

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 2014-01080-2M

08 OCTOBER 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 S.C. Department of Health and Environmental Control by

ROBIN RICHTER
c/o MIKE MURRAY
AMERICAN DOCK & MARINE CONSTRUCTION, INC.
1533 D-5 FOLLY ROAD
CHARLESTON, SC 29412

for a permit to construct a fixed pier, floating dock, and boat lift in the Wappoo Creek section of the Atlantic Intracoastal Waterway at 1818 Maybank Highway, James Island, Charleston County, South Carolina (Latitude: 32.763714°N, Longitude: 79.979208°W).

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 the removal of an existing 145 square foot dock with a 4' x 27' walkway and construction of a new dock. In detail, the new dock will consist of a fixed 18' x 18' covered pierhead connected to high ground by a 4' x 79' walkway with handrails. In addition, the applicant proposes to install, a 10' x 40' floating dock on the upstream side of the pierhead, to be accessed by a 3' x 20' ramp. A 7.5' x 20' drive on boat lift will be attached to the landward side of the floating dock. The applicant also proposes to construct, on the downstream side of the pierhead, a 12.5' x 14' four pile boat lift to be accessed by a 3' x 65' "L" shaped catwalk with handrails as shown on the attached drawings. The purpose of the proposed work is for the applicant's private recreational use.

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. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). 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 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 District Engineer has consulted the most recently available information and 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 conservation, water quality, energy needs, safety, food and fiber production and,

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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.

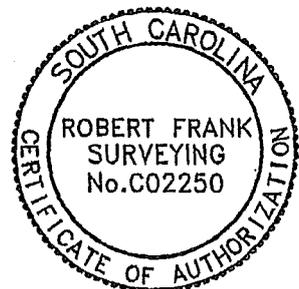
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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 Warren May at 843-329-8044 or toll free at 1-866-329-8187.

A PROPOSED REPLACEMENT
RECREATIONAL DOCK
AT 1818 MAYBANK HWY.
LOCATED ON THE
WAPPOO CREEK/AIWW
JAMES ISLAND
CHARLESTON COUNTY, SC

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

TMS #343-04-00-003



APPLICATION BY:
ROBIN RICHTER

ADDRESS: 1818 MAYBANK HWY.

DATE: AUGUST 21, 2014

REVISED:

