

PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

REGULATORY DIVISION

Refer to: P/N #SAC-2014-00383-1W

9 JUNE 2014

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403, an application has been submitted to the Department of the Army by

**JAMES HENTZ
c/o ROBERT FRANK
ROBERT FRANK LAND SURVEYING
1923 MAYBANK HIGHWAY
CHARLESTON, SOUTH CAROLINA 29412**

for a permit to construct a dock, floating dock and boat lift in waters of

WADMALAW SOUND (AIWW)

at a location adjacent to 6395 Simmons Bluff Road, Hollywood, Charleston County, South Carolina (Latitude 32.695005°, Longitude -80.224505°)

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,

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 private recreational dock that includes a 4' x 232' walkway with handrails leading to a 15' x 22' fixed covered pierhead with benches and a sink. Extending channelward of the pierhead, a 3' x 24' ramp will lead to a 12' x 40' floating dock. The project includes the installation of a four pile boat lift in an area on the north side of the pierhead measuring 12.5' x 12.5'. The benches and the sink will be placed within the footprint of the pierhead and no running water is proposed for the sink. The purpose of the project is for access to waters of Wadmalaw Sound for the property owners.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107.**

The work shown on this application has been certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The South Carolina Department of Health and Environmental Control, Office of Ocean and Coastal Resource Management issued a Critical Area Permit and Coastal Zone Consistency Certification on April 3, 2014, under their file number OCRM-14-059-M.

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 0.018 acres of 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.

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. 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

REGULATORY DIVISION

Refer to: P/N #SAC-2014-00383-1W

9 JUNE 2014

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.

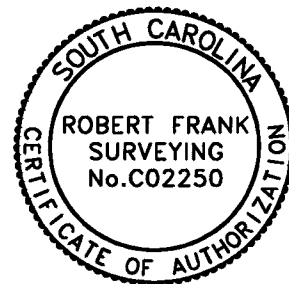
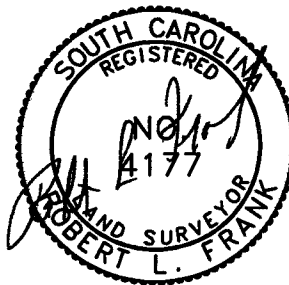
If there are any questions concerning this public notice, please contact Debbie King at 843-329-8044 or toll free at 1-866-329-8187.

A PROPOSED
RECREATIONAL DOCK AT
6395 SIMMONS BLUFF RD.
LOCATED ON THE
WADMALAW SOUND/
INTRACOASTAL WATERWAY
IN CHARLESTON COUNTY
SOUTH CAROLINA

SAC-2014-00383-1W

THESE DRAWINGS ARE FOR DOCK PERMITTING
ONLY AND DO NOT CONSTITUTE A BOUNDARY
SURVEY OF THIS PROPERTY.

TMS #159-00-00-190



APPLICATION BY:
JAMES HENTZ

ADDRESS: 6395 SIMMONS BLUFF RD.

