

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-2015-01550-3H

23 November 2015

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

KEITH EVANS
c/o **BEAM & ASSOCIATES**
P.O. BOX 3238
NORTH MYRTLE BEACH, SOUTH CAROLINA 29582

for a permit to dredge and the construction of additions to an existing authorized private use dock in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at a location described as 265 Broome Terrace, in the City of North Myrtle Beach, Horry County, South Carolina (Latitude 33.855941°N, Longitude -78.648720°W), Nixon Crossroads 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 additions to an existing authorized private-use dock and associated dredging in the AIWW. In detail, the proposed work consists of dredging approximately 400 cubic yards of material from approximately 0.13 acres of the AIWW to a sloped depth of -5.0 below Mean Low Water (MLW). The proposed dredging will be accomplished by a mechanical

excavator mounted on a barge. The dredged material will be placed into barge mounted roll off containers and barged to a boat ramp located at the terminus of 2nd Avenue South in North Myrtle Beach. Containers will then be loaded onto trucks and hauled to an upland parcel identified as Horry County Tax Map # 144-00-01-006 for final disposal. In addition, the work consists of the addition of a new 12' x 16' covered fixed pier, a new 3' x 16.6' adjusting ramp, and (2) new covered 12.5' x 12.5' boat lifts. The 3' x 16.6' adjusting ramp will be attached to the existing 4.7' x 40' walkway and the two (2) existing 10' x 20' floating docks. Existing structures have been previously authorized under the Department of the Army permit # 2001-1U-261. The applicant stated that due to the minimal impacts to the aquatic resources associated with the proposed project, no compensatory mitigation is being offered. The applicant stated that measures taken to avoid and minimize impacts to Waters of the United States consist of utilizing normal and customary practices by the contractor which will include the following: implementation of Best Management Practices that will minimize erosion and migration of sediments on and off site during and after construction; litter receptacles will be placed on the job site during construction; all necessary measures will be taken to prevent oil, tar, debris, and other pollutants from entering the waters of the United States; and construction activities will avoid, to the maximum extent practicable, encroachment into any areas not designated as impact areas. It is understood that this work is to be conducted on/or adjacent to an area subject to a prism and/or disposal area held by the United States. Appropriate provisions will be included in the permit to ensure the interests of the Federal Government are understood. The project purpose as stated by the applicant is to provide private, recreational boating access and mooring within the AIWW for the owner of the adjacent residential Lot identified as 265 Broome Terrace.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

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 (0.13) 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 that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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)(J)(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).

