

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
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 #2005-1E-436-C

26 May 2006

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), 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

MAX SMITH
3565 FORESTBROOK ROAD
MYRTLE BEACH, SOUTH CAROLINA 29588

for a permit to construct a community dock structure and community boat ramp in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at Lot 21, Ed Smith Avenue, Socastee, Horry County, South Carolina.
(Latitude – 33.69244; Longitude – 78.99517)

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, 12 JUNE 2006

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

The proposed work consists of constructing a community dock structure with a 6' x 18' floating dock attached to a 4' x 75' walkway by a 4' x 24' adjusting ramp. In addition, the applicant also proposes to excavated, by an excavator, approximately 220 cubic yards to provide a suitable slope for the installation of a 6' x 14' x 100' boat ramp. The excavated material will be trucked to an off-site approved disposal area. The perimeter of the boat ramp will be stabilized with riprap. No parking is to be provided on-site or in association with the boat ramp. Persons utilizing this ramp will be required to park their trailers and tow vehicles at their residences. No mooring will be allowed at the loading pier except to facilitate the launch and recovery of authorized boats. 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 in perpetuity in conjunction with a Congressionally authorized project for the maintenance and improvement of the Atlantic Intracoastal Waterway. Should a permit be issued, appropriate

provisions will be included to ensure the interests of the Federal Government are understood. The purpose of this work, as stated by the applicant, is to provide recreational access for residents that occupy rental properties owned by the applicant along Ed Smith Avenue, other single family residents located on Ed Smith Avenue, and additional residents of properties to be developed by the applicant in the neighborhood.

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**

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). The District Engineer will not process this application to a conclusion until such certifications are 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 0.05 acre 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 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 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 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.

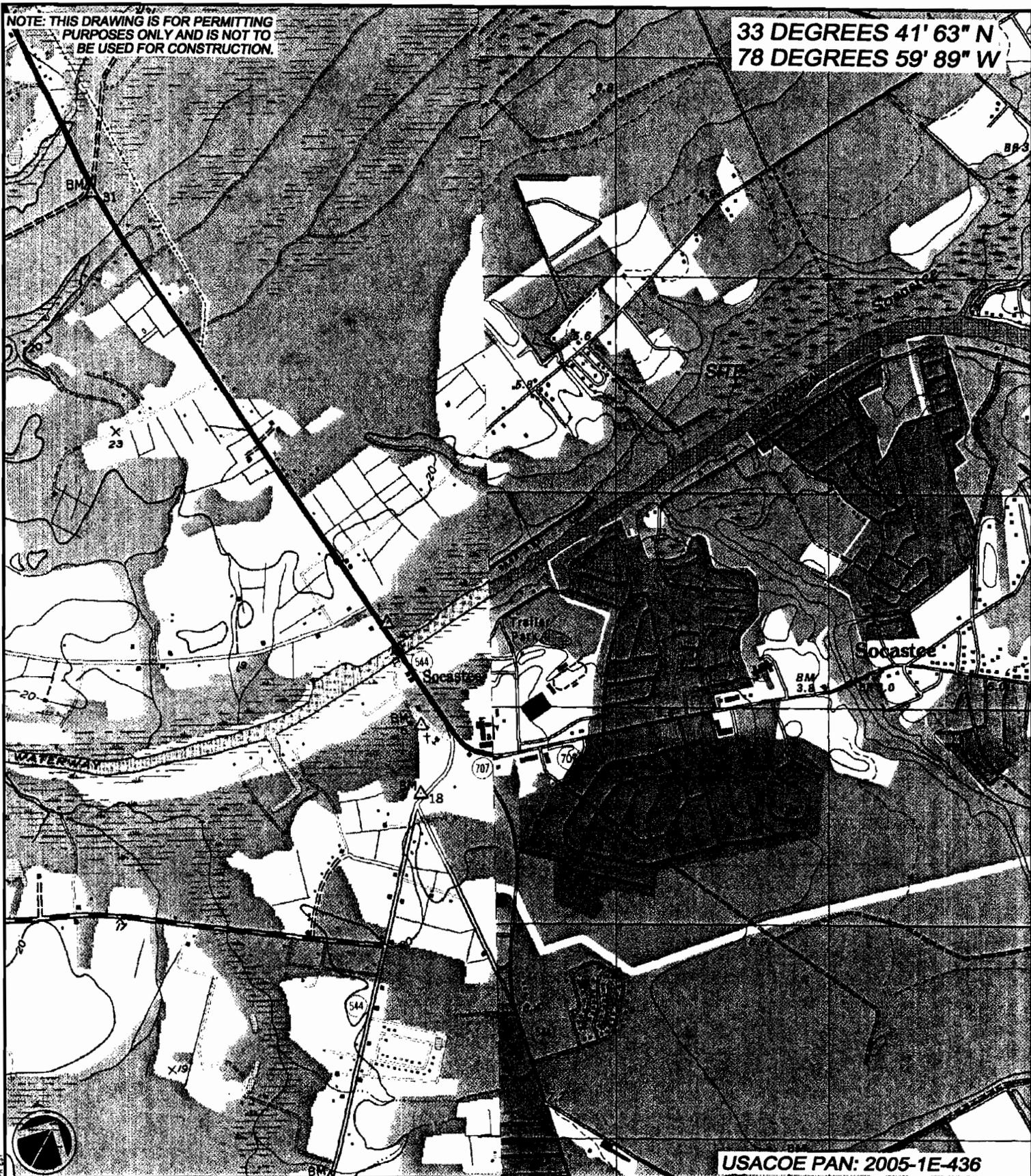
If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Jackie Easterling
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

