

**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

10 December 2004

Refer to: P/N #2004-1E-326-P (Dock #1)  
P/N #2004-1E-327-P (Dock #2)  
P/N #2004-1E-328-P (Dock #3)

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), 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

**EPIC DEVELOPMENT GROUP**  
**P. O. BOX 868**  
**JOHNS ISLAND, SOUTH CAROLINA 29457-0868**

for a permit to construct three (3) community docks in

PENNY'S CREEK

at a proposed development at the intersection of Maybank Highway and Fenwick Hall Allee, Johns Island, Charleston County, South Carolina. (Latitude – 32.75405, Longitude – 80.03341)

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 both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, 27 DECEMBER 2004**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of constructing three (3) community dock structures.

Dock #1 (P/N #2004-1E-326-P) will be located on the common property line of Lots #15 and #16 and will consist of a 12' x 30' fixed pierhead attached to highland by a 6' x 300' walkway. In addition, floating docks, each 10' x 80', are to be located on each side of the fixed pierhead and attached to the fixed pierhead by 3' x 15' ramps.

Dock #2 (P/N #2004-1E-327-P) will be located between Lots #12 and #13 and will consist of a 14' x 14' gazebo type structure attached to highland by a 6' x 356' walkway.

Refer to: P/N #2004-1E-326-P (Dock #1)  
P/N #2004-1E-327-P (Dock #2)  
P/N #2004-1E-328-P (Dock #3)  
EPIC Development Group

Dock #3 (P/N #2004-1E-328-P) will be located adjacent to Lot #5 and will consist of a 12' x 30' fixed pierhead attached to highland by a 6' x 423' walkway. In addition, floating docks, each 10' x 80', are to be located on each side of the fixed pierhead and attached to the fixed pierhead by 3' x 15' ramps.

The purpose of these community docks is to provide access for the private recreational use of the future lot owners in the proposed 64-lot subdivision.

**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 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).

Refer to: P/N #2004-1E-236-P (Dock #1)  
P/N #2004-1E-327-P (Dock #2)  
P/N #2004-1E-328-P (Dock #3)  
EPIC Development Group

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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.

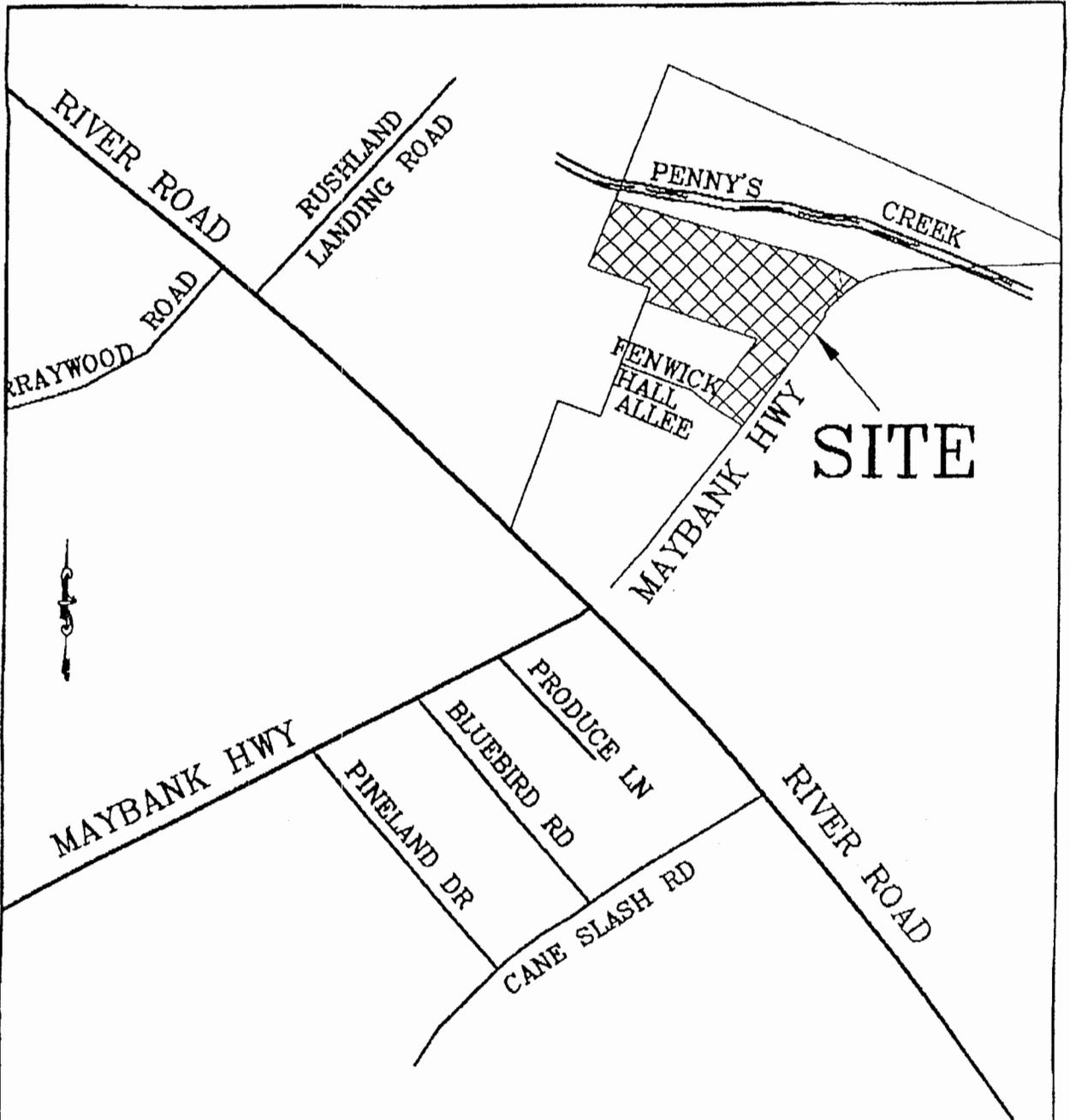
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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 me at 843-329-8044 or toll free at 1-866-329-8187.



