

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-1975-5259-2G-Mod

16 JUNE 2015

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

ATLANTIC MARINA HOLDINGS
C/O JUSTIN DAVIS
APPLIED TECHNOLOGY AND MANAGEMENT, INC.
POST OFFICE BOX 20336
CHALRESTON, SOUTH CAROLINA 29413-0336

for a modification to the existing permit for approval for an existing floating dock in

SHEM CREEK

at a location, the existing Shem Creek Marina, located at 526 Mill Street, in Mount Pleasant, Charleston County, South Carolina. (Latitude 32.79341° - Longitude -79.877771°)

In order to give all interested parties an opportunity to express their views

N O T I C E

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 work consists of after the fact approval of an existing 6.5' x 40' floating dock at the existing marina as shown on the attached plans. The applicant did not propose any mitigation for the existing work. The purpose of the existing floating dock is for use as a staging dock for boats stored at the dry stack facility on the uplands at the site.

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 the Coastal Zone Management Program (15 CFR 930). 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. The existing dock may impact 260 square feet of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined 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 Section 7(c) of the Endangered Species Act of 1973 (as amended).

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 the NHPA, the District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein and initially determined that no historic properties, nor properties eligible for inclusion in the National Register, are present; therefore, there will be no effect on historic properties. This public notices 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.

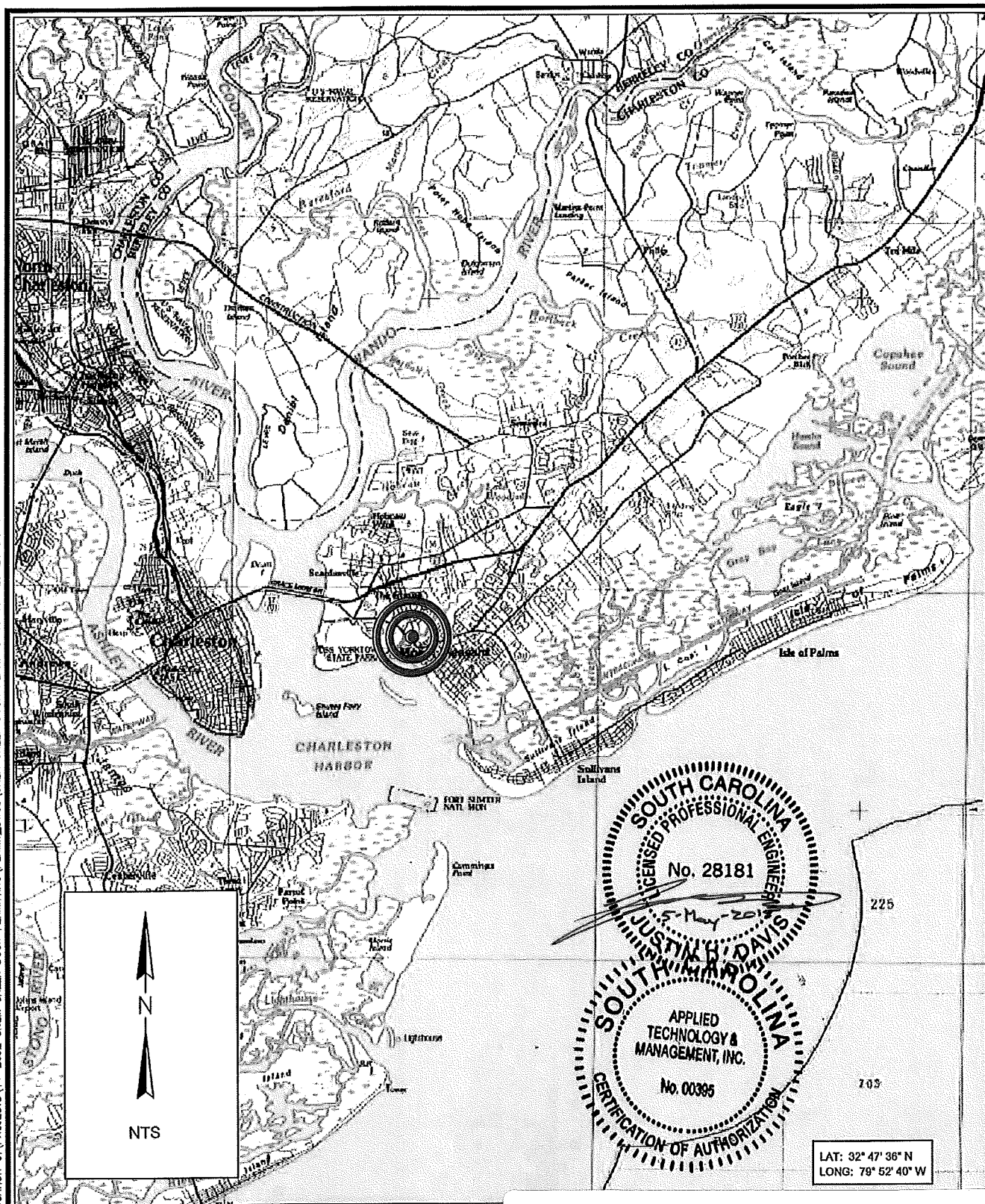
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect

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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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.

If there are any questions concerning this public notice, please contact Mary Hope Green at 843-329-8044 or toll free at 1-866-329-8187.

LOCATION: O:\PROJECTS\14-2692 SHEM CREEK DOCK PERMITTING\PERMIT_DWG\SHEM CREEK DOCK PERMIT DWGS 19-FEB-2015.DWG



PO Box 20336
Charleston, SC 29413-0336
843.414.1040
Certificate of Authorization #00359

PROJECT LOCATION

SHEM CREEK DOCK
Charleston County, SC

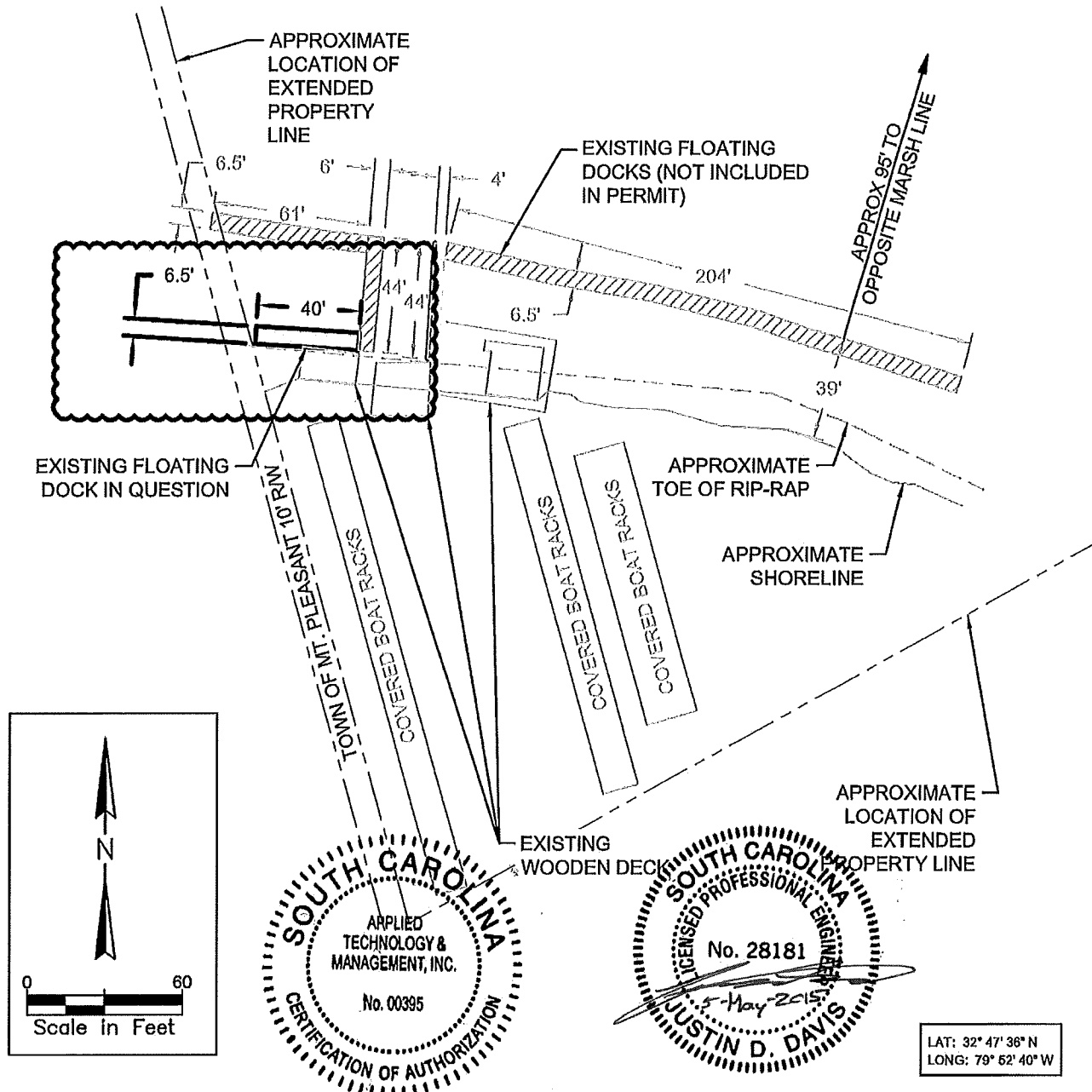
PROJECT: SHEM CREEK MARINA EXISTING FLOATING DOCK APPROVAL

APPLICANT: ATLANTIC MARINA HOLDINGS, LLC
LOCATION: 526 MILL STREET MOUNT PLEASANT
CHARLESTON COUNTY, SC
SAC# 1975-5259-2G-MOD

DATE: 9/2/2014
