JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road, Room 110
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 #2006-2458-3IT

20 October 2006

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

THOMAS and DESIREE LYONS
c/o REID HILLIARD
11661 HIGHWAY 707
MURRELLS INLET, SOUTH CAROLINA 29576

for a permit to construct a docking facility on the

ATLANTIC INTRACOASTAL WATERWAY

on the lot adjacent to and east of 2340 John Henry Lane, Horry County, South Carolina (Latitude 33.7006° N, Longitude 78.9738° 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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, NOVEMBER 20, 2006

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

The proposed work consists of constructing a bulkhead, a partially covered fixed pierhead, and a boatlift. In detail, the work consists of joining an existing 10' X 12' dock to the proposed 11' X 15' covered fixed pierhead by an irregularly shaped 56 square foot pierhead. The fixed pierhead will be partially covered by a 12' X 16' roof. A 10' X 12.5' boatlift will be constructed downstream of the pierhead. A 150 linear foot bulkhead will be constructed above MHW. It is understood that this work will be conducted on/or adjacent to an area subject to a prism and/or disposal easement held by the United States. If a permit is issued, appropriate provisions will be included to ensure the interests of the Federal Government are understood. The purpose of the project is for the owner's private recreational use.

REGULATORY DIVISION
Refer to: P/N #2006-2458-3IT

13 October 2006

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 110
Conway, South Carolina 29526

The work shown on this application must 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 certification is 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 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 will have no effect on 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. 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 Jay M. Thomas at 843-365-4316.

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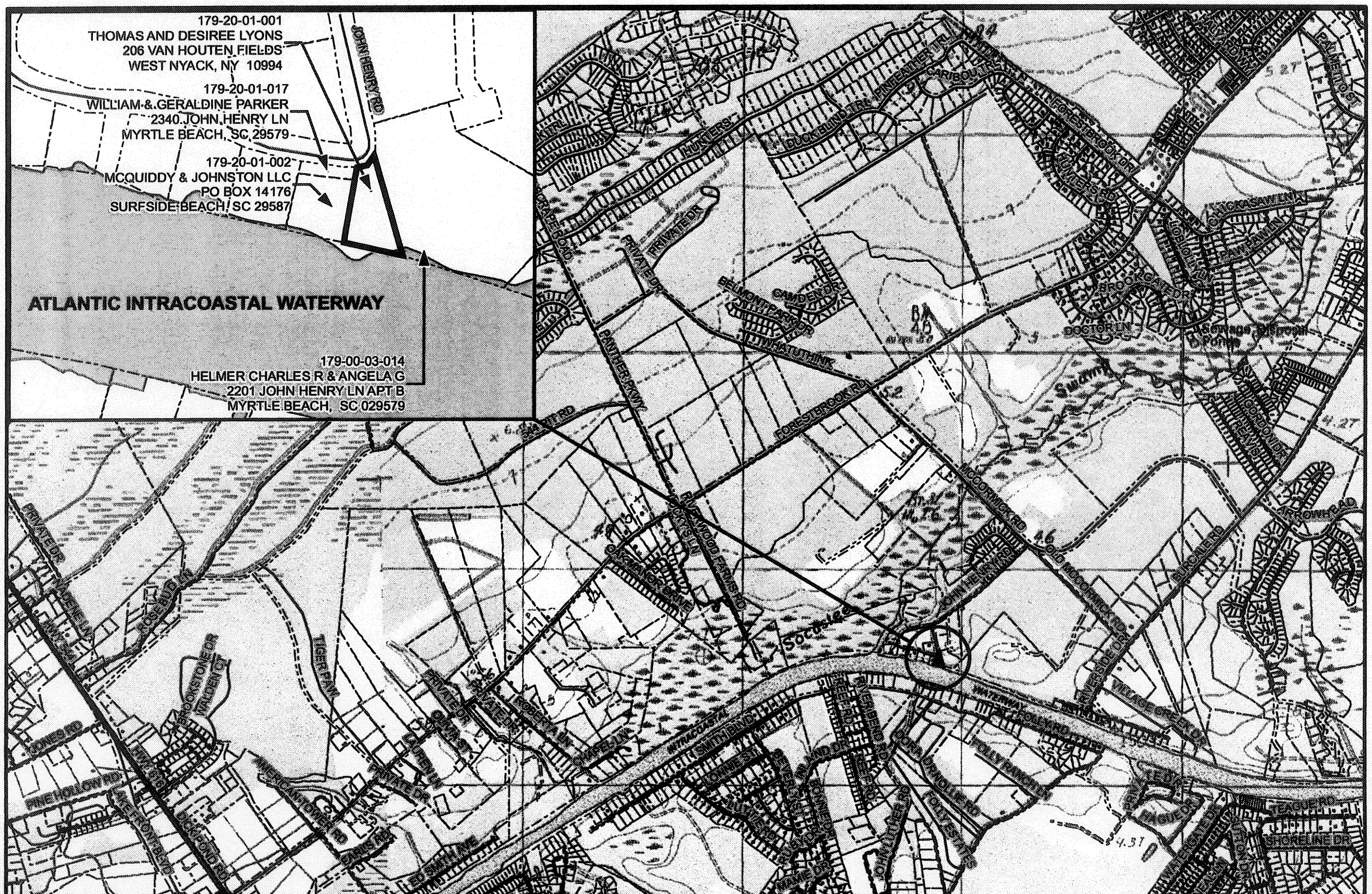
The information on this Map has been compiled from various sources. The information is not guaranteed, expressly or implied. In certain situations, the map has been prepared without the benefit of a Threatened and Endangered Species Study, Phase I Site Assessment, Wetlands Delineation, or Archeological Assessment. The results of these investigations could materially alter the map as shown.
Y:\PROJECTS\05\051228\CEGIS\051228.052406.FIG01_SITE.mxd



