

**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**  
**North Charleston, South Carolina 29405**

REGULATORY DIVISION  
Refer to: P/N SAC-1986-08495

November 20, 2019

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**  
**Ms. Desiree Fragoso**  
**Interim City Administrator**  
**City of Isle of Palms**  
**1207 Palm Boulevard**  
**Isle of Palms, South Carolina 29451**

**Agent:**  
**c/o Kirby Marshall**  
**ATM**  
**PO Box 20336**  
**Charleston, South Carolina 29413**

for a permit to modify the existing commercial dock in the

**ATLANTIC INTRACOASTAL WATERWAY (AIWW)**

at the existing dock located near the end of 41<sup>st</sup> Street at the marina in the City of Isle of Palms, Charleston County, South Carolina (Latitude: 32.80578°, Longitude: -79.76119 °),(Fort Moultrie Quad Sheet).

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 modification of the previously issued permit for the existing commercial dock. The proposed modification involves relocating the existing dock landward by approximately 1-3' to comply with and be located behind/landward of the Corps' setback line of the AIWW. The work to relocate the dock includes leaving the existing pilings in place, reusing the pilings and modifying the dock framing. Additionally, the proposed modification includes the after-the-fact authorization of the following structures that will remain: The 5' fixed walkway that leads to the 16' X 14' covered fixed pier and associated uncovered section and a 4' X 20' gangway that leads to the 11' X 78' floating dock. The covered portion of the fixed pier includes corrugated metal siding and windows that will remain and a roll-up canvas cover that will remain.

The proposed modification includes the construction of the following new structures: Nine (9) 13' X 5' jet docks and two (2) 12.5 X 5' jet docks that will be attached to the existing floating dock; and an 8' X 11' fixed timber pier with a new 8' X 80' ADA compliant gangway that leads to a new 10' X 13' pony float that will be attached to the existing floating dock. The proposed work also includes the addition of temporary/removable shade fabric on the floating dock.

The purpose of the proposed modification is to bring the existing dock structures into compliance with existing permits, provide ADA access to the floating dock system, and to improve the continued use of the dock for commercial operations.

The existing dock is owned by the City of Isle of Palms but is currently being leased by Tidalwave Watersports. The existing dock is and will continue to be used for the operation of Tidalwave Watersport's business which includes, but is not limited to, personal watercraft tours and guided rentals, parasailing, waterskiing and other related water activities.

With regards to avoidance and minimization, the proposed project will primarily utilize the footprint of the existing structure and will not encroach onto adjacent properties. The applicant also stated that the size of the proposed structural improvements are limited to the size necessary to comply with ADA requirements. No mitigation is being proposed by the applicant due to the limited nature of impacts.

**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 approximately 2,400 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 Frosted flatwoods salamander (*Ambystoma cingulatum*), American wood stork (*Mycteria Americana*), piping plover (*Chadrius melodus*), red-cockaded woodpecker (*Picoides borealis*), red knot (*Calidris canutus rufa*), shortnose sturgeon (*Acipenser brevirostrum*), Atlantic sturgeon (*Acipenser oxyrinchus*), Northern long-eared bat (*Myotis septentrionalis*), finback whale (*Balaenoptera physalus*), humpback whale (*Megaptera novaeangliae*), right whale (*Eubalaena glacialis*), West Indian manatee (*Trichechus manatus*), green sea turtle (*Chelonia mydas*), Kemp's Ridley sea turtle (*Lepdochelys kempii*), leatherback sea turtle (*Dermochelys coriacea*), loggerhead sea turtle (*Caretta caretta*), Canby's dropwort (*Oxypolis canbyi*), Seabeach amaranth (*Amaranthus pumilus*) and pondberry (*Lindera melissifolia*), Federally endangered or threatened species are present in the vicinity of the project. The project may affect, but is not likely to adversely affect the West Indian manatee and will have no effect on the remaining species listed above. In addition, the proposed project will not result in the destruction or adverse modification of designated or proposed critical habitat.

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.

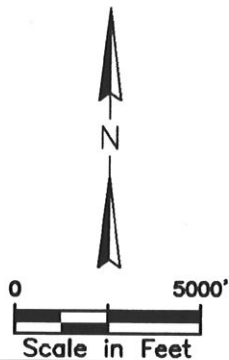
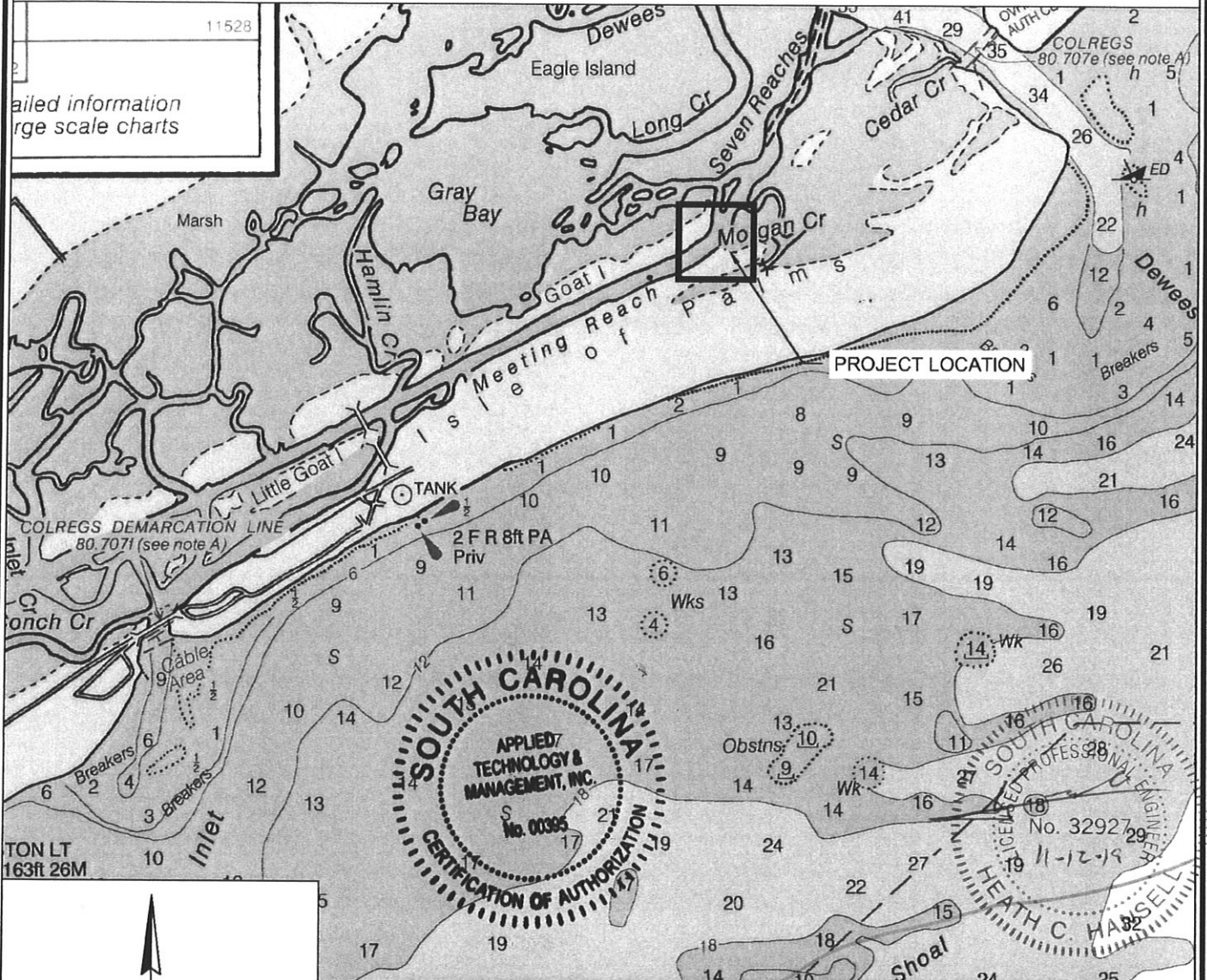
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

