

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
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N SAC-2016-01633

DATE July 7, 2017

Critical area of the coastal zone (no 401 required; only Section 10 applies; i.e. docks.) Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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 South Carolina Department of Health and Environmental Control by

Mr. Harry Thomas
Jake Investments, LLC
625 Sea Mt Hwy
North Myrtle Beach, South Carolina 29582

for a permit to construction of a six slip community dock in the

Atlantic Intracoastal Waterway (AIWW)

at the terminus of Riverside Drive, near the city of North Myrtle Beach, Horry County, South Carolina (Latitude: 33.8629 °N, Longitude: -78.6187 °W), **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 community dock. In detail, the work consists of the construction of a fixed pierhead, consisting of a 12' x 48' section and an 8' x 84' section, totaling 132' in length. The fixed pierhead contains an 8' x 16' covered portion near its

waterward terminus and is connected to the adjacent uplands. An 8' x 98' fixed dock will be connected to the proposed pierhead and constructed parallel to the existing shoreline. Attached to the fixed dock will be five 4' x 24' finger docks, constructed on its waterward side, to facilitate vessel mooring. Finally, a 10' x 27' floating dock will be constructed at the southern end of the fixed dock and connected by a 4' x 18' adjustable ramp. The applicant offered no mitigation for the project and stated: "Due to the minimal impact aquatic resources there is no justification for mitigation or a mitigation plan". The project purpose is **recreational access and vessel mooring**.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

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 **0.06** 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 the project will have **no effect** on Kirtlands's Warbler (*Dendroica kirtlandii*), Piping plover (*Charadrius melodus*), Red knot (*Calidris canutus rufa*), Red-cockaded Woodpecker (*Picoides borealis*), Wood stork (*Mycteria Americana*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Shortnose Sturgeon (*Acipenser brevirostrum*), American Chaffseed (*Schwalbea americana*), Candy's Dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*) and Seabeach Amaranth (*Amaranthus pumilus*), and will not result in the destruction or adverse modification or designated or proposed critical habitat. However, the Corps has determined that the proposed project **is not likely to adversely effect**, 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.

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 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)(1)(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. 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 T. Brian Hardee, Project Manager, at (843) 365-0848.

BALLYHOO GREENE DOCK PERMIT DRAWINGS

DRAWING INDEX:

1. COVER SHEET
2. LOCATION MAP
3. EXISTING CONDITIONS
4. OVERALL SITE PLAN
5. DOCK PLAN
6. DOCK SECTION "A" PLAN & PROFILE
7. DOCK SECTION "B" PLAN & PROFILE
8. DOCK SECTION "C" PLAN & PROFILE
9. NORTHING & EASTING PLAN VIEW
10. NORTHING & EASTING DOCK CHART

10-3-16



TAX MAP NUMBER: 131-77-03-001

PIN#: 3121302001

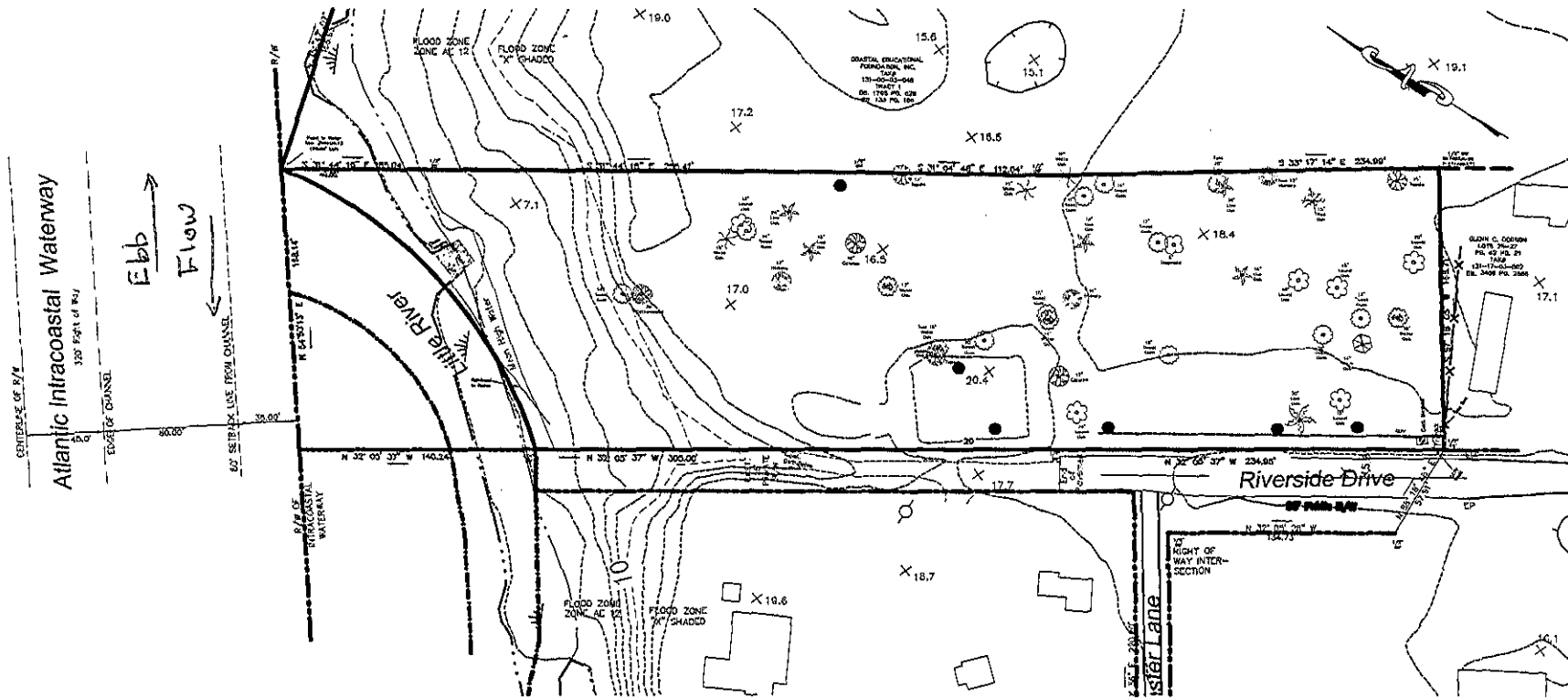
LOCATION MAP
N.T.S.

