

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
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N SAC-2019-01272

October 16, 2019

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), the South Carolina Coastal Zone Management Act (48-39-10 et seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Keith Harrold
205 16th Avenue North
North Myrtle Beach, South Carolina 29582

for a permit to dredge and construct a docking structure and boat slip in the

Atlantic Intracoastal Waterway (AIWW)

at a location described as 9721 Anchor Road in the Pelican Bay development, in the Town of Little River, Horry County, South Carolina (Latitude: 33.8287°N, Longitude: -78.7055°W), Wampee Quad Sheet.

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 dredging and the construction of a dock and boat slip. In detail, the dredging consists of removing approximately 697 cubic yards of material from the AIWW for access to the waterway during all tidal cycles and removing approximately 656 cubic

yards of material the uplands adjacent to the AIWW for the construction of a boat slip. The dredging will be performed by a barge-mounted long reach excavator and a land side long reach trac hoe. The material removed with the barge-mounted excavator will be placed in a barge bin lined with wheat straw to catch silt or sediment from returning to the AIWW through the barge scuffle hole. The material will then be offloaded from the barge bin and placed into a temporary upland spoil disposal area enclosed by silt fencing and straw bales. Once the dredged material has sufficiently dried, it will be utilized as fill on the applicant's property. The applicant also proposes to construct a dock consisting of a 10' x 16' floating dock attached to a 10' x 16' fixed covered pierhead by a 3' x 16' gangway, all accessed by a 4' x 48' walkway. In addition, the proposed structure includes a 16' x 40' covered boatlift. A 217 linear foot vinyl bulkhead will also be constructed above the high tide line and will not require authorization. The applicant offered no compensatory mitigation for impacts associated with the project. 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 access to the AIWW.

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

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 0.20 acre 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 West Indian Manatee (*Trichechus manatus*), Shortnose Sturgeon (*Acipenser brevirostrum*), and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), Federally T&E species are present in the vicinity of the project. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*), or Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), and will not result in the destruction or adverse modification of designated or

proposed critical habitat. Additionally, the District Engineer has determined that the project may affect, not likely to adversely affect 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)(f)(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.

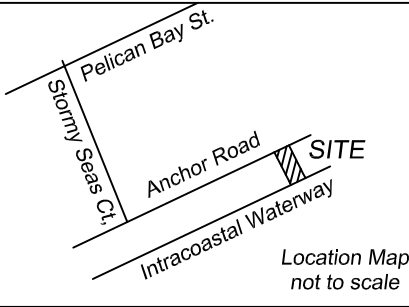
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. 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**

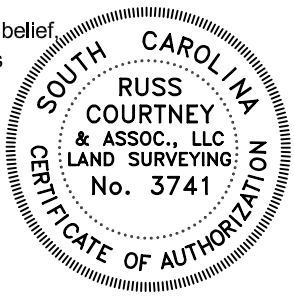
If there are any questions concerning this public notice, please contact Wiley Bracey, Watershed Manager, at (843) 365-1707, or by email at Wiley.C.Bracey@usace.army.mil.



I hereby state to the best of my professional knowledge, information, and belief the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein; also there are no visible encroachments or projections other than shown.

Date: MAY 23 2019

Russell A. Courtney
RUSSELL A. COURTNEY, SCPLS 27732

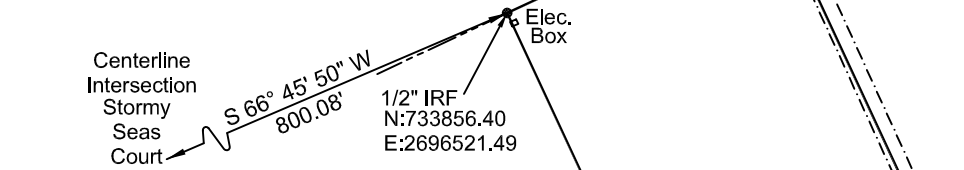
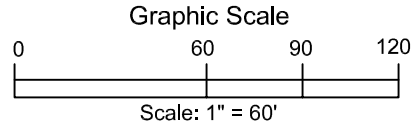
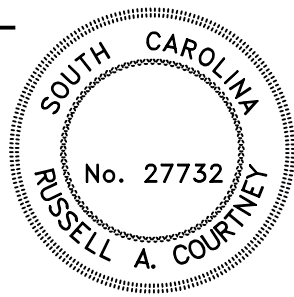


LINE	BEARING	DISTANCE
L1	S 67° 33' 29" W	90.08'

