

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 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: P/N SAC-1990-09382

August 23, 2019

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

Ms. Joanie Cooksey
Crosby's Fish and Shrimp Company
2223 Folly Rd
Charleston, South Carolina 29412

for repair and expansion of existing commercial docks in

Folly Creek

at the existing Crosby's Fish and Shrimp Company located at 2223 Folly Road on James Island, Charleston County, South Carolina (Latitude: 32.675 °, Longitude: -79.9508 °), Quad Sheet: James Island.

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 repairing and expanding Crosby's Fish and Shrimp Company's existing commercial docks. In detail, the applicant proposes to reconstruct an existing pier head and enlarge it from 9' x 36' to 20' x 30', to repair a fixed pier walkway and reduce its size from 10' x 95' to 10' x 86', and to add two 4' x 20' floating finger docks to an existing 10' x 33'

floating dock. Lastly, the applicant proposes to repair some portions of an existing 6' x 205' fixed pier. Due to limited impacts related to the project, the applicant is not proposing mitigation. The project purpose is to improve existing commercial docks to provide commercial access to waters of the U.S.

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 1,950 square feet (0.04 acre) 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, based on the most recently available information that the West Indian manatee, Atlantic sturgeon, shortnose sturgeon, finback whale, humpback whale, right whale, sei whale, sperm whale, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle, Federally endangered or threatened species may be present in the vicinity of the project. However, it has been determined that the project will have no effect on the whales, sea turtles, and sturgeons and will not result in the destruction or adverse modification of designated or proposed critical habitat. In addition, the District Engineer has determined that the project is not likely to adversely affect the West Indian manatee. 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.

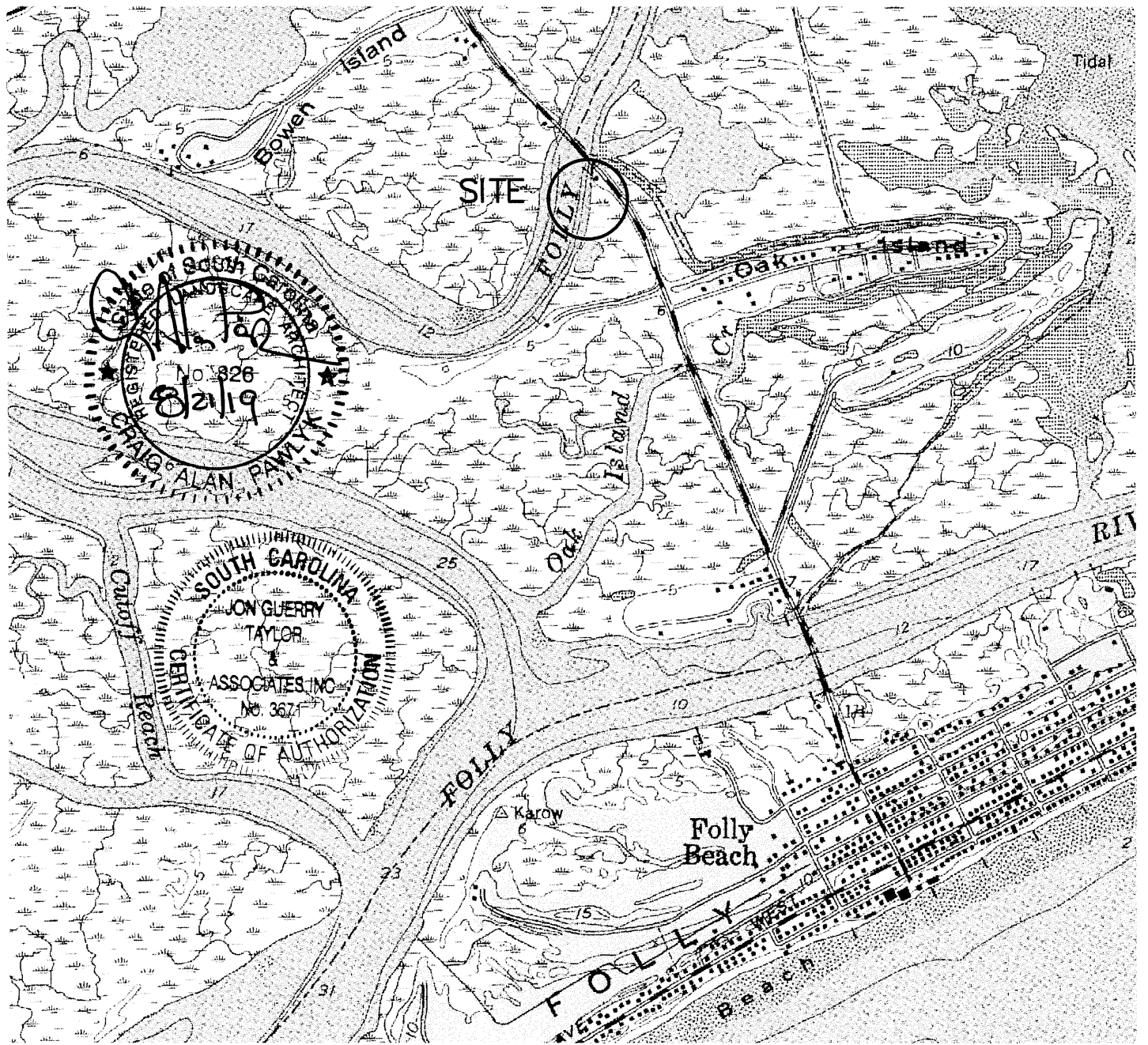
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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:**

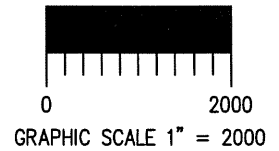
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Chelsea B. Fannin, Project Manager, at (843) 329-8038, or by email at Chelsea.B.Fannin@usace.army.mil.



QUAD MAP

Not For Construction
Permit Purposes Only



AUTHORIZED AGENT:

