

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 # 2012-00961-2IU

October 10, 2012

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

**Tom Johnson**  
**J. Drayton Hastie Family Limited Partnership**  
**3550 Ashley River Road**  
**Charleston, South Carolina 29414**

for a permit to construct a dock in the

**Ashley River**

at Magnolia Plantation and Gardens, 3550 Ashley River Road, Charleston, Charleston County, South Carolina. Latitude: 32.874500N; Longitude: -80.080618W.

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 walkway, pier head, and floating dock that will provide a waterway access point and staging area for visitors to Magnolia Plantation and Gardens. The proposed wooden dock will have an 8 feet wide by 40 feet long walkway with a 3 feet high handrail leading to an uncovered 20 feet by 40 feet pier head with a 3 feet high handrail. A 3 feet by 25 feet gangway with a 3 feet high handrail will extend from the ebb side of the pier head connecting to a 10 feet by 20 feet floating dock located on the riverside of the pier head. A spring pile will be located on the flood side of the floating dock. The pier head and floating dock are designed to accommodate ferry boats that may carry as many as 50 passengers.

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 work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would result in 0.02 acres of shading impact to 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.

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.

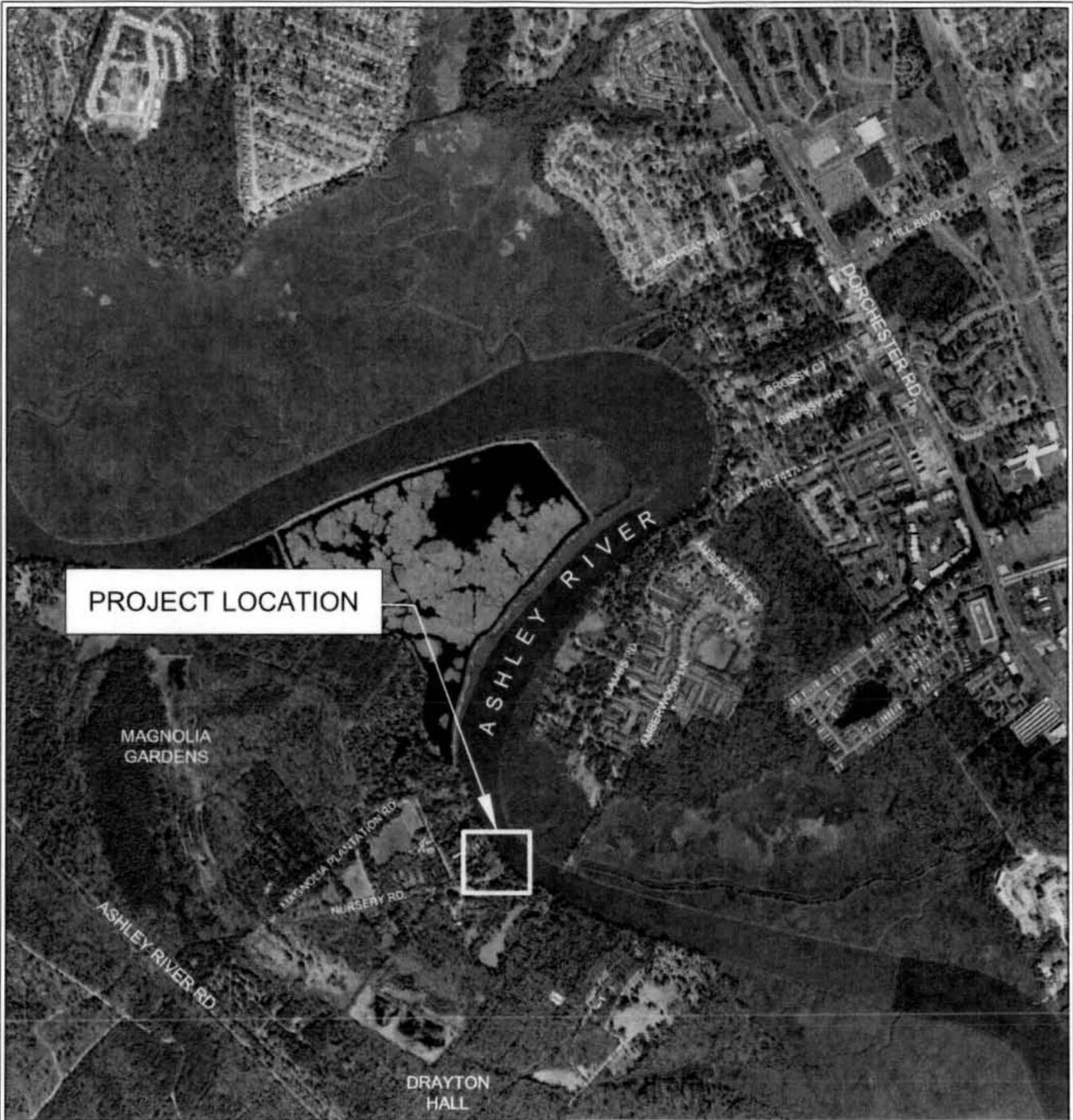
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is included as a registered 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, 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 Steven Currie at 843-329-8044 or toll free at 1-866-329-8187.



