## 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**

March 23, 2018

Refer to: P/N SAC-2018-00299, 2018-00300, 2018-00301, 2018-00302, 2018-00303, 2018-00304, 2018-00305, 2018-00306, 2018-00307, 2018-00308, 2018-00309, 2018-00310, 2018-00311, 2018-00312, 2018-00313, and 2018-00314

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 <u>et.seq.</u>), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

### BILL MCKENZIE DANIEL ISLAND ASSOCIATES, LLC 230 SEVEN FARMS DRIVE, SUITE 201 CHARLESTON, SOUTH CAROLINA 29492

for a permit to construct fifteen (15) residential docks and one (1) community dock on the

# WANDO RIVER

at Tax Map Numbers 275-00-00-092 (Lots FF-B 34, FF-B 35, FF-B 36, FF-B 37, FF-B 38, FF-B 39, FF-B 40, FF-B 41, FF-B 42, FF-B 43, FF-B 44, FF-B 45, FF-B 46, FF-B 47, FF-B 48 and O/S FF/B/3) on Captain's Island, Berkeley County, South Carolina. Quad Sheet: North Charleston

Lot FF-B 34 Latitude: 32.87061, Longitude: -79.88389 Lot FF-B 35 Latitude: 32.87048, Longitude: -79.88436 Lot FF-B 36 Latitude: 32.87041, Longitude: -79.88462 Lot FF-B 37 Latitude: 32.87034, Longitude: -79.88487 Lot FF-B 38 Latitude: 32.87028, Longitude: -79.88512 Lot FF-B 39 Latitude: 32.87024, Longitude: -79.88525 Lot FF-B 40 Latitude: 32.87017, Longitude: -79.88550 Lot FF-B 41 Latitude: 32.87010, Longitude: -79.88577 Lot FF-B 42 Latitude: 32.86997, Longitude: -79.88624 Lot FF-B 43 Latitude: 32.86975, Longitude: -79.88710 Lot FF-B 44 Latitude: 32.86968, Longitude: -79.88742 Lot FF-B 45 Latitude: 32.86961, Longitude: -79.88774 Lot FF-B 46 Latitude: 32.86954, Longitude: -79.88809 Lot FF-B 47 Latitude: 32.86946, Longitude: -79.88844 Lot FF-B 48 Latitude: 32.86926, Longitude: -79.88940 Lot O/S FF/B/3 Latitude: 32.86987, Longitude: -79.88664 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 fifteen (15) residential docks and one (1) community dock as follows:

**SAC-2018-00299-Dock Lot FF-B-34:** To construct a 4' x 760' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the west of the fixed pierhead.

**SAC-2018-00300-Dock Lot FF-B-35:** To construct a 4' x 835' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the west of the fixed pierhead.

**SAC-2018-00301-Dock Lot FF-B-36:** To construct a 4' x 875' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the west of the fixed pierhead.

**SAC-2018-00302-Dock Lot FF-B-37:** To construct a 4' x 910' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the west of the fixed pierhead.

**SAC-2018-00303-Dock Lot FF-B-38:** To construct a 4' x 920' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00304-Dock Lot FF-B-39:** To construct a 4' x 920' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00305-Dock Lot FF-B-40:** To construct a 4' x 925' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00306-Dock Lot FF-B-41:** To construct a 4' x 950' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00307-Dock Lot FF-B-42:** To construct a 4' x 910' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00308-Dock Lot FF-B-43:** To construct a 4' x 865' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00309-Dock Lot FF-B-44:** To construct a 4' x 840' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00310-Dock Lot FF-B-45:** To construct a 4' x 810' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00311-Dock Lot FF-B-46:** To construct a 4' x 790' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00312-Dock Lot FF-B-47:** To construct a 4' x 750' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00313-Dock Lot FF-B-48:** To construct a 4' x 630' walkway with a 15' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 40' floating dock. Additionally, to construct a 10' x 20' boat lift adjacent to the east of the fixed pierhead.

**SAC-2018-00314-Community Dock Lot O/S FF-B-3:** To construct a 4' x 930' walkway with a 20' x 20' fixed pierhead, and a 4' x 20' gangway leading to a 10' x 50' floating dock.

NOTE: This public notice and associated plans are available on the Corps' website at: <a href="http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices">http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices</a> .

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 impact 0.26 acre of estuarine substrates 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

### REGULATORY DIVISION SAC-2018-00299-00314

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 west Indian manatee (*Trichechus manatus*) a Federally threatened species is present in the vicinity of the project. However, it has been determined that the project is not likely to adversely affect this 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.

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)(/)(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.

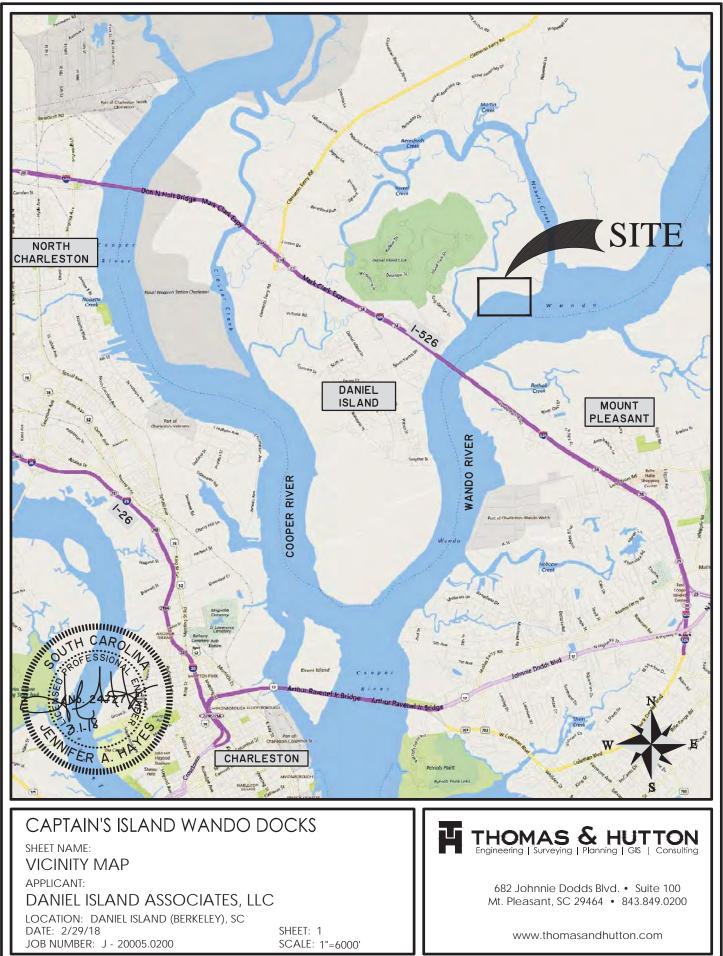
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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

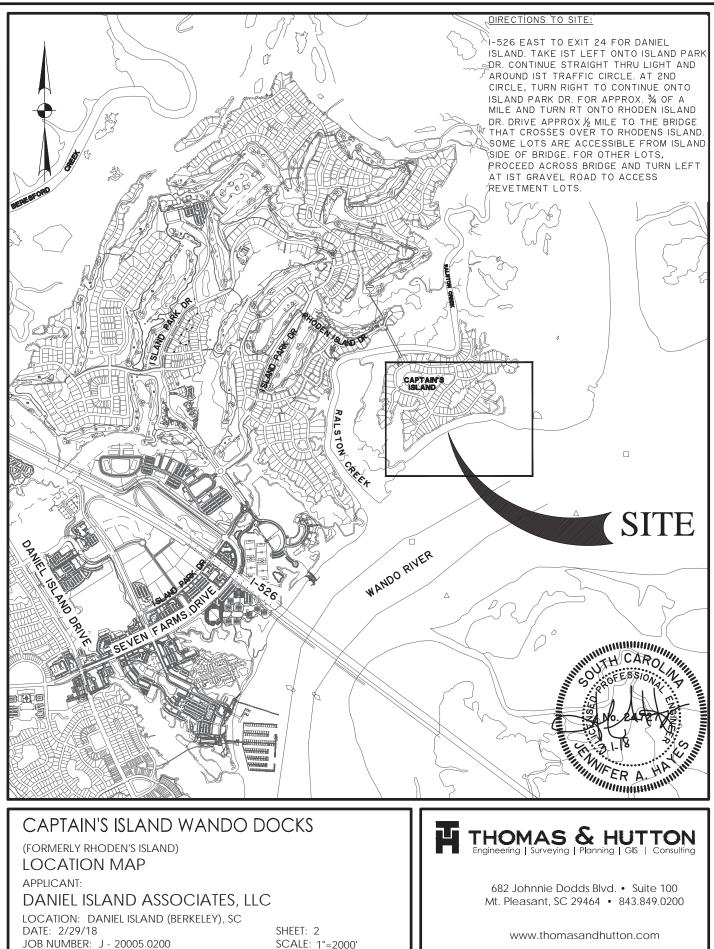
to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. **Please submit** comments in writing, identifying the project of interest by public notice number, to the following address:

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

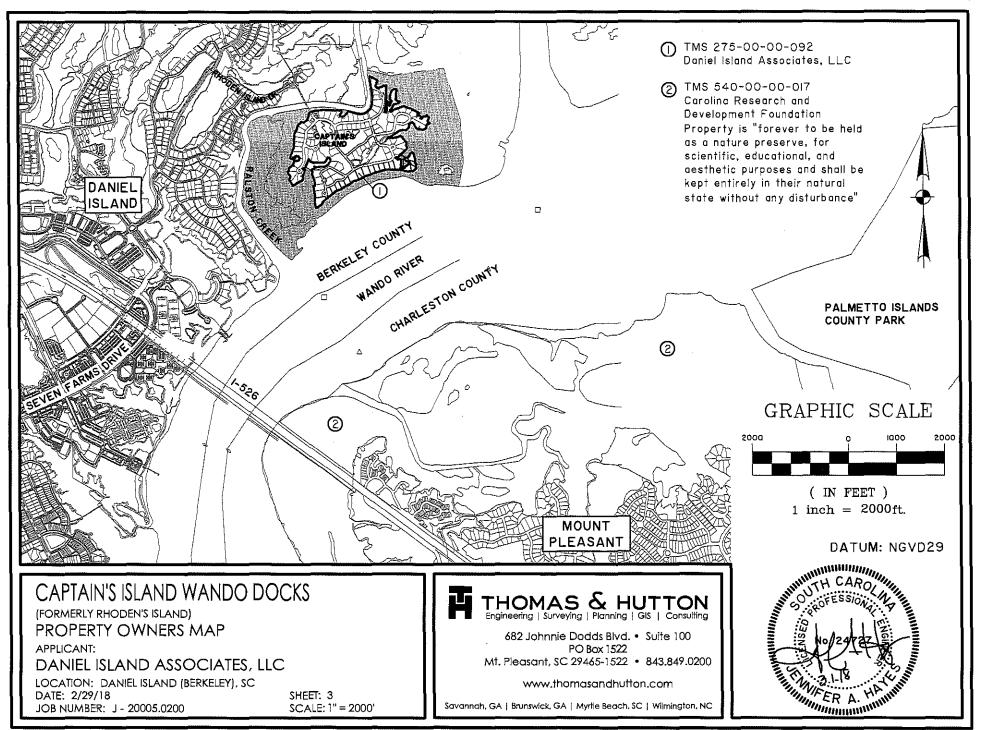
If there are any questions concerning this public notice, please contact Jeremy Kinney, Regulatory Specialist, at (843)329-8033 or toll free at 1-866-329-8187.

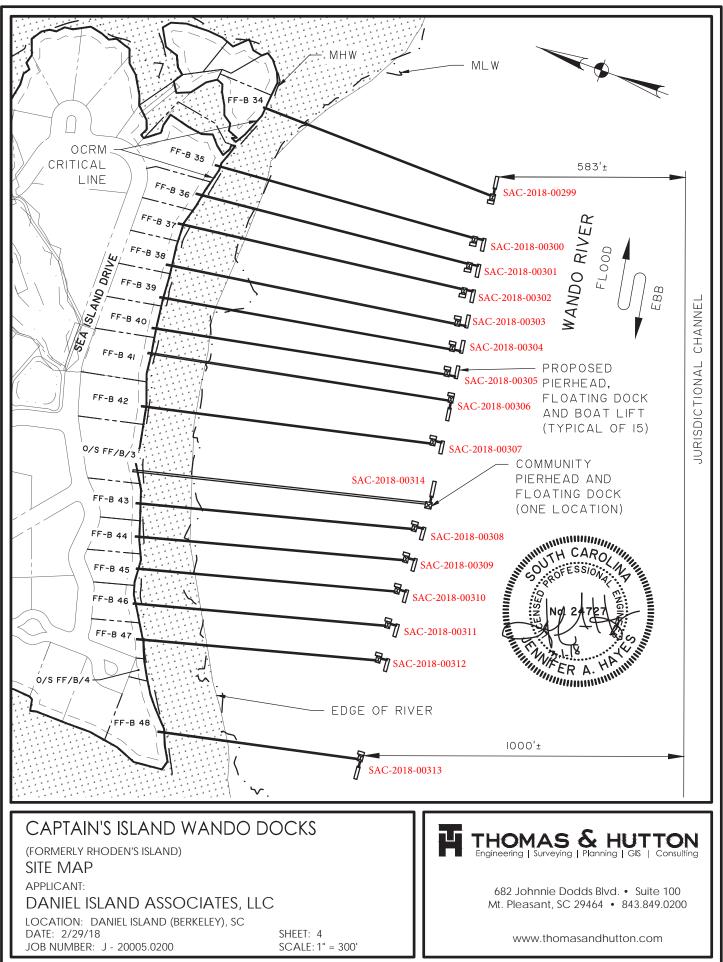


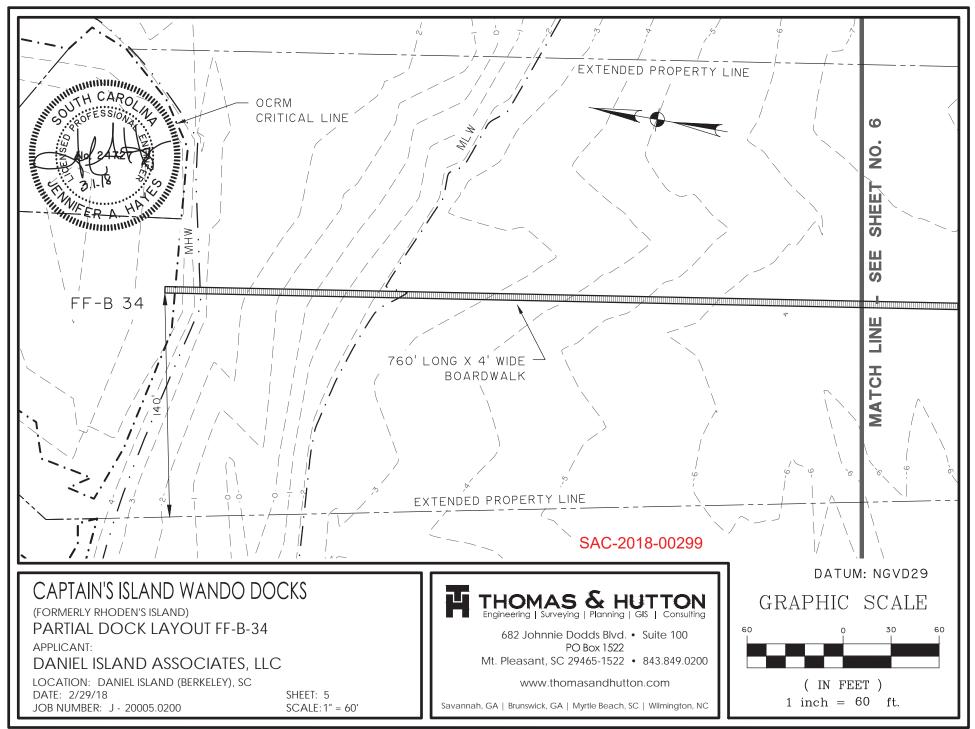


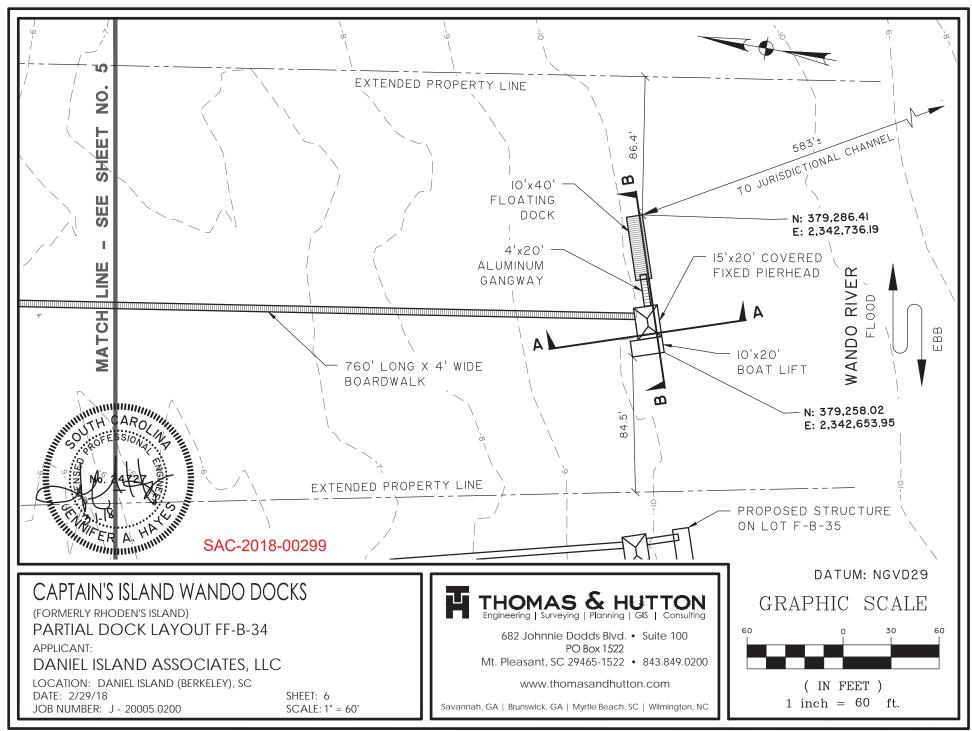


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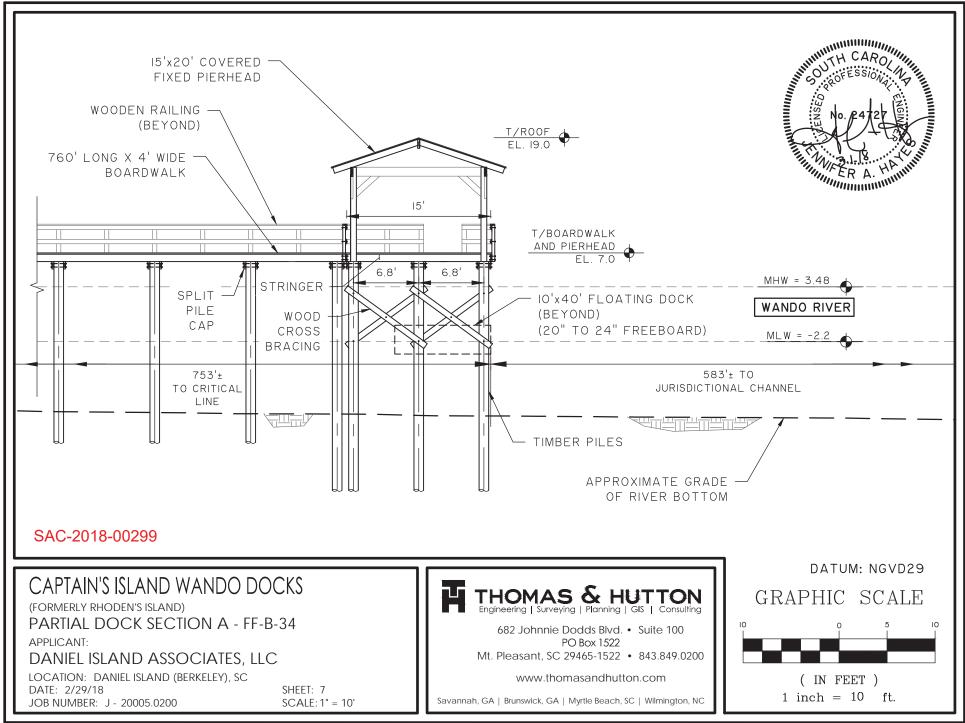




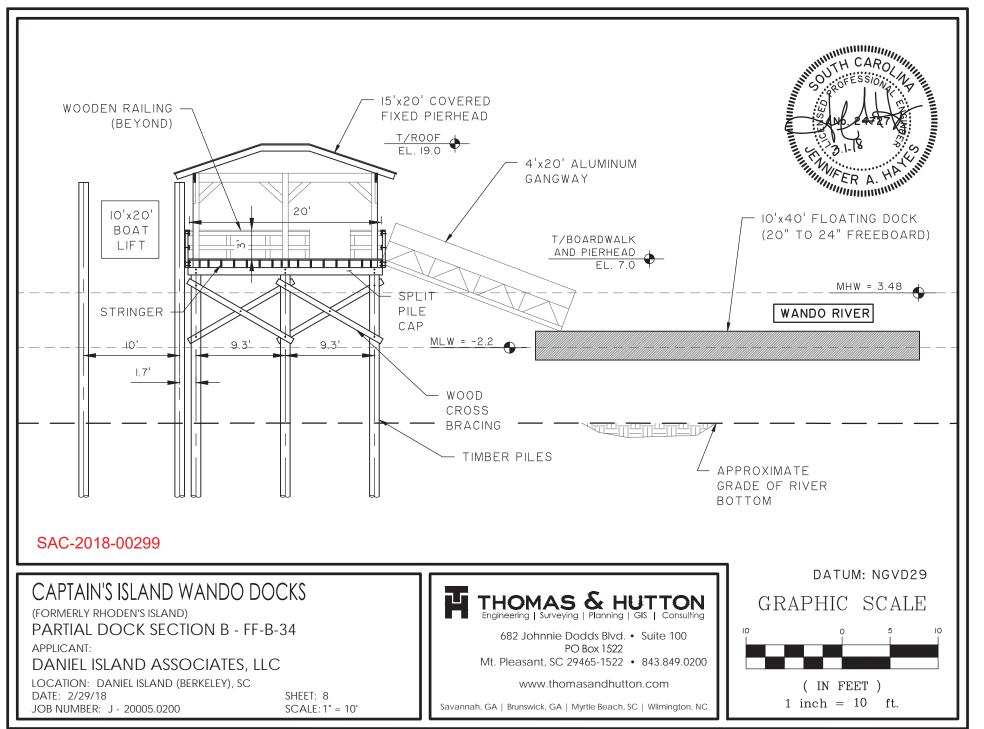


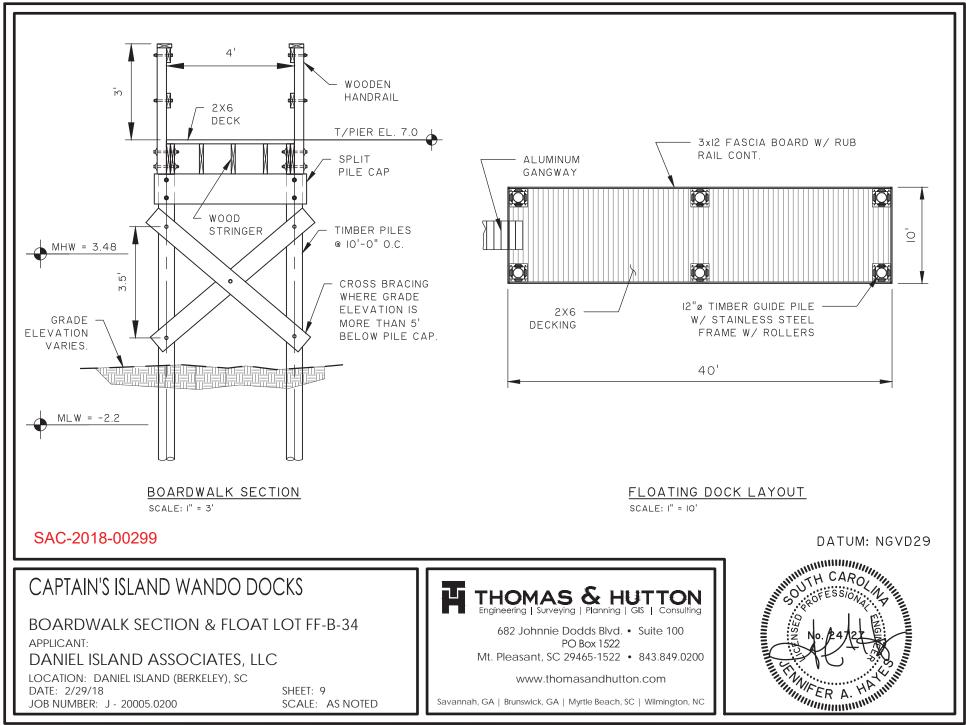


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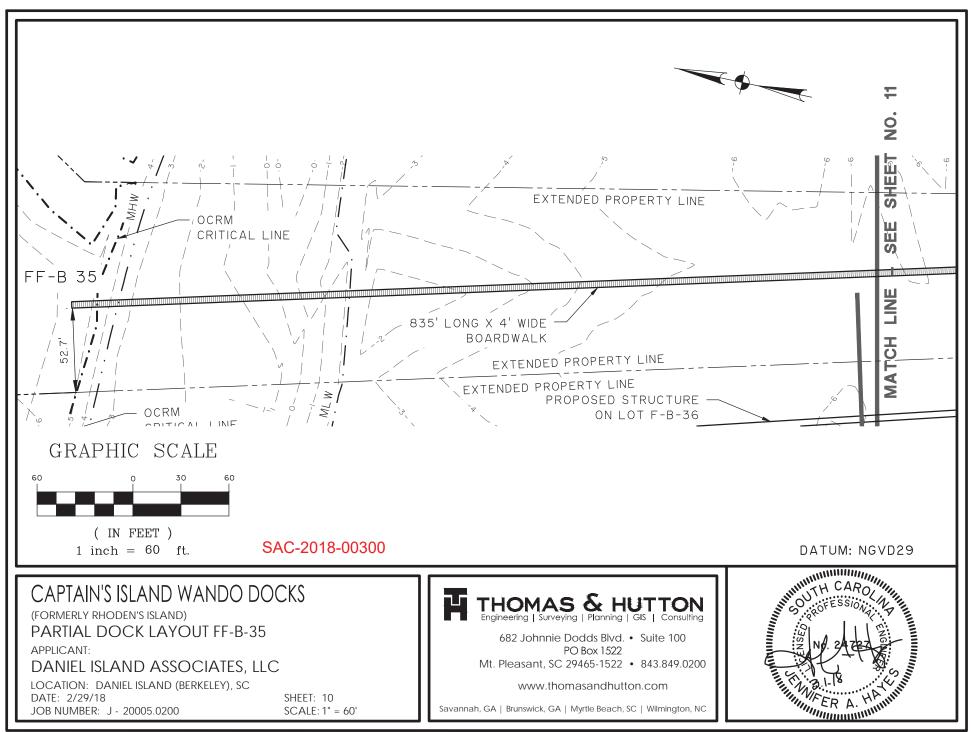


