

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-2016-00849

6 June 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

Richard Benefiel
c/o The Brigman Company
P.O. Box 1532
Conway, South Carolina 29528

for a permit to dredge and construct a private docking facility and bulkhead in the

ATLANTIC INTRACOASTAL WATERWAY

located in the Grand Dunes Members Club, Lot 71 on Bellasera Circle, in Myrtle Beach, Horry County, South Carolina (Latitude: 33.7736°N, Longitude: -78.8050°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 docking facility, bulkhead and dredging within the Atlantic Intracoastal Waterway (AIWW). In detail, the proposed work consists

of the construction of a bulkhead for erosion control totaling 102 L.F. that will involve the placement of 35 cubic yards of clean fill material within 0.02 acres of open tidal waters of the AIWW. Within the backfilled areas for the proposed bulkhead, the applicant will construct a 12' x 12' covered fixed pierhead and a 3' x 74' fixed pierhead (perimeter walkway). The only proposed structure to be located within the AIWW is the 12.5' x 12.5' boatlift. In addition, the applicant proposes to dredge 2,021 cubic yards of material from 0.09 acres of the AIWW to a depth -11' below mean low water to afford adequate, safe navigational depths within and around the proposed docking area. The dredging will be conducted by mechanical means using a long reach excavator from a barge with a fixed storage bin in place behind the onboard track hoe. The barge holds approximately 100 cubic yards of material with small scuffle holes for drainage. The small scuffle holes will be lined with silt fence and straw bales to limit sediment from re-entering the waterway during the dredge operation. The dredge material will be offloaded with a loader from barge hopper and placed into dump trucks and transported directly to the offsite upland disposal area located at 1015 Vereen Drive, in North Myrtle Beach (TMS #144-03-01-002) property owned by C/K/ Vereen, LLC. The applicant stated that the project has been designed to limit dredging activities to the minimal amount necessary to provide access to the proposed docking structures at all tides. 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 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
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 (0.11) 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)(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.

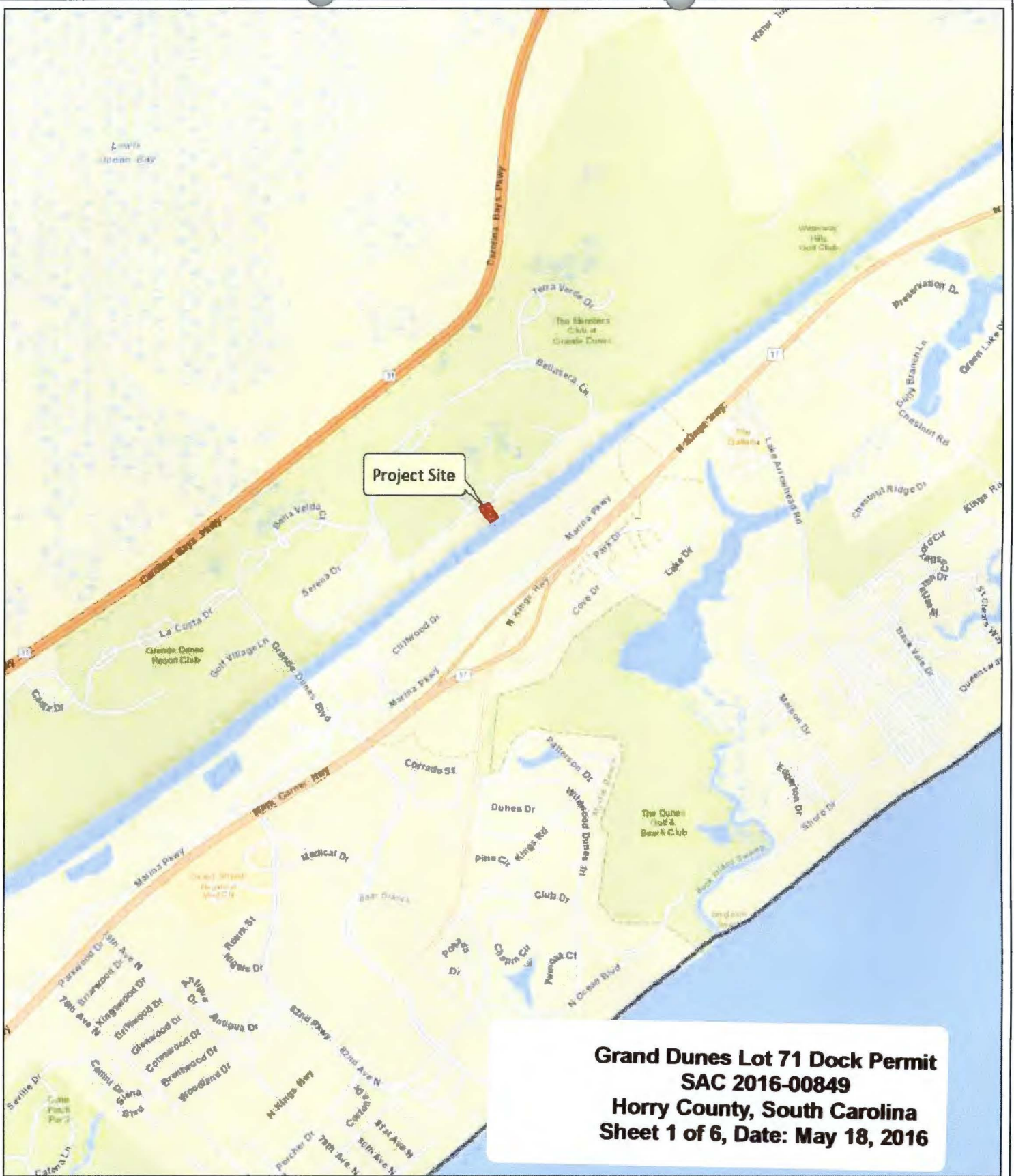
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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.

