

**REVISION TO A**

**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)

18 MARCH 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 REVISION TO A permit modification REQUEST ADVERTISED ON PUBLIC NOTICE ON 21 FEBRUARY 2014 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°)

**REVISED 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 ADDITIONAL SECTION OF WALKWAY PROPOSED HAS BEEN REVISED FROM 3' X 20' TO 5' X 20'. THE PURPOSE OF THE PROJECT REMAINS THE SAME.

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

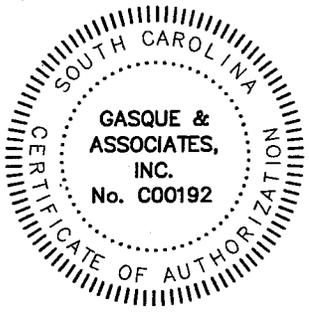
Refer to: P/N #SAC-1994-10394-1W (formerly 94-1E-321)

21 FEBRUARY 2014

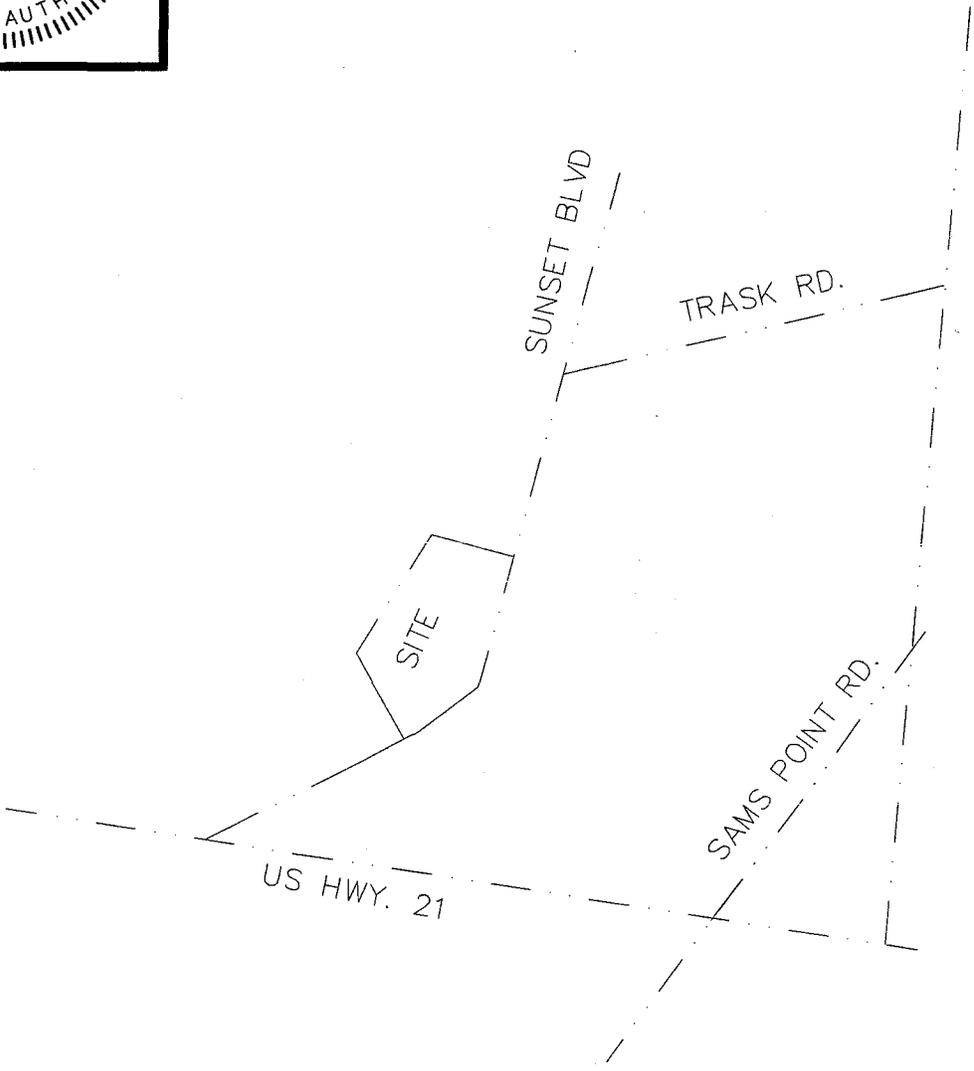
conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers 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**