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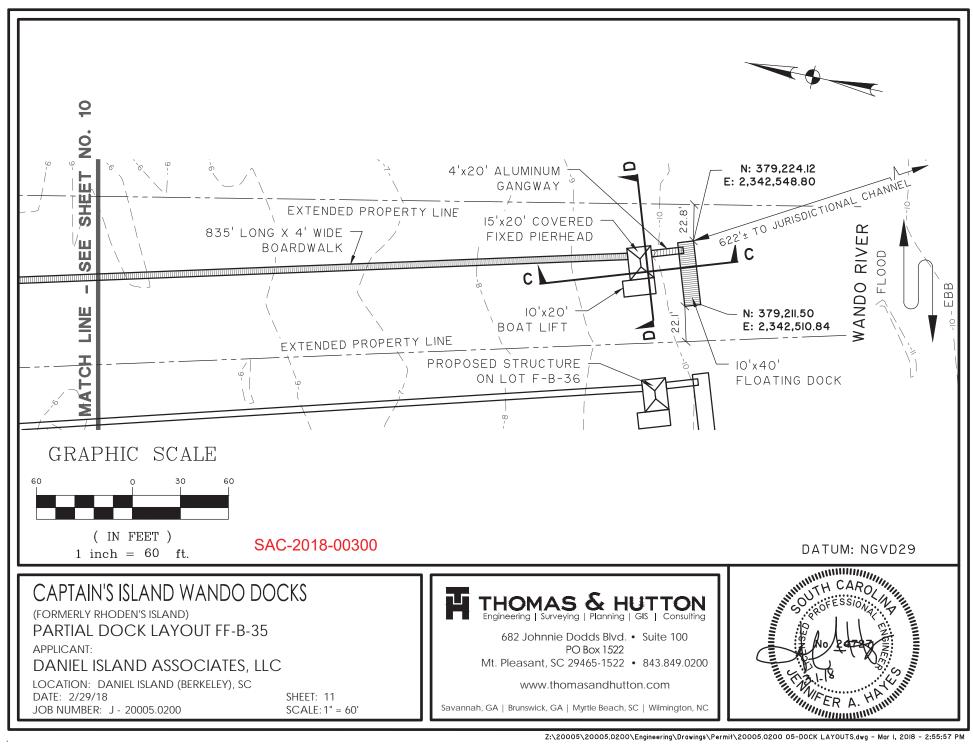




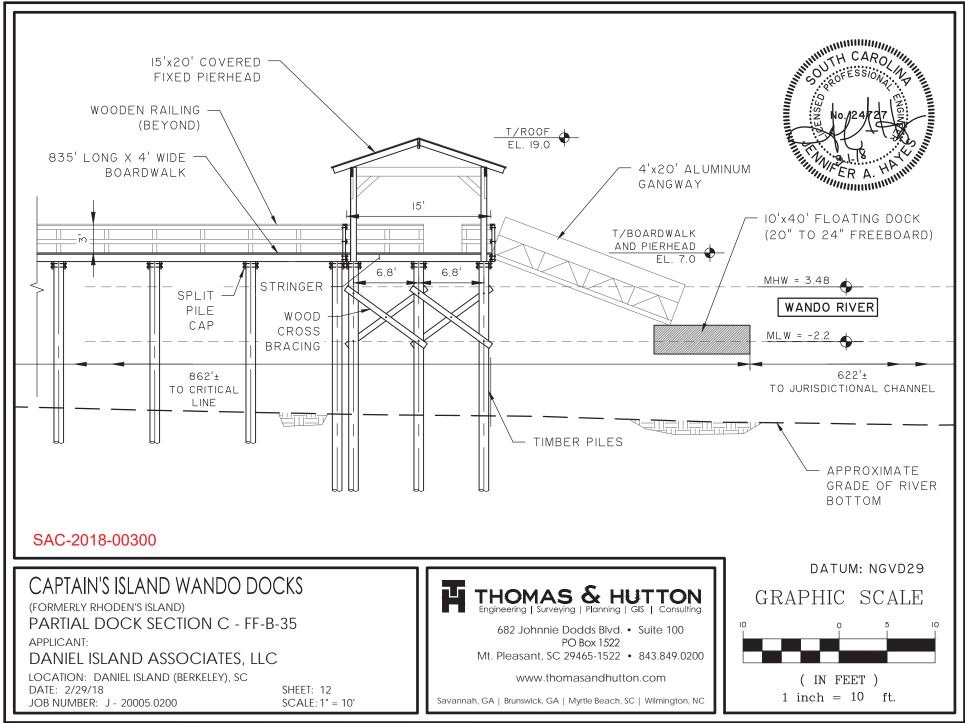
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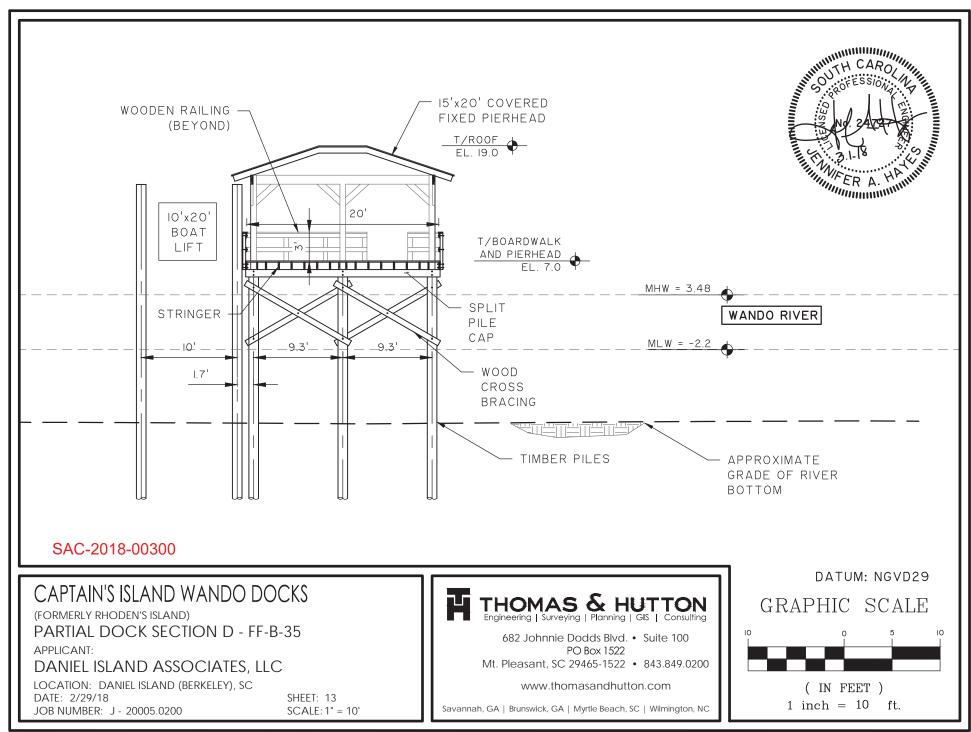
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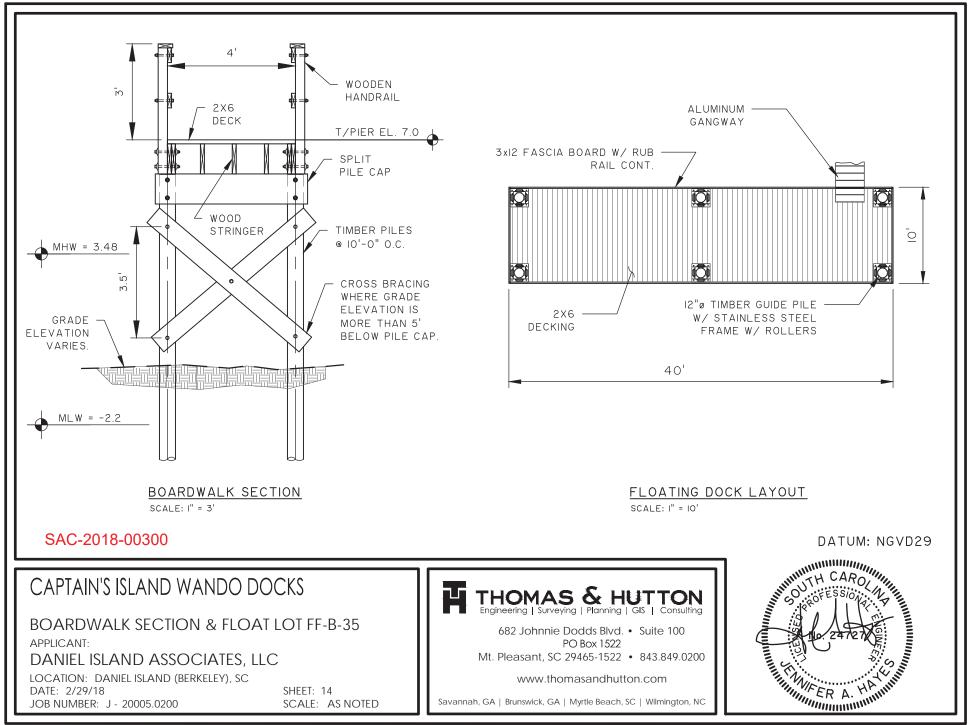
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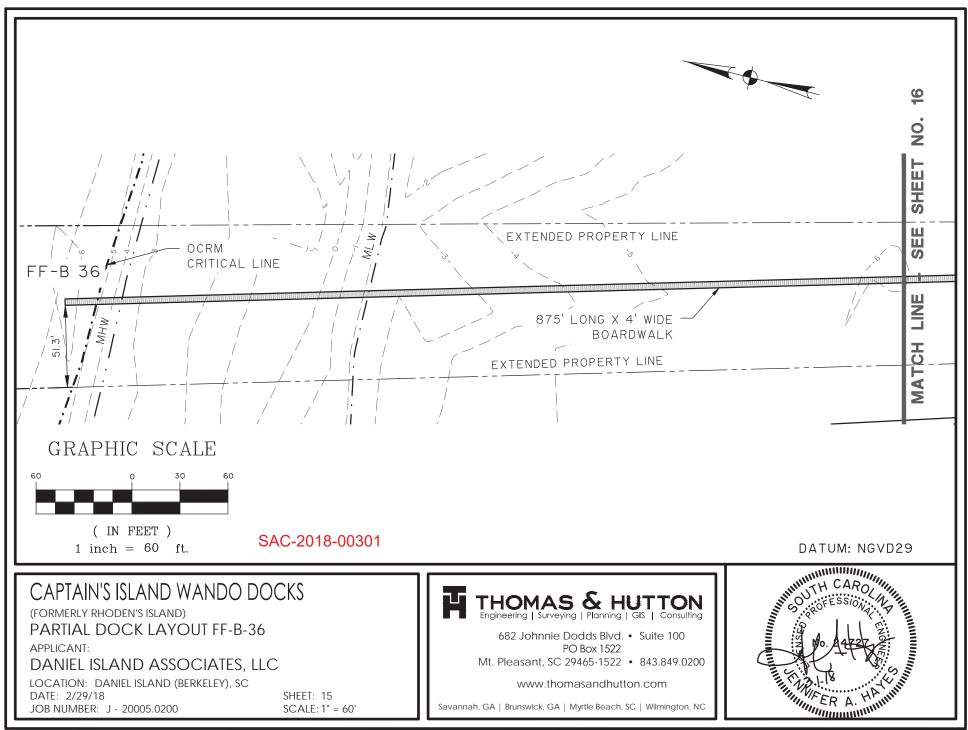
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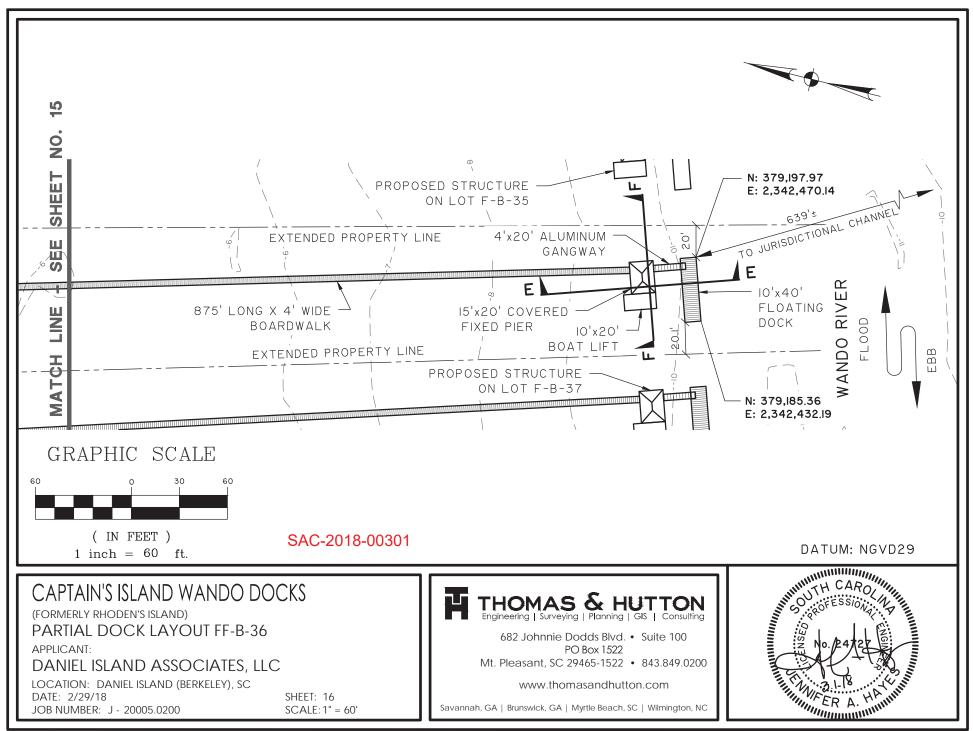
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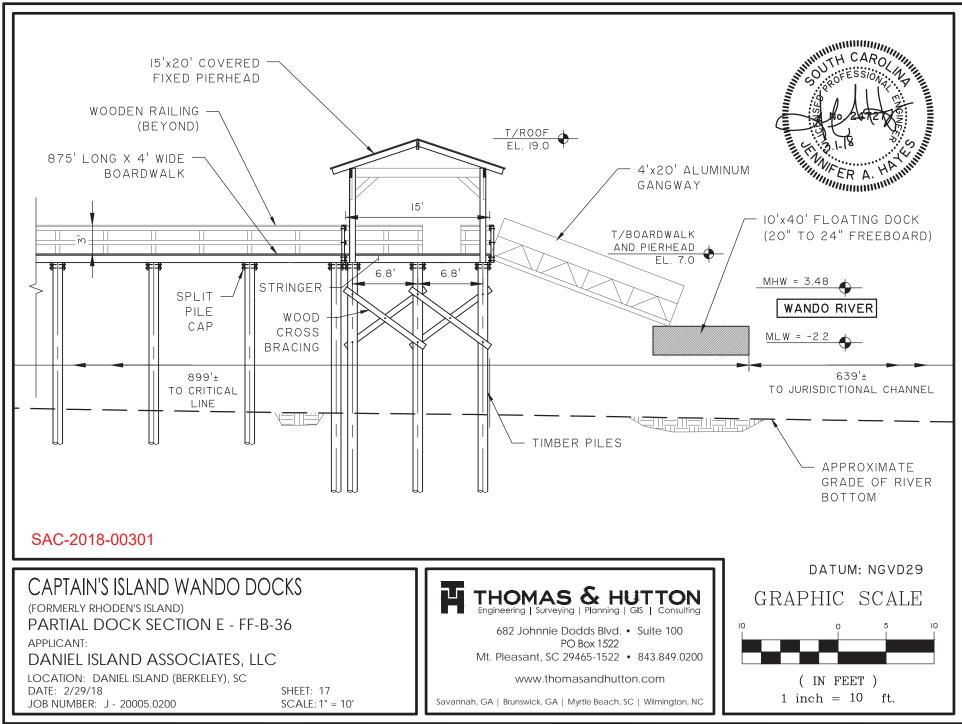
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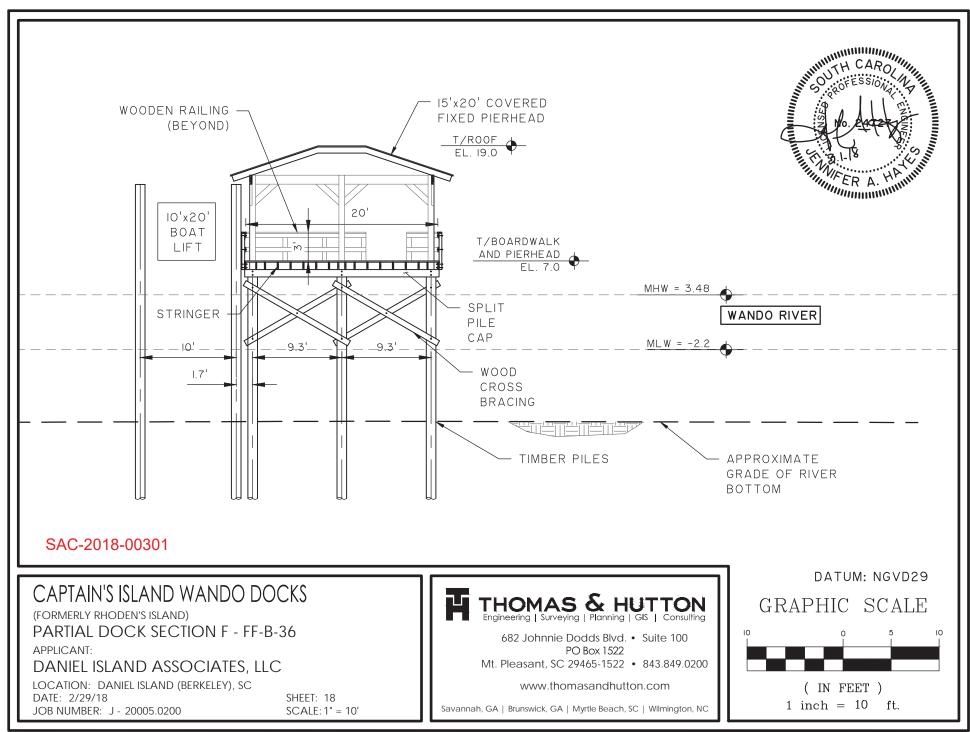
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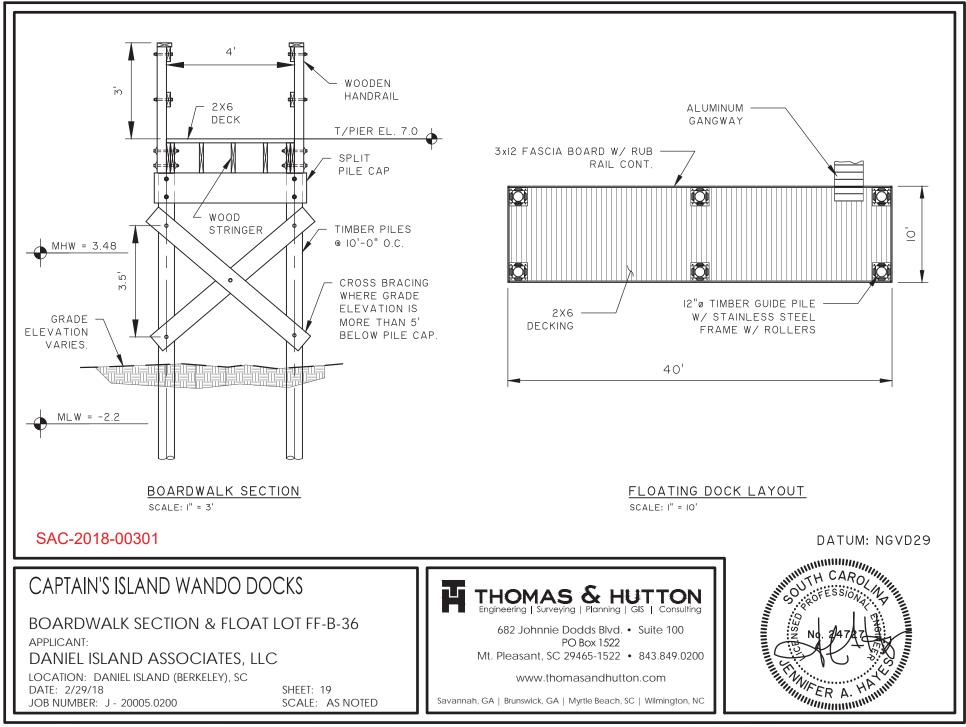
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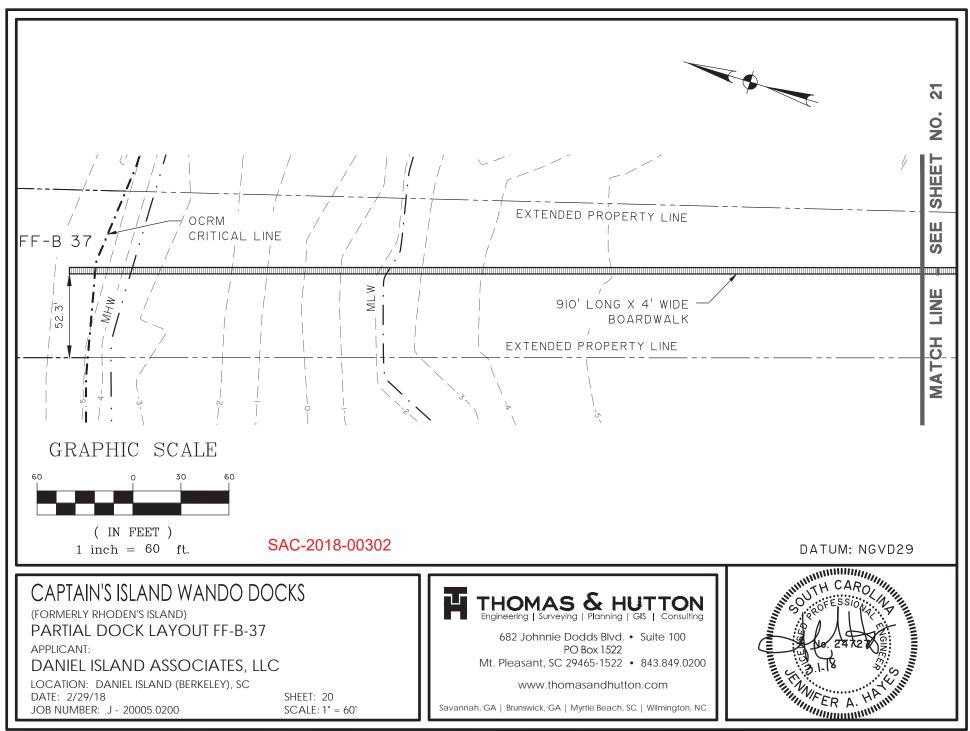


