

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: SAC-2004-02915

June 21, 2024

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

**Murrells Inlet Marina, LLC
c/o Mr. Shayla Dittenhafer
The Earthworks Group
PO Box 201
Murrells Inlet, South Carolina 29576
SDittenhafer@earthworksgroup.com**

for a permit to modify an existing marina (Crazy Sisters Marina f.k.a. Captain Dick's Marina) located in

PARSONAGE Creek

located off of Highway 17 business between the Dead Dog Saloon and Captain Dick's Marina in Murrells Inlet, Georgetown County, South Carolina (Latitude: 33.55651 °N, Longitude: -79.03305 °W), Brookgreen Quad.

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

N O T I C E

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.

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

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is "to maximize the efficient use of the commercial marina space for public benefit and recreational access to the waterbody."

Project Description

The proposed work consists of modifications and additions to an existing marina including after-the-fact review of the addition of multiple docking structures.

In detail, the proposed work consists of the addition of six (6) 12.8' x 6' EZ dock structures attached to the northernmost floating dock, one (1) 30' x 6' dock spacer attached to the northernmost floating dock, and seven (7) 12.8' x 2.25' dock spacers attached to the northernmost floating dock.

In addition, the applicant is seeking after-the-fact authorization for five (5) 12.8' x 4.8' EZ dock jet ski docking structures to be relocated to the western portion of the northernmost floating dock, and eight (8) 12.8' x 4.8' EZ dock structures attached to the northernmost floating dock.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by "complying with all state and federal laws." No excavation/ dredging or filling of wetlands is proposed.

Proposed Compensatory Mitigation

The applicant is not proposing mitigation for these activities as the proposed modifications would result in less than 1/10th acre of shading of open water associated with the structures.

South Carolina Department of Health and Environmental Control

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule

(Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

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.

Essential Fish Habitat

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 0.038 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and determined that the following species have the potential to occur in the vicinity of the proposed work:

American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Piping Plover (*Charadrius melodus*), Pondberry (*Lindera melissifolia*), Red-cockaded Woodpecker (*Picoides borealis*), Rufa Red Knot (*Calidris canutus rufa*), West Indian Manatee (*Trichechus manatus*), Wood stork (*Mycteria americana*), Atlantic Sturgeon

(*Acipenser oxyrinchus oxyrinchus*), Shortnose Sturgeon (*Acipenser brevirostrum*), Tricolored bat (*Perimyotis subflavus*), and the Northern Long-Eared bat (*Myotis septentrionalis*).

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Eastern Black Rail (*Laterallus jamaicensis ssp. jamaicensis*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), Pondberry (*Lindera melissifolia*), Red-cockaded Woodpecker (*Picoides borealis*), Northern Long-eared Bat *Myotis septentrionalis*, and Tricolored Bat *Perimyotis subflavus*, and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect Piping Plover (*Charadrius melodus*), Rufa Red Knot (*Calidris canutus rufa*), and West Indian Manatee (*Trichechus manatus*). 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.

Consultation will be initiated with the U.S. Fish and Wildlife Service (USFWS) and/or the National Marine Fisheries Service (NMFS) for any determinations made by the Corps, other than No Effect, and in the case of species under the purview of USFWS, where concurrence has not been obtained via the USFWS Information for Planning and Consultation (IPaC) Tool (USFWS project code: 2024-0096639).

Cultural Resources

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)), and has initially determined that there are historic properties present, but they will not be affected; 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 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.

Corps' Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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.

Solicitation of Public Comment

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. 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.

Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2004-02915), to jennifer.m.roberts@usace.army.mil or 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 Jennifer Roberts at 843-365-1726 or by email at jennifer.m.roberts@usace.army.mil.



SAC-2004-02915

Macklen Ave

Highway 17 Business

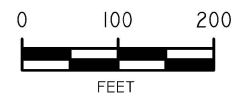
17

17



SITE / VICINITY

CRAZY SISTERS MARINA



SCALE
1:2,400
1" = 200'

EARTHWORKS
planning and design consultants

11655 HIGHWAY 707
MURRELLS INLET, SC 29576
P: 843-651-7900 F: 843-651-7903
WWW.EARTHWORKSGROUP.COM

APPLICANT: **SEAN BOND - MURRELLS INLET MARINA, LLC**
PO BOX 4818
MURRELLS INLET, SOUTH CAROLINA 29576
TMS: 41-0114-108-01-00