OWNER & DEVELOPER:

JAKE INVESTMENTS, LLC
1010 RIDGEWOOD DRIVE
NORTH MYRTLE BEACH, SC 29582

2 OF 10
W16-010
ROBERT L. WEAVER, P.E.

BALLYHOO GREENE
Little River, SC
Scale: n.t.s.



TAX MAP NUMBER: 131-77-03-001

PIN#: 3121302001

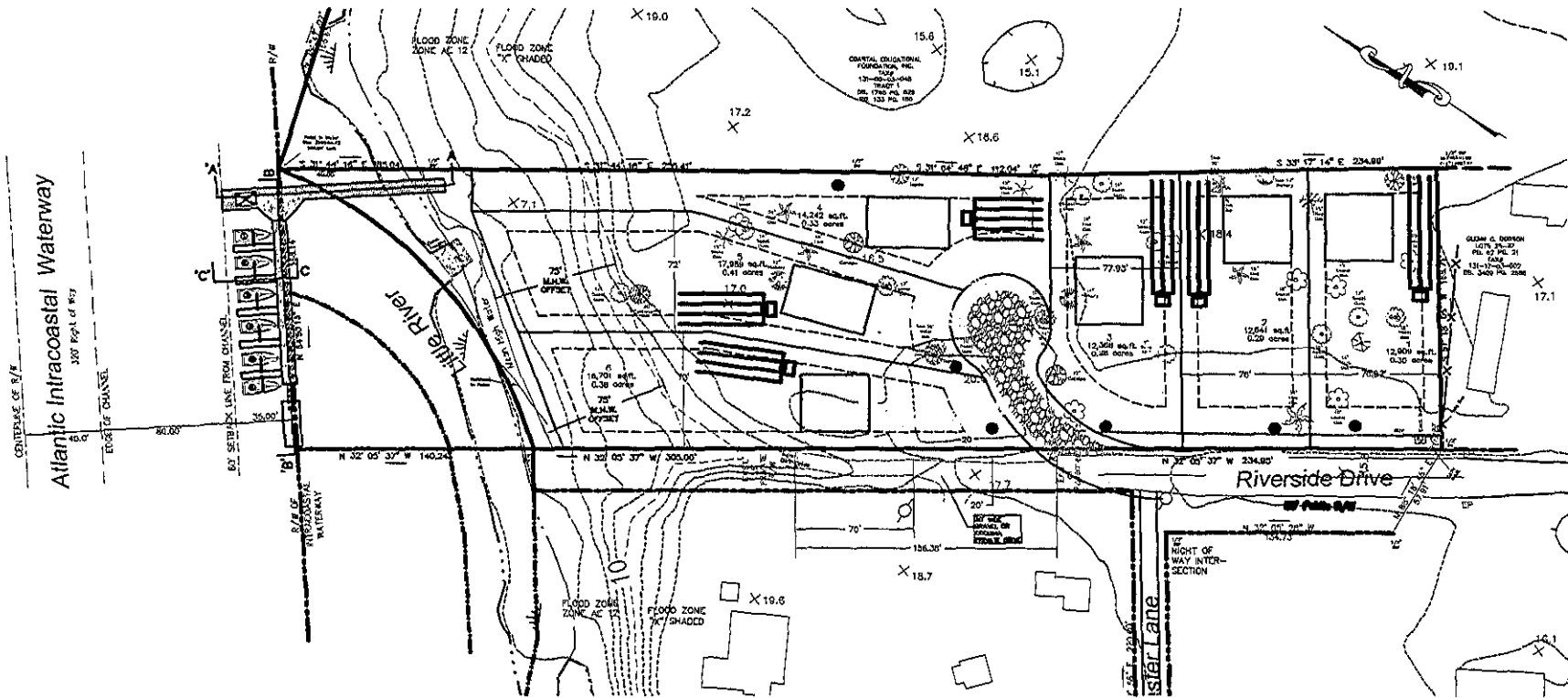
OWNER & DEVELOPER:

JAKE INVESTMENTS, LLC
1010 RIDGEWOOD DRIVE
NORTH MYRTLE BEACH, SC 29582

EXISTING CONDITIONS PLAN

BALLYHOO GREENE
Little River, SC

Scale: 1"=100'



TAX MAP NUMBER: 131-77-03-001

PIN#: 3121302001

OWNER & DEVELOPER:

JAKE INVESTMENTS, LLC
1010 RIDGEWOOD DRIVE
NORTH MYRTLE BEACH, SC 29582

OVERALL SITE PLAN

BALLYHOO GREENE
Little River, SC
Scale: 1"=100'

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W16-010
ROBERT L. WEAVER, P.E.

