

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 # 2015-00099-3S

January 21, 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

RONALD AND KATHLEEN SCHMITT
c/o CHAD WEBB
MCW CUSTOM HOMES
1284 STRATHMILL COURT
MYRTLE BEACH, SC 29575

for a permit to construct a private boat docking area in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at a location described as Lot 74 Bellasera Circle (TMS 165-18-01-086), in Horry County, Myrtle Beach, South Carolina (Latitude: 33.7732302°N; Longitude -78.8061238°W; HAND, SC USGS Quadrangle)

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 constructing a boat docking area by excavating approximately 1,680 square feet of uplands adjacent to the AIWW and the installation of 173 linear feet of bulkhead for erosion control. In addition, approximately 188 cubic yards of material will be dredged from below mean high water to allow adequate, safe navigational depths to the upland excavated area. The material will be removed mechanically, using a combination of medium to long reach excavator from the shore, as well as, by clamshell bucket on a barge with a sealed containment area, if the reach from the shore is not sufficient. Material will be loaded directly from the excavator/clamshell into an upland spoil basin located on the applicant's property. The spoil staging area will be located upland and will be "L" shaped along the north and west sides of the excavation measuring 60' at the western and northern edge and 20' and both the south and east edge, covering approximately 1200 sq. ft. The spoil will be surrounded by a double silt fence with hay bales placed between to prohibit sediment from returning to the AIWW. Once the dredged material has sufficiently dried, the applicant proposes to utilize the material by spreading it over the subject property. Approximately 27.8 cubic yards of material will be placed below the high tide line for the construction of the proposed bulkhead. A 12' x 32' floating dock, 12' x 12' boat lift, 10' x 10' floating dock and 4' wide walkway and stairs will be constructed within the boat docking area. The applicant also proposes to install 53 linear feet of rip-rap along the shoreline, 4 c.y. of which will be placed below mean high water. The applicant stated that the project as proposed has avoided impacts to the coastal resources by employing standard and customary construction techniques. The applicant offered no compensatory mitigation for the impacts associated with the proposed work. 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 purpose of the project is to provide private recreational boat mooring within the AIWW and bank stabilization.

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
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 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 approximately 0.01 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.

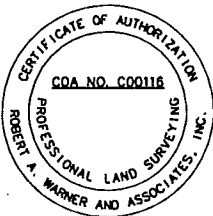
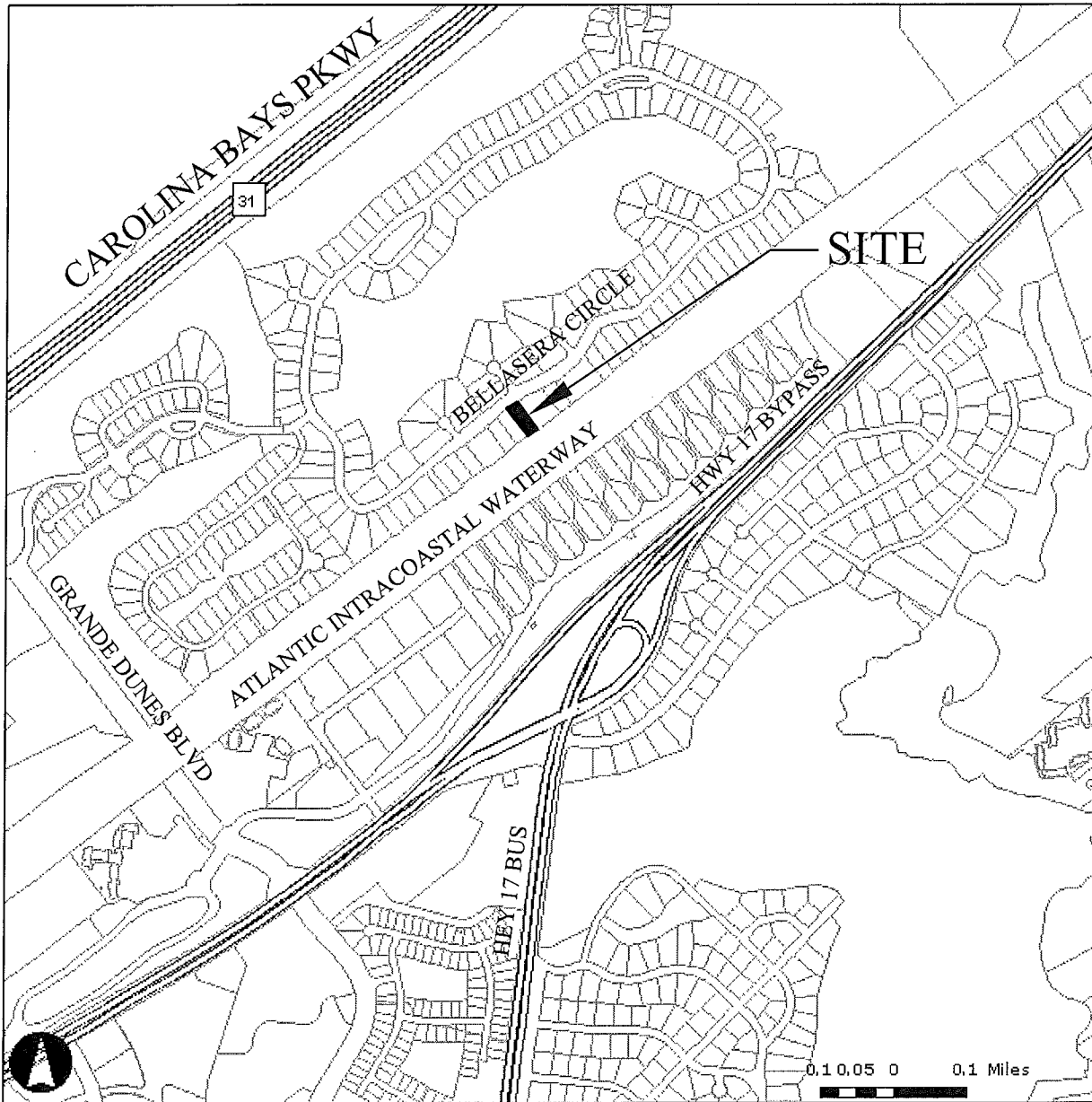
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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 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 **Erica Stone** at 843-365-0583.



