

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-2012-00145

DATE 12 March 2018

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. WILLIAM SCURRY
J & W CORP OF GREENWOOD
50 BUSH'S BRANCH RD
BLUFFTON, South Carolina 29909

for a permit to expand an existing marina on the

COOPER RIVER (AIWW)

at 50 Freeport Marina Village on Daufuskie Island in Beaufort County, South Carolina (Latitude: 32.13343 °N, Longitude: -80.87098 °W).

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 permit modification consists of adding one (1) 8' x 100' and three (3) 10' x 100' floating docks to the existing south facing docks of the Freeport Marina. The project purpose is to provide additional dock space at the marina to accommodate the increase in visitors to Daufuskie Island.

The applicant proposed that no mitigation be required for mitigation to impacts of waters of the United States. The project purpose is to extend existing floating docks 100 linear feet southward.

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 impact 0.08 acre of open water 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 that the west Indian manatee (*Trichechus manatus*) a Federally threatened species is present in the vicinity of the project. However, it has been determined that the project is not likely to adversely affect this species 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)(f)(1)), and has initially determined that there are historic properties present, but they will not be 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).

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 Jeremy Kinney, at (843) 329-8044 or toll free at 1-866-329-8187.

SAC-2012-00145

RECEIVED

JAN 29 2018

EXISTING DOCK CONSISTS OF:

- 20' x 190' CONCRETE WALKWAY w/HANDRAILS
- 4' x 25' RAMP
- 10' x 40' FLOATING DOCK
- 4' x 30' RAMP
- 8' x 140' FLOATING DOCK
- 4' x 50' RAMP
- 10' x 255' FLOATING DOCK
- 10' x 50' FLOATING WALKWAY w/ HANDRAILS
- 10' x 255' FLOATING DOCK
- 10' x 50' FLOATING WALKWAY w/ HANDRAILS
- 10' x 255' FLOATING DOCK

N/F
DENNIS & MICHELLE GOODWIN
42 FREEPORT ROAD
DAUFUSKIE ISLAND, SC 29915
TM R800-021-000-0028

FREEPORT ROAD
50' R/W

(#50)
2.46 AC.

TM
R800-061-000-006B

(#256 FREEPORT ROAD)

N/F
COOPER RIVER LANDINGS & PROPERTIES
P.O. BOX 49192
GREENWOOD, SC 29649-9805
TM R800-021-000-0006

(#7 CARVIN ROAD)

N/F
TWO OLD DOGS, LLC
P.O. BOX 7031

HILTON HEAD ISLAND, SC 29939
TM R800-021-000-001A

(#3 CARVIN ROAD)

N/F
MICHAEL S. LOFTUS REVOCABLE TRUST
78 BRANCHVILLE ROAD
RIDGEFIELD, CT 06877
TM R800-021-000-006A

PROPOSED DOCK ADDITIONS TO CONSIST OF:

- (1) 8' x 100' FLOATING DOCK EXTENSION
- (3) 10' x 100' FLOATING DOCK EXTENSIONS

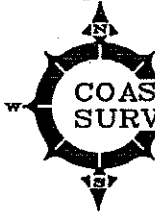
DOCK PLAN PREPARED FOR:

J & W CORPORATION OF GREENWOOD
50 BUSHES BRANCH ROAD
BLUFFTON, SC 29910



"I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND ACCURATELY SHOWS ALL INFORMATION REQUESTED BY SCDHEC-OCRM FOR DOCK PERMIT APPROVAL. THIS SURVEY SHALL NOT BE USED FOR LOAN, CLOSING OR MORTGAGE PURPOSES AND IS NOT FOR RECORDING."

Mack W. Thomas
MACK W. THOMAS III
S.C.P.L.S. NO. 14531

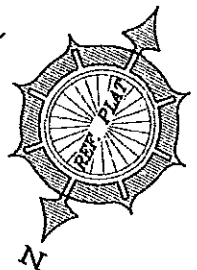
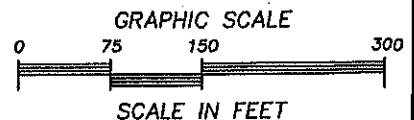


COASTAL SURVEYING CO., INC.
49 RIVERWALK BLVD.
BUILDING 5
RIDGELAND, SC 29936
(843) 645-4448

NOTE

DHEC-OCRM CRITICAL LINE VALIDATED BY PAUL WOJOSKI 2/10/17 ON A DHEC-OCRM CRITICAL LINE SURVEY BY COASTAL SURVEYING CO., INC.
JOB# 58224-OCRM

