

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: SAC-2022-01528

October 20, 2022

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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 the

City of Conway
c/o The Brigman Company, Inc.
PO Box 1532
Conway, South Carolina 29528

for a permit to expand an existing public dock (Conway Riverwalk) in

Kingston Lake and the Waccamaw River

located north of Kingston Street in the City of Conway, Horry County, South Carolina (Latitude: 33.8355°, Longitude: -79.0441°), Conway 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.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is to provide public waterfront access and public recreational boating access from Kingston Lake and the Waccamaw River to Conway's Commercial District.

Project Description

The proposed work consists of expanding the existing Conway Riverwalk. In detail, the proposed work consists of the construction a 11.5' x 225' walkway south of the railroad trestle and a 11.5' x 471' walkway north of the trestle which will tie into a fixed pierhead previously authorized under Department of the Army permit (SAC 2017-01848). The two walkways (11.5' x 225' and 11.5' x 471') will be connected by a 11.5' x 39' section providing access over the existing railroad trestle. The proposed walkway structure south of the trestle will include an irregular shaped fixed deck (1,134 sq.ft.), and an 8' x 23' fixed walkway leading to a 3' x 20' gangway providing access to a 10' x 100' floating dock. In addition, the applicant proposes the addition of an 8' x 23' walkway and a 10' x 50' floating dock to the existing riverwalk structure.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by employing Best Management Practices (BMPs) during construction. Furthermore, the applicant stated they have chosen to keep the proposed docking structures to the minimum size necessary while meeting adequate sizes for public use as well as handicap requirements.

Proposed Compensatory Mitigation

The applicant offered no compensatory mitigation for impacts associated with the project.

South Carolina Department of Health and Environmental Control

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.

Essential Fish Habitat

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 0.37 acre 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur: American wood stork (*Mycteria americana*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Rufa red knot (*Calidris canutus rufa*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), Right whale (*Eubalaena glacialis*), Sei whale (*Balaenoptera borealis*), Sperm whale (*Physeter macrocephalus*), West Indian manatee (*Trichechus manatus*), American Chaffseed (*Schwalbea americana*), Seabeach amaranth (*Amaranthus pumilus*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Loggerhead sea turtle (*Caretta caretta*).

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on American wood stork (*Mycteria americana*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Rufa red knot (*Calidris canutus rufa*), Atlantic sturgeon (*Acipenser oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), Right whale (*Eubalaena glacialis*), Sei whale (*Balaenoptera borealis*), Sperm whale (*Physeter macrocephalus*), American Chaffseed (*Schwalbea americana*), Seabeach amaranth (*Amaranthus pumilus*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Loggerhead sea turtle (*Caretta caretta*) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect 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 on this determination.

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.

Cultural Resources

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 there are historic properties present, but they will not be affected; 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 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.

Corps' Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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.

