

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
North Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2021-00071

February 25, 2021

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. Kevin Blayton
c/o Dr. H. Wayne Beam
Beam & Associates
P.O. Box 3238
North Myrtle Beach, SC 29582

for a permit to excavate and construct a barge landing area in waters adjacent to the

Cherry Grove Canals / Nixon Canal

at a location south of and adjacent to Heritage Drive, north of the terminus of 52nd Avenue North, in Cherry Grove Park (overflow parking area), in Cherry Grove, North Myrtle Beach, Horry County, South Carolina (Latitude: 33.8406 °, Longitude: -78.6181 °), 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 bulkhead, barge landing area, and

associated excavation. In detail, the proposed work consist of the construction of approximate 28 linear feet of bulkhead with 4 cubic yards of associated backfill, a 40' x 75' concrete barge landing pad / launch ramp, and the placement of approximately 1,475 square feet of rip-rap scour protection in association with the construction of the barge landing pad.

The proposed excavation will encompass approximately 5,670 square feet and will remove 160 cubic yards of bottom material. The dredging will be conducted by mechanical means. During excavation a silt curtain will be employed to reduce migration of sediments from the site. Excavated material will be placed onto a barge with 3-foot-high bin walls. Each scuffle hole in the bin wall will be fronted with a bale of wheat straw to ensure any supernatant will have sediment filtered before reentering the water column. The dredge material will be transported to a final upland disposal area (TMS 130-00-08-146) via truck. The disposal area has protective measures such as a perimeter berm, silt fencing and a retention area to prevent reintroduction of sediment into the adjacent waterbody.

The applicant offered no compensatory mitigation for impacts associated with the proposed project. The project purpose is to improve access to navigable waters for local contractors performing work in nearby waters, including man-made canals within Cherry Grove, and to provide bank stabilization.

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 0.23 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 West Indian Manatee (*Trichechus manatus*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), and Shortnose Sturgeon (*Acipenser brevirostrum*) have the potential to occur within the vicinity of

the project area. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*) and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) 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 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.

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)(l)(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.

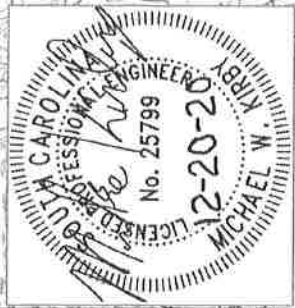
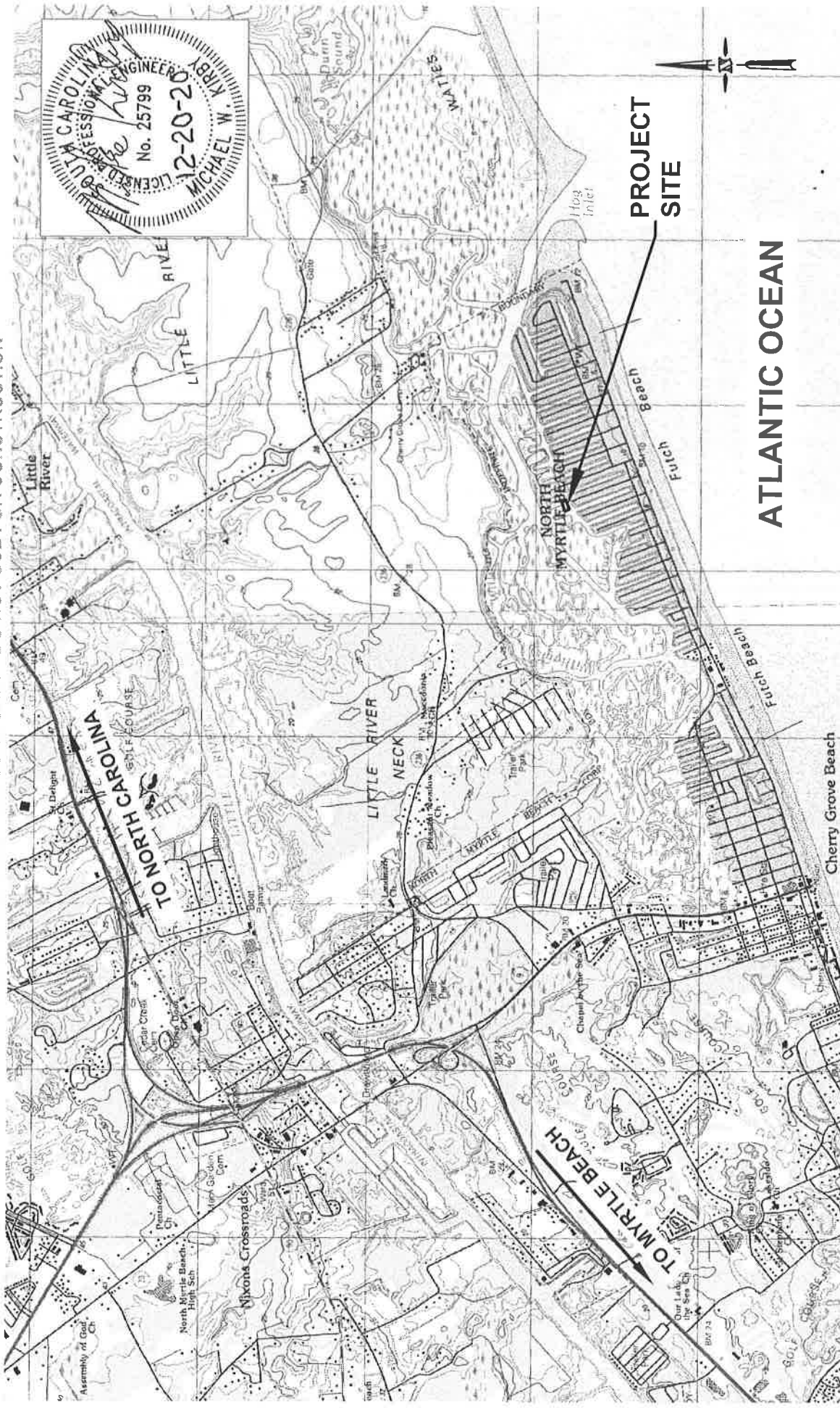
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

