

**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-1974-05049

DATE May 10, 2023

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408) 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. Carl Meares  
Meares Family Estate Irrevocable Trust  
P.O. Box 41248  
North Charleston, South Carolina 29425**

**Mr. Drew McCrary  
Venture Engineering  
209 Highway 544  
Conway, South Carolina 29526  
dmccrary@sccoast.net**

to modify the existing permit (SAC-1947-05049) that authorized commercial docking structures in the

**Atlantic Intracoastal Waterway (AIWW)**

located south of Mineola Avenue, in the Little River Township, Horry County, South Carolina (Latitude: 33.8688 °, Longitude: -78.611 °), **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.

**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 recreational commercial access.

### **Project Description**

The proposed work consists of modifications to an existing commercial structure. In detail, the proposed work includes reconfiguration of existing docking structures which include 20 PWC floating docks attached to the landward side of a 160' x 5' floating walkway, a 15' x 40' floating dock and two 6' x 30' aluminum ramps. Two 8' x 40' floating barges will be constructed adjacent and waterward of the floating walkway. A 5' x 70' floating dock will be constructed adjacent to the existing walkway to access three 2.5' x 30' floating walkways that will also be positioned landward of the other structures. All other work and conditions will remain the same. The applicant offered no compensatory mitigation for the proposed impacts. The project purpose is storm damage reduction. **NOTE: Only comments pertaining to the modification will be considered.**

### **Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by using floating materials in the docking structures to avoid drilling and constrain impacts to shading only.

### **Proposed Compensatory Mitigation**

The applicant has proposed no mitigation for the project due to the impacts being constrained to 0.10 acres of shading.

### **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 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 0.10 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 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: West Indian Manatee (*Trichechus manatus*), Shortnose Sturgeon (*Acipenser brevirostrum*), and Atlantic sturgeon (*Acipenser oxyrinchus*), American wood stork (*Mycteria americana*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Sei whale (*Balaenoptera borealis*), Right whale (*Eubalaena glacialis*), Humpback whale (*Megaptera novaeangliae*), Sperm whale (*Physeter macrocephalus*), Finback whale (*Balaenoptera physalus*), Seabeach amaranth (*Amaranthus pumilus*), American chaffseed (*Schwalbea americana*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Green sea turtle (*Chelonia mydas*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), Northern long-eared bat

(*Myotis septentrionalis*), and Rufa red knot (*Calidris canutus rufa*)

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 Shortnose Sturgeon (*Acipenser brevirostrum*), and Atlantic sturgeon (*Acipenser oxyrinchus*), American wood stork (*Mycteria americana*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Sei whale (*Balaenoptera borealis*), Right whale (*Eubalaena glacialis*), Humpback whale (*Megaptera novaeangliae*), Sperm whale (*Physeter macrocephalus*), Finback whale (*Balaenoptera physalus*), Seabeach amaranth (*Amaranthus pumilus*), American chaffseed (*Schwalbea americana*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Green sea turtle (*Chelonia mydas*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), Northern long-eared bat (*Myotis septentrionalis*), 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 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.

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.

### **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 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).

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 historic properties, are present; moreover, these historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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.

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-1974-05049), to Tony.B.hardee@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 T. Brian Hardee, Project Manager, at (843) 365-0848, or by email at Tony.B.hardee@usace.army.mil.