SCALE: 1"=150'
DATE: 1/23/18
FIELD CK: LC
DRAWN BY: MT
OFFICE CK: EI
JOB No.: 58224

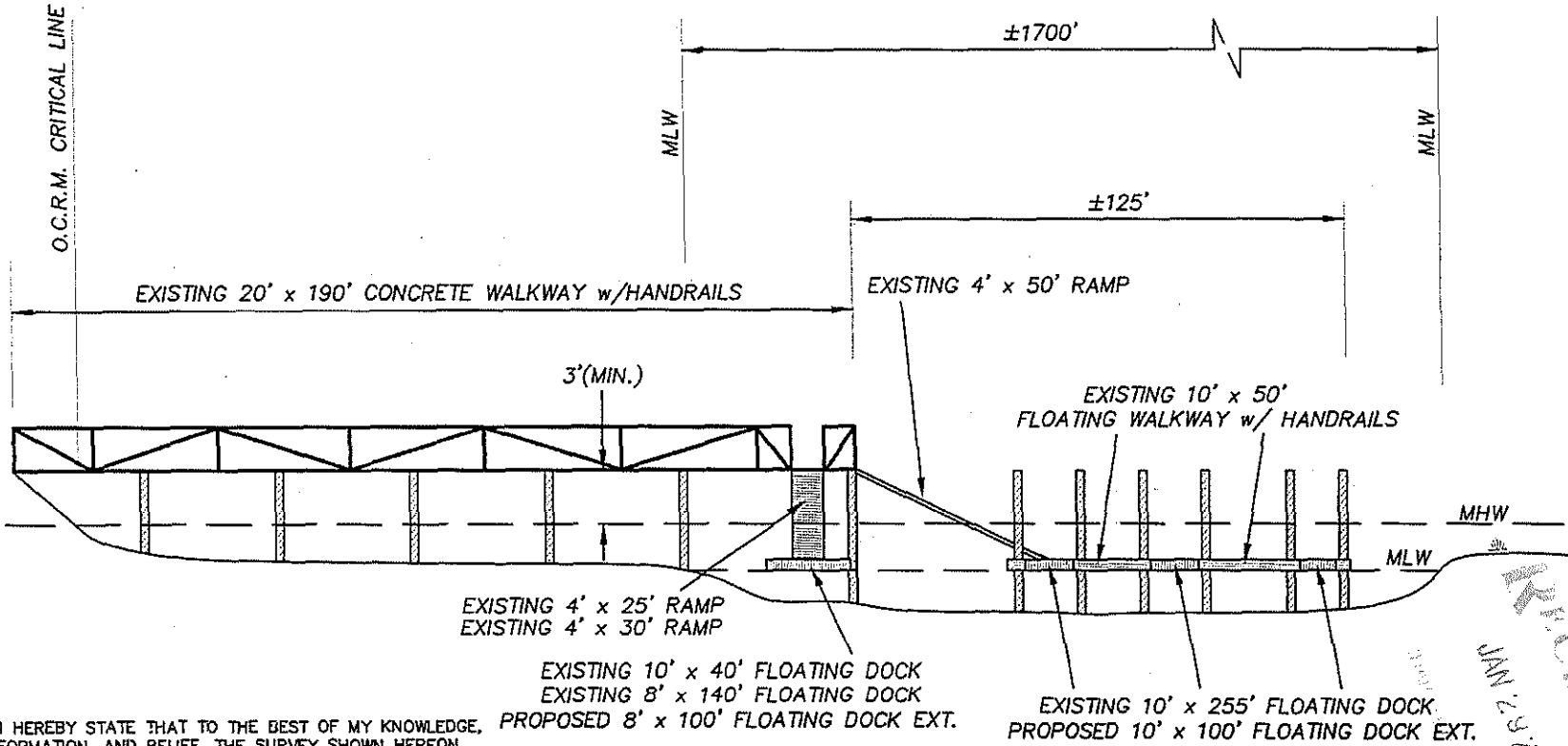


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NOTE

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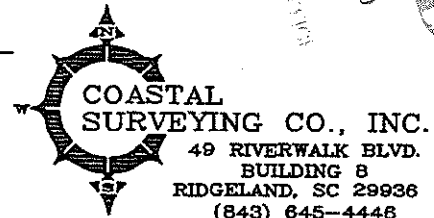
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Mack W. Thomas III
MACK W. THOMAS III
S.C.P.L.S. NO. 14531



DOCK ELEVATION

NOT TO SCALE



SAC-2012-00145

APPLICANT: J & W CORPORATION
OF GREENWOOD
ACTIVITY: COMMERCIAL MARINA DOCK
ADDITION
P/N #

LOCATION: 50 FREEPORT ROAD
DAUFUSKIE ISLAND, SC 29915
COUNTY: BEAUFORT
DATE: FEBRUARY 23, 2017

ADJACENT PROPERTY OWNERS
1) TWO OLD DOGS, LLC
2) MICHAEL S. LOFTUS REVOCABLE TRUST
3) COOPER RIVER LANDINGS & PROPERTIES
DENNIS & MICHELLE GOODWIN