

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69-A Hagood Avenue**  
**Charleston, South Carolina 29403**  
**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-2005-05548-Modification

26 AUGUST 2016

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) Sections 401 and 404 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

**MR. JAMES SIMMONS**  
**MAGWOOD DOCK, LLC**  
**C/O JOHN SHAFFER**  
**SHFR WATERFRONT SOLUTIONS**  
**891 RUTLEDGE AVENUE**  
**CHARLESTON, SOUTH CAROLINA 29403**

for a permit to modify the existing marina in waters of

**SHEM CREEK**

at a location, the existing Magwood Dock, 110 Haddrell Street, in the Town of Mount Pleasant, Charleston County, South Carolina (Latitude: 32.7897 °N, Longitude: -79.8850 °W), 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.

The applicant proposes to:

- Reconfigure and expand the existing floating dock to increase the linear footage available for staging (no permanent wet slips are proposed)
- Construct a roof over the existing 20' x 50' fixed pier
- Enhance portions of the existing revetment by installing new riprap
- Remove a portion of the existing revetment and install a timber bulkhead landward of the critical line
- Place riprap at the toe of the timber bulkhead for scour protection

In detail the applicant proposes to make the following improvements to the facility:

- Decrease the length of the 8' wide staging dock from 85' to 70' and remove the 16' x 19' gangway landing
- On the west side of the existing fixed dock, add a 5' x 25' floating dock and a 5' x 17' floating dock
- On the east side of the existing fixed dock, add a 6' x 38' floating dock and a 6' x 35' floating dock
- Replace the existing 4' x 40' gangway on the west side of the existing fixed dock with a 4' x 26' gangway and install a new 3' x 20' gangway on the east side of the existing fixed dock
- Relocate the existing fuel dispenser on the floating dock
- Refurbish the existing riprap revetment on the west side of the existing fixed dock by removing existing debris and installing new filter fabric and man sized riprap (the impacts include approximately 30 linear feet of shoreline, approximately 400 sf [0.009 ac] and 40 cy of riprap)
- Remove the existing riprap/debris revetment on the east side of the fixed dock (impacts include the excavation of approximately 660 sf [0.003 ac] and 75 cy of riprap and debris). The excavated debris and backfill from the revetment will be hauled offsite and disposed of at an appropriate location.
- Construct a 66' long timber bulkhead landward of the critical line on the east side of the fixed dock. Install new riprap for scour protection along the toe of the bulkhead (impacts include filling of approximately 275 sf [0.006 ac] with 20 cy of new riprap). Note that the new riprap will be placed in the footprint as the existing revetment, resulting in a net reduction in fill from the existing conditions.
- Add a 22' x 52' roof to the existing 20' x 50' fixed dock (the roof will overhang 1' on each side)

The improvements to the floating dock are intended to increase the dockage available for the temporary staging of boats from the drystack marina. No permanent wet slips or increase in the number of overall vessels stored at the facility are proposed.

The applicant proposes to deploy a turbidity curtain around the immediate work area during pile driving as well as revetment construction and revetment removal activities. With the deployment of the turbidity curtain, the impacts to water quality during construction will be minimal, temporary, and contained.

The majority of the improvements will be implemented with land-based equipment; however, portions of the construction work may be performed from barge-based equipment that will be deployed in Shem Creek during floating dock demolition and pile-driving activities. As such, there may be minimal, temporary impacts to navigation interests. The Contractor will be required to inform the U.S. Coast Guard and other authorities of their construction plans to minimize impacts to navigation interests in Shem Creek during construction activities.

As the impacts are temporary and minimal, no mitigation is proposed. The purpose of the project is to make improvements to an existing marina to provide additional staging dockage to improve safety and operational efficiency, facilitate access to navigable waters, and stabilize the shoreline.

**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. 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 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 0.03 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 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 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).

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.

