

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
North Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: SAC-1990-09465

20 April 2023

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. Joseph Pitcavage
Cooper Estates LP
650 Pawley Road
Mount Pleasant, South Carolina 29464

for a permit to modify an existing private community dock in

Shem Creek

located at the end of Cottingham Drive in Mount Pleasant, Charleston County, South Carolina (Latitude: 32.7938 °, Longitude: -79.87761 °), Charleston 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.

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

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is to to expand dock space and provide adequate water depths for vessels.

Project Description

The proposed modification to the existing private community dock consists of extending the floating dock 5 feet waterward and adding 40 linear feet of floating dock. The entire proposed structure consists of a 5' x 88' walkway to a 16' x 27' partly covered pierhead, with a 3' x 25' gangway to an 8' x 70' floating dock. The walkway includes a 4' x 10' walkway to the adjacent boat ramp. The pier and floating dock were authorized under Section 10 of the Rivers and Harbors Act on November 9, 1990 in an Individual Permit (SAC-1990-09465).

The proposed boat ramp extension and timber walls shown on the attached figures are being reviewed as a separate project for verification under Nationwide Permit 3 for maintenance.

Avoidance and Minimization

The applicant has designed the proposed project to avoid and/or minimize impacts to the aquatic environment while achieving the project's purpose to expand dock space and provide adequate water depths for vessels.

Proposed Compensatory Mitigation

The applicant has stated that due to the limited impacts related to the project no mitigation is proposed. The proposed modifications to the community dock will not result in the loss of waters of the U.S.

South Carolina Department of Health and Environmental Control

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.

Essential Fish Habitat

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 result in shading an additional 320 square feet of estuarine substrates 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County where the work will occur: frosted flatwood salamander, American wood stork, Eastern black rail, piping plover, red-cockaded woodpecker, Rufa red knot, Northern long-eared bat, West Indian manatee, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, loggerhead sea turtle, Atlantic sturgeon, shortnose sturgeon, finback whale, humpback whale, right whale, sei whale, sperm whale, American Chaffseed, Canby's dropwort, and pondberry.

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on frosted flatwood salamander, American wood stork, Eastern black rail, piping plover, red-cockaded woodpecker, Rufa red knot, Northern long-eared bat, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, loggerhead sea turtle, Atlantic sturgeon, shortnose sturgeon, finback whale, humpback whale, right whale, sei whale, sperm whale, American Chaffseed, Canby's dropwort, and pondberry. and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect the West Indian manatee with the incorporation of the manatee protection guidelines, 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 on this determination.

Furthermore, 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.

Cultural Resources

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)(1)(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).

Corps' Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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.

Solicitation of Public Comment

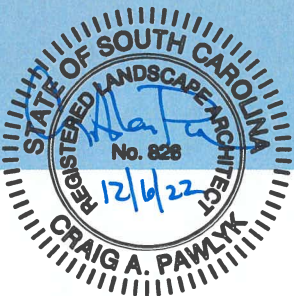
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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. 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.

Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-1990-09465), to Leslie.A.Estill@usace.army.mil or the following address:

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

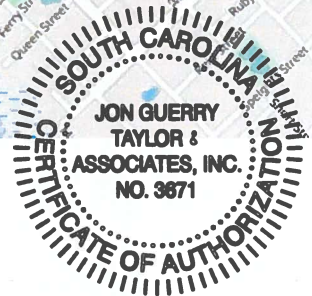
If there are any questions concerning this public notice, please contact Leslie Estill, Project Manager, at (843) 329-8039 or by email at Leslie.A.Estill@usace.army.mil.



PERMITTING PURPOSES ONLY.
NOT FOR CONSTRUCTION

LOCATION MAP

N.T.S.



AUTHORIZED AGENT:
 JON GUERRY TAYLOR & ASSOCIATES, INC.
 PO BOX 1082
 MOUNT PLEASANT, SC 29465
 C/O CRAIG PAWLYK

**BOAT LANDING
 IMPROVEMENTS
 COOPER ESTATES
 NEIGHBORHOOD,
 MOUNT PLEASANT**

LAT.: 32.793819° N
 LONG.: -79.877599° W

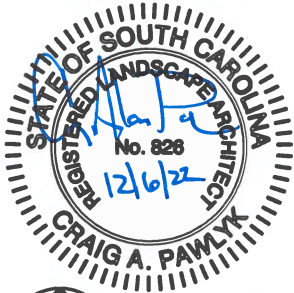
PROPOSED: REPLACE AND EXTEND EXISTING
 COMMUNITY BOAT RAMP AND QUEING DOCK

IN: MOUNT PLEASANT
ON: SHEM CREEK
COUNTY OF: CHARLESTON
STATE OF: SOUTH CAROLINA
DATE: 10-17-2022
REVISED: 12-5-2022

ADJACENT PROPERTY OWNERS:
 (SEE SHEET 2)



ADJACENT PROPERTY OWNERS



- ① CAROLINA P LAM
CHAN F LAM
1097 COTTINGHAM DR.
MOUNT PLEASANT, SC 29464-3551
- ② DAVID L MELLARD III
MARY NELL MELLARD
602 NOBLE LN.
MOUNT PLEASANT, SC 29464



