

**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  
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2017-01607

12 February 2018

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

**Caitlyn Mayer**  
**Charleston Oyster Farm LLC**  
**49 Amherst Street**  
**Charleston, South Carolina 29403**

for an After-The-Fact permit for an existing dock structure and a permit to install new additional structures in the

**Stono River**

on Goat Island at 0 Stono River, approximately 0.6 miles south of Sol Legare Boat Landing in Charleston County, South Carolina (Latitude: 32.660428 °N, Longitude: -80.001742 °W) (Legareville Quad Sheet).

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 the After-The-Fact authorization of an existing unauthorized dock structure, the authorization of new additional structures, and the authorization to use the dock for commercial purposes.

In detail, the proposed project involves the After-The-Fact authorization of the existing 273' X 4' walkway that leads to a 12' X 20' fixed pierhead with a gangway, a 10' X 20' float and a 10' X 12' moveable floating work dock. The proposed new work consists of the construction of a new 150' X 4' walkway that will lead to the existing 273' X 4' walkway, the addition of a new roof over the existing 12' X 20' fixed pierhead, the addition of a new gangway that leads to a new 16' X 24' floating dock/wet storage floating dock, and the installation of four (4) new piles, 2 of which will be installed landward of the existing floating dock and 2 of which will be installed landward of the proposed floating dock. Handrails are also proposed along the existing walkway for safety purposes and to tie oyster cages to for easy and ready access using lines. The existing and proposed structures will be used for commercial purposes to support the applicant's commercial shellfish business.

The purpose of the proposed project is to maximize the viability of the applicant's commercial shellfish business by using a dock located within their M198A mariculture permit area, which will provide the applicant with a more efficient means to perform mariculture related activities. The requested additions to the existing dock structures will streamline current operations and offer the oysters and employees protection from natural elements.

Daily use of the proposed commercial dock may include washing oysters and equipment with seawater using a movable 160 gal/min pump (no outfall on land/marsh), wet storing of market ready product, and growing seed in silos using natural tidal flow and/or electric (solar/battery) pump. There is currently no electricity or running water on the property or dock.

The applicant has minimized impacts to waters of the United States by conducting activities that will use the transportable washpump will be conducted over the river and not over tidal wetlands. The applicant is not proposing compensatory mitigation as no impacts to wetlands will occur.

**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 0.1 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, based on the most recently available information that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. 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.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, 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)), 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.

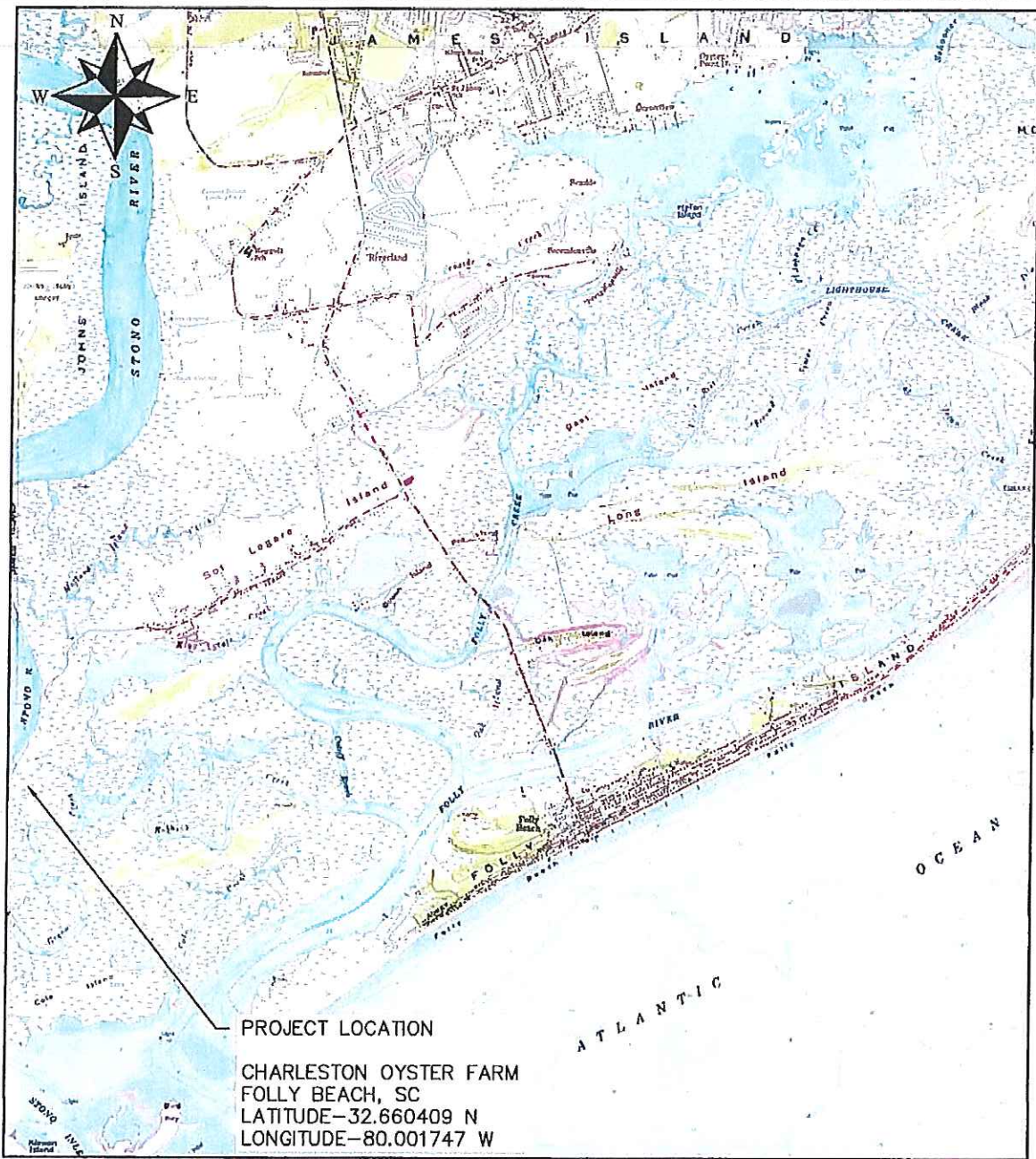
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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  
69A Hagood Avenue  
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Tracy D. Sanders, Project Manager, at (843) 329-8190 or toll free at 1-866-329-8187.



