

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: P/N SAC-2015-01037

March 10, 2020

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

Mr. Joseph Pfeifer
c/o Tom Johnson
Custom Designs Marine Contracting, Inc.
12 Sunfield Drive
Carolina Shores, North Carolina 28467

for a permit to dredge, construct a covered boat lift, and after-the-fact authorization for existing structures in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at 255 Palmetto Harbour Drive, North Myrtle Beach, Horry County, South Carolina (Latitude: 33.8277 °, Longitude: -78.7028 °), **WAMPEE 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 after-the-fact authorization for existing structures, construction of a new private covered boat lift, as well as, associated dredging in the Atlantic

Intracoastal Waterway. In detail the work consists of after-the-fact authorization for an existing 5' wide walkway and 7'x16' fixed pier and the construction of a new 14' x 27' covered boat lift.

In addition the applicant proposes to dredge approximately 200 cubic yards (1103 sq. ft) to provide adequate water depths for navigation and boat storage for the proposed boat lift. The applicant proposes to dredge to a depth of 7' below mean low water. The dredging will be conducted using an 80' barge and 60' long reach excavator operated by Coastal Dredging, LLC. The barge bin walls will be lined with wheat straw to catch any silt or sediments to prevent it from escaping out of the barge scuffle hole and back into the AIWW. Filled barges will be pushed to 1015 Vereen Drive, North Myrtle Beach, South Carolina. They will be offloaded into an upland staging area enclosed by silt fencing to prevent reintroduction of material to the AIWW. The material will be allowed to thoroughly dry in the staging area, after which it will be used for clean construction fill.

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 private recreational 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 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 0.03 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, 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*) or 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.

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 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.

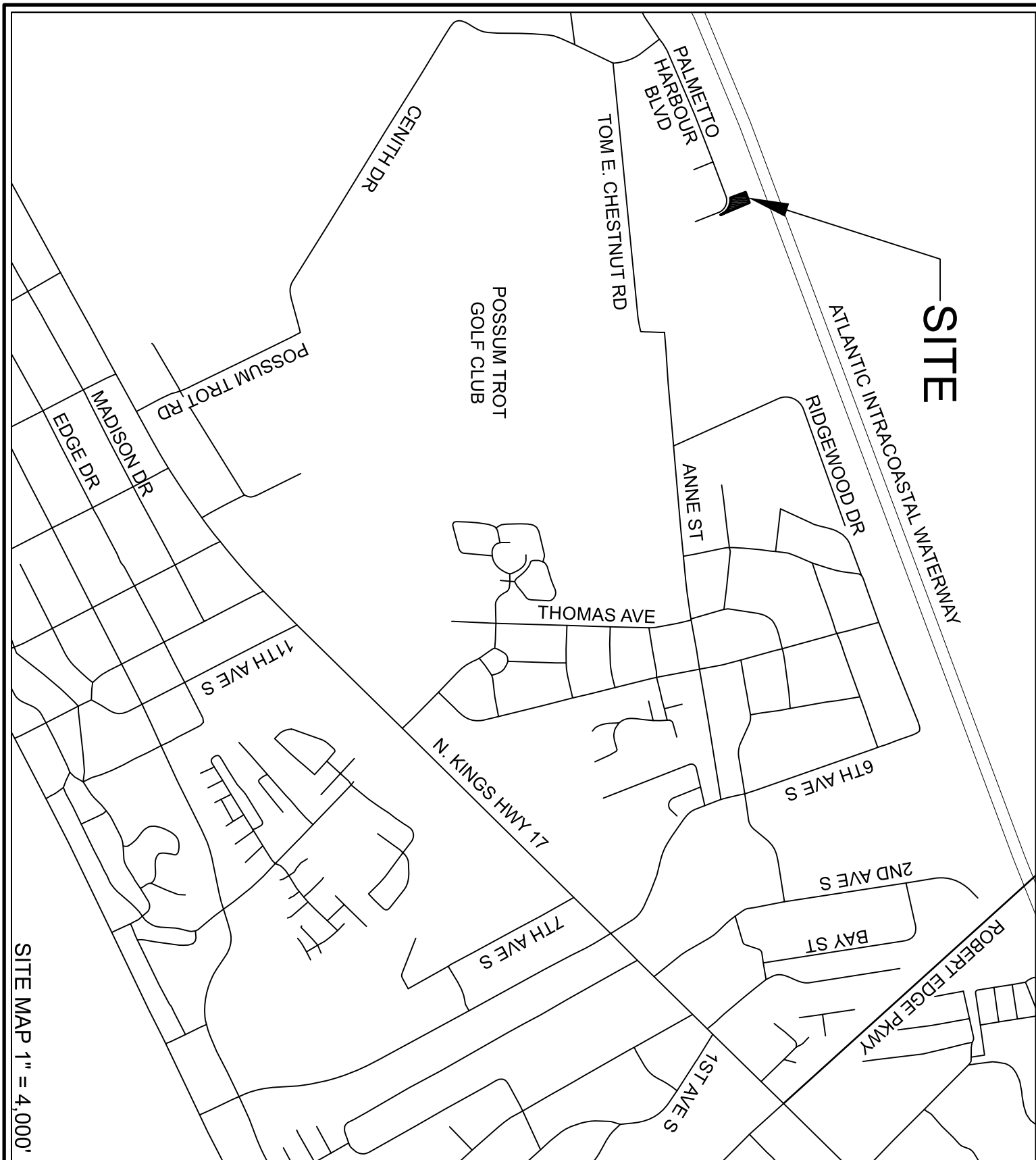
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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

