

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-1996-11059

March 25, 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

APPLICANT:
Mr. David Dew
Deweese Island POA, Inc.
273 Old House Lane
Deweese Island, South Carolina 29451

AGENT:
Mr. Heath Hansell
Applied Technology & Management
PO Box 20336
Charleston, South Carolina 29413

for after-the fact permit authorization for the placement of floating jet docks in

Morgan Creek

at the existing Deweese Marina, located at 46 41st Avenue in the City of Isle of Palms, Charleston County, South Carolina (Latitude: 32.8055 °, Longitude: -79.8244 °), Fort Moultrie 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 after-the fact authorization for seven (7) existing floating jet docks and authorization for the placement of twenty-one (21) additional floating jet docks at the existing marina facility. In detail, the applicant requests after-the-fact authorization for the placement of the following floating jet docks: two (2) 9' x 22' floats, one (1) 8' x 20' float, one (1) 12' x 25' float, one (1) 12' x 22' float, one (1) 9' x 27' float, and one (1) 12' x 28' float. The applicant also requests authorization for the placement of the following additional floating jet docks: seven (7) 9' x 22' floats, seven (7) 10' x 20' floats, two (2) 10' x 24' floats, five (5) 10' x 35' floats. The floating jet docks are composed of modular high-density polyethylene float units which allow for drive-on storage of vessels out of the water. **It should be noted that all existing and proposed floating jet docks would be located within the existing boat slips, within the existing marina configuration. No additional boat slips are proposed at this time.**

The applicant has not proposed to mitigate for impacts to wetlands and/or waters of the United States as the project does not involve a discharge of dredged or fill material. The project purpose, as stated by the applicant, is to allow Dewees marina to better serve its marina users by allowing the placement of jet docks at the floating marina wet slip facility. Jet docks provide a cost-efficient way for boaters to keep their boats out of salt water.

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 0.154 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, that the project may affect, but is not likely to adversely affect the American wood stork (*Mycteria americana*), West Indian manatee (*Trichechus manatus*), green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepidochelys kempii*), leatherback sea turtle

(*Dermochelys coriacea*), and loggerhead sea turtle (*Caretta caretta*). The proposed project would have no effect on 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 no historic properties are present; 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 any 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**

