

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-2015-01175-2IY

September 22, 2015

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), the South Carolina Coastal Zone Management Act (48-39-10 et. seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

WILLIAM SCURRY
50 BUSHES BRANCH DRIVE
BLUFFTON, SOUTH CAROLINA 29910

for an after-the-fact permit for the existing private dock, a change of use from a private dock to a commercial dock, and a modification to expand the existing dock in the

COOPER RIVER

at 249 Freeport Road on Daufuskie Island, Beaufort County, South Carolina, (Latitude 32.132221 N, Longitude -80.872117 W), Bluffton Quad

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 obtaining an after-the-fact permit for the existing private dock (a 4' x 151' walkway leading to a 12' x 20' pierhead with a 14' x 40' floating dock), a change of

use from a private dock to a commercial dock and the modification of the existing dock. In detail, a new 14' x 29' floating dock will be added to the existing floating dock as overflow docking to the neighboring marina. The project purpose is to expand the docking facilities of the adjacent Freeport Marina.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request 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 of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. 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 0.019 acres for the existing dock, and an additional 0.009 acres for the modification, of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's 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). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information 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 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 Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(f)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties 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 and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

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. 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 cannot undertake to adjudicate rival claims.

The Corps 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 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 **David Chamberlain** at 843-329-8044 or toll free at 1-866-329-8187.

CRITICAL LINE NOTE

THE DHEC-OCRM CRITICAL LINE SHOWN
HEREON IS TAKEN FROM AN AS-BUILT
SURVEY BY COASTAL SURVEYING CO., INC.
DATED 4/24/15 AND VALIDATED BY
PAUL WOJOSKI ON 4/30/15
(JOB# 54381)

±500' TO →
FREEPORT ROAD

(#256)
PARCEL 6

N/F
COOPER RIVER LANDINGS
& PROPERTIES, INC.
P.O. BOX 49192
GREENVILLE, SC 29649-9805
TM# R800-021-000-0006

(#251)
PARCEL 8

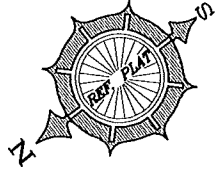
N/F
DENNIS & MICHELE GOODWIN
42 FREEPORT DRIVE
DAUFUSKIE ISLAND, SC 29915
TM# R800-021-000-0028

(#249)
LOT 1

TM# R800-021-000-0008

(#256)
PARCEL 6

N/F
COOPER RIVER CEMETRY
PRESERVATION SOCIETY
(NO ADDRESS AVAILABLE)
TM# R800-021-000-0009



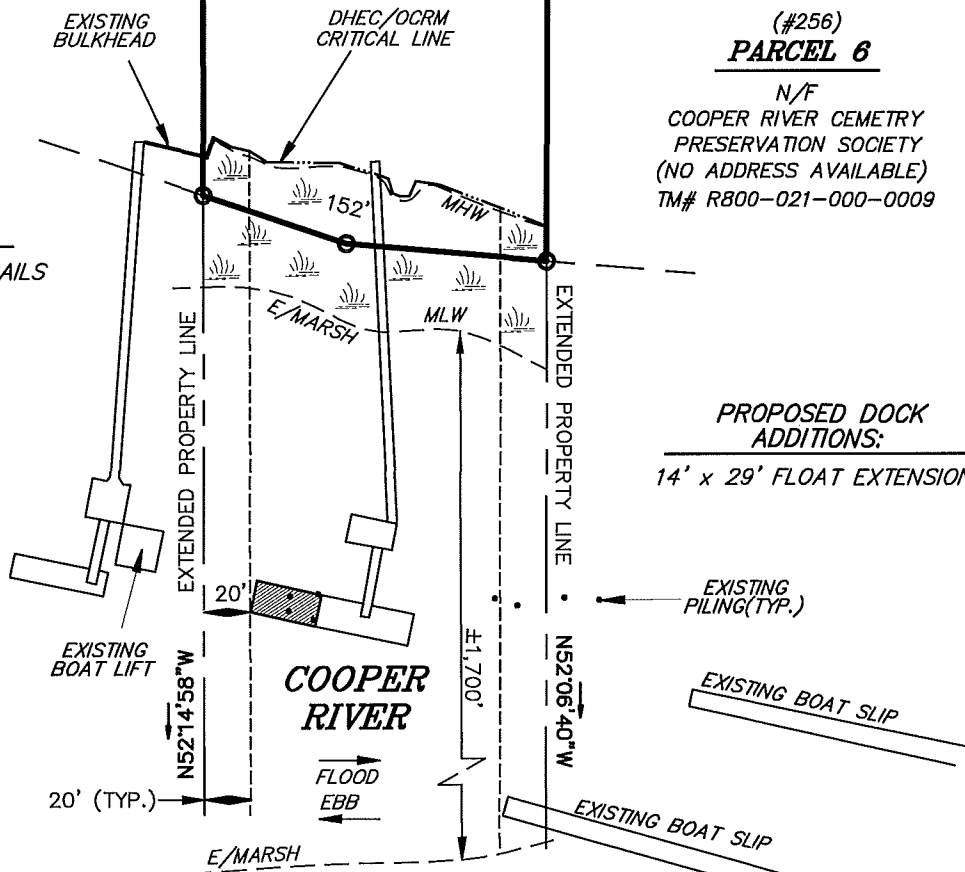
Z: \Dock Survey\55,000\55036.dwg 8/4/2015 10:45:37 AM EDT

