

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 Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N # 2015-00546-3H

20 May 2015

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 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

SMH BUILDINGS, LLC
c/o DDC ENGINEERS , INC.
1298 PROFESSIONAL DRIVE
MYRTLE BEACH, SOUTH CAROLINA 29577

for a permit to construct a joint-use dock and dredge in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at a location described as Lots #22 and #23 within the Palmetto Harbor development, on Palmetto Harbor Drive, in the City of North Myrtle Beach, Horry County, South Carolina (Latitude 33.827099°N, Longitude -78.706248°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,

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 joint-use dock and associated dredging in the AIWW. In detail, the proposed work consists of dredging approximately 4,615 cubic yards of

material from approximately 0.21 acres of the AIWW to a sloped depth of -8.0 below Mean Low Water (MLW). The proposed dredging will be accomplished by a long-reach mechanical excavator located within uplands and on a barge as needed to reach the entire area to be dredged. The dredged material will be placed in a water-tight bin either located within onsite uplands or mounted on a barge. The water-tight storage bin will be situated within onsite uplands or offloaded from the barge by a track loader prior to being placed into dump trucks and transported off site to the final upland disposal site. In addition, the work consists of the construction of an "E" shaped joint-use docking structure. The proposed docking structure will be comprised of a 5' x 65' fixed pier; two (2) 4' x 22' fixed walkways situated perpendicular to the proposed fixed pier; two (2) 6' x 28' floating docks that will be attached to the proposed fixed walkways by two (2) 4' x 22' adjusting ramps; and, two (2) 15' x 16' uncovered boatlifts are proposed to be constructed between the fixed pier and each proposed floating dock. The proposed project was previously authorized under the Department of the Army (DA) permit # 2005-1E-170; however, no work, dredging or dock construction, took place during the construction window of the previous DA permit. The applicant stated that due to the minimal impacts to the aquatic resources associated with the proposed project, no compensatory mitigation is being offered. The applicant stated that measures taken to avoid and minimize impacts to Waters of the United States consist of utilizing a watertight bin for the placement of dredged material and stationing the excavator within uplands above Mean High Water (MHW) or on a barge during the dredging operation. 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 as stated by the applicant is to provide private, recreational boating access and mooring within the AIWW for the owner's of the adjacent residential Lots #22 & #23 located within the Palmetto Harbor development.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. 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 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 (0.21) acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the 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.

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 that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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 the NHPA, the District Engineer has 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 initially determined that no historic properties, nor properties eligible for inclusion in the National Register, are present; therefore, there will be no effect on historic properties. This public notices 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.

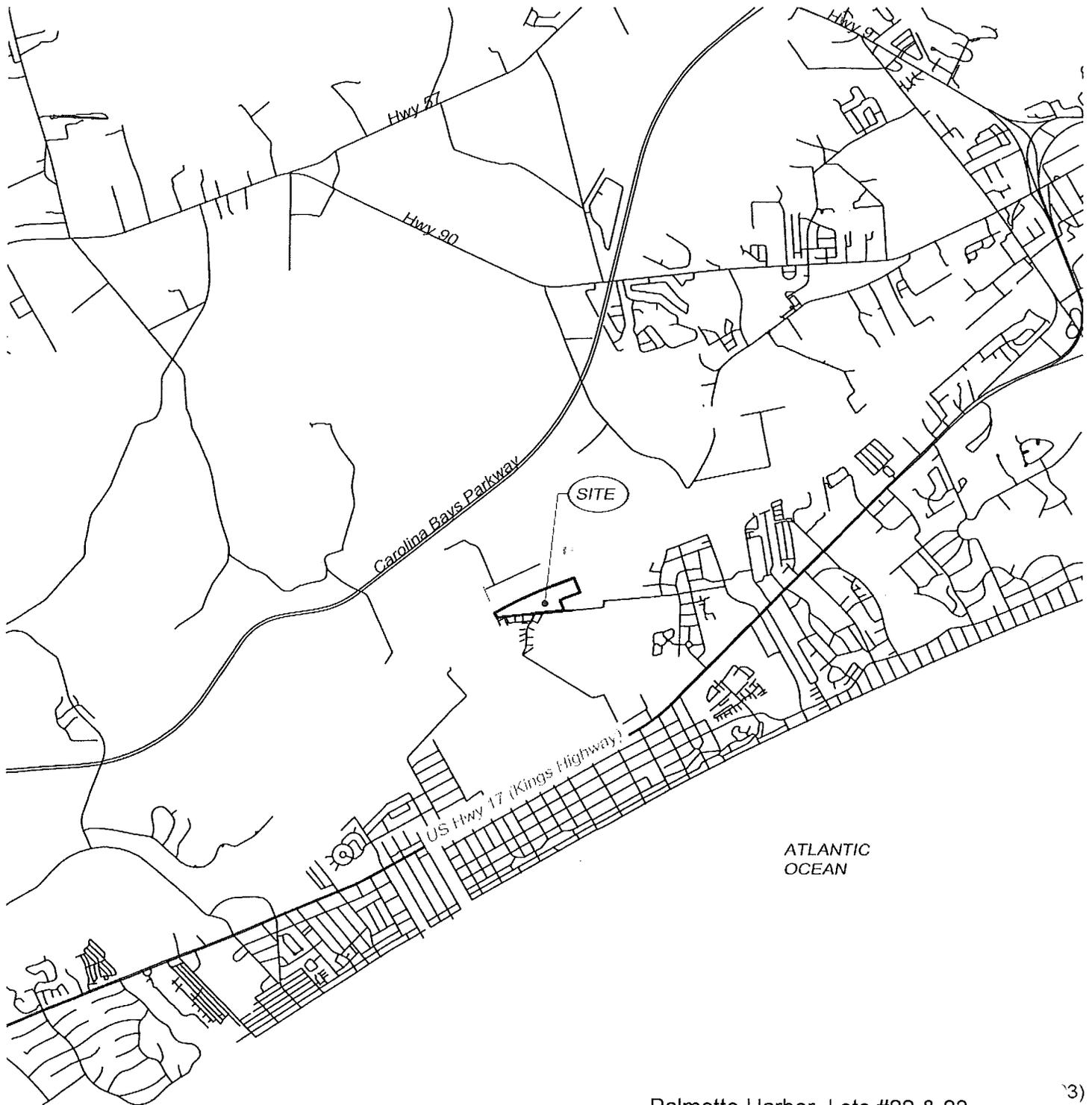
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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 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.