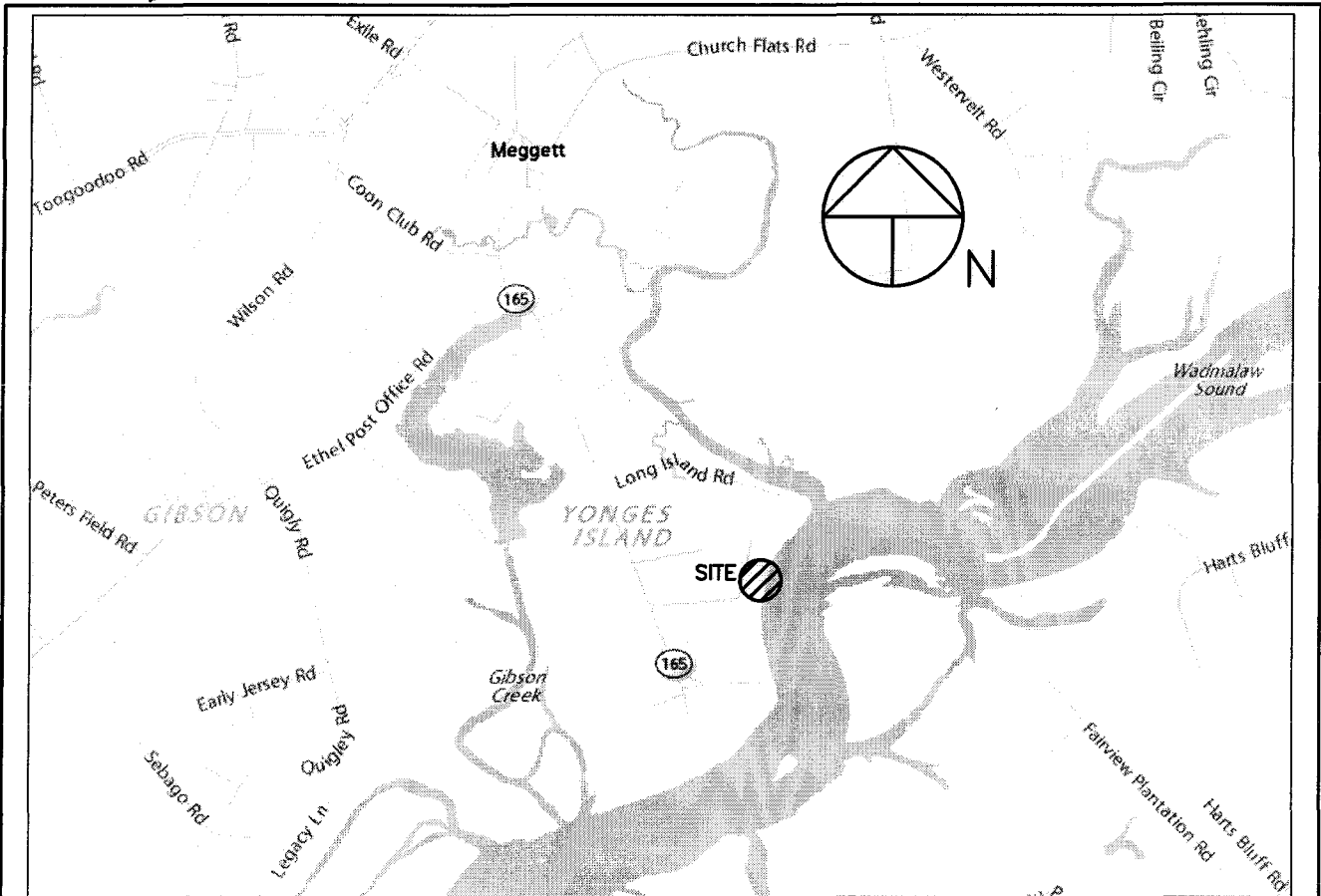
DATE: JANUARY 20, 2014

REVISED:

ROBERT FRANK SURVEYING
1923 MAYBANK HWY. - CHARLESTON, S.C. 29412
Phone: 843-762-4608 Fax 843-795-5970
E-mail - robertfranklandsurveying@comcast.net
WEB ADDRESS: www.robertfranksurveying.com

SHT. NO.

1 OF 5



ADJOINING PROPERTY OWNERS:
 1. ANITA BAINUM (TO THE SOUTH)
 2. JAMES PEDERSON, JR. (TO THE NORTH)

SAC-2014-00383-1W

APPLICATION BY: JAMES HENTZ	LOCATION	SHT. NAME	SHT. NO.
ADDRESS: 6395 SIMMONS BLUFF RD.	A PROPOSED RECREATIONAL DOCK AT 6395 SIMMONS BLUFF RD.	LOCATION MAP	2 OF 5
DATE: JANUARY 20, 2014	LOCATED ON THE WADMALAW SOUND/ INTRACOASTAL WATERWAY	TMS #159-00-00-190	
REVISED:	IN CHARLESTON COUNTY SOUTH CAROLINA		



ADJOINING PROPERTY OWNERS:
 1. ANITA BAINUM (TO THE SOUTH)
 2. JAMES PEDERSON, JR. (TO THE NORTH)

