

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-2013-01066-2G

11 OCTOBER 2013

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

DC & SONS, LLC
MR. JOHN BORDEN
C/O MR. JOHN WADE
JOHN E. WADE, JR. RLS
PO BOX 686
ISLE OF PALMS, SOUTH CAROLINA 29451

for a permit to install a landing, two ramps and two floating docks adjacent to the existing wooden pier in

SHEM CREEK

at a location, 100 Church Street, Mount Pleasant, Charleston County, South Carolina.
(Latitude 32.7925° Longitude -79.8813°)

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 installation of a 5' x 9' wooden landing with two 3' x 20' ramps, one extending to a 6' x 42' floating dock on the upstream side of the landing and the other ramp extending to a 6' x 71' floating dock on the downstream side of the landing. The purpose of the proposed work is for mooring of commercial watercraft (the Palmetto Breeze catamaran and

the Osprey converted trawler.

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 the Coastal Zone Management Program (15 CFR 930). 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 not impact estuarine substrates utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined 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 7(c) of the Endangered Species Act of 1973 (as amended).

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 the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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. 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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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.

If there are any questions concerning this public notice, please contact Mary Hope Green at 843-329-8044 or toll free at 1-866-329-8187.



Charleston County

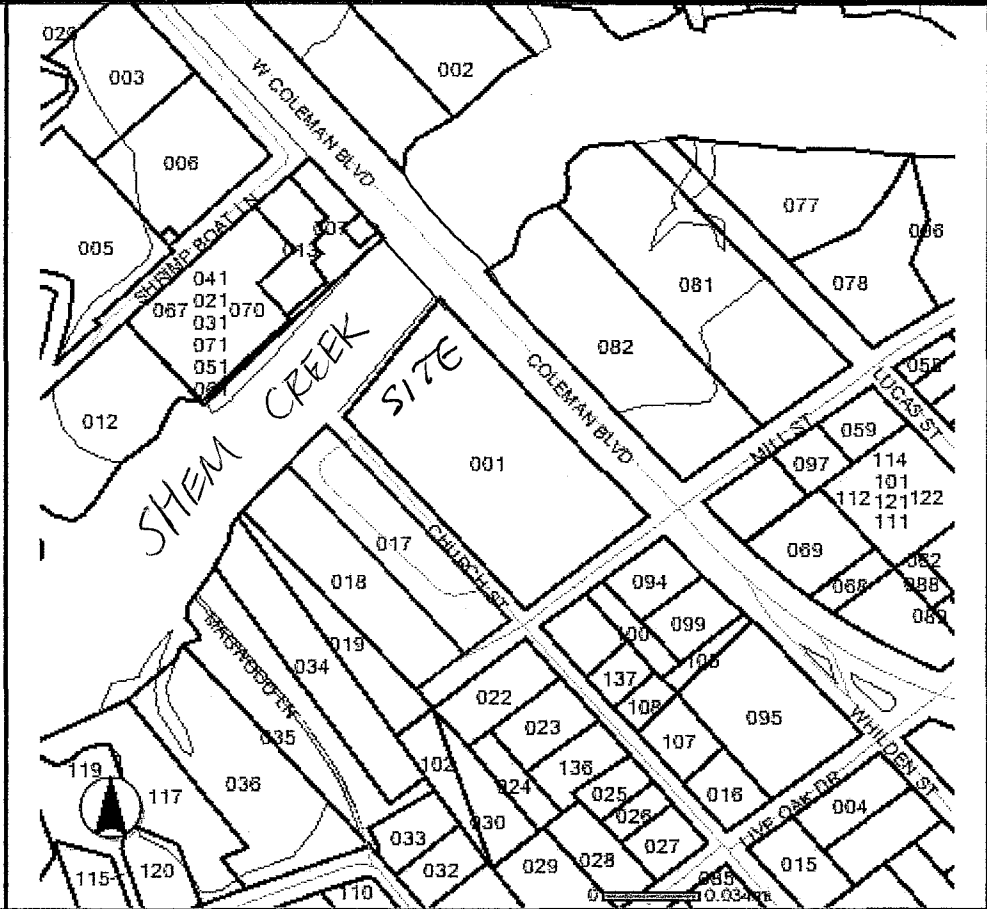
Copyright 2004
Charleston County GIS
4045 Bridge View Drive
North Charleston, SC 29405-7464

Legend

Selected Features

 Streets/Roads

Parcels



PROJECT: COMMERCIAL DOCK

APPLICANT: DC & SONS LLC
100 CHURCH STREET
MT. PLEASANT
TMS# 517-15-00-001
SHEM CREEK

