

**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 SAC-2017-00441

July 7, 2017

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

**Mr. Joseph Robertson**  
**Captain Jules Hurricane Restaurant**  
**9008 Snee Court**  
**Myrtle Beach, South Carolina 29579**

for a permit to construct a floating dock adjacent to an existing fixed pier and to dredge in the

**ATLANTIC INTRACOASTAL WATERWAY (AIWW)**

at 4499 Mineola Avenue in Little River, Horry County, South Carolina (Latitude: 33.8703 °N, Longitude: -78.6092 °W), Little River 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 new floating docking structure adjacent to an existing fixed pier and dredging within open waters of the AIWW. In detail, the proposed work consist of constructing a 6.2' x 41' floating dock that will be accessed via a 3' x 25' aluminum ramp attached to an existing wooden deck.

In addition, the applicant is proposing to dredge approximately 0.013 acres (667 cubic yards) of substrate from open waters of the AIWW. The bottom will be dredged to a depth of -5.4' (MLW). As stated by the applicant, the dredging will be performed using a long reach excavator and barge with the capacity to hold approximately 50 cubic yards of material. Dredged material will be transported to a final upland disposal site where it will be offloaded by a track machine and deposited on the disposal site in a three sided containment area approximately 150' from the AIWW.

The applicant offered no compensatory mitigation for impacts associated with the project. It is understood that this work is to be conducted on/or adjacent to an area subject to a prism and/or disposal area held by the United States. Appropriate provisions will be included in the permit to ensure the interests of the Federal Government are understood. The project purpose is to provide recreational access and vessel mooring within the AIWW.

**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 0.013 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 the proposed project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*), Atlantic Sturgeon (*Acipenser oxyrinchus oxyrinchus*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempi*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Kirtland's Warbler (*Setophaga kirtlandii*), Piping Plover (*Charadrius melodus*), Red Knot (*Calidris canutus rufa*), Red-cockaded Woodpecker (*Picoides borealis*) and the Wood Stork (*Mycteria Americana*) 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

July 7, 2017

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)), 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 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 cannot undertake to adjudicate rival claims.

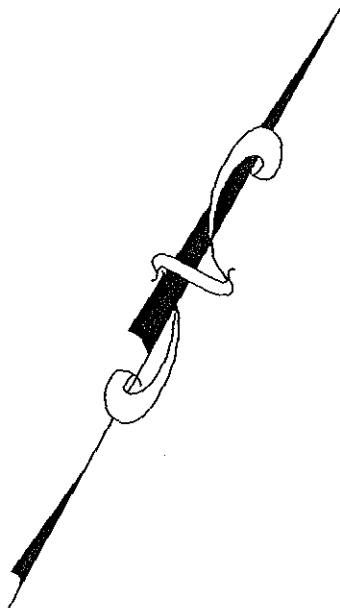
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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

July 7, 2017

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 Erica L. Stone, Project Manager, at (843) 365-4239.