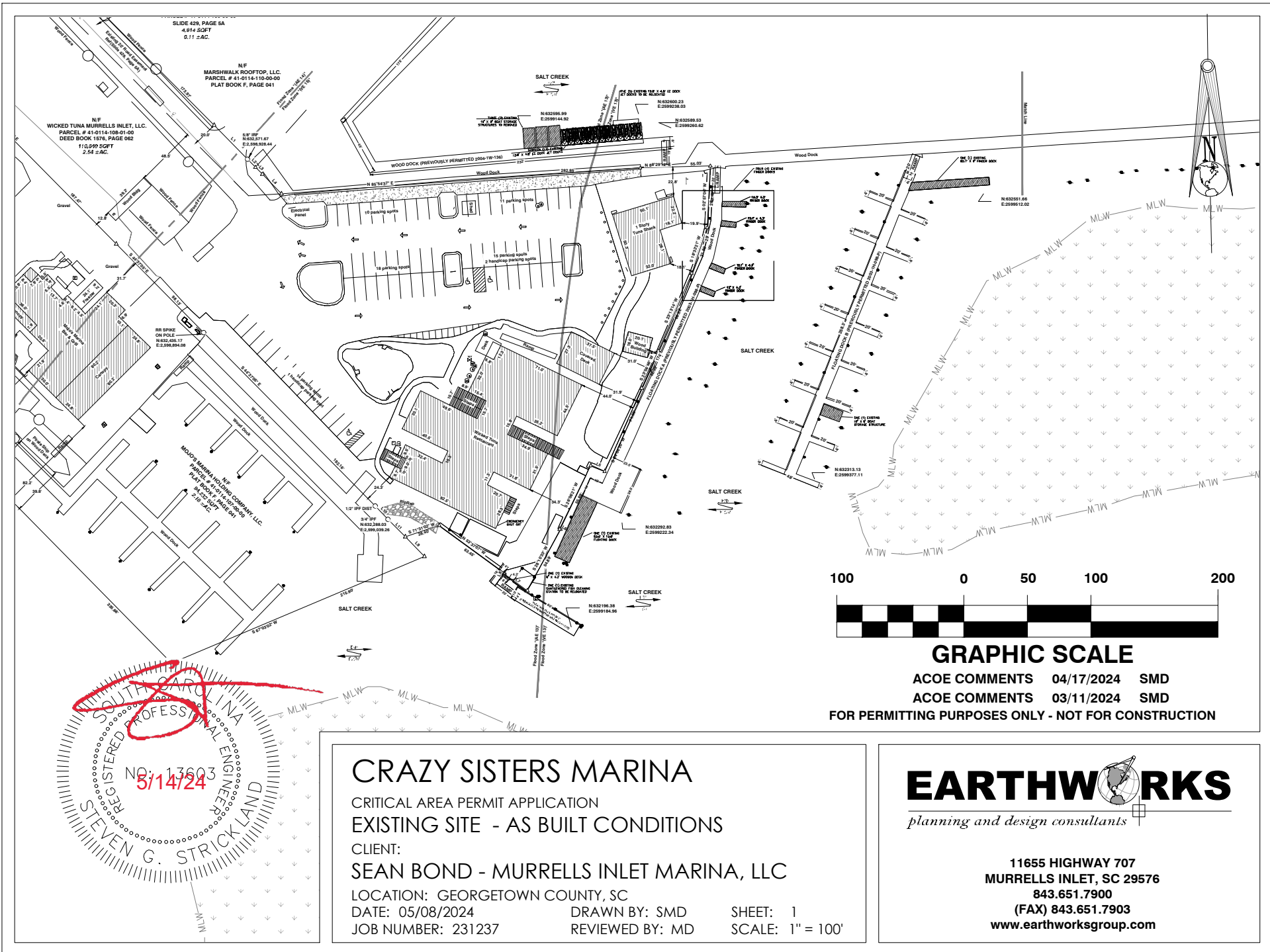
LOCATION: 4123 HIGHWAY 17 BUS S
GEORGETOWN COUNTY SC

LAT/LONG: 33.5556 BY -79.0324

USGS QUAD: BROOKGREEN

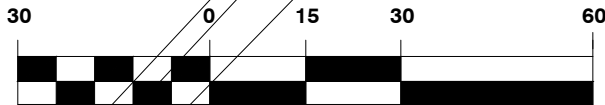
DATE: 5/13/2024

SHEET
1



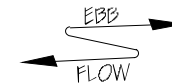
ACOE COMMENTS 03/11/2024 SMD
ACOE COMMENTS 04/17/2024 SMD