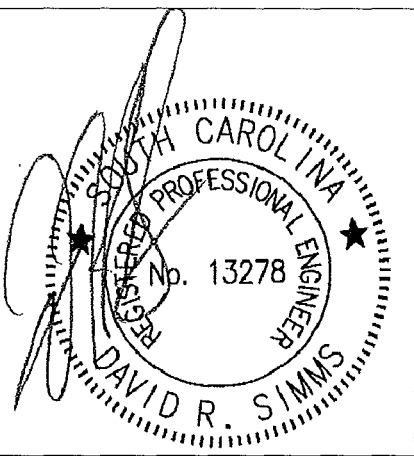
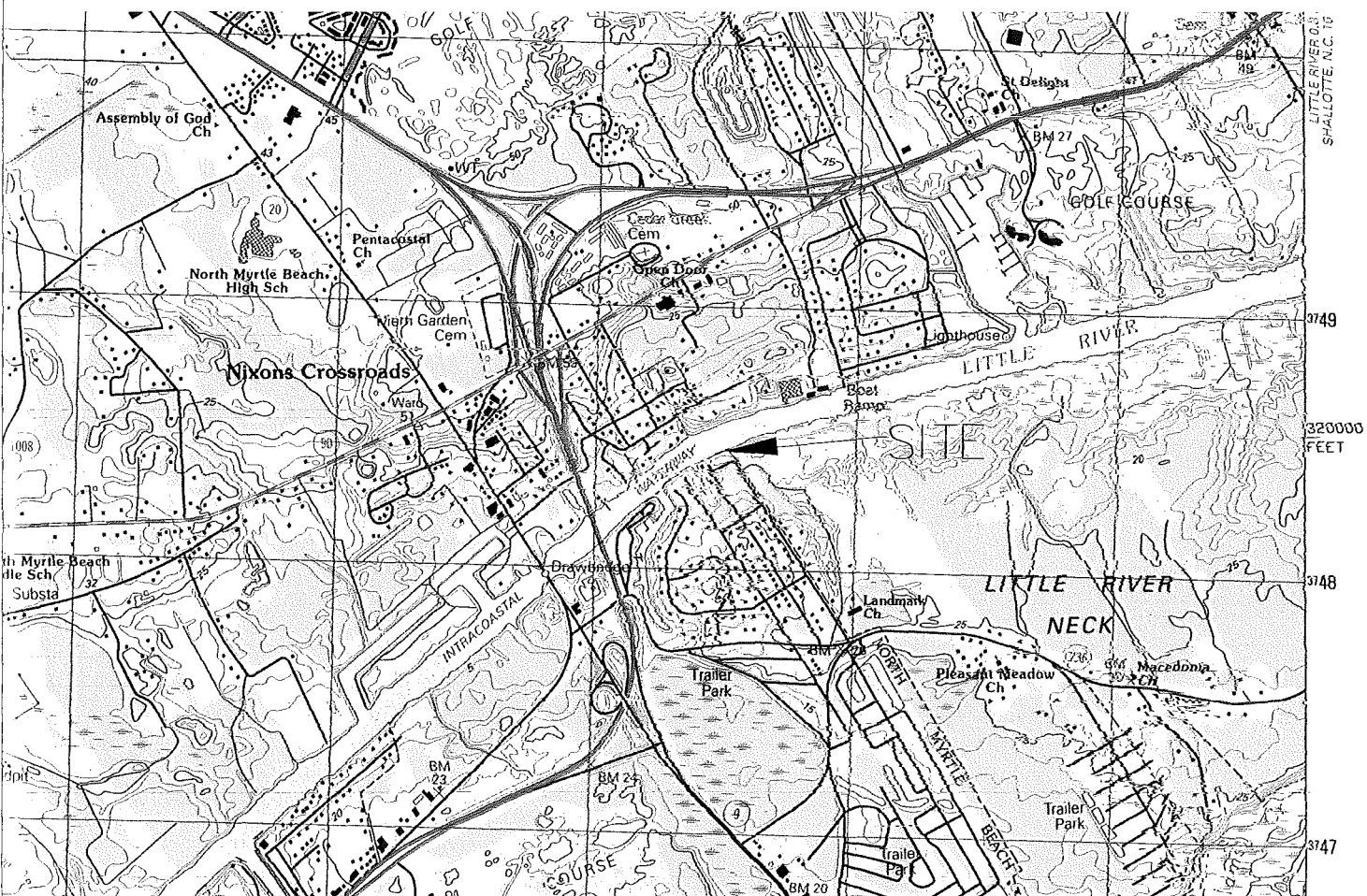
The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified 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.

If there are any questions concerning this public notice, please contact Rob Huff at 843-365-4239.



SAC-2015-01550-3H
 Evans Dock & Dredge
 Horry County, South Carolina
 Dated 11/1/2015
 Sheet 1 of 5

