

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-2022-00748

May 24, 2022

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

SYS Enterprises, LLC
c/o Mr. Curtis Joyner
Bridgeview Environmental Consulting
P.O. Box 30937
Charleston, SC 29417

for a permit to perform work in navigable waters of the United States including the construction of a docking facility within the

Atlantic Intracoastal Waterway (AIWW)

at a location described as 9719 North Kings Highway, in the City of Myrtle Beach, Horry County, South Carolina (Latitude: 33.7817°N, Longitude: -78.7895°W), Hand 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 the construction of a public use/commercial docking facility. In detail, the proposed work consists of the construction of a 10' x 10' fixed pier head and an 8' x 157' floating dock attached by a 3' x 30' gangway. The proposed public use dock will be located adjacent to the public use docking facility authorized under the Department of the Army permit # SAC-2019-01502. 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 is to provide recreational boating access and vessel mooring within 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 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 0.03 acre of upstream 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 West Indian Manatee (*Trichechus manatus*), Atlantic Sturgeon (*Acipenser oxyrinchus*), and Shortnose Sturgeon (*Acipenser brevirostrum*) are known to occur within the vicinity of the project area. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*) and Atlantic Sturgeon

(*Acipenser oxyrinchus*) and will not result in the destruction or adverse modification of their designated or proposed critical habitat. Additionally, the District Engineer has determined that the project is 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)(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.

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 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.

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. **When providing comments, please reference the project number and provide written comments to the following address (emailing comments is the preferred method):**

SAC.RD.Conway@usace.army.mil

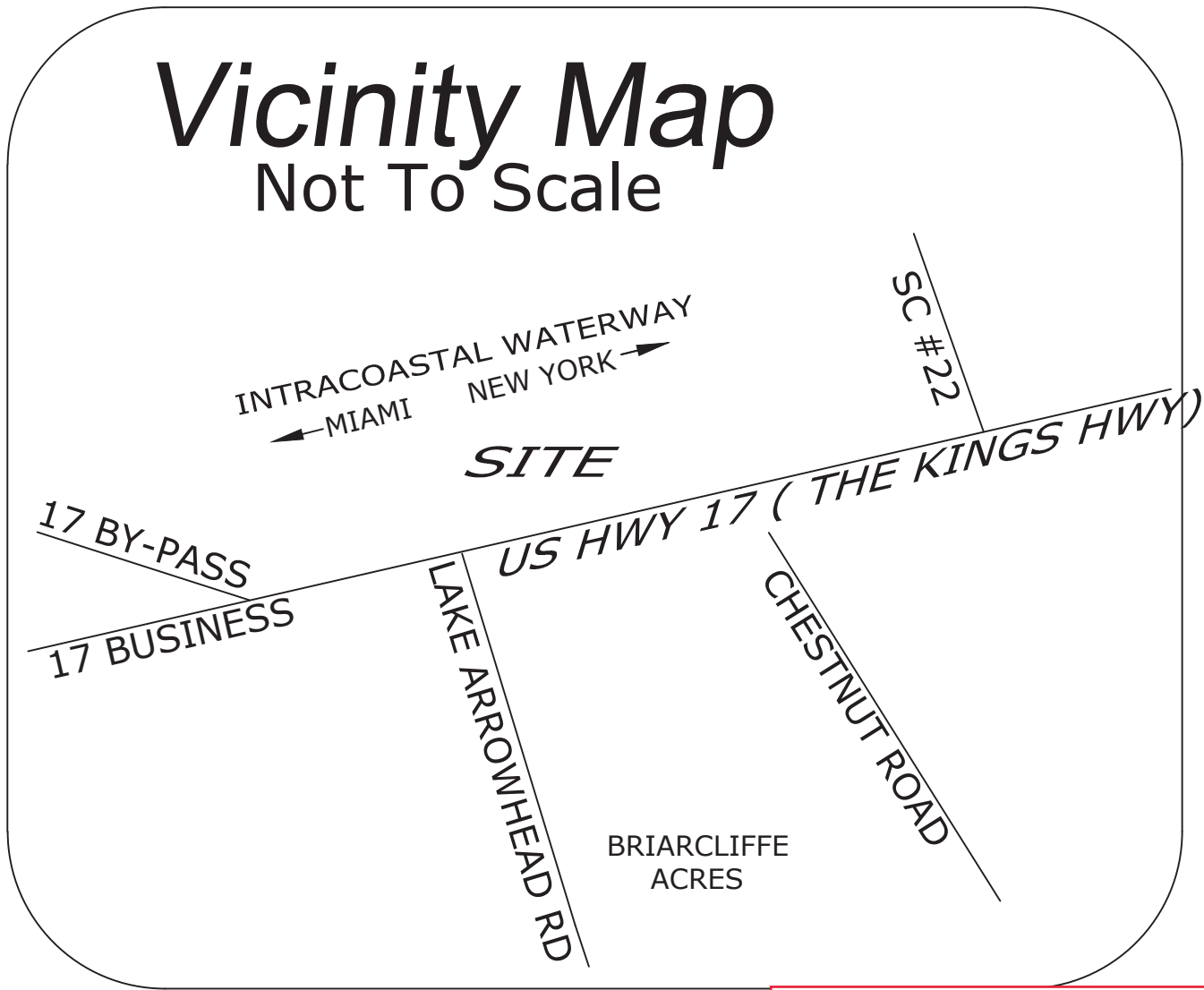
or mail to:

**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, Watershed Manager, at (843) 365-4239, or by email at Robert.C.Huff@usace.army.mil.

Vicinity Map

Not To Scale



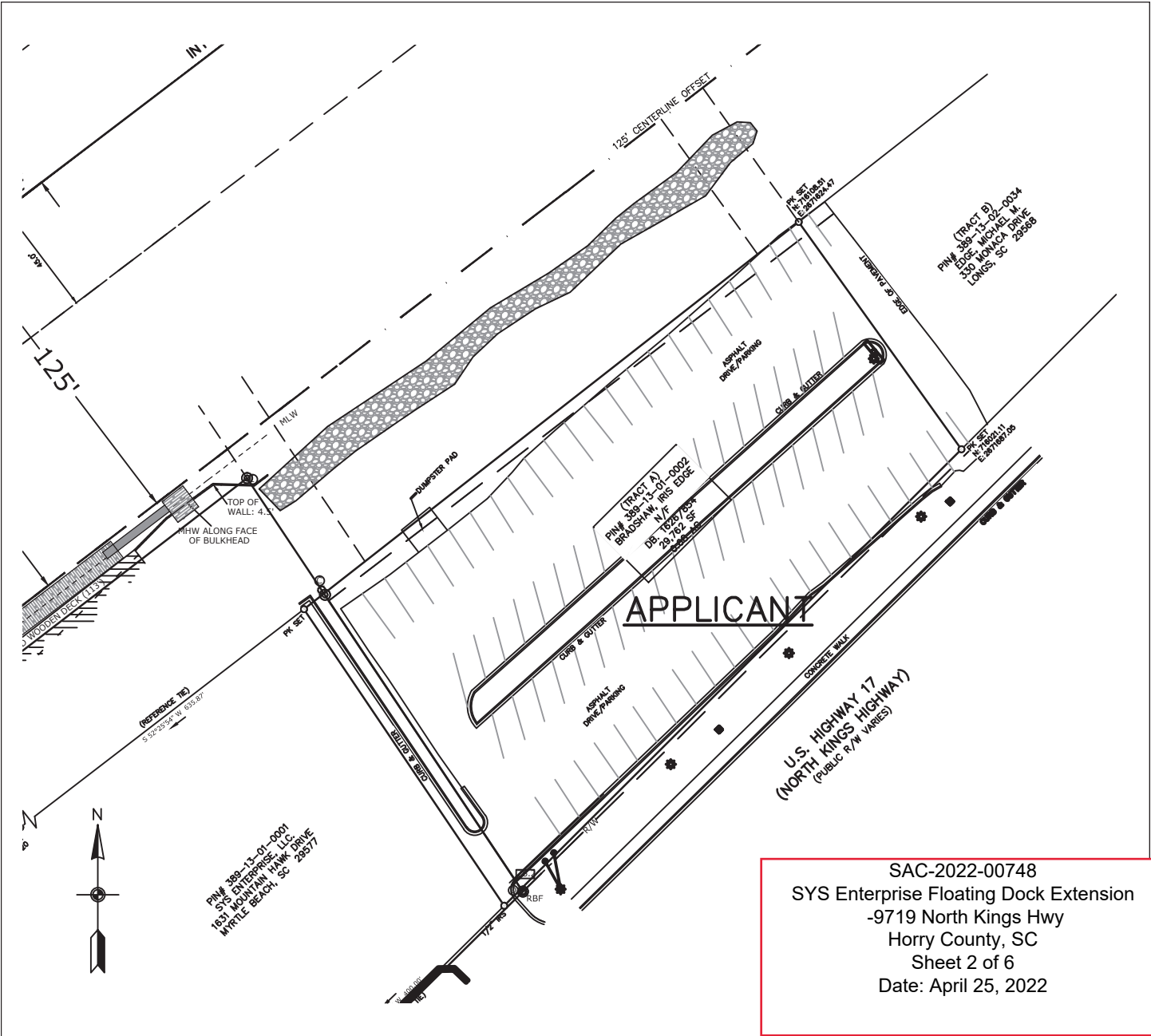
SAC-2022-00748
 SYS Enterprise Floating Dock Extension
 - 9719 North Kings Hwy
 Horry County, SC
 Sheet 1 of 6
 Date: April 25, 2022

