

**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS  
1949 Industrial Park Road, Room 140  
Conway, South Carolina 29526**

REGULATORY DIVISION  
Refer to: P/N # 2000-11933-3H

8 FEBRUARY 2013

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), an application has been submitted to the Department of the Army by

**DEBORDIEU COLONY COMMUNITY ASSOCIATION, INC.  
c/o H. WAYNE BEAM  
BEAM & ASSOCIATES  
P.O. BOX 3238  
NORTH MYRTLE BEACH, SOUTH CAROLINA 29582**

for a permit to dredge in

**DEBORDIEU CREEK**

located southeast of Luvan Boulevard within the Debordieu Colony Community, east of U.S. Highway 17, in Georgetown County, South Carolina (Latitude: 33.36806°N; -79.16256°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,**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of maintenance dredging of the DeBordieu Canal. In detail, the project involves performing maintenance dredging for portions of the canal not authorized by the previous Department of the Army permit #2000-11933-3IH, issued August 4, 2010. The work consists of dredging approximately 9,000 cubic yards of material from approximately 6.3 acres of the canal to a depth of -3.0' below mean low water (MLW) with an allowable overdepth of -0.5' MLW. All dredging will be confined to the main canal. The dredge footprint is depicted on the proposed plans. Dredging will be performed by hydraulic cutter-head dredge. All dredged material will be pumped to the existing upland disposal basin owned by DeBordieu Colony Community Association depicted on sheet 5 of 12 of the proposed plans. The applicant is proposing the temporary placement of 4" x 4" timber pilings adjacent to the canal to minimize drifting of the dredge pipeline onto adjacent marsh grass and oyster beds. The applicant is requesting a dredging window of 15 October – 31 March and a ten year permit for periodic maintenance dredging. The applicant offered no compensatory mitigation for the impacts associated with the proposed work. The applicant provided measures to avoid and minimize impacts to Waters of the United States. These measures have been attached to this notice as Appendix "A". The purpose of this proposed project is to provide recreational boating access to navigable waters for the residents of the DeBordieu Colony Community. **NOTE: The proposed project has been previously authorized by South Carolina Department of Health and**

**Environmental Control Office of Ocean and Coastal Resource Management permit # 2000-11933-3IH-P (08) issued September 10, 2009 and expires January 1, 2018.**

**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**

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 (6.3) acres of estuarine substrates 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.

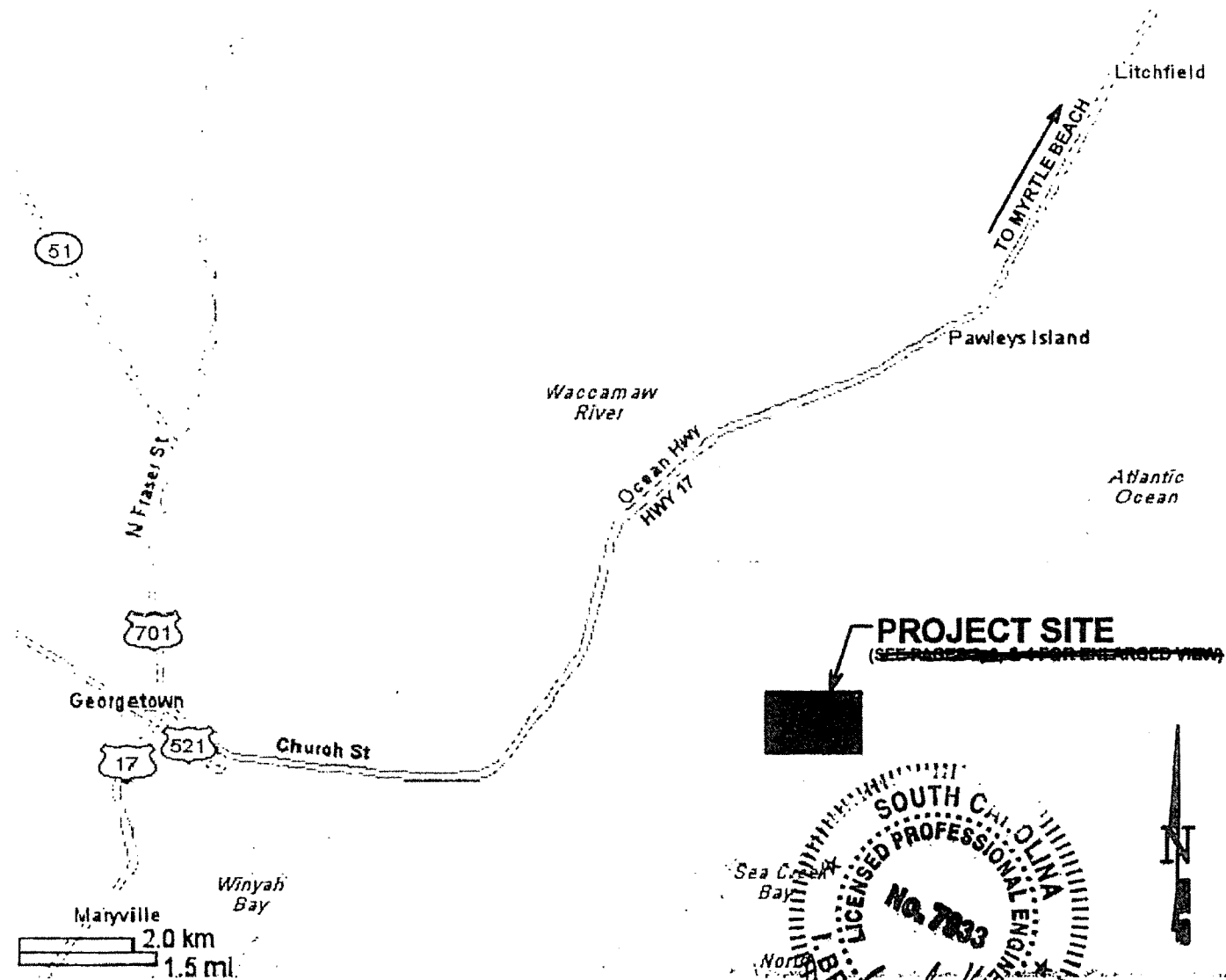
If there are any questions concerning this public notice, please contact Rob Huff at 843-365-4239.

## **Item # 39: Describe measures to avoid and minimize impacts to Waters of the US.**

1. Permittee agrees to contact the Corps at (843) 365-1707 within 14 working days prior to commencement of the work to arrange an on-site meeting.
2. Permittee agrees to clearly delineate the area to be dredged with fixed markers in the field prior to dredging and will allow the Corps to field-verify the footprint before dredging commences. The markers will be placed at sufficient intervals along the perimeter of the dredging area to assure that operations are constrained to the permitted limits of dredging.
3. Permittee agrees, to the maximum extent practicable, to leave at least 15' between the dredge cut and all marsh vegetation and oyster beds. Past dredging events have demonstrated that a dredge cut closer than 15' did not cause irreparable harm to either the marsh vegetation or the oyster beds.
4. Permittee agrees to limit the dredging to the time period 15 October – 31 March.
5. Permittee agrees to insure the dredge cut is no deeper than -3.0 ft. mean low water (MLW) with an allowable overdepth of -0.5 ft. (MLW).
6. Permittee will insure the dredge operator keeps all pipelines secured in the channel at all times with no dragging or drifting of pipelines through marsh or intertidal areas. 4' X 4" timbers will be employed to insure this condition is met.
7. Permittee agrees to conduct the work in a manner that will not prevent or interfere with full and free use of the adjacent or nearby navigable waters of the US by the boating public.
8. Permittee will provide a copy of the permit and drawings to all contractors performing the work authorized. A copy of the permit will be available at the construction site at all times.
9. Permittee will be responsible for properly installing and providing appropriate warning and marking devices to alert the boating public of any dangers associated with the proposed dredging activity. All warning and marking devices will be marked and installed in accordance with US Coast Guard standards.
10. Permittee agrees to contact the Boating Division of SCDNR to advise them of the place and time that the dredging activity will be occurring. The permittee will solicit any information the Department may have on local boating traffic patterns and activities in the project area. Such information will be used to facilitate dredging plans and appurtenances setup and operation to insure safe navigation through the project area.
11. Permittee, at his expense, shall provide reasonable access and accommodations for such persons as the Corps or SC DHEC to inspect the permitted activities. The Corps or SC DHEC will be allowed to place observers on board the dredge to monitor operations and inspect compliance with the permit.