FLOOD NOTE:
THE SUBJECT PROPERTY SHOWN
HEREON DOES LIE IN AN AE 14 SPECIAL
FLOOD HAZARD AREA PER F.E.M.A.
PANEL # 45110 0603 H
DATED 8-23-1999

LEGEND

Iron Old	•
1/2" Rebar	•
Iron New	○
1/2" Rebar	○



NOTES:

1. SURVEY SUBJECT TO FULL TITLE SEARCH
2. THIS PROPERTY MAY BE SUBJECT TO RIGHT OF WAYS, EASEMENTS OR RESTRICTIONS EITHER RECORDED OR IMPLIED
3. OWNER TO VERIFY COMPLIANCE ZONING, RESTRICTIVE COVENANTS OR HOMEOWNERS ASSOC. REQUIREMENTS OF RECORD
4. R/W = RIGHT OF WAY
5. ELEVATIONS BASED ON 1988 DATUM
6. SCALE FACTOR = 0.99979898
7. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES

Lot 30
Pelican Bay
Tax#
143-17-01-023
DB. 4127 PG. 3263
PB. 149 PG. 202B
Mail:
327 Bush Drive
Myrtle Beach, SC 29579

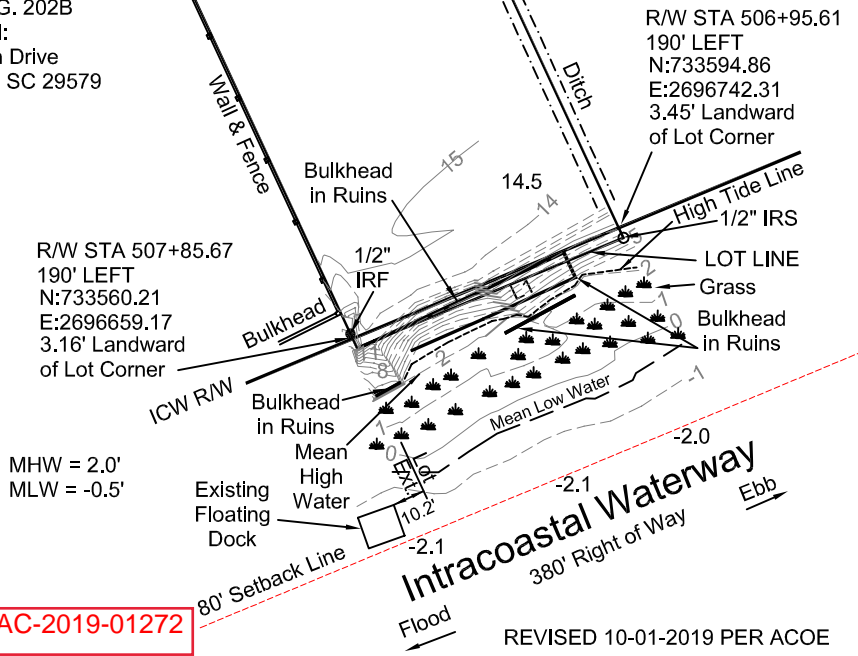
Lot 31
Pelican Bay
Tax#
143-17-01-022
DB. 3851 PG. 3318
PB 149 PG. 202B

Lot 32
Pelican Bay
Tax#
143-17-01-021
DB. 2288 PG. 695
PB. 149 PG. 202B
Mail:
411 Wildwood Dunes Trl.
Myrtle Beach, SC 29572

REVISED 09-10-2019 PER ACOE REVIEW
Russ Courtney & Assoc., LLC, PLLC
Land Surveying in SC & NC
OFFICE 843-249-7733

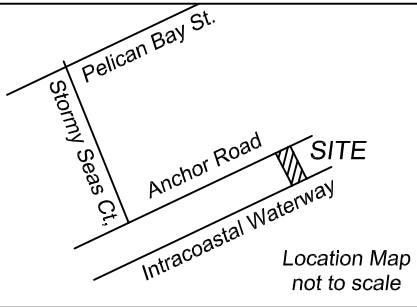
1108-2 Sea Mountain Hwy., North Myrtle Beach, SC 29582

PROJECT TITLE: Existing Conditions Survey Recreational Dock Facilities	
PROJECT LOCATION: Lot 31, Pelican Bay 9721 Anchor Road, Little River, SC 29566	
APPLICANT: Keith W. Harold 205 16th Avenue North, NMB SC, 29582	
DATE: May 23, 2019	SCALE: 1" = 60'
APPLICATION#: SAC-2019-01272	SHEET OF 1 3