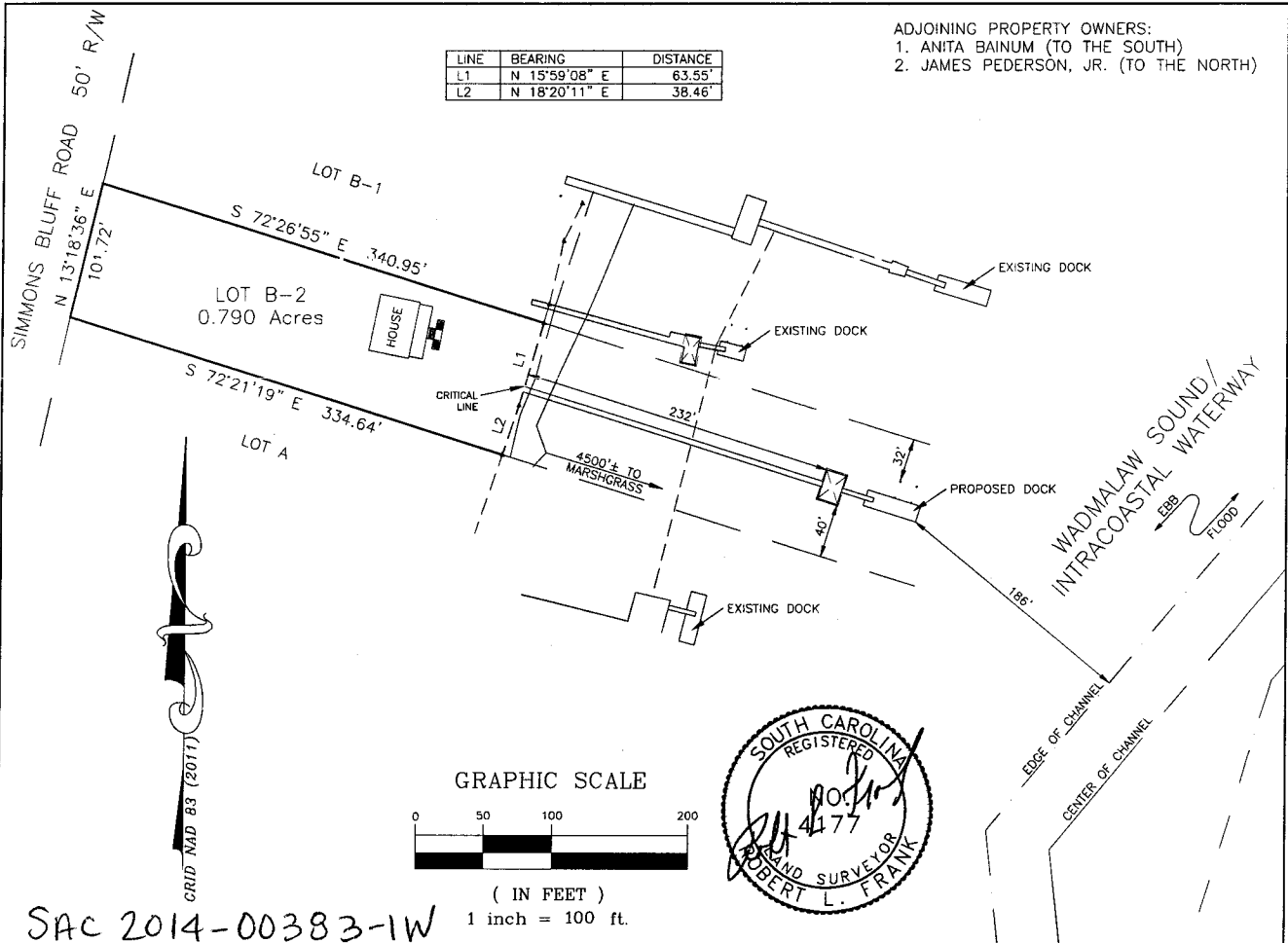
SAC 2013-00383-1W

TMS #159-00-00-190

APPLICATION BY: JAMES HENTZ <hr/> ADDRESS: 6395 SIMMONS BLUFF RD. <hr/> DATE: JANUARY 20, 2014 <hr/> REVISED:	LOCATION A PROPOSED RECREATIONAL DOCK AT 6395 SIMMONS BLUFF RD. LOCATED ON THE WADMALAW SOUND/ INTRACOASTAL WATERWAY IN CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME WADMALAW QUADRANGLE MAP <u>PROJECT LATITUDE/LONGITUDE:</u> LATITUDE - 32°41'41.6" LONGITUDE - 80°13'25.3"	SHT. NO. 3 OF 5
---	--	--	------------------------