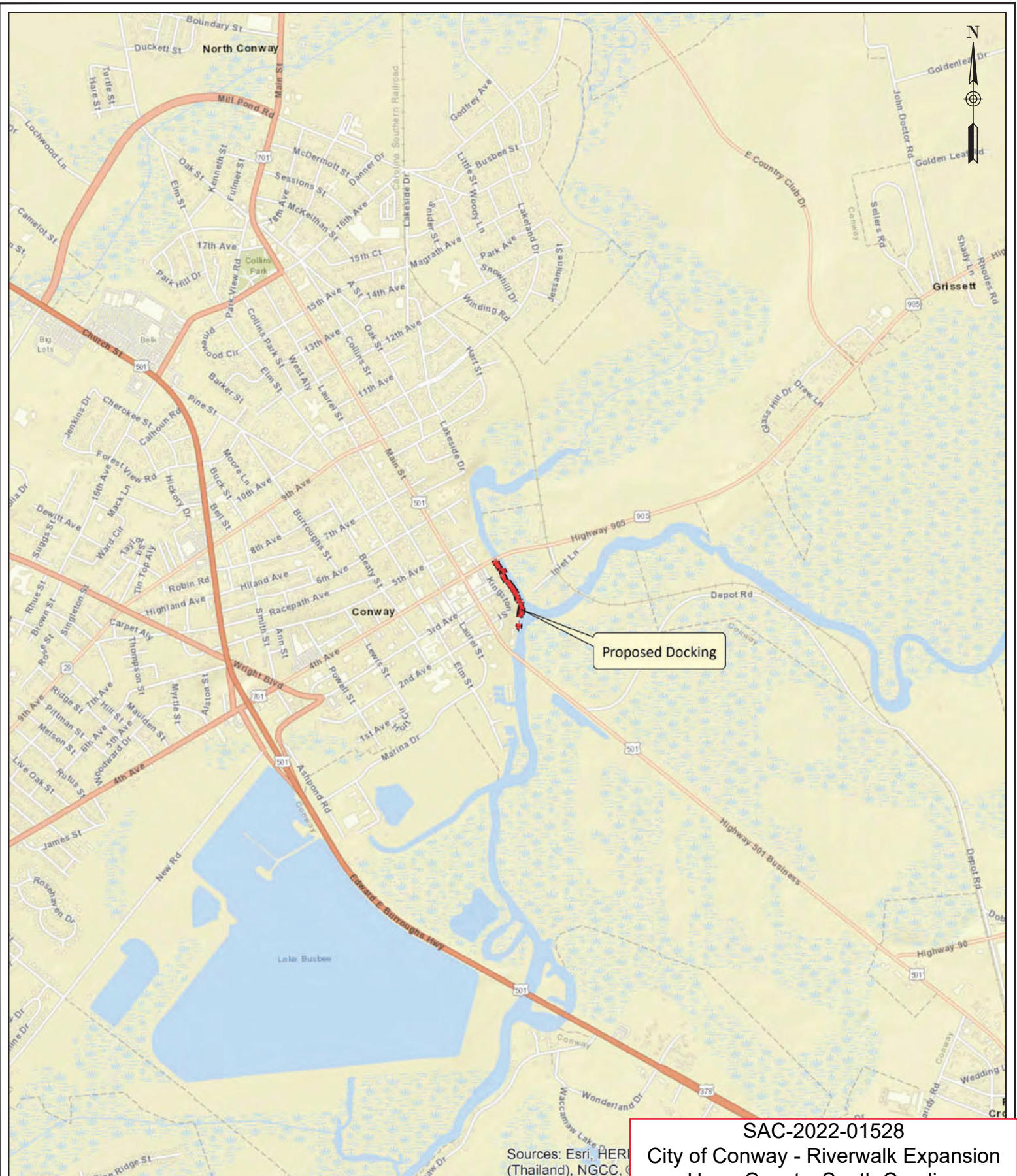
Solicitation of Public Comment

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. 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.

Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2022-01528), to Robert.C.Huff@usace.army.mil or 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 Rob Huff, Team Lead at (843) 365-4239 or by email at Robert.C.Huff@usace.army.mil.



Sources: Esri, HERE
(Thailand), NGCC, (C)

