

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 OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # 2014-00820-3B

Date: November 12, 2014

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

PROMUS/FCH DEVELOPMENT COMPANY, INC.
C/O AMIE DRUCKER
CAROLINA SITE DESIGN, INC.
PO BOX 538
NORTH MYRTLE BEACH, SOUTH CAROLINA 29579

for a permit to perform beach nourishment adjacent to the

ATLANTIC OCEAN

located along the beachfront of Margate Towers at 8500 Margate Circle, in the City of North Myrtle Beach, South Carolina (Latitude: 33.764403°N; Longitude: -78.780789°W).

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 excavating material from the Atlantic Ocean and placing the material in a low area along the beachfront of Margate Towers. In detail, approximately 1,800 cubic yards of material will be removed from a 45,938 square foot area below the high tide line and placed in a 56,500 sf area along the beachfront. The material will be removed from the ocean bottom by a track hoe (excavator) and placed into an off road truck. The material will be transported to the designated fill area and deposited. The fill material will be graded to the proposed elevations depicted on the attached drawings via bulldozer. As stated by the applicant,

efforts to avoid and minimize impacts to waters of the United States include excavating just below the high tide line to minimize impacts to the beach and that the excavated area will be restored to its natural elevations by the rise and fall of the tide. The applicant offered no compensatory mitigation due to the minimal amount of impacts associated with the proposed project. As stated by the applicant, the project purpose is to fill in a low area along the beachfront that collects water and poses a health hazard.

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 the Coastal Zone Management Program (15 CFR 930). 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 (1.05) acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely effect any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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.

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 of Engineers cannot undertake to adjudicate rival claims.

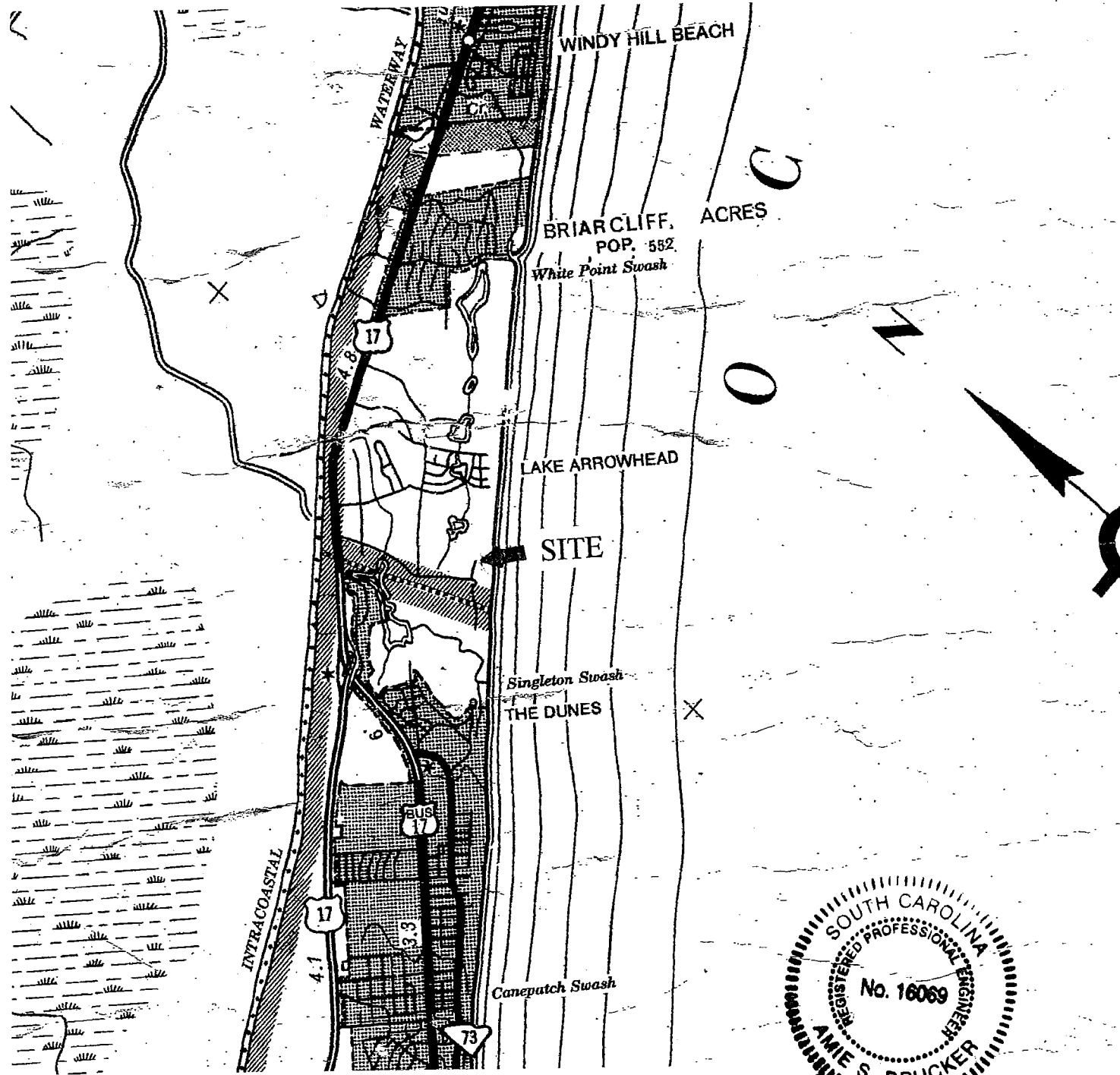
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The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers 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 Wiley Bracey at 843-365-1707.



