

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-2024-00550

June 11, 2024

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

**Pier 14 Limited Partnership
c/o McSweeney Engineers
300 W Coleman Blvd, Suite 203B
Mount Pleasant, South Carolina 29464**

for a permit to expand an existing commercial pier and replace ten existing deteriorated timber piles in the

ATLANTIC OCEAN

at a location described as Tax Parcel ID#1810724088, located at 1306 N. Ocean Boulevard in Myrtle Beach, Horry County, South Carolina (Latitude: 33.6945 °, Longitude: -78.8750 °), **MYRTLE BEACH 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.

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 coastal access and recreation.

Project Description

The proposed work consists of the expansion of the existing pier and required maintenance to existing pilings. In detail, the work consists of expanding the existing pier by 703 square feet that will require installing twenty-six (26) new 12" timber piles and replacing ten (10) existing deteriorated 12" timber piles. The proposed expansion will occur between Mean High Water (MHW) and Mean Low Water (MLW) and the 10 pilings will be replaced beyond MLW in open waters of the Atlantic Ocean. The proposed wood pilings will be installed utilizing an impact pile driving hammer. Portions of the proposed work is within the project area of a Federal Civil Works Project: Myrtle Beach Reach 2 Shore Protection Project.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment using Best Management Practices (BMPs) during construction, and measures will be taken not to interfere with public usage of the waterbody.

Proposed Compensatory Mitigation

The applicant offered no compensatory mitigation for impacts associated with the project.

South Carolina Department of Health and Environmental Control

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 0.016 acre of subtidal ocean bottom 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 Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur: Northern Long-Eared Bat (*Myotis septentrionalis*), American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Rufa red knot (*Calidris canutus rufa*), Pondberry (*Lindera melissifolia*), Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), North Atlantic Right Whale (*Eubalaena glacialis*), Sei whale (*Balaenoptera borealis*), Sperm whale (*Physeter macrocephalus*), West Indian manatee (*Trichechus manatus*), American Chaffseed (*Schwalbea americana*), Seabeach amaranth (*Amaranthus pumilus*), Green sea turtle (*Chelonia mydas*), Hawksbill Sea Turtle (*Eretmochelys imbricata*), Kemp's Ridley sea turtle (*Lepidochelys kempi*), Loggerhead sea turtle (*Caretta caretta*), Oceanic whitetip shark (*Carcharhinus longimanus*), and Giant Manta Ray (*Manta birostris*).

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 on: Northern Long-Eared Bat (*Myotis septentrionalis*), Seabeach amaranth (*Amaranthus pumilus*), American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Pondberry (*Lindera melissifolia*), and Rufa Red Knot (*Calidris canutus rufa*) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), Shortnose sturgeon (*Acipenser brevirostrum*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), North Atlantic Right Whale (*Eubalaena glacialis*), Sei whale (*Balaenoptera borealis*), Sperm whale

(*Physeter macrocephalus*), West Indian manatee (*Trichechus manatus*), Green sea turtle (*Chelonia mydas*), Hawksbill Sea Turtle (*Eretmochelys Imbricata*), Kemp's Ridley sea turtle (*Lepidochelys kempi*), Loggerhead sea turtle (*Caretta caretta*), Oceanic whitetip shark (*Carcharhinus longimanus*), and Giant Manta Ray (*Manta birostris*) 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.

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: 2024-0100961).

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)(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.

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-2024-00550), to Robert.C.Huff@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 Rob Huff, Team Lead, at (843) 365-4239, or by email at Robert.C.Huff@usace.army.mil.