March 10, 2020

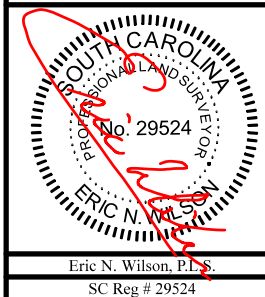
preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. **Please submit comments in writing, identifying 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 Megan N. Jackson, Project Manager, at (843) 365-4239 or by email at Megan.N.Jackson@usace.army.mil.



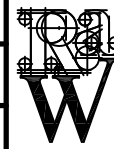
SITE MAP 1" = 4,000'



CITY OF NORTH MYRTLE BEACH
DOCK PERMIT SURVEY FOR LOT 37, PALMETTO HARBOUR
 ~ PREPARED FOR ~
CUSTOM DESIGNS MARINE CONTRACTING, INC.

LEGEND	
CP - COMPUTED POINT	
CMF - CONCRETE MONUMENT FOUND	
CMS - CONCRETE MONUMENT SET	
IPF - IRON PIPE FOUND	
IPS - IRON PIPE SET	
RBF - REBAR FOUND	
RBS - REBAR SET	

STATE OF SOUTH CAROLINA		County: HORRY	
Date: JANUARY 28, 2020	TMS: 143-19-01-039	Drawn By: ENW	Job No.: 200049
RefPB: Bk 214 @ Pg 17	RefDB: Bk 3789 @ Pg 1573	Party Chief: RC	Proj. No.: 200049



Robert A. Warner and Associates, Inc.
 Professional Land Surveying, Mapping and Planning
 726 8th Avenue North
 Myrtle Beach, South Carolina 29577
 Phone: (843) 626-6662 / 6924
 Fax: (843) 626-6774
 E-mail: RWARNER500@AOL.COM