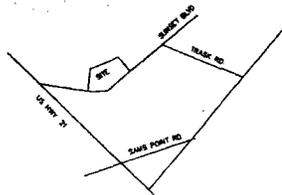
**ADJACENT PROPERTY OWNERS:**

1. WILLIAM B. HARVEY III  
R200 015 000 0700  
11 HIGHPOINT ROAD  
BEAUFORT SC 29907
2. 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



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.
- 2) THE PRESENCE OR ABSENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS IS UNDETERMINED AS OF THE DATE OF THIS SURVEY.
- 3) THIS PROPERTY LIES IN FLOOD ZONE "C" AS DETERMINED BY F.E.M.A. FIRM CONV-PANE. NUMBER 450025 D100 2. DATED 5/29/84.

**REFERENCES:**

- 1) BEAUFORT TAX MAP 15, PARCELS 120
- 2) PLAT BY RD. TROGDON JR. DATED NOVEMBER 24, 1975 PLAT BOOK 27, PAGE 42 BEAUFORT COUNTY R.M.C.

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

**SOUTH CAROLINA COASTAL CONSTRUCTION ACT**  
 THE AREA SHOWN ON THIS PLAT IS A GENERAL REPRESENTATION OF DEVELOPMENT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY GENERALLY DELINEATING THE GENERAL AUTHORITY OF THE BEAUFORT COUNTY OFFICE OF ZONING AND PLANNING, THE RIGHT TO ASSIST PLANNING JURISDICTION IS NOT CRITICAL AREA OF THE SUBJECT PROPERTY BEING SHOWN ON THIS PLAT. PROPERTY OWNERS OR PROFESSIONAL SURVEYORS ARE ADVISED TO OBTAIN THE LATEST COASTAL CONSTRUCTION ACT FROM THE BEAUFORT COUNTY OFFICE OF ZONING AND PLANNING.

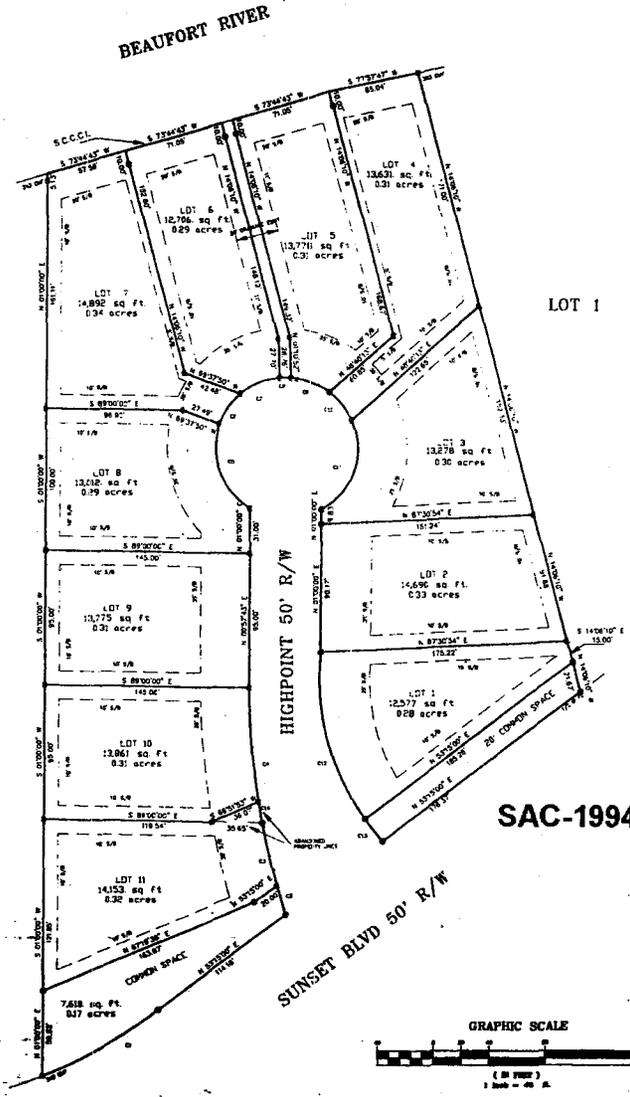
*David E. Gannon* 12/12/94  
 DATE: 12/12/94  
 THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR THREE YEARS FROM THE DATE OF THIS SIGNATURE SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