12. Permittee will insure that the contractor is aware that it is the expectation of the Corps that environmentally responsible dredging take place at all times. Permittee will insure the CDF will contain 1.5 times the volume of material to be dredged as determined by a pre-dredge survey. Initial estimates are that the volume will be 9,000 cubic yards, but this will be confirmed by a pre-dredge survey. Care and diligence will be taken to assure that the disposal area embankments are not breached, material overflow does not occur, and the spillway is properly and carefully maintained. Material will be pumped into the CDF at such a rate as to allow settling at the spillway thereby minimizing suspended solids. The contractor will not be allowed to pump into the CDF whereby the effluent from the facility is mud or water with high levels of suspended solids. If this should occur, the inspector will require that dredging operations halt immediately, take pictures immediately of the area in the immediate vicinity of the discharge pipe, and contact the Corps immediately.
13. Permittee will insure that no placement or stockpiling of excavated material in Waters of the US (double handling) is allowed.
14. Permittee agrees to implement the mosquito and phragmites control plan in accordance with Georgetown County Mosquito Control's program to suppress and control mosquito breeding on dredged spoil material areas utilized for this project.
15. Permittee agrees to submit pre-and post-project surveys of the entire dredge area. The bathymetry will cover the same area as the pre-dredging bathymetry and a post-dredging report will be prepared which overlays the pre- and post-bathymetry and notes any areas of adjacent sloughing.
16. Permittee will insure the CDF is designed to have sufficient capacity to hold 1.5 times the volume of material to be dredged.
17. Permittee will submit to the Corps the final CDF sizing design for review and approval not later than 30 days prior to commencement of dredging.
18. Permittee will provide a pre-dredging bathymetric survey for the area to be dredged that is no more than 4 months old prior to dredging.

PAGES 4, 6, 7,  
8, & 11 OF  
PERMITTED  
PLANS OMITTED.



**LATITUDE:** 33° 22' 02.3" N  
**LONGITUDE:** -79° 10' 05.3" W

### LOCATION MAP

0 10,000'  
GRAPHIC SCALE 1" = 10,000'

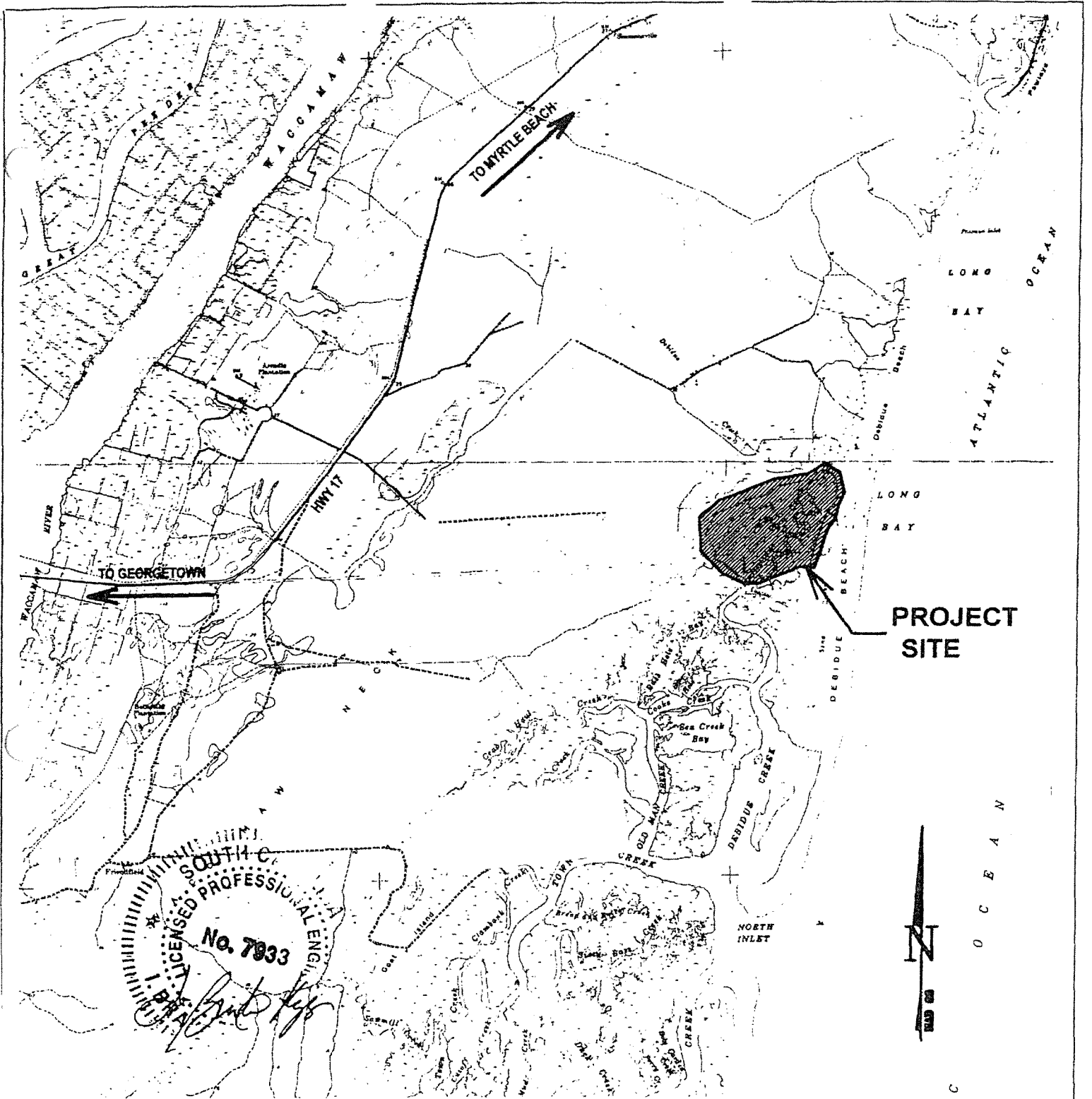
**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-3IH**  
**Georgetown County, South Carolina**  
**Sheet 1 of 12**  
**Date: January 02, 2013**

**PROPOSED ACTIVITY -**  
MAINTENANCE DREDGING IN THE EXISTING CANAL FROM DEBIDUE CREEK TO THE BOAT BASIN TO PROVIDE ACCESS TO NAVIGABLE WATERS FOR RECREATIONAL PURPOSES FOR THE RESIDENTS OF THE DEBORDIEU COLONY.

**OWNER -** DEBORDIEU COLONY COMMUNITY ASSOCIATION

**AGENT -**  
BEAM & ASSOCIATES COLUMBIA, SC 29211-1863  
P.O. BOX 11863 PHONE: (803) 531-305

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CL  
CS

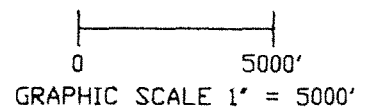


SOUTH CAROLINA  
 LICENSED PROFESSIONAL ENGINEER  
 No. 7933  
*[Signature]*

FOR PERMITTING ONLY - DO NOT USE FOR CONSTRUCTION

LATITUDE: 33° 22' 02.3" N  
 LONGITUDE: -79° 10' 05.3" W

### QUAD MAP



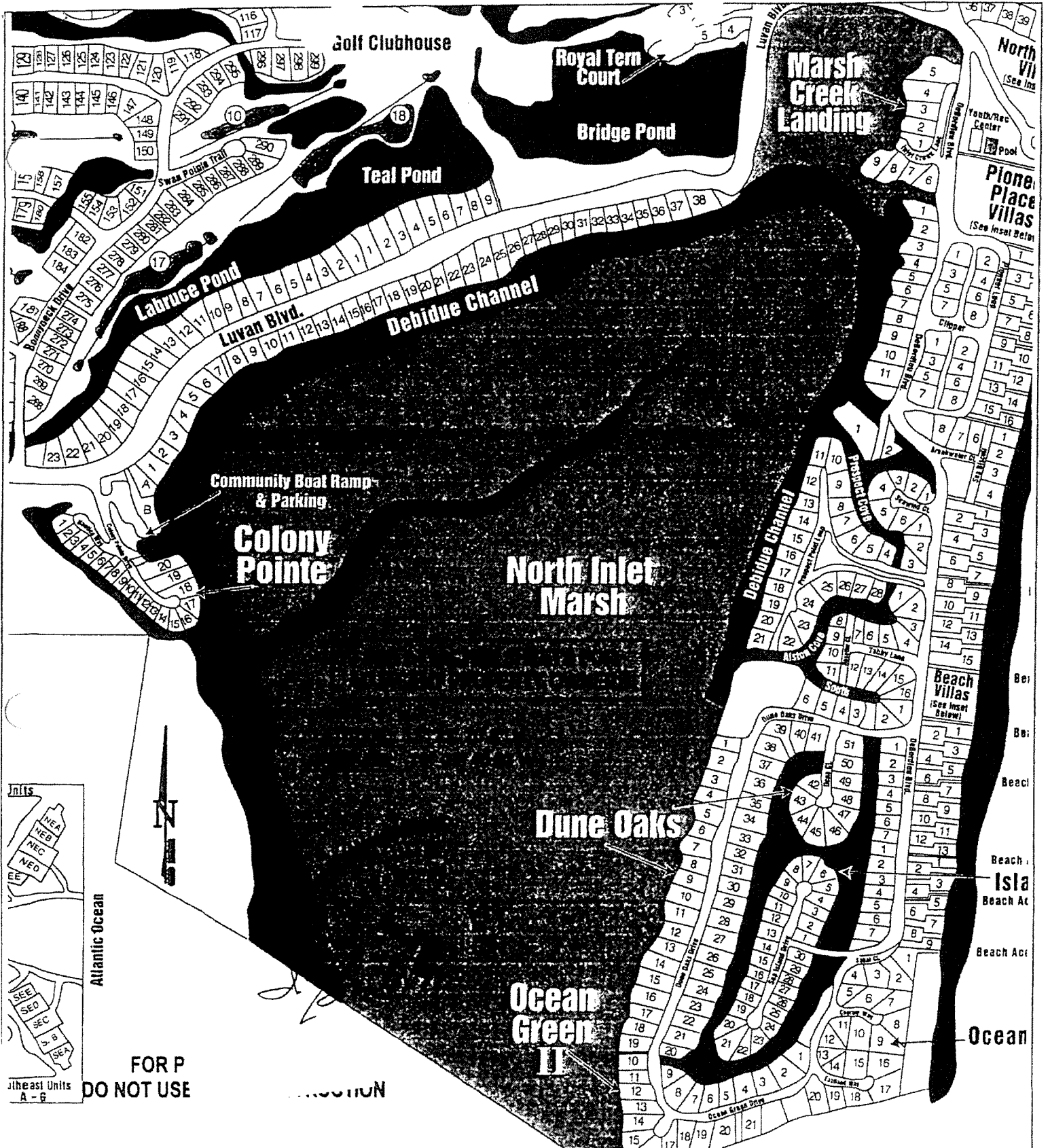
~~SAC 2000-11933-31H~~  
**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-31H**  
**Georgetown County, South Carolina**  
**Sheet 2 of 12**  
**Date: January 02, 2013**

