

**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-2023-01220

October 20, 2023

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 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

**Mr. Steve and Veronica Martin**  
**C/o Bridgeview Coastal Consulting**  
**P.O. Box 30937**  
**Charleston, South Carolina 29417**

for a permit to modify existing docks associated with the subject waterfront properties and perform dredging activities in the

**ATLANTIC INTRACOASTAL WATERWAY (AIWW)**

located on properties identified as Tax Map Sequence (TMS) #s 131-03-05-029, 131-03-05-031, 131-03-05-033, 131-03-05-034, and 131-03-05-036, adjacent to Waterfront Drive, in the Town of Little River, Horry County, South Carolina (Latitude: 33.8702°N, Longitude: -78.6094°W), Quad Sheet: Little River.

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 for commercial recreational use.

### **Project Description**

The activities in waters of the United States include the construction of an 8' by 238' boardwalk with handrails from TMS #131-03-05-029 to TMS #131-03-05-036. At TMS #131-03-05-029 and channelward of a section of the proposed boardwalk, there will be a new 5' by 25' ramp, perpendicular to the shore, leading to an 8' by 34' floating dock. Additionally, there will be a 5' by 25' ramp, parallel to the shore, leading to an 8' by 36' by 8' by 44' "L" shaped floating dock. An 8' by 8' section of the existing pier will remain to provide access from the boardwalk to the two ramps. At TMS #131-03-05-031 and channelward of a section of the proposed boardwalk, a section of existing dock will remain to continue to provide access to mooring boats. At TMS #131-03-05-034, #131-03-05-033, and #131-03-05-036 and channelward of a section of the proposed boardwalk, there will be a 5' walkway leading to a 25' by 72' covered fixed pierhead. From the fixed pierhead, there will be a 4' by 10' walkway leading to an 8' by 15' fixed dock which would then have a 5' by 25' ramp leading to an 8' by 65' by 8' by 18' "L" shaped floating dock. Additionally, there will be a 4' by 15' ramp leading to an 8' by 28' floating dock, perpendicular to the shore, that will also have gas and a pump out system. The existing dilapidated pierhead will be removed.

In addition, approximately 2,750 cubic yards of material will be dredged from the AIWW utilizing a barge mounted excavator. Silt curtains will be employed in and around the dredge area to reduce migration of sediments into the AIWW. Dredged material will then be placed into a barge mounted watertight roll off container. Once the container is filled to the desired level, the barge will transport the dredged material to the City of North Myrtle Beach boat ramp on the AIWW at the end of 2nd Avenue South. The parcel to be utilized is identified as Horry County TMS 144-06-01-014. Once the material is offloaded from the barge, the container will be loaded onto a truck and transported to a final deposal site identified and provided by the contractor. Care will be employed during this offloading process to ensure dredged material does not re-enter the waters of the U.S. The dredged material will be deposited in uplands and no wetlands will be impacted at this final disposal site.

**NOTE: The applicant is also proposing to replace an existing bulkhead (as shown on the attached drawings) which will be processed as a Nationwide Permit. The Corps will not entertain comments to this public notice regarding the proposed bulkhead replacement.**

### **Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by constructing a pile supported dock and depositing the dredged material in uplands. In addition, the applicant stated that silt curtains will be utilized during dredging operation to prevent sediment from entering the water column outside of the dredge area.

### **Proposed Compensatory Mitigation**

Due to minimal impacts, the applicant did not submit a compensatory mitigation plan.

### **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 0.38 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 proposed project and based on location and available information, the following species have the potential to occur in the vicinity of the proposed work: 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*), American Chaffseed (*Schwalbea americana*), Pondberry (*Lindera melissifolia*), Canby's Dropwort (*Oxypolis canbyi*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Green sea turtle (*Chelonia mydas*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), Tricolored bat (*Perimyotis subflavus*), 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*), Red-cockaded woodpecker (*Picoides borealis*), American Chaffseed (*Schwalbea americana*), Pondberry (*Lindera melissifolia*), Canby's Dropwort (*Oxypolis canbyi*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Green sea turtle (*Chelonia mydas*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), Tricolored bat (*Perimyotis subflavus*), Northern long-eared bat (*Myotis septentrionalis*), 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 Piping plover (*Charadrius melodus*), Rufa red knot (*Calidris canutus rufa*), and 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 (USFWS project code: 2024-0006489) 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).