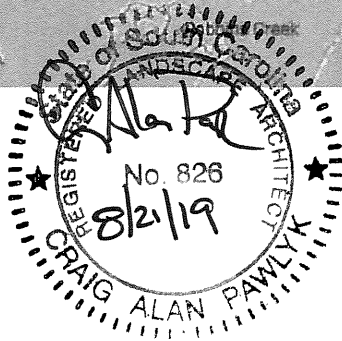
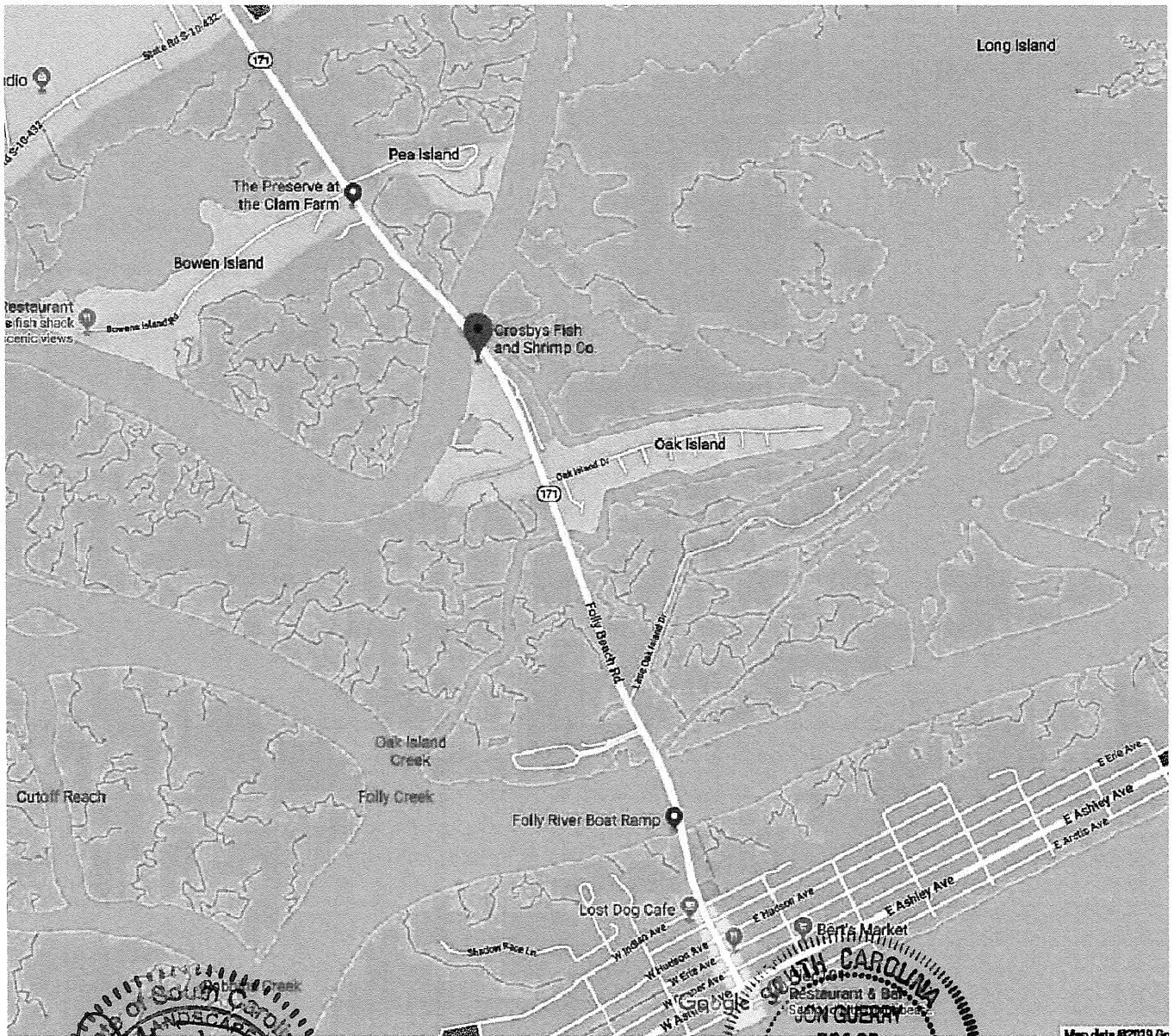
JON GUERRY TAYLOR & ASSOCIATES, INC.
PO BOX 1082
MOUNT PLEASANT, SC 29465
C/O CRAIG PAWLYK

CROSBY'S FISH AND SHRIMP DOCK DOCK IMPROVEMENTS

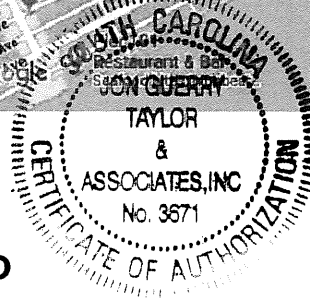
LAT.: 32.674736° N
LONG.: -79.950598 W

PROPOSED: RECONSTRUCTION AND ENLARGEMENT OF EXISTING FIXED PIER HEAD, FLOATING DOCK EXPANSION AND REPAIR/RECONSTRUCTION OF FIXED PIER WALKWAY AND MAIN DECK AT EXISTING COMMERCIAL FACILITY

NEAR: FOLLY BEACH
ON: FOLLY CREEK
COUNTY OF: CHARLESTON
STATE OF: SOUTH CAROLINA
DATE: 6-14-19



Permit 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

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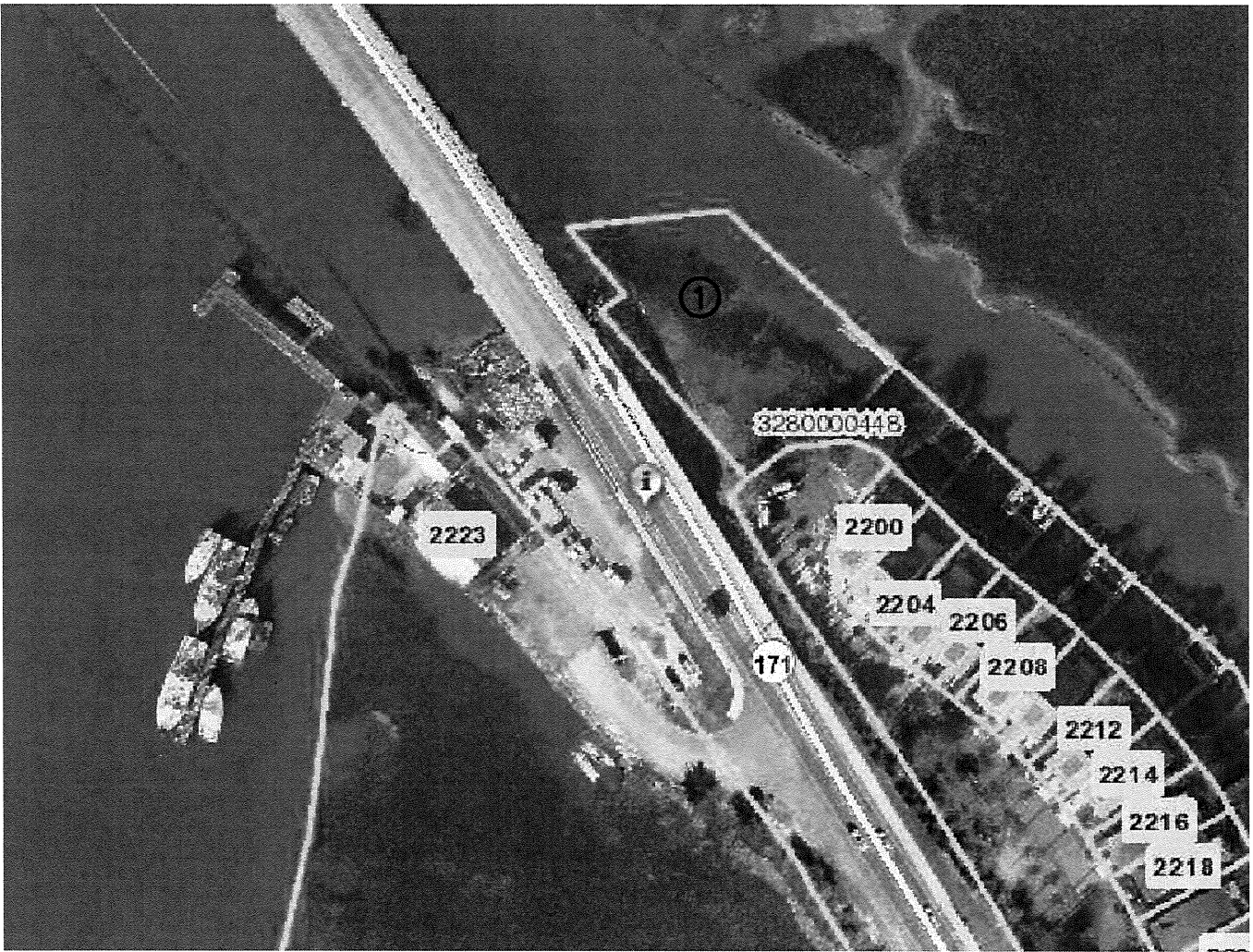
NEAR: FOLLY BEACH

