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-2019-00037

January 29, 2019

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 <u>et.seq.</u>), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Pratt Rand Charleston Harbor Marina C/O Mr. Craig Pawlyk 24 Patriots Point Road Mt Pleasant, South Carolina 29464

for a permit to modify the existing Charleston Harbor Marina facility in the

CHARLESTON HARBOR

at the existing Charleston Harbor Marina located at 24 Patriots Point Road, in the Town of Mount Pleasant, Charleston County, South Carolina (Latitude: 32.7869 °N, Longitude: -79.9092 °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 proposed work consists of modifications to the existing Charleston Harbor Marina facility. In detail, the proposed project would include installation of nineteen (19) mechanical boat

lifts, twenty-six (26) 12' x 24' drive-on boat docks, thirty-three (33) 12' x 26' drive on boat lifts, two (2) 10' x 96' floating access docks, one (1) 10' x 120' floating access dock, three (3) 4' x 35' gangways, three (3) 6' x 12' fixed pierheads for the gangways, and two (2) 10' x 66' floating breakwater units. The applicant previously removed 5 sections of mechanical boat lifts along the existing timber fixed pier walkway. Two of the southern sections would be replaced with nineteen (19) 12' x 19' mechanical boat lifts, to include ten (10) $3.5' \times 28'$ fixed access piers. In addition, the applicant is also requesting authorization for the following previously installed but not authorized drive-on floating docks: two (2) 18' x 32' drive-on docks, two (2) 18' x 35' drive-on docks, and six (6) 20' x 40' drive-on boat docks. The applicant has not proposed to mitigate for impacts to wetlands and/or waters of the United States. The project purpose, as stated by the applicant, is to provide boat docking for recreational use of 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 directly and/or indirectly impact **30** 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 Atlantic sturgeon (Acipenser oxyrinchus), Shortnose sturgeon (Acipenser brevirostrum), Green sea turtle (Chelonia mydas), Kemp's Ridley sea turtle (Lepidochelys kempii), Leatherback sea turtle (Dermochelys coriacea), and the Loggerhead sea turtle (Caretta caretta), 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 these species and will not result in the destruction or adverse modification of designated or proposed critical habitat. Further, the District Engineer has determined that the project **may affect, but is not likely to adversely affect** the American wood stork (Mycteria americana) and the West Indian manatee (Trichechus manatus). This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the

REGULATORY DIVISION SAC-2019-00037

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)(l)(1)), and has initially determined that there are historic properties present, but they will not be affected; 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 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.

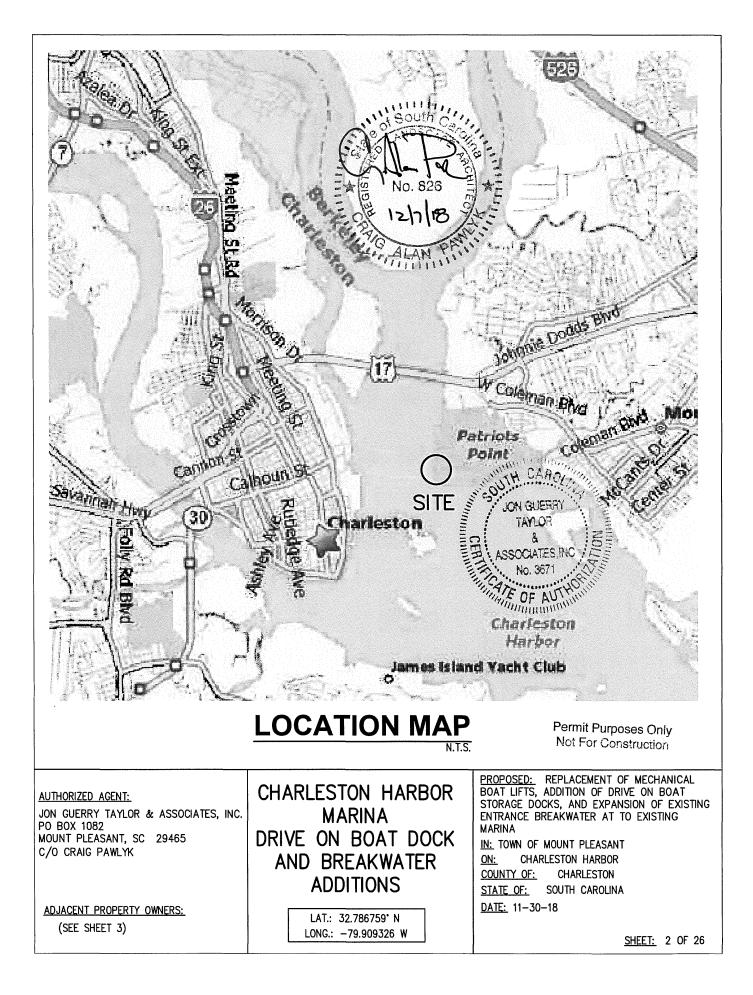
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

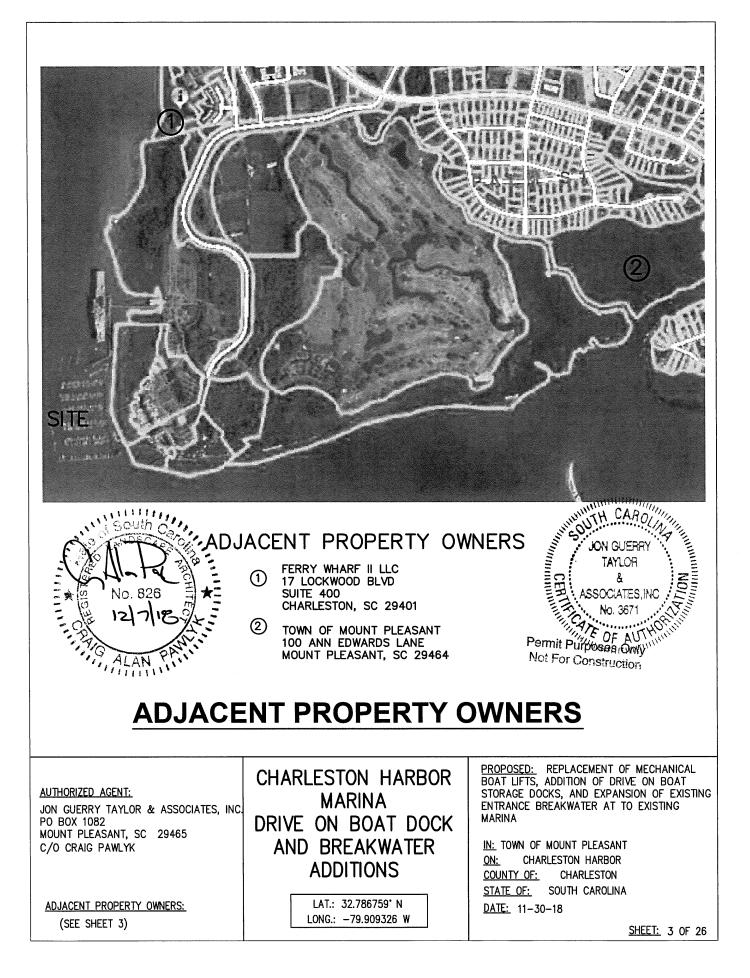
public hearing and to determine the overall public interest of the activity. **Please submit** comments in writing, identifying the project of interest by public notice number, to the following address:

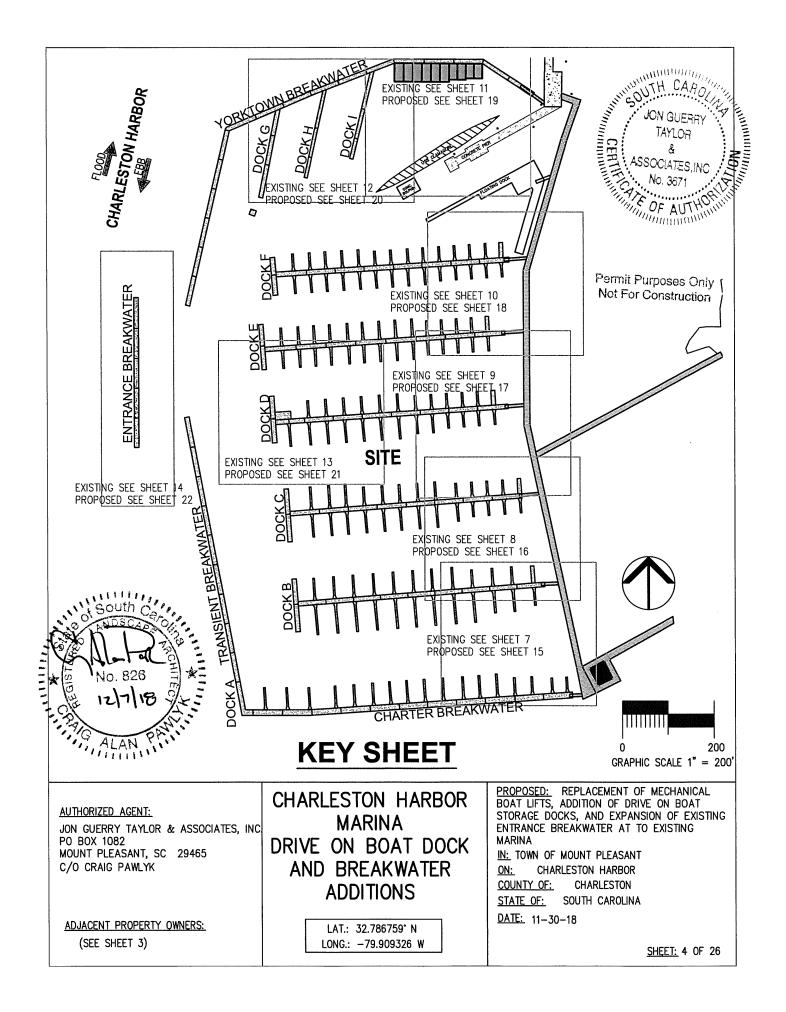
U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Avenue Charleston, South Carolina 29403-5107

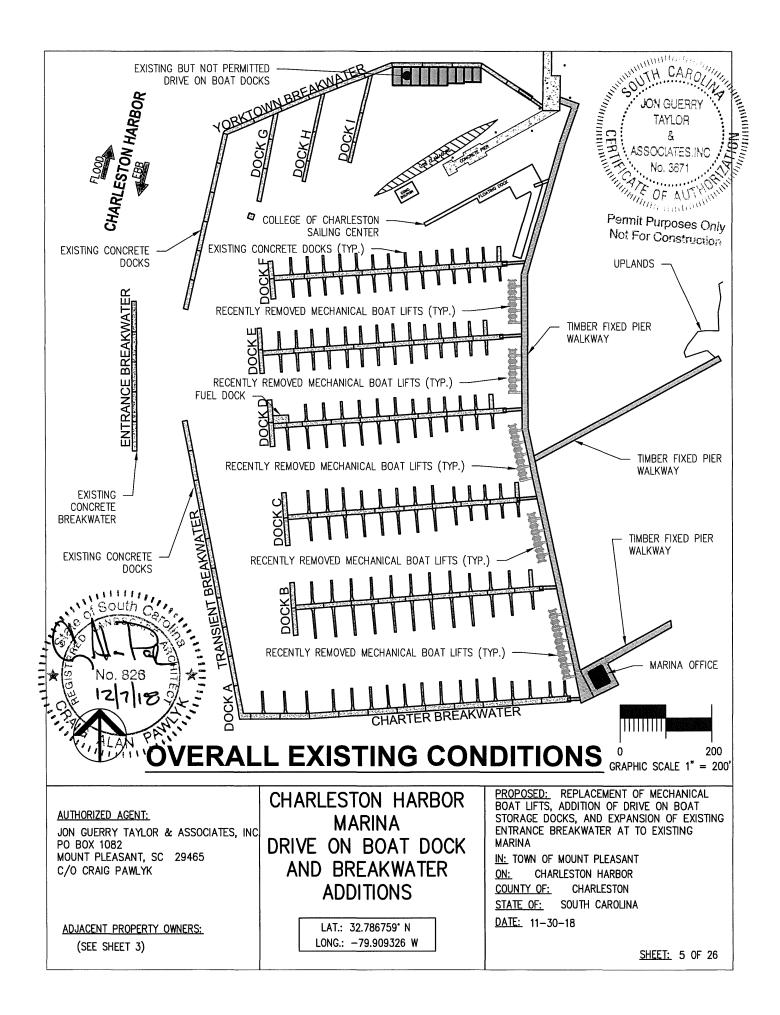
If there are any questions concerning this public notice, please contact Courtney M. Stevens, Project Manager, at (843) 329-8027 or toll free at 1-866-329-8187.