VENTURE ENGINEERING, INC. / 209 HIGHWAY 544 / CONWAY, S.C. 29526 / (843) 347-5851 / CIVIL ENGINEERING / LAND PLANNING

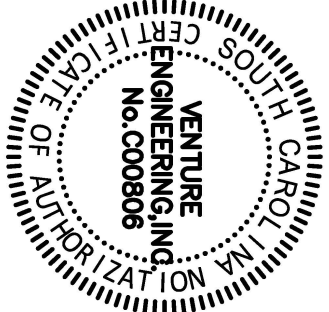
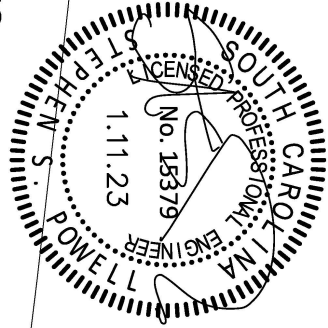
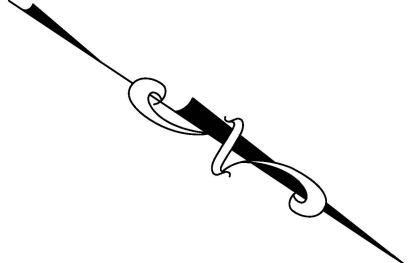
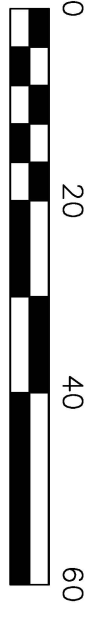
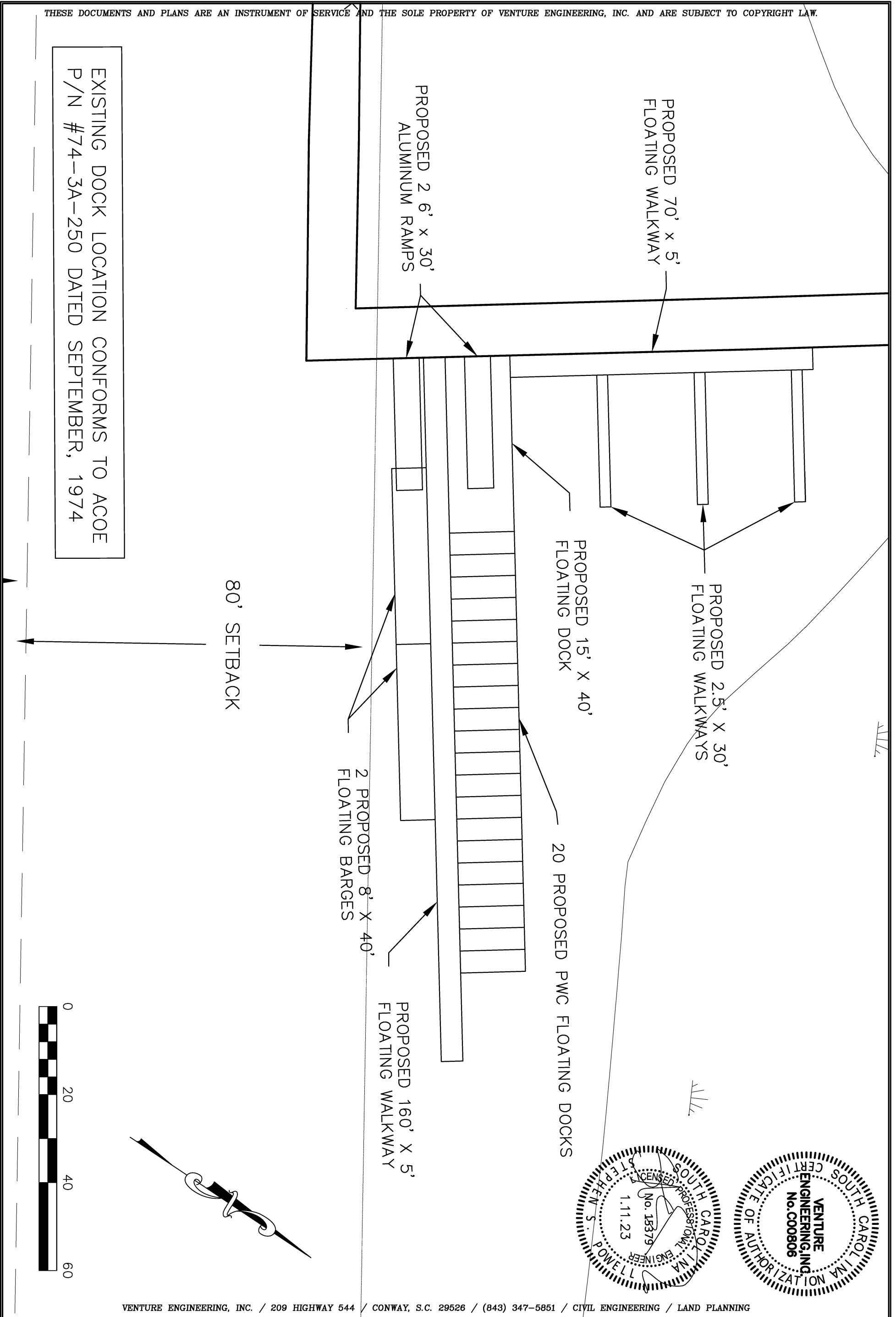
**LOCATION MAP**  
 Horry County, South Carolina  
 Prepared for Little River Fishing Village

NO.	DATE	DESCRIPTION	BY

DRAWN BY: J.A.M	DATE: 2/1/23
CHECKED BY: S.S.P	DRAWING NO.:
JOB NO.:	SHEET 1 OF 1



EXISTING DOCK LOCATION CONFORMS TO ACOE  
P/N #74-3A-250 DATED SEPTEMBER, 1974



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L.R.F.V UPDATED DOCK AREA  
HORRY COUNTY, SOUTH CAROLINA  
PREPARED FOR MIKE EVERHART