FOR PERMITTING PURPOSES ONLY - DO NOT USE FOR CONSTRUCTION



LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W

(LITTLE RIVER QUADRANGLE MAP) USGS QUADRANGLE MAP

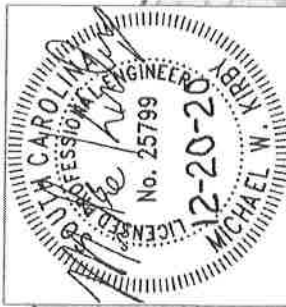
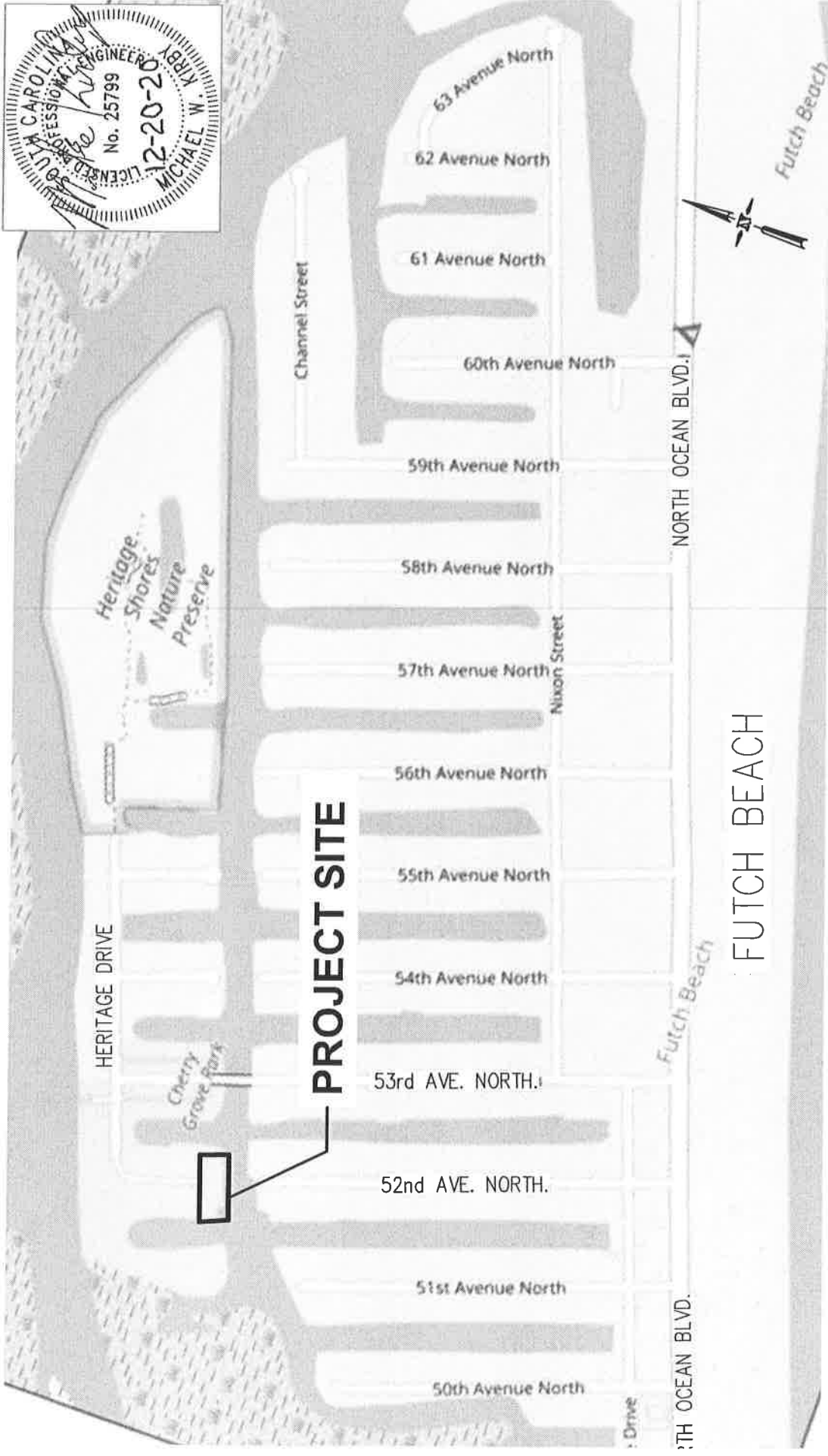
GRAPHIC SCALE: 1" = 3,000'

PROPOSED ACTIVITY: CONSTRUCT A CONCRETE BARGE LANDING PAD FOR USE BY LOCAL CONTRACTORS FOR LOADING & OFFLOADING EQUIPMENT & MATERIALS FOR NEARBY PROJECTS. ALSO, A BULKHEAD IS PROPOSED TO STABILIZE THE ADJACENT BANK FROM SCOUR & EROSION; WITH PROPOSED EXCAVATION TO PROVIDE ADEQUATE WATER DEPTH FOR BARGE LOADING & UNLOADING.

