

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 # 2006-00595-3B

Date: December 17, 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

MARILYN BELL
C/O STEVE POWELL
VENTURE ENGINEERING
209 HIGHWAY 544
CONWAY, SOUTH CAROLINA 29526

for a permit to relocate an existing dock and dredge in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at a location described as 116 Meredith Court, in the City of Myrtle Beach, Horry County, South Carolina (Latitude: 33.69327°N; Longitude: -78.99229°W). Myrtle Beach Quad Sheet.

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 relocating an existing dock and dredging. In detail, the existing dock was determined to be out of compliance with the Department of the Army permit (SAC# 2006-595-71E) issued on December 6, 2006. Specifically, the existing dock was not constructed according to the permitted plans and encroaches 18.23' feet inside the mandatory 55' setback from the edge of the federal channel. The applicant is proposing to relocate the dock as depicted on the attached drawings to accommodate the mandatory 55' setback from the edge of the federal channel. In addition, the applicant proposes to dredge approximately 107 cubic yards of material from the AIWW to allow access to the relocated dock. The dredging will be performed utilizing a barge-mounted excavator. The dredged material will be placed on a second barge that will have a perimeter barrier and lined with hay bales to reduce or eliminate sediment laden water from returning to the AIWW. The material will be dewatered while on the barge and transported and disposed of in an offsite upland. According to the applicant, measures taken to avoid and minimize impacts to waters of the United States consist of making sure all excavated material makes it on and off the barge without spilling and/or polluting the aquatic resource. As stated by the applicant, mitigation should not be required because the project does not alter, reduce, or impact wetlands, streams, or other aquatic resources. It is understood that this work is to be conducted on/or adjacent to an area subject to a prism and/or disposal area held by the United States. Appropriate provisions will be included in the permit to ensure the interests of the Federal Government are understood. The project purpose is private recreational access to the AIWW.

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 (0.03) acre 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 Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(f)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice 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.

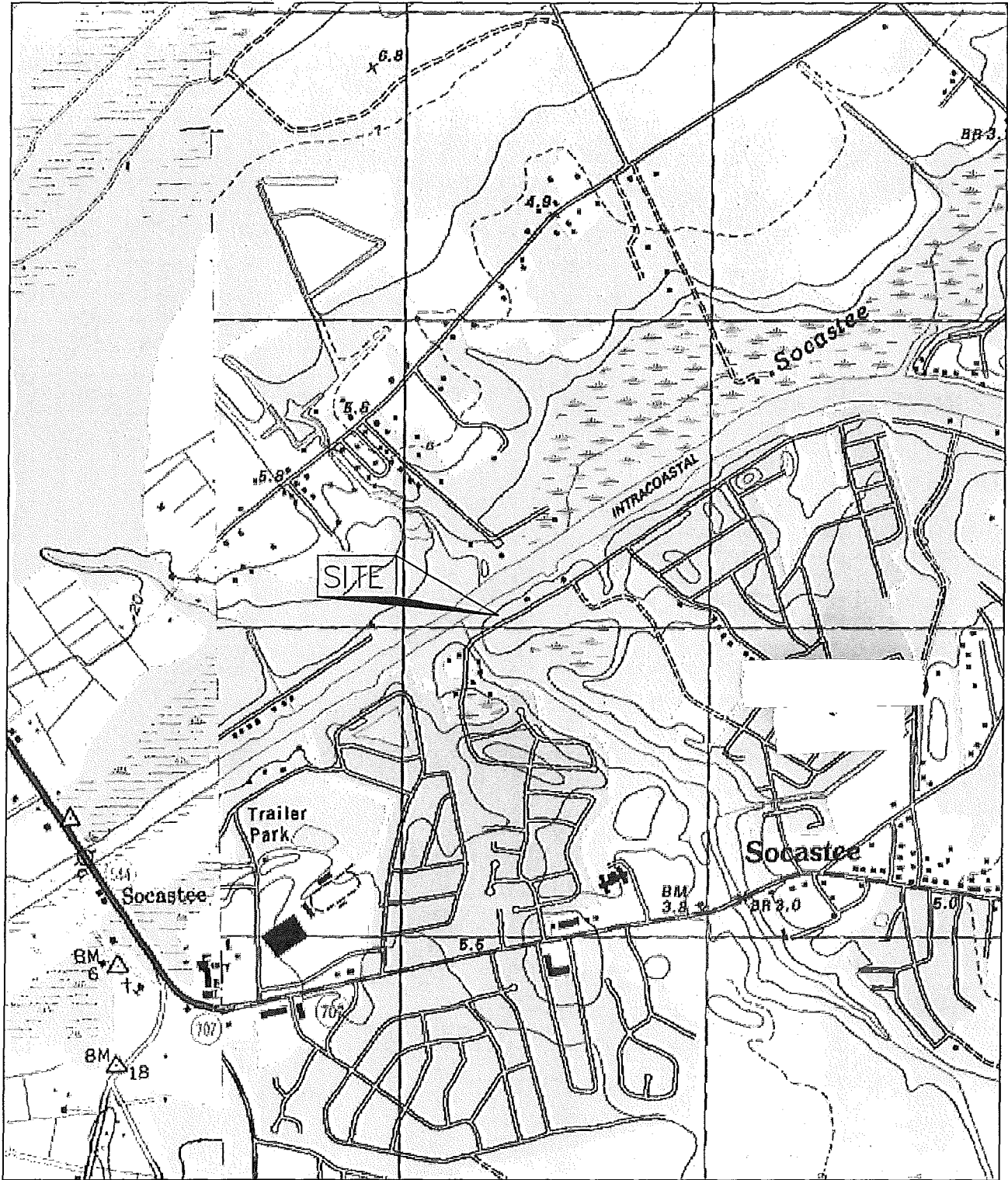
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 Wiley Bracey at 843-365-1707.