ROBERT FRANK SURVEYING

1923 MAYBANK HWY. - CHARLESTON, S.C. 29412

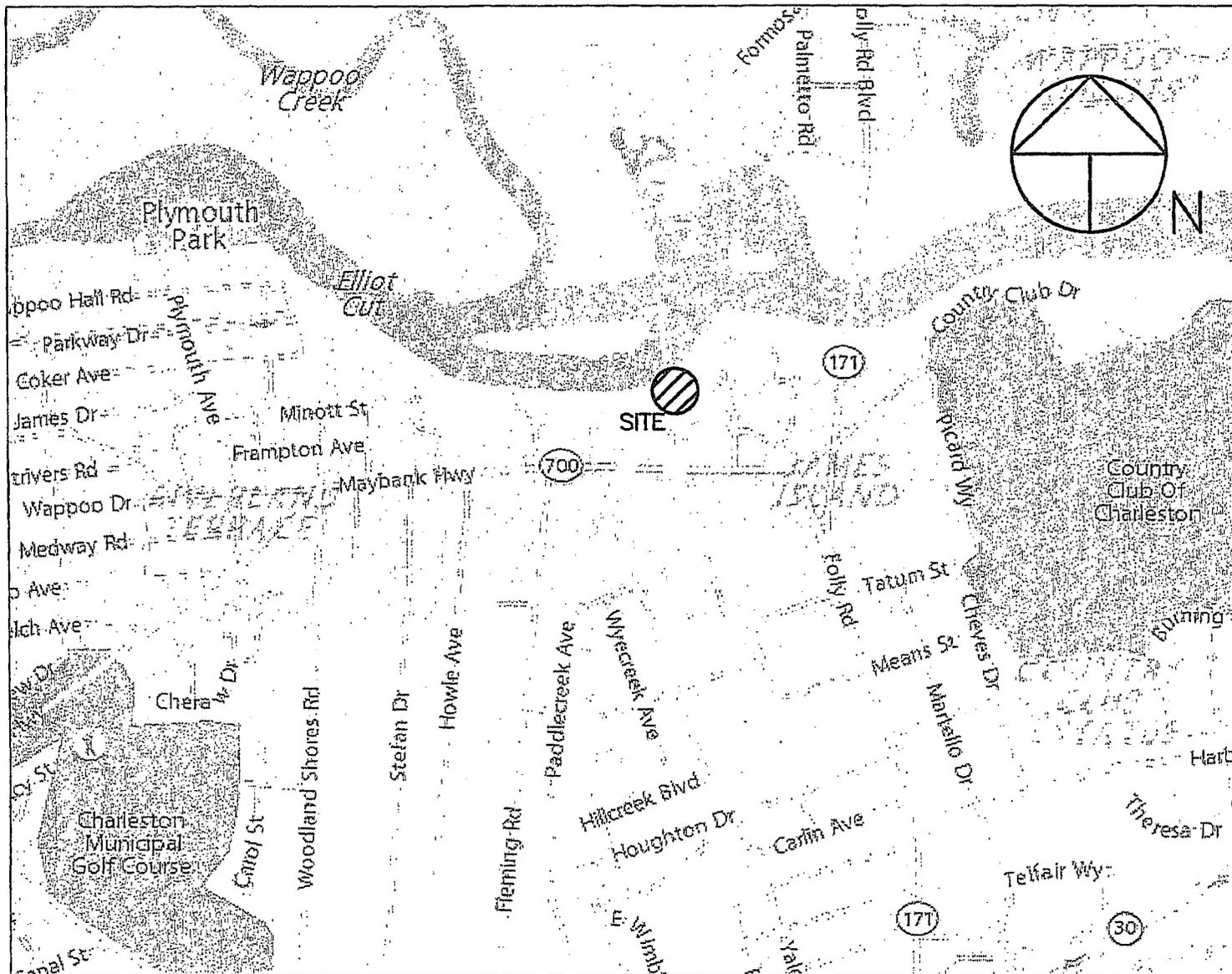
Phone: 843-762-4608 Fax 843-795-5970

E-mail - robertfranklandsurveying@comcast.net

WEB ADDRESS: www.robertfranksurveying.com

SHT. NO.