NO.	DATE	DESCRIPTION	BY

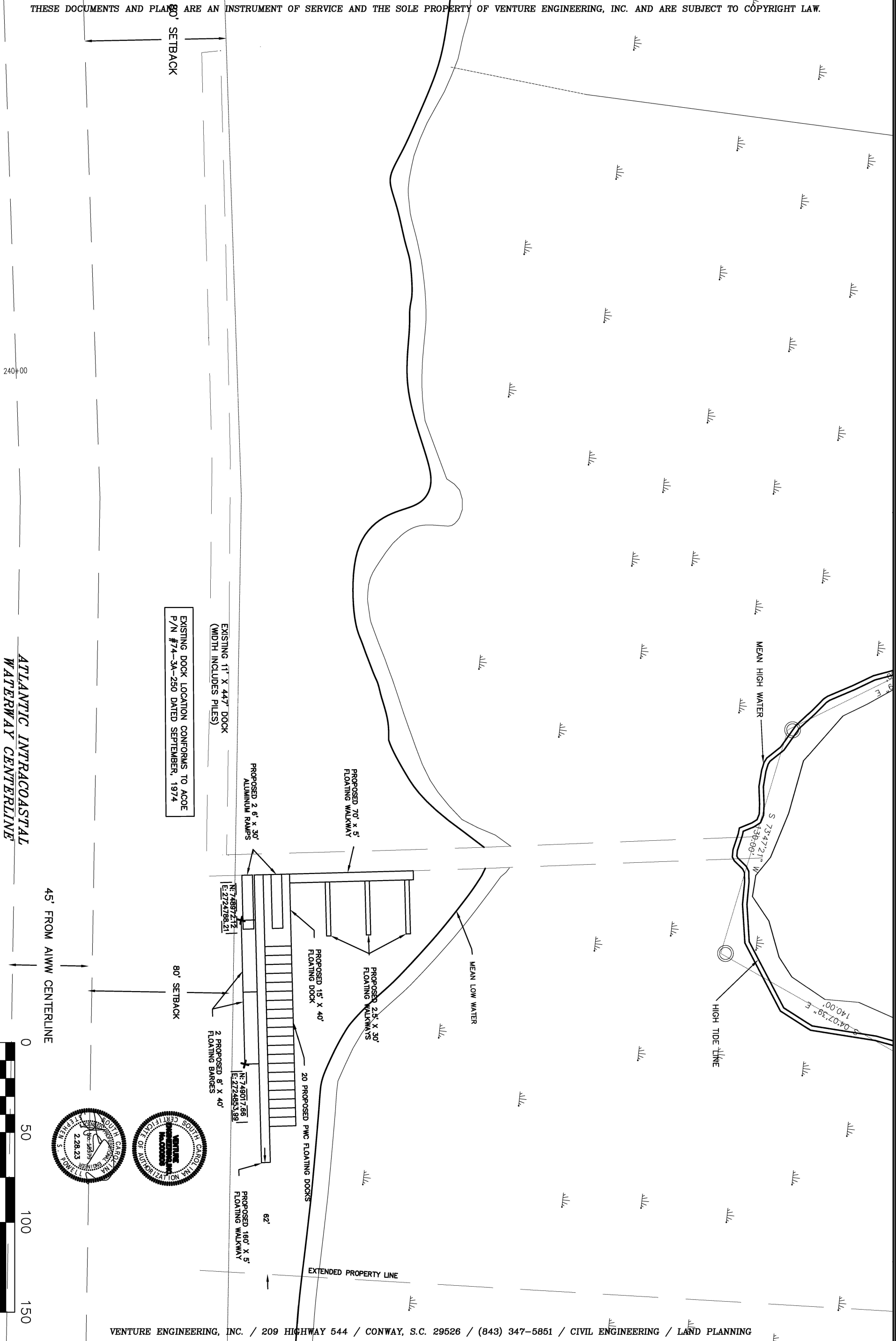
DRAWN BY: J.A.M	DATE: 1/11/23
CHECKED BY: S.S.P	DRAWING NO.:
JOB NO.:	SHEET 1 OF 1