ON: FOLLY CREEK

COUNTY OF: CHARLESTON

STATE OF: SOUTH CAROLINA

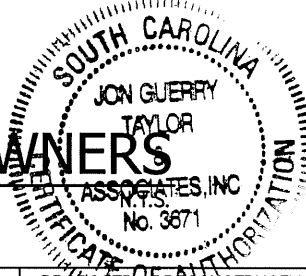
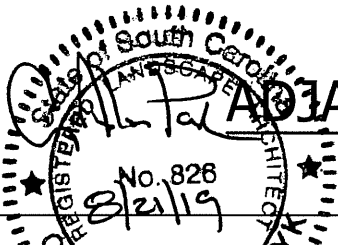
DATE: 6-14-19



1. WATERFRONT POINT HOMEOWNERS ASSOCIATION, LLC
 1126 LANGO AVE.
 CHARLESTON, SC 29407

2. SCDOT
 6355 FAIN BLVD.
 NORTH CHARLESTON, SC 29406

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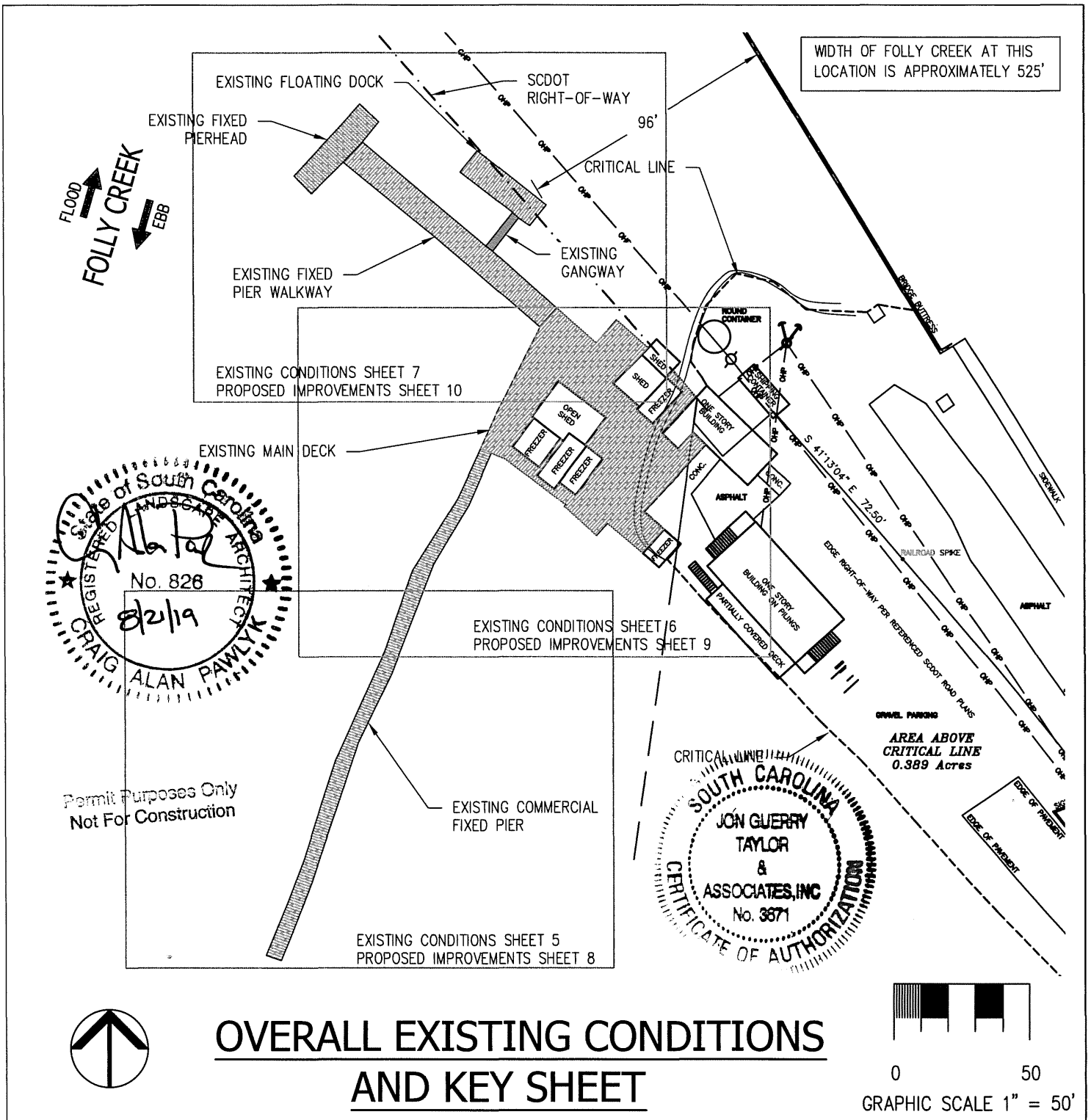
ADJACENT PROPERTY OWNERS

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

CROSBY'S FISH AND SHRIMP DOCK DOCK IMPROVEMENTS

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 NEAR: FOLLY BEACH
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OVERALL EXISTING CONDITIONS AND KEY SHEET