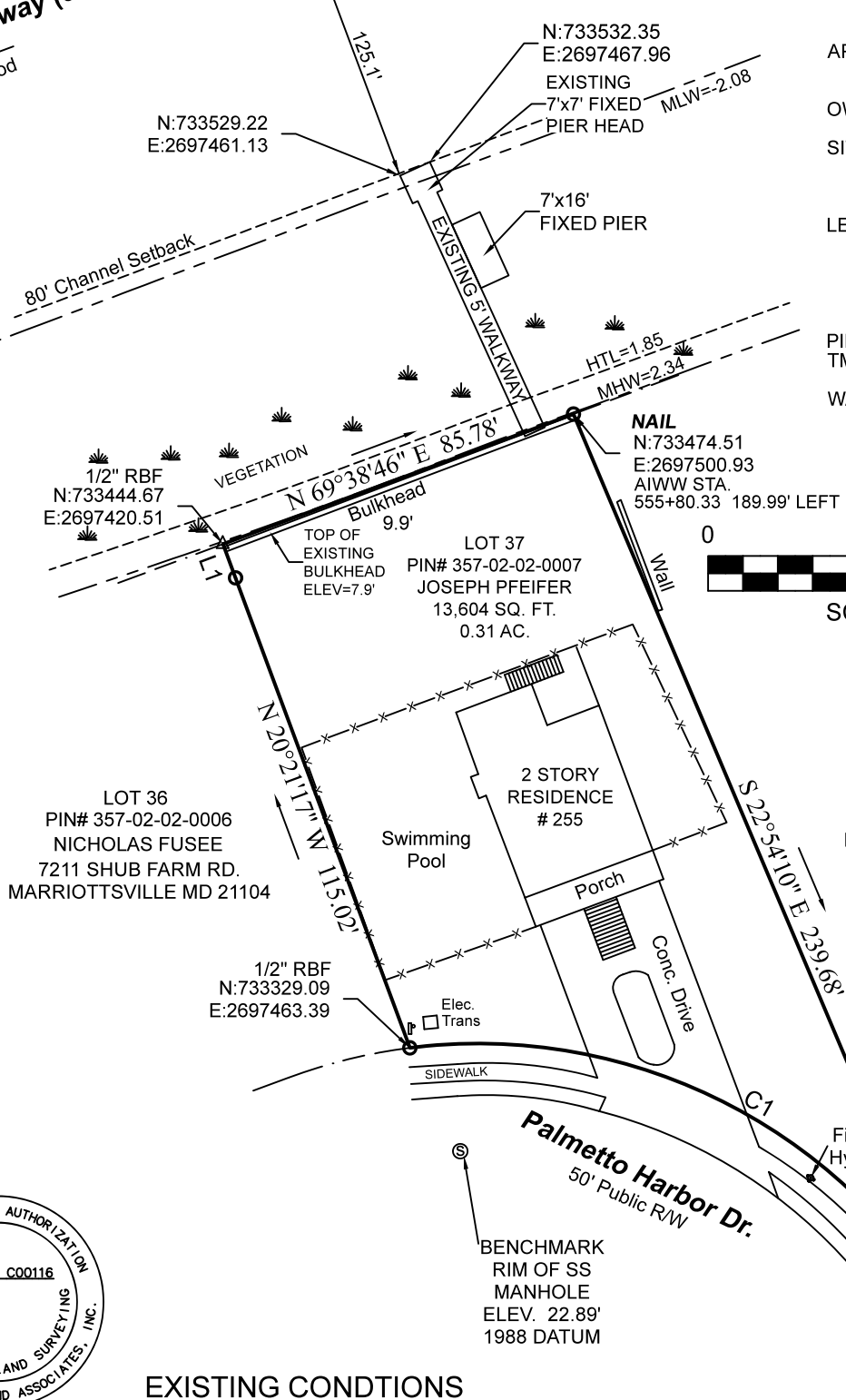
CURVE	ARC LENGTH	RADIUS	CHORD LENGTH	CHORD BEARING
C1	162.10'	125.00'	150.98'	N 60°03'12" W

LINE	BEARING	DISTANCE
L1	N 20°21'14" W	8.26'

Atlantic Intracoastal Waterway (320' R/W)

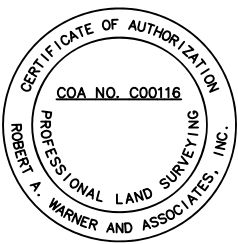
APPLICANT: CUSTOM DESIGN MARINE CONTRACTING, INC.
 OWNER: JOSEPH M. PFEIFER
 SITE ADDRESS:
 255 PALMETTO HARBOUR DR.
 NORTH MYRTLE BEACH, SC 29582
 LEGAL:
 LOT 37
 PALMETTO HARBOUR
 HORRY COUNTY
 SOUTH CAROLINA
 PIN# 357-02-02-0007
 TMS# 143-19-01-039
 WATERBODY: ATLANTIC INTRACOASTAL WATERWAY