10-3-16

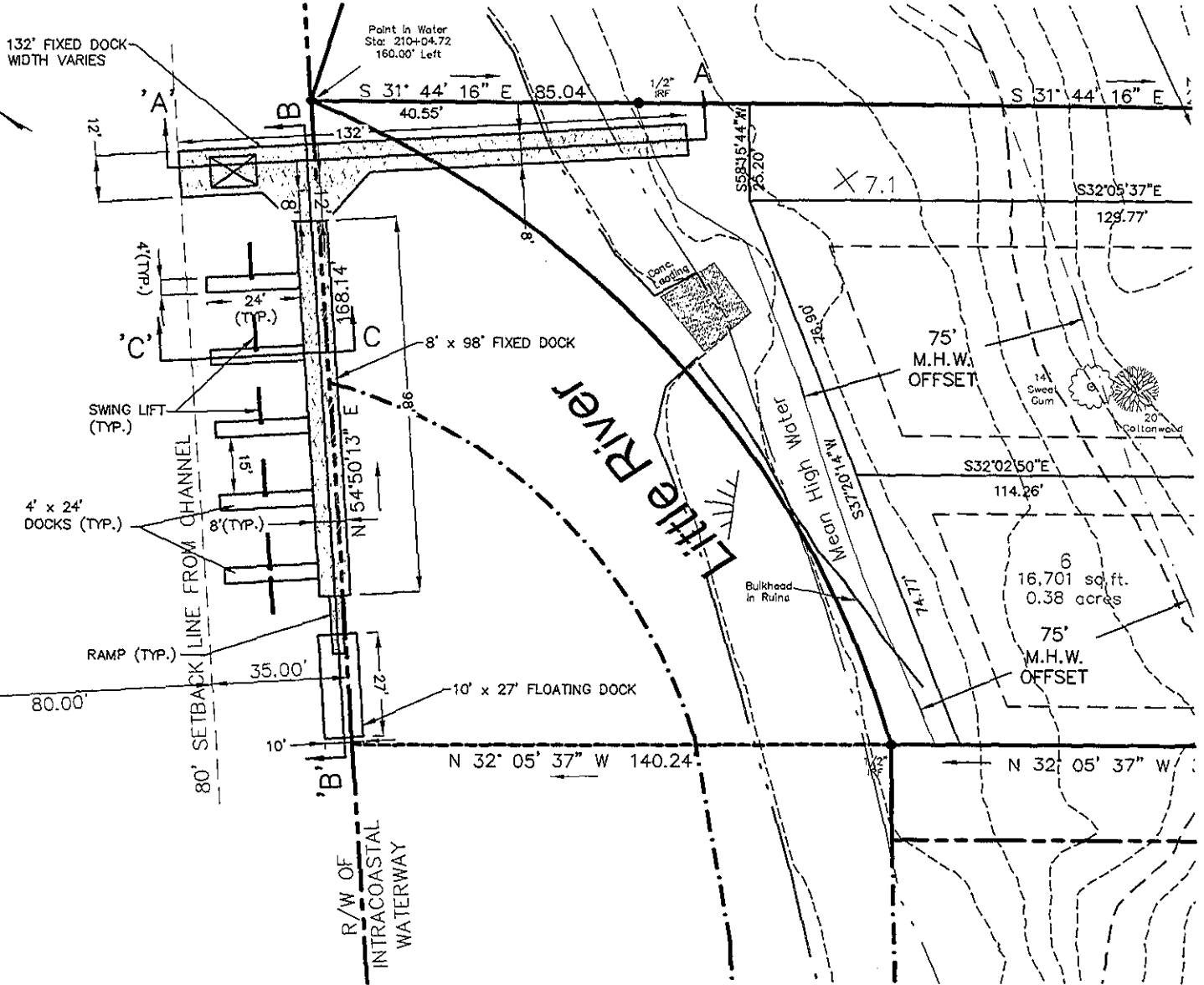
Atlantic Intracoastal Waterway

320' Right of Way

CENTERLINE OF R/W

45.0'

