

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 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-2001-12354 (FKA 2001-1U-593)

May 9, 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

RUSHLAND COMMUNITY ASSOCIATION, INC.
4925 LACROSSE ROAD, SUITE 112
NORTH CHARLESTON, SOUTH CAROLINA 29406

for a permit to modify an existing community dock (formerly permitted under 2001-1U-593) on the

STONO RIVER (ATLANTIC INTRACOASTAL WATERWAY)

at 1424 McPherson Landing Road at Rushland Plantation, on Johns Island, Charleston County, South Carolina (Latitude: 32.5165 °N, Longitude: -80.31518 °W), Quad: Edisto Island.

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 modifying an existing community dock. In detail, the applicant proposes to construct two 4' x 10' walkways channelward of the existing fixed pierhead, and to remove the existing two 10' x 20' floating docks and replace them with two 10' x 60' floating docks. The applicant has not proposed to mitigate as the project involves construction of structures only that will not adversely impact aquatic resources. The project purpose is for the private recreational use of the members of the Rushland Plantation Community Association.

NOTE: This public notice and associated plans are available on the Corps' website at:
<http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

The work shown on this application must 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 1200 square feet 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 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 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)), 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.

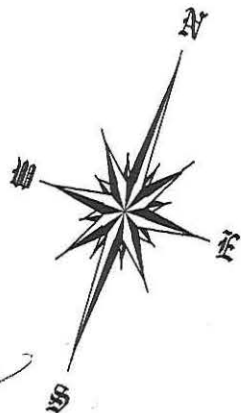
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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, SC 29403-5107**

If there are any questions concerning this public notice, please contact Chelsea B. Fannin, Project Manager, at (843) 329-8038 or toll free at 1-866-329-8187.



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RECEIVED

TOMAR 05 2018

EDGE OF MARSH TO CHARLESTON OCRM

+/-1175' EDGE OF MARSH

EDGE OF MARSH

STONO RIVER
ICCW

FLOOD
EBB

EDGE OF MARSH

126'

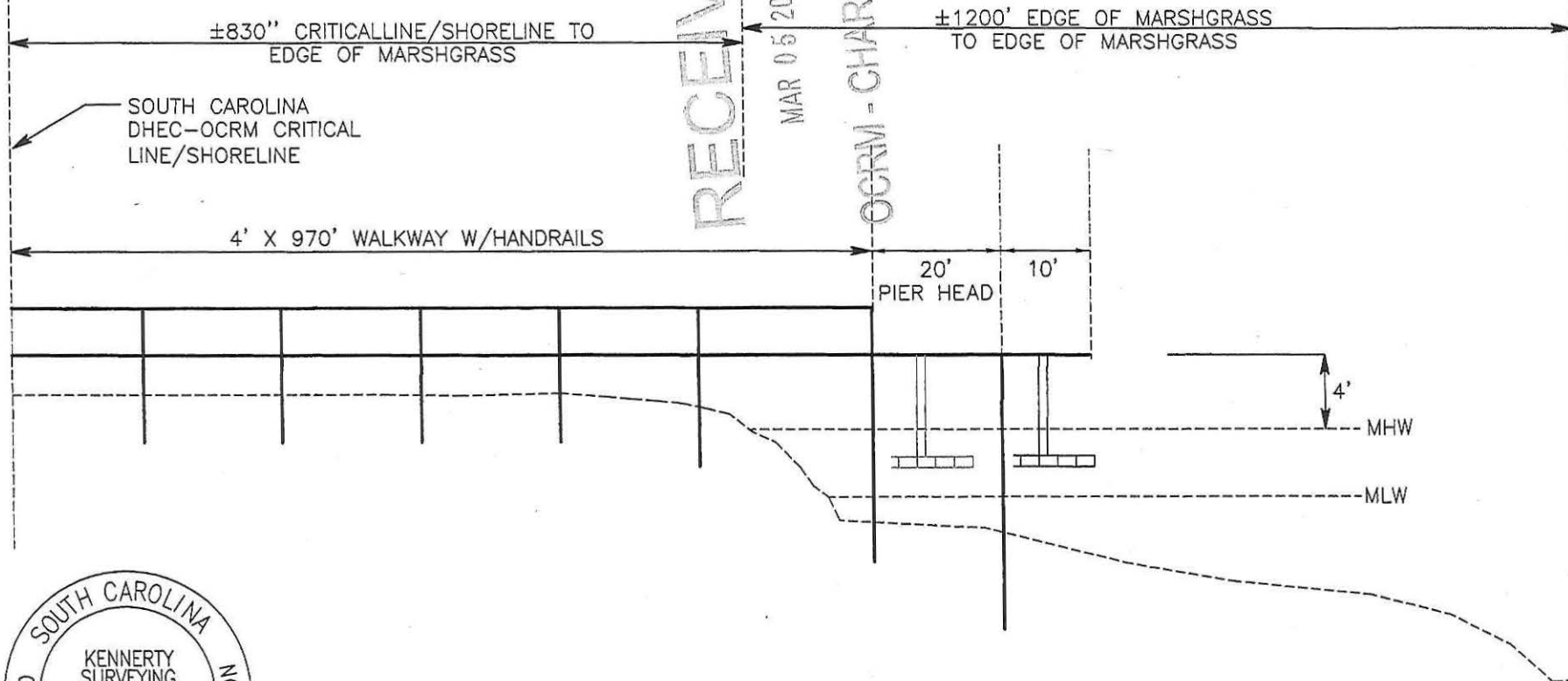
EXISTING DOCK & WALKWAY

CONSTRUCTION OF 2 4'x10' WALKWAYS
LEADING TO 2 10'x60' FLOATING
DOCKS. EXISTING 10'x20' FLOATING
DOCKS ARE TO BE REMOVED.

ACTIVITY: PRIVATE RECREATION DOCK
1424 McPHERSON LANDING
IN: STONO RIVER
NEAR: JOHNS ISLAND
COUNTY OF: CHARLESTON
STATE OF: SOUTH CAROLINA
APPLICATION BY: RUSHLAND COMMUNITY
ASSOCIATION INC
SHEET 1 OF 2
DATE: DECEMBER 30, 2017



SCALE: 1"=50'



RECEIVED

MAR 05 2018

OCRM - CHARLESTON



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1424 McPHERSON LANDING
IN: STONO RIVER
NEAR: JOHNS ISLAND
COUNTY OF: CHARLESTON
STATE OF: SOUTH CAROLINA
APPLICATION BY: RUSHLAND COMMUNITY
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SHEET 1 OF 2
DATE: DECEMBER 30, 2017



CONSTRUCTION OF 2 4'x10' WALKWAYS
LEADING TO 2 10'x60' FLOATING
DOCKS. EXISTING 10'x20' FLOATING
DOCKS ARE TO BE REMOVED.