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

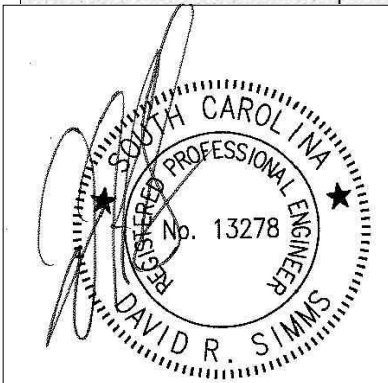
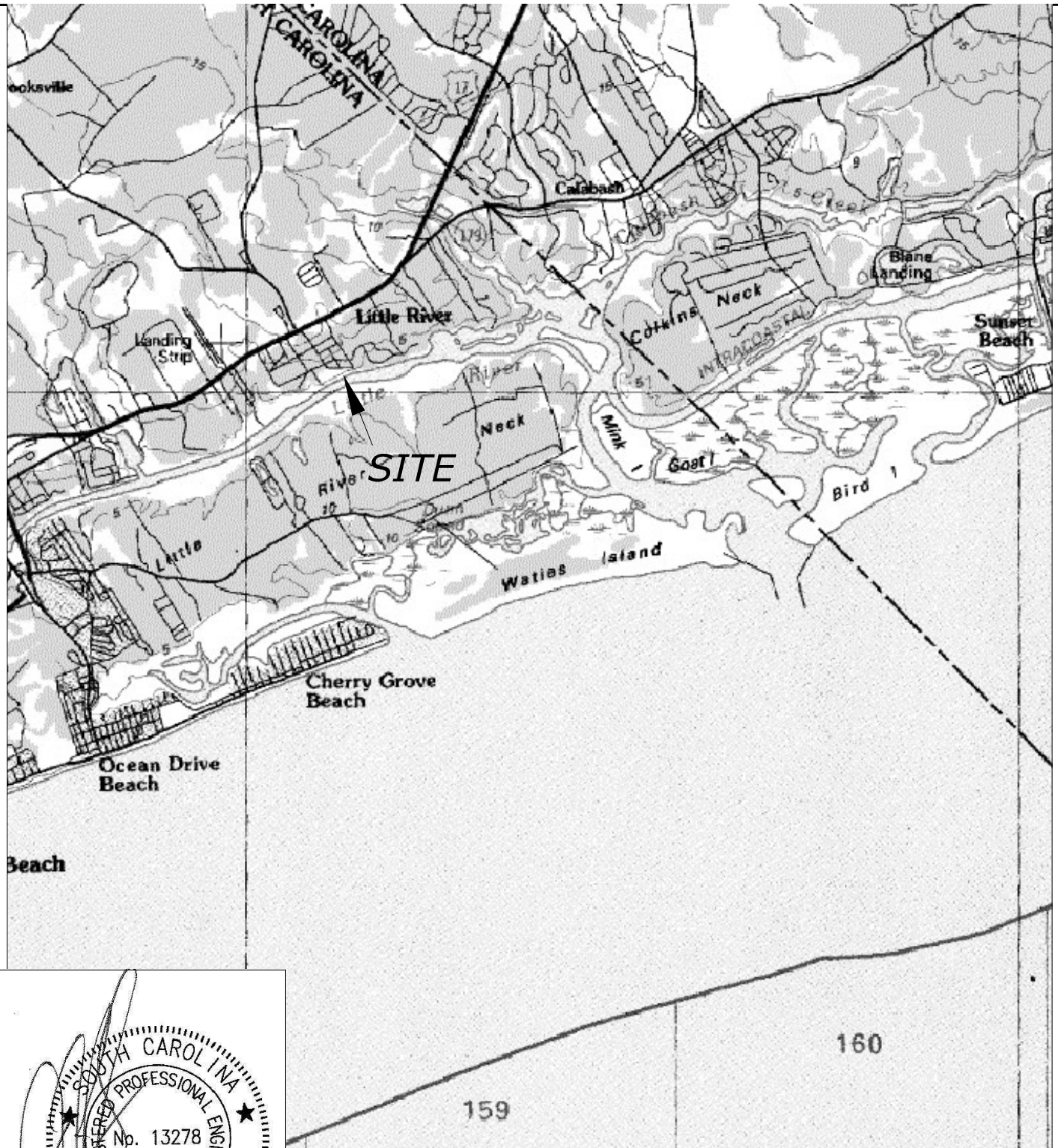
determine whether to issue, modify, condition, or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used 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-2023-01220), to [Wiley.C.Bracey@usace.army.mil](mailto:Wiley.C.Bracey@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 Wiley Bracey, Team Lead, at (843) 365-1707, or by email at [Wiley.C.Bracey@usace.army.mil](mailto:Wiley.C.Bracey@usace.army.mil).





