

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-2012-00961-2IU-Modified

April 13, 2015
Page 1 of 3

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 Road
Charleston, South Carolina 29414

for a permit to construct a pierhead in the

Ashley River

at Magnolia Plantation and Gardens, 3550 Ashley River Road, Charleston, Charleston County, South Carolina.
Latitude: 32.875848°N; Longitude: -80.080618°W.

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 14' x 12' pierhead with handrails on piles and repairing or replacing an existing spring pile in the location of a previously existing dock that was destroyed in the vicinity of October 10, 2008. The portion of the pierhead proposed to extend over the Ashley River consists of a 10' x 12' area. The applicant proposes to remove or work around any substructure that may remain from the previous dock. The basic purpose of the proposed project is to provide water access. The overall purpose of the proposed project as stated by the applicant is "primarily to allow visitors to the gardens to get a view of the property from the river and a better view of the river itself given its location at an apex in the river's bend; secondarily, to allow access to and from the river for maintenance personnel to inspect the property's shoreline; and periodically, to provide the property owners and guests access to the river". A previous public notice (P/N # 2012-00961-2IU) was issued on October 10, 2012, to construct a dock on the same parcel. The project was withdrawn and modified to become the work proposed in this public notice.

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 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 impact 120 square feet of estuarine substrates and emergent wetlands 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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.

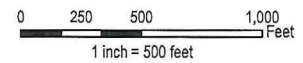
If there are any questions concerning this public notice, please contact Steven Currie at 843-329-8044 or toll free at 1-866-329-8187.



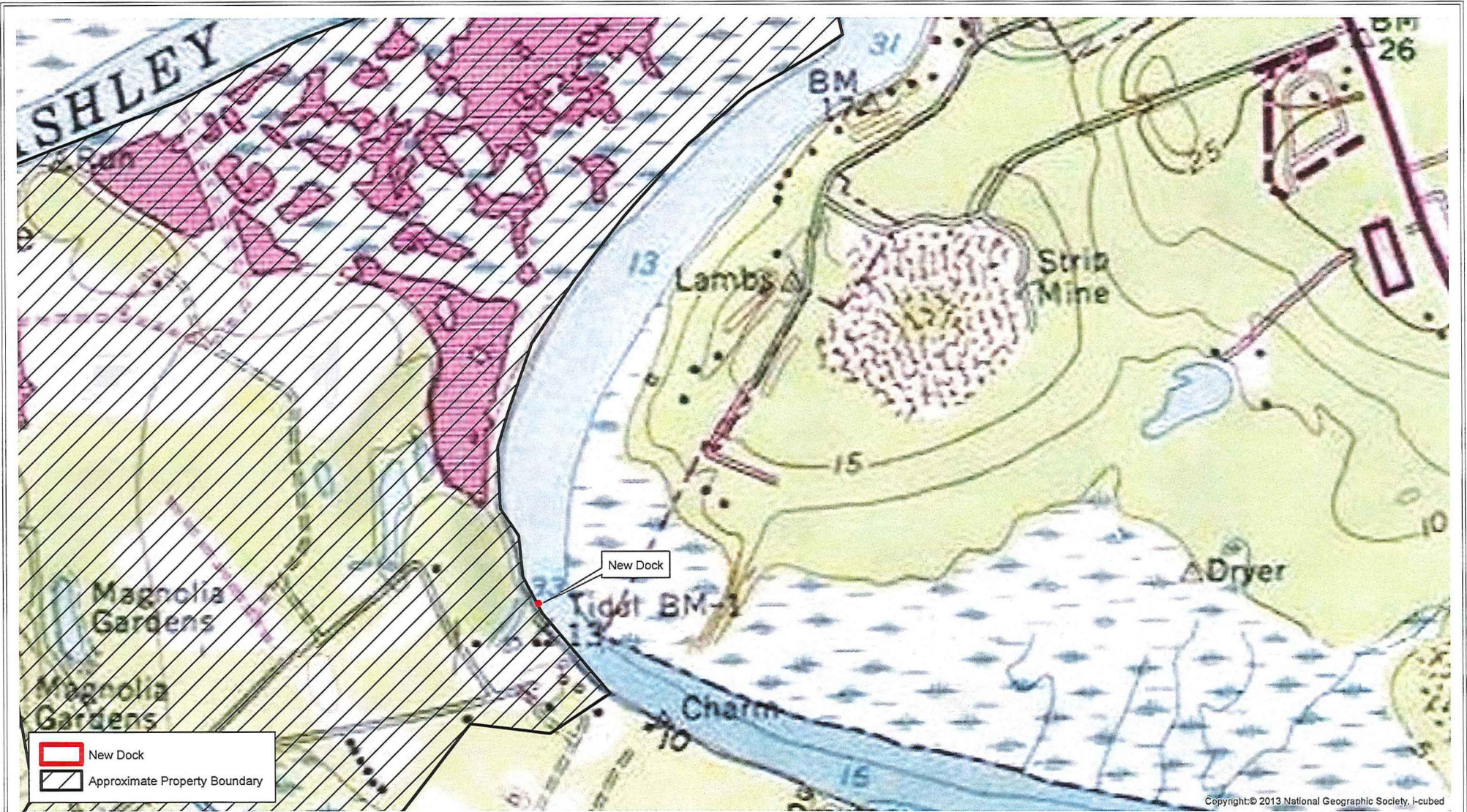
PO Box 21415, Charleston, SC 29413
 Ph: (843) 762-3750 Fx: (843) 762-3795
 www.tidewaterenvironmental.com