LOCATION MAP

N.T.S.

LAT.: 33.781710° N
 LONG.: -78.789632° W

<p><u>APPLICANT:</u> SAM LAUREN C/O DR. H. WAYNE BEAM BEAM AND ASSOCIATES, INC PO BOX 3238 NORTH MYRTLE BEACH, SC 29582</p>	<p><u>DOCKING FACILITY</u> TRACT A RESTAURANT ROW AREA PIN# 389-13-01-0002 DOGWOOD NECK TOWNSHIP HORRY COUNTY SOUTH CAROLINA</p>	<p><u>PROPOSED:</u> DOCKING FACILITY <u>LOCATED ON:</u> 9719 NORTH KINGS HWY <u>IN:</u> DOGWOOD NECK TOWNSHIP <u>ON:</u> A.I.W.W. <u>COUNTY OF:</u> HORRY <u>STATE OF:</u> SC <u>DATE:</u> 4/25/2022 <u>SHEET:</u> 1 OF 6</p>
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ADJACENT PROPERTY OWNERS

N.T.S.

LAT.: 33.781710° N
LONG.: -78.789632° W

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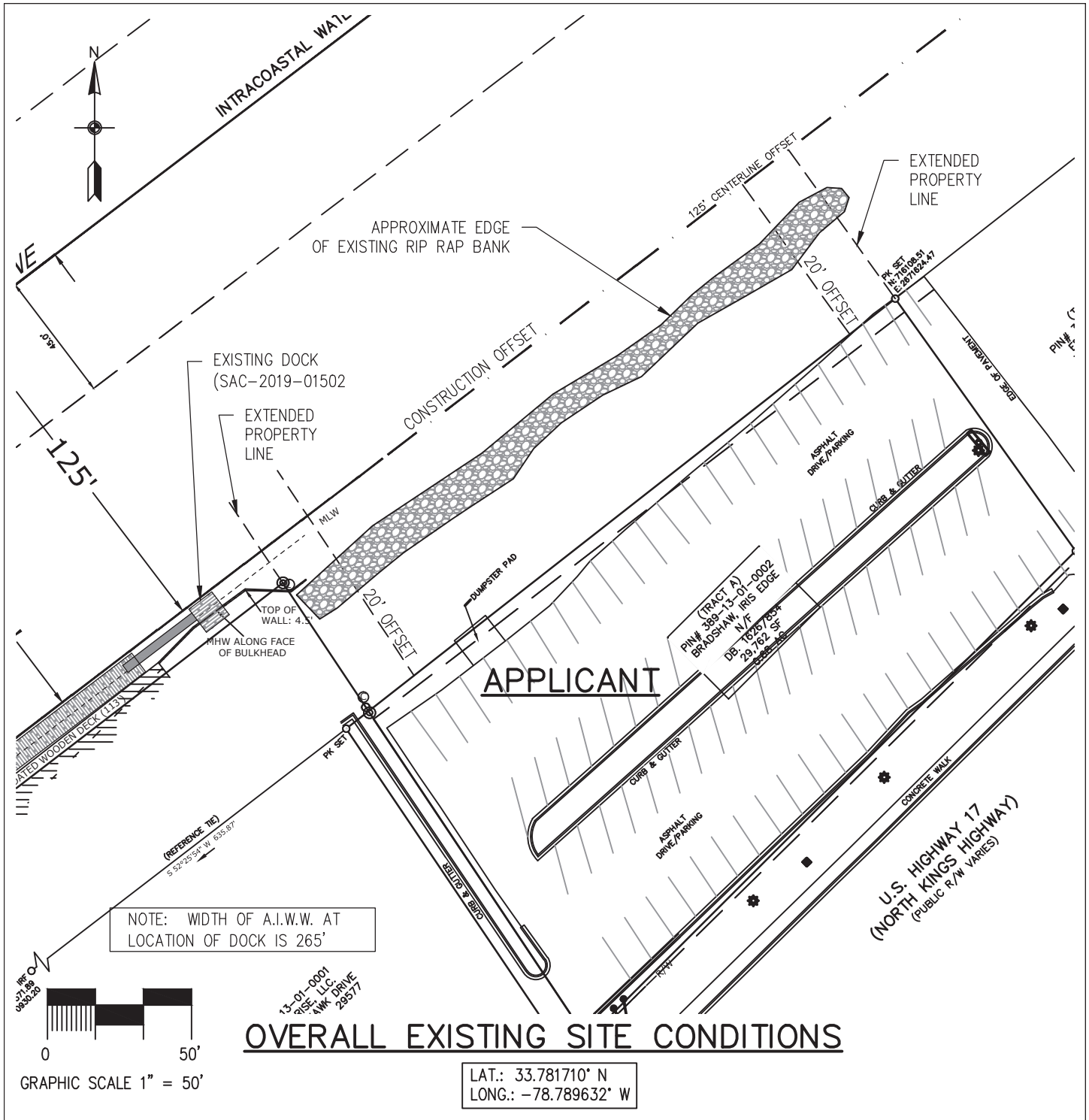
DOCKING FACILITY

TRACT A
RESTAURANT ROW AREA
PIN# 389-13-01-0002

DOGWOOD NECK TOWNSHIP
HORRY COUNTY
SOUTH CAROLINA

PROPOSED: DOCKING FACILITY

LOCATED ON: 9719 NORTH KINGS HWY
IN: DOGWOOD NECK TOWNSHIP
ON: A.I.W.W.
COUNTY OF: HORRY
STATE OF: SC
DATE: 4/25/2022
SHEET: 2 OF 6



APPLICANT:

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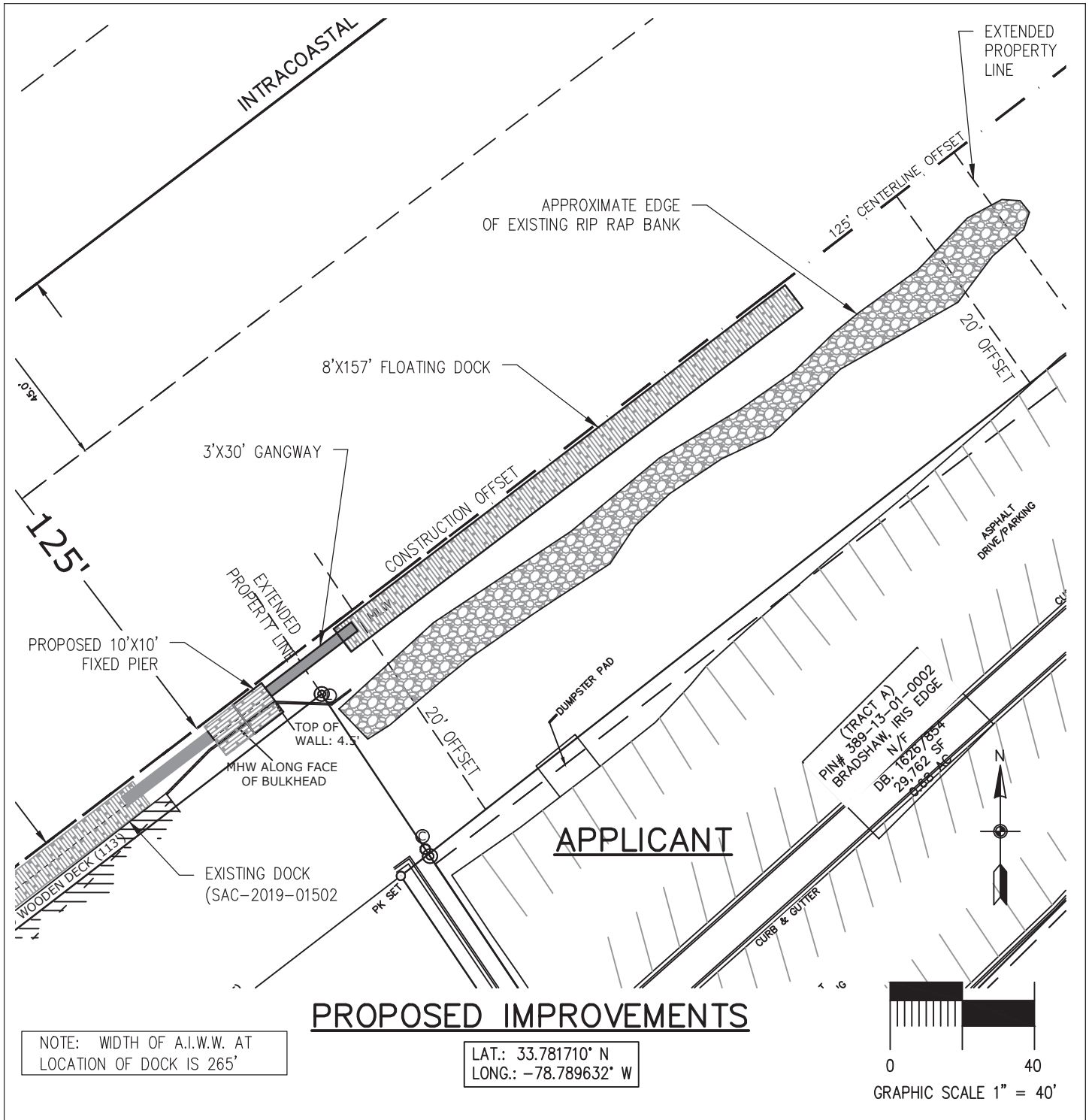
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PROPOSED: DOCKING FACILITY

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SYS Enterprise Floating Dock Extension
-9719 North Kings Hwy
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Sheet 3 of 6
Date: April 25, 2022



APPLICANT:

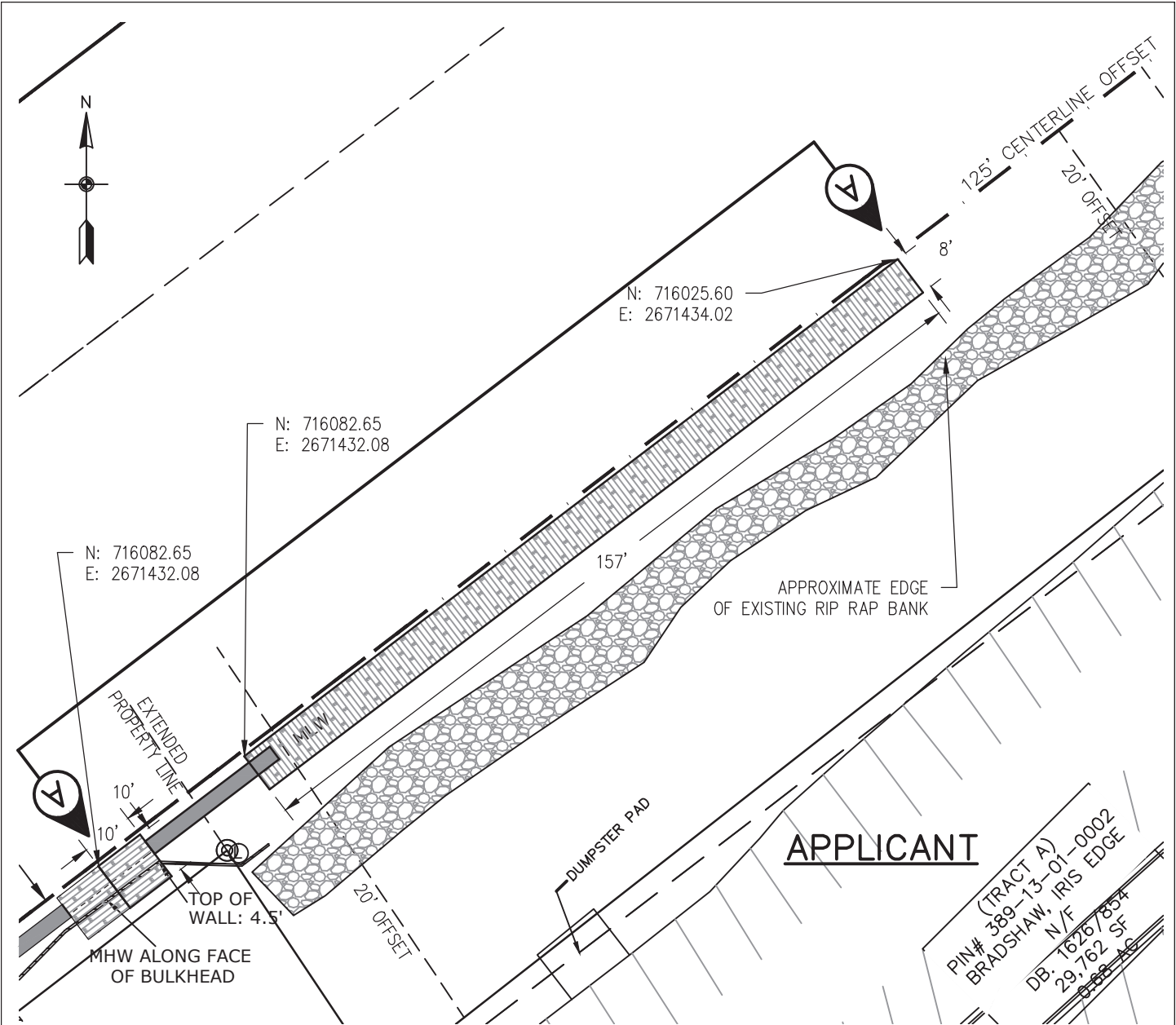
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DOCKING FACILITY

TRACT A
 RESTAURANT ROW AREA
 PIN# 389-13-01-0002
 DOGWOOD NECK TOWNSHIP
 Horry County
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PROPOSED: DOCKING FACILITY
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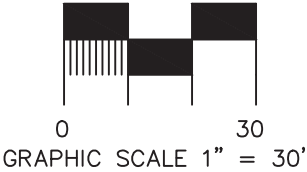
SYS Enterprise Floating Dock Extension
 -9719 North Kings Hwy
 Horry County, SC
 Sheet 4 of 6
 Date: April 25, 2022



**PROPOSED IMPROVEMENTS
(ENLARGED VIEW)**

NOTE: WIDTH OF A.I.W.W. AT
LOCATION OF DOCK IS 265'