PREPARED FOR: THOMAS AND DESIREE LYONS

PROJECT TITLE: LYONS DOCK PERMIT

PROJECT LOCATION: JOHN HENRY ROAD, HORRY COUNTY, SC

7.5 MIN QUADRANGLE: MYRTLE BEACH TOPOGRAPHIC QUADRANGLE

APPROX. PROPERTY CENTER: 78°58'21.01"W by 33°42'01.76"N

SCALE: 1:24,000
1" equals 2,000'
0 1,000 2,000 FT

N E S W

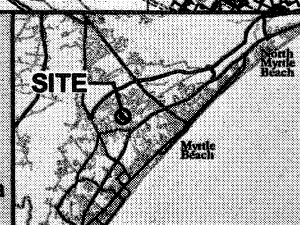
DATE: 05/24/06 **CREATED BY:** JLC

FIGURE: SHEET 1

TEG P/N: 051228: CEG

APPLICATION # 2006-2458-3IT

Legend
- Project Site
- Parcel Data
- Centerline Data



MAP TITLE: SITE / VICINITY

REVISION SCHEDULE:

NO	DATE	DESCRIPTION	BY

THE EARTHWORKS GROUP
PLANNING & DESIGN CONSULTANTS
11661 HIGHWAY 707
MURRELLS INLET, SC 29576
843-651-7900 (PH) · 843-651-7903 (F)
WWW.EARTHWORKSGROUP.COM

179-20-01-002
MCQUIDDY & JOHNSTON, LLC
PO BOX 14176
SURFSIDE BEACH, SC 29587

179-20-01-001
THOMAS AND DESIREE LYONS
206 VAN HOUTEN FIELDS
WEST NYACK, NY 10994

179-00-03-014
CHARLES AND ANGELA HELMER
2201 JOHN HENRY LANE APT B
MYRTLE BEACH, SC 29579

119.83'
N 12° 23'48" E

131.88'
S 11° 43'29" E

EXISITING RIP-RAP

EXISTING 10' x 12' DOCK (120 S.F.)