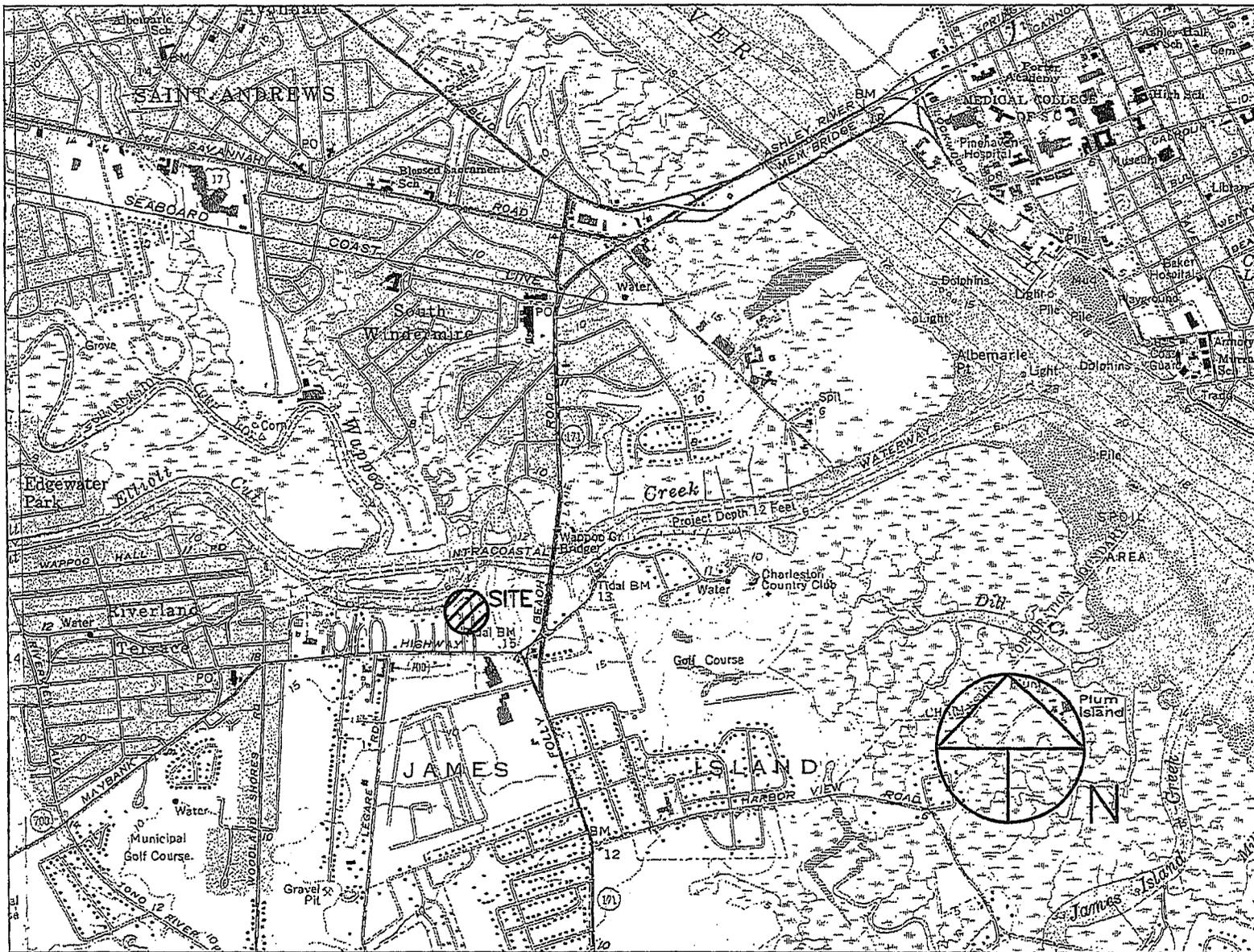
1 OF 6



ADJOINING PROPERTY OWNERS:

1. REGINA SHAPIRO (TO THE EAST)
2. PATRICK AND GLORIA WELCH (TO THE WEST)

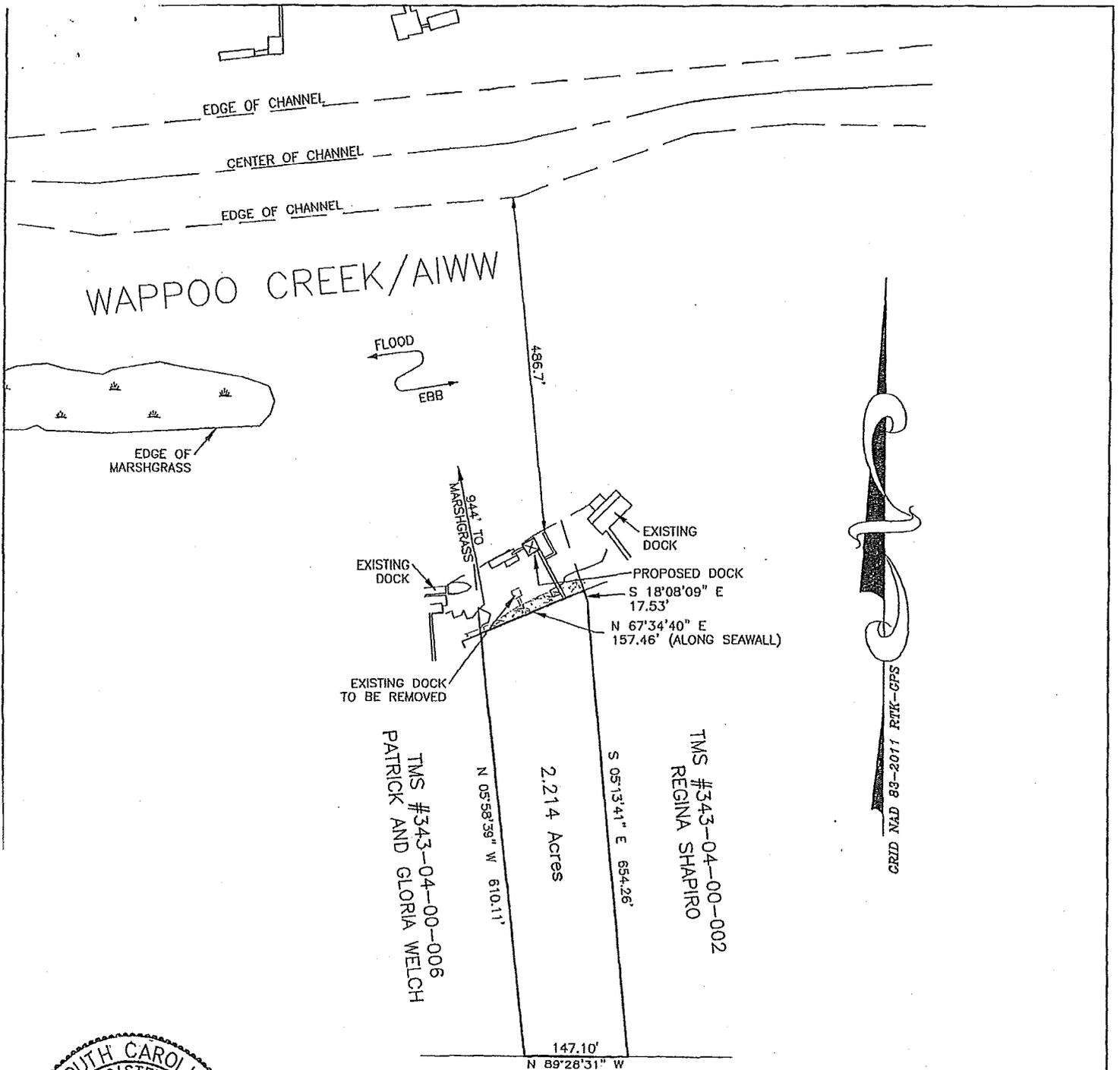
APPLICATION BY: ROBIN RICHTER	LOCATION A PROPOSED REPLACEMENT RECREATIONAL DOCK AT 1818 MAYBANK HWY. LOCATED ON THE WAPPOO CREEK/AIWW JAMES ISLAND CHARLESTON COUNTY, SC	SHT. NAME LOCATION MAP	SHT. NO. 2 OF 6
ADDRESS: 1818 MAYBANK HWY.			
DATE: AUGUST 21, 2014			
REVISED:	TMS #343-04-00-003		



- ADJOINING PROPERTY OWNERS:
1. REGINA SHAPIRO (TO THE EAST)
 2. PATRICK AND GLORIA WELCH (TO THE WEST)

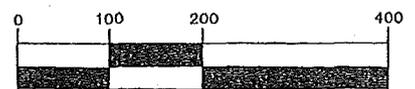
TMS #343-04-00-003

APPLICATION BY: ROBIN RICHTER	LOCATION	SHT. NAME	SHT. NO.
ADDRESS: 1818 MAYBANK HWY.	A PROPOSED REPLACEMENT RECREATIONAL DOCK AT 1818 MAYBANK HWY. LOCATED ON THE WAPPOO CREEK/AIWW JAMES ISLAND CHARLESTON COUNTY, SC	CHARLESTON QUADRANGLE MAP <u>PROJECT LATITUDE/LONGITUDE:</u> LATITUDE - 32°45'53.4" LONGITUDE - 79°58'45.2"	3 OF 6
DATE: AUGUST 21, 2014			
REVISED:			