EDGE OF CHANNEL



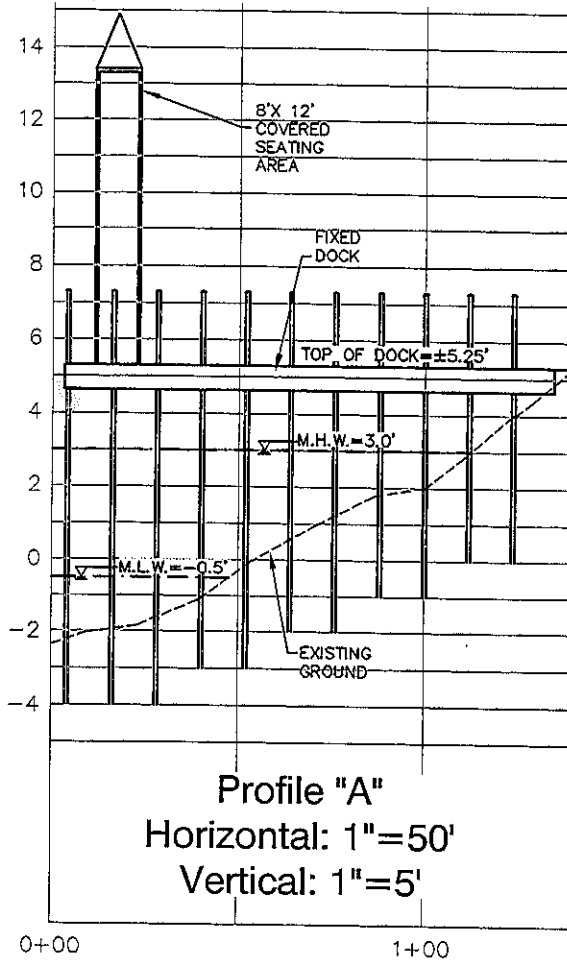
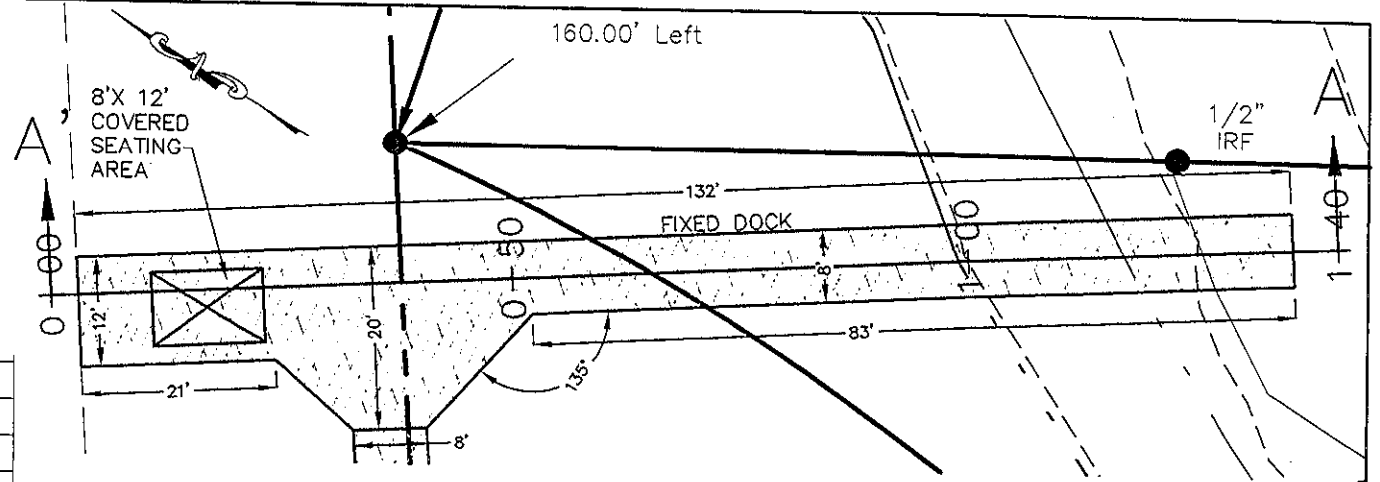
DOCK PLAN

BALLYHOO GREENE
LITTLE RIVER, SC

Scale: 1"=40'

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W16-010
ROBERT L. WEAVER, P.E.

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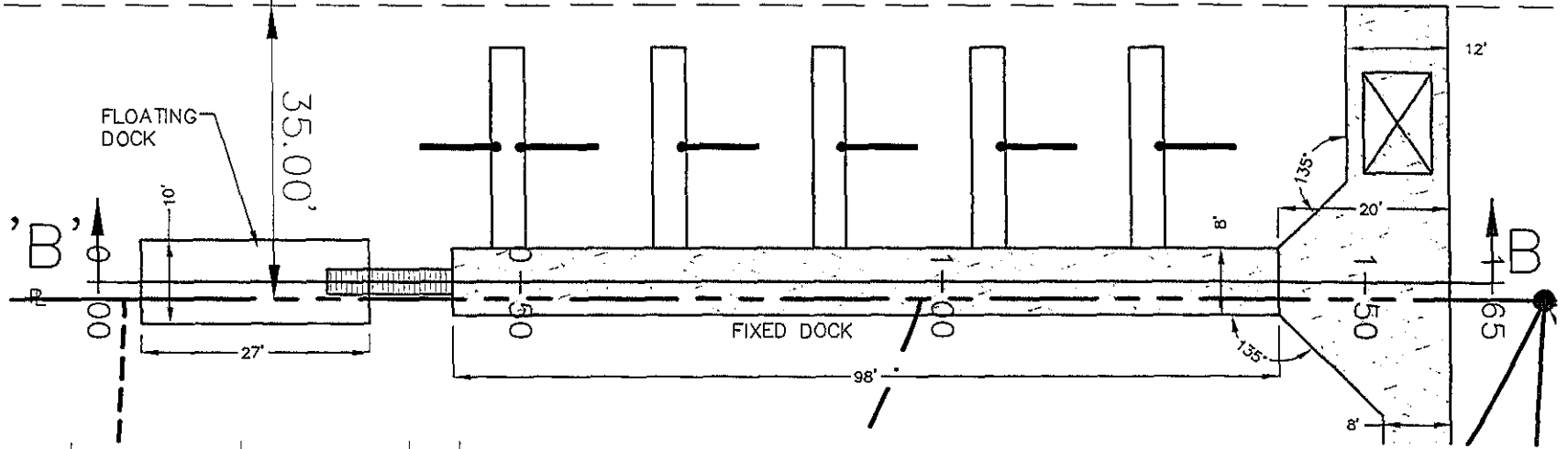
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W16-010
ROBERT L. WEAVER, P.E.