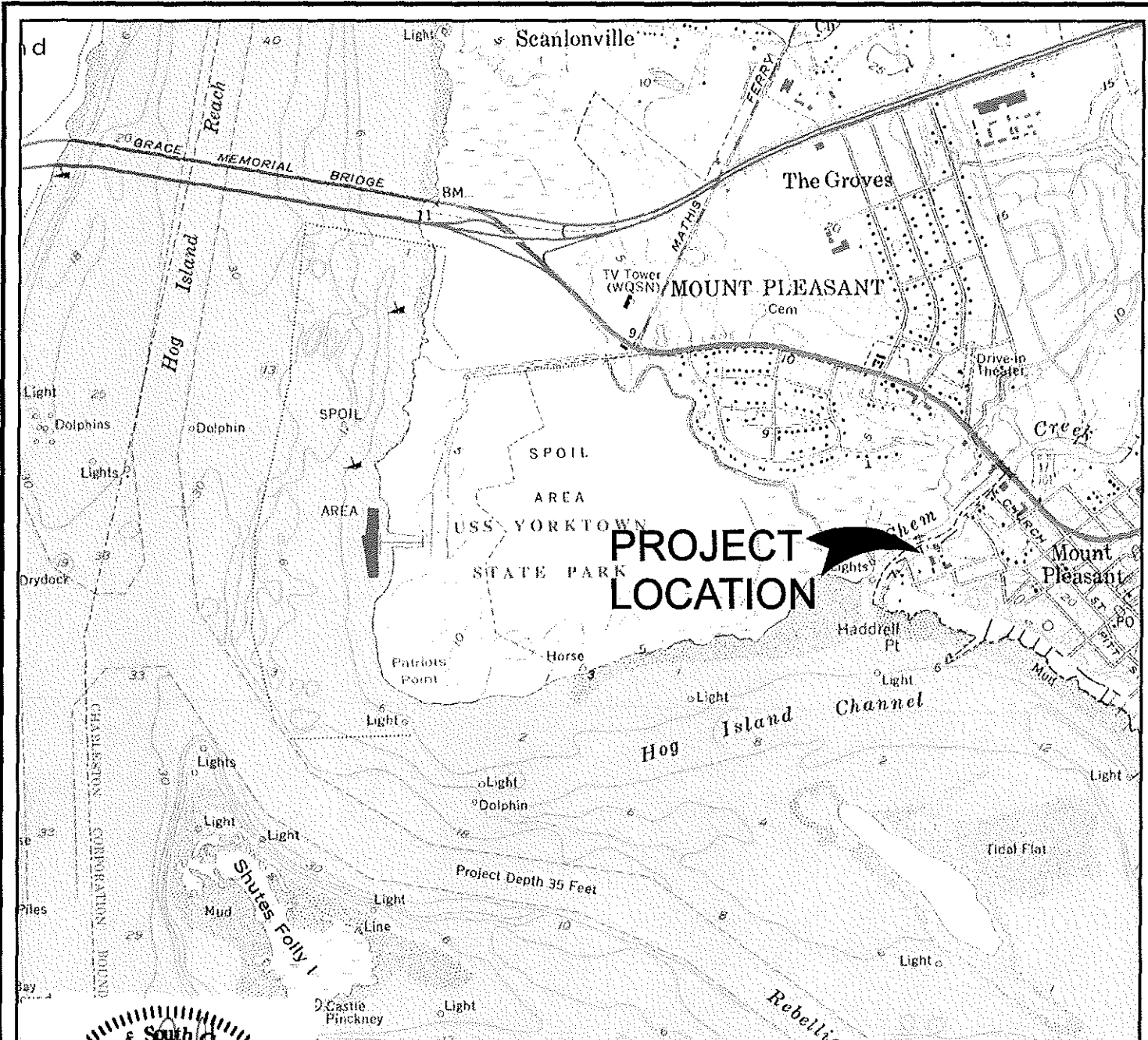
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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 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  
69-A Hagood Avenue  
Charleston, South Carolina 29403**

If there are any questions concerning this public notice, please contact Mary Hope Green, Project Manager, at 843-329-8034 or toll free at 1-866-329-8187.





**PROJECT LOCATION**

SOURCE: USGS 7.5 MIN. TOPOGRAPHIC QUADRANGLE "CHARLESTON, SC" OBTAINED FROM SCDNR GIS DATABASE.

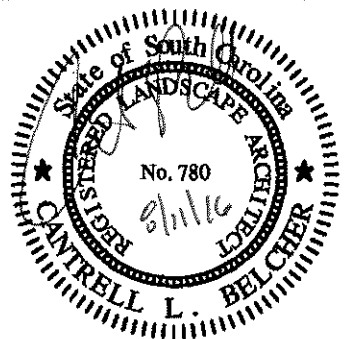


NORTH



SCALE: 1" = 2,000'