DIRECTIONS TO SITE FROM CHARLESTON:

- HEAD NORTHEAST ON WENTWORTH ST TOWARD ANSON ST
- FOLLOW HWY 17 N TO 10TH AVE N/MR. JOE WHITE AVE IN HORRY COUNTY
- FOLLOW 10TH AVE N/MR. JOE WHITE AVE TO YOUR DESTINATION IN MYRTLE BEACH

PROJECT VICINITY

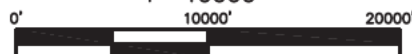
SCALE: 1" = 10000'



PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE SCHEDULE SHEET 5

FIGURE 1
VICINITY MAP
1"=10000'



APPLICANT
BRYAN DEVEREUX
AGENT
McSWEENEY ENGINEERS, LLC

PROPOSED: PIER EXPANSION
WATERWAY: ATLANTIC OCEAN

IN: MYRTLE BEACH
COUNTY OF: HORRY, SC

REVISION NO: --

SHEET: 1 OF 5 **DATE:** 5/7/2024



DIRECTIONS TO SITE FROM CHARLESTON:

- HEAD NORTHEAST ON WENTWORTH ST TOWARD ANSON ST
- FOLLOW HWY 17 N TO 10TH AVE N/MR. JOE WHITE AVE IN HORRY COUNTY
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PROJECT LOCATION

SCALE: 1" = 3000'



PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE SCHEDULE SHEET 5

FIGURE 2
LOCATION MAP
1"=3000'