SOUTH CAROLINA
REGISTERED PROFESSIONAL ENGINEER
No. 16069
AMIE S. DRUCKER
Amie S. Drucker
9-29-14

LOCATION: BEACHFRONT OF MARGATE TOWERS
NORTH MYRTLE BEACH, HORRY COUNTY
ACTIVITY: EXCAVATE SOIL AND DEPOSIT IN LOW AREA
TO ELIMINATE STANDING WATER

LOCATION MAP

Project: Margate Towers Beach Nourishment
Applicant: Promus/FCH Development Co., Inc.
Location: Horry County
Date: November 10, 2014
SAC# 2014-00820-3B

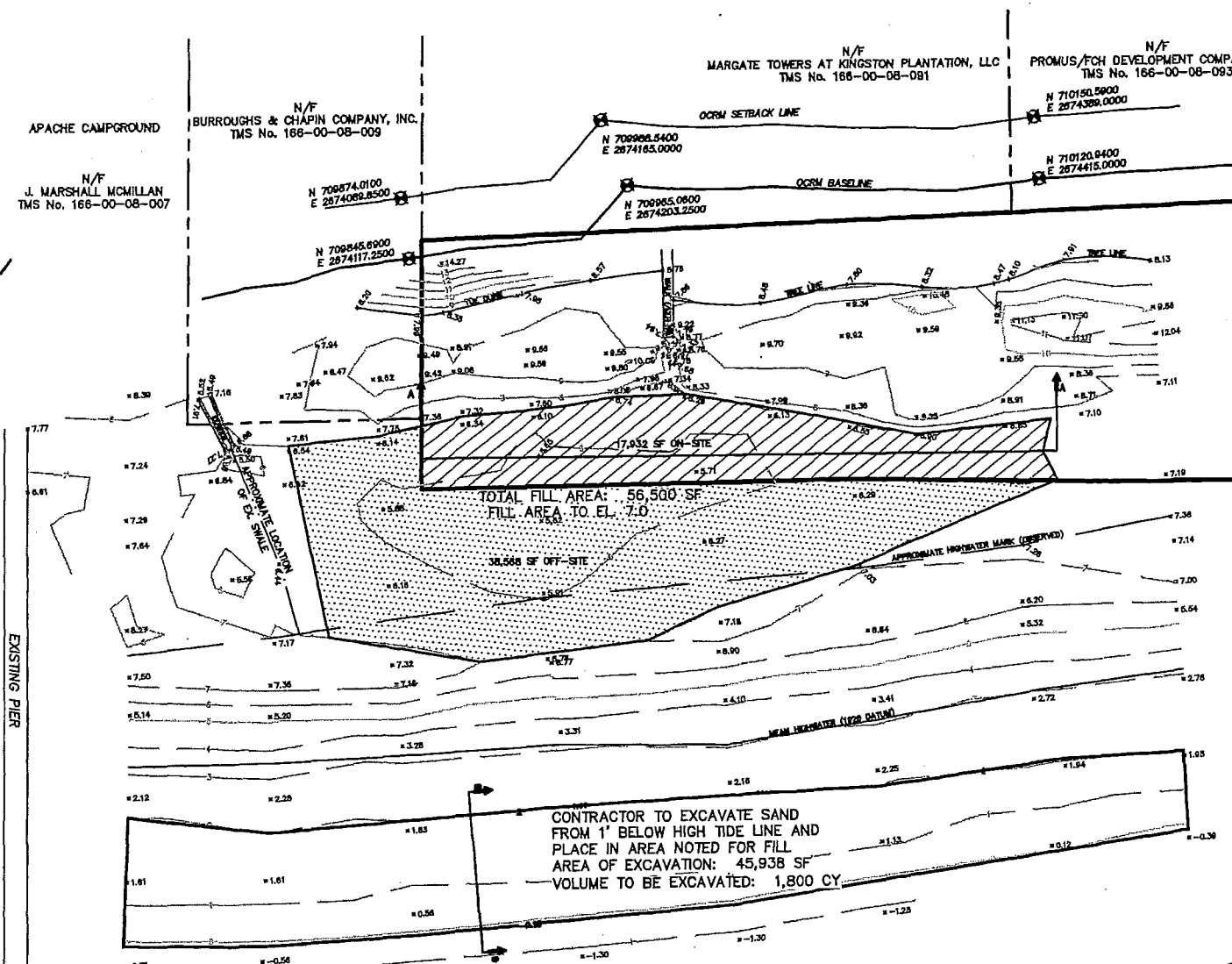
PREPARED FOR
PROMUS/FCH DEVELOPMENT COMPANY, LLC
755 CROSSOVER LANE, MEMPHIS, TN 38117