## LOCATION MAP

FOR PERMITTING ONLY  
NOT FOR CONSTRUCTION

LITTLE RIVER QUAD

APPLICANT:

**STEVE MARTIN**

ACTIVITY: Repair & Expand  
Exist. Fixed Pier, Add Ramps,  
Floating Docks & Dredge  
P/N#

LOCATION:

Intracoastal Waterway  
Little River

COUNTY: Horry

DATE: 7/30/2023

**SAC-2023-01220**

SHEET 1 OF 8

0 30 60 120



1"=60'

LOTS 4, 5, 6, 7 & 8  
PIN# 311-08-03-0051  
TMS# 131-03-05-0051  
OSLA REAL ESTATE, INC.  
DB: 3889 PG. 1158

CAPTAIN JUELS  
PIN# 311-08-03-0051  
OSLA PROPERTIES, LLC.  
DB: 4538 PG. 753

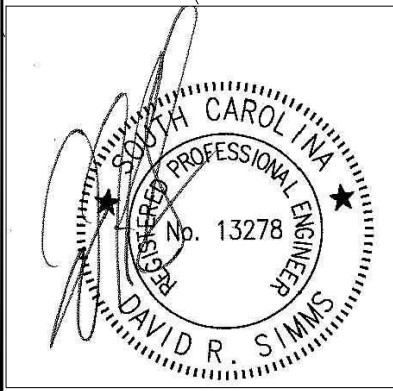
PIN# 311-08-03-0052  
LITTLE RIVER TMD LLC  
4,238 Sq. Feet  
0.10 Acres

PIN# 311-09-02-0001  
LITTLE RIVER  
TMD LLC  
10,442 Sq. Feet  
0.24 Acres

PARCEL B  
PIN# 311-08-03-0003  
TMS# 131-03-05-031  
LITTLE RIVER MANAGEMENT, LLC.  
13,291 Sq. Feet  
0.28 Acres

LOT 4-A  
PIN# 311-08-02-0004  
TMS# 131-03-05-029  
REBECCA MCGINN  
TRUSTEE  
10,425 Sq. Feet  
0.24 Acres

CHAND CRUISES  
PIN# 311-08-02-0005  
TMS# 131-03-05-028  
OSLA REAL ESTATE, INC.  
DB: 3889 PG. 1158



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## EXISTING SITE PLAN

APPLICANT:

**STEVE MARTIN**

ACTIVITY: Repair & Expand  
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LOCATION:

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Little River

COUNTY: Horry

DATE: 7/30/2023

**SAC-2023-01220**

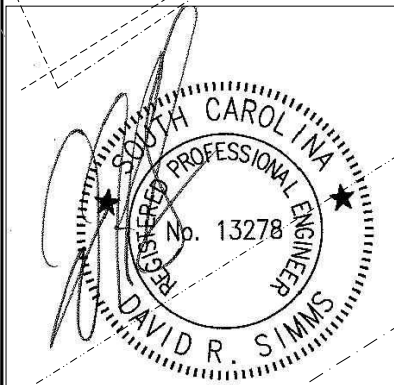
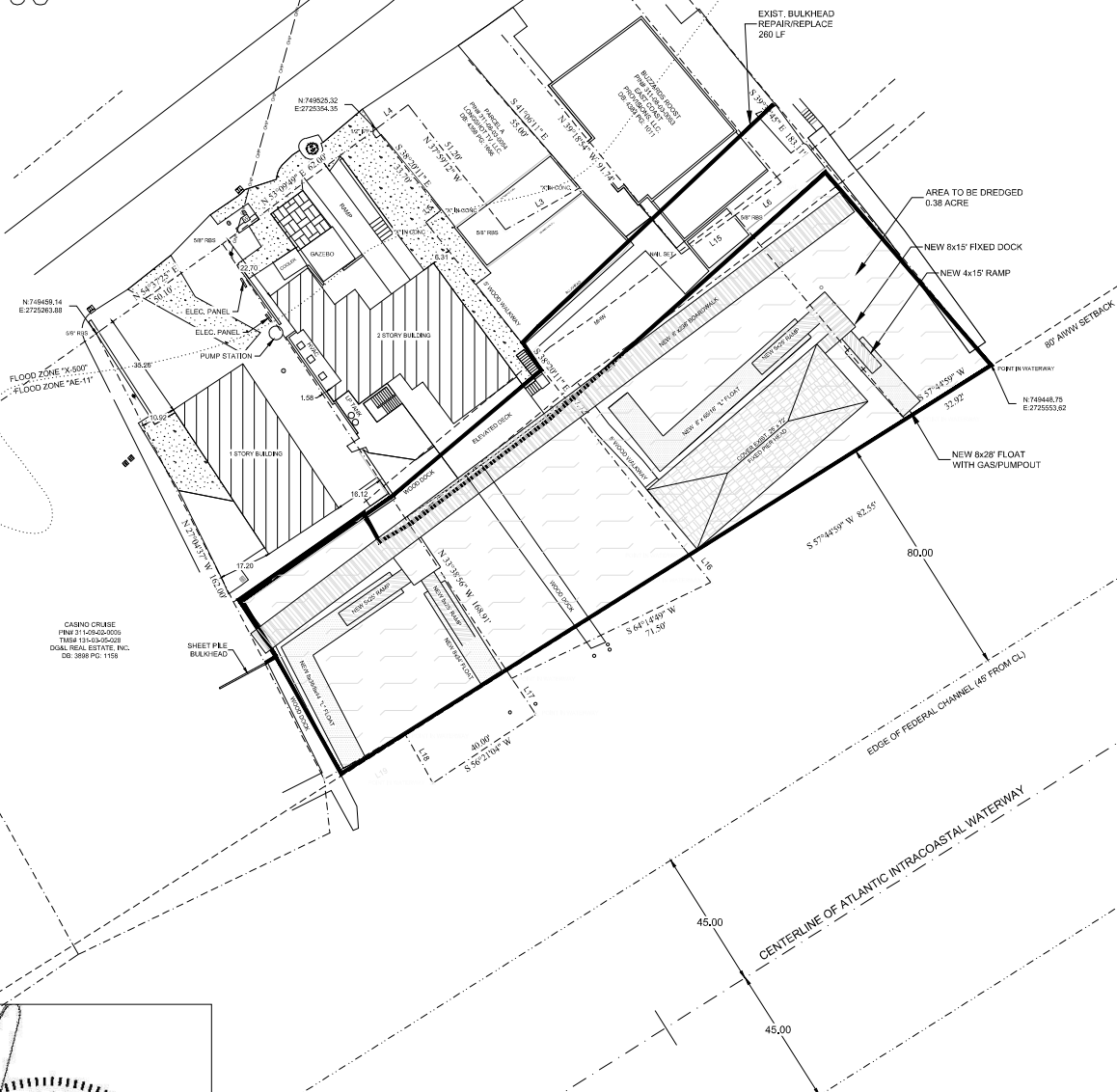
SHEET 2 OF 8