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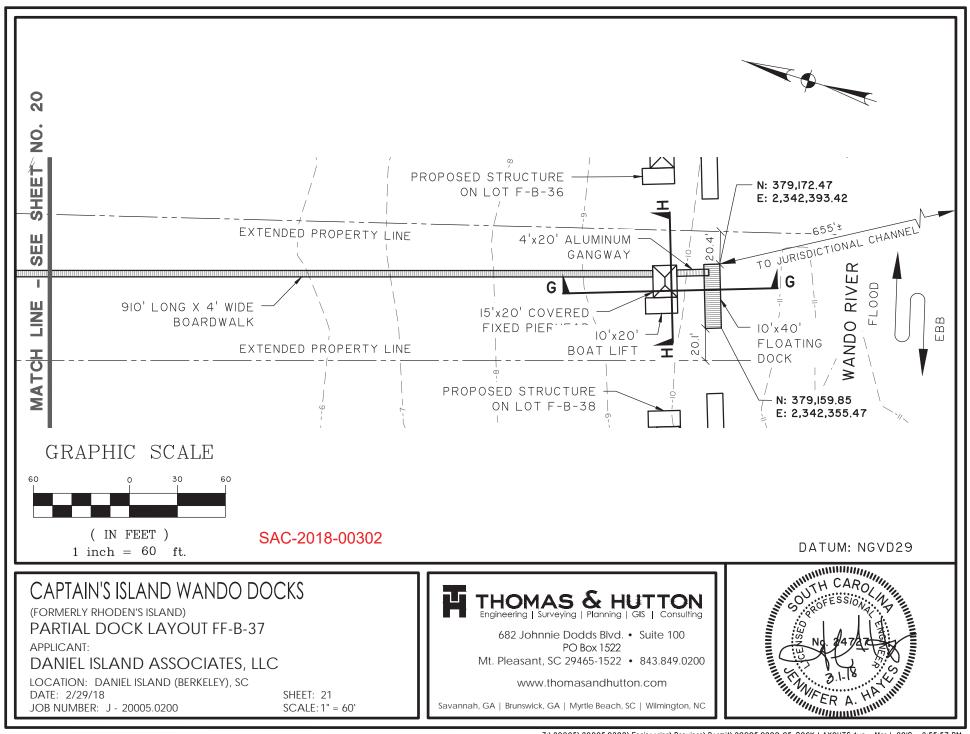


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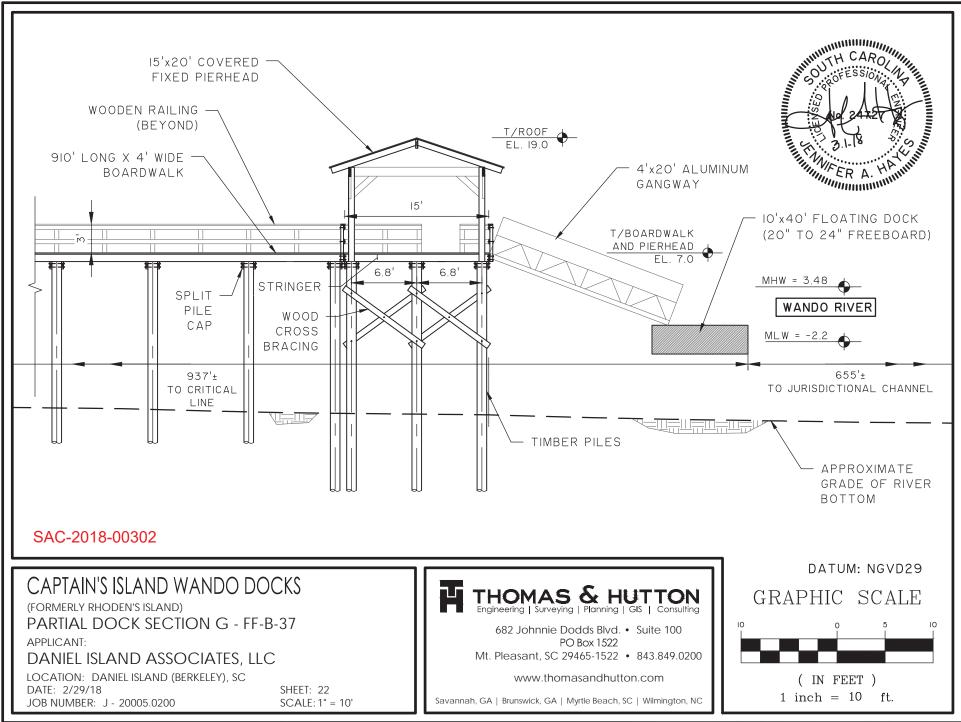




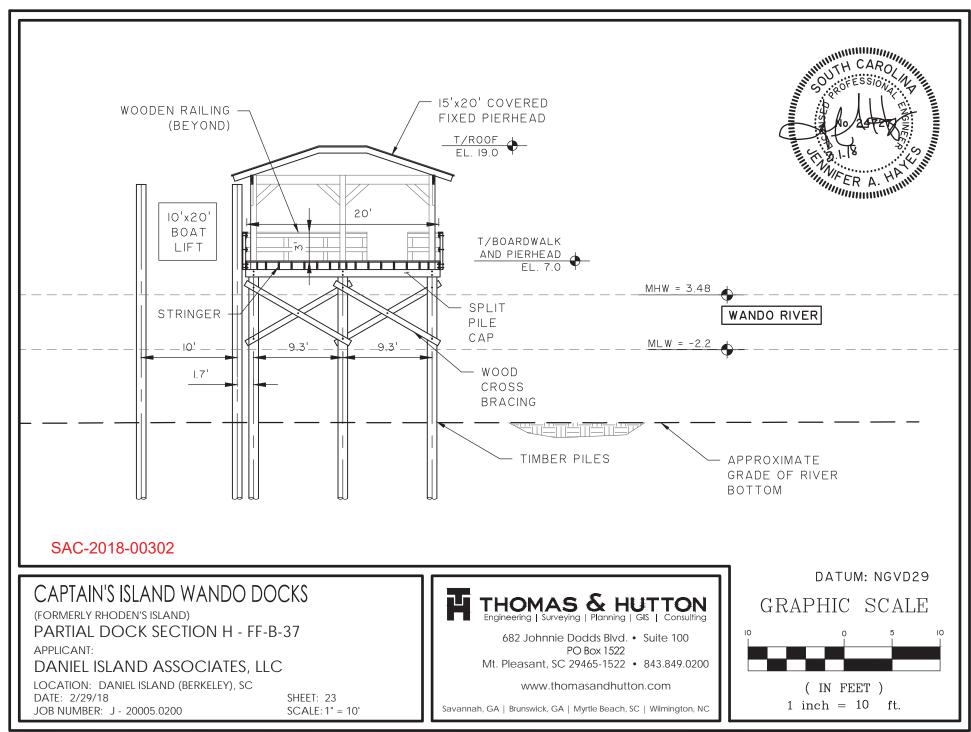
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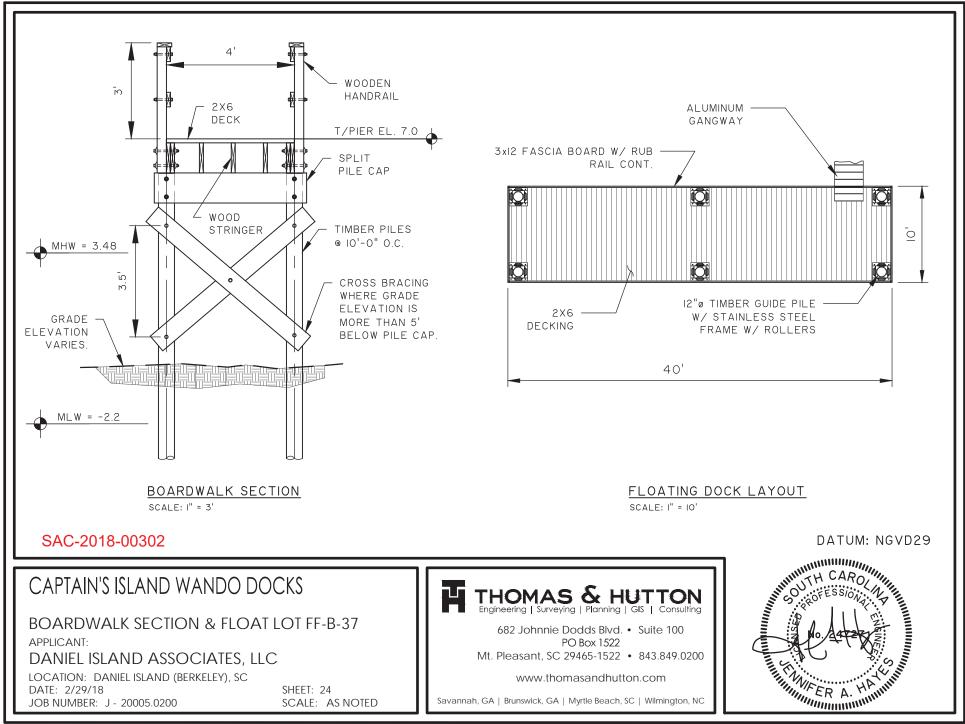


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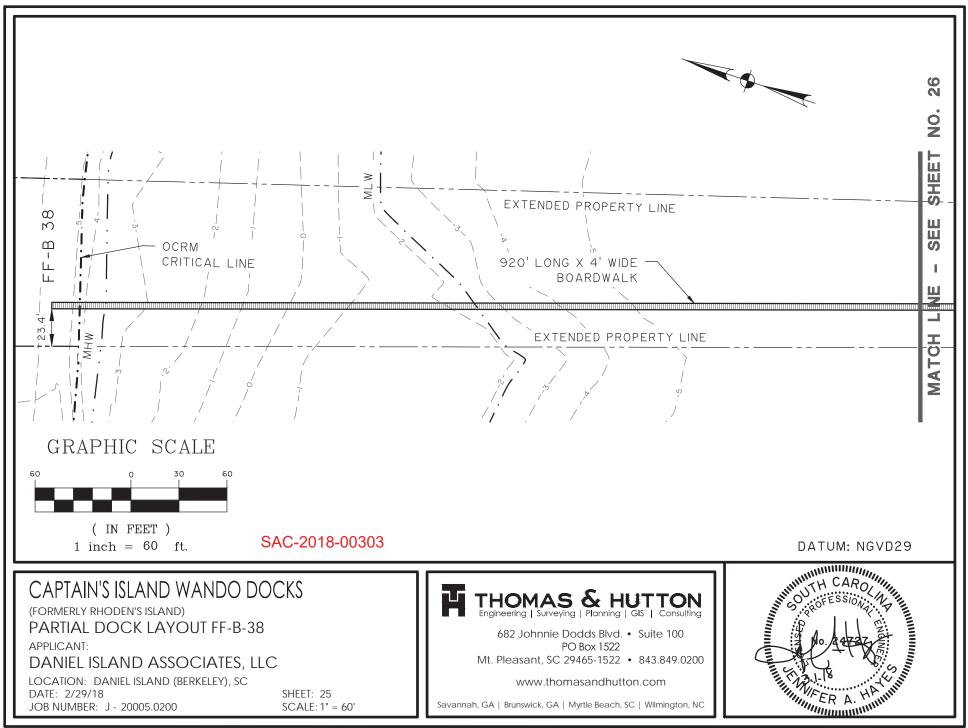


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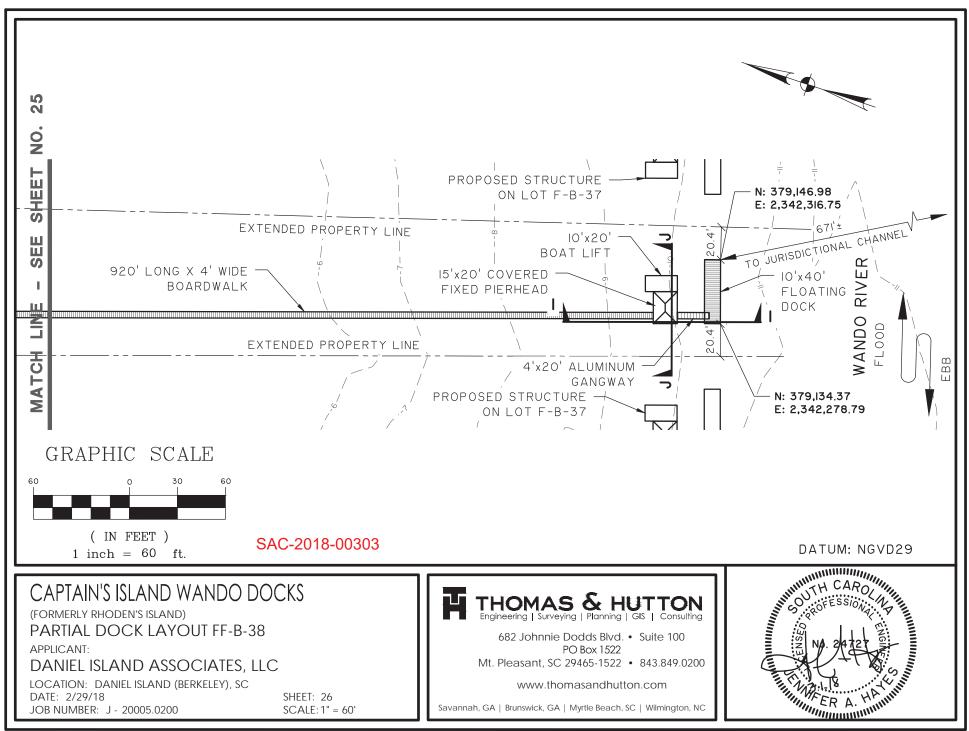




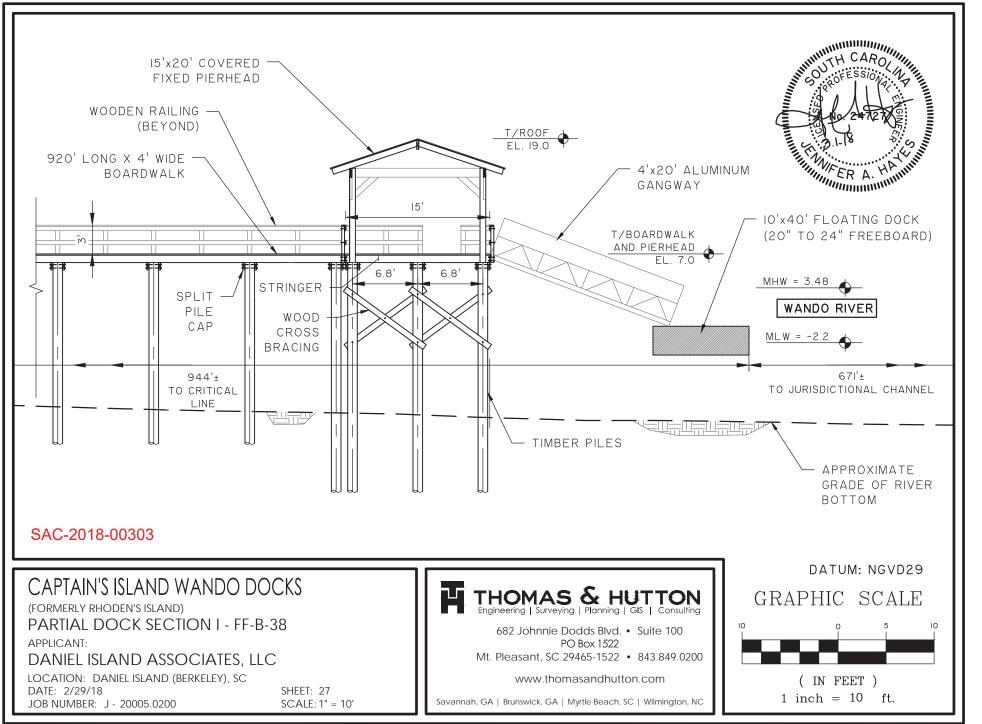
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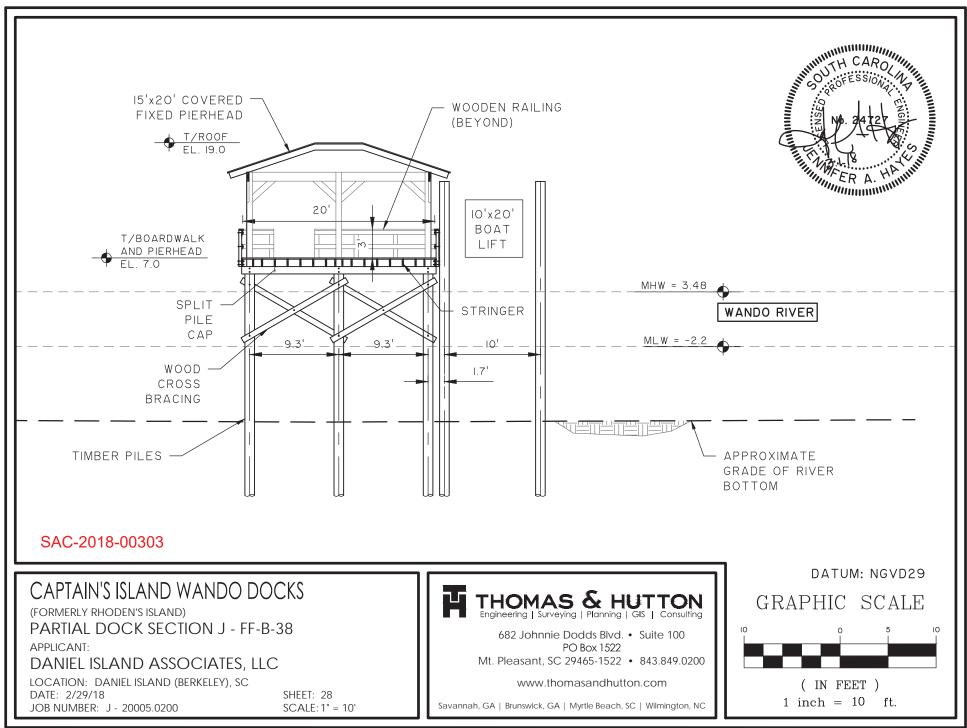
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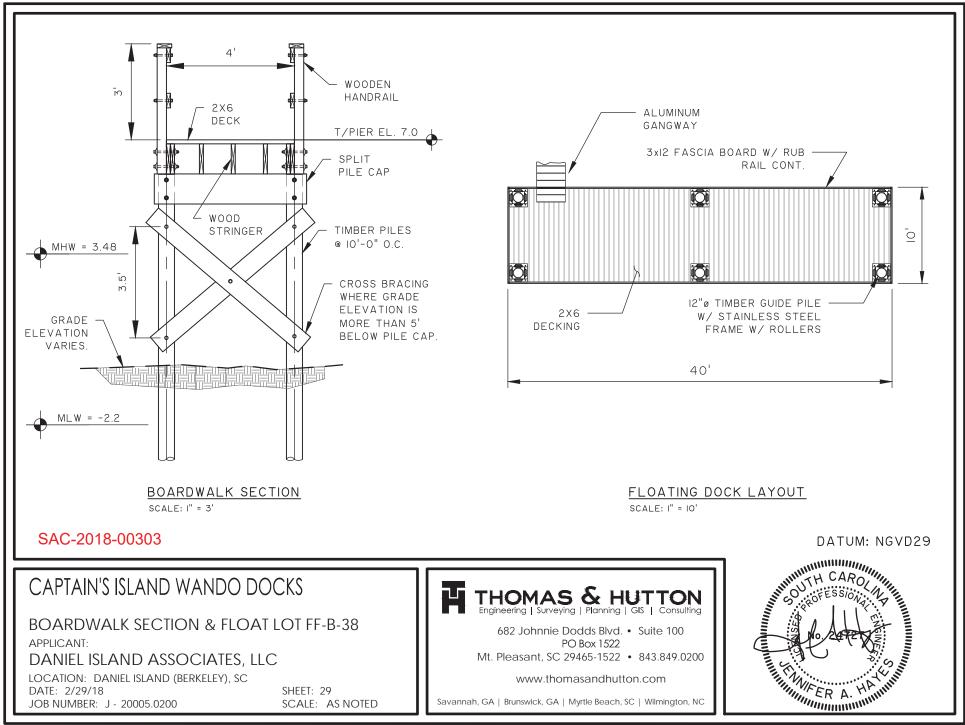


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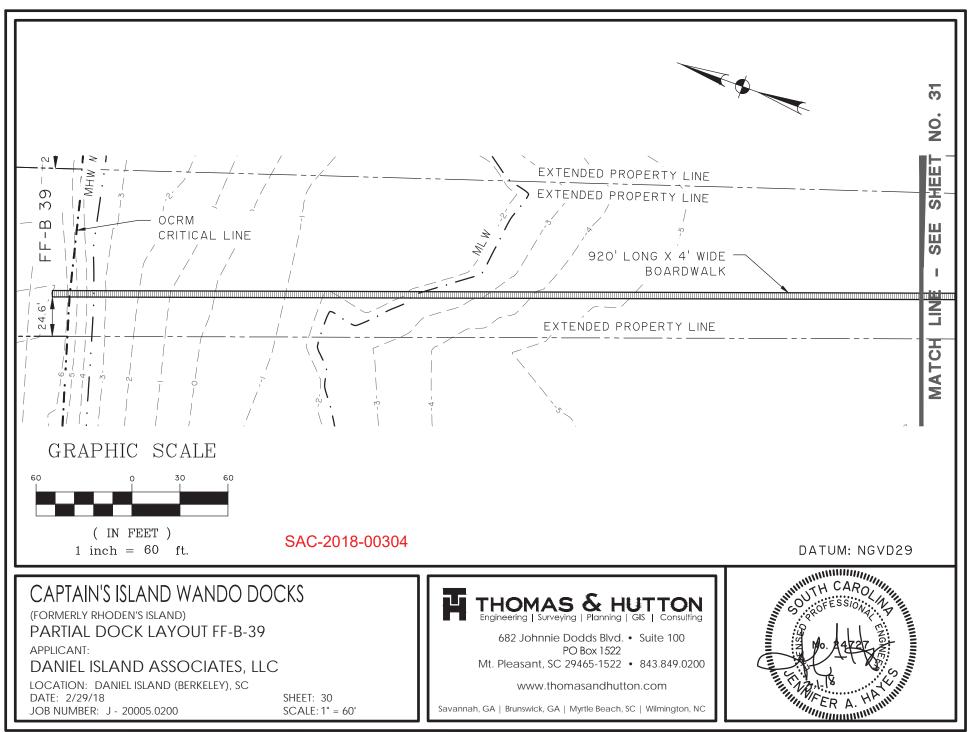