Jackie Easterling  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers

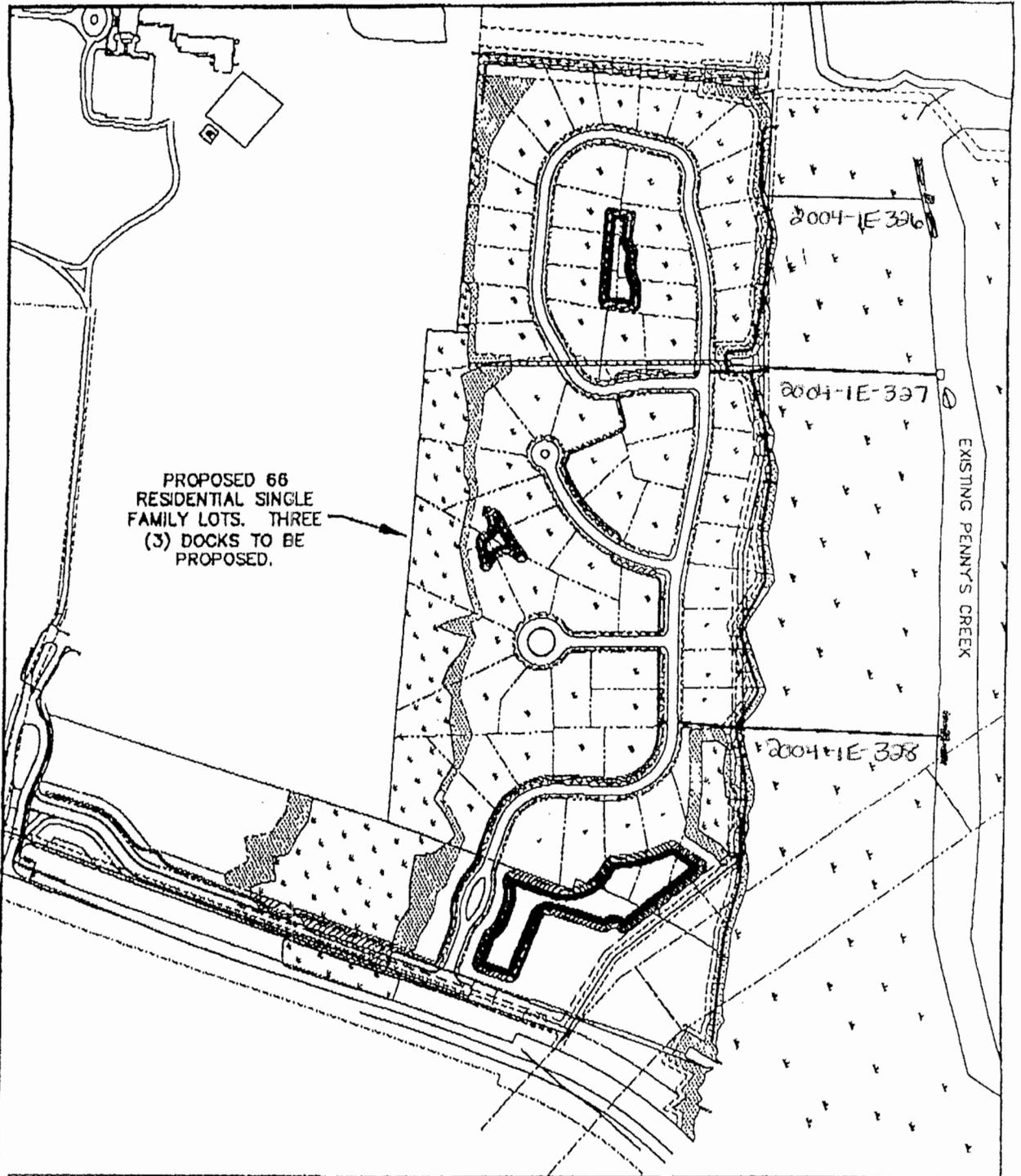


## LOCATION MAP

NOT TO SCALE

<p> <b>APPLICANT:</b>            MITCH LAPLANTE            EPIC DEVELOPMENT GROUP            668 MARINA DR., SUITE B-1            CHARLESTON, SC 29492  <b>ACTIVITY:</b> CONSTRUCT DOCK            LATITUDE: N 32°44'57"            LONGITUDE: W 80°01'59"            PERMIT #: 2004-1E-336                      2004-1E-337         </p>	<p> <b>SCALE:</b> NOT TO SCALE  <b>PROJECT LOCATION:</b>            PROPOSED DEVELOPMENT AT            INTERSECTION OF MAYBANK            HIGHWAY AND FENWICK HALL            ALLEE; JOHNS ISLAND, SC            COUNTY: CHARLESTON         </p>	<p> <b>SHEET 1 OF 9</b>  <b>ADJACENT PROPERTY OWNERS:</b>            EPIC DEVELOPMENT GROUP            P.O. BOX 868            JOHNS ISLAND, SC 29457-0868            PHONE: 843.768.9366            FAX: 843.768.6817            DATE: AUGUST 26, 2004         </p>
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2004-1E-328



PROPOSED 66  
RESIDENTIAL SINGLE  
FAMILY LOTS. THREE  
(3) DOCKS TO BE  
PROPOSED.