FOR PERMITTING ONLY
 NOT FOR CONSTRUCTION

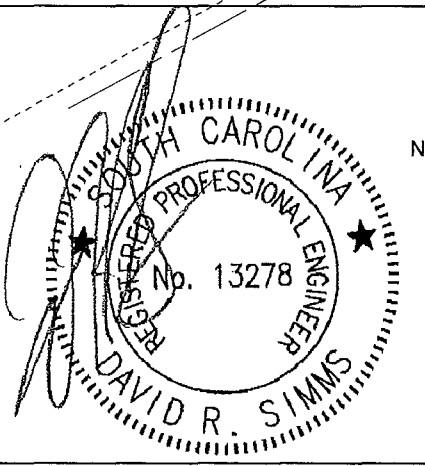
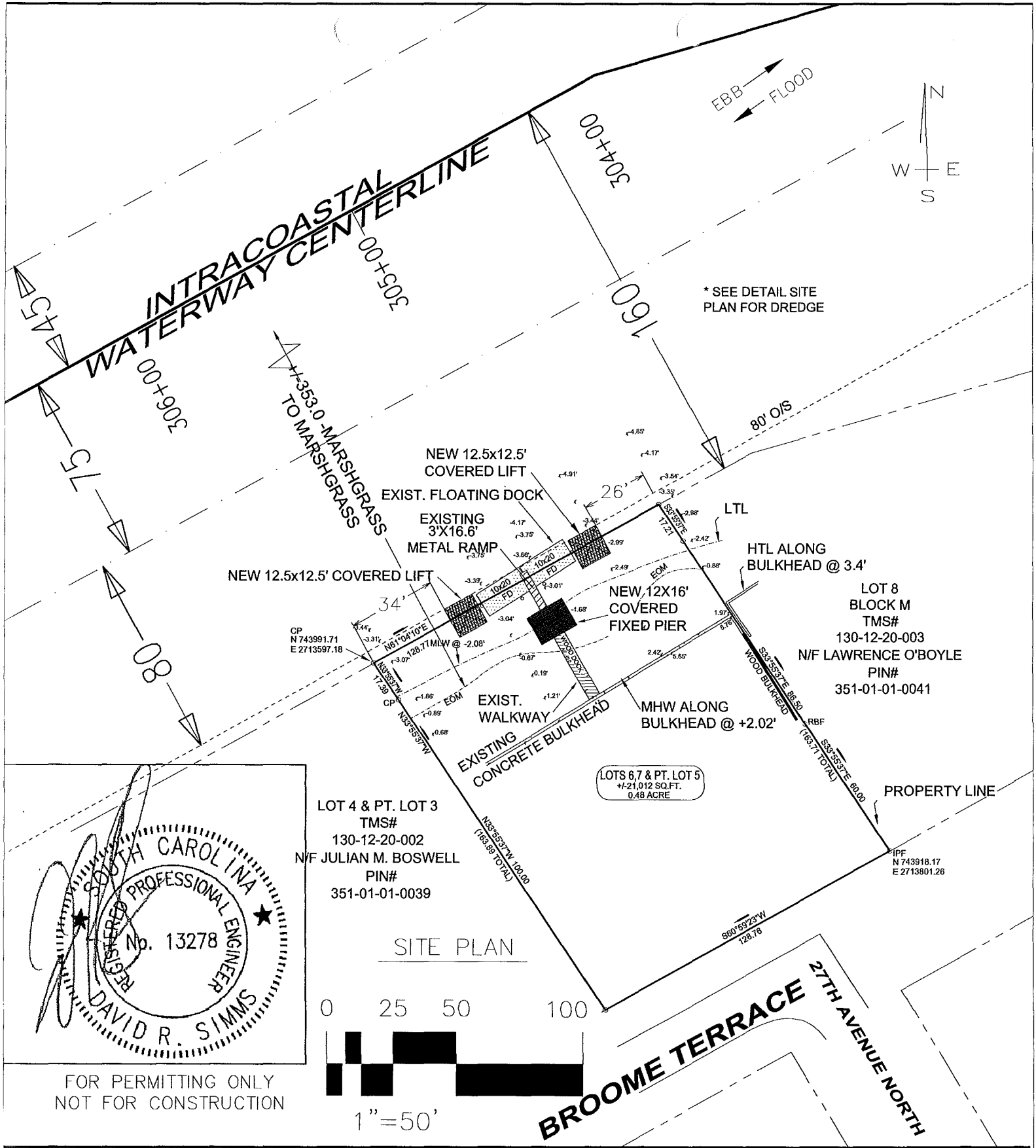
LOCATION MAP