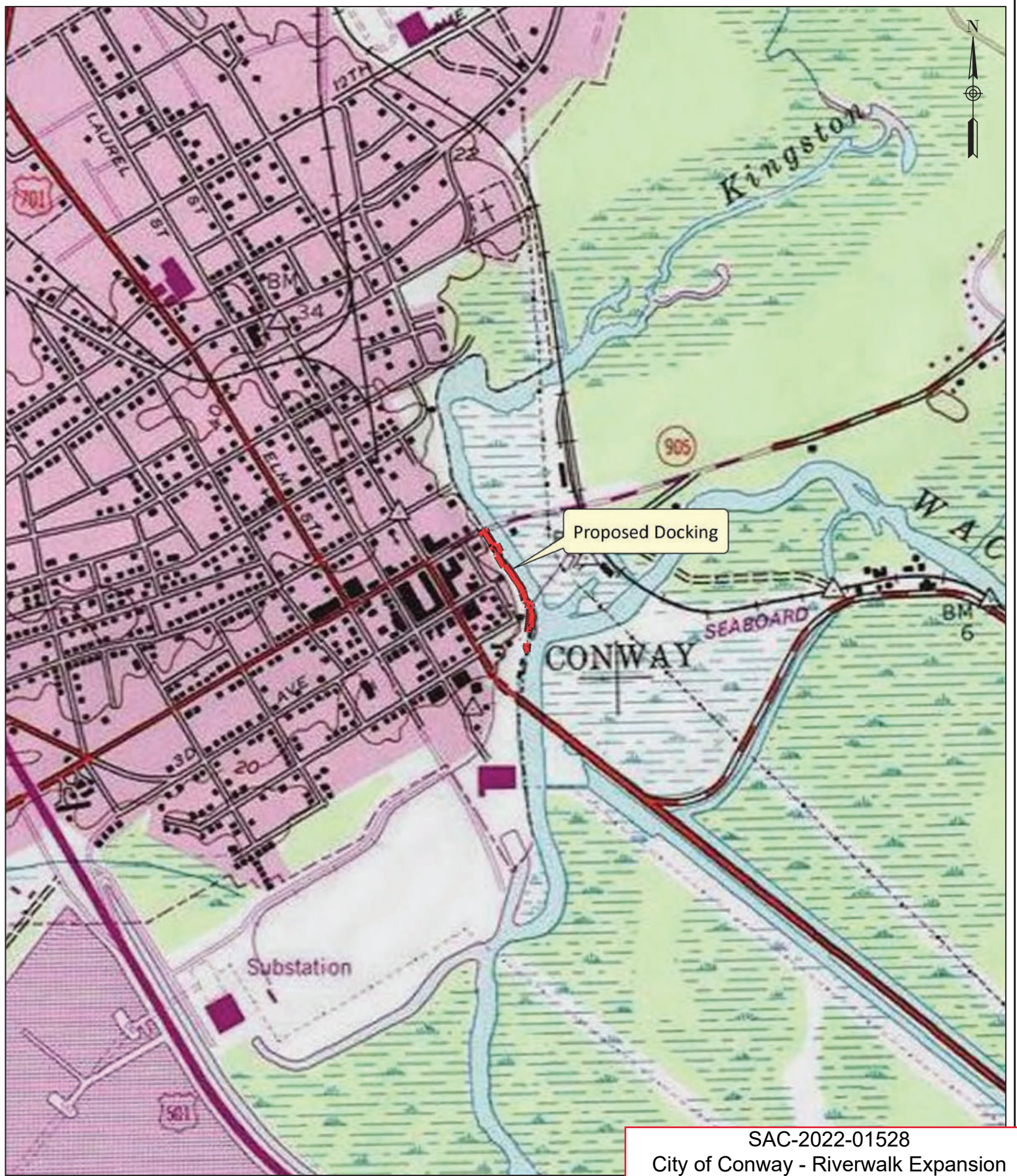
SAC-2022-01528
 City of Conway - Riverwalk Expansion
 Horry County, South Carolina
 Sheet 1 of 8
 Date: September 13, 2022



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Vicinity Map
 City of Conway - Riverwalk Expansion
 Horry County
 Date: 9-13-22
 Application No.

Figure 1



SAC-2022-01528
 City of Conway - Riverwalk Expansion
 Horry County, South Carolina
 Sheet 2 of 8
 Date: September 13, 2022



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USGS Topographic Map

City of Conway - Riverwalk Expansion
 Horry County
 Date: 9-13-22
 Application No.

Figure 2



Permitted Structure (not constructed)
previously authorized by SAC 2017-01848 (IP
current until 6-30-23) see figure 4 & figure 8

Proposed Expansion
see figure 5

Proposed Expansion
see figure 5, 6, & 8

Proposed Expansion
see figure 6 & 8

Proposed Structure
previously authorized by SAC
2017-00228 (LOP expired 4-04-22)
see figure 7

