

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-2022-00409

March 15, 2022

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 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

Mr. David Shehan
c/o Mr. Grant Gibson
The EARTHWORKS Group
11655 Highway 707
Murrells Inlet, South Carolina 29576

for a permit to construct a boat ramp in

MAIN CREEK

at 2002 Pompano Drive, Garden City, Georgetown County, South Carolina (Latitude: 33.5413°N, Longitude: -79.0276°W), Brookgreen 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 a boat ramp in Main Creek. In detail, the work consists of the placement of 311 cubic yards of material below the High Tide Line (HTL) for the construction of a 14' x 120' boat ramp. A docking structure is also proposed at this location; however, the docking structure will be reviewed under Regional General Permit No. SAC-RGP-09. The applicant states, "No mitigation is proposed due to the size and scope of the project". The project purpose, according to the applicant, is to provide recreational access for the property owner.

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 Public Notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

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 0.03 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, based on the most recently available information that the West Indian Manatee (*Trichechus manatus*), a Federally threatened species, is present in the vicinity of the project. The District Engineer has determined that the project may affect, 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 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 proposed 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.

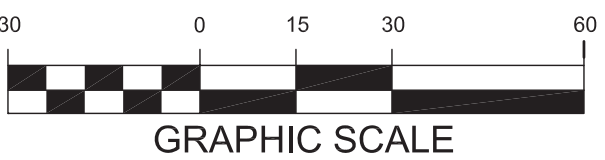
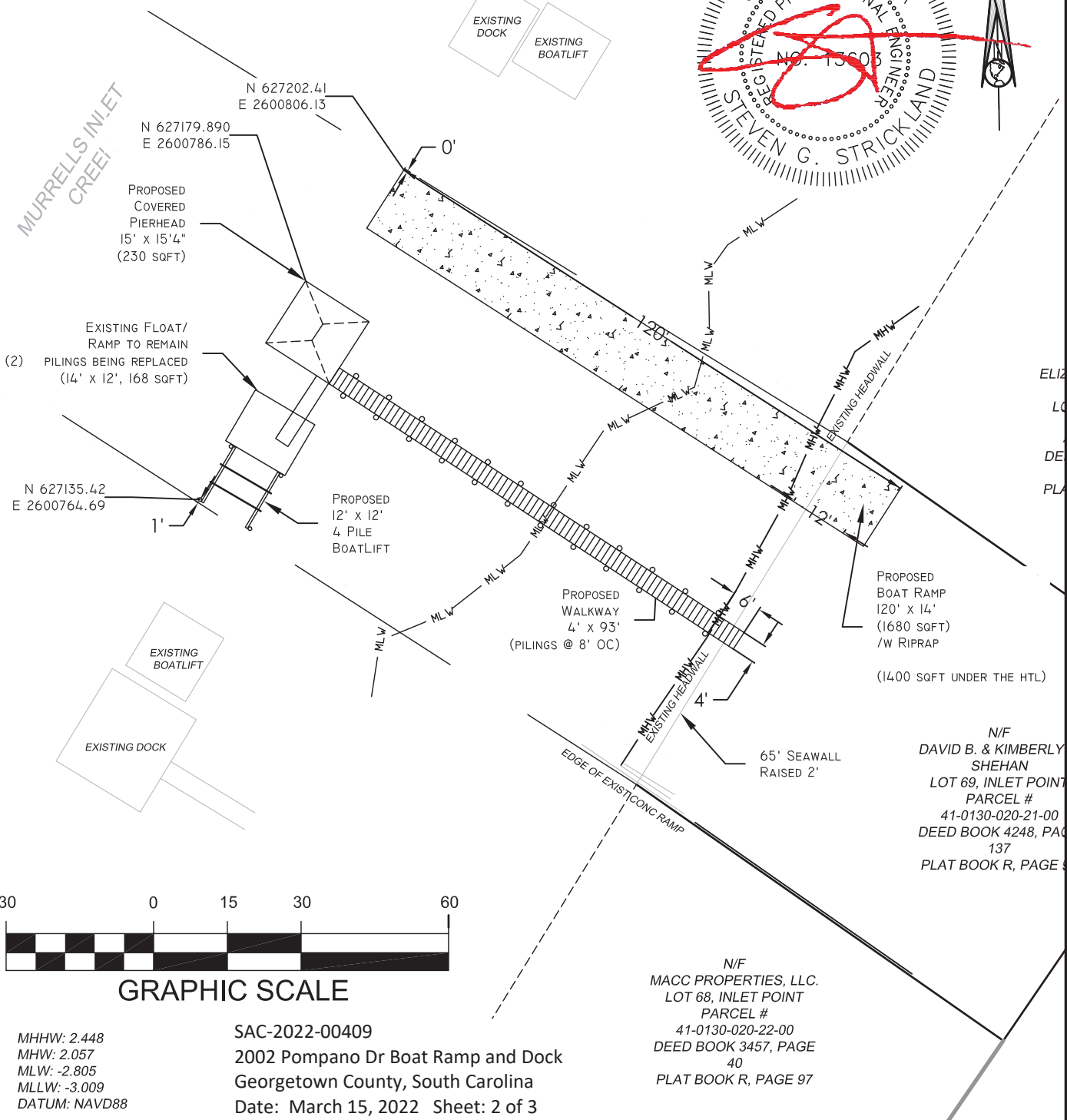
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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
1949 INDUSTRIAL PARK ROAD, ROOM 140
CONWAY, SOUTH CAROLINA 29526**