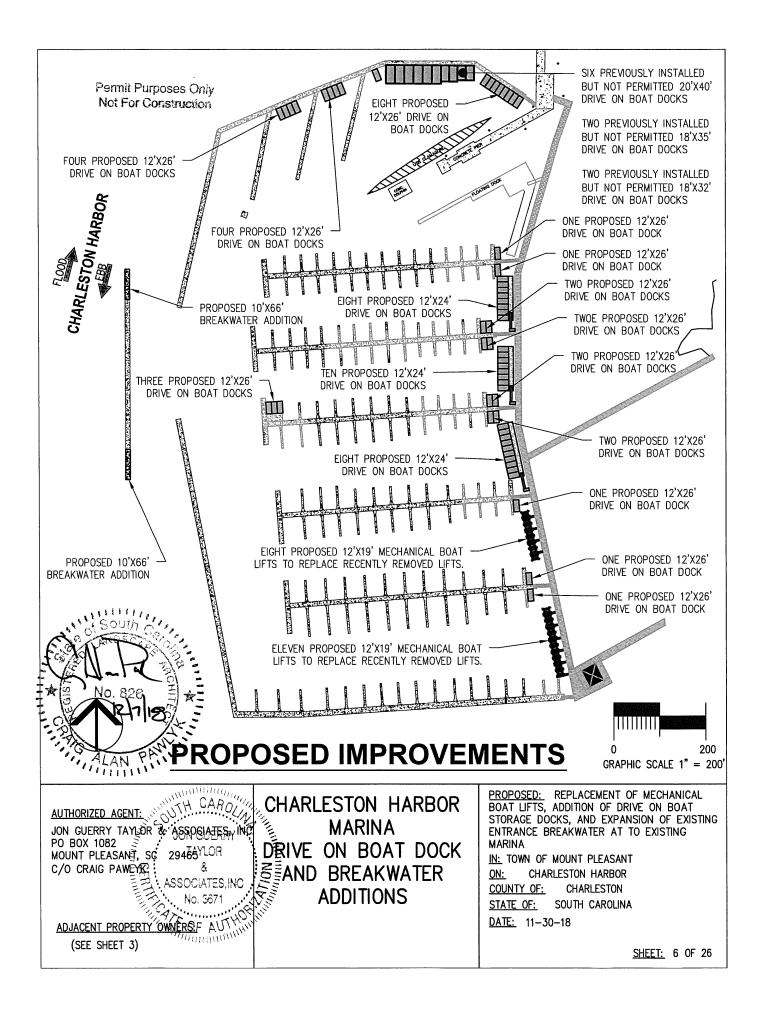


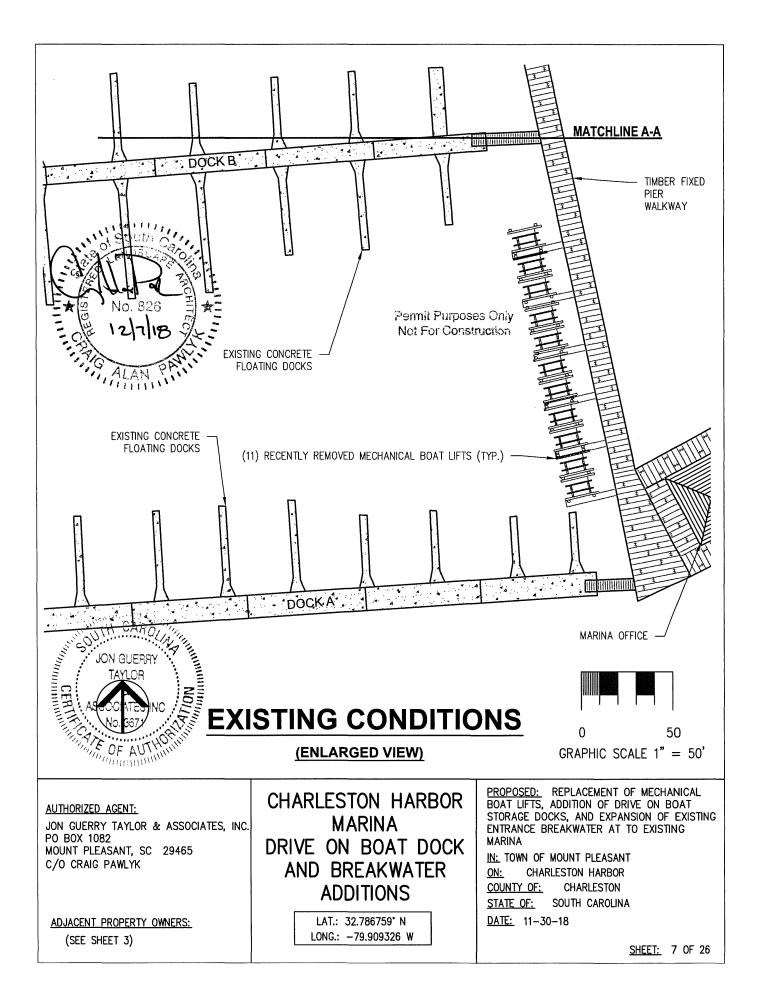


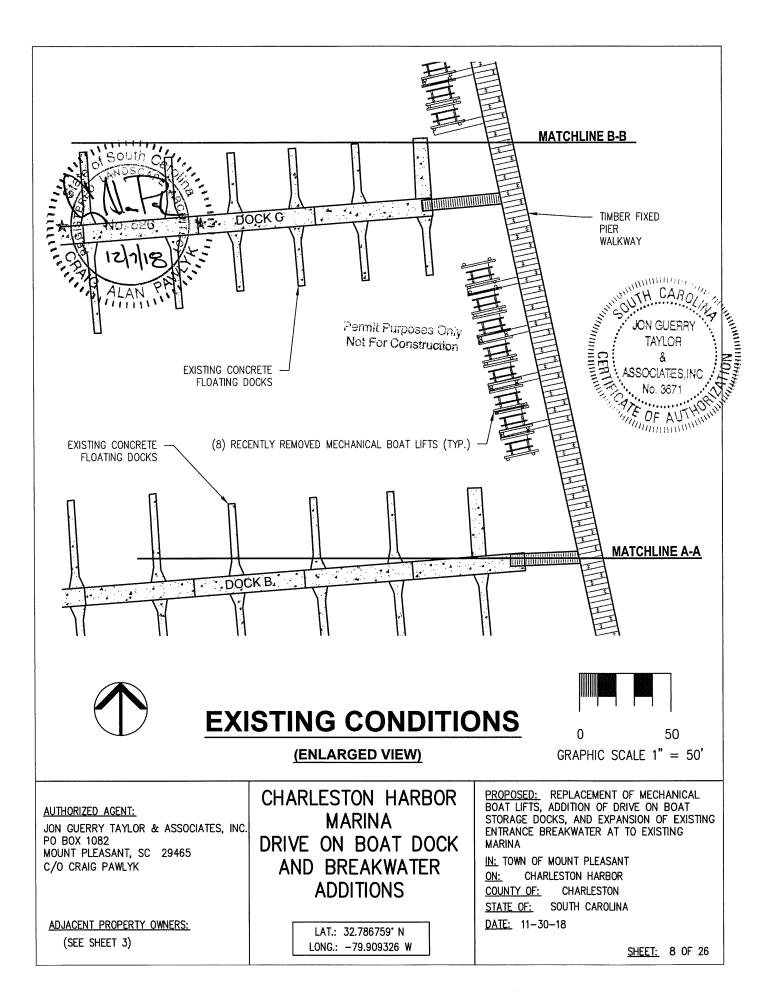


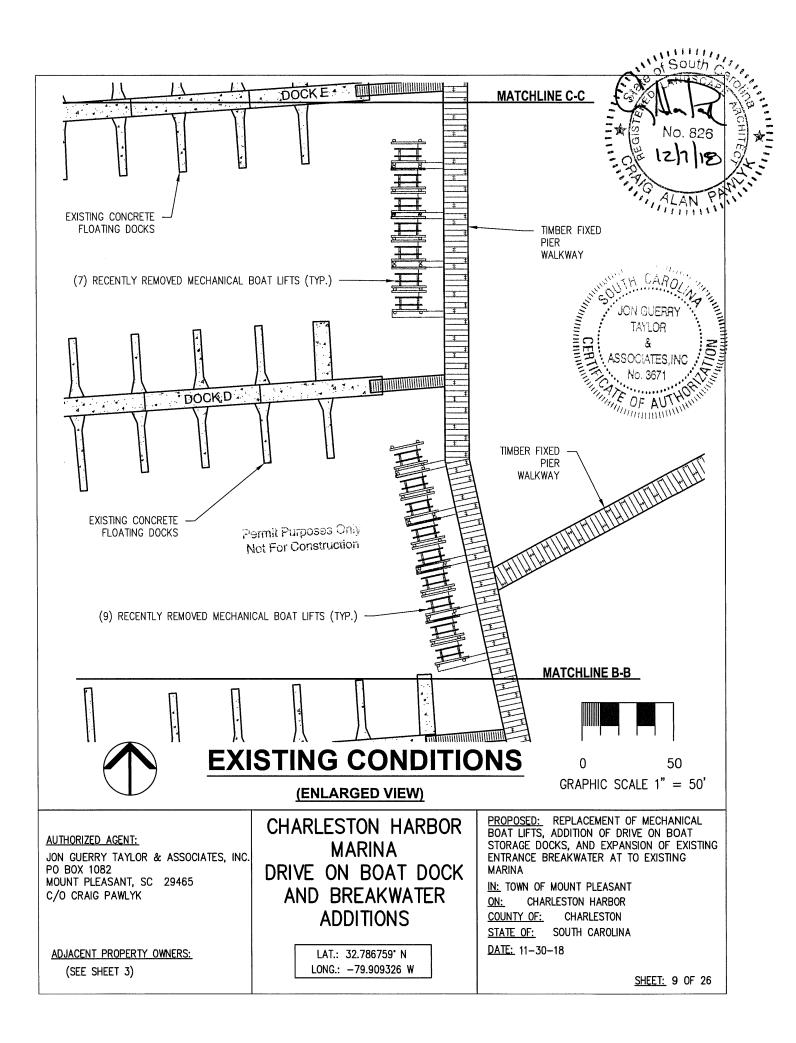


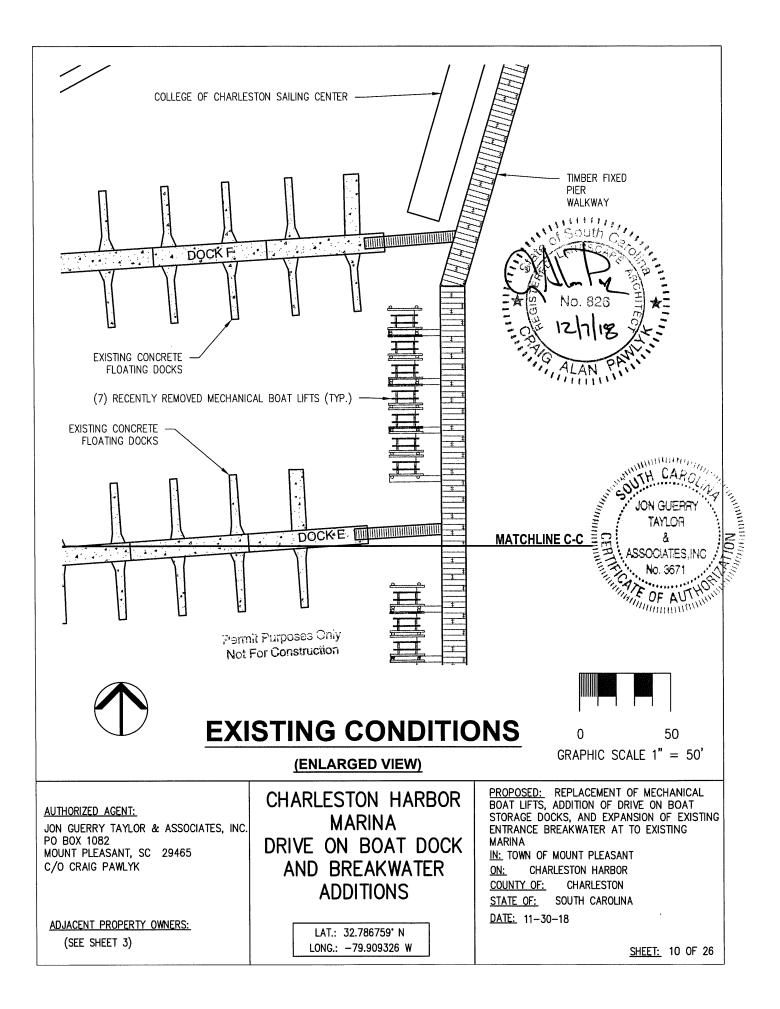


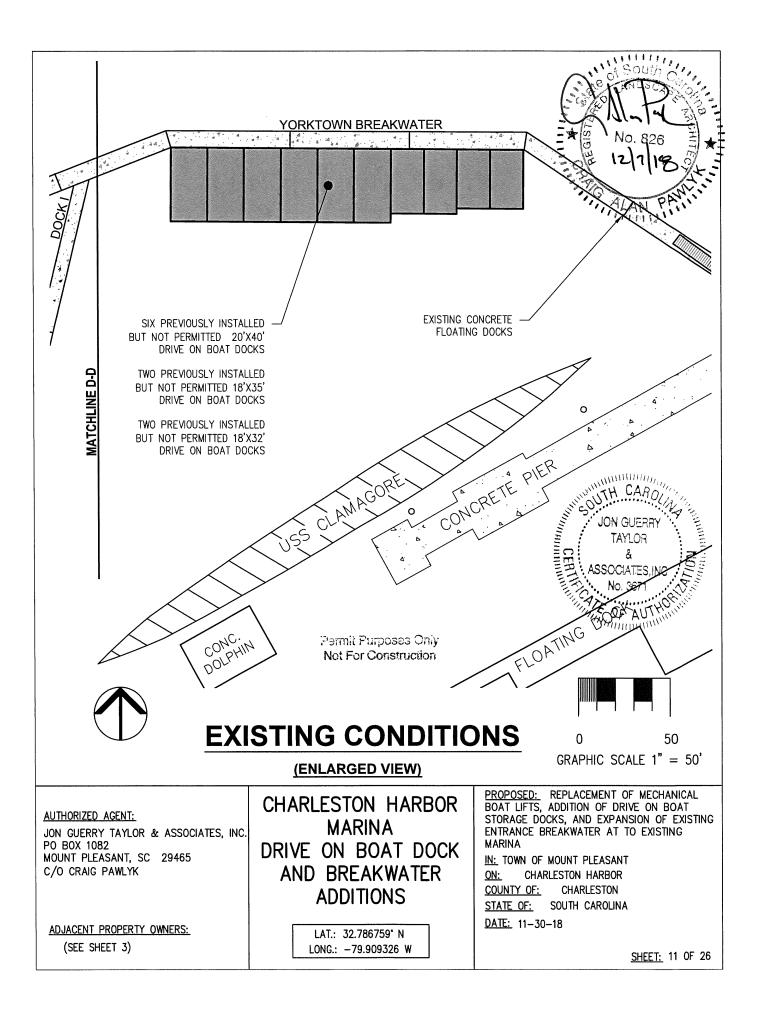


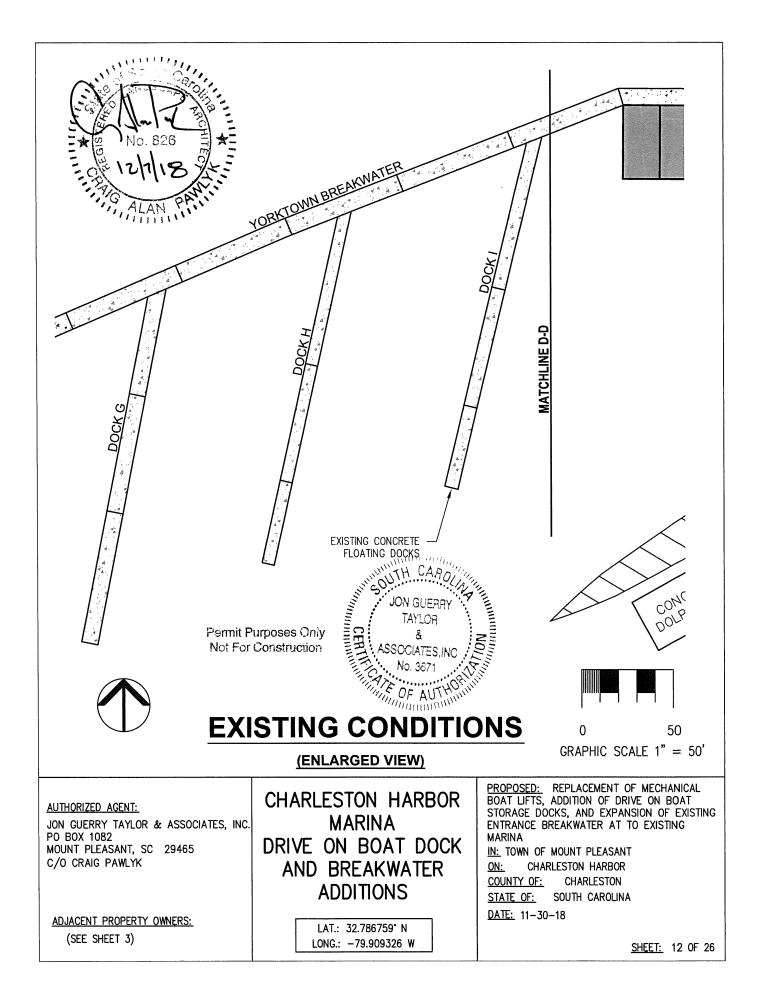


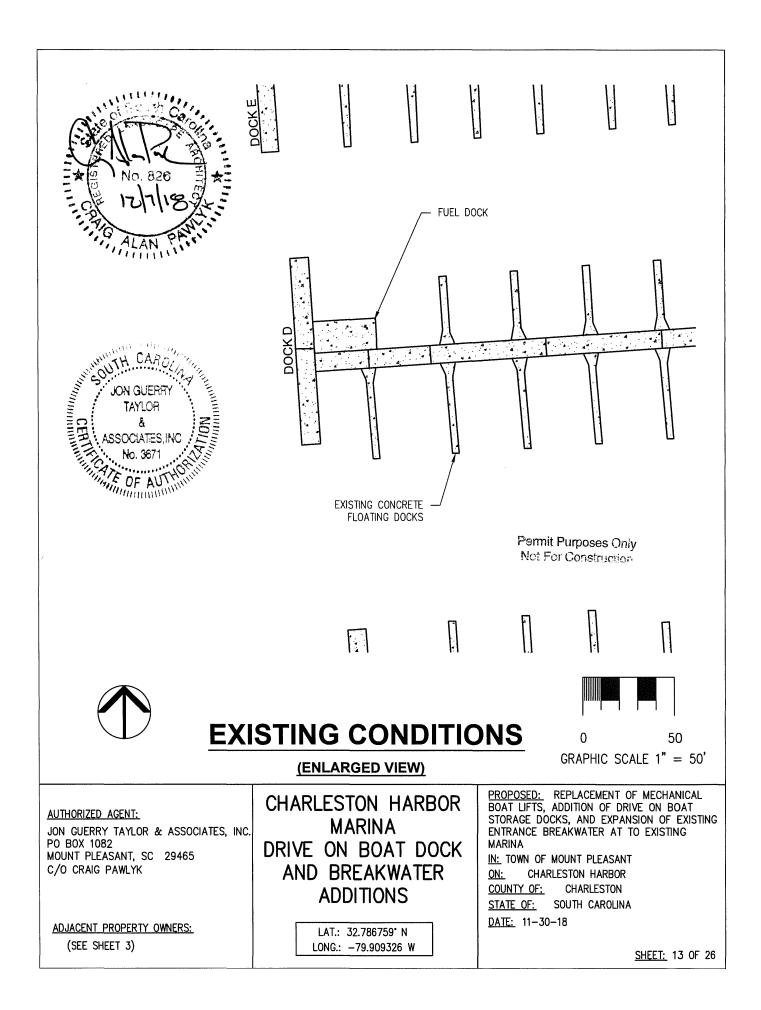


