

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-2019-00684

DATE October 30, 2020

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

Ms. Paige Bird
Brada Homes, LLC
PO Box 70878
Myrtle Beach, South Carolina 29572

for a permit to construct a dock and dredge in the

Atlantic Intracoastal Waterway (AIWW)

at a location on the AIWW, at 437 St. Julian Street, Myrtle Beach, Horry County, South Carolina (Latitude: 33.7526 °, Longitude: -78.8444 °), **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 recreational dock and dredging**. In detail the applicant is proposing to construct a 12' x 12' fixed pierhead connected to

an existing bulkhead by a 5' x 46' walkway. Attached to west side of the pierhead will be a 12.5' x 12.5' boat lift with a dual personal watercraft lift attached to its east side. A set of 3' wide stairs descending to the water will be attached to the walkways east side where it connects with the existing bulkhead. Two 2' x 5' box storage areas will be attached to opposite sides of the walkway just before it attaches to the pierhead.

In addition, the applicant proposes to dredge approximately 145 cubic yards of material (0.05 acres) waterward of the proposed pierhead to allow for navigable depths during tidal cycles. Dredging will be conducted by Black Water Dredging, utilizing a barge mounted long reach excavator and hopper dredging. The spoilage will be deposited on the barge, allowed to dewater in place, and any additional water left over after settling will then be pumped off the top back into the AIWW. The material will then be transported to an upland site and utilized for other fill projects. Silt curtains will be placed temporarily around the dredging area to contain suspended sediments.

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 **0.05** 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 West Indian Manatee (*Trichechus manatus*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), and Shortnose Sturgeon (*Acipenser brevirostrum*) have the potential to occur within the vicinity of the project area. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*) and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), and will not result in the destruction or adverse modification of their designated or proposed critical habitat. Additionally, the District Engineer has determined that the project is not likely to adversely affect 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.

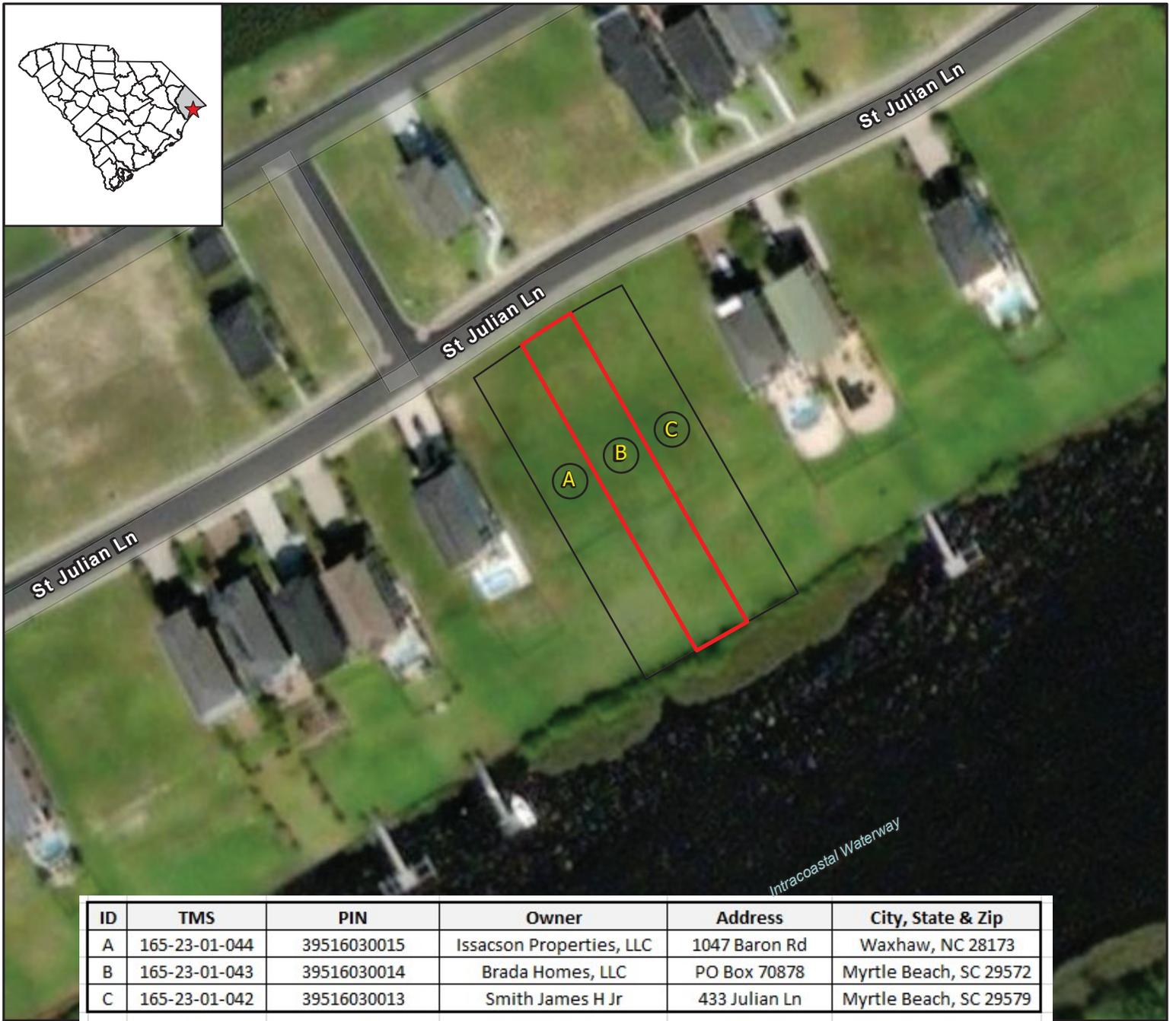
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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, or by email at Tony.B.hardee@usace.army.mil.