Large-Scale Location Map

Magnolia Plantation and Gardens Dock
 Charleston County TMS No. 361-00-00-001
 Charleston County, South Carolina



Date: March 2015
 Source: Shown Above
 Coordinate System: SCIF



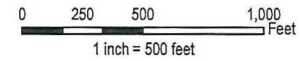
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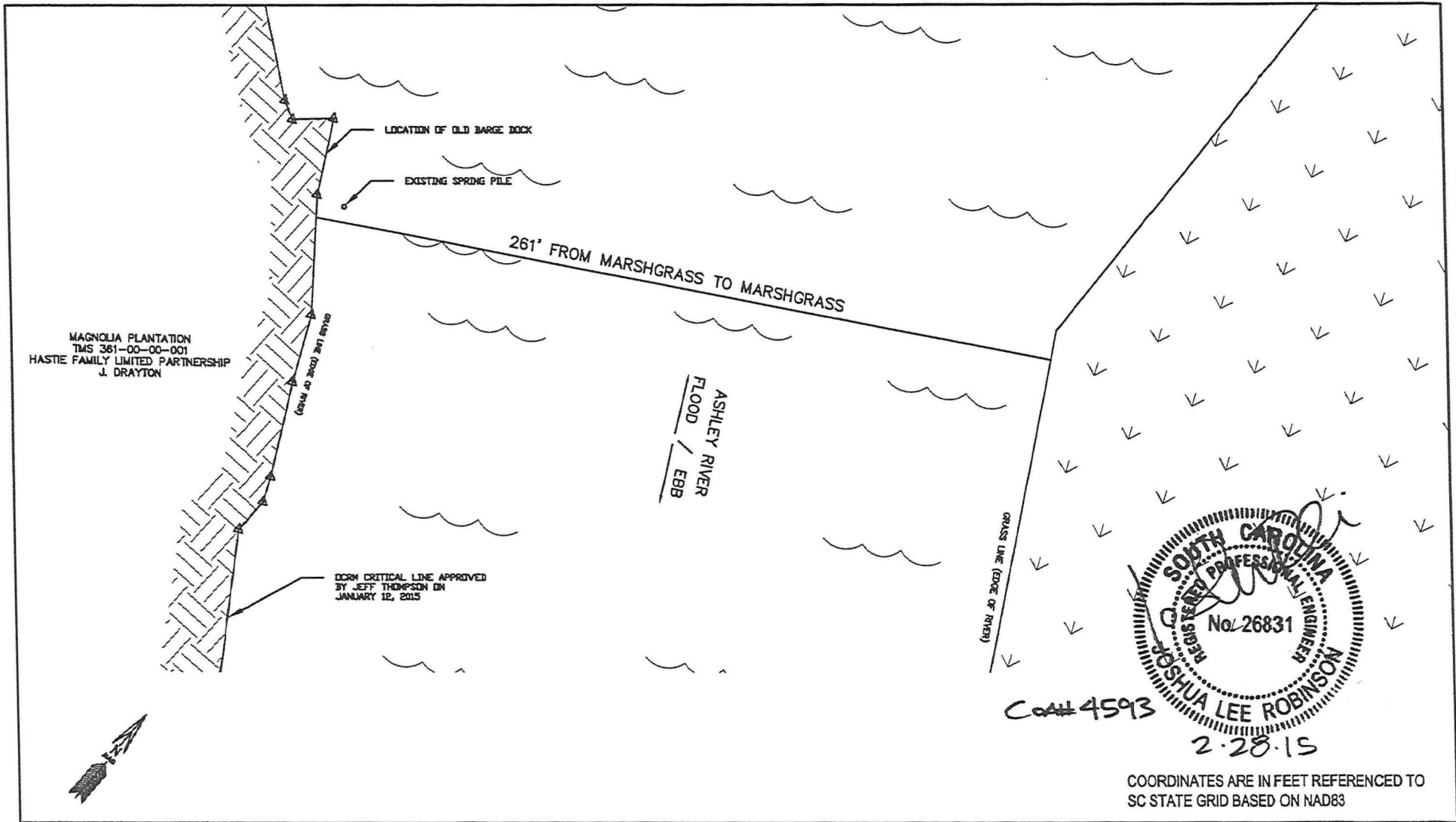
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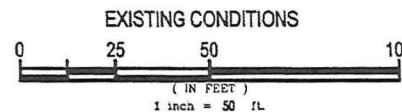
PURPOSE: REPLACE DESTROYED DOCK