DOCK SECTION 'A' PLAN &
PROFILE

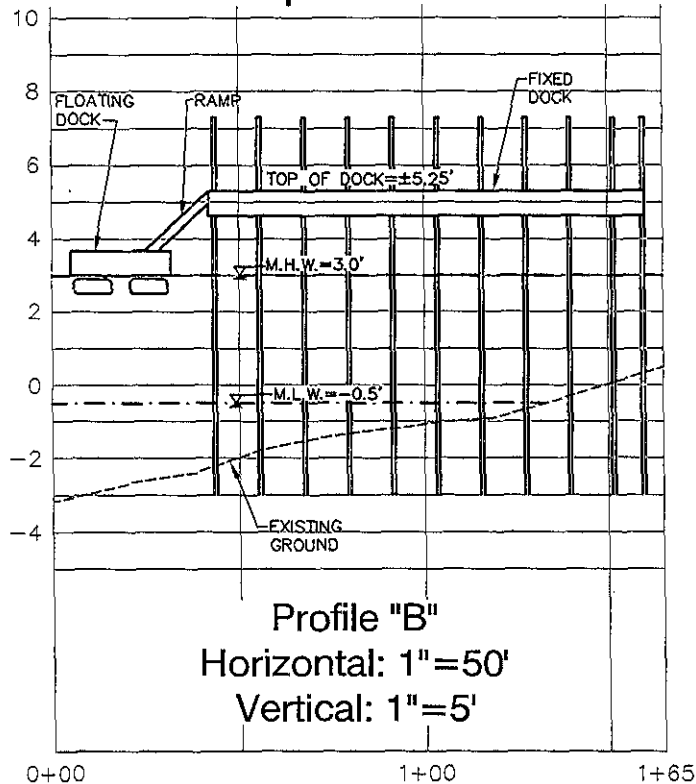
BALLYHOO GREENE
LITTLE RIVER, SC
Scale: 1"=40'

