

MODIFICATION JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
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-1994-10394-1W (formerly 94-1E-321)

21 FEBRUARY 2014

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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 South Carolina Department of Health and Environmental Control by

SWEETWATER COMMUNITY ASSOCIATION
c/o GASQUE & ASSOCIATES
ATTN.: TARA PRICE
POST OFFICE BOX 1363
BEAUFORT, SOUTH CAROLINA 29901

for a permit modification to relocate an existing floating dock, add an additional section of walkway and relocate an existing ramp on an existing community dock in waters of

FACTORY CREEK

at a location adjacent to an existing dock access corridor at the end of Highpoint Road off of Sunset Boulevard in the Town of Beaufort, Beaufort County, South Carolina (Latitude 32.419378°, Longitude -80.653904°)

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 extending an existing walkway by adding an additional 3' x 20' section that will lead channelward and connect to a 30' ramp that will lead to a relocated 155.46' x 8' floating dock as shown on sheets 4 and 5 of 5. The purpose of the proposed project is to relocate an existing ramp and floating dock and to extend the walkway leading to the ramp and floating dock 20' further channelward for the private recreational use of the Sweetwater Community Association members and their guests. This will allow the structure to be useable during periods of low tide.

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The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, 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 the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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. 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

REGULATORY DIVISION

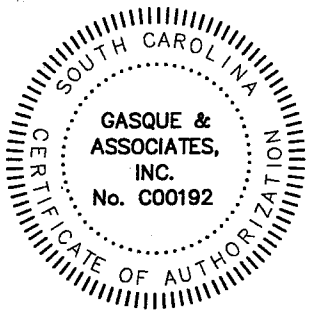
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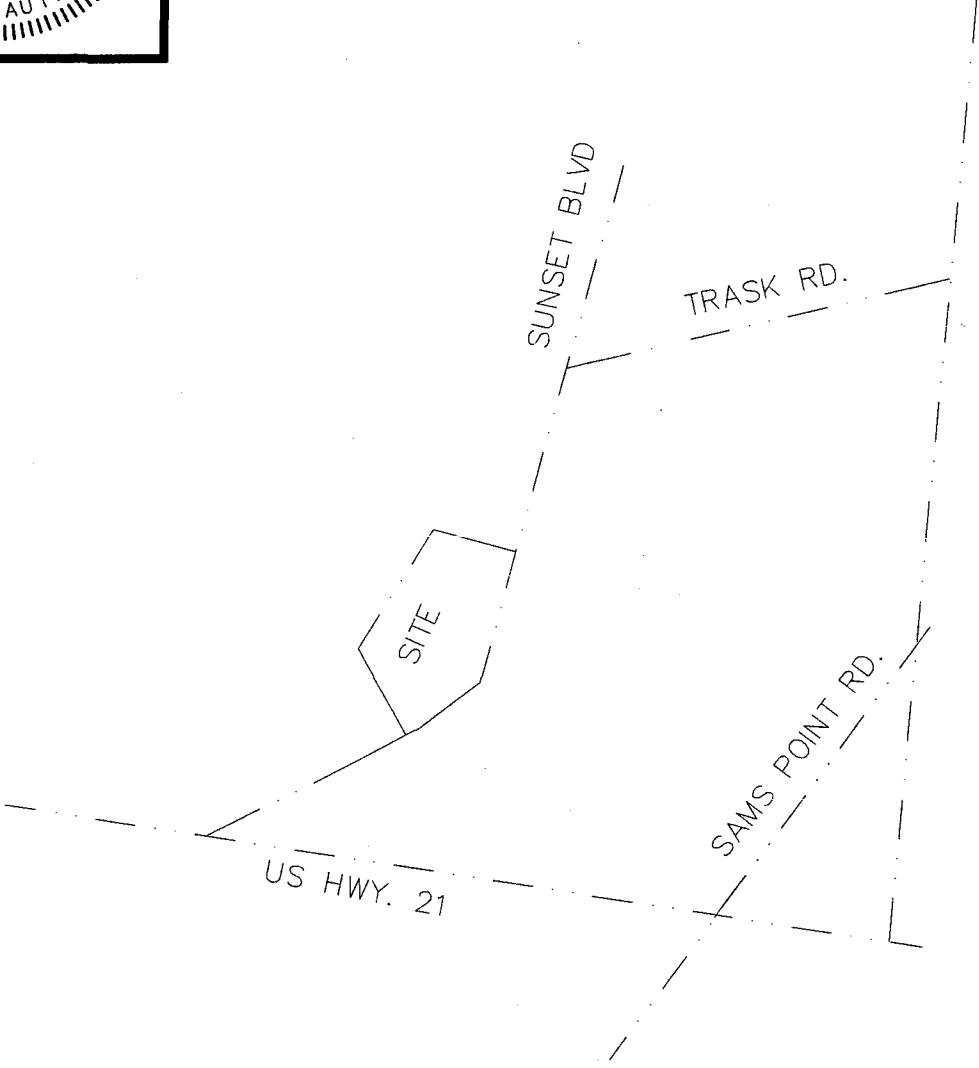
conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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 Debbie King at 843-329-8044 or toll free at 1-866-329-8187.