AGENT: BEAM & ASSOCIATES
2120 SEA MOUNTAIN HWY.
HARBOR GATE, SUITE 2105-A
NORTH MYRTLE BEACH, SC 29582
PHONE: (843)-814-7145

PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD
OWNER: CITY OF NORTH MYRTLE BEACH
CITY/TOWN: NORTH MYRTLE BEACH (CHERRY GROVE BEACH)
RIVER/WATER BODY: ATLANTIC OCEAN **COUNTY:** Horry **STATE:** S.C.

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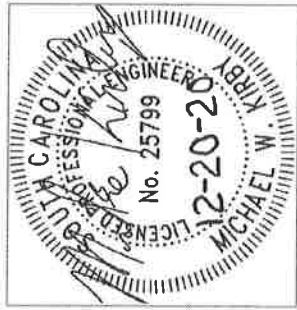
(SITE LOCATION)
LOCATION MAP

LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W

GRAPHIC SCALE: 1" = 500'

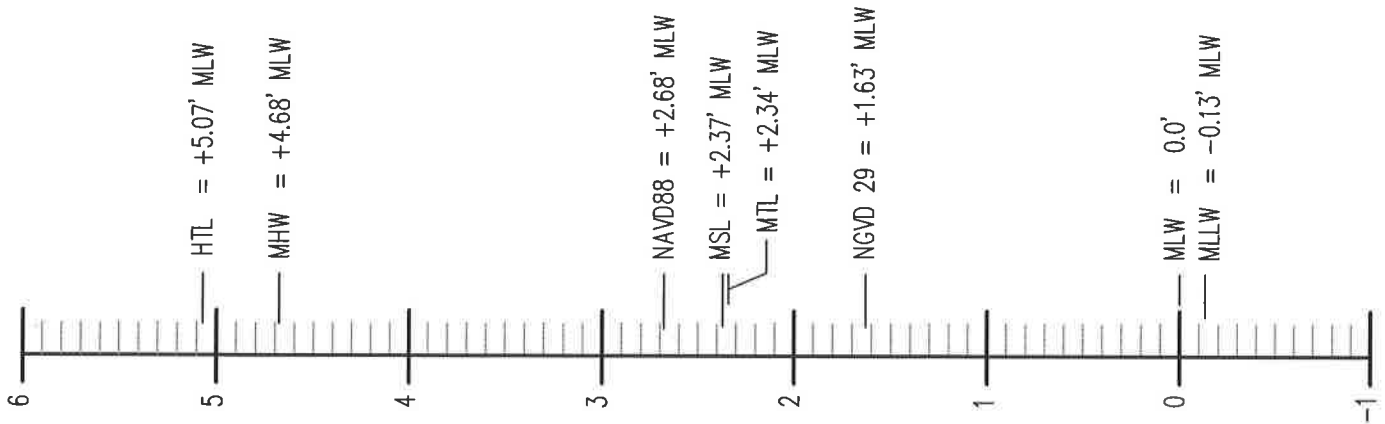
<p>PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD OWNER: CITY OF NORTH MYRTLE BEACH CITY/TOWN: NORTH MYRTLE BEACH (CHERRY GROVE BEACH) RIVER/WATER BODY: ATLANTIC OCEAN COUNTY: HORRY STATE: S.C.</p>	<p>PROPOSED ACTIVITY: CONSTRUCT A CONCRETE BARGE LANDING PAD FOR USE BY LOCAL CONTRACTORS FOR LOADING & OFFLOADING EQUIPMENT & MATERIALS FOR NEARBY PROJECTS. ALSO, A BULKHEAD IS PROPOSED TO STABILIZE THE ADJACENT BANK FROM SCOUR & EROSION; WITH PROPOSED EXCAVATION TO PROVIDE ADEQUATE WATER DEPTH FOR BARGE LOADING & UNLOADING.</p>	<p>AGENT: BEAM & ASSOCIATES 2120 SEA MOUNTAIN HWY. HARBOR GATE, SUITE 2105-A NORTH MYRTLE BEACH, SC 29582 PHONE: (843)-814-7145</p>
<p>DATE: 12-20-2020</p>	<p>SHEET: 2 OF 9</p>	<p>SCALE: AS SHOWN</p>

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SURVEY NOTES:

1. TOPOGRAPHIC AND PROPERTY BOUNDARY SURVEY INFO. PROVIDED BY HARRY F. BRUTON & ASSOCIATES, INC. OF NORTH MYRTLE BEACH, SC; AND DATED: 08-18-2020.
2. R/W = RIGHT OF WAY
3. O = DENOTES PROPERTY CORNER
4. COORDINATES ARE SC STATE PLANE (NAD 83)
5. ELEVATIONS NAVD 88, NOT FOR FEMA PURPOSES.
6. MLW = MEAN LOW WATER @ (+/-) -2.70'
7. EOM = EDGE OF MARSHGRASS
8. HWM = NO VISIBLE HIGH WATER MARK
9. MHW = MEAN HIGH WATER @ (+/-) +2.0'
10. HTL = NO VISIBLE HIGH TIDE LINE
11. PROPERTY DATA: LOT 2
BLOCK Q-2
PIN# 352-09-01-0074
TAX# 145-03-29-003
N/F CITY OF NORTH MYRTLE BEACH
DB.1345 @ PG.587
LOT 1
BLOCK P-2
PIN# 352-09-01-0073
TAX# 145-03-28-006
N/F CITY OF NORTH MYRTLE BEACH
DB.1445 @ PG.629
12. ◎ = DENOTES OCRM CRITICAL LINE FLAG
13. TOB = TOP OF BANK
14. HYDROGRAPHIC DATA TAKEN FROM GEL ENGINEERING, LLC OF CHARLESTON, SC. HYDROGRAPHIC SURVEY DATED OCTOBER & NOVEMBER 2019. VERTICAL REFERENCE DATUM IS MEAN LOW WATER (MLW).