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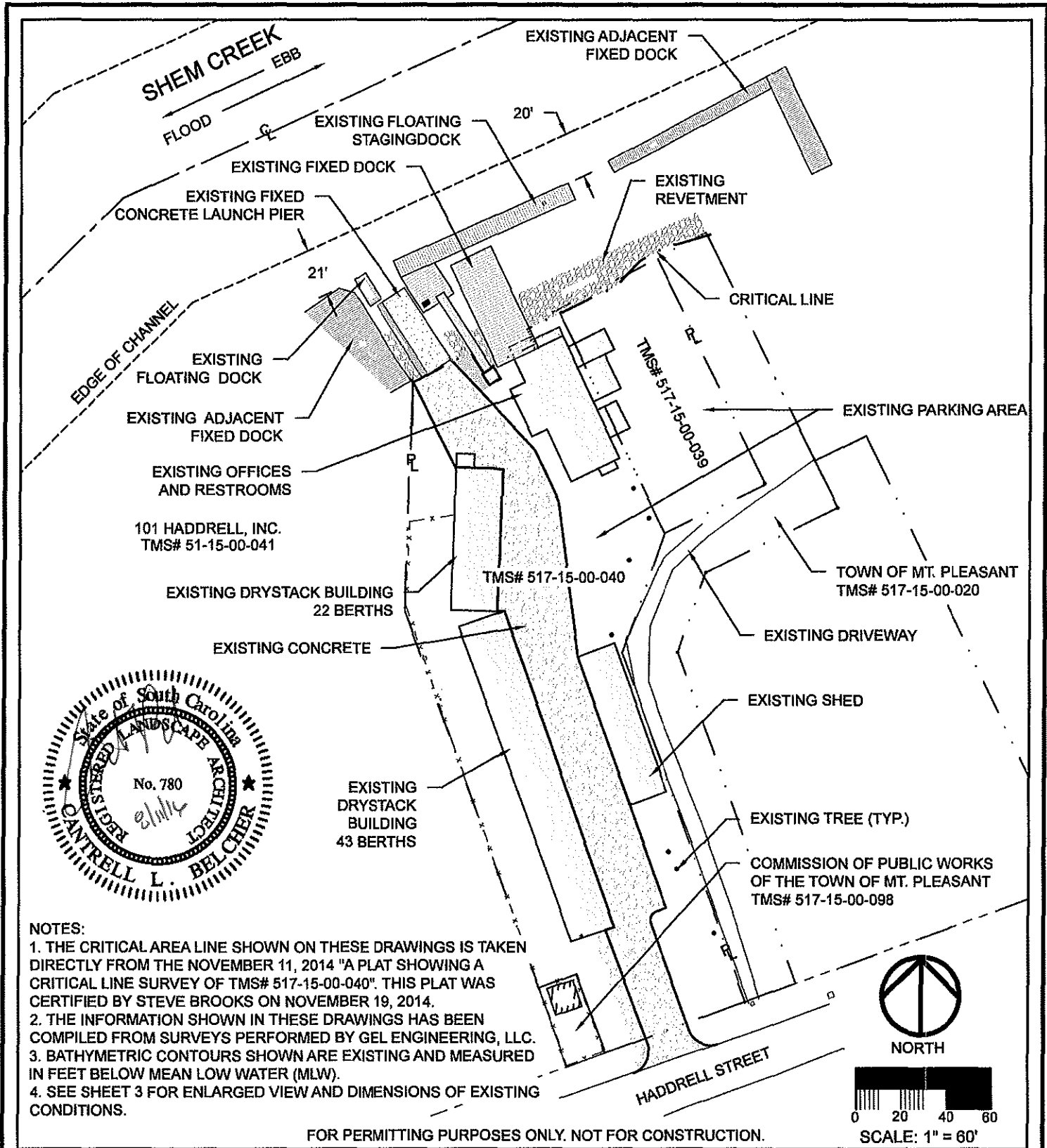
PURPOSE: MARINA IMPROVEMENTS  
 DATUM: MLW  
 APPLICATION BY: JAMES SIMMONS  
 USACE #: N/A  
 ADJACENT PROPERTY OWNERS: SEE ATTACHED  
 DATE: 8/11/16

**LOCATION MAP**  
 JAMES SIMMONS  
 110 HADDRELL STREET  
 MOUNT PLEASANT, SC 29464

PROPOSED: EXPAND EXISTING STAGING DOCK, ADD COVER TO EXISTING FIXED DOCK, REMOVE EXISTING REVETMENT, INSTALL BULKHEAD LANDWARD OF CRITICAL LINE.  
 AT: SHEM CREEK AND HADDRELL STREET  
 COUNTY OF: CHARLESTON  
 STATE: SOUTH CAROLINA

SHEET 1

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- NOTES:**
1. THE CRITICAL AREA LINE SHOWN ON THESE DRAWINGS IS TAKEN DIRECTLY FROM THE NOVEMBER 11, 2014 "A PLAT SHOWING A CRITICAL LINE SURVEY OF TMS# 517-15-00-040". THIS PLAT WAS CERTIFIED BY STEVE BROOKS ON NOVEMBER 19, 2014.
  2. THE INFORMATION SHOWN IN THESE DRAWINGS HAS BEEN COMPILED FROM SURVEYS PERFORMED BY GEL ENGINEERING, LLC.
  3. BATHYMETRIC CONTOURS SHOWN ARE EXISTING AND MEASURED IN FEET BELOW MEAN LOW WATER (MLW).
  4. SEE SHEET 3 FOR ENLARGED VIEW AND DIMENSIONS OF EXISTING CONDITIONS.