If there are any questions concerning this public notice, please contact Tracy D. Sanders, Project Manager, at (843) 329-8190, toll free at 1-866-329-8187, or by email at Tracy.D.Sanders@usace.army.mil.

FOR PERMITTING PURPOSES ONLY  
 "NOT FOR CONSTRUCTION"

# ISLE OF PALMS MARINA WATERSPORTS DOCK IMPROVEMENTS



Datum	Abbreviation	8665387 MLW, FT	8665387 NAVD88, FT
Mean Higher High Water	MHHW	5.4	2.5
Mean High Water	MHW	5.0	2.1
North American Vertical Datum, 1988	NAVD88	2.9	0
Mean Low Water	MLW	0.0	-2.9
Mean Lower Low Water	MLLW	-0.2	-3.1

PROJECT: Isle of Palms Marina  
 Watersports Dock

WATERBODY: AIWW

COUNTY: Charleston

STATE: South Carolina

LATITUDE: 32°48'21.24"N

LONGITUDE: 79°45'40.68"W

COVER PAGE &  
 LOCATION MAP

Requested by: City of Isle of Palms

Project Address: 69 41st Avenue, Isle of Palms

Parcel ID: 5710800007

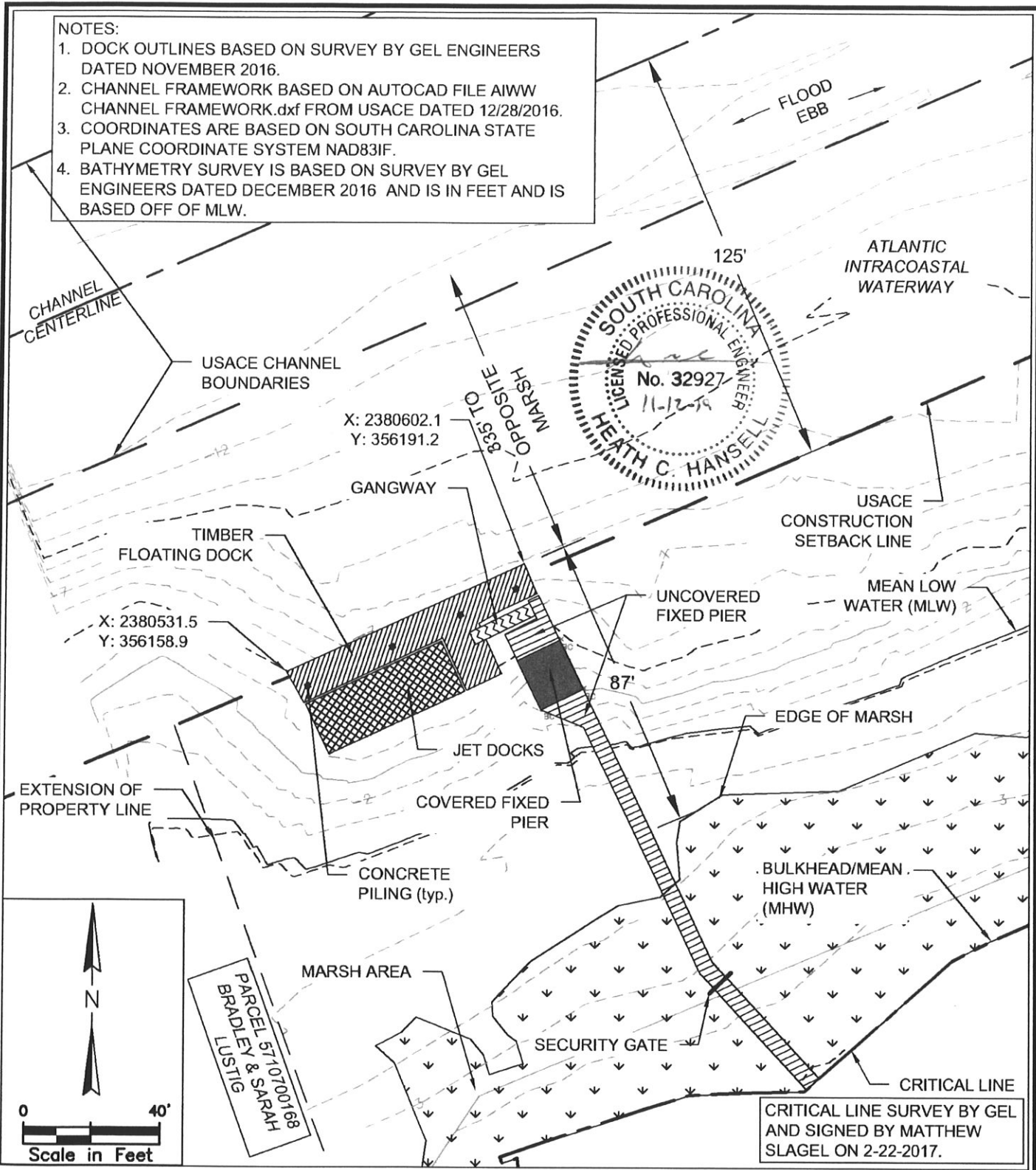


November 12, 2019  
 SHEET 1

I:\Chabot\p01\Group\...ston\_Shares\Shared\Projects\18\_3287\_IOP\_Marina\_Permitting & Design\DWG\watersports dock CORPS Permit 10-16-19.dwg location 1  
 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.

