

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 # 2013-01348-2T

22 January 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

SEAGRASS REAL ESTATE AND DEVELOPMENT
C/O JOHN HASSELL
1400 PALM BOULEVARD
ISLE OF PALMS, SC 29451

for a permit to construct a private community dock on

BERESFORD CREEK

at 530 Stuhr Lane in Wando, Berkeley County, South Carolina (32.894222 Latitude/ -79.909333 Longitude)

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 5' X 267' fixed walkway with handrails leading to a 15' X 30' fixed covered pierhead with one 3' X 20' ramp connecting to a 10' X 59.5' floating dock and 20' x 8' floating jet dock and a second 3' X 20' ramp connecting to a 10' X 40' floating dock and 8' X 20' floating jet dock. The existing dock will be removed and replaced with the proposed dock. The proposed dock will have electricity for a light. The purpose of the proposed dock is for the private recreational use of owners of an adjacent new townhome community. Nine out of ten of the slips will be sold to residents of the new townhome community. The condominium community/homeowners association will own the walkway, covered pierhead, and one slip. The dock will provide for both short term (day use) and long term dockage of boats and jet skis. The applicant stated that avoidance and minimization of impacts to waters of the U.S. occurred by positioning the floating docks parallel with the shoreline as opposed to perpendicular to the shoreline.

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The applicant also stated that no compensatory mitigation is being proposed as filling of wetlands or waters of the U.S. will not occur with the proposed project.

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 approximately 1,602 square feet of estuarine waters 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.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service 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, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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 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

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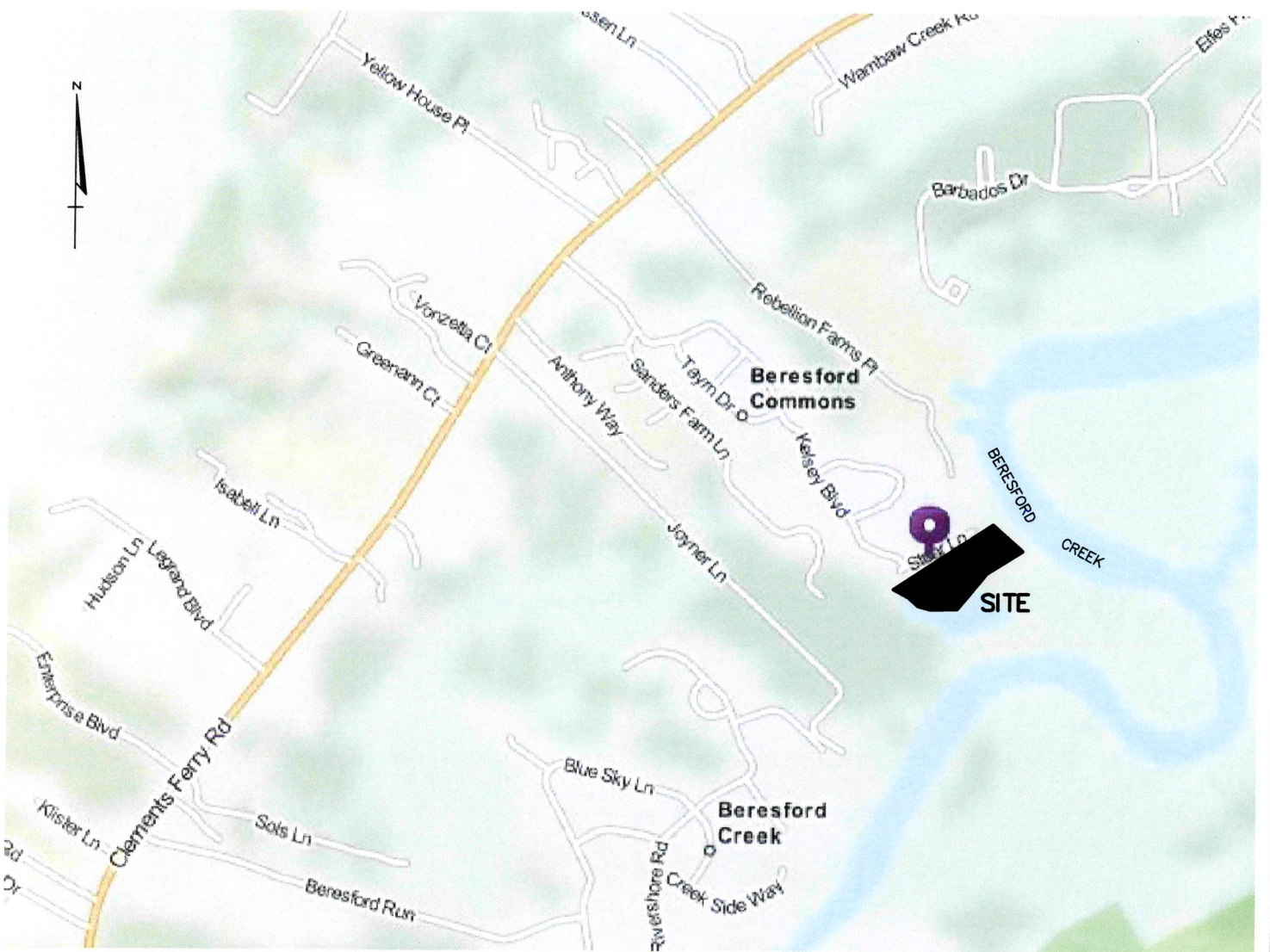
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the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, 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 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 **Tracy Dotolo Sanders** at 843-329-8044 or toll free at 1-866-329-8187.



