

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 # 2012-0145-1T

17 February 2012

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 of the Clean Water Act (33 U.S.C. 1344), 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

**WILLIAM SCURRY**  
**J & W CORPORATION OF GREENWOOD**  
**50 BUSH'S BRANCH ROAD**  
**BLUFFTON, SOUTH CAROLINA 29909**

for a permit to expand an existing marina on the

**COOPER RIVER (AIWW)**

at the Freeport Marina at 50 Freeport Marina Village on Daufuskie Island in Beaufort County, South Carolina (Latitude 32.133173/ Longitude -80.870943).

**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 adding a new 10' X 50' floating walkway and a 10' X 255' floating dock to the existing Freeport Marina. The Freeport Marina consists of an existing and previously permitted 20' X 190' concrete walkway and a 4' X 25' ramp to an 8' X 140' floating dock and a 4' X 30' ramp to a 10' X 40' floating dock. There is also a 4' X 50' ramp and 10' X 255' floating dock that are existing but were not previously permitted by the Corps. The proposed

project includes both the existing 4' X 50' ramp and 10' X 255' floating dock, as well as the new 10' X 50' floating walkway and 10' X 255' floating dock. The existing and proposed structures will extend a total of 315 feet into the river.

The purpose of the proposed project is to provide additional slip space. The additional slip space will make docking safer for the general public and will allow adequate space for the ferry boats to dock. Freeport Marina is currently the only active marina operating on Daufuskie Island that provides a service for day-boaters and the ferry boats that transport tourists and local residents to and from the island. The marina is used for temporary boat mooring and no live-aboards are allowed. Sewage pump-out facilities are present.

Avoidance and minimization has occurred by expanding an existing marina. In addition, the Freeport Marina has emergency response equipment on site, such as oil absorbing pads and booms, if an oil spill is to occur at the marina. No compensatory mitigation is being proposed as no fill impacts are associated with the proposed project.

**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 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 impact 6000 square feet of open water 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.

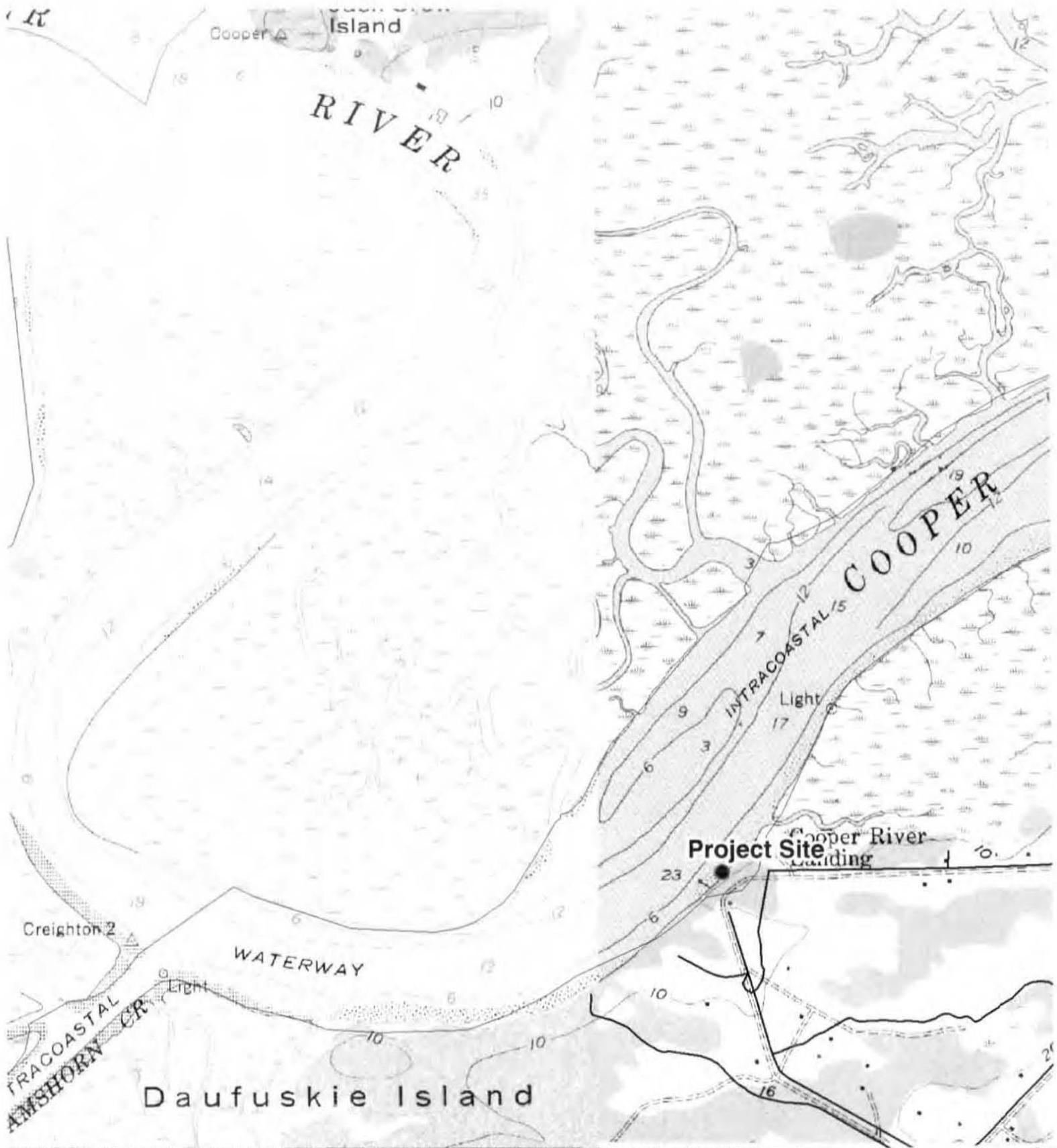
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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 and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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 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 **(Tracy Dotolo Sanders)** at 843-329-8044 or toll free at 1-866-329-8187.