118' FROM WATERWAY CL

130.65'
N 77° 43'44" W

MHW 2.53'

MLW 0.32'

EBB

FLOOD

EXISTING ADJACENT DOCK (APPROX 420 S.F.)

SOUTH CAROLINA
REGISTERED PROFESSIONAL ENGINEER
NO: 13603
STEVEN G. STRICKLAND

EXTENDED PL
N 12 23'48" E

135' TO AIWW CL

118' TO AIWW CL

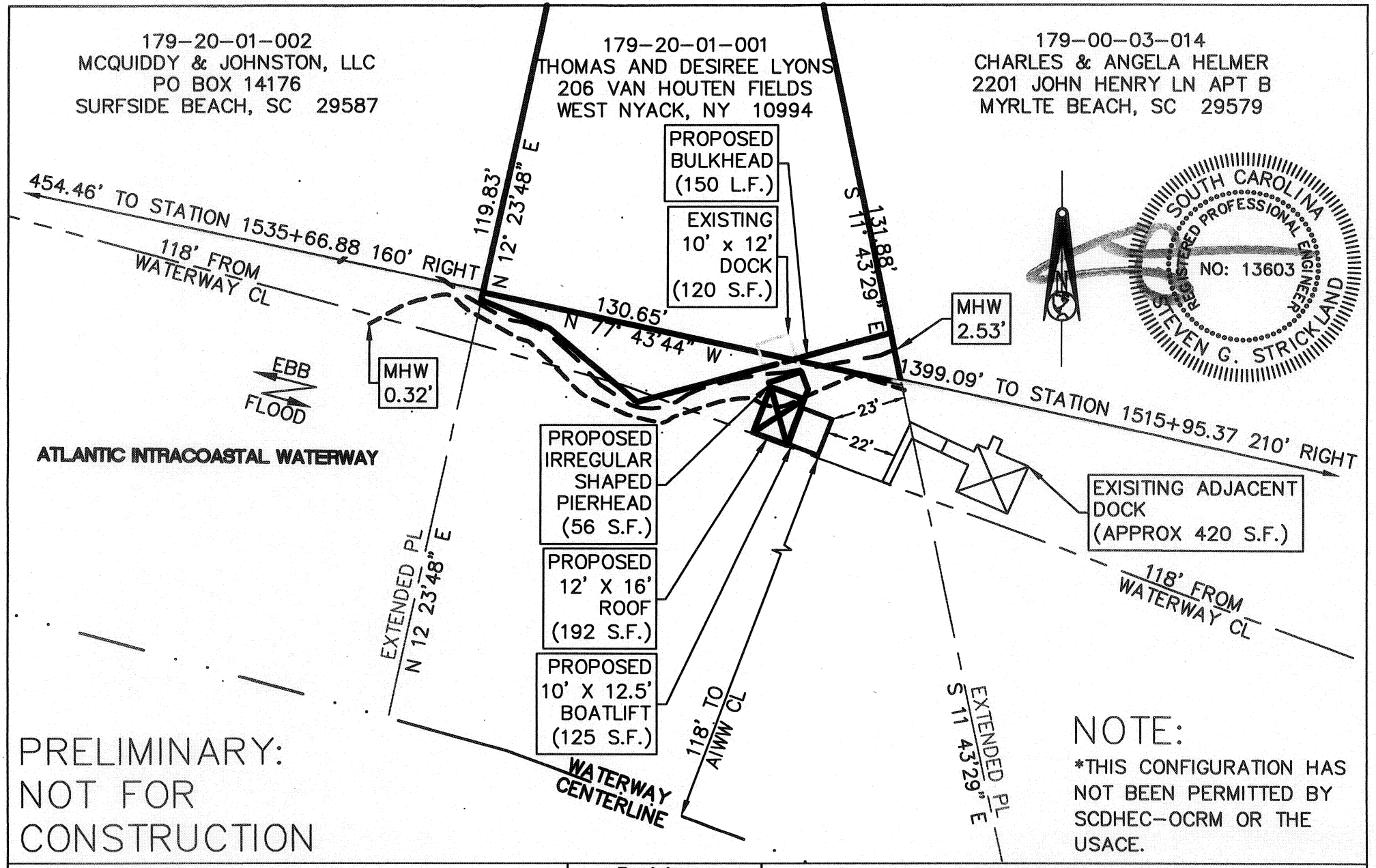
EXTENDED PL
S 11 43'29" E

118' FROM WATERWAY CL