If there are any questions concerning this public notice, please contact Rob Huff, Watershed Manager, at 843-365-4239.



Project Site

**Grand Dunes Lot 71 Dock Permit
SAC 2016-00849
Horry County, South Carolina
Sheet 1 of 6, Date: May 18, 2016**



Vicinity Map
 Grande Dunes Lot 71 Dock Permit
 Horry County, SC
 Date: 4-25-16
 Application No.

Proposed Activity: Fixed dock, boat lift,
 boat lift & dredging
 Applicant: Richard A. Benefiel



the
BRIGMAN
 COMPANY
 wetland consulting - forest management - land surveying

607 Main Street - Conway, SC 29526 - Phone (843) 248-9388 - Fax

USGS

Grand
 Horry C
 Date: .
 Applic

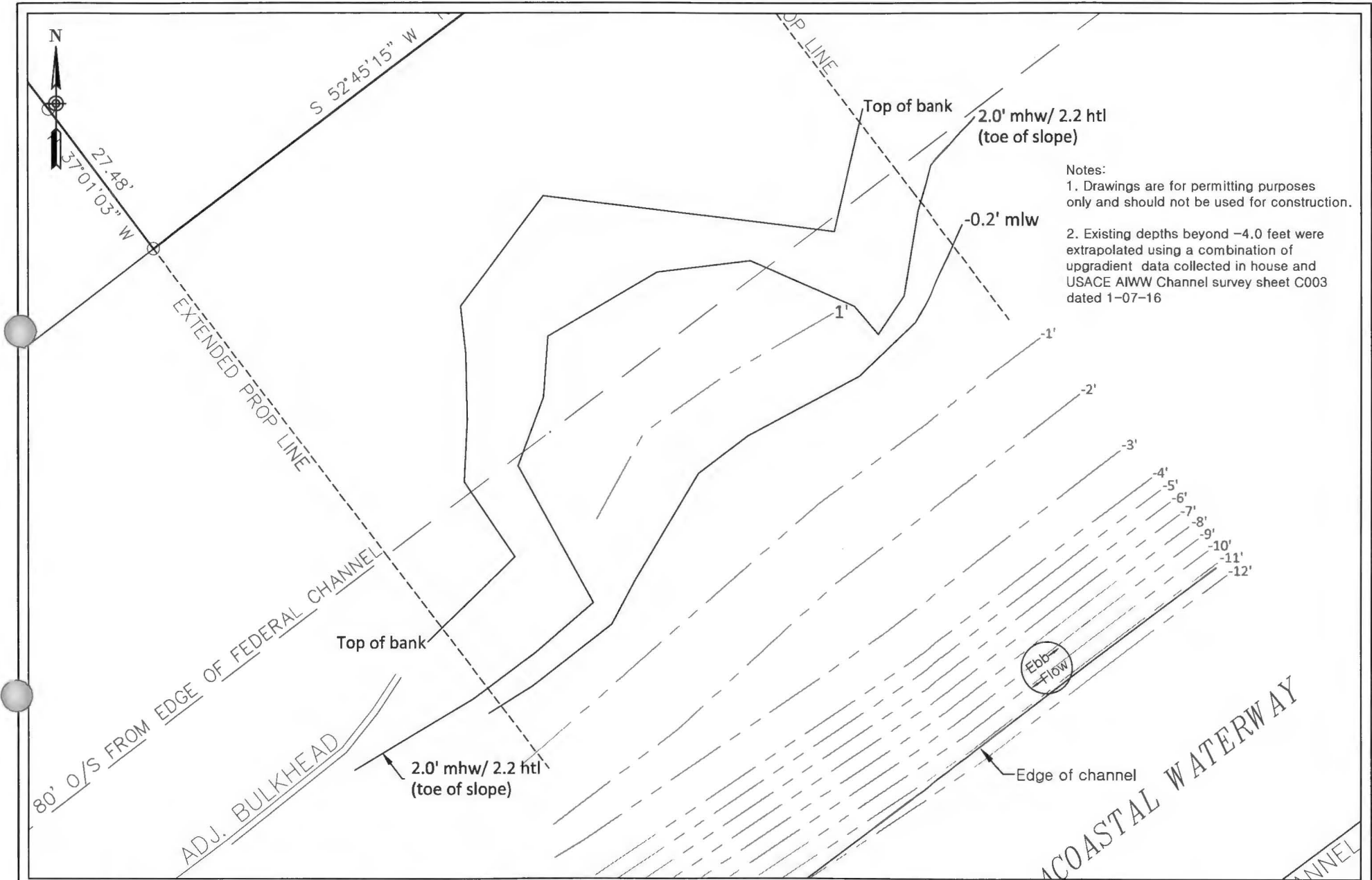
**Grand Dunes Lot 71 Dock Permit
 SAC 2016-00849
 Horry County, South Carolina
 Sheet 2 of 6, Date: May 18, 2016**

Fixed dock, boat lift,

A. Benefiel

Figure 2 of 6

00885-15444



the
BRIGMAN
COMPANY
 wetland consulting - forest management - land surveying
 800 Legion Street - Conway, SC 29526 - Phone (843) 248-9388 - Fax (843) 2

Plan View - Existing Conditions

Grande Dunes Lot 7
 Horry County, SC
 Date: 5-18-16
 Application No.

Grand Dunes Lot 71 Dock Permit
SAC 2016-00849
Horry County, South Carolina
Sheet 3 of 6, Date: May 18, 2016

Proposed Activity: Fixed dock, boat lift, boat lift & dredging
 Applicant: Richard A. Benefiel
 SCALE IN FEET
 20' 0 20'
 00885-15444



BELLASERA CIRCLE
R/W VARIES (PRIVATE)

Stanbridge Enterprises Limited
tms# 165-28-01-082
26 C Swiss Club Road
Singapore, 288124

LOT 71
20,827 SQ.FT.
0.48 ACRES

Steven Brown ETAL
tms# 165-28-01-084
P.O. Box 70759
Myrtle Beach, SC 29572

Top of bank 2.0' mhw/ 2.2 ft
(face of slope)
-0.2' mhw

Proposed Docking
& Dredging



Notes:
1. Drawings are for permitting purposes only and should not be used for construction.