NIXON CROSSROADS QUAD

APPLICANT:
KEITH EVANS
 ACTIVITY: Construct Covered
 Pier Head & Boat Lifts,
 - Dredge
 P/N#

LOCATION: Intracoastal Waterway
 North Myrtle Beach
 COUNTY: Horry
 DATE: 11/1/2015

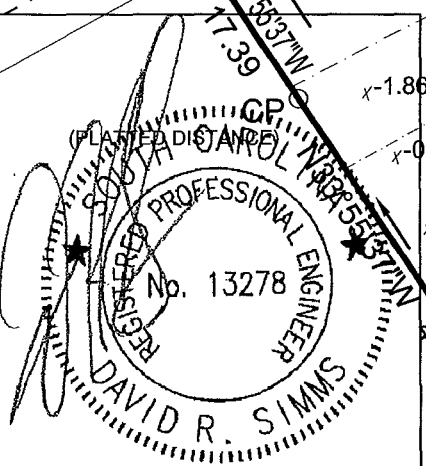
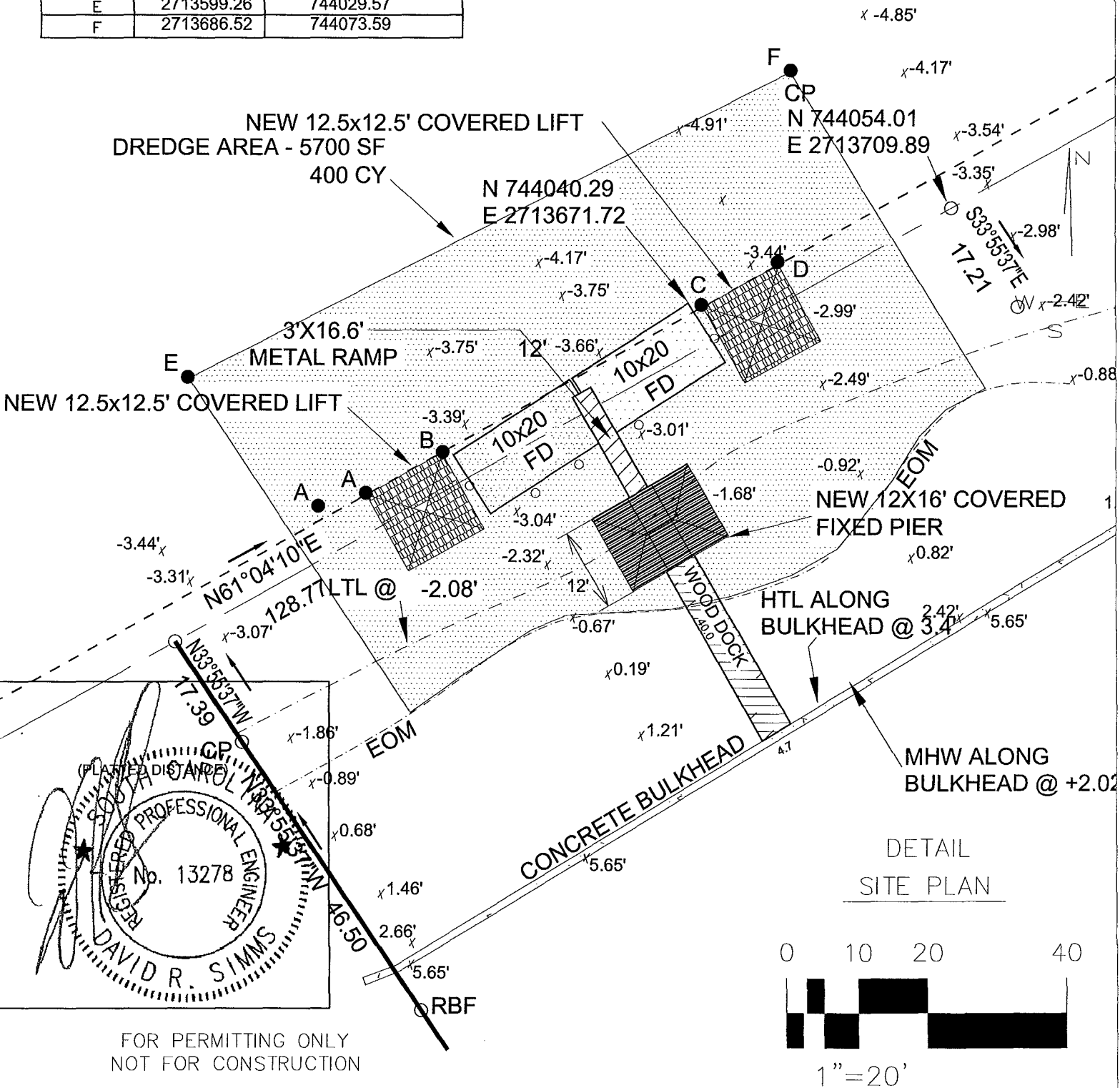
SHEET 1 OF 5