GRID NAD 83

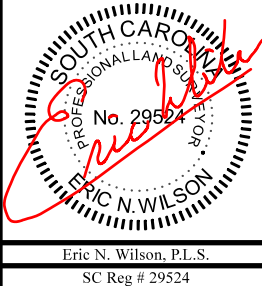



LOT 36
 PIN# 357-02-02-0006
 NICHOLAS FUSEE
 7211 SHUB FARM RD.
 MARRIOTTVILLE MD 21104

COMMON AREA
 PIN# 357-02-02-0008
 PALMETTO HARBOUR POA INC
 P.O. BOX 478
 NORTH MYRTLE BEACH,
 SC, 29582

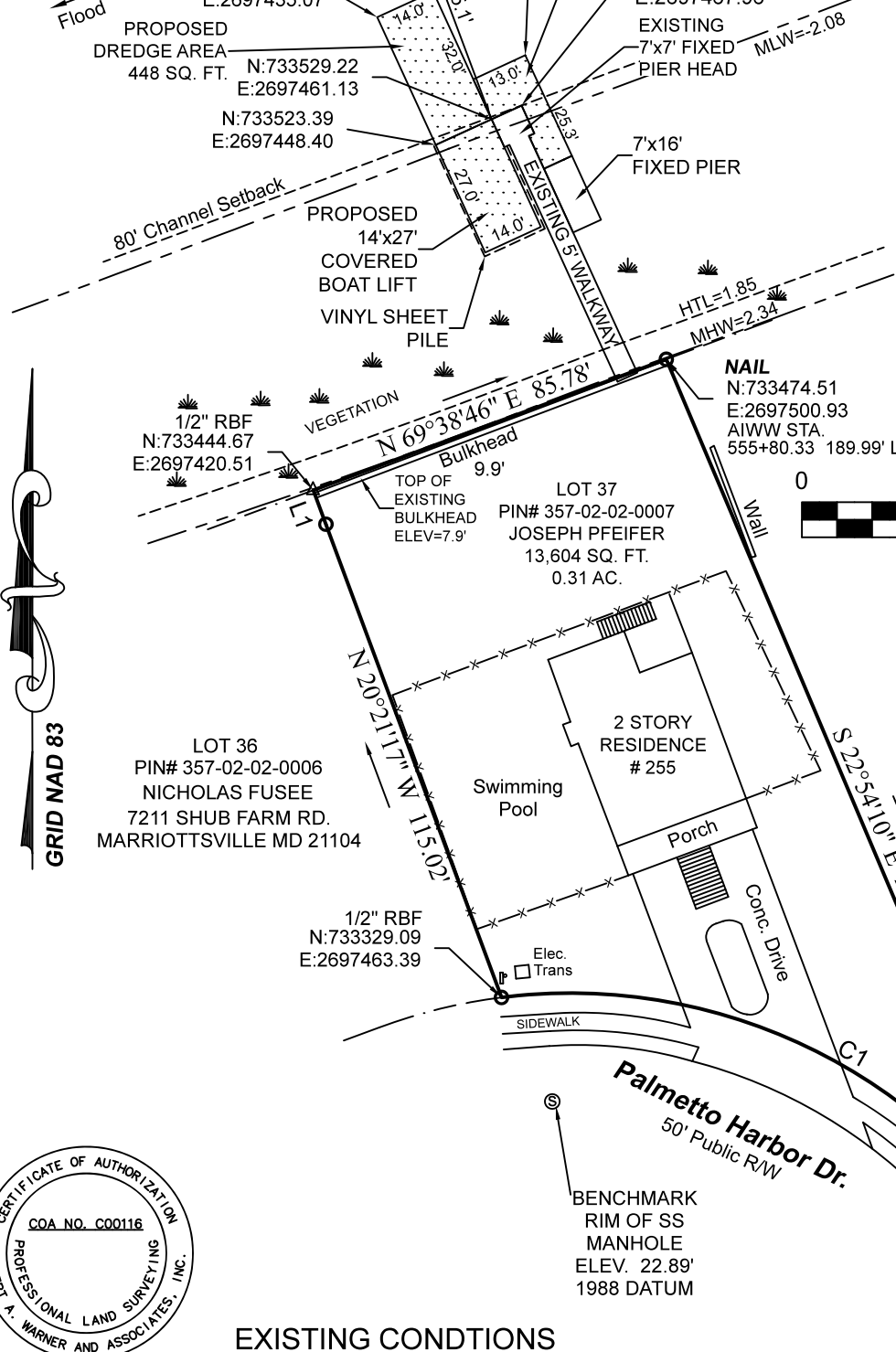


EXISTING CONDITIONS



CITY OF NORTH MYRTLE BEACH				LEGEND	
DOCK PERMIT SURVEY FOR LOT 37, PALMETTO HARBOUR				CP - COMPUTED POINT CMF - CONCRETE MONUMENT FOUND CMS - CONCRETE MONUMENT SET IPE - IRON PIPE FOUND IPS - IRON PIPE SET RBF - REBAR FOUND RBS - REBAR SET	
~ PREPARED FOR ~					
CUSTOM DESIGNS MARINE CONTRACTING, INC.					
STATE OF SOUTH CAROLINA		County: HORRY		 Robert A. Warner and Associates, Inc. Professional Land Surveying, Mapping and Planning 726 8th Avenue North Myrtle Beach, South Carolina 29577 Phone: (843) 626-6662 / 6924 Fax: (843) 626-6774 E-mail: RWARNER500@AOL.COM	
Date: JANUARY 28, 2020	TMS: 143-19-01-039	Drawn By: ENW	Job No.: 200049		
