

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
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N SAC-2014-01068

December 6, 2016

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

Patrick Talty
c/o Alan Wood
The Earthworks Group
11655 Highway 707
Murrells Inlet, SC 29576

for a permit to construct a private-use dock and associated dredging in the

ATLANTIC INTRACOASTAL WATERWAY

at 9481 Ronda Court, Myrtle Beach, Horry County, South Carolina (Latitude: 33.7771 °N, Longitude: -78.79887 °W), Hand Quad.

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 the AIWW. In detail, the proposed work consists of dredging approximately 63 cubic yards of material from approximately 0.015 acres of the AIWW to a sloped depth of -3.0' to 4.0' below Mean Low Water (MLW). The proposed dredging will be accomplished by a long-reach mechanical excavator located on adjacent uplands. The dredged material will be moved by truck and /or heavy equipment to the onsite 40' x 30' spoil basin positioned on adjacent uplands to dewater back into the AIWW. In addition to dredging the AIWW, the applicant proposes an upland bank cut to create an area large enough for the proposed docking structures to be positioned outside the Federal Channel setback (125' from the centerline). The upland excavation will remove 1058 cubic yards (0.1073 ac) of material and intercept the High Tide Line (HTL). Upon interception of the HTL, the excavation will expand the onsite Waters of the United States (WOUS) by 0.1073 acres to accommodate the docking structures. The proposed docking structures include a 4' wide walkway connecting to the adjacent uplands with a 16' x 20' covered pierhead. Attached to the pierhead will be a 12' x 12' boat light (flow side) and a 10' x 20' floating dock with 3' x 18' ramp (ebb side). The applicant stated that due to the nature and small size of the project, no compensatory mitigation is being offered. Finally, the applicant proposes to place a total of 140 cubic yards (0.029 ac) of rip rap below the HTL to stabilize the upland excavation. The applicant stated that the project has been designed to provide waterway access for small boats/watercraft to a reasonable extent and dredging impacts are limited to the smallest area possible. 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.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

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 **0.16** 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 the West Indian Manatee, or result in the destruction or adverse modification of designated or proposed critical habitat. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and will not 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.

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.

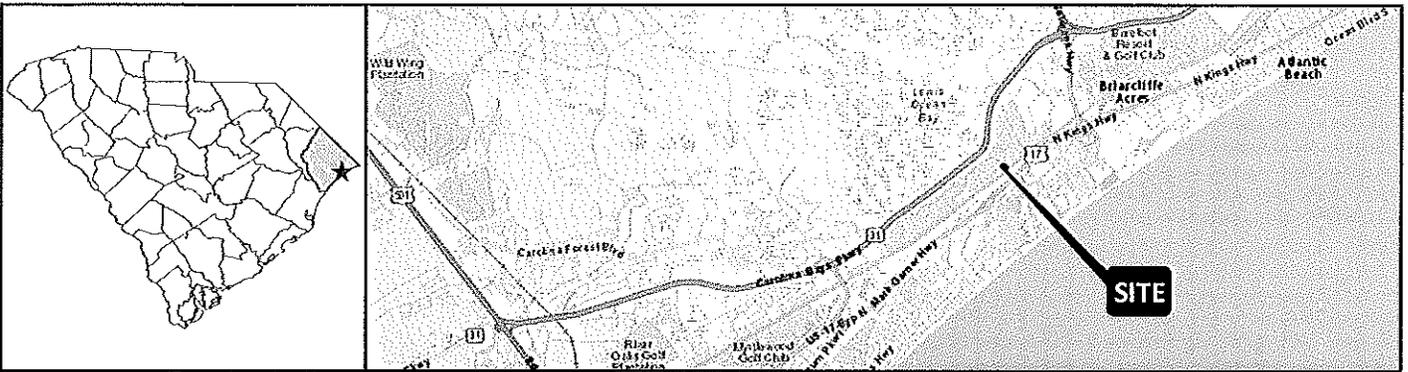
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

If there are any questions concerning this public notice, please contact T. Brian Hardee, Project Manager, at (843) 365-4239.