ADJACENT PROPERTY OWNERS

AUTHORIZED AGENT:
JON GUERRY TAYLOR & ASSOCIATES, INC.
PO BOX 1082
MOUNT PLEASANT, SC 29465
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ADJACENT PROPERTY OWNERS:
(SEE SHEET 2)

**BOAT LANDING
IMPROVEMENTS
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MOUNT PLEASANT**

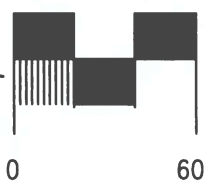
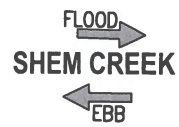
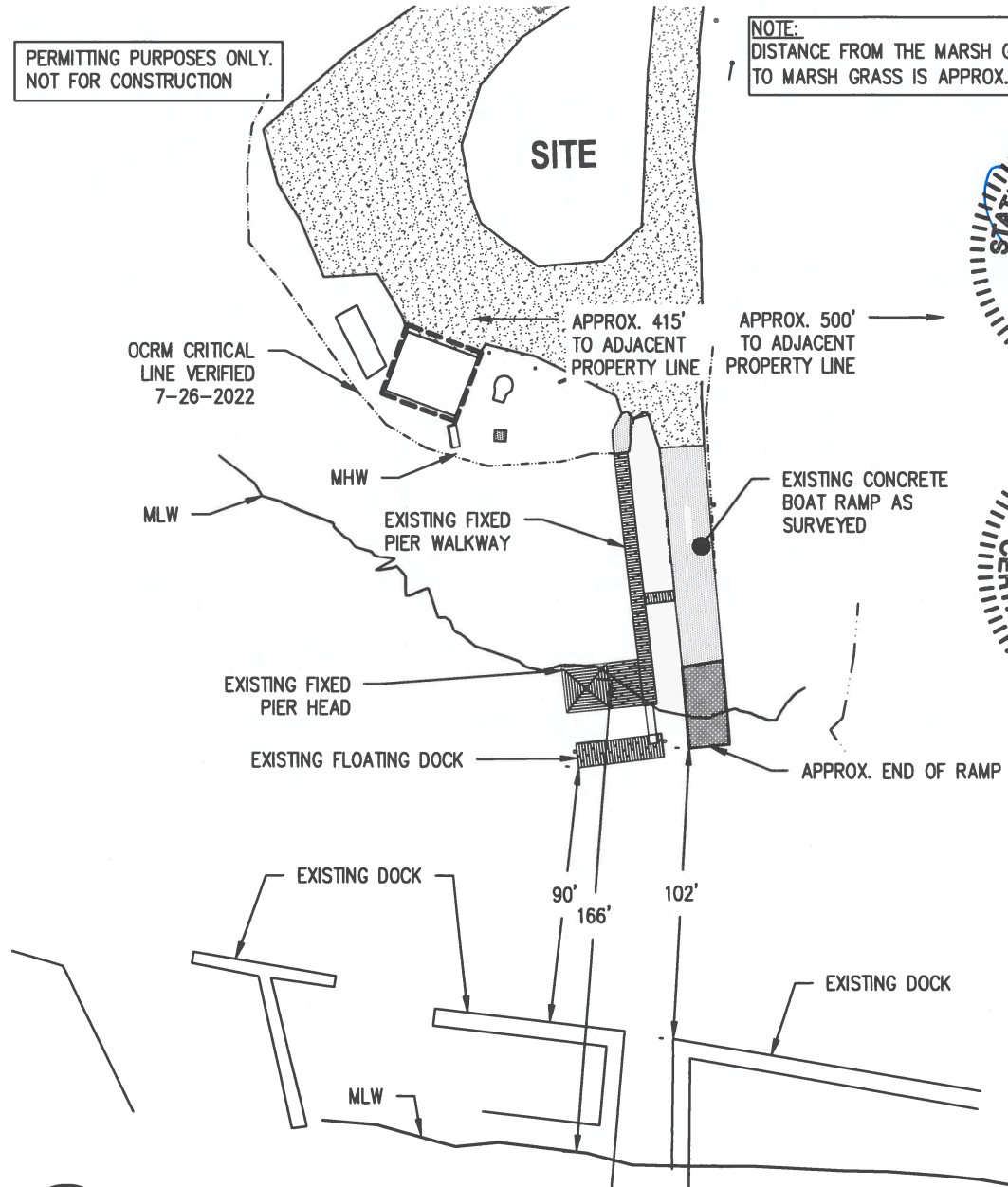
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DATE: 10-17-2022
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PERMITTING PURPOSES ONLY.
NOT FOR CONSTRUCTION

NOTE:
DISTANCE FROM THE MARSH GRASS
TO MARSH GRASS IS APPROX. 175'



OVERALL EXISTING CONDITIONS

GRAPHIC SCALE 1" = 60'