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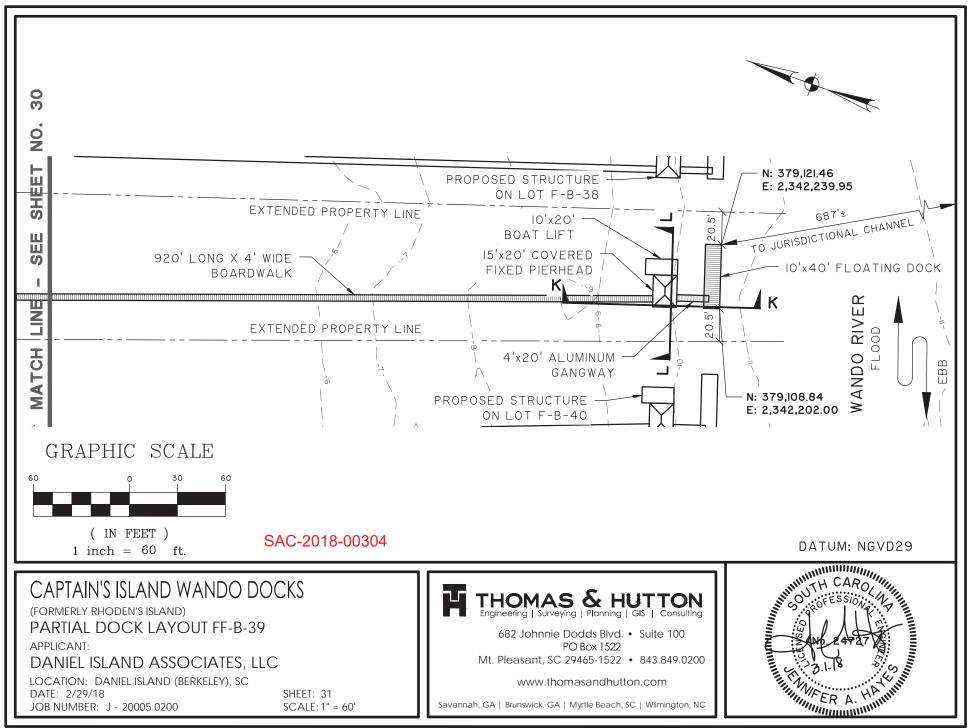




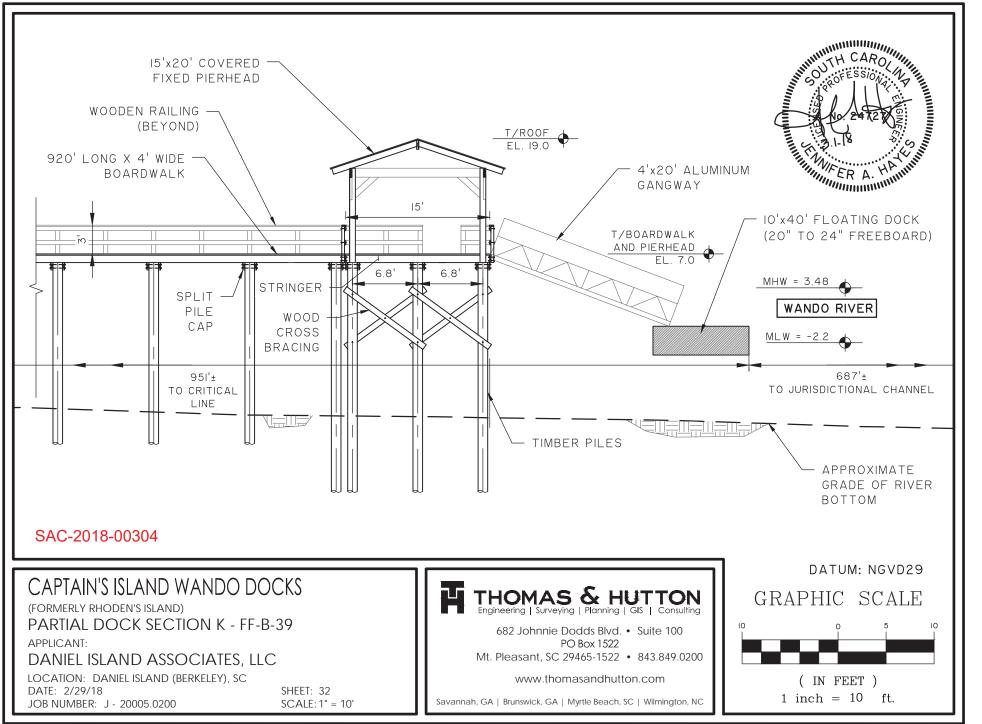
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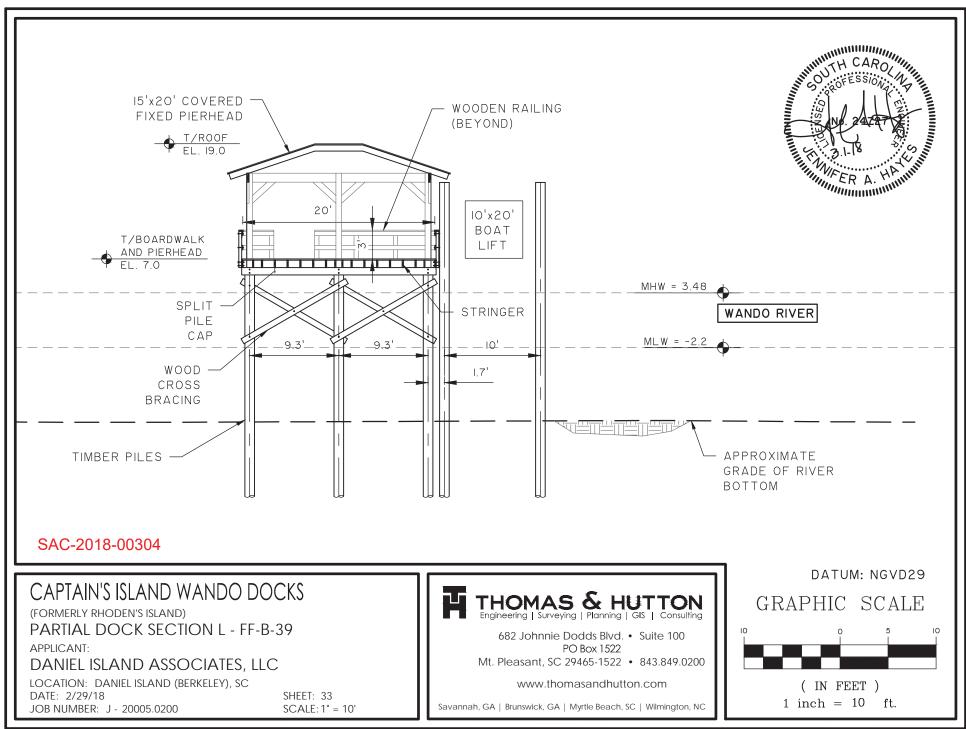
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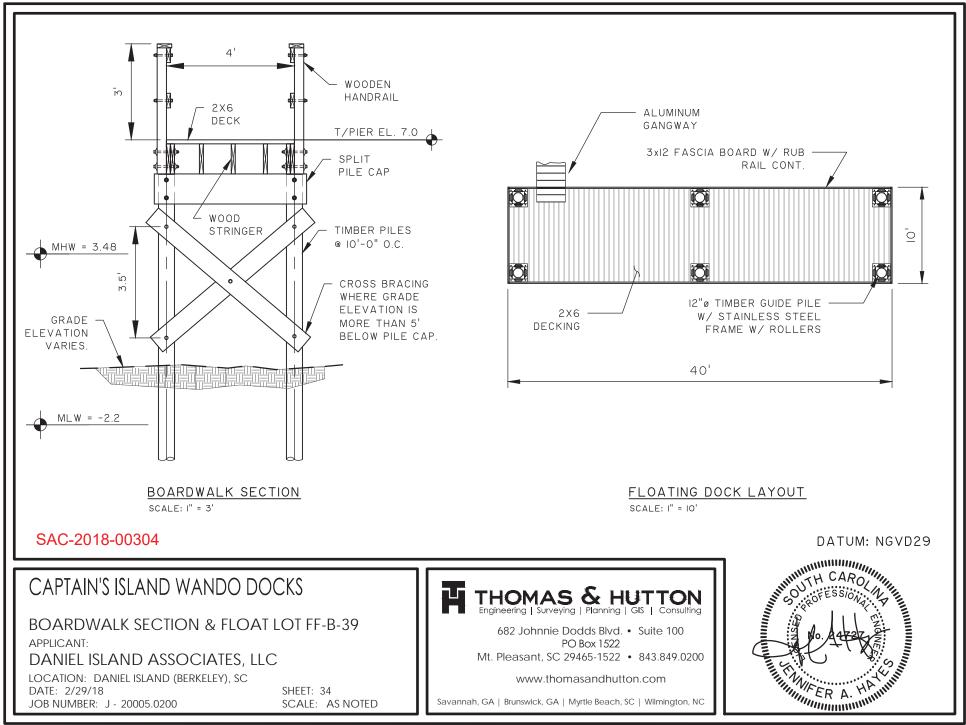


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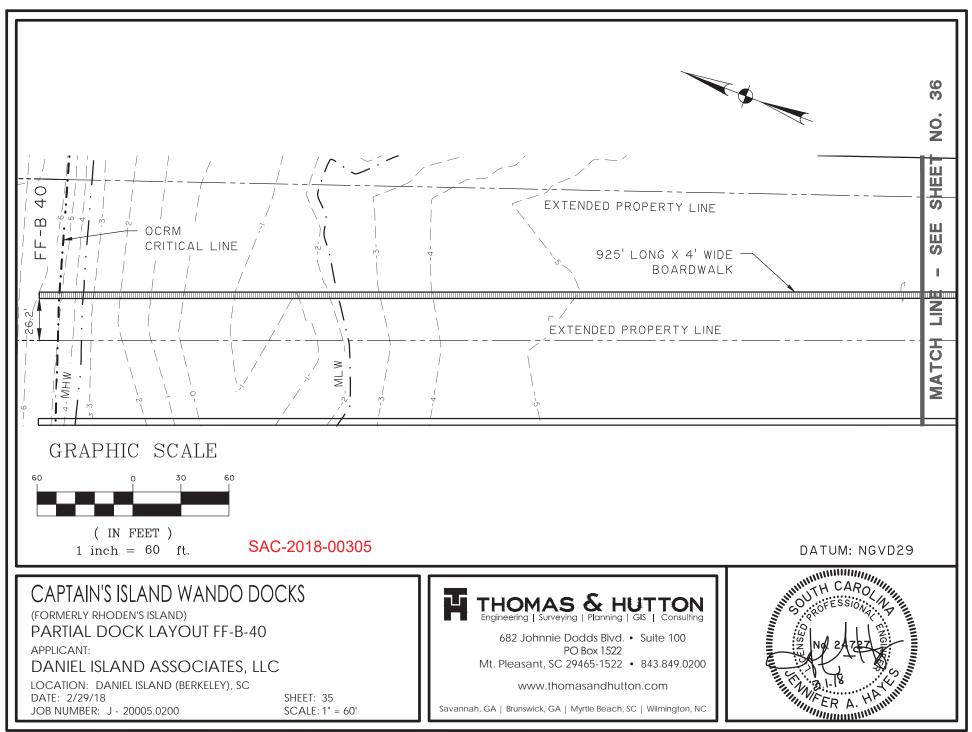


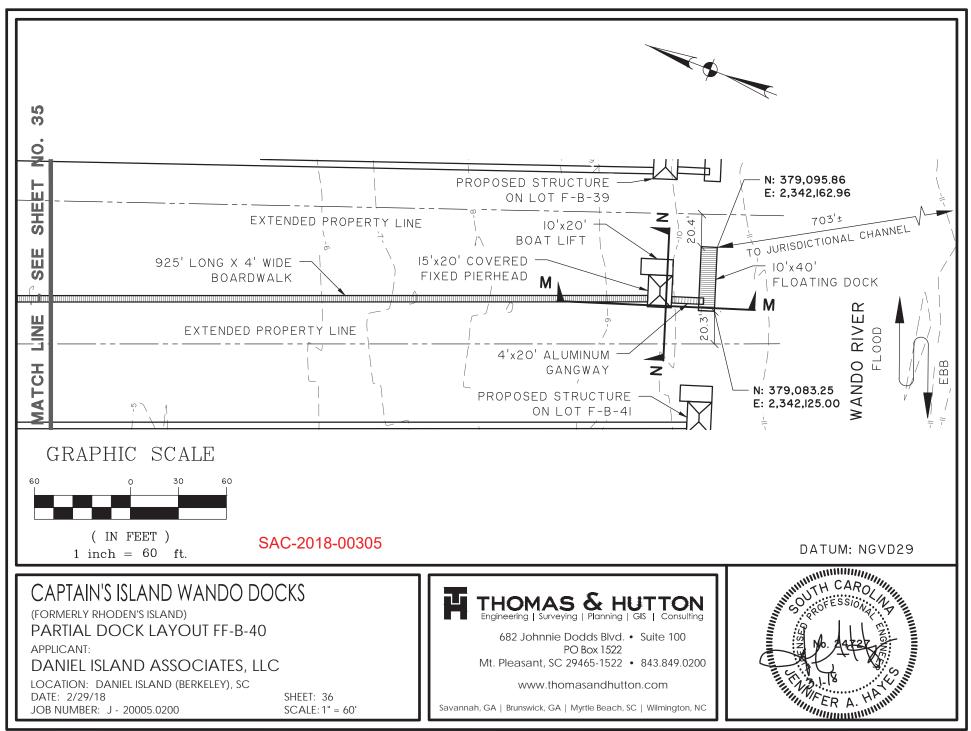
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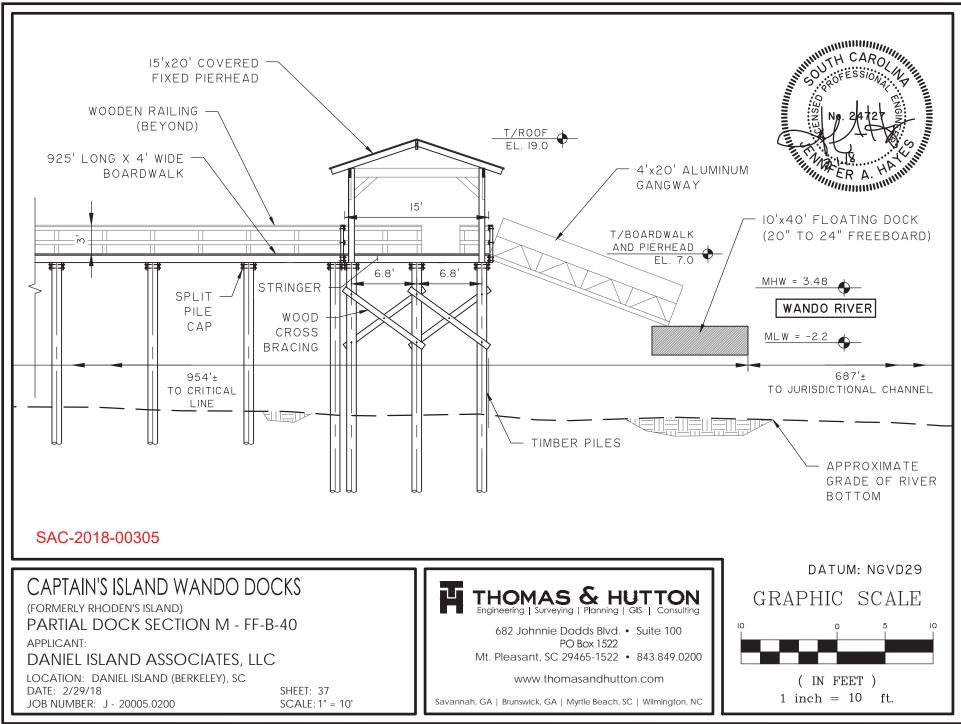


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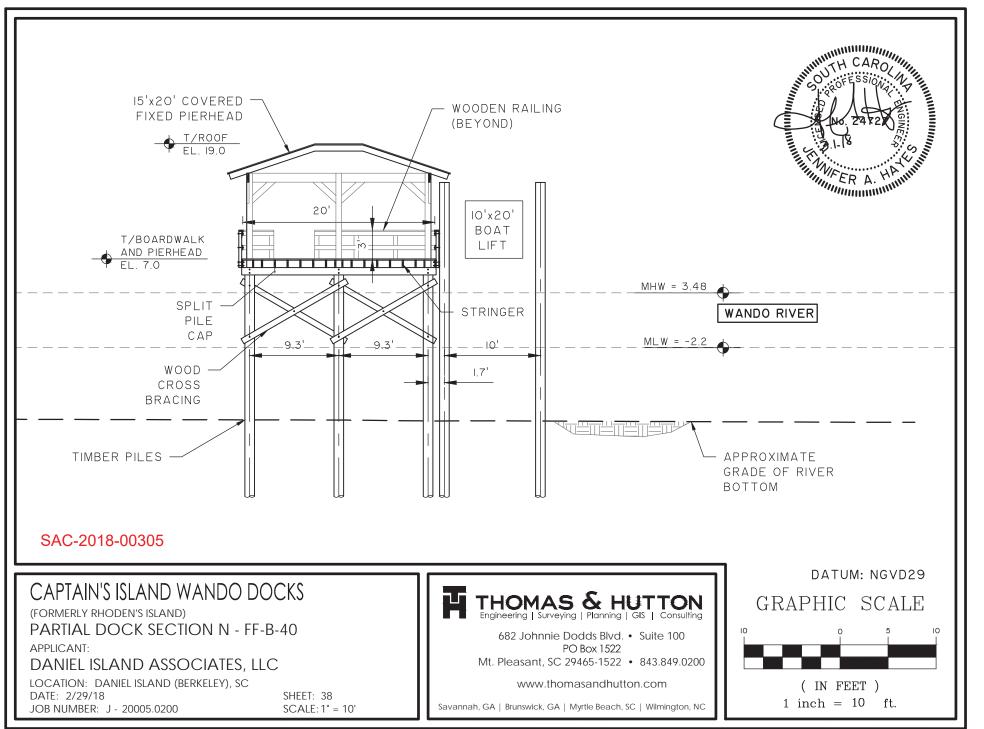