L:\Jobs\2012 Jobs\12-0001-MPG (Magnolia Area)\DWG\Magnolia Dock Permit\_JAB.dwg, 10/5/2012 11:53:41 AM, File Location, File Location

**PURPOSE:** PROVIDE ACCESS TO MAGNOLIA GARDENS VIA THE ASHLEY RIVER  
**ADJACENT OWNERS:**  
 1. THE WHITFIELD COMPANY  
 2. HASTIE FLP

**LOCATION MAP**

**APPLICANT:**  
 J. DRAYTON HASTIE FAMILY LIMITED PARTNERSHIP

**LOCATION:**  
 CHARLESTON, SOUTH CAROLINA

REFERENCE: USGS NATIONAL MAP



SCALE: NOT TO SCALE

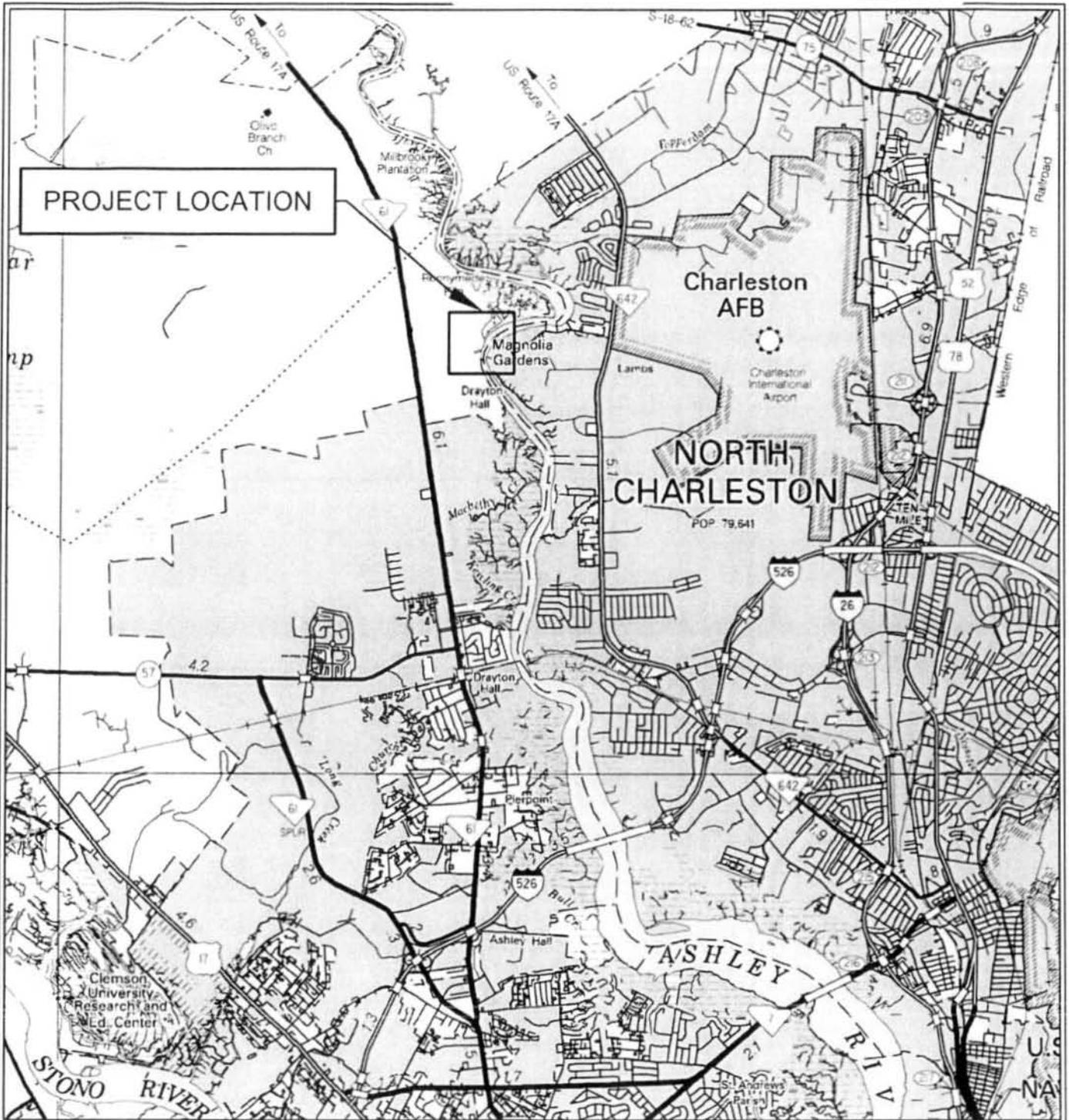
**PROPOSED ACTIVITY:**  
 DOCK CONSTRUCTION