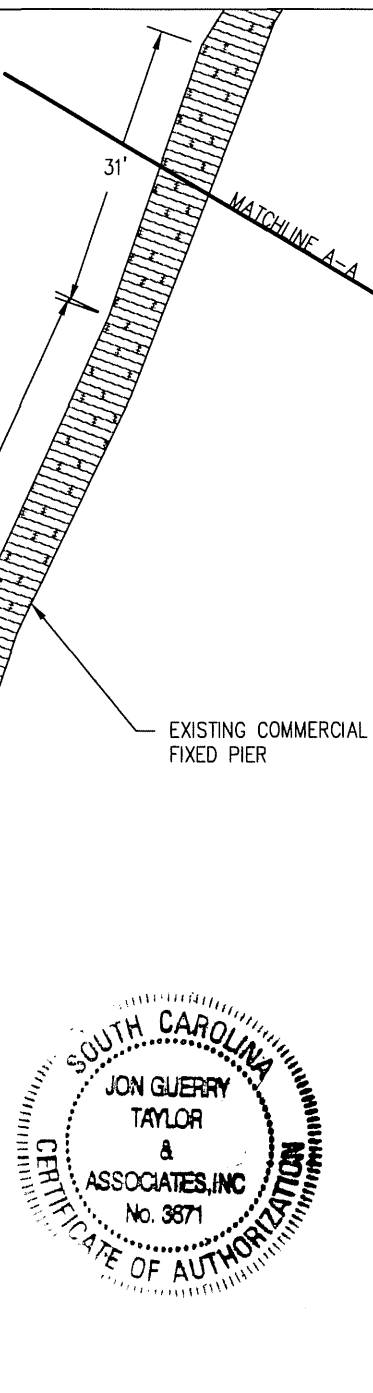
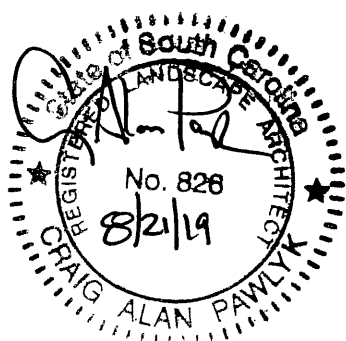
AUTHORIZED AGENT:
 JON GUERRY TAYLOR & ASSOCIATES, INC.
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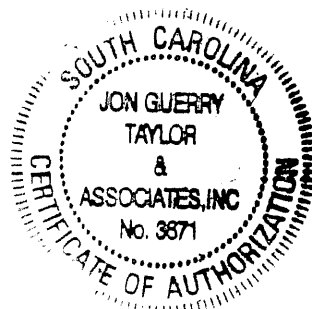
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NEAR: FOLLY BEACH
ON: FOLLY CREEK
COUNTY OF: CHARLESTON
STATE OF: SOUTH CAROLINA
DATE: 6-14-19

FLOOD ↑
FOLLY CREEK
 ↓ EBB



Permit Purposes Only
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EXISTING CONDITIONS

(ENLARGED VIEW)



GRAPHIC SCALE 1" = 20'

AUTHORIZED AGENT:

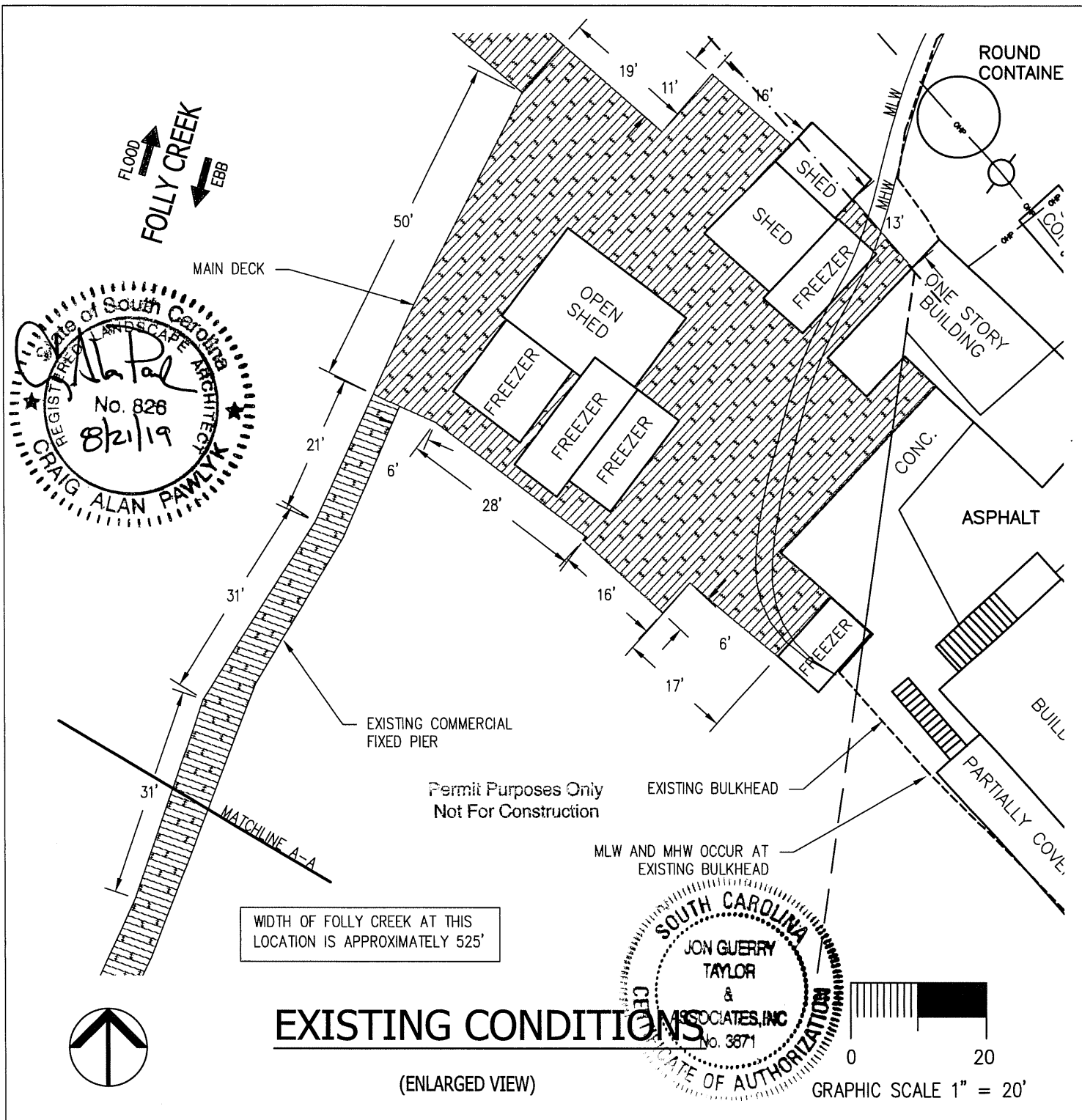
JON GUERRY TAYLOR & ASSOCIATES, INC.
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CROSBY'S FISH AND SHRIMP DOCK DOCK IMPROVEMENTS

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(ENLARGED VIEW)