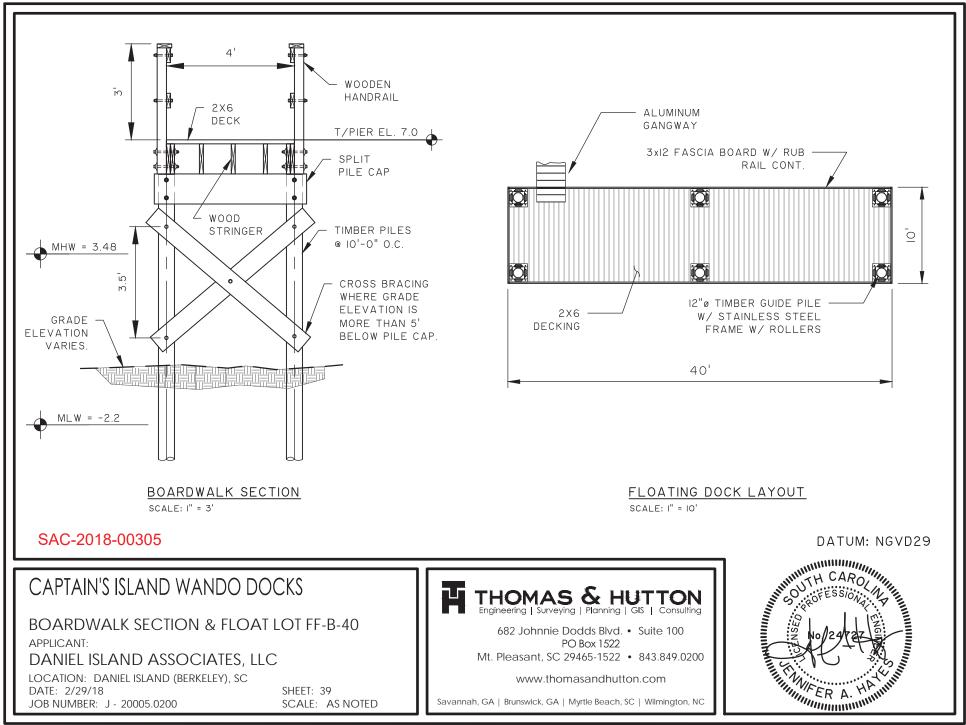
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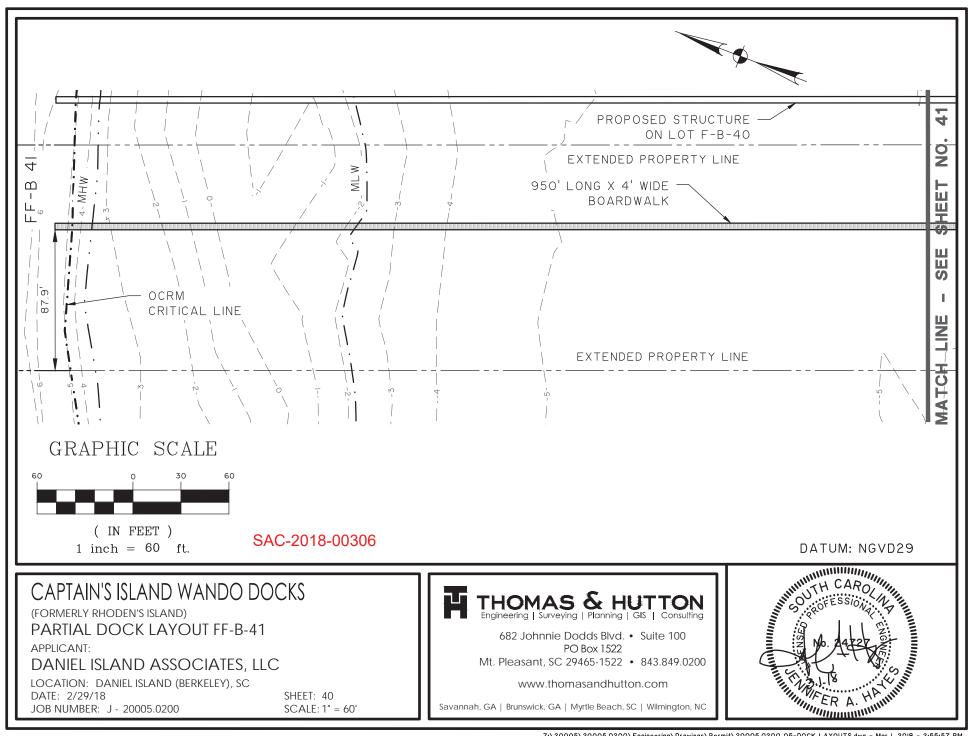
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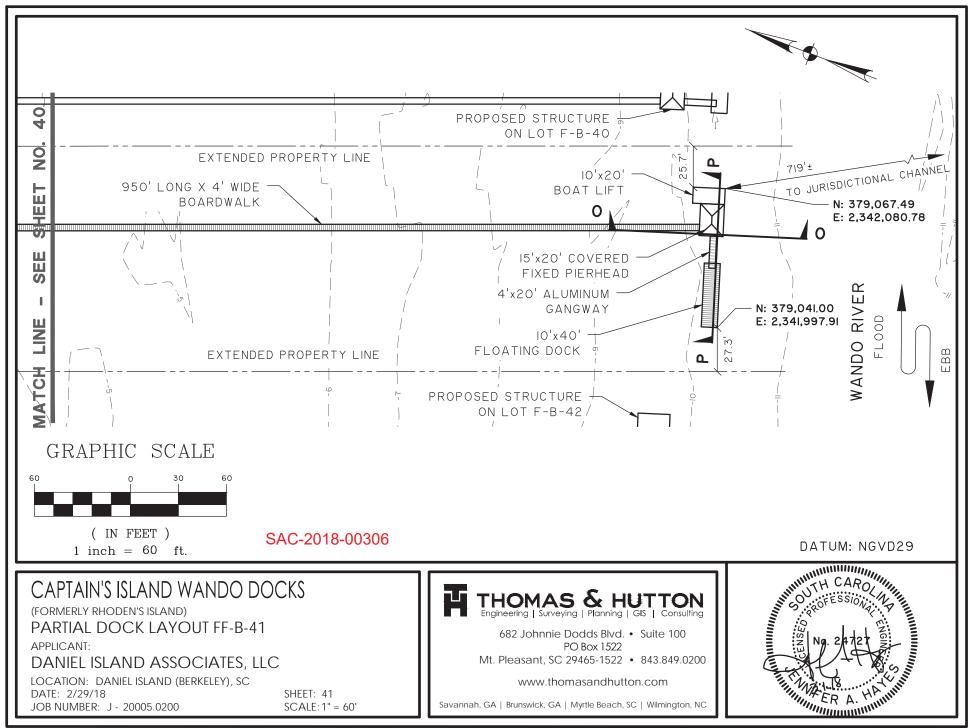
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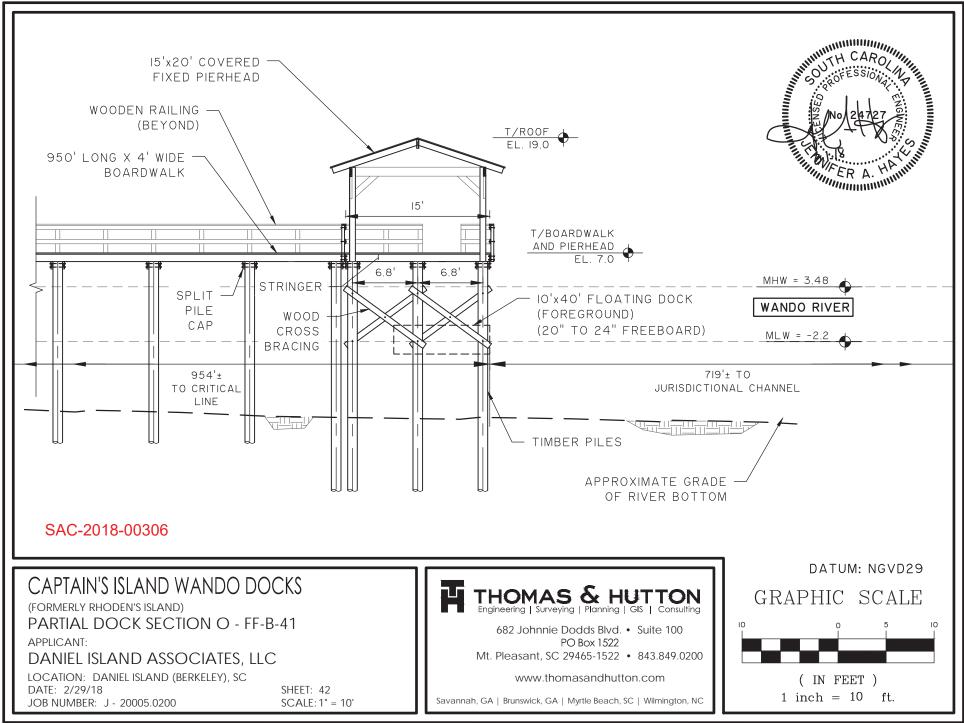
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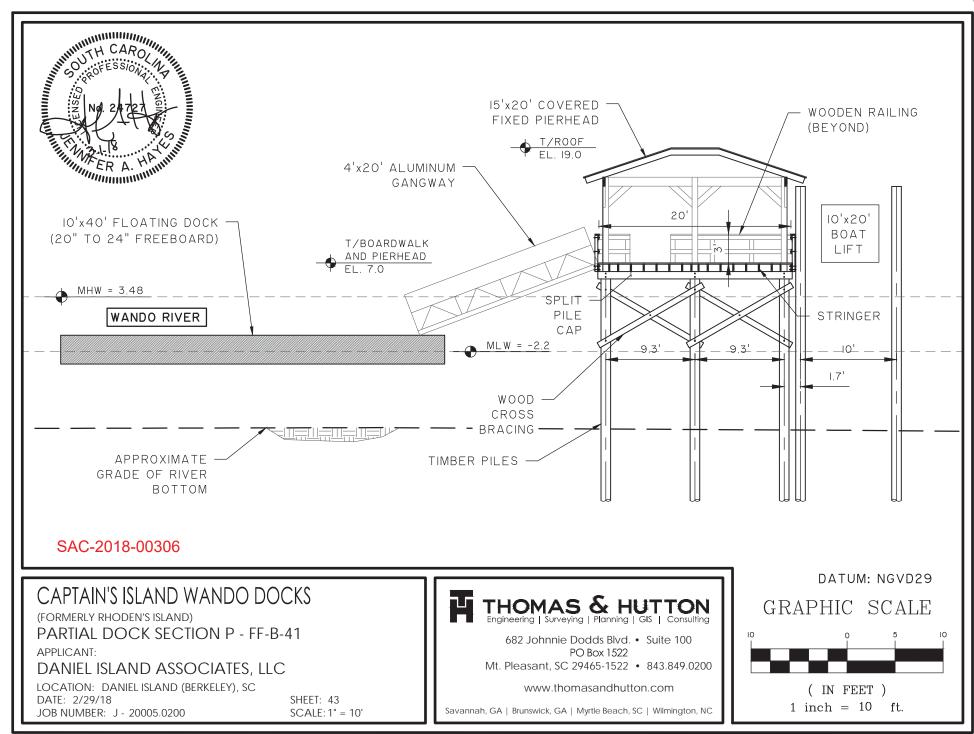
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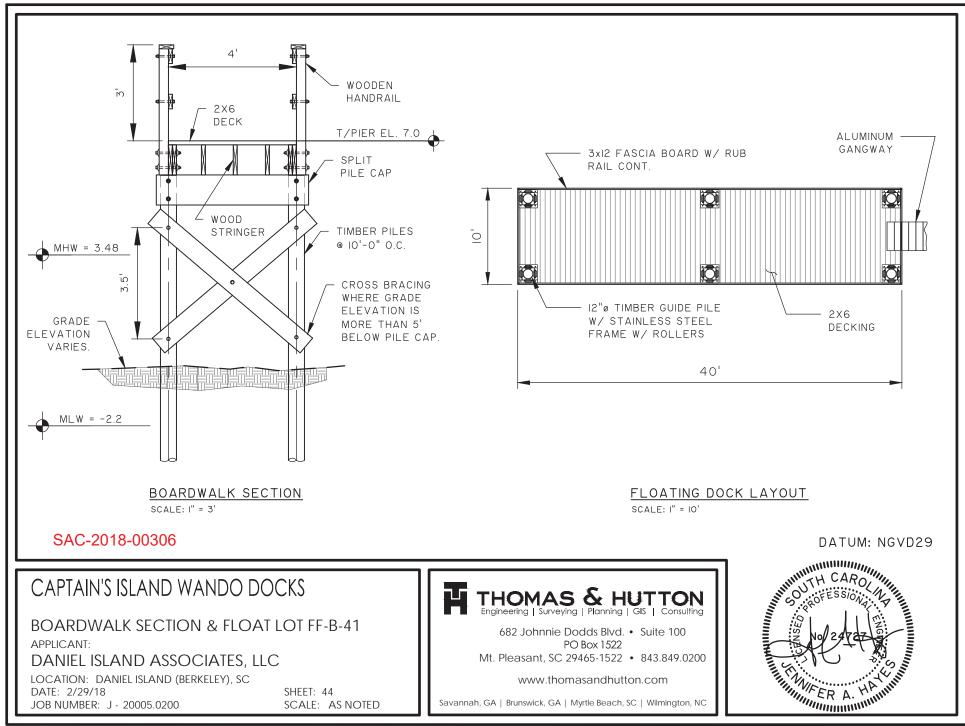
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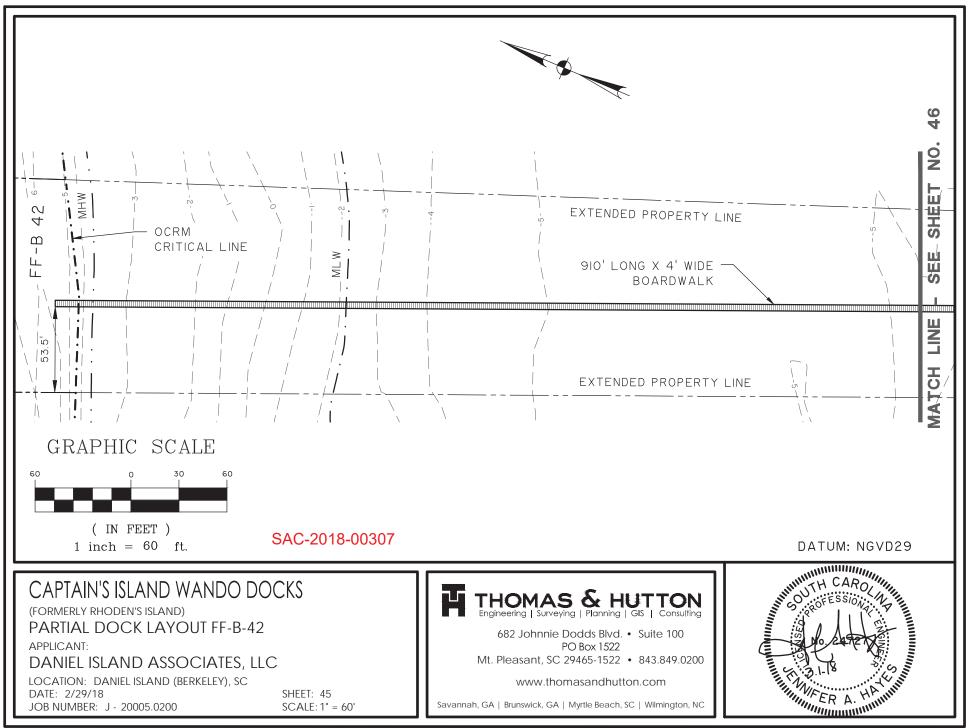
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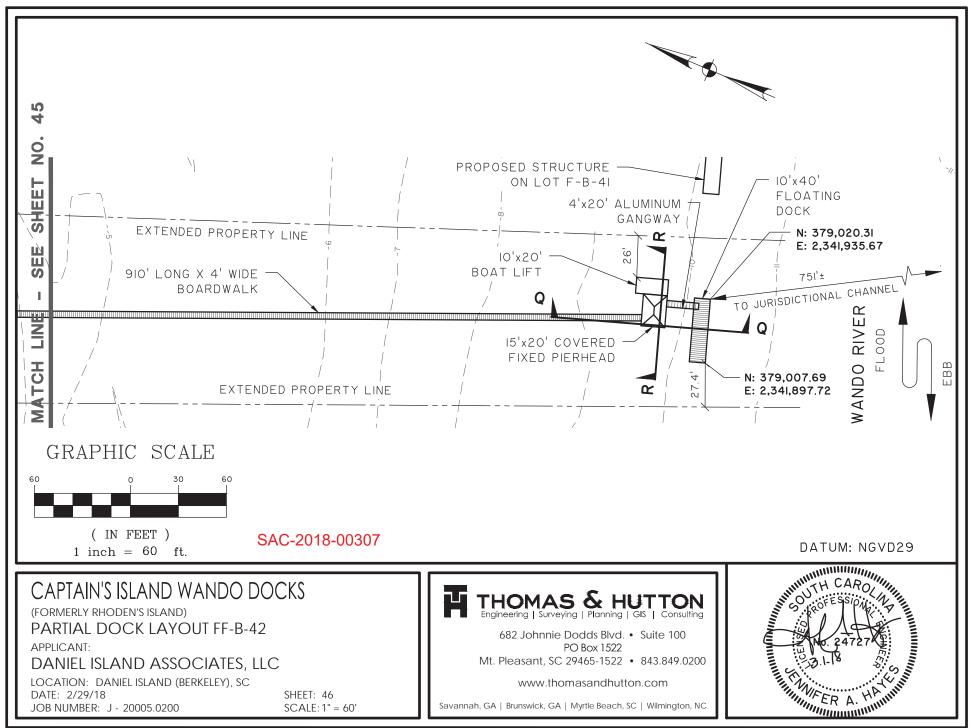
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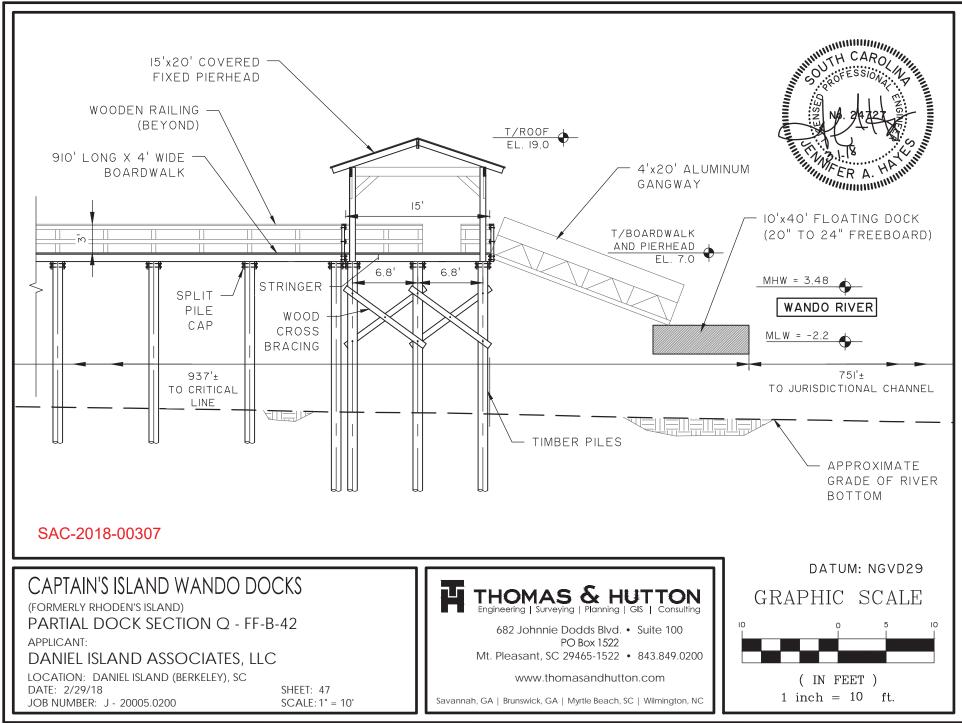
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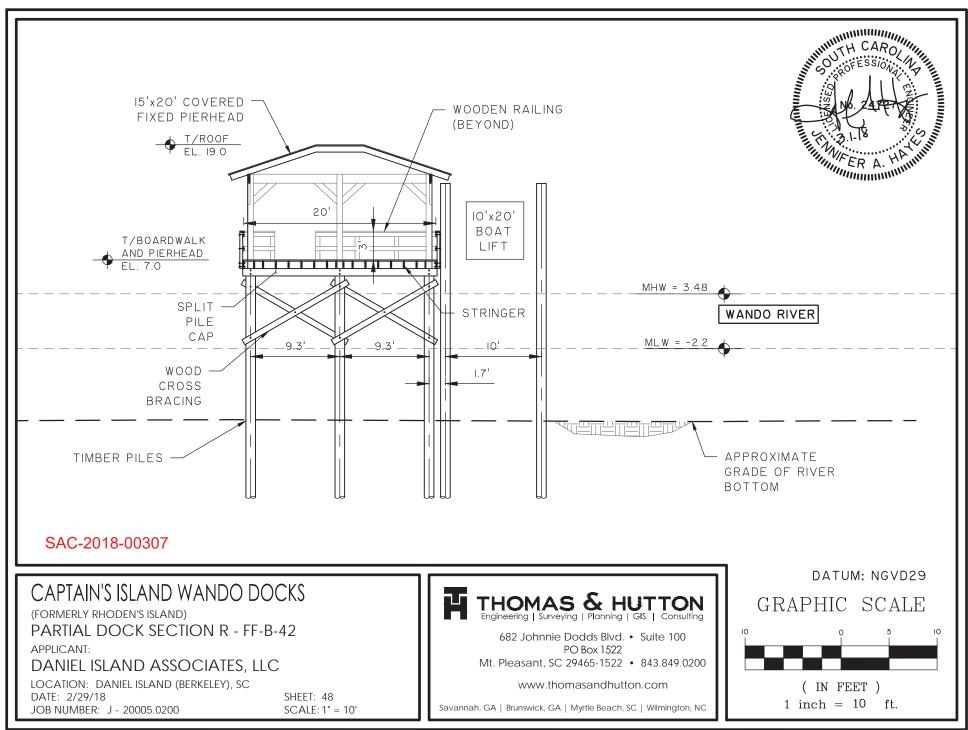
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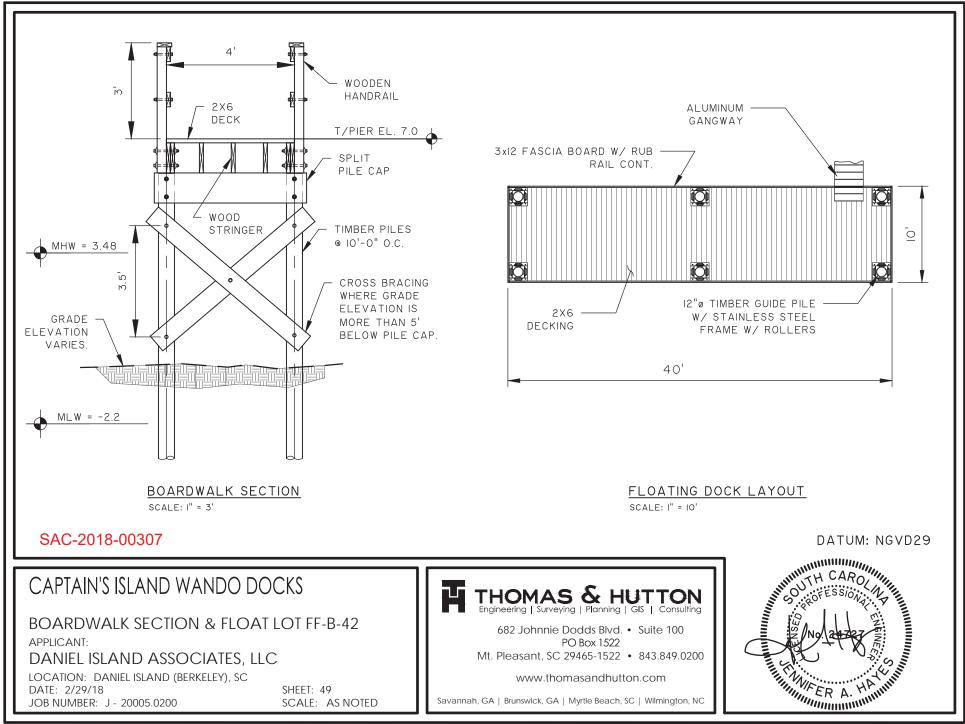
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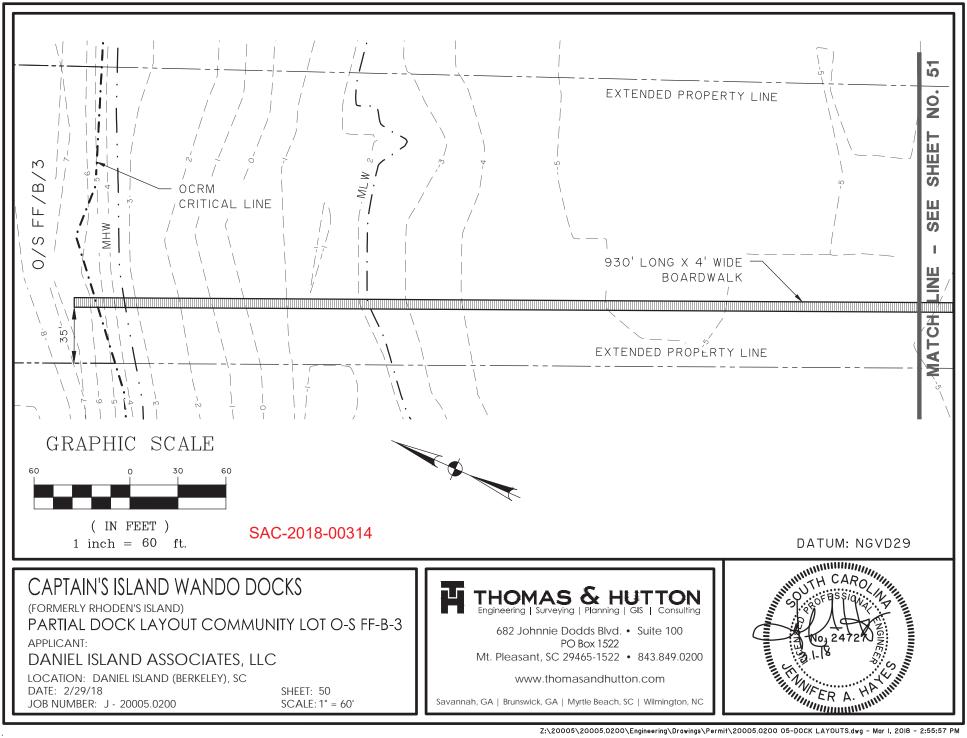
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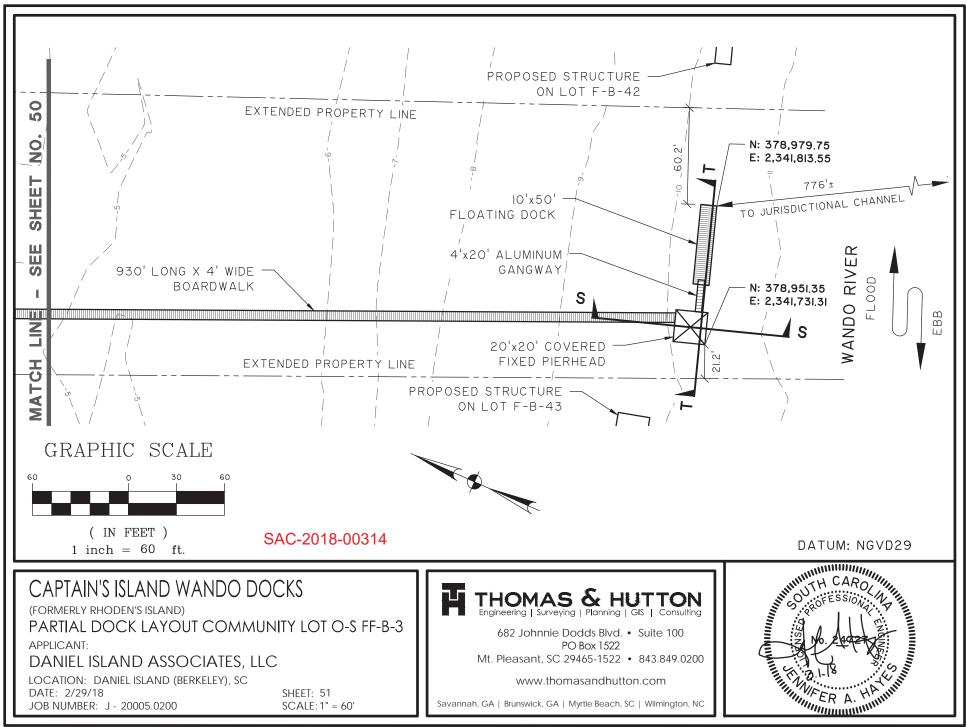
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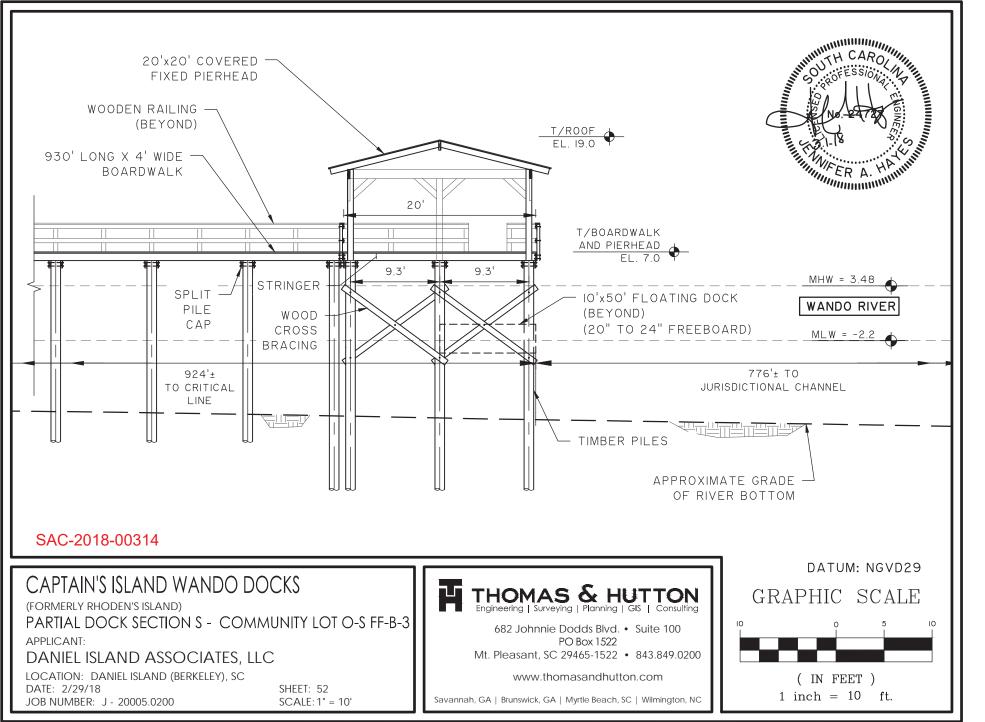
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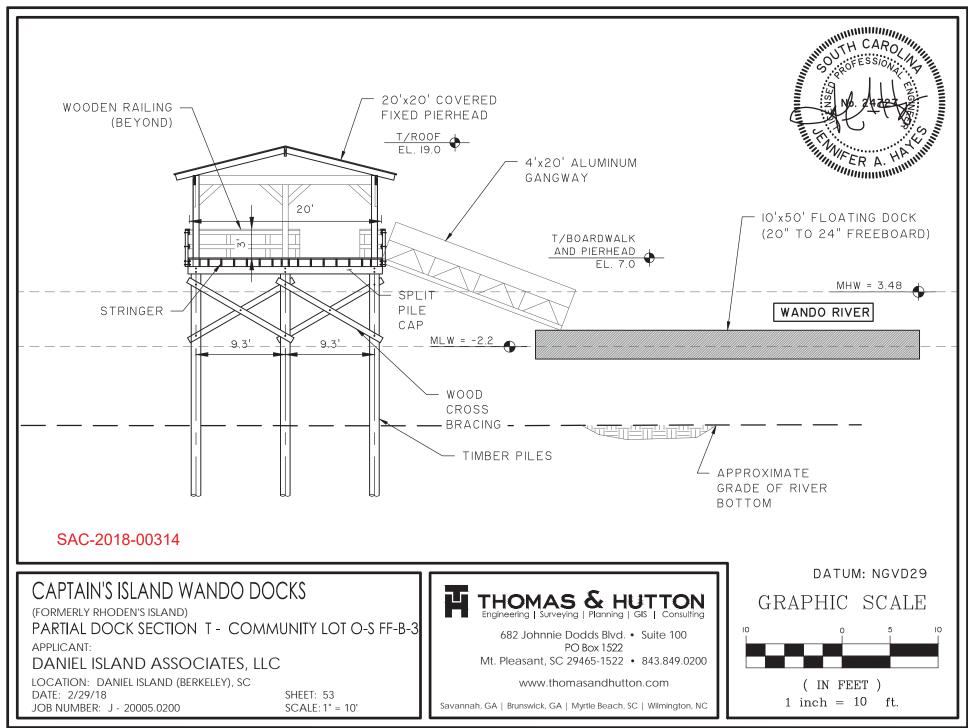
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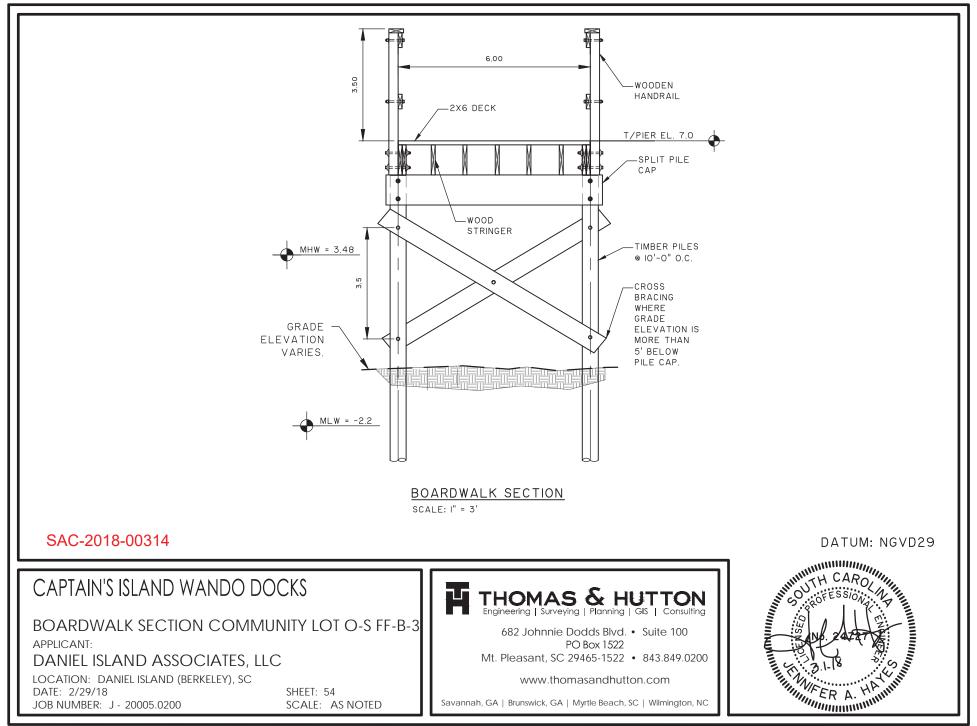
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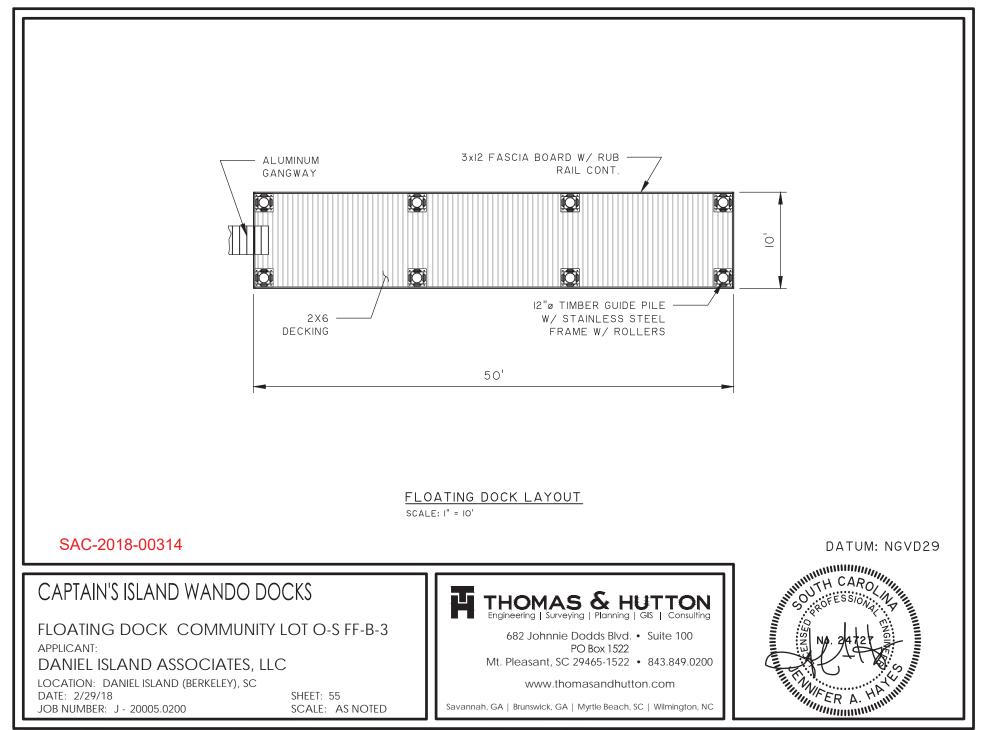