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS
 28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
 P.O. BOX 1363, BEAUFORT, S.C.
 PHONE (843) 522-1798



(N.T.S.)

[Signature] 11-22-17

SURVEYOR SIGNED HEREON IS CHARGED WITH SURVEY MATTERS AND THE PHYSICAL DRAWING ON A COMPUTER DRAFTING SYSTEM ONLY. THIS IS NOT A DESIGN OR INTENDED TO BE ONE. ALL DEPICTIONS THAT ARE NOT SURVEY MATTERS IS PROVIDED BY OTHERS.

SAC-1994-10394-1W, formerly 94-1E-321

ADJACENT PROPERTY OWNERS:

- WILLIAM B. HARVEY III
 R200 015 000 0700
 11 HIGHPOINT ROAD
 BEAUFORT SC 29907
- JOSEPH P & AMM MARIE DIXON
 R200 015 000 0699
 265 GREEN ROAD
 EAST MONTPELIER VT 05851

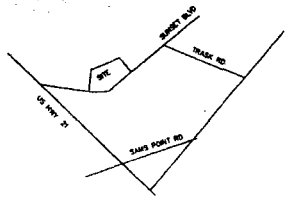
Sheet 1 of 5
 R200 015 000 0120 0000
 SWEETWATER COMMUNITY
 ASSOCIATION
 3 HIGHPOINT ROAD
 BEAUFORT SC, 29907

DOCK PERMIT SURVEY

IN: FACTORY CREEK
 AT: LADY'S ISLAND

COUNTY OF: BEAUFORT
 STATE: SOUTH CAROLINA

JOB# 40870 DSGN 7 DATE: 10/23/2013



LOCATION MAP (N.T.S.)



Sheet 2 of 5

NOTES:

- 1) THE BEARINGS SHOWN HEREON ARE MAGNETIC AND AS SUCH ARE SUBJECT TO LOCAL ATTRACTION; THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.
- 2) THIS PROPERTY LIES IN FLOOD ZONE "C" AS DETERMINED BY F.E.M.A. FIRM CONV-PANE: NUMBER 450025 D100 2 DATED 5/29/94.

REFERENCES:

- 1) BEAUFORT TAX MAP 15, PARCEL 120
- 2) PLAT BY RD. TROODON JR DATED NOVEMBER 24, 1975 PLAT BOOK 27, PAGE 40 BEAUFORT COUNTY R.M.C.

