

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 Modification

10 October 2013

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 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 permit modification consists of adding a new 10' X 50' floating walkway with handrails and a 10' X 255' floating dock to the existing Freeport Marina. The proposed new walkway and floating dock will extend an additional 60' into the channel of the AIWW. The distance of the end of the proposed structure to the centerline of the AIWW will be 118'. The purpose of the proposed permit modification is to gain additional slip spaces needed to safely allow boats to dock in the marina.

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Avoidance and minimization of project impacts have occurred with the following: No live-aboards are allowed, the marina has a pump out boat to dispose of sewage, and the 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 3050 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.

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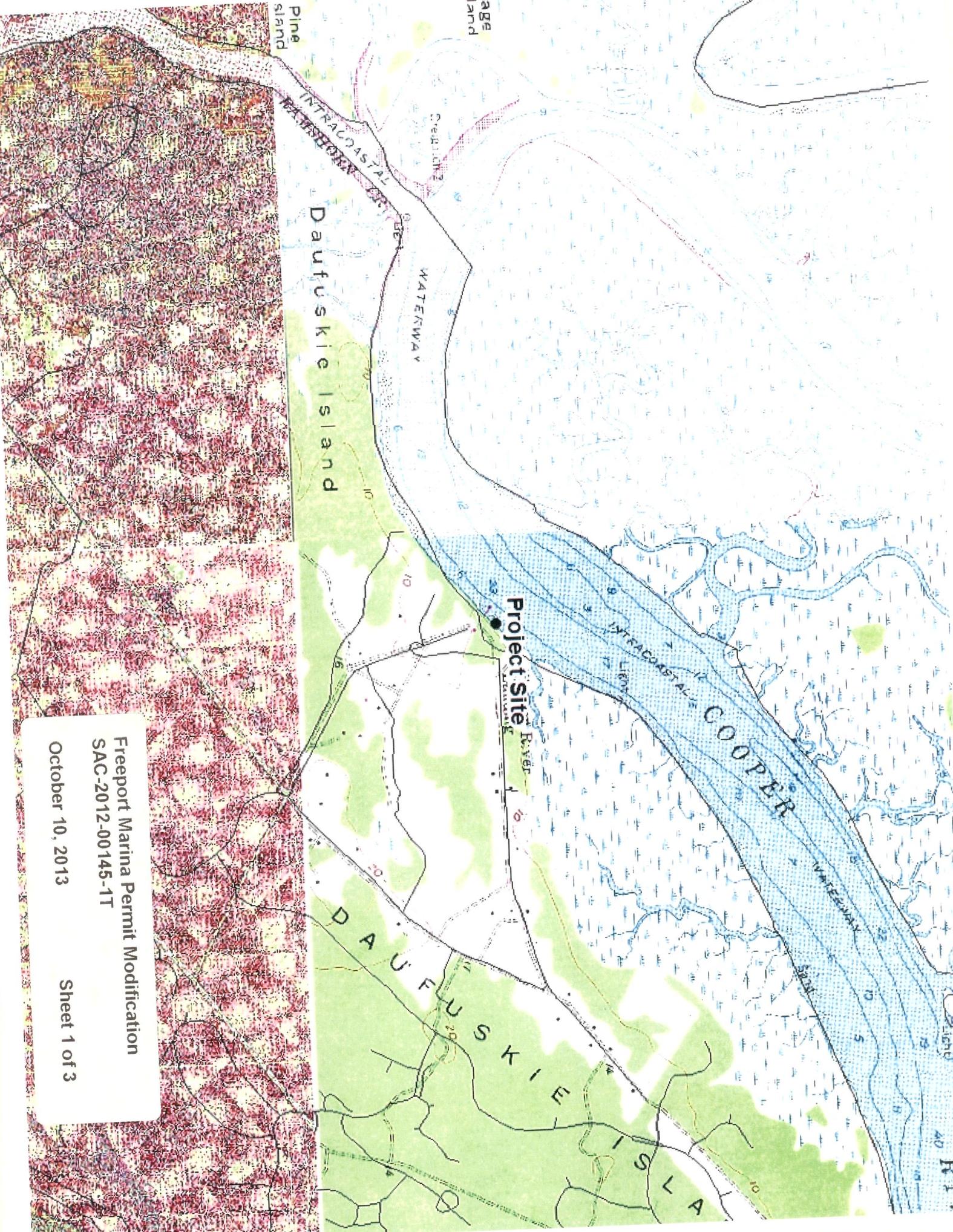
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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.