PROPOSED ACTIVITY -

MAINTENANCE DREDGING OF THE EXISTING CANAL  
 IN DEBIDUE CREEK TO THE BOAT BASIN TO  
 PROVIDE ACCESS TO NAVIGABLE WATERS FOR  
 RECREATIONAL PURPOSES FOR THE RESIDENTS  
 OF THE DEBORDIEU COLONY.

OWNER - DEBORDIEU COLONY  
 COMMUNITY ASSOCIATION

AGENT -  
 BEAM & ASSOCIATES  
 P.O. BOX 11863  
 COLUMBIA, SC 29211-1863  
 PHONE: (803) 931-0805



# ADJACENT PROPERTY OWNER MAP

**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-3IH**  
**Georgetown County, South Carolina**  
**Sheet 3 of 12**  
**Date: January 02, 2013**

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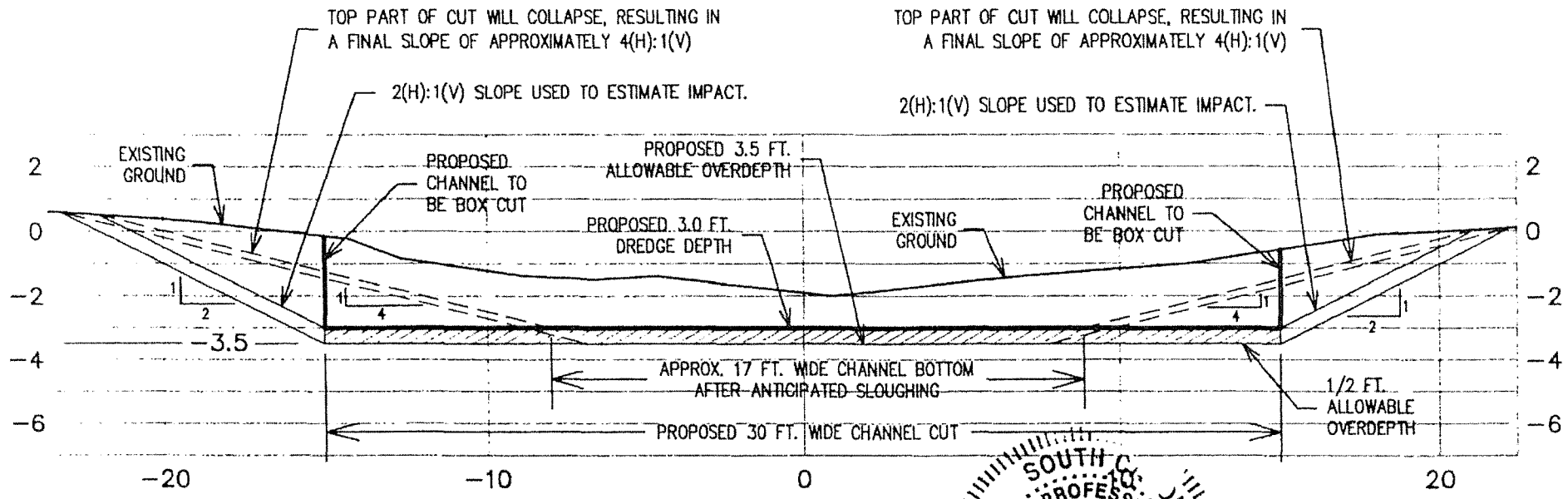
**OWNER — DEBORDIEU COLONY**  
**COMMUNITY ASSOCIATION**  
**AGENT — BEAM & ASSOCIATES**  
**P.O. BOX 11863**  
**COLUMBIA, SC 29211-1863**  
**PHONE: (803) 931-0805**

FOR P  
 DO NOT USE

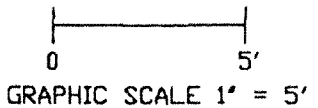
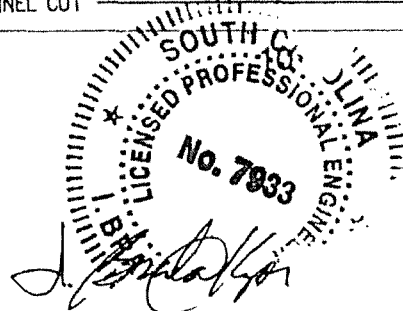


# TYPICAL SECTION - 30 FT. WIDE, 3.0 FT. DEEP CHANNEL

2(H):1(V) SLOPE USED TO ESTIMATE LIMIT OF IMPACT. TOP PART OF CUT WILL COLLAPSE, RESULTING IN A FINAL SLOPE OF APPROXIMATELY 4(H):1(V).



