

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-2016-00321-2IG

17 MARCH 2016

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

KEVIN A. SMITH
C/O MIKE J. MURRAY
AMERICAN DOCK AND MARINE CONSTRUCTION, INC.
1533 D-5 FOLLY ROAD
CHARLESTON, SOUTH CAROLINA 29412

for a permit to construct a fixed pier and floating dock with two four-pile boatlifts in the

ATLANTIC INTRACOASTAL WATERWAY (AIWW)

at a location, Lots 1A and 1B, Mossy Grove Lane, located off of Bulls Island Road, in Awendaw, Charleston County, South Carolina. (Approx. Latitude 32.940700° - Longitude -79.653694°; Sewee Bay 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 constructing a fixed pier, floating dock and two four-pile boat lifts. In detail the applicant proposes to construct a 20' x 20' fixed pier with a roof attached to high ground by a 4' x 744' walkway. In addition, the applicant proposes to install a 10' x 30' floating

dock on the northern side of the pierhead attached to the pierhead by a 3' x 20' ramp. A 3' x 63.5 "L" shaped catwalk is to be installed near the waterward end of the walkway to provide access to two 12.5' by 12.5' four-pile boat lifts. Due to the minimal impact of the proposed work, the applicant did not propose mitigation. The purpose of the proposed work is for the private recreational use of the applicant.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request should be addressed to the

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

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. 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 have minimal impact on 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 that the project is 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 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)(f)(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.

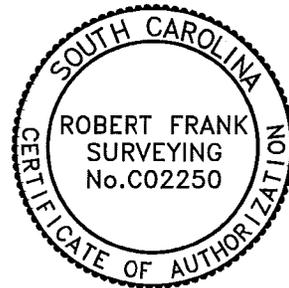
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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 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 Mary Hope Green at 843-329-8044 or toll free at 1-866-329-8187.

A PROPOSED
RECREATIONAL DOCK
AT LOTS 1A AND 1B
ON MOSSY GROVE LANE
LOCATED ON THE
ATLANTIC INTRACOASTAL WATERWAY
CHARLESTON COUNTY
SOUTH CAROLINA



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

TMS #644-00-00-105

APPLICATION BY:
KEVIN SMITH

ADDRESS: LOTS 1A & 1B MOSSY GROVE

DATE: JANUARY 4, 2016

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 6



- ADJOINING PROPERTY OWNERS:
 1. U.S. FISH AND WILDLIFE SERVICE (TO THE SOUTH)
 2. WILLIAM D. CALFEE, JR. (TO THE NORTH)