FOR PERMITTING ONLY
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<p>APPLICANT: KEITH EVANS</p> <p>ACTIVITY: Construct Covered Pier Head & Boat Lifts, - Dredge P/N#</p>	<p>LOCATION: Int SAC-2015-01550-3H Evans Dock & Dredge Horry County, South Carolina</p> <p>COUNTY: Horry</p> <p>DATE: Dated 11/1/2015 Sheet 2 of 5</p>	<p>SHEET 2 OF 5</p>
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COORDINATE TABLE		
POINT	EAST	NORTH
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B	2713636.06	744018.84
C	2713673.85	744039.80
D	2713684.79	744045.85
E	2713599.26	744029.57
F	2713686.52	744073.59



FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

APPLICANT: **KEITH EVANS**

ACTIVITY: Construct Covered Pier Head & Boat Lifts, - Dredge

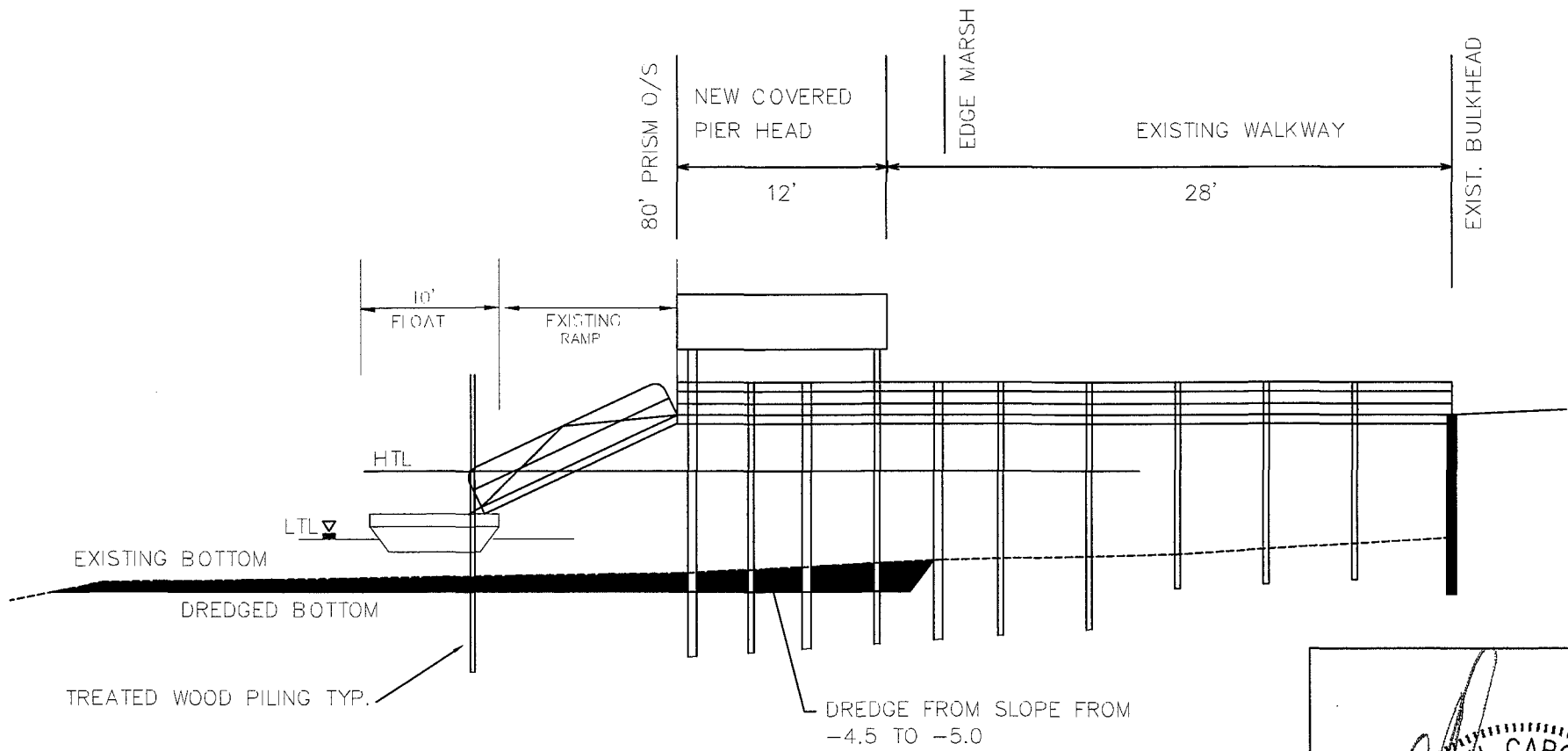
P/N#

LOCATION: Intracoas North

COUNTY: Horry County, South Carolina

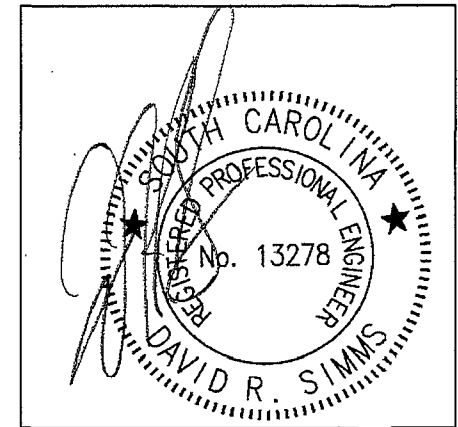
DATE: 11/17/2015

SAC-2015-01550-3H
Evans Dock & Dredge
Horry County, South Carolina
Dated 11/1/2015
Sheet 3 of 5