1/2' ALLOWABLE OVERDEPTH

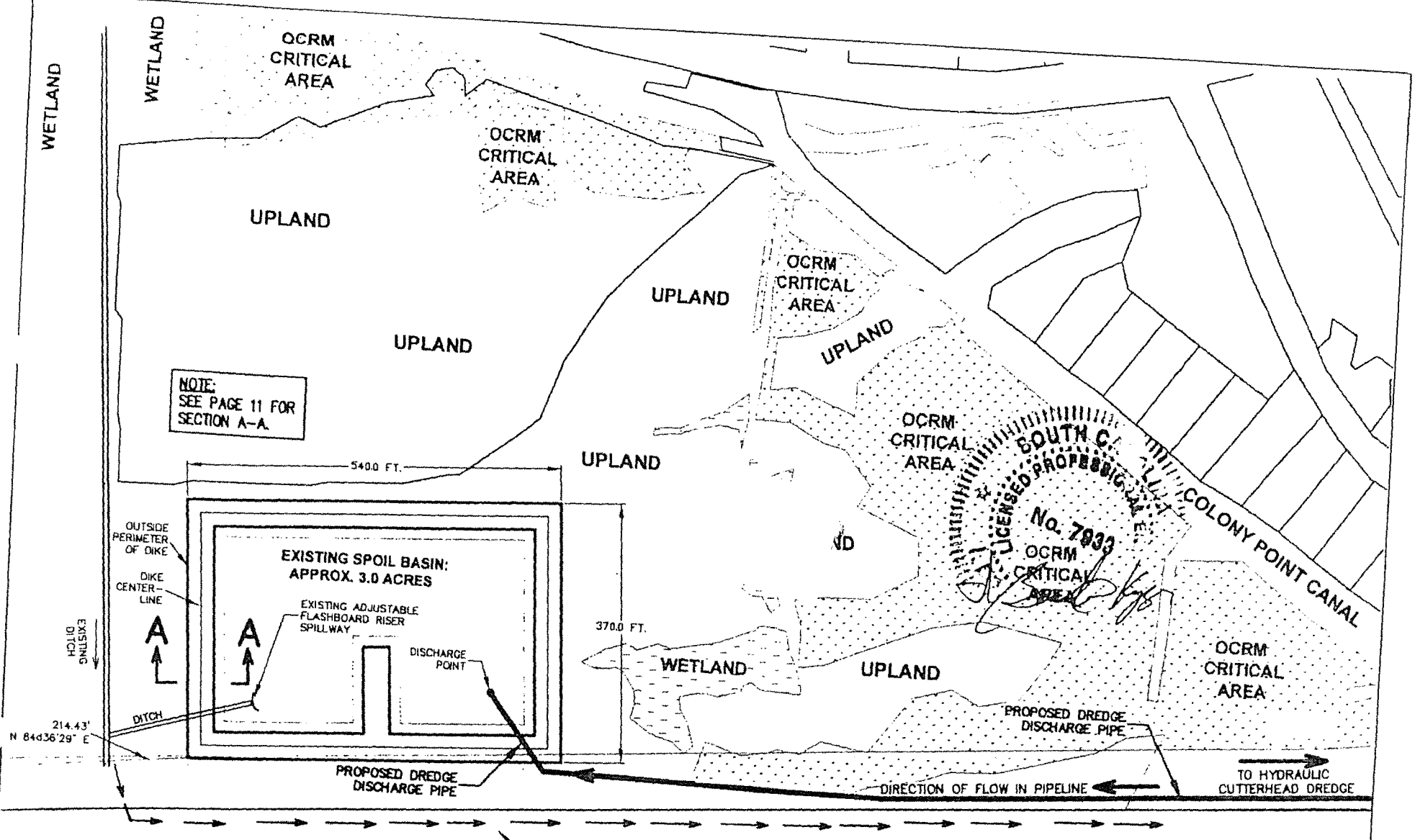


## PROPOSED CANAL DREDGE - TYPICAL SECTION

LATITUDE: 33° 22' 02.3" N  
LONGITUDE: -79° 10' 05.3" W

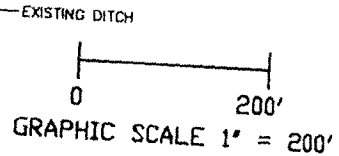
DeBordieu Colony Canal Dredging  
SAC 2000-11933-3IH  
Georgetown County, South Carolina  
Sheet 4 of 12  
Date: January 02, 2013

OWNER - DEBORDIEU COLONY COMMUNITY ASSOCIATION  
AGENT -  
BEAM & ASSOCIATES COLUMBIA, SC 11-1863  
P.O. BOX 11863 PHONE: (803) 731-0805



LATITUDE: 33° 22' 02.3" N  
 LONGITUDE: -79° 10' 05.3" W

NOTE:  
 DRAWING NOT ON STATE  
 PLANE. ANY COORDINATES  
 SHOWN ARE ONLY ESTIMATES.



NOTE:  
 PRIOR TO DREDGING, THE BASIN WILL BE CLEARED AND SURVEYED, AND THE DIKE  
 WILL BE IMPROVED, AS REQUIRED, TO PROVIDE A MINIMUM STORAGE CAPACITY OF  
 1.5 TIMES THE IN-SITU VOLUME TO BE DREDGED PLUS 1 FT. FOR PONDING AND  
 2 FT. FOR FREEBOARD. THE SPILLWAY AND OUTLET WORKS WILL BE REPAIRED  
 OR REPLACED AS REQUIRED.

# DISPOSAL AREA PLAN VIEW

DeBordieu Colony Canal Dredging  
 SAC 2000-11933-3IH  
 Georgetown County, South Carolina  
 Sheet 5 of 12  
 Date: January 02, 2013

OWNER - DEBORDIEU COLONY COMMUNITY ASSOCIATION  
 AGENT -  
 NY. BEAM & ASSOCIATES COLUMBIA, SC 291 863  
 P.O. BOX 11863 PHONE: (803) 931-005

**LATITUDE:** 33° 22' 20.2" N  
**LONGITUDE:** -79° 09' 40.3" W

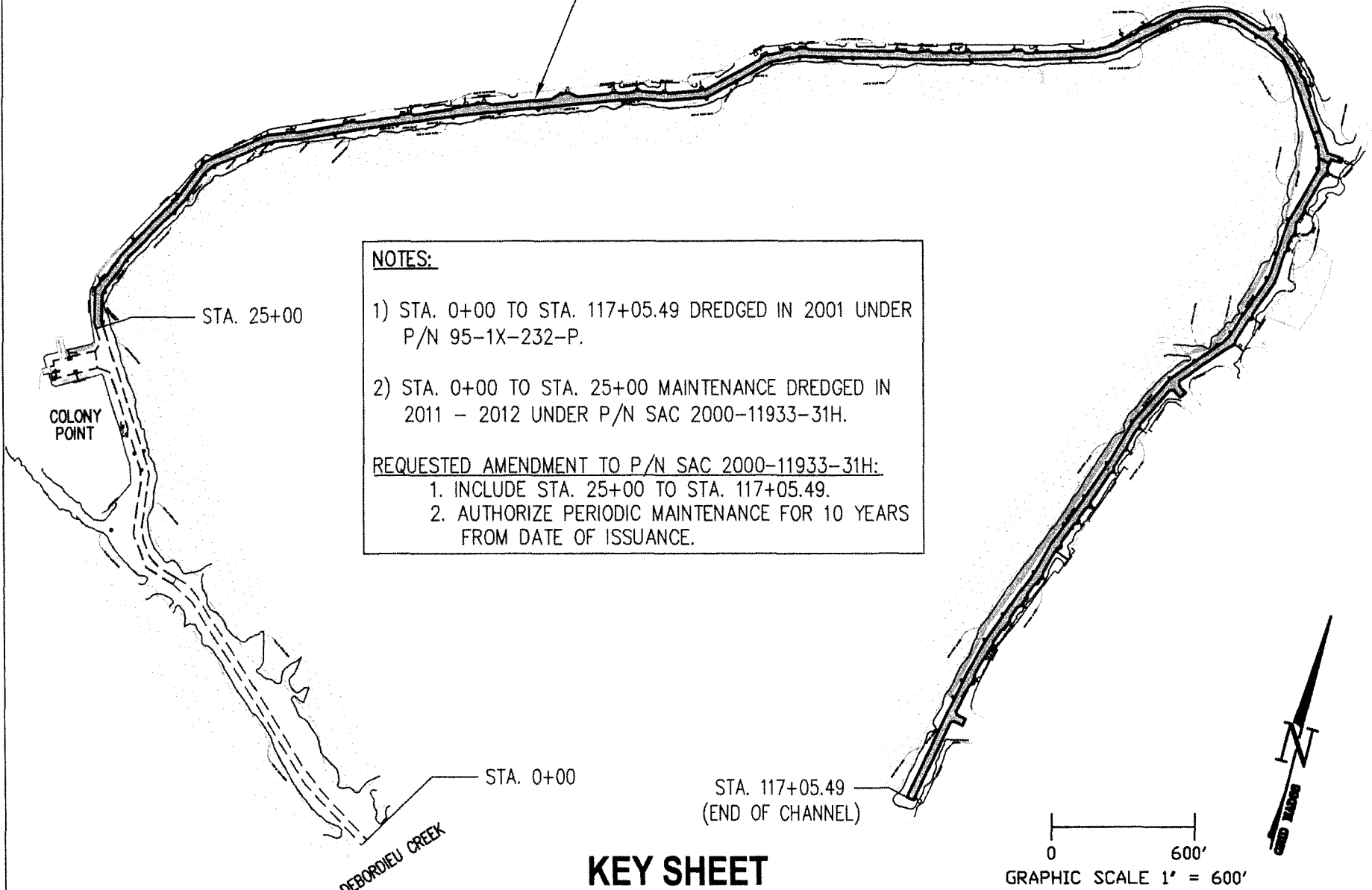
AUTHORIZED BY SC DHEC-DCRM  
 PERMIT NUMBER 2000-11933-P(08).

**NOTES:**

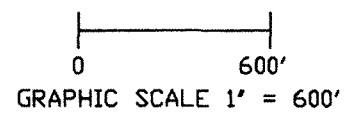
- 1) STA. 0+00 TO STA. 117+05.49 DREDGED IN 2001 UNDER P/N 95-1X-232-P.
- 2) STA. 0+00 TO STA. 25+00 MAINTENANCE DREDGED IN 2011 - 2012 UNDER P/N SAC 2000-11933-31H.