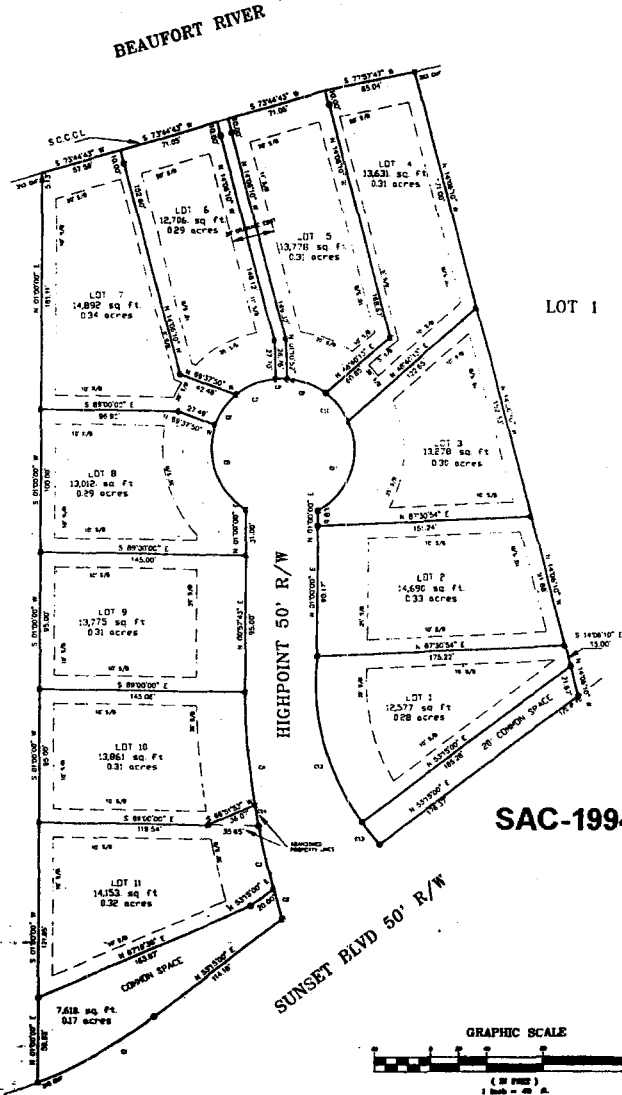
NOTE: ALL CORNERS 1/2 ROADS UNLESS OTHERWISE STATED.

SOUTH CAROLINA LEGAL RECORD, DISCHARGE

THE AREA SHOWN ON THIS PLAT IS A GENERAL REPRESENTATION OF DATE-DOWN PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY GENERALIZING THE PERMIT AUTHORITY OF THE SUBJECT PROPERTY MAPS SHOWN ON THIS PLAT, THE RIGHT TO ACCESS PERMIT JURISDICTION IN ANY CRITICAL AREA OF THE SUBJECT PROPERTY MAPS SHOWN ON THIS PLAT, PROPERTY OWNERS AND PROFESSIONAL SURVEYORS ARE ADVISED TO OBTAIN THE PERMIT AUTHORITY FROM THE SOUTH CAROLINA DEPARTMENT OF ENVIRONMENTAL AND NATURE RESOURCES.

David E. Dumas 12/28/94
 DATE
 THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR THREE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

ANNIE M. KINGHORN



SAC-1994-10394-1W, formerly 94-1E-321

**SWEETWATER SUBDIVISION
 FOR THE FRIPP
 COMPANY, INC.
 BEAUFORT COUNTY
 SOUTH CAROLINA**

DATE 12/12/94 SCALE 1"=40'
 REVISED 03/20/95

PLAT BOOK 52
 PAGE 132
 DATE 12-12-94



I, David E. Dumas, a Registered Professional Land Surveyor in the State of South Carolina, certify to several things before that to the best of my knowledge, information and belief, the survey shown herein was made in accordance with the requirements of the Uniform Standards required for the practice of land surveying in South Carolina, and made at several times during the course of my service as a registered surveyor, and that said subdivision map or plat complies with the laws of the State of South Carolina and the regulations of the State Board of Land Surveyors.