Eric N. Wilson, P.L.S.
SC Reg # 29524

CITY OF MYRTLE BEACH
LOT 74; MEMBERS CLUB; GRANDE DUNES
~ PREPARED FOR ~
MCW CUSTOM HOMES, INC.

LEGEND
CP - COMPUTED POINT
CMF - CONCRETE MONUMENT FOUND
CMS - CONCRETE MONUMENT SET
IPF - IRON PIPE FOUND
IPS - IRON PIPE SET
RBF - REBAR FOUND
RBS - REBAR SET

STATE OF SOUTH CAROLINA		County: <u>HORRY</u>	
Date: DECEMBER 1, 2015	TMS: 165-18-01-086	Drawn By: ENW	Job No.: 140145-DOCK
Ref PB: Bk 212 @ Pg 85	Ref DB: Bk 3554 @ Pg 1751	Party Chief: DB	Prof. No.: 140145



Robert A. Warner and Associates, Inc.
Professional Land Surveying, Mapping and Planning
726 8th Avenue North
Myrtle Beach, South Carolina 29577
Phone: (843) 626-6662 / 6924
Fax: (843) 626-8774
E-mail: RWARNER500@AOL.COM

EXCAVATION & CONSTRUCTION NOTES

EXCAVATION ABOVE MHW LINE= 466 CY
 EXCAVATION BELOW MHW LINE= 188 CY
 173 LF OF BULKHEAD TO BE INSTALLED
 53 LF OF RIP RAP TO BE PLACED (4'WIDE)
 27.8 CY OF WALL TO BE PLACED BELOW MHW
 4 CY OF RIP RAP TO BE PLACED BELOW MHW

CURRENT OWNER:
 KATHLEEN V. SCHMITT
 107 GEORGETOWNE CT
 WEXFORD, PA 15090

CONTRACTOR:
 MCW CUSTOM HOMES, INC
 1284 STRATHMILL CT.
 MYRTLE BEACH, SC 29579

NOTES

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ALL COORDINATES SHOWN ARE NAD 83 DATUM.

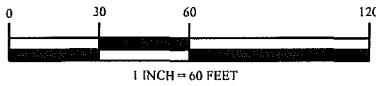
PROPOSED VINYL BULKHEAD IS TO BE CONSTRUCTED IMMEDIATELY OUTBOARD OF THE EXISTING WOODEN BULKHEAD.