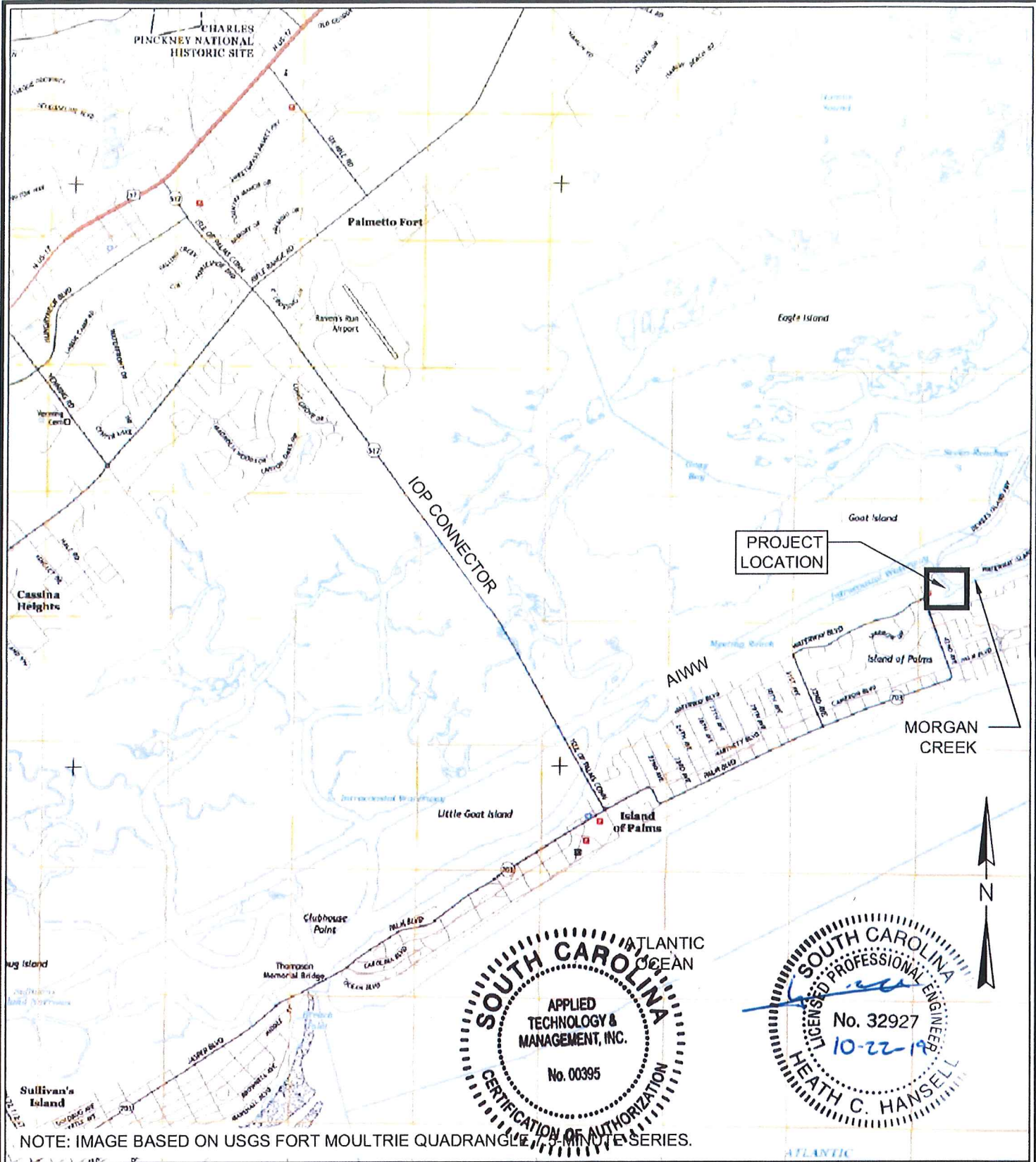
following address:

**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 Courtney M. Stevens, Project Manager, at (843) 329-8027, toll free at 1-866-329-8187, or by email at Courtney.M.Stevens@usace.army.mil.

FOR PERMITTING PURPOSES ONLY
 "NOT FOR CONSTRUCTION"

I:\Chsbtp01\Groups\Charleston\Projects\15-2801 Dowees Marina Condition Assess\DWG\00-Permit Plans\Drawings\Mapna-Jet Dock Permit Plans.dwg (1) 10/22/19
 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF APPLIED TECHNOLOGY & MANAGEMENT.