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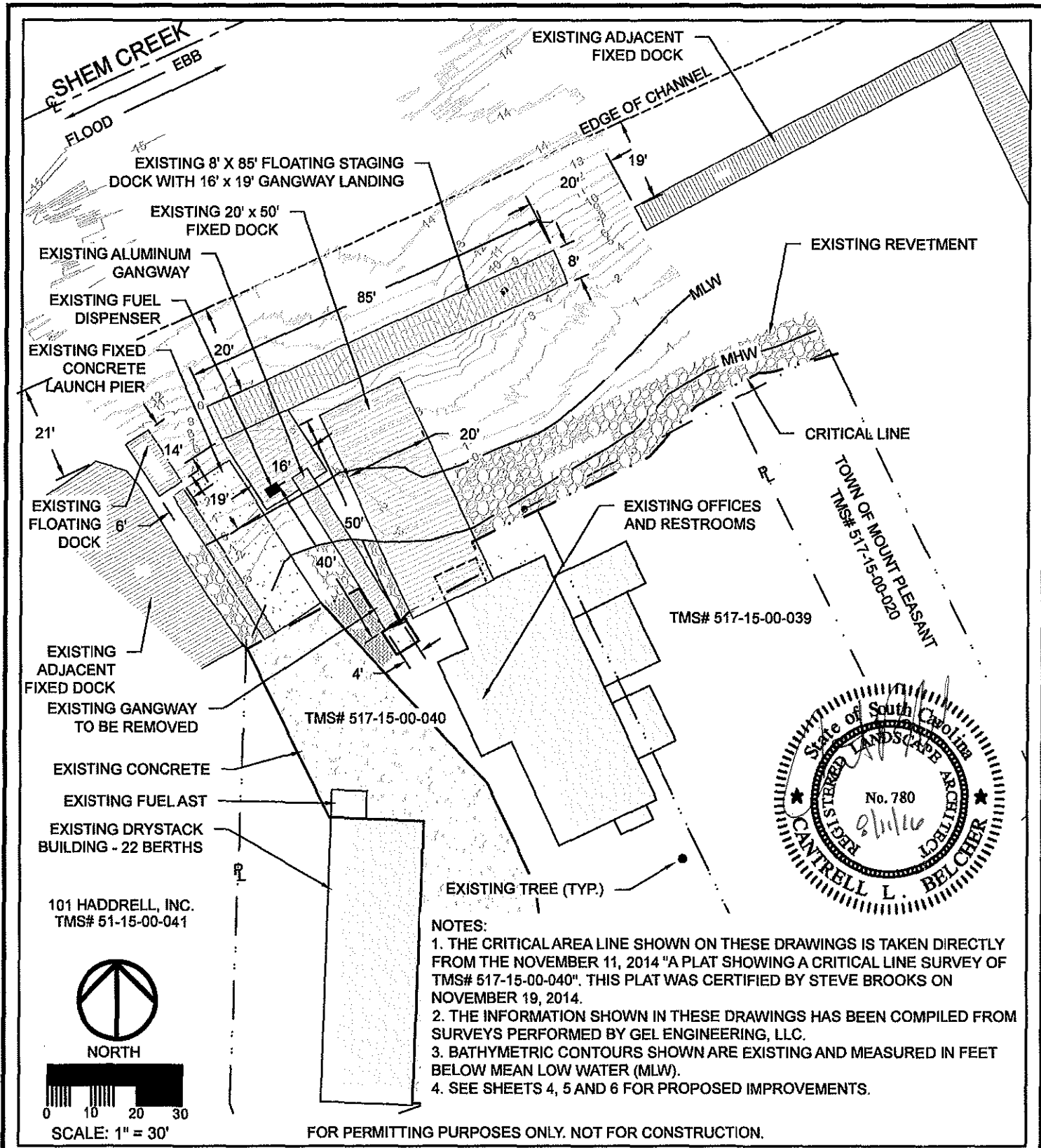
**EXISTING CONDITIONS  
 OVERALL VIEW**

JAMES SIMMONS  
 110 HADDRELL STREET  
 MOUNT PLEASANT, SC 29464

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  4. SEE SHEETS 4, 5 AND 6 FOR PROPOSED IMPROVEMENTS.

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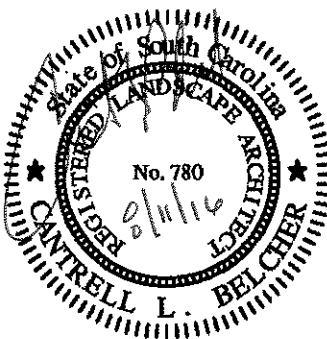
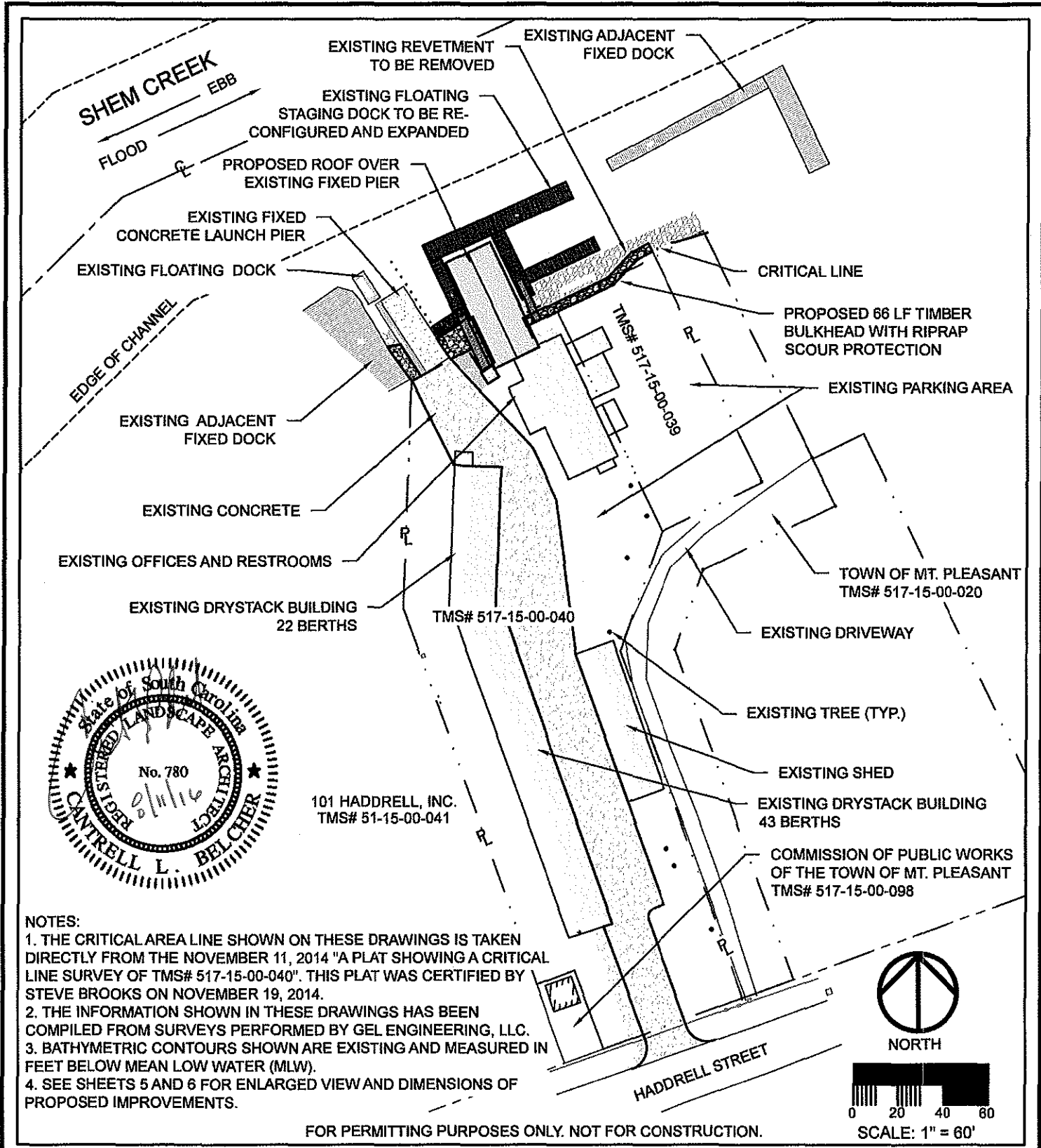
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**EXISTING CONDITIONS  
 ENLARGED VIEW**