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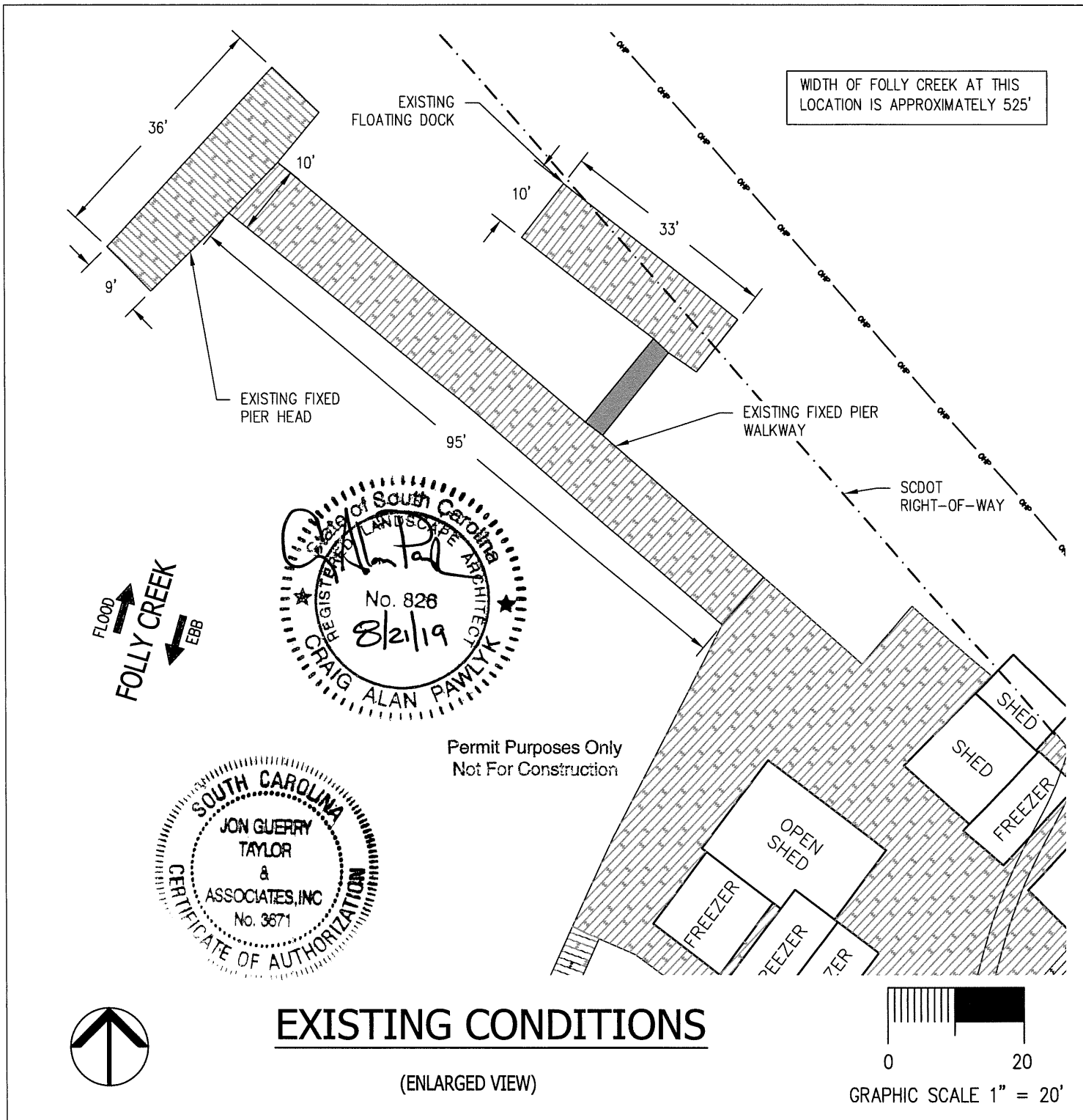
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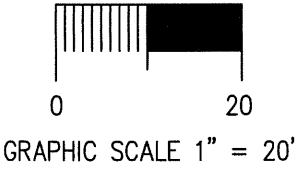
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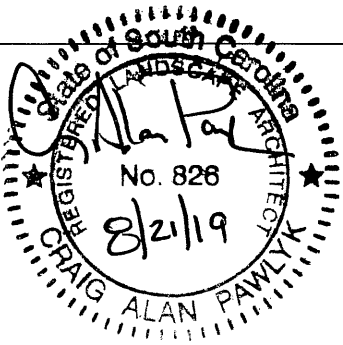


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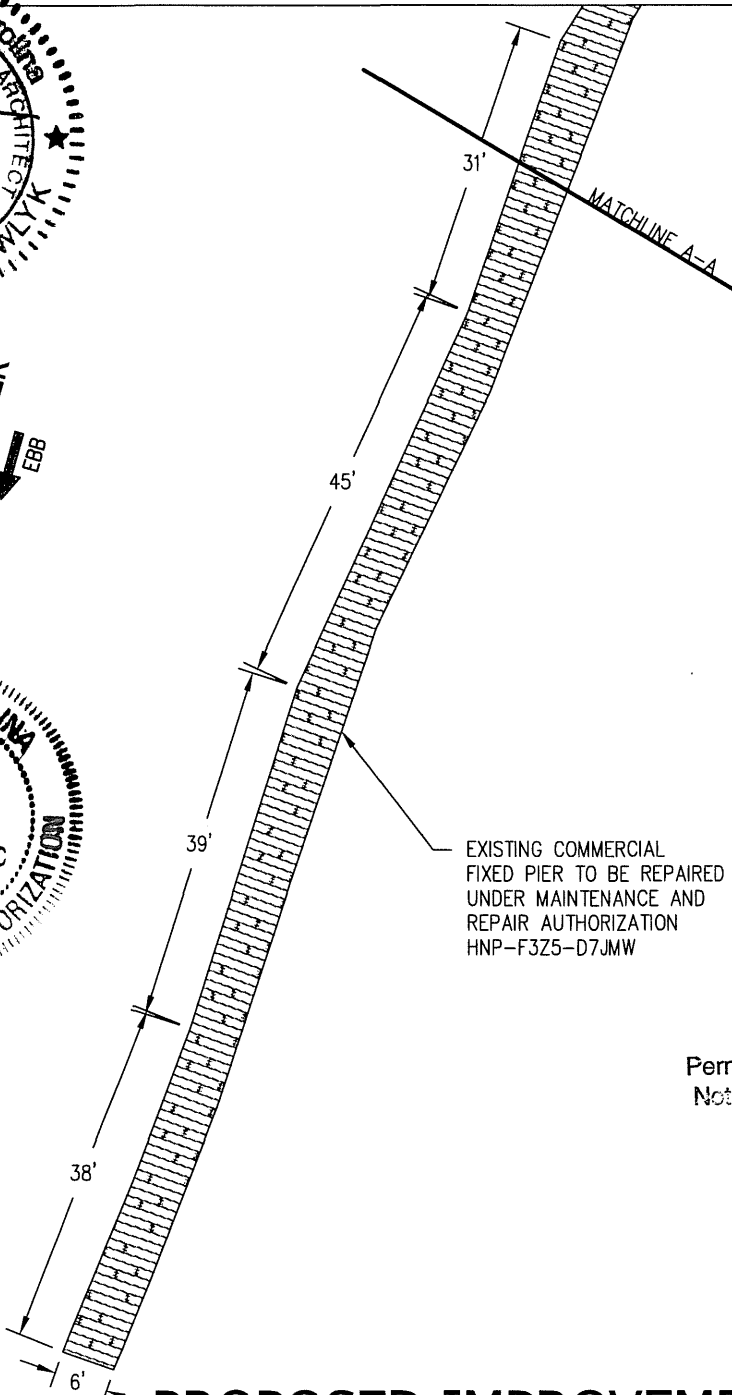
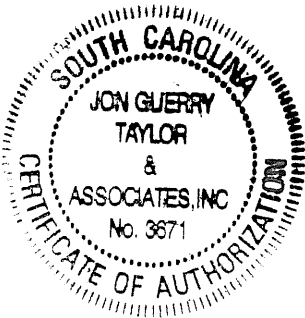
CROSBY'S FISH AND SHRIMP DOCK DOCK IMPROVEMENTS