0 30 60 120



1"=60'



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## PROPOSED SITE PLAN

APPLICANT:

**STEVE MARTIN**

ACTIVITY: Repair & Expand  
Exist. Fixed Pier, Add Ramps,  
Floating Docks & Dredge

P/N#

LOCATION:

Intracoastal Waterway  
Little River

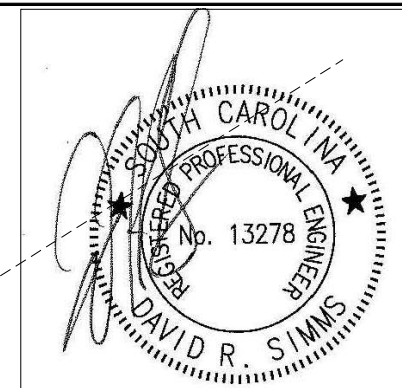
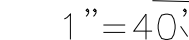
COUNTY: Horry

DATE: 7/30/2023

**SAC-2023-01220**

SHEET 3 OF 8





COORDINATE DATA

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Ⓑ	N 749322.06 E 2725351.09
Ⓒ	N 749344.84 E 2725387.21
Ⓓ	N 749349.39 E 2725393.89
Ⓔ	N 749389.26 E 2725458.16
Ⓕ	N 749431.83 E 2725524.08
Ⓖ	N 749437.19 E 2725530.51

## COORDINATE PLAN

**STEVE MARTIN**

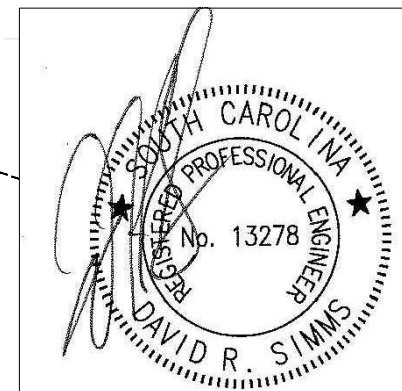
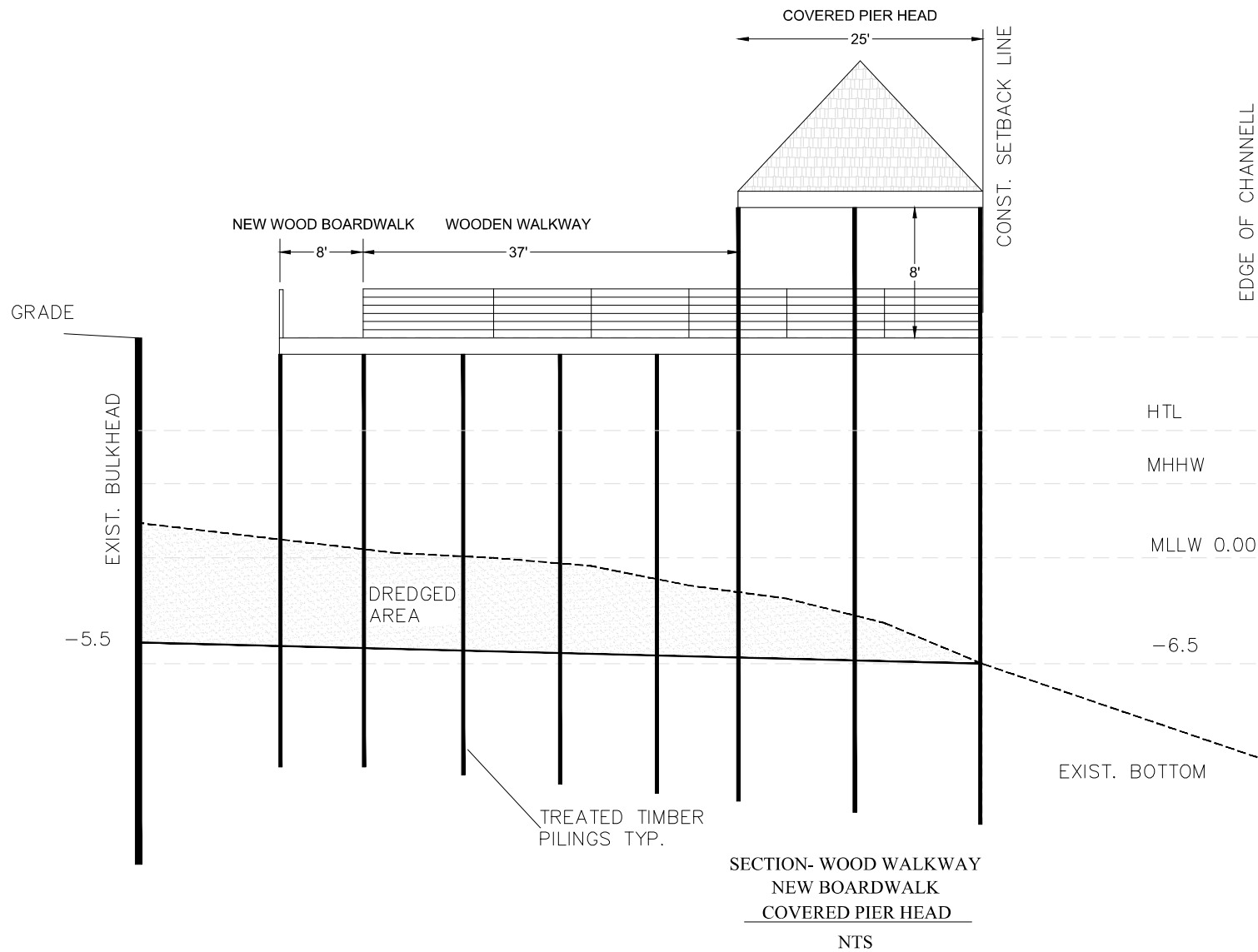
P/N#