SAC-2019-01272

REVISED 10-01-2019 PER ACOE



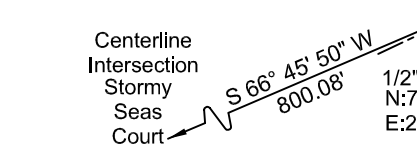
I hereby state to the best of my professional knowledge, information, and belief, the survey shown hereon was made in accordance with the requirements of the Standards of Practice Manual for Surveying in South Carolina, and meets or exceeds the requirements for a Class "A" survey as specified therein; also there are no visible encroachments or projections other than shown. REVISED 10-01-2019 PER ACOE
 Date: JULY 17 2019



LINE	BEARING	DISTANCE
L1	S 67° 33' 29" W	90.08'

FLOOD NOTE:
 THE SUBJECT PROPERTY SHOWN HEREON DOES LIE IN AN AE 14 SPECIAL FLOOD HAZARD AREA PER F.E.M.A. PANEL # 45110 0603 H DATED 8-23-1999

REVISED 09-10-2019 PER ACOE REVIEW



NOTES:

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3. OWNER TO VERIFY COMPLIANCE ZONING, RESTRICTIVE COVENANTS OR HOMEOWNERS ASSOC. REQUIREMENTS OF RECORD
4. R/W = RIGHT OF WAY
5. ELEVATIONS BASED ON 1988 DATUM
6. SCALE FACTOR = 0.99979898
7. DISTANCES SHOWN ARE HORIZONTAL GROUND DISTANCES

Dredge Volumes	
Waters of the U.S.	
+	440 cu yds
+	193 cu yds
+	64 cu yds
=	697 cu yds total
Uplands	
	656 cu yds total
	1353 cu yds total

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 1108-2 Sea Mountain Hwy., North Myrtle Beach, SC 29582

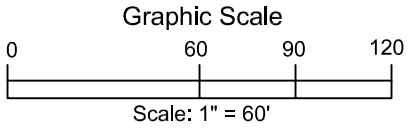
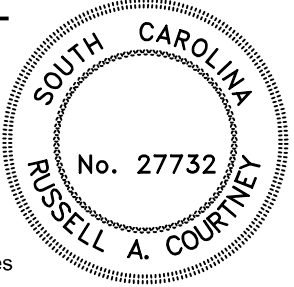
PROJECT TITLE: SITE PLAN Recreational Dock Facilities	
PROJECT LOCATION: Lot 31, Pelican Bay 9721 Anchor Road, Little River, SC 29566	
APPLICANT: Keith W. Harold 205 16th Avenue North, NMB SC, 29582	
DATE: July 18, 2019	SCALE: 1" = 60'
APPLICATION#: SAC-2019-01272	SHEET OF 2 3

RUSSELL A. COURTNEY, SCPLS 27732

Russell A. Courtney

LEGEND

- Iron Old •
- 1/2" Rebar ○
- Iron New ○
- 1/2" Rebar ○



Bulkhead Note:

No part of the New Bulkhead is below the High Tide Line
 Proposed HTL, MHW & MLW LINES On Seward Side New Bulkhead
 Lot 32 Pelican Bay
 Tax# 143-17-01-021
 DB. 2288 PG. 695
 PB. 149 PG. 202B
 Mail: 411 Wildwood Dunes Trl. Myrtle Beach, SC 29572

Lot 30 Pelican Bay
 Tax# 143-17-01-023
 DB. 4127 PG. 3263
 PB. 149 PG. 202B
 Mail: 327 Bush Drive Myrtle Beach, SC 29579