**DAVID E. GANNON**  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 No. 10032  
 BEAUFORT COUNTY, SOUTH CAROLINA



I, David E. Gannon, a Registered Professional Land Surveyor in the State of South Carolina, hereby certify that the above is a true and correct copy of the original survey as shown on the attached plat. I have compared the same with the original survey and find it to be a true and correct copy of the original survey. My commission expires on 12/31/97.

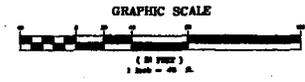
*David E. Gannon*  
 12/12/94



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 4-18-95

JOHN A. GANNON, JR.  
 BEAUFORT COUNTY, S.C.  
 55 WEST 19 NORTH AS  
 BK. 10032  
 PG. 132  
 FOLDER #

**WASQUE & ASSOCIATES INC.**  
 LAND SURVEYORS PLANNERS  
 701 BLADEN STREET, SUITE 207, BEAUFORT, S.C.  
 P.O. BOX 1363, BEAUFORT, S.C.  
 (803) 522-1708

RECEIVED

DEC 05 2004

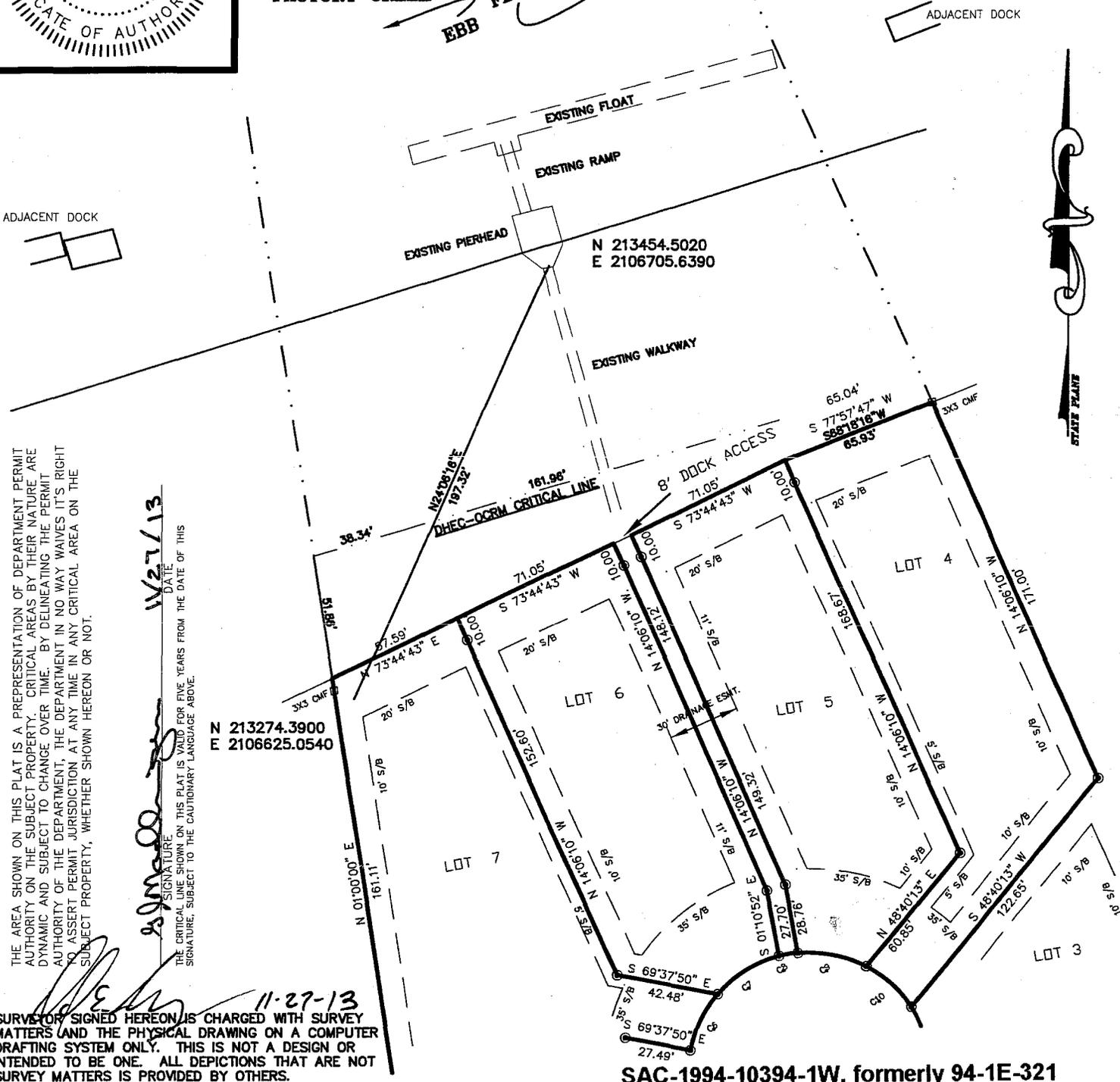
DHEC-OCRM

CHARLESTON



**GASQUE & ASSOCIATES INC.**  
**LAND SURVEYORS & PLANNERS**

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.  
 P.O. BOX 1363, BEAUFORT, S.C.  
 PHONE (843) 522-1798



THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS BY THEIR NATURE, ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT, THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME IN ANY CRITICAL AREA ON THE SUBJECT PROPERTY, WHETHER SHOWN HEREON OR NOT.

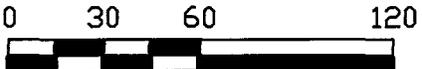
*Signature*  
 DATE: 11/27/13  
 SIGNATURE: [Signature]  
 THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

N 213274.3900  
 E 2106625.0540

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

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 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



SCALE: 1"=60'