ADJACENT OWNERS:
 1. THE WHITFIELD COMPANY
 6518 DORCHESTER ROAD
 NORTH CHARLESTON, SC 29418
 TMS NO. 361-00-00-002

SHEET: 1 OF 5



P.O. BOX 21415
 CHARLESTON, SC 29413
 PHONE: (843) 762-3750 FAX: (843) 762-3795
 WWW.TIDEWATERENVIRONMENTAL.COM



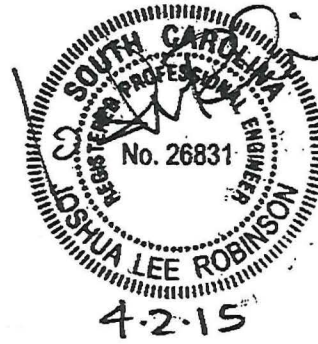
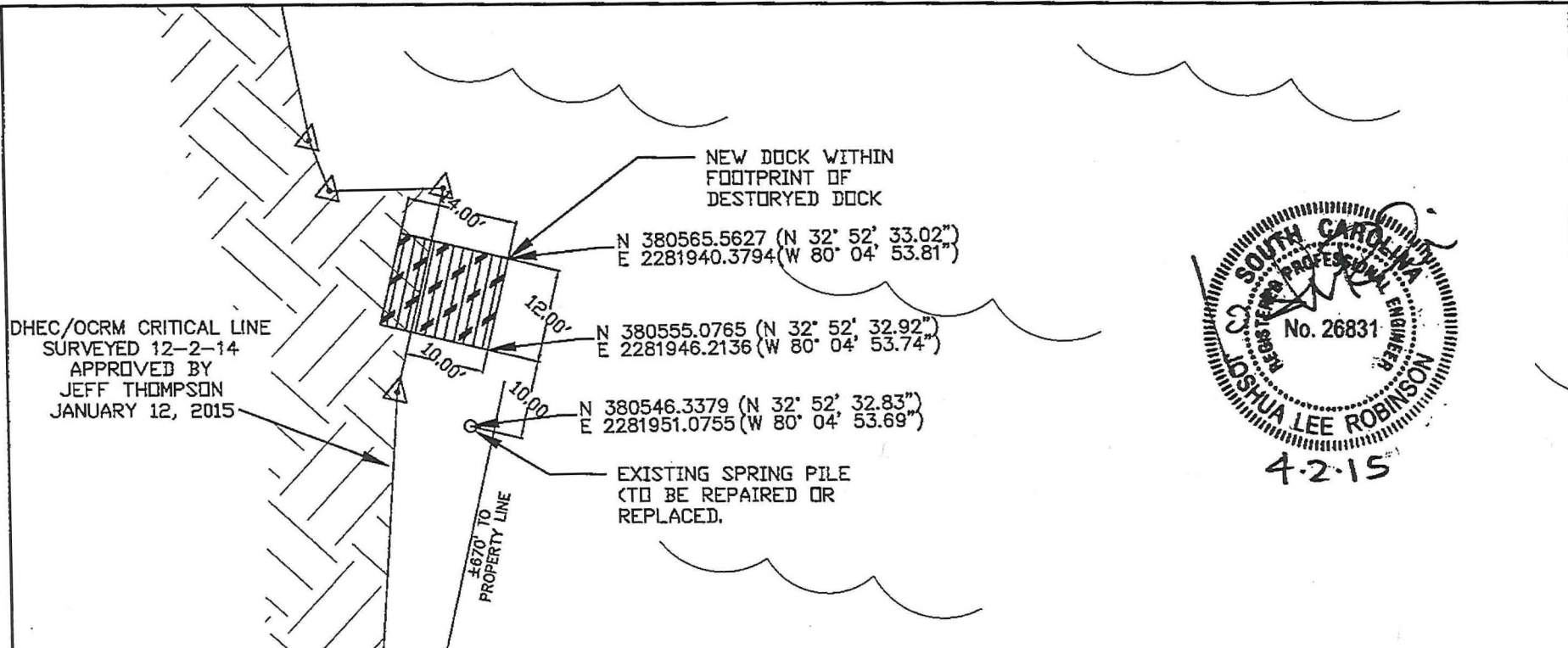
APPLICANT: J. DRAYTON HASTIE FAMILY
 LIMITED PARTNERSHIP
 3550 MAGNOLIA PLANTATION ROAD
 CHARLESTON, SC 29414

PROPOSED ACTIVITY: DOCK CONSTRUCTION

AT: MAGNOLIA PLANTATION
 & GARDENS

COUNTY OF: CHARLESTON

P/N #:
 DATE: FEBRUARY 2015



REFERENCE:

1. CHARLESTON COUNTY GIS
2. SURVEY PROVIDED BY ATLANTIC SURVEYING INC.



NOTES:

1. MHW EL. ±14.28' (NOAA STATION 8665099, ASHLEY RIVER, CHARLESTON, SC)
2. MLW EL. ±8.60' (NOAA STATION 8665099, ASHLEY RIVER, CHARLESTON, SC)
3. DISTANCE FROM DOCK STRUCTURE TO EXTENDED CLOSEST ADJACENT PROPERTY LINE = ±670'
4. WORK WILL BE CONDUCTED IN COMPLIANCE WITH THE TERMS AND CONDITIONS OF ALL REQUIRED PERMITS
5. DISTANCE FROM DOCK STRUCTURE TO OPPOSITE GRASS LINE = 251'
6. PERMIT DRAWINGS. NOT FOR CONSTRUCTION

SCHEDULE OF PROPOSED FACILITIES:

1. 12' X 10' FIXED PIER W/ HANDRAILS

COORDINATES ARE IN FEET REFERENCED TO SC STATE GRID BASED ON NAD83

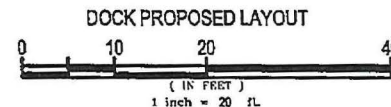
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SHEET: 2 OF 5

TIDEWATER
ENVIRONMENTAL SERVICES INC.
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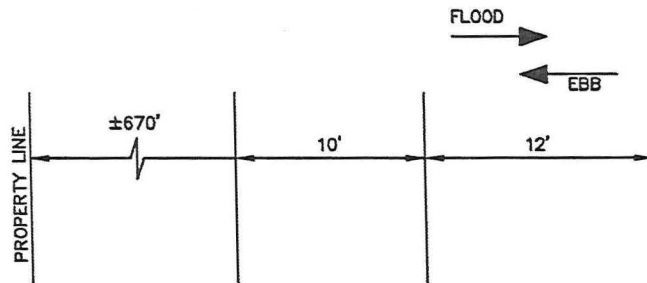
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PROPOSED ACTIVITY: DOCK CONSTRUCTION

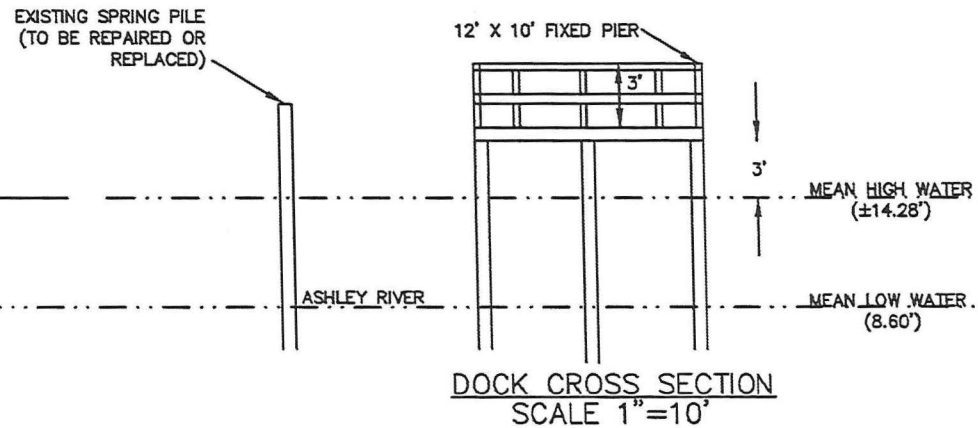
AT: MAGNOLIA PLANTATION & GARDENS

COUNTY OF: CHARLESTON

P/N #:
DATE: FEBRUARY 2015



No. 26831
 2-28-15
 COA # 4593



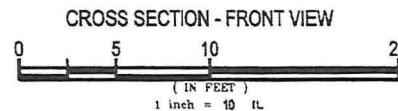
ELEVATIONS DEPICTED IN SECTION ARE REFERENCED TO STANDARD DATUM. SECTIONS INDICATED ARE APPROXIMATE AND SHOULD BE VERIFIED DURING CONSTRUCTION.