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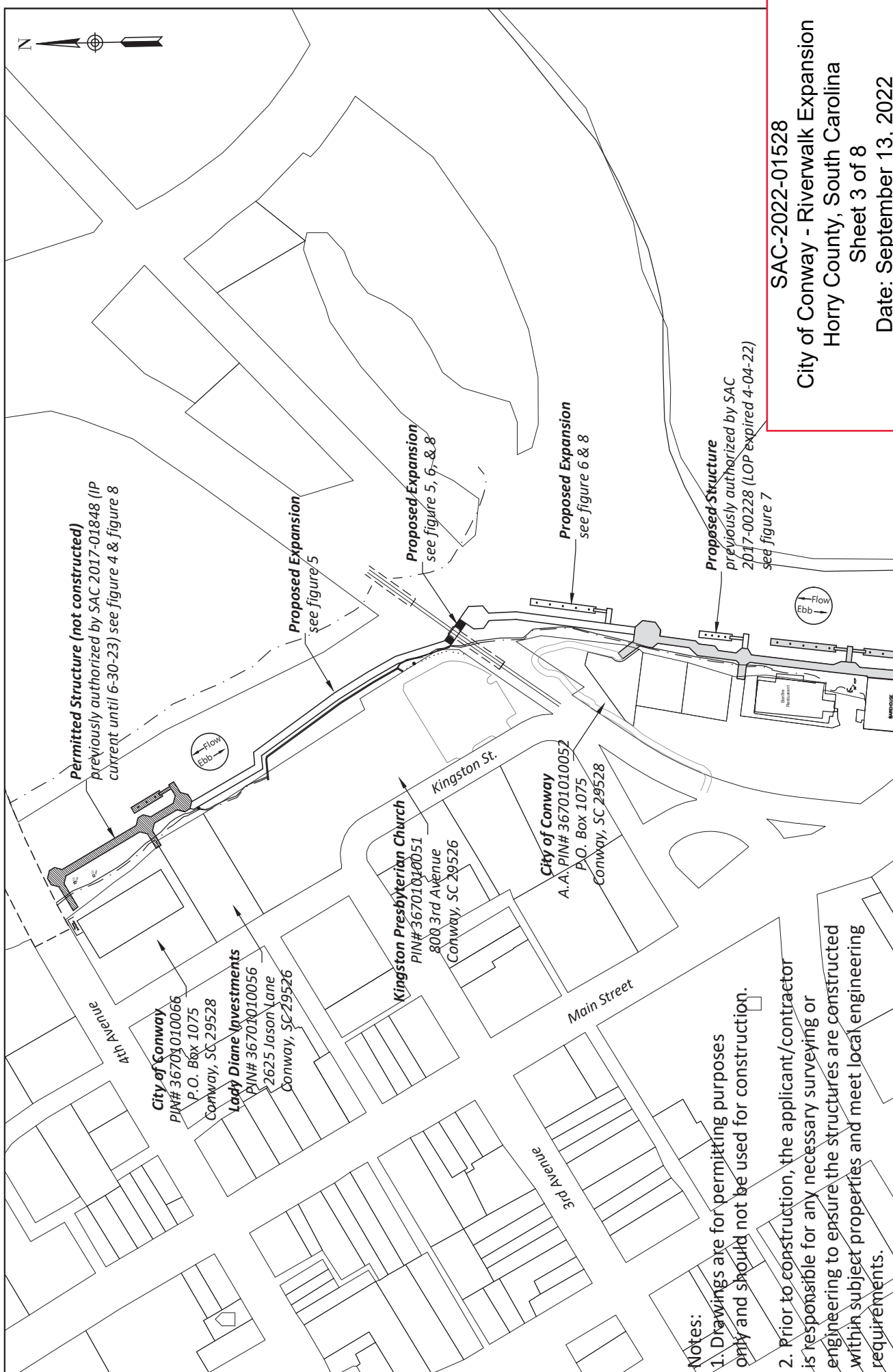
City of Conway - Riverwalk Expansion
Horry County, South Carolina
Sheet 3 of 8