No. TMS	PIN	Owner Name	Address	City, State, Zip
1	165-28-01-061	39403010008 James Mozingo, Et Al.	7446 Seville Dr.	Myrtle Beach, SC 29572
2	165-28-01-059	39403010005 Dennis & Suzanne Permenter	9513 Indigo Creek Blvd.	Murrells Inlet, SC 29576

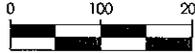
EARTHWORKS
planning and design consultants

11655 HIGHWAY 707
 MURRELLS INLET, SC 29576
 phone - 843-651-7900
 fax - 843-651-7903
 www.earthworksgroup.com

SITE/VICINITY MAP

MEMBERS CLUB - LOT 48

JOINT STATE/FEDERAL PERMIT APPLICATION

SCALE
 1:2,400
 1" = 200'

APPLICANT: **PATRICK TALTY**
 1800 JONATHAN WAY, APT. 1316
 RESTON, VA 20190
 TMS: 165-28-01-060 | PIN: 394-03-01-0009

LOCATION: 9481 RONDA CT. MYRTLE BEACH
 Horry County, SOUTH CAROLINA

LAT/LONG: 33.777383 by -78.799313
 USGS QUAD: HAND

DATE: 8/29/2016

SHEET
1

Ronda Ct
(100' Private R/W)

n/f
Lot 47
Grande Dunes
Members Club PH 2
Dennis & Suzanna Permenter
Pin# 389-14-04-0005
Deed Book 3273, Page 1249
Plat Book 212, Page 85

1/2" hf
N: 714533.54
E: 2668518.94

1/2" hf
N: 714459.43
E: 2668649.39

Parent Tract
Lot 48
Grande Dunes
Members Club PH 2
Patrick K. Talty et al
Pin# 394-03-01-0009
Deed Book 3661, Page 144
Plat Book 212, Page 85
37,851 ± Sqft
0.87 ± Ac.

n/f
Lot 49
Grande Dunes
Members Club PH 2
James Mazingo et al
Pin# 394-03-01-0008
Deed Book 3702, Page 3084
Plat Book 212, Page 85

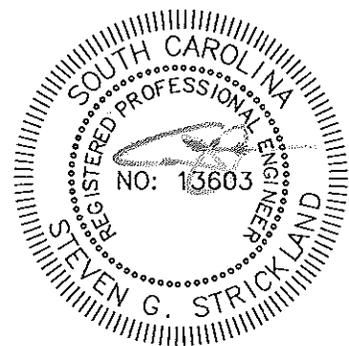
EXISTING RIP-RAP ON
ADJACENT PROPERTY

HIGH TIDE LINE

MEAN HIGH WATER
MEAN LOW WATER

LITTLE RIVER

ATLANTIC INTRACOASTAL WATERWAY
(380' R/W)



FOR PERMITTING PURPOSES ONLY - NOT FOR CONSTRUCTION

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SITE - EXISTING
MEMBERS CLUB - LOT 48
JOINT STATE/FEDERAL PERMIT APPLICATION

SCALE
1" = 60'

