

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-2014-01069

DATE: July 20, 2017

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), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**Mr. Wayne Karcher
c/o Rob Wilfong
Castles Engineering, Inc.
2024 Corporate Center Drive, Suite 102
Myrtle Beach, South Carolina, 29577**

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

ATLANTIC INTRACOASTAL WATERWAY

at 9525 Bellasera Circle, in the city of Myrtle Beach, Horry County, South Carolina (Latitude: 33.7764 °N, Longitude: -78.7999 °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, excavation of mooring basin, and associated dredging in the AIWW. In detail the proposed work consists of dredging approximately 225 cubic yards of material from approximately 0.10 acres of the AIWW to a sloped depth of -0.18 below Mean Low Water (MLW). The proposed dredging will be accomplished by a long-reach mechanical excavator located on adjacent uplands and a turbidity curtain will be employed to minimize sediment migration. The dredged material will be placed directly into a temporary constructed 45' x 85' spoil basin, lined with silt fencing and hay bales and positioned on adjacent uplands to dewater back into the AIWW. In addition to dredging the AIWW, the applicant proposes an upland bank cut of 175 cubic yards (0.04 acres) to create an area large enough for a mooring basin and docking structures as proposed, to be positioned outside the Federal Channel setback (125' from the centerline). Prior to upland excavation and dock construction, a temporary bulkhead will be constructed above the High Tide Line (HTL) parallel to the shoreline and all work landward will be completed before removing the bulkhead. The construction of docking structures include a 4' x 22' floating dock and two 4' x 25' floating docks that will line the perimeter of the upland excavated area that will serve as a mooring basin. Additionally, upon excavation of the mooring basin and **prior** to removing the temporary bulkhead, the perimeter of the mooring basin will be lined with REDI-ROCK pre-fabricated blocks atop a steel sheet piles driven into the ground to recreate a retention wall. Upon completion of upland excavation and the retention wall, the temporary bulkhead will be removed, resulting in the expansion of onsite Waters of the United States (WOUS) by 0.04 acres to accommodate the mooring basin and docking structures. The applicant stated that impacts to the AIWW would be negligible as the dredging process will take place within turbidity curtains to protect from sediment leeching out to the Waterway. 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 and vessel mooring.

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 **0.14** 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, based on the most recently available information that the project will have **no effect** on Kirtlands's Warbler (*Dendroica kirtlandii*), Piping plover (*Charadrius melodus*), Red knot (*Calidris canutus rufa*), Red-cockaded Woodpecker (*Picoides borealis*), Wood stork (*Mycteria Americana*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Shortnose Sturgeon (*Acipenser brevirostrum*), American Chaffseed (*Schwalbea americana*), Candy's Dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*) and Seabeach Amaranth (*Amaranthus pumilus*), and will not result in the destruction or adverse modification or designated or proposed critical habitat. However, the Corps has determined that the proposed project **is not likely to adversely effect**, the West Indian manatee (*Trichechus manatus*), 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)(1)(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.