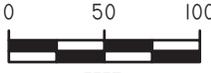


ID	TMS	PIN	Owner	Address	City, State & Zip
A	165-23-01-044	39516030015	Issacson Properties, LLC	1047 Baron Rd	Waxhaw, NC 28173
B	165-23-01-043	39516030014	Brada Homes, LLC	PO Box 70878	Myrtle Beach, SC 29572
C	165-23-01-042	39516030013	Smith James H Jr	433 Julian Ln	Myrtle Beach, SC 29579



SITE / VICINITY

THE BATTERY
LOT 18

SCALE
1:1,200
1" = 100'

EARTHWORKS
planning and design consultants

11655 HIGHWAY 707
MURRELLS INLET, SC 29576
P: 843-651-7900 F: 843-651-7903
WWW.EARTHWORKSGROUP.COM

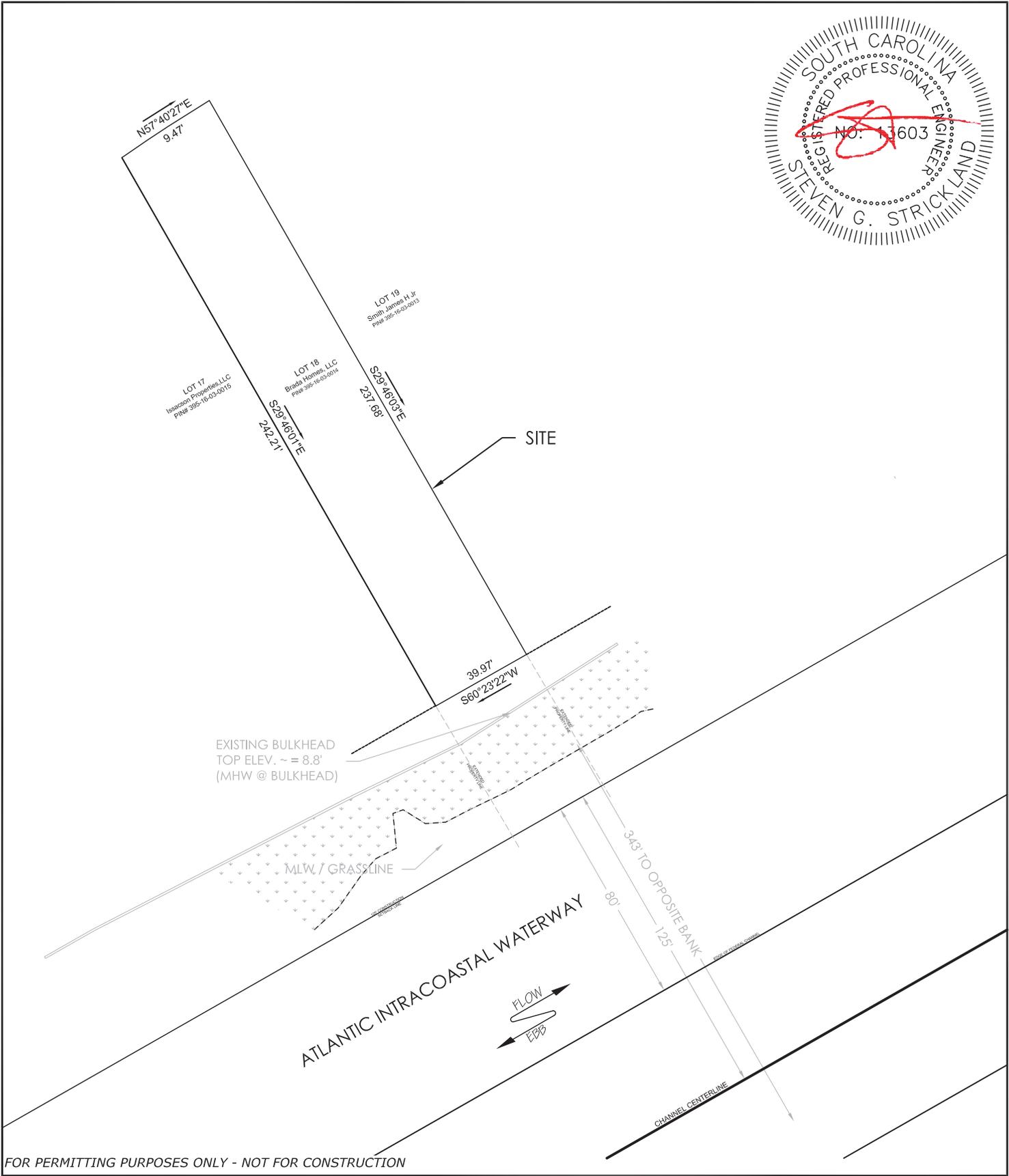
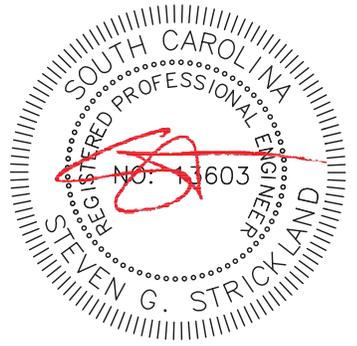
APPLICANT: **Brada Homes, LLC**
PO Box 70878
Myrtle Beach, SC 29572

LOCATION: The Battery - Lot 18
Myrtle Beach, SC - Horry County

LAT/LONG: 33.753039 by -78.844700
USGS QUAD: Hand

DATE: 9/23/2020

SHEET
1



FOR PERMITTING PURPOSES ONLY - NOT FOR CONSTRUCTION

EARTHWORKS
planning and design consultants

11655 HIGHWAY 707
MURRELLS INLET, SC 29576
phone - 843.651.7900
fax - 843.651.7903
earthworksgroup.com

SITE - EXISTING
LOT 18 - THE BATTERY

JOINT STATE/FEDERAL DOCK PERMIT APPLICATION

0 25 50
SCALE
1" = 50'