NOTE:
 THIS DRAWING IS FOR PERMITTING
 PURPOSES ONLY AND IS NOT TO BE
 USED FOR ENGINEERING DESIGN OR
 DETAIL.



3)

Palmetto Harbor Lots #22 & 23
 SAC 2015-00546-3H
 Horry County, SC
 Dated 4/24/2015
 Sheet 1 of 13

**PALMETTO HARBOR
 DOCK & DREDGE PERMIT
 LOTS 22 & 23**

VICINITY

SHEET ___ OF ___

DDC PN: N/A

SCALE: N/A

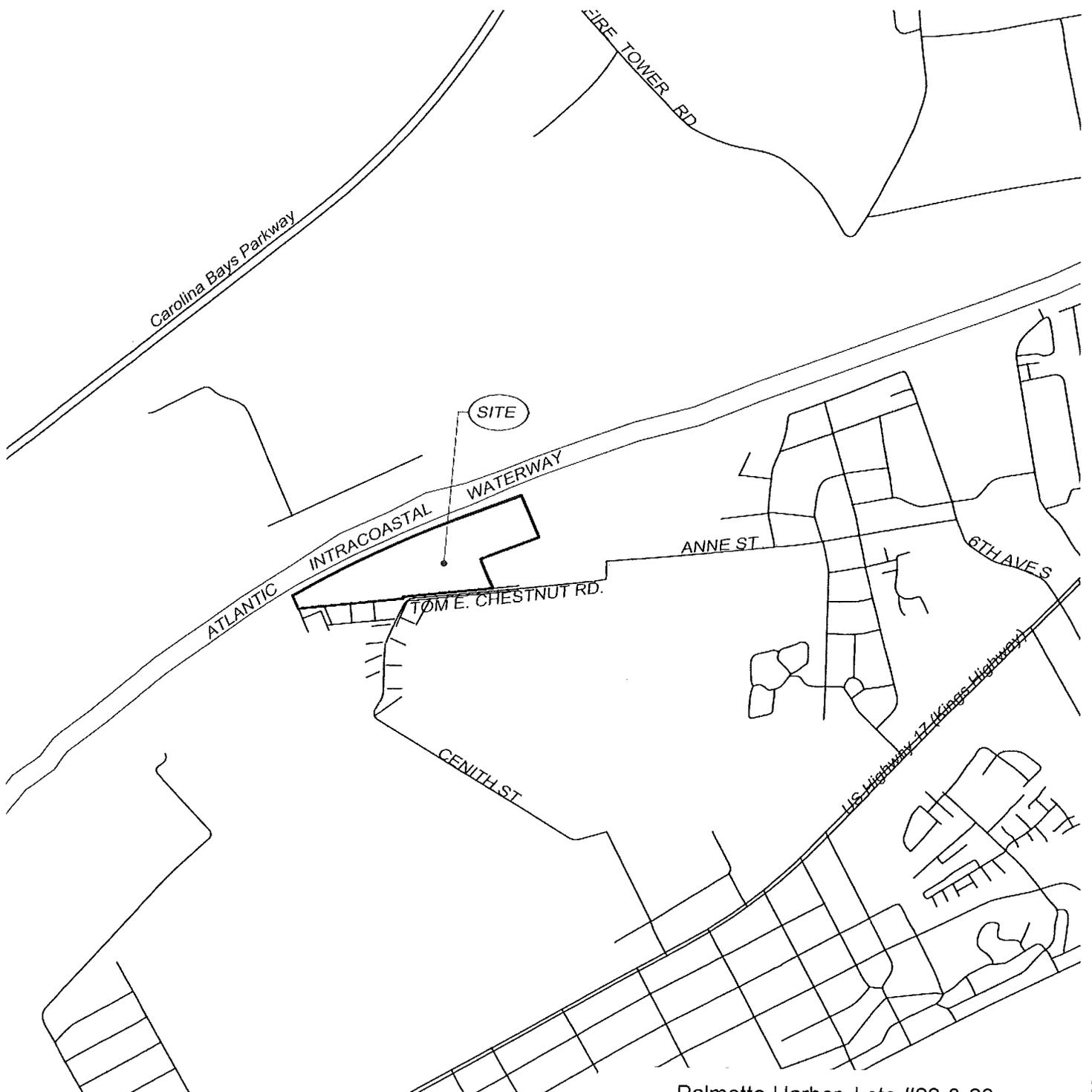
DDC

ORIGINAL DATE: 4/24/2015
 REVISED DATE:

APPLICANT: KENAN WALKER

Consulting Engineers, Surveyors, Planners,
 Landscape Architects & Environmentalists
 1298 Professional Dr., Myrtle Beach, SC 29577
 Phone: (843) 692-3200 Fax: (843) 692-3210