AUTHORIZED AGENT:
 JON GUERRY TAYLOR & ASSOCIATES, INC.
 PO BOX 1082
 MOUNT PLEASANT, SC 29465
 C/O CRAIG PAWLYK

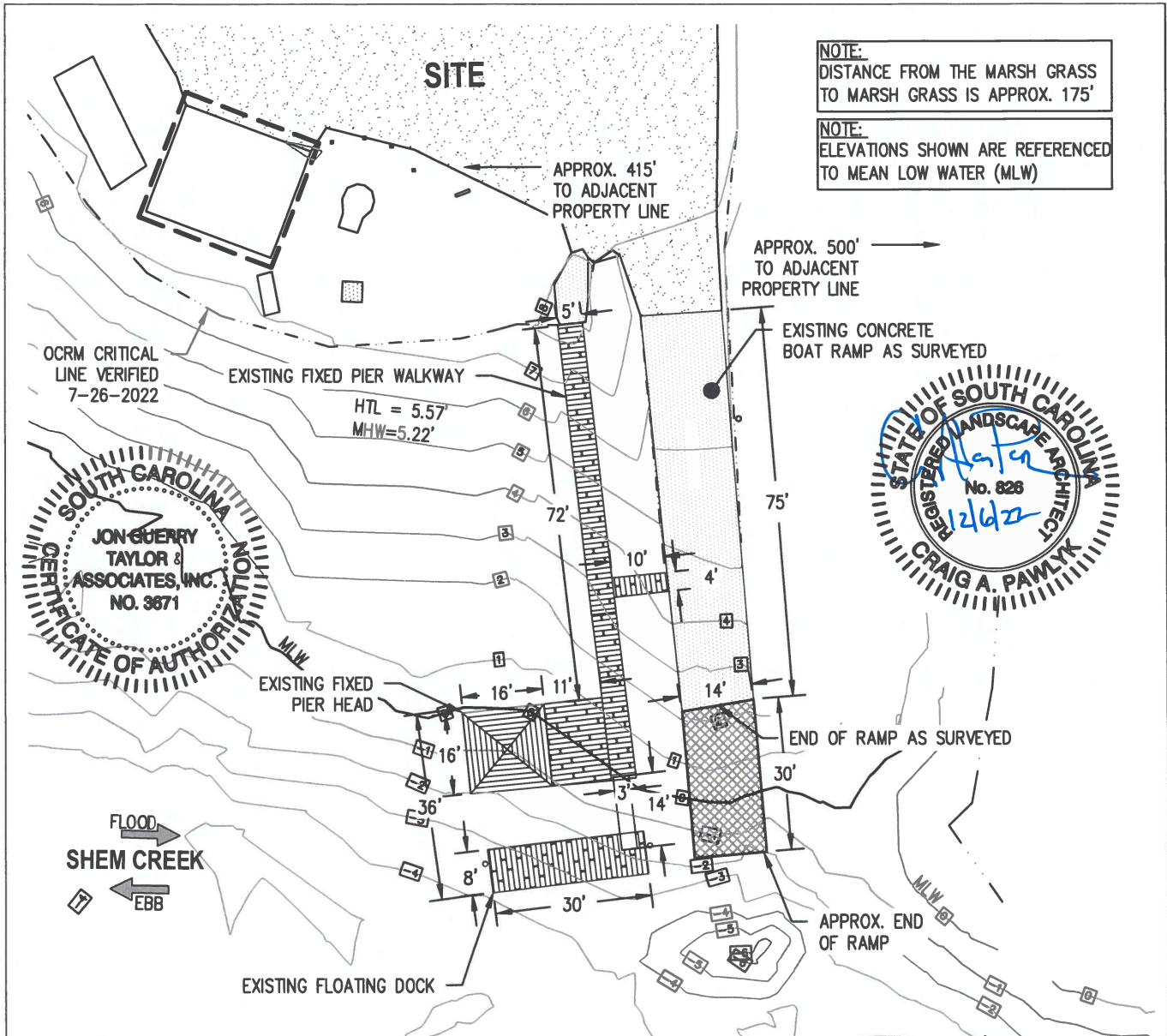
BOAT LANDING IMPROVEMENTS COOPER ESTATES NEIGHBORHOOD, MOUNT PLEASANT

LAT.: 32.793819° N
 LONG.: -79.877599° W

PROPOSED: REPLACE AND EXTEND EXISTING
 COMMUNITY BOAT RAMP AND QUEING DOCK

IN: MOUNT PLEASANT
ON: SHEM CREEK
COUNTY OF: CHARLESTON
STATE OF: SOUTH CAROLINA
DATE: 10-17-2022
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ADJACENT PROPERTY OWNERS:
 (SEE SHEET 2)



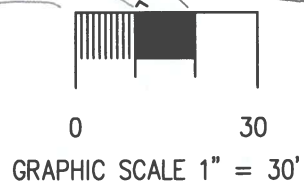
NOTE:
DISTANCE FROM THE MARSH GRASS TO MARSH GRASS IS APPROX. 175'

NOTE:
ELEVATIONS SHOWN ARE REFERENCED TO MEAN LOW WATER (MLW)

PERMITTING PURPOSES ONLY.
NOT FOR CONSTRUCTION



EXISTING CONDITIONS
(DIMENSIONED VIEW)



AUTHORIZED AGENT:
JON GUERRY TAYLOR & ASSOCIATES, INC.
PO BOX 1082
MOUNT PLEASANT, SC 29465
C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:
(SEE SHEET 2)