JAMES SIMMONS  
 110 HADDRELL STREET  
 MOUNT PLEASANT, SC 29464

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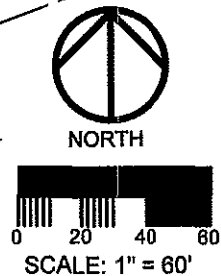




101 HADDRELL, INC.  
TMS# 51-15-00-041

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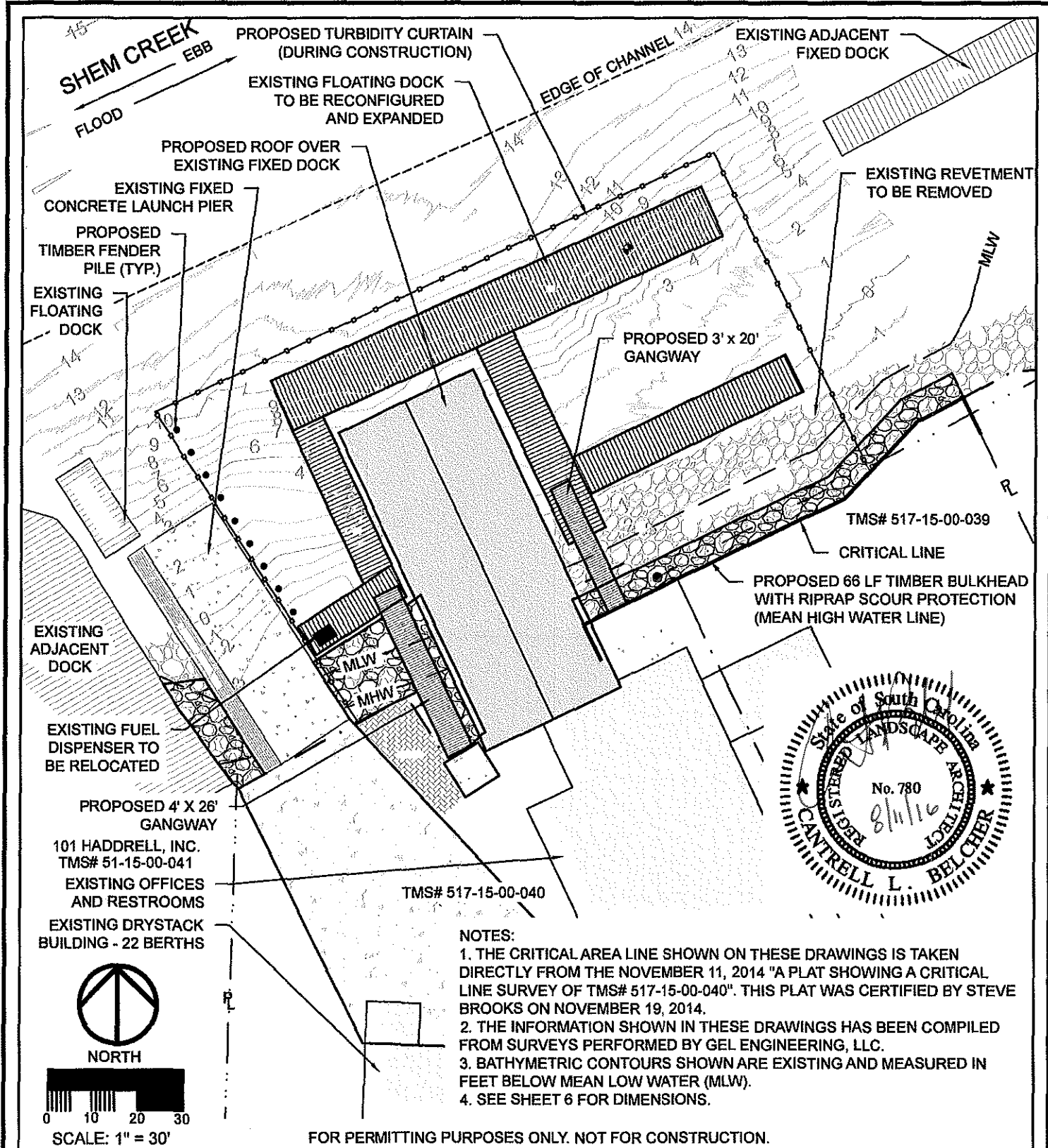
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**PROPOSED IMPROVEMENTS  
 OVERALL VIEW**  
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 110 HADDRELL STREET  
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  4. SEE SHEET 6 FOR DIMENSIONS.