LAT.: 33.781710° N
LONG.: -78.789632° W



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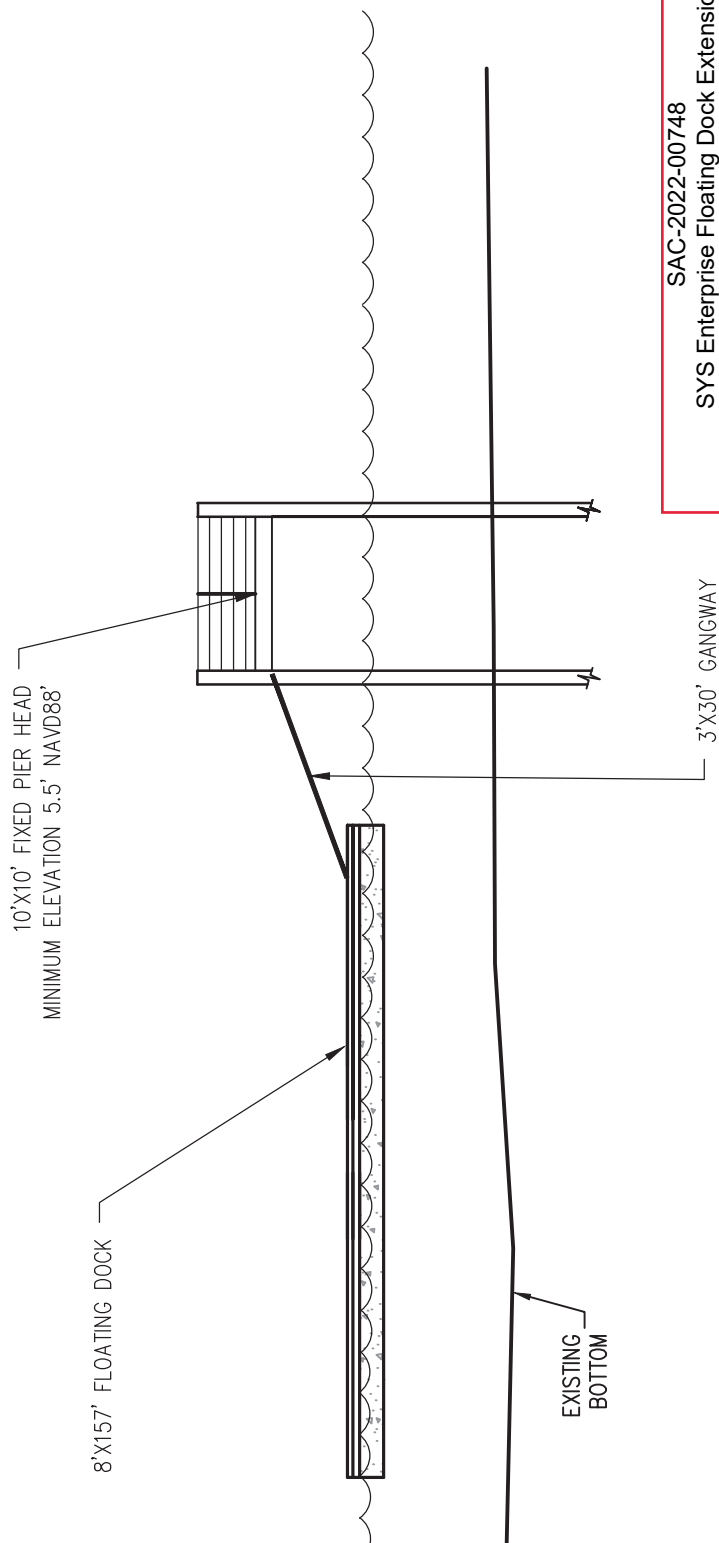
DOCKING FACILITY

TRACT A
RESTAURANT ROW AREA
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DOGWOOD NECK TOWNSHIP
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SOUTH CAROLINA

SAC-2022-00748
SYS Enterprise Floating Dock Extension
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Sheet 5 of 6
Date: April 25, 2022

DATE: 4/25/2022
SHEET: 5 OF 6



MIN. DECK ELEV +5.5' NAVD88

HTL (+2.5' NAVD88)

MHW (+2.0' NAVD88)

MLW (-2.7' NAVD88)

FOR PERMIT PURPOSES ONLY.
NOT FOR CONSTRUCTION

SAC-2022-00748
 SYS Enterprise Floating Dock Extension
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 Sheet 5 of 6
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ELEVATION VIEW A--A
 NOT TO SCALE

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DOCKING FACILITY
 TRACT A
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 DOGWOOD NECK TOWNSHIP
 HORRY COUNTY
 SOUTH CAROLINA

PROPOSED: DOCKING FACILITY
 LOCATED ON: 9719 NORTH KINGS HWY
 IN: DOGWOOD NECK TOWNSHIP
 ON: A.I.W.W.
 COUNTY OF: HORRY
 STATE OF: SC
 DATE: 4/25/2022
 SHEET: 6 OF 6