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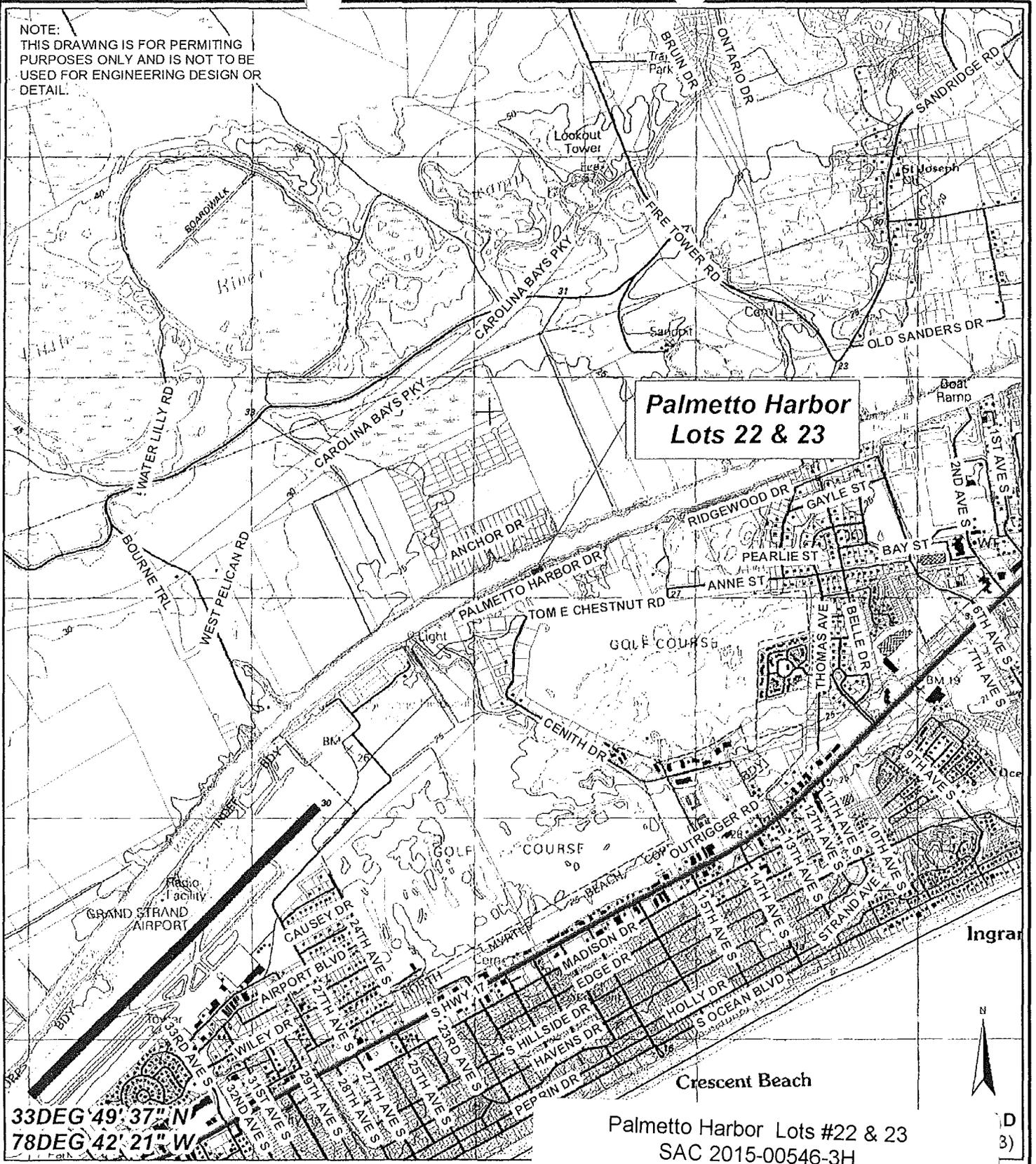


Palmetto Harbor Lots #22 & 23
 SAC 2015-00546-3H
 Horry County, SC
 Dated 4/24/2015
 Sheet 2 of 13

(3)

PALMETTO HARBOR DOCK & DREDGE PERMIT LOTS 22 & 23		LOCATIC		DDC	
SHEET ___ OF ___		DDC PN: N/A	SCALE: N/A	Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210	
ORIGINAL DATE: 4/24/2015 REVISED DATE:		APPLICANT: KENAN WALKER			

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**Palmetto Harbor
Lots 22 & 23**

33DEG 49' 37" N
78DEG 42' 21" W



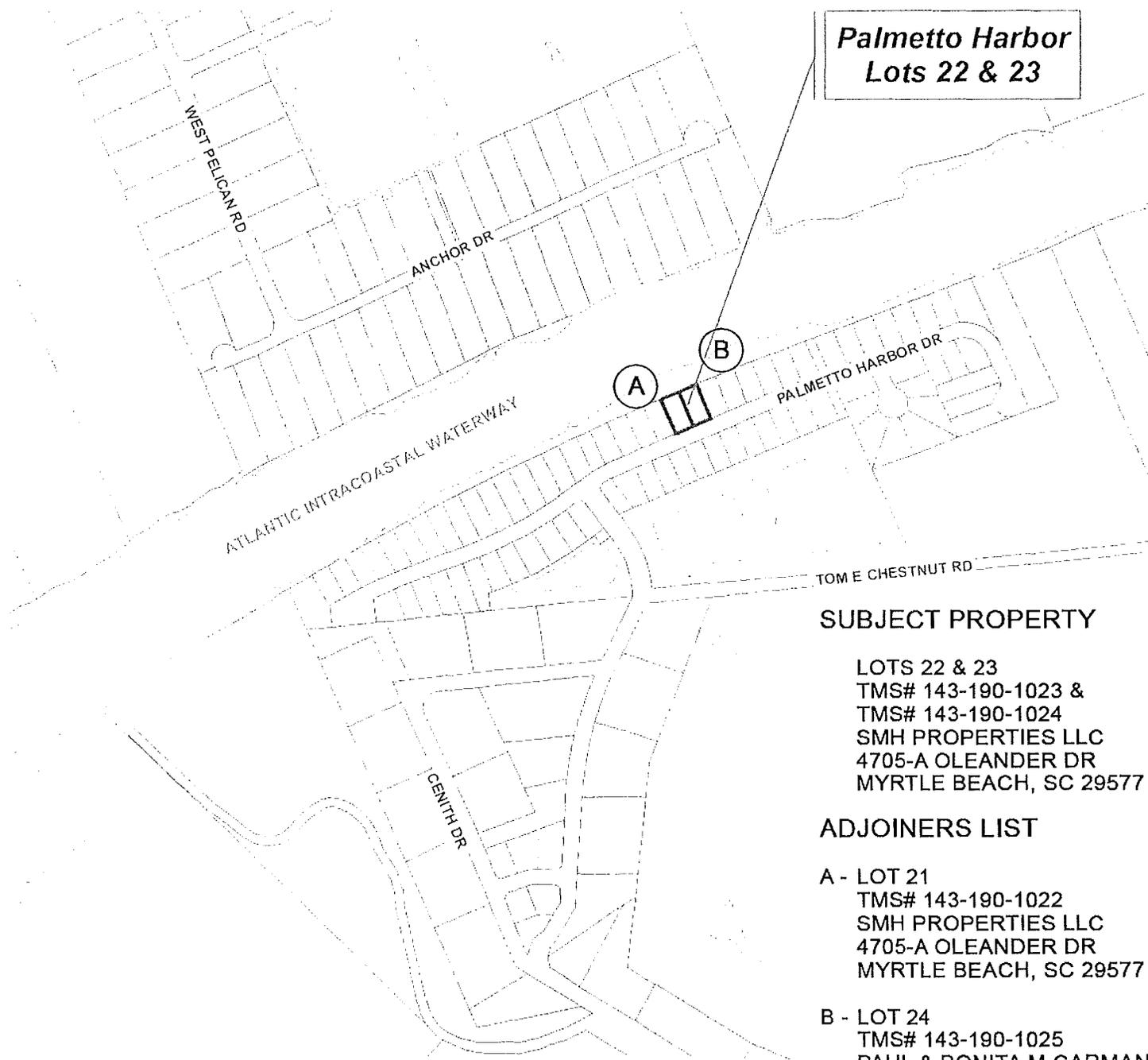
Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 3 of 13