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FLOOD ↑
 FOLLY CREEK
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 Not For Construction



PROPOSED IMPROVEMENTS

(ENLARGED VIEW)



GRAPHIC SCALE 1" = 20'

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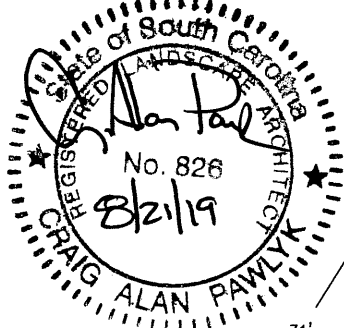
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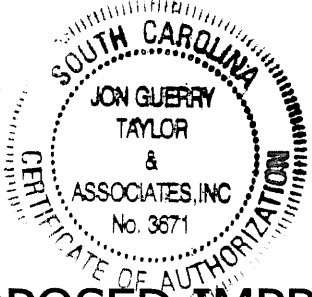
NEAR: FOLLY BEACH
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EXISTING MAIN DECK STRUCTURE TO BE REPAIRED/RECONSTRUCTED AS REQUIRED IN SAME FOOTPRINT



EXISTING COMMERCIAL FIXED PIER TO BE REPAIRED UNDER MAINTENANCE AND REPAIR AUTHORIZATION HNP-F3Z5-D7JMW

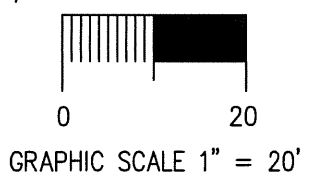


MLW AND MHW OCCUR AT EXISTING BULKHEAD

WIDTH OF FOLLY CREEK AT THIS LOCATION IS APPROXIMATELY 25'

PROPOSED IMPROVEMENTS

(ENLARGED VIEW)

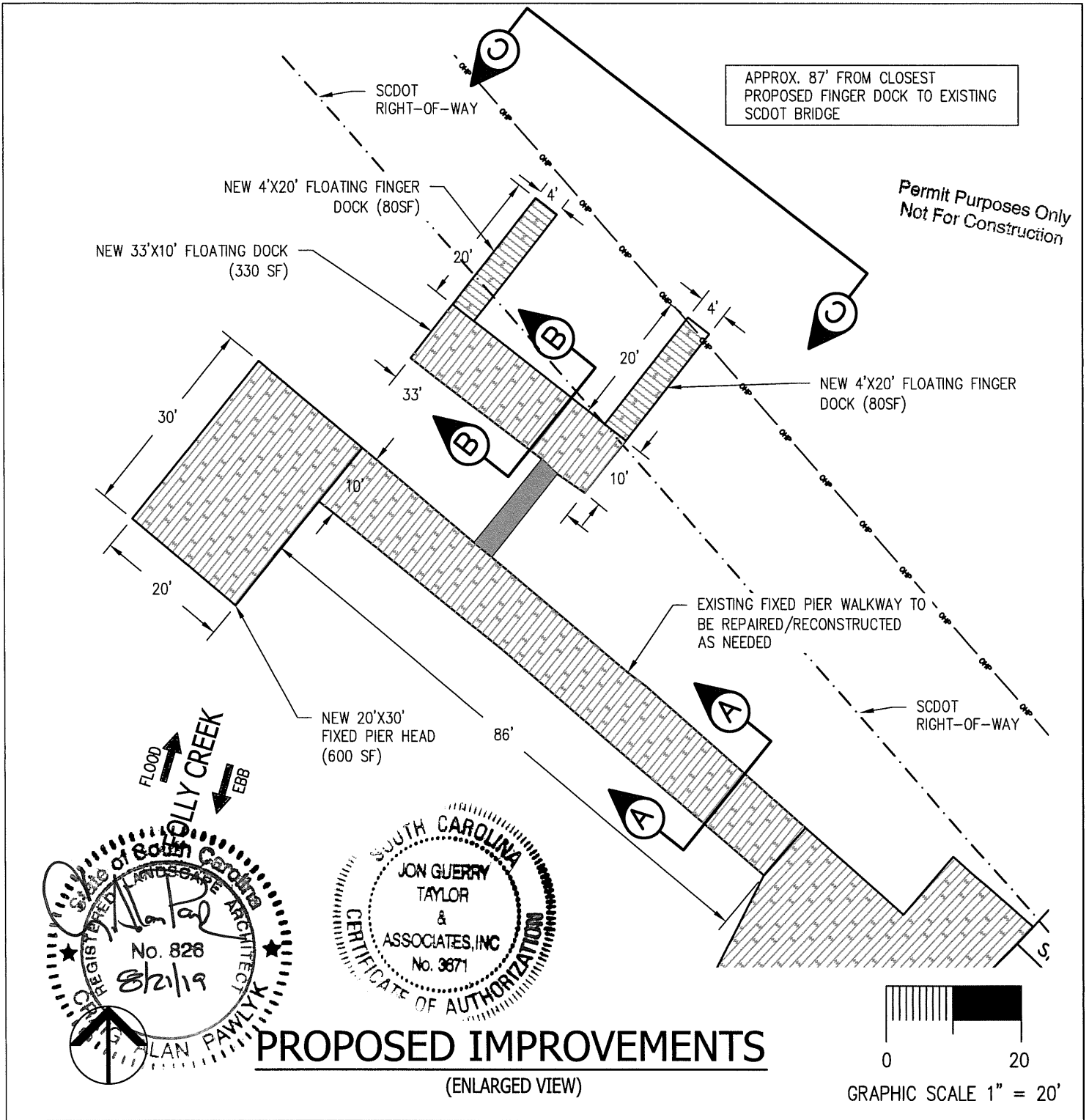


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 JON GUERRY TAYLOR & ASSOCIATES, INC.
 PO BOX 1082
 MOUNT PLEASANT, SC 29465
 C/O CRAIG PAWLYK

CROSBY'S FISH AND SHRIMP DOCK DOCK IMPROVEMENTS

LAT.: 32.674736° N
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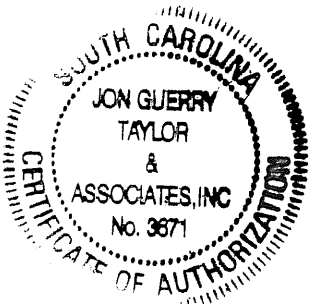
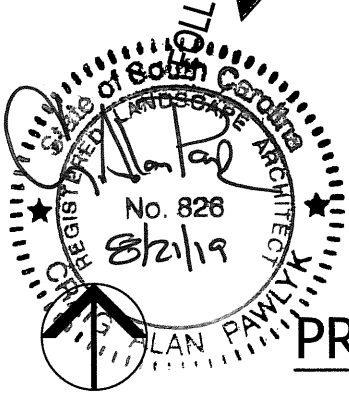
APPROX. 87' FROM CLOSEST PROPOSED FINGER DOCK TO EXISTING SCDOT BRIDGE

