

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS

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-2016-01212

September 28, 2016

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

Mr. John McKee
Hibben Ferry Apartments LLC
11766 Wilshire Blvd Suite 1450
Los Angeles, California 90025

for a permit to add a floating dock to an existing pier head in

Shem Creek

at Hibben Ferry Apartments, 1054 Anna Knapp Boulevard in the Town of Mount Pleasant, Charleston County, South Carolina (Latitude: 32.8044°N, Longitude: 79.8638°W), Fort Moultrie Quad Sheet .

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 adding a floating dock to an existing pier head. In detail the work includes adding a 10' x 10' floating dock connected to an existing, fixed pier head by a 3' x 16' access ramp. The project purpose is for private recreational use.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

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. 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 **0.002** acres 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.

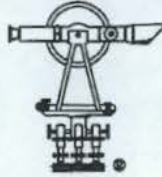
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

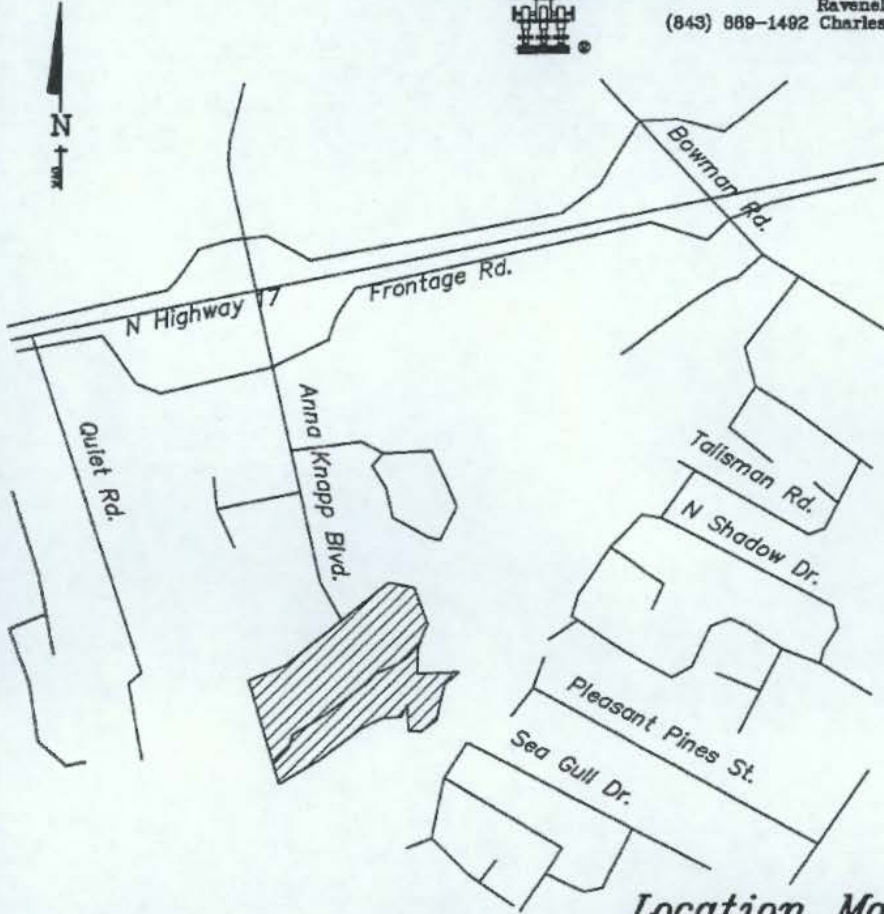
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Warren May, Project Manager, at 843-329-8033 or toll free at 1-866-329-8187.



GEORGE A.Z. JOHNSON, JR., INC.
LAND SURVEYORS

6171 Savannah Highway
 Ravenel, South Carolina 29470
 (843) 889-1492 Charleston No. 722-3892 Edisto No. 868-1495



1. Start out going west on McMillan Ave toward Noisette Blvd.
2. Turn left onto Avenue E S.
3. Take the 1st right onto Cosgrove Avenue Ext.
4. Turn slight left onto Cosgrove Ave.
5. Merge onto I-26 E
6. Take Exit 220 (US-17 N)
7. Turn right onto Anna Knapp Blvd..
8. Site is at Rear right corner of Apartment complex

Location Map "NTS"

PROJECT CONSISTS OF:
 ADDITION OF
 10' x 10' Floating Dock to Right
 of Ex. Pierhead w/ 3' x 16'
 Gangway

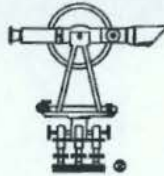
Applicant: Hibben Ferry Apartments, LLC
 11766 Wilshire Blvd, Ste 1500
 Los Angeles, CA 90025-6570
 Charleston County
 TMS No. 531-10-00-044, 006
 Shern Creek
 GAZJ JOB # 24377

P/N#

LOCATION MAP
 PROPOSED FLOATING DOCK
 AND GANGWAY ADDITION
 FOR TMS 535-10-00-044

DATE: SEPT. 13, 2016
 SCALE "NTS"
 Sheet 1 of 3





GEORGE A.Z. JOHNSON, JR., INC.
LAND SURVEYORS

6171 Savannah Highway
 Ravenel, South Carolina 29470
 (843) 889-1492 Charleston No. 722-3892 Edisto No. 889-1495

Property of
 Heather L. Smith
 T.M.S.
 535-10-00-053
 1434 Oaklanding Rd.
 Mt. Pleasant, SC 29464