<p>PALMETTO HARBOR LOTS 22 & 23</p>	<p>USGS TOF</p>		<p>DDC</p>
<p>SHEET ___ OF ___</p> <p>ORIGINAL DATE: 4/24/2015 REVISED DATE:</p>	<p>DDC PN: N/A</p>	<p>SCALE: 1" = 2,000'</p> <p>APPLICANT: KENAN WALKER</p>	<p>CONSULTING ENGINEERS SURVEYORS PLANNERS LANDSCAPE ARCHITECTS & ENVIRONMENTALISTS 204 PROFESSIONAL DRIVE WORTH BEACH, SOUTH CAROLINA 29577 PHONE (843) 692-1250 FAX (843) 692-1250</p>

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**Palmetto Harbor
Lots 22 & 23**



SUBJECT PROPERTY

LOTS 22 & 23
TMS# 143-190-1023 &
TMS# 143-190-1024
SMH PROPERTIES LLC
4705-A OLEANDER DR
MYRTLE BEACH, SC 29577

ADJOINERS LIST

A - LOT 21
TMS# 143-190-1022
SMH PROPERTIES LLC
4705-A OLEANDER DR
MYRTLE BEACH, SC 29577

B - LOT 24
TMS# 143-190-1025
PAUL & BONITA M CARMAN
3003 HOGANS ALY
LITTLE RIVER, SC 29566

Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 4 of 13

**PALMETTO HARBOR
DOCK & DREDGE PERMIT
LOTS 22 & 23**

ADJOINER

SHEET ___ OF ___

DDC PN: N/A

SCALE: 1"=500'

DDC

ORIGINAL DATE: 4/24/2015
REVISED DATE:

APPLICANT: KENAN WALKER

Consulting Engineers, Surveyors, Planners,
Landscape Architects & Environmentalists
1298 Professional Dr., Myrtle Beach, SC 29577
Phone: (843) 692-3200 Fax: (843) 692-3210

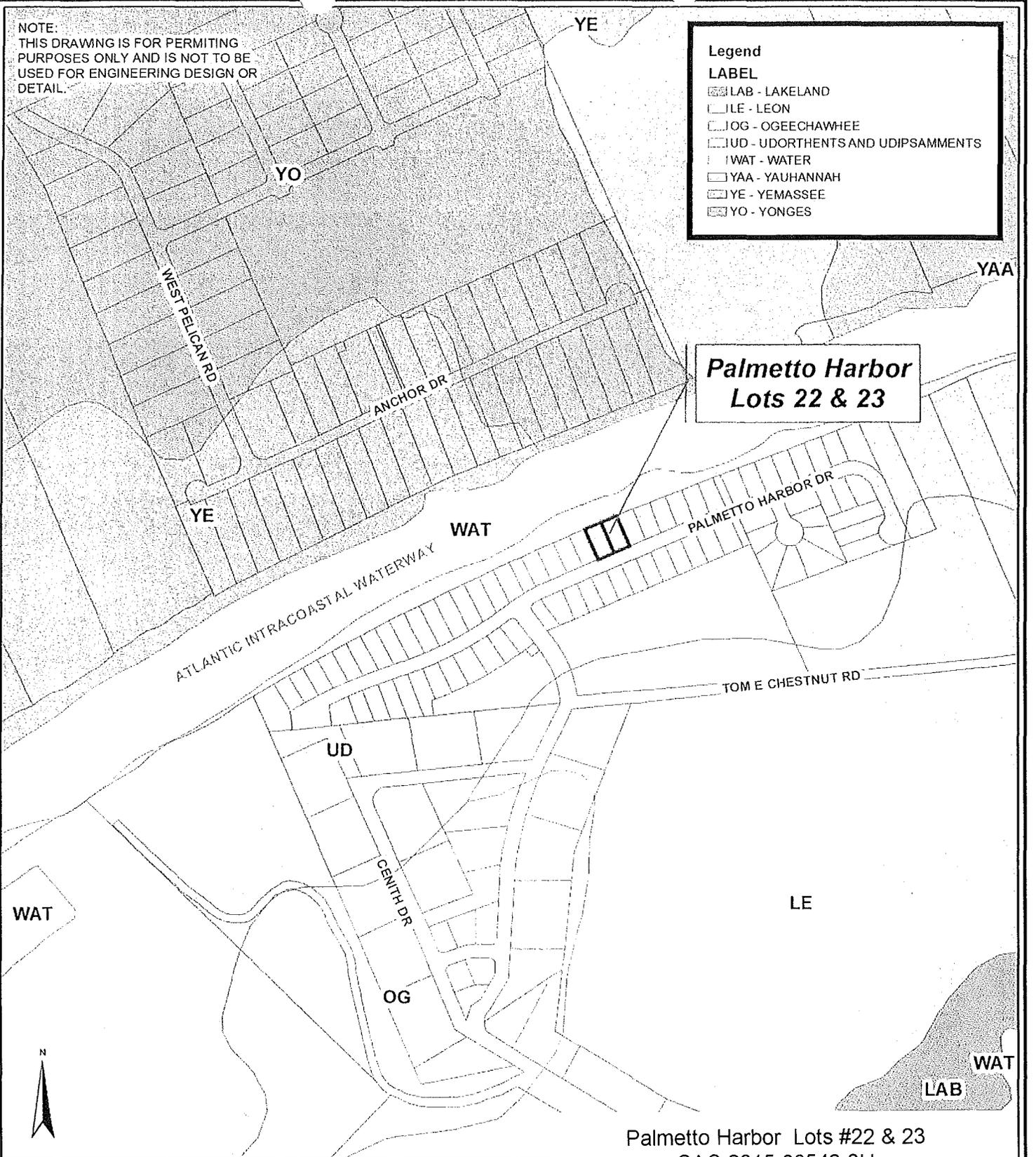
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Legend