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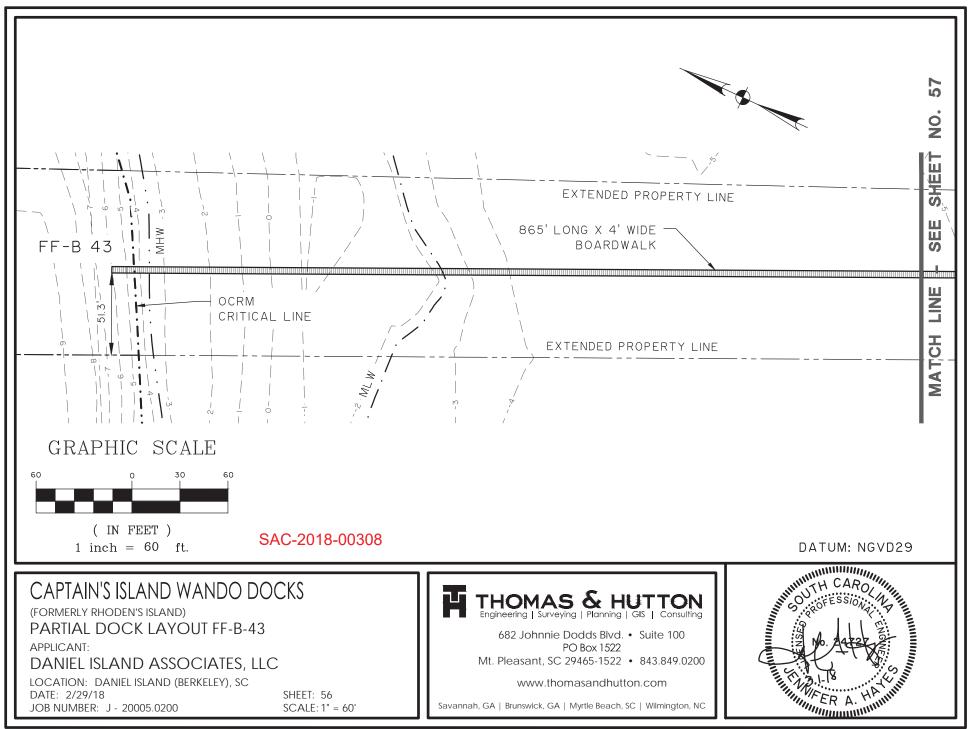


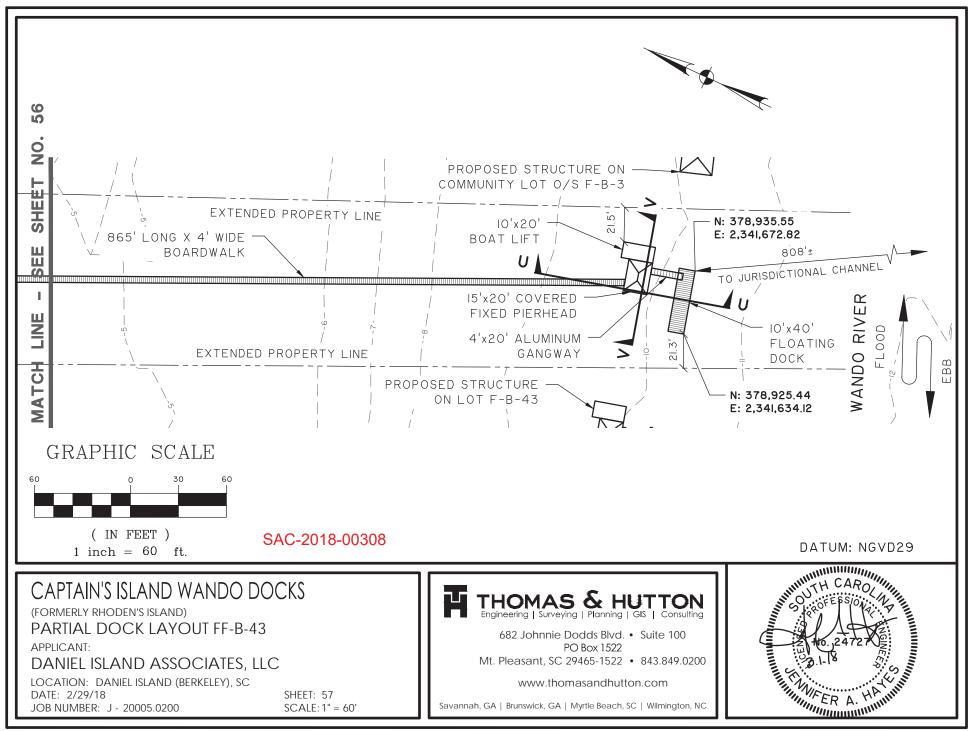
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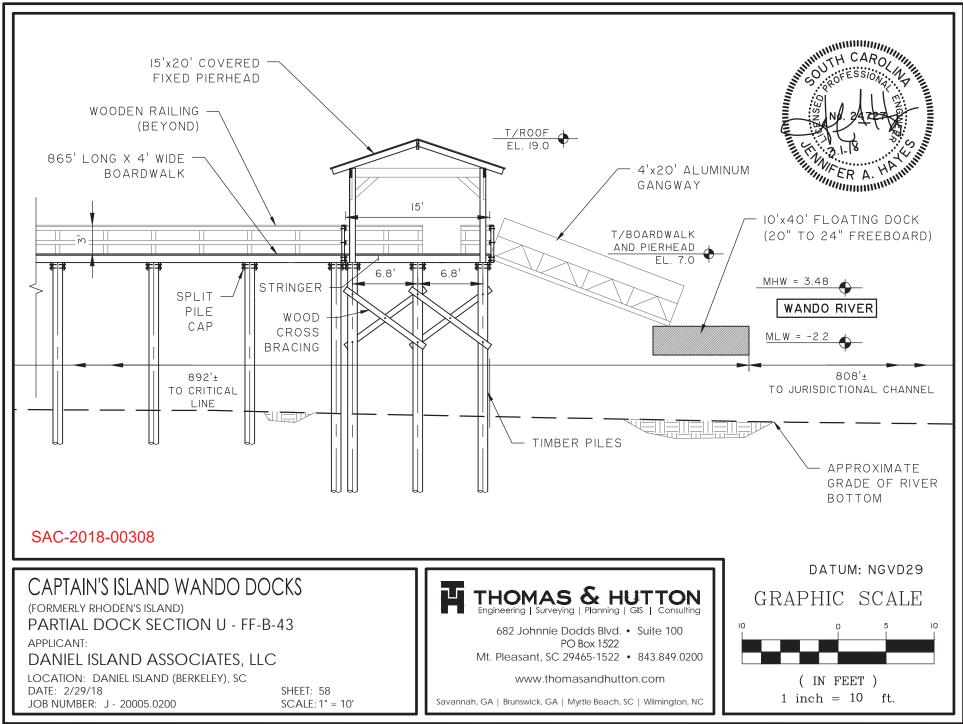


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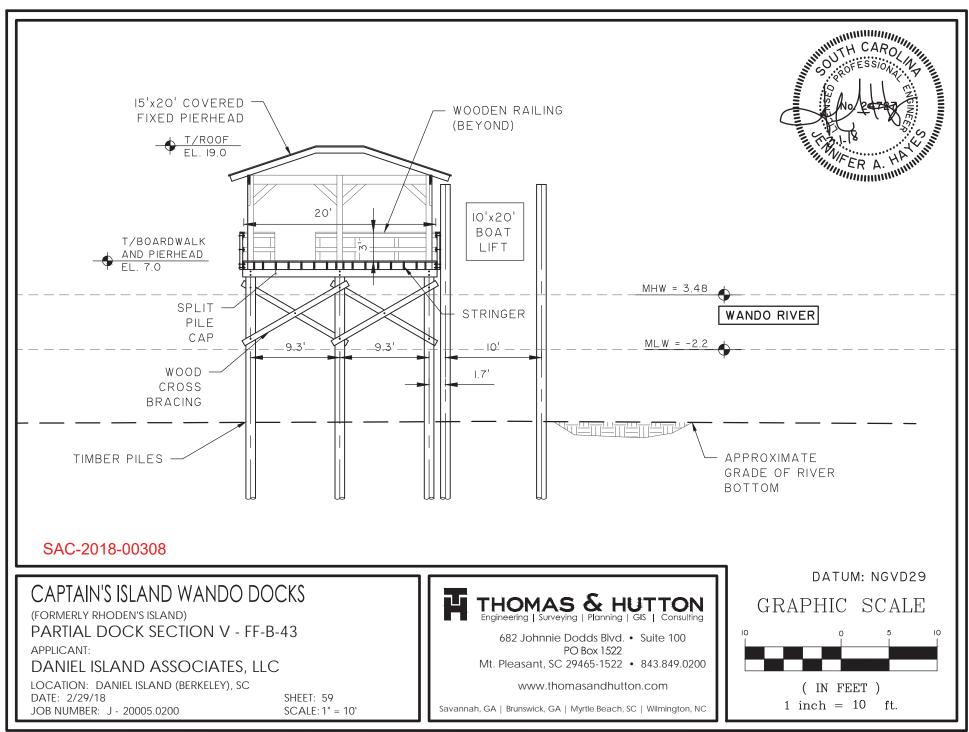




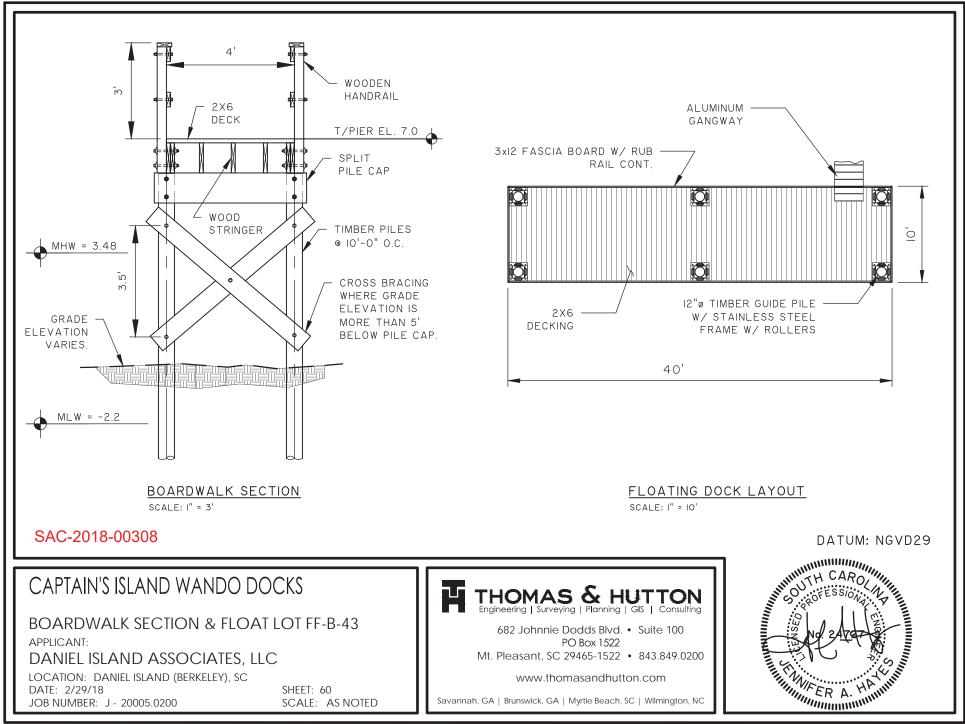
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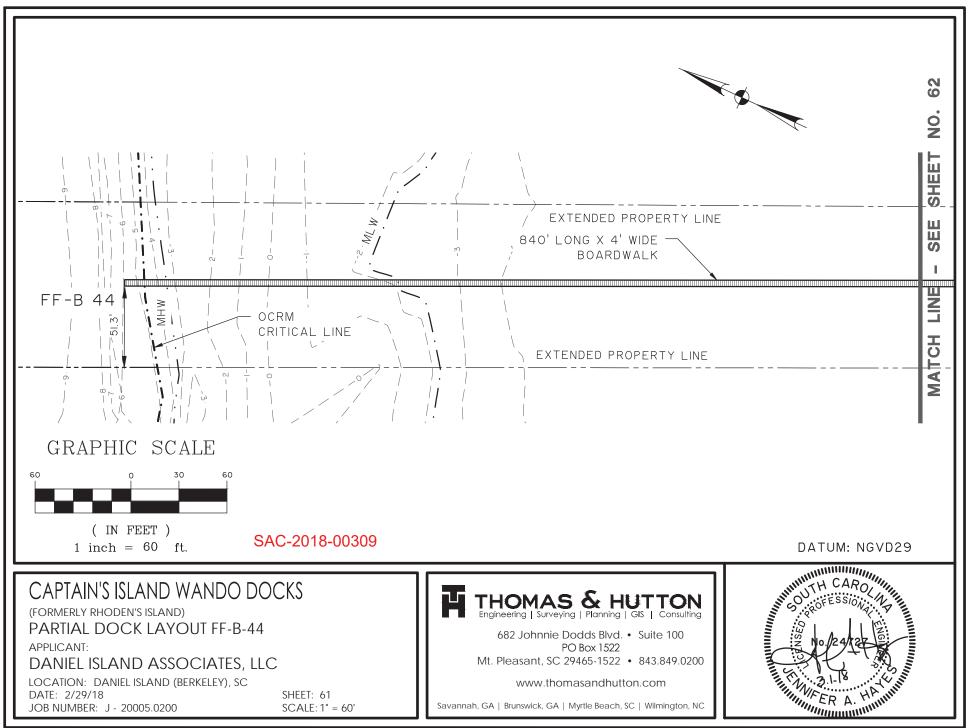


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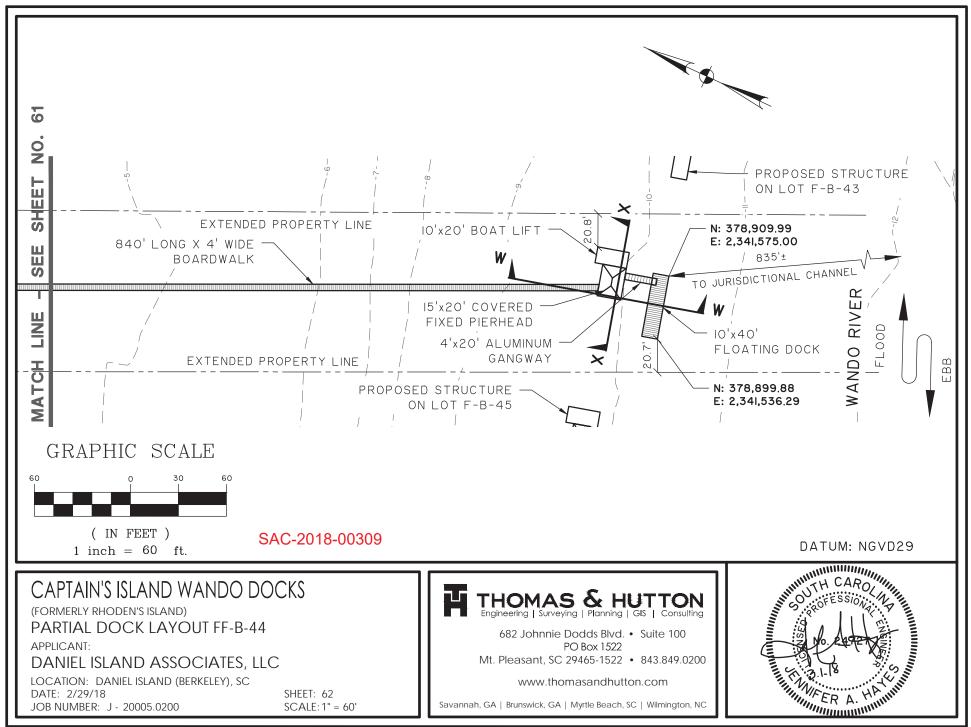