MAYBANK HIGHWAY 80' R/W

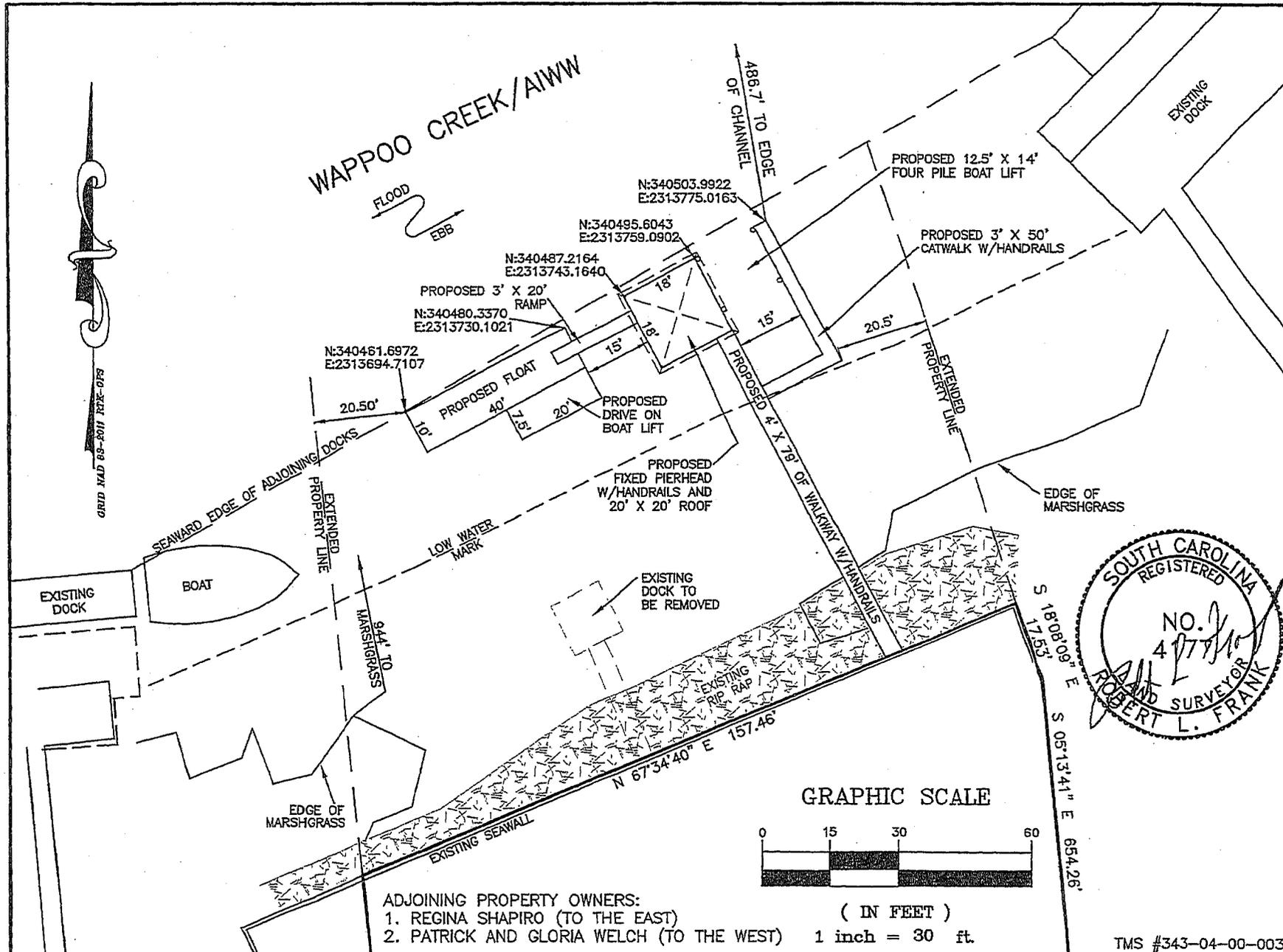
GRAPHIC SCALE



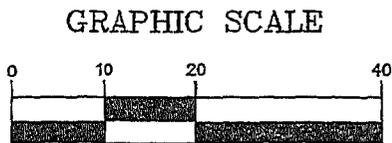
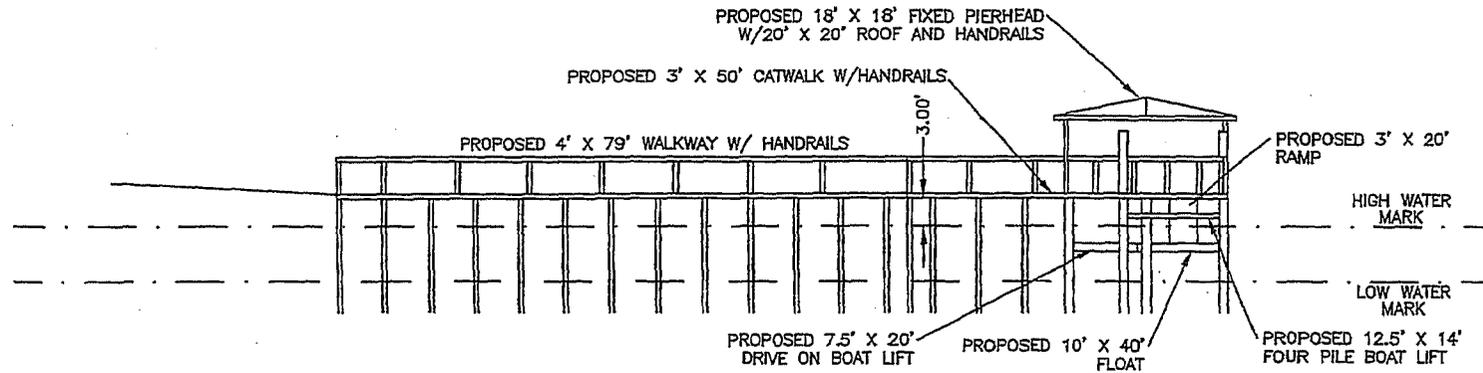
(IN FEET)
1 inch = 200 ft.

- ADJOINING PROPERTY OWNERS:
 1. REGINA SHAPIRO (TO THE EAST)
 2. PATRICK AND GLORIA WELCH (TO THE WEST)

APPLICATION BY: ROBIN RICHTER <hr/> ADDRESS: 1818 MAYBANK HWY. <hr/> DATE: AUGUST 21, 2014 <hr/> REVISED:	LOCATION A PROPOSED REPLACEMENT RECREATIONAL DOCK AT 1818 MAYBANK HWY. LOCATED ON THE WAPPOO CREEK/AIWW JAMES ISLAND CHARLESTON COUNTY, SC	SHT. NAME FULL PLAN VIEW TMS #343-04-00-003	SHT. NO. 4 OF 6
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APPLICATION BY: ROBIN RICHTER ADDRESS: 1818 MAYBANK HWY. DATE: AUGUST 21, 2014 REVISED:	LOCATION A PROPOSED REPLACEMENT RECREATIONAL DOCK AT 1818 MAYBANK HWY. LOCATED ON THE WAPPOO CREEK/AIWW JAMES ISLAND CHARLESTON COUNTY, SC	SHT. NAME DETAIL PLAN VIEW	SHT. NO. 5 OF 6
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(IN FEET)
1 inch = 20 ft.