NOTE: THIS DRAWING IS FOR PERMITTING PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION

33 DEGREES 41' 63" N
78 DEGREES 59' 89" W



USACOE PAN: 2005-1E-436

MAX SMITH
DOCK PERMIT

TOPOGRAPHIC
MAP

PURPOSE: DOCK AND TEMPORARY
BOAT MOORING

COUNTY: Horry
STATE: SOUTH CAROLINA

SHEET 1 OF 10

DDC PN: 80058

SCALE: 1" = 2000'

ORIGINAL DATE: DECEMBER 16, 2005
REVISED DATE: MAY 15, 2006

APPLICANT: MAX SMITH



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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MAX SMITH
DOCK PERMIT

VICINITY MAP

PURPOSE: DOCK AND TEMPORARY
BOAT MOORING

COUNTY: HORRY
STATE: SOUTH CAROLINA

SHEET 2 OF 10

DDC PN: 80058

SCALE: 1" = 2000'

ORIGINAL DATE: DECEMBER 16, 2005
REVISED DATE: MAY 15, 2006

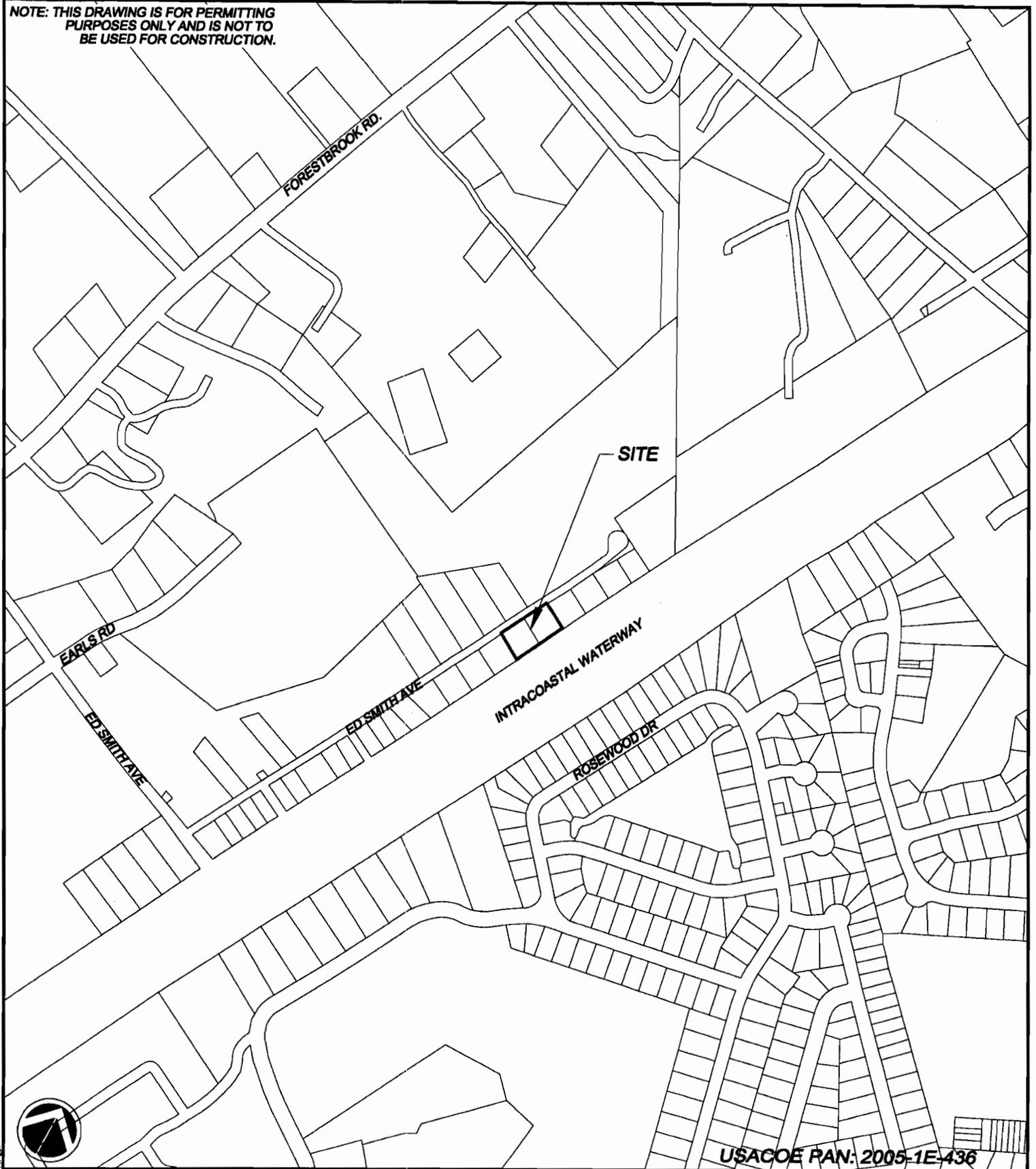
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DDC



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**MAX SMITH
DOCK PERMIT**

LOCATION MAP

**PURPOSE: DOCK AND TEMPORARY
BOAT MOORING**

**COUNTY: HORRY
STATE: SOUTH CAROLINA**

SHEET 3 OF 10

DDC PN: 80058

SCALE: 1" = 500'