EXISTING PENNY'S CREEK

2004-IE-326

2004-IE-327

2004-IE-328

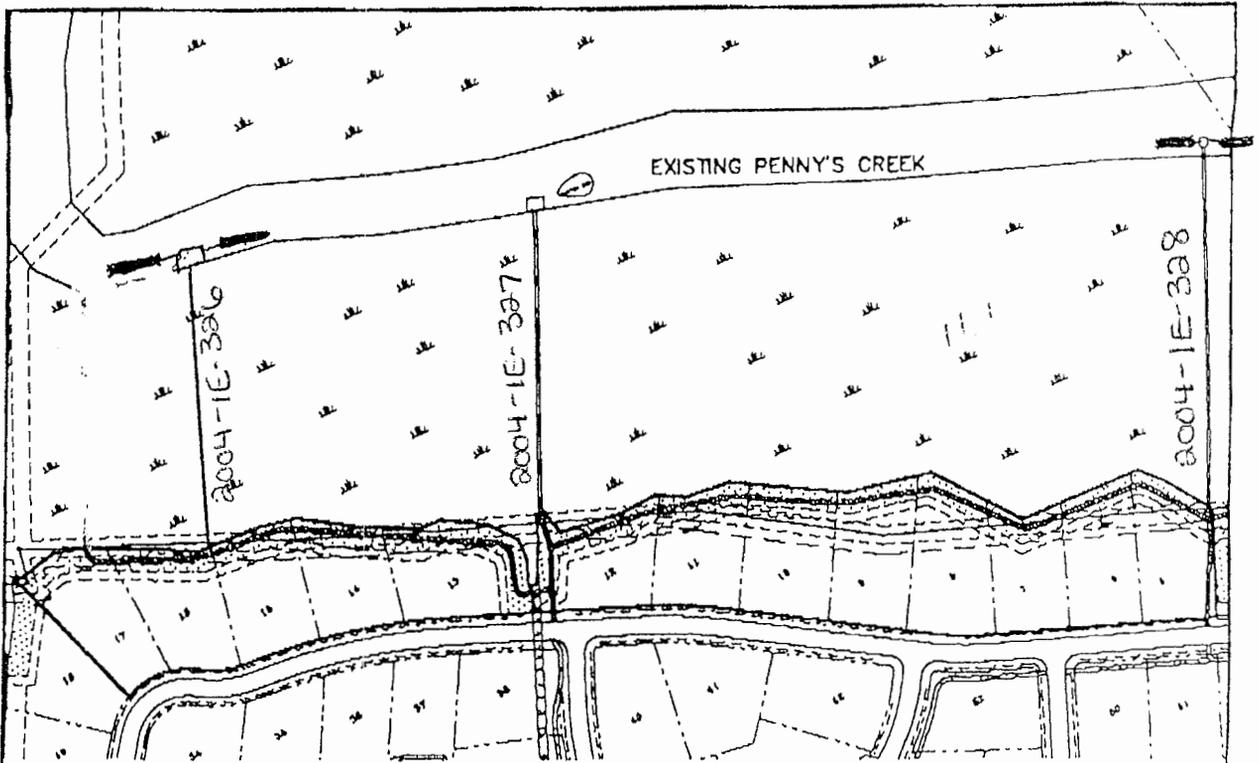
APPLICANT:  
MITCH LAPLANTE  
EPIC DEVELOPMENT GROUP  
668 MARINA DR., SUITE B-1  
CHARLESTON, SC 29492  
ACTIVITY: CONSTRUCT DOCK  
LATITUDE: N 32°44'57"  
LONGITUDE: W 80°01'59"  
PERMIT # 2004-IE-326  
2004-IE-327

SCALE: 1" = 300'  
PROJECT LOCATION:  
PROPOSED DEVELOPMENT AT  
INTERSECTION OF MAYBANK  
HIGHWAY AND FENWICK HALL  
ALLEE; JOHNS ISLAND, SC  
COUNTY: CHARLESTON

SHEET 2 OF 9  
ADJACENT PROPERTY OWNERS:  
EPIC DEVELOPMENT GROUP  
P.O. BOX 868  
JOHNS ISLAND, SC 29457-0868  
PHONE: 843.768.9366  
FAX: 843.768.6817  
DATE: AUGUST 26, 2004

Rev. 11/30/04

2004-IE-328



**DOCK SQUARE FOOTAGE CALCULATION:**

- 13 LOTS (LOTS 5 - 17) WITH:
- OVER 75' FRONTAGE WIDTH.
  - CREEK WIDTHS BETWEEN 51 AND 150 FT. (160 SF ALLOWED PER LOT)

**DOCK 1.) ON LOT 17:**

- 12' x 30' FIXED PIERHEAD (360 SF)
- 10' x 160' FLOATING DOCK (1600 SF)
- TOTAL 1960 SF

**DOCK 2.) ON LOT 12:**

- 14' x 14' GAZEBO WITH ROOF (196 SF)
- TOTAL 196 SF

**DOCK 3.) ON LOT 5:**

- 12' x 30' FIXED PIERHEAD (360 SF)
- 10' x 160' FLOATING DOCK (1600 SF)
- TOTAL 1960 SF

DOCK 1 + DOCK 2 + DOCK 3 =  
 1960 SF + 196 SF + 1960 SF = 4116 SF < 5440 SF

**NOTES:**

1. MHW (MEAN HIGH WATER) & MLW (MEAN LOW WATER) ELEVATIONS WERE TAKEN USING THE NEAREST STATION LOCATION FROM THE NGS (NATIONAL GEODETIC SURVEY) WEBSITE <http://www.ngs.noaa.gov>