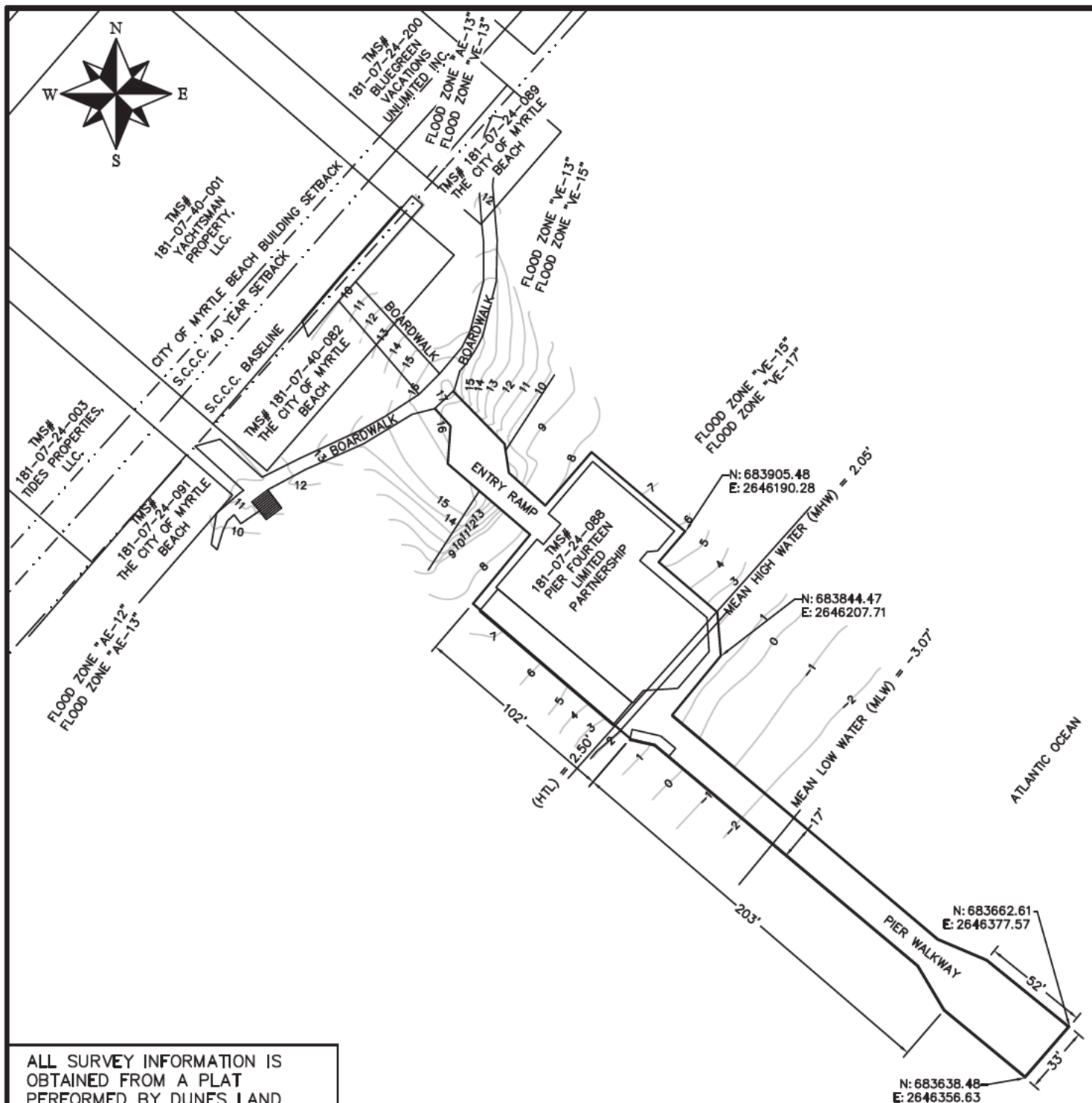


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REVISION NO: --
SHEET: 2 OF 5 **DATE:** 5/7/2024



ALL SURVEY INFORMATION IS OBTAINED FROM A PLAT PERFORMED BY DUNES LAND SURVEYING, LLC. ON MARCH 14, 2014.

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

PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE SCHEDULE SHEET 5

EXISTING SITE PLAN

SCALE: 1: 70

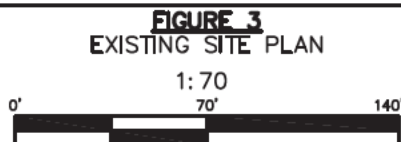


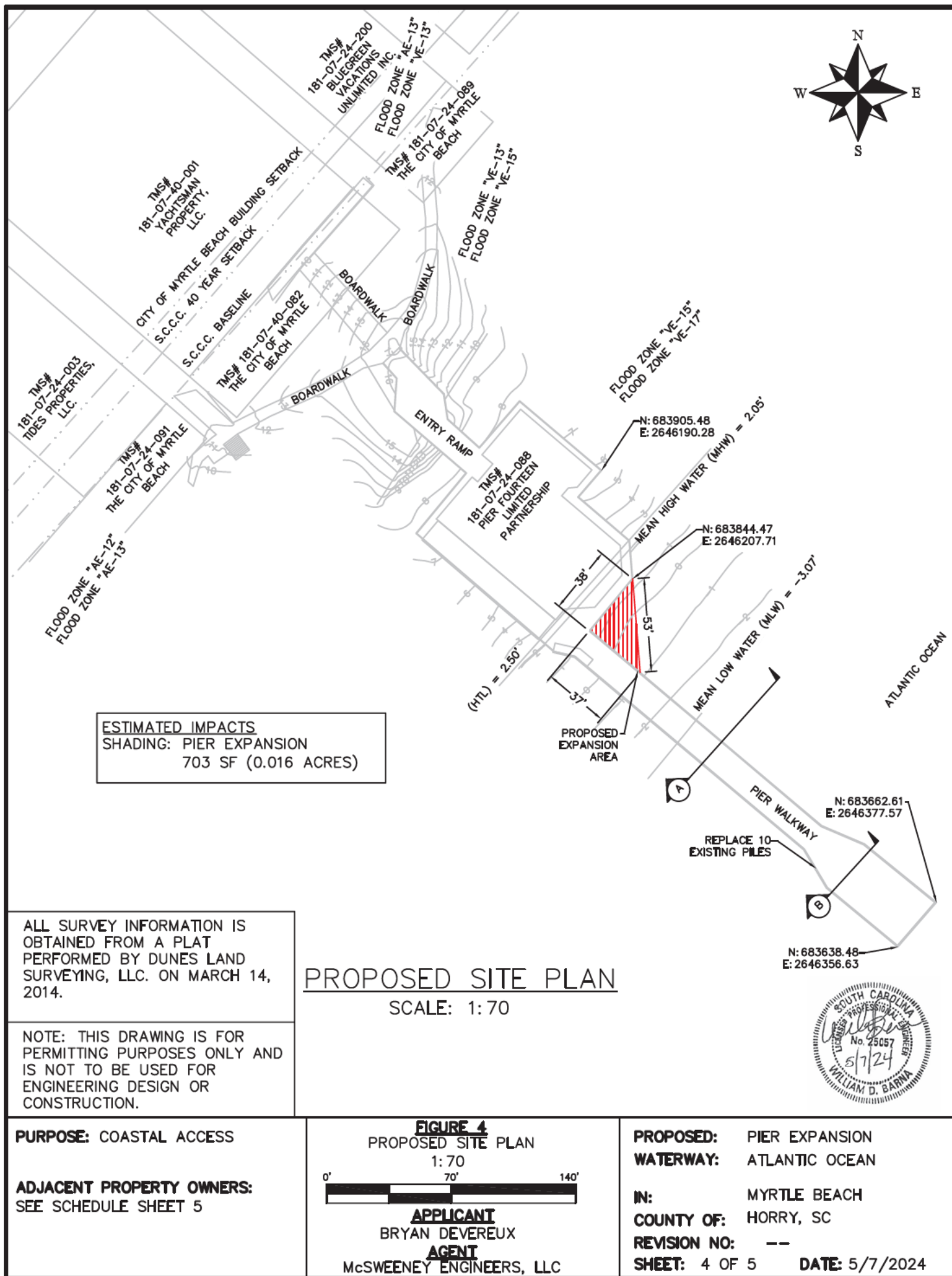
FIGURE 3
EXISTING SITE PLAN
1: 70
APPLICANT
BRYAN DEVEREUX
AGENT
McSWEENEY ENGINEERS, LLC