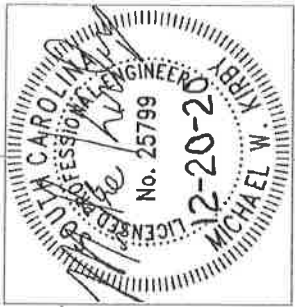
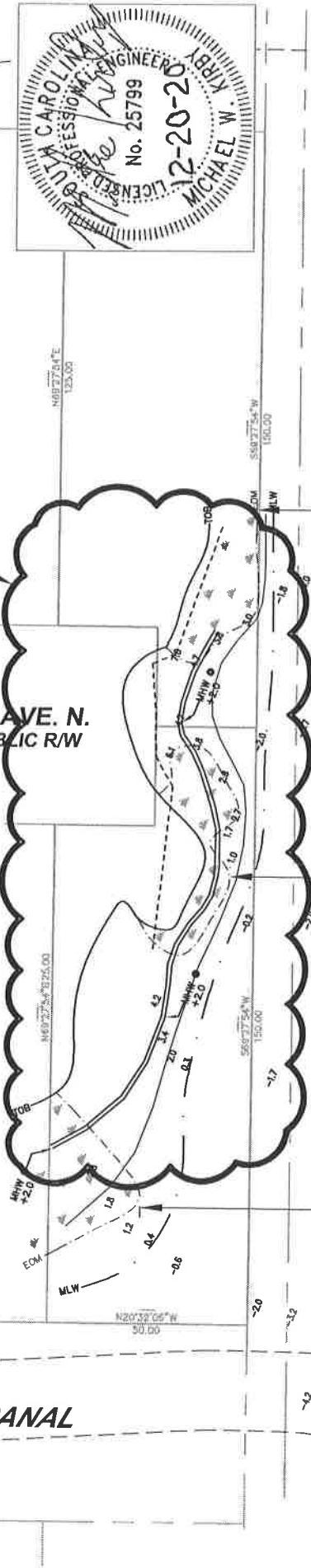
LATITUDE: 33° 50' 26.11" N

TIDE SCALE

FOR PERMITTING PURPOSES ONLY - DO NOT USE FOR CONSTRUCTION

SPOT ELEVATIONS SHOWN ARE REFERENCED TO MEAN LOW WATER (MLW) VERTICAL DATUM.

52ND AVE. N.
50' PUBLIC R/W



PROPOSED PROJECT AREA. REFER TO SHEETS P4, P5, P6, P7, P8, & P9 FOR ENLARGED VIEWS, PLAN LAYOUTS, AND SECTION VIEWS FOR PROPOSED PROJECT IMPROVEMENTS.

PREVIOUSLY PERMITTED
EDGE OF CHERRY GROVE
CANAL DREDGING LIMITS
(TYPICAL)

APPROX. 141'
MARSH GRASS TO

APPROX. 104'
MARSH GRASS TO

APPROX. 84'
(EDGE OF MARSH
GRASS TO
BULKHEAD)

NIXON CANAL

EBB
FLOOD

O CANAL

52ND AVE N
50' PUBLIC R/W



LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W

(OVERALL PLAN VIEW & KEY SHEET)
EXISTING SITE CONDITIONS

GRAPHIC SCALE: 1" = 40'

PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD
OWNER: CITY OF NORTH MYRTLE BEACH
CITY/TOWN: NORTH MYRTLE BEACH (CHERRY GROVE BEACH)
RIVER/WATER BODY: ATLANTIC OCEAN **COUNTY:** HORRY **STATE:** S.C.

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NORTH MYRTLE BEACH, SC 29582
PHONE: (843)-814-7145

