

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-2012-354-2IG

9 APRIL 2012

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 and 404 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

JAMES ISLAND YACHT CLUB
C/O MICHAEL WARREN
POST OFFICE BOX 12840
CHARLESTON, SOUTH CAROLINA 29422

for a permit to perform maintenance excavation in waters of

CHARLESTON HARBOR

at a location adjacent to the existing boat ramp and bulkhead at James Island Yacht Club, located at 734 Wampler Drive, on James Island, in the city of Charleston, Charleston County, South Carolina (Latitude 32.754125 ° - Longitude 79.918472).

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 maintenance excavation of a total of 178 cubic yards of sandy material from an area approximately 12' x 234' as shown on the attached plans. Approximately two feet of sandy material is to be excavated utilizing a long reach back hoe positioned on the adjacent upland. The work will be performed at low tide. The excavated material will be placed in 30 cubic yard containers located on the adjacent upland and surrounded by silt fencing. The excavated material will be hauled away and disposed of in a DHEC certified landfill. The applicant has stated that mitigation is not proposed due to the minimal impact of the

proposed work. The applicant proposes to perform the excavation only within the boundaries of an area that was previously dredged. The area has been dredged in the past, no fueling facility is present, and overnight dockage is not available at the site. The applicant states that the area to be excavated in front of the boat ramp and along the bulkhead are filling in with sand and impeding access to the boat ramp and the harbor. The applicant has requested a 10-year maintenance excavation permit. The purpose of the proposed work is for recreational access to the boat ramp and waters of Charleston Harbor for a longer duration of time during the tide cycle.

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 0.06 acres of estuarine substrates utilized by various life stages of species comprising the 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.

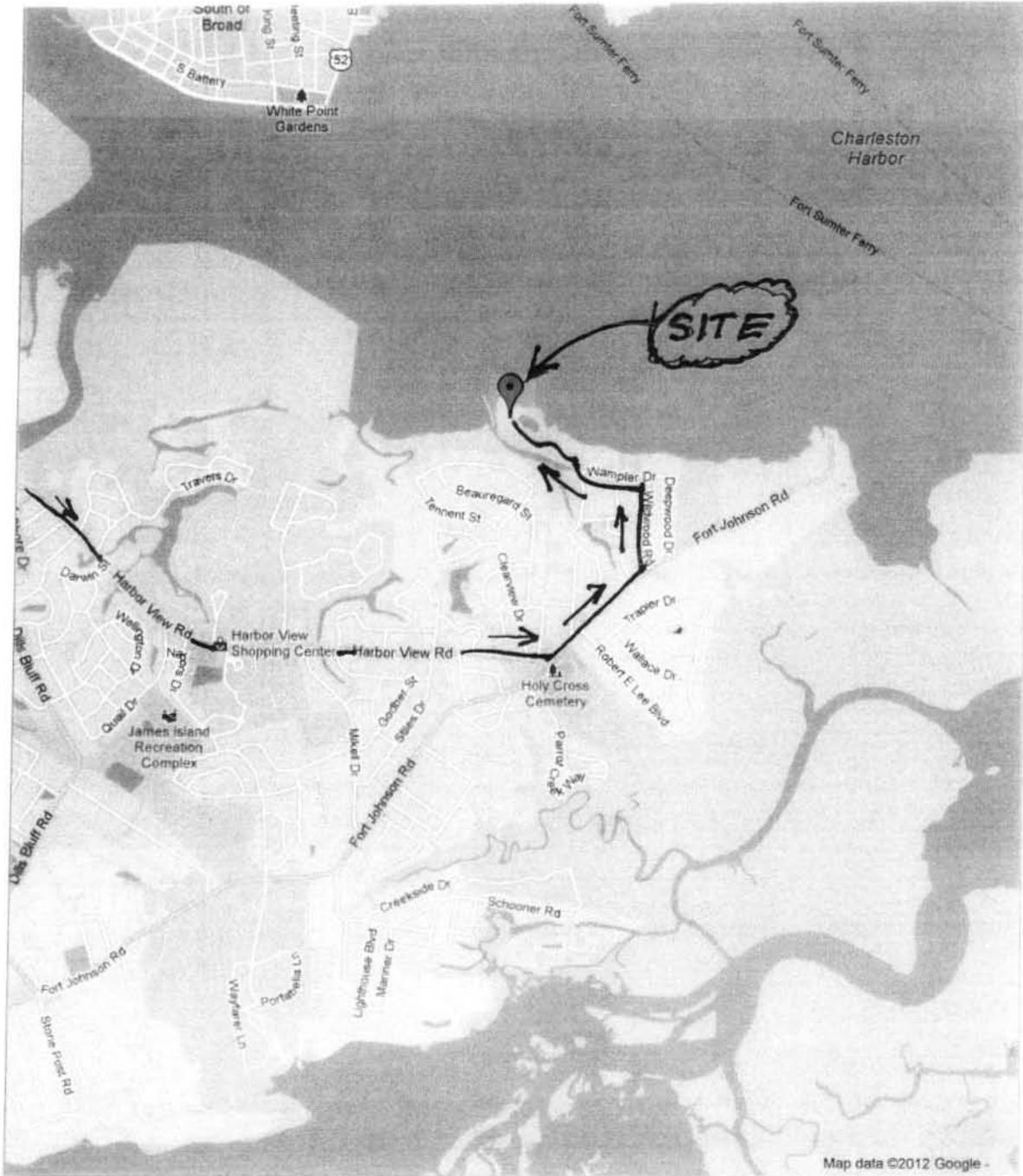
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine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