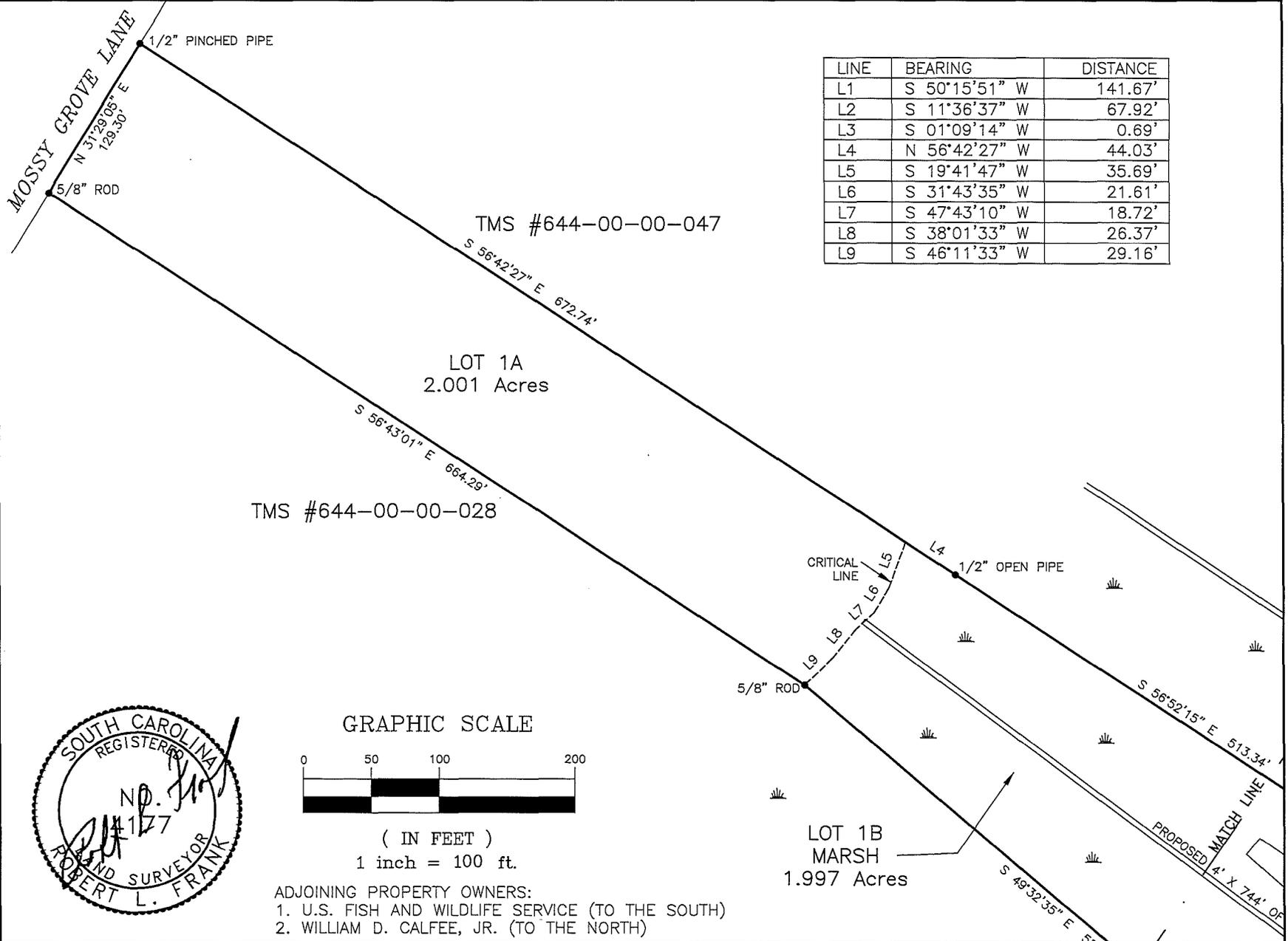
APPLICATION BY: KEVIN SMITH	LOCATION A PROPOSED RECREATIONAL DOCK AT LOTS 1A AND 1B ON MOSSY GROVE LANE LOCATED ON THE ATLANTIC INTRACOASTAL WATERWAY CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME LOCATION MAP TMS #644-00-00-105	SHT. NO. 2 OF 6
ADDRESS: LOTS 1A & 1B MOSSY GROVE			
DATE: JANUARY 4, 2016			
REVISED:			



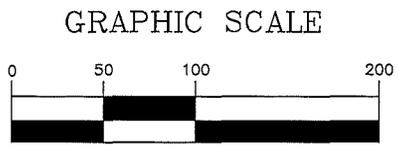
- ADJOINING PROPERTY OWNERS:
1. U.S. FISH AND WILDLIFE SERVICE (TO THE SOUTH)
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TMS #644-00-00-105

APPLICATION BY: KEVIN SMITH	LOCATION A PROPOSED RECREATIONAL DOCK AT LOTS 1A AND 1B ON MOSSY GROVE LANE LOCATED ON THE ATLANTIC INTRACOASTAL WATERWAY CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME SEEWEE BAY QUADRANGLE MAP <u>PROJECT LATITUDE/LONGITUDE:</u> LATITUDE - 32°56'26.0" LONGITUDE - 79°39'13.2"	SHT. NO. 3 OF 6
ADDRESS: LOTS 1A & 1B MOSSY GROVE			
DATE: JANUARY 4, 2016			
REVISED:			