**AT:** 3550 MAGNOLIA PLANTATION RD CHARLESTON, SC  
**COUNTY OF:** CHARLESTON

**P/N #:**  
**DATE:** SEPTEMBER 2012



**SHEET 1 OF 6**



**PURPOSE:** PROVIDE ACCESS TO MAGNOLIA GARDENS VIA THE ASHLEY RIVER  
**ADJACENT OWNERS:**  
 1. THE WHITFIELD COMPANY  
 2. HASTIE FLP

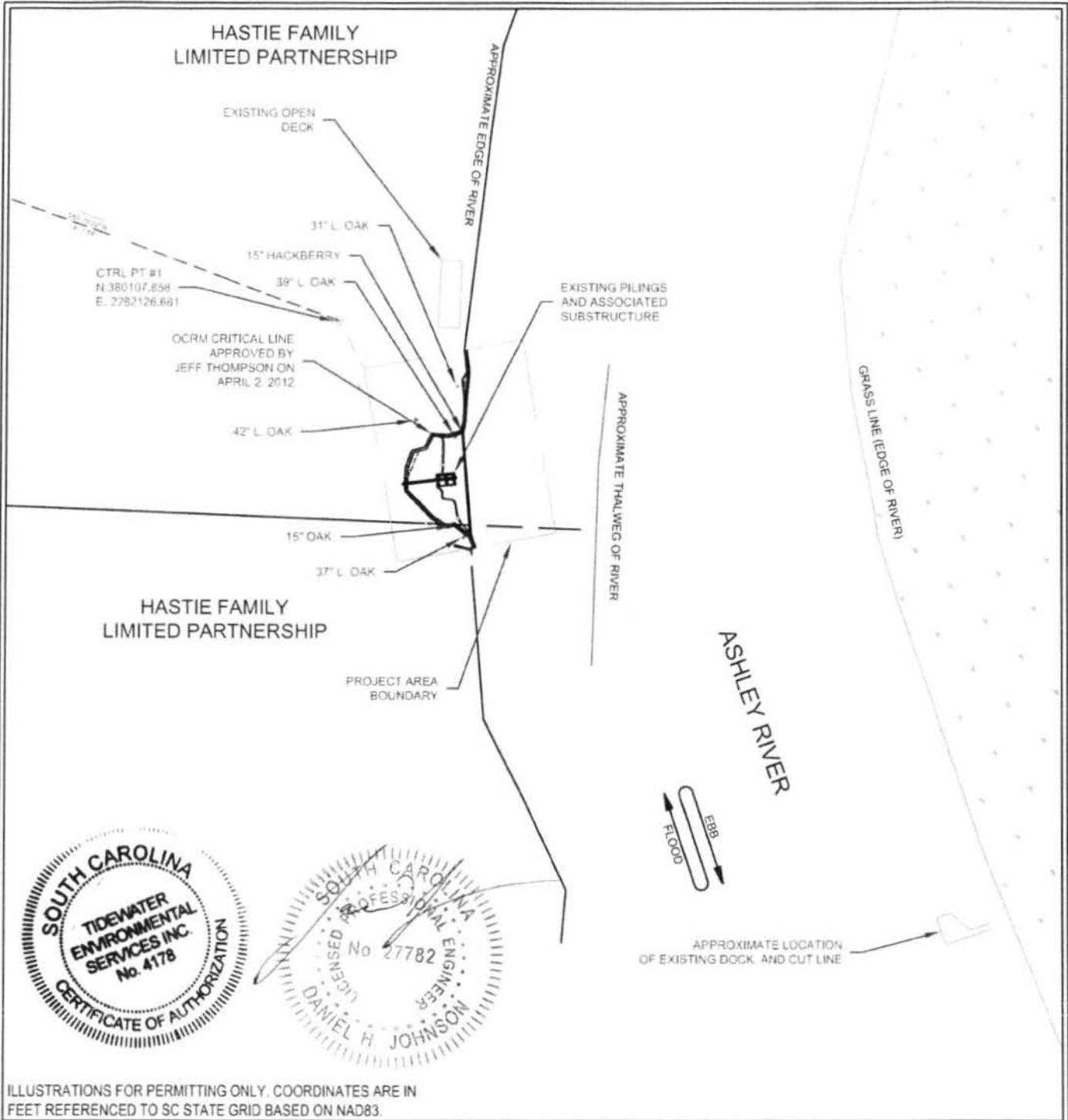
**LOCATION MAP**  
**APPLICANT:**  
 J. DRAYTON HASTIE FAMILY LIMITED PARTNERSHIP

**REFERENCE:** SCDOT  
  
**SCALE:** NOT TO SCALE

**PROPOSED ACTIVITY:**  
 DOCK CONSTRUCTION  