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- NOTES:
1. DOCK OUTLINES BASED ON SURVEY BY GEL ENGINEERS DATED NOVEMBER 2016.
  2. CHANNEL FRAMEWORK BASED ON AUTOCAD FILE AIWW CHANNEL FRAMEWORK.dxf FROM USACE DATED 12/28/2016.
  3. COORDINATES ARE BASED ON SOUTH CAROLINA STATE PLANE COORDINATE SYSTEM NAD83IF.
  4. BATHYMETRY SURVEY IS BASED ON SURVEY BY GEL ENGINEERS DATED DECEMBER 2016 AND IS IN FEET AND IS BASED OFF OF MLW.



CRITICAL LINE SURVEY BY GEL AND SIGNED BY MATTHEW SLAGEL ON 2-22-2017.

PROJECT: Isle of Palms Marina  
 Watersports Dock

WATERBODY: AIWW

COUNTY: Charleston

STATE: South Carolina

LATITUDE: 32°48'21.24"N

LONGITUDE: 79°45'40.68"W

EXISTING CONDITIONS

Requested by: City of Isle of Palms

Project Address: 69 41st Avenue, Isle of Palms

Parcel ID: 5710800007

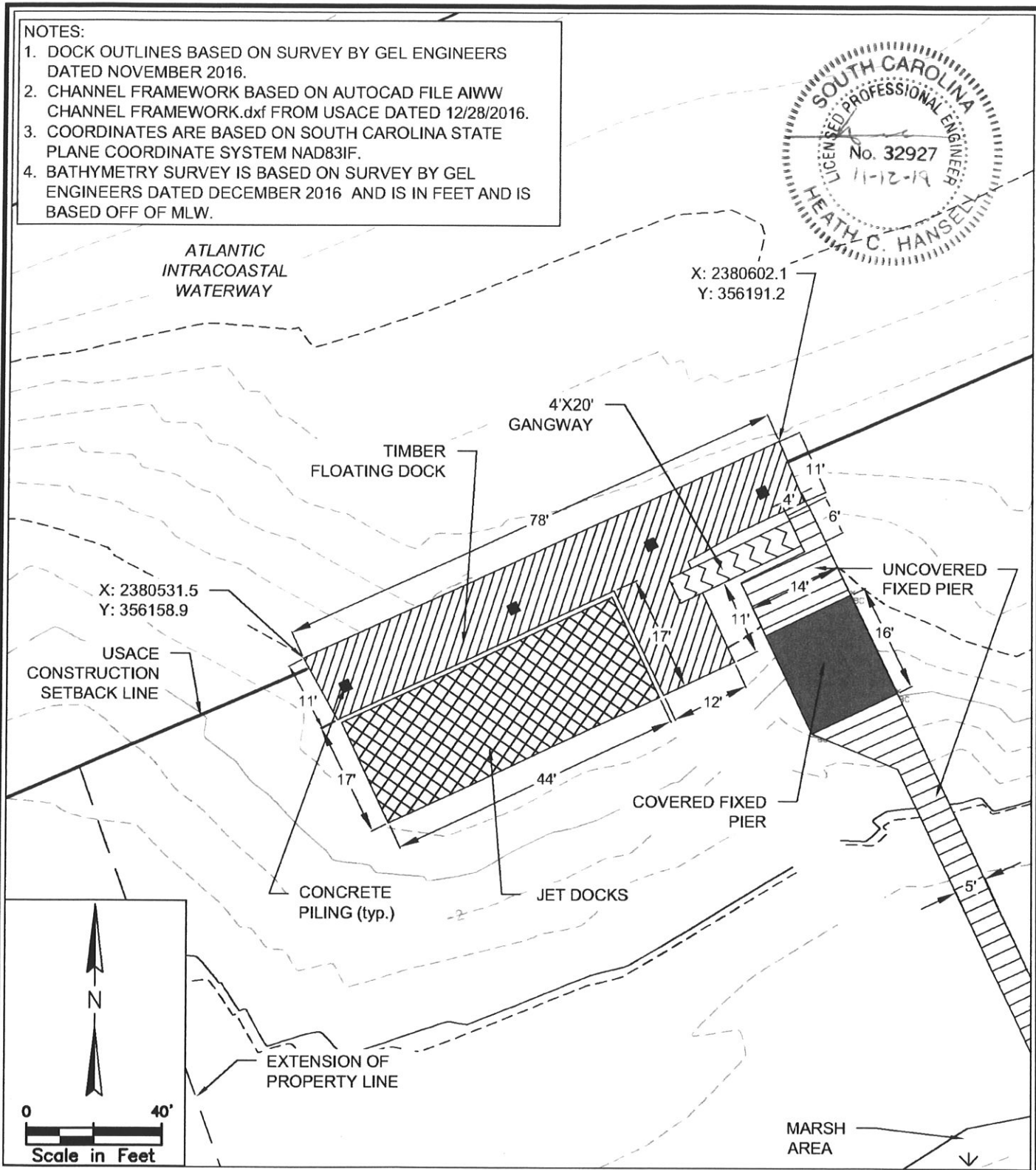
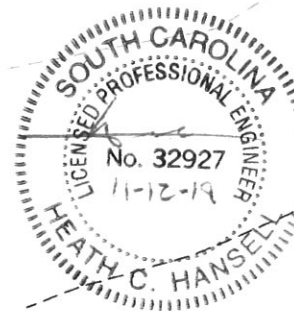
**ATM** DESIGN ENGINEERING CONSULTING

November 12, 2019  
 SHEET 2

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**PROJECT:** Isle of Palms Marina  
**WATERBODY:** Watersports Dock  
**COUNTY:** Charleston  
**STATE:** South Carolina  
**LATITUDE:** 32°48'21.24"N  
**LONGITUDE:** 79°45'40.68"W

**EXISTING CONDITIONS**

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Project Address: 69 41st Avenue, Isle of Palms