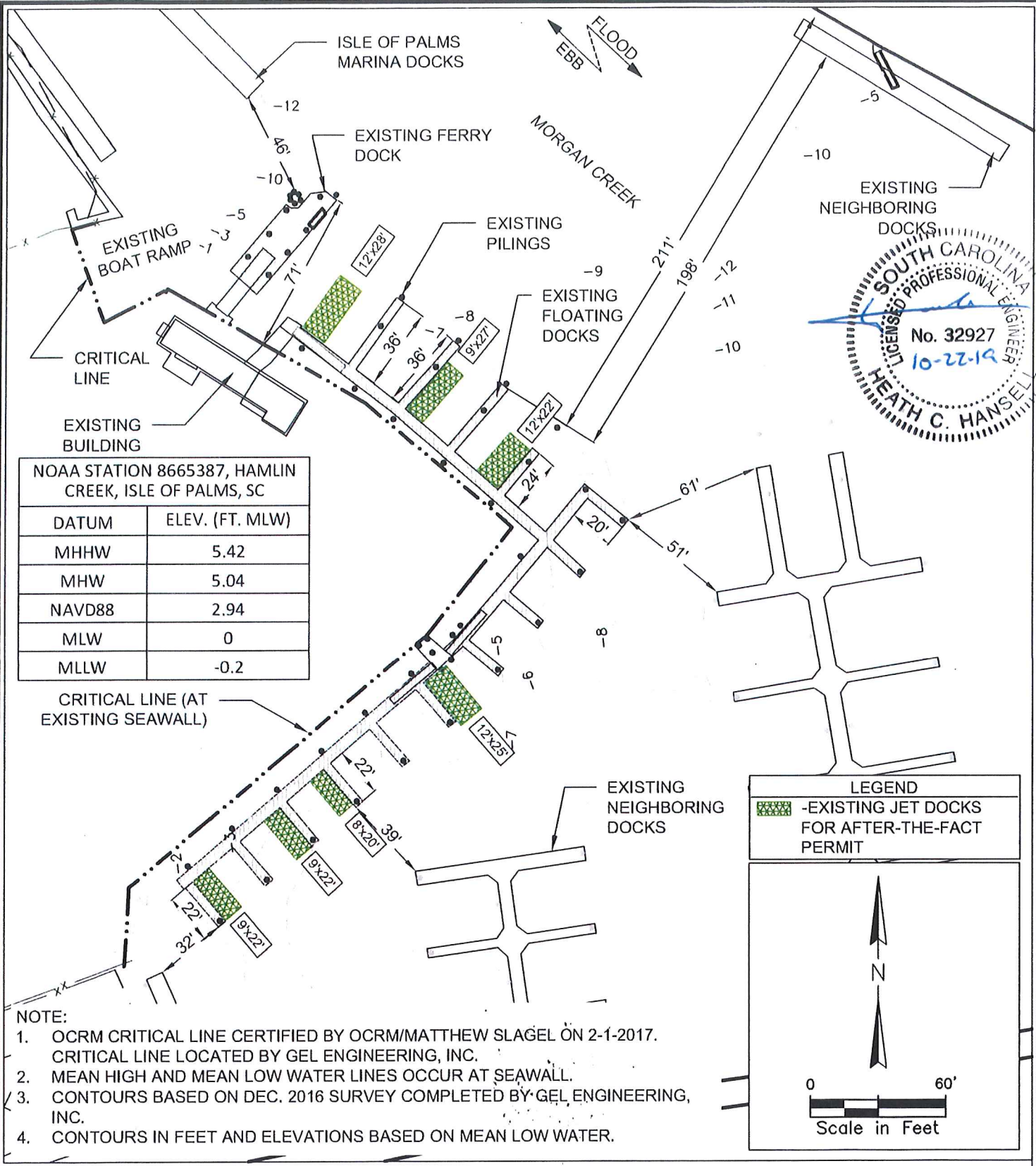


NOTE: IMAGE BASED ON USGS FORT MOULTRIE QUADRANGLE 7.5-MINUTE SERIES.

PROJECT: Dowees Marina Jet Docks WATERBODY: Morgan Creek COUNTY: Charleston STATE: South Carolina LATITUDE: 32°48'16.52"N LONGITUDE: 79°45'32.00"W	LOCATION MAP	 October 22, 2019 SHEET 1
	Requested by: Dowees Island POA, Inc.	
	Project Address: 46th Avenue, Isle of Palms	
	Parcel ID: 5710800006	

FOR PERMITTING PURPOSES ONLY
 "NOT FOR CONSTRUCTION"

\\chsbotps01\Groups\Charleston_Shares\Shared\Projects\15-2801 Dewees Marina Condition Assess\DWG\00-Permit Plans\Dewees Marina Jet Dock Permit Plans.dwg (2) 10/22/19
 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF ATM APPLIED TECHNOLOGY & MANAGEMENT.

