

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: P/N SAC-2020-00748

29 July 2020

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. Chris Crolley
Praying Mantis LLC
514 Mill Street Suite B
Mount Pleasant, South Carolina 29464

for a permit to construct a commercial dock associated with a kayak outfitter/eco-tour company on

Ward Creek

located at 1926/1928 Sea Island Parkway on Saint Helena Island in Beaufort County, South Carolina (Latitude: 32.4116 °, Longitude: -80.4791 °), Saint Helena Sound 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 constructing a commercial dock associated with a kayak outfitter/eco-tour company on Ward Creek. Customers will embark and disembark kayaks from the dock for trips to paddle destinations such as Saint Philips Island. A motorized boat will also operate from the dock to take customers on eco-tours. In detail, the proposed commercial dock consists of a 5' x 342' walkway with handrails to a 14' x 24' covered pierhead with a 2' x 6' fish cleaning station off the landward side of the pierhead, a 12' x 13' four pile boat lift on the southwest

side of the pierhead, and a 3' x 30' ramp to an 8' x 100' floating dock on the northeast side of the pierhead. The applicant has not proposed to mitigate for impacts to waters of the United States. The project purpose is to construct a commercial boat dock.

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). 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 0.07 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 project will have no effect on the Canby's dropwort (*Oxypolis canbyi*), Pondberry (*Lindera melissifolia*), Frosted flatwoods salamander (*Ambystoma cingulatum*), Northern long-eared bat (*Myotis septentrionalis*), Piping plover (*Charadrius melodus*), Red-cockaded woodpecker (*Picoides borealis*), Right whale (*Eubalaena glacialis*), Finback whale (*Balaenoptera physalus*), Humpback whale (*Megaptera novaeangliae*), Green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), Leatherback sea turtle (*Dermochelys coriacea*), Loggerhead sea turtle (*Caretta caretta*), Atlantic sturgeon (*Acipenser oxyrinchus*), and Shortnose sturgeon (*Acipenser brevirostrum*); the project is not likely to adversely affect the American wood stork (*Mycteria americana*), Red knot (*Calidris canutus rufa*), and West Indian manatee (*Trichechus manatus*); 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 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)(f)(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. 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 mailing address or email:**