Parcel ID: 5710800007

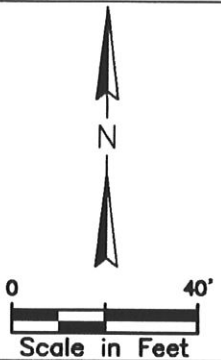
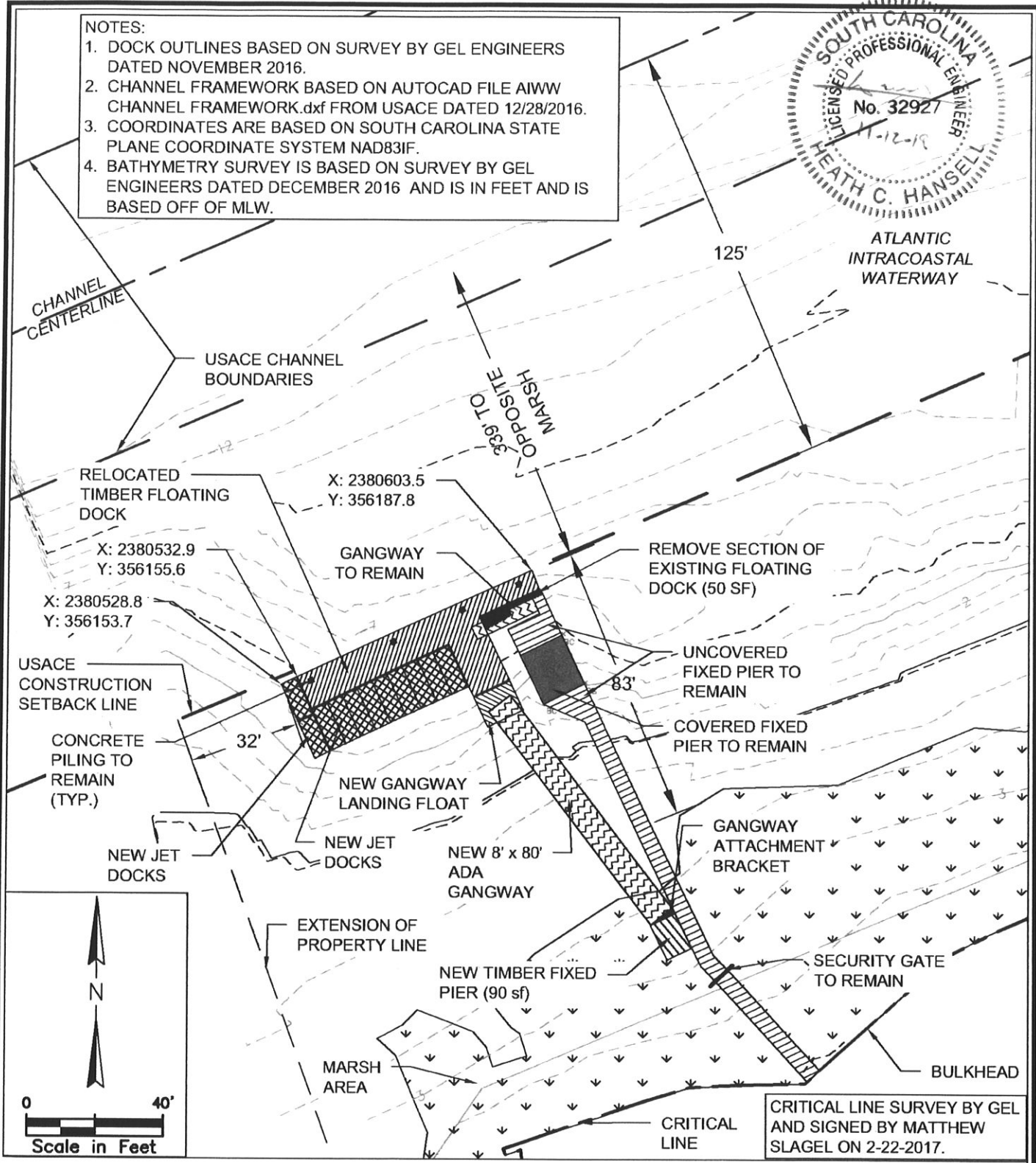
November 12, 2019  
SHEET 3

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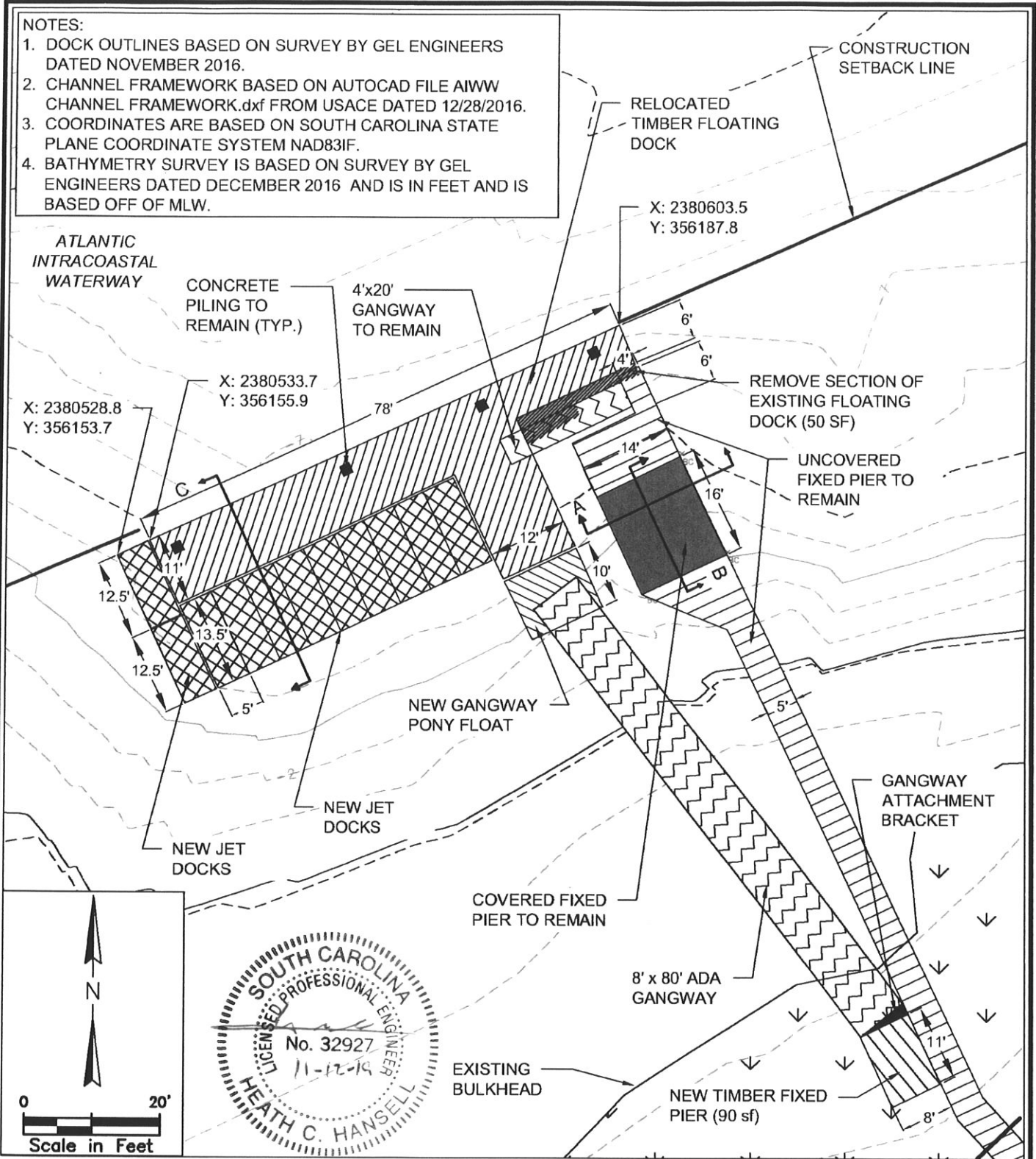
PROJECT:	Isle of Palms Marina Watersports Dock	<b>PROPOSED IMPROVEMENTS</b>  Requested by: City of Isle of Palms  Project Address: 69 41st Avenue, Isle of Palms  Parcel ID: 5710800007	
WATERBODY:	AIWW		
COUNTY:	Charleston		
STATE:	South Carolina		
LATITUDE:	32°48'21.24"N		
LONGITUDE:	79°45'40.68"W	November 12, 2019 SHEET 4	

