

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road Room 140
Conway, South Carolina 29526

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-2020-00990

July 28, 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

Ms. Angie Watkins
c/o L. Bruce Abbott
150 Vereen Road
Georgetown, South Carolina 29940

for a permit to construct an access deck in the

SAMPIT RIVER BYPASS CHANNEL

at 809 Front Street, in the City of Georgetown, Georgetown County, South Carolina (Latitude: 33.3666 °, Longitude: -79.2842 °), **Georgetown South 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 the construction of an access deck. In detail, the applicant proposes to construct a 19.7' x 41.3' deck with rails and a 5' x 10.4' finger pier connecting the structure to the Harborwalk adjacent to the Sampit River Bypass Channel. The proposed deck will be attached to the existing decking present on site .The applicant offered no compensatory mitigation for impacts associated with the project. It is understood that this work is to be conducted

on/or adjacent to an area subject to a prism and/or disposal area held by the United States. Appropriate provisions will be included in the permit to ensure the interests of the Federal Government are understood. The project purpose as stated by the applicant is to provide access to the Harborwalk for patrons of the business located at 809 Front Street.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

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 0.02 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 West Indian Manatee (*Trichechus manatus*), Atlantic Sturgeon (*Acipenser oxyrinchus*), and Shortnose Sturgeon (*Acipenser brevirostrum*) are known to occur within the vicinity of the project area. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*) and Atlantic Sturgeon (*Acipenser oxyrinchus*), and will not result in the destruction or adverse modification of their designated or proposed critical habitat. Additionally, the District Engineer has determined that the project is not likely to adversely affect the West Indian Manatee (*Trichechus manatus*) 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 there are historic properties present, but they will not be adversely affected; therefore, there will be no adverse 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. 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 e-mail address: SAC.RD.Conway@usace.army.mil, or via USPS at the address below:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road Room 140
Conway, South Carolina 29526**

If there are any questions concerning this public notice, please contact Megan N. Jackson, Project Manager, at (843) 365-4239, or by email at Megan.N.Jackson@usace.army.mil.



VICINITY MAP NO SCALE GEORGETOWN COUNTY GIS **■** SITE

NOTE: THE PERMIT DRAWINGS (SHEETS 1-4) ARE FOR HORIZONTAL AND VERTICAL LOCATION ONLY.

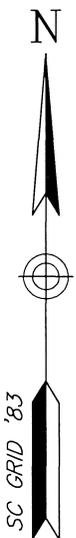
ELEVATIONS SHOWN HEREON BASED ON NAVD '88 DATUM. TIDAL DATUM BASED ON TIDAL BENCHMARK STATION ID 8662926 (GEORGETOWN, SAMPIT RIVER) TIDAL #4

LEGEND

- OHWM = OBSERVED HIGHER WATER MARK DATE OF SURVEY
- MHHW = MEAN HIGH-HIGH WATER (DATA FROM REF. BENCHMARK)
- MHW = MEAN HIGH WATER (DATA FROM REF. BENCHMARK)
- MLW = MEAN LOW WATER (DATA FROM REF. BENCHMARK)
- MLLW = MEAN LOWER LOW WATER (DATA FROM REF. BENCHMARK)

REFERENCE

REVISED AS BUILT SURVEY OF THE GEORGETOWN HARBORWALK AND ITS RELATION TO THE SAMPIT RIVER BYPASS CHANNEL SURVEYED FOR THE CITY OF GEORGETOWN BY WENDELL C. POWERS DATED 11-26-2012, REVISED 11-6-13.