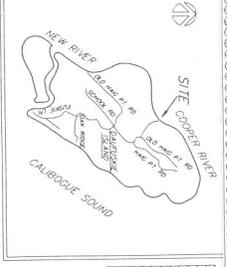
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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.

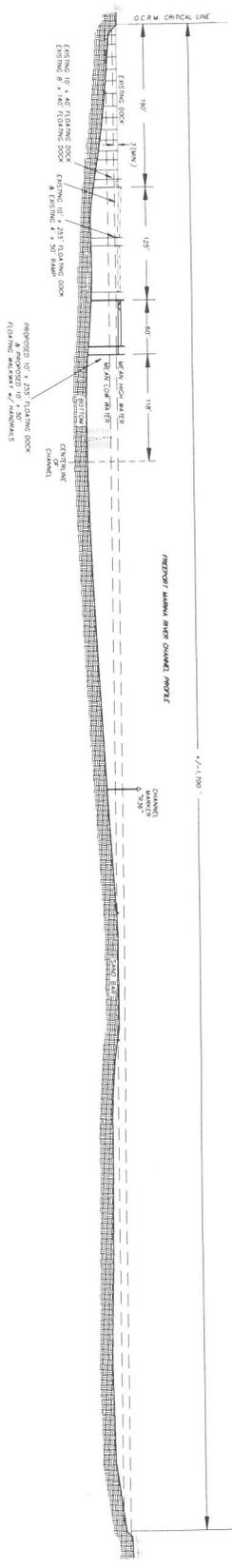
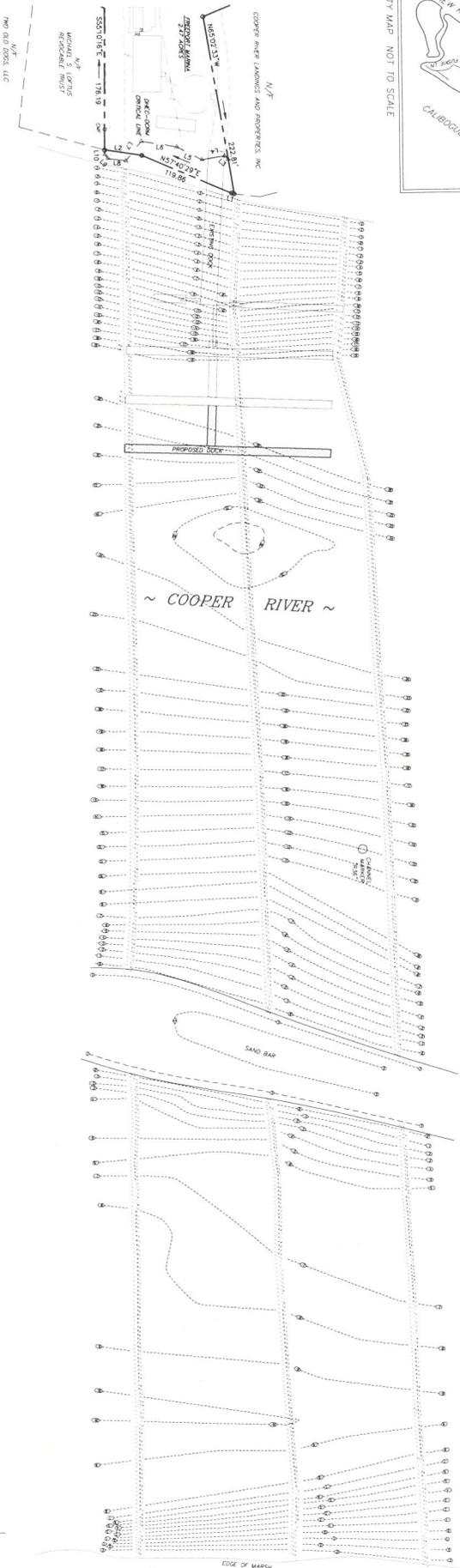


Freeport Marina Permit Modification
SAC-2012-00145-1T
October 10, 2013
Sheet 1 of 3

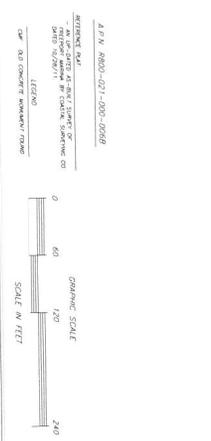
VICINITY MAP NOT TO SCALE



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99	0+00	N 89° 55' 00" W
100	0+00	N 89° 55' 00" W