REQUESTED AMENDMENT TO P/N SAC 2000-11933-31H:

1. INCLUDE STA. 25+00 TO STA. 117+05.49.
2. AUTHORIZE PERIODIC MAINTENANCE FOR 10 YEARS FROM DATE OF ISSUANCE.



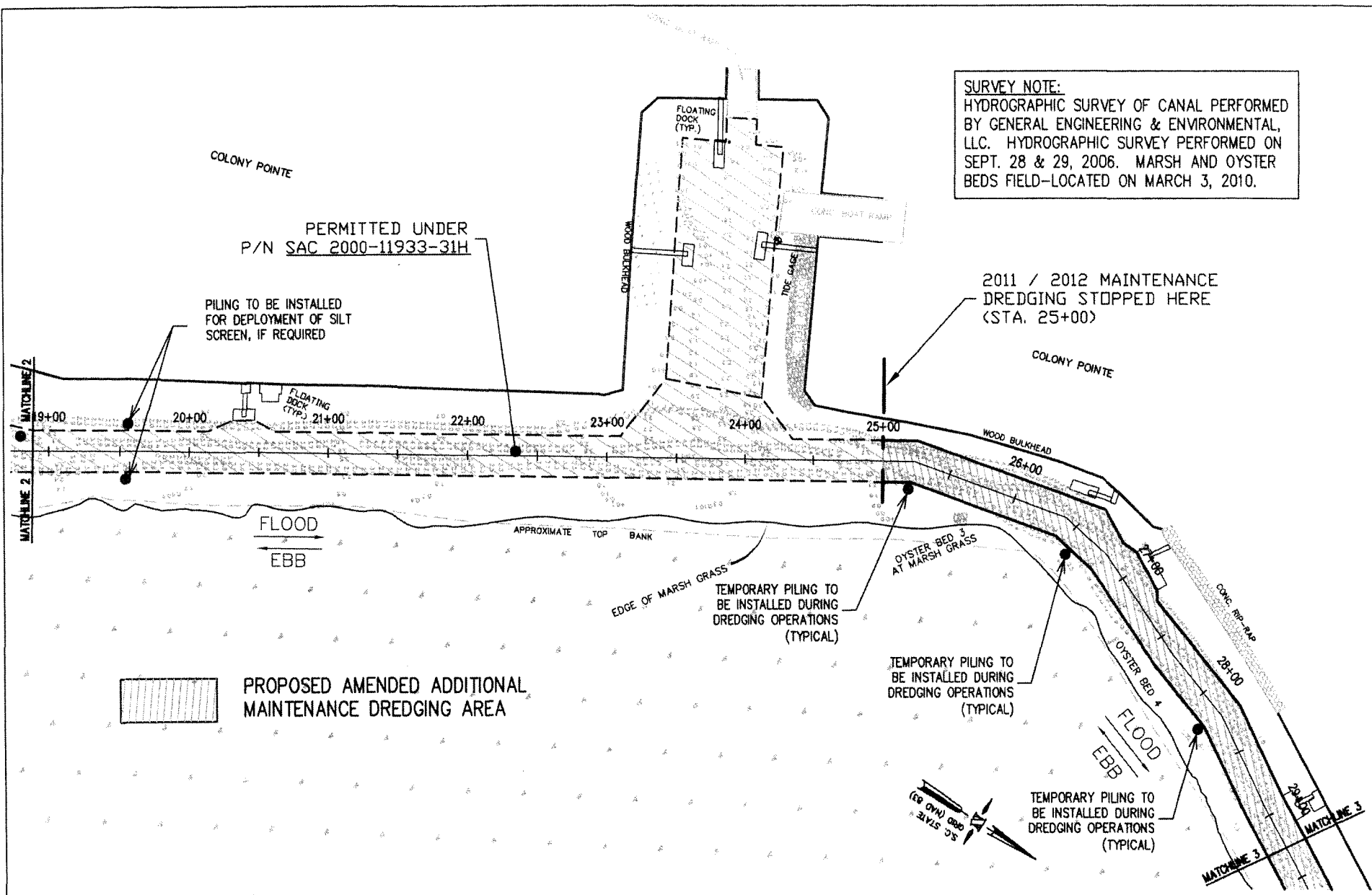
**KEY SHEET**



**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-31H**  
**Georgetown County, South Carolina**  
**Sheet 6 of 12**  
**Date: January 02, 2013**

CREEK	<b>PROPOSED ACTIVITY -</b> MAINTENANCE DREDGING IN THE EXISTING CANAL TO PROVIDE ACCESS TO NAVIGABLE WATERS FOR RECREATIONAL PURPOSES FOR THE RESIDENTS OF THE DEBORDIEU COLONY.	<b>OWNER -</b> DEBORDIEU COLONY COMMUNITY ASSOCIATION  <b>AGENT -</b> <b>BEAM &amp; ASSOCIATES</b> (P.O. BOX 3238) 2120 SEA MOUNTAIN HWY. HARBOR GATE, SUITE 2105-A CELL: (843) 8147145 NORTH MYRTLE BEACH, SC 29582
	PAGE- 1-A OF 7	SCALE- 1" = 600'

**SURVEY NOTE:**  
 HYDROGRAPHIC SURVEY OF CANAL PERFORMED BY GENERAL ENGINEERING & ENVIRONMENTAL, LLC. HYDROGRAPHIC SURVEY PERFORMED ON SEPT. 28 & 29, 2006. MARSH AND OYSTER BEDS FIELD-LOCATED ON MARCH 3, 2010.



**LATITUDE:** 33° 22' 20.2" N  
**LONGITUDE:** -79° 09' 40.3" W

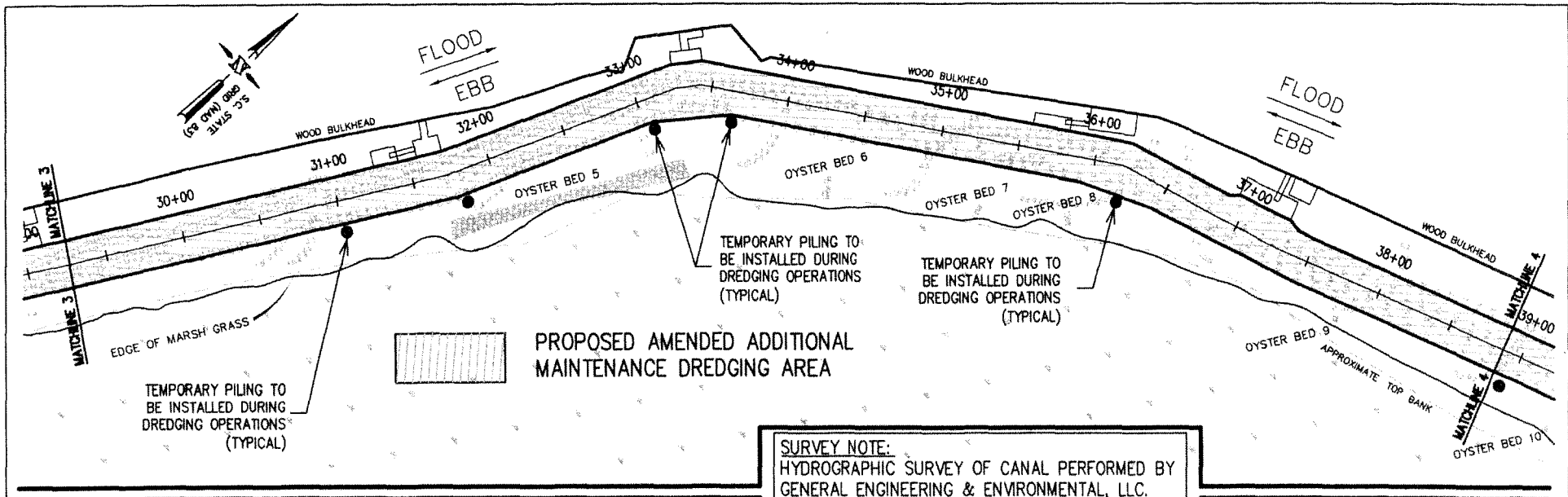
**EXISTING CONDITIONS - & - PROPOSED DREDGE LIMITS**

0 100  
 GRAPHIC SCALE 1" = 100'

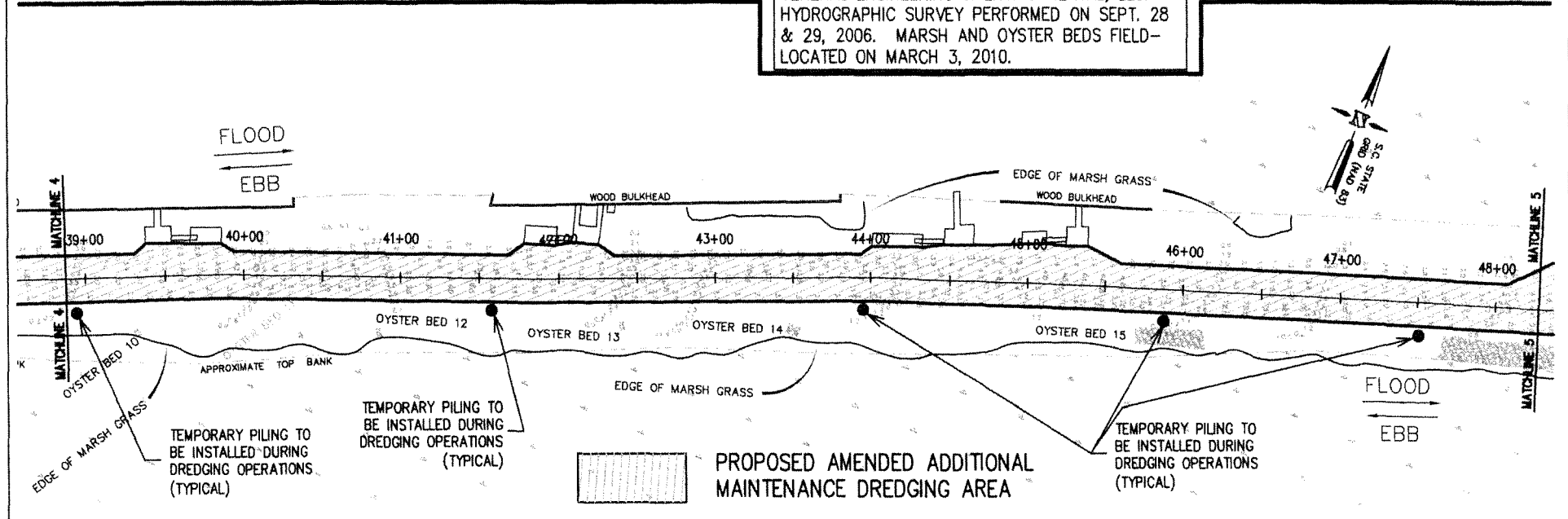
**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-31H**  
**Georgetown County, South Carolina**  
**Sheet 7 of 12**  
**Date: January 02, 2013**