Date: September 13, 2022



Figure 3

00280-22391



City of Conway
PIN# 36701010066
P.O. Box 1075
Conway, SC 29528

Lady Diane Investments
PIN# 36701010056
2625 Jason Lane
Conway, SC 29526

Kingston Presbyterian Church
PIN# 36701010051
800 3rd Avenue
Conway, SC 29526

City of Conway
A.A. PIN# 36701010052
P.O. Box 1075
Conway, SC 29528

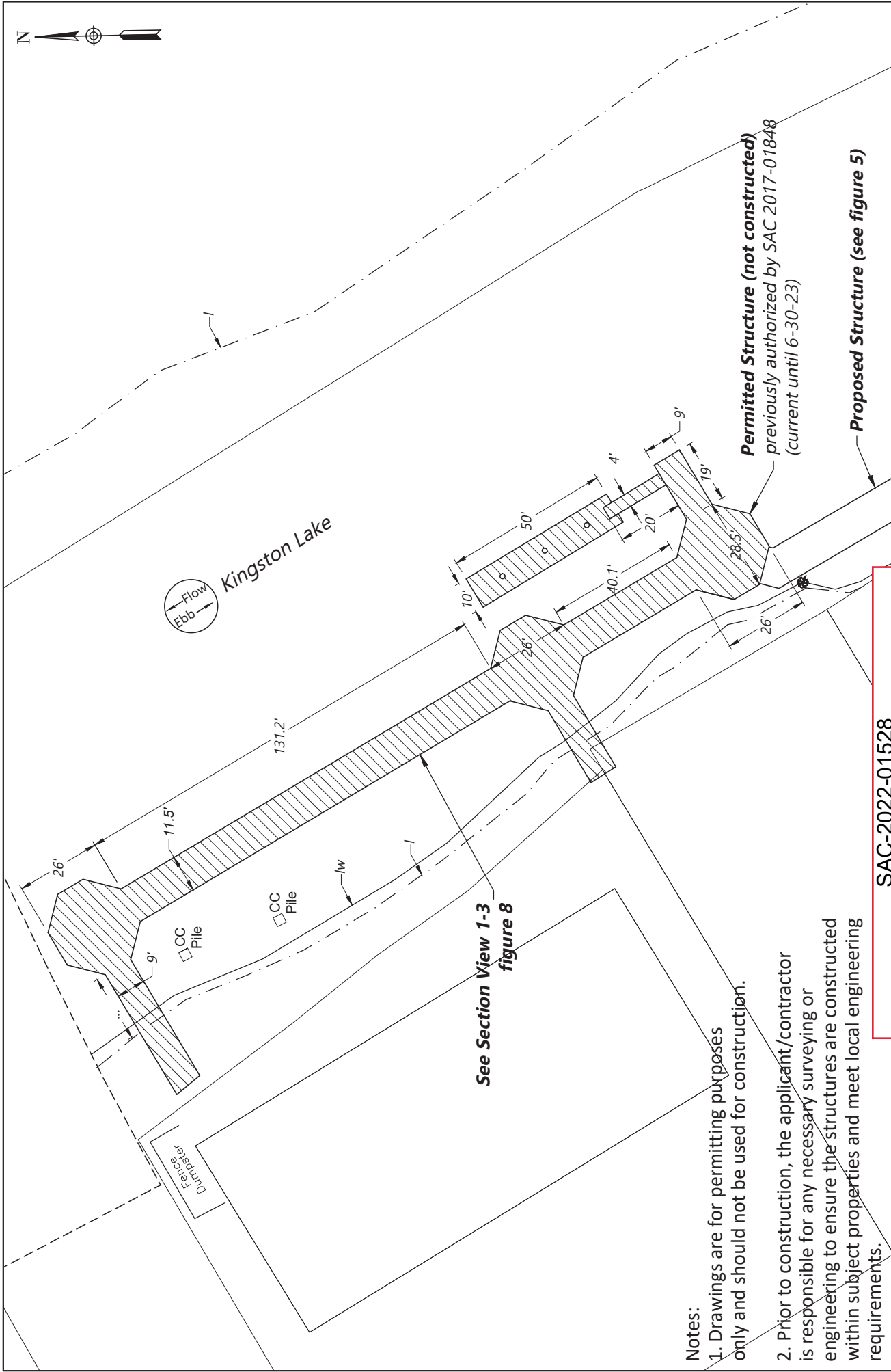
Notes:

1. Drawings are for permitting purposes only and should not be used for construction.
2. Prior to construction, the applicant/contractor is responsible for any necessary surveying or engineering to ensure the structures are constructed within subject properties and meet local engineering requirements.



Overall Plan View

City of Conway - Riverwalk Expansion
Horry County
Date: 9-13-22
Application No.



Notes:

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607 Main Street - Conway, SC 29526 - Phone (843) 248-9