2. Existing depths beyond -4.0 feet were extrapolated using a combination of upgradient data collected in house and USACE AIWW Channel survey sheet C003 dated 1-07-16



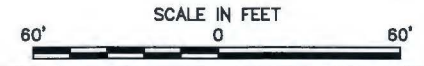
Overall Plan View
Grande Dunes Lot 71 Dock
Horry County, SC
Date: 5-18-16
Application No.

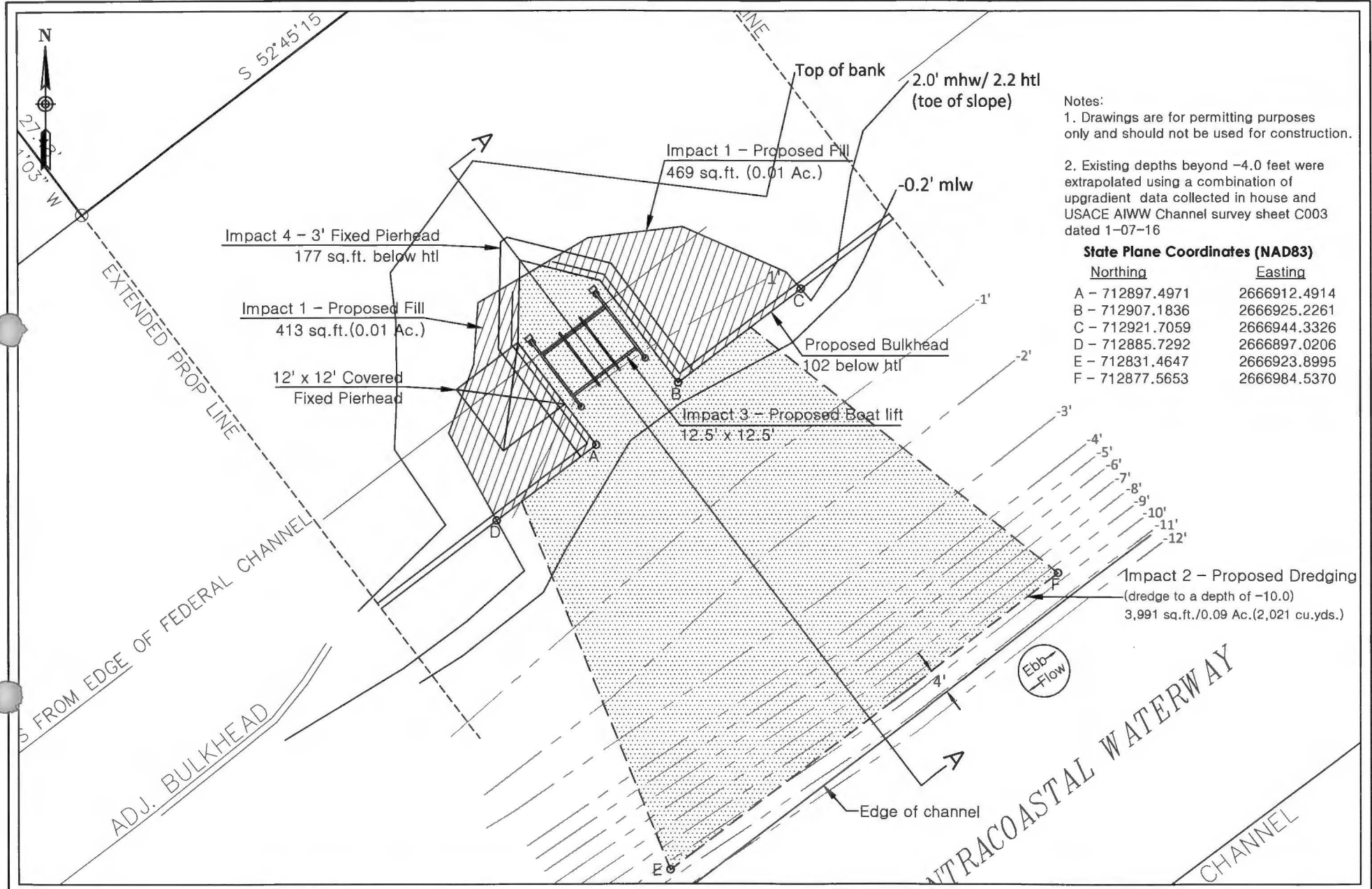
Grand Dunes Lot 71 Dock Permit
SAC 2016-00849
Horry County, South Carolina
Sheet 4 of 6, Date: May 18, 2016