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	PAGE-- 2-A OF 7
	SCALE-- 1" = 100'

**OWNER -** DEBORDIEU COLONY COMMUNITY ASSOCIATION  
**AGENT -**  
**BEAM & ASSOCIATES** (P.O. BOX 3238)  
 2120 SEA MOUNTAIN HWY. CELL: (843) 8147145  
 HARBOR GATE, SUITE 2105-A  
 NORTH MYRTLE BEACH, SC 29582

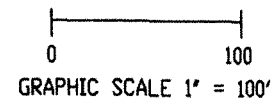


**SURVEY NOTE:**  
 HYDROGRAPHIC SURVEY OF CANAL PERFORMED BY  
 GENERAL ENGINEERING & ENVIRONMENTAL, LLC.  
 HYDROGRAPHIC SURVEY PERFORMED ON SEPT. 28  
 & 29, 2006. MARSH AND OYSTER BEDS FIELD-  
 LOCATED ON MARCH 3, 2010.



**LATITUDE:** 33° 22' 20.2" N  
**LONGITUDE:** -79° 09' 40.3" W

## EXISTING CONDITIONS - & - PROPOSED DREDGE LIMITS

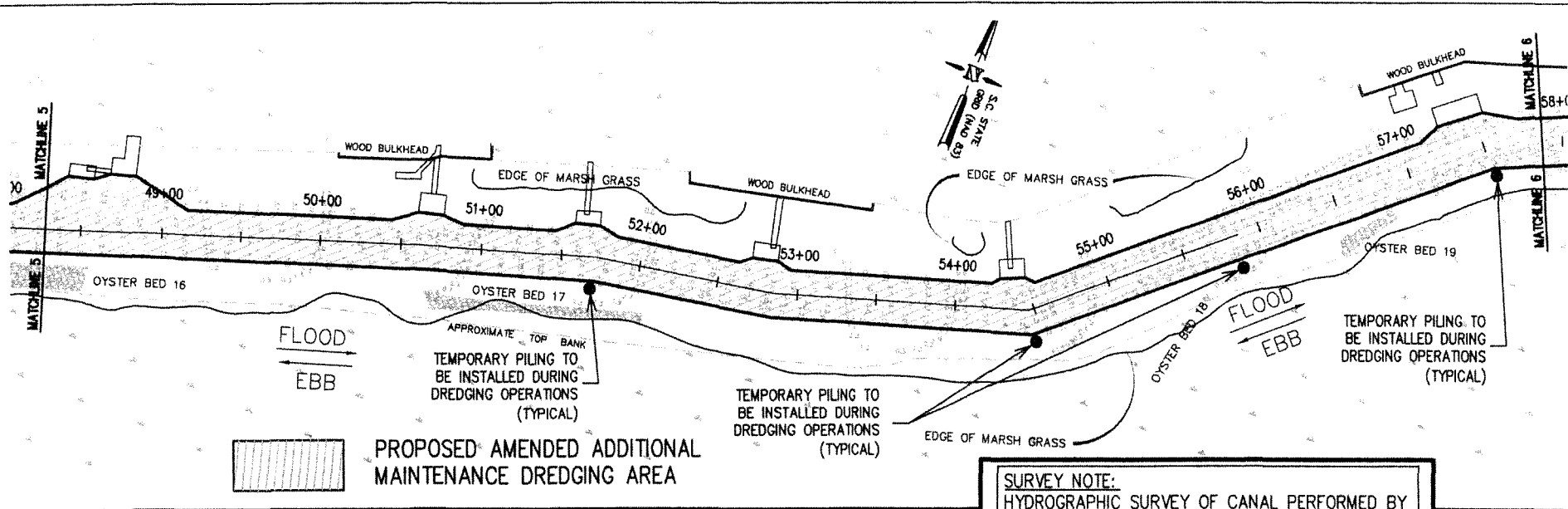


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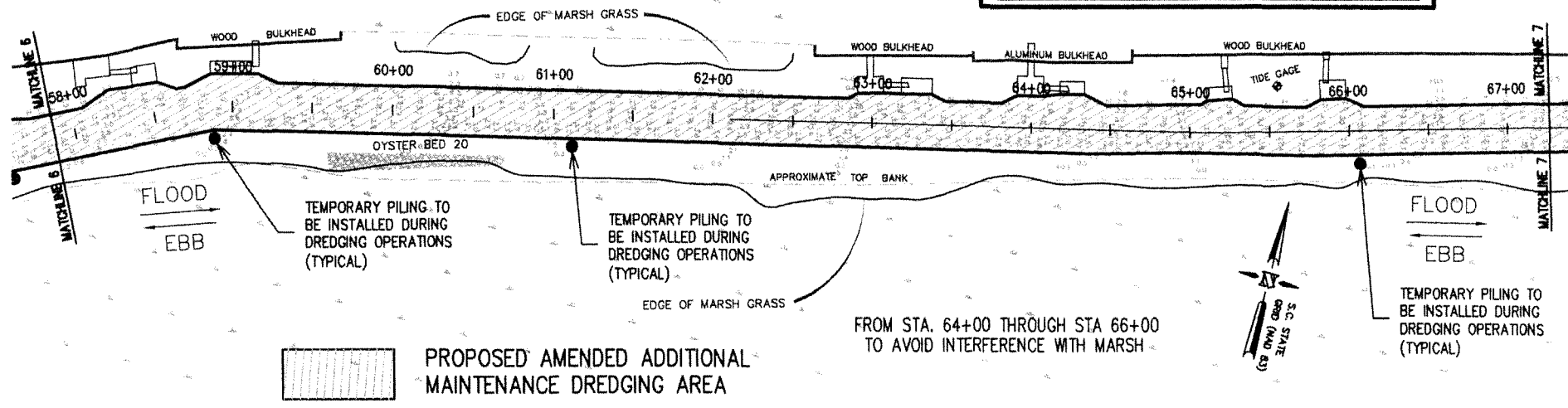
**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-3IH**  
**Georgetown County, South Carolina**  
**Sheet 8 of 12**  
**Date: January 02, 2013**

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AGENT -	BEAM & ASSOCIATES (P.O. BOX 3238)
	2120 SEA MOUNTAIN HWY. CELL: (843) 8147145
	HARBOR GATE, SUITE 2105-A
	NORTH MYRTLE BEACH, SC 29582



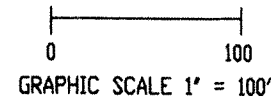
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 HYDROGRAPHIC SURVEY PERFORMED ON SEPT. 28  
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FROM STA. 64+00 THROUGH STA 66+00  
 TO AVOID INTERFERENCE WITH MARSH