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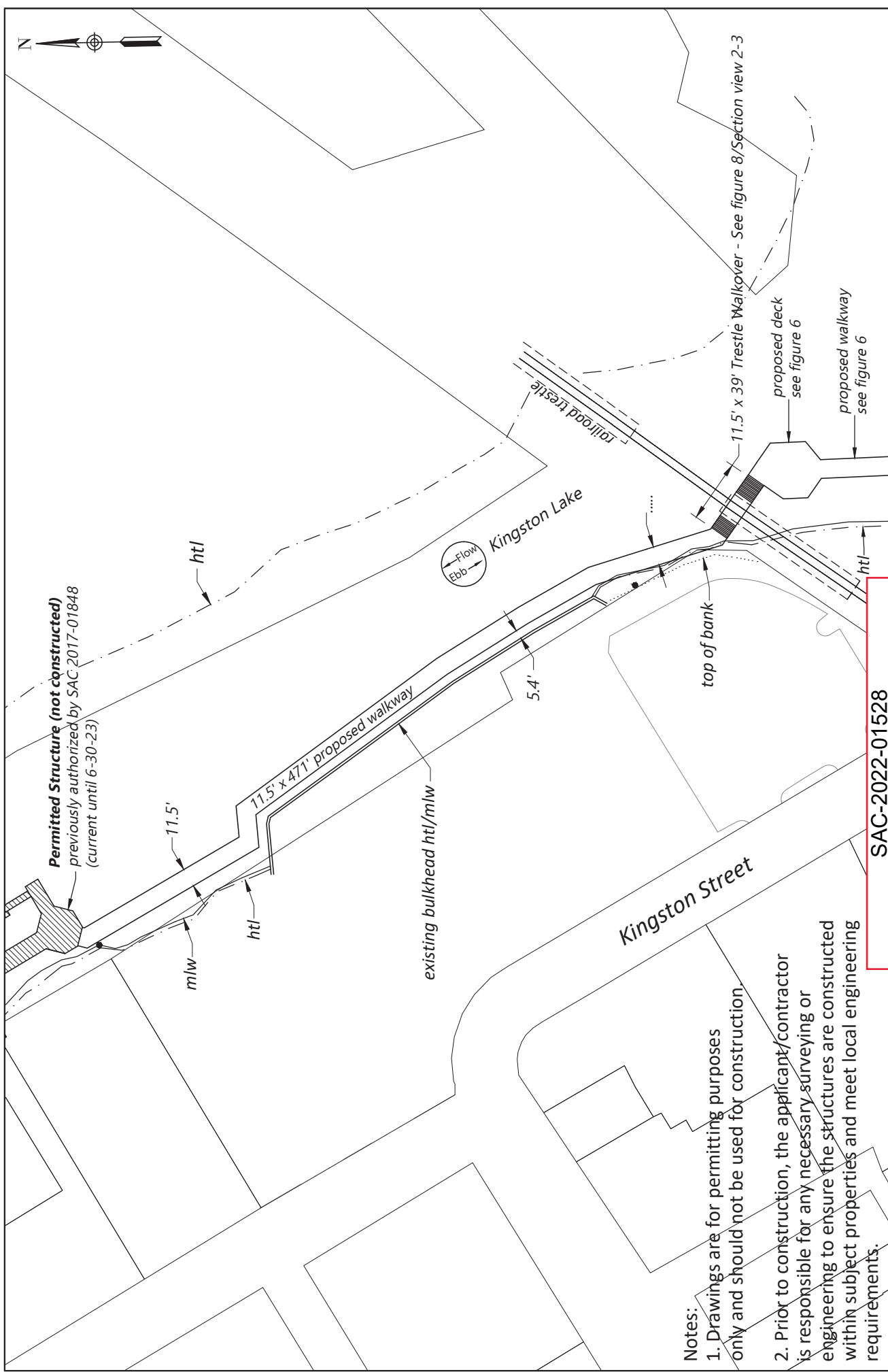
Proposed Activity: community docking facility

Applicant: City of Conway

SCALE IN FEET
 0 40'

Figure 4

00280-22391



Permitted Structure (not constructed)
previously authorized by SAC 2017-01848
(current until 6-30-23)

- Notes:**
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 2. Prior to construction, the applicant/contractor is responsible for any necessary surveying or engineering to ensure the structures are constructed within subject properties and meet local engineering requirements.