LABEL

- ▨ LAB - LAKELAND
- LE - LEON
- OG - OGEECHAWHEE
- UD - UDORTHENTS AND UDIPSAMMENTS
- WAT - WATER
- YAA - YAUHANNAH
- YE - YEMASSEE
- YO - YONGES

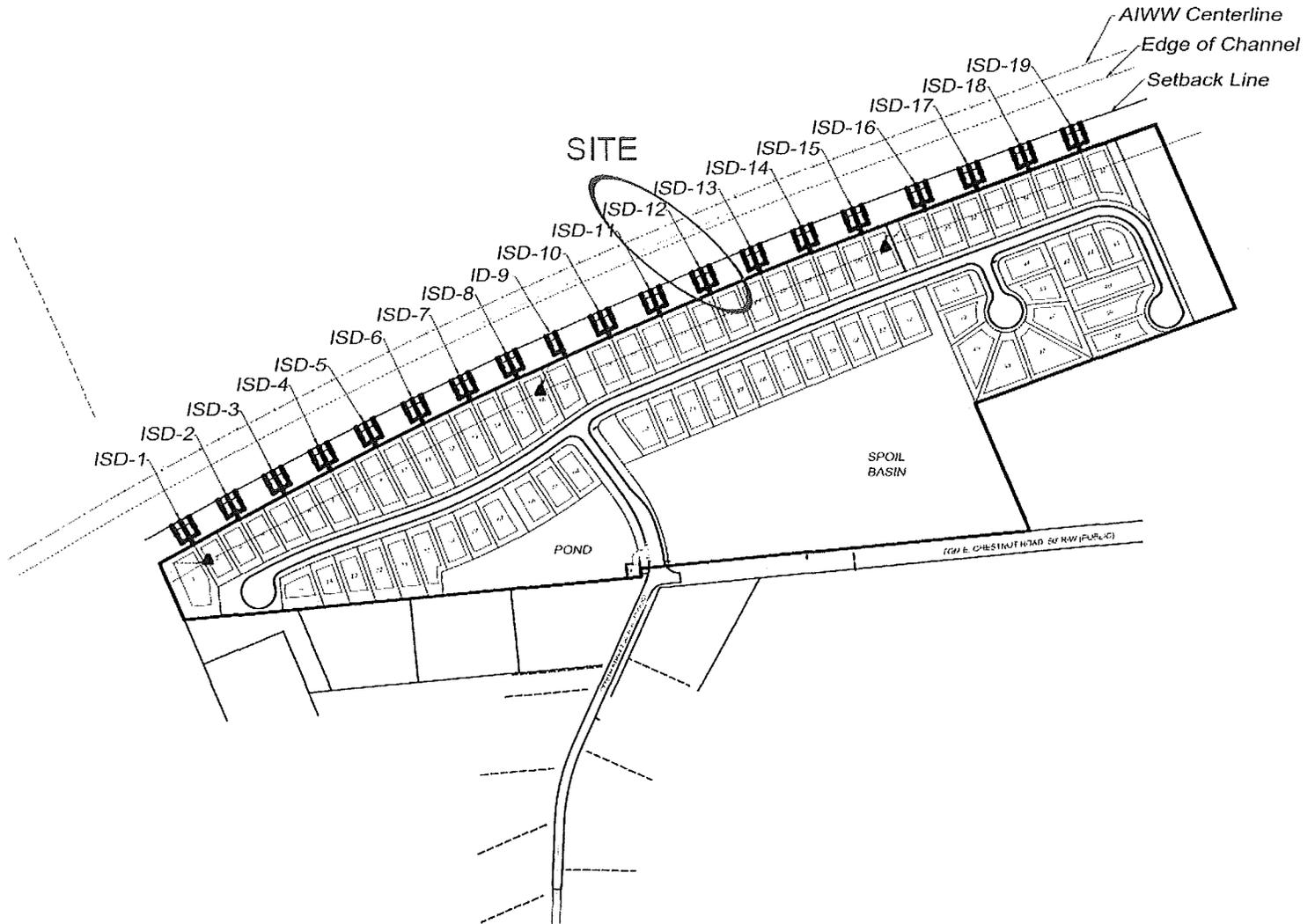
**Palmetto Harbor
Lots 22 & 23**



Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 5 of 13

PALMETTO HARBOR LOTS 22 & 23	SOILS MA	
SHEET ___ OF ___	DDC PN: N/A	SCALE: 1" = 500'
ORIGINAL DATE: 4/24/2015 REVISED DATE:	APPLICANT: KENAN WALKER	
		DDC <small>CONSULTING ENGINEERS SURVEYORS PLANNERS LANDSCAPE ARCHITECTS & ENVIRONMENTALISTS 1208 PINEWOOD DRIVE MYRTLE BEACH, SOUTH CAROLINA 29577 PHONE (843) 682-3200 FAX (843) 682-3210</small>