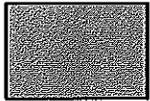
APPLICANT: PATRICK TALTY
1800 JONATHAN WAY, APT. 1316
RESTON, VA 20190

LOCATION: 9481 RONDA CT. MYRTLE BEACH
HORRY COUNTY, SOUTH CAROLINA
LAT/LONG: 33.777383, -78.799313
USGS QUAD: HAND

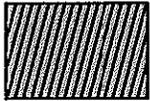
DATE: 9/7/16

TEG PN: 161086

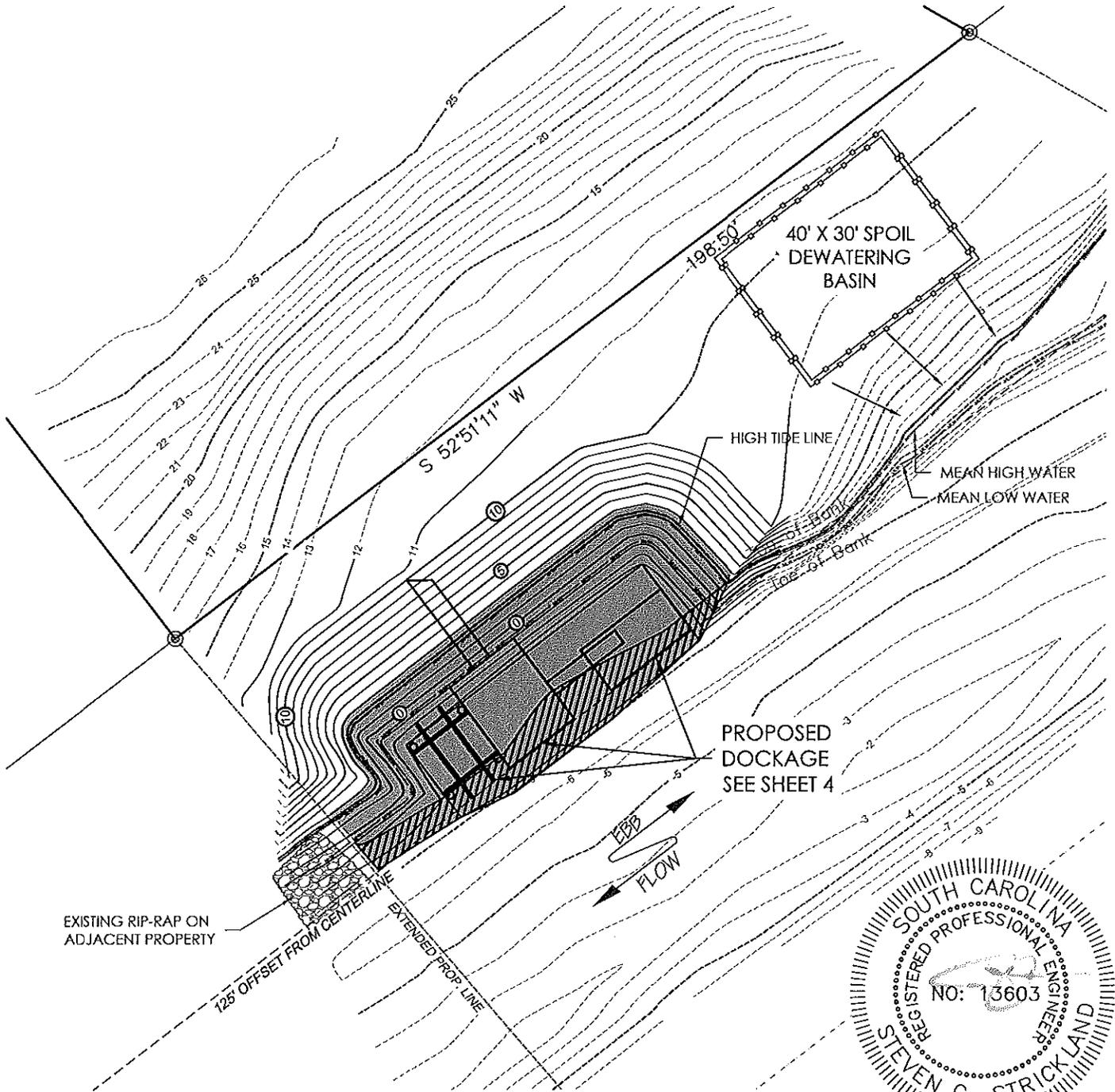
SHEET
2



EXCAVATION AREA (AT H.T.L.): 4,675 S.F. (.1073 AC.)
1,058 C.Y. BELOW PLANE OF H.T.L.



IMPACT I: 640 S.F. (0.015 AC.)
63 C.Y. DREDGE IN W.O.U.S. BELOW H.T.L.



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PROPOSED DREDGING & EXCAVATION AREA
MEMBERS CLUB - LOT 48
JOINT STATE/FEDERAL PERMIT APPLICATION

SCALE
1" = 30'