LOCATION MAP

Project: Marilyn Bell Floating Dock Relocation

Applicant: Marilyn Bell

Location: 116 Meredith Ct., Socastee, Horry County, S.C.

SAC# 2006-00595-3B

Date: December 17, 2015

Sheet 1 of 4

∇: Socastee

INTRACOASTAL

P/N#

DATE:

EDGE OF CHANNEL

ASBUILT DOCK SURVEY FOR LOT 1 TMS
179-22-04-020, LOCATED IN SOCASTEE
TOWNSHIP, HORRY COUNTY, SOUTH CAROLINA
PREPARED FOR

ED JACKSON, III

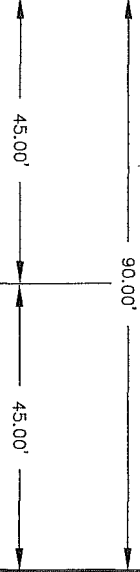
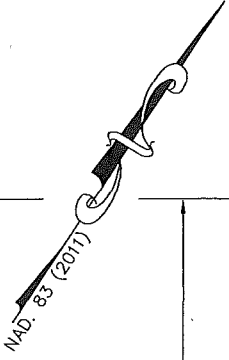
CENTERLINE OF I.C.W.W.

EBB

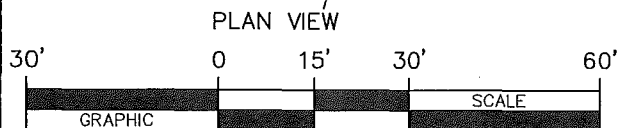
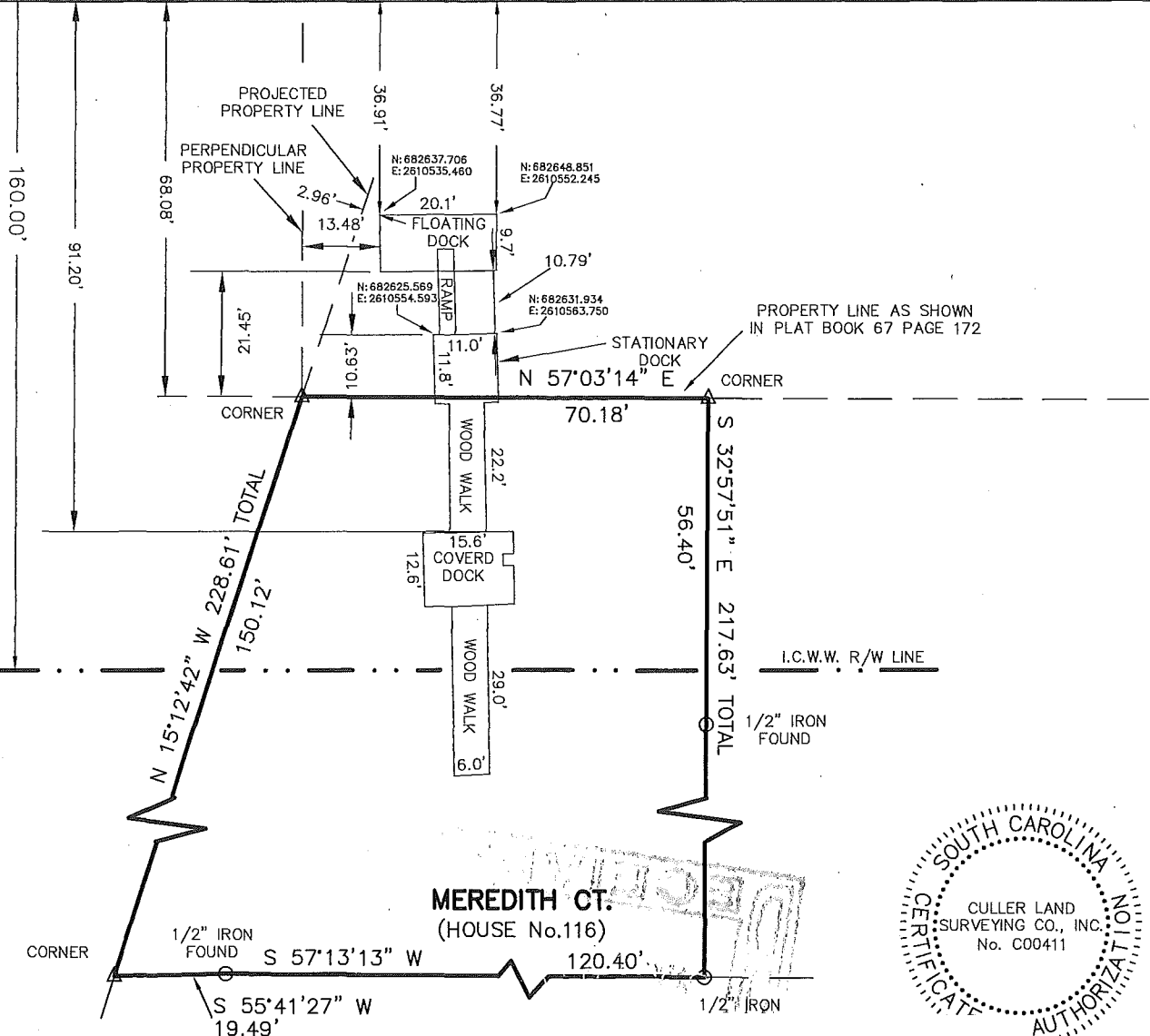
FLOOD

INTRACOASTAL WATERWAY

EDGE OF CHANNEL



STA. 1597+97.20



MEREDITH CT.
(HOUSE No.116)