2. MHW & MLW LINES WERE INTERPOLATED BETWEEN EXISTING POINTS OBTAINED FROM SURVEYOR.

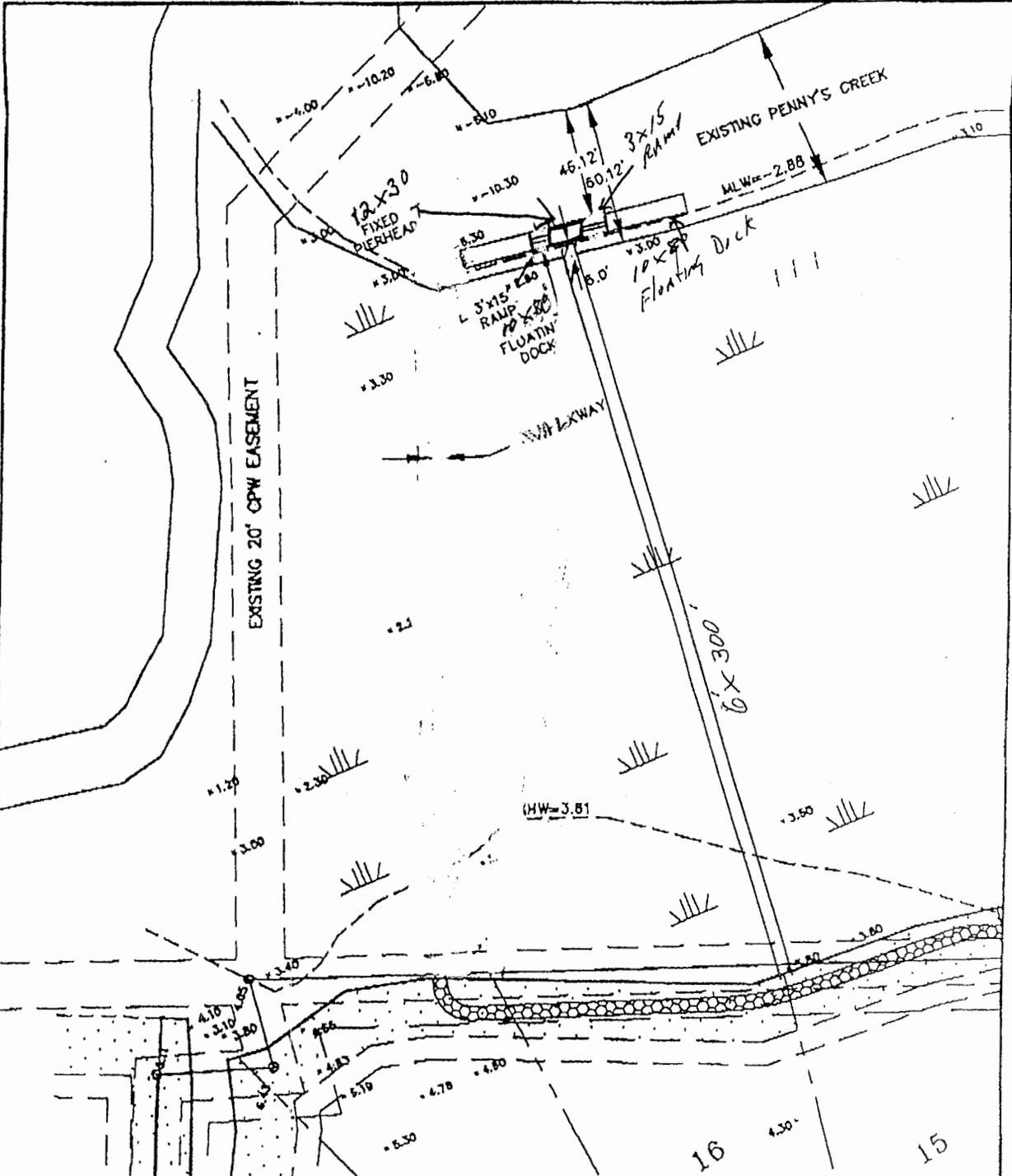
APPLICANT:  
 MITCH LAPLANTE  
 EPIC DEVELOPMENT GROUP  
 868 MARINA DR., SUITE B-1  
 CHARLESTON, SC 29492  
 ACTIVITY: CONSTRUCT DOCK  
 LATITUDE: N 32°44'57"  
 LONGITUDE: W 80°01'59"  
 PERMIT #: 2004-1E-326  
 2004-1E-327

SCALE: 1" = 200'  
 PROJECT LOCATION:  
 PROPOSED DEVELOPMENT AT  
 INTERSECTION OF MAYBANK  
 HIGHWAY AND FENWICK HALL  
 ALLEE; JOHNS ISLAND, SC  
 COUNTY: CHARLESTON