Proposed Activity: community docking facility
Applicant: City of Conway

80' 0 80'
SCALE IN FEET

00280-22391

Figure 5

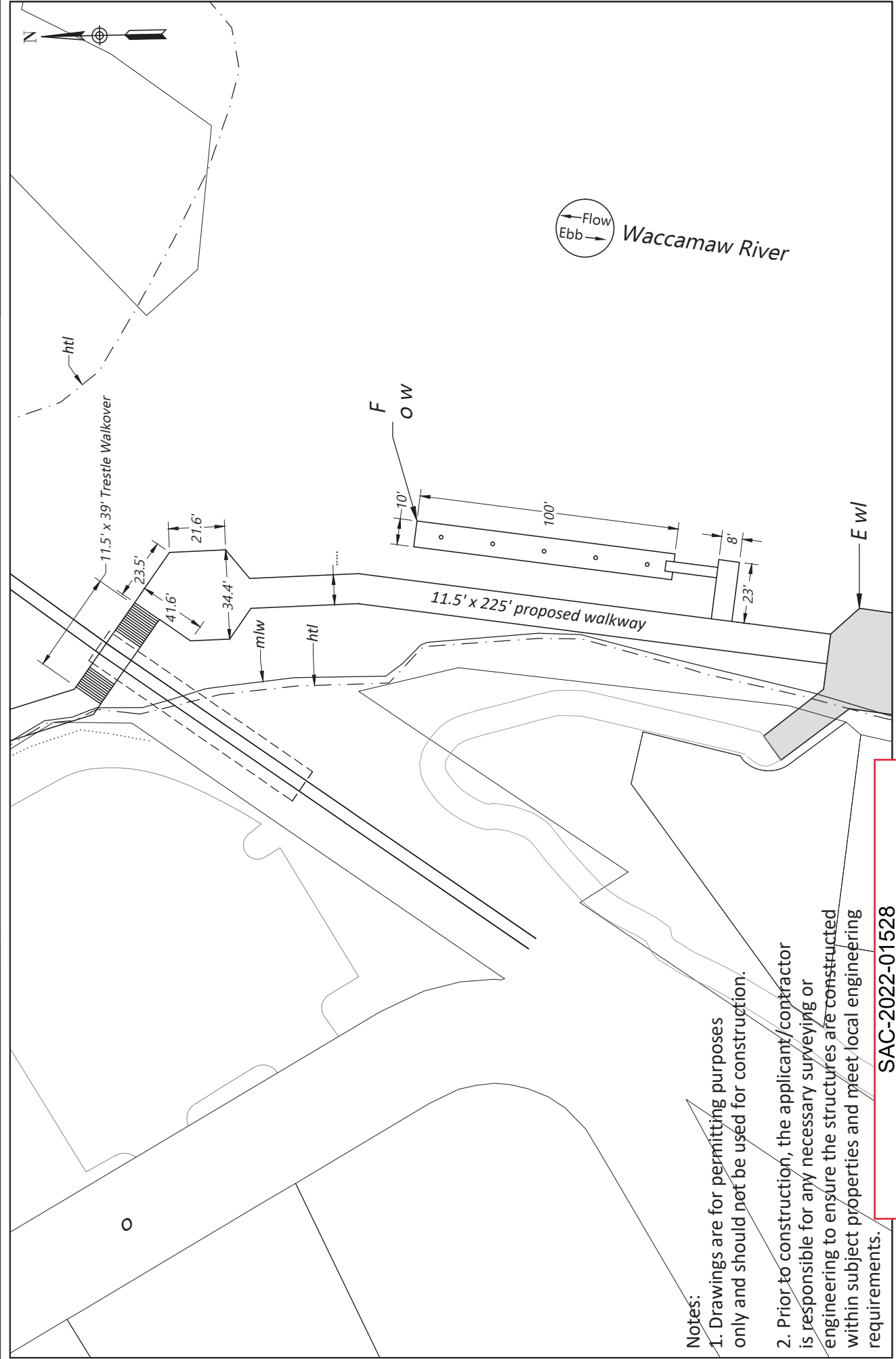
SAC-2022-01528

City of Conway - Riverwalk Expansion
Horry County, South Carolina
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Date: September 13, 2022

Plan
City of
Horry C
Date: 9
Applica

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607 Main Street - Conway, SC 29526 - Phone (843) 248-9388 - Fax (843) 248-9389



Flow
Ebb
Waccamaw River

Notes:

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2. Prior to construction, the applicant/contractor is responsible for any necessary surveying or engineering to ensure the structures are constructed within subject properties and meet local engineering requirements.

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 City of Conway - Riverwalk Expansion
 Horry County, South Carolina
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Proposed Activity: community docking facility

Applicant: City of Conway



Figure 6



Permitted Structure (not constructed)
previously authorized by SAC
2017-002228 (LOP expired 4-04-22)

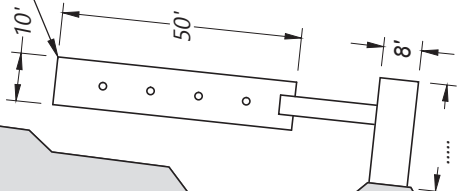


Waccamaw River

Existing Riverwalk

Permitted Structure (constructed)
previously authorized by SAC
2017-002228 (LOP expired 4-04-22)

htl
mlw



Bonfire
Restuarant

- Notes:
1. Drawings are for permitting purposes only and should not be used for construction. Restuarant
 2. Prior to construction, the applicant/contractor is responsible for any necessary surveying or engineering to ensure the structures are constructed