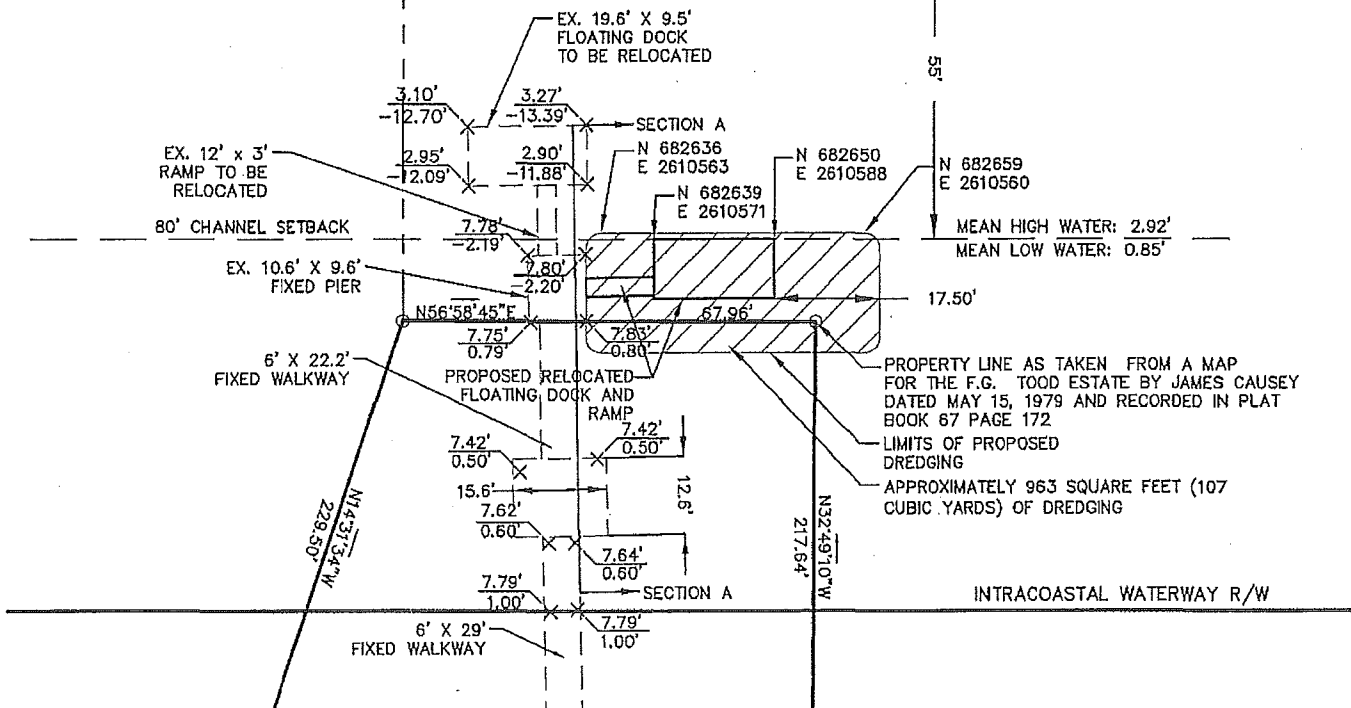
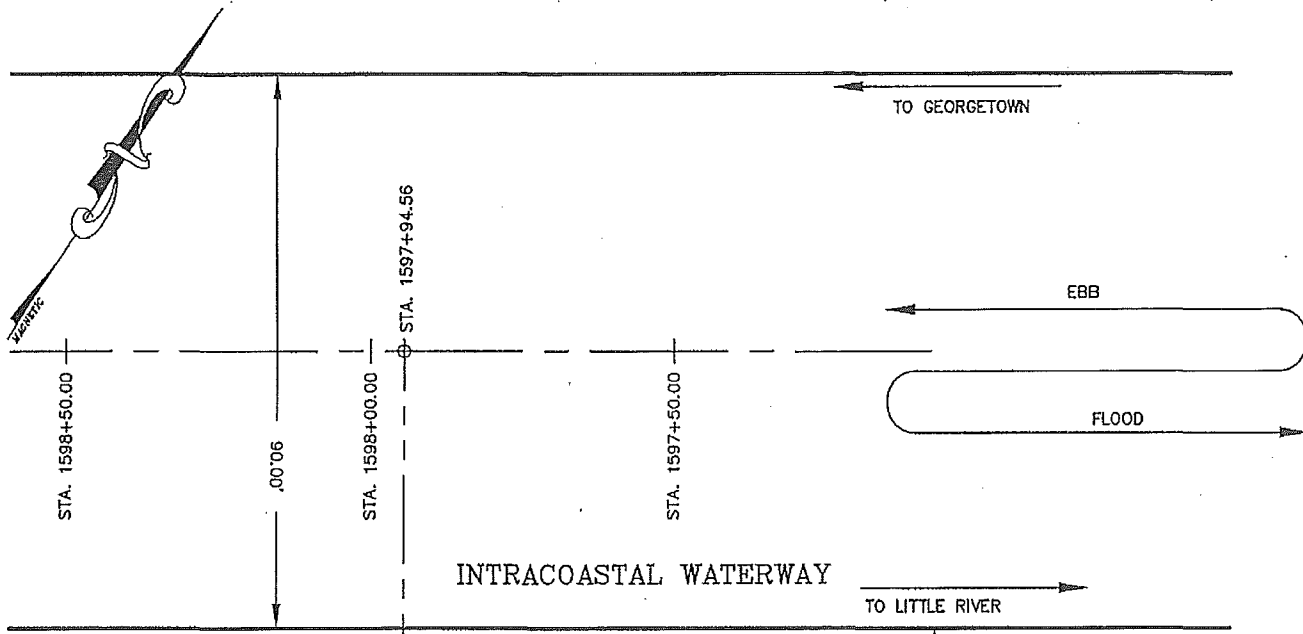


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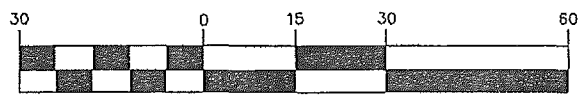
DP-1000



MEAN HIGH WATER: 2.92'
MEAN LOW WATER: 0.85'