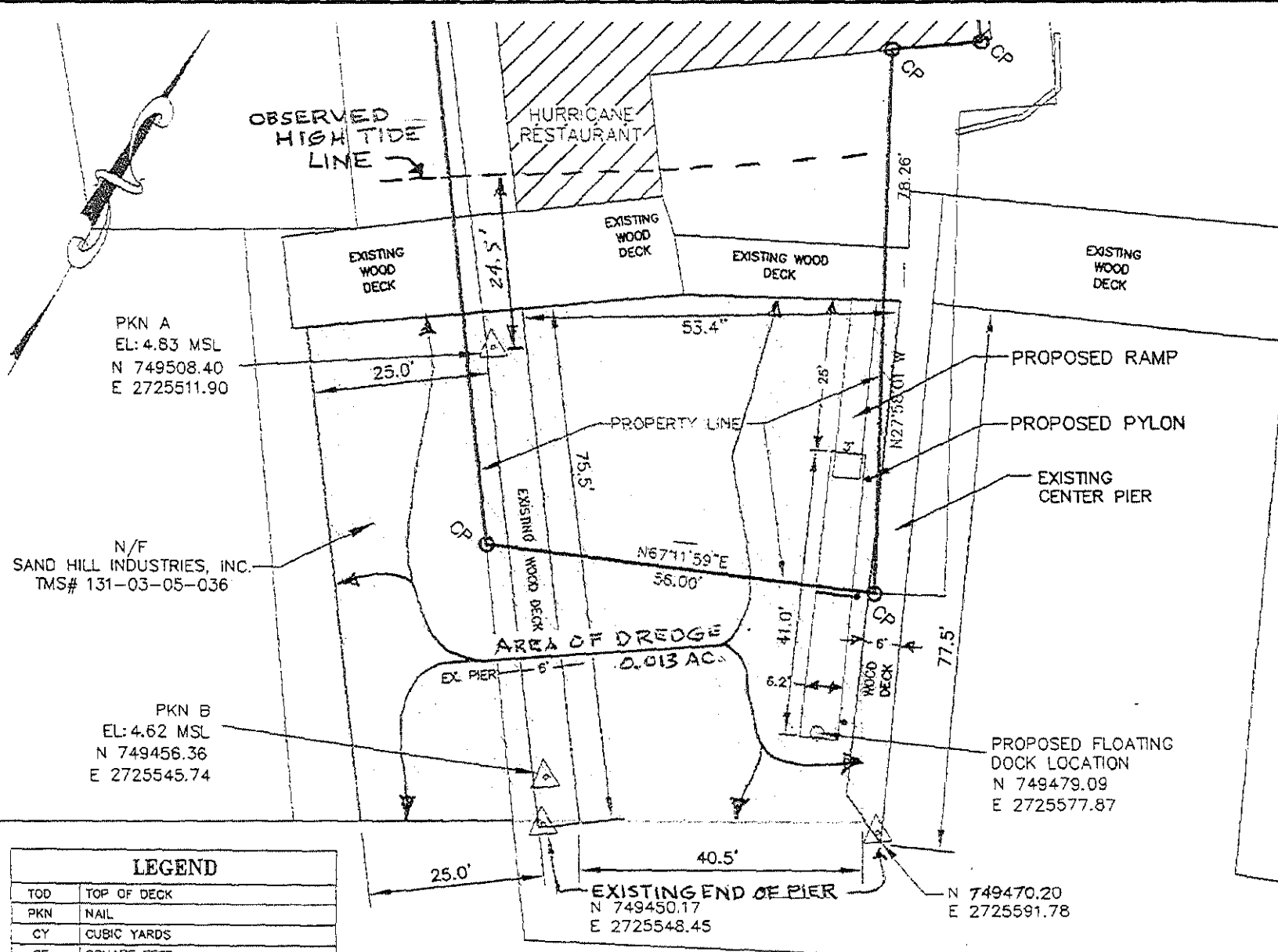


I N T R A C O A S T A L   W A T E R W A Y

LOCATION MAP  
(NO SCALE)

SEC 2017-00441

6255-1	Drwg. No.	Date: 2-22-17	Sheet: 3 of 4	LOCATION MAP HURRICANE RESTAURANT 4499 MINEOLA AVENUE LITTLE RIVER, SC DREDGE SLIPS, INSTALL FLOATING DOCK	ROBERT L. BELLAMY & ASSOCIATES, INC. ROBERT L. BELLAMY & ASSOCIATES, INC. CONSULTING ENGINEERS, PLANNERS & SURVEYORS 4706 OLEANDER DRIVE MYRTLE BEACH, SOUTH CAROLINA 29577 PHONE (843)-448-8453



