

**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-2009-00653

April 25, 2019

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. Mike Albenesius**  
**AGM Charters, LLC**  
**4474 Betsy Kerrison Parkway**  
**Johns Island, South Carolina 29455**

for a permit to modify the layout and use of an existing residential dock to be additionally utilized for commercial use in

**Bohicket Creek**

at 4474 Betsy Kerrison Parkway , Charleston County, South Carolina (Latitude: 32.6105 ° , Longitude: -80.1555 °), **Rockville 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 authorizing additional structures and modifying the use of an existing residential dock for commercial use. Specifically, the Corps previously authorized the existing dock structure, as well as proposed additions to the structure, on May 15, 2017, for residential use only. At this time, the Corps is evaluating the entire existing dock structure and

proposed additions for commercial use. The proposed additions include a 17'x19.92' eight-pile boat lift, an 8'x56' floating dock, and a 8'x18' floating walkway. These additions are shown as proposed structures on the provided permit drawings titled "A Proposed Modification to an Existing Commercial Dock at 4474 Betsy Kerrison Pkwy, Located on Bohicket Creek Johns Island Charleston County South Carolina", dated April 19, 2016, and revised on March 8, 2018. The applicant has proposed no mitigation for impacts to wetlands and/or waters of the United States, as wetland areas and other special aquatic sites do not exist within the permit area. The project purpose is to modify an existing dock structure for commercial 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 3,263.61 square feet 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 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.

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.

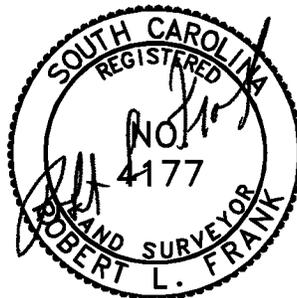
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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 Tyler L. Sgro, Project Manager, at (843) 329-8037, toll free at 1-866-329-8187, or by email at [Tyler.L.Sgro@usace.army.mil](mailto:Tyler.L.Sgro@usace.army.mil).

A PROPOSED MODIFICATION  
TO AN EXISTING  
COMMERCIAL DOCK  
AT 4474 BETSY KERRISON PKWY.  
LOCATED ON BOHICKET CREEK  
JOHNS ISLAND  
CHARLESTON COUNTY  
SOUTH CAROLINA



THESE DRAWINGS ARE FOR DOCK PERMITTING ONLY AND DO NOT CONSTITUTE A BOUNDARY SURVEY OF THIS PROPERTY.

TMS #204-00-00-009

APPLICATION BY:  
AGM CHARTERS, LLC

ADDRESS: 4474 BETSY KERRISON PKWY.

DATE: APRIL 19, 2016

REVISED: MARCH 8, 2018

**ROBERT FRANK SURVEYING**

1923 MAYBANK HWY. - CHARLESTON, S.C. 29412  
Phone: 843-762-4608 Fax 843-795-5970  
E-mail - robertfranklandsurveying@comcast.net  
WEB ADDRESS: www.robertfranksurveying.com

SHT. NO.