Intracoastal Waterway  
Little River

COUNTY: Horry

DATE: 7/30/2023

SAC-2023-01220



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P/N#

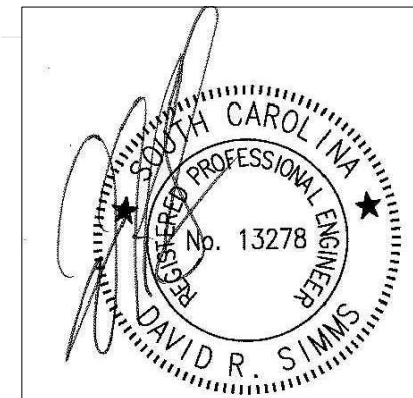
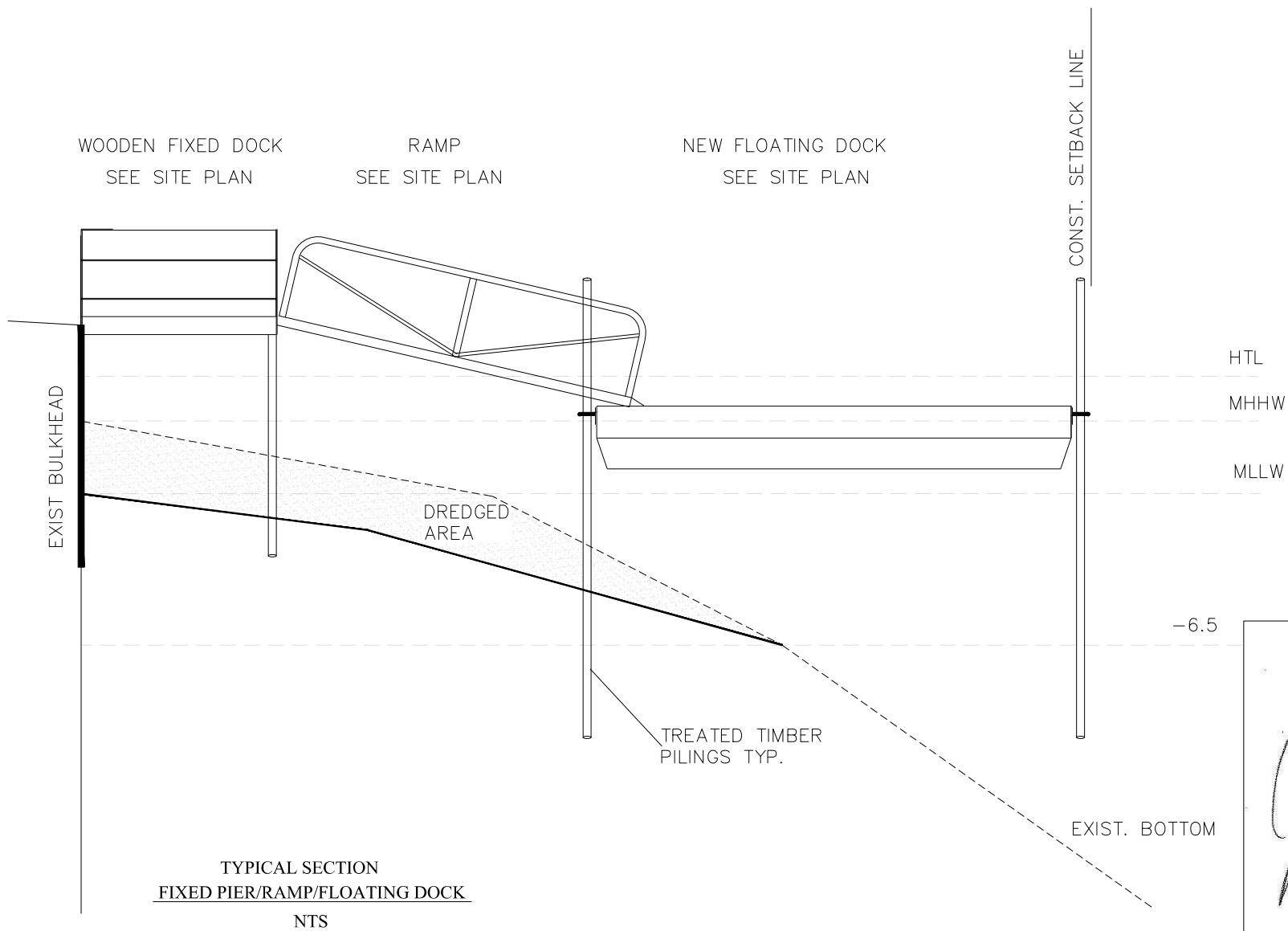
LOCATION:

Intracoastal Waterway  
Little River

COUNTY: Horry  
DATE: 7/30/2023

**SAC-2023-01220**

SHEET 6 OF 8



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APPLICANT:

**STEVE MARTIN**

ACTIVITY: Repair & Expand  
Exist. Fixed Pier, Add Ramps,  
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P/N#

LOCATION:

Intracoastal Waterway  
Little River

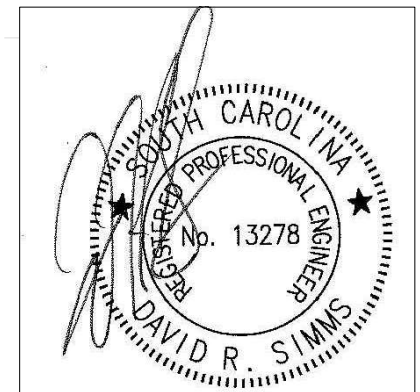
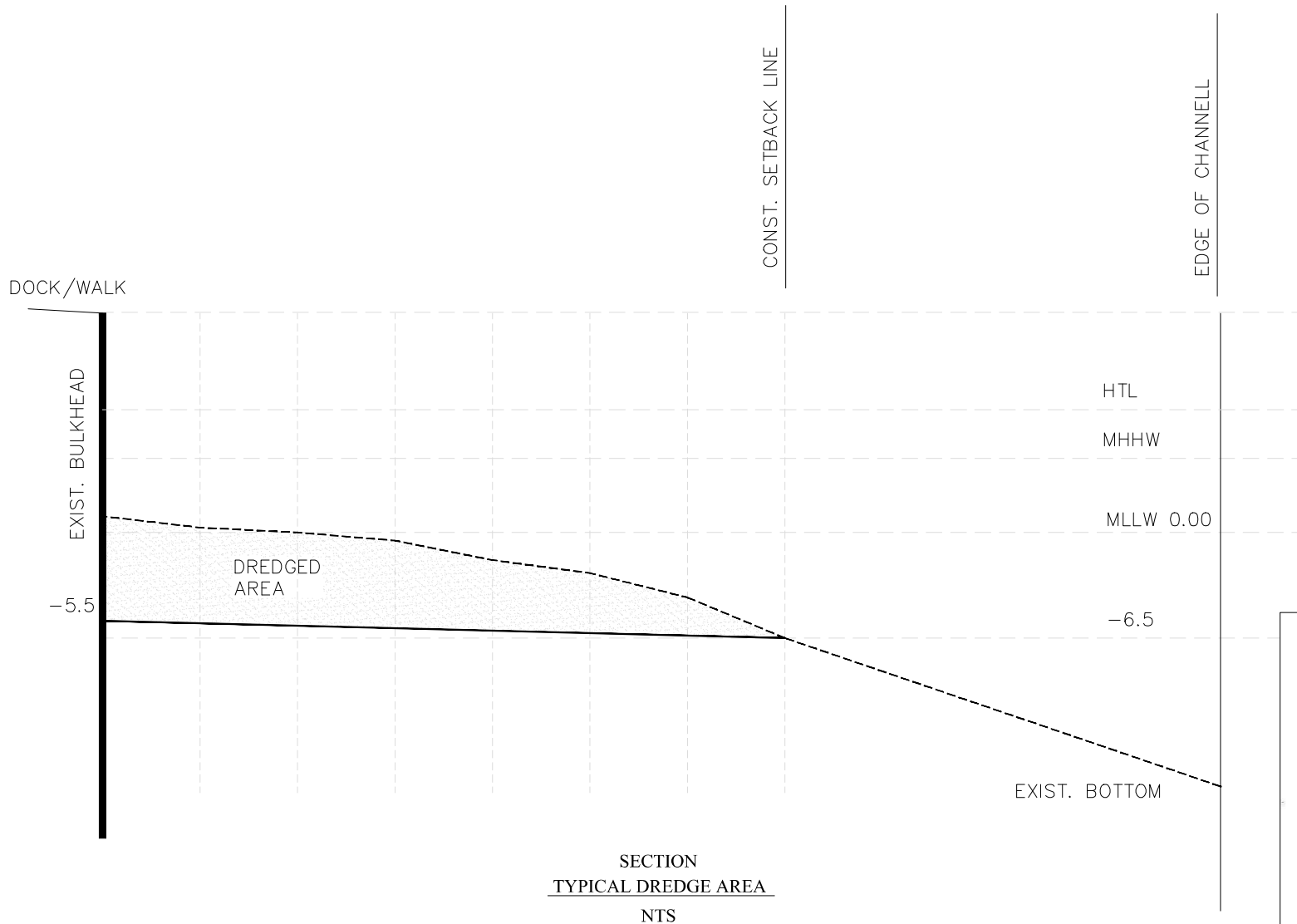
COUNTY: Horry  
DATE: 7/30/2023

REV. 10/23

**SAC-2023-01220**

SHEET 7 OF 8





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APPLICANT:

**STEVE MARTIN**

ACTIVITY:

Repair & Expand  
Exist. Fixed Pier, Add Ramps,  
Floating Docks & Dredge

P/N#

LOCATION:

Intracoastal Waterway  
Little River

COUNTY: Horry

DATE: 7/30/2023

**SAC-2023-01220**

SHEET 8 OF 8