**ORIGINAL DATE: DECEMBER 16, 2005
REVISED DATE: MAY 15, 2006**

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USACOE PAN: 2005-1E-436

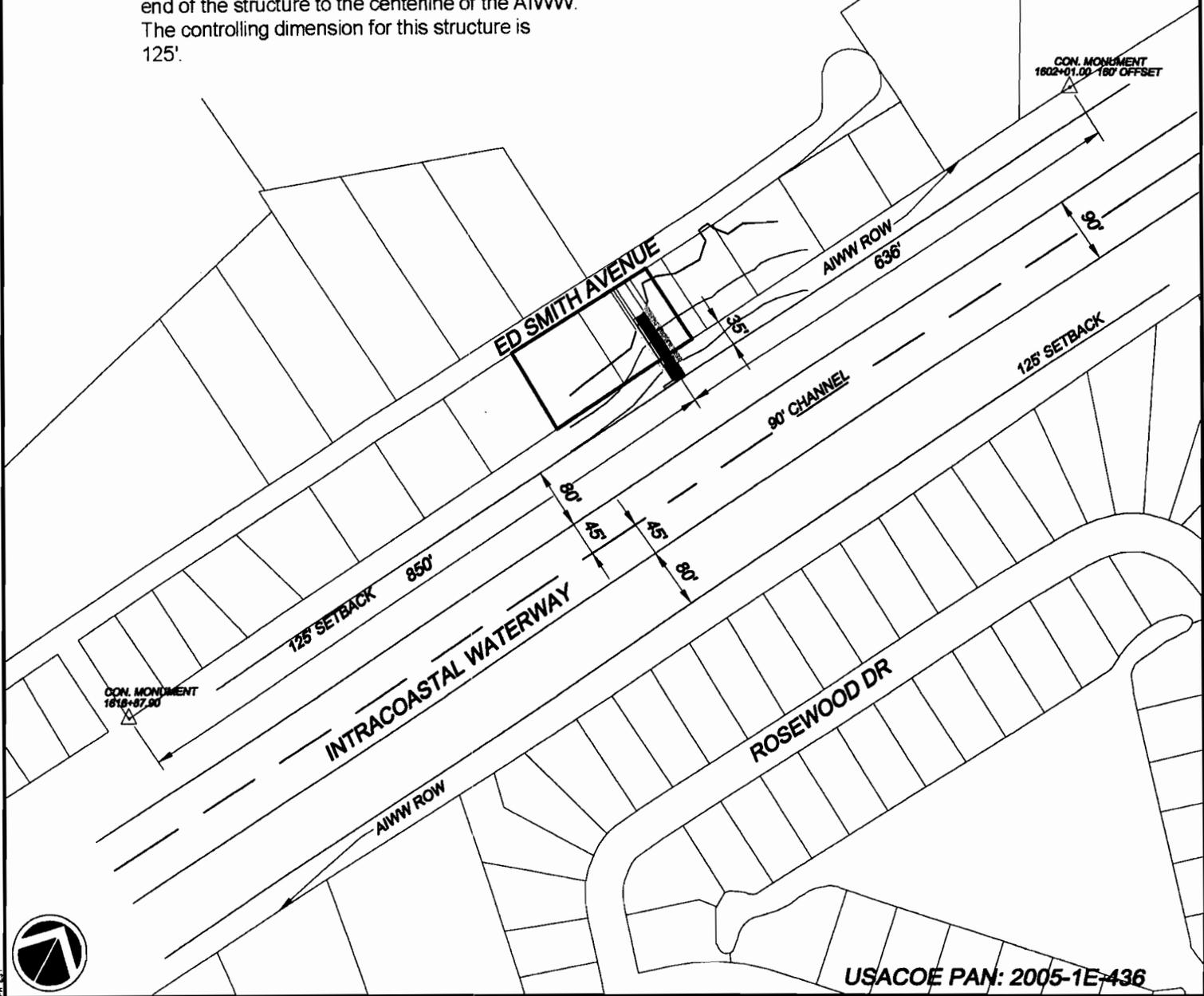
<p>MAX SMITH DOCK PERMIT</p>	<p>AERIAL PHOTOGRAPH</p>		<p>PURPOSE: DOCK AND TEMPORARY BOAT MOORING COUNTY: HORRY STATE: SOUTH CAROLINA</p>
<p>SHEET 5 OF 10</p>	<p>DDC PN: 80058</p>	<p>SCALE: 1" = 200'</p>	<p>DDC  Consulting Engineers, Surveyors, Planners, Landscape Architects & Environmentalists 1298 Professional Dr., Myrtle Beach, SC 29577 Phone: (843) 692-3200 Fax: (843) 692-3210</p>
<p>ORIGINAL DATE: DECEMBER 16, 2005 REVISED DATE: MAY 15, 2006</p>		<p>APPLICANT: MAX SMITH</p>	

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CHART OF DISTANCES			
Boat Ramp	Monument Number	Distance Along USACOE Monument Baseline to Centerline of Proposed Boat Ramp	Distance from USACOE Monument Baseline to End of Boat Ramp
BR-1	1602+01.00	636' L.F.	35' L.F.
BR-1	1616+87.90	850' L.F.	35' L.F.

L.F. = Linear Feet

NOTE: The controlling dimension for structures on the AIWW is the distance from the waterward end of the structure to the centerline of the AIWW. The controlling dimension for this structure is 125'.



USACOE PAN: 2005-1E-436

MAX SMITH
DOCK PERMIT

MONUMENT

PURPOSE: DOCK AND TEMPORARY
BOAT MOORING

COUNTY: HORRY
STATE: SOUTH CAROLINA

SHEET 6 OF 10

DDC PN: 80058

SCALE: 1" = 200'

