

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 SAC-2015-01189

July 7, 2016

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

Jeffery Ferguson
c/o Dr. H. Wayne Beam
Beam & Associates
P.O. Box 3238
North Myrtle Beach, SC 29582

for a permit to construct a private use, recreational dock in the

ATLANTIC INTRACOASTAL WATERWAY

located at 337 Saint Julian Lane (Lot #43) in Myrtle Beach, Horry County, South Carolina (Latitude: 33.7540 °N, Longitude: -78.8415 °W / USGS 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, recreational dock. In

detail, the proposed work consists of constructing a 12' x 21' covered boat lift to be accessed by an associated 4' x 47' walkway. The applicant stated that normal and customary practices, which include best management practices to minimize erosion and sediment migration, litter receptacles, and necessary measure to prevent oil, tar, debris, and other pollutants from entering Waters of the United States, would be employed by the contractor during construction. Furthermore the applicant stated that construction activities would avoid, to the maximum extent practicable, encroachment into any areas not designated as impact areas. The applicant offered no compensatory mitigation for the proposed impacts. 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 recreational boating access and storage within 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 work shown on this application must 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 not impact **0.01** 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 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.

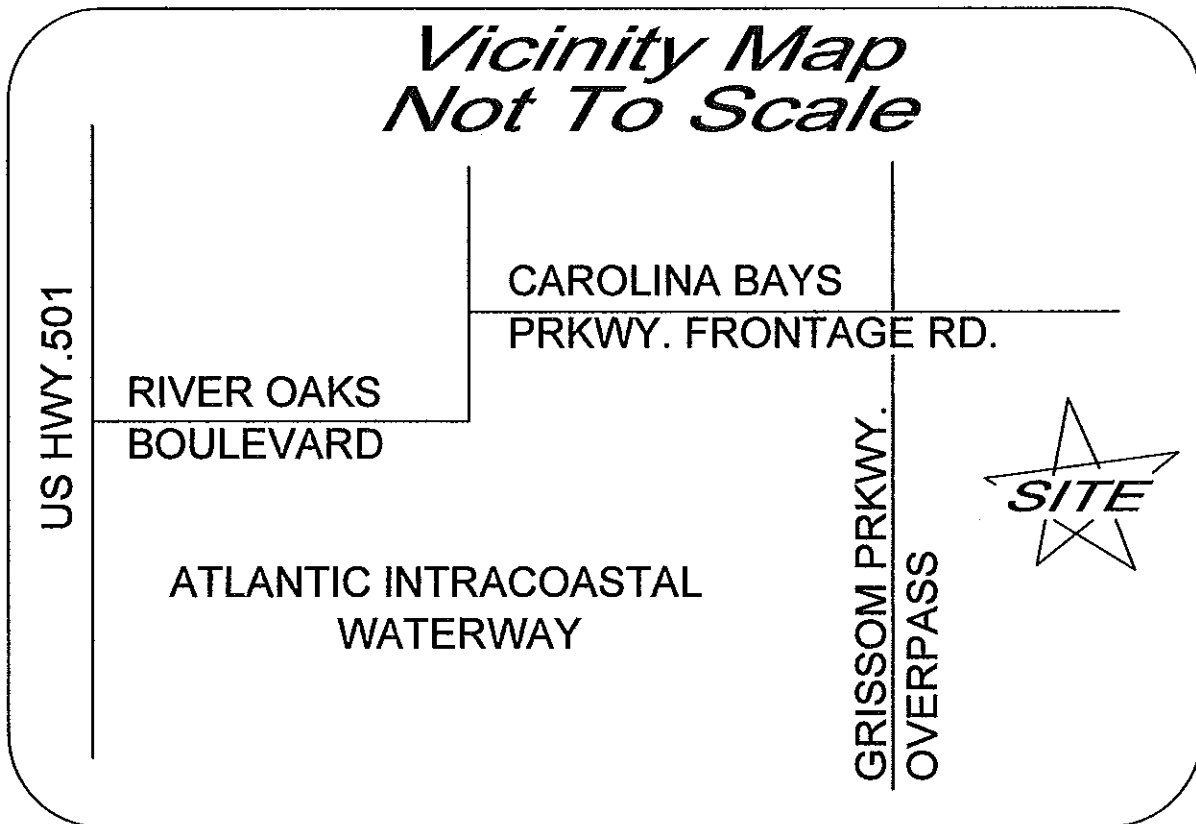
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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:**

**US Army Corps of Engineers
Regulatory Office
1949 Industrial Park Road, Room 140
Conway, SC 29526**

If there are any questions concerning this public notice, please contact Erica Stone, Project Manager, at 843-365-0583.