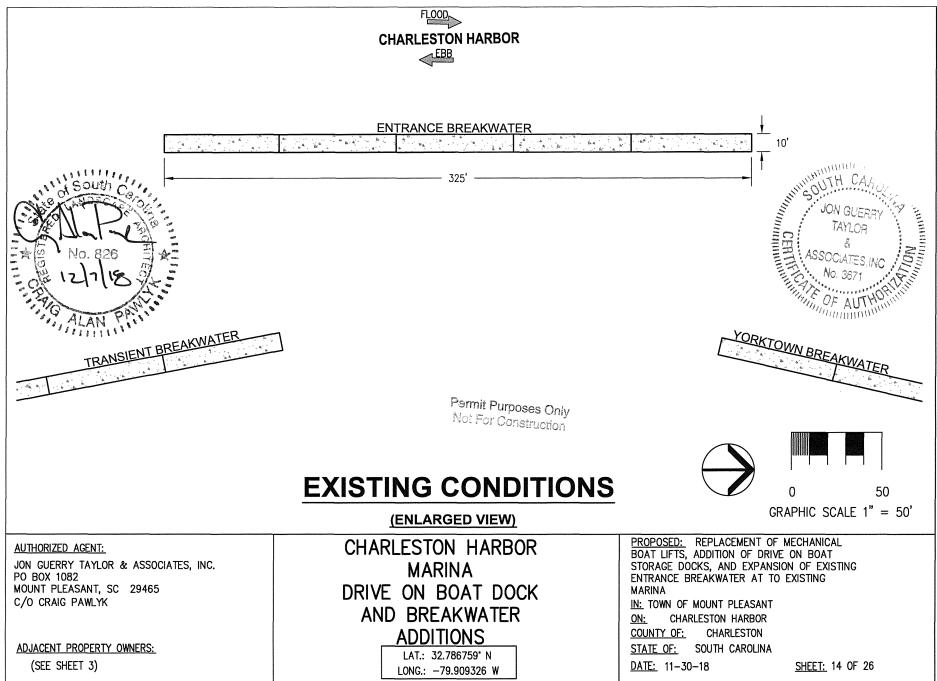


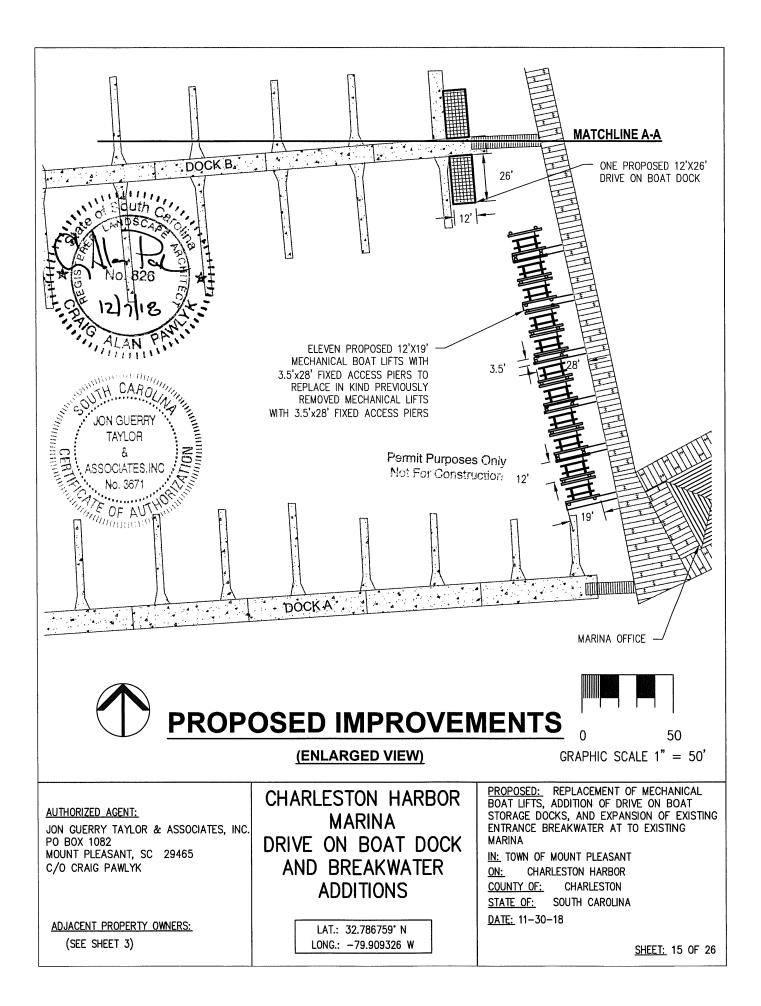


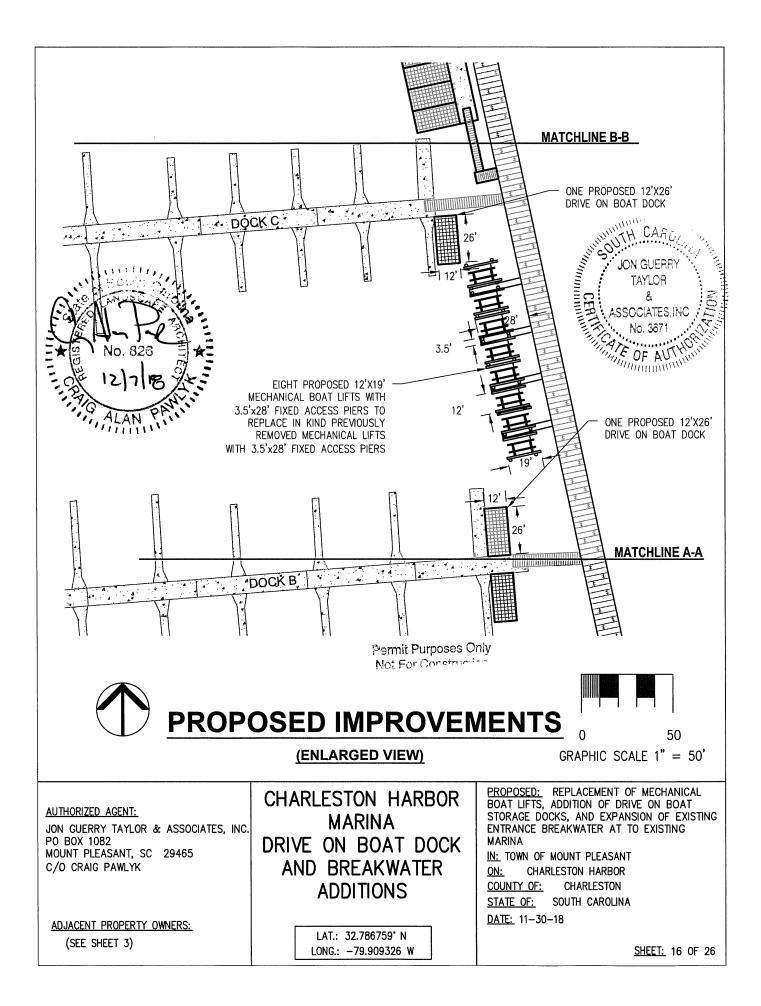


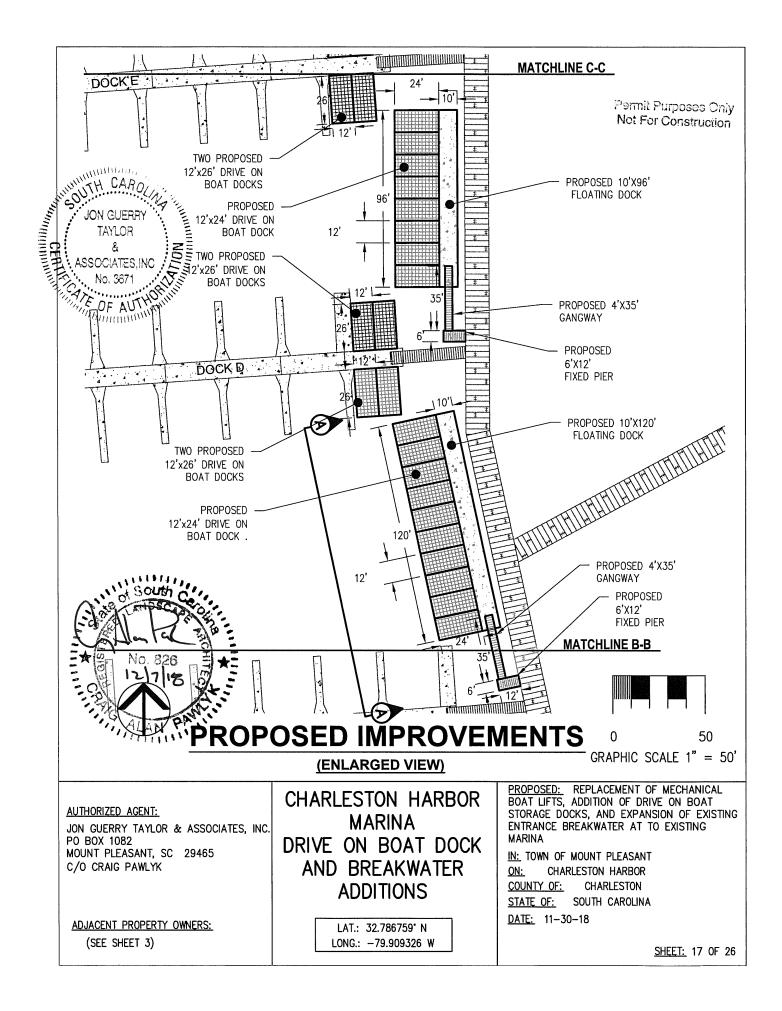


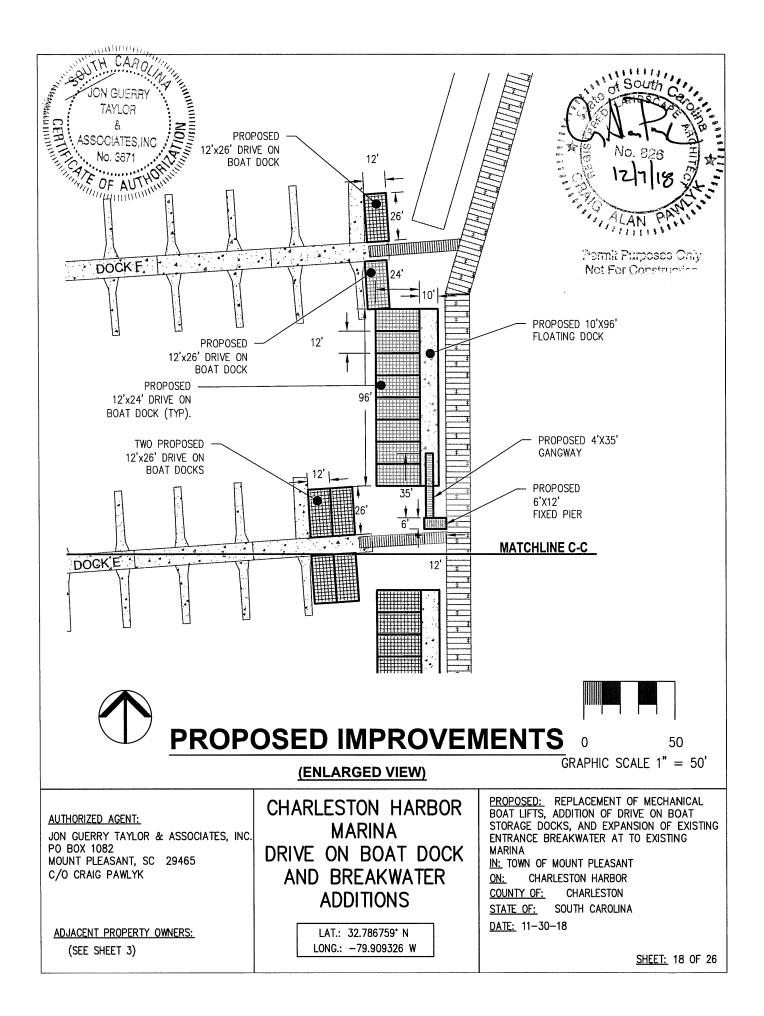


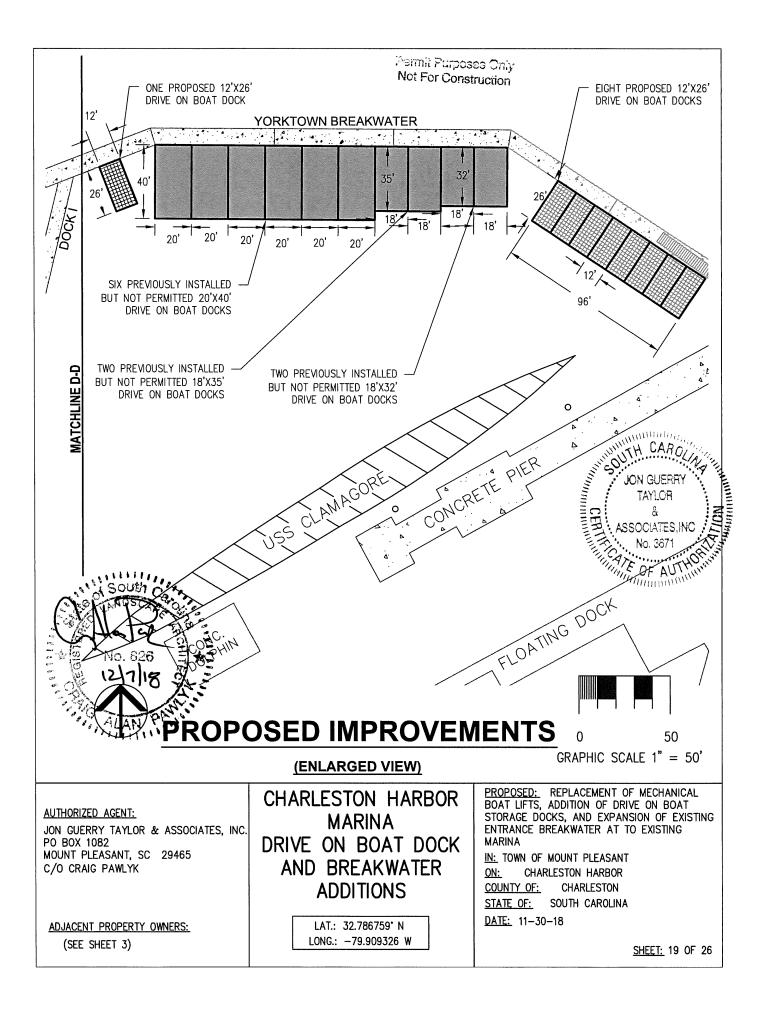


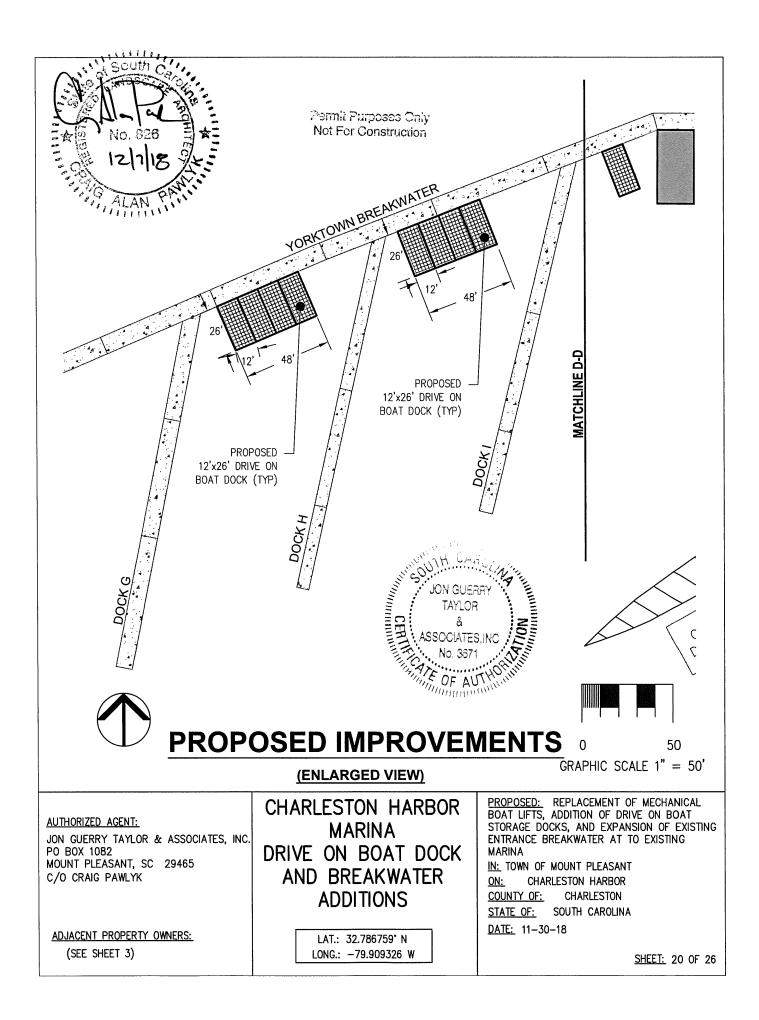


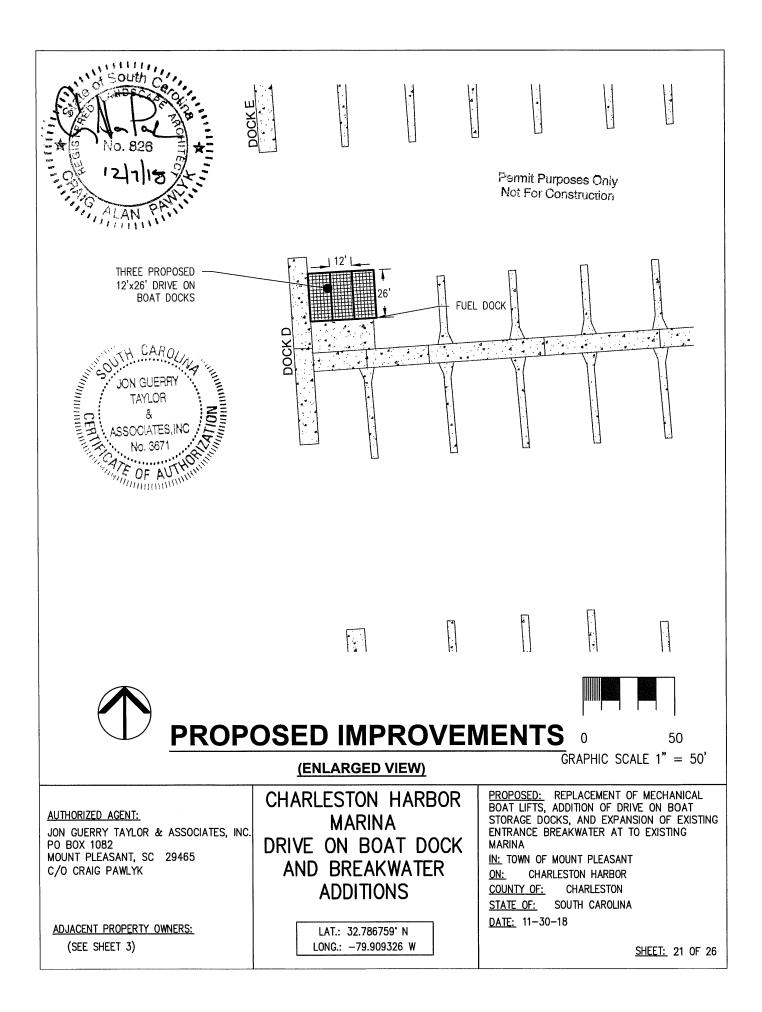