SHEET 3 OF 9  
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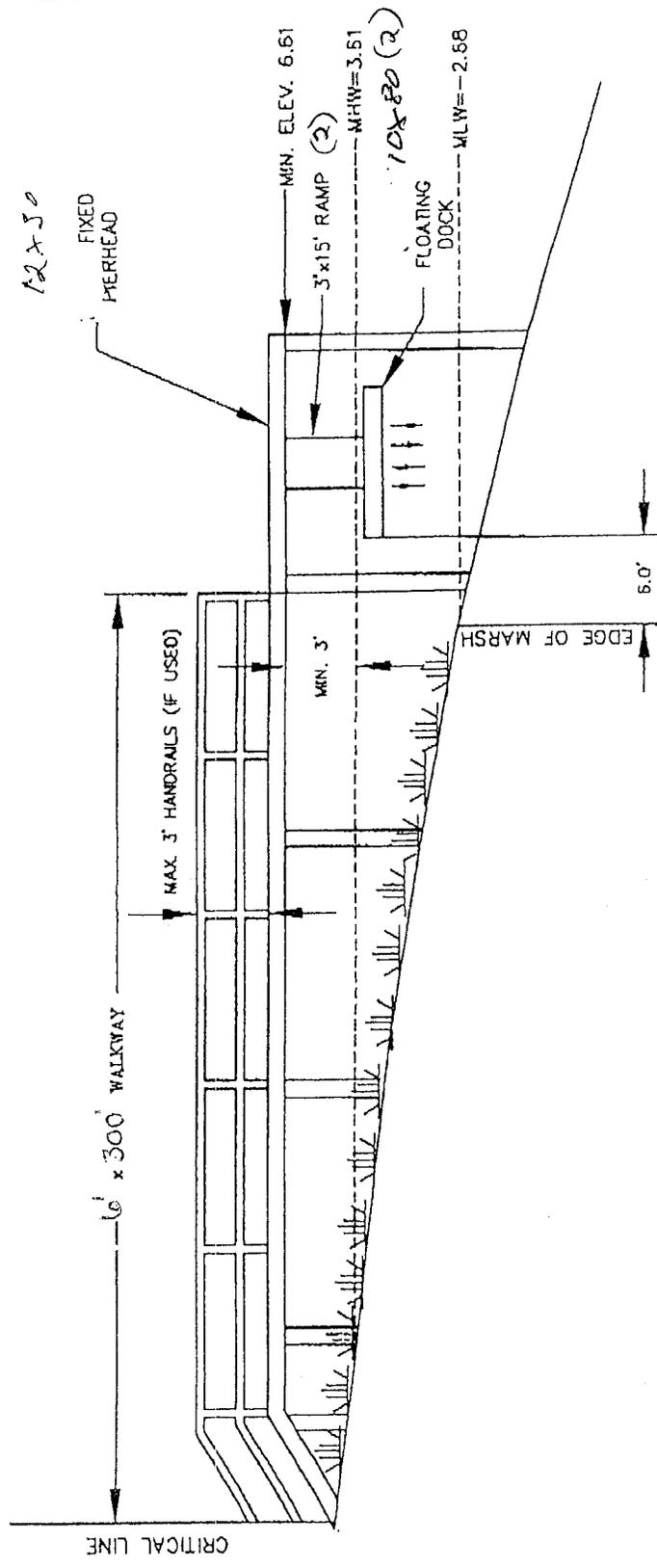
2004-1E-328



APPLICANT:  
 MITCH LAPLANTE  
 EPIC DEVELOPMENT GROUP  
 868 MARINA DR., SUITE B-1  
 CHARLESTON, SC 29492  
 ACTIVITY: CONSTRUCT DOCK  
 LATITUDE: N 32°44'57"  
 LONGITUDE: W 80°01'59"  
 PERMIT # 2004-1E-326

SCALE: 1" = 50'  
 PROJECT LOCATION:  
 PROPOSED DEVELOPMENT AT  
 INTERSECTION OF MAYBANK  
 HIGHWAY AND FENWICK HALL  
 ALLEY; JOHNS ISLAND, SC  
 COUNTY: CHARLESTON

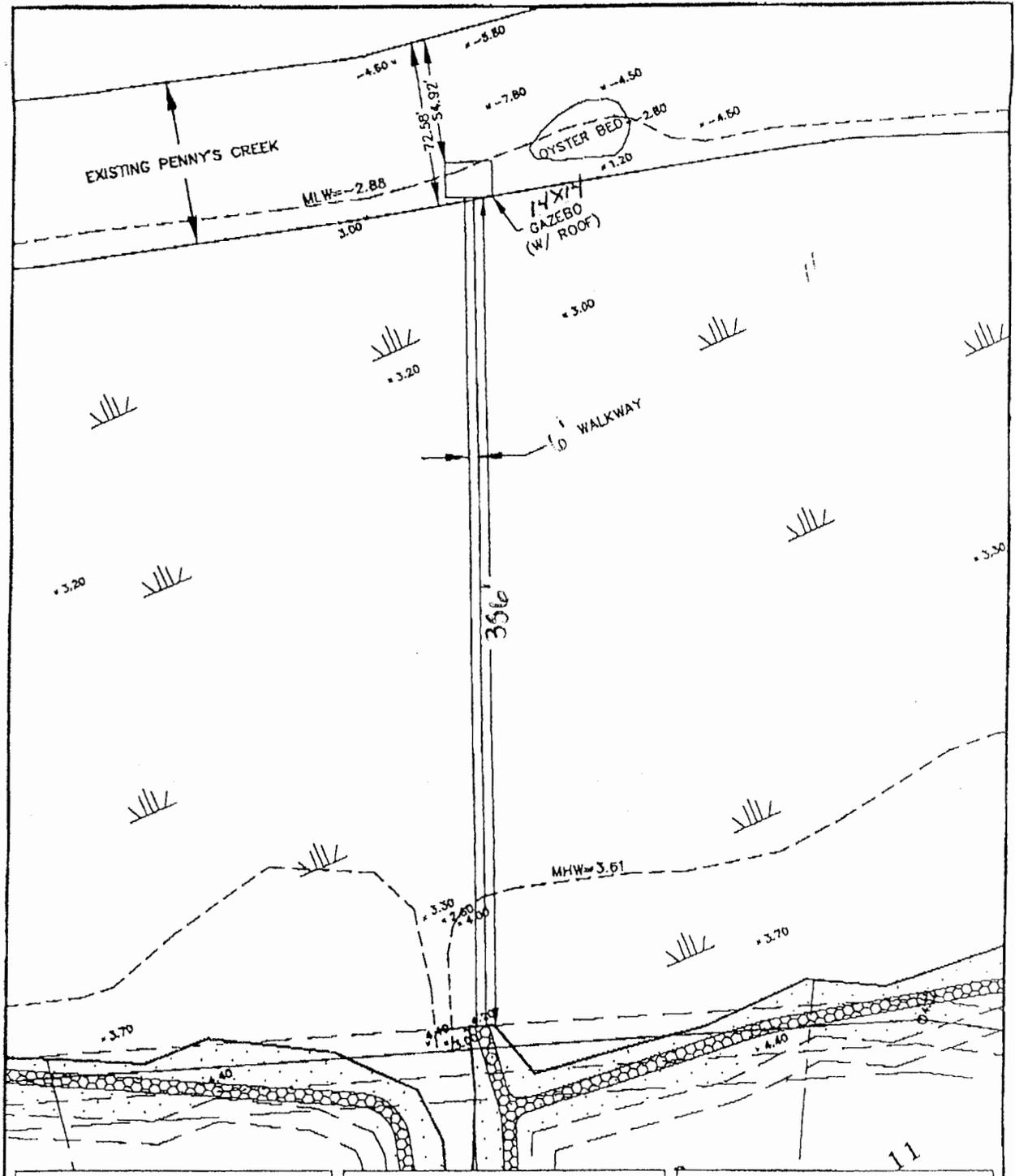
SHEET 4 OF 9  
 ADJACENT PROPERTY OWNERS:  
 EPIC DEVELOPMENT GROUP  
 P.O. BOX 868  
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SHEET 5 OF 9  
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 DATE: AUGUST 26, 2004