PERMIT DRAWINGS

FOR A DECK TO TO BE LOCATED AT 809 FRONT STREET, GEORGETOWN

GEORGETOWN COUNTY



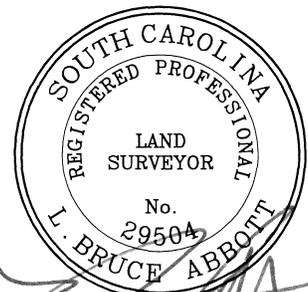
TIDEWATER
LAND SURVEYING LLC



36 NEW CASTLE LANE
PAWLEYS ISLAND, SC 29585

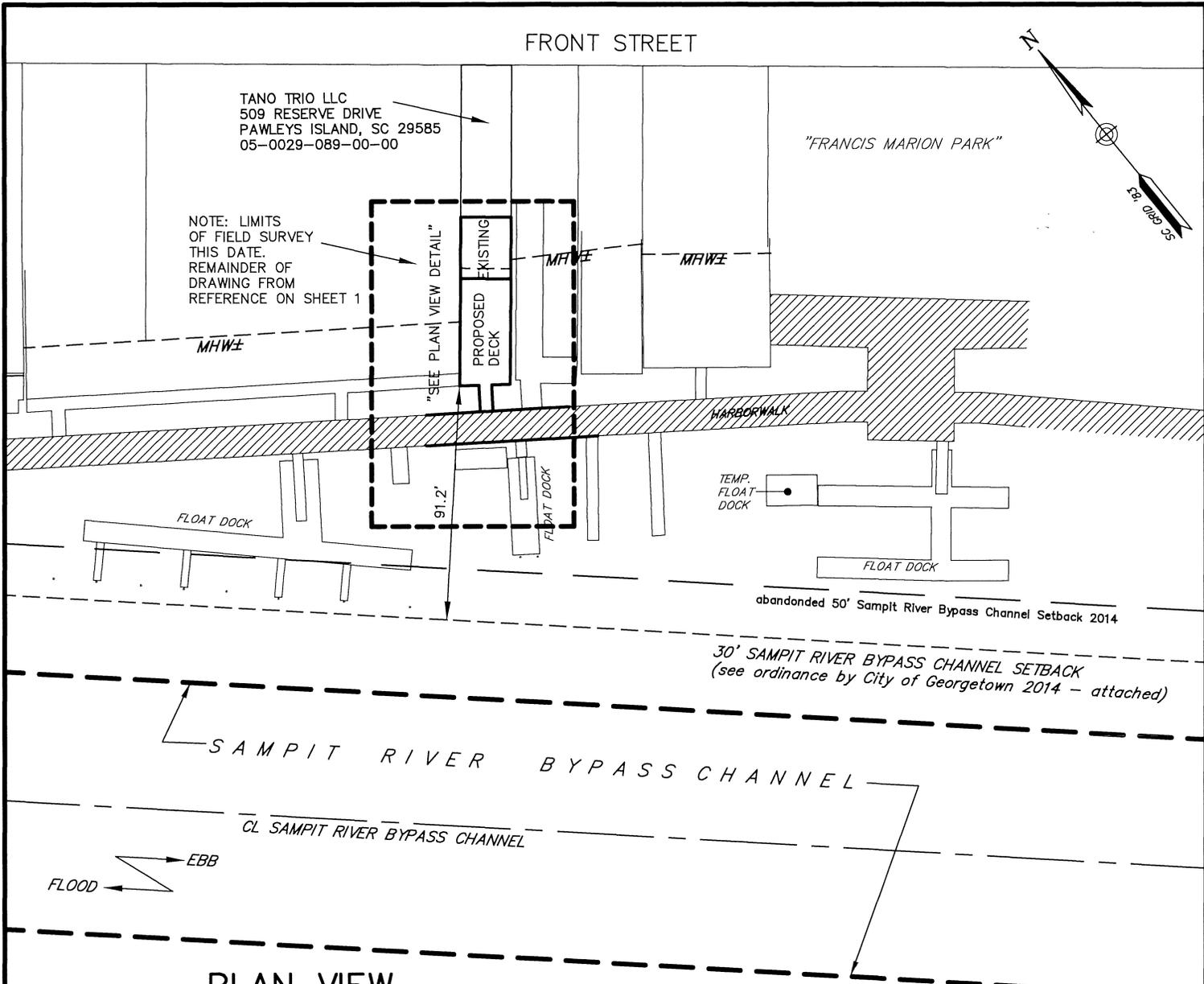
APPLICANT:
ANGIE WATKINS

JUNE 1, 2020
SHEET 1 OF 4



L. Bruce Abbott

L. BRUCE ABBOTT
SCPLS#29504
843-833-2190
lbruceabbott@gmail.com



TANO TRIO LLC
 509 RESERVE DRIVE
 PAWLEYS ISLAND, SC 29585
 05-0029-089-00-00

NOTE: LIMITS
 OF FIELD SURVEY
 THIS DATE.
 REMAINDER OF
 DRAWING FROM
 REFERENCE ON SHEET 1

"SEE PLAN VIEW DETAIL"

PROPOSED DECK

91.2'