**LATITUDE:** 33° 22' 20.2" N  
**LONGITUDE:** -79° 09' 40.3" W

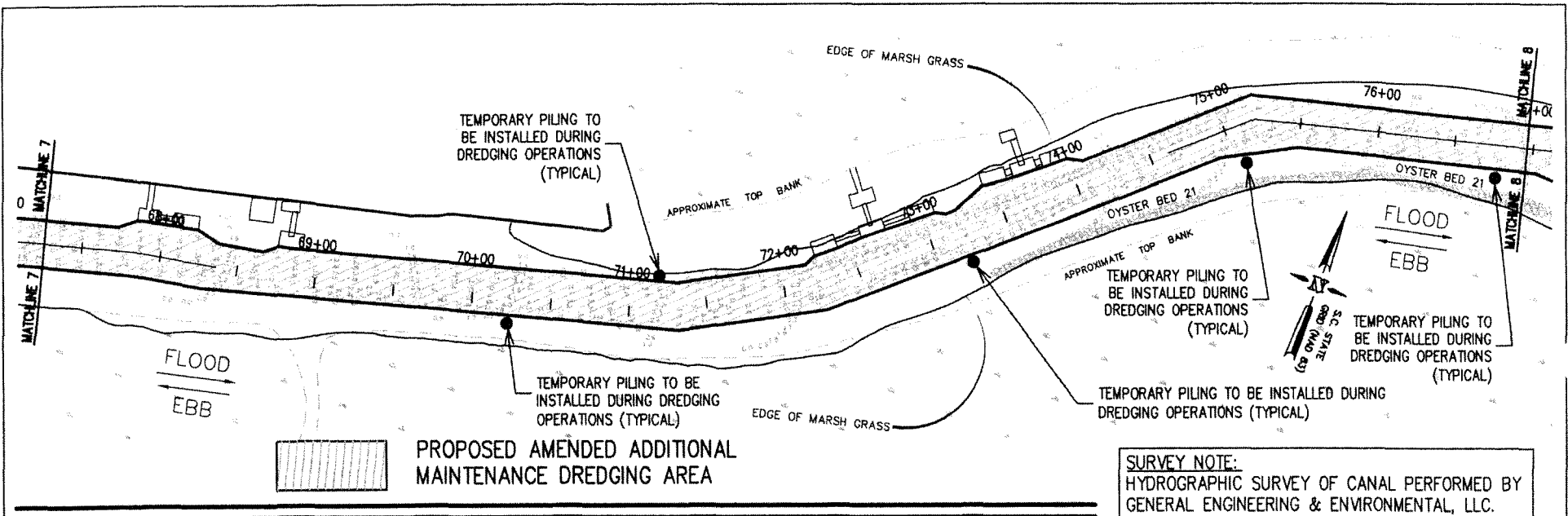
## EXISTING CONDITIONS - & - PROPOSED DREDGE LIMITS



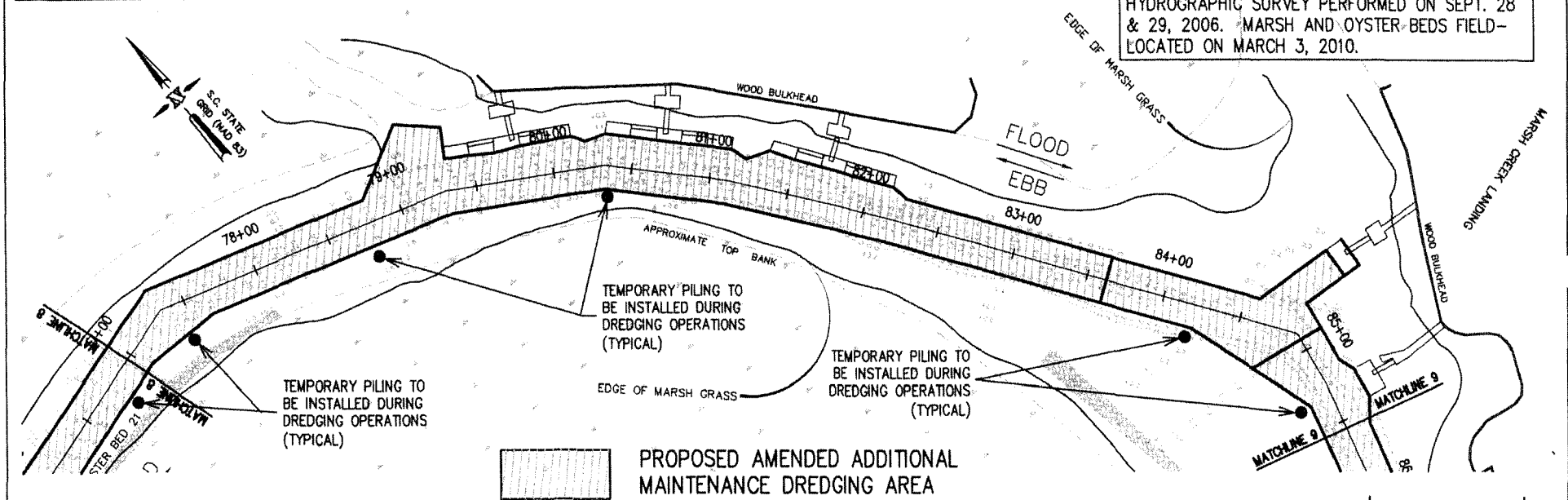
**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-3IH**  
**Georgetown County, South Carolina**  
**Sheet 9 of 12**  
**Date: January 02, 2013**

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 FOR THE RESIDENTS OF THE DEBORDIEU COLONY.

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**AGENT -**  
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 2120 SEA MOUNTAIN HWY. CELL: (843) 8147145  
 HARBOR GATE, SUITE 2105-A  
 NORTH MYRTLE BEACH, SC 29582



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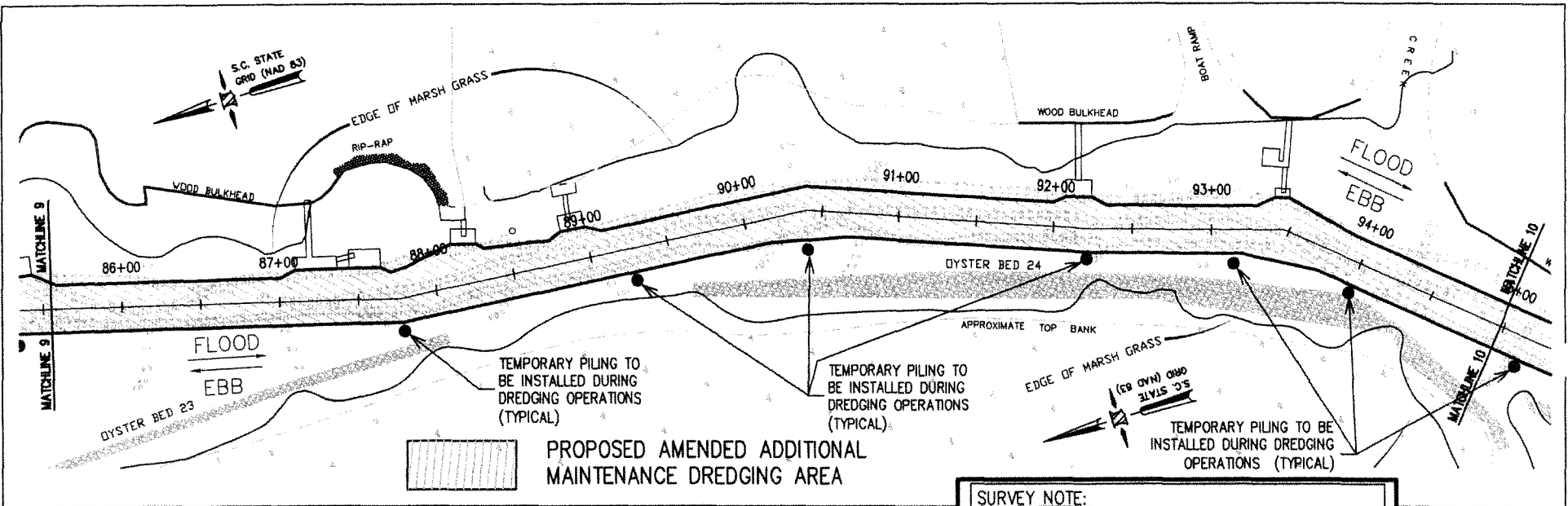
## EXISTING CONDITIONS - & - PROPOSED DREDGE LIMITS

0 100  
 GRAPHIC SCALE 1" = 100'

