

**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-2015-00659-2C

June 19, 2015

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

**DANGERFIELD FAMILY LIMITED PARTNERSHIP**  
**C/O: LEWIS SEABROOK**  
**E.M. SEABROOK JR., INC.**  
**PO BOX 96**  
**MOUNT PLEASANT, SC 29456**

for a permit to construct the second half of an existing joint use dock on the

**ATLANTIC INTRACOASTAL WATERWAY (AIWW)**

Located at Tax Map # 568-08-00-114, Lot 4C, Block H, 5 Whispering Palms, in Isle of Palms, Charleston County, South Carolina. (Latitude: 32.79601, Longitude: -79.78565)

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 construction of the second half of an existing joint use dock. In detail the applicant proposes to construct a new 123' x 4.6" walkway, a 20' x 22' pierhead, a 16' x 16' boat lift, and a 10' x 25' floating dock. The project purpose is for private recreational use of the

Atlantic Intracoastal Waterway by Lot 4C.

**NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request should be addressed to the**

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

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 956 square feet of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the 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.

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 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 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.

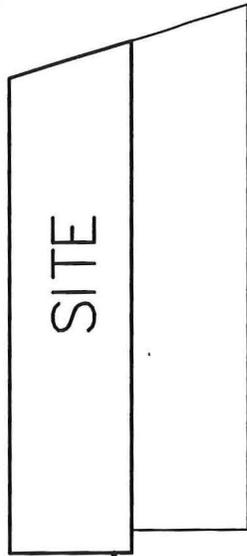
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 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 **Chelsea Bowman** at 843-329-8044 or toll free at 1-866-329-8187.

INTRACOASTAL WATERWAY



WATERWAY BLVD.

22ND AVE.

23RD AVE.



**VICINITY MAP**  
NOT TO SCALE



01021-02 DANGERFIELD WHALEY

PURPOSE: TO MODIFY A PRIVATE DOCK  
ADJACENT PROPERTY OWNERS:

1. WELLS F. WHALEY (TMS 571-05-00-217)  
PO BOX 2145  
LEXINGTON, S. C. 29071
2. ALICE H. WEIL TRUSTEE (TMS 568-08-00-112)  
2103 WATERWAY BLVD.  
ISLE OF PALMS, S. C. 29451

PROPOSED: DOCK MODIFICATIONS  
IN INTRACOASTAL WATERWAY  
AT LOT 4C BLOCK H SECTION BC-2A  
CITY OF ISLE OF PALMS  
CHARLESTON COUNTY, S.C.

APPLICATION BY:  
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P. O. BOX 896  
MOUNT PLEASANT, S. C. 29465