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<b>PROJECT:</b>	Isle of Palms Marina Watersports Dock
<b>WATERBODY:</b>	AIWW
<b>COUNTY:</b>	Charleston
<b>STATE:</b>	South Carolina
<b>LATITUDE:</b>	32°48'21.24"N
<b>LONGITUDE:</b>	79°45'40.68"W

<b>PROPOSED IMPROVEMENTS</b>	
Requested by: City of Isle of Palms	
Project Address: 69 41st Avenue, Isle of Palms	
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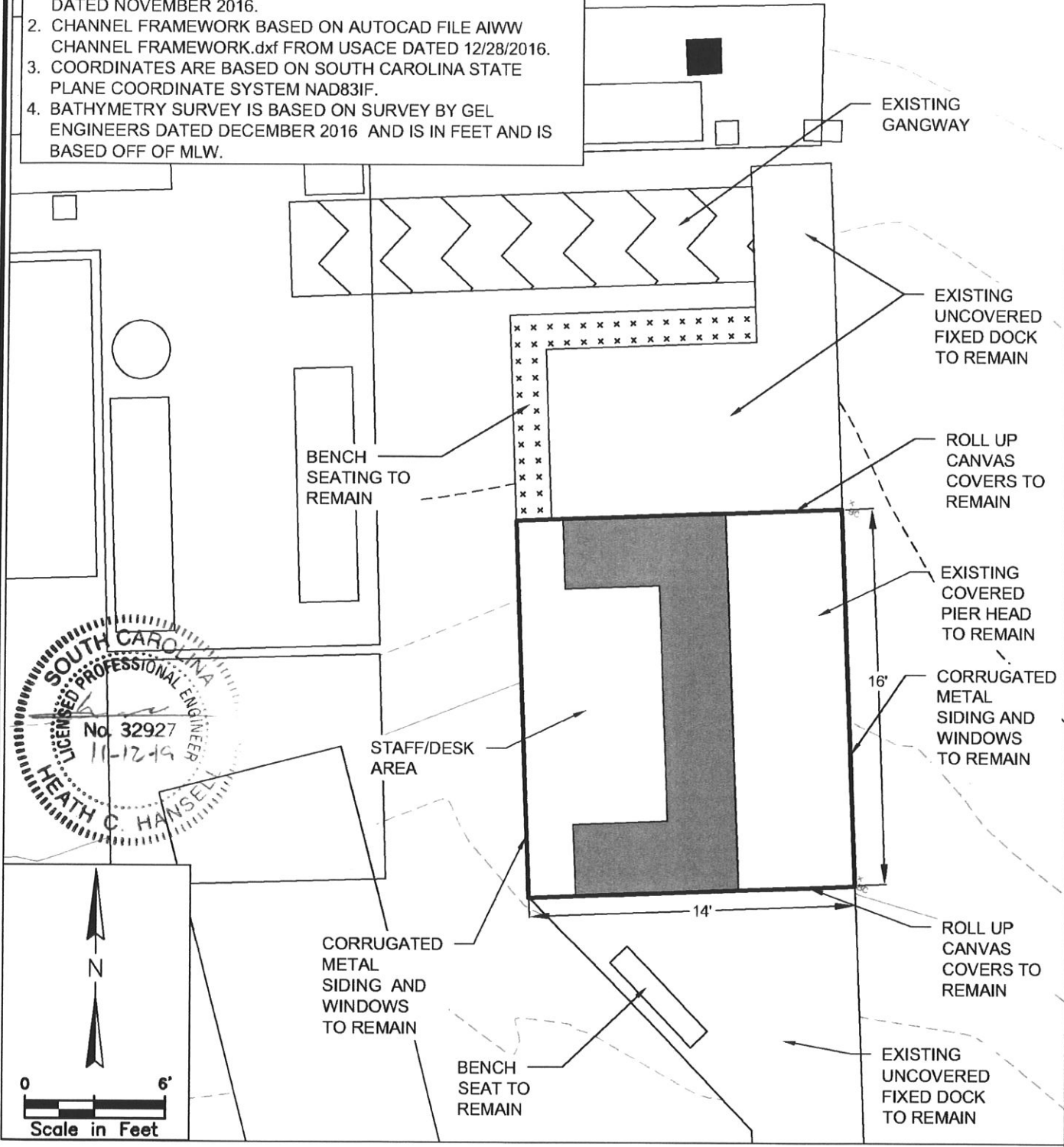
**ATM** DESIGN  
ENGINEERING  
CONSULTING