FOR PERMITTING PURPOSES ONLY - NOT FOR CONSTRUCTION



GRAPHIC SCALE

SALT CREEK



N:632595.99
E:2599144.92

THREE (3) EXISTING
16' X 9' BOAT STORAGE
STRUCTURES TO BE REMOVED

N:632600.23
E:2599238.03

N:632589.53
E:2599260.62

THIRTEEN (13) EXISTING
12.8' X 4.8' EZ DOCK JET DOCKS

WOOD DOCK (PREVIOUSLY PERMITTED 2004-1W-136)

Wood Dock

N 85°54'37" E

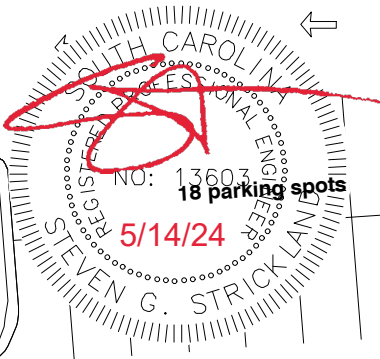
N 88°29'12" E

10 parking spots

11 parking spots

Shed

1 Story
Tuna Shack



CRAZY SISTERS MARINA

OCRM CRITICAL AREA APPLICATION
EXISTING - AS BUILT CONDITIONS

CLIENT:

SEAN BOND - MURRELLS INLET MARINA, LLC

LOCATION: GEORGETOWN COUNTY, SC

DATE: 05/08/2024

JOB NUMBER: 231237

DRAWN BY: SMD

REVIEWED BY: MD

SHEET: 2

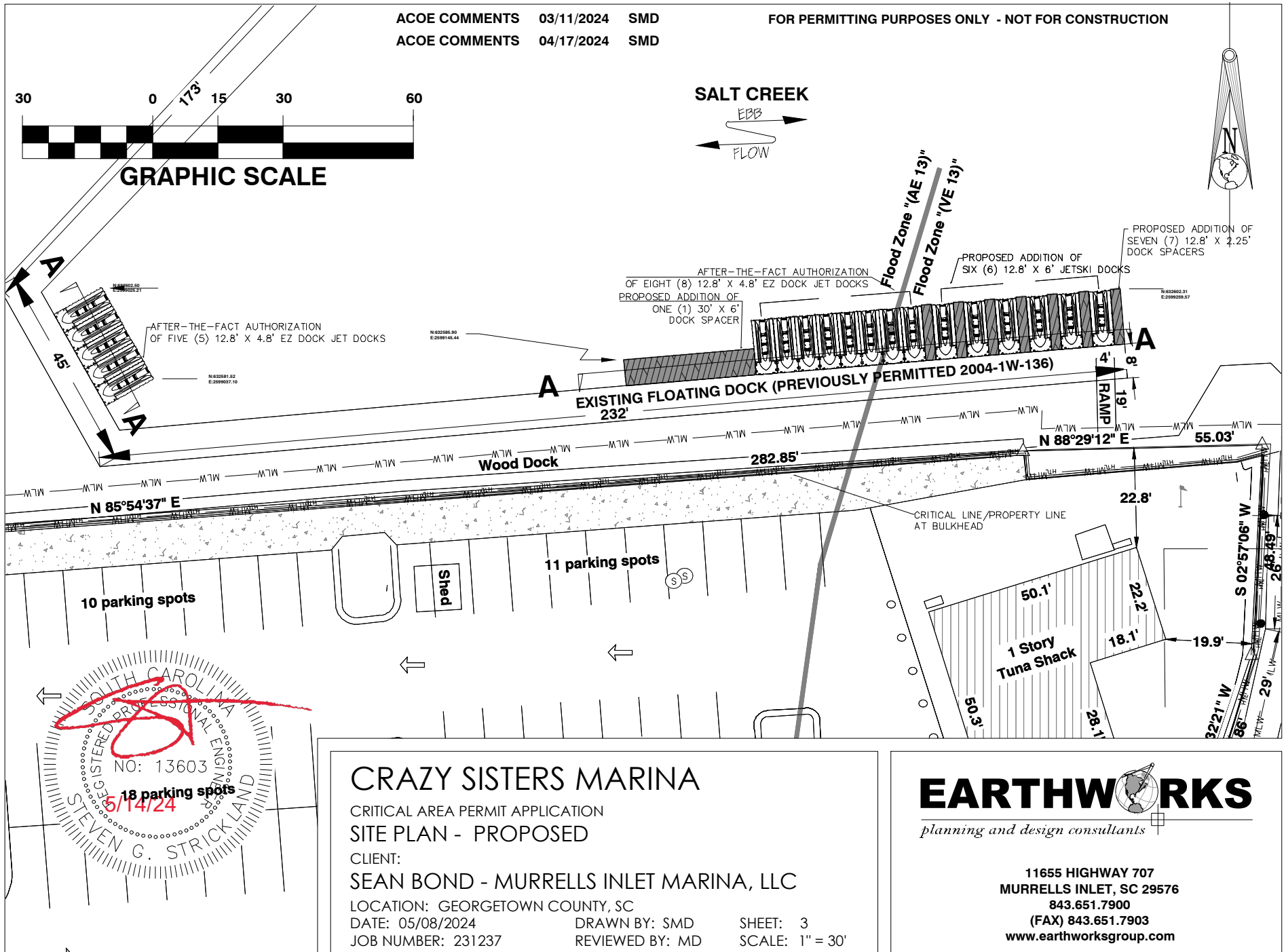
SCALE: 1" = 30'