ADJOINING PROPERTY OWNERS:
1. REGINA SHAPIRO (TO THE EAST)
2. PATRICK AND GLORIA WELCH (TO THE WEST)

TMS #343-04-00-003

APPLICATION BY: ROBIN RICHTER ADDRESS: 1818 MAYBANK HWY. DATE: AUGUST 21, 2014 REVISED:	LOCATION A PROPOSED REPLACEMENT RECREATIONAL DOCK AT 1818 MAYBANK HWY. LOCATED ON THE WAPPOO CREEK/AIWW JAMES ISLAND CHARLESTON COUNTY, SC	SHT. NAME PROFILE VIEW	SHT. NO. 6 OF 6
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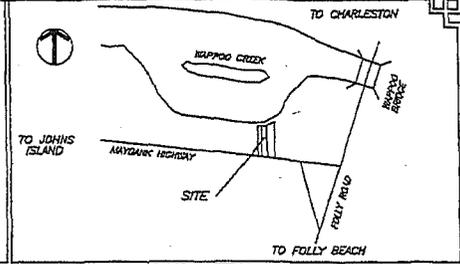


THE AREA SHOWN ON THIS PLAT IS A REPRESENTATION OF DEPARTMENT PERMIT AUTHORITY ON THE SUBJECT PROPERTY. CRITICAL AREAS, BY THEIR NATURE ARE DYNAMIC AND SUBJECT TO CHANGE OVER TIME. BY DELINEATING THE PERMIT AUTHORITY OF THE DEPARTMENT IN NO WAY WAIVES ITS RIGHT TO ASSERT PERMIT JURISDICTION AT ANY TIME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

APPROVED BY D.J. THOMPSON 8-14-14
SIGNATURE DATE
THE CRITICAL LINE SHOWN ON THIS PLAT IS VALID FOR FIVE YEARS FROM THE DATE OF THIS SIGNATURE, SUBJECT TO THE CAUTIONARY LANGUAGE ABOVE.