10-3-16

80' SETBACK LINE FROM CHANNEL



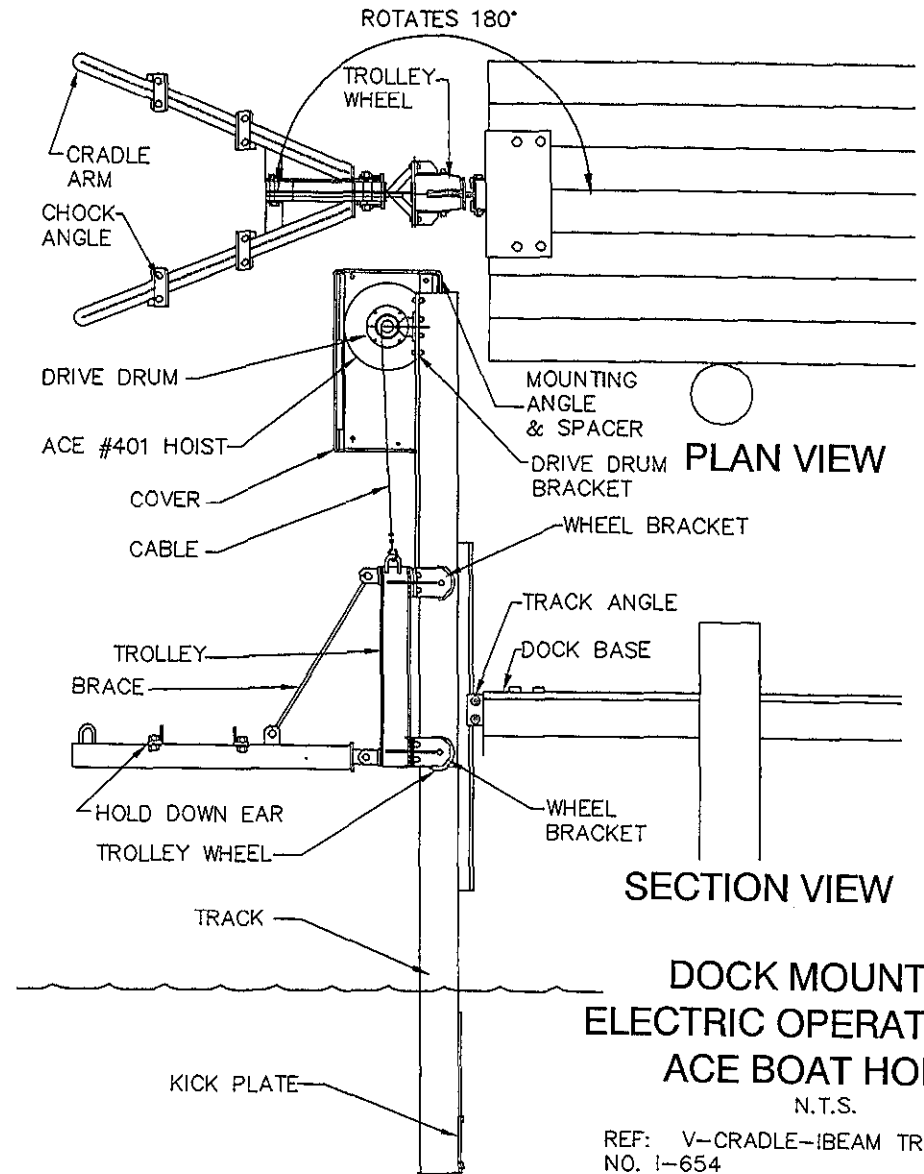
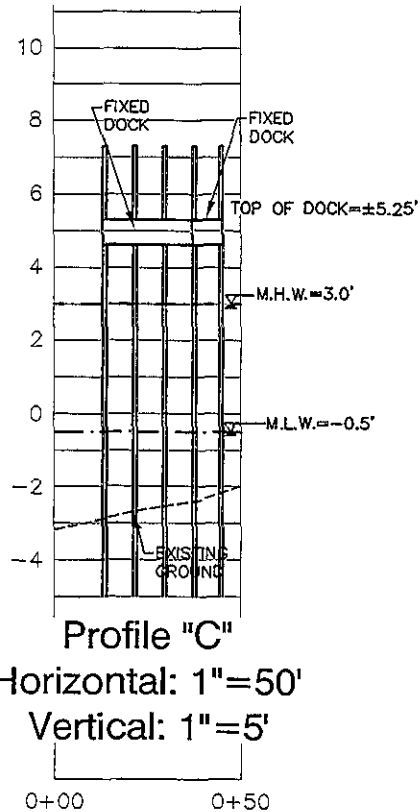
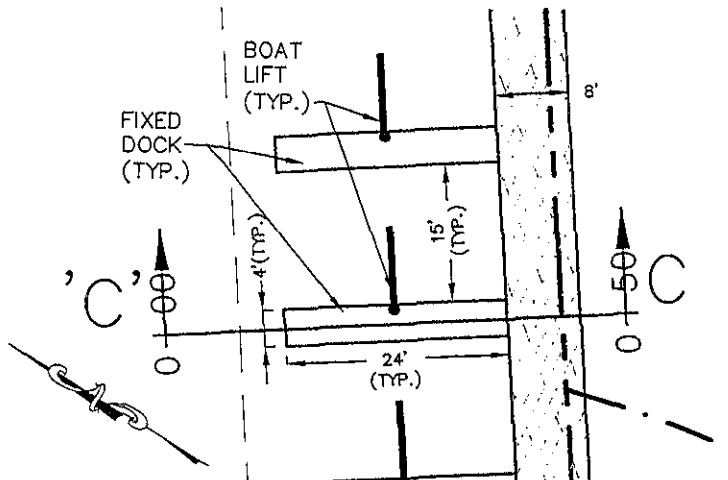
Plan "B"
Scale: 1"=20'



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W16-010
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DOCK SECTION 'B' PLAN & PROFILE

BALLYHOO GREENE
LITTLE RIVER, SC
Scale: 1"=40'