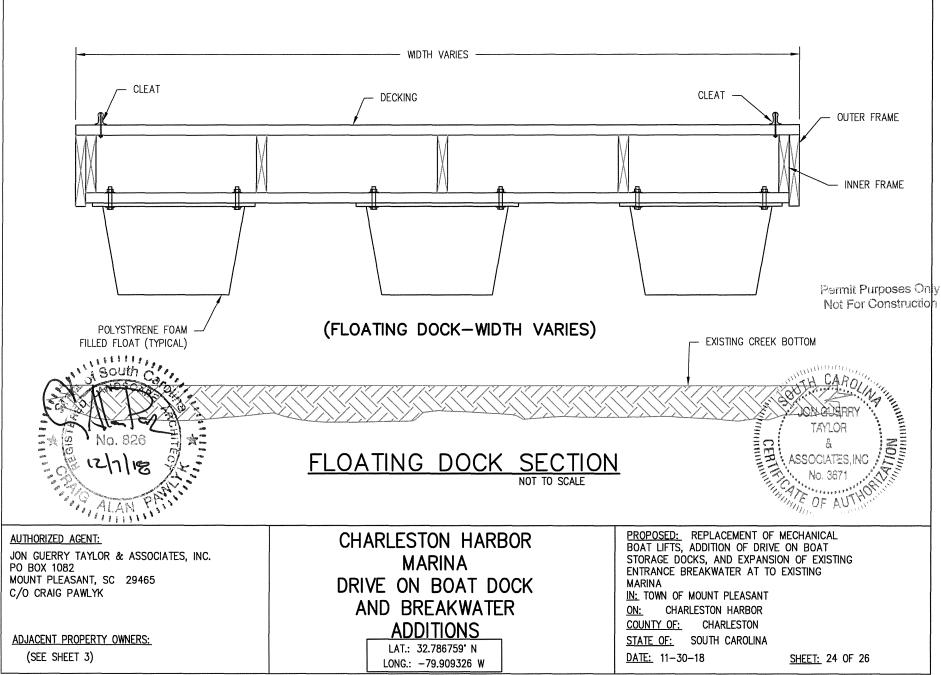


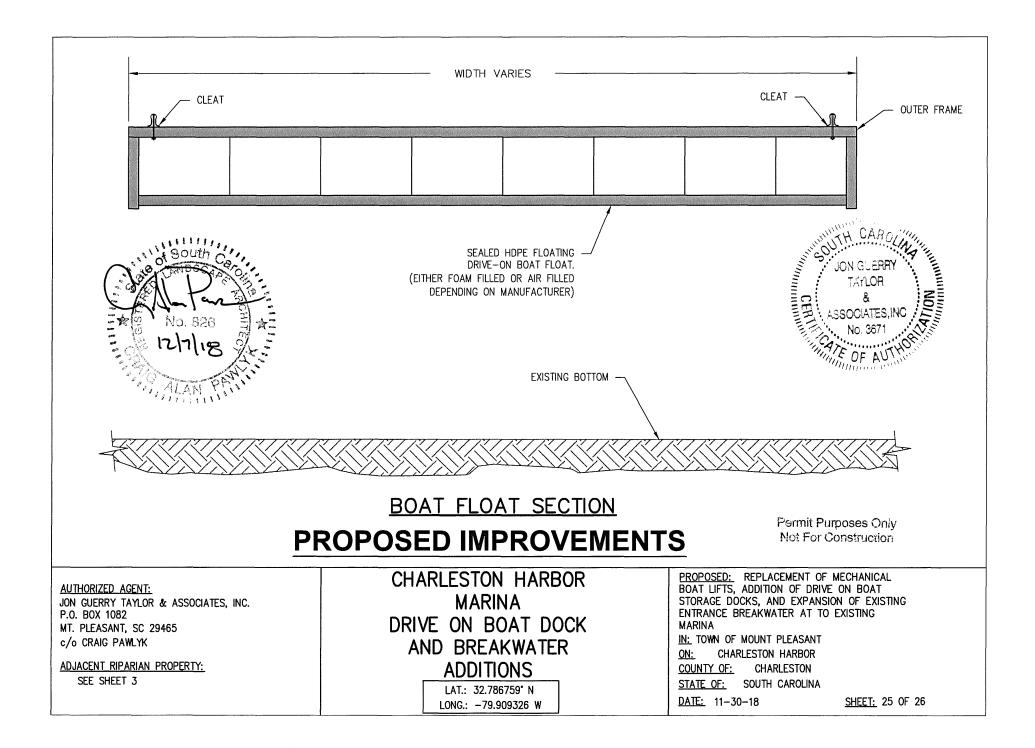


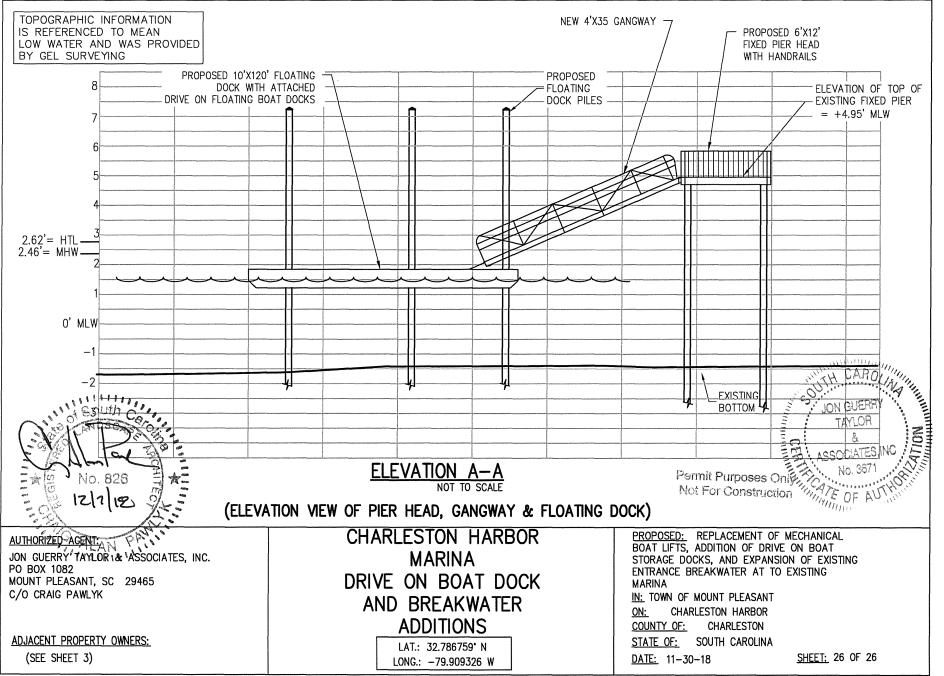


DOCKS IMPROVEMENTS SCHEDULE

	AND NC EXISTIN	G MECHANICAL BOAT LIFTS REMOVED DT REPLACED: G MECHANICAL BOAT LIFTS REMOVED PLACED IN KIND:	23 19	
	PROPOS	ED DRIVE ON BOAT DOCKS: 12'X24': 12'X26': SQUARE FOOTAGE:	26 33 17,784 SF	