**AT:** 3550 MAGNOLIA PLANTATION RD CHARLESTON, SC  
**COUNTY OF:** CHARLESTON  
**PIN#:**  
**DATE:** ~~SEPTEMBER 2012~~  
**SHEET 2 OF 6**

**TIDEWATER**  
 ENVIRONMENTAL SERVICES, INC.  
 POST OFFICE BOX 885 JOHN'S ISLAND, SC 29457  
 PHONE: (843) 752-3730 FAX: (843) 752-3735  
 WWW.TIDEWATERENVIRONMENTAL.COM

**LOCATION:**  
 CHARLESTON, SOUTH CAROLINA

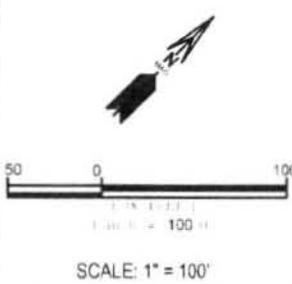


ILLUSTRATIONS FOR PERMITTING ONLY. COORDINATES ARE IN FEET REFERENCED TO SC STATE GRID BASED ON NAD83.

**PURPOSE:** PROVIDE ACCESS TO MAGNOLIA GARDENS VIA THE ASHLEY RIVER  
**ADJACENT OWNERS:**  
 1. THE WHITFIELD COMPANY  
 2. HASTIE FLP