EARTHWORKS
planning and design consultants

11655 HIGHWAY 707
MURRELLS INLET, SC 29576
843.651.7900
(FAX) 843.651.7903
www.earthworksgroup.com

ACOE COMMENTS 03/11/2024 SMD
ACOE COMMENTS 04/17/2024 SMD

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CRAZY SISTERS MARINA

CRITICAL AREA PERMIT APPLICATION

SITE PLAN - PROPOSED

CLIENT:

SEAN BOND - MURRELLS INLET MARINA, LLC

LOCATION: GEORGETOWN COUNTY, SC

DATE: 05/08/2024

JOB NUMBER: 231237

DRAWN BY: SMD

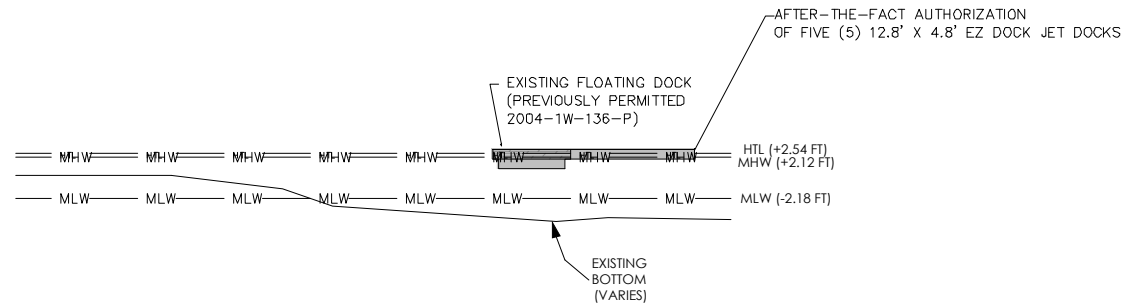
REVIEWED BY: MD

SHEET: 3

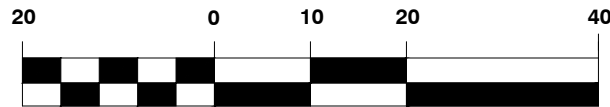
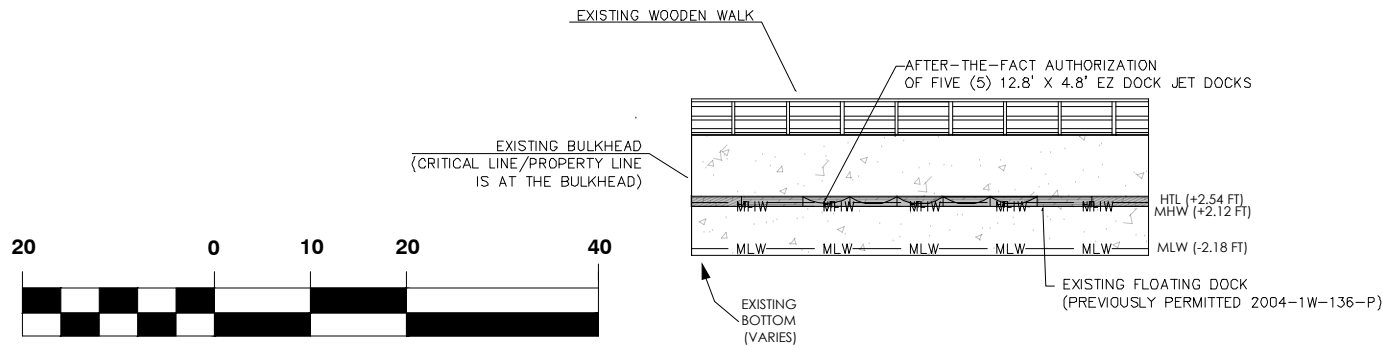
SCALE: 1" = 30'