SHEET 1 OF 3

NOTES:

1. THESE DRAWINGS ARE FOR PERMITTING PURPOSES ONLY.
2. THE LOCATION OF THE DOCK IN QUESTION IS BASED UPON A SURVEY OF THE SITE PERFORMED BY TERRA FIRMA, INC. RECORDED IN CHARLESTON COUNTY BOOK EG PAGE 597. DIMENSIONS OF THE DOCKS AND UPLAND ELEMENTS SHOWN HEREON ARE BASED UPON GRAPHICAL OVERLAY OF THAT FIGURE. ATM HAS VISITED THE SITE AND CONFIRMED THAT THE EXISTING CONDITIONS GENERALLY MATCH THOSE SHOWN IN THE REFERENCED SURVEY. GIVEN THAT THIS IS A COMPLIANCE APPLICATION FOR AN EXISTING DOCK AND THAT A FORMAL SURVEY HAS BEEN RECORDED SHOWING THE LOCATION OF THE DOCK IN QUESTION, A NEW FORMAL SITE SURVEY HAS NOT BEEN UNDERTAKEN.
3. WATER DEPTHS AT THE DOCK IN QUESTION VARY FROM APPROXIMATELY 2.0' TO 2.7' (MLW) BASED UPON FIELD MEASUREMENTS TAKEN BY ATM ON 29-JUL-2014.