SCALE: NOT TO SCALE  
 PROJECT LOCATION:  
 PROPOSED DEVELOPMENT AT  
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 HIGHWAY AND FENWICK HALL  
 ALLEE, JOHNS ISLAND, SC  
 COUNTY: CHARLESTON

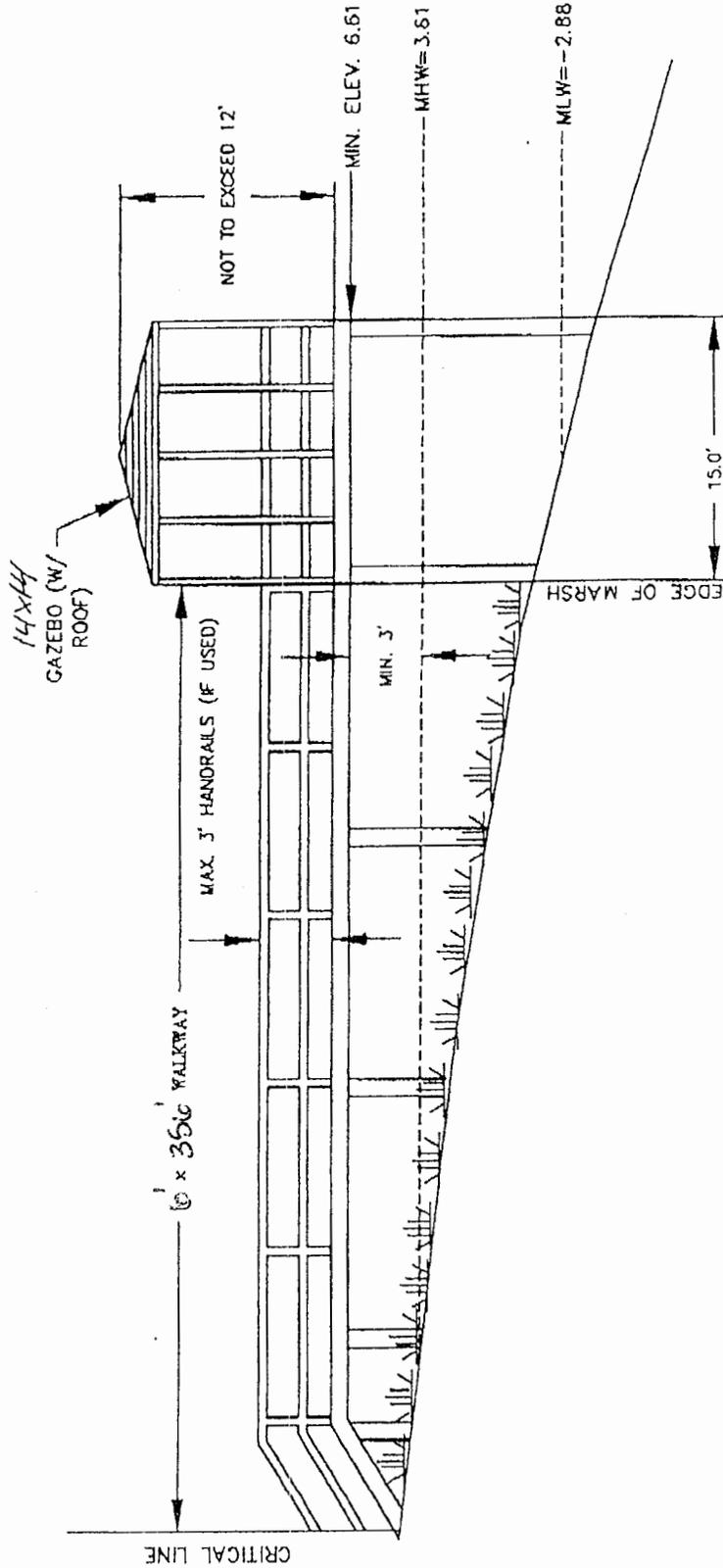
APPLICANT:  
 MITCH LAPLANTE  
 EPIC DEVELOPMENT GROUP  
 668 MARINA DR., SUITE B-1  
 CHARLESTON, SC 29492  
 ACTIVITY: CONSTRUCT DOCK  
 LATITUDE: N 32°44'57"  
 LONGITUDE: W 80°01'58"  
 PERMIT #: 2004-1E-326