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



MURRELLS INLET
CREEK



MHHW: 2.448
 MHW: 2.057
 MLW: -2.805
 MLLW: -3.009
 DATUM: NAVD88

SAC-2022-00409
 2002 Pompano Dr Boat Ramp and Dock
 Georgetown County, South Carolina
 Date: March 15, 2022 Sheet: 2 of 3

N/F
 MACC PROPERTIES, LLC.
 LOT 68, INLET POINT
 PARCEL #
 41-0130-020-22-00
 DEED BOOK 3457, PAGE
 40
 PLAT BOOK R, PAGE 97

N/F
 DAVID B. & KIMBERLY
 SHEHAN
 LOT 69, INLET POINT
 PARCEL #
 41-0130-020-21-00
 DEED BOOK 4248, PAGE
 137
 PLAT BOOK R, PAGE 5

2002 Pompano Drive Dock

Joint Fed/State Dock & Ramp Application

Site Proposed

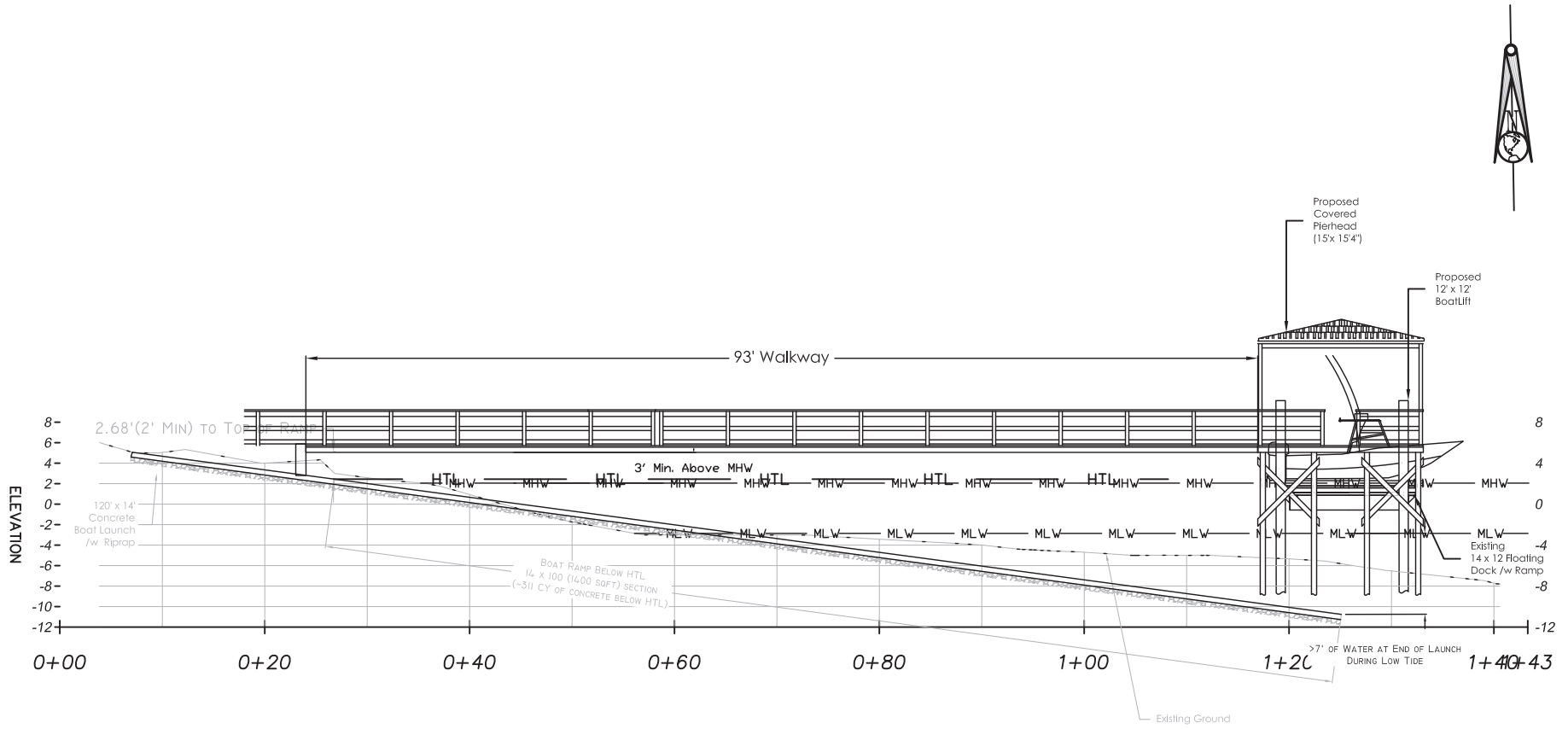
CLIENT:
 David Shehan

LOCATION: Georgetown County, SC
 DATE: 03/02/2022