LOT 75
 TMS# 165-28-01-087
 MELVIN THOMAS, JR.
 DB: 3650 PG: 172

LOT 74
 TMS# 165-28-01-086
 KATHLEEN SCHMITT
 24,040 SQ. FT.
 0.55 ACRES

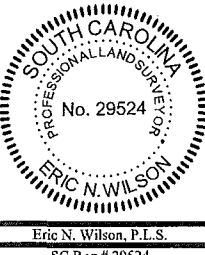
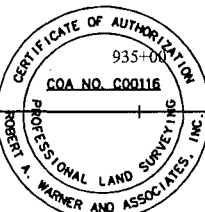
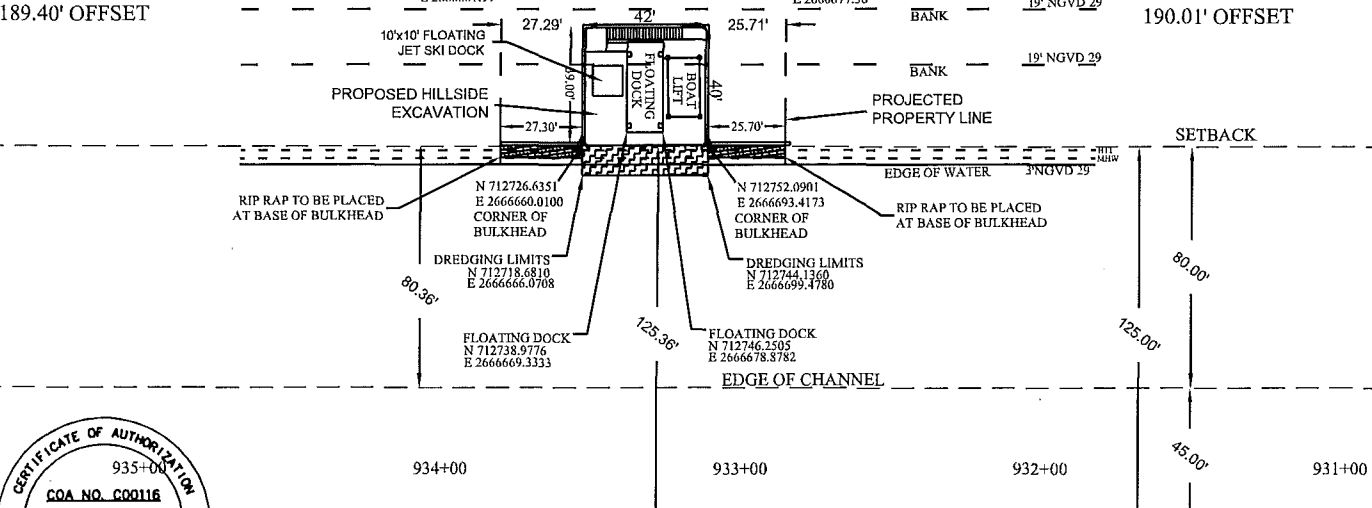
LOT 72 & 73
 TMS# 165-28-01-084
 STEVEN C. BROWN
 DB: 3521 PG: 409

GRAPHIC SCALE



USACE MONUMENT
 STA. 941+73.23
 189.40' OFFSET

USACE MONUMENT
 STA. 926+73.63
 190.01' OFFSET



CITY OF MYRTLE BEACH
 LOT 74; MEMBERS CLUB; GRANDE DUNES
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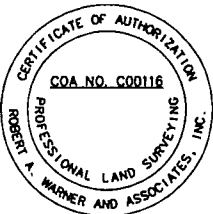
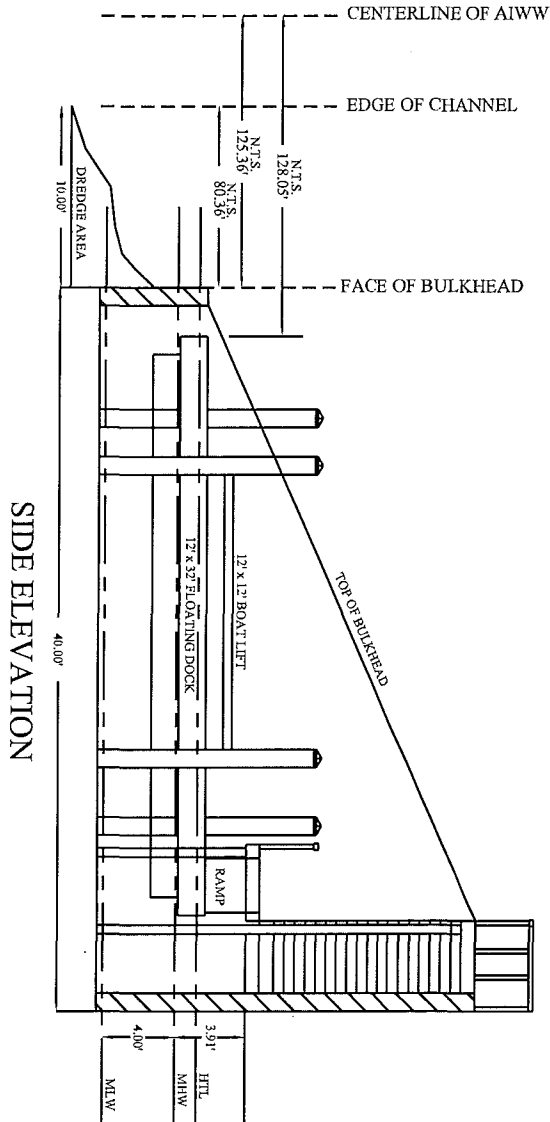
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- CMS - CONCRETE MONUMENT SET
- IPF - IRON PIPE FOUND
- IPS - IRON PIPE SET
- RF - REBAR FOUND
- RBS - REBAR SET