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

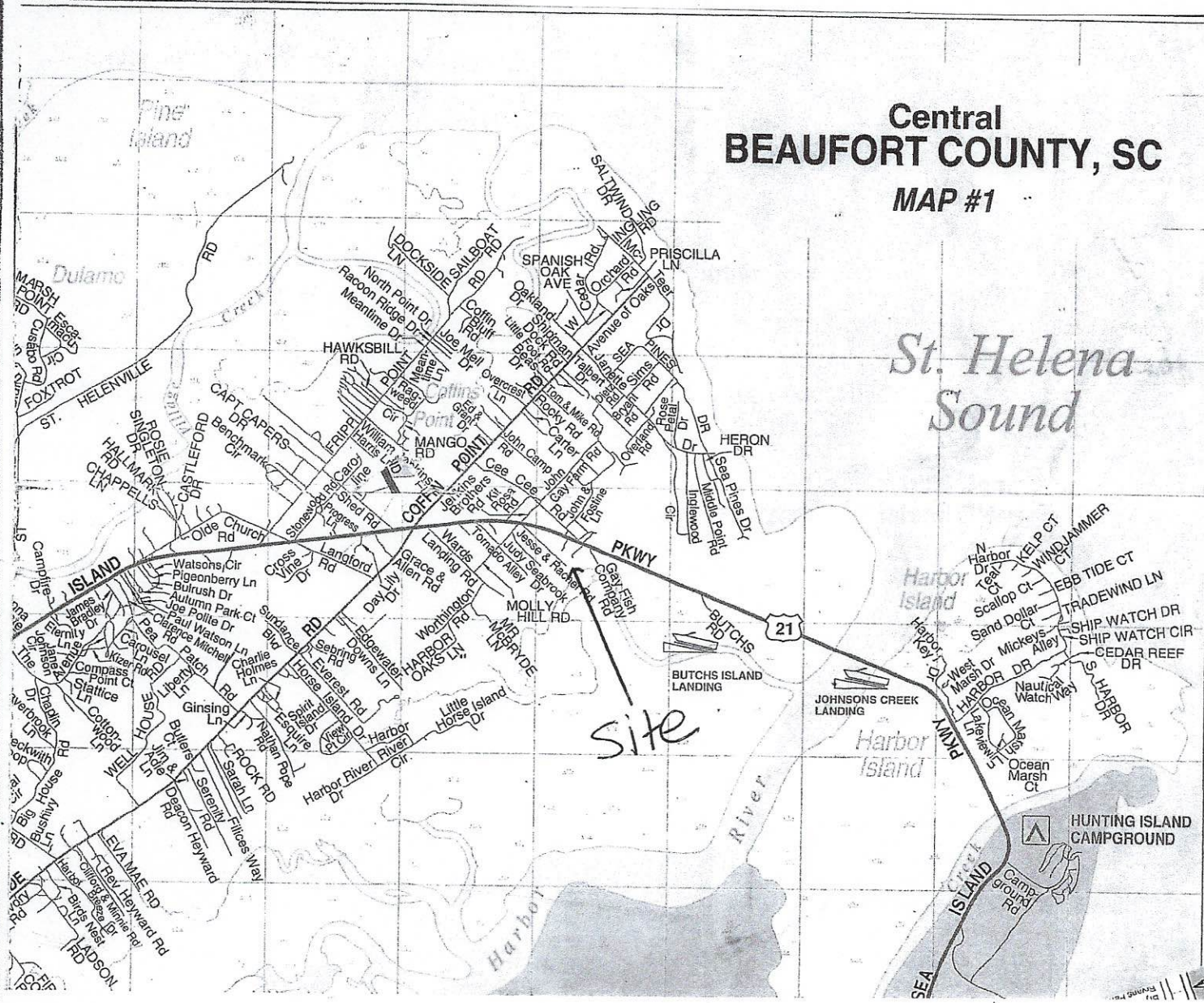
Leslie.A.Estill@usace.army.mil

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.

**Central
BEAUFORT COUNTY, SC
MAP #1**

*St. Helena
Sound*

Site



APPLICANT: Praying Mantis LLC

ACTIVITY: Dock Permit

P/N #

LOCATION: St Helena Island

COUNTY: Beaufort

DATE: 05/13/2020

ADJACENT PROPERTY OWNERS:

Wards Creek LLC

Cynthia Carr & Thomas Gav

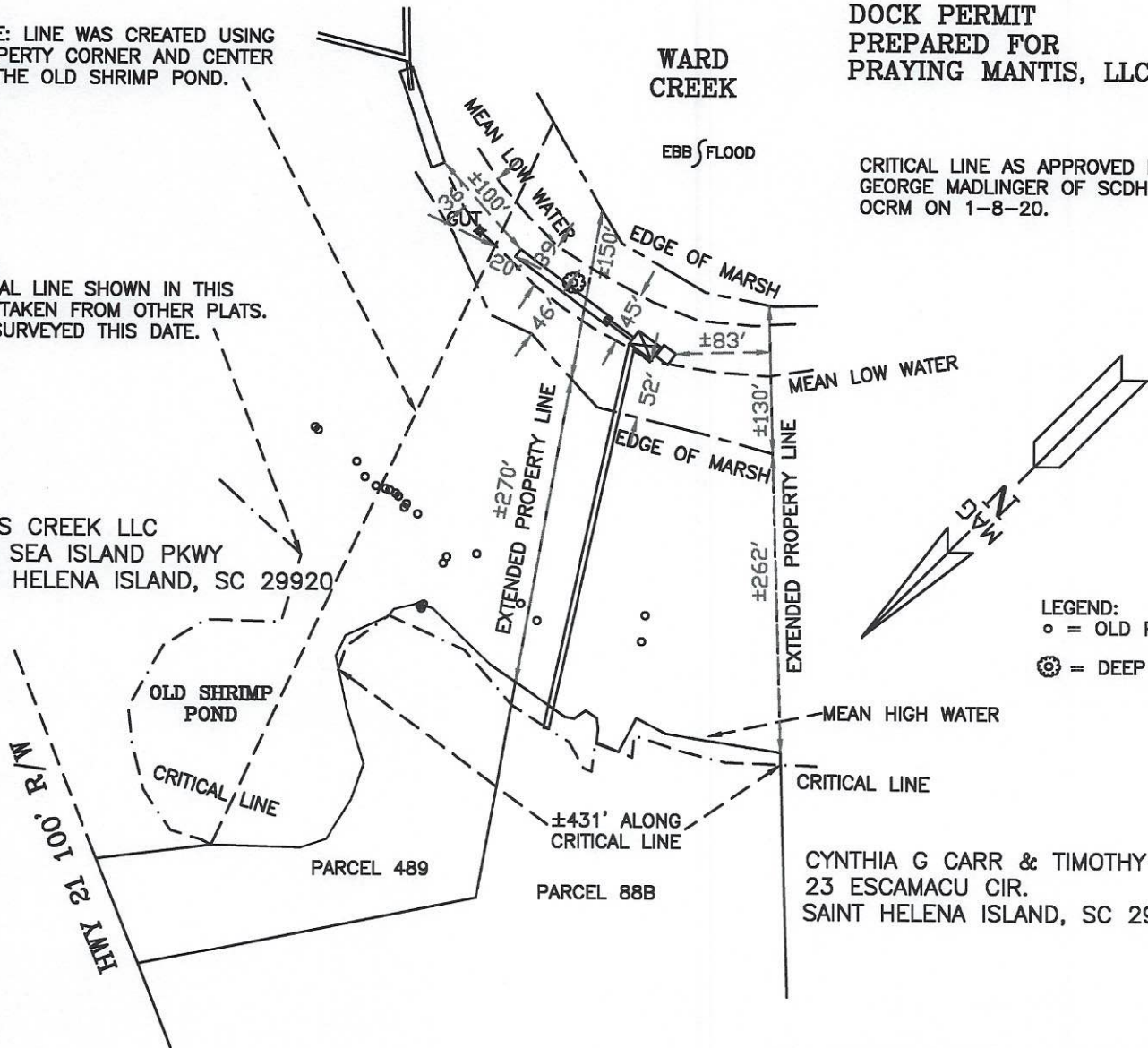
**DOCK PERMIT
PREPARED FOR
PRAYING MANTIS, LLC**

CRITICAL LINE AS APPROVED BY
GEORGE MADLINGER OF SCDHEC
OCRM ON 1-8-20.

NOTE: LINE WAS CREATED USING
PROPERTY CORNER AND CENTER
OF THE OLD SHRIMP POND.

NOTE:
CRITICAL LINE SHOWN IN THIS
AREA TAKEN FROM OTHER PLATS.
NOT SURVEYED THIS DATE.

WARDS CREEK LLC
1929 SEA ISLAND PKWY
SAINT HELENA ISLAND, SC 29920



LEGEND:
○ = OLD PILING
⊗ = DEEP SPOT

CYNTHIA G CARR & TIMOTHY R GAY
23 ESCAMACU CIR.
SAINT HELENA ISLAND, SC 29920

I HEREBY CERTIFY TO THE DIMENSIONS SHOWN
ON THIS SKETCH THAT PERTAIN TO CRITICAL LINE
AND MARSH LINE.