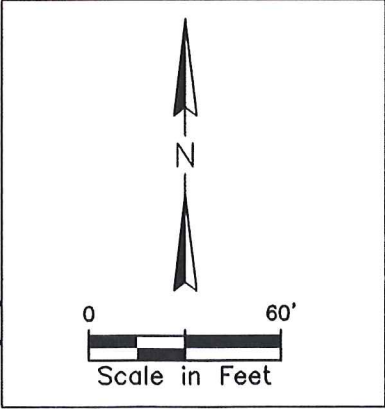


NOAA STATION 8665387, HAMLIN CREEK, ISLE OF PALMS, SC	
DATUM	ELEV. (FT. MLW)
MHHW	5.42
MHW	5.04
NAVD88	2.94
MLW	0
MLLW	-0.2

CRITICAL LINE (AT EXISTING SEAWALL)

- NOTE:
1. OCRM CRITICAL LINE CERTIFIED BY OCRM/MATTHEW SLAGEL ON 2-1-2017. CRITICAL LINE LOCATED BY GEL ENGINEERING, INC.
 2. MEAN HIGH AND MEAN LOW WATER LINES OCCUR AT SEAWALL.
 3. CONTOURS BASED ON DEC. 2016 SURVEY COMPLETED BY GEL ENGINEERING, INC.
 4. CONTOURS IN FEET AND ELEVATIONS BASED ON MEAN LOW WATER.

LEGEND	
	-EXISTING JET DOCKS FOR AFTER-THE-FACT PERMIT



PROJECT:	Dewees Marina Jet Docks
WATERBODY:	Morgan Creek
COUNTY:	Charleston
STATE:	South Carolina
LATITUDE:	32°48'16.52"N
LONGITUDE:	79°45'32.00"W

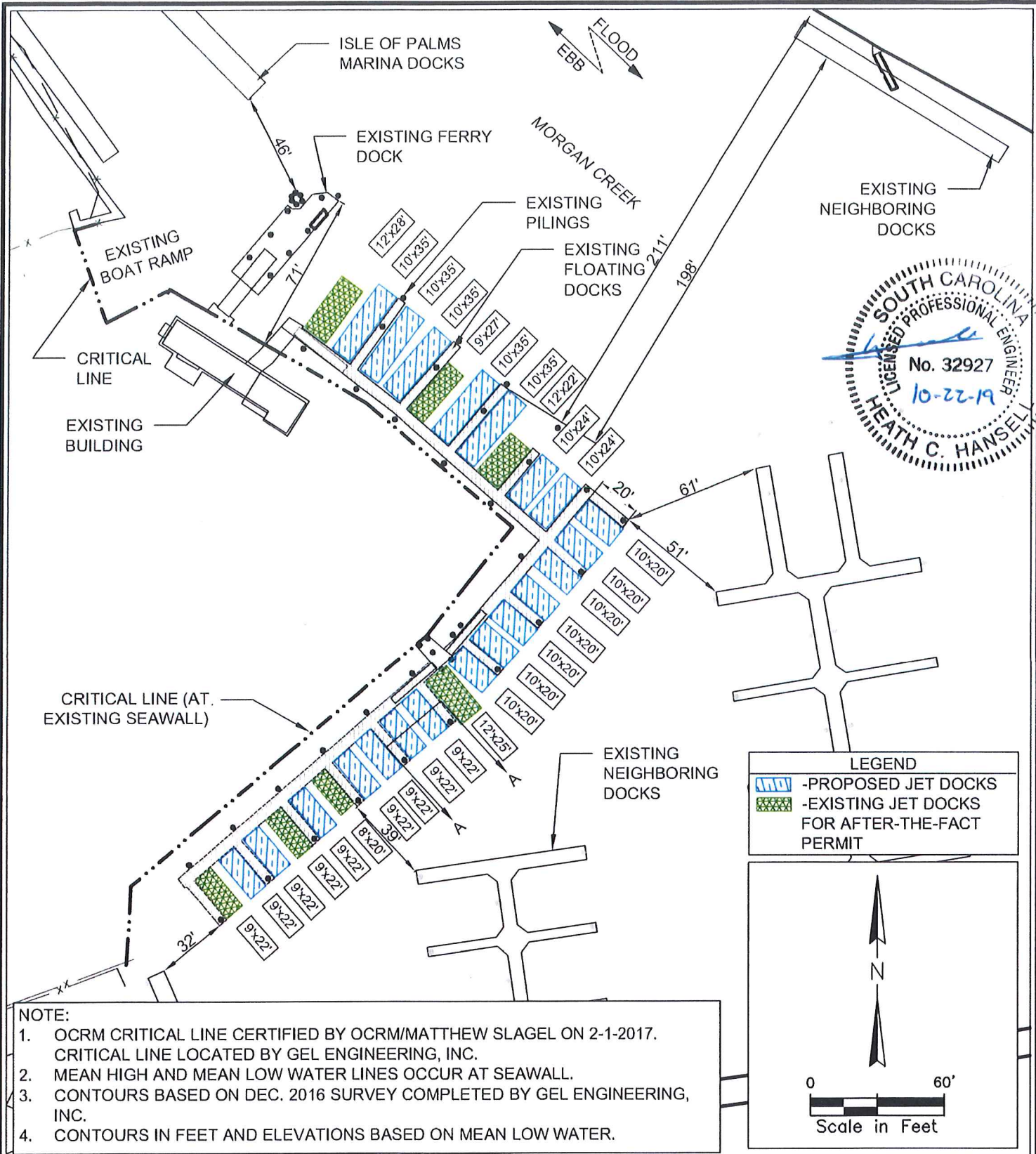
EXISTING CONDITIONS
Requested by: Dewees Island POA, Inc.
Project Address: 46th Avenue, Isle of Palms
Parcel ID: 5710800006