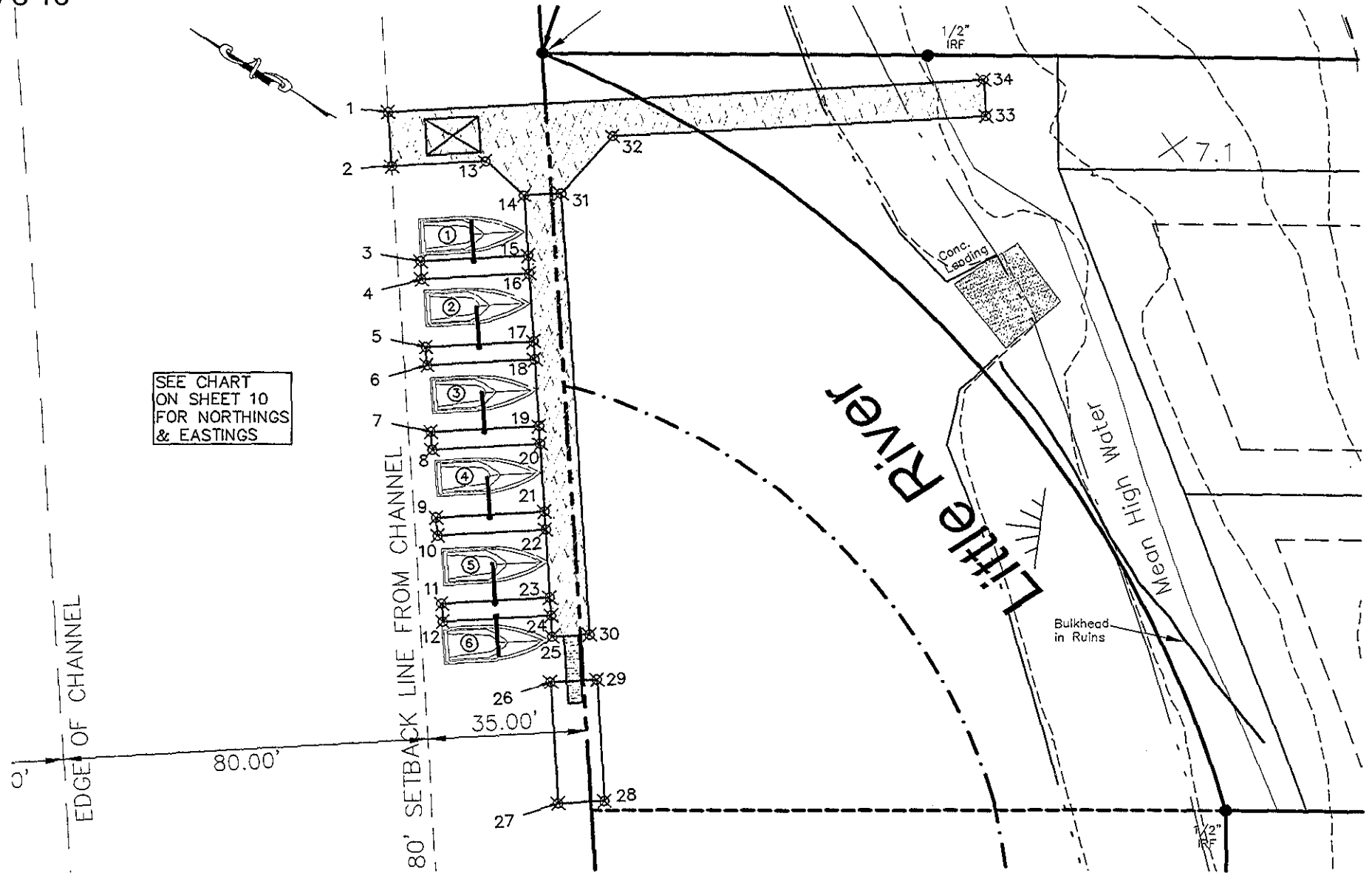


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ROBERT L. WEAVER, P.E.

DOCK SECTION 'C' PLAN &
PROFILE

BALLYHOO GREENE
LITTLE RIVER, SC
Scale: 1"=40'

10-3-16



SEE CHART
ON SHEET 10
FOR NORTHINGS
& EASTINGS

NORTHING & EASTING
PLAN VIEW

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W16-010
ROBERT L. WEAVER, P.E.

BALLYHOO GREENE
LITTLE RIVER, SC
Scale: 1"=30'