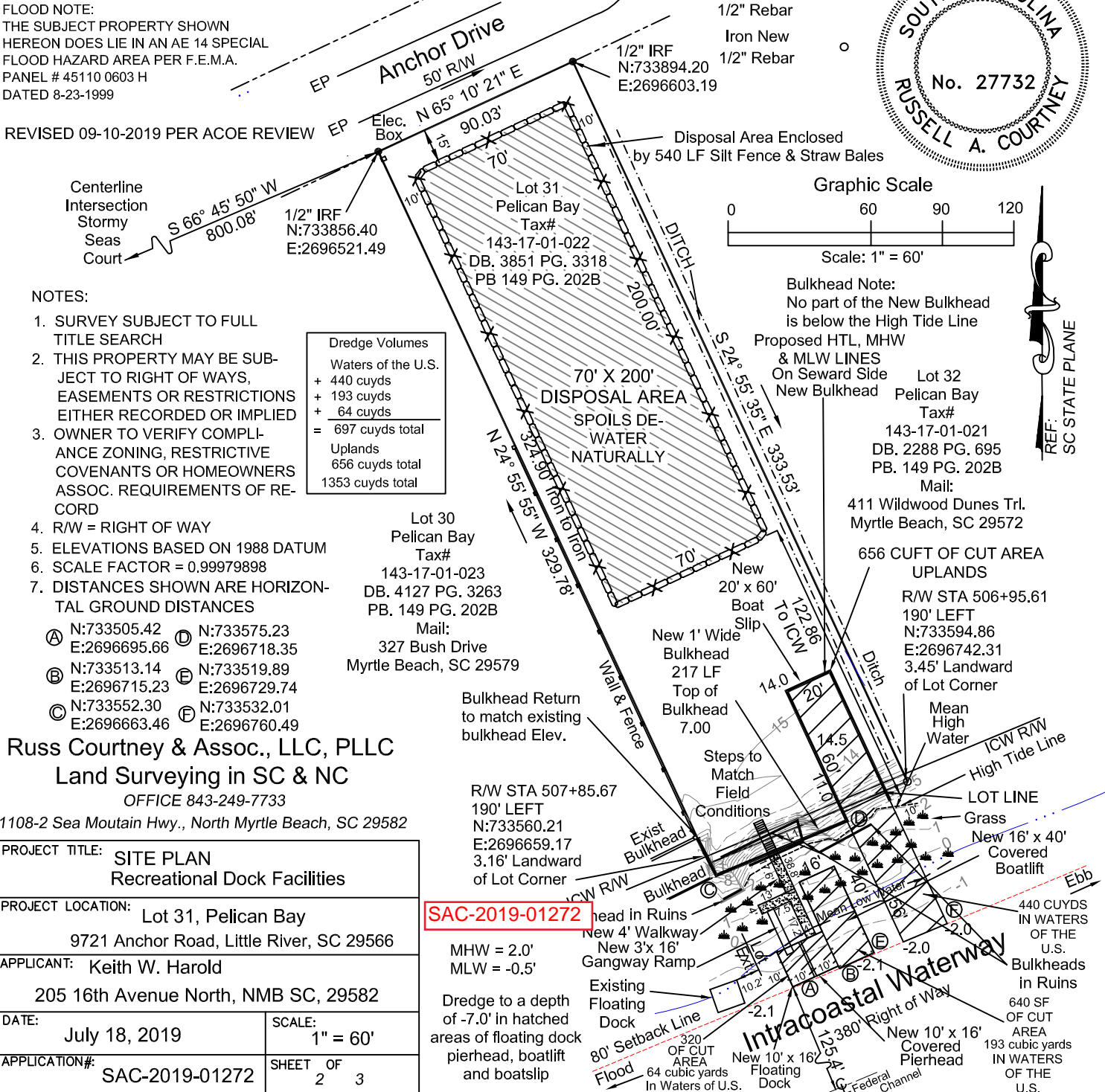
656 CUFT OF CUT AREA UPLANDS
 R/W STA 506+95.61 190' LEFT
 N:733594.86
 E:2696742.31
 3.45' Landward of Lot Corner

R/W STA 507+85.67 190' LEFT
 N:733560.21
 E:2696659.17
 3.16' Landward of Lot Corner