David E. Dumas
 David E. Dumas, R.L.S.
 S.C. Registered Professional Surveyor

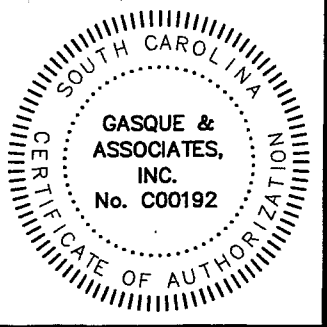
DASQUE & ASSOCIATES INC.
 LAND SURVEYORS PLANNERS
 701 BLADEN STREET, SUITE 207, BEAUFORT, S.C.
 P.O. BOX 1363, BEAUFORT, S.C.
 (803) 622-1796

RECEIVED

DEC 05 20

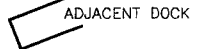
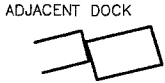
DHEC-COORW CHARLESTON

JOHN W. ...
 BEAUFORT COUNTY, S.C.
 55 NORTH 13 ANTI-145
 BK PG
 FOLDER #



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
 P.O. BOX 1363, BEAUFORT, S.C.
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DHEC-OCRM CRITICAL LINE

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DATE: 11/27/13
 SIGNATURE: *[Signature]*
 THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

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 E 2106625.0540

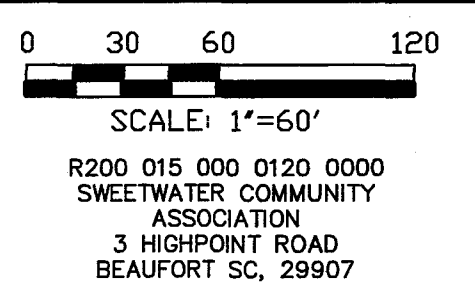
N 213454.5020
 E 2106705.6390

11-27-13
 SURVEYOR SIGNED HEREON IS CHARGED WITH SURVEY MATTERS AND THE PHYSICAL DRAWING ON A COMPUTER DRAFTING SYSTEM ONLY. THIS IS NOT A DESIGN OR INTENDED TO BE ONE. ALL DEPICTIONS THAT ARE NOT SURVEY MATTERS IS PROVIDED BY OTHERS.