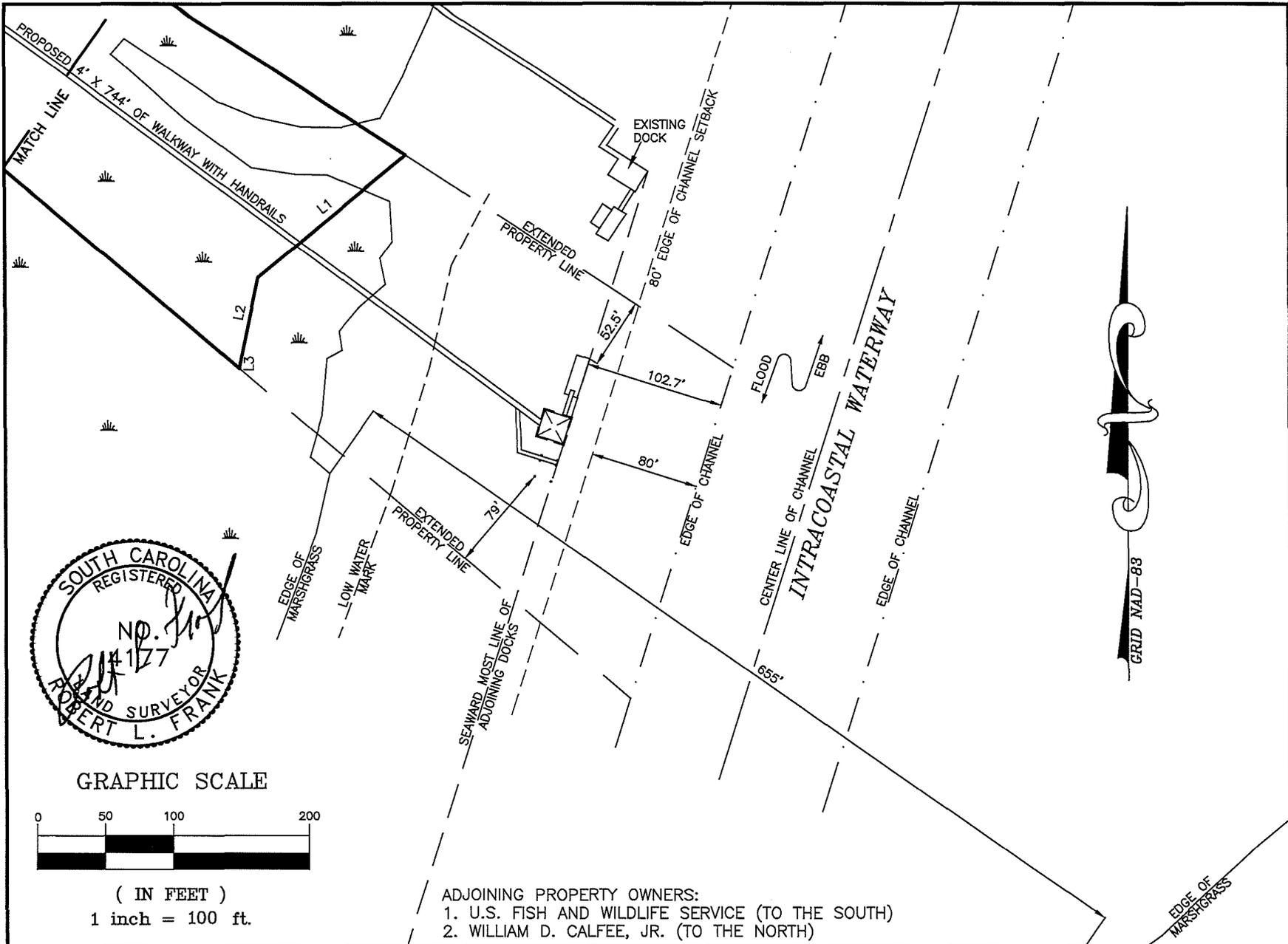
LINE	BEARING	DISTANCE
L1	S 50°15'51" W	141.67'
L2	S 11°36'37" W	67.92'
L3	S 01°09'14" W	0.69'
L4	N 56°42'27" W	44.03'
L5	S 19°41'47" W	35.69'
L6	S 31°43'35" W	21.61'
L7	S 47°43'10" W	18.72'
L8	S 38°01'33" W	26.37'
L9	S 46°11'33" W	29.16'



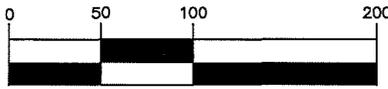
(IN FEET)
1 inch = 100 ft.