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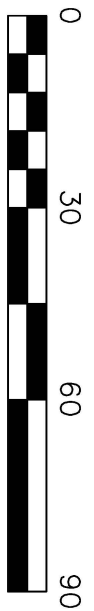
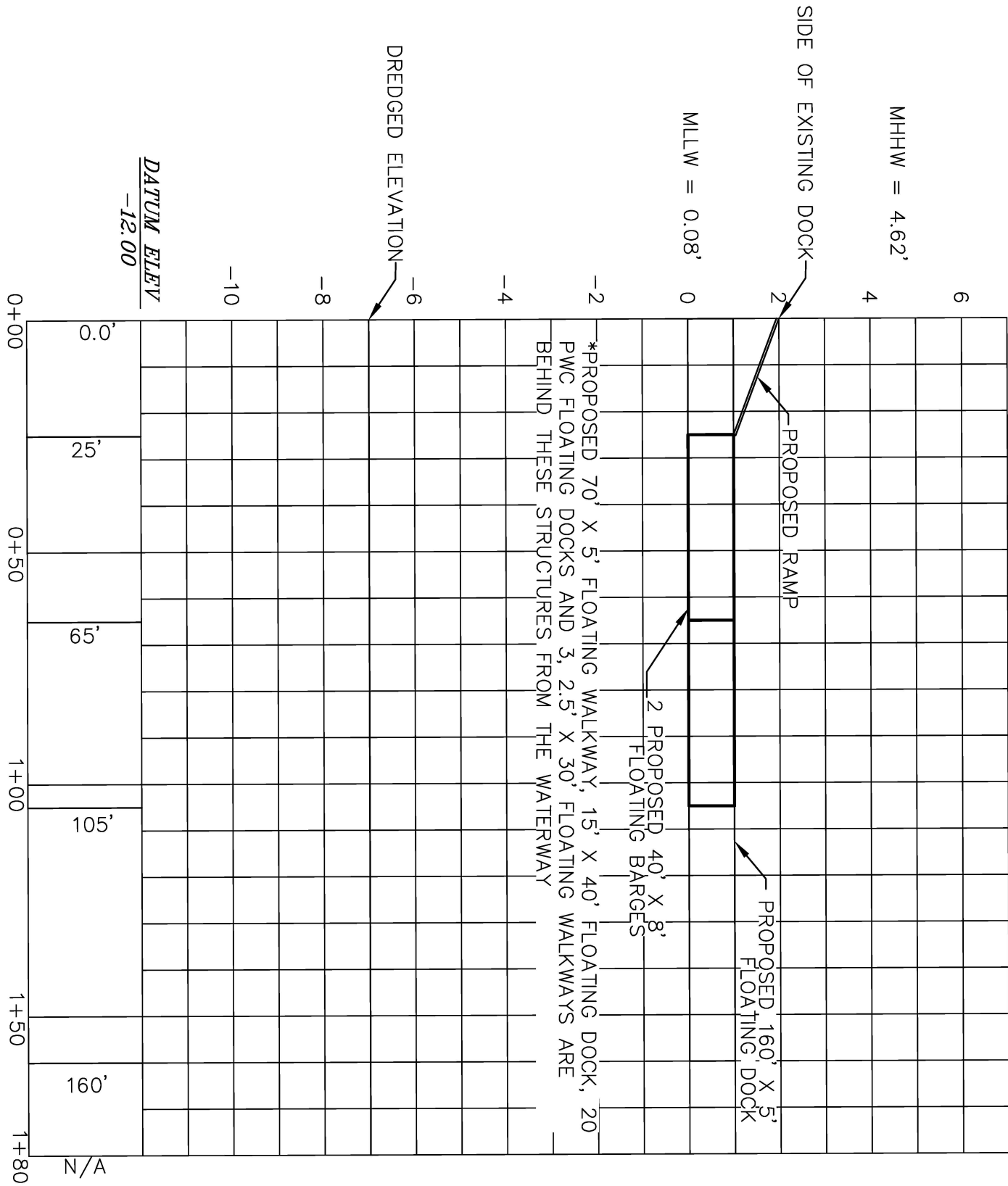
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**DOCK OVERVIEW APPLICATION**  
**HORRY COUNTY, SOUTH CAROLINA**  
**PREPARED FOR LITTLE RIVER FISHING VILLAGE**

NO.	DATE	DESCRIPTION	BY

<b>DRAWN BY:</b> J.A.M	<b>DATE:</b> 2/28/23
<b>CHECKED BY:</b> S.S.P	<b>DRAWING NO.:</b>
<b>JOB NO.:</b>	<b>SHEET 1 OF 1</b>





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**DOCK SIDE PROFILE**  
 Horry County, South Carolina  
 Prepared for Little River Fishing Village

NO.	DATE	DESCRIPTION	BY

DRAWN BY: J.A.M.	DATE: 2/1/23
CHECKED BY: S.S.P.	DRAWING NO.:
JOB NO.:	SHEET 1 OF 1