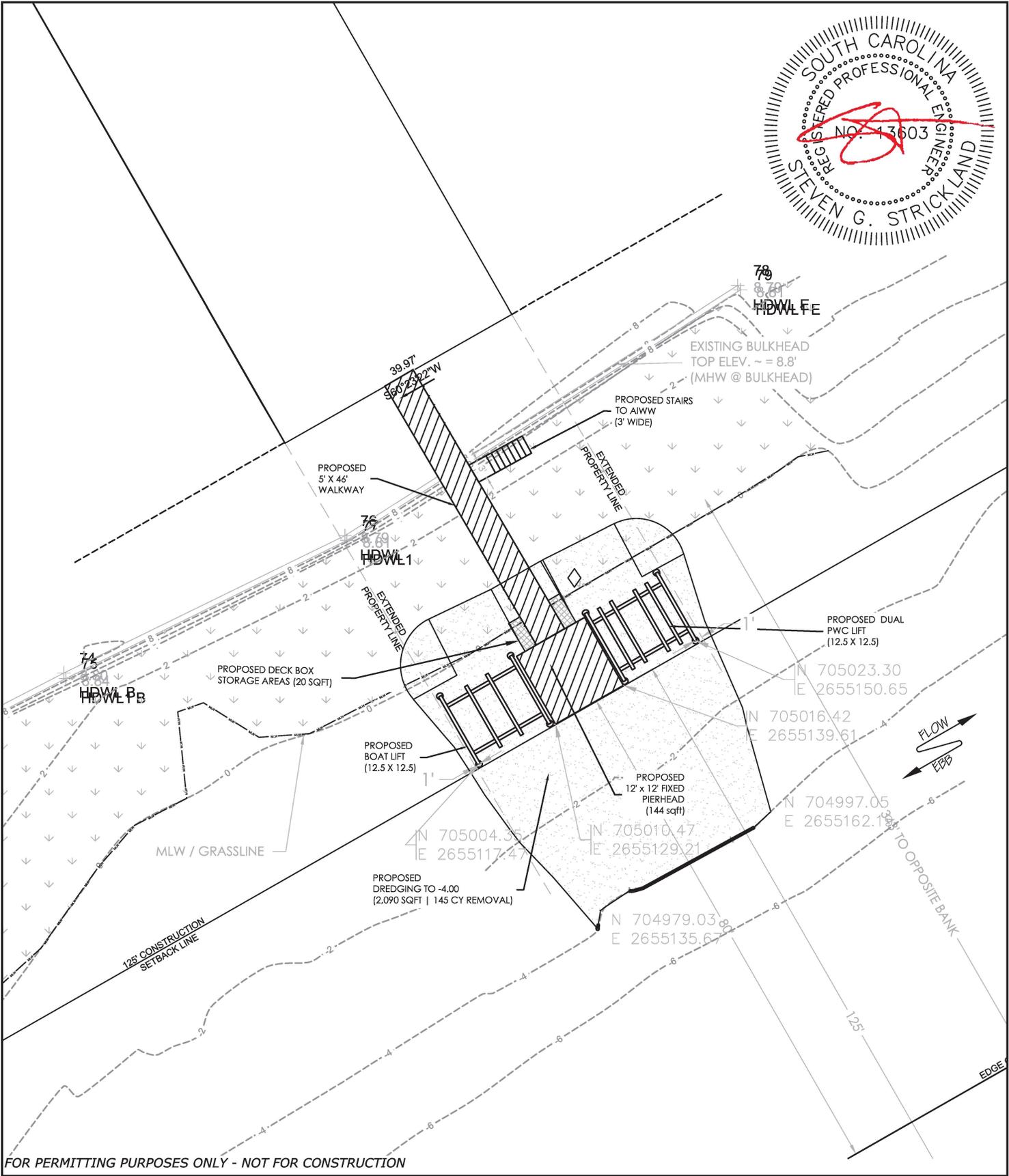
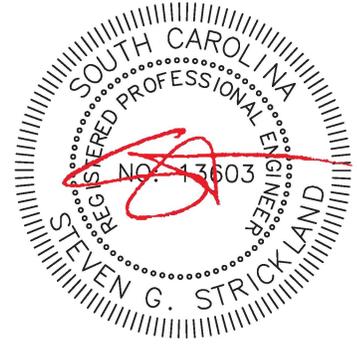
APPLICANT: **BRADA HOMES, LLC**
PO BOX 70878
MYRTLE BEACH, SC 29572

LOCATION: THE BATTERY - LOT 18
MYRTLE BEACH, SC - HORRY COUNTY

LAT/LONG: 33.753039, -78.844700
USGS QUAD: HAND

DATE: 9/22/20

SHEET
1



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planning and design consultants

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 MURRELLS INLET, SC 29576
 phone - 843.651.7900
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 earthworksgroup.com