LOCATION MAP
(NOT TO SCALE)

Seagrass Real Estate and Development
Beresford Point Community Dock
P/N 2013-01348-2T

January 22, 2014

Sheet 1 of 4

SHEET 1 OF 4

APPLICANT: JOHN HASSELL
 TMS 271-00-02-058
 530 STUHR LANE
 TOWN OF WANDO
 BERKELEY COUNTY, SC
 BERESFORD CREEK

15'x20' PIERHEAD WITH ROOF & BENCHES
 (2) 20'x3' RAMPS
 99.5' OF 10' WIDE FLOATING DOCK
 40' OF 8' WIDE JET DOCK
 267' WALKWAY 5' WIDE WITH HANDRAILS

LOCATION MAP
PRIVATE DOCK

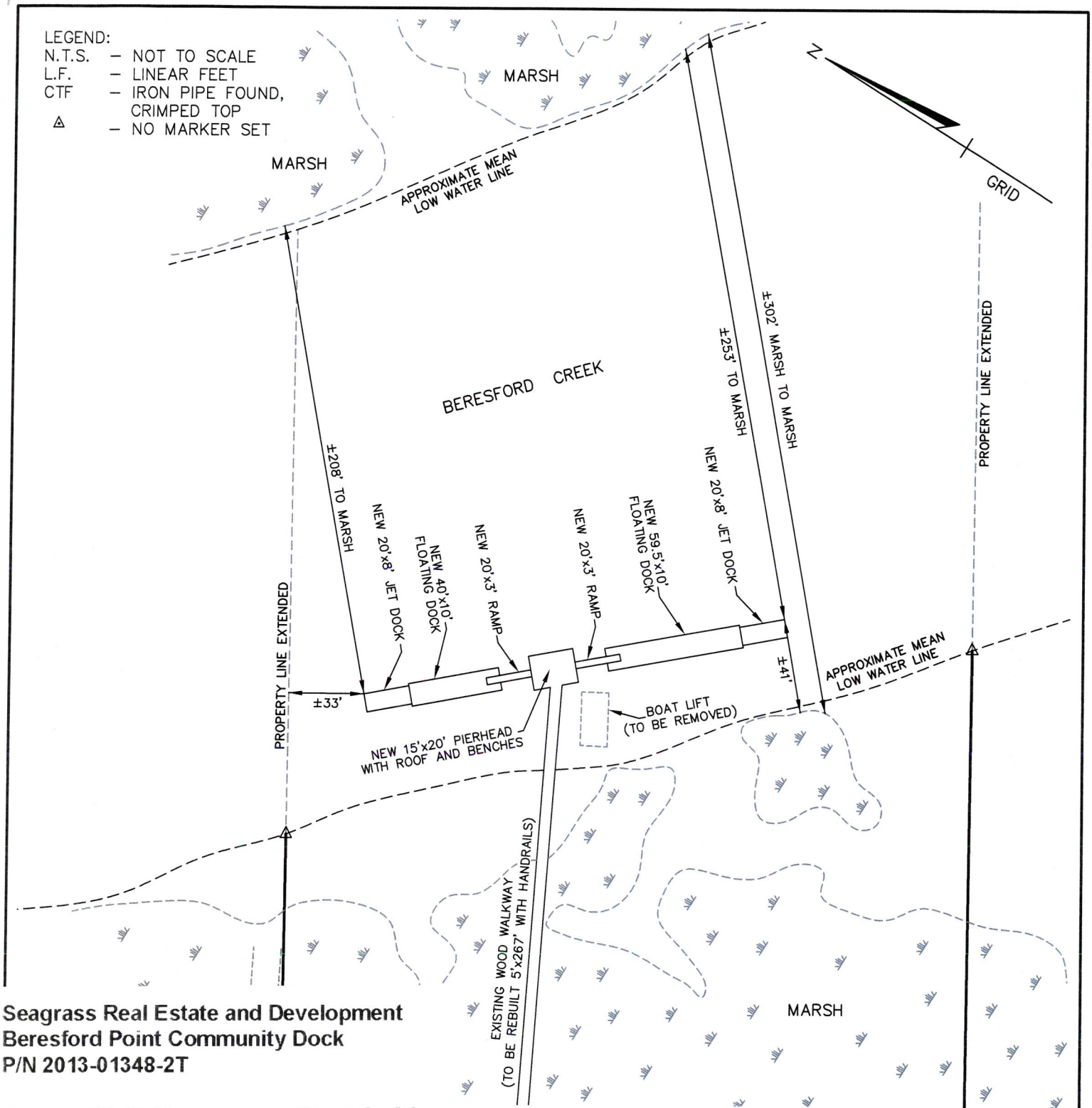
DECEMBER 5, 2013

NOT TO SCALE



Island Surveying Inc
 1720 Central Park Rd, Chas., SC 29412
 Phone (843) 225-6582

- LEGEND:
 N.T.S. - NOT TO SCALE
 L.F. - LINEAR FEET
 CTF - IRON PIPE FOUND, CRIMPED TOP
 Δ - NO MARKER SET



Seagrass Real Estate and Development
 Beresford Point Community Dock
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January 22, 2014

Sheet 2 of 4

SHEET 2 OF 4

APPLICANT: JOHN HASSELL

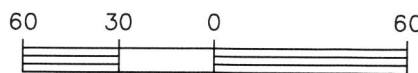
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DOCK LAYOUT
 PRIVATE DOCK

DECEMBER 5, 2013

SCALE: 1" = 60'