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 EAST MONTPELIER VT 05851



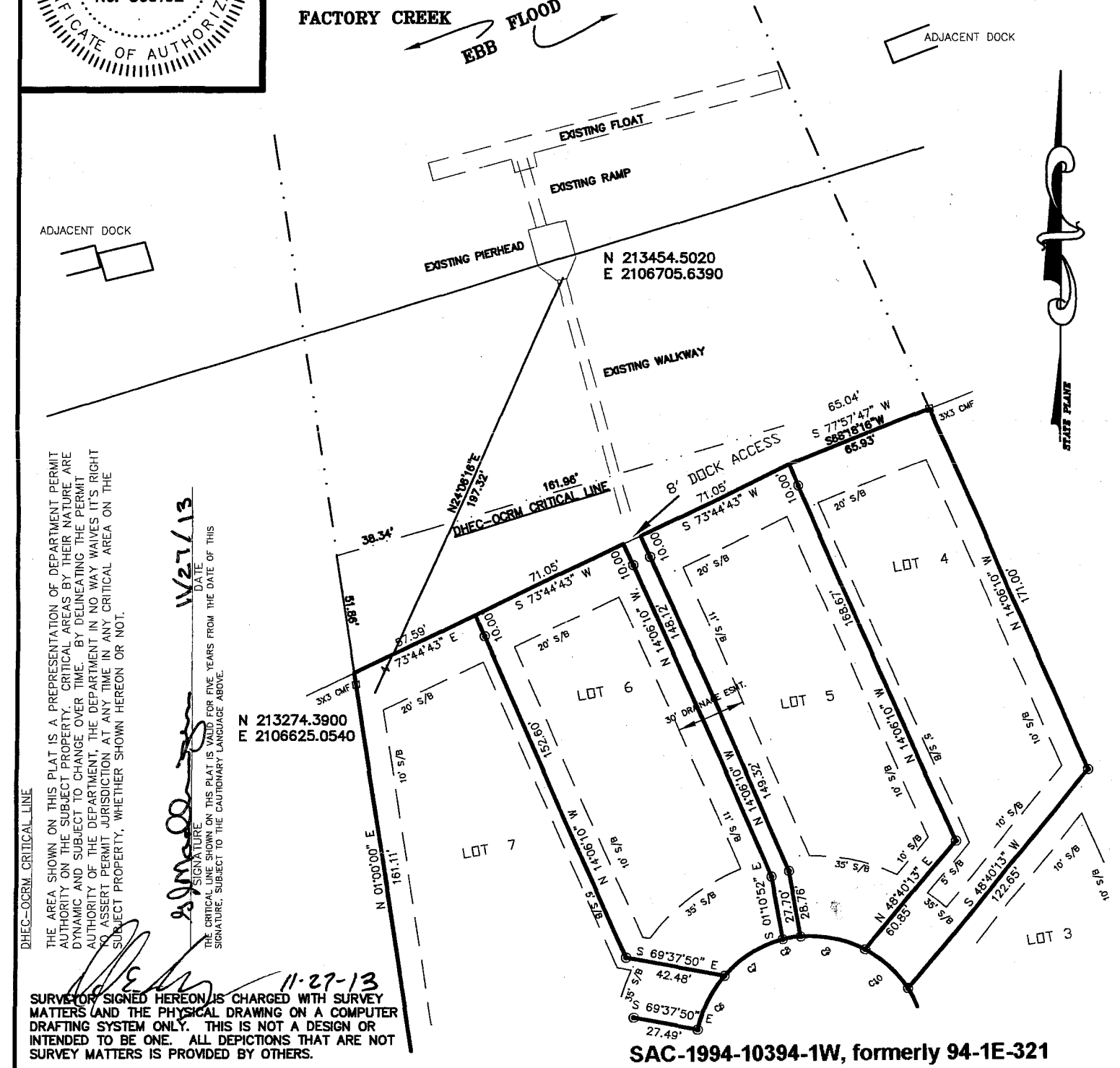