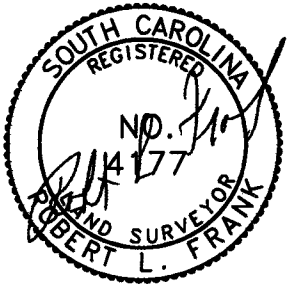
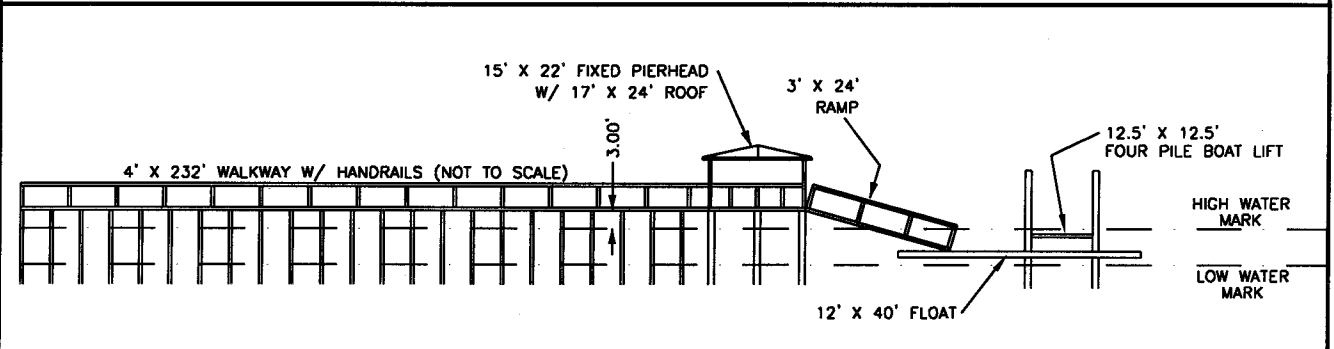
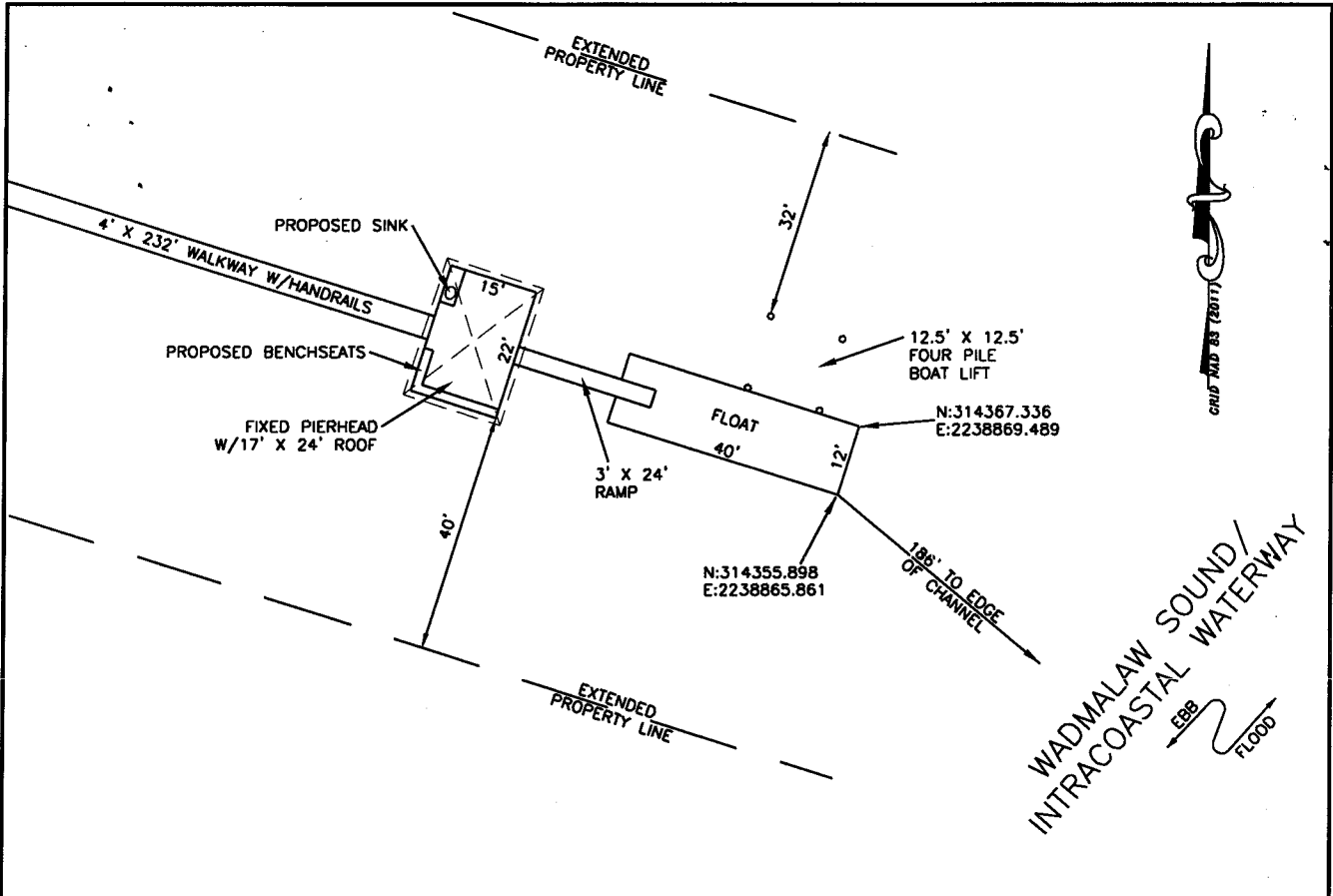
LINE	BEARING	DISTANCE
L1	N 15°59'08" E	63.55'
L2	N 18°20'11" E	38.46'