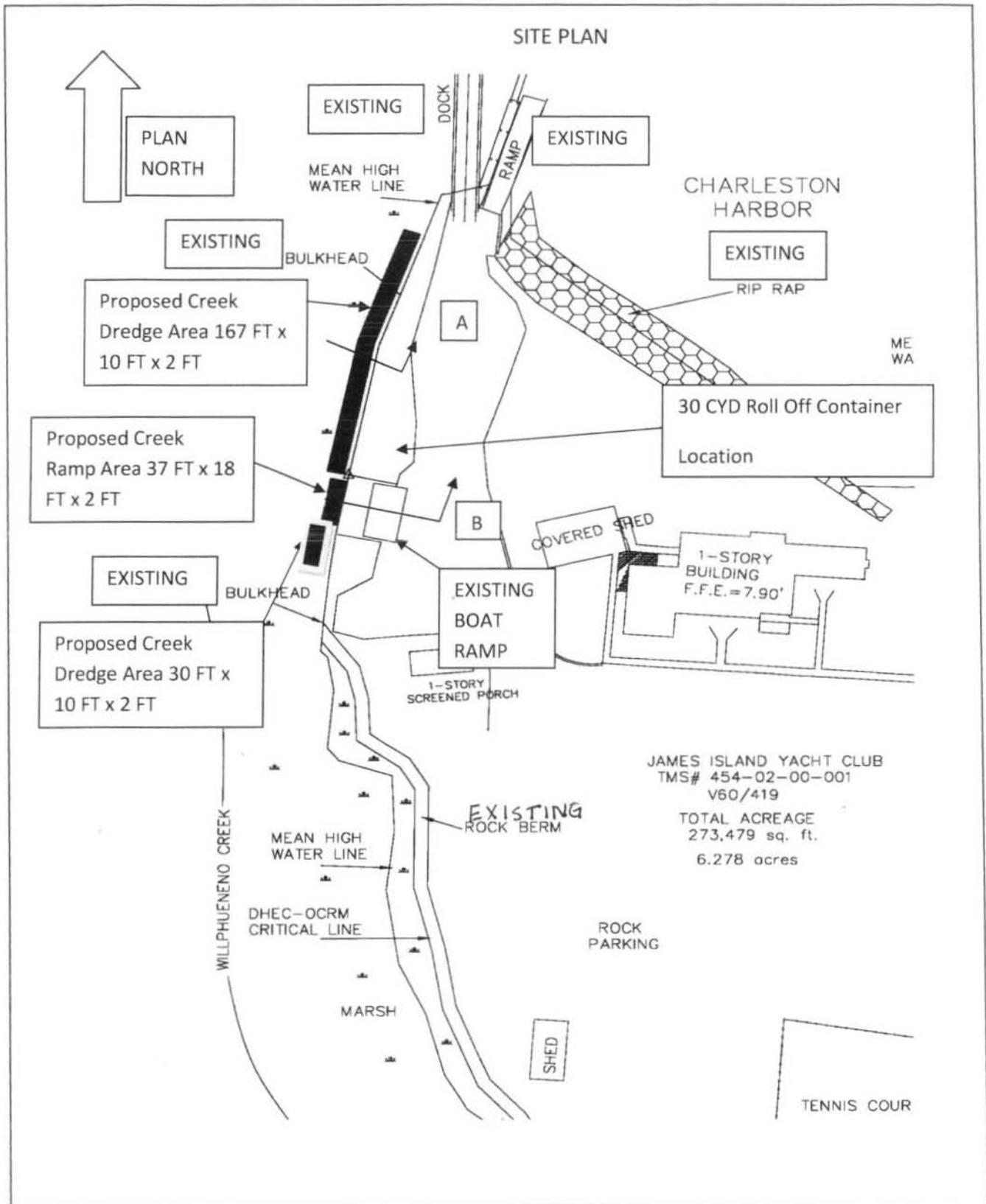


<p>Applicant: James Island Yacht Club</p> <p>Activity: Dredge Boat Ramp Access</p> <p><i>SAC-2012-354-2IG</i></p>	<p>Location: James Island SC Charleston Harbor County: Charleston</p> <p>Date: <i>2/27/2012</i></p>	<p>Sheet 1 of 5 FOR PERMITTING ONLY NOT FOR CONSTRUCTION</p>
-------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------