DATE: 12-20-2020

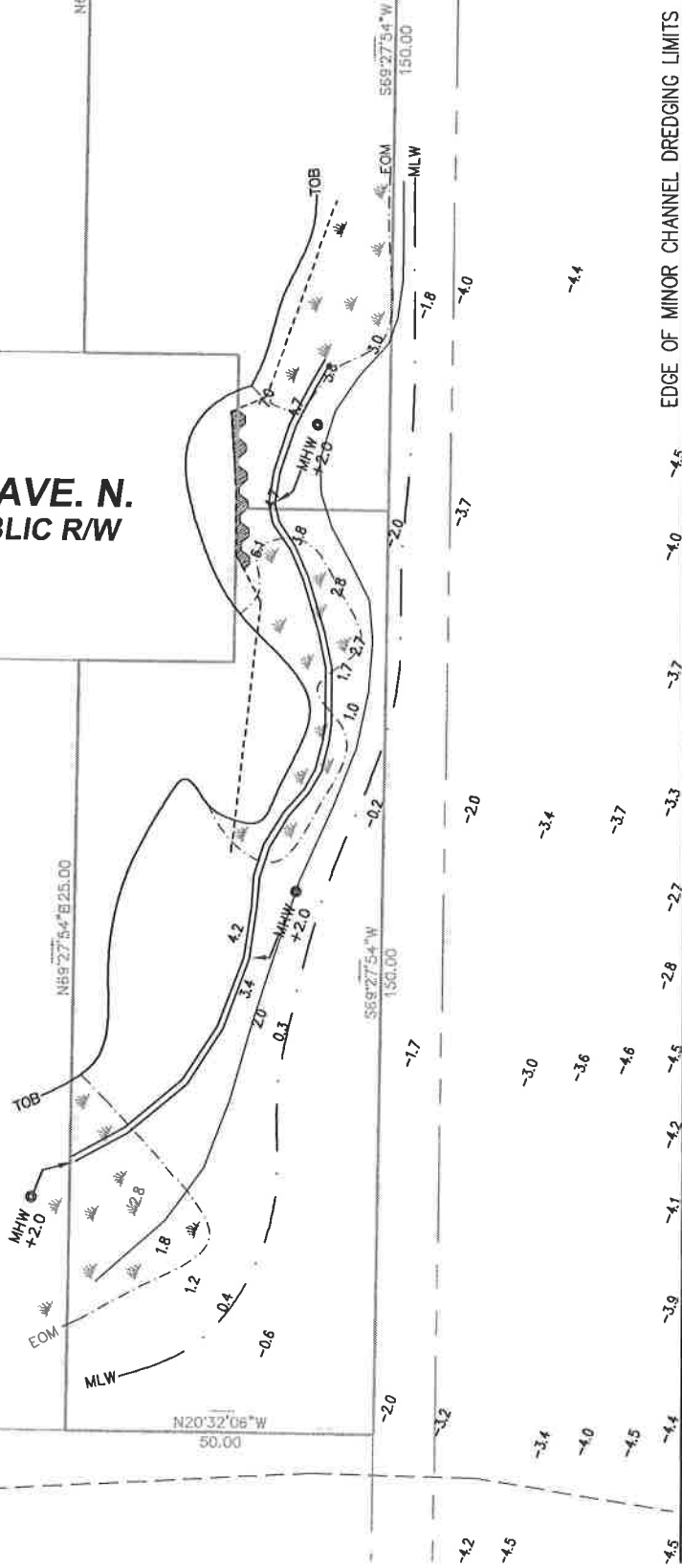
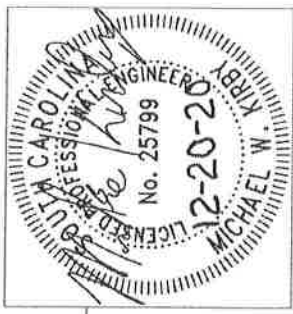
SHEET: 4 OF 9

SCALE: AS SHOWN

FOR PERMITTING PURPOSES ONLY - DO NOT USE FOR CONSTRUCTION

SPOT ELEVATIONS SHOWN ARE REFERENCED TO MEAN LOW WATER (MLW) VERTICAL DATUM.

52ND AVE. N.
50' PUBLIC R/W



NIXON CANAL

(PROJECT AREA PLAN VIEW)

EXISTING SITE CONDITIONS



LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W

0 30'
GRAPHIC SCALE: 1" = 30'

PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD
OWNER: CITY OF NORTH MYRTLE BEACH
CITY/TOWN: NORTH MYRTLE BEACH (CHERRY GROVE BEACH)
RIVER/WATER BODY: ATLANTIC OCEAN **COUNTY:** Horry **STATE:** S.C.

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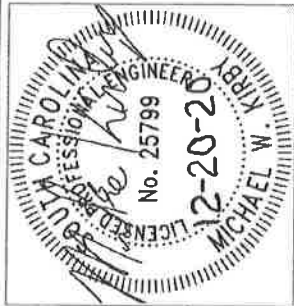
DATE: 12-20-2020

SHEET: 5 OF 9

SCALE: AS SHOWN

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LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W