1 OF 6



**ADJOINING PROPERTY OWNERS:**

1. MARGARET H. BECKETT (TO THE NORTH)
2. ELIZABETH STRINGFELLOW (TO THE SOUTH)

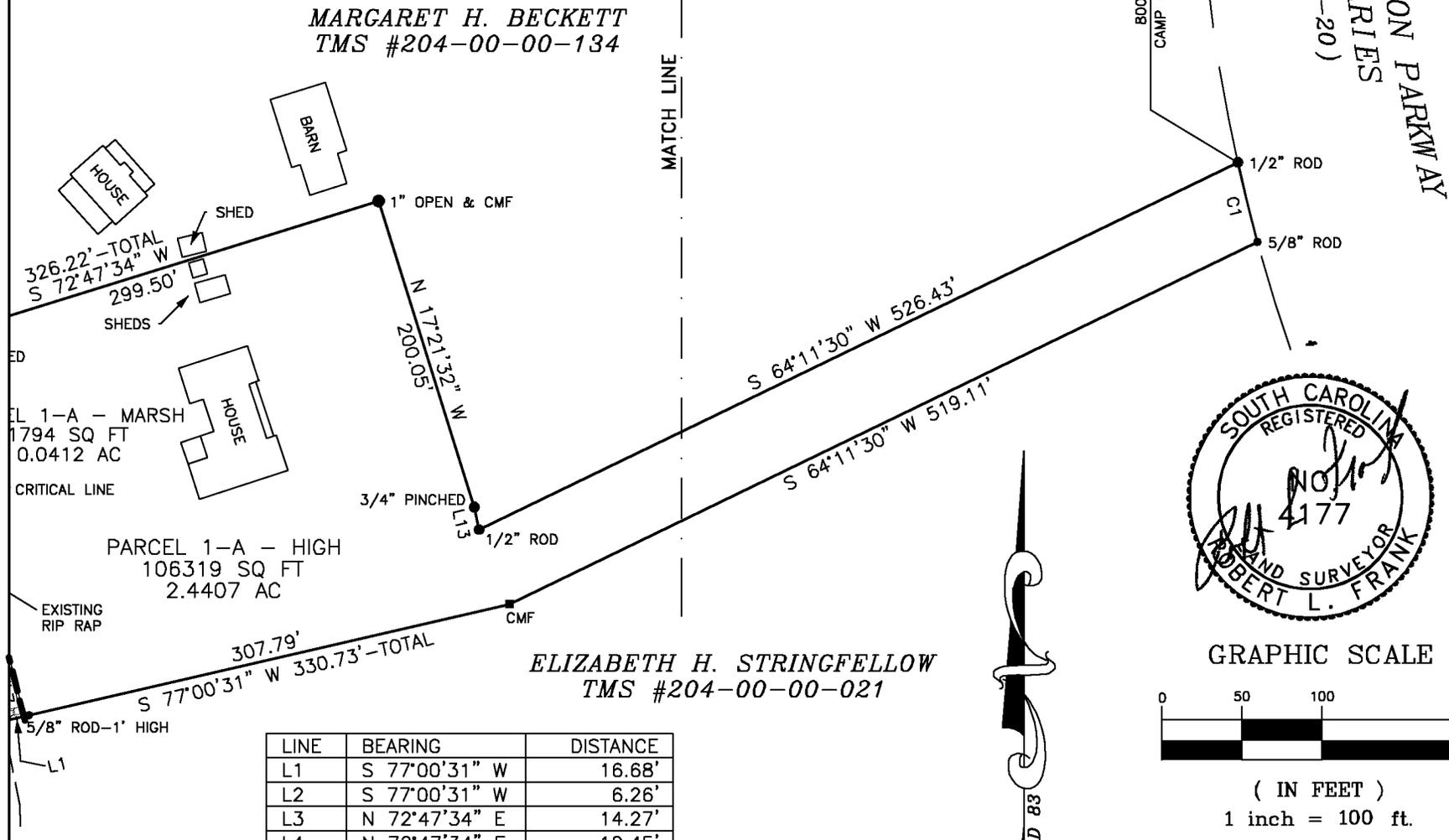
<p>APPLICATION BY: AGM CHARTERS, LLC</p> <hr/> <p>ADDRESS: 4474 BETSY KERRISON PKWY.</p> <hr/> <p>DATE: APRIL 19, 2018</p> <hr/> <p>REVISED: MARCH 8, 2018</p>	<p>LOCATION      A PROPOSED MODIFICATION                     TO AN EXISTING                     COMMERCIAL DOCK                     AT 4474 BETSY KERRISON PKWY.                     LOCATED ON BOHICKET CREEK                     JOHNS ISLAND                     CHARLESTON COUNTY                     SOUTH CAROLINA</p>	<p>SHT. NAME</p> <p style="text-align: center;">LOCATION MAP</p> <p style="text-align: center;">TMS #204-00-00-009</p>	<p>SHT. NO.</p> <p style="text-align: center;">2 OF 6</p>
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ADJOINING PROPERTY OWNERS:

- MARGARET H. BECKETT (TO THE NORTH)
- ELIZABETH STRINGFELLOW (TO THE SOUTH)

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE	TANGENT
C1	983.84'	51.07'	51.07'	S 13°41'27" E	2°58'27"	25.54'
C2	983.84'	221.18'	220.71'	S 06°24'34" E	12°52'50"	111.06'



LINE	BEARING	DISTANCE
L1	S 77°00'31" W	16.68'
L2	S 77°00'31" W	6.26'
L3	N 72°47'34" E	14.27'
L4	N 72°47'34" E	12.45'

APPLICATION BY:  
AGM CHARTERS, LLC

ADDRESS: 4474 BETSY KERRISON PKWY.

DATE: APRIL 19, 2016

REVISED: MARCH 8, 2018

LOCATION A PROPOSED MODIFICATION TO AN EXISTING COMMERCIAL DOCK AT 4474 BETSY KERRISON PKWY. LOCATED ON BOHICKET CREEK JOHNS ISLAND CHARLESTON COUNTY SOUTH CAROLINA