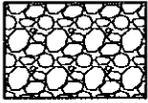
APPLICANT: PATRICK TALTY
1800 JONATHAN WAY, APT. 1316
RESTON, VA 20190

LOCATION: 9481 RONDA CT. MYRILE BEACH
HORRY COUNTY, SOUTH CAROLINA
LAT/LONG: 33.777383, -78.799313
USGS QUAD: HAND

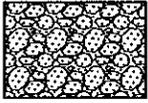
DATE: 9/7/16

TEG PN: 161086

SHEET
3



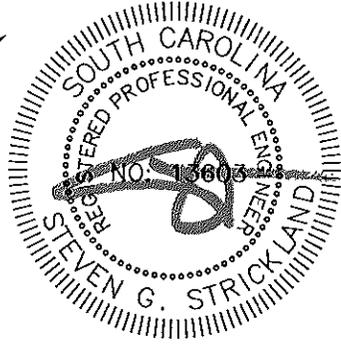
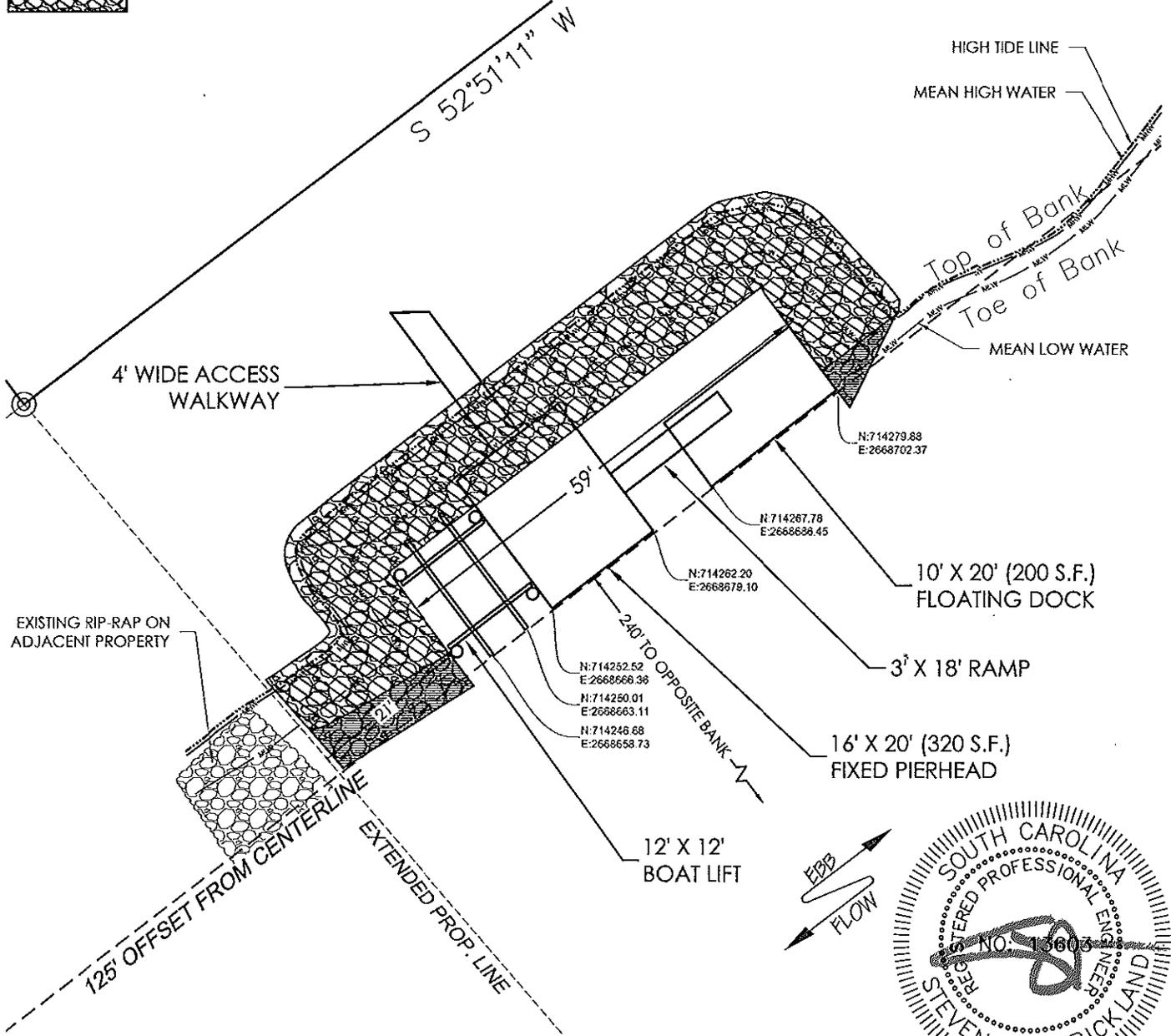
RIP-RAP SHORELINE PROTECTION
1,455 S.F. (0.033 AC.)



IMPACT 2A: PLACEMENT OF 15 C.Y. RIP-RAP IN W.O.U.S.
140 S.F. (0.003 AC.) BELOW EXISTING H.T.L.