PKN A  
 EL: 4.83 MSL  
 N 749508.40  
 E 2725511.90

N/F  
 SAND HILL INDUSTRIES, INC.  
 TMS# 131-03-05-036

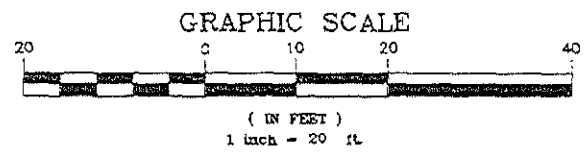
PKN B  
 EL: 4.62 MSL  
 N 749456.36  
 E 2725545.74

LEGEND	
TOD	TOP OF DECK
PKN	NAIL
CY	CUBIC YARDS
SF	SQUARE FEET
MSL	MEAN SEA LEVEL
MLW	MEAN LOW WATER
EL	ELEVATION
CP	COMPUTED POINT
BTM	BOTTOM

COORDINATES ARE  
 BASED ON NAD 1983

# INTRACOASTAL WATERWAY

REVISED ON 6-18-17

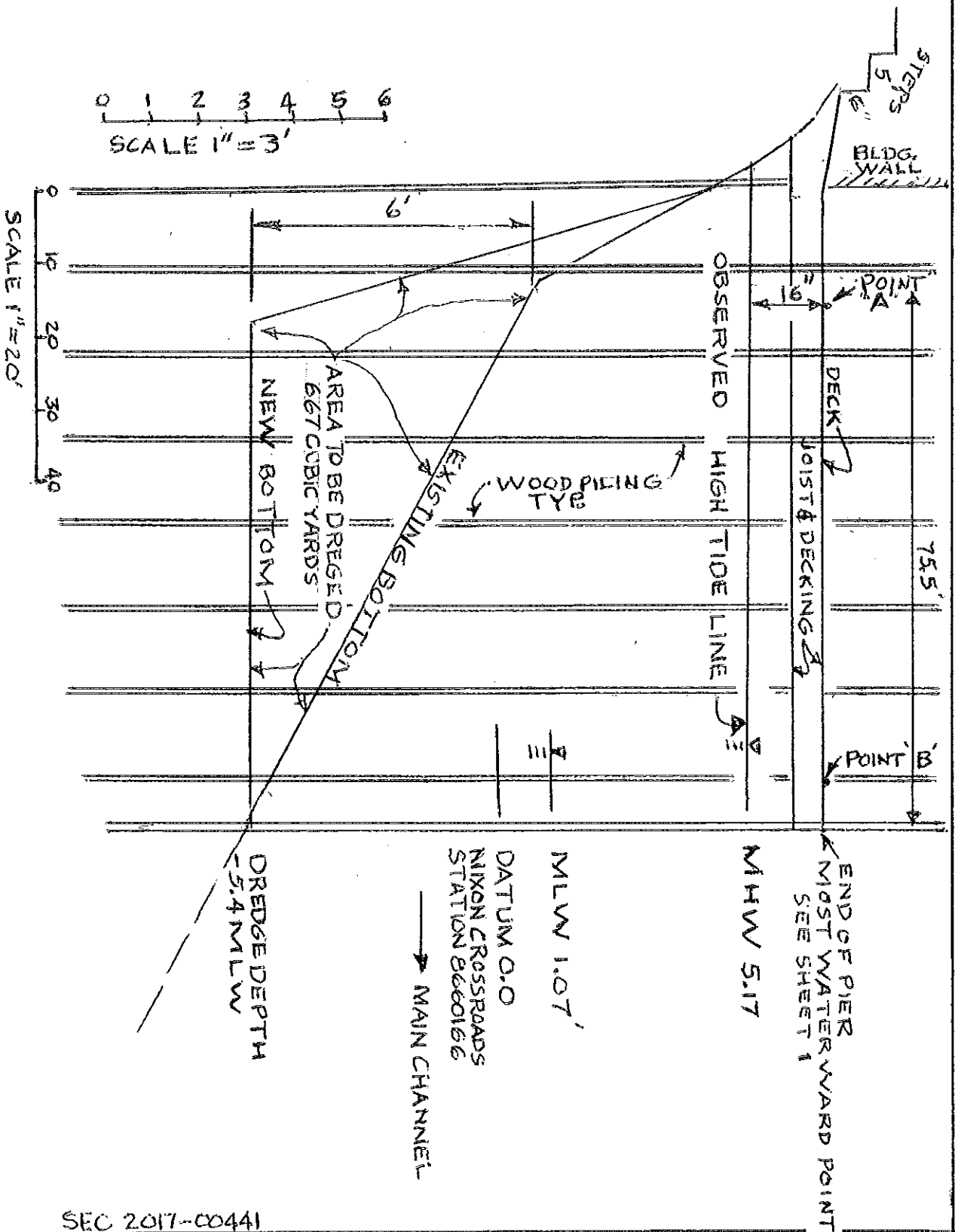


SEC 2017-0041

ROBERT L. BELLAMY & ASSOCIATES, INC.  
 ROBERT L. BELLAMY & ASSOCIATES, INC.  
 CONSULTING ENGINEERS, PLANNERS & SURVEYORS  
 4706 OLEANDER DRIVE  