PURPOSE: REPLACE DESTROYED DOCK

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 TMS NO. 361-00-00-002

SHEET: 3 OF 5

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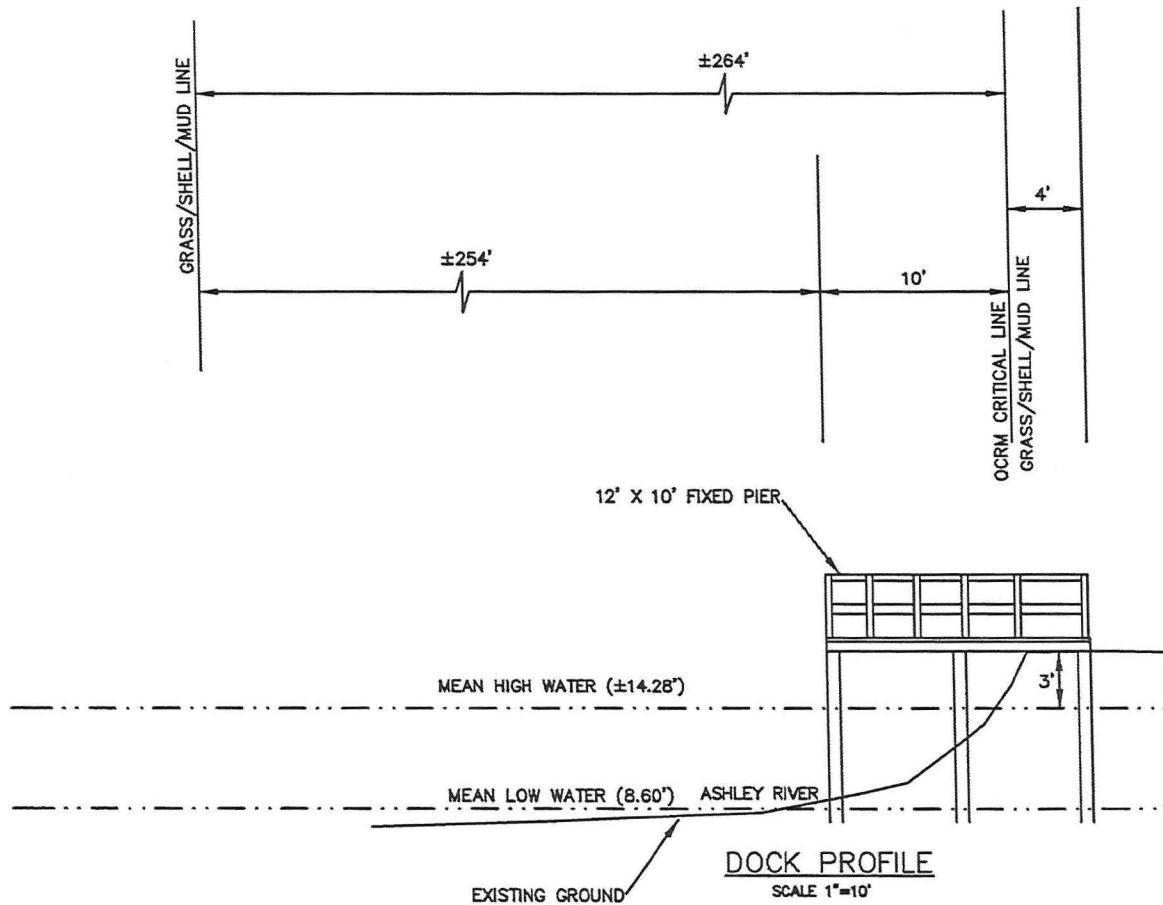
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PROPOSED ACTIVITY: DOCK CONSTRUCTION