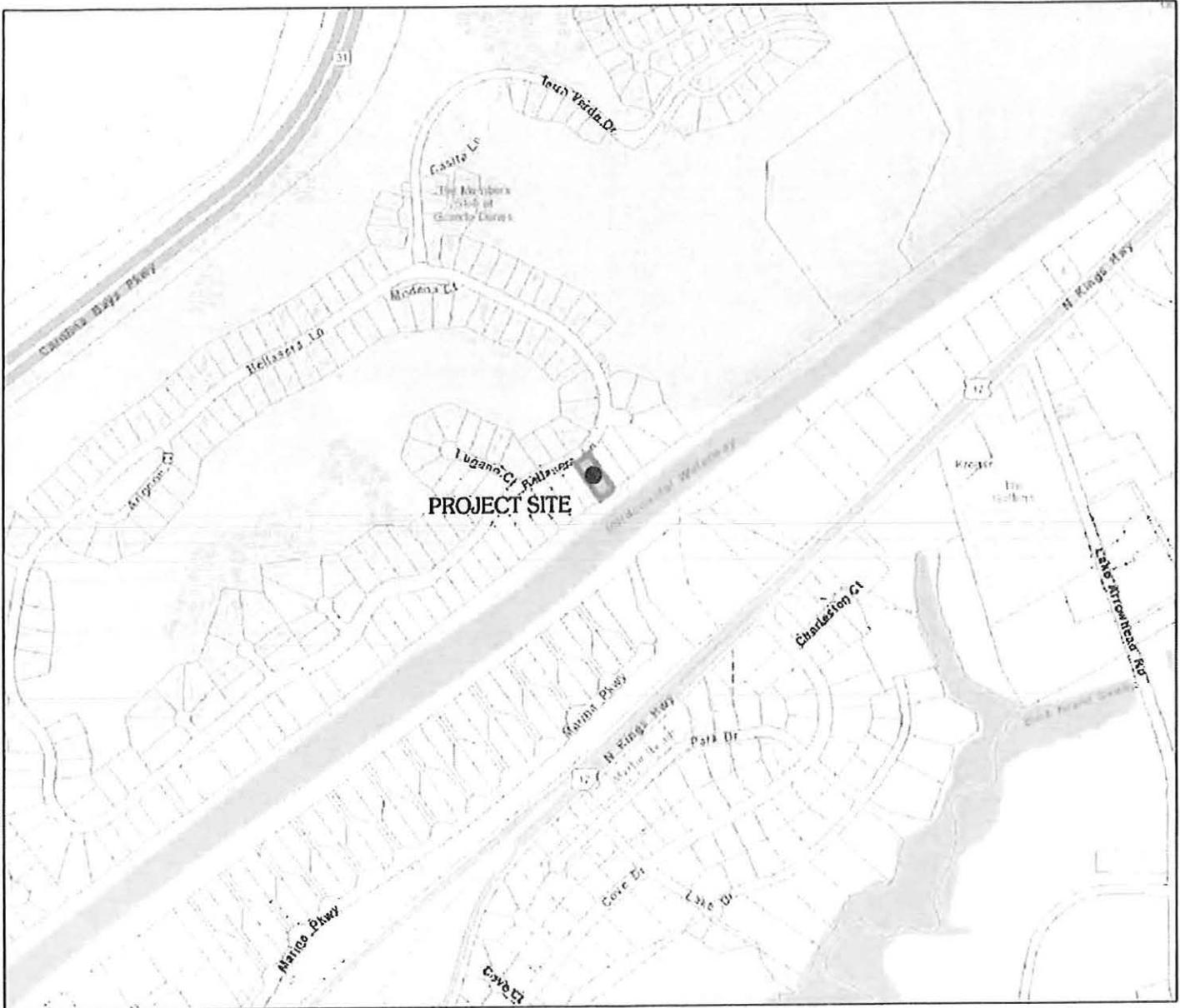
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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) 365-0848.



PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS

PIN 394-03-01-0007
JIACOMO CIPRIANI
BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
SAMMY OWENS
2162 BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

LOCATION MAP

LOT 51 - GRAND DUNES

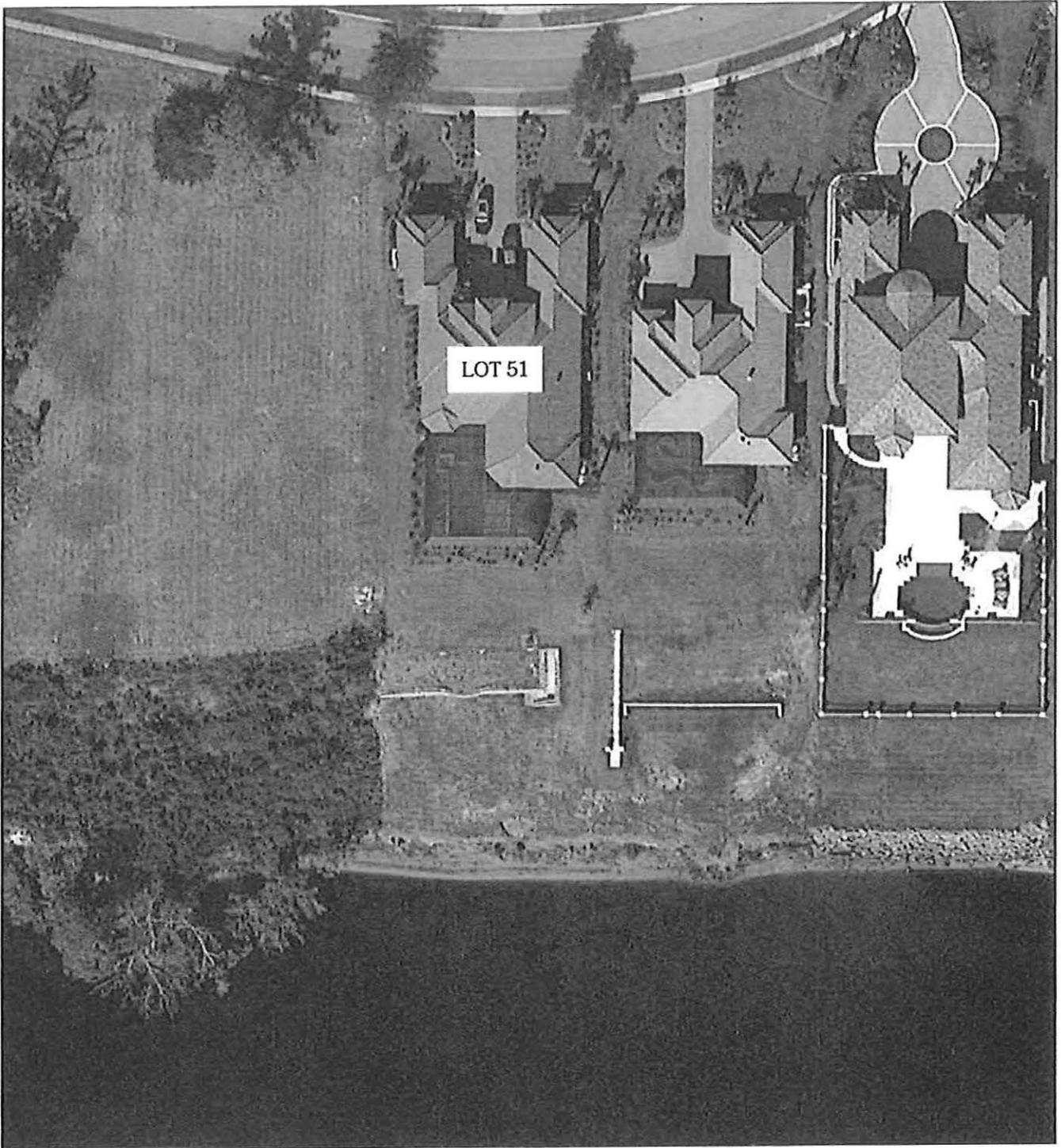
PIN 394-03-01-0006
9525 BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