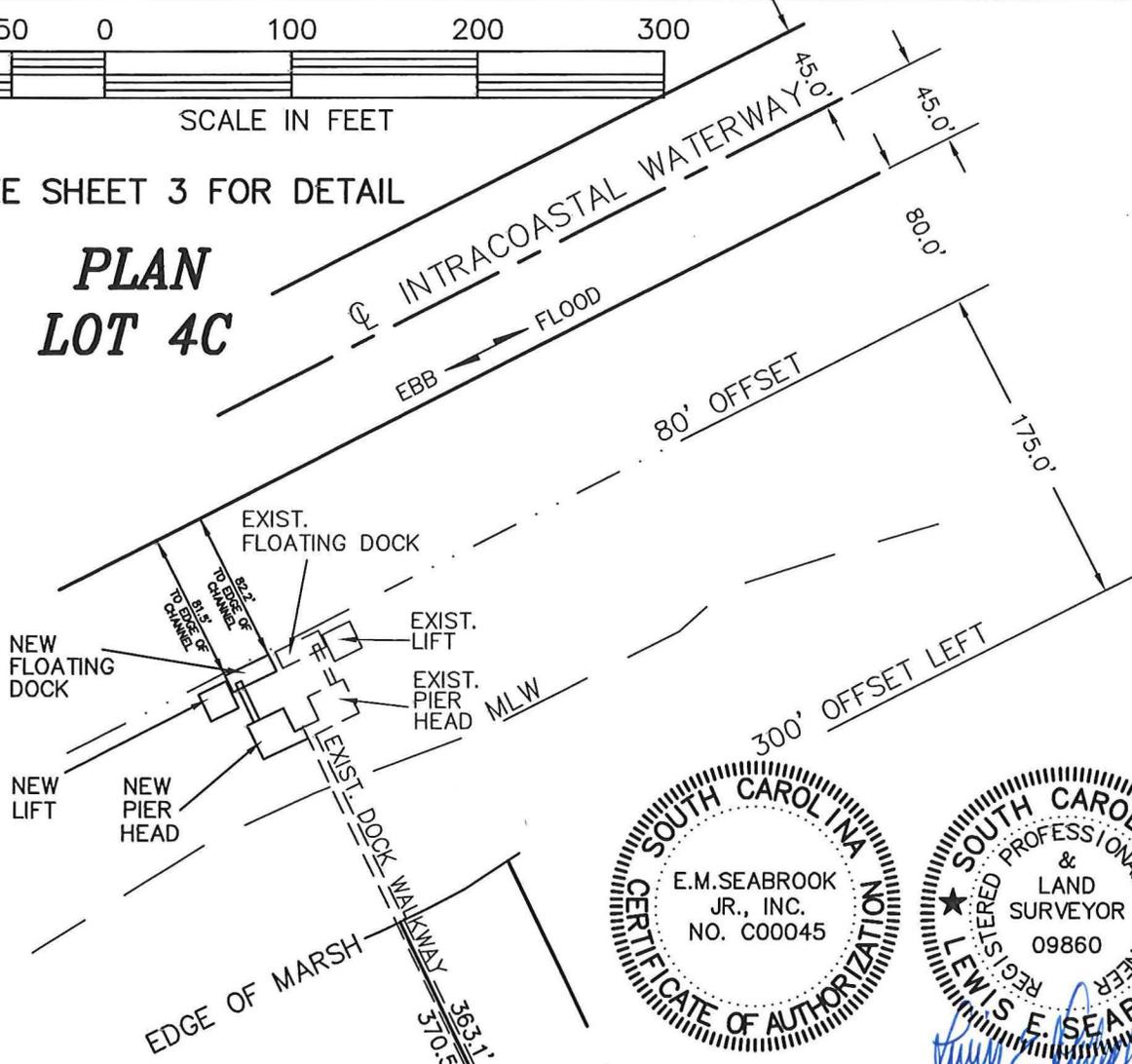
SHEET 1 OF 4      DATE: 03/10/15

100 50 0 100 200 300

SCALE IN FEET

SEE SHEET 3 FOR DETAIL

# PLAN LOT 4C



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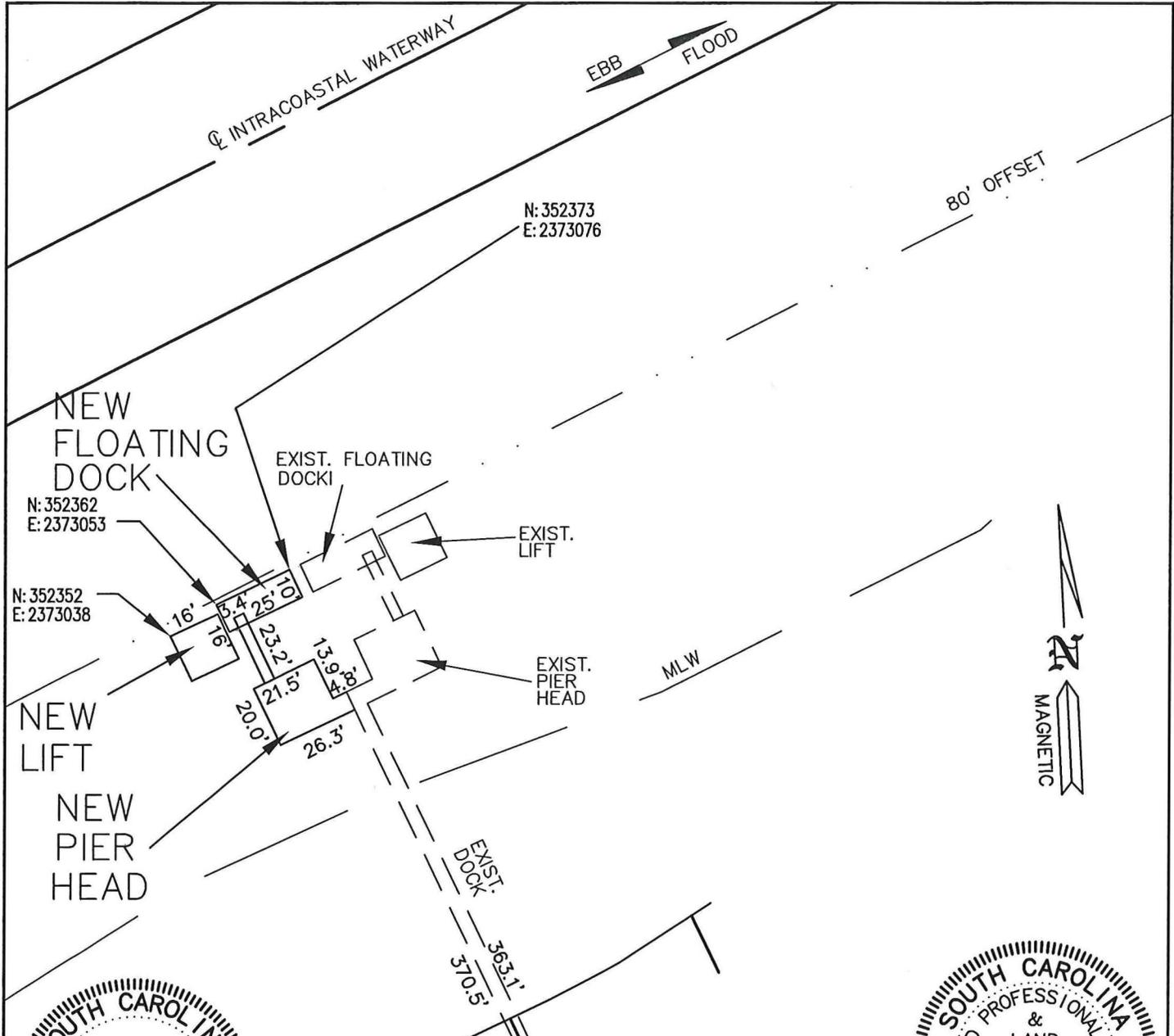
NEW 123'  
4.6' WALKWAY

LOT 4C  
THE DANGERFIELD  
FAMILY PARTNERSHIP

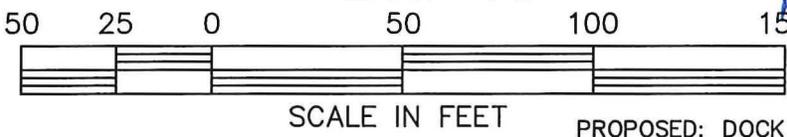
70.0'  
MEASURED  
ALONG CRITICAL LINE  
TO DOCK EASEMENT

MYRON LUTHRINGER, JR.  
DEBORAH LUTHRINGER  
TMS 571-05-00-218  
WELLS F. WHALEY  
TMS 571-05-00-217  
20' VEHICULAR SETBACK  
20' BLDG. SETBACK