October 22, 2019
 SHEET 2

FOR PERMITTING PURPOSES ONLY
 "NOT FOR CONSTRUCTION"

I:\Chesops01\Groups\Charleston\Shared\Projects\15_2801_Deweess_Marina_Condition_Assess\DWG\00_Permi\Plans\Deweess_Marina_Ltd_Dock_Permi\Plan_3.dwg (3), 10/22/19
 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF APPLIED TECHNOLOGY & MANAGEMENT.



NOTE:

1. OCRM CRITICAL LINE CERTIFIED BY OCRM/MATTHEW SLAGEL ON 2-1-2017. CRITICAL LINE LOCATED BY GEL ENGINEERING, INC.
2. MEAN HIGH AND MEAN LOW WATER LINES OCCUR AT SEAWALL.
3. CONTOURS BASED ON DEC. 2016 SURVEY COMPLETED BY GEL ENGINEERING, INC.
4. CONTOURS IN FEET AND ELEVATIONS BASED ON MEAN LOW WATER.

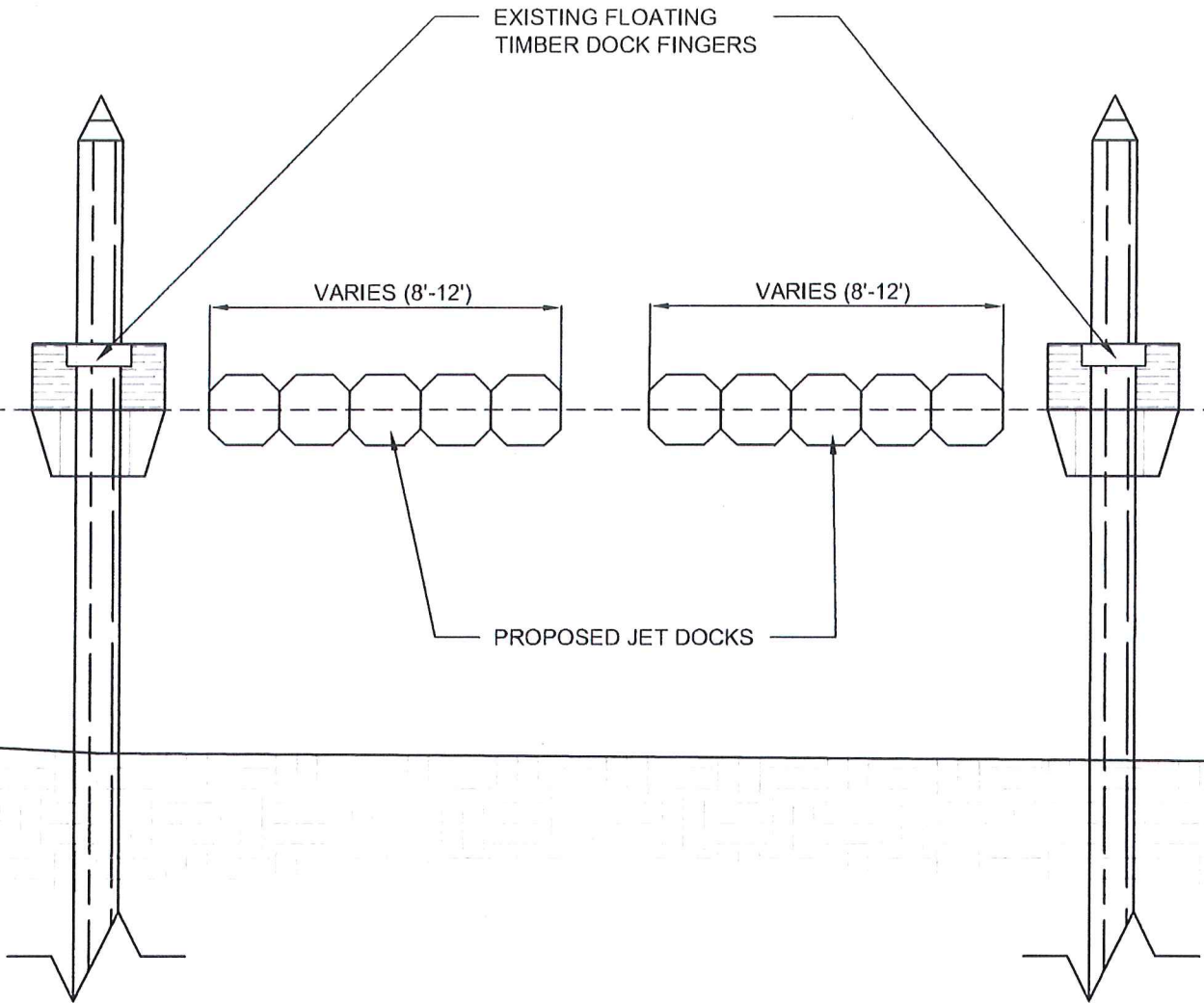
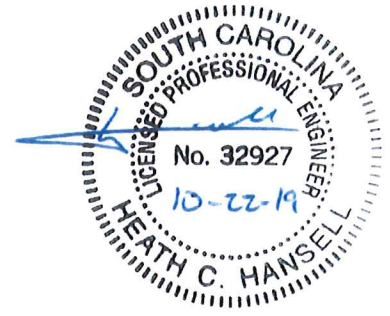
PROJECT:	Deweess Marina Jet Docks
WATERBODY:	Morgan Creek
COUNTY:	Charleston
STATE:	South Carolina
LATITUDE:	32°48'16.52"N
LONGITUDE:	79°45'32.00"W

PROPOSED IMPROVEMENTS	
Requested by: Dewees Island POA, Inc.	
Project Address: 46th Avenue, Isle of Palms	
Parcel ID: 5710800006	

ATM DESIGN ENGINEERING CONSULTING

October 22, 2019
SHEET 3

FOR PERMITTING PURPOSES ONLY
 "NOT FOR CONSTRUCTION"



TYPICAL SECTION VIEW A-A

I:\csh01ps01\Groups\Charleston_Sharroel\Projects\15-2801 Dewees Marina Condition Assess\DWG\00-Permit Plans\Dewees Marina-Jet Dock Permit Plans.dwg (4) 10/22/19
 NOTE: THESE DRAWINGS AND DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL OF APPLIED TECHNOLOGY & MANAGEMENT.

PROJECT: Dewees Marina Jet Docks WATERBODY: Morgan Creek COUNTY: Charleston STATE: South Carolina LATITUDE: 32°48'16.52"N LONGITUDE: 79°45'32.00"W	TYPICAL DETAILS		 October 22, 2019 SHEET 4
	Requested by: Dewees Island POA, Inc.		
	Project Address: 46th Avenue, Isle of Palms		
	Parcel ID: 5710800006		