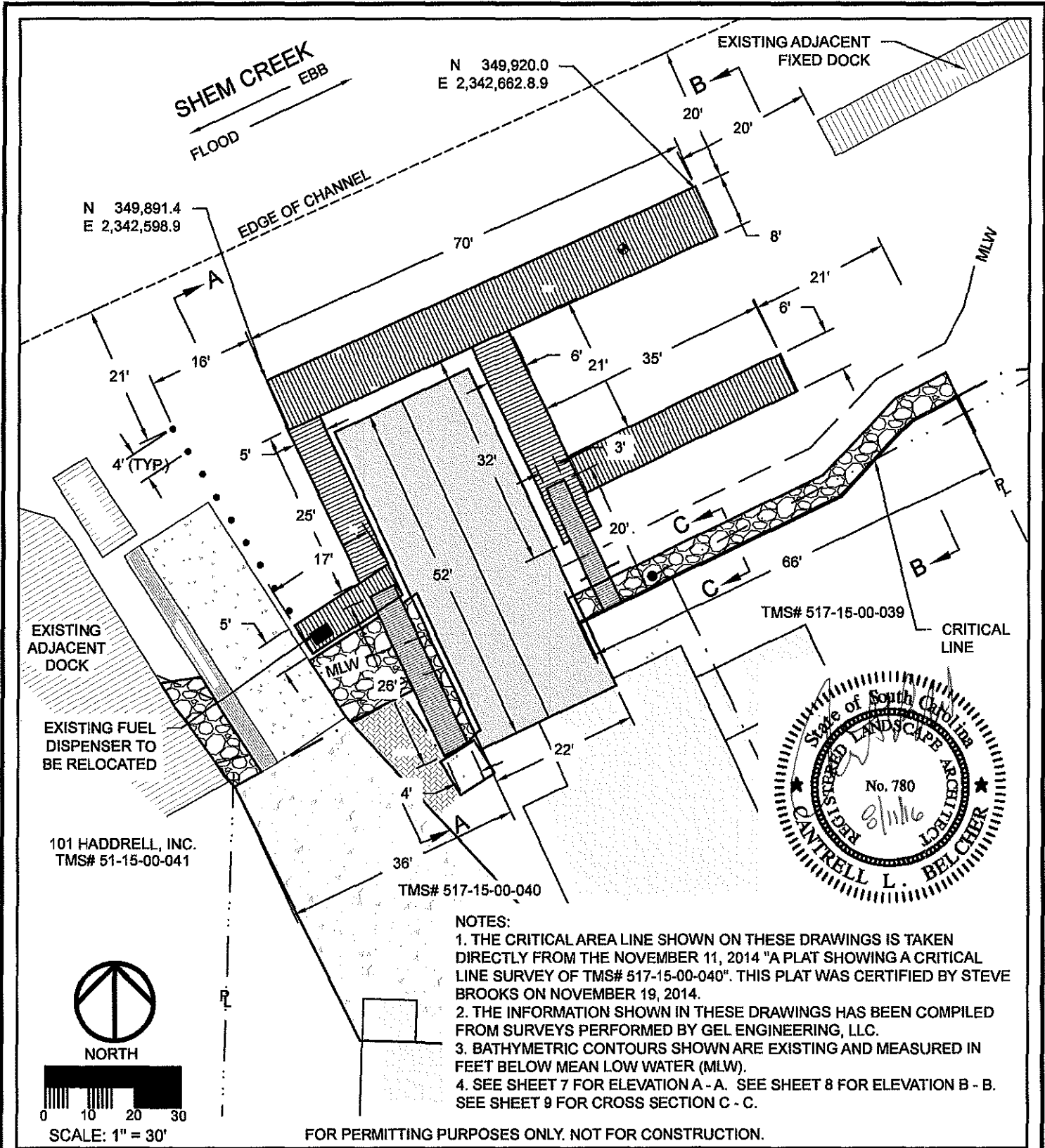
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**PROPOSED IMPROVEMENTS ENLARGED VIEW**

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 110 HADDRELL STREET  
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4. SEE SHEET 7 FOR ELEVATION A - A. SEE SHEET 8 FOR ELEVATION B - B. SEE SHEET 9 FOR CROSS SECTION C - C.