	PREVIOL	JSLY INSTALLED NOT PERMITTED: 18'X32': 18'X35': 20'X40' SQUARE FOOTAGE:	2 2 6 5,612 SF	
	12/1/18	ED FLOATING ACCESS DOCKS: 10'X96' 10'X120' SQUARE FOOTAGE:	2 1 3,120 SF	
	PROPOS	SED GANGWAYS: 4'X35' SED GANGWAY FIXED PIER HEADS: 6'X12' SQUARE FOOTAGE:	3 3 216 SF	
	JON GUERRY TAYLOR ASSOCIATES,INC No. 3671	SED ENTRANCE BREAKWATER ADDITIONS 10'X66' SQUARE FOOTAGE:	2 1,320 SF	
	2049		Permit Purposes C Not For Constructi	
	PROPOSED IMPROVEMENTS			
(DOCKAGE SCHEDULE)				
	AUTHORIZED AGENT: JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK	CHARLESTON HARBOR MARINA DRIVE ON BOAT DOCK AND BREAKWATER ADDITIONS	PROPOSED: REPLACEMENT OF MECHANICAL BOAT LIFTS, ADDITION OF DRIVE ON BOAT STORAGE DOCKS, AND EXPANSION OF EXISTING ENTRANCE BREAKWATER AT TO EXISTING MARINA IN: TOWN OF MOUNT PLEASANT ON: CHARLESTON HARBOR COUNTY OF: CHARLESTON STATE OF: SOUTH CAROLINA	
	ADJACENT PROPERTY OWNERS: (SEE SHEET 3)	LAT.: 32.786759'N LONG.: -79.909326 W	 DATE: 11-30-18 <u>SHEET:</u> 23	3 OF 26







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