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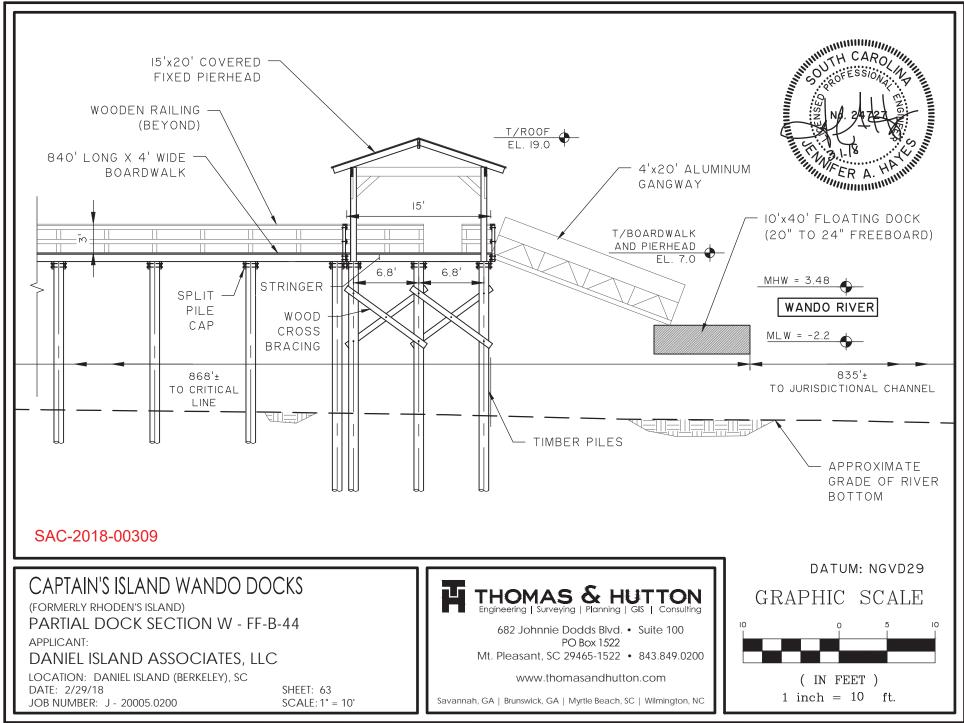




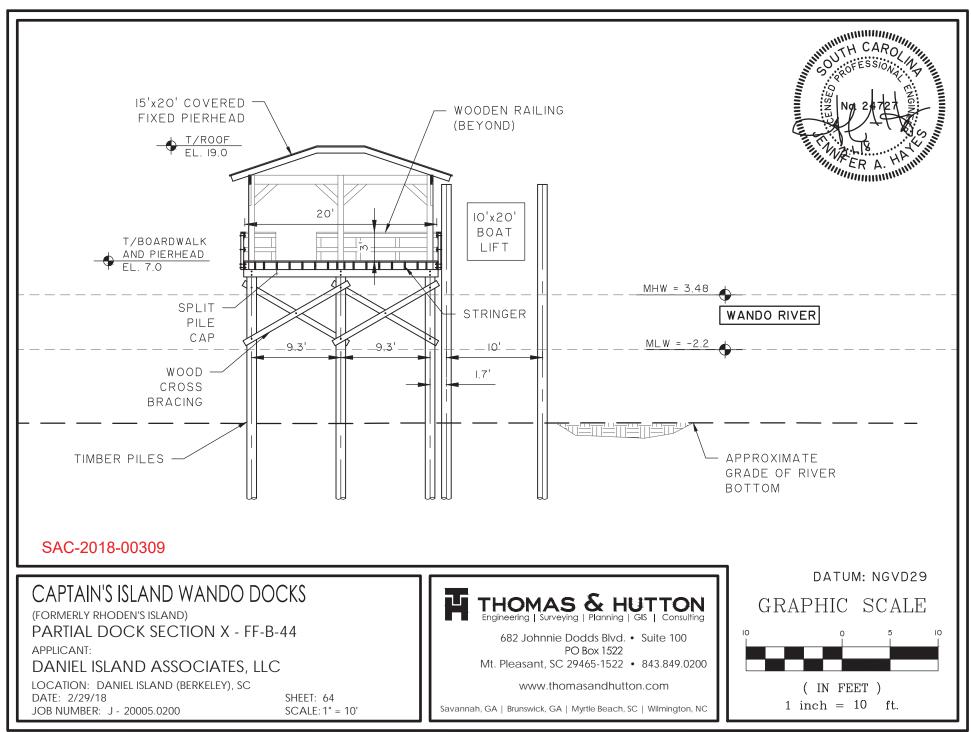
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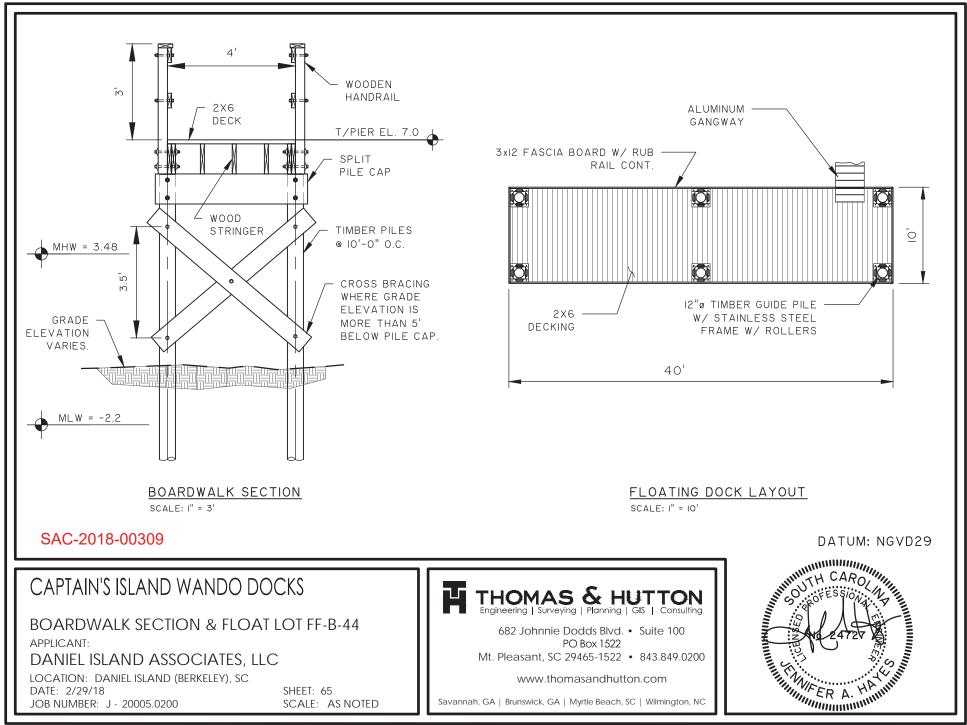
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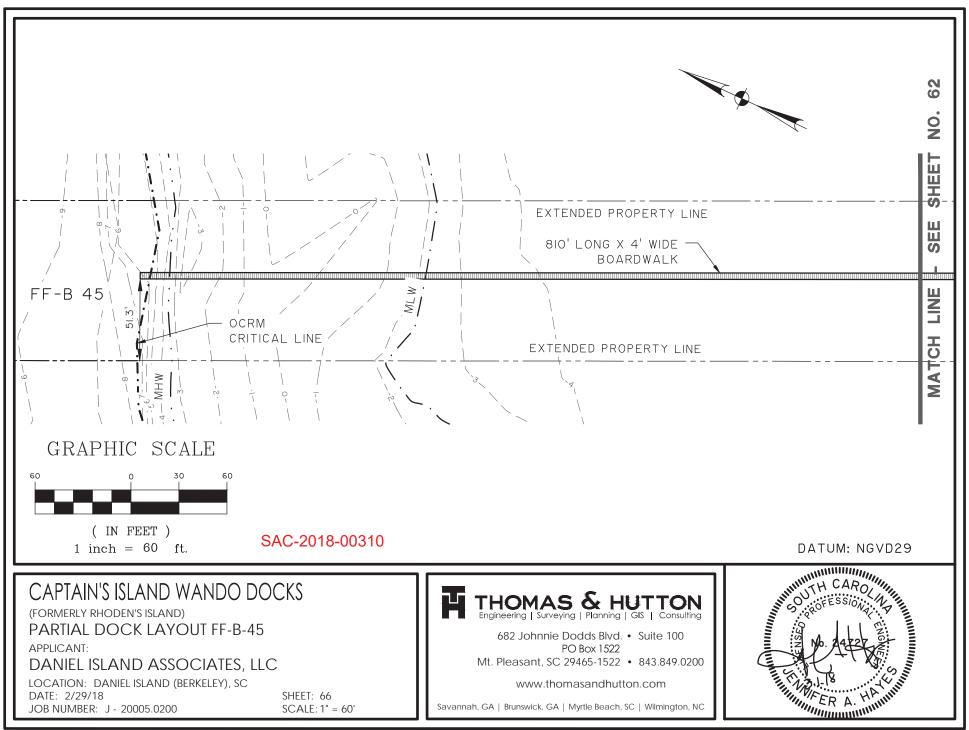
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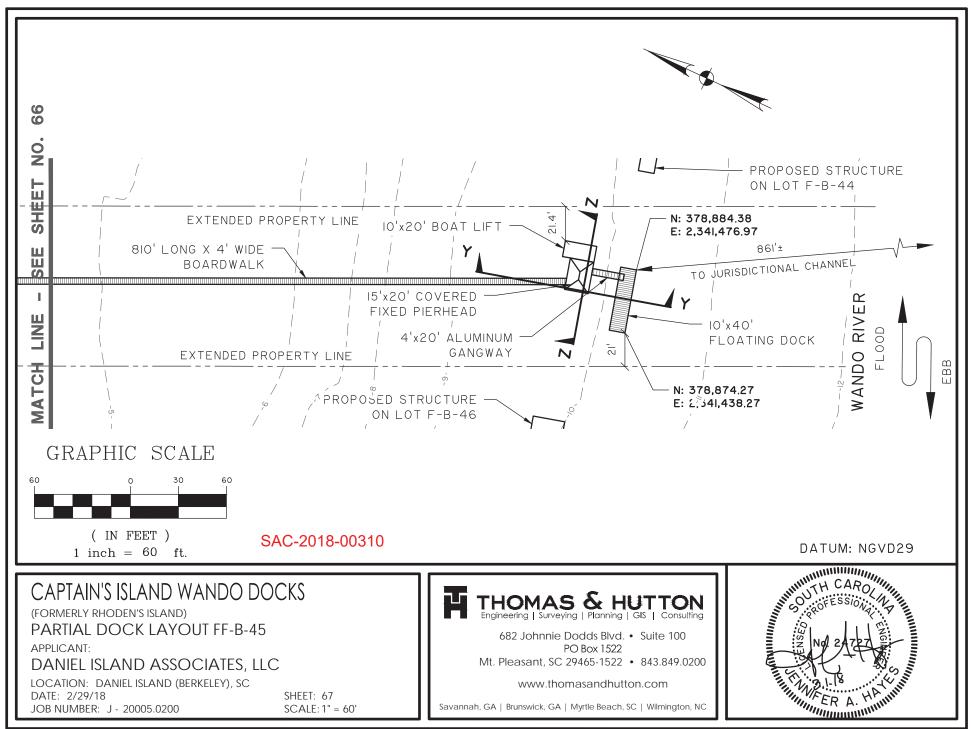
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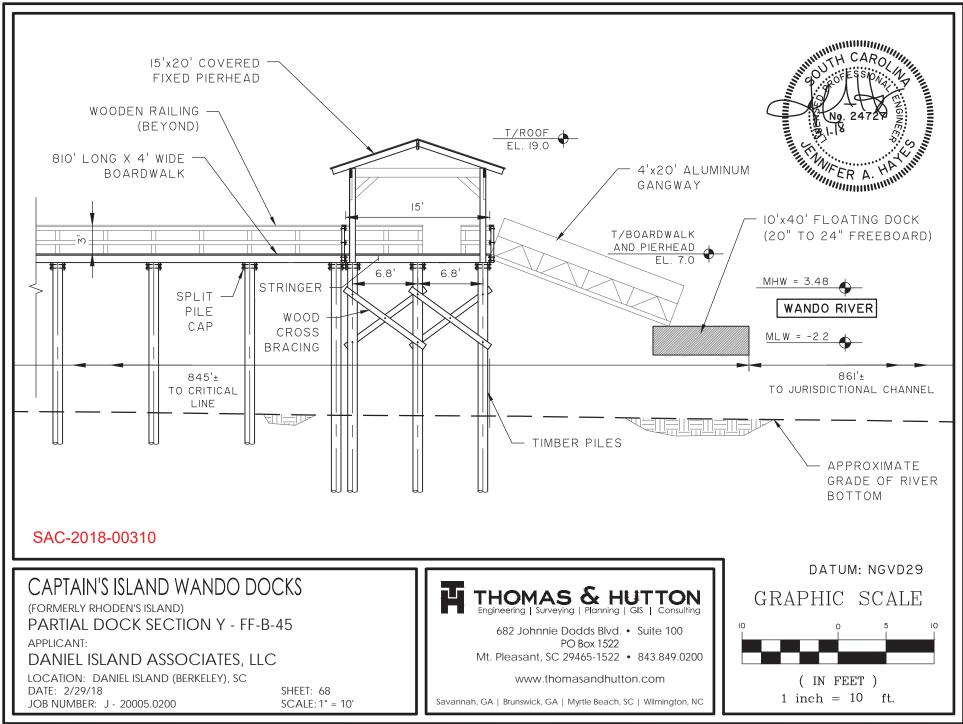
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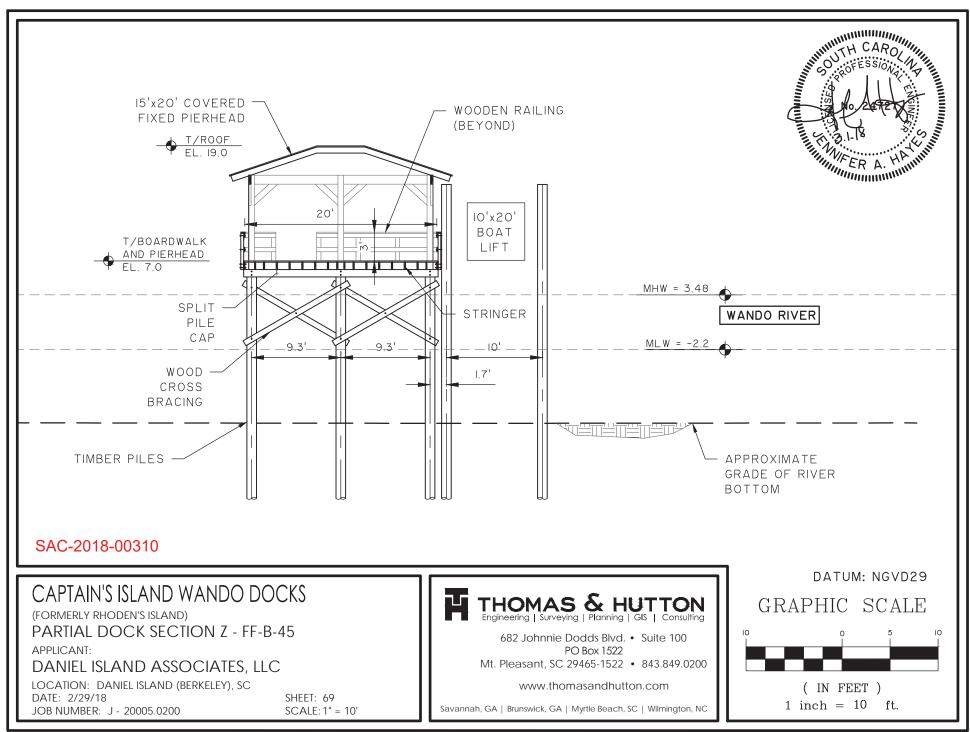
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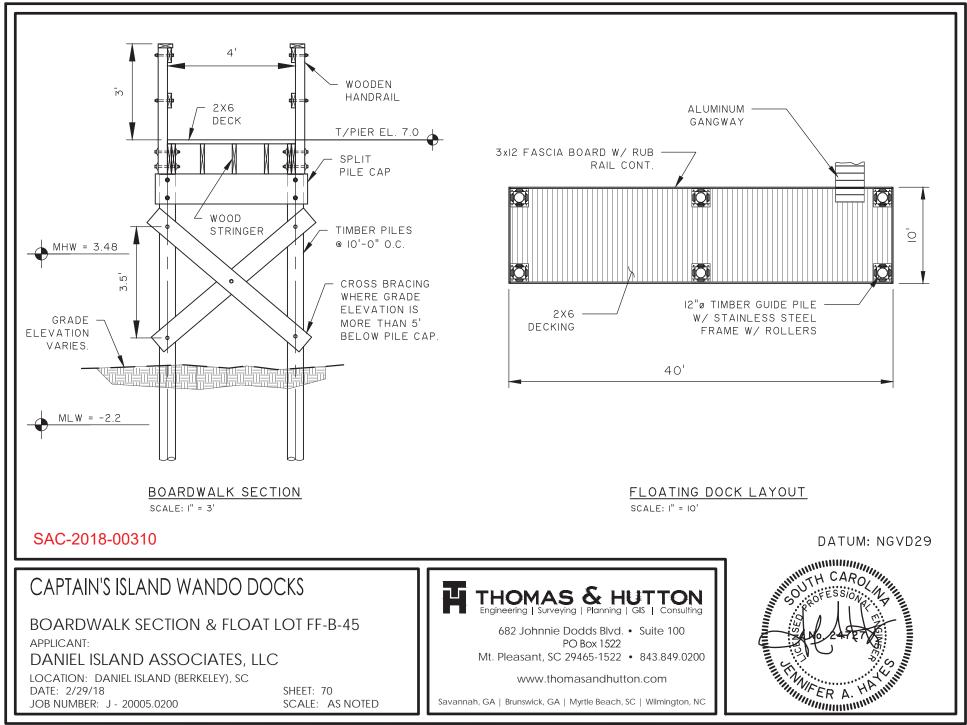


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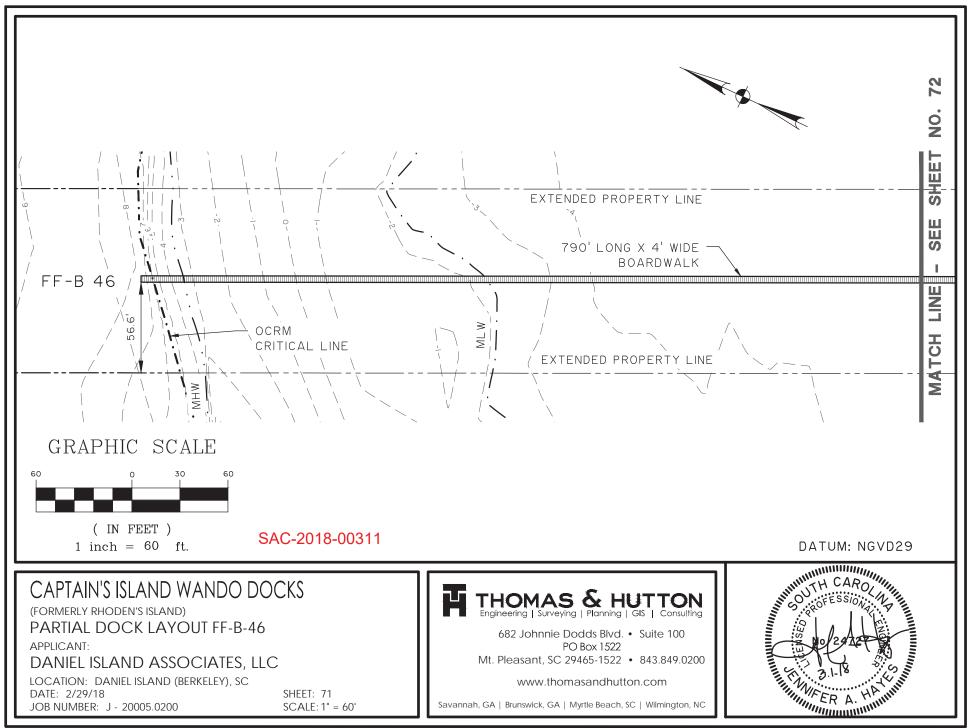


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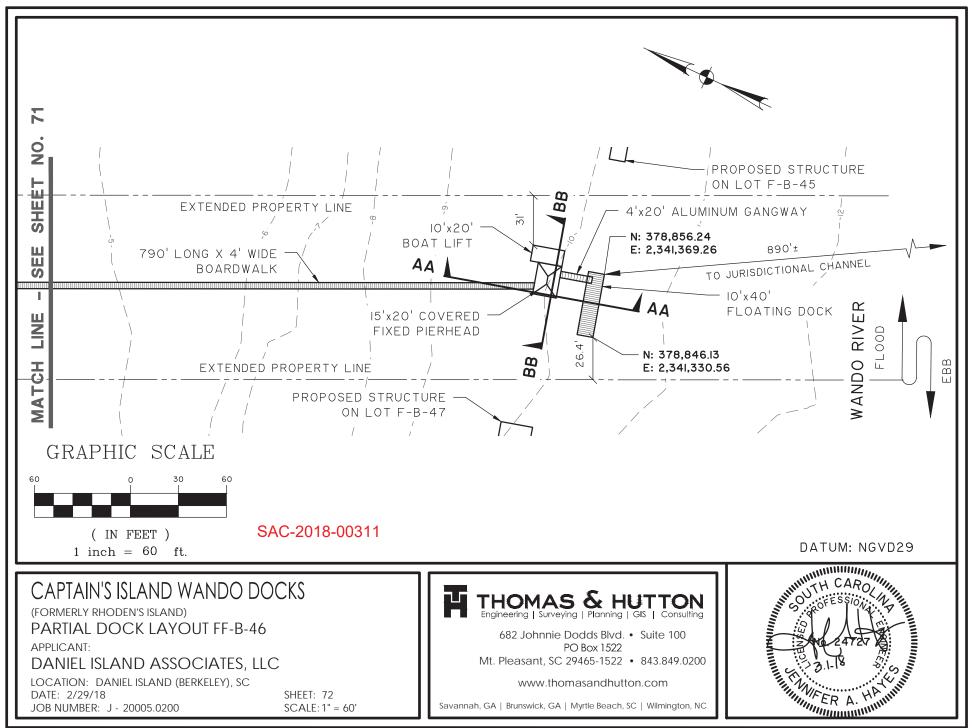




