

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**1949 INDUSTRIAL PARK ROAD, ROOM 140**  
**CONWAY, SC 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 # 2012-00708-3IY (REVISED)**

**September 24, 2012**

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

**Gary Langston**  
**c/o The Brigman Company**  
**Britt Feldner**  
**PO Box 1532**  
**Conway, SC 29528**

for a permit to construct additions to an existing private use recreational dock and to perform associated dredging in the

**Atlantic Intracoastal Waterway**

located at  
3800 Waterford Drive, Myrtle Beach, Horry County, South Carolina  
(Latitude: 33.72957; Longitude: -78.89067).

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.

This revised public notice reflects the following changes: **corrected AIWW centerline offset, revised project coordinates, revised dredging methodology, and dredged material disposal. Additionally, the previous public notice dated July 21, 2012, inadvertently omitted the SCDHEC navigable waters authority. The project is situated outside the SCDHEC – OCRM critical area and its jurisdiction.**

The proposed work consists of the construction of a private use recreational dock and dredging for boat access. Specifically, additions to an existing structure include: constructing a 38.5' x 42' covered double boatlift, repositioning an existing 24' x 13' personal watercraft lift, and associated walkways running parallel to the bank. Finally, the applicant is proposing to mechanically dredge approximately 865 cubic yards of material from the AIWW by using a long reach excavator situated on the adjacent uplands. The dredged material will be deposited directly on the adjacent uplands to be used as fill material onsite. The purpose of the proposed work, as stated by the applicant, is to provide recreational access to the AIWW, boat storage. The applicant offered no mitigation for the proposed work.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings 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). The District Engineer will not process this application to a conclusion until such certifications are received. 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 applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification or the navigable waters permit must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 (0.17) 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 affect 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.

In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

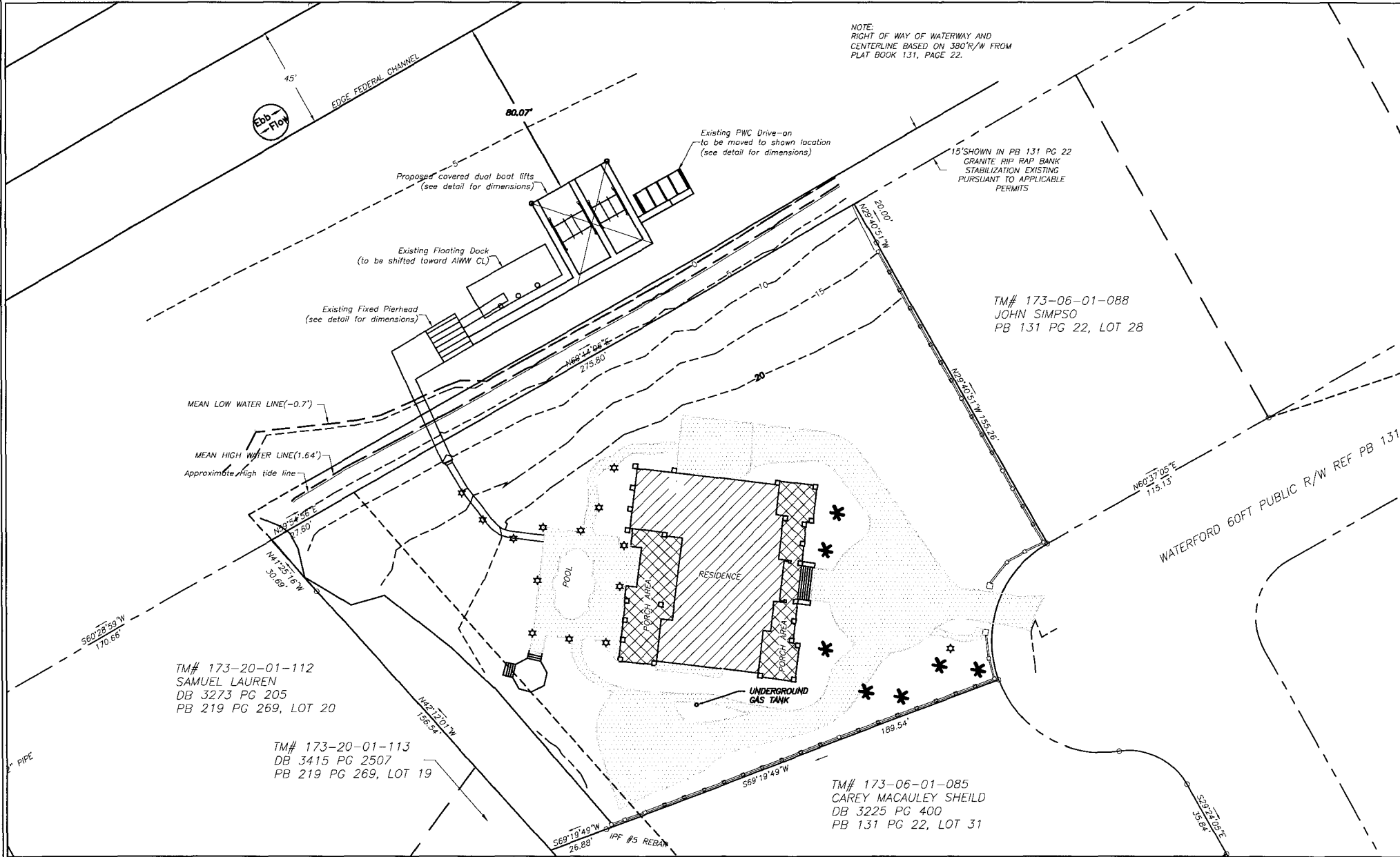
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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.