MHW±

MHW±

MHW±

FLOAT DOCK

HARBORWALK

TEMP.
 FLOAT
 DOCK

FLOAT DOCK

abandoned 50' Sampit River Bypass Channel Setback 2014

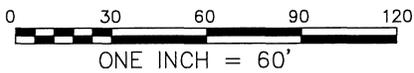
30' SAMPIT RIVER BYPASS CHANNEL SETBACK
 (see ordinance by City of Georgetown 2014 - attached)

SAMPIT RIVER BYPASS CHANNEL

CL SAMPIT RIVER BYPASS CHANNEL

FLOOD ← EBB

PLAN VIEW



PERMIT DRAWINGS

FOR A DECK TO TO BE LOCATED AT
 809 FRONT STREET, GEORGETOWN

GEORGETOWN COUNTY

APPLICANT:
ANGIE WATKINS

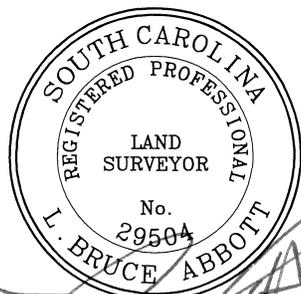
JUNE 1, 2020
 SHEET 2 OF 4



TIDEWATER
 LAND SURVEYING LLC

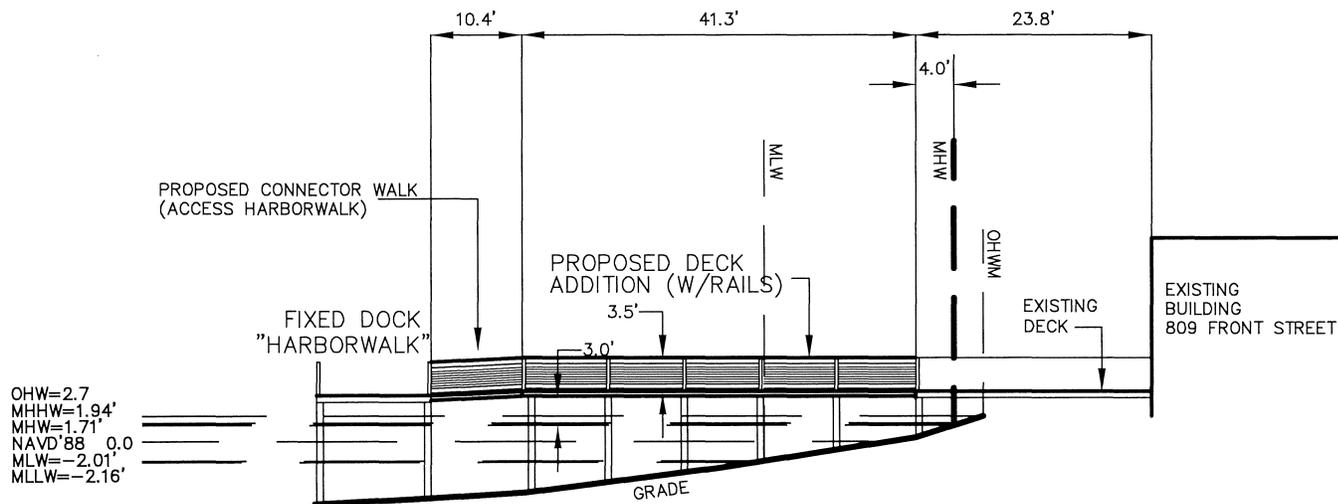


36 NEW CASTLE LANE
 PAWLEYS ISLAND, SC 29585



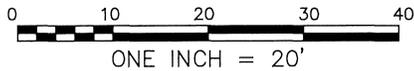
L. Bruce Abbott

L. BRUCE ABBOTT
 SCPLS#29504
 843-833-2190
 Lbruceabbott@gmail.com



OHW=2.7
 MHHW=1.94'
 MHW=1.71'
 NAVD'88 0.0
 MLW=-2.01'
 MLLW=-2.16'

SECTION A-A



PERMIT DRAWINGS

FOR A DECK TO TO BE LOCATED AT
809 FRONT STREET, GEORGETOWN

GEORGETOWN COUNTY

APPLICANT:

ANGIE WATKINS

JUNE 1, 2020
SHEET 4 OF 4



TIDEWATER
LAND SURVEYING LLC



36 NEW CASTLE LANE
PAWLEYS ISLAND, SC 29585



[Handwritten Signature]

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