**EXISTING CONDITIONS**

**APPLICANT:**  
 J. DRAYTON HASTIE FAMILY LIMITED PARTNERSHIP



**PROPOSED ACTIVITY:**  
 DOCK CONSTRUCTION

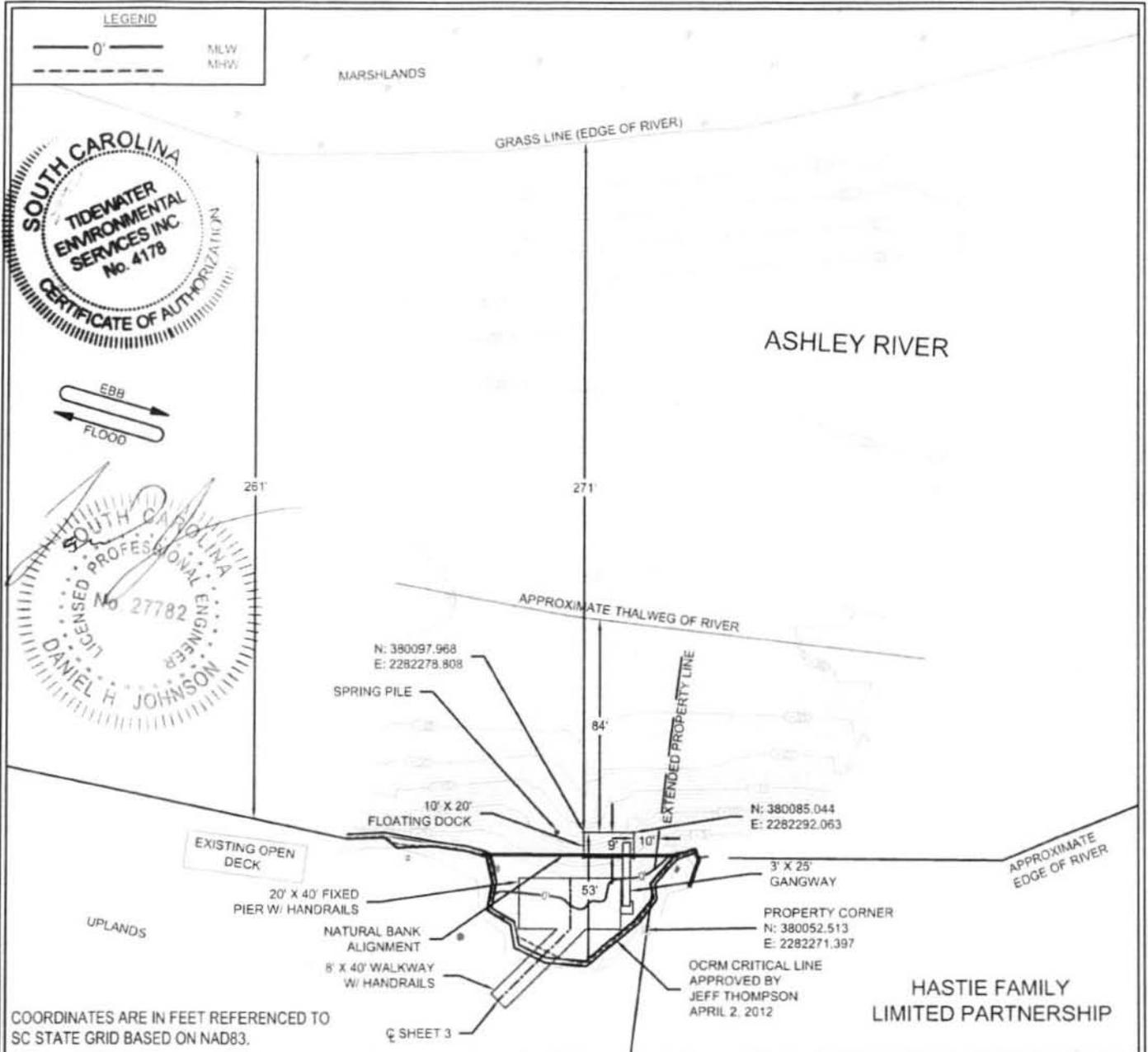
**AT:** 3550 MAGNOLIA PLANTATION RD CHARLESTON, SC  
**COUNTY OF:** CHARLESTON

**P/N #:**  
**DATE:** SEPTEMBER 2012

**SHEET: 1 OF 6**

**TIDEWATER**  
 ENVIRONMENTAL SERVICES INC.  
 POST OFFICE BOX 985 JOHN'S ISLAND SC 29457  
 PHONE: (843) 762-3790 FAX: (843) 762-3796  
 WWW.TIDEWATERENVIRONMENTAL.COM