Permit Purposes Only
Not For Construction

EXISTING FIXED PIER WALKWAY TO BE REPAIRED/RECONSTRUCTED AS NEEDED

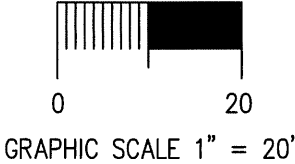
SCDOT RIGHT-OF-WAY

FLOOD
FOLLY CREEK
EBB



PROPOSED IMPROVEMENTS

(ENLARGED VIEW)

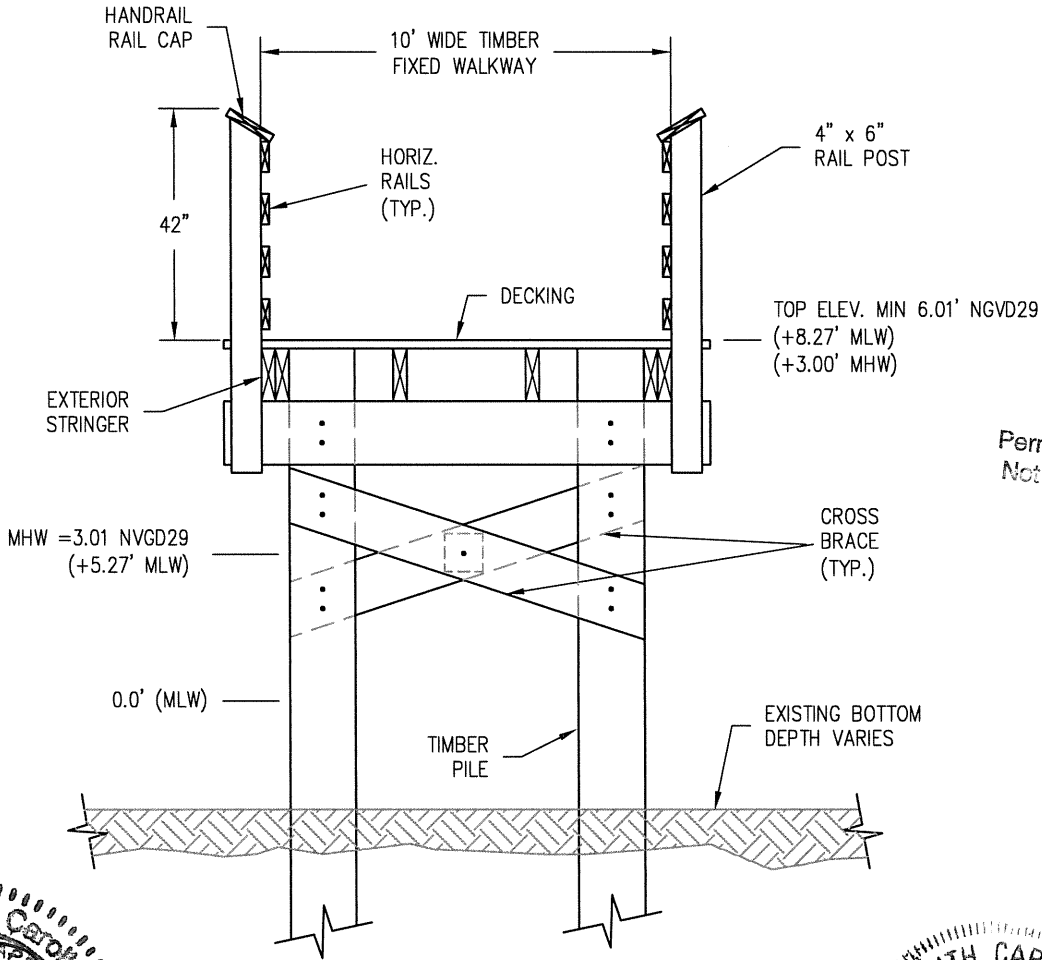


AUTHORIZED AGENT:
 JON GUERRY TAYLOR & ASSOCIATES, INC.
 PO BOX 1082
 MOUNT PLEASANT, SC 29465
 C/O CRAIG PAWLYK

CROSBY'S FISH AND SHRIMP DOCK DOCK IMPROVEMENTS

LAT.: 32.674736° N
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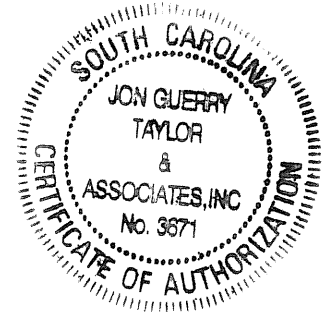
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(10 FT. WIDE FIXED PIER WALKWAY)

SECTION A-A

PROPOSED IMPROVEMENTS

N.T.S.



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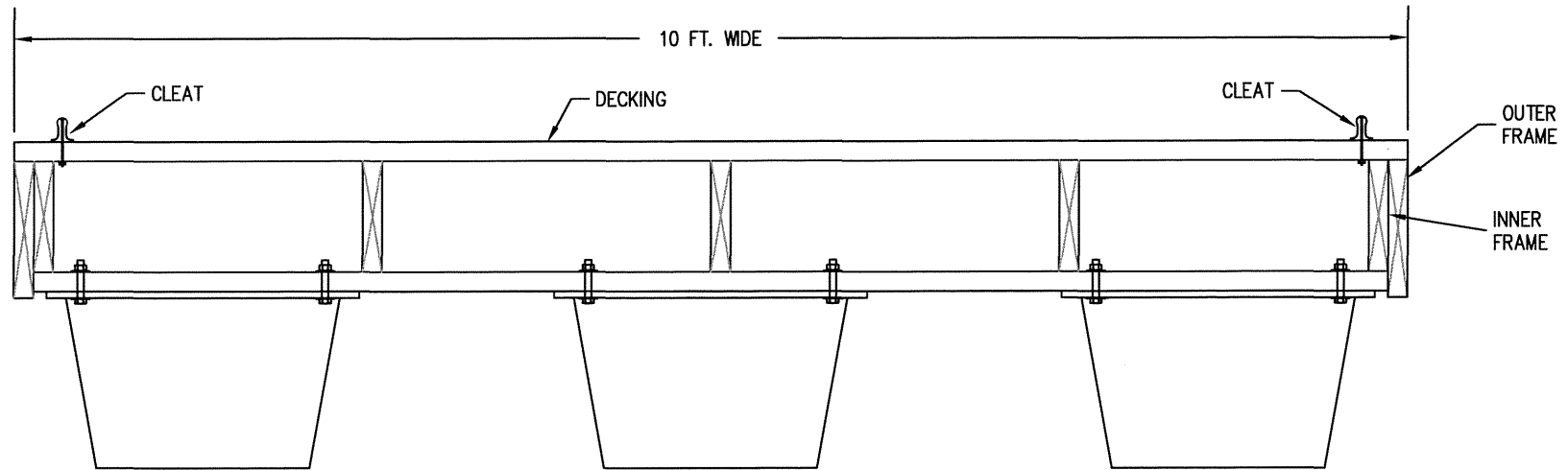
CROSBY'S FISH AND SHRIMP DOCK DOCK IMPROVEMENTS