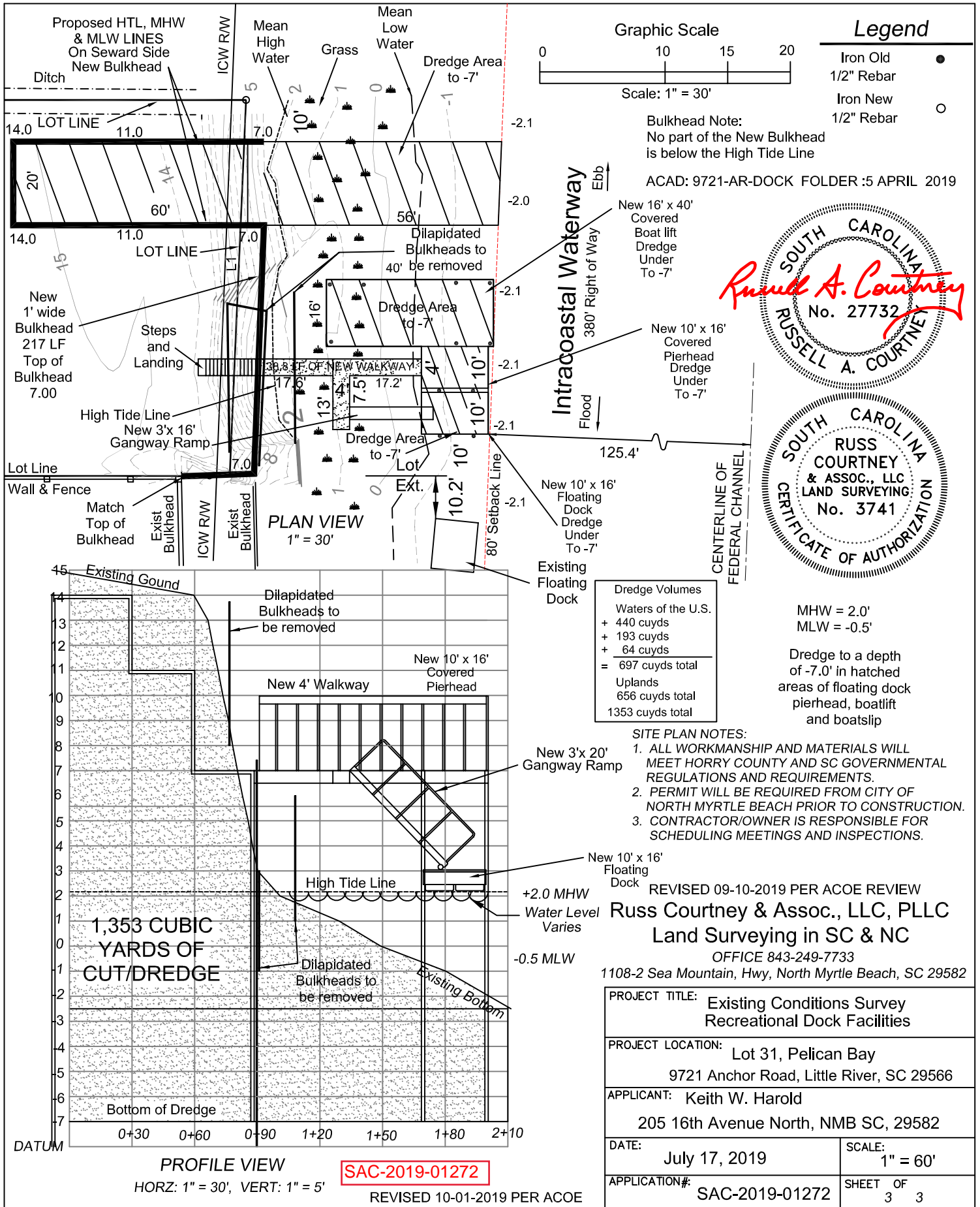
SAC-2019-01272

MHW = 2.0'
 MLW = -0.5'

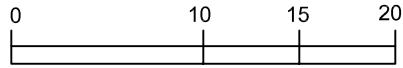
Dredge to a depth of -7.0' in hatched areas of floating dock pierhead, boatlift and boatslip



REF: SC STATE PLANE



Graphic Scale



Legend

- Iron Old ●
- 1/2" Rebar ○
- Iron New ○
- 1/2" Rebar ○

Bulkhead Note:
No part of the New Bulkhead is below the High Tide Line

ACAD: 9721-AR-DOCK FOLDER :5 APRIL 2019



Dredge Volumes	
Waters of the U.S.	
+	440 cu yds
+	193 cu yds
+	64 cu yds
=	697 cu yds total
Uplands	
	656 cu yds total
	1353 cu yds total

MHW = 2.0'
MLW = -0.5'

Dredge to a depth of -7.0' in hatched areas of floating dock pierhead, boatlift and boatslip

- SITE PLAN NOTES:**
1. ALL WORKMANSHIP AND MATERIALS WILL MEET Horry COUNTY and SC GOVERNMENTAL REGULATIONS AND REQUIREMENTS.
 2. PERMIT WILL BE REQUIRED FROM CITY OF NORTH MYRTLE BEACH PRIOR TO CONSTRUCTION.
 3. CONTRACTOR/OWNER IS RESPONSIBLE FOR SCHEDULING MEETINGS AND INSPECTIONS.

REVISED 09-10-2019 PER ACOE REVIEW
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REVISED 10-01-2019 PER ACOE