**EXISTING DOCK
CONSISTS OF:**

- 4' x 151' WALKWAY w/HANDRAILS
- 12' x 20' PIERHEAD
- 4' x 30' RAMP
- 14' x 40' FLOAT

**PROPOSED DOCK
ADDITIONS:**

- 14' x 29' FLOAT EXTENSION



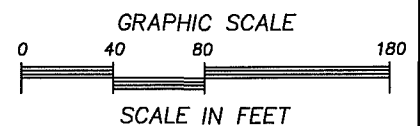
" I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE,
INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON
WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF
THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF
LAND SURVEYING IN SOUTH CAROLINA, AND ACCURATELY
SHOWS ALL INFORMATION REQUESTED BY SCDHEC-OCRM FOR
DOCK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

**COMMERCIAL DOCK PERMIT
PREPARED FOR:**

WILLIAM SCURRY
50 BUSHES BRANCH DRIVE
BLUFFTON, SC 29910

SCALE: 1"=80'
DATE: 8/04/15
FIELD CK: LC
DRAWN BY: MT
OFFICE CK: EI
JOB No.: 55036

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

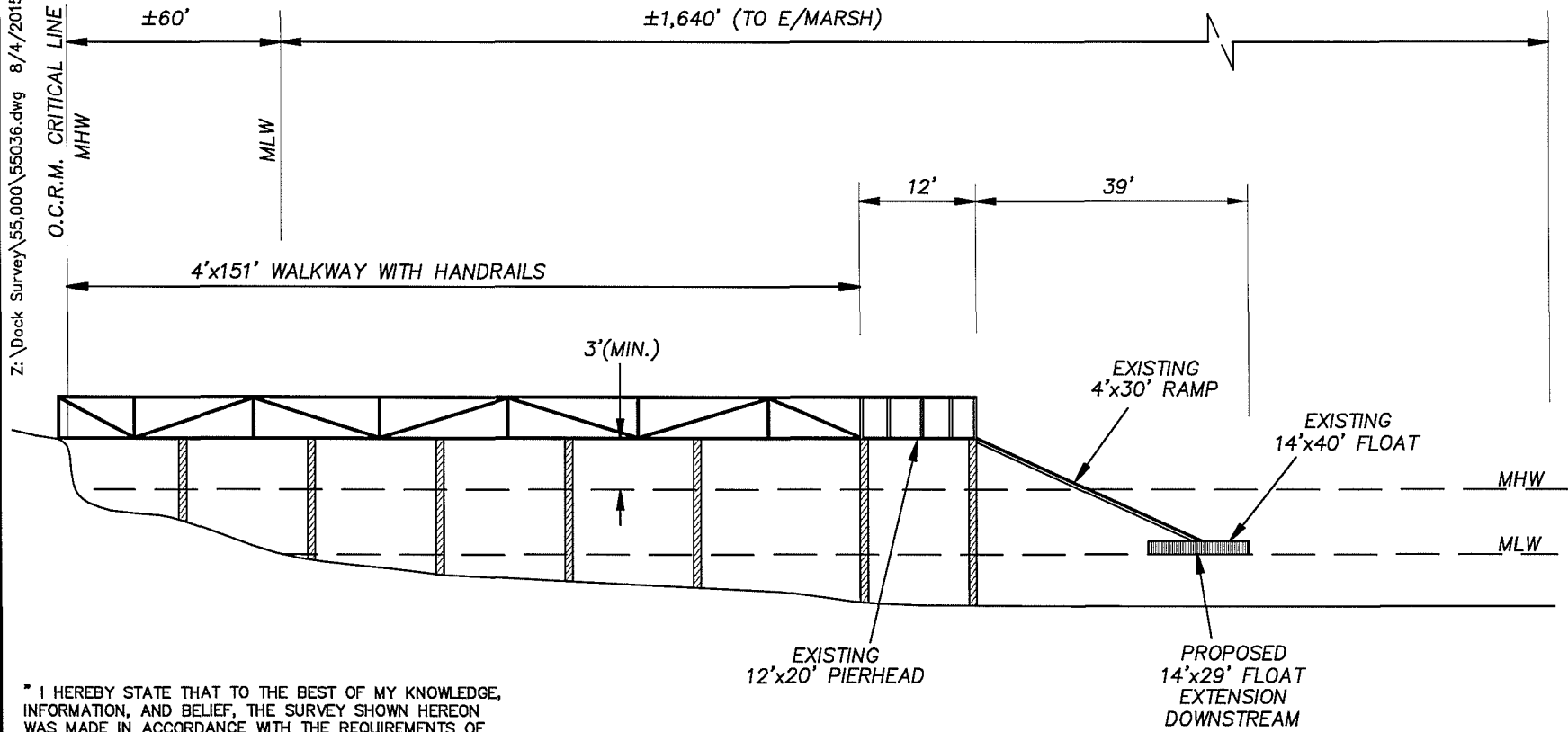


MACK W. THOMAS III
S.C.P.L.S. NO. 14531

Z:\Dock Survey\55,000\55036.dwg 8/4/2015 10:45:37 AM EDT

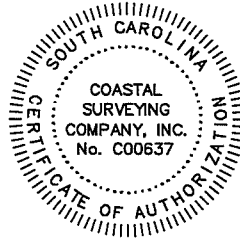
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MACK W. THOMAS III
S.C.P.L.S. NO. 14531



DOCK ELEVATION

NOT TO SCALE



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

APPLICANT: WILLIAM SCURRY
ACTIVITY: CHANGE USE FROM PRIVATE TO COMMERCIAL - EXTEND EXISTING FLOAT
P/N #

LOCATION: 249 FREEPORT ROAD
DAUFUSKIE ISLAND SC 29915
COUNTY: BEAUFORT
DATE: AUGUST 4, 2015

ADJACENT PROPERTY OWNERS
1) DENNIS & MICHELE GOODWIN
2) COOPER RIVER CEMETRY PRESERVATION SOCIETY