RETENTION WALL & DOCK
ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
HORRY COUNTY, S.C.

APPLICATION BY:
KENNETH KARCHER

SHEET 1 OF 9



LOT 51

PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS

PIN 394-03-01-0007
GIACOMO CIPRIANI
BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
SAMMY OWENS
2162 BELLASERA CIRCLE
MYRTL BEACH, SC 29579

AERIAL VIEW

LOT 51 - GRAND DUNES

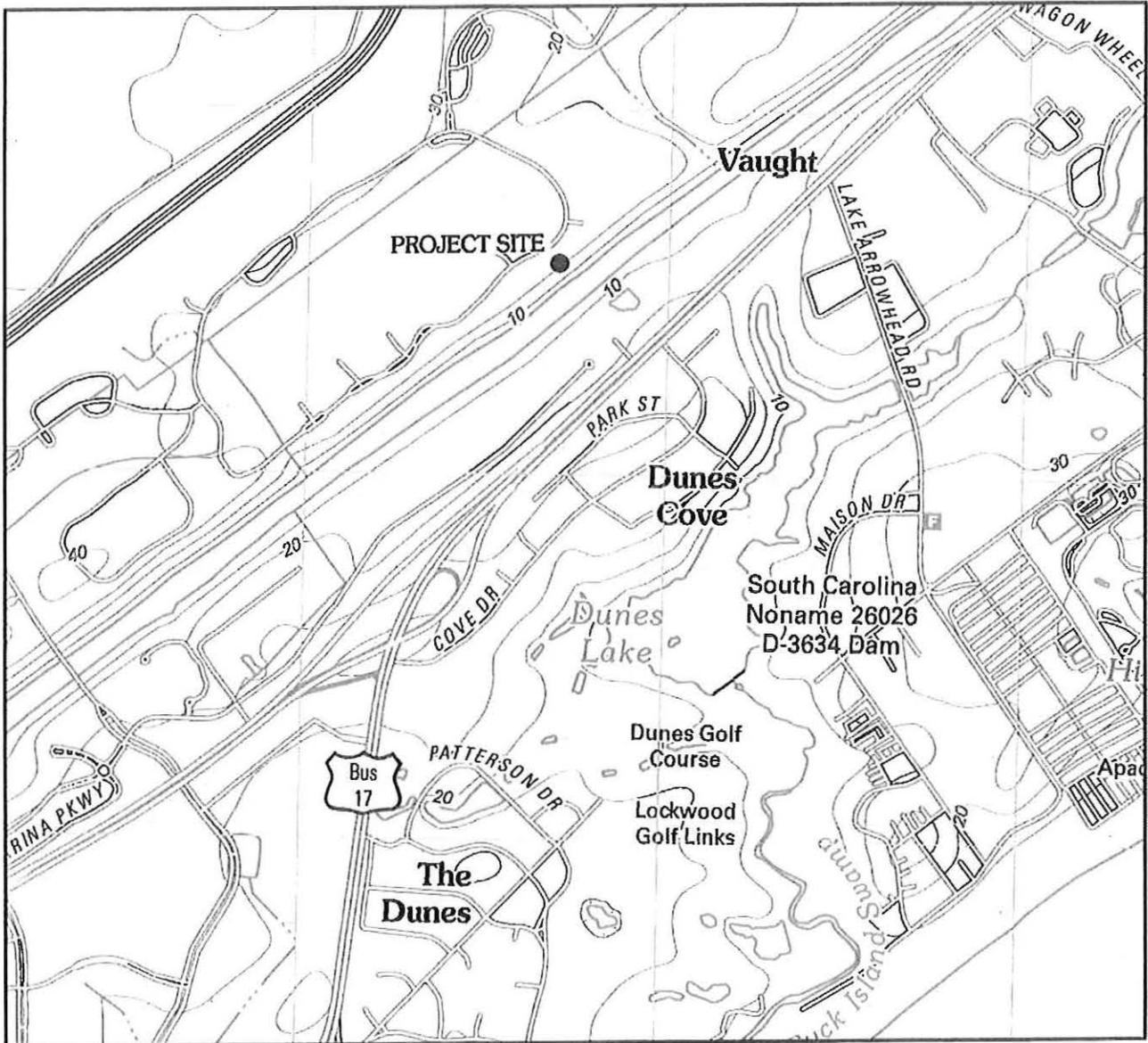
PIN 394-03-01-0006
9525 BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