Freeport Marina Expansion  
P/N 2012- 0145-1T

February 17, 2012

Sheet 1 of 4



**NOTE**

DHEC-OCRM CRITICAL LINE VALIDATED BY KATHLEEN LAMAKER 2/07/12 ON A DHEC-OCRM CRITICAL LINE SURVEY BY COASTAL SURVEYING CO., INC. JOB# 47193-OCRM

**EXISTING DOCK CONSISTS OF:**

- 20' x 190' CONCRETE WALKWAY w/HANDRAILS
- 4' x 25' RAMP
- 10' x 40' FLOATING DOCK
- 4' x 30' RAMP
- 8' x 140' FLOATING DOCK
- 4' x 50' RAMP
- 10' x 255' FLOATING DOCK



**FREEPORT ROAD**  
50' R/W

2.47 AC.  
TM  
R800-061-000-006B

(#7 CARVIN ROAD)  
N/F  
COOPER RIVER LANDINGS & PROPERTIES  
P.O. BOX 49192  
GREENWOOD, SC 29649-9805  
TM R800-021-000-0006

(#7 CARVIN ROAD)  
N/F  
TWO OLD DOGS, LLC  
P.O. BOX 7031  
HILTON HEAD ISLAND, SC 29939  
TM R800-021-000-001A

(#3 CARVIN ROAD)  
N/F  
MICHAEL S. LOFTUS REVOCABLE TRUST  
78 BRANCHVILLE ROAD  
RIDGEFIELD, CT 06877  
TM R800-021-000-006A

DHEC-OCRM CRITICAL LINE

N65°02'33"W  
N55°10'16"W

MHW  
±170'  
MLW  
±108'

**PROPOSED DOCK ADDITIONS TO CONSIST OF:**

- 10' x 50' FLOATING WALKWAY w/ HANDRAILS
- 10' x 255' FLOATING DOCK

20' (TYP.)

±28'  
±1700'

COOPER RIVER  
MLW

**DOCK PLAN PREPARED FOR:**

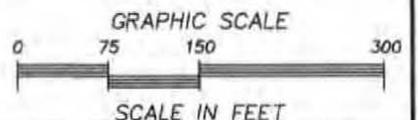
WICK SCURRY  
50 BUSHES BRANCH ROAD  
BLUFFTON, SC 29910

SCALE: 1"=150'  
DATE: 2/08/12  
FIELD CK: LC  
DRAWN BY: MT  
OFFICE CK: EI  
JOB No.: 47193

I STATE THAT TO THE BEST OF MY KNOWLEDGE, AND BELIEF, THE SURVEY SHOWN HEREON ACCORDANCE WITH THE REQUIREMENTS OF STANDARDS MANUAL FOR THE PRACTICE OF SURVEYING IN SOUTH CAROLINA, AND ACCURATELY FOR INFORMATION REQUESTED BY SCDHEC-OCRM FOR APPROVAL. THIS SURVEY SHALL NOT BE USED FOR ANY OTHER PURPOSES, INCLUDING LOAN, CLOSING OR MORTGAGE PURPOSES AND RECORDING.