ATLANTIC INTRACOASTAL WATERWAY

NOT FOR CONSTRUCTION

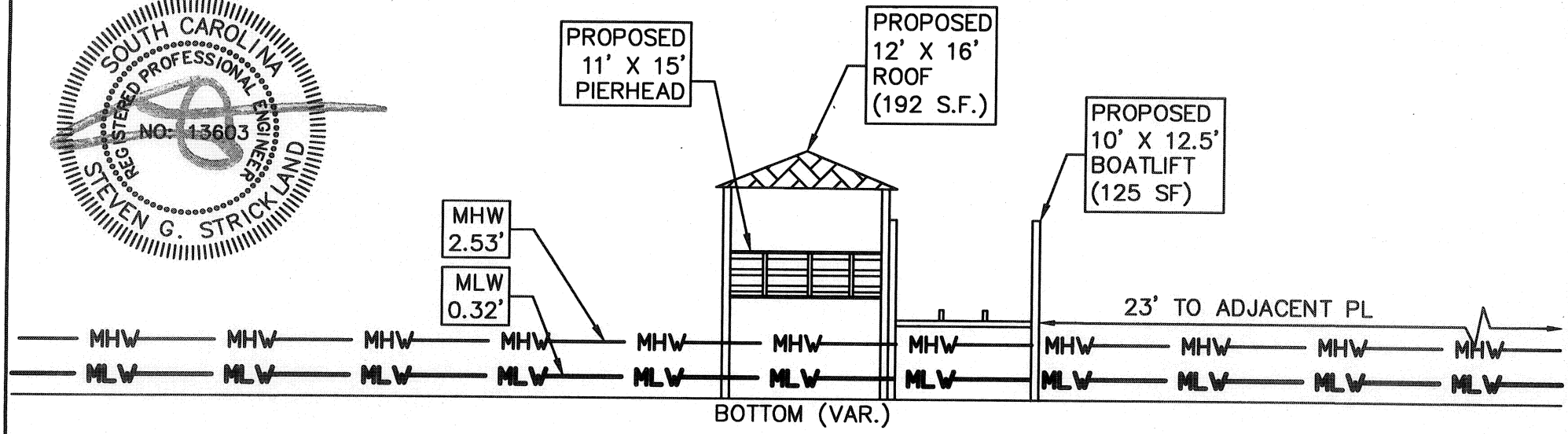
Applicant: THOMAS AND DESIREE LYONS	Revisions: Date / Initials	Sheet Title: EXISTING PLAN VIEW	
Project Title: LYONS DOCK APPLICATION		Date: 07/12/06	Scale: 1" = 30'
Project Location: SOCASTEE TOWNSHIP HORRY COUNTY, SC		Application # 2006-2458-3IT	Sheet 2 of 4