RETENTION WALL & DOCK
ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
HORRY COUNTY, S.C.

APPLICATION BY:
KENNETH KARCHER

SHEET 2 OF 9



PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS

PIN 394-03-01-0007
GIACOMO CIPRIANI
BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
SAMMY OWENS
2162 BELLASERA CIRCLE
MYRTL BEACH, SC 29579

LOCATION MAP

LOT 51 - GRAND DUNES

PIN 394-03-01-0006
9525 BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

RETENTION WALL & DOCK
ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
HORRY COUNTY, S.C.

APPLICATION BY:
KENNETH KARCHER

SHEET 3 OF 9



PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS

PIN 394-03-01-0007
GIACOMO CIPRIANI
BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
SAMMY OWENS
2162 BELLASERA CIRCLE
MYRTL BEACH, SC 29579

AERIAL VIEW
LOT 51 - GRAND DUNES

PIN 394-03-01-0006
9525 BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

RETENTION WALL & DOCK
ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
HORRY COUNTY, S.C.

APPLICATION BY:
KENNETH KARCHER

SHEET 4 OF 9

BELLA SERRA CIRCLE



LOT 53

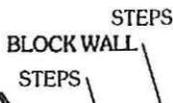
LOT 52
 PIN: 394-03-01-0005
 TMS: 165-28-01-064
 Current Owner
 SAMMY L. OWENS JR
 ETAL
 DB: 3699 - PG: 1584

LOT 51
 24,206 sqft
 0.56 acres
 PIN: 394-03-01-0006
 TMS: 165-28-01-063
 Current Owner
 KENNETH W. KARCHER
 ETAL
 DB: 3703 - PG: 1276

LOT 50
 PIN: 394-03-01-0007
 TMS: 165-28-01-062
 Current Owner
 GIACOMO CIPRIANI
 ETAL
 DB: 3697 - PG: 2425

LOT 49

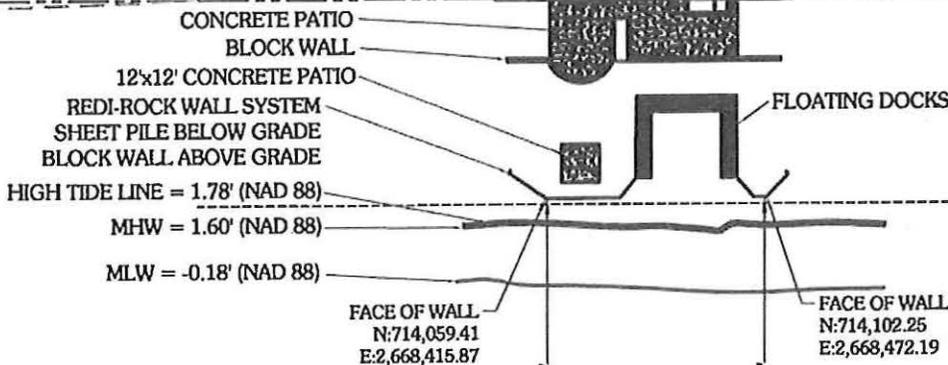
PROPERTY CORNER
 N:714,099.67
 E:2,668,364.81



PROPERTY CORNER
 N:714,157.14
 E:2,668,440.45

RIGHT OF WAY

CONSTRUCTION EASEMENT LINE



ATLANTIC INTRACOASTAL
 WATERWAY
 (380' PUBLIC RIGHT OF WAY)



N: 714047.56
 E: 2668610.49

913+00

912+00

911+00

910+00

1" = 60'

PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS

PIN 394-03-01-0007
 GIACOMO CIPRIANI
 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
 SAMMY OWENS
 2162 BELLASERA CIRCLE
 MYRTL BEACH, SC 29579