- ADJOINING PROPERTY OWNERS:
 1. U.S. FISH AND WILDLIFE SERVICE (TO THE SOUTH)
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APPLICATION BY: KEVIN SMITH	LOCATION A PROPOSED RECREATIONAL DOCK AT LOTS 1A AND 1B ON MOSSY GROVE LANE LOCATED ON THE ATLANTIC INTRACOASTAL WATERWAY CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME FULL PLAN VIEW TMS #644-00-00-105	SHT. NO. 4 OF 6
ADDRESS: LOTS 1A & 1B MOSSY GROVE			
DATE: JANUARY 4, 2016			
REVISED:			



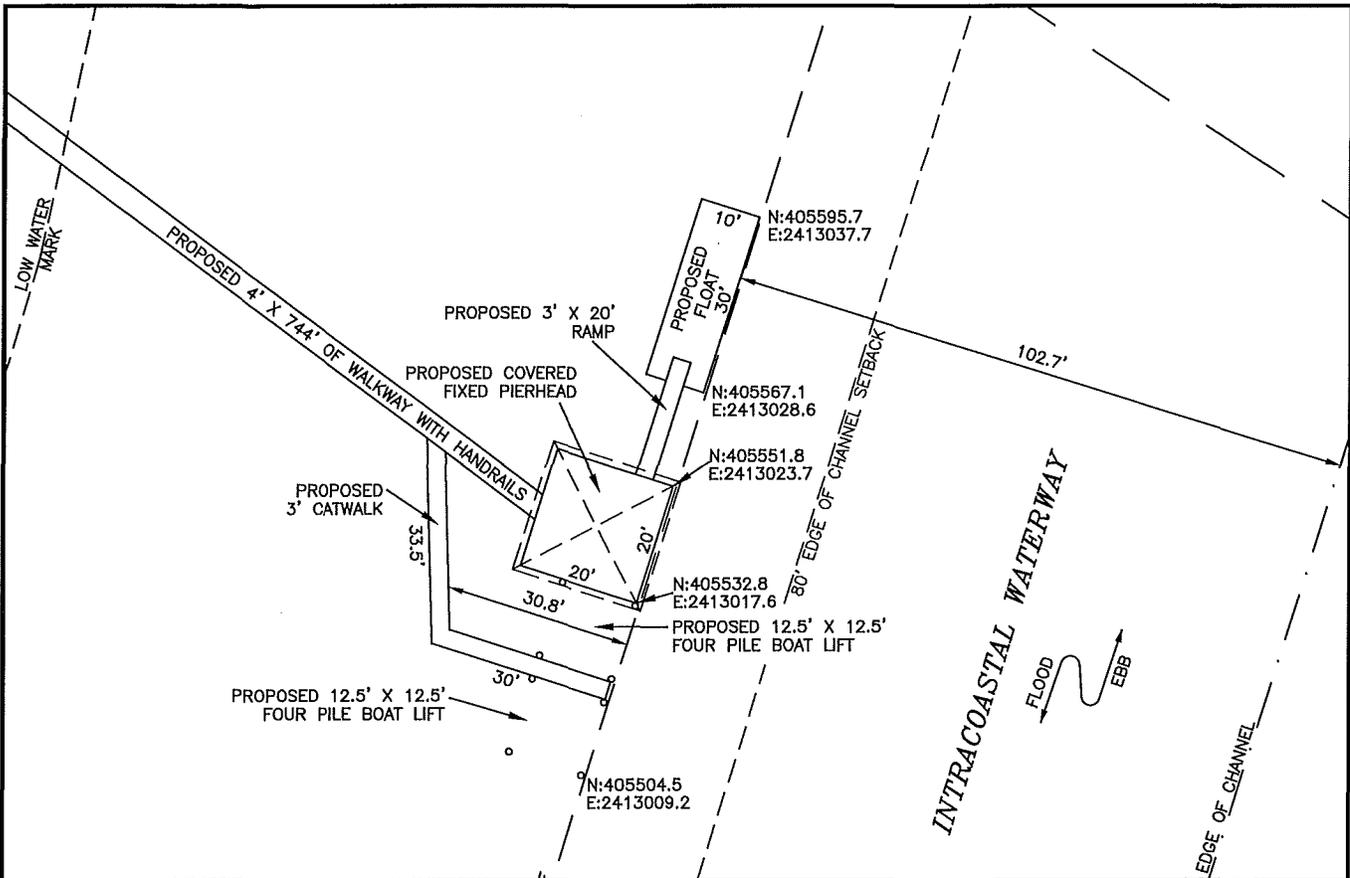
GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