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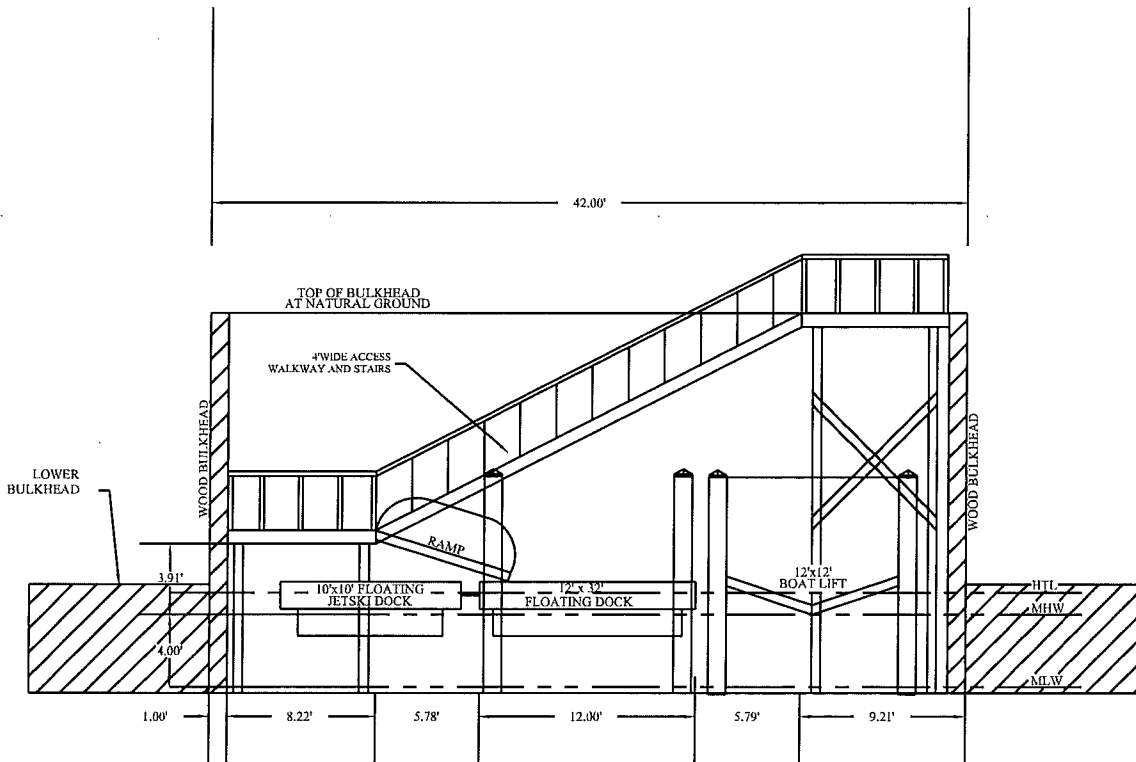
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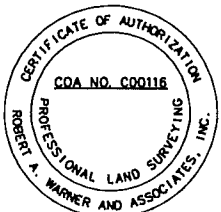
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FRONT ELEVATION