PIN: R300-013-000-088B-0000
R300-013-000-0489-0000

0 75' 150' 300' 450'

SCALE 1" = 150'

MARCH 10, 2020

P17183DP2/MDY

DAVID S. YOUNG RLS 9765
BEAUFORT SURVEYING, INC.
2201 BOUNDARY ST., SUITE 103
BEAUFORT, S.C. 29902
PHONE (843) 524-3261

APPLICANT: PRAYING MANTIS, LLC
514 MILL ST., SUITE B
MOUNT PLEASANT, SC 29464

ACTIVITY: DOCK PERMIT

LOCATION: 1026 & 1928 SEA ISLAND PKWY
SAINT HELENA ISLAND

COUNTY: BEAUFORT

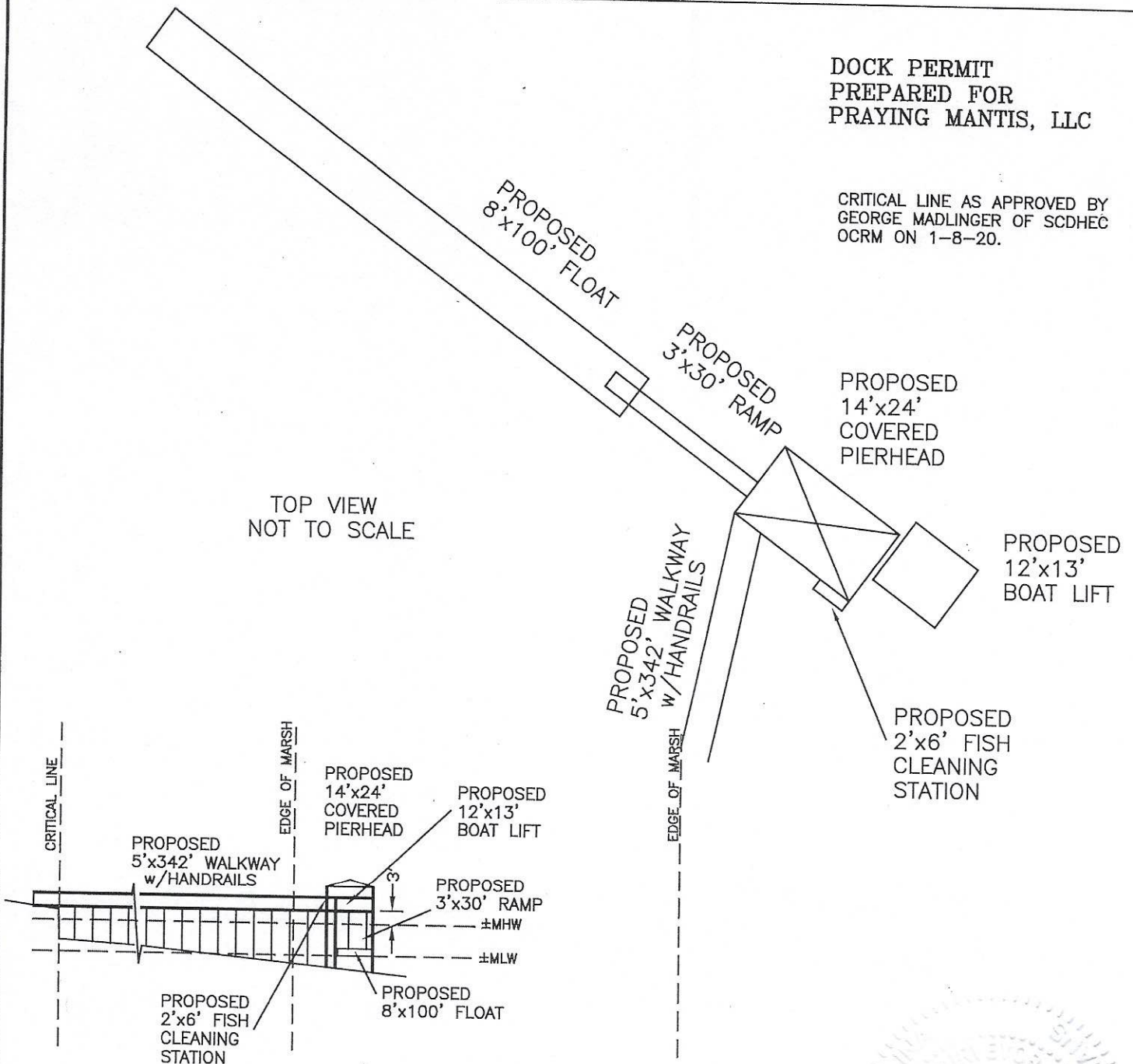
DATE: 03/10/20

ADJACENT PROPERTY OWNERS
WARDS CREEK LLC
1929 SEA ISLAND PKWY
SAINT HELENA ISLAND, SC 29920
CYNTHIA G CARR & TIMOTHY R GAY
23 ESCAMACU CIR.
SAINT HELENA ISLAND, SC 29920

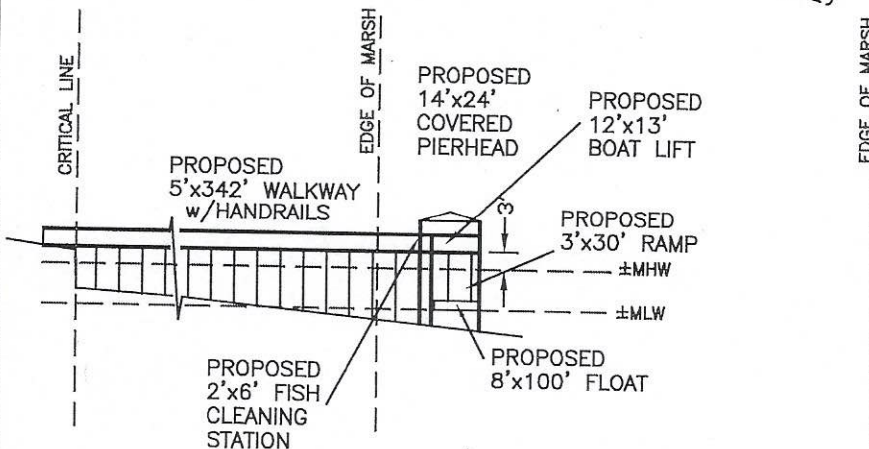
DOCK PERMIT
 PREPARED FOR
 PRAYING MANTIS, LLC

CRITICAL LINE AS APPROVED BY