SAC-2022-01528

City of Conway - Riverwalk Expansion
Horry County, South Carolina

Sheet 7 of 8

Date: September 13, 2022

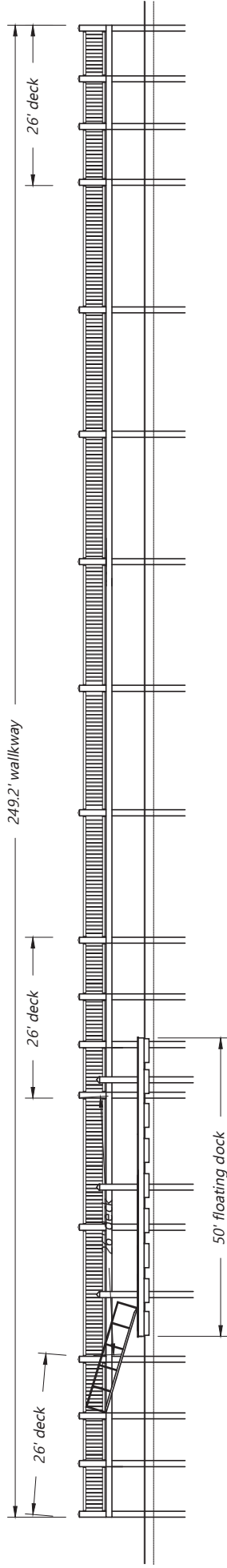
riverwalk Expansion

Proposed Activity: community docking facility
Applicant: City of Conway

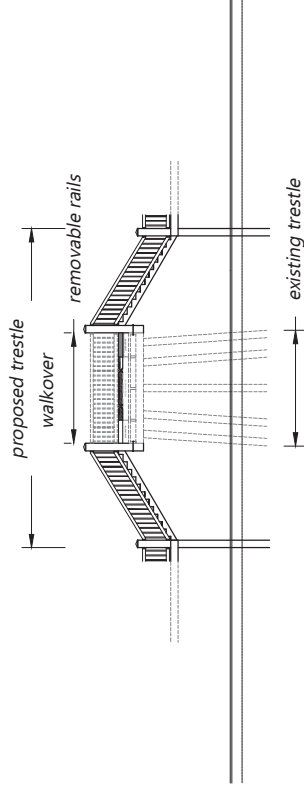


Figure 7

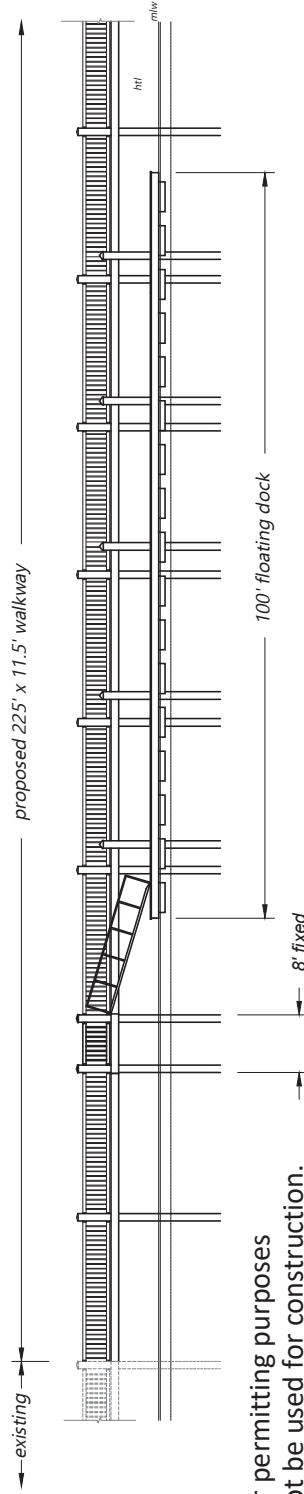
Section View 1-3 - not to scale



Section View 2-3 - not to scale



Section View 3-3 - not to scale



Notes:

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2. Prior to construction, the applicant/contractor is responsible for any necessary surveying or engineering to ensure the structures are constructed within subject properties and meet local engineering requirements.

SAC-2022-01528
City of Conway - Riverwalk Expansion
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Date: September 13, 2022

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