SITE PLAN



<p>Applicant: James Island Yacht Club Activity: Dredge Boat Ramp Access <i>SAC - 2012 - 354 - ZIG</i></p>	<p>Location: James Island SC Charleston Harbor County: Charleston Date: <i>2/27/2012</i></p>	<p>Sheet 2 of 5 FOR PERMITTING ONLY NOT FOR CONSTRUCTION</p>
---------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------

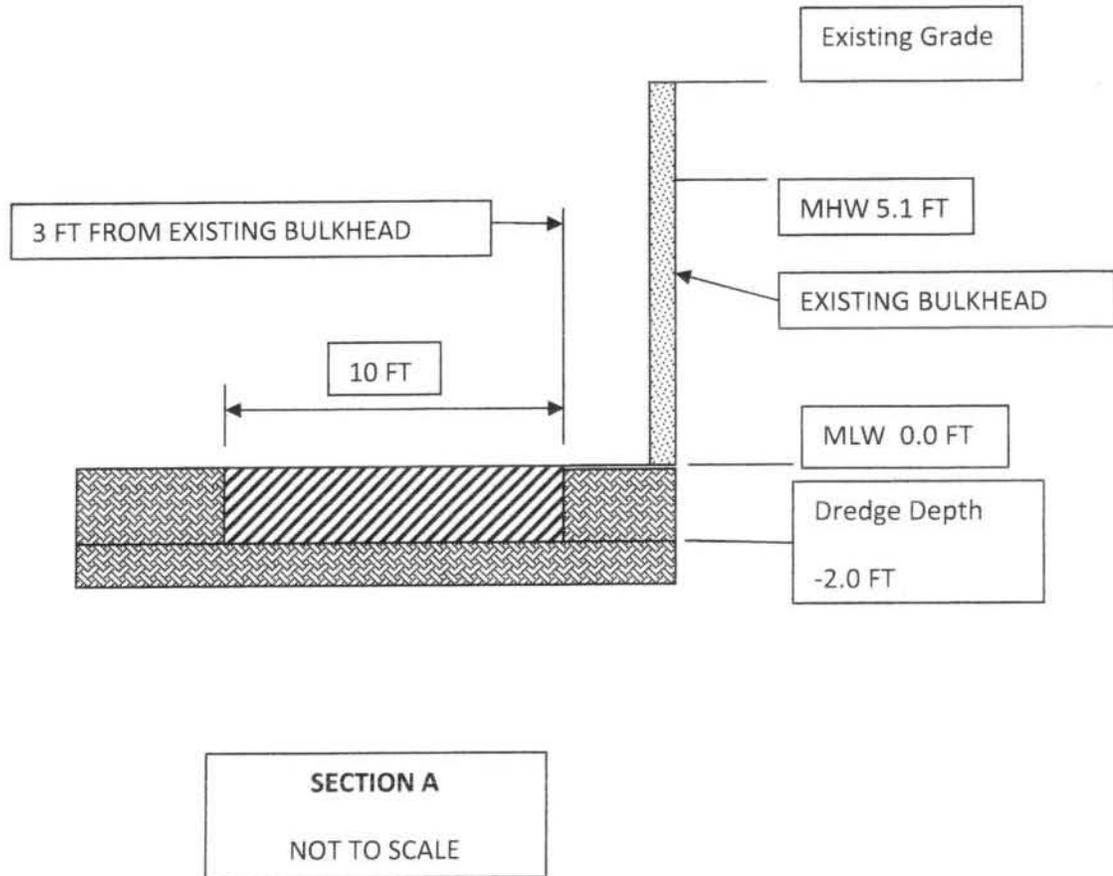


<p>Applicant: James Island Yacht Club</p> <p>Activity: Dredge Creek/Boat Ramp</p> <p><i>SAC-2012-354-ZIG</i></p>	<p>Location: James Island SC</p> <p>County: Charleston</p> <p>DATE: 2/27/2012</p>	<p>Sheet 3 of 5</p> <p>FOR PERMITTING ONLY</p> <p>NOT FOR CONSTRUCTION</p>
----------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------------------------------------	----------------------------------------------------------------------------

DREDGE PLAN- CREEK

Dredging Plan:

- Place 30 CYD Roll Off Containers on shore adjacent to creek
- Place silt fence around Roll Offs
- Use long reach excavator from landing to remove material and place in containers
- Transport material in containers to DHEC approved construction debris landfill and dispose