 GEORGE MADLINGER OF SCDHEC
 OCRM ON 1-8-20.

TOP VIEW
 NOT TO SCALE



SIDE VIEW
 NOT TO SCALE



David S. Youmans
 DAVID S. YOUMANS RLS 9765
 BEAUFORT SURVEYING, INC.
 2201 BOUNDARY ST., SUITE 103
 BEAUFORT, S.C. 29902
 PHONE (843) 524-3261

PIN: R300-013-000-088B-0000
 R300-013-000-0489-0000
 P17183DP/MDY

<p>APPLICANT: PRAYING MANTIS, LLC 514 MILL ST., SUITE B MOUNT PLEASANT, SC 29464</p> <p>ACTIVITY: DOCK PERMIT</p>	<p>LOCATION: 1026 & 1928 SEA ISLAND PKWY SAINT HELENA ISLAND</p> <p>COUNTY: BEAUFORT</p> <p>DATE: 03/10/20</p>	<p>ADJACENT PROPERTY OWNERS</p> <p>WARDS CREEK LLC 1929 SEA ISLAND PKWY SAINT HELENA ISLAND, SC 29920</p> <p>CYNTHIA G CARR & TIMOTHY R GAY 23 ESCAMACU CIR. SAINT HELENA ISLAND, SC 29920</p>
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