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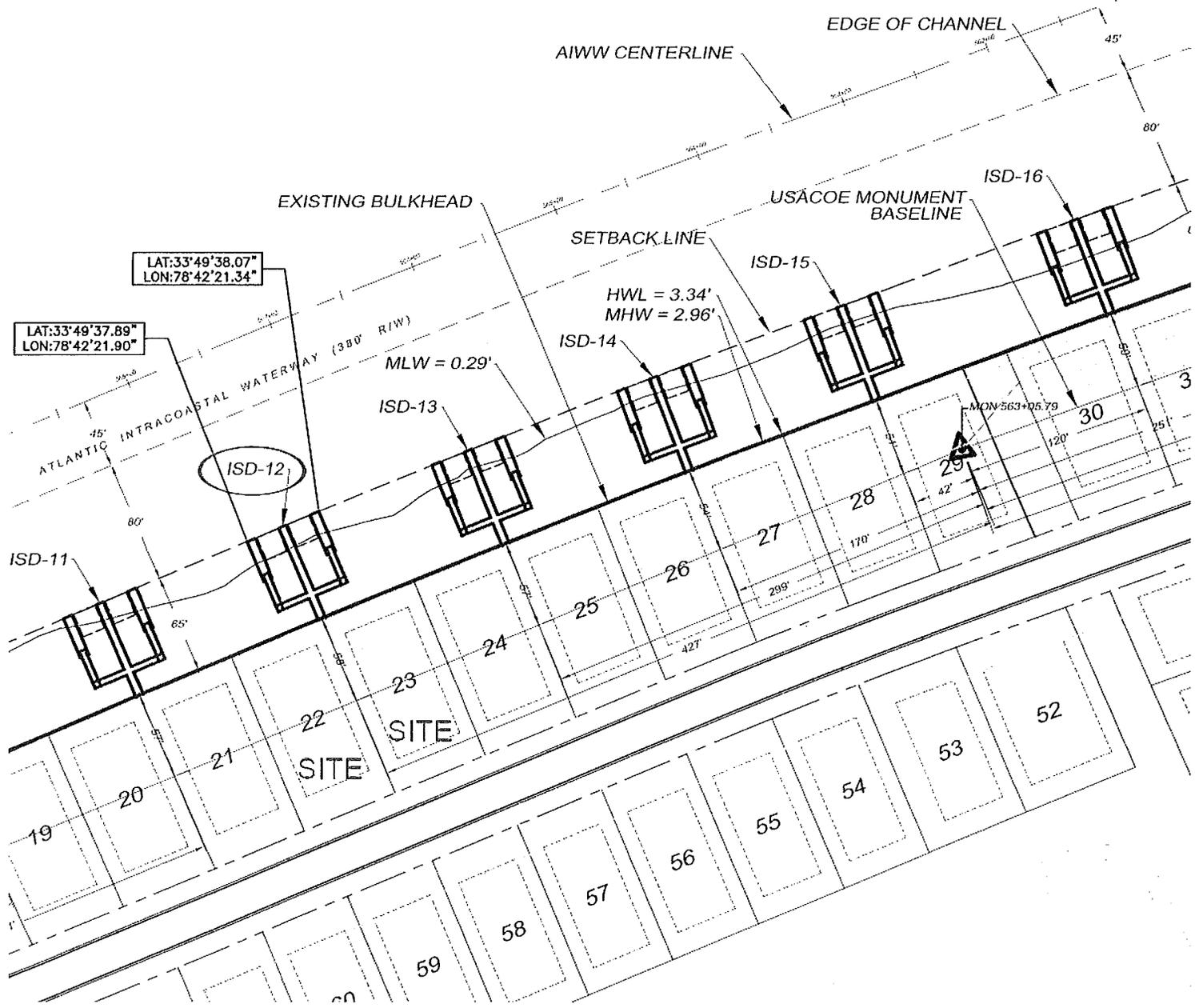


DATUM NGVD29
NAD STATE PLANE
HWL = 3.34'
MHW = 2.96'
MLW = 0.29'

Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 6 of 13

<p>PALMETTO HARBOR DOCK & DREDGE PERMIT LOTS 22 & 23</p>	<p>ORIGINAL I MASTER F</p>	<p>Palmetto Harbor Lots #22 & 23 SAC 2015-00546-3H Horry County, SC Dated 4/24/2015 Sheet 6 of 13</p>	
<p>SHEET __ OF __</p>	<p>DDC PN: N/A</p>	<p>SCALE: 1"=400'</p>	<p>DDC Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210</p>
<p>ORIGINAL DATE: 4/24/2015 REVISED DATE:</p>	<p>APPLICANT: KENAN WALKER</p>		<p>DDC Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210</p>

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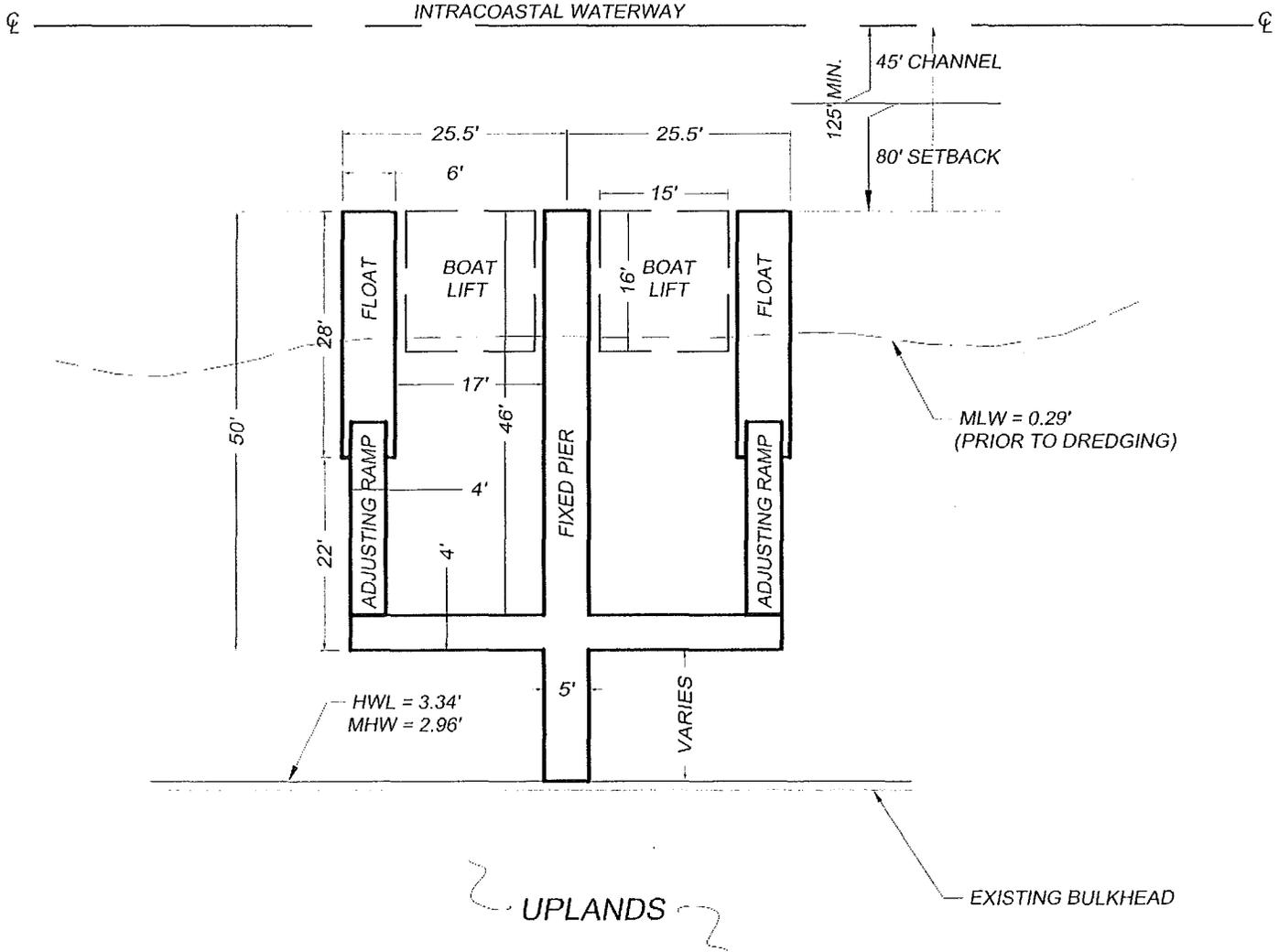