PROPOSED DOCKAGE

LOT 18 - THE BATTERY

JOINT STATE/FEDERAL DOCK PERMIT APPLICATION

0 10 20 SCALE 1" = 20'

APPLICANT: Brada Homes, LLC
 PO Box 70878
 MYRTLE BEACH, SC
 Horry County

LOCATION: THE BATTERY - LOT 18
 MYRTLE BEACH, SC - Horry County

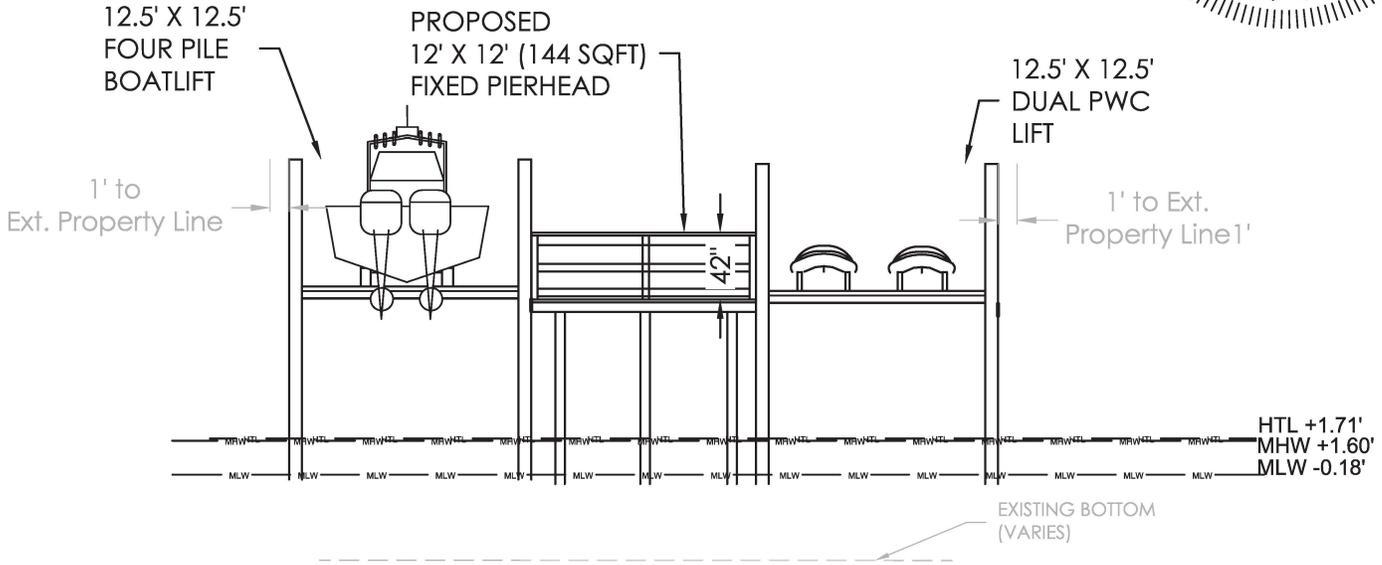
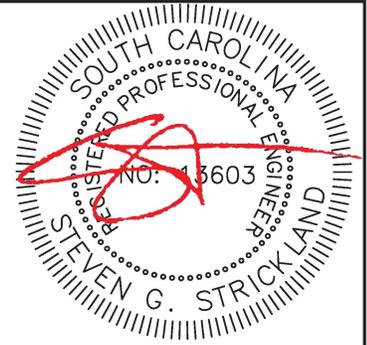
LAT/LONG: 33.753039, -78.844700