SECTION - WALKWAY/DOCK/ROOF/DREDGE

NTS



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NOT FOR CONSTRUCTION

APPLICANT: **KEITH EVANS**

ACTIVITY: Construct Covered
Pier Head & Boat Lifts,
- Dredge

P/N#

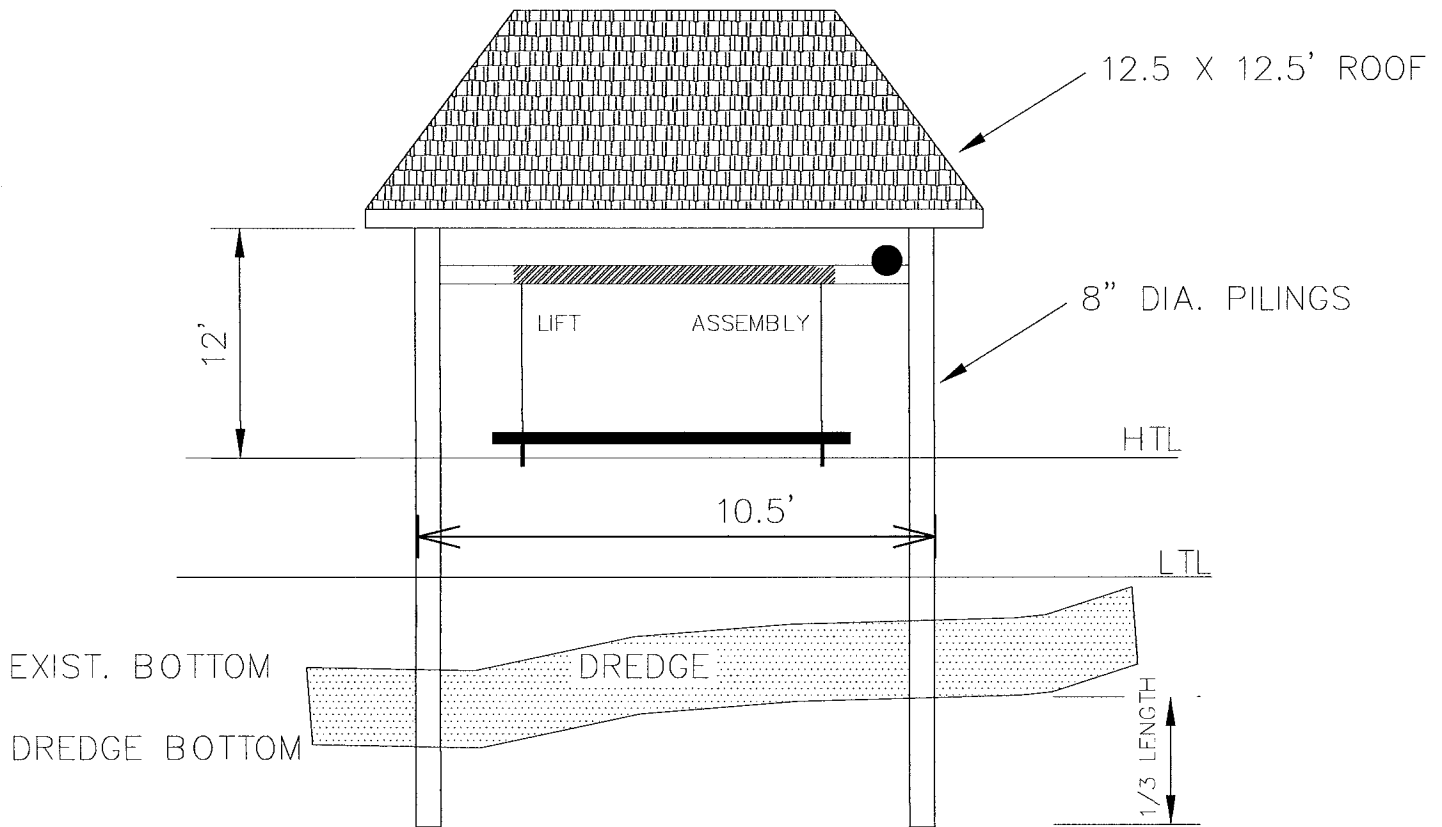
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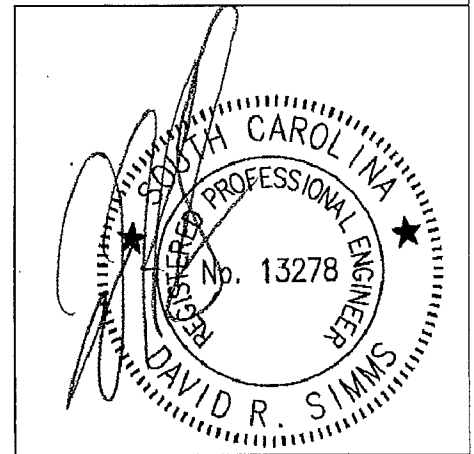
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SAC-2015-01550-3H
Evans Dock & Dredge
Horry County, South Carolina
Dated 11/1/2015
Sheet 4 of 5



SECTION – COVERED BOAT LIFT/DREDGE

NTS



FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

APPLICANT:
KEITH EVANS
ACTIVITY: Construct Covered
Pier Head & Boat Lifts,
– Dredge
P/N#

LOCATION:
Intra
No
COUNT
DATE: 11/1/2015

SAC-2015-01550-3H
Evans Dock & Dredge
Horry County, South Carolina
Dated 11/1/2015
Sheet 5 of 5

SHEET 5 of 5