NOTES:
 1. THE SHOWN CHANNEL DEPTH IS BASED ON THE 100 YEAR FLOODING OF THE COOPER RIVER.
 2. THIS SHIPWAY DOES NOT CONSTITUTE A TITLE GUARANTEE BY THE ENGINEER. THE ENGINEER HAS CONDUCTED VISUAL INSPECTIONS OF THE SHIPWAY AND FOUND IT TO BE IN GOOD CONDITION. THE ENGINEER HAS NOT CONDUCTED ANY SURVEYS OR TESTS TO DETERMINE THE EXACT LOCATION OR DEPTH OF THE SHIPWAY.
 3. THE SHIPWAY IS NOT TO BE USED FOR THE STORAGE OF HAZARDOUS MATERIALS OR FOR THE STORAGE OF FLAMMABLE LIQUIDS OR SOLIDS.
 4. THE SHIPWAY IS NOT TO BE USED FOR THE STORAGE OF SOLIDS OR LIQUIDS THAT ARE SUBJECT TO LEAKAGE OR SPILLAGE.
 5. THE SHIPWAY IS NOT TO BE USED FOR THE STORAGE OF SOLIDS OR LIQUIDS THAT ARE SUBJECT TO LEAKAGE OR SPILLAGE.
 6. THE SHIPWAY IS NOT TO BE USED FOR THE STORAGE OF SOLIDS OR LIQUIDS THAT ARE SUBJECT TO LEAKAGE OR SPILLAGE.
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 10. THE SHIPWAY IS NOT TO BE USED FOR THE STORAGE OF SOLIDS OR LIQUIDS THAT ARE SUBJECT TO LEAKAGE OR SPILLAGE.



Freepoint Marina Permit Modification
SAC-2012-00145-1T

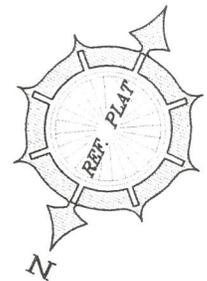
PREPOINT MARINA ON COOPER RIVER
 A PERMIT FOR
COOPER RIVER PLANTATION
 PLANTING ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA
 SCALE: 1"=40'
 DATE: 01/27/12
 DRAWN BY: JC
 CHECKED BY: BJ
 ENGINEER: J. C. THOMAS, INC.
 1100 S. 10TH ST., SUITE 100
 WASHINGTON, NC 27584
 PHONE: 919-353-1100
 FAX: 919-353-1101
 J. C. THOMAS, INC.
 1100 S. 10TH ST., SUITE 100
 WASHINGTON, NC 27584
 PHONE: 919-353-1100
 FAX: 919-353-1101

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
- 10' x 50' FLOATING WALKWAY
- 10' x 255' FLOATING DOCK



50321.dwg 8/23/2013 3:14:47 PM EDT

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

**PROPOSED DOCK ADDITIONS
TO CONSIST OF:**

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

DOCK PLAN PREPARED FOR:

WICK SCURRY
50 BUSHES BRANCH ROAD
BLUFFTON, SC 29910

SCALE: 1"=150'
DATE: 8/23/13
FIELD CK: LC
DRAWN BY: MT
OFFICE CK: EI
JOB No.: 47193



THAT TO THE BEST OF MY KNOWLEDGE,
BELIEF, THE SURVEY SHOWN HEREON
ORDANCE WITH THE REQUIREMENTS OF
DARDS MANUAL FOR THE PRACTICE OF
V SOUTH CAROLINA, AND ACCURATELY
TTON REQUESTED BY SCDHEC-OCRM FOR
ROVAL. THIS SURVEY SHALL NOT



**COASTAL
SURVEYING CO., INC.**
49 RIVERWALK BLVD.
BUILDING 8
RIDGELAND, SC 29936
(843) 645-4446



October 10, 2013
Freeport Marina Permit Modification
SAC-2012-00145-1T
Sheet 3 of 3

Mack W. Thomas 8/23/13
MACK W. THOMAS III
S.C.P.L.S. NO. 14531

BE USED FOR LOAN, CLOSING OR MORTGAGE PURPOSES AND IS NOT FOR RECORDING."