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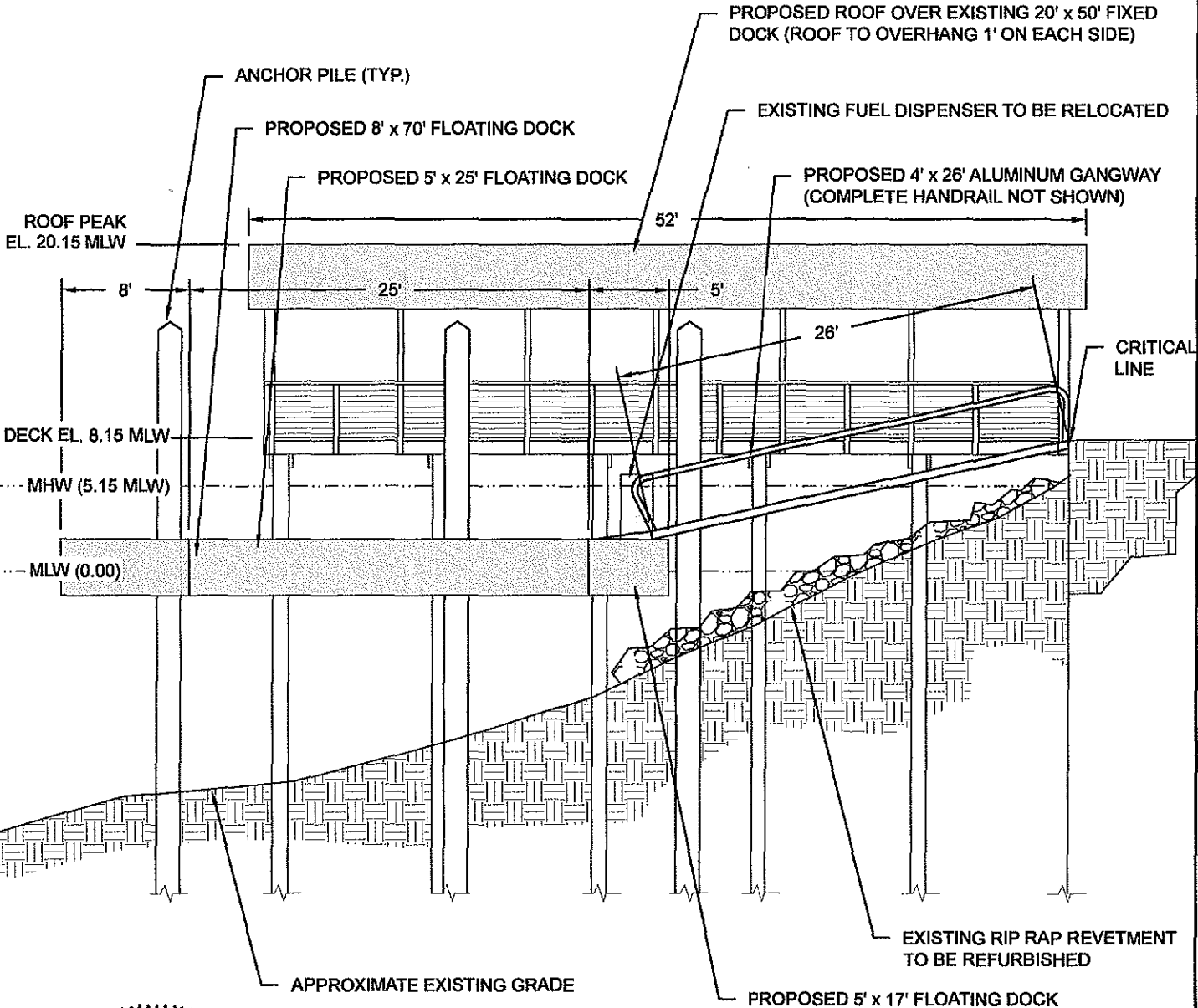
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**PROPOSED IMPROVEMENTS  
 ENLARGED VIEW  
 WITH DIMENSIONS**

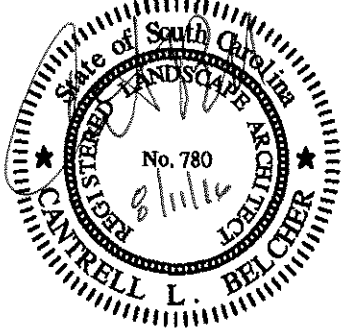
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**ELEVATION A - A**  
SCALE: 1" = 10'



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**ELEVATION A - A**  
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PROPOSED ROOF OVER EXISTING 20' x 50' FIXED DOCK (ROOF TO OVERHANG 1' ON EACH SIDE)

PROPOSED 3' x 20' ALUMINUM GANGWAY (COMPLETE HANDRAIL NOT SHOWN)

ANCHOR PILE (TYP.)

PROPOSED 8' x 70' FLOATING DOCK

PROPOSED 8' x 32' FLOATING DOCK

CRITICAL LINE

52'

ROOF PEAK EL. 20.15 MLW

16'

21'

8'

DECK EL. 8.15 MLW

MHW (5.15 MLW)

MLW (0.00)

PROPOSED 66 LF TIMBER BULKHEAD LANDWARD OF CRITICAL LINE. SEE SHEET 9.