SCALE IN FEET

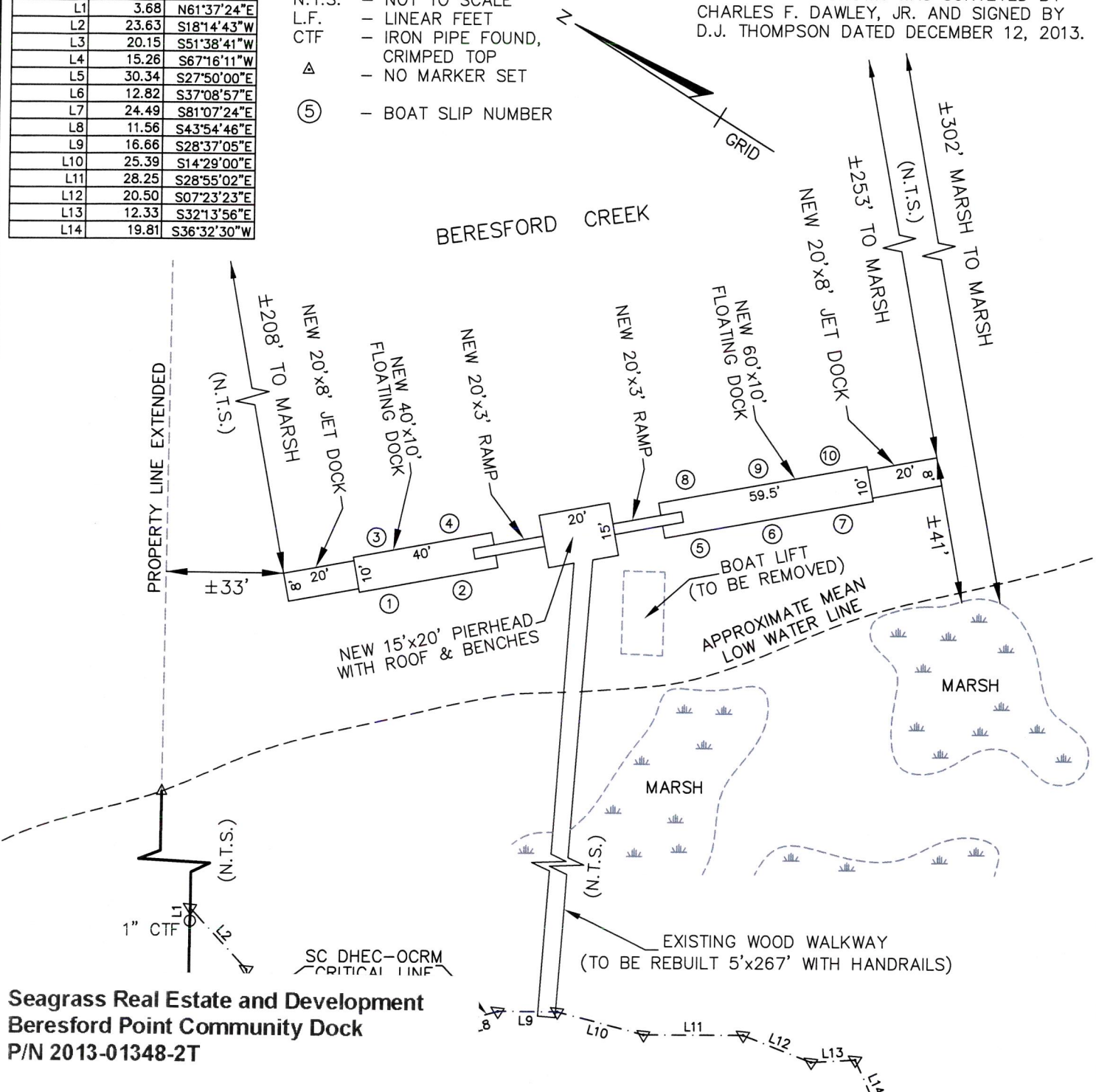


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LINE TABLE		
LINE	LENGTH	BEARING
L1	3.68	N61°37'24"E
L2	23.63	S18°14'43"W
L3	20.15	S51°38'41"W
L4	15.26	S67°16'11"W
L5	30.34	S27°50'00"E
L6	12.82	S37°08'57"E
L7	24.49	S81°07'24"E
L8	11.56	S43°54'46"E
L9	16.66	S28°37'05"E
L10	25.39	S14°29'00"E
L11	28.25	S28°55'02"E
L12	20.50	S07°23'23"E
L13	12.33	S32°13'56"E
L14	19.81	S36°32'30"W

- LEGEND:
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 L.F. - LINEAR FEET
 CTF - IRON PIPE FOUND, CRIMPED TOP
 Δ - NO MARKER SET
 (5) - BOAT SLIP NUMBER

NOTE:
 CRITICAL LINE SHOWN WAS SURVEYED BY CHARLES F. DAWLEY, JR. AND SIGNED BY D.J. THOMPSON DATED DECEMBER 12, 2013.