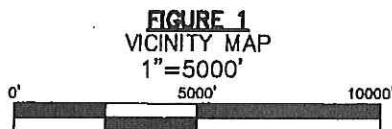
**DIRECTIONS TO SITE FROM CHARLESTON:**

- SITE ONLY ACCESSIBLE BY BOAT
- ACCESS STONO RIVER FROM ATLANTIC OCEAN
- SITE IS APPROXIMATELY 3.5 MILES ON RIGHT (1 MILE AFTER GREEN CREEK)



**PROJECT VICINITY**

SCALE: 1" = 5000'



**APPLICANT**  
 CHARLESTON OYSTER FARM  
**AGENT**  
 McSWEENEY ENGINEERS, LLC

**PROPOSED:** DOCK UPGRADES

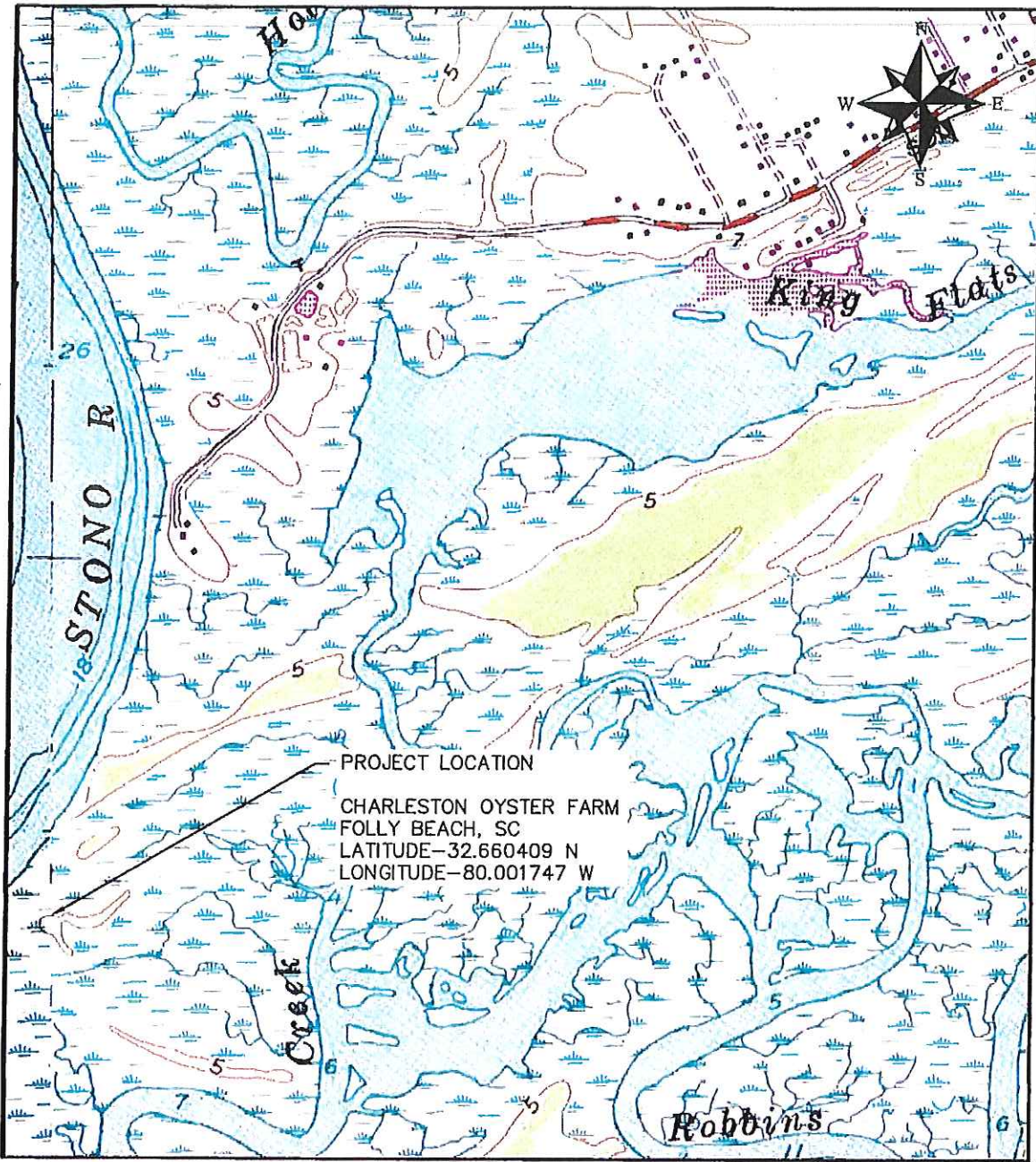
**WATERWAY:** STONO RIVER  
**ON:** GOAT ISLAND

**COUNTY OF:** CHARLESTON, SC

**APPLICATION NO.** TBD

**SHEET:** 1 OF 9 **DATE:** 1/30/18

**PURPOSE:** COMMERCIAL CHANGE OF USE



PROJECT LOCATION  
 CHARLESTON OYSTER FARM  
 FOLLY BEACH, SC  
 LATITUDE-32.660409 N  
 LONGITUDE-80.001747 W

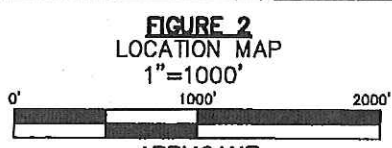
**DIRECTIONS TO SITE FROM CHARLESTON:**

- SITE ONLY ACCESSIBLE BY BOAT
- ACCESS STONO RIVER FROM ATLANTIC OCEAN
- SITE IS APPROXIMATELY 3.5 MILES ON RIGHT (1 MILE AFTER GREEN CREEK)



**PROJECT LOCATION**  
 SCALE: 1" = 1000'

**PURPOSE:** COMMERCIAL CHANGE OF USE



**APPLICANT**  
 CHARLESTON OYSTER FARM  
**AGENT**  
 MCSWEENEY ENGINEERS, LLC

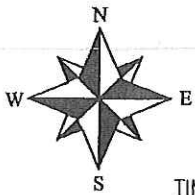
**PROPOSED:** DOCK UPGRADES

**WATERWAY:** STONO RIVER  
**ON:** GOAT ISLAND

**COUNTY OF:** CHARLESTON, SC

**APPLICATION NO.** TBD

**SHEET:** 2 OF 9      **DATE:** 1/30/18



WATERWAY APPROXIMATELY 2000' BANK TO BANK

STONO RIVER

S83°37'18"W 844.91'

EXISTING TIMBER PIER

HIGHLAND  
653.78SF  
0.015AC

TMS #450-00-00-017  
TOTAL ACREAGE  
35,396.77 SF  
0.813 AC

HIGHLAND  
906.25SF  
0.021AC

HIGHLAND  
1,628.26SF  
0.037AC

HIGHLAND  
1,067.87SF  
0.025AC

HIGHLAND  
2,033.28SF  
0.047AC

TMS #450-00-00-001  
TOTAL ACREAGE  
301.1 AC

MATCHLINE TO BOTTOM LEFT

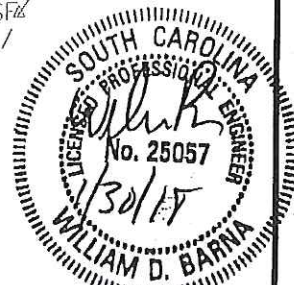
TMS #450-00-00-001  
TOTAL ACREAGE  
301.1 AC

S83°37'18"W 844.91'

HIGHLAND  
29,107.33SF  
0.668AC

TMS #450-00-00-017  
TOTAL ACREAGE  
35,396.77 SF  
0.813 AC

MATCHLINE TO TOP RIGHT



THE CRITICAL LINE IS THE APPROXIMATE PROPERTY LINE AS THIS PROPERTY IS AN ISLAND SURROUNDED BY MARSH AND ADJACENT PROPERTY WHICH IS OWNED BY OTHERS

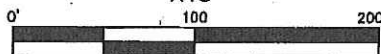
NOTES:  
LAND SURVEY PLAT PERFORMED BY SWA SURVEYING, INC. ON 10/21/17.  
DRAWING IS FOR PERMITTING ONLY.

**OVERALL SITE PLAN**

SCALE: NTS

**PURPOSE:** COMMERCIAL CHANGE OF USE

**FIGURE 3**  
EXISTING SITE PLAN  
NTS



**APPLICANT**  
CHARLESTON OYSTER FARM  
**AGENT**  
McSWEENEY ENGINEERS, LLC

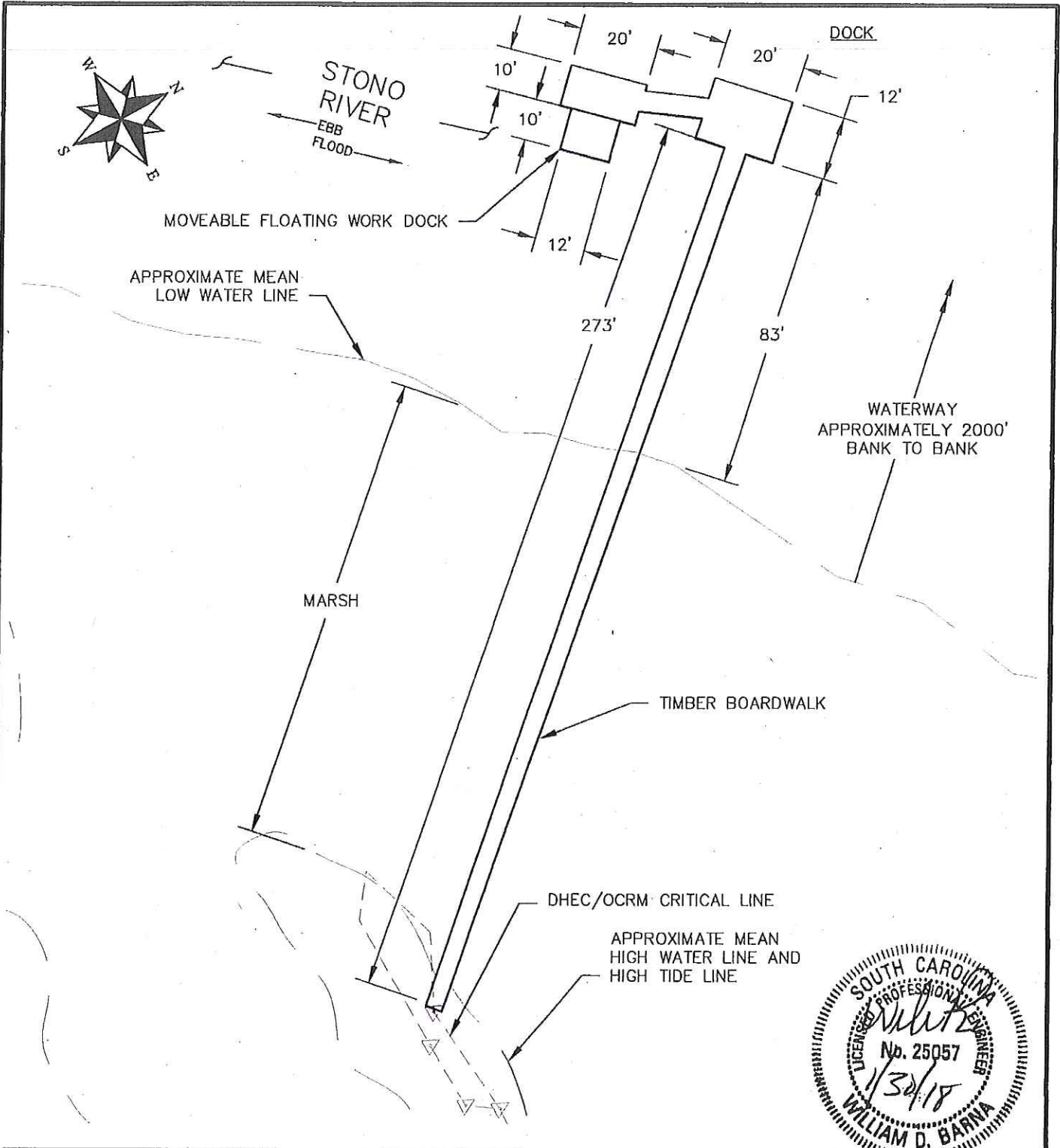
**PROPOSED:** DOCK UPGRADES

**WATERWAY:** STONO RIVER  
**ON:** GOAT ISLAND

**COUNTY OF:** CHARLESTON, SC

**APPLICATION NO.** TBD

**SHEET:** 3 OF 9 **DATE:** 1/30/18



NOTES:  
 LAND SURVEY PLAT PERFORMED BY SWA SURVEYING, INC. ON 10/21/17.  
 DRAWING IS FOR PERMITTING ONLY.

**EXISTING SITE PLAN**  
 SCALE: 1" = 100'

**PURPOSE:** COMMERCIAL CHANGE OF USE

**FIGURE 4**  
 EXISTING SITE PLAN  
 1:100

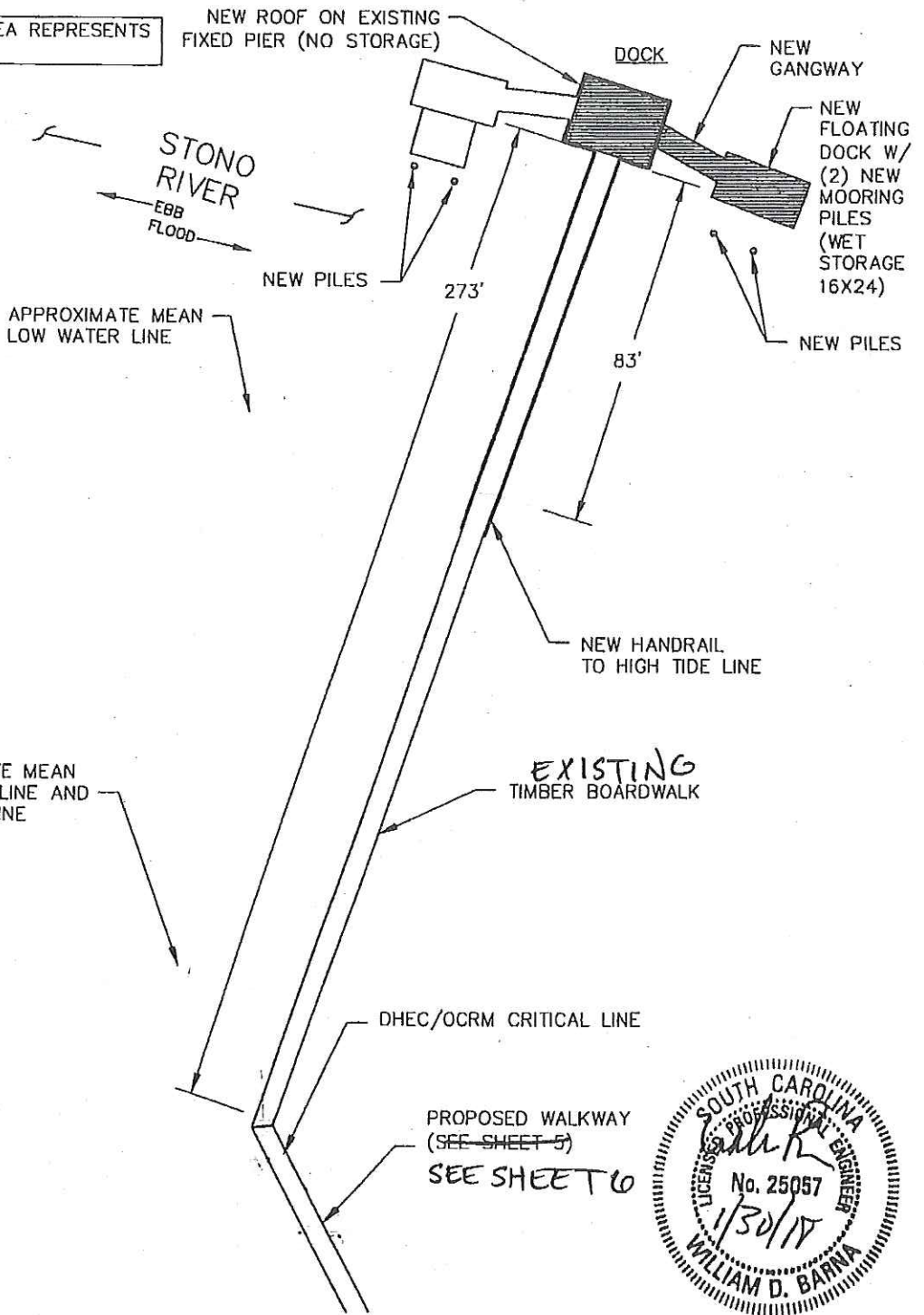
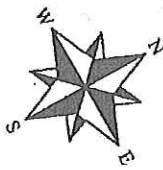
**APPLICANT**  
 CHARLESTON OYSTER FARM  
**AGENT**  
 MCSWEENEY ENGINEERS, LLC

**PROPOSED:** DOCK UPGRADES

**WATERWAY:** STONO RIVER  
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**COUNTY OF:** CHARLESTON, SC  
**APPLICATION NO.** TBD  
**SHEET:** 4 OF 9     **DATE:** 1/30/18



NOTE: HATCHED AREA REPRESENTS AREA OF WORK



NOTES:  
 LAND SURVEY PLAT PERFORMED BY SWA SURVEYING, INC. ON 10/21/17.  
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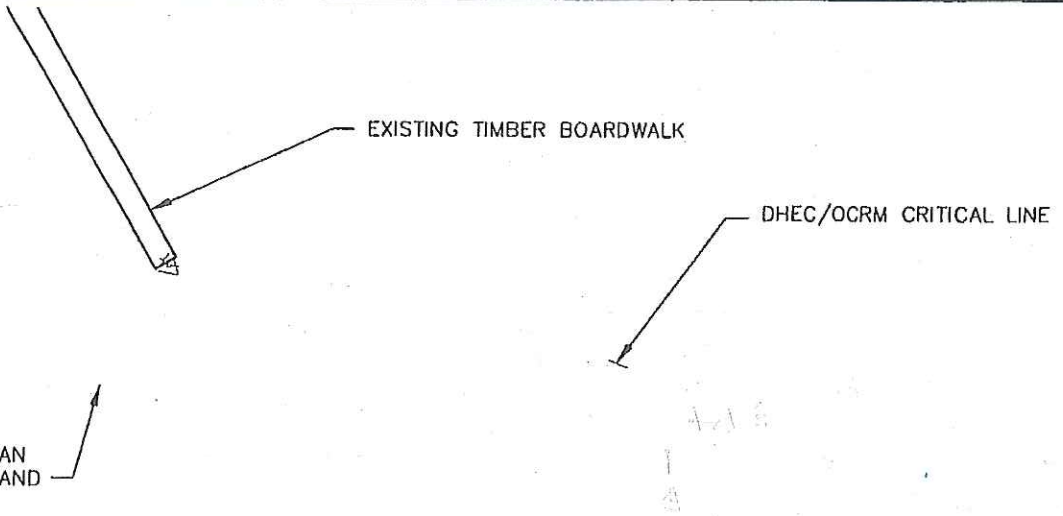
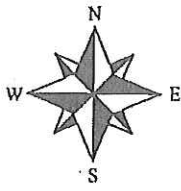
**PROPOSED SITE PLAN**  
 SCALE: 1:100

**PURPOSE:** COMMERCIAL CHANGE OF USE

**FIGURE 5**  
 PROPOSED SITE PLAN  
 1:100

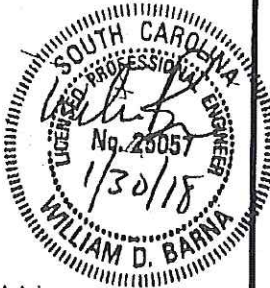
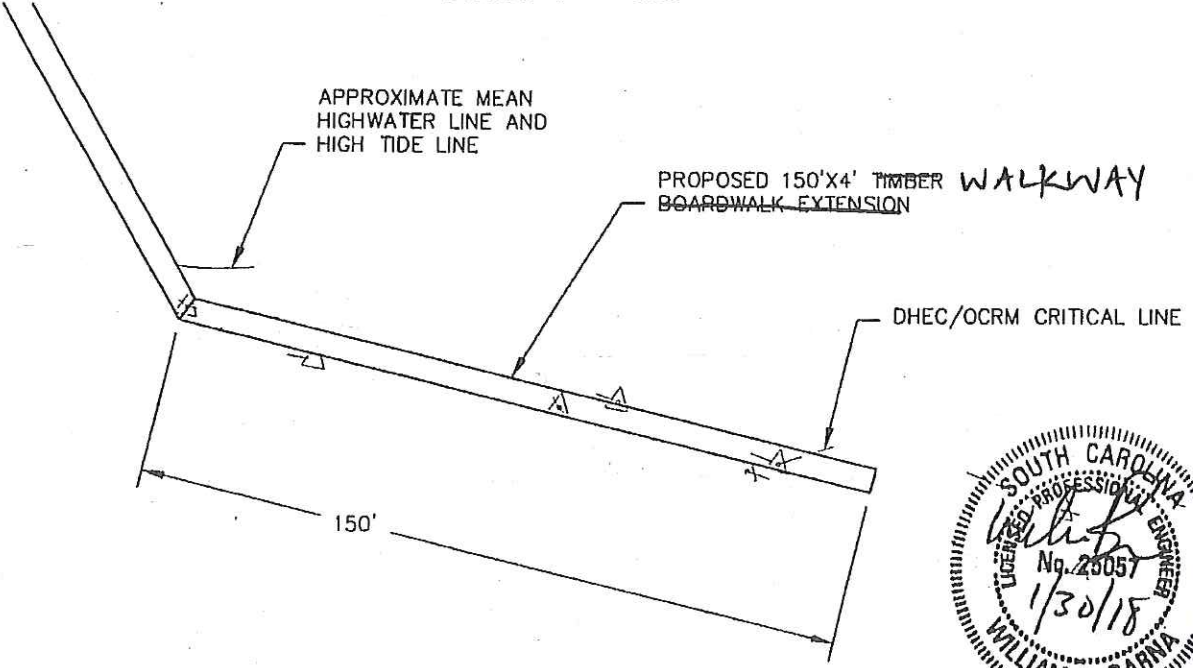
**APPLICANT**  
 CHARLESTON OYSTER FARM  
**AGENT**  
 McSWEENEY ENGINEERS, LLC

**PROPOSED:** DOCK UPGRADES  
**WATERWAY:** STONO RIVER  
**ON:** GOAT ISLAND  
**COUNTY OF:** CHARLESTON, SC  
**APPLICATION NO.** TBD  
**SHEET:** 5 OF 9     **DATE:** 1/30/18



NOTE: HATCHED AREA REPRESENTS AREA OF WORK

EXISTING SITE PLAN  
SCALE: 1" = 100'



NOTES:  
LAND SURVEY PLAT PERFORMED BY SWA SURVEYING, INC. ON 10/21/17.  
DRAWING IS FOR PERMITTING ONLY.

PROPOSED SITE PLAN  
SCALE: 1" = 100'

PURPOSE: COMMERCIAL CHANGE OF USE

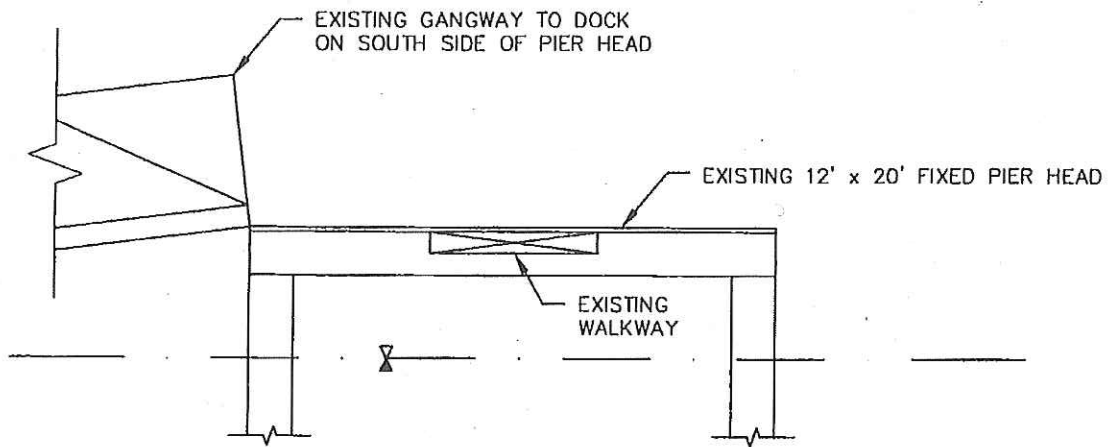
FIGURE 8  
EXISTING/PROPOSED SITE PLAN  
1:100



APPLICANT  
CHARLESTON OYSTER FARM  
AGENT  
McSWEENEY ENGINEERS, LLC

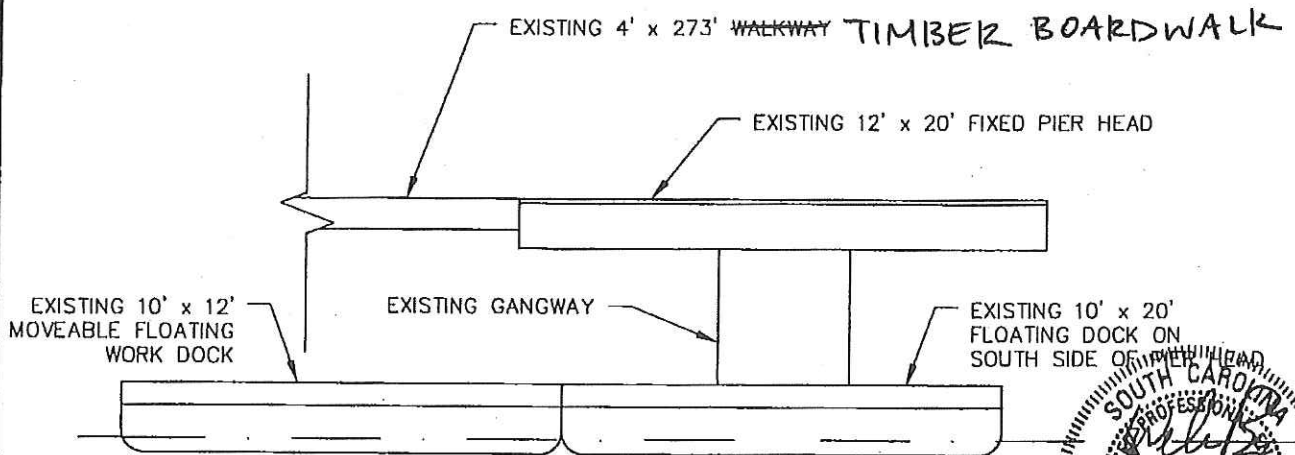
PROPOSED: DOCK UPGRADES

WATERWAY: STONO RIVER  
ON: GOAT ISLAND  
COUNTY OF: CHARLESTON, SC  
APPLICATION NO. TBD  
SHEET: 6 OF 9 DATE: 1/30/18



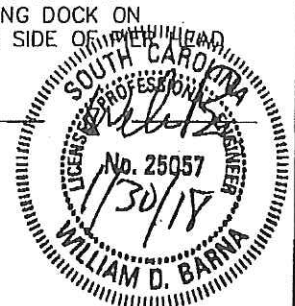
**PIER HEAD  
ELEVATION**

SCALE: 1:4

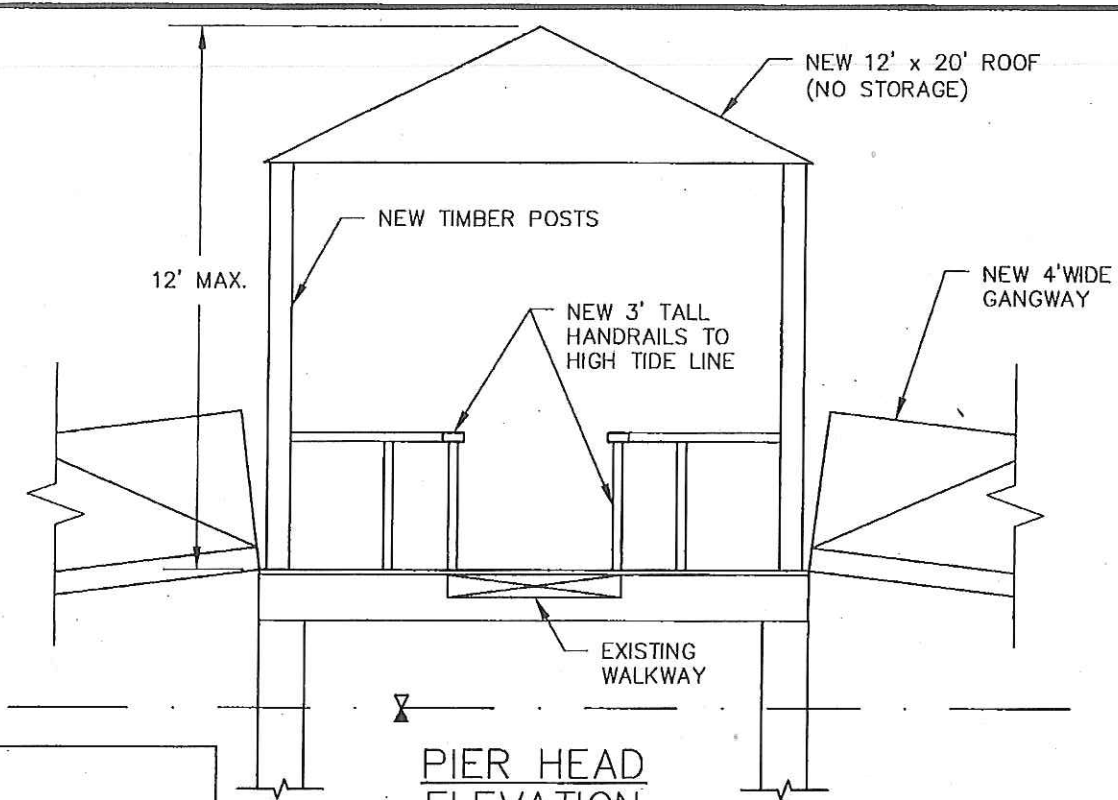


**EXISTING DOCK ELEVATION**

SCALE: 1:4



<p><b>PURPOSE:</b> COMMERCIAL CHANGE OF USE</p>	<p><b>FIGURE 7</b> CROSS SECTIONS 1:4</p> <p><b>APPLICANT</b> CHARLESTON OYSTER FARM <b>AGENT</b> McSWEENEY ENGINEERS, LLC</p>	<p><b>PROPOSED:</b> DOCK UPGRADES</p> <p><b>WATERWAY:</b> STONO RIVER <b>ON:</b> GOAT ISLAND <b>COUNTY OF:</b> CHARLESTON, SC <b>APPLICATION NO.</b> TBD <b>SHEET:</b> 7 OF 9     <b>DATE:</b> 1/30/18</p>
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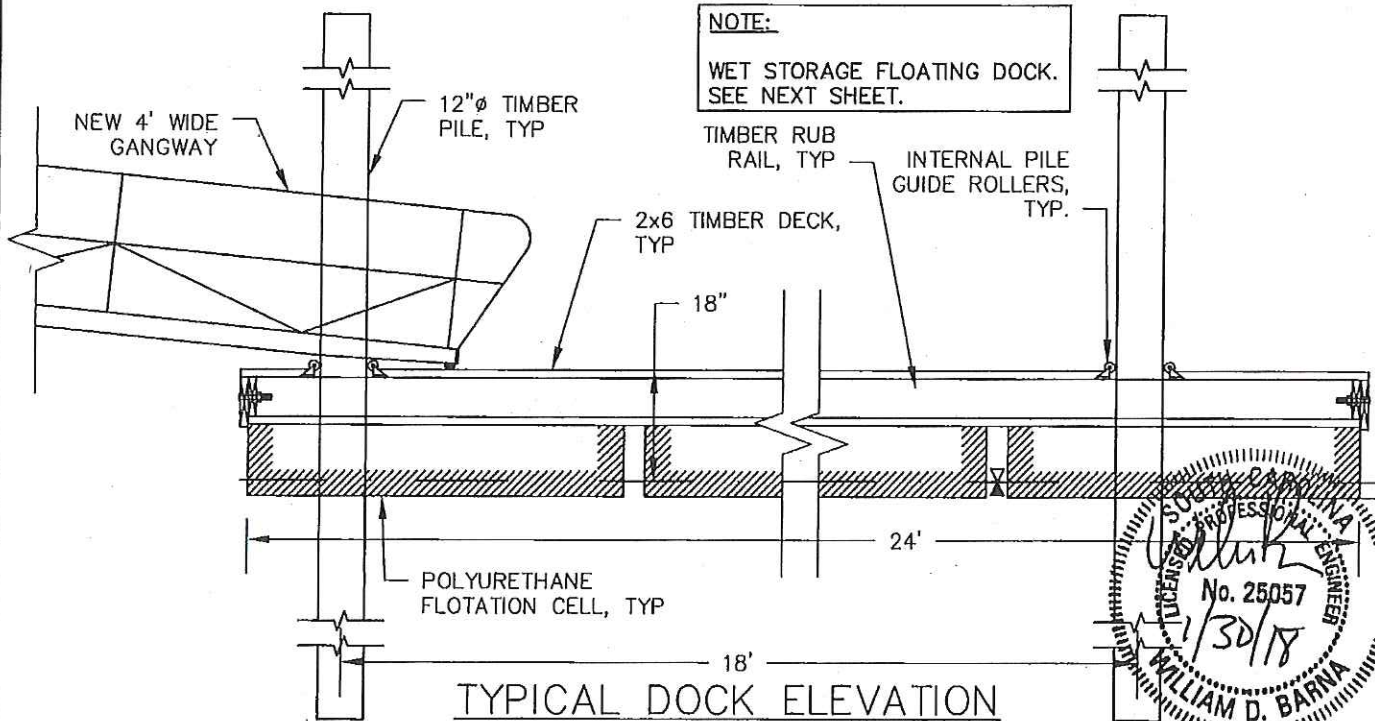


**PIER HEAD  
ELEVATION**

SCALE: 1:4

**NOTE:**

DRAWING FOR PERMIT ONLY.  
NOT FOR CONSTRUCTION

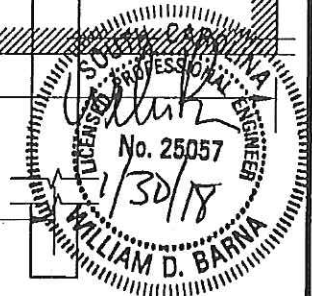


**NOTE:**

WET STORAGE FLOATING DOCK.  
SEE NEXT SHEET.

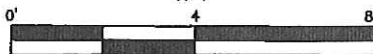
**TYPICAL DOCK ELEVATION**

SCALE: 1:4



**PURPOSE:** COMMERCIAL CHANGE OF USE

**FIGURE B**  
CROSS SECTIONS  
1:4



**APPLICANT**  
CHARLESTON OYSTER FARM  
**AGENT**  
McSWEENEY ENGINEERS, LLC

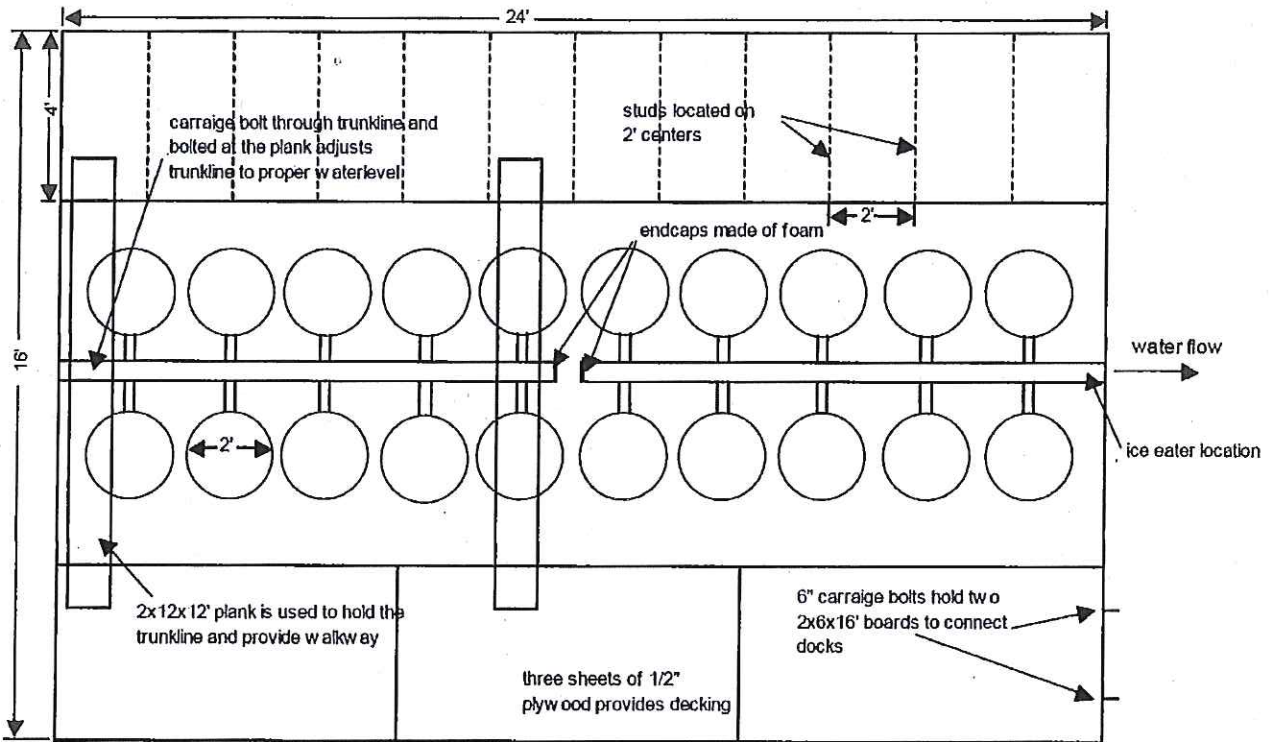
**PROPOSED:** DOCK UPGRADES

**WATERWAY:** STONO RIVER  
**ON:** GOAT ISLAND

**COUNTY OF:** CHARLESTON, SC

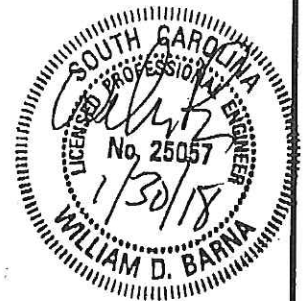
**APPLICATION NO.** TBD

**SHEET:** 8 OF 9 **DATE:** 1/30/18



## WET STORAGE FLOATING DOCK

SCALE: NTS



**PURPOSE:** COMMERCIAL CHANGE OF USE

**FIGURE 9**  
WET STORAGE FLOATING DOCK  
NTS



**APPLICANT**  
CHARLESTON OYSTER FARM  
**AGENT**  
McSWEENEY ENGINEERS, LLC

**PROPOSED:** DOCK UPGRADES

**WATERWAY:** STONO RIVER  
**ON:** GOAT ISLAND

**COUNTY OF:** CHARLESTON, SC

**APPLICATION NO.** TBD

**SHEET:** 9 OF 9      **DATE:** 1/30/18