ADJOINING PROPERTY OWNERS:
 1. ANITA BAINUM (TO THE SOUTH)
 2. JAMES PEDERSON, JR. (TO THE NORTH)



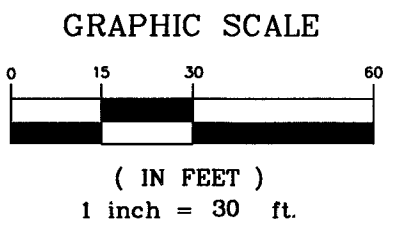
SAC 2014-00383-1W

APPLICATION BY: JAMES HENTZ	LOCATION A PROPOSED RECREATIONAL DOCK AT 6395 SIMMONS BLUFF RD. LOCATED ON THE WADMALAW SOUND/INTRACOASTAL WATERWAY IN CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME FULL PLAN TMS #159-00-00-190	SHT. NO. 4 OF 5
ADDRESS: 6395 SIMMONS BLUFF RD.			
DATE: JANUARY 20, 2014			
REVISED:			



SAC 2014-00383-1W

- ADJOINING PROPERTY OWNERS:
 1. ANITA BAINUM (TO THE SOUTH)
 2. JAMES PEDERSON, JR. (TO THE NORTH)



APPLICATION BY: JAMES HENTZ <hr/> ADDRESS: 6395 SIMMONS BLUFF RD. <hr/> DATE: JANUARY 20, 2014 <hr/> REVISED:	LOCATION A PROPOSED RECREATIONAL DOCK AT 6395 SIMMONS BLUFF RD. LOCATED ON THE WADMALAW SOUND/INTRACOASTAL WATERWAY IN CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME PLAN AND PROFILE TMS #159-00-00-190	SHT. NO. 5 OF 5
---	---	---	------------------------