**BOAT LANDING IMPROVEMENTS
COOPER ESTATES
NEIGHBORHOOD,
MOUNT PLEASANT**

LAT.: 32.793819° N
LONG.: -79.877599° W

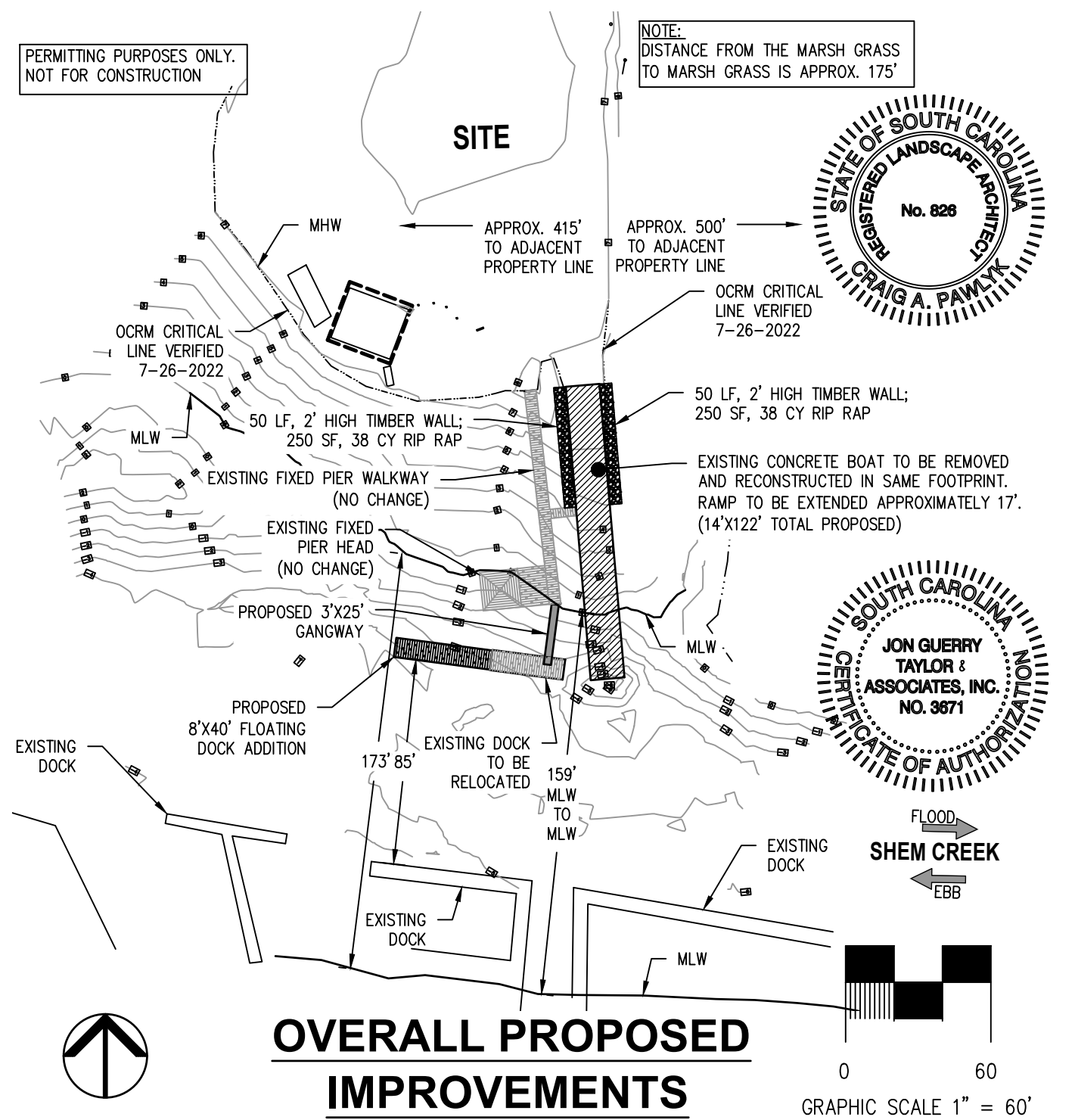
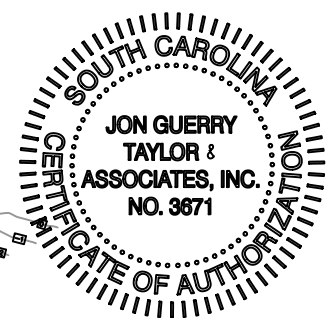
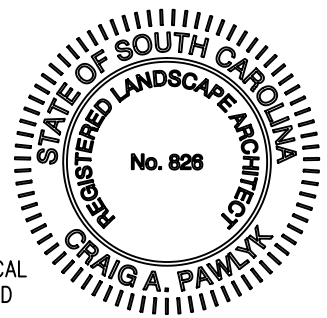
PROPOSED: REPLACE AND EXTEND EXISTING COMMUNITY BOAT RAMP AND QUEING DOCK

IN: MOUNT PLEASANT
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COUNTY OF: CHARLESTON
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DATE: 10-17-2022
REVISED: 12-5-2022

SHEET: 4 OF 8

PERMITTING PURPOSES ONLY.
NOT FOR CONSTRUCTION

NOTE:
DISTANCE FROM THE MARSH GRASS
TO MARSH GRASS IS APPROX. 175'