*Vicinity Map
Not To Scale*



LOCATION MAP

N.T.S.

LAT.: 33.753672° N
LONG.: -78.841461° W

APPLICANT:

JEFFREY D. FERGUSON
C/O DR. H. WAYNE BEAM
BEAM AND ASSOCIATES, INC
PO BOX 3238
NORTH MYRTLE BEACH, SC 29582

RESIDENTIAL DOCK

LOT 43
BATTERY ON THE WATERWAY
337 ST. JULIAN LANE
DOGNECK TOWNSHIP
HORRY COUNTY, SOUTH CAROLINA

PROPOSED: BOAT LIFT AND FIXED PIER

LOCATED ON: LOT 43 BATTERY ON THE WATERWAY

IN: DOGNECK TOWNSHIP

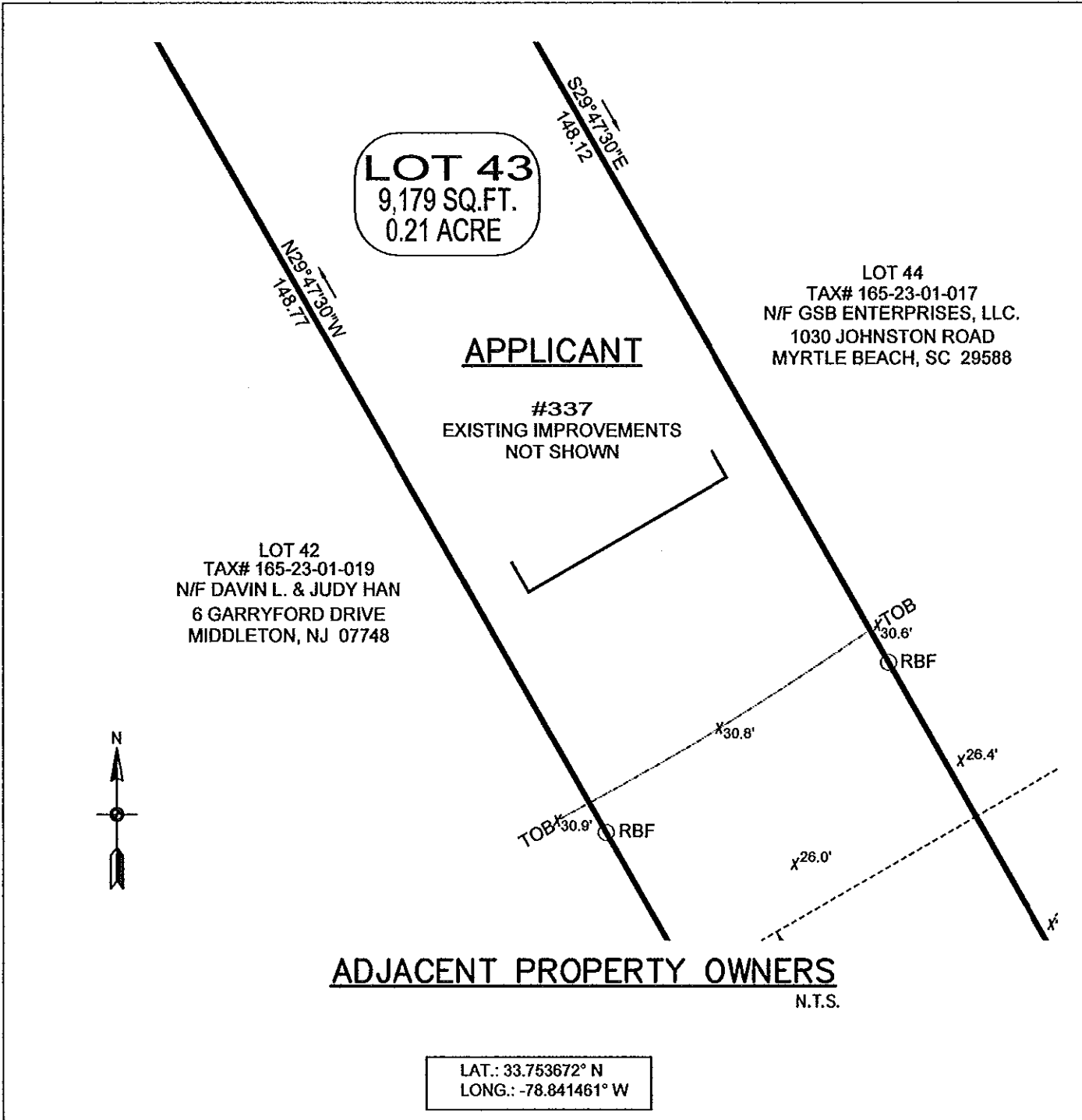
ON: ATLANTIC ICWW

COUNTY OF: HORRY

STATE OF: SC

DATE: 6/22/16

SHEET: 1 OF 6



LOT 43
 9,179 SQ.FT.
 0.21 ACRE

APPLICANT

#337
 EXISTING IMPROVEMENTS
 NOT SHOWN

LOT 44
 TAX# 165-23-01-017
 N/F GSB ENTERPRISES, LLC.
 1030 JOHNSTON ROAD
 MYRTLE BEACH, SC 29588

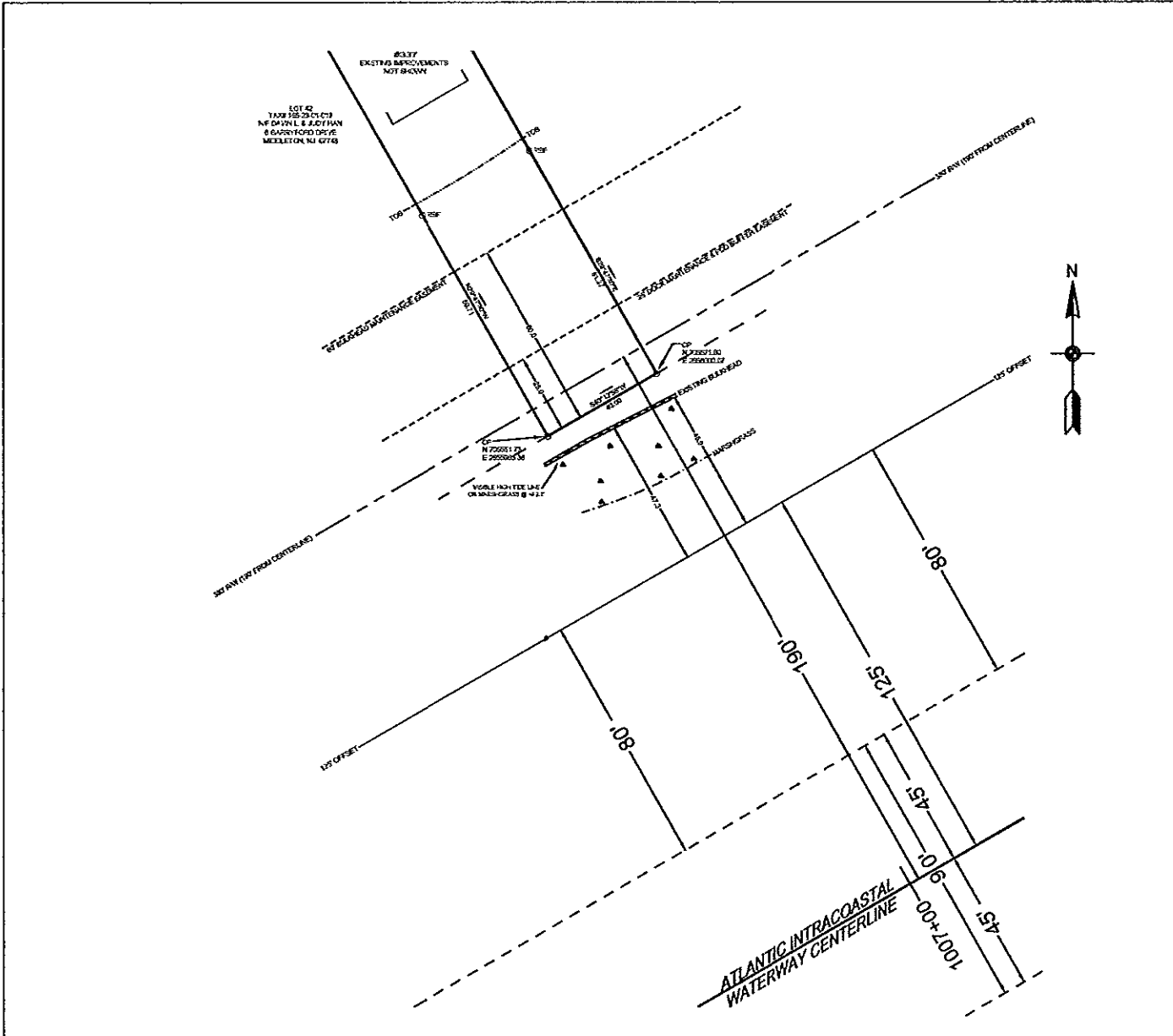
LOT 42
 TAX# 165-23-01-019
 N/F DAVIN L. & JUDY HAN
 6 GARRYFORD DRIVE
 MIDDLETON, NJ 07748