OVERALL PLAN VIEW

LOT 51 - GRAND DUNES

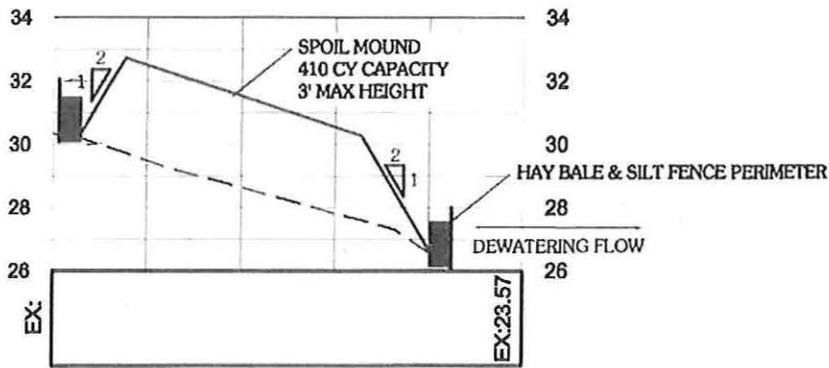
PIN 394-03-01-0006
 9525 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

RETENTION WALL & DOCK
 ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
 Horry County, S.C.

APPLICATION BY:
 KENNETH KARCHER

SHEET 5 OF 9



0+00

0+50

LOT 52
 PIN: 394-03-01-0005
 TMS: 165-28-01-064
 Current Owner
 SAMMY L. OWENS JR
 ETAL
 DB: 3699 - PG: 1584

LOT 51
 24,206 sqft
 0.56 acres
 PIN: 394-03-01-0006
 TMS: 165-28-01-063
 Current Owner
 KENNETH W. KARCHER
 ETAL
 DB: 3703 - PG: 1276

LOT 50
 PIN: 394-03-01-0007
 TMS: 165-28-01-062
 Current Owner
 GIACOMO CIPRIANI
 ETAL
 DB: 3697 - PG: 2425

LOT 53

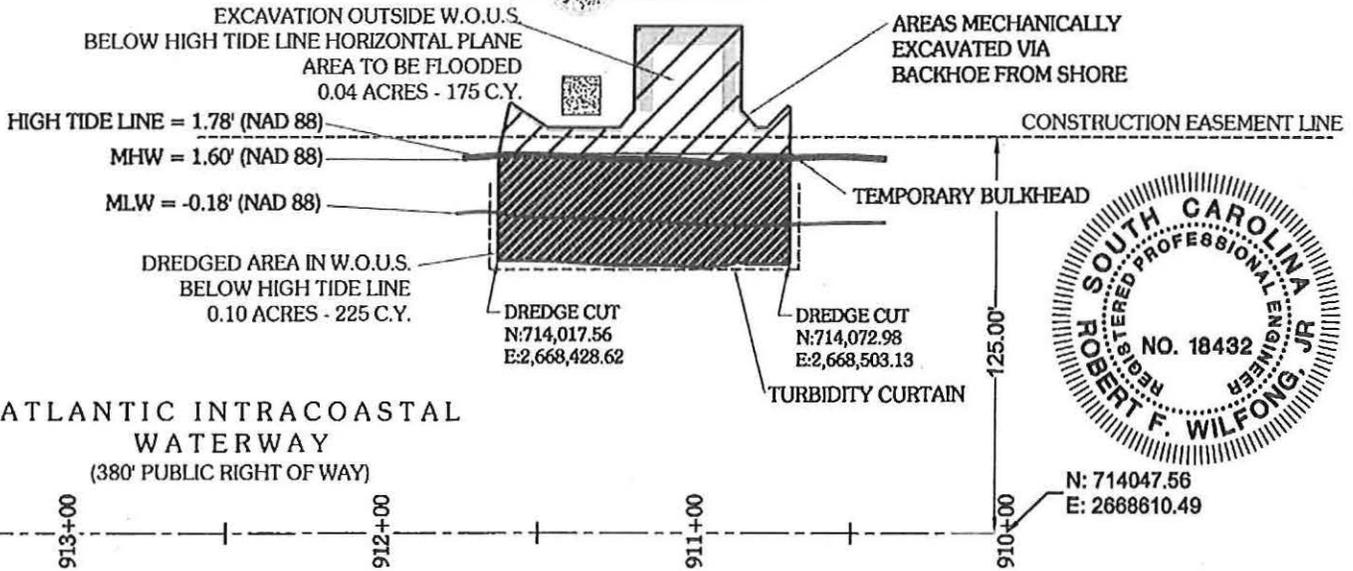


LOT 49

SPOIL DEWATERING BASIN
 85x45' AREA
 2:1 SLOPE (max)
 3' HEIGHT (max)
 410 CY CAPACITY

HAY BALE & SILT FENCE PERIMETER

RIGHT OF WAY



ATLANTIC INTRACOASTAL
 WATERWAY
 (380' PUBLIC RIGHT OF WAY)