SEE SHEET P-8
FOR SECTION
VIEW B-B

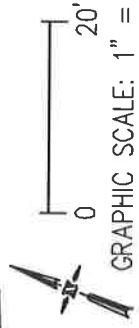
SEE SHEET P-7
FOR SECTION
VIEW A-A

SEE SHEET P-7
FOR SECTION
VIEW A-A

SEE SHEET P-8
FOR SECTION
VIEW B-B



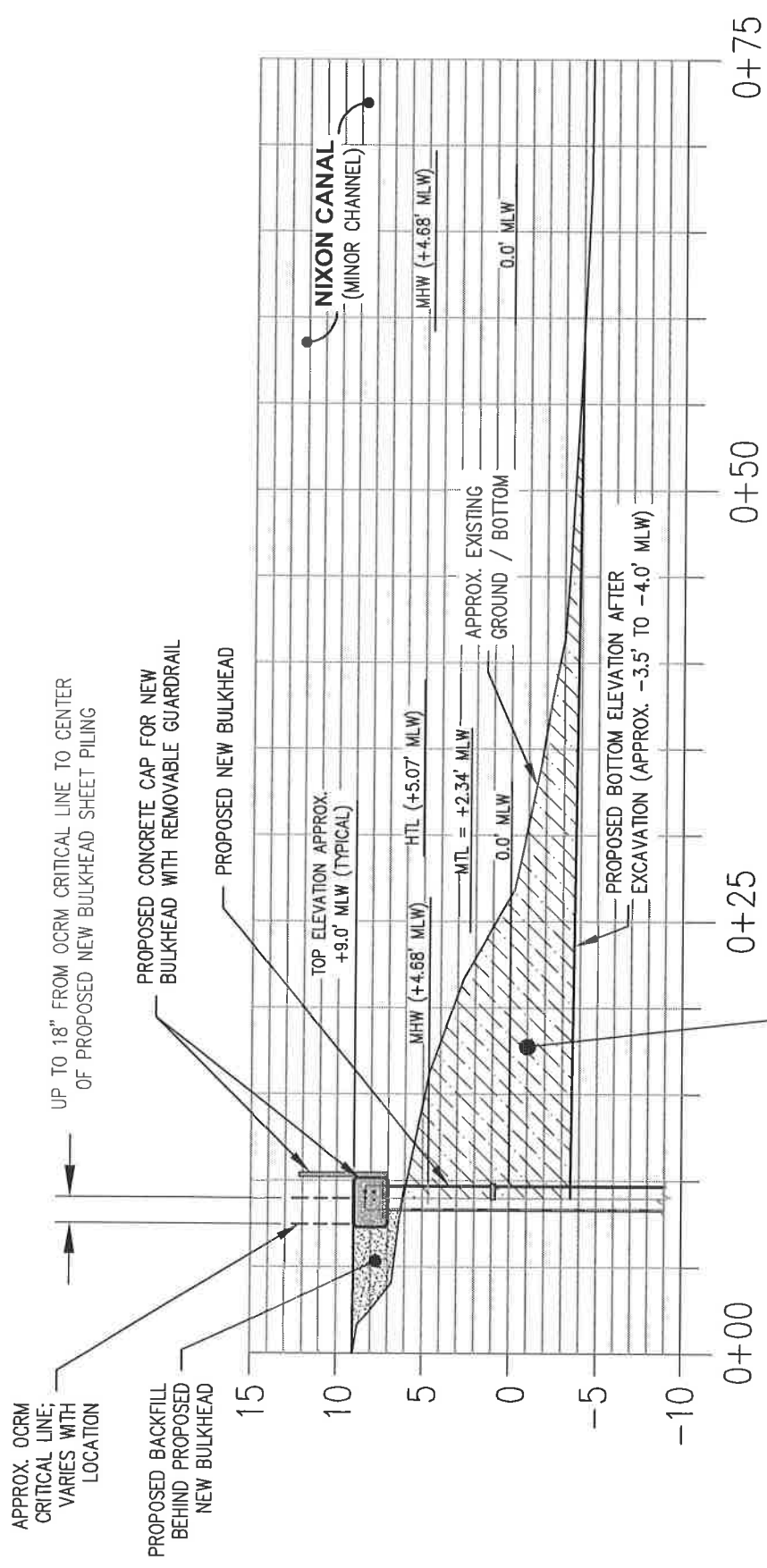
(PLAN VIEW)



PROPOSED BARGE LANDING PAD, BULKHEAD, & EXCAVATION AREA

<p>AGENT: BEAM & ASSOCIATES 2120 SEA MOUNTAIN HWY. HARBOR GATE, SUITE 2105-A NORTH MYRTLE BEACH, SC 29582 PHONE: (843)-814-7145</p>	<p>PROPOSED ACTIVITY: CONSTRUCT A CONCRETE BARGE LANDING PAD FOR USE BY LOCAL CONTRACTORS FOR LOADING & OFFLOADING EQUIPMENT & MATERIALS FOR NEARBY PROJECTS. ALSO, A BULKHEAD IS PROPOSED TO STABILIZE THE ADJACENT BANK FROM SCOUR & EROSION; WITH PROPOSED EXCAVATION TO PROVIDE ADEQUATE WATER DEPTH FOR BARGE LOADING & UNLOADING.</p>	<p>PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD OWNER: CITY OF NORTH MYRTLE BEACH CITY/TOWN: NORTH MYRTLE BEACH (CHERRY GROVE BEACH) RIVER/WATER BODY: ATLANTIC OCEAN COUNTY: Horry STATE: S.C.</p>	<p>DATE: 12-20-2020 SHEET: 6 OF 9 SCALE: AS SHOWN</p>
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APPROX. OCRM CRITICAL LINE; VARIES WITH LOCATION

UP TO 18" FROM OCRM CRITICAL LINE TO CENTER OF PROPOSED NEW BULKHEAD SHEET PILING

PROPOSED CONCRETE CAP FOR NEW BULKHEAD WITH REMOVABLE GUARDRAIL

PROPOSED NEW BULKHEAD

TOP ELEVATION APPROX. +9.0' MLW (TYPICAL)

MHW (+4.68' MLW)

HTL (+5.07' MLW)

MTL = +2.34' MLW

APPROX. EXISTING GROUND / BOTTOM

0.0' MLW

0.0' MLW

PROPOSED BOTTOM ELEVATION AFTER EXCAVATION (APPROX. -3.5' TO -4.0' MLW)

0+00

0+25

0+50

0+75

ELEVATIONS ARE REFERENCED TO MEAN LOW WATER (MLW) VERTICAL DATUM.

PROPOSED: HATCHING INDICATES APPROX. AREA OF MATERIAL PROPOSED FOR EXCAVATION TO PROVIDE ADEQUATE WATER DEPTH FOR BARGE ACCESS FOR LOADING AND UNLOADING. APPROX. 160 CUBIC YARDS OF MATERIAL PROPOSED FOR EXCAVATION.