November 12, 2019  
**SHEET 5**

12/19  
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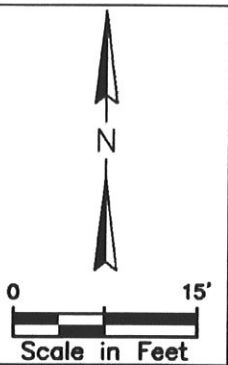
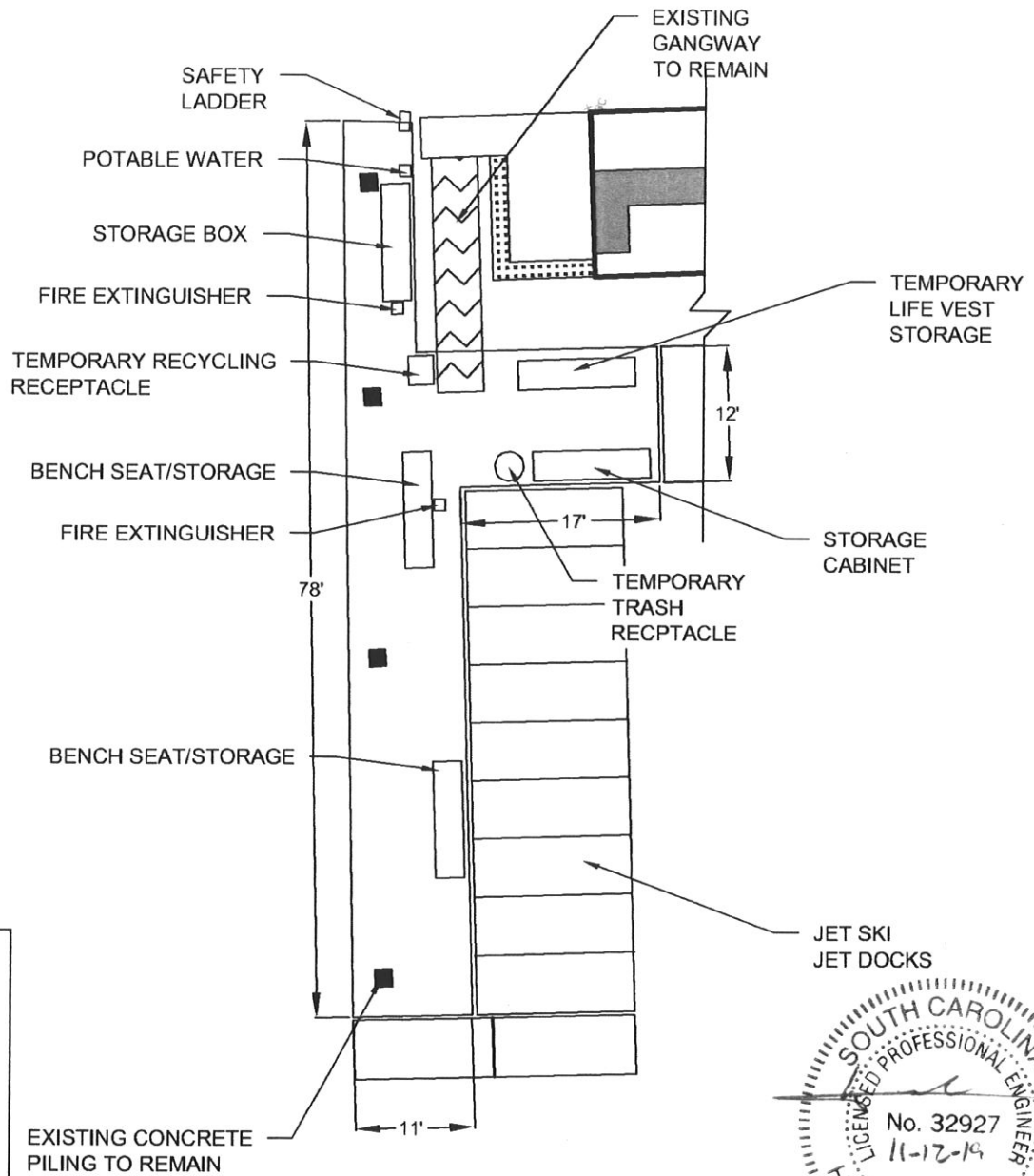


PROJECT: Isle of Palms Marina Watersports Dock WATERBODY: AIWW COUNTY: Charleston STATE: South Carolina LATITUDE: 32°48'21.24"N LONGITUDE: 79°45'40.68"W	<b>PROPOSED IMPROVEMENTS</b>	 November 12, 2019 SHEET 6
	Requested by: City of Isle of Palms	
	Project Address: 69 41st Avenue, Isle of Palms	
	Parcel ID: 5710800007	

1/17/2019  
 Fixed Plot  
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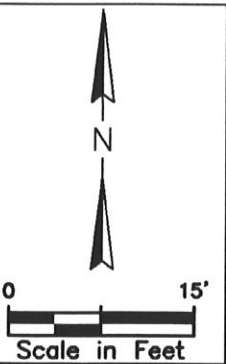
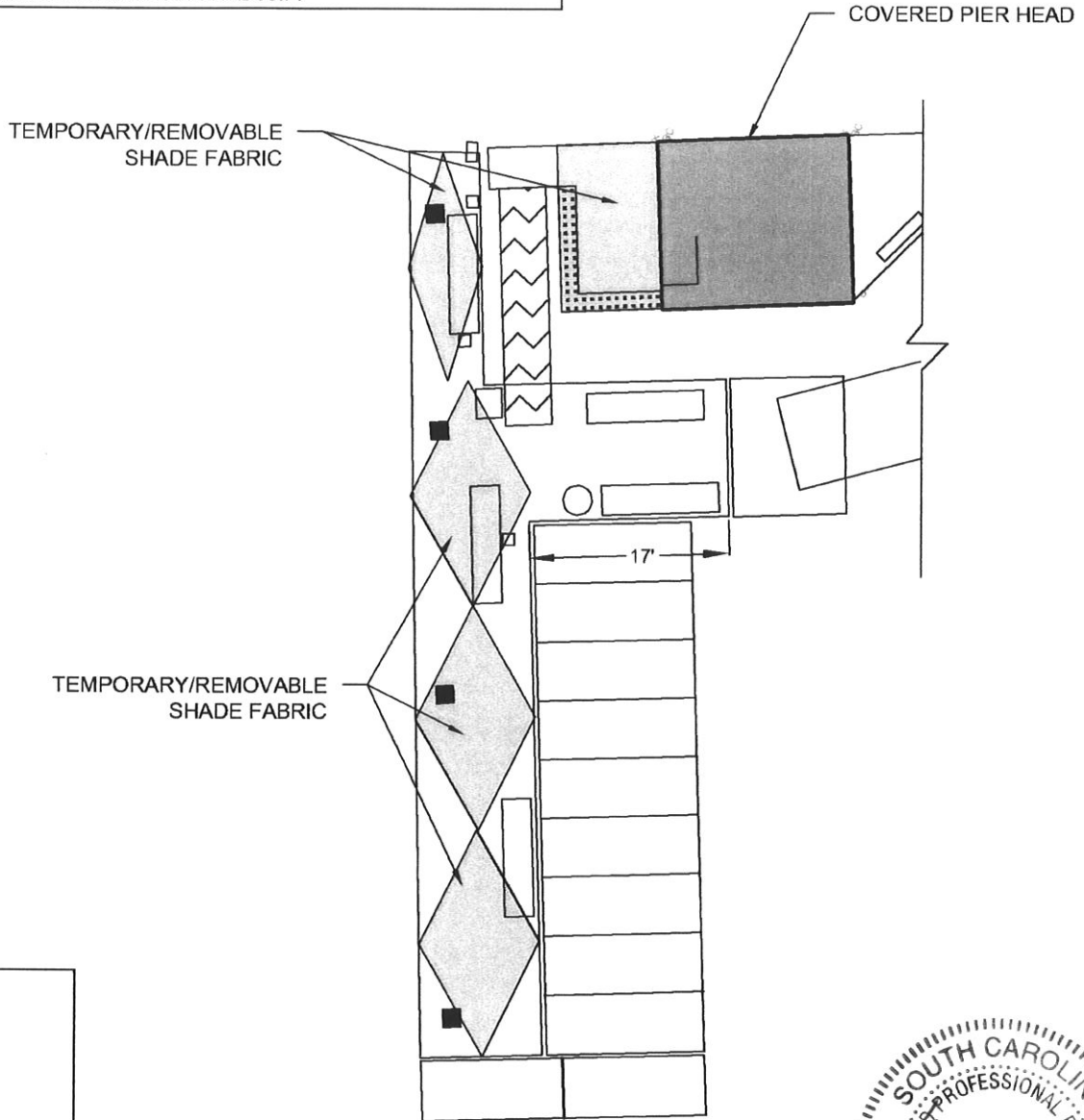
PROJECT:	Isle of Palms Marina Watersports Dock
WATERBODY:	AIWW
COUNTY:	Charleston
STATE:	South Carolina
LATITUDE:	32°48'21.24"N
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<b>PROPOSED IMPROVEMENTS</b>
Requested by: City of Isle of Palms
Project Address: 69 41st Avenue, Isle of Palms
Parcel ID: 5710800007