**LOCATION:**  
 CHARLESTON, SOUTH CAROLINA

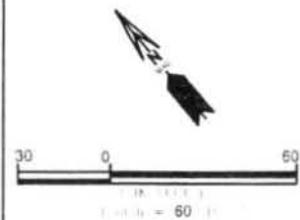


REFERENCE:	NOTES:	SCHEDULE OF PROPOSED FACILITIES:
1. CHARLESTON COUNTY GIS TMS NO. 361000001	1. MHW EL. $\pm 5.69'$ (NOAA STATION 8665002 BEES FERRY, SC)	1. 8' X 40' WALKWAY W/ HANDRAILS
2. SURVEY PROVIDED BY ATLANTIC SURVEYING, INC. COVERT B. NELSON, PLS	2. MLW EL. $\pm 0.00'$ (NOAA STATION 8665002 BEES FERRY, SC)	2. 20' X 40' FIXED PIER W/ HANDRAILS
3. PERMIT DRAWINGS, NOT FOR CONSTRUCTION	3. DISTANCE FROM FLOATING DOCK TO OPPOSITE GRASSLINE = 271'	3. 10' X 20' FLOATING DOCK
	4. DISTANCE FROM DOCK STRUCTURE TO CLOSEST EXTENDED PROPERTY LINE = $\pm 10'$	4. 3' X 25' GANGWAY
		5. (1) SPRING PILE

**PURPOSE:** PROVIDE ACCESS TO MAGNOLIA GARDENS VIA THE ASHLEY RIVER  
**ADJACENT OWNERS:**  
 1. THE WHITFIELD COMPANY  
 2. HASTIE FLP

**PROPOSED CONDITIONS**

**APPLICANT:**  
 J. DRAYTON HASTIE FAMILY LIMITED PARTNERSHIP



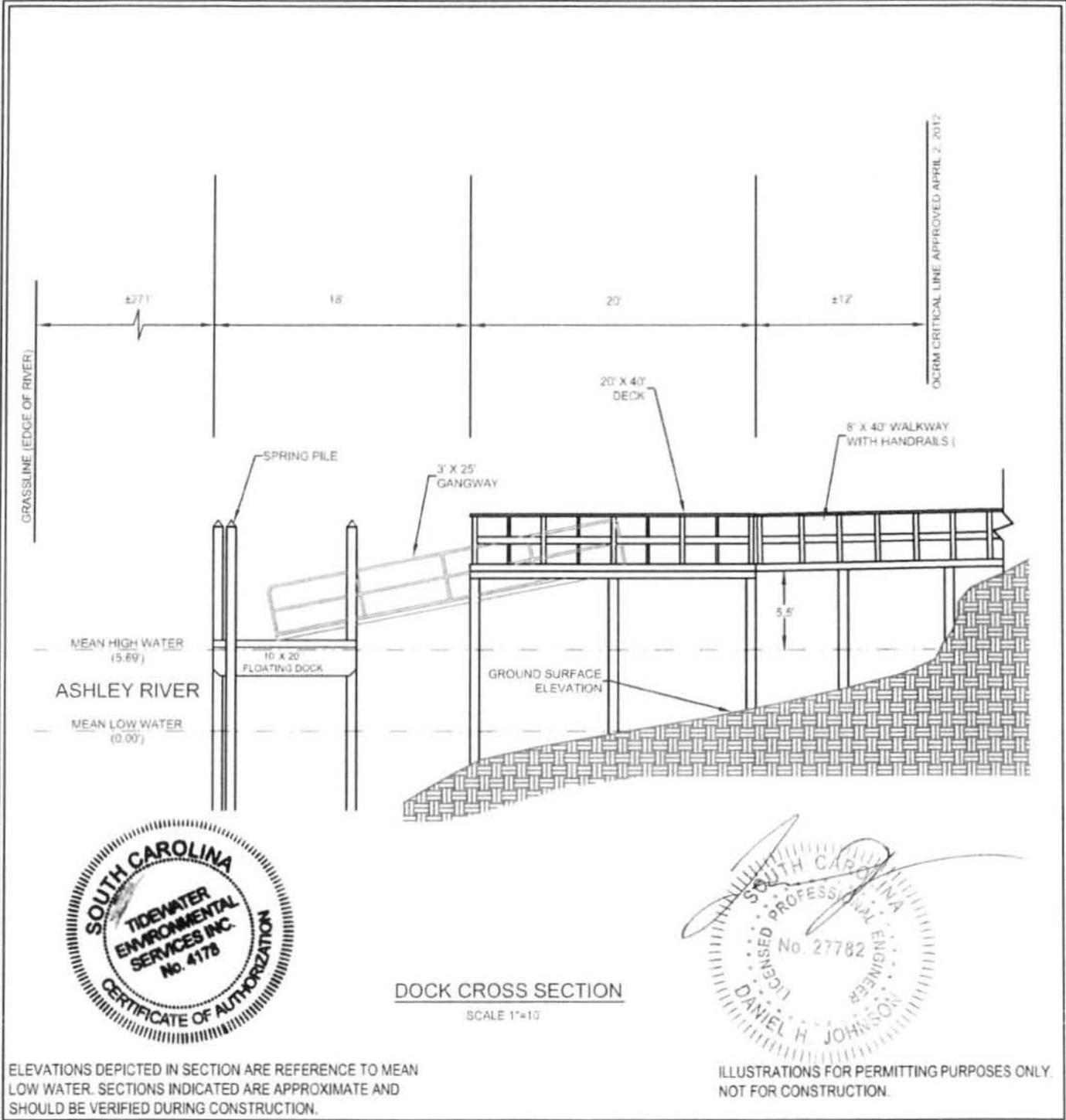
**PROPOSED ACTIVITY:**  
 DOCK CONSTRUCTION