OVERALL PROPOSED IMPROVEMENTS

AUTHORIZED AGENT:
 JON GUERRY TAYLOR & ASSOCIATES, INC.
 PO BOX 1082
 MOUNT PLEASANT, SC 29465
 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:
 (SEE SHEET 2)

**BOAT LANDING IMPROVEMENTS
 COOPER ESTATES
 NEIGHBORHOOD,
 MOUNT PLEASANT**

LAT.: 32.793819° N
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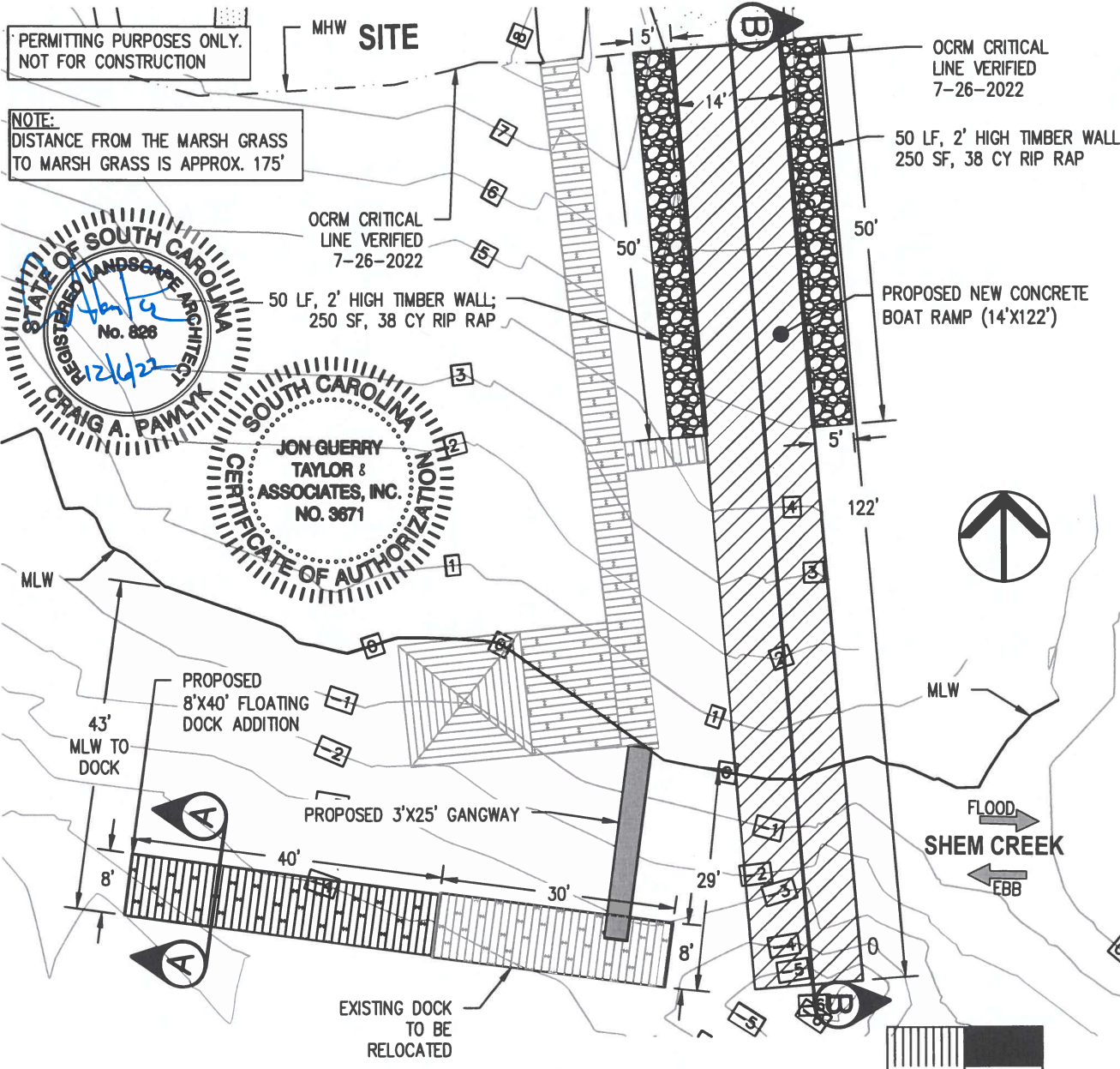
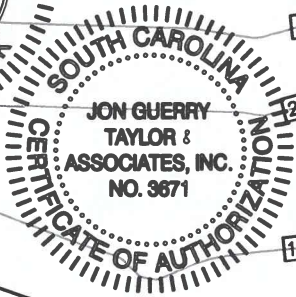
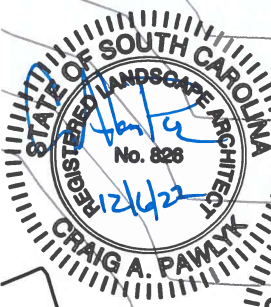
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STATE OF: SOUTH CAROLINA
DATE: 10-17-2022
REVISED: 12-5-2022

SHEET: 5 OF 8

PERMITTING PURPOSES ONLY.
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NOTE:
DISTANCE FROM THE MARSH GRASS
TO MARSH GRASS IS APPROX. 175'