 JOB NUMBER: 221018

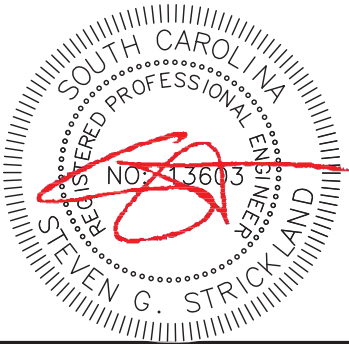
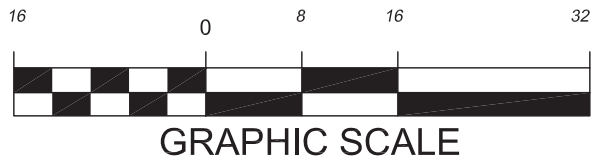
DRAWN BY: G M G
 REVIEWED BY: T E G
 SHEET: 2
 SCALE: 1" = 30'



11655 HIGHWAY 707
 MURRELLS INLET, SC 29576
 843.651.7900
 (FAX) 843.651.7903
 www.earthworksgroup.com



SAC-2022-00409
 2002 Pompano Dr Boat Ramp and Dock
 Georgetown County, South Carolina
 Date: March 15, 2022 Sheet: 3 of 3



2002 Pompano Dr Dock & Ramp
 Joint Fed/State Dock Application
Site Profile
 Client:
David Shehan
 LOCATION: Georgetown County, SC
 DATE: 03/02/2022 DRAWN BY: GMG SHEET: 3
 JOB NUMBER: 211018 REVIEWED BY: TEG SCALE: 1" = 16'

EARTHWORKS
planning and design consultants

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