Ref PB: Bk 214 @ Pg 17	Ref DB: Bk 3789 @ Pg 1573	Party Chief: RC	Proj. No.: 200049		
Eric N. Wilson, P.L.S. SC Reg # 29524					

Atlantic Intracoastal Waterway (320' R/W)



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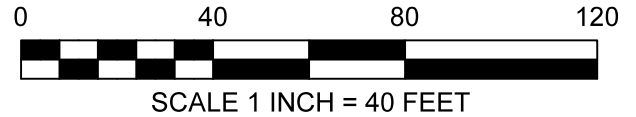
OWNER: JOSEPH M. PFEIFER

SITE ADDRESS:
255 PALMETTO HARBOUR DR.
NORTH MYRTLE BEACH, SC 29582

LEGAL:
LOT 37
PALMETTO HARBOUR
HORRY COUNTY
SOUTH CAROLINA

PIN# 357-02-02-0007
TMS# 143-19-01-039

WATERBODY: ATLANTIC INTRACOASTAL WATERWAY



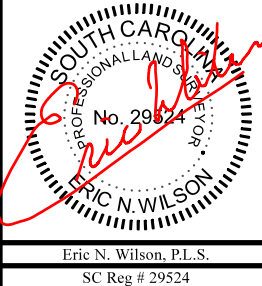
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MARRIOTTVILLE MD 21104


LOT 37
PIN# 357-02-02-0007
JOSEPH PFEIFER
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0.31 AC.

COMMON AREA
PIN# 357-02-02-0008
PALMETTO HARBOUR POA INC
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NORTH MYRTLE BEACH,
SC, 29582



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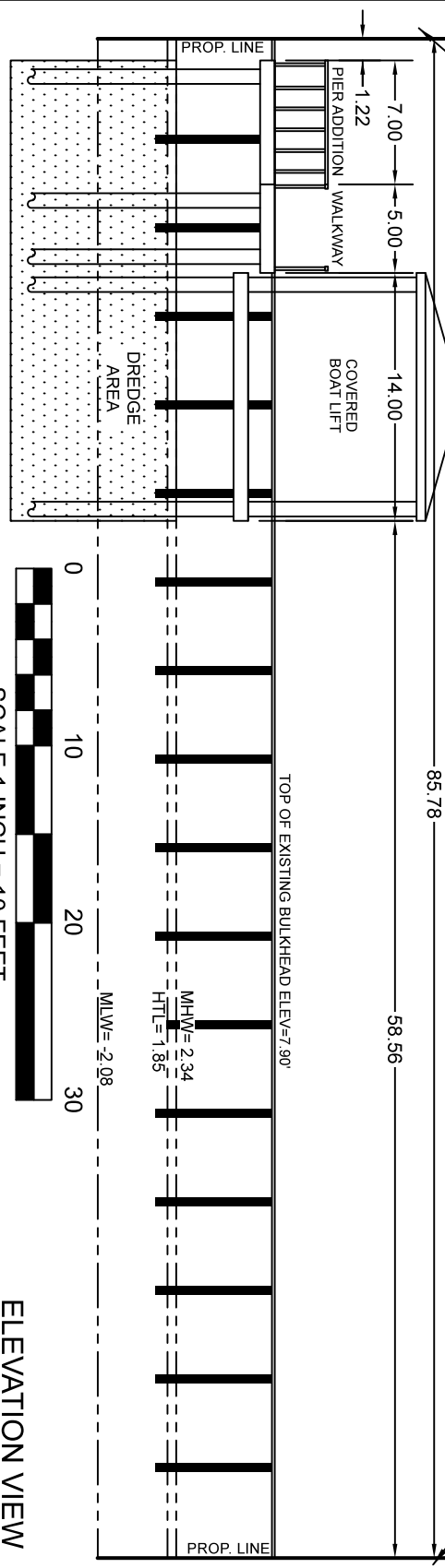