ADJACENT PROPERTY OWNERS
 N.T.S.

LAT.: 33.753672° N
 LONG.: -78.841461° W

<p><u>APPLICANT:</u> JEFFREY D. FERGUSON C/O DR. H. WAYNE BEAM BEAM AND ASSOCIATES, INC PO BOX 3238 NORTH MYRTLE BEACH, SC 29582</p>	<p>RESIDENTIAL DOCK</p> <p>LOT 43 BATTERY ON THE WATERWAY 337 ST. JULIAN LANE</p> <p>DOGNECK TOWNSHIP Horry COUNTY, SOUTH CAROLINA</p>	<p><u>PROPOSED:</u> BOAT LIFT AND FIXED PIER</p> <p><u>LOCATED ON:</u> LOT 43 BATTERY ON THE WATERWAY</p> <p><u>IN:</u> DOGNECK TOWNSHIP <u>ON:</u> ATLANTIC ICWW <u>COUNTY OF:</u> Horry <u>STATE OF:</u> SC</p> <p><u>DATE:</u> 6/22/16 <u>SHEET:</u> 2 OF 6</p>
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OVERALL EXISTING SITE CONDITIONS

APPROXIMATELY 340' FROM
EDGE OF VEGETATION TO
EDGE OF VEGETATION

LAT.: 33.753672° N
LONG.: -78.841461° W



APPLICANT:
JEFFREY D. FERGUSON
C/O DR. H. WAYNE BEAM
BEAM AND ASSOCIATES, INC
PO BOX 3238
NORTH MYRTLE BEACH, SC 29582

RESIDENTIAL DOCK

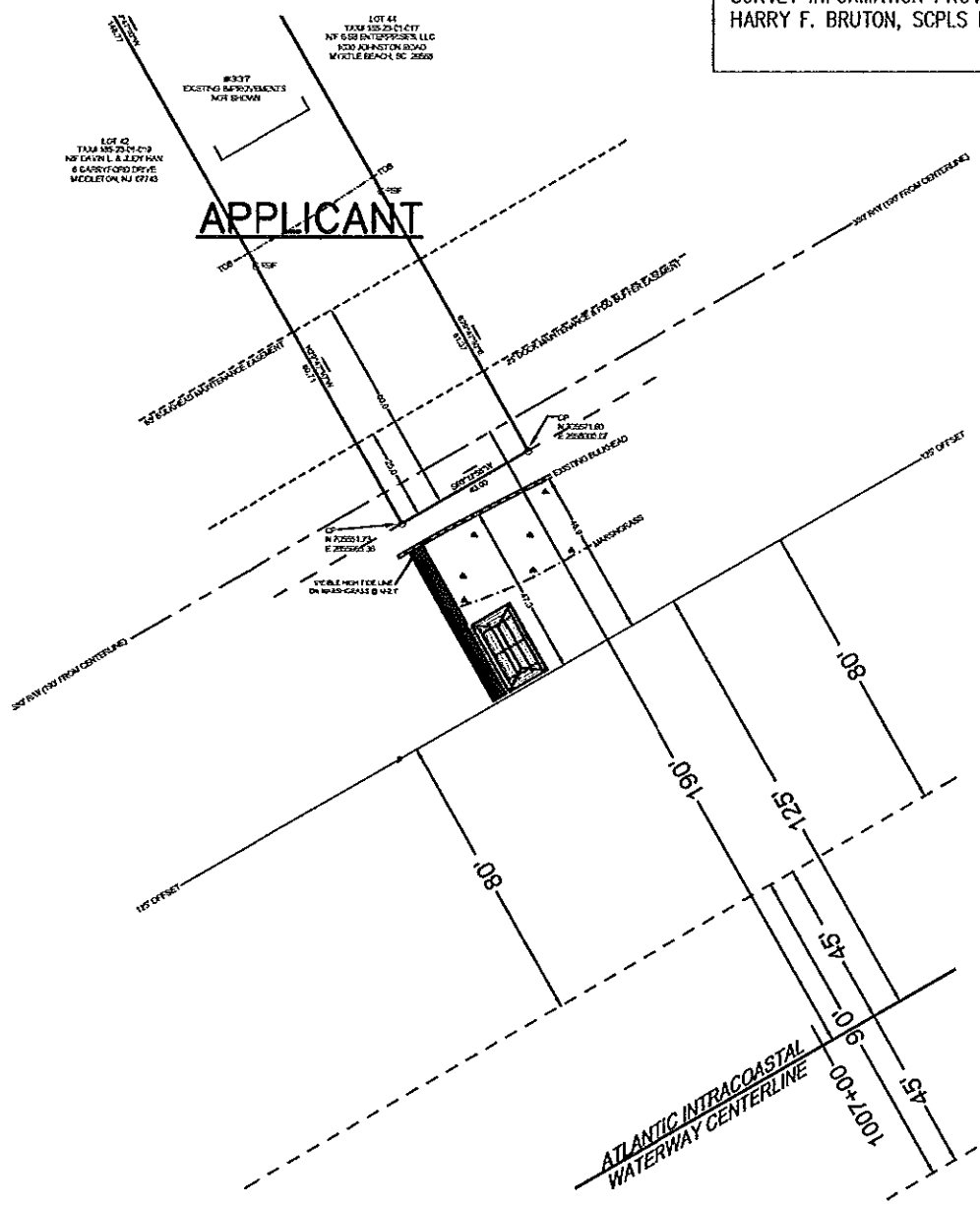
LOT 43
BATTERY ON THE WATERWAY
337 ST. JULIAN LANE

DOGNECK TOWNSHIP
HORRY COUNTY, SOUTH CAROLINA

PROPOSED: BOAT LIFT AND FIXED PIER

LOCATED ON: LOT 43 BATTERY ON
THE WATERWAY
IN: DOGNECK TOWNSHIP
ON: ATLANTIC ICWW
COUNTY OF: HORRY
STATE OF: SC
DATE: 6/22/16
SHEET: 3 OF 6