PROPERTY LINE AS TAKEN FROM A MAP FOR THE F.G. TOOD ESTATE BY JAMES CAUSEY DATED MAY 15, 1979 AND RECORDED IN PLAT BOOK 67 PAGE 172
LIMITS OF PROPOSED DREDGING
APPROXIMATELY 963 SQUARE FEET (107 CUBIC YARDS) OF DREDGING

GRAPHIC SCALE



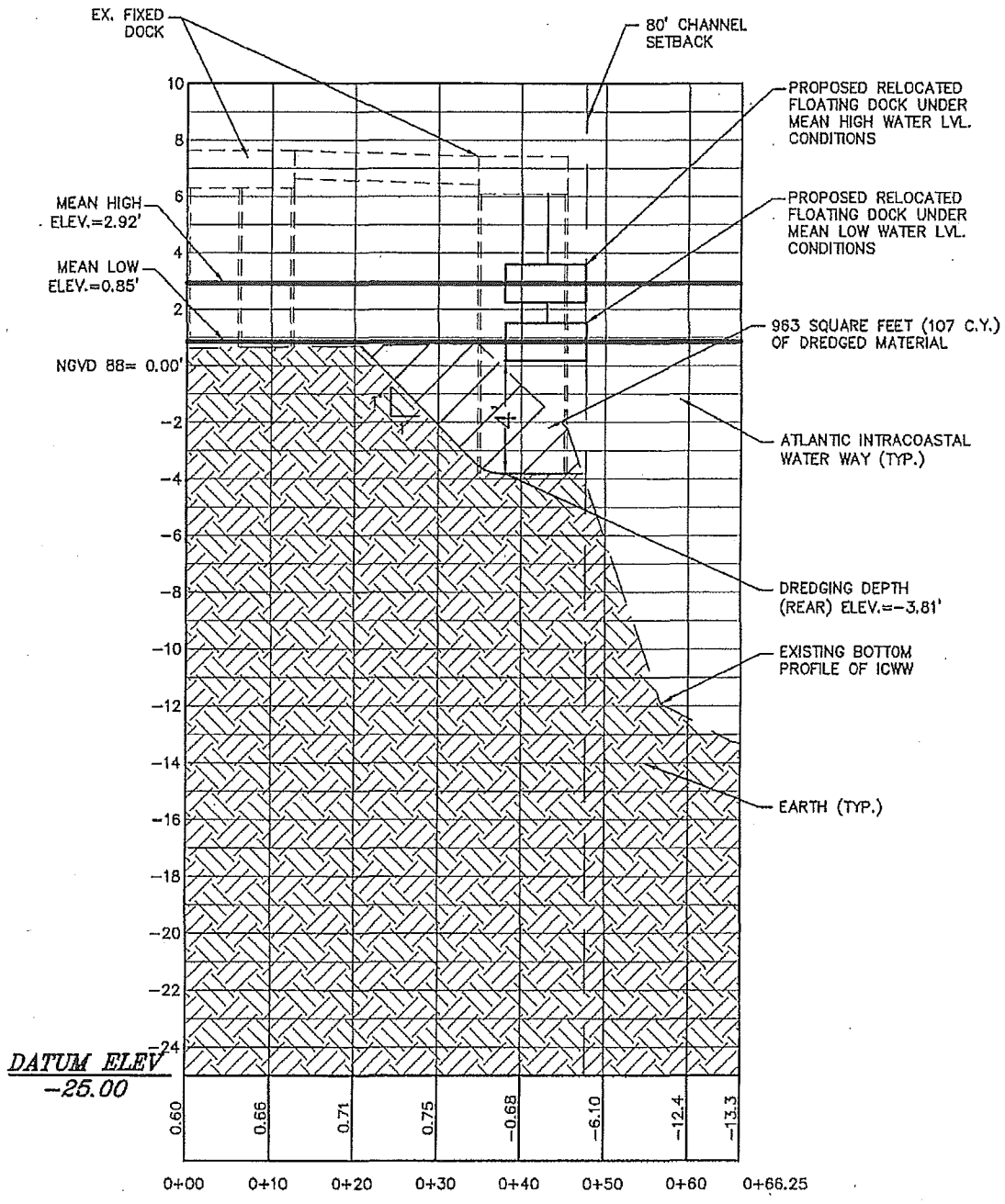
(IN FEET)
1 inch = 30 ft.

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SAC# 2006-00595-3B
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Sheet 3 of 4

VENTURE ENGINEERING, INC.
Engineering and Land Planning
209 Highway 544 Conway, SC 29526
Phone (843) 347-5851
Fax (843) 347-2792



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft.

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