November 12, 2019  
SHEET 7

**FOR PERMITTING PURPOSES ONLY  
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**PROJECT:** Isle of Palms Marina  
 Watersports Dock  
**WATERBODY:** AIWW  
**COUNTY:** Charleston  
**STATE:** South Carolina  
**LATITUDE:** 32°48'21.24"N  
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**PROPOSED IMPROVEMENTS**

Requested by: City of Isle of Palms

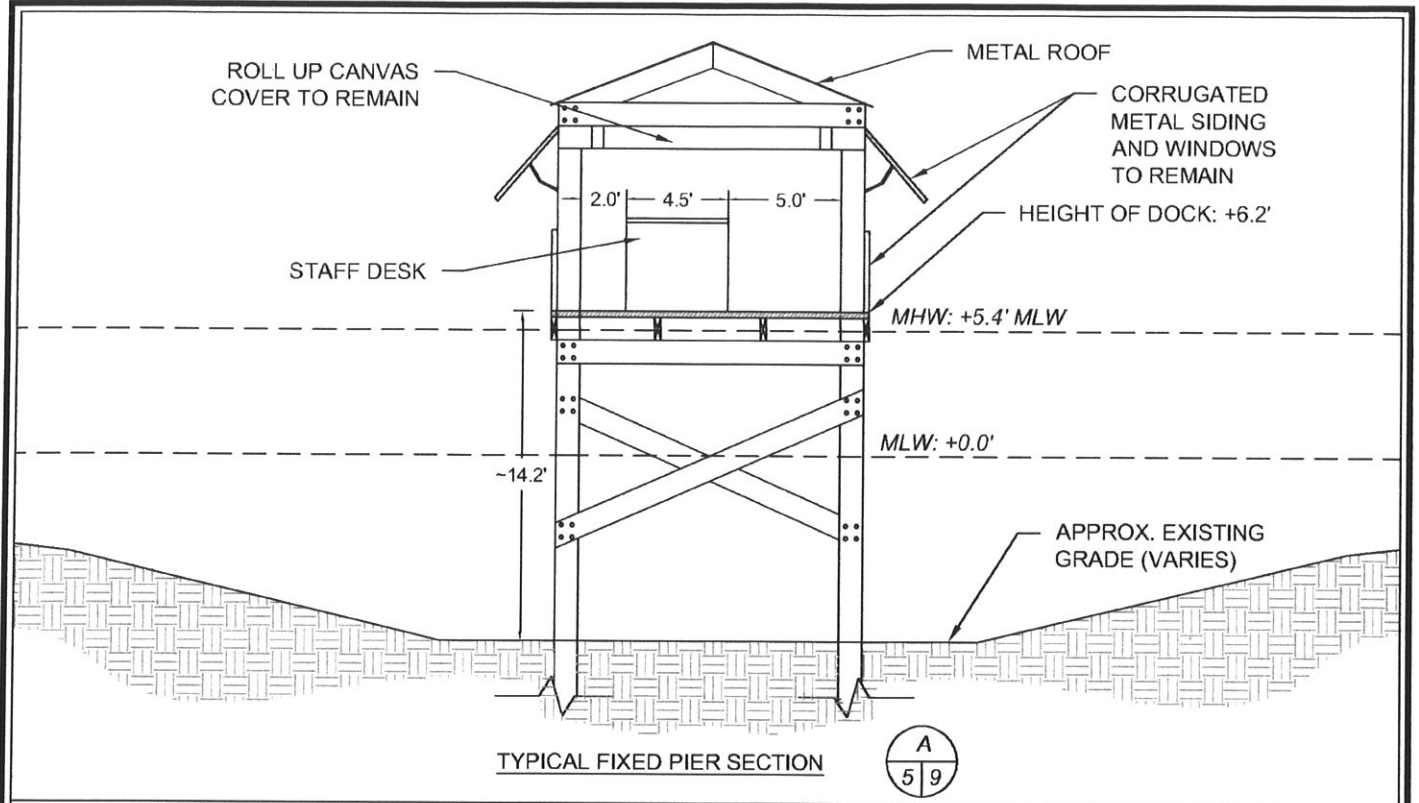
Project Address: 69 41st Avenue, Isle of Palms

