

## **PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

REGULATORY DIVISION  
Refer to: P/N # 2004-1H-007

23 January 2004

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

**NORTH MYRTLE BEACH MARINA AND BOATWORKS  
4430 KINGSPORT ROAD  
LITTLE RIVER, SOUTH CAROLINA 29566**

for an after-the-fact permit to authorize six (6) mooring dolphins in the

### **ATLANTIC INTRACOASTAL WATERWAY (AIWW)**

located adjacent to the existing dock facilities at North Myrtle Beach Marina, 4430 Kingsport Road, Little River, South Carolina. (Latitude: 33.85756°, Longitude: 78.64592°)

In order to give all interested parties an opportunity to express their views

### **NOTICE**

is hereby given that written statements regarding the existing work will be received by both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, FEBRUARY 9, 2004**

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

The existing work consists of six (6) previously installed mooring dolphins located along the marina dock in various locations. The work described has already been authorized by the South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management, Critical Permit #OCRM-03-215-E. The purpose of the work, as stated by the applicant, is to assist in the mooring of boats.

**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  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

North Myrtle Beach Marina and Boatworks

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the existing project would impact a minimal area of 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 existing 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).

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 this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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.

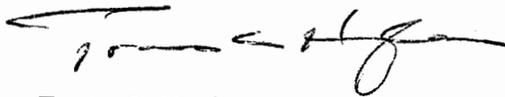
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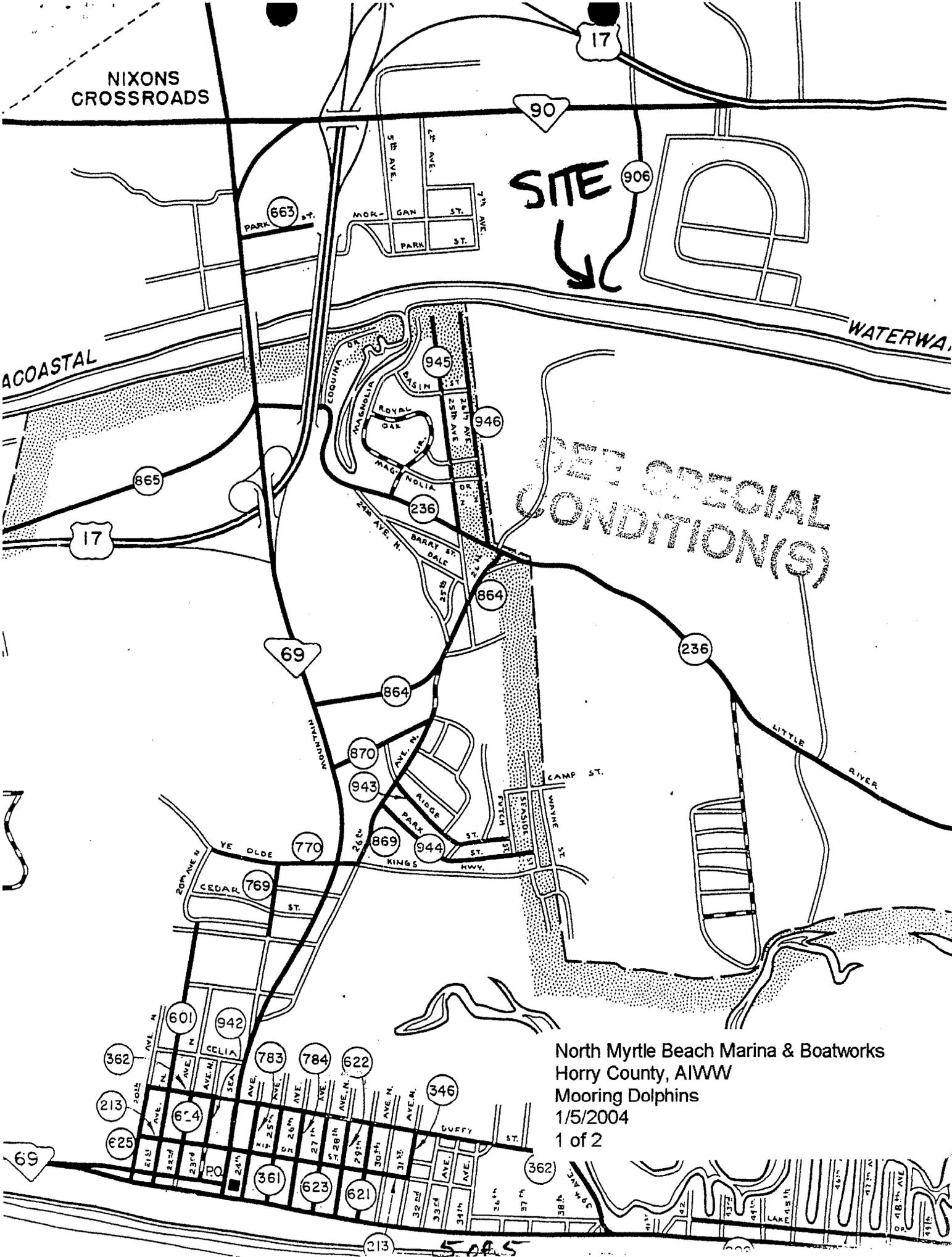
Refer to: P/N #2004-1H-007

North Myrtle Beach Marina and Boatworks

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Travis G. Hughes  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



**SITE**  
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**SEE SPECIAL  
 CONDITION(S)**

North Myrtle Beach Marina & Boatworks  
 Horry County, AIWW  
 Mooring Dolphins  
 1/5/2004  
 1 of 2

5085

EXISTING STEEL BUILDING

202.52'

40' SETBACK

S.C. Registrar

NO

1. TH

2. BI

3. ZC

4. FC

5. AI

6. RE

7. TH

8. IH

30' ROAD

BUILDING CORNER ENCRROACHES INTO SETBACK

30' SETBACK

261.43'

CONCRETE WALL

ASPHALT

30' SETBACK

CONCRETE

DOCK

DOCK

FLOATING DOCK

FLOATING DOCK

FLOATING DOCK

FLOATING DOCK

WOOD DECK

STEPS

PORCH

BUILDING

BUILDING OVERHANG

KEN'S CABANA LLC  
131-00-02-022

N75°50'58"E  
103.11'

N14°15'04"W  
44.36'

N76°55'15"E  
326.78'

installed mooring dolphins

RECEIVED

JUN 23 2002

DHEC-OCORM  
MYRTLE BEACH OFFICE

North Myrtle Beach Marina & Boatworks  
Horry County, A1WW  
Mooring Dolphins  
1/5/2004  
2 of 2

NO LONGER VALID SPECIAL PERMIT

INTRACOASTAL WATERWAY

GRAPHIC SCALE



200'



4805