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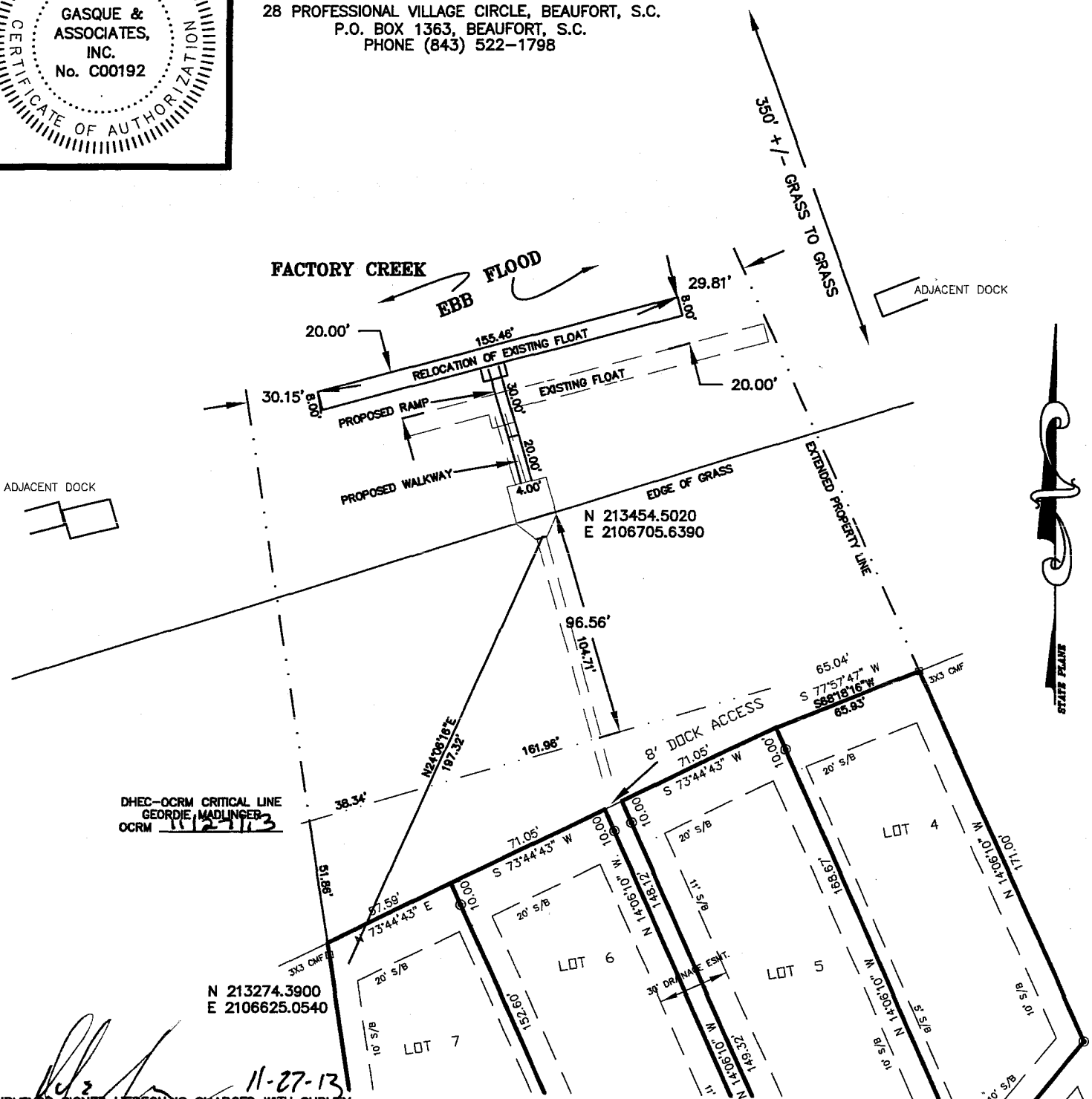
Sheet 3 of 5