PROPOSED IMPROVEMENTS

NOTE:
ELEVATIONS SHOWN ARE REFERENCED
TO MEAN LOW WATER (MLW)

(DIMENSIONED VIEW)

GRAPHIC SCALE 1" = 20'

AUTHORIZED AGENT:
JON GUERRY TAYLOR & ASSOCIATES, INC.
PO BOX 1082
MOUNT PLEASANT, SC 29465
C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:
(SEE SHEET 2)

**BOAT LANDING
IMPROVEMENTS
COOPER ESTATES
NEIGHBORHOOD,
MOUNT PLEASANT**

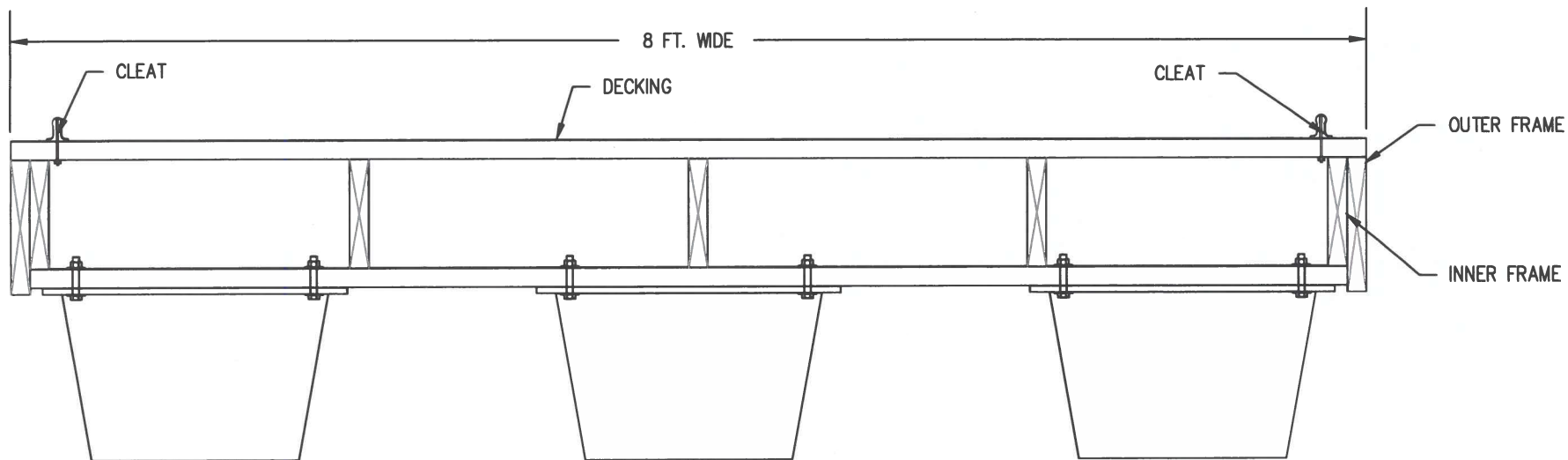
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DATE: 10-17-2022
REVISED: 12-5-2022

SHEET: 6 OF 8

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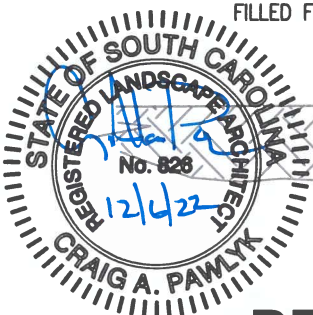


POLYSTYRENE FOAM
FILLED FLOAT

FLOATING DOCK SECTION

NOT TO SCALE

EXISTING CREEK BOTTOM



PROPOSED IMPROVEMENTS A-A: FLOATING DOCK

N.T.S.

AUTHORIZED AGENT:

JON GUERRY TAYLOR & ASSOCIATES, INC.
PO BOX 1082
MOUNT PLEASANT, SC 29465
C/O CRAIG PAWLYK

**BOAT LANDING
IMPROVEMENTS
COOPER ESTATES
NEIGHBORHOOD,
MOUNT PLEASANT**

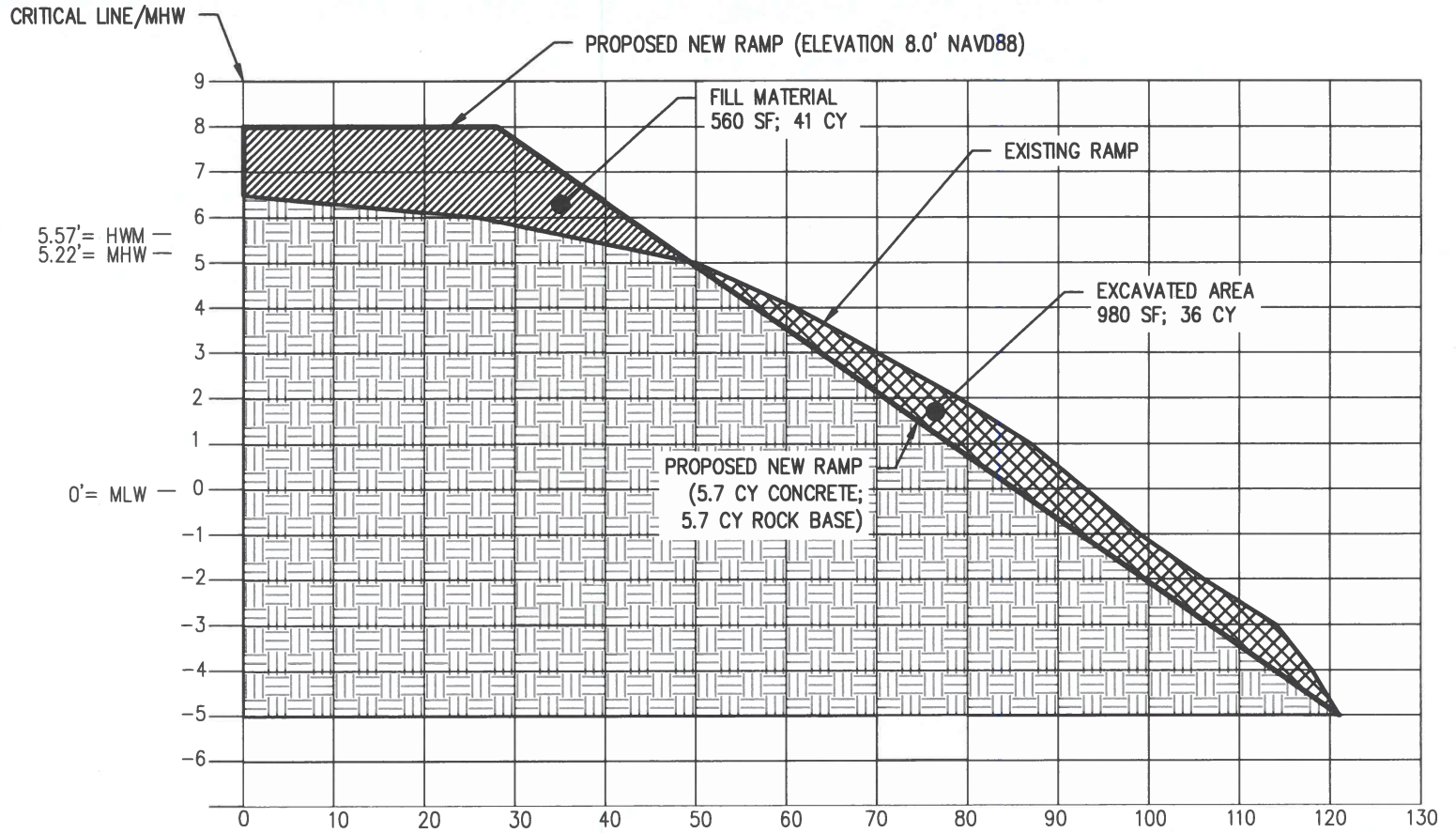
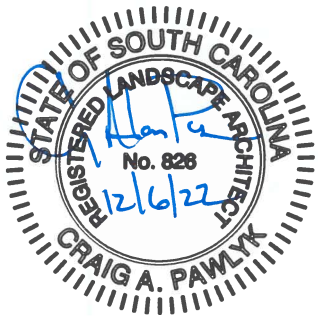
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IN: MOUNT PLEASANT
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STATE OF: SOUTH CAROLINA

DATE: 10-17-2022 **SHEET:** 7 OF 8
REVISED: 12-5-2022

ADJACENT PROPERTY OWNERS:

(SEE SHEET 2)



PROPOSED IMPROVEMENTS B-B

N.T.S.

SCALE - 1"=4' V
1"=20' H

(SECTION VIEW OF BOAT RAMP REPLACEMENT)

AUTHORIZED AGENT:
 JON GUERRY TAYLOR & ASSOCIATES, INC.
 PO BOX 1082
 MOUNT PLEASANT, SC 29465
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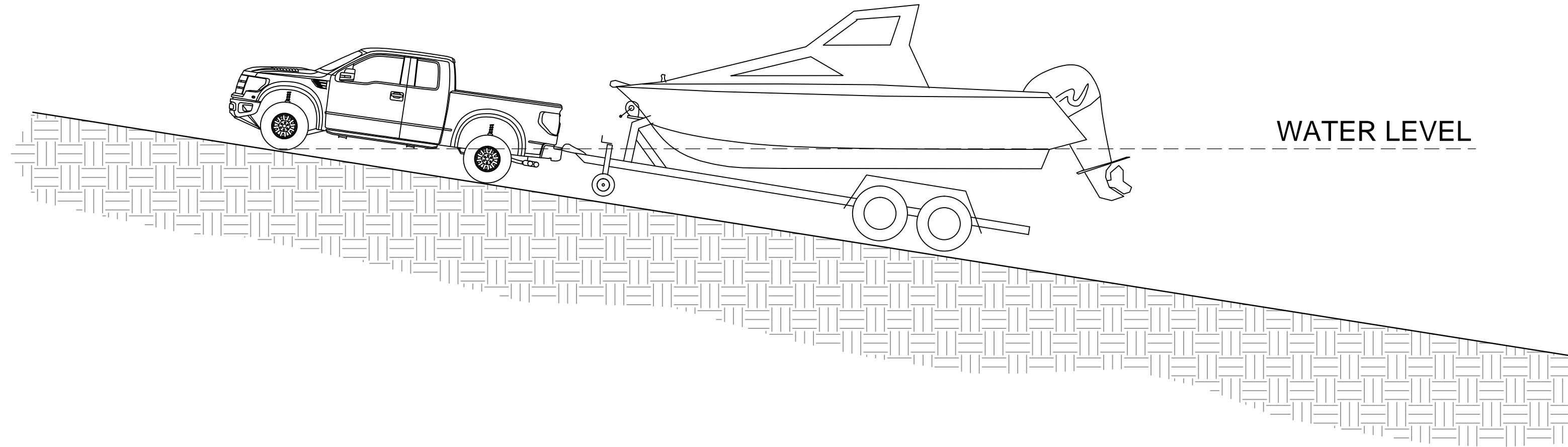
ADJACENT PROPERTY OWNERS:
 (SEE SHEET 2)