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 T. Brian Hardee at 843-365-0848.

# Overall Plan View



NOTE:  
RIGHT OF WAY OF WATERWAY AND  
CENTERLINE BASED ON 380'R/W FROM  
PLAT BOOK 131, PAGE 22.

TM# 173-06-01-088  
JOHN SIMPSON  
PB 131 PG 22, LOT 28

TM# 173-20-01-112  
SAMUEL LAUREN  
DB 3273 PG 205  
PB 219 PG 269, LOT 20

TM# 173-20-01-113  
DB 3415 PG 2507  
PB 219 PG 269, LOT 19

TM# 173-06-01-085  
CAREY MACAULEY SHEILD  
DB 3225 PG 400  
PB 131 PG 22, LOT 31

## Langston Dock Improvements

Horry County  
Date: 6-28-12  
Date Revised:  
Application No. \_\_\_\_\_

**Notes:**  
1. Drawings are for permitting only and should not be used for construction  
2. Boundary, existing dock locations, and A.I.W.W. channel information taken from survey by Lower Carolina Surveying dated, April 4, 2012 and titled "Dock Survey, Gary Langston, ETAL.

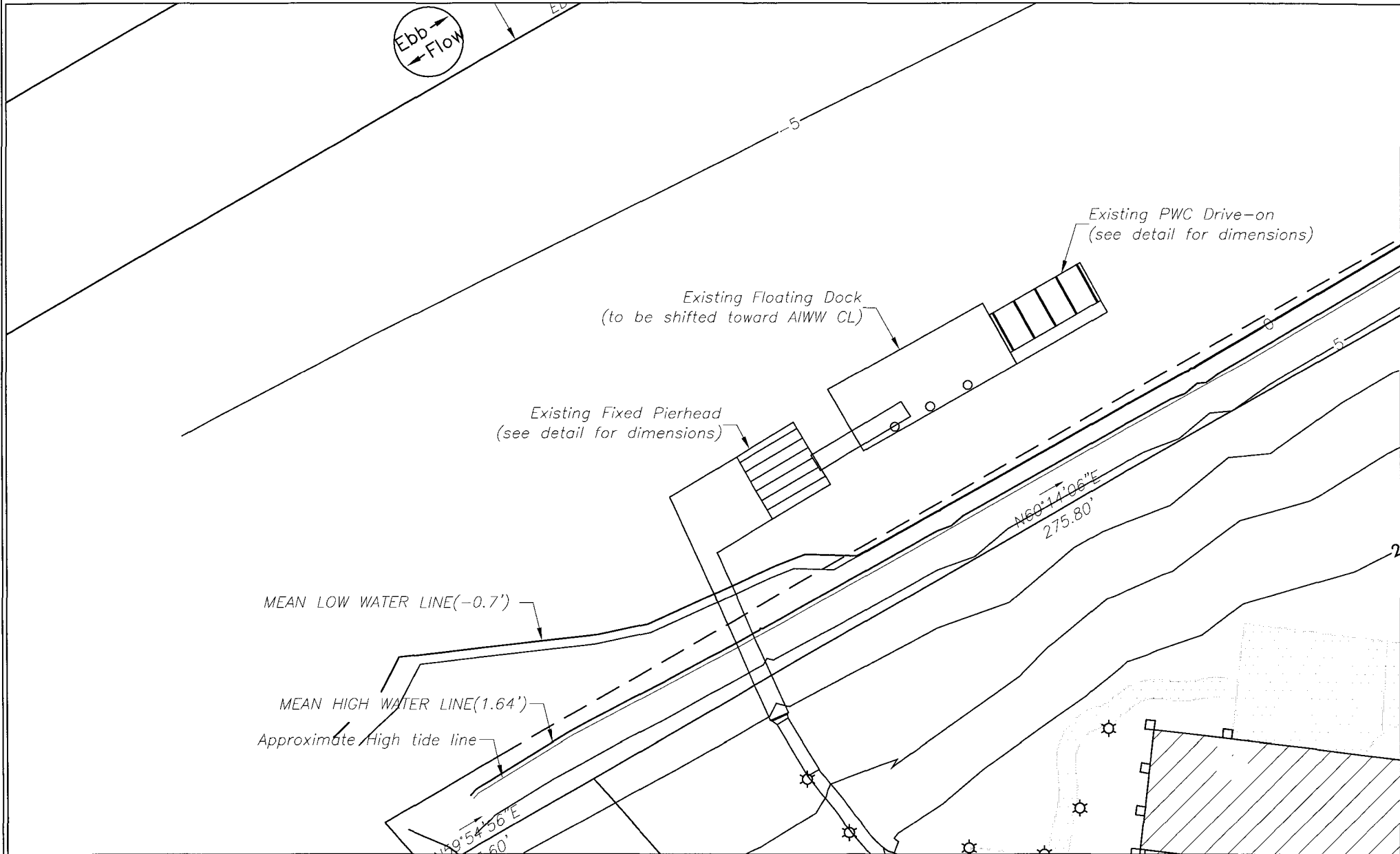
PROPOSED ACTIVITY: Dock Improvements & dredging

APPLICANT: Gary Langston

FIGURE 3

SCALE IN FEET  
60' 0 60'

# Plan View - Existing Docking



## Langston Dock Improvements

Horry County

Date: 6-28-12

Date Revised:

Application No. \_\_\_\_\_

### Notes:

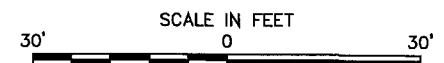
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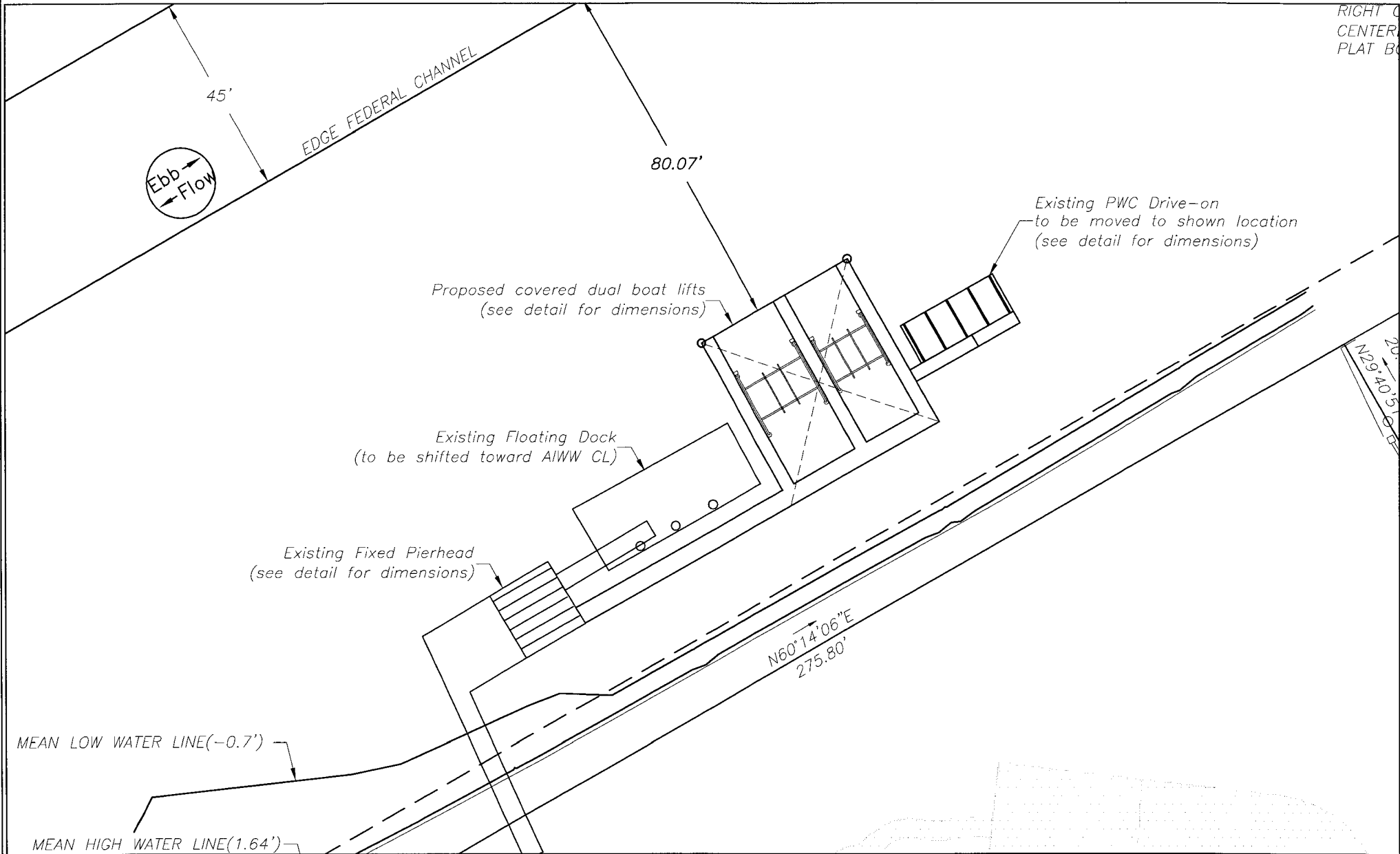
FIGURE  
4

PROPOSED ACTIVITY: Dock Improvements

APPLICANT: Gary Langston



# Plan View - Proposed Docking



RIGHT OF  
CENTER  
PLAT B

## Langston Dock Improvements

Horry County

Date: 6-28-12

Date Revised:

Application No. \_\_\_\_\_

**Notes:**

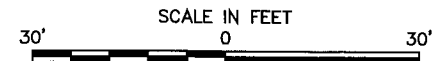
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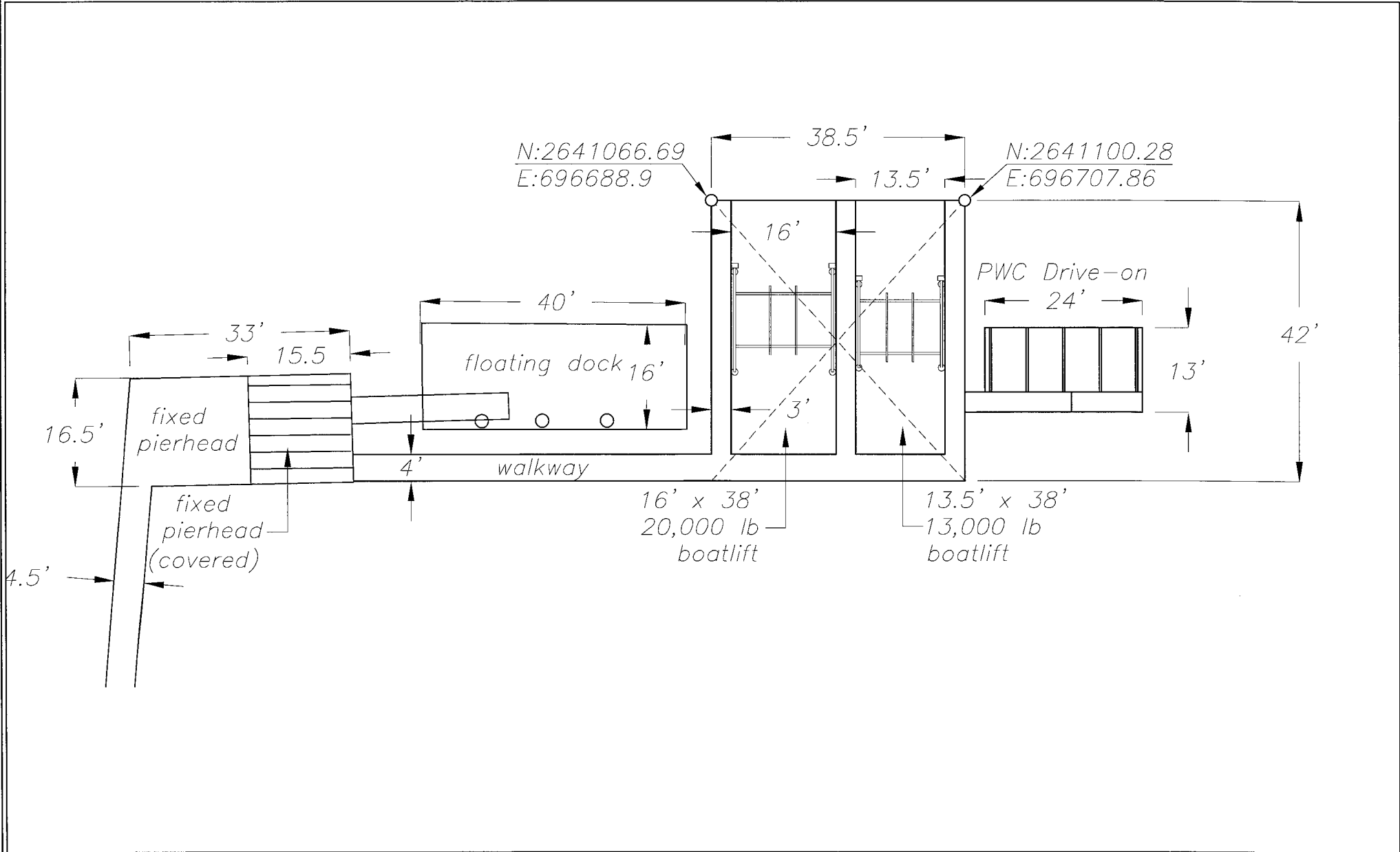
FIGURE  
**5**

PROPOSED ACTIVITY: Dock Improvements

APPLICANT: Gary Langston



# Docking Detail



## Langston Dock Improvements

Horry County

Date: 6-28-12

Date Revised:

Application No. \_\_\_\_\_

### Notes:

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2. Boundary, existing dock locations, and A.I.W.W. channel information taken from survey by Lower Carolina Surveying dated, April 4, 2012 and titled "Dock Survey, Gary Langston, ETAL.
3. Coordinates are in State Plane NAD 1983.