Sheet 1 of 3

SOUTH CAROLINA
SITE DESIGN, INC.
NO. C02943
OFFICE OF AUTHORIZATION

**CAROLINA
SITE DESIGN, INC.**
ENGINEERING • PLANNING
291-D S.G. HIGHWAY 90 E
POST OFFICE BOX 536
NORTH MYRTLE BEACH, S.C. 29597

(843) 280-5870
OFFICE & FAX



LOCATION: BEACHFRONT OF MARGATE TOWERS
 NORTH MYRTLE BEACH, HORRY COUNTY
 ACTIVITY: EXCAVATE SOIL AND DEPOSIT IN LOW AREA
 TO ELIMINATE STANDING WATER

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Sheet 2 of 3

PREPARED BY ATLANTIC SURVEYING,

NA SITE
 N, INC.

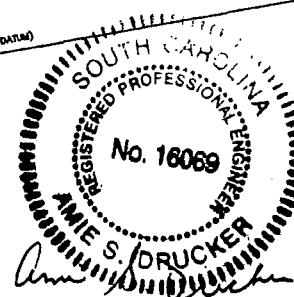
NO. C02943



**CAROLINA
 SITE DESIGN, INC.**
 ENGINEERING • PLANNING

291-D S.C. HIGHWAY 90 E.
 POST OFFICE BOX 538
 NORTH MYRTLE BEACH, S.C. 29597

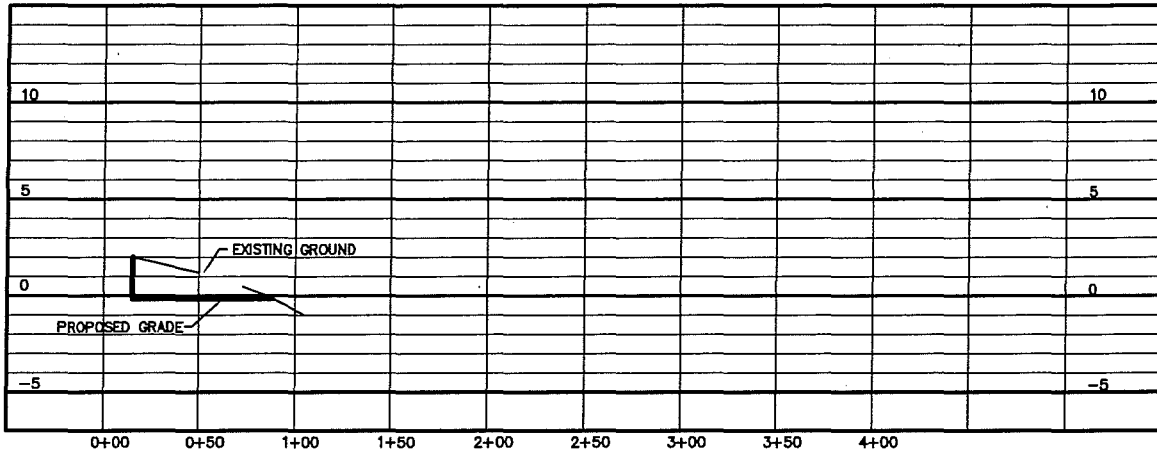