Proposed Activity: Fixed dock, boat lift, boat lift & dredging

Applicant: Richard A. Benefiel

of 6

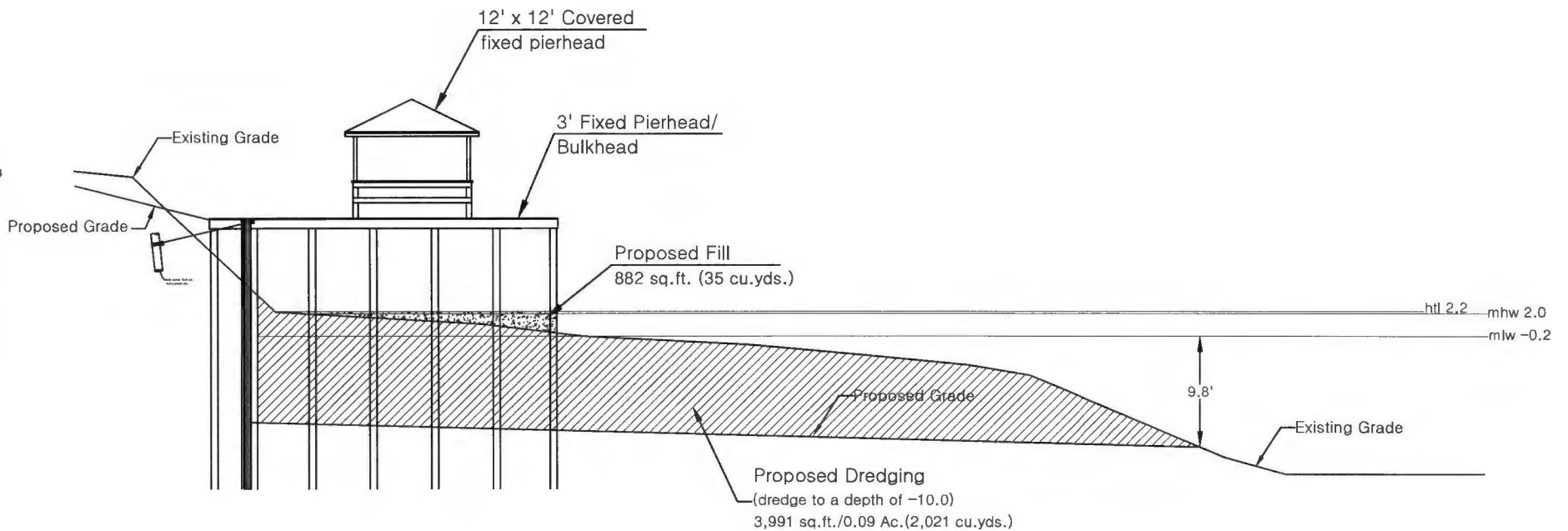




Plan View - Proposed
 Grande Dunes Lot 71 Dock Perr
 Horry County, SC
 Date: 5-18-16
 Application No.

Grand Dunes Lot 71 Dock Permit
SAC 2016-00849
Horry County, South Carolina
Sheet 5 of 6, Date: May 18, 2016

Proposed Activity: Fixed dock, boat lift, boat lift & dredging
 Applicant: Richard A. Benefiel
 SCALE IN FEET
 20' 0 20'



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1. Drawings are for permitting purposes only and should not be used for construction.
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Section View A-A

Grande Dunes Lot 71 Dock Perr
 Horry County, SC
 Date: 5-18-16
 Application No.

**Grand Dunes Lot 71 Dock Permit
 SAC 2016-00849
 Horry County, South Carolina
 Sheet 6 of 6, Date: May 18, 2016**

Proposed Activity: Fixed dock, boat lift,
 boat lift & dredging
 Applicant: Richard A. Benefiel