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

**DOCK PERMIT SURVEY**

IN: FACTORY CREEK  
 AT: LADY'S ISLAND

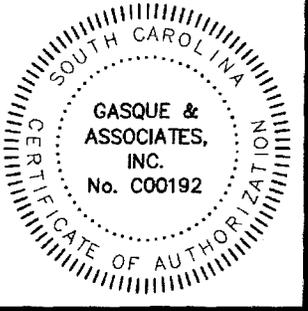
COUNTY OF: BEAUFORT  
 STATE: SOUTH CAROLINA

Sheet 3 of 5

JOB# 40870 DSGN 7

DATE: 10/23/2013



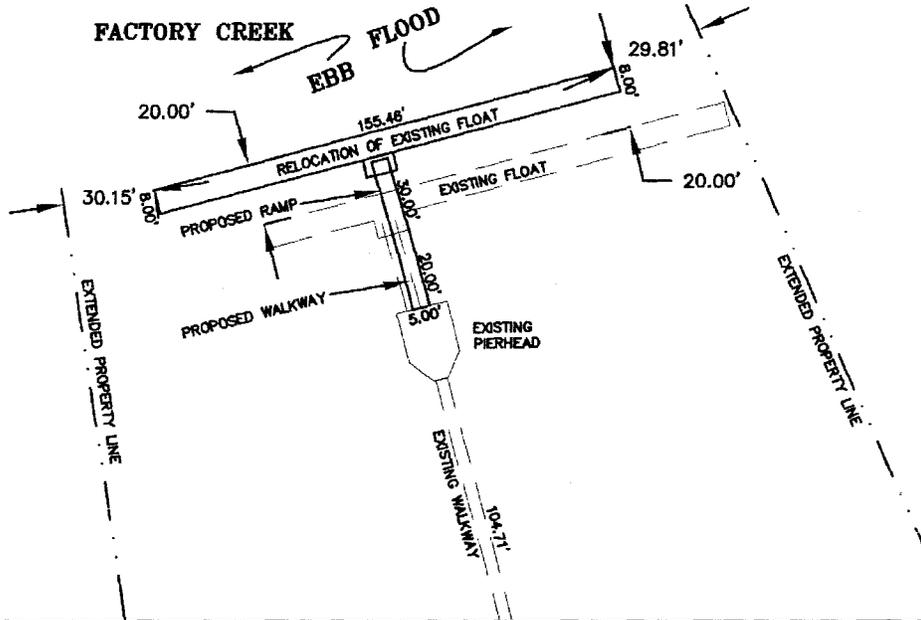


**GASQUE & ASSOCIATES INC.**

**LAND SURVEYORS & PLANNERS**

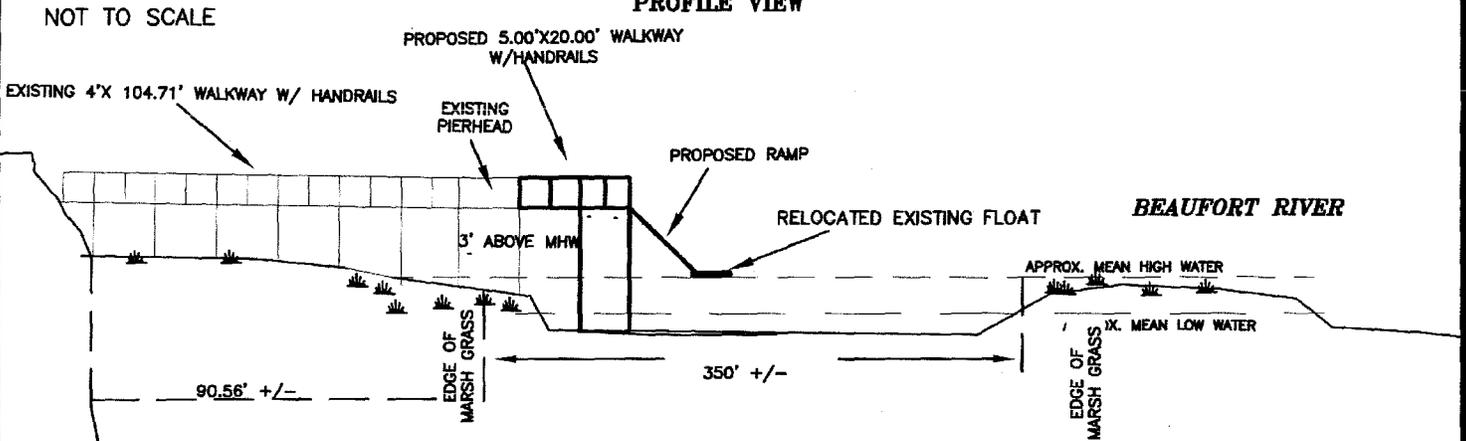
28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.  
 P.O. BOX 1363, BEAUFORT, S.C.  
 PHONE (843) 522-1798

C SHEET # 2 OF 3



NOT TO SCALE

**PROFILE VIEW**



NOT TO SCALE

DHEC-OCRM CRITICAL LINE  
 GEORDIE MADLINGER  
 OCRM 11/27/13

(N.T.S.)

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*3/10/14*

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**DOCK PERMIT SURVEY**

*Sheet 5 of 5*  
 IN: FACTORY CREEK  
 AT: LADY'S ISLAND  
 COUNTY OF: BEAUFORT  
 STATE: SOUTH CAROLINA

*revised 3/10/2014*

JOB# 40670 DSGN 7

DATE: 10/23/2013