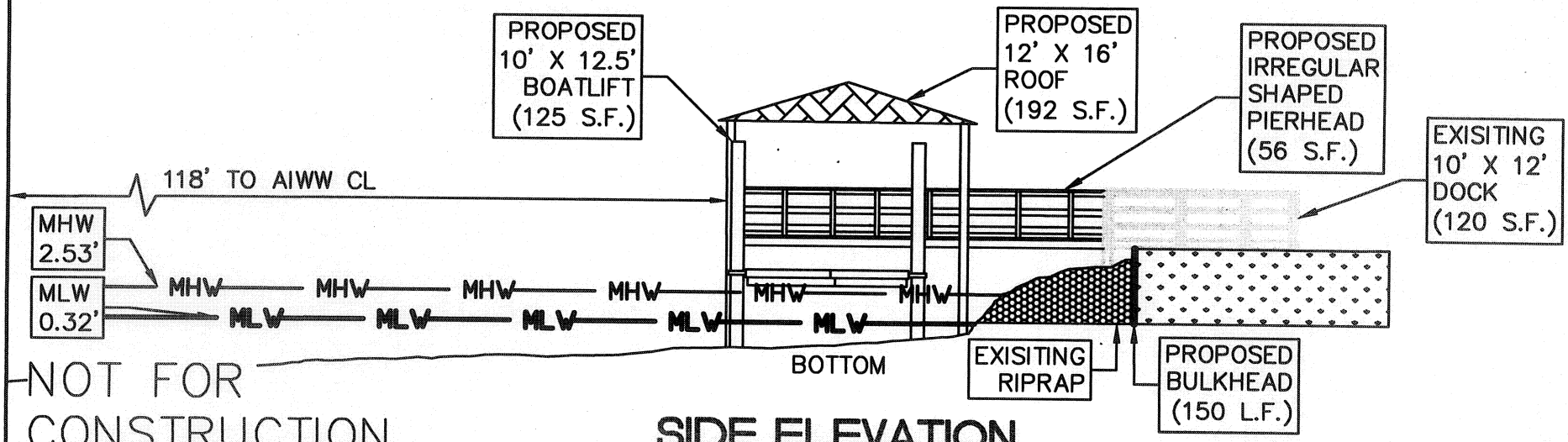
PRELIMINARY:
NOT FOR
CONSTRUCTION

NOTE:
*THIS CONFIGURATION HAS NOT BEEN PERMITTED BY SCDHEC-OCRM OR THE USACE.

Applicant: THOMAS AND DESIREE LYONS	Revisions		Sheet Title: PROPOSED PLAN VIEW	
	Date	Initials		
Project Title: LYONS DOCK APPLICATION			Date: 06/15/06	Scale: 1" = 40'
Project Location: SOCASTEE TOWNSHIP HORRY COUNTY, SC			Application # 2006-2458-3IT	Sheet 3 of 4



FRONT ELEVATION



NOT FOR CONSTRUCTION

SIDE ELEVATION

Applicant: THOMAS AND DESIREE LYONS	Revisions		Sheet Title: CROSS SECTION	
	Date	Initials		
Project Title: LYONS DOCK APPLICATION			Date: 06/15/06	Scale: 1" = 10'
Project Location: SOCASTEE TOWNSHIP HORRY COUNTY, SC			Application # 2006-2458-3IT	Sheet 4 of 5

179-20-01-002
MCQUIDDY & JOHNSTON, LLC
PO BOX 14176
SURFSIDE BEACH, SC 29587

179-20-01-001
THOMAS AND DESIREE LYONS
206 VAN HOUTEN FIELDS
WEST NYACK, NY 10994

179-00-03-014
CHARLES & ANGELA HELMER
2201 JOHN HENRY LN APT B
MYRLTE BEACH, SC 29579

119' N 12° 23

131.88' 11° 43'29" E

130.65' N 77° 43'44" W

FROM AY CL

EBB

FLOOD

ASTAL WATERWAY

EXISTING ADJACENT DOCK (APPROX 420 S.F.)

PROPOSED DOCK CONFIGURATION (368 TOTAL S.F.)

EXTENDED PL N 12 23'48" E

118' TO AIWW CL

118' FROM WATERWAY C

EXTENDED PL S 11 43'29" E

WATERWAY CENTERLINE

SOUTH CAROLINA REGISTERED PROFESSIONAL ENGINEER NO. 13603 STEVEN G. STRICKLAND

NOT FOR CONSTRUCTION

Applicant: THOMAS AND DESIREE LYONS	Revisions: Date / Initials	Sheet Title: DOCK CORRIDOR VIEW	
Project Title: LYONS DOCK APPLICATION		Date: 06/15/06	Scale: 1" = 20'
Project Location: SOCASTEE TOWNSHIP HORRY COUNTY, SC		Application # 2006-2458-3IT	Sheet 5 of 5