JOB# 40870 DSGN 7 DATE: 10/23/2013





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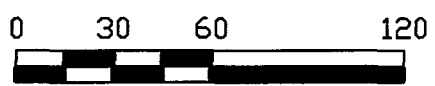


DHEC-OCRM CRITICAL LINE
 GEORGE MADLINGER
 OCRM 1123113

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SCALE: 1"=60'

R200 015 000 0120 0000
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 3 HIGHPOINT ROAD
 BEAUFORT SC, 29907

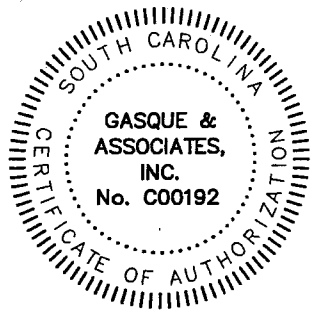
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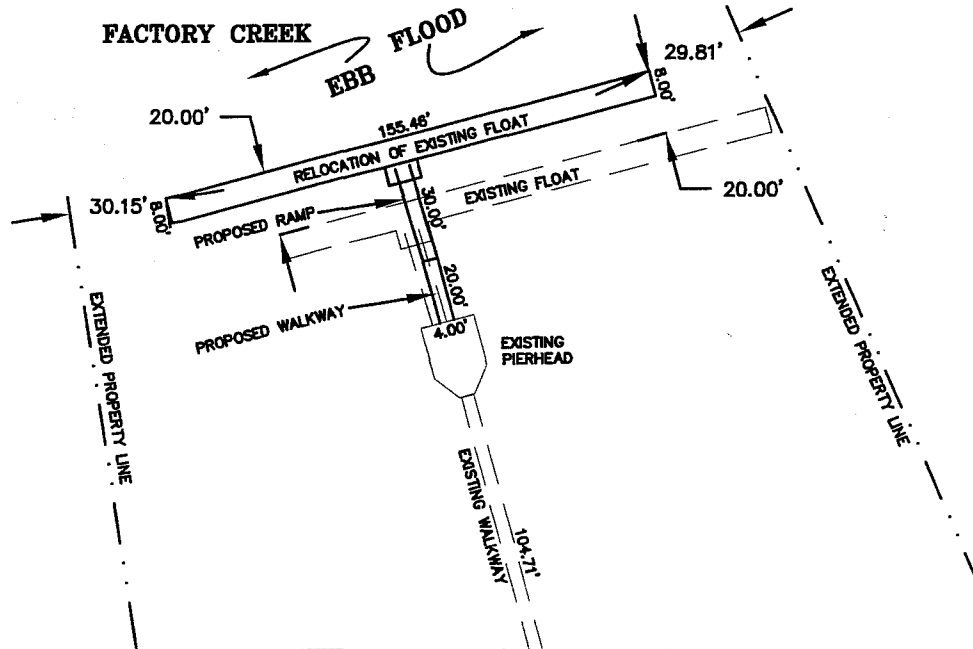
Sheet 4 of 5

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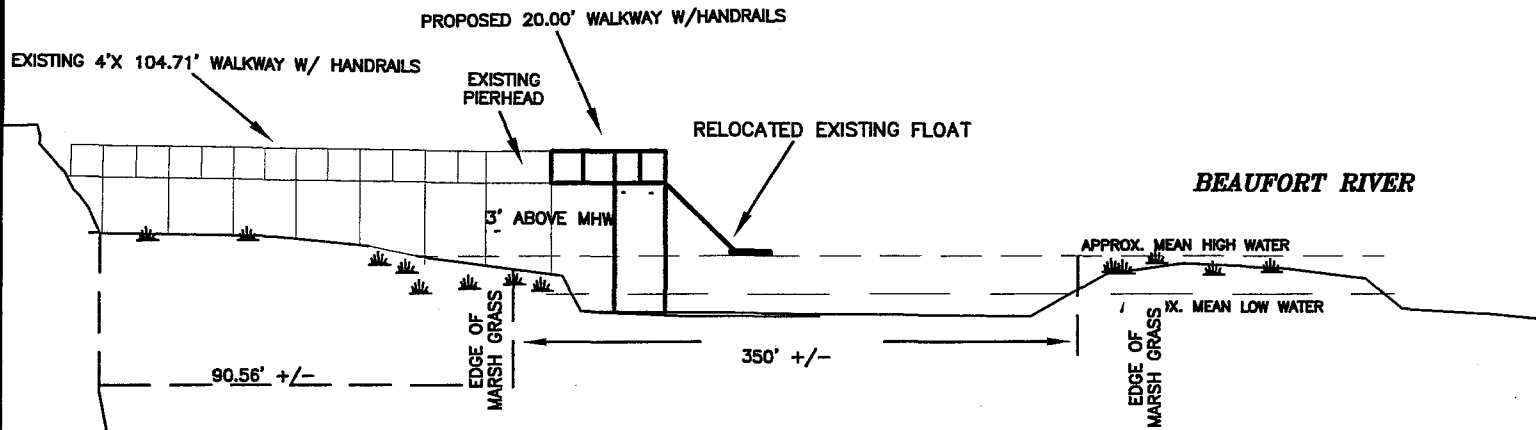
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NOT TO SCALE

PROFILE VIEW



DHEC-OCRM CRITICAL LINE
 GEORDIE MADLINGER
 OCRM 1122113

(N.T.S.)

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