1" = 60'

PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS
 PIN 394-03-01-0007
 GIACOMO CIPRIANI
 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
 SAMMY OWENS
 2162 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

IMPACTS & EXCAVATION

LOT 51 - GRAND DUNES

PIN 394-03-01-0006
 9525 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

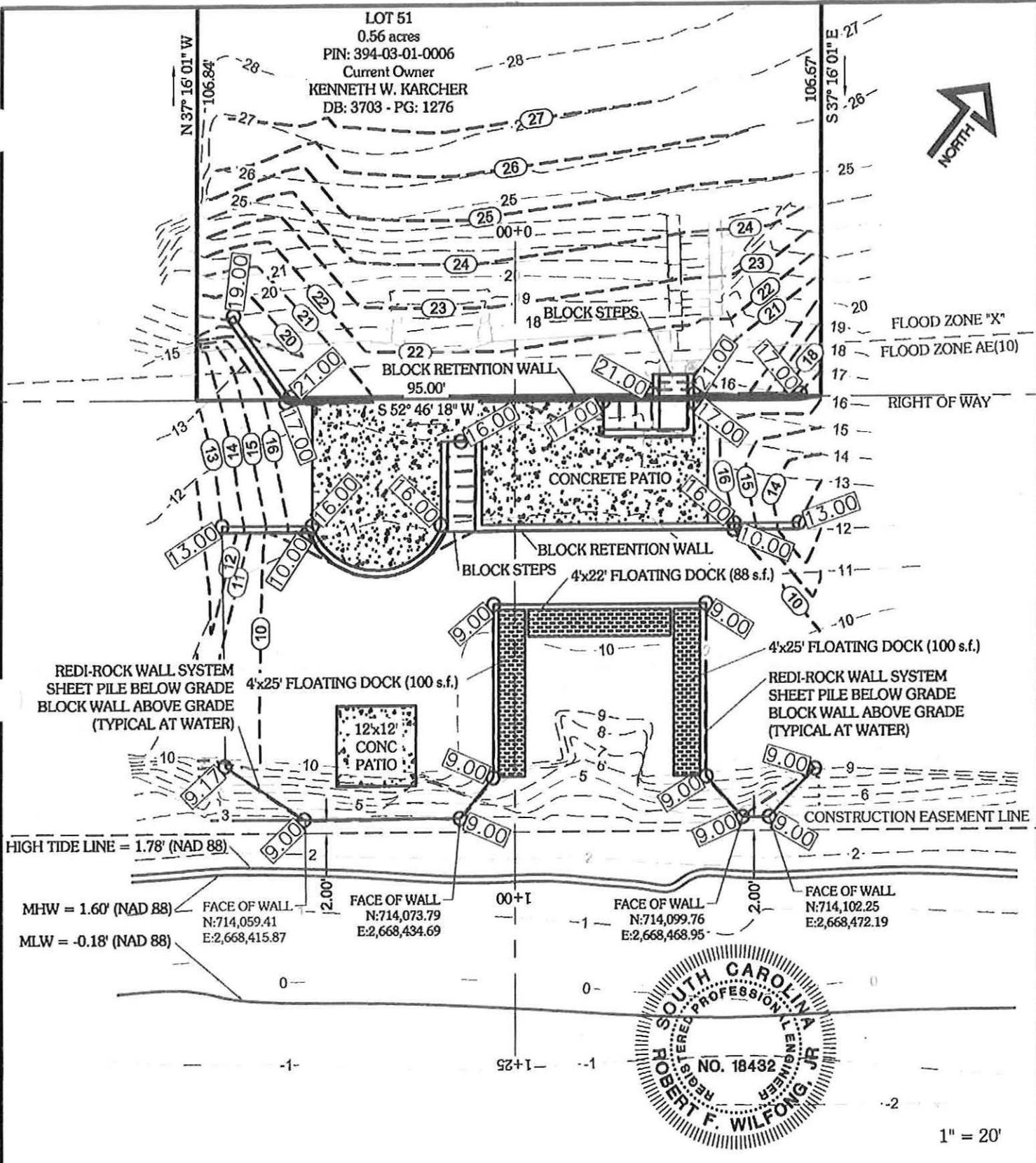
RETENTION WALL & DOCK
 ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
 HORRY COUNTY, S.C.