01021-02 DANGERFIELD WHALEY



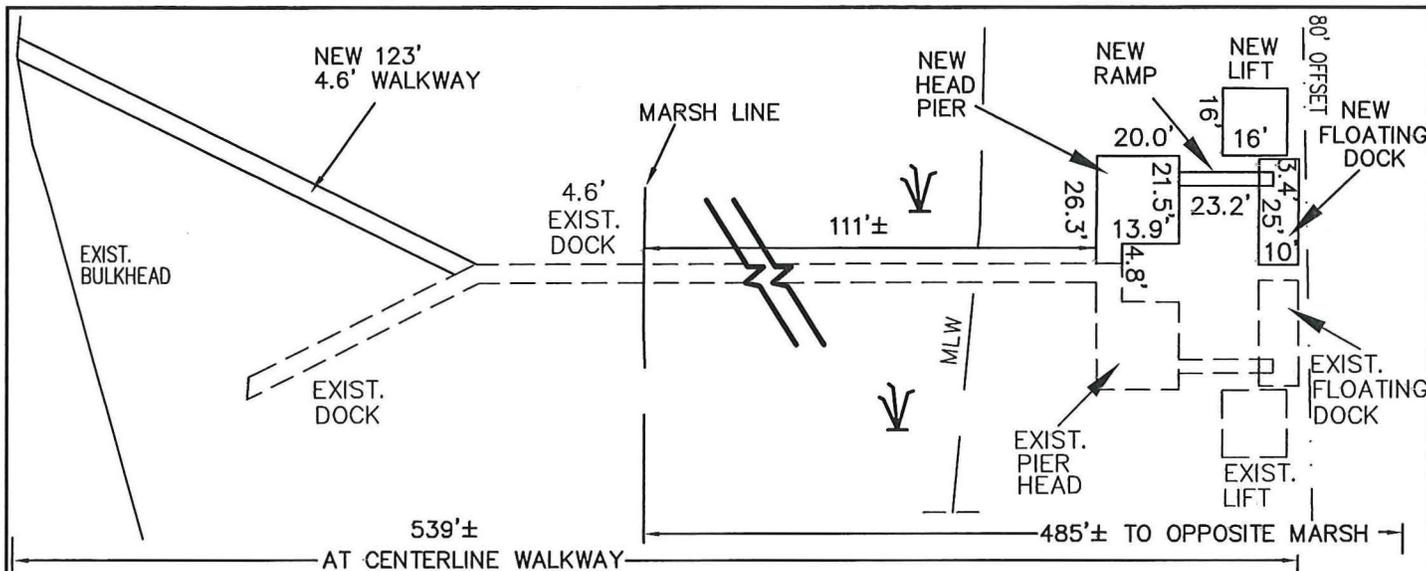
**DETAIL PLAN  
LOT 4C**



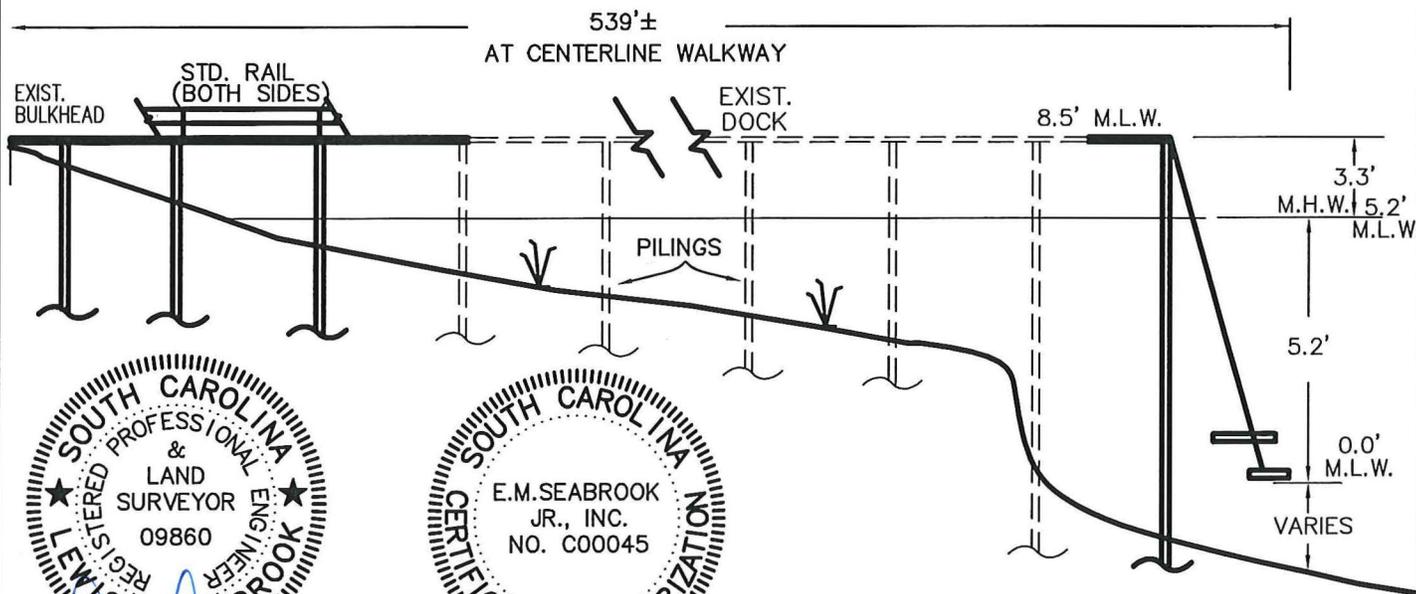
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**TYPICAL DOCK PLAN**  
**LOT 4C**  
NOT TO SCALE



**TYPICAL PROFILE**  
**LOT 4C**

NOT TO SCALE

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