DATUM NGVD29
NAD STATE PLANE
HWL = 3.34'
MHW = 2.96'
MLW = 0.29'

Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 7 of 13

PALMETTO HARBOR DOCK & DREDGE PERMIT LOTS 22 & 23		ORIGINAL D SITE PLA		Palmetto Harbor Lots #22 & 23 SAC 2015-00546-3H Horry County, SC Dated 4/24/2015 Sheet 7 of 13	
SHEET __ OF __		DDC PN: N/A	SCALE: 1"=100'	DDC	
ORIGINAL DATE: 4/24/2015 REVISED DATE:		APPLICANT: KENAN WALKER		Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3700 Fax: (843) 692-3210	

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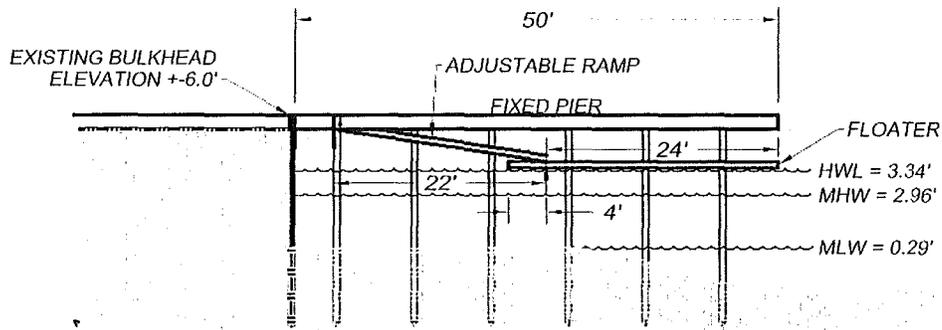
DATUM NGVD29
NAD STATE PLANE
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MHW = 2.96'
MLW = 0.29'

Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 8 of 13

3)

PALMETTO HARBOR DOCK & DREDGE PERMIT LOTS 22 & 23		ORIGINAL S DOCK ISD-121		DDC Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210	
SHEET ___ OF ___		DDC PN: N/A	SCALE: 1"=20'		
ORIGINAL DATE: 4/24/2015 REVISED DATE:		APPLICANT: KENAN WALKER			

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DATUM NGVD29
NAD STATE PLANE
HWL = 3.34'
MHW = 2.96'
MLW = 0.29'

Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 9 of 13

3)

PALMETTO HARBOR
DOCK & DREDGE PERMIT
LOTS 22 & 23

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PROFILE

SHEET __ OF __

DDC PN: N/A

SCALE: 1"=20'

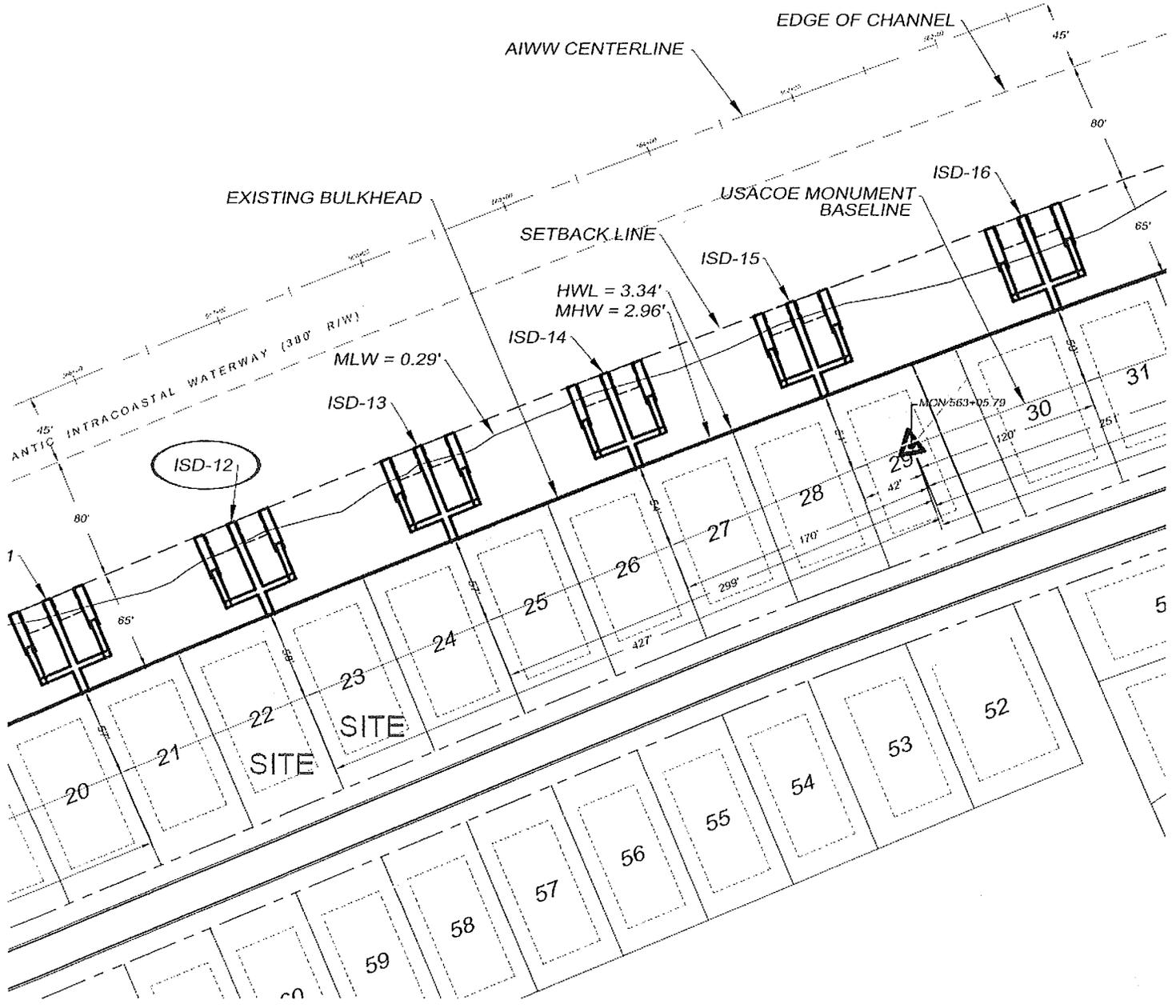
DDC

ORIGINAL DATE: 4/24/2015
REVISED DATE:

APPLICANT: KENAN WALKER

Consulting Engineers, Surveyors, Planners,
Landscape Architects & Environmentalists
1298 Professional Dr., Myrtle Beach, SC 29577
Phone: (843) 692-3200 Fax: (843) 692-3210

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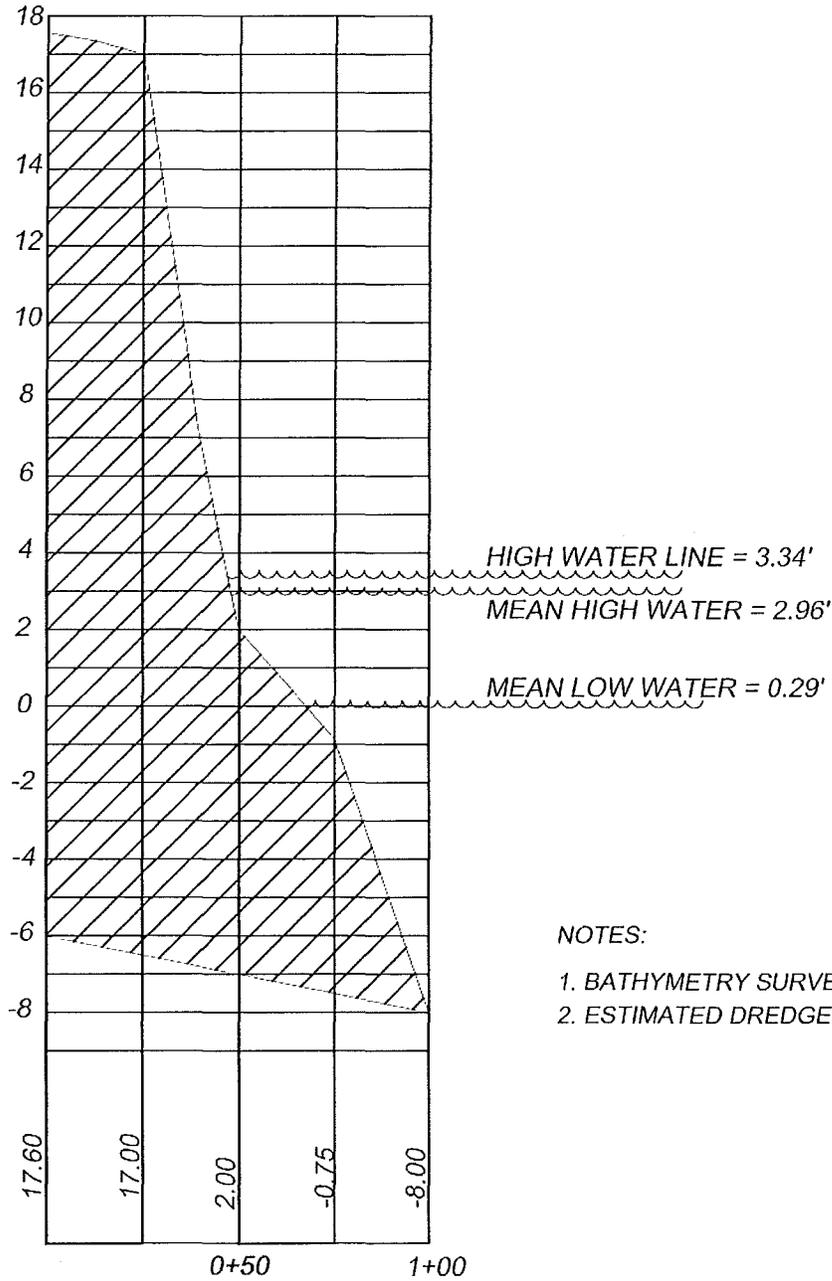


DATUM NGVD29
NAD STATE PLANE
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MHW = 2.96'
MLW = 0.29'

Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 10 of 13

PALMETTO HARBOR DOCK & DREDGE PERMIT LOTS 22 & 23		LAYOUT D PL/		23)	
SHEET ___ OF ___		DDC PN: N/A	SCALE: 1"=100'	DDC	
ORIGINAL DATE: 4/24/2015 REVISED DATE:		APPLICANT: KENAN WALKER		Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone (843) 692-3200 Fax: (843) 692-3210	

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NOTES:

1. BATHYMETRY SURVEY DONE 11/04
2. ESTIMATED DREDGE SPOIL = 4,615 CY.

DATUM NGVD29
NAD STATE PLANE
HWL = 3.34'
MHW = 2.96'
MLW = 0.29'

Palmetto Harbor Lots #22 & 23
SAC 2015-00546-3H
Horry County, SC
Dated 4/24/2015
Sheet 12 of 13

PALMETTO HARBOR
DOCK & DREDGE PERMIT
LOTS 22 & 23

DREDGE
PROF

SHEET ___ OF ___

DDC PN: N/A

SCALE: 1"= 50'

DDC

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REVISED DATE:

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DOCK NUMBER	DREDGE AREA	DREDGE SPOIL QUANTITY
ISD-12	9,408 S.F.	4,615 C.Y.
TOTAL	9,408 S.F.	4,615 C.Y.

S.F. = Square Feet C.Y. = Cubic Yards

Palmetto Harbor Lots #22 & 23
 SAC 2015-00546-3H
 Horry County, SC
 Dated 4/24/2015
 Sheet 13 of 13

PALMETTO HARBOR DOCK & DREDGE PERMIT LOTS 22 & 23		DREDGE SUMMA			
SHEET ___ OF ___		DDC PN: N/A	SCALE: N/A		DDC  Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210
ORIGINAL DATE: 4/24/2015 REVISED DATE:		APPLICANT: KENAN WALKER			