(843) 280-5870
 OFFICE & FAX



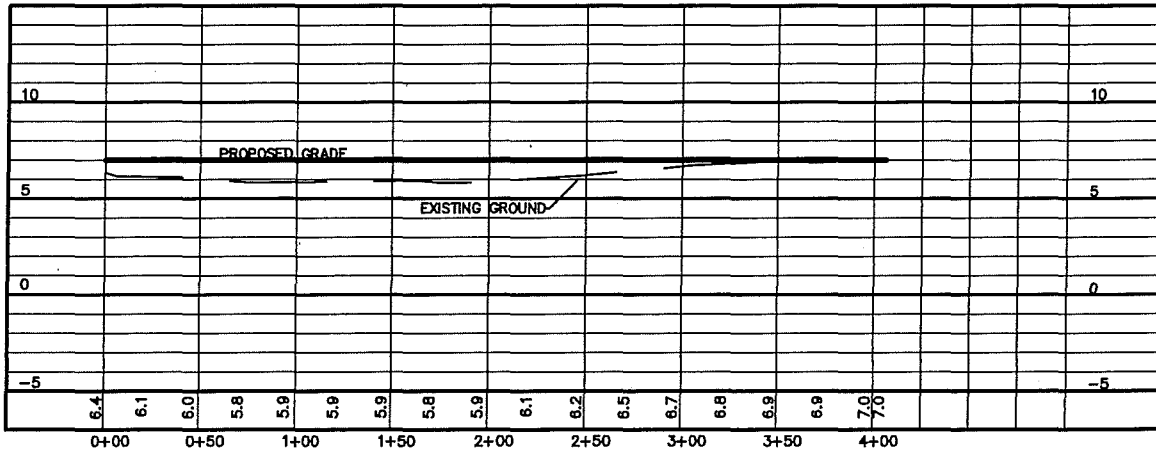
SITE PLAN 10/30/14

PREPARED FOR
PROMUS/FCH DEVELOPMENT COMPANY, LLC
 755 CROSSOVER LANE, MEMPHIS, TN 38117

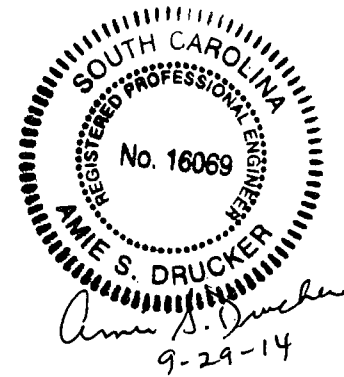
SCALE: 1"=100'



CUT SECTION B-B
 SCALE: 1"=100'H
 1"=10'V



FILL SECTION A-A
 SCALE: 1"=100'H
 1"=10'V



Project: Margate Towers Beach Nourishment
 Applicant: Promus/FCH Development Co., Inc.
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Sheet 3 of 3

FILL SECTION

PREPARED FOR
 PROMUS/FCH DEVELOPMENT COMPANY, LLC
 755 CROSSOVER LANE, MEMPHIS, TN 38117

BOUNDARY/TOPOGRAPHIC INFORMATION
 PROVIDED BY A FIELD SURVEY
 PREPARED BY ATLANTIC SURVEYING,



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