O.C.R.M. STATEMENT

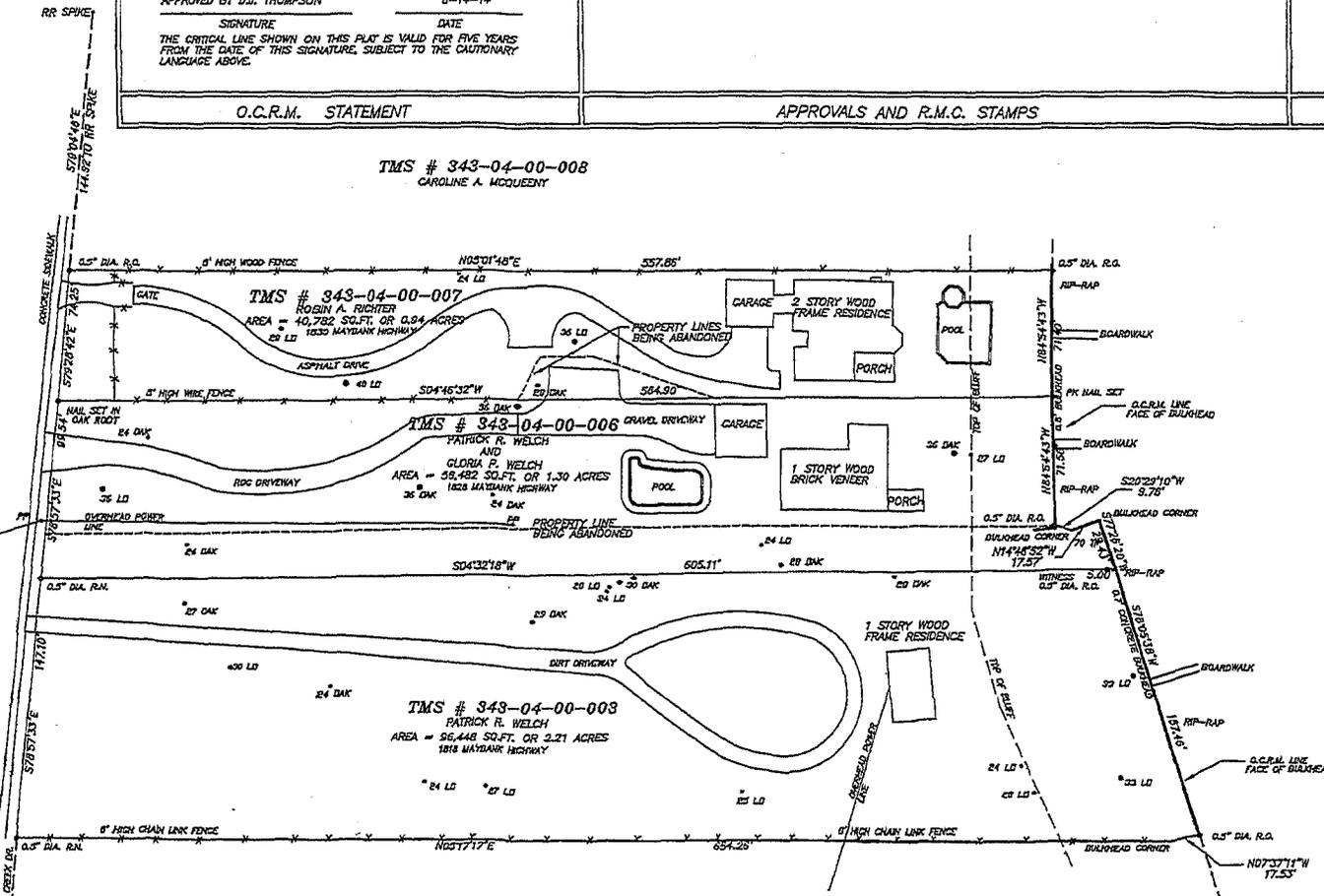
APPROVALS AND R.M.C. STAMPS



LOCATION MAP

NO SCALE

MAYBANK HIGHWAY 80' R/W
S.C. 700



WAPPOO CREEK

LEGEND

- I.O. IRON OLD
- I.N. IRON NEW
- C.M.O. CONCRETE MONUMENT OLD
- R.O. ROD OLD
- R.N. ROD NEW
- P.P. POWER POLE

REFERENCES

1. PLAT BOOK L10, PAGE 247
2. PLAT BOOK L14, PAGE 749
3. PLAT BOOK 6L, PAGE 141
4. PLAT BOOK 6C, PAGE 358
5. PLAT BOOK 4, PAGE 174
6. PLAT BOOK 6, PAGE 17
7. PLAT BOOK 7E, PAGE 170
8. PLAT BOOK F, PAGE 92
9. PLAT BOOK L14, PAGE 0148

NOTES

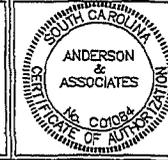
1. TOTAL AREA OF PROPERTY SURVEYED IS 4.43 ACRES.
2. THE PROPERTY APPEARS TO BE LOCATED IN FLOOD ZONES "X" AND "AE" EL. 11 SHOWN ON COMMUNITY PANEL 45013C-0513J DATED NOV. 17, 2004.
3. PUBLIC WATER AND SEWER IS AVAILABLE FROM C.W.S. AND JAMES ISLAND P.S.D.
4. PROPERTY IS ZONED R-4.

CERTIFICATION

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE INFORMATION, AND BELIEF THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS A SURVEY AS SPECIFIED HEREIN.

TMS # 343-04-00-002
REGINA K. SHAPIRO

ANDERSON & ASSOCIATES
LAND SURVEYING AND PLANNING, INC.
P.O. BOX 87, JOHNS ISLAND, CHARLESTON COUNTY, SOUTH CAROLINA 29457
PHONE (843)571-0900



TITLE
PLAT
SHOWING THE PROPERTY LINE ADJUSTMENT BETWEEN
T.M.S. NO. 343-14-00-003, 006 AND 007.
LOCATED ON JAMES ISLAND.
CHARLESTON COUNTY, S.C.

DATE JULY 15, 2014
REVISED: AUGUST 5, 2014

DRAWING NUMBER
8726.DWG

SCALE 1" = 30'