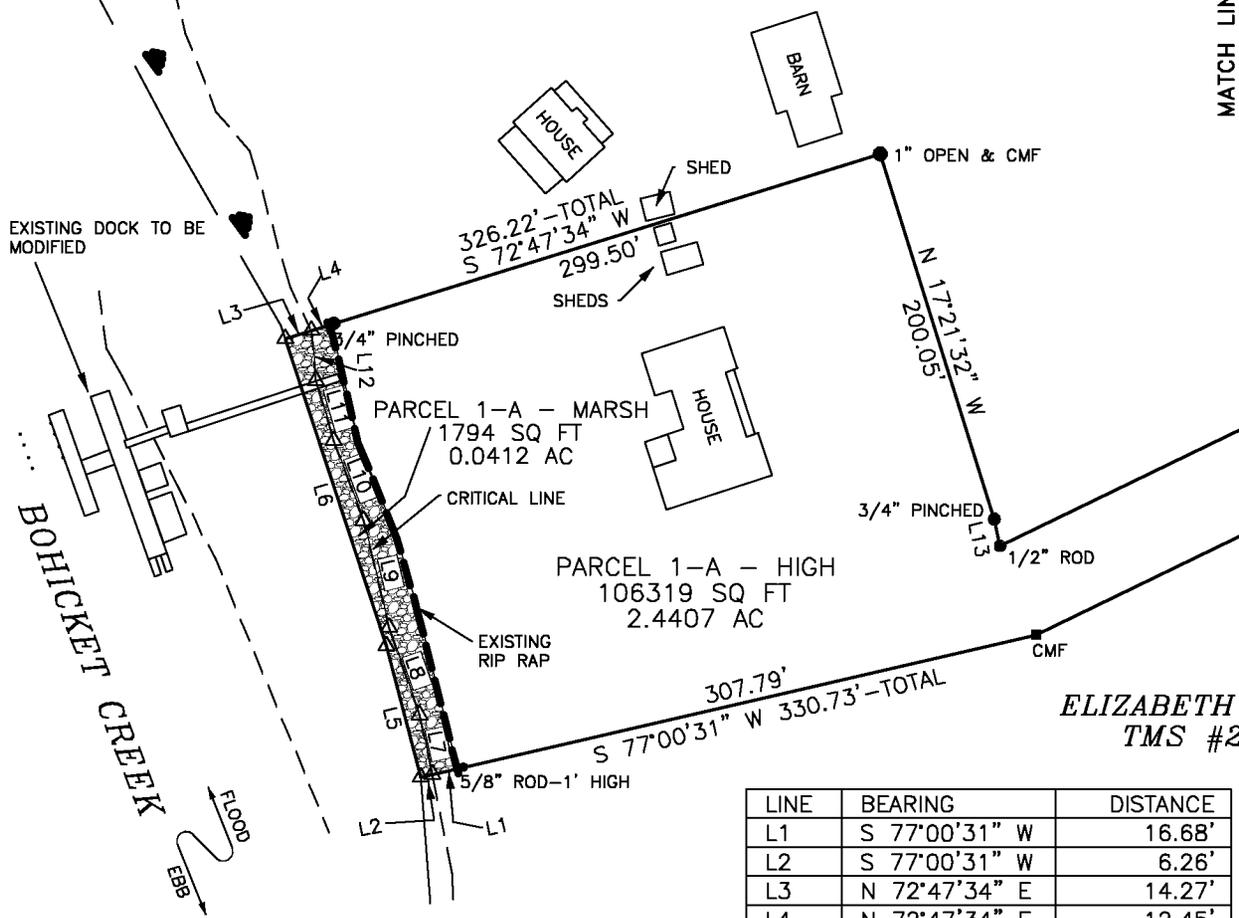
SHT. NAME FULL PLAN VIEW

TMS #204-00-00-009

SHT. NO. 4 OF 6

MARGARET H. BECKETT  
TMS #204-00-00-134

ADJOINING PROPERTY OWNERS:  
1. MARGARET H. BECKETT (TO THE NORTH)  
2. ELIZABETH STRINGFELLOW (TO THE SOUTH)



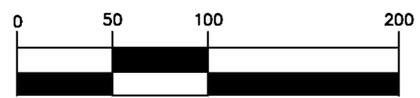
MATCH LINE

EXISTING DOCK TO BE MODIFIED

BOHICKET CREEK

FLOOD

GRAPHIC SCALE



( IN FEET )  
1 inch = 100 ft.

LINE	BEARING	DISTANCE
L1	S 77°00'31" W	16.68'
L2	S 77°00'31" W	6.26'
L3	N 72°47'34" E	14.27'
L4	N 72°47'34" E	12.45'
L5	S 14°39'34" E	71.01'
L6	S 18°14'04" E	169.10'
L7	S 12°18'01" E	31.80'
L8	S 19°11'54" E	48.51'
L9	S 13°22'42" E	57.34'
L10	S 20°35'26" E	44.73'
L11	S 16°15'38" E	32.77'
L12	S 05°21'07" E	26.23'
L13	S 12°39'57" E	14.37'

ELIZABETH H. STRINGFELLOW  
TMS #204-00-00-021



APPLICATION BY:  
AGM CHARTERS, LLC

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ADDRESS: 4474 BETSY KERRISON PKWY.

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DATE: APRIL 19, 2016

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REVISED: MARCH 8, 2018

LOCATION      A PROPOSED MODIFICATION  
                 TO AN EXISTING  
                 COMMERCIAL DOCK  
                 AT 4474 BETSY KERRISON PKWY.  
                 LOCATED ON BOHICKET CREEK  
                 JOHNS ISLAND  
                 CHARLESTON COUNTY  
                 SOUTH CAROLINA

SHT. NAME

FULL PLAN  
VIEW

TMS #204-00-00-009

SHT. NO.

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