APPLICANT:  
 MITCH LAPLANTE  
 EPIC DEVELOPMENT GROUP  
 668 MARINA DR., SUITE B-1  
 CHARLESTON, SC 29492  
 ACTIVITY: CONSTRUCT DOCK  
 LATITUDE: N 32°44'57"  
 LONGITUDE: W 80°01'59"  
 PERMIT #: 2004-1E-327

SCALE: 1" = 60'  
 PROJECT LOCATION:  
 PROPOSED DEVELOPMENT AT  
 INTERSECTION OF MAYBANK  
 HIGHWAY AND FENWICK HALL  
 ALLEE; JOHNS ISLAND, SC  
 COUNTY: CHARLESTON

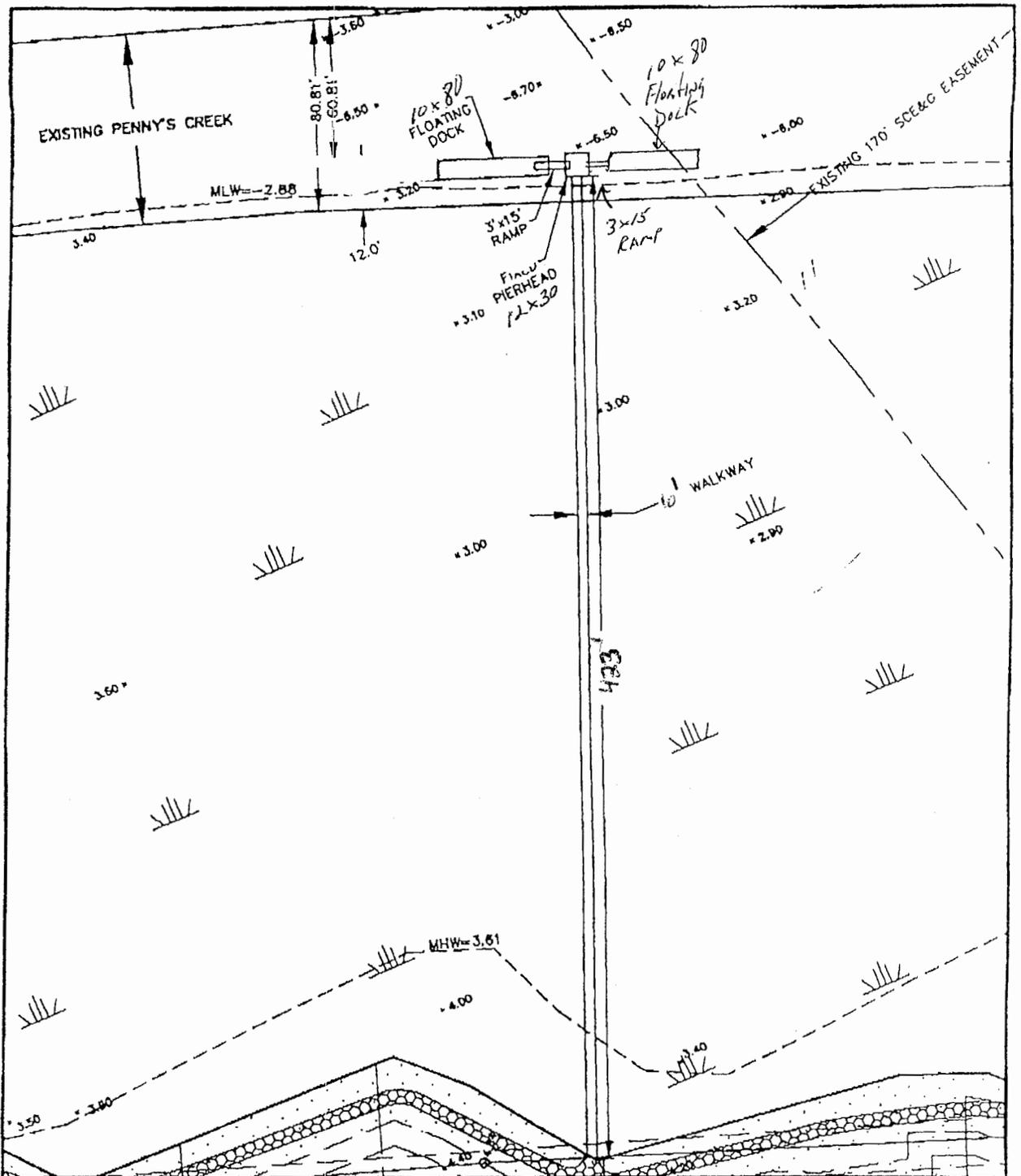
SHEET 6 OF 9  
 ADJACENT PROPERTY OWNERS:  
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SHEET 7 OF 9  
 ADJACENT PROPERTY OWNERS:  
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 PHONE: 843.768.9366  
 FAX: 843.768.6817  
 DATE: AUGUST 26, 2004