AT: MAGNOLIA PLANTATION
 & GARDENS

COUNTY OF: CHARLESTON

P/N #:
 DATE: FEBRUARY 2015




 REGISTERED PROFESSIONAL ENGINEER
 No. 26831
 JOSHUA LEE ROBINSON
 2-28-15
 COA # 4593

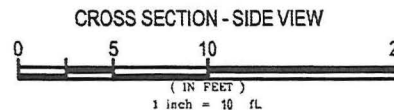
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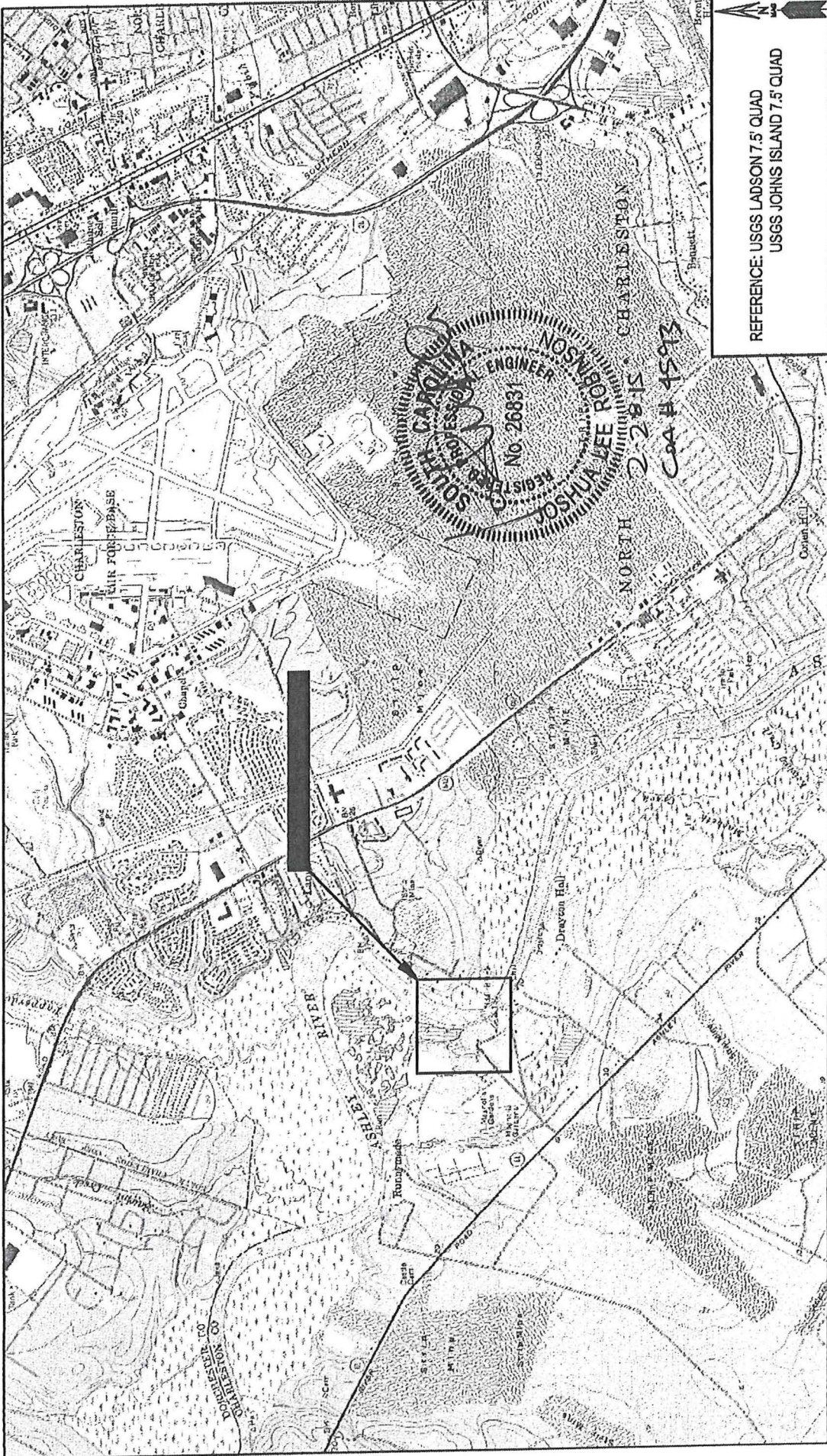
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COUNTY OF: CHARLESTON

P/I #: _____
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REFERENCE: USGS LADSON 7.5' QUAD
USGS JOHNS ISLAND 7.5' QUAD

PROPOSED ACTIVITY: DOCK CONSTRUCTION

AT: MAGNOLIA PLANTATION
& GARDENS
COUNTY OF: CHARLESTON
P/I N #:
DATE: FEBRUARY 2015

LOCATION MAP

NOT TO SCALE

APPLICANT: J. DRAYTON HASTIE FAMILY
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