**AT:** 3550 MAGNOLIA PLANTATION RD CHARLESTON, SC  
**COUNTY OF:** CHARLESTON

**P/N #:**  
**DATE:** SEPTEMBER 2011

**SHEET 2 OF 5**

**LOCATION:**  
 CHARLESTON, SOUTH CAROLINA



ELEVATIONS DEPICTED IN SECTION ARE REFERENCE TO MEAN LOW WATER. SECTIONS INDICATED ARE APPROXIMATE AND SHOULD BE VERIFIED DURING CONSTRUCTION.

ILLUSTRATIONS FOR PERMITTING PURPOSES ONLY. NOT FOR CONSTRUCTION.

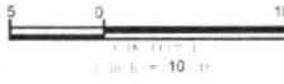
**PURPOSE:** PROVIDE ACCESS TO MAGNOLIA GARDENS VIA THE ASHLEY RIVER  
**ADJACENT OWNERS:**  
 1. THE WHITFIELD COMPANY  
 2. HASTIE FLP

**DOCK CROSS SECTION SIDE VIEW**  
**APPLICANT:**  
 J. DRAYTON HASTIE FAMILY LIMITED PARTNERSHIP

**PROPOSED ACTIVITY:**  
 DOCK CONSTRUCTION  
**AT:** 3550 MAGNOLIA PLANTATION RD CHARLESTON, SC  
**COUNTY OF:** CHARLESTON