ORIGINAL DATE: DECEMBER 16, 2005
REVISED DATE: MAY 15, 2006

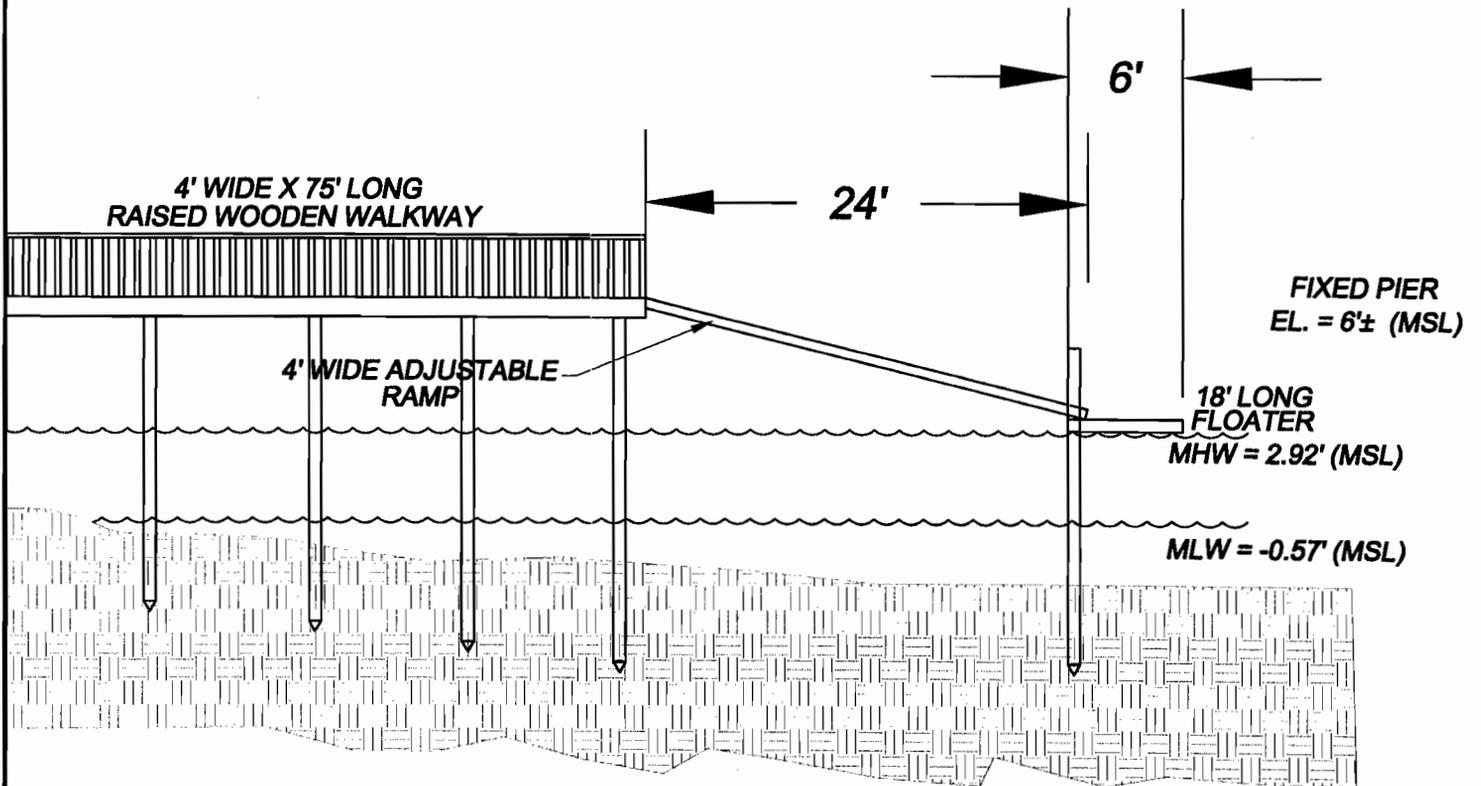
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NOTE: THIS DRAWING IS FOR PERMITTING PURPOSES ONLY AND IS NOT TO BE USED FOR CONSTRUCTION.