APPLICATION BY:
 KENNETH KARCHER

SHEET 6 OF 9

LOT 51
 0.56 acres
 PIN: 394-03-01-0006
 Current Owner
KENNETH W. KARCHER
 DB: 3703 - PG: 1276



1" = 20'

PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS
 PIN 394-03-01-0007
 GIACOMO CIPRIANI
 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
 SAMMY OWENS
 2162 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

PLAN VIEW

LOT 51 - GRAND DUNES

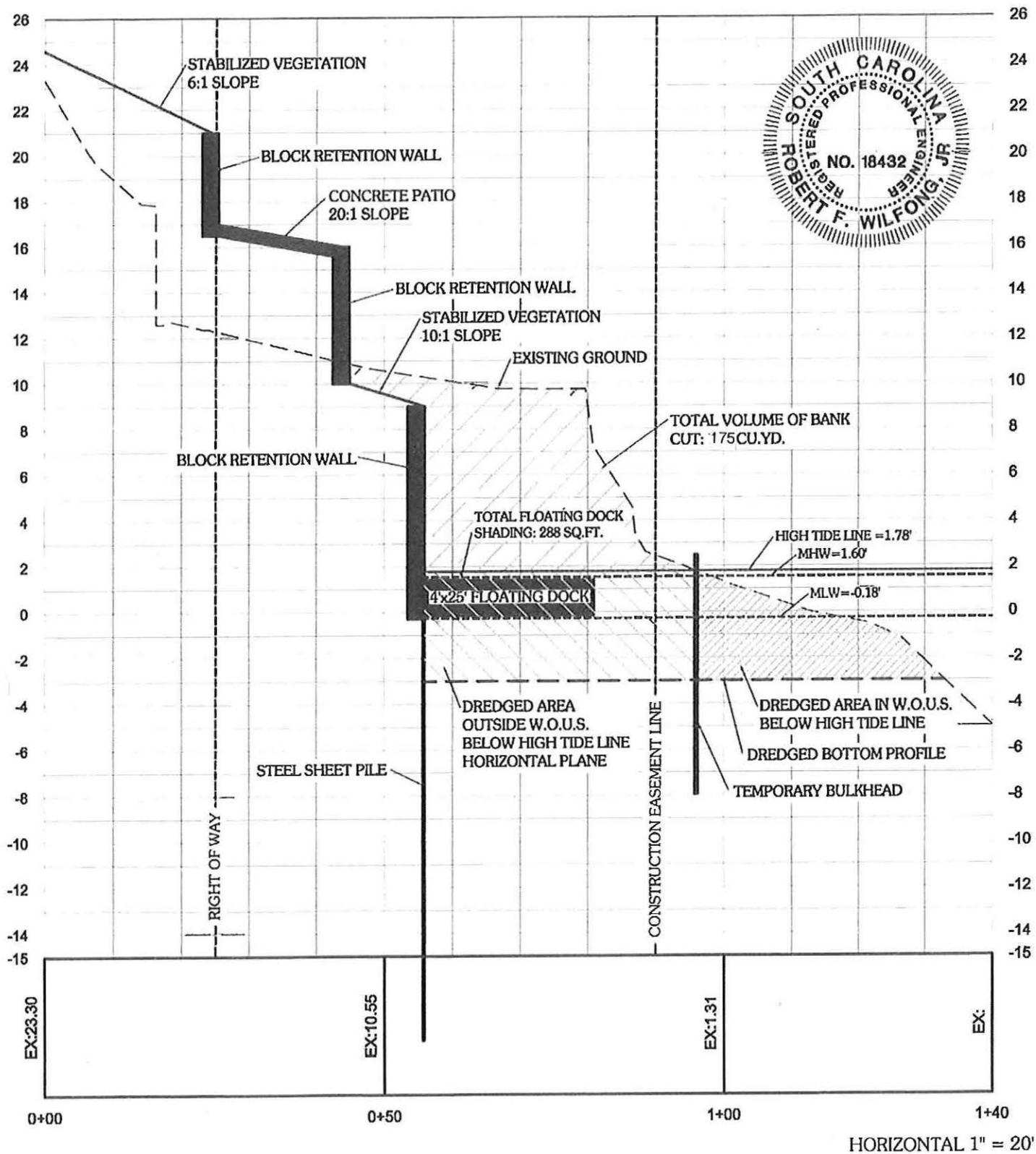
PIN 394-03-01-0006
 9525 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

RETENTION WALL & DOCK
 ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
 HORRY COUNTY, S.C.