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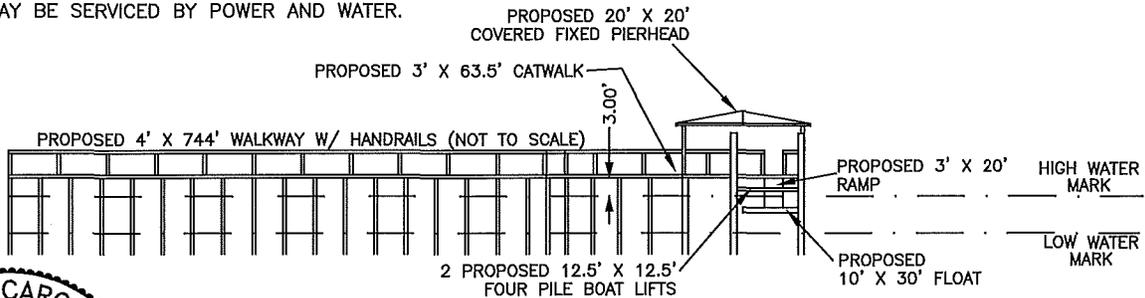
APPLICATION BY: KEVIN SMITH ADDRESS: LOTS 1A & 1B MOSSY GROVE DATE: JANUARY 4, 2016 REVISED:	LOCATION A PROPOSED RECREATIONAL DOCK AT LOTS 1A AND 1B ON MOSSY GROVE LANE LOCATED ON THE ATLANTIC INTRACOASTAL WATERWAY CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME FULL PLAN VIEW TMS #644-00-00-105	SHT. NO. 5 OF 6
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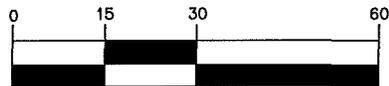
POINT OF COMMENCEMENT OF WALKWAY MAY VARY AS MUCH AS TEN FEET EITHER WAY TO ACCOMMODATE EXISTING TREES.

SPECIAL GEOGRAPHIC CIRCUMSTANCES: NO DOCK CAN BE BUILT ON THE OPPOSITE SIDE OF THE CREEK

THIS DOCK MAY BE SERVICED BY POWER AND WATER.



GRAPHIC SCALE



(IN FEET)

1 inch = 30 ft.



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APPLICATION BY: KEVIN SMITH	LOCATION A PROPOSED RECREATIONAL DOCK AT LOTS 1A AND 1B ON MOSSY GROVE LANE LOCATED ON THE ATLANTIC INTRACOASTAL WATERWAY CHARLESTON COUNTY SOUTH CAROLINA	SHT. NAME PLAN AND PROFILE	SHT. NO. 6 OF 6
ADDRESS: LOTS 1A & 1B MOSSY GROVE		TMS #644-00-00-105	
DATE: JANUARY 4, 2016			
REVISED:			