 MYRTLE BEACH, SOUTH CAROLINA 29577  
 PHONE (843)-449-8453

HURRICANE RESTAURANT  
 4499 MINEOLA AVENUE  
 LITTLE RIVER, SC  
 DREDGE SLIPS, INSTALL FLOATING DOCK

Sheet:  
 1 of 4  
 Date:  
 2-22-17  
 Drwg. No.  
 6255-1



REVISED 6-16-17

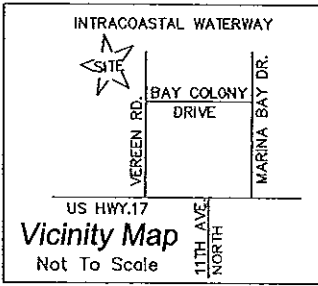
SEC 2017-00441

LOCATION MAP  
 HURRICANE RESTAURANT  
 4499 MINEOLA AVENUE  
 LITTLE RIVER, SC  
 DREDGE SLIPS, INSTALL FLOATING DOCK

ROBERT L. BELLAMY & ASSOCIATES, INC.  
 ROBERT L. BELLAMY & ASSOCIATES, INC.  
 CONSULTING ENGINEERS, PLANNERS & SURVEYORS  
 4706 OLEANDER DRIVE  
 MYRTLE BEACH, SOUTH CAROLINA 29577  
 PHONE (843)-449-8453

Sheet: 2 of 4  
 Date: 2-22-17  
 Drwg. No.