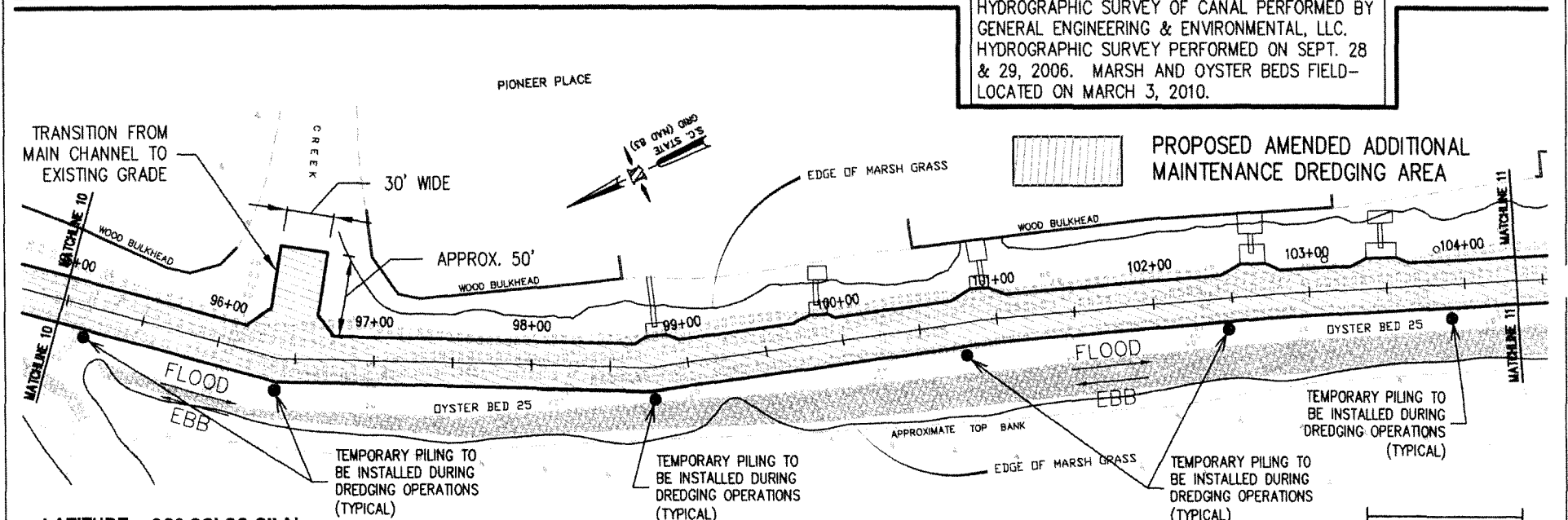
**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-3IH**  
**Georgetown County, South Carolina**  
**Sheet 10 of 12**  
**Date: January 02, 2013**

**PROPOSED ACTIVITY -**  
 MAINTENANCE DREDGING IN THE EXISTING CANAL TO PROVIDE  
 ACCESS TO NAVIGABLE WATERS FOR RECREATIONAL PURPOSES  
 FOR THE RESIDENTS OF THE DEBORDIEU COLONY.

**OWNER -** DEBORDIEU COLONY COMMUNITY ASSOCIATION  
**AGENT -**  
**BEAM & ASSOCIATES** (P.O. BOX 3238)  
 2120 SEA MOUNTAIN HWY. CELL: (843) 8147145  
 HARBOR GATE, SUITE 2105-A  
 NORTH MYRTLE BEACH, SC 29582

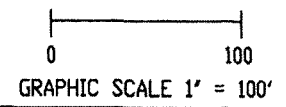


**SURVEY NOTE:**  
 HYDROGRAPHIC SURVEY OF CANAL PERFORMED BY  
 GENERAL ENGINEERING & ENVIRONMENTAL, LLC.  
 HYDROGRAPHIC SURVEY PERFORMED ON SEPT. 28  
 & 29, 2006. MARSH AND OYSTER BEDS FIELD-  
 LOCATED ON MARCH 3, 2010.



**LATITUDE:** 33° 22' 20.2" N  
**LONGITUDE:** -79° 09' 40.3" W

**EXISTING CONDITIONS - & - PROPOSED DREDGE LIMITS**

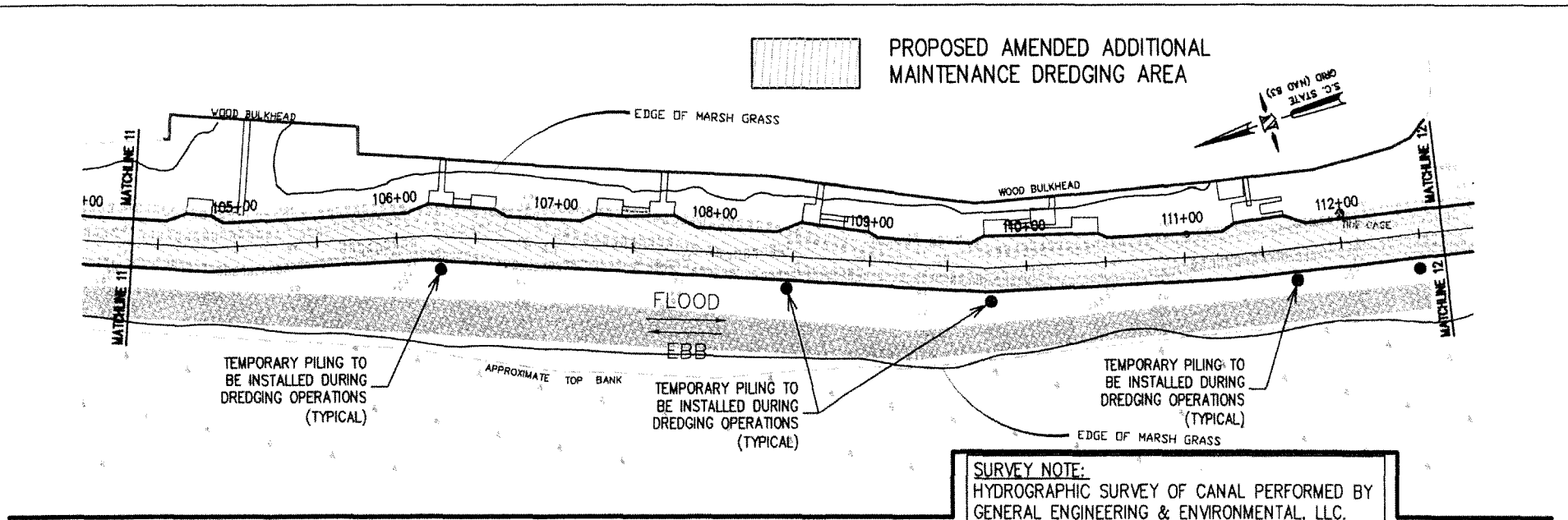


**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-3IH**  
**Georgetown County, South Carolina**  
**Sheet 11 of 12**  
**Date: January 02, 2013**

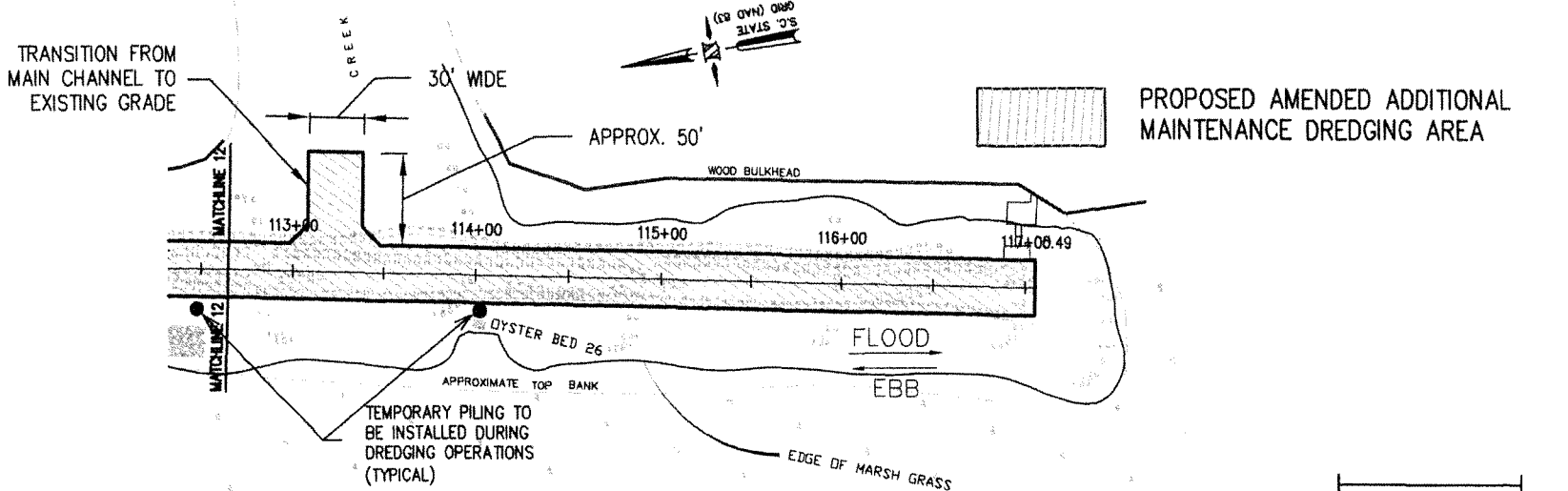
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**LATITUDE:** 33° 22' 20.2" N  
**LONGITUDE:** -79° 09' 40.3" W

## EXISTING CONDITIONS - & - PROPOSED DREDGE LIMITS

0 100  
 GRAPHIC SCALE 1" = 100'

**DeBordieu Colony Canal Dredging**  
**SAC 2000-11933-3IH**  
**Georgetown County, South Carolina**  
**Sheet 12 of 12**  
**Date: January 02, 2013**

**PROPOSED ACTIVITY -**  
 MAINTENANCE DREDGING IN THE EXISTING CANAL TO PROVIDE  
 ACCESS TO NAVIGABLE WATERS FOR RECREATIONAL PURPOSES  
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PAGE- 7-A OF 7

SCALE- 1" = 100'