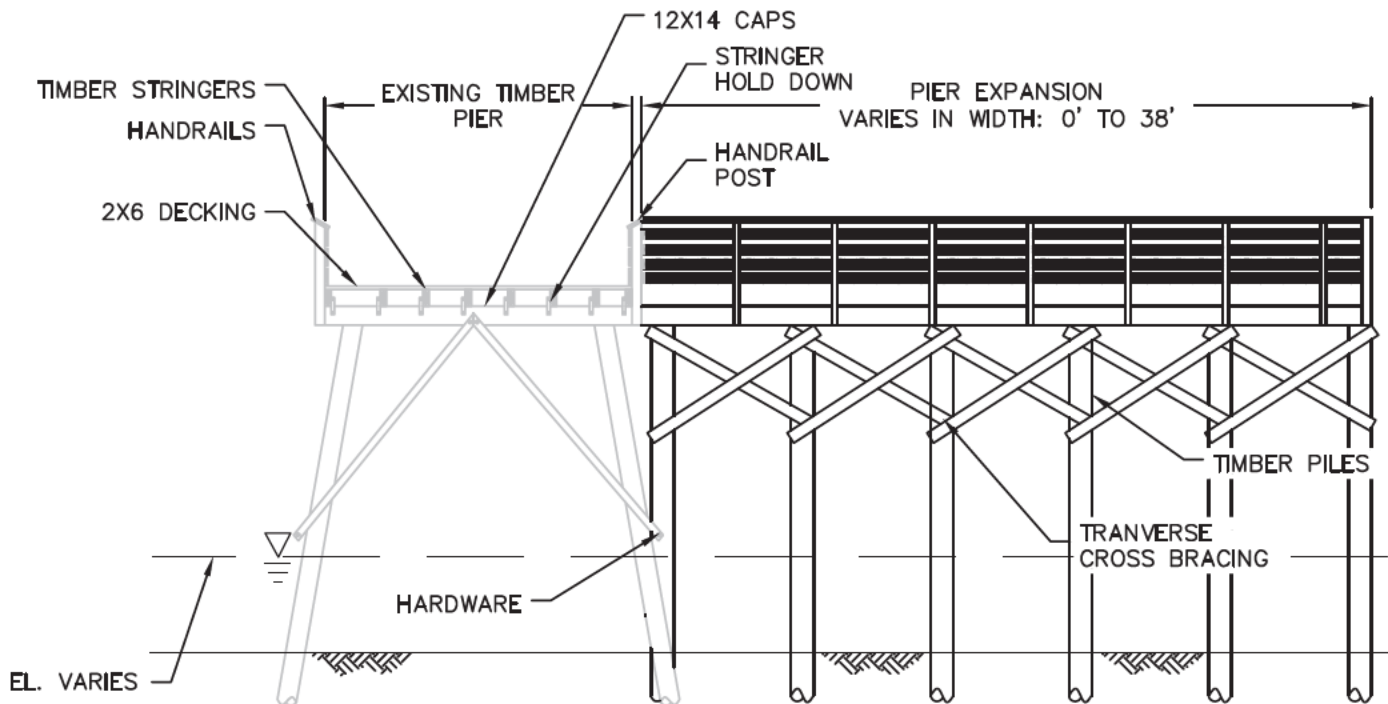
PROPOSED: PIER EXPANSION
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REVISION NO: --
SHEET: 3 OF 5 **DATE:** 5/7/2024