IMPACT 2B: PLACEMENT OF 125 C.Y. RIP-RAP IN W.O.U.S.
- 1,130 S.F. (0.026 AC.) BELOW EXCAVATED H.T.L.



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PROPOSED DOCKAGE & BANK PROTECTION
MEMBERS CLUB - LOT 48
JOINT STATE/FEDERAL PERMIT APPLICATION

0 10 20 SCALE 1:20

APPLICANT: PATRICK TALTY
1800 JONATHAN WAY, APT. 1316
RESTON, VA 20190

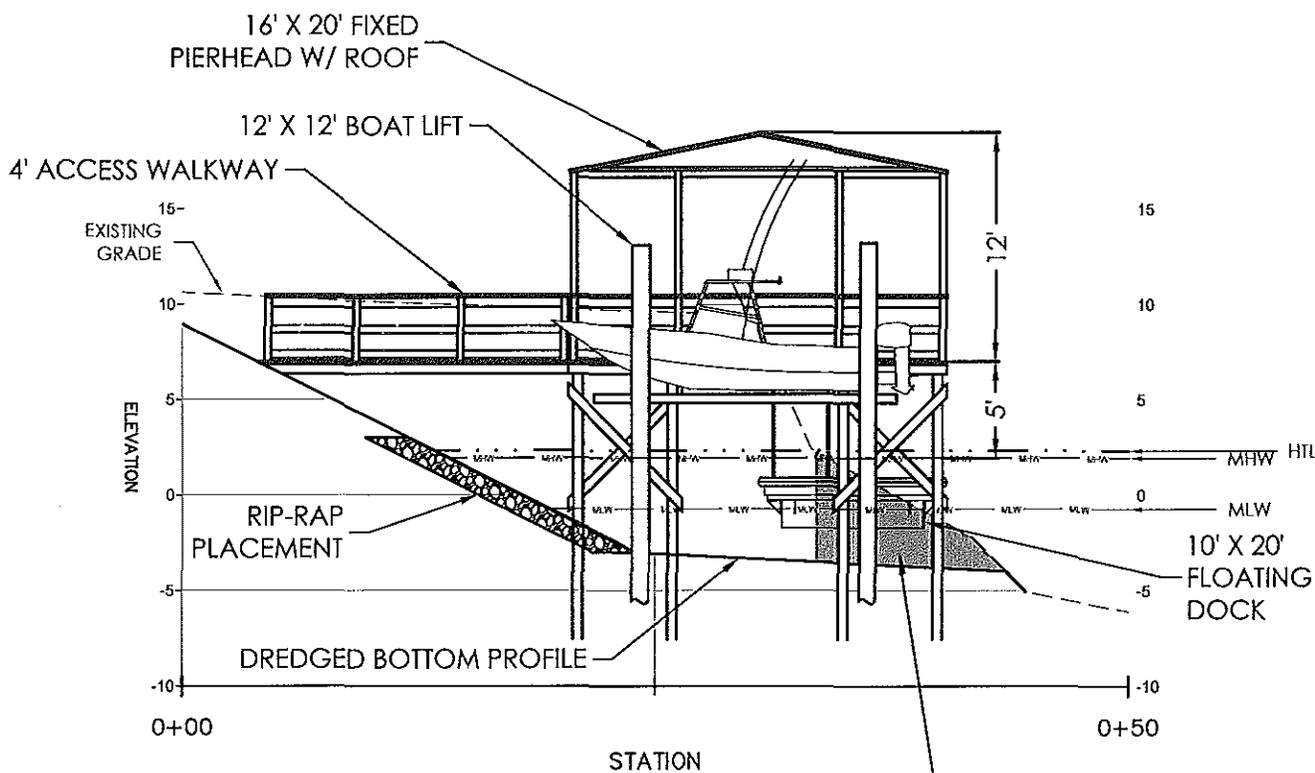
LOCATION: 9481 RONDA CT. MYRTLE BEACH
HORRY COUNTY, SOUTH CAROLINA
LAT/LONG: 33.777383, -78.799313
USGS QUAD: HAND