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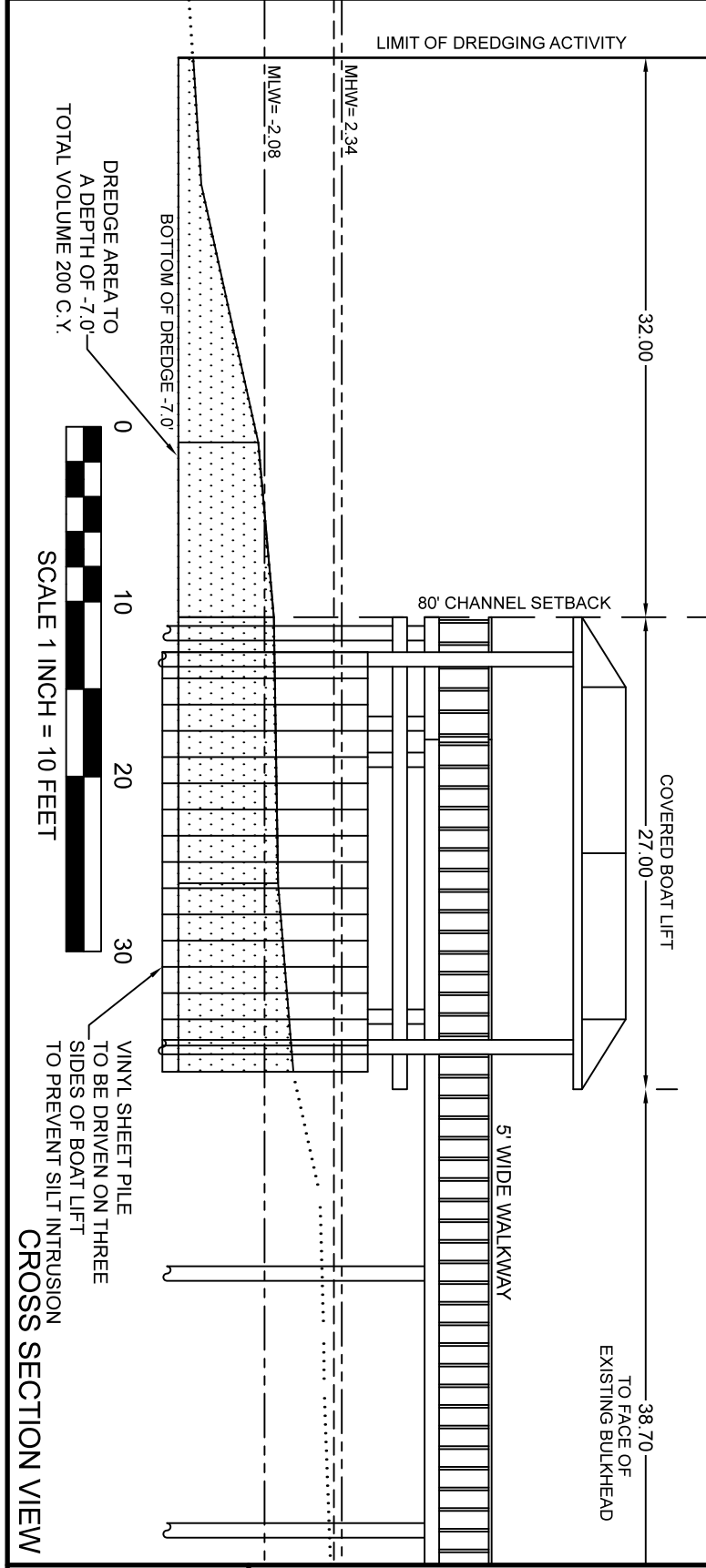
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SCALE 1 INCH = 10 FEET

ELEVATION VIEW



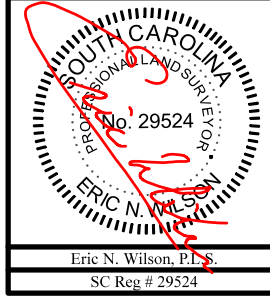
DREDGE AREA TO
 A DEPTH OF -7.0'
 TOTAL VOLUME 200 C.Y.

SCALE 1 INCH = 10 FEET

CROSS SECTION VIEW

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