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Sheet 3 of 4

SHEET 3 OF 4

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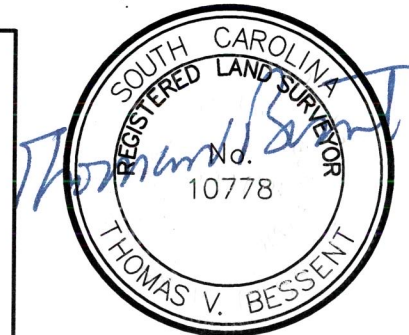
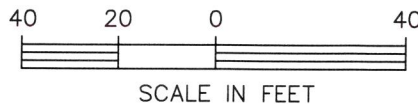
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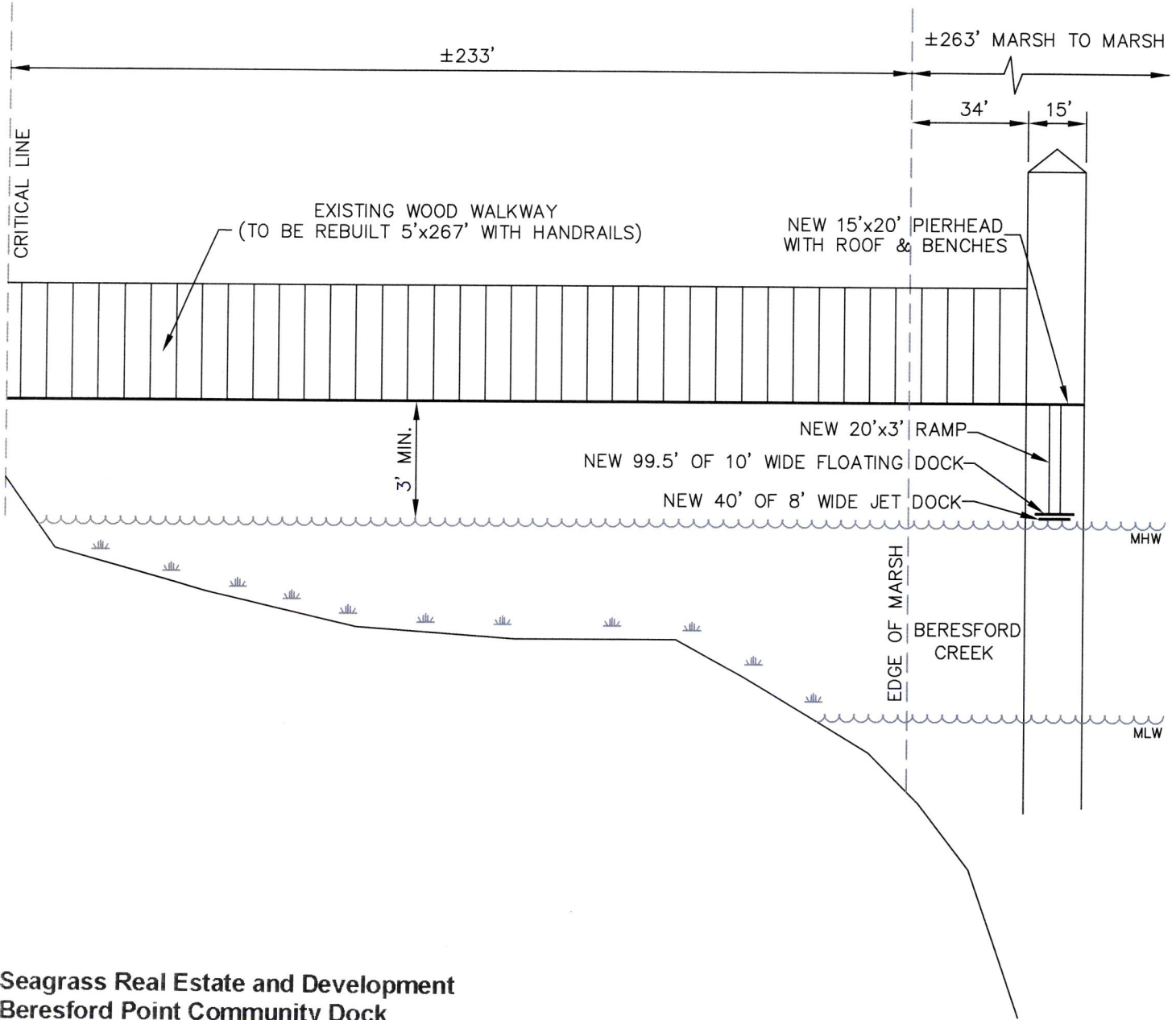
DOCK DETAIL
 PRIVATE DOCK

DECEMBER 5, 2013

SCALE: 1" = 40'



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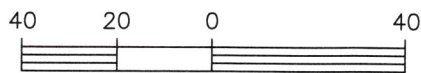
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CROSS-SECTION
 PRIVATE DOCK

DECEMBER 5, 2013

HORIZONTAL SCALE: 1" = 40'

VERTICAL SCALE: 1" = 4'



SCALE IN FEET



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