USGS QUAD: HAND

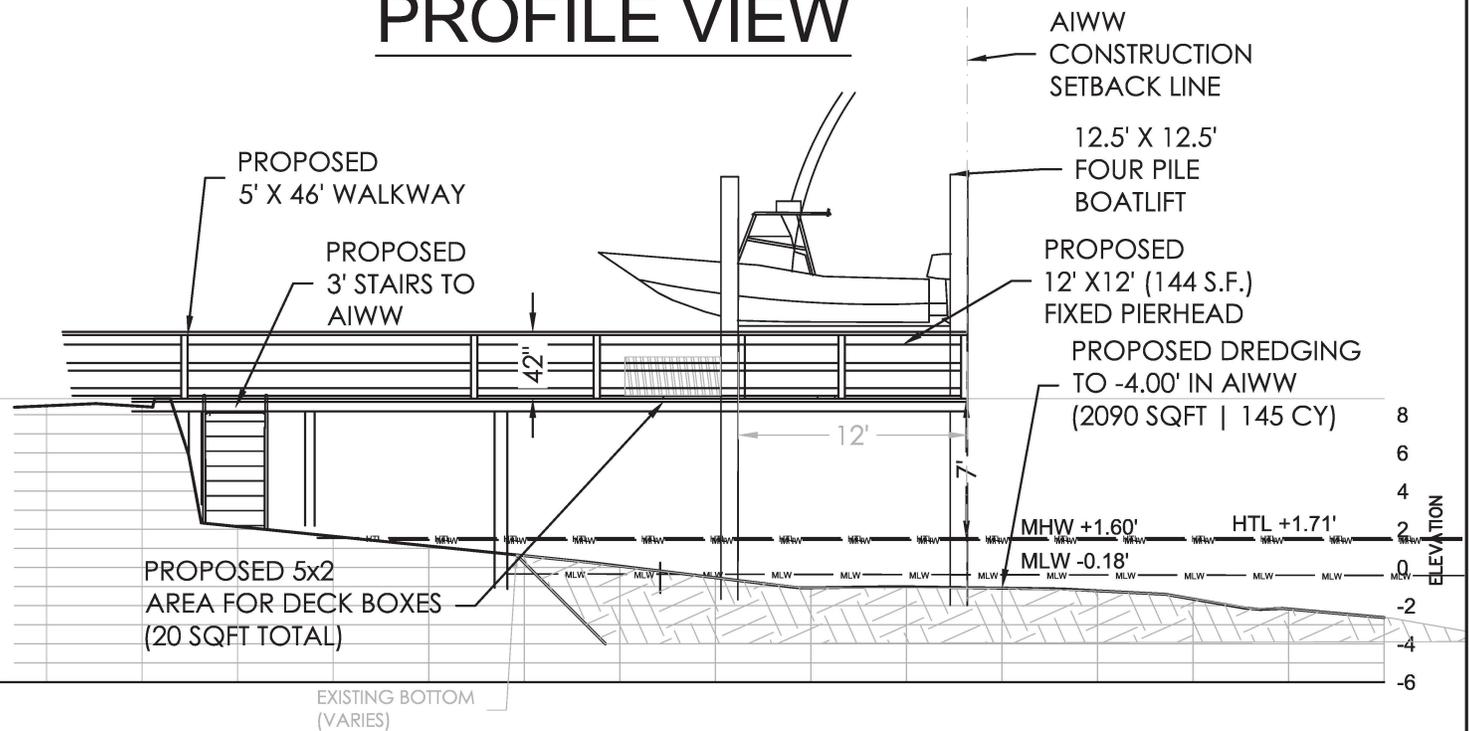
DATE: 9/23/20

SHEET 2

FRONT VIEW



PROFILE VIEW



FOR PERMITTING PURPOSES ONLY - NOT FOR CONSTRUCTION

EARTHWORKS
MAP LOCAL New EV 350 final.org
 planning and design consultants
 11655 HIGHWAY 707
 MURRELLS INLET, SC 29576
 phone - 843.651.7900
 fax - 843.651.7903
 earthworksgroup.com

**PROPOSED DOCKAGE
 FRONT & PROFILE VIEW**
 LOT 18 - THE BATTERY
 JOINT STATE/FEDERAL DOCK PERMIT APPLICATION

0 5 10 SCALE 1" = 10'

APPLICANT: **BRADA HOMES, LCC**
 PO BOX 70878
 MYRTLE BEACH, SC 29579

LOCATION: THE BATTERY - LOT 18
 MYRTLE BEACH, SC - HORRY COUNTY
 LAT/LONG: 33.7527018, -78.8445807
 USGS QUAD: HAND

DATE: 09/09/2020

TEG PN: 201155

SHEET 3