APPLICATION BY:
 KENNETH KARCHER

SHEET 7 OF 9



PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS

PIN 394-03-01-0007
GIACOMO CIPRIANI
BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
SAMMY OWENS
2162 BELLASERA CIRCLE
MYRTL BEACH, SC 29579

**DOCK
CROSS SECTION
LOT 51 - GRAND DUNES**

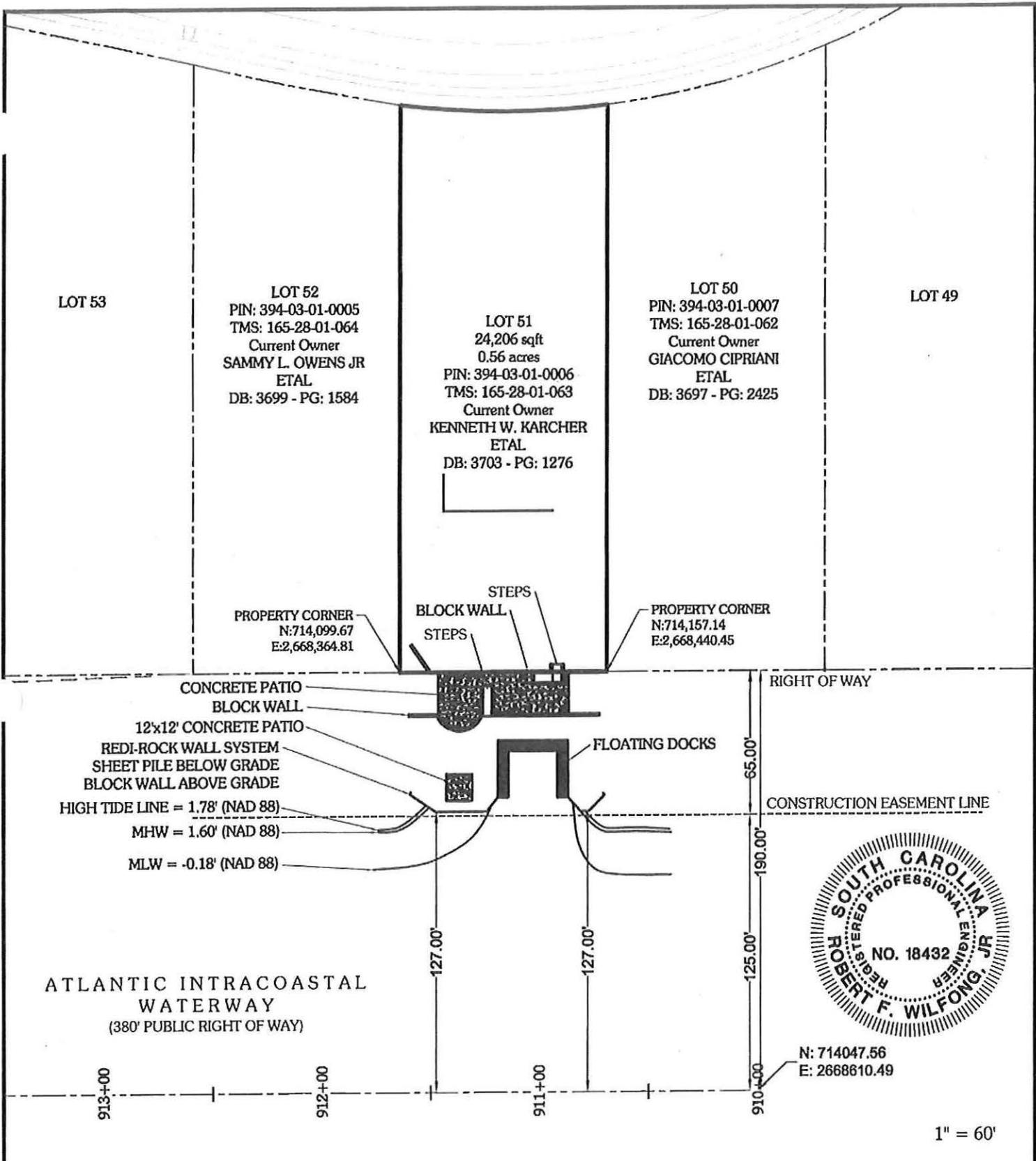
PIN 394-03-01-0006
9525 BELLASERA CIRCLE
MYRTLE BEACH, SC 29579

RETENTION WALL & DOCK
ATLANTIC INTRACOASTAL WATERWAY

CITY OF MYRTLE BEACH
HORRY COUNTY, S.C.

APPLICATION BY:
KENNETH KARCHER

SHEET 8 OF 9



PURPOSE: RETENTION WALL & DOCK

ADJACENT PROPERTY OWNERS
 PIN 394-03-01-0007
 GIACOMO CIPRIANI
 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

PIN 394-03-01-0005
 SAMMY OWENS
 2162 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

**OVERALL PLAN VIEW
 POST CONSTRUCTION
 WATER LINES**

PIN 394-03-01-0006
 9525 BELLASERA CIRCLE
 MYRTLE BEACH, SC 29579

**RETENTION WALL & DOCK
 ATLANTIC INTRACOASTAL WATERWAY**

CITY OF MYRTLE BEACH
 Horry County, S.C.

APPLICATION BY:
 KENNETH KARCHER

SHEET 9 OF 9