NOTES:
 SURVEY INFORMATION PROVIDED BY
 HARRY F. BRUTON, SCPLS NO. 24275

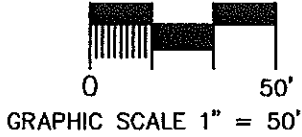


APPLICANT

PROPOSED IMPROVEMENTS

APPROXIMATELY 340' FROM
 EDGE OF VEGETATION TO
 EDGE OF VEGETATION

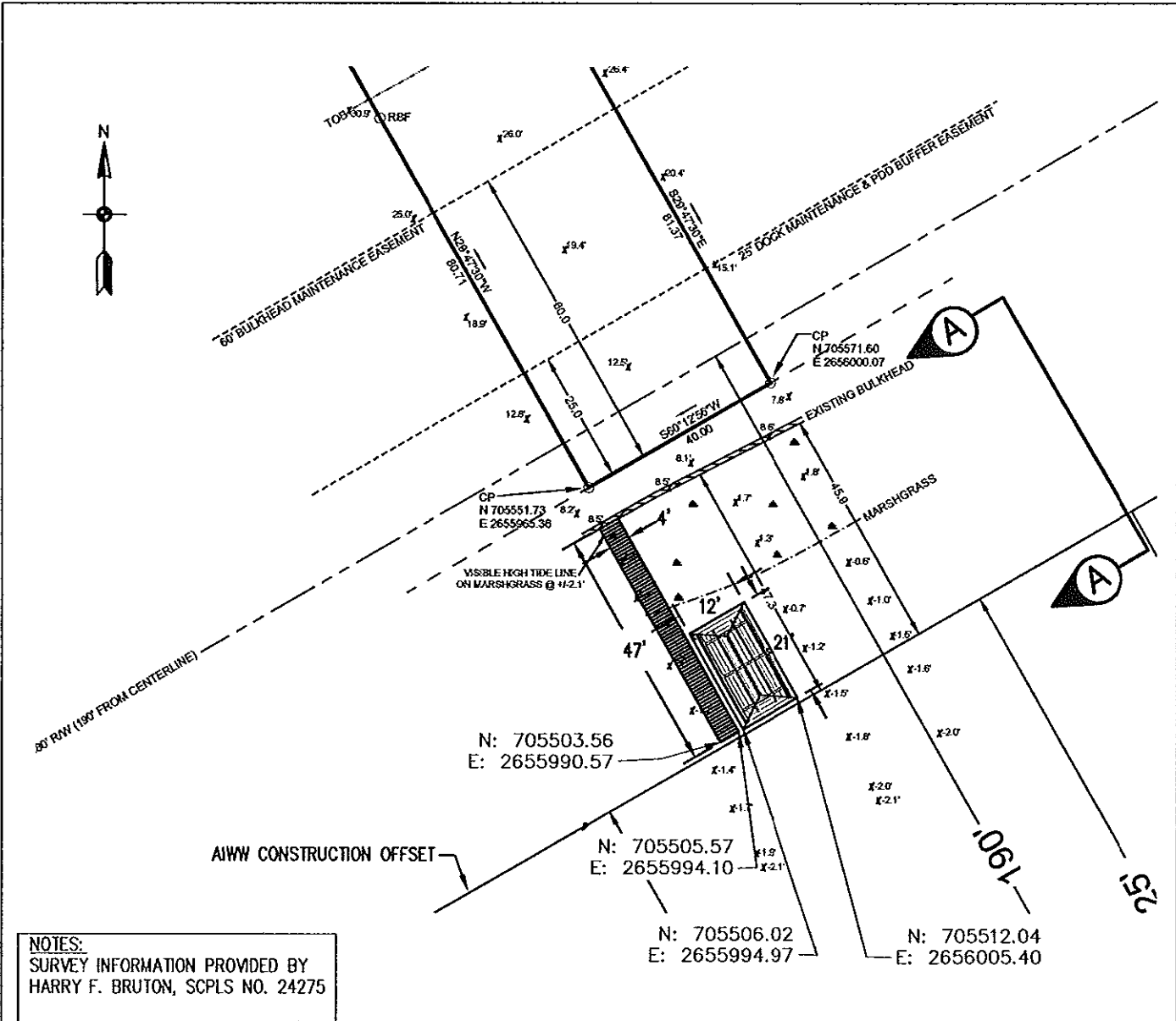
LAT.: 33.753672° N
 LONG.: -78.841461° W