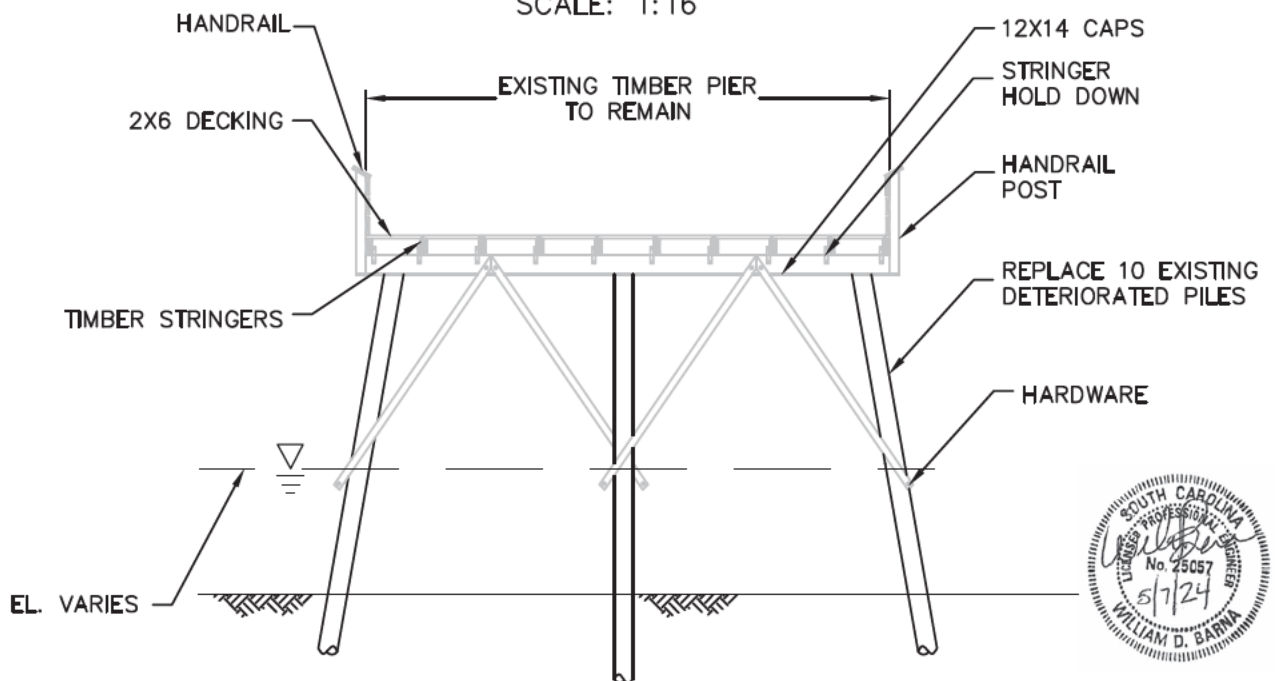






SECTION A – PROPOSED PIER EXTENSION

SCALE: 1:16



SECTION B – PROPOSED PILE REPLACEMENTS

SCALE: 1:16



PURPOSE: COASTAL ACCESS

ADJACENT PROPERTY OWNERS:
SEE SCHEDULE THIS SHEET

FIGURE 5 PIER SECTION

1:16



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PROPOSED: PIER EXPANSION
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