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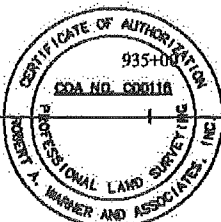
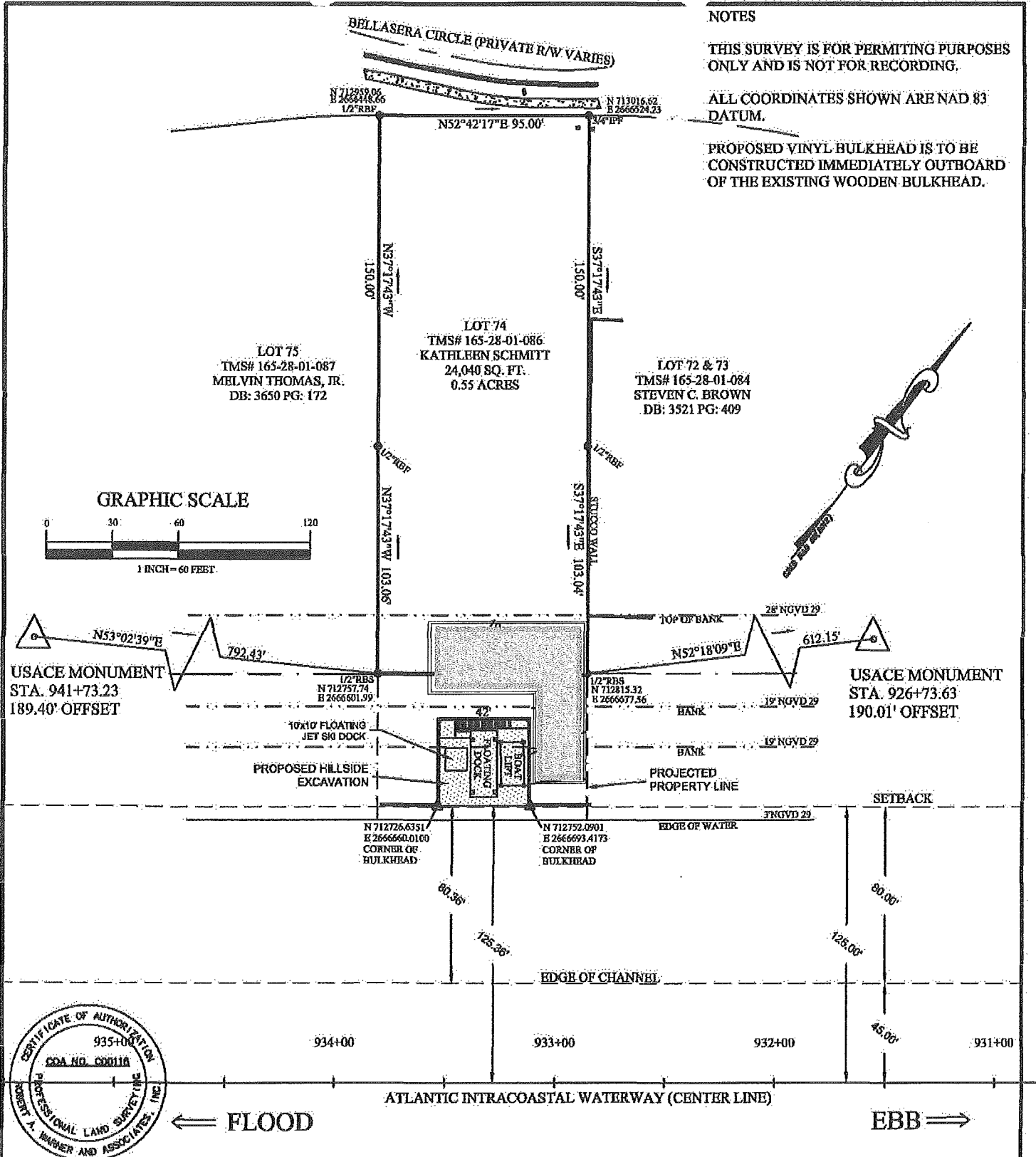
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- CRS - CONCRETE REINFORCEMENT SET
- IRV - IRON PIPE FOUND
- IRF - IRON PIPE SET
- RFT - REBAR FOUND
- RRH - REBAR SET

STATE OF SOUTH CAROLINA		County: HORRY	
Date: JUN 11, 2014	TMS: 165-18-01-086	Drawn By: ENW	Job No.: 140145-DOCK
Ref PB: Bk 212 @ Pg 85	Ref DB: Bk 3554 @ Pg 1751	Party Chief: DB	Proj. No.: 140145

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SOUTH CAROLINA
 PROFESSIONAL LAND SURVEYOR
 No. 29524
ERIC N. WILSON
 Eric N. Wilson, P.L.S.
 SC Reg # 29524