PROPOSED RIPRAP SCOUR PROTECTION

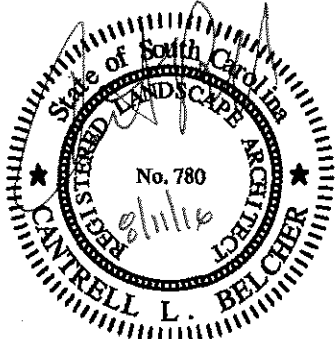
EXISTING RIP RAP REVETMENT TO BE REMOVED

PROPOSED 6' x 35' FLOATING DOCK

APPROXIMATE EXISTING GRADE

### ELEVATION B - B

SCALE: 1" = 10'



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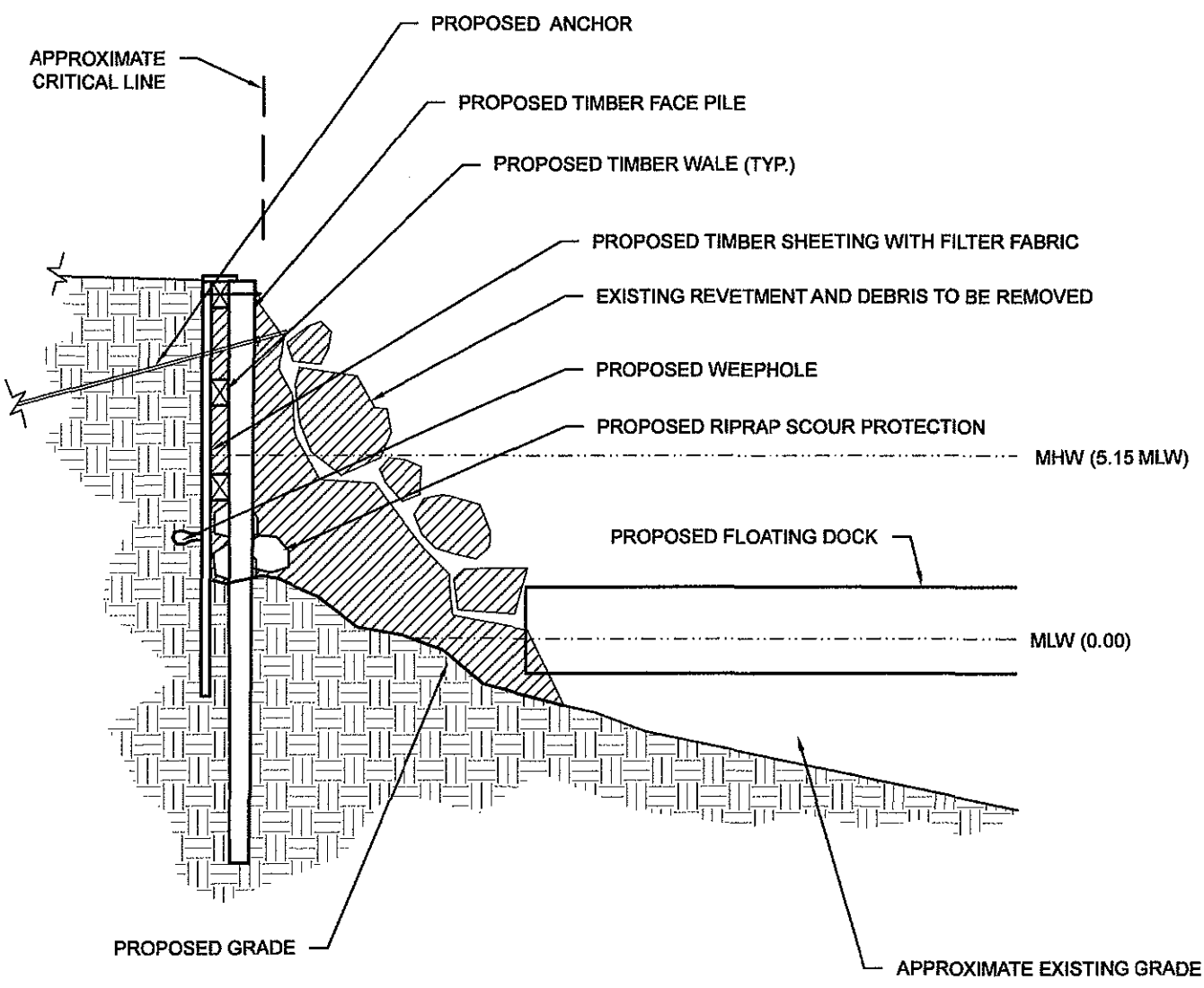
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### ELEVATION B - B

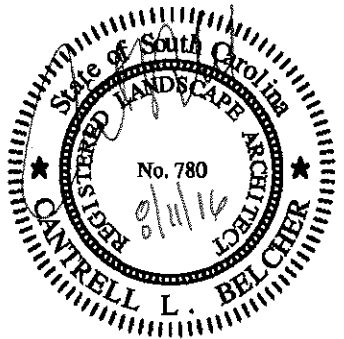
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SHEET 8



**CROSS SECTION C - C**  
SCALE: 1" = 5'



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**CROSS SECTION C - C**  
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