SCALE: NOT TO SCALE  
 PROJECT LOCATION:  
 PROPOSED DEVELOPMENT AT  
 INTERSECTION OF MAYBANK  
 HIGHWAY AND FENWICK HALL  
 ALLEE, JOHNS ISLAND, SC  
 COUNTY: CHARLESTON

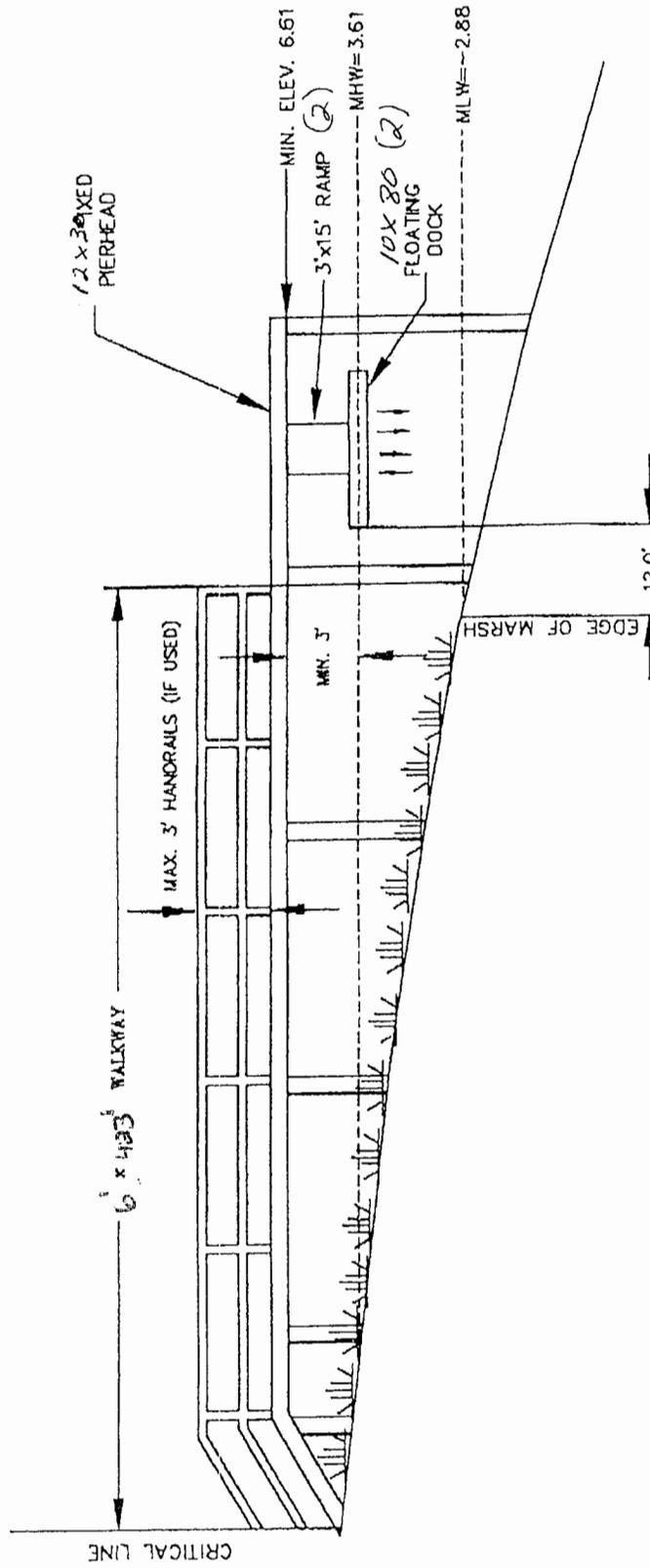
APPLICANT:  
 MITCH LAPLANTE  
 EPIC DEVELOPMENT GROUP  
 668 MARINA DR., SUITE B-1  
 CHARLESTON, SC 29492  
 ACTIVITY: CONSTRUCT DOCK  
 LATITUDE: N 32°44'57"  
 LONGITUDE: W 80°01'59"  
 PERMIT #: 2004-1E-307



APPLICANT:  
 MITCH LAPLANTE  
 EPIC DEVELOPMENT GROUP  
 668 MARINA DR., SUITE B-1  
 CHARLESTON, SC 29492  
 ACTIVITY: CONSTRUCT DOCK  
 LATITUDE: N 32°44'57"  
 LONGITUDE: W 80°01'59"  
 PERMIT #: 2004-1E-328

SCALE: 1" = 60'  
 PROJECT LOCATION:  
 PROPOSED DEVELOPMENT AT  
 INTERSECTION OF MAYBANK  
 HIGHWAY AND FENWICK HALL  
 ALLEE; JOHNS ISLAND, SC  
 COUNTY: CHARLESTON

SHEET 8 OF 9  
 ADJACENT PROPERTY OWNERS:  
 EPIC DEVELOPMENT GROUP  
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 FAX: 843.768.6817  
 DATE: AUGUST 26, 2004



SHEET 9 OF 9  
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 DATE: AUGUST 26, 2004

SCALE: NOT TO SCALE  
 PROJECT LOCATION:  
 PROPOSED DEVELOPMENT AT  
 INTERSECTION OF MAYBANK  
 HIGHWAY AND FENWICK HALL  
 ALLEE; JOHNS ISLAND, SC  
 COUNTY: CHARLESTON

APPLICANT:  
 MITCH LAPLANTE  
 EPIC DEVELOPMENT GROUP  
 668 MARINA DR., SUITE B-1  
 CHARLESTON, SC 29482  
 ACTIVITY: CONSTRUCT DOCK  
 LATITUDE: N 32°44'57"  
 LONGITUDE: W 80°01'59"  
 PERMIT #: 8004-1E-328