SITE

T.M.S.
 535-10-00-006
 1054 Anna Knapp Blvd.
 Mt. Pleasant, SC 29464

DHEC/OCRM Critical Line
 as Located June 2016

T.M.S.
 535-10-00-044
 1054 Anna Knapp Blvd.
 Mt. Pleasant, SC 29464

Proposed 10' x 10'
 Floating Dock &
 3' x 16' Gangway

N 355242.3
 E 2349078.1

Shem Creek
 Ebb Flow

N 355237.2
 E 2349069.5

Property of
 SK Charleston Paces, LLC
 T.M.S.
 535-00-00-198
 1721 Pinnacle Dr. Suite
 700
 McLean, VA 22102

PROJECT CONSISTS OF:
 ADDITION OF
 10' x 10' Floating Dock to Right
 of Ex. Pierhead w/ 3' x 16'
 Gangway

Applicant: Hibben Ferry Apartments, LLC
 11766 Wilshire Blvd, Ste 1500
 Los Angeles, CA 90025-6570
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 TMS No. 531-10-00-044, 006
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OVERALL PLAN
 PROPOSED FLOATING DOCK
 AND GANGWAY ADDITION
 FOR TMS 535-10-00-044

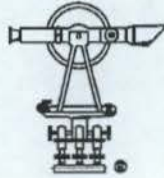
DATE: SEPT. 13, 2016
 SCALE 1" = 50'

Sheet 2 of 3



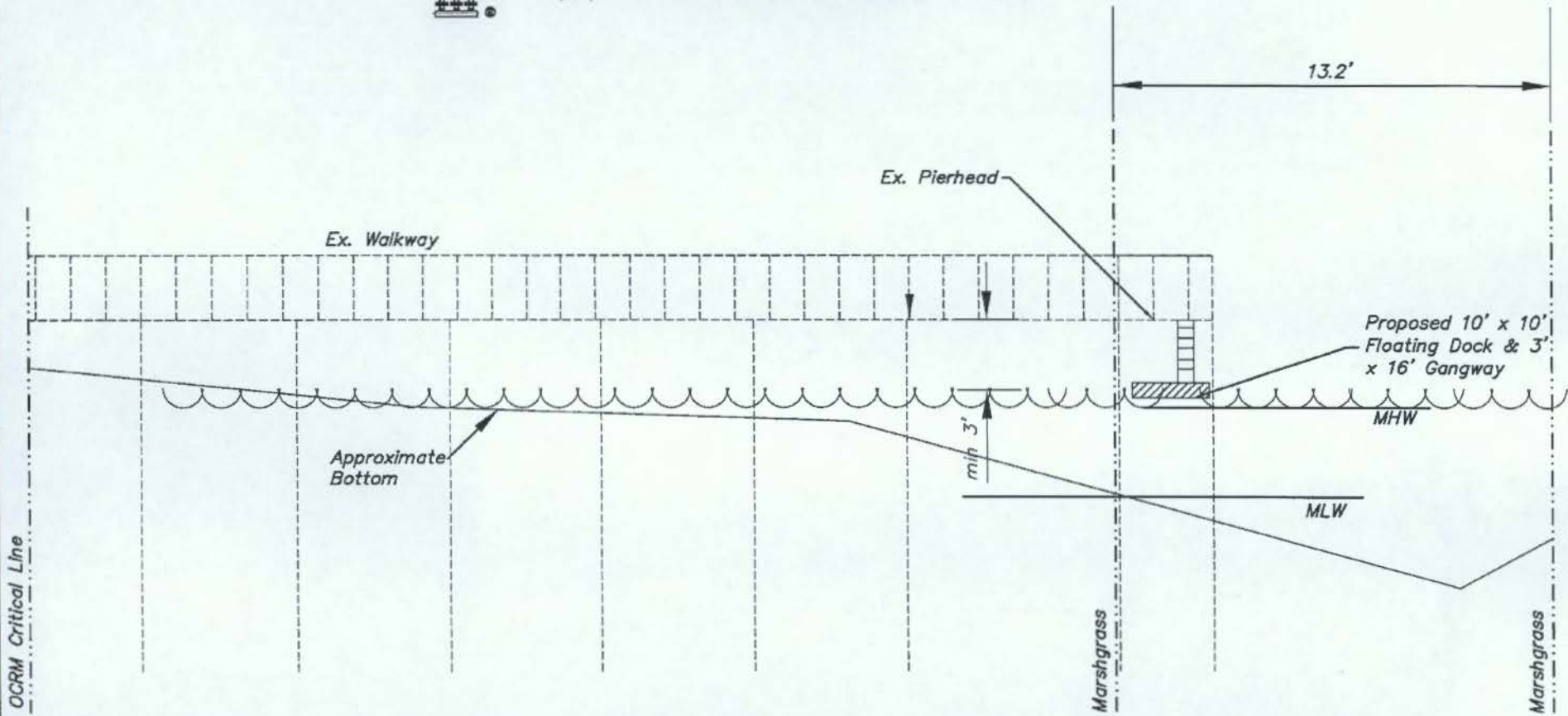
P/N#

PROJECT CONSISTS OF:
 ADDITION OF
 10' x 10' Floating Dock to Right
 of Ex. Pierhead w/ 3' x 16'
 Gangway



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 - LAND SURVEYORS -

6171 Savannah Highway
 Ravenel, South Carolina 29470
 (843) 889-1492 Charleston No. 722-3892 Edisto No. 869-1495



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P/N#

SIDE VIEW
 PROPOSED FLOATING DOCK
 AND GANGWAY ADDITION
 FOR TMS 535-10-00-044

DATE: SEPT. 13, 2016
 SCALE "NTS"
 Sheet 3 of 3