DATUM: NAVD 29

USACOE PAN: 2005-1E-436

MAX SMITH
DOCK PERMIT

PROFILE VIEW -
COMMUNITY DOCK

PURPOSE: DOCK AND TEMPORARY
BOAT MOORING

COUNTY: HORRY
STATE: SOUTH CAROLINA

SHEET 8 OF 10

DDC PN: 80058

SCALE: 1" = 40'

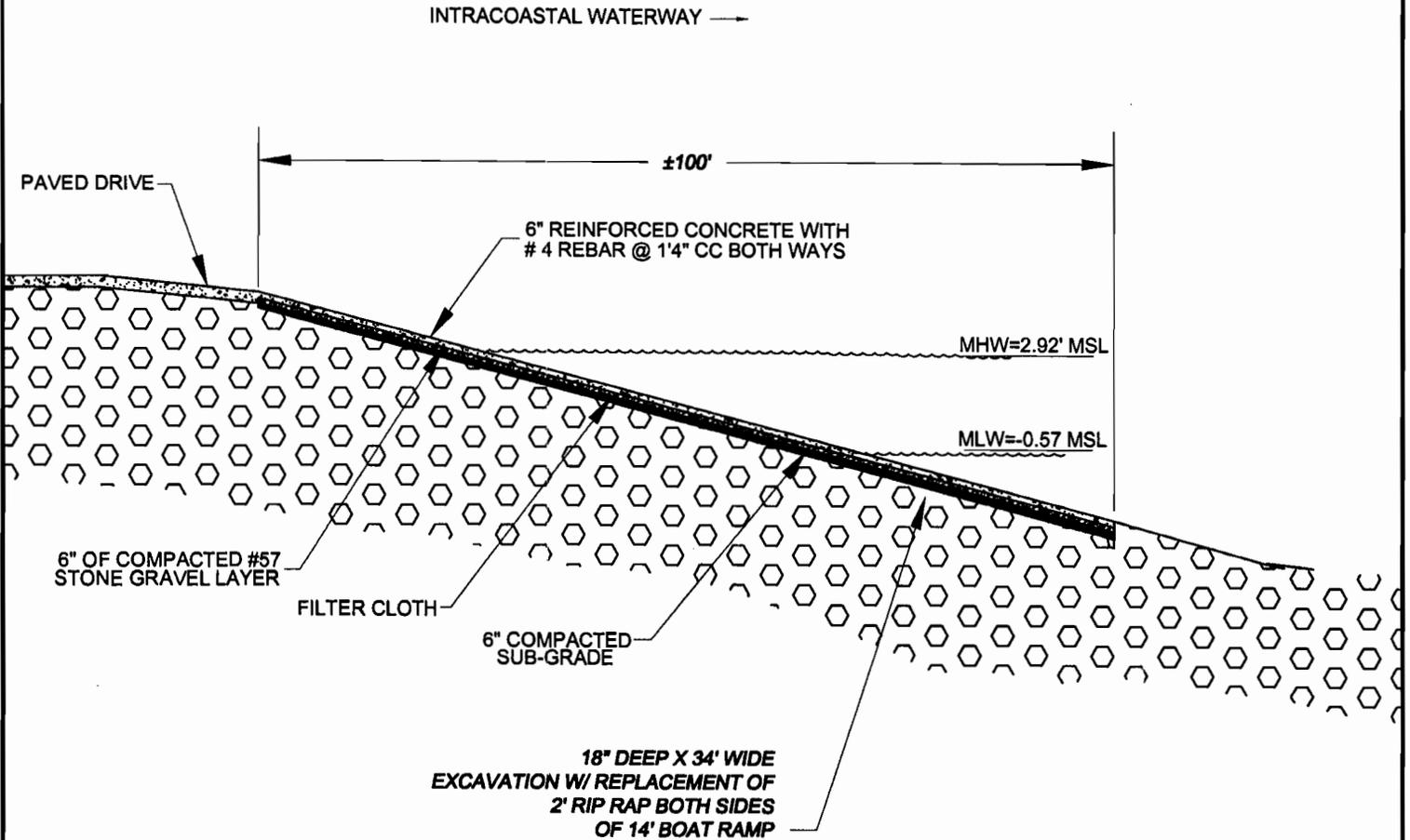
ORIGINAL DATE: DECEMBER 16, 2005
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DATUM: NAVD 29

USACOE PAN: 2005-1E-436

MAX SMITH
DOCK PERMIT

PROFILE VIEW -
BOAT RAMP

PURPOSE: DOCK AND TEMPORARY
BOAT MOORING

COUNTY: HORRY
STATE: SOUTH CAROLINA

SHEET 9 OF 10

DDC PN: 80058

SCALE: 1" = 20'