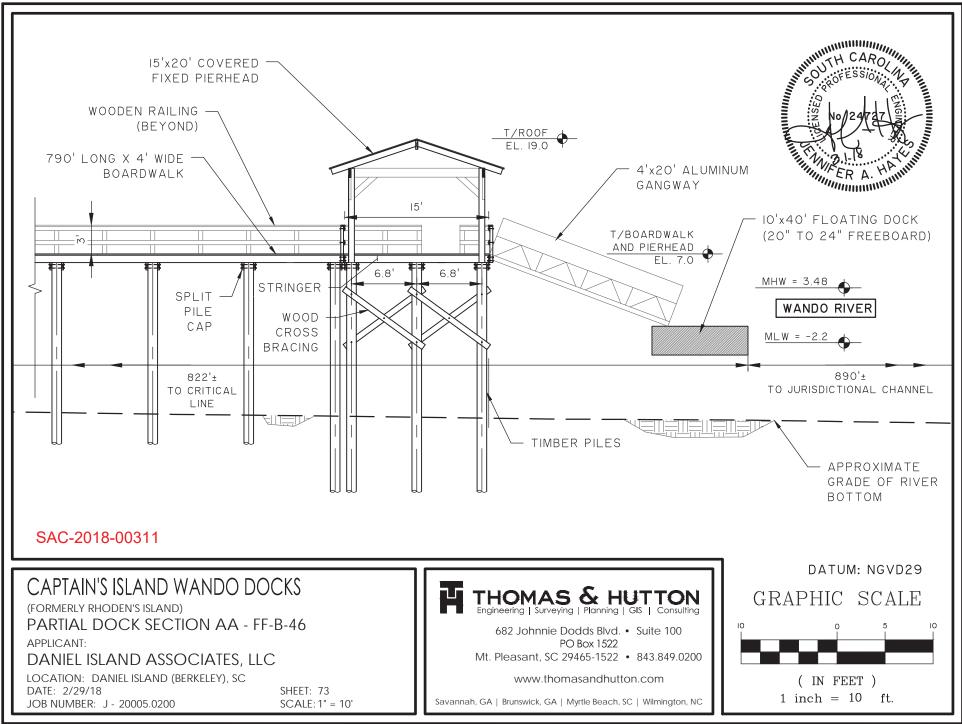
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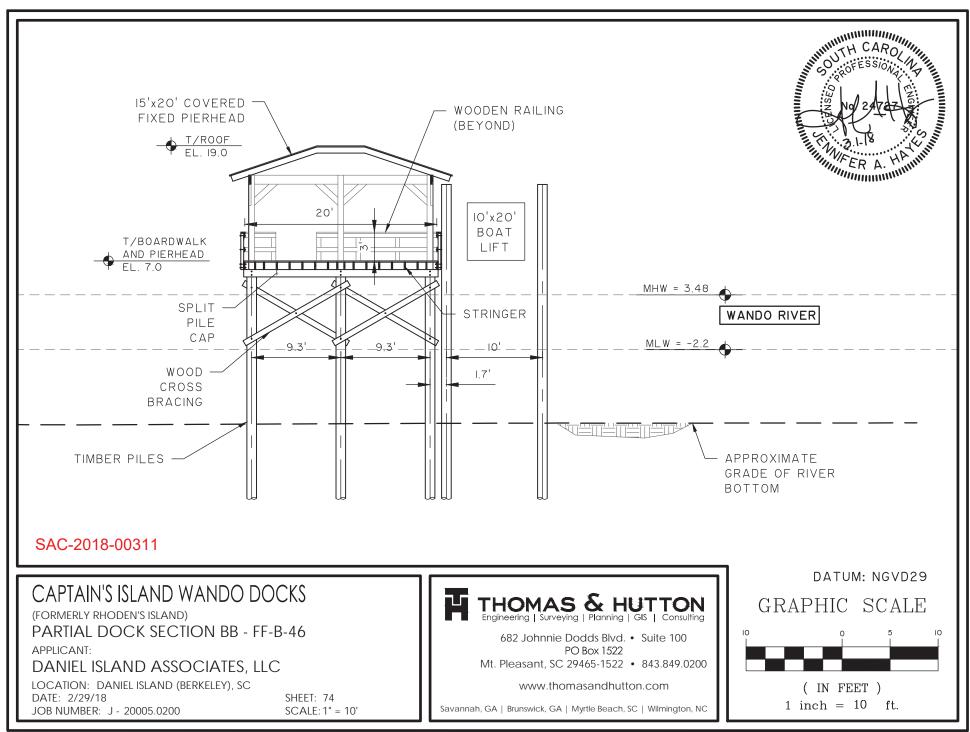
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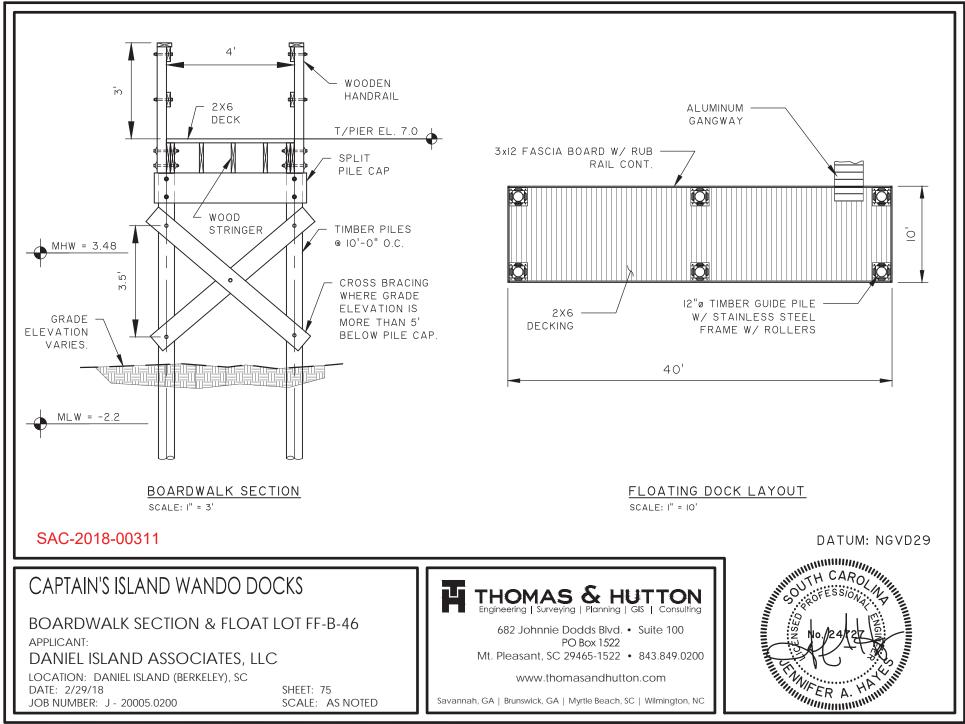
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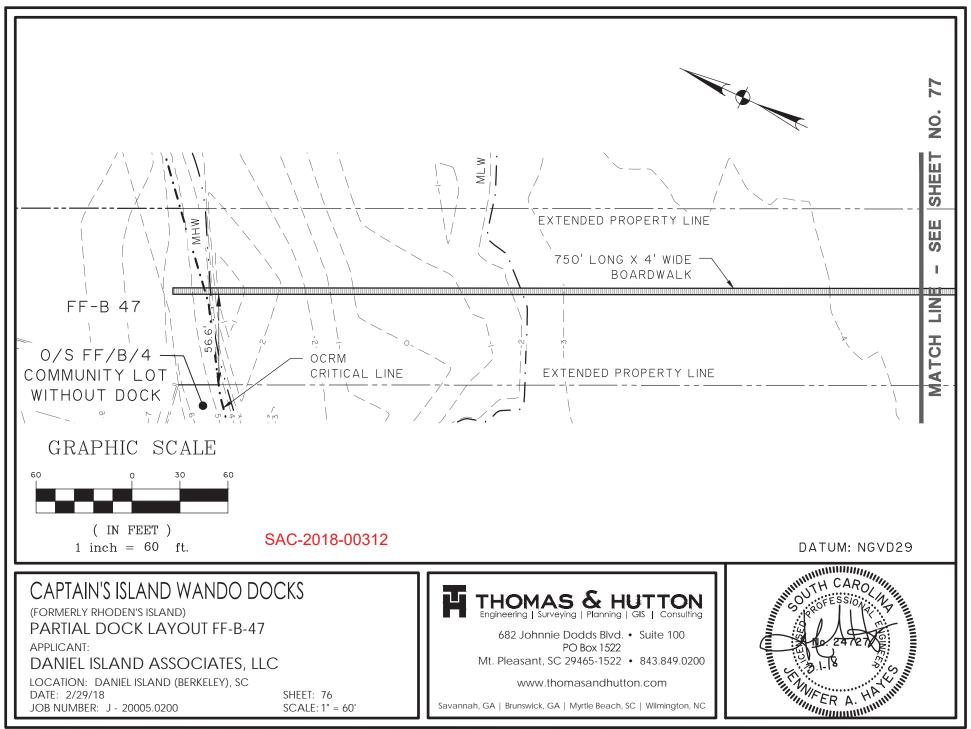


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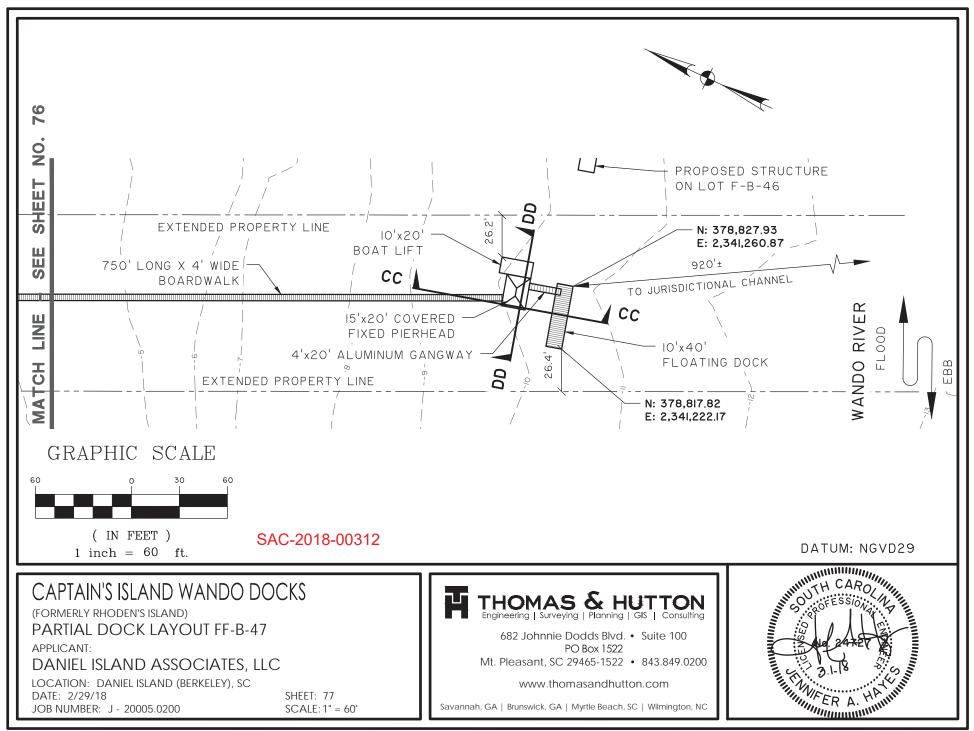


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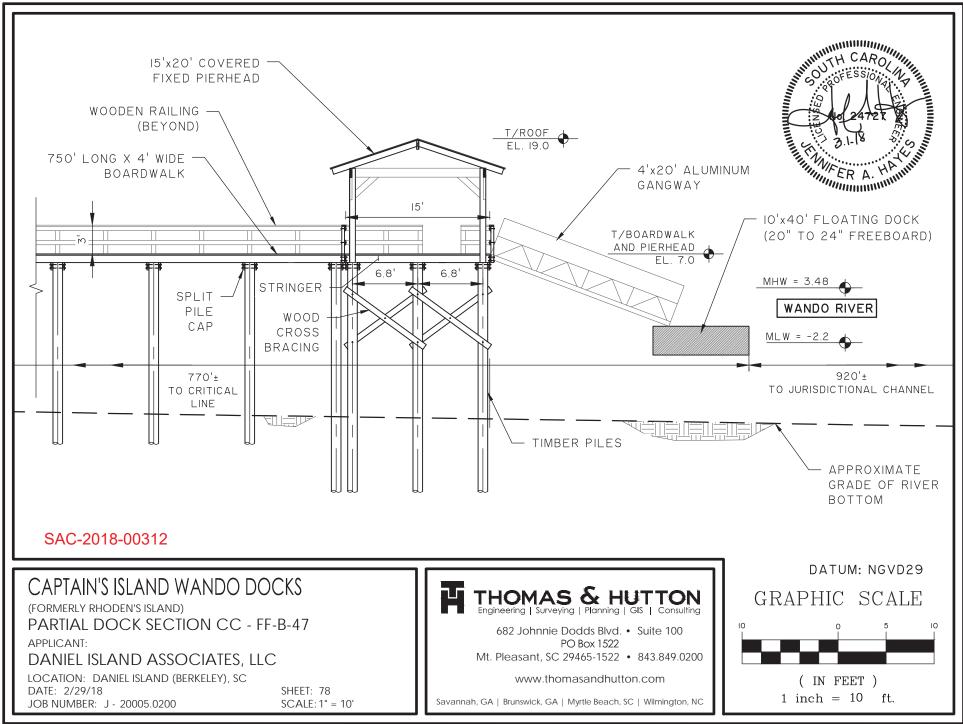




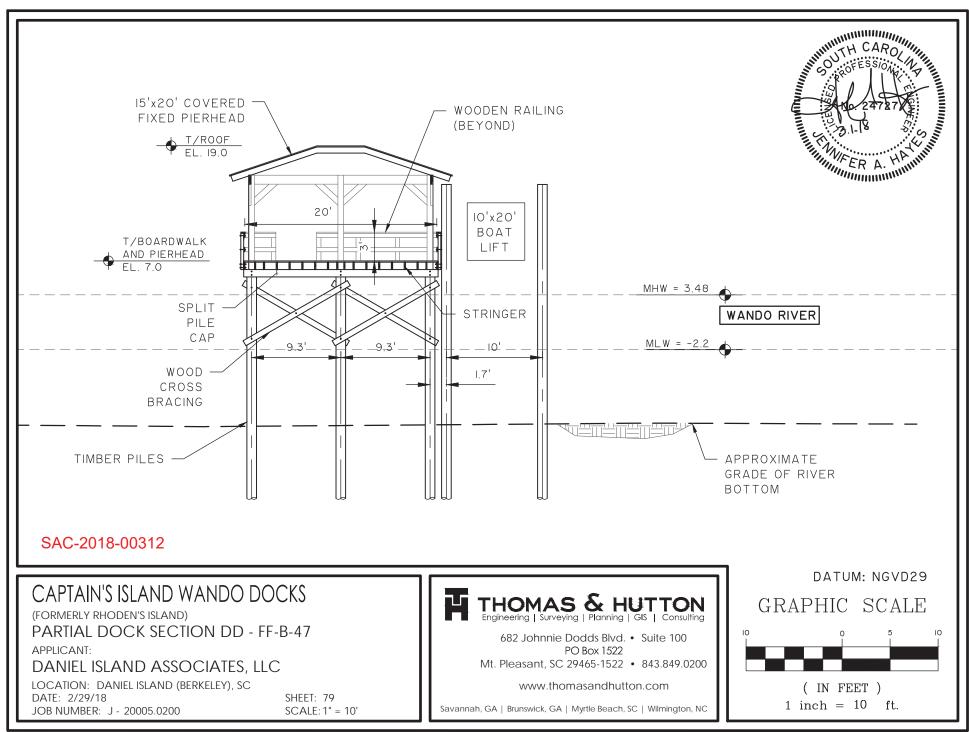
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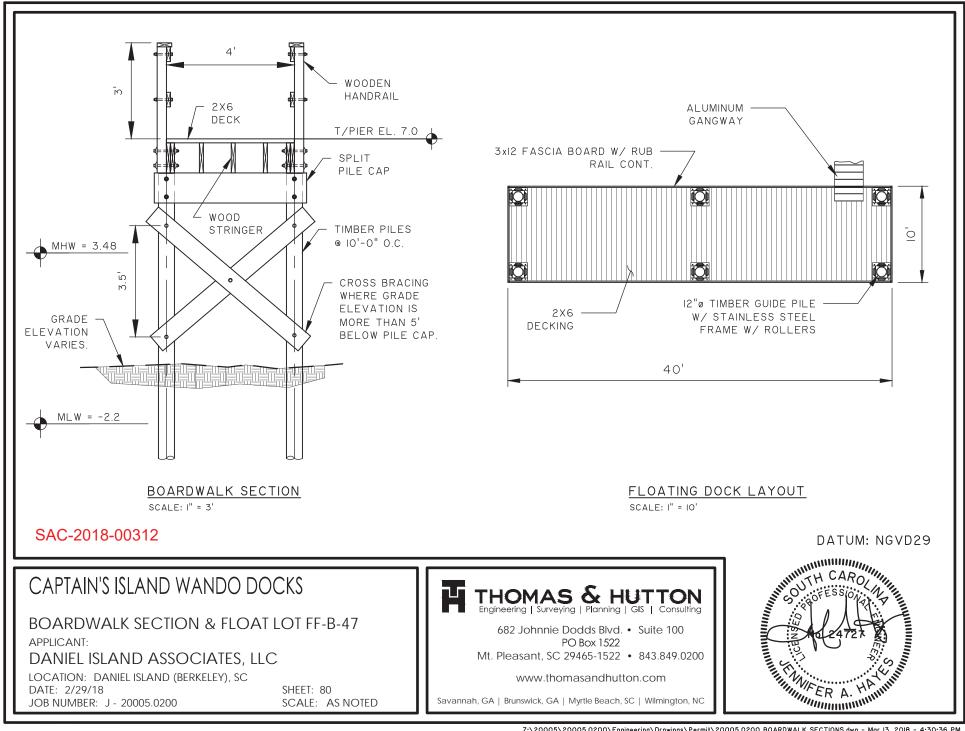


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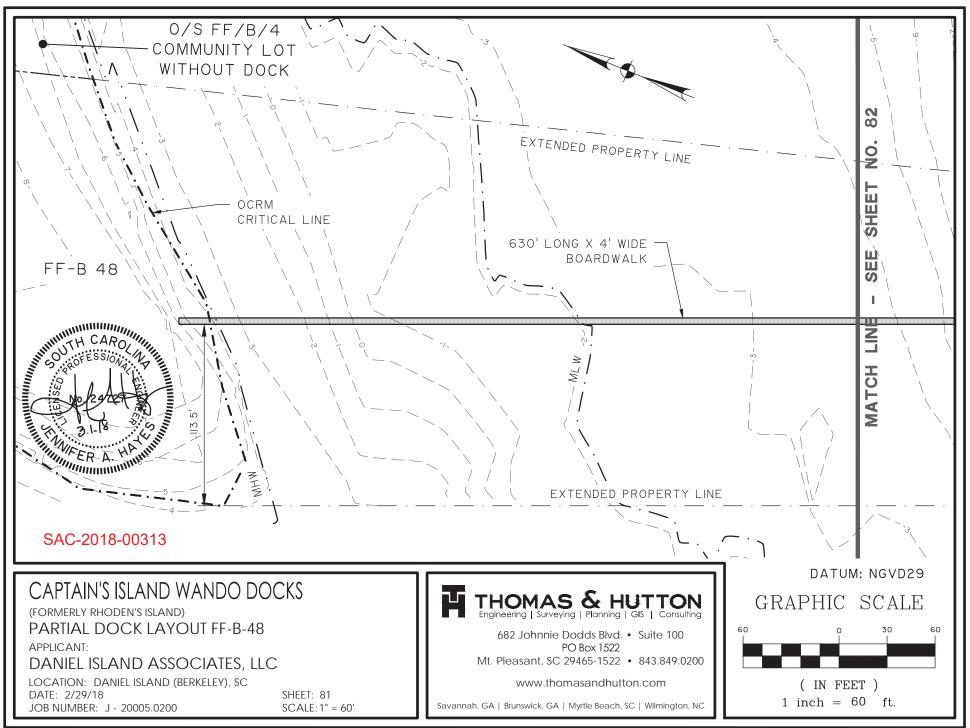


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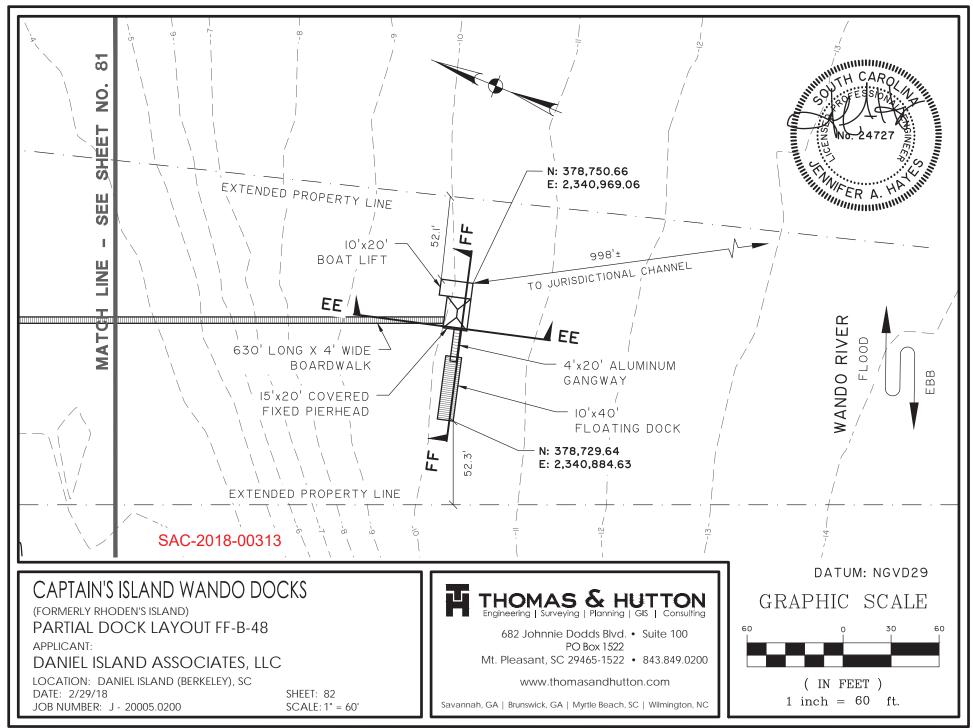




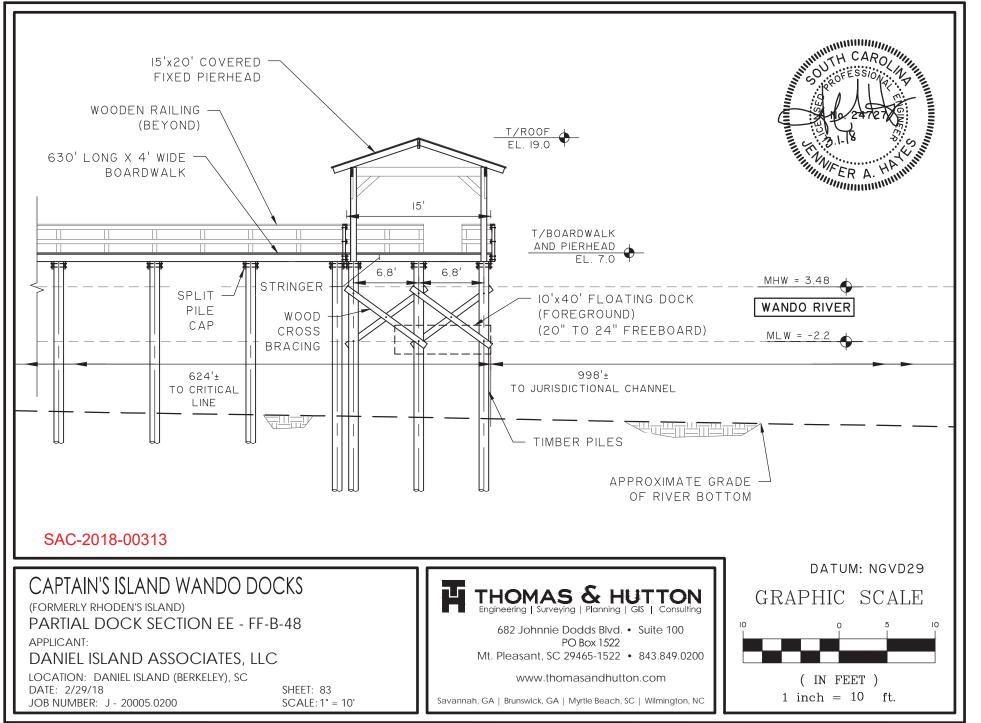
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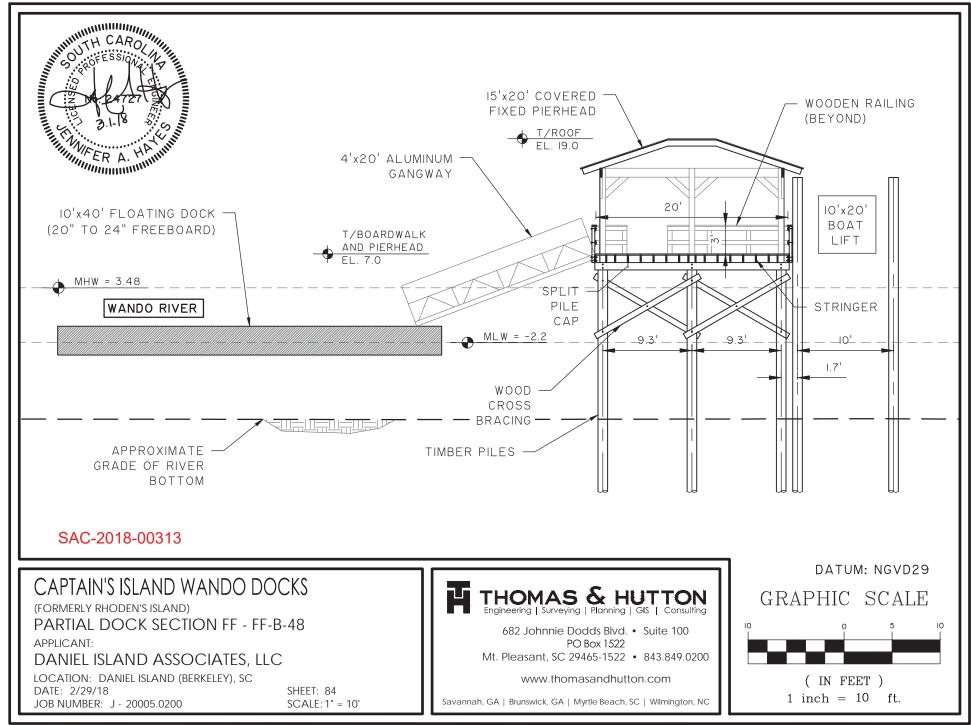
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