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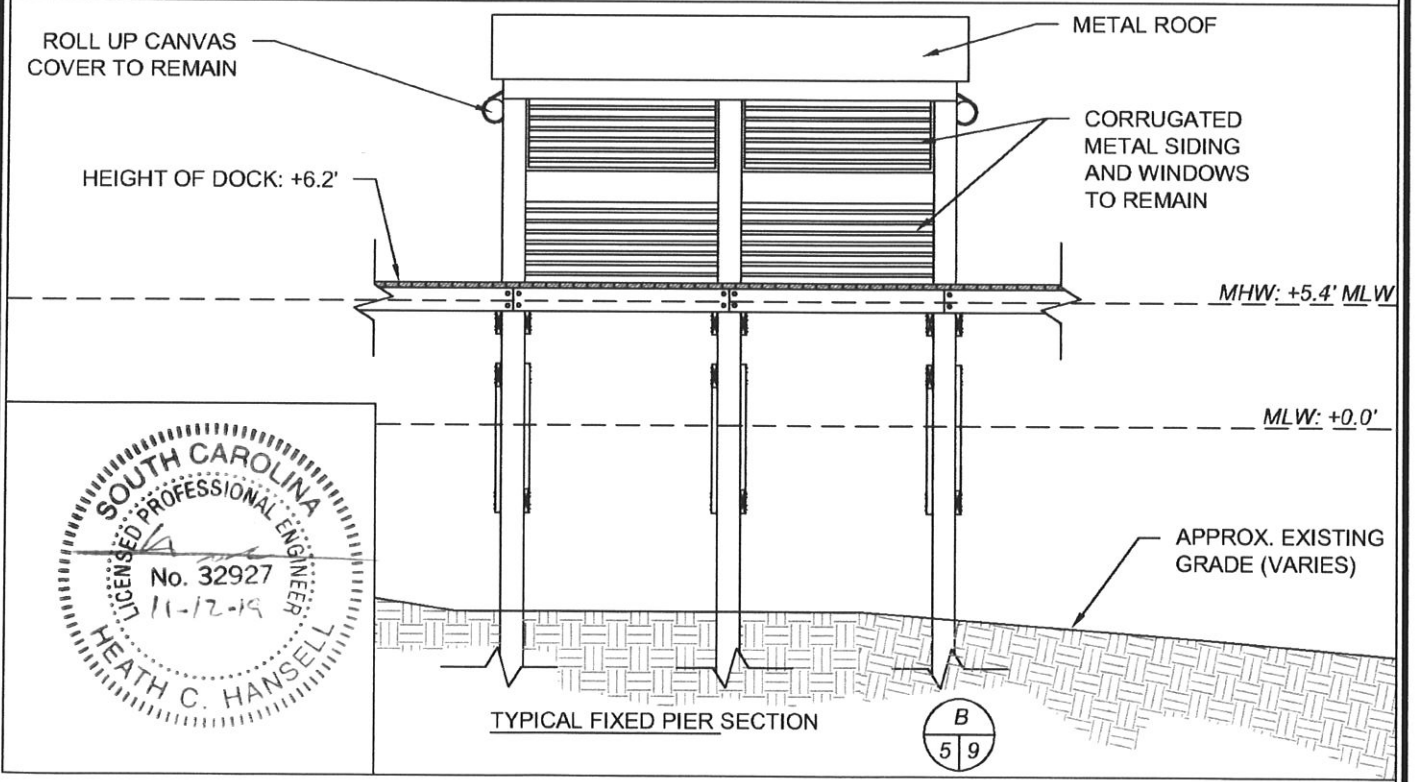

**ATM** DESIGN  
 ENGINEERING  
 CONSULTING

November 12, 2019  
 SHEET 8

FOR PERMITTING PURPOSES ONLY  
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TYPICAL FIXED PIER SECTION A  
5/9



TYPICAL FIXED PIER SECTION B  
5/9



PROJECT:	Isle of Palms Marina Watersports Dock
WATERBODY:	AIWW
COUNTY:	Charleston
STATE:	South Carolina
LATITUDE:	32°48'21.24"N
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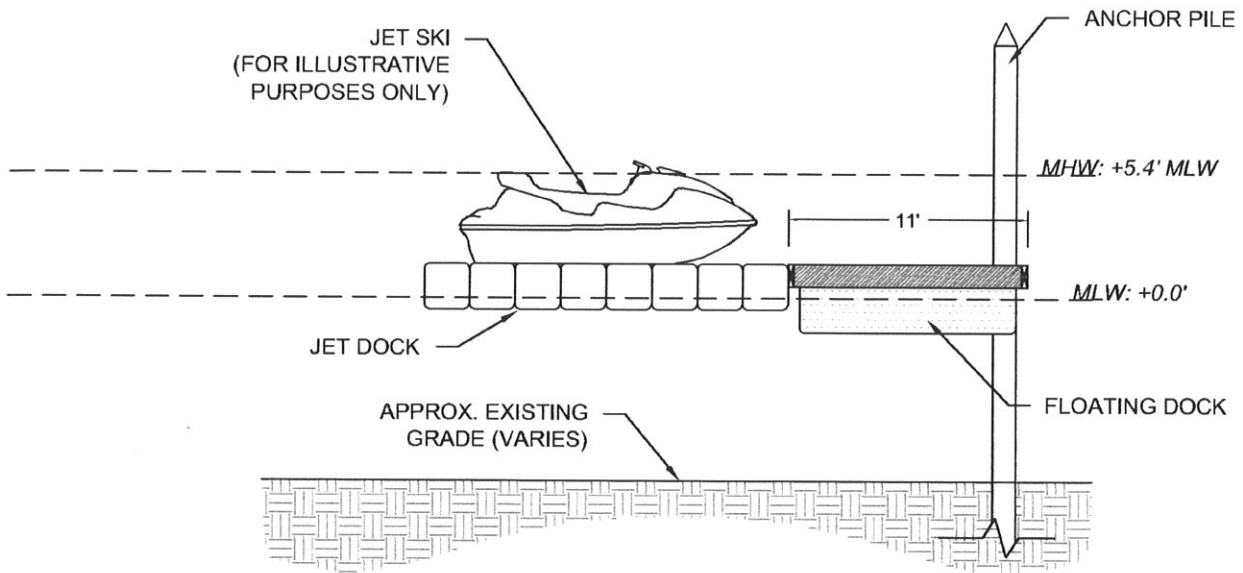
TYPICAL FIXED PIER SECTIONS	
Requested by: City of Isle of Palms	
Project Address: 69 41st Avenue, Isle of Palms	
Parcel ID: 5710800007	

**ATM** DESIGN ENGINEERING CONSULTING

November 12, 2019  
SHEET 9

1/12/19  
 Typical Section  
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TYPICAL FLOATING DOCK & JET DOCK SECTION



\hatchtopa01\Group...ion Shares\Shared\Projects\18-3287\OP Marina Permitting & Design\DWG\watersports dock CORPS Permit 10-16-19.dwg  
 Typical Section 11/12/19  
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PROJECT: Isle of Palms Marina  
 Watersports Dock  
 WATERBODY: AIWW  
 COUNTY: Charleston  
 STATE: South Carolina  
 LATITUDE: 32°48'21.24"N  
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TYPICAL FLOATING DOCK SECTION

Requested by: City of Isle of Palms

Project Address: 69 41st Avenue, Isle of Palms

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November 12, 2019  
 SHEET 10