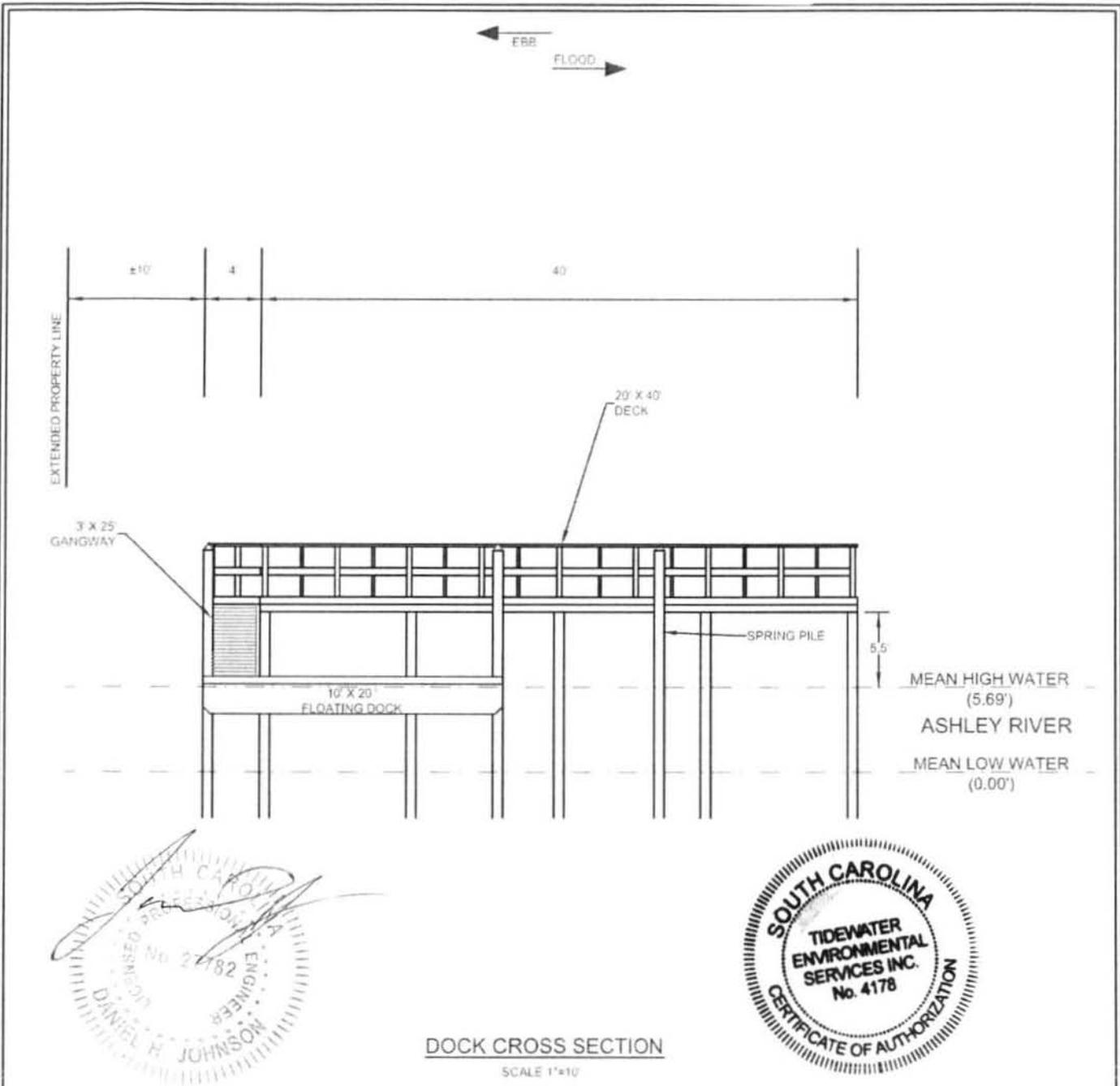
**LOCATION:**  
 CHARLESTON, SOUTH CAROLINA



SCALE: 1" = 10'

**P/N #:**  
**DATE:** ~~10/10/2012~~





ELEVATIONS DEPICTED IN SECTION ARE REFERENCE TO MEAN LOW WATER. SECTIONS INDICATED ARE APPROXIMATE AND SHOULD BE VERIFIED DURING CONSTRUCTION.

ILLUSTRATIONS FOR PERMITTING PURPOSES ONLY, NOT FOR CONSTRUCTION

**PURPOSE:** PROVIDE ACCESS TO MAGNOLIA GARDENS VIA THE ASHLEY RIVER  
**ADJACENT OWNERS:**  
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 2. HASTIE FLP

**DOCK CROSS SECTION FRONT VIEW**  
**APPLICANT:**  
 J. DRAYTON HASTIE FAMILY LIMITED PARTNERSHIP  
**LOCATION:**  
 CHARLESTON, SOUTH CAROLINA

**PROPOSED ACTIVITY:**  
 DOCK CONSTRUCTION  
**AT:** 3550 MAGNOLIA PLANTATION RD CHARLESTON, SC  
**COUNTY OF:** CHARLESTON  
**P/I N #:**  
**DATE:** SEPTEMBER 2012