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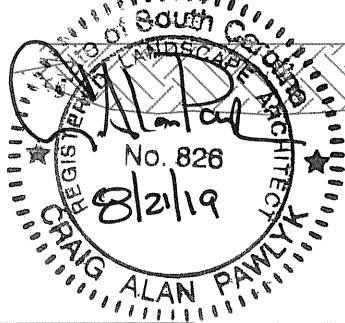
Permit Purposes Only
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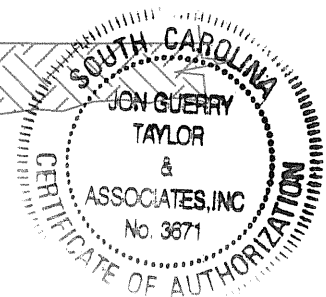
(10 FT WIDE FLOATING DOCK)

EXISTING CREEK BOTTOM
(DEPTH VARIES)

POLYSTYRENE FOAM
FILLED FLOAT (TYPICAL)



FLOATING DOCK SECTION - B-B
NOT TO SCALE



AUTHORIZED AGENT:

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

**CROSBY'S FISH AND
SHRIMP DOCK DOCK
IMPROVEMENTS**

LAT.: 32.674736° N
LONG.: -79.950598 W

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FLOATING DOCK EXPANSION AND
REPAIR/RECONSTRUCTION OF FIXED PIER
WALKWAY AND MAIN DECK AT EXISTING
COMMERCIAL FACILITY

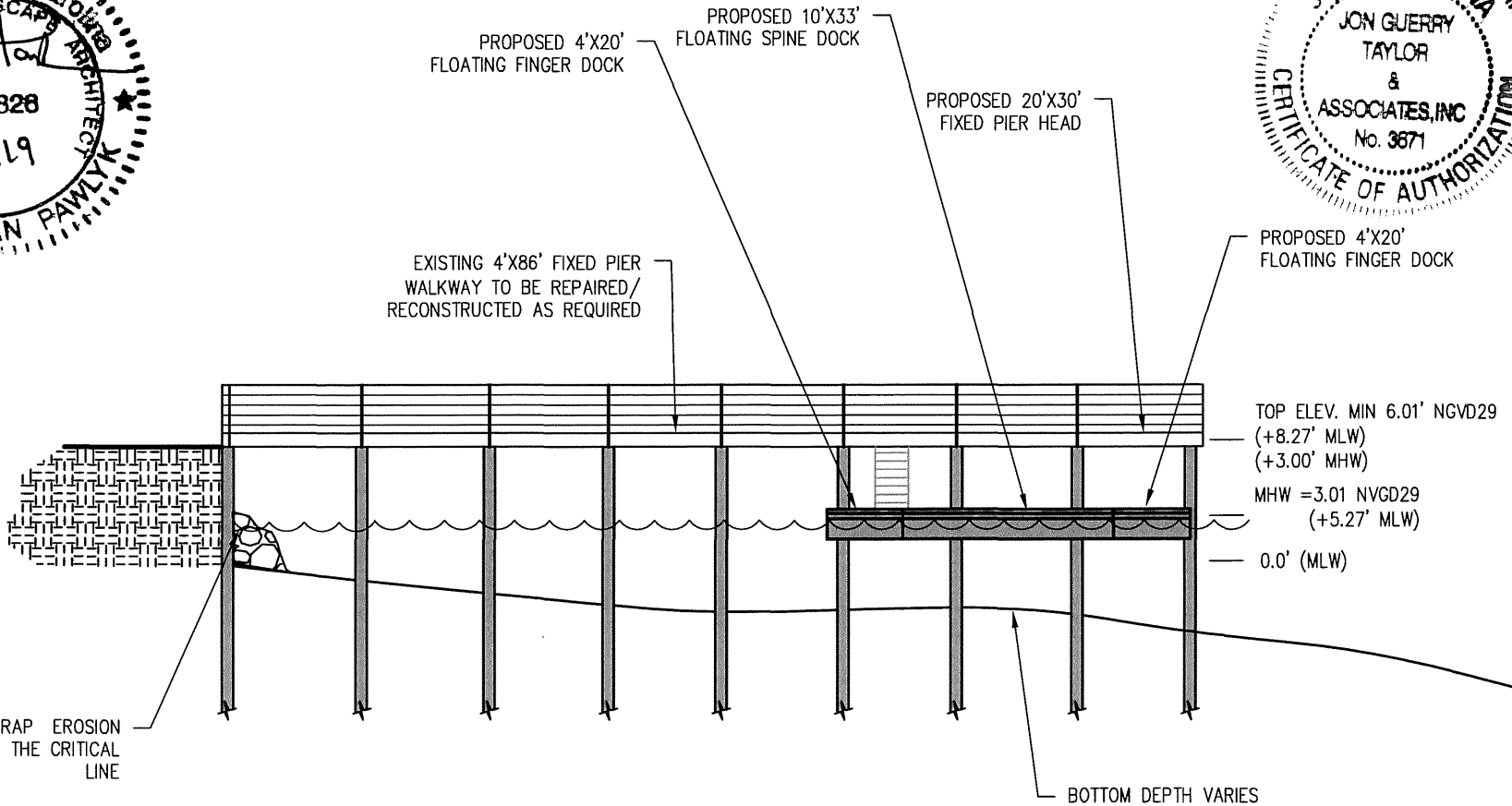
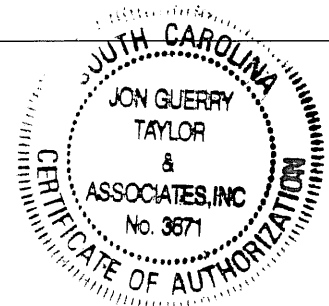
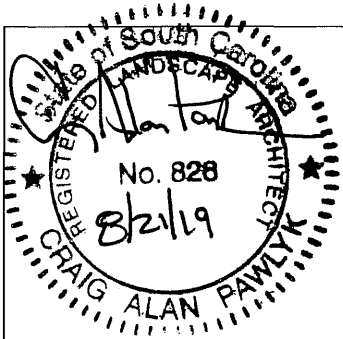
NEAR: FOLLY BEACH

ON: FOLLY CREEK

COUNTY OF: CHARLESTON

STATE OF: SOUTH CAROLINA DATE: 6-14-19

12 OF 13



ELEVATION VIEW (C-C)

NOT TO SCALE

Permit Purposes Only
Not For Construction

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Not For Construction

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LAT.: 32.674736° N
LONG.: -79.950598° W

PROPOSED: RECONSTRUCTION AND ENLARGEMENT OF EXISTING FIXED PIER HEAD, FLOATING DOCK EXPANSION AND REPAIR/RECONSTRUCTION OF FIXED PIER WALKWAY AND MAIN DECK AT EXISTING COMMERCIAL FACILITY

NEAR: FOLLY BEACH

ON: FOLLY CREEK

COUNTY OF: CHARLESTON

STATE OF: SOUTH CAROLINA **DATE:** 6-14-19 13 OF 13