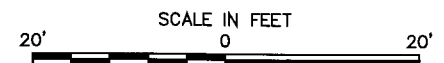


FIGURE

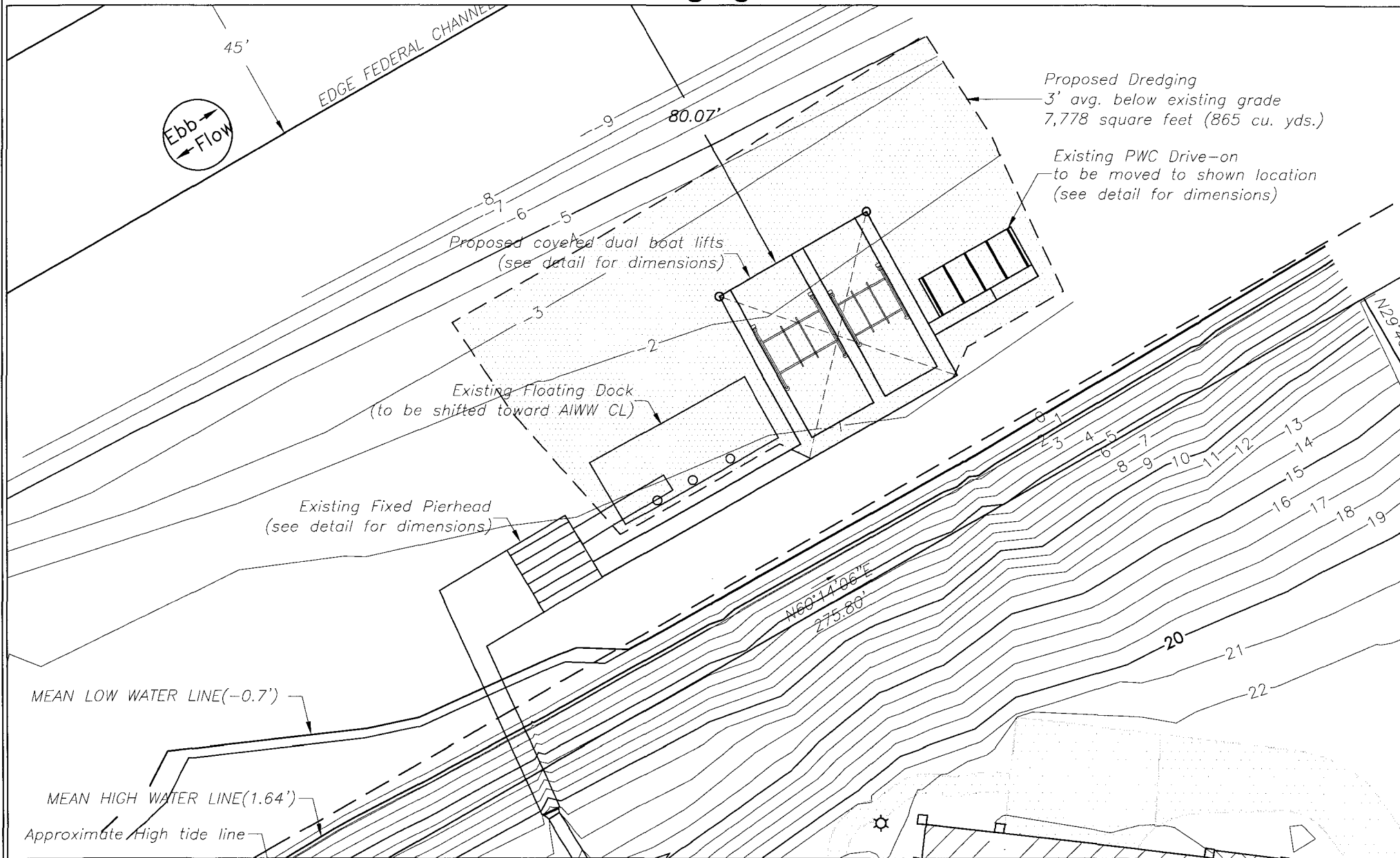
6

PROPOSED ACTIVITY: Dock Improvements

APPLICANT: Gary Langston



# Dredging Detail



## Langston Dock Improvements

Horry County

Date: 6-28-12

Date Revised:

Application No. \_\_\_\_\_

### Notes:

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FIGURE  
7

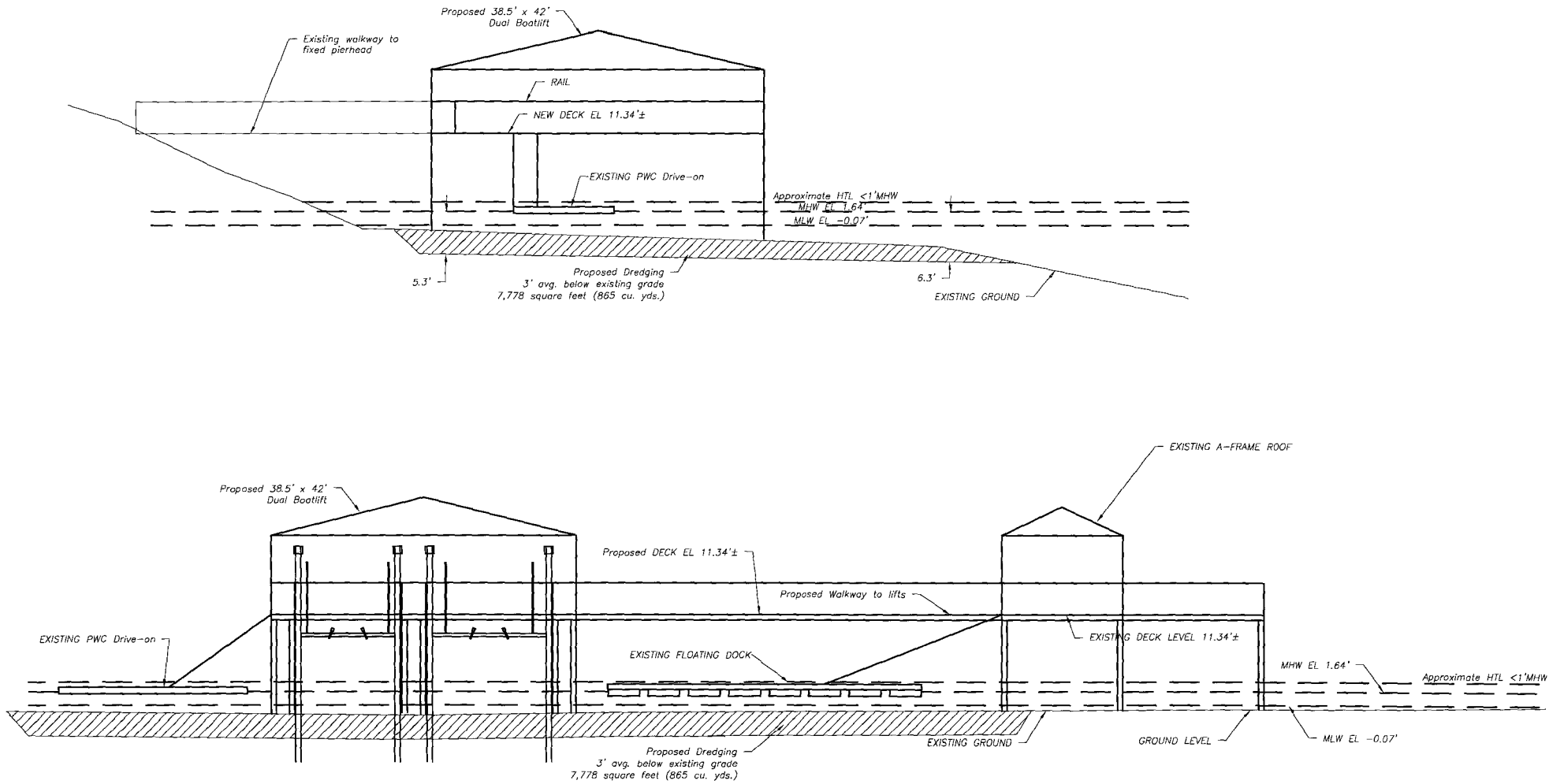
PROPOSED ACTIVITY: Dock Improvements

APPLICANT: Gary Langston

SCALE IN FEET  
30' 0 30'



# Section View



## Langston Dock Improvements

Horry County

Date: 6-28-12

Date Revised:

Application No. \_\_\_\_\_

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PROPOSED ACTIVITY: Dock Improvements

APPLICANT: Gary Langston

FIGURE  
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