(SECTION VIEW A-A)



PROPOSED BULKHEAD & EXCAVATION SECTION

LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W

PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD
OWNER: CITY OF NORTH MYRTLE BEACH
CITY/TOWN: NORTH MYRTLE BEACH (CHERRY GROVE BEACH)
RIVER/WATER BODY: ATLANTIC OCEAN **COUNTY:** Horry **STATE:** S.C.

PROPOSED ACTIVITY: CONSTRUCT A CONCRETE BARGE LANDING PAD FOR USE BY LOCAL CONTRACTORS FOR LOADING & OFFLOADING EQUIPMENT & MATERIALS FOR NEARBY PROJECTS. ALSO, A BULKHEAD IS PROPOSED TO STABILIZE THE ADJACENT BANK FROM SCOUR & EROSION; WITH PROPOSED EXCAVATION TO PROVIDE ADEQUATE WATER DEPTH FOR BARGE LOADING & UNLOADING.

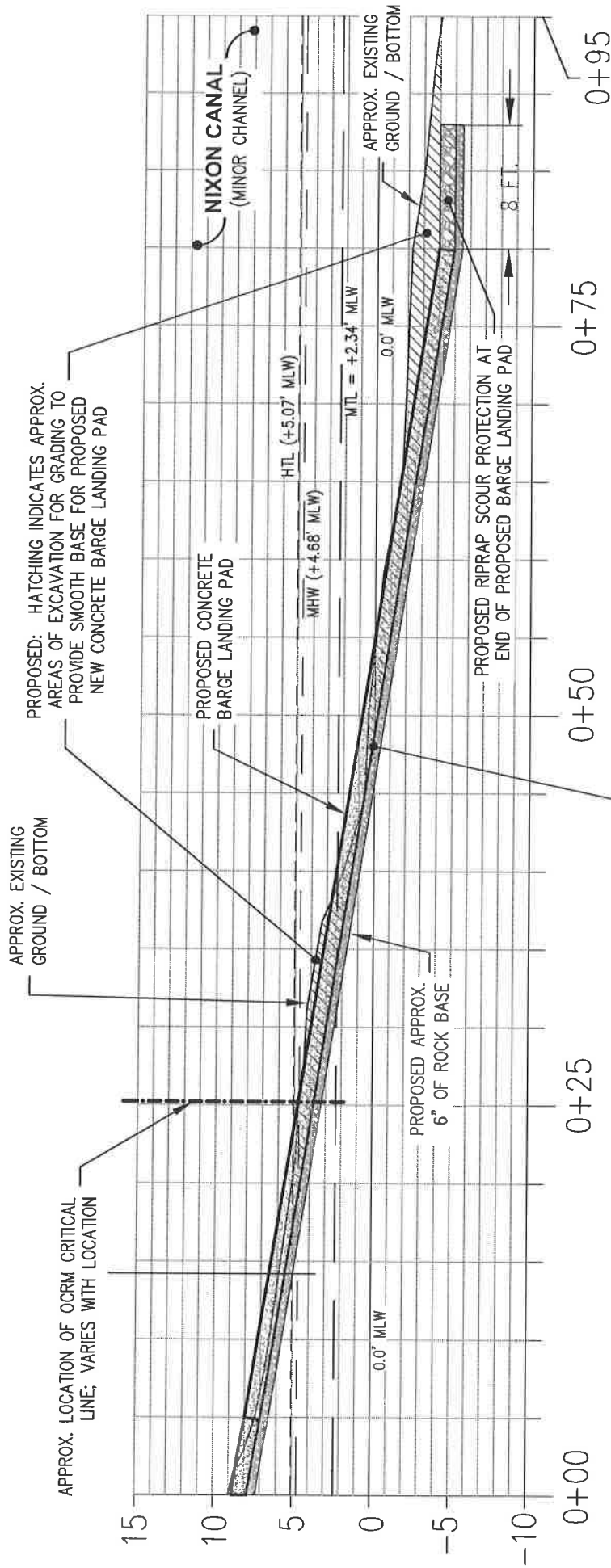
AGENT: BEAM & ASSOCIATES
 2120 SEA MOUNTAIN HWY.
 HARBOR GATE, SUITE 2105-A
 NORTH MYRTLE BEACH, SC 29582
 PHONE: (843)-814-7145

DATE: 12-20-2020

SHEET: 7 OF 9

SCALE: AS SHOWN

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PROPOSED RIPRAP ALONG SIDES OF PROPOSED NEW
BARGE LANDING PAD NOT SHOWN HERE (FOR CALRITY).
REFER TO PLAN VIEW ON SHEET 6 FOR MORE INFORMATION.

ELEVATIONS ARE
REFERENCED TO MEAN
LOW WATER (MLW)
VERTICAL DATUM.

LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W

PROPOSED BARGE LANDING PAD SECTION (SECTION VIEW B-B)

0 20'
GRAPHIC SCALE: 1" = 20'

PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD
OWNER: CITY OF NORTH MYRTLE BEACH
CITY/TOWN: NORTH MYRTLE BEACH (CHERRY GROVE BEACH)
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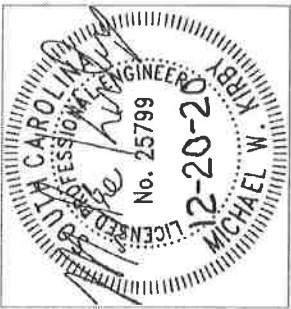
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HARBOR GATE, SUITE 2105-A
NORTH MYRTLE BEACH, SC 29582
PHONE: (843)-814-7145

DATE: 12-20-2020

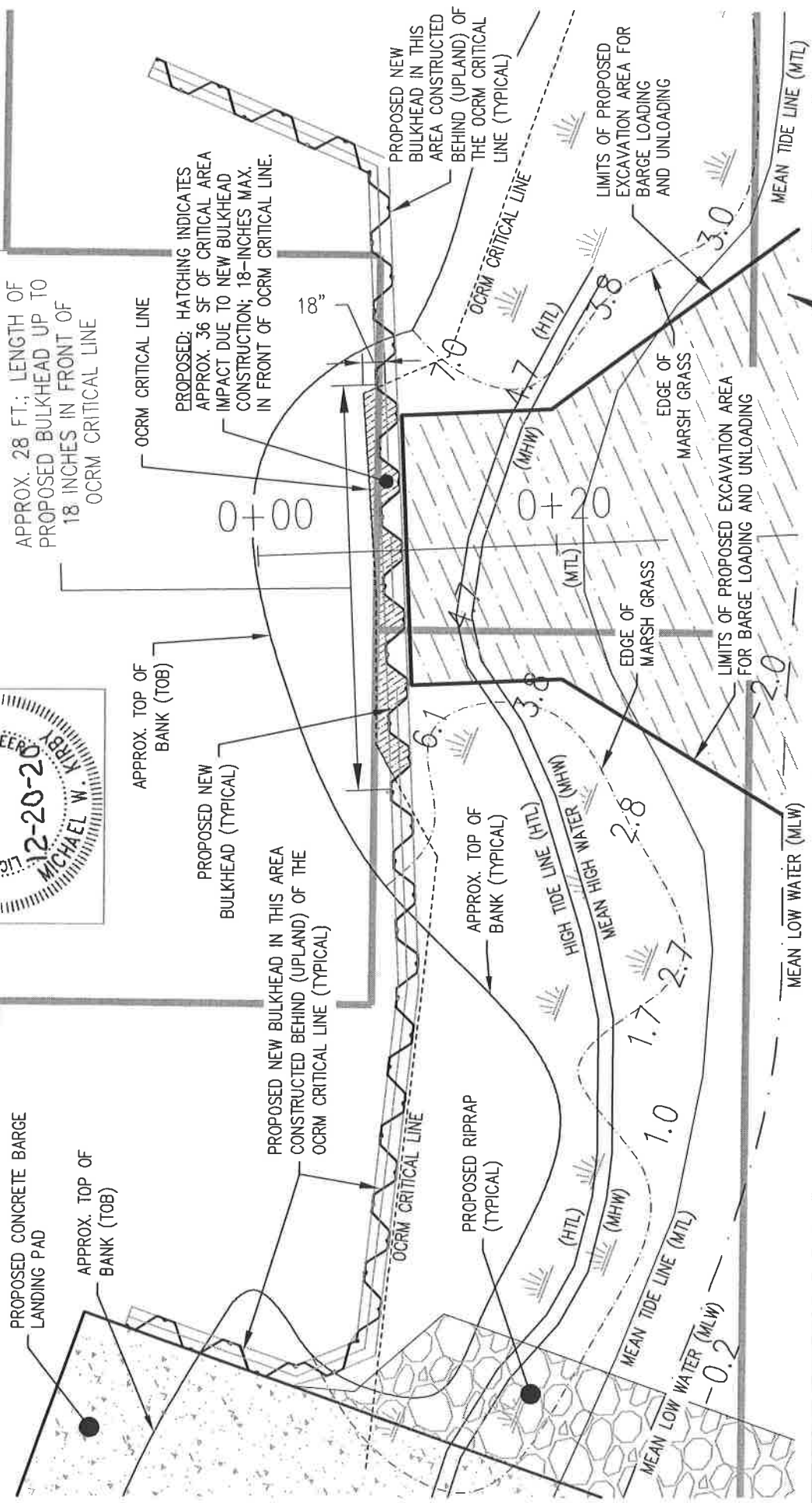
SHEET: 8 OF 9

SCALE: AS SHOWN

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SPOT ELEVATIONS SHOWN
ARE REFERENCED TO
MEAN LOW WATER (MLW)
VERTICAL DATUM.



APPROX. 28 FT.; LENGTH OF
PROPOSED BULKHEAD UP TO
18 INCHES IN FRONT OF
OCRM CRITICAL LINE

PROPOSED: HATCHING INDICATES
APPROX. 36 SF OF CRITICAL AREA
IMPACT DUE TO NEW BULKHEAD
CONSTRUCTION; 18-INCHES MAX.
IN FRONT OF OCRM CRITICAL LINE.

PROPOSED NEW
BULKHEAD IN THIS
AREA CONSTRUCTED
BEHIND (UPLAND) OF
THE OCRM CRITICAL
LINE (TYPICAL)

LIMITS OF PROPOSED
EXCAVATION AREA FOR
BARGE LOADING
AND UNLOADING

LATITUDE: 33° 50' 26.11" N
LONGITUDE: -78° 37' 05.08" W

PROPOSED NEW BULKHEAD LAYOUT (PLAN VIEW)

PROJECT NAME: CHERRY GROVE BEACH BARGE LANDING & BULKHEAD
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DATE: 12-20-2020 **SHEET:** 9 OF 9 **SCALE:** AS SHOWN