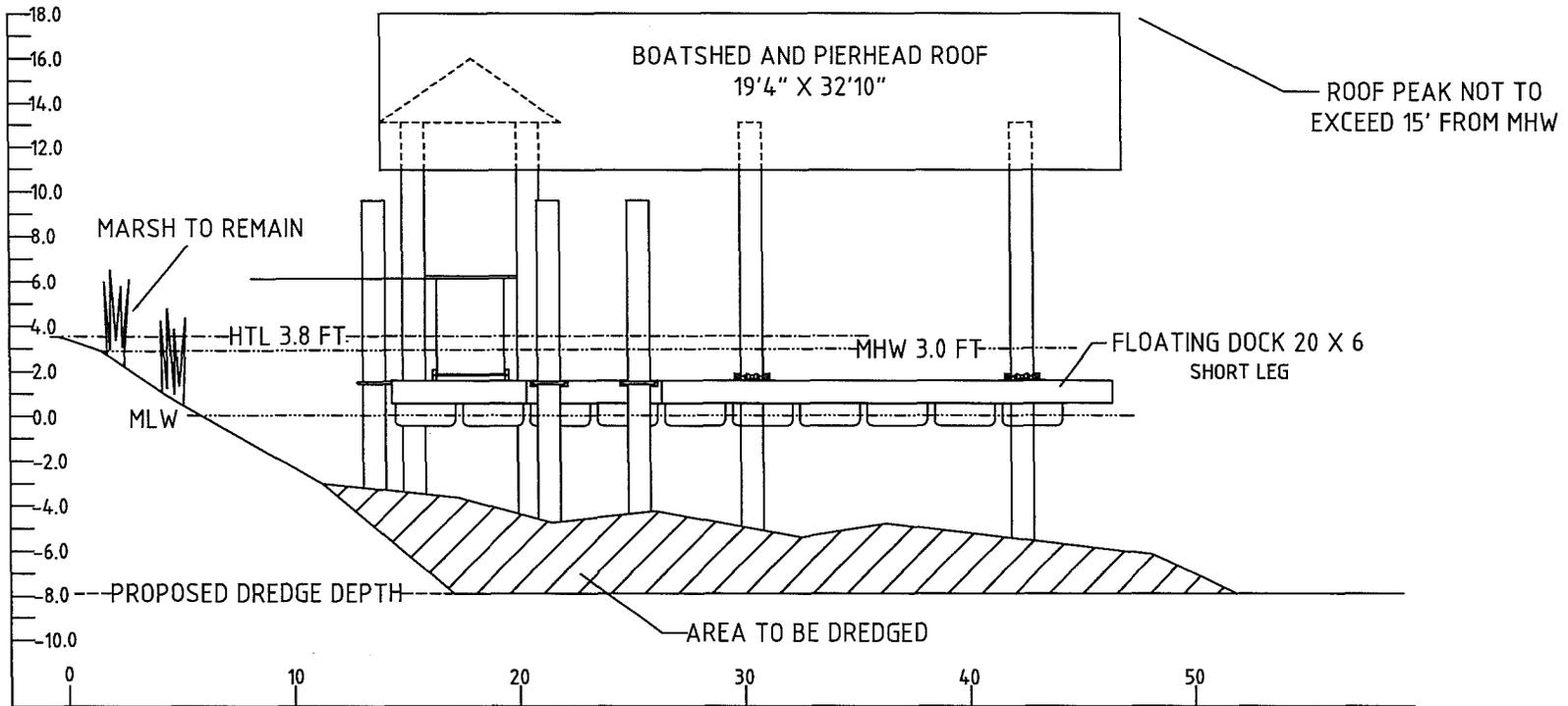
DOCK AND BOAT SHED CROSS SECTION

-FRONT VIEW-

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DOCK PROJECT
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LOOKING EAST



DOCK & BOAT SHED CROSS SECTION - SIDE VIEW

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