**COASTAL SURVEYING CO., INC.**  
49 RIVERWALK BLVD.  
BUILDING 8  
RIDGELAND, SC 29936  
(843) 845-4448



MACK W. THOMAS III  
S.C.P.L.S. NO. 14531

X00\47193.dwg 2/8/2012 8:11:35 AM EST

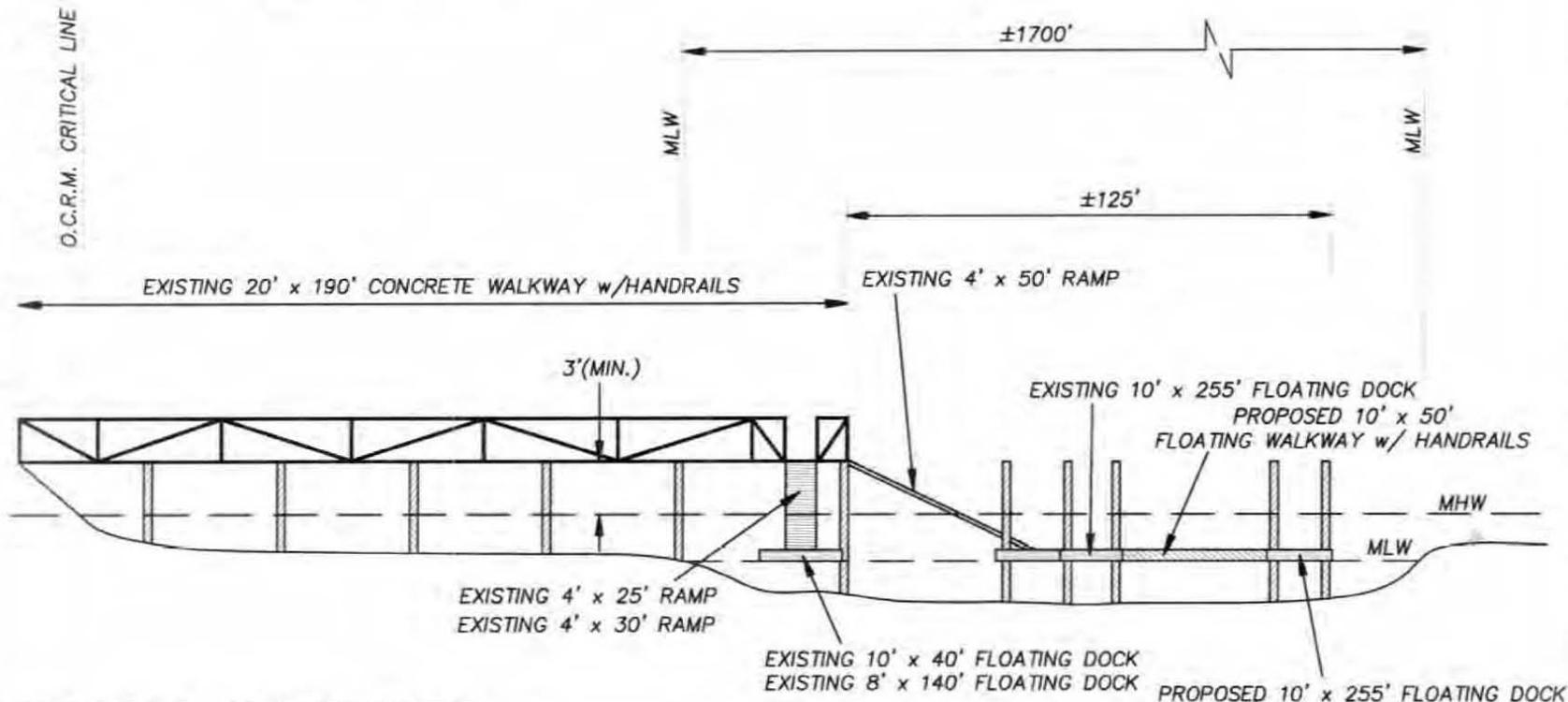
February 7, 2012  
Freeport Marina Expansion  
P/N 2012-0145-1T

Sheet 3 of 4

**NOTE**

DHEC-OCRM CRITICAL LINE VALIDATED BY  
KATHLEEN LAMAKER 2/07/12 ON A DHEC-  
OCRM CRITICAL LINE SURVEY BY  
COASTAL SURVEYING CO., INC.  
JOB# 47193-OCRM

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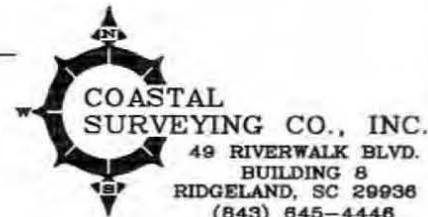


" I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND ACCURATELY SHOWS ALL INFORMATION REQUESTED BY SCDHEC-OCRM FOR DOCK PERMIT APPROVAL. THIS SURVEY SHALL NOT BE USED FOR LOAN, CLOSING OR MORTGAGE PURPOSES AND IS NOT FOR RECORDING."



**DOCK ELEVATION**

NOT TO SCALE



MACK W. THOMAS III  
S.C.P.L.S. NO. 14531

**APPLICANT:** WICK SCURRY  
**ACTIVITY:** COMMERCIAL MARINA DOCK  
ADDITION & EXTENSION  
**P/N #**

**LOCATION:** 1 CARVIN ROAD  
DAUFUSKIE ISLAND, SC 29915  
**COUNTY:** BEAUFORT  
**DATE:** FEBRUARY 8, 2012

**ADJACENT PROPERTY OWNERS**  
1) TWO OLD DOGS, LLC  
2) MICHAEL S. LOFTUS REVOCABLE TRUST  
3) COOPER RIVER LANDINGS & PROPERTIES