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PROFILE VIEW



GRAPHIC SCALE

ACOE COMMENTS 04/17/2024 SMD

ACOE COMMENTS 03/11/2024 SMD

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FRONT VIEW

CRAZY SISTERS MARINA

CRITICAL AREA PERMIT APPLICATION

CROSS SECTION A-A - PROPOSED

CLIENT:

SEAN BOND - MURRELLS INLET MARINA, LLC

LOCATION: GEORGETOWN COUNTY, SC

DATE: 05/08/2024

DRAWN BY: SMD

SHEET: 4

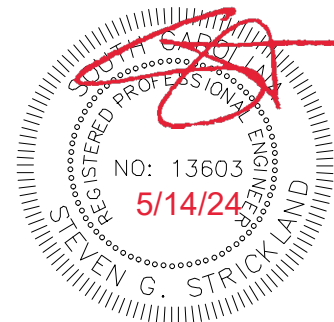
JOB NUMBER: 231237

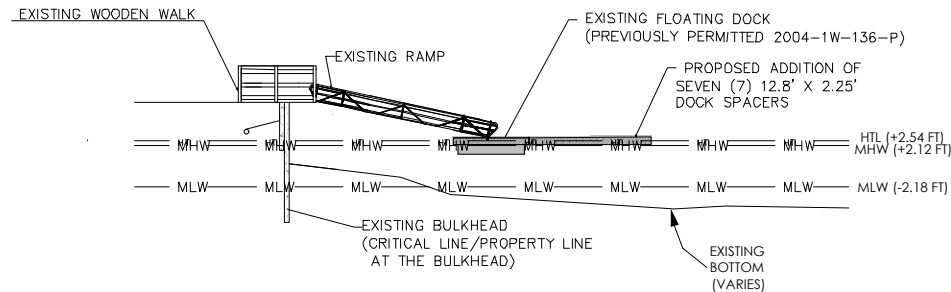
REVIEWED BY: MD

SCALE: 1" = 20'

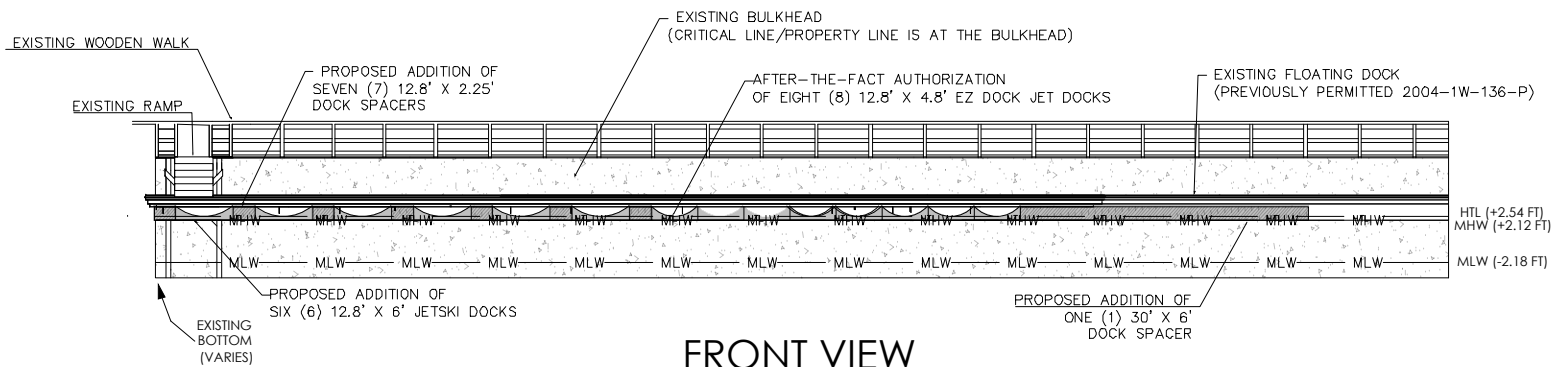
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PROFILE VIEW



FRONT VIEW



GRAPHIC SCALE

ACOE COMMENTS 04/17/2024 SMD

ACOE COMMENTS 03/11/2024 SMD

FOR PERMITTING PURPOSES ONLY - NOT FOR CONSTRUCTION

CRAZY SISTERS MARINA

CRITICAL AREA PERMIT APPLICATION

CROSS SECTION A-A - PROPOSED

CLIENT:

SEAN BOND - MURRELLS INLET MARINA, LLC

LOCATION: GEORGETOWN COUNTY, SC

DATE: 05/08/2024

DRAWN BY: SMD

SHEET: 5

JOB NUMBER: 231237

REVIEWED BY: MD

SCALE: 1" = 20'

EARTHWORKS
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