**BOAT LANDING
 IMPROVEMENTS
 COOPER ESTATES
 NEIGHBORHOOD,
 MOUNT PLEASANT**

PROPOSED: REPLACE AND EXTEND EXISTING
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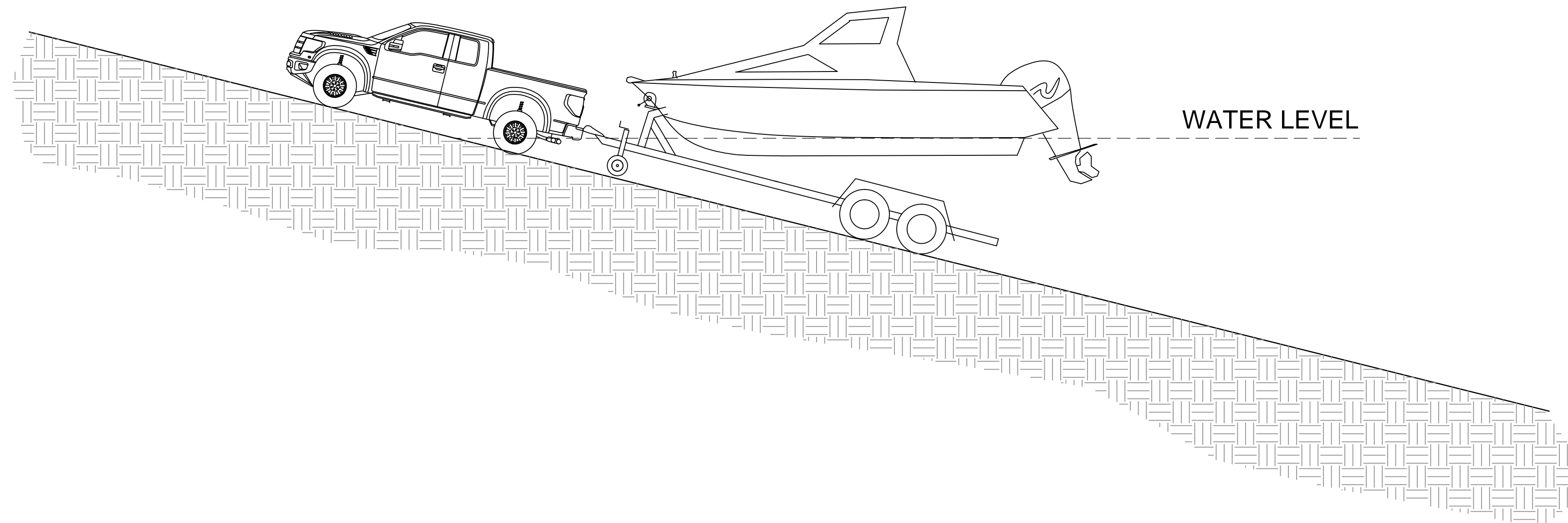
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DATE: 10-17-2022 **SHEET:** 8 OF 8
REVISED: 12-5-2022

JON GUERRY TAYLOR & ASSOCIATES, INC.



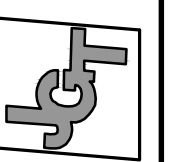
BOAT RAMP SLOPE @ 9% (EXISTING)

SCALE - N.T.S.



BOAT RAMP SLOPE @ 14% (PROPOSED)

SCALE - N.T.S.



**Jon Guerry Taylor
& Associates, Inc.**

ENGINEERS, PLANNERS, and ENVIRONMENTAL CONSULTANTS
 P.O. BOX 1082, MOUNT PLEASANT, SOUTH CAROLINA 29465
 PHONE: 843.884.6415; FAX: 843.884.4026
 EMAIL: INFO@JGTINC.COM; WEB: WWW.JGTINC.COM

DESIGNER: CAP
 DRAWN: CAP
 APPROVED: CWM
 SCALE: AS SHOWN
 FILE:
 DATE: 08.23.2022
 PROJ. NO.: 00-000

**BOAT RAMP SLOPE EXHIBIT
 FOR THE
 COOPER ESTATES BOAT LANDING FACILITY
 LOCATED ON SHEM CREEK
 TOWN OF MOUNT PLEASANT, SOUTH CAROLINA**

NO.	DATE	REVISION
7		
6		
5		
4		
3		
2		
1		

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