APPLICANT:
 JEFFREY D. FERGUSON
 C/O DR. H. WAYNE BEAM
 BEAM AND ASSOCIATES, INC
 PO BOX 3238
 NORTH MYRTLE BEACH, SC 29582

RESIDENTIAL DOCK
 LOT 43
 BATTERY ON THE WATERWAY
 337 ST. JULIAN LANE
 DOGNECK TOWNSHIP
 Horry COUNTY, SOUTH CAROLINA

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COUNTY OF: Horry
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DATE: 6/22/16
SHEET: 4 OF 6

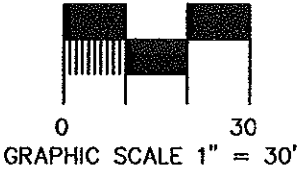


NOTES:
 SURVEY INFORMATION PROVIDED BY
 HARRY F. BRUTON, SCPLS NO. 24275
 ELEVATIONS SHOWN ARE BASED ON
 NAVD88.

APPROXIMATELY 340' FROM
 EDGE OF VEGETATION TO
 EDGE OF VEGETATION

PROPOSED IMPROVEMENTS (ENLARGED VIEW)

LAT.: 33.753672° N
 LONG.: -78.841461° W



APPLICANT:
 JEFFREY D. FERGUSON
 C/O DR. H. WAYNE BEAM
 BEAM AND ASSOCIATES, INC
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RESIDENTIAL DOCK
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 DOGNECK TOWNSHIP
 Horry COUNTY, SOUTH CAROLINA

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COUNTY OF: Horry
STATE OF: SC
DATE: 6/22/16
SHEET: 5 OF 6

ELEVATION OF TOP OF EXISTING
FIXED PIER = APPROX. +8.5' NAVD88

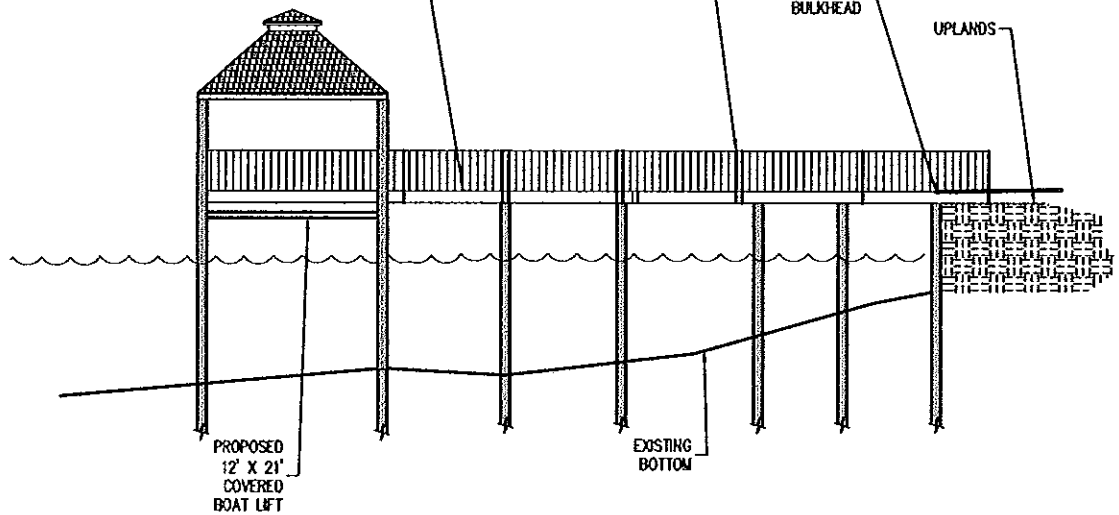
EXISTING APPROX. 4' X 47'
FIXED PIER HEAD

EXISTING
BULKHEAD

UPLANDS

HTL (+2.10' NAVD88) —
MHW (+1.61' NAVD88) —
MLW (+1.73' MLW) —

MLW (-0.12 NAVD88') —



ELEVATION VIEW A-A

NOT TO SCALE

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