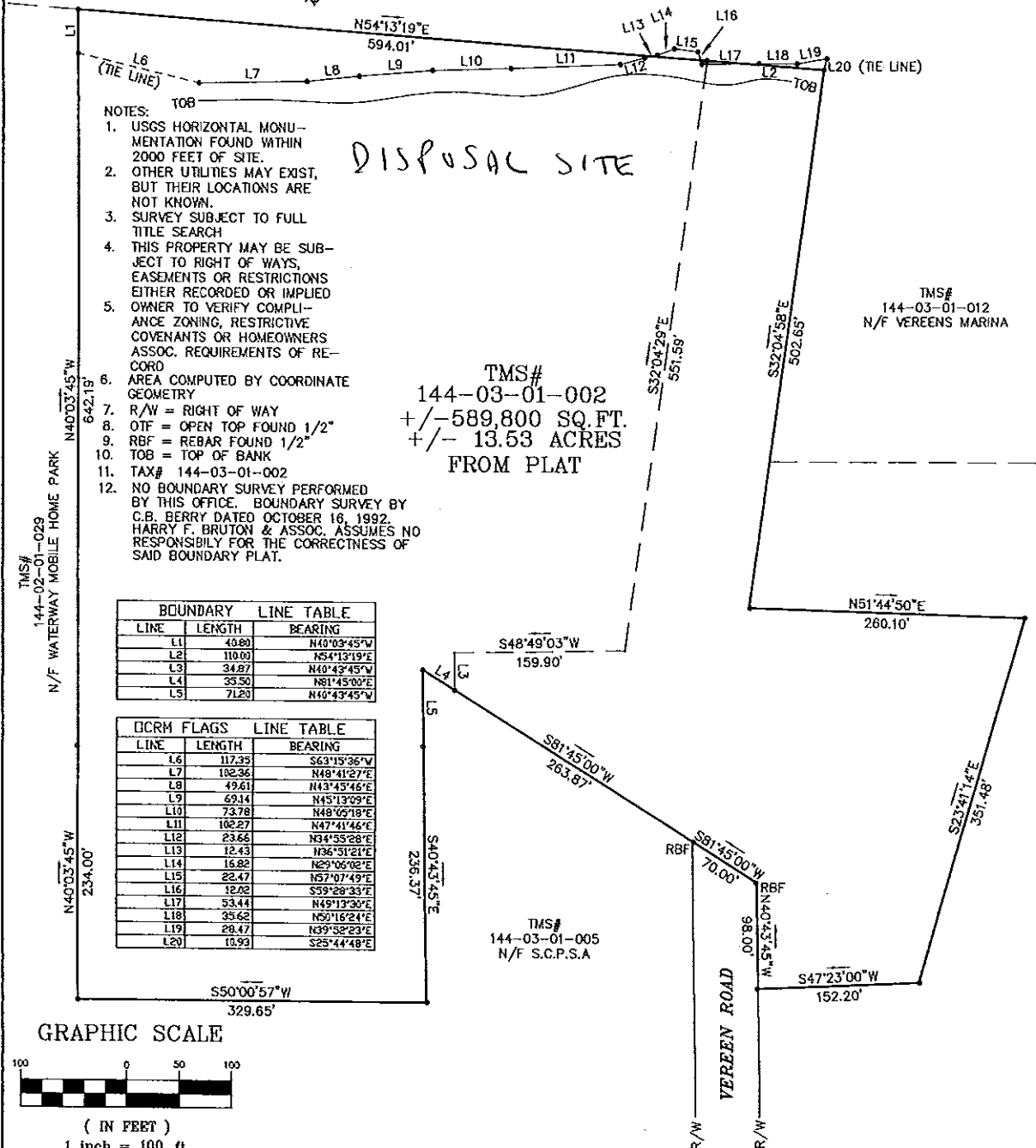
62555-1



I hereby state to the best of my knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the minimum standards manual for the practice of land surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein; that there are no visible encroachments or projections other than shown; that the unadjusted ratio of precision is 1:10,000+; that this property is subject to any easements of record that may be shown on an up-to-date title search not furnished me this date; that the area was determined by the coordinate method of area calculation. Date: JANUARY 18, 2007

SIGNED *Harry F. Bruton*  
 PROFESSIONAL LAND SURVEYOR  
 HARRY F. BRUTON, PLS 24275

# INTRACOASTAL WATERWAY



**Harry F. Bruton & Associates**  
 Professional Land Surveying & Design

RESIDENTIAL & COMMERCIAL IN S.C.  
 905-2 Sea Mountain Hwy.  
 North Myrtle Beach, SC 29582

TOLL FREE 1 866 832-7700  
 OFFICE (843) 281-8822  
 FAX (843) 280-0920

A CORP FLAG LOCATION MAP  
 OF  
 TMS#144-03-01-002  
 CITY OF NORTH MYRTLE BEACH  
 LITTLE RIVER TOWNSHIP, HORRY CO., S.C.

SCALE 1"=100'  
 THE PROPERTY OF **GEORGE R. VEREEN, ETAL.**

MAP REFERENCE IN BOOK \_\_\_\_\_ PAGE \_\_\_\_\_  
 DEED REFERENCE IN BOOK 2959 PAGE 833  
 JOB NO. 06309 ACAD: REDIMIX(NMB)