DATE: 11/15/16

TEG PN: 161086

SHEET 4

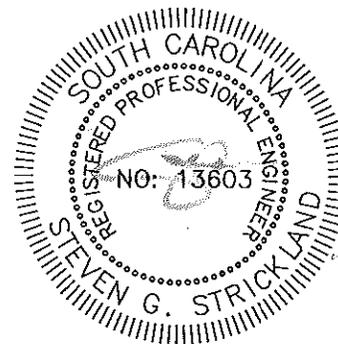
PROFILE



HIGH TIDE LINE (HTL) = +2.323'
 MEAN HIGH WATER (MHW) = +1.943'
 MEAN LOW WATER (MLW) = -0.727'
 NAVD88 DATUM

NOTES:

1. DOCK AND WALKWAY TO BE A MINIMUM OF 3 FT ABOVE MLW
2. MAXIMUM ROOF HEIGHT SHALL BE 12' AS MEASURED FROM THE FLOOR DECKING OF THE DOCK TO THE HIGHEST POINT OF THE ROOF INCLUDING ORNAMENTAL STRUCTURES.
3. FLOATING DOCKS SHOULD NOT REST UPON THE BOTTOM AT NORMAL LOW TIDE



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PROPOSED - PROFILE VIEW

MEMBERS CLUB - LOT 48
 JOINT STATE/FEDERAL PERMIT APPLICATION

SCALE
1" = 10'

APPLICANT: PATRICK TALTY
 1800 JONATHAN WAY, APT. 1316
 RESTON, VA 20190

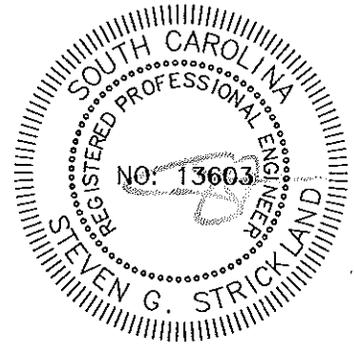
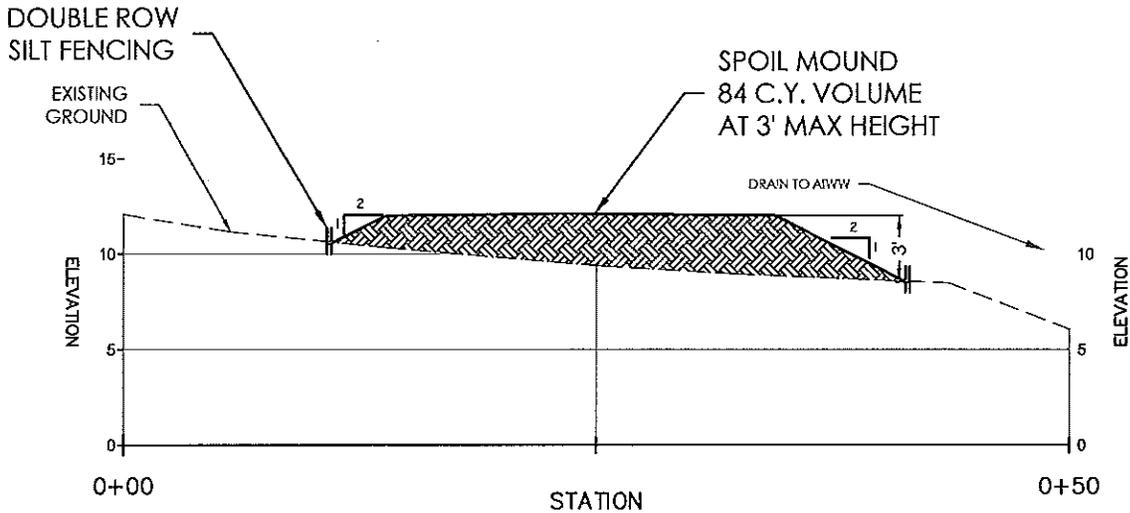
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 Horry COUNTY, SOUTH CAROLINA
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 DATE: 9/7/16
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SHEET
5

SPOIL DEWATERING BASIN

84 C.Y. CAPACITY AT 3'



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SPOIL BASIN

MEMBERS CLUB - LOT 48
 JOINT STATE/FEDERAL PERMIT APPLICATION



 SCALE
 1" = 10'

APPLICANT: PATRICK TALTY
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 RESTON, VA 20190

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SHEET
6

TEG PN: 161086