Applicant:
James Island Yacht Club
Activity: Dredge Creek Access

Location:
James Island SC
Charleston Harbor
County: Charleston

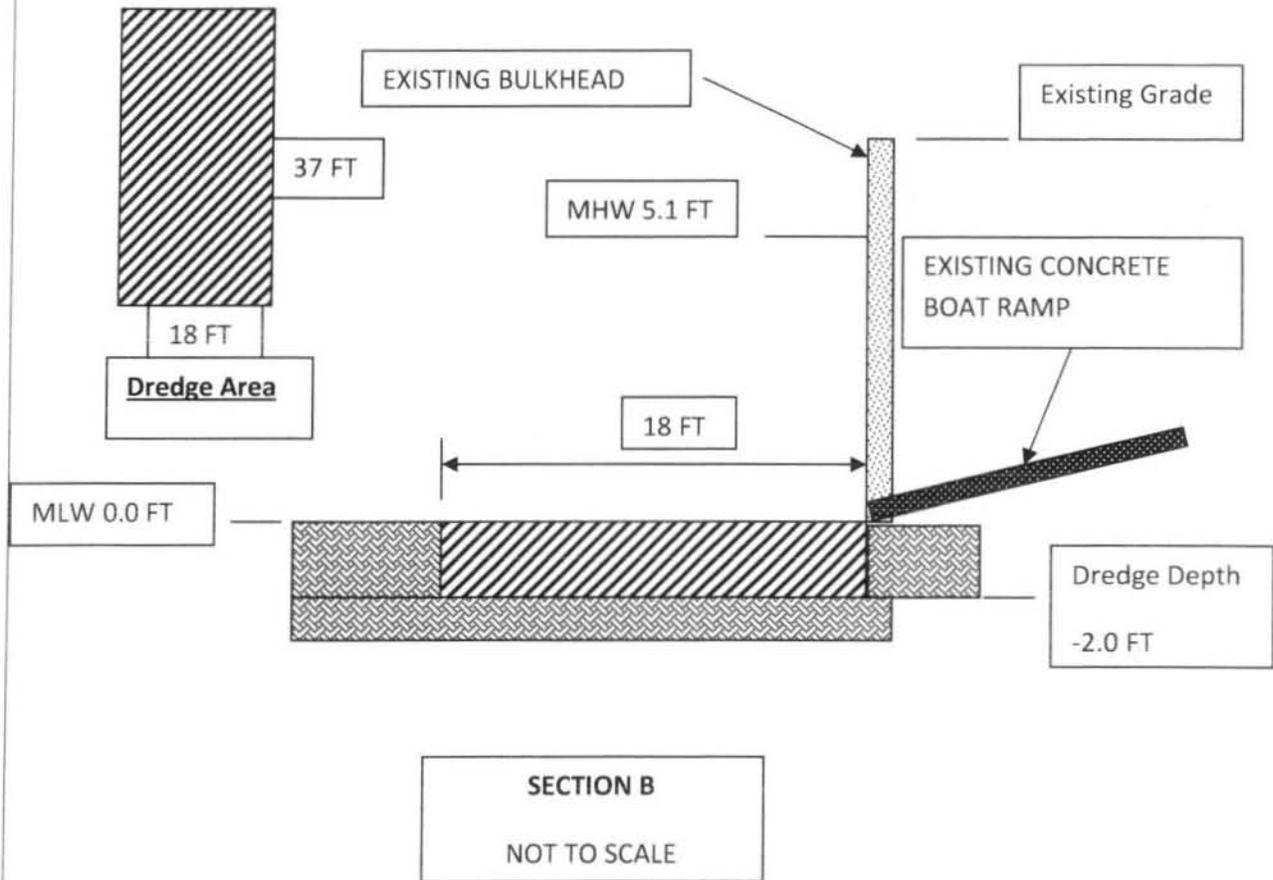
Sheet 4 of 5
FOR PERMITTING ONLY
NOT FOR CONSTRUCTION

SAC - 2012 - 354 - ZIG Date: 2/27/2012

DREDGE PLAN- BOAT RAMP

Dredging Plan:

- Place 30 CYD Roll Off Containers on shore adjacent to creek
- Place silt fence around Roll Offs
- Use long reach excavator from landing to remove material and place in containers
- Transport material in containers to DHEC approved construction debris landfill and dispose
- Area to be dredged 18 FT x 37 FT x 2 FT



<p>Applicant: James Island Yacht Club Activity: Dredge Boat Ramp Access</p>	<p>Location: James Island SC Charleston Harbor County: Charleston Date: 2/27/2012</p>	<p>Sheet 5 of 5 FOR PERMITTING ONLY NOT FOR CONSTRUCTION</p>
-----------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------

SAC-2012-354-2IG