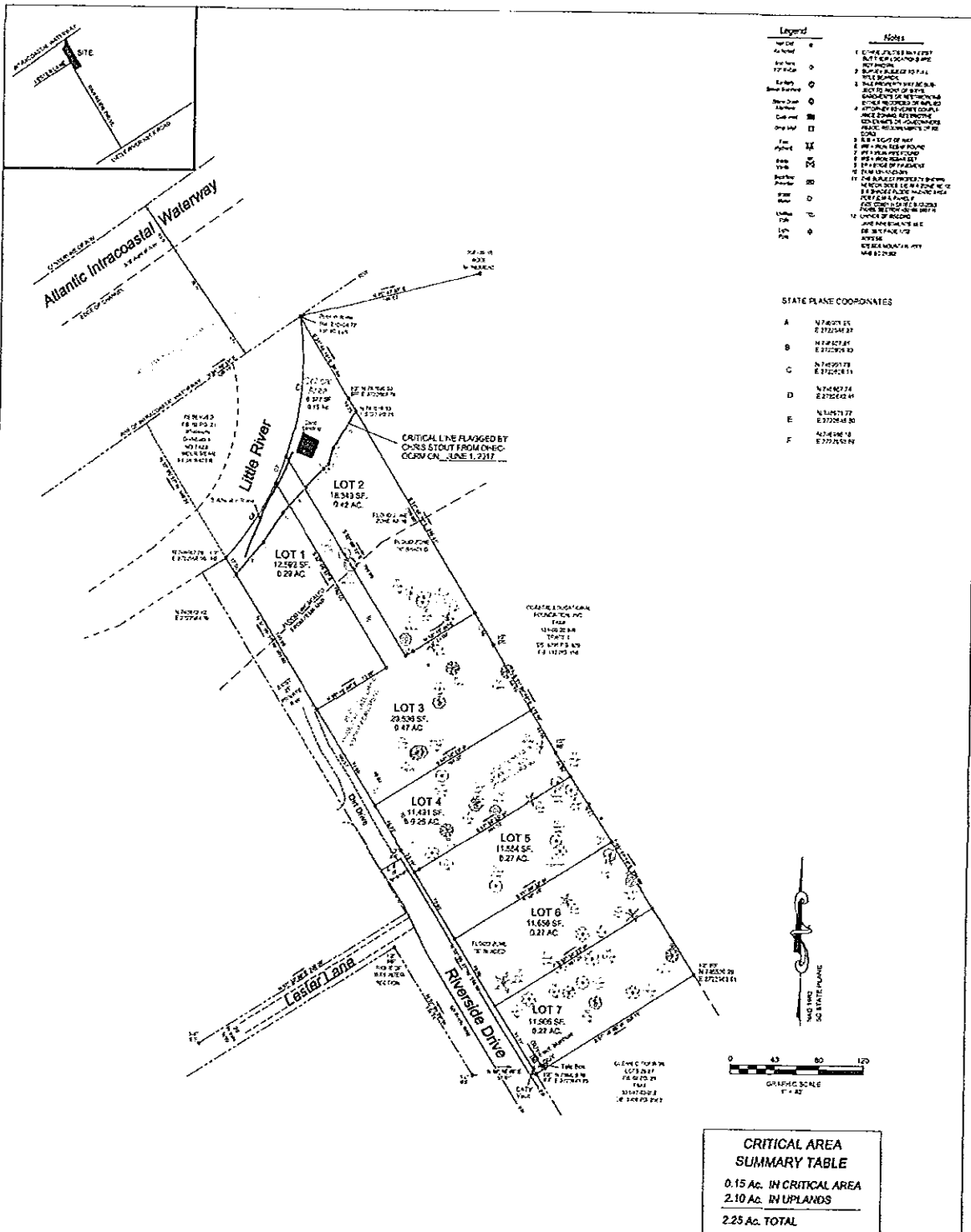
10-3-16

<u>Number</u>	<u>Northing</u>	<u>Easting</u>	<u>Number</u>	<u>Northing</u>	<u>Easting</u>
1	747125.05	2722588.64	26	747028.44	2722500.13
2	747118.14	2722578.83	27	747012.89	2722478.05
3	747101.77	2722564.28	28	747004.72	2722483.81
4	747099.47	2722561.01	29	747020.27	2722505.89
5	747090.83	2722548.75	30	747026.84	2722513.49
6	747088.53	2722545.48	31	747083.28	2722593.60
7	747079.89	2722533.22	32	747080.38	2722610.32
8	747077.58	2722529.95	33	747012.53	2722658.12
9	747068.95	2722517.68	34	747017.14	2722664.66
10	747066.64	2722514.41			
11	747058.00	2722502.15			
12	747055.70	2722498.88			
13	747100.97	2722590.93			
14	747089.82	2722588.99			
15	747082.15	2722578.10			
16	747079.85	2722574.83			
17	747071.21	2722562.57			
18	747068.91	2722559.30			
19	747060.27	2722547.04			
20	747057.96	2722543.77			
21	747049.33	2722531.51			
22	747047.02	2722528.24			
23	747038.38	2722515.97			
24	747036.08	2722512.70			
25	747033.38	2722508.88			

NORTHING & EASTING
CHART

10 OF 10
W16-010
ROBERT L. WEAVER, P.E.

BALLYHOO GREENE
LITTLE RIVER, SC
Scale: 1"=40'



CRITICAL AREA SUMMARY TABLE

0.15 AC. IN CRITICAL AREA
2.10 AC. IN UPLANDS
2.25 AC. TOTAL

CRITICAL LINE SURVEY
 SHOWING
 Lots 23 & 24
 Riverside Campground
 225 Acres Total
 Little River Twp., Horry County, S.C.
 the property of
 Jake Investments, LLC

CRITICAL LINE SURVEY

LINE NO.	START	END	TYPE	REMARKS
1	1234.56	1234.56	C	CRITICAL LINE
2	1234.56	1234.56	C	CRITICAL LINE
3	1234.56	1234.56	C	CRITICAL LINE
4	1234.56	1234.56	C	CRITICAL LINE
5	1234.56	1234.56	C	CRITICAL LINE
6	1234.56	1234.56	C	CRITICAL LINE
7	1234.56	1234.56	C	CRITICAL LINE
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46	1234.56	1234.56	C	CRITICAL LINE
47	1234.56	1234.56	C	CRITICAL LINE
48	1234.56	1234.56	C	CRITICAL LINE
49	1234.56	1234.56	C	CRITICAL LINE
50	1234.56	1234.56	C	CRITICAL LINE

For the benefit of
Jake Investments, LLC

Russ Courtney & Associates, LLC
 Land Surveying & Design
 1128-2nd Mountain Hwy.
 North Myrtle Beach, S.C. 29502
 Ocean Side Drive, A.C. 29497
 PHONE: (813) 834-1333
 OFFICE: (843) 342-3131
 FAX: (843) 342-3117
 Russ Courtney Sr., P.L.S.

DRAWN RAC	SCALE 1" = 42'
APPROVED RAC	ACADEMIC SURVEYING SERVICE, LLC
SURVEYED RAC	SURVEYOR RAC
	DATE OF SURVEY 08-04-2017

CERTIFICATE OF ACCURACY

I hereby declare that the foregoing is a true and correct copy of the original field notes and books in accordance with the requirements of the laws of the State of South Carolina, and that the same were prepared by me or under my supervision and that I am a duly licensed Professional Surveyor in the State of South Carolina.

Russ Courtney
 PROFESSIONAL SURVEYOR
 STATE OF SOUTH CAROLINA
 No. 3711

MAP FILE 111-200