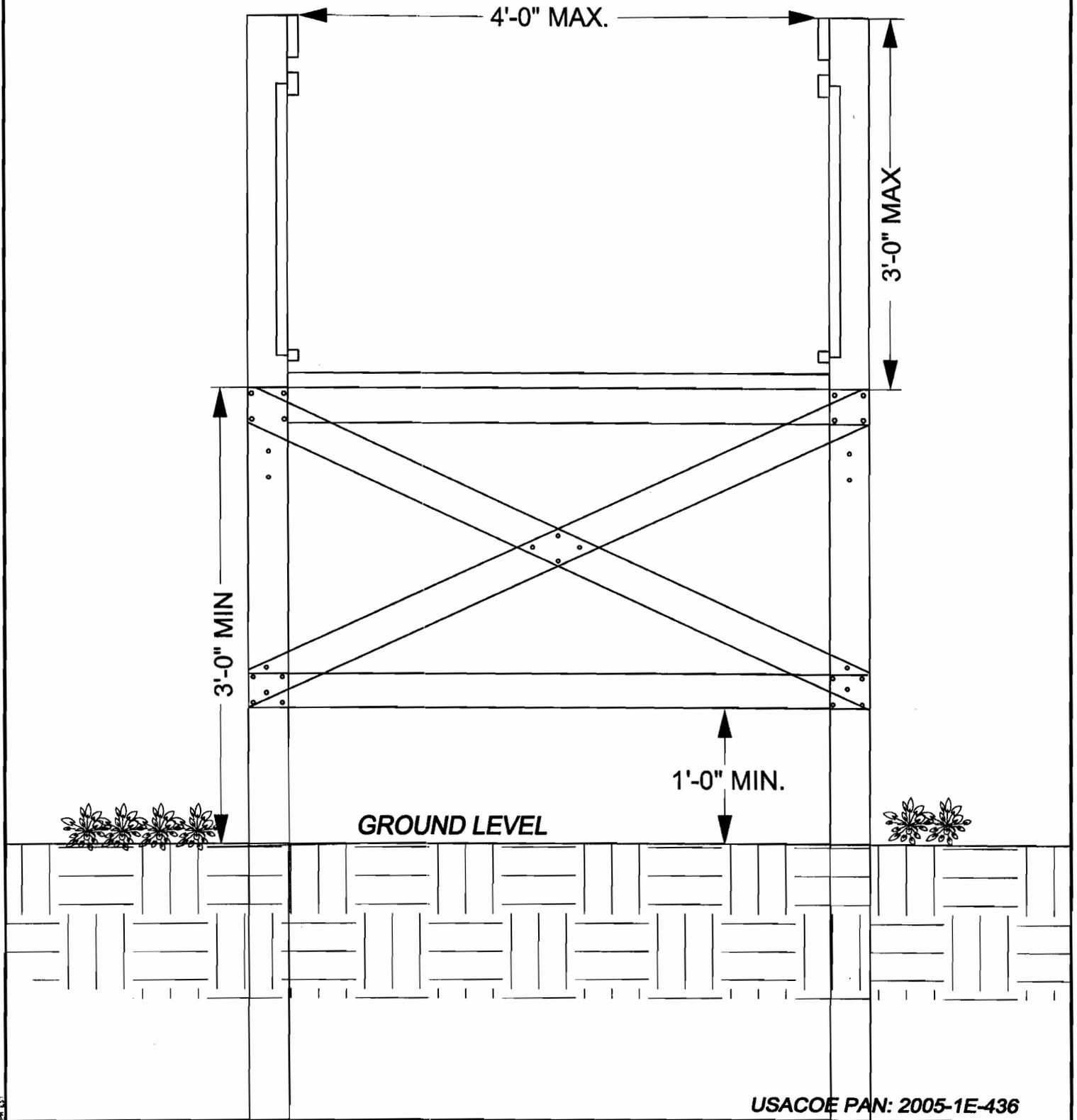
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DOCK PERMIT

PROFILE VIEW -
BOAT RAMP

PURPOSE: DOCK AND TEMPORARY
BOAT MOORING

COUNTY: HORRY
STATE: SOUTH CAROLINA

SHEET 10 OF 10

DDC PN: 80058

SCALE: 1" = 1'

ORIGINAL DATE: DECEMBER 16, 2005
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