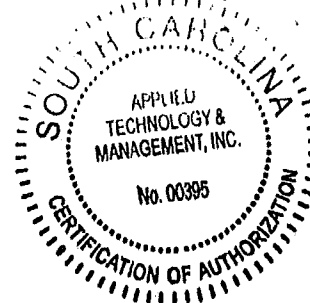
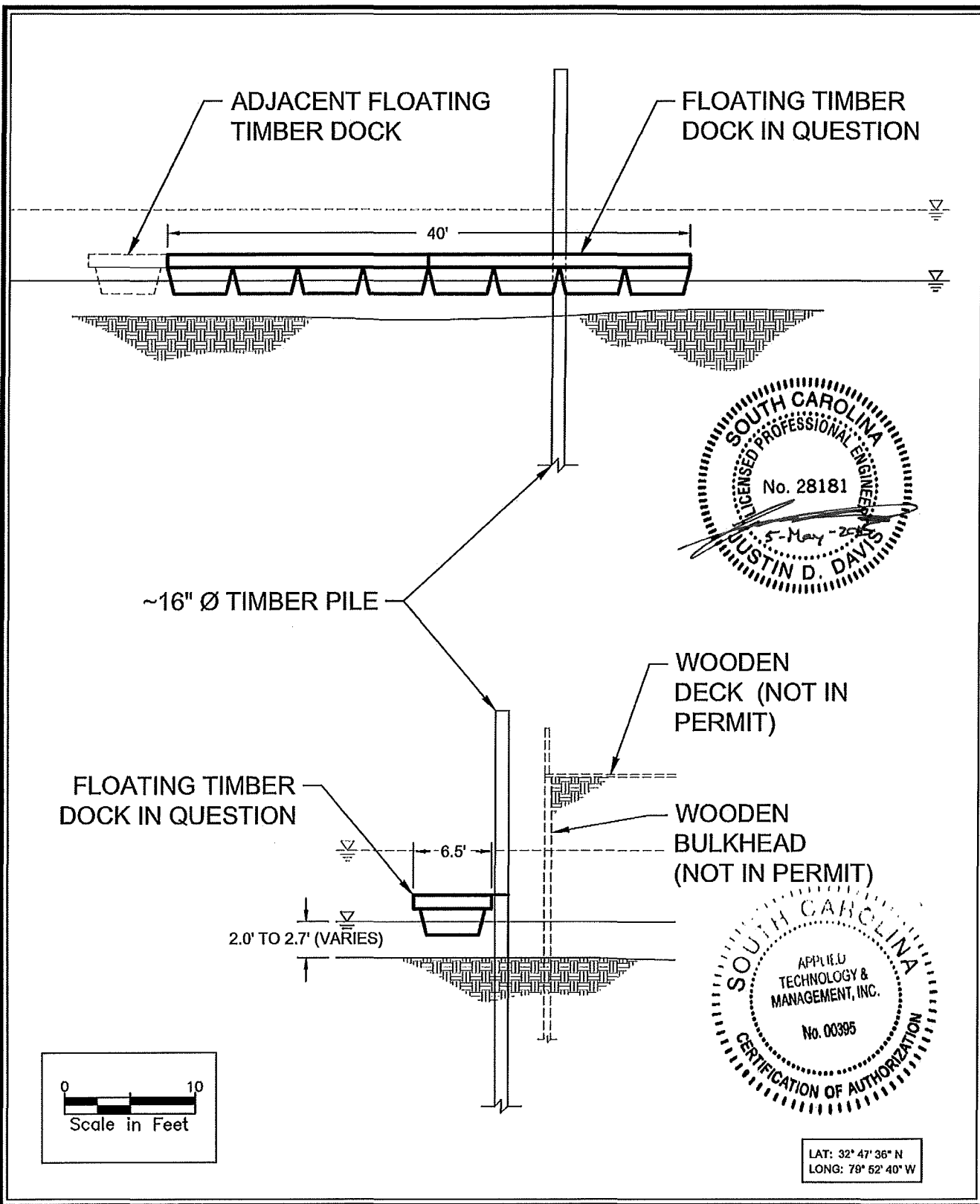


DOCK LAYOUT (PLAN VIEW)

SHEM CREEK DOCK
Charleston County, SC

PROJECT: SHEM CREEK MARINA EXISTING
FLOATING DOCK APPROVAL
APPLICANT: ATLANTIC MARINA HOLDINGS, LLC
LOCATION: 526 MILL STREET MOUNT PLEASANT
CHARLESTON COUNTY, SC DATE: 5/4/2015
SAC# 1975-5259-2G-MOD SHEET 2 OF 3

LOCATION: O:\PROJECTS\14-2692 SHEM CREEK DOCK PERMITTING\PERMIT_DWG\SHEM CREEK DOCK PERMIT DWGS 18-FEB-2015.DWG



LAT: 32° 47' 36" N
LONG: 79° 52' 40" W



TYPICAL SECTIONS

SHEM CREEK DOCK
Charleston County, SC

PROJECT: SHEM CREEK MARINA EXISTING
FLOATING DOCK APPROVAL
APPLICANT: ATLANTIC MARINA HOLDINGS, LLC
LOCATION: 526 MILL STREET MOUNT PLEASANT
CHARLESTON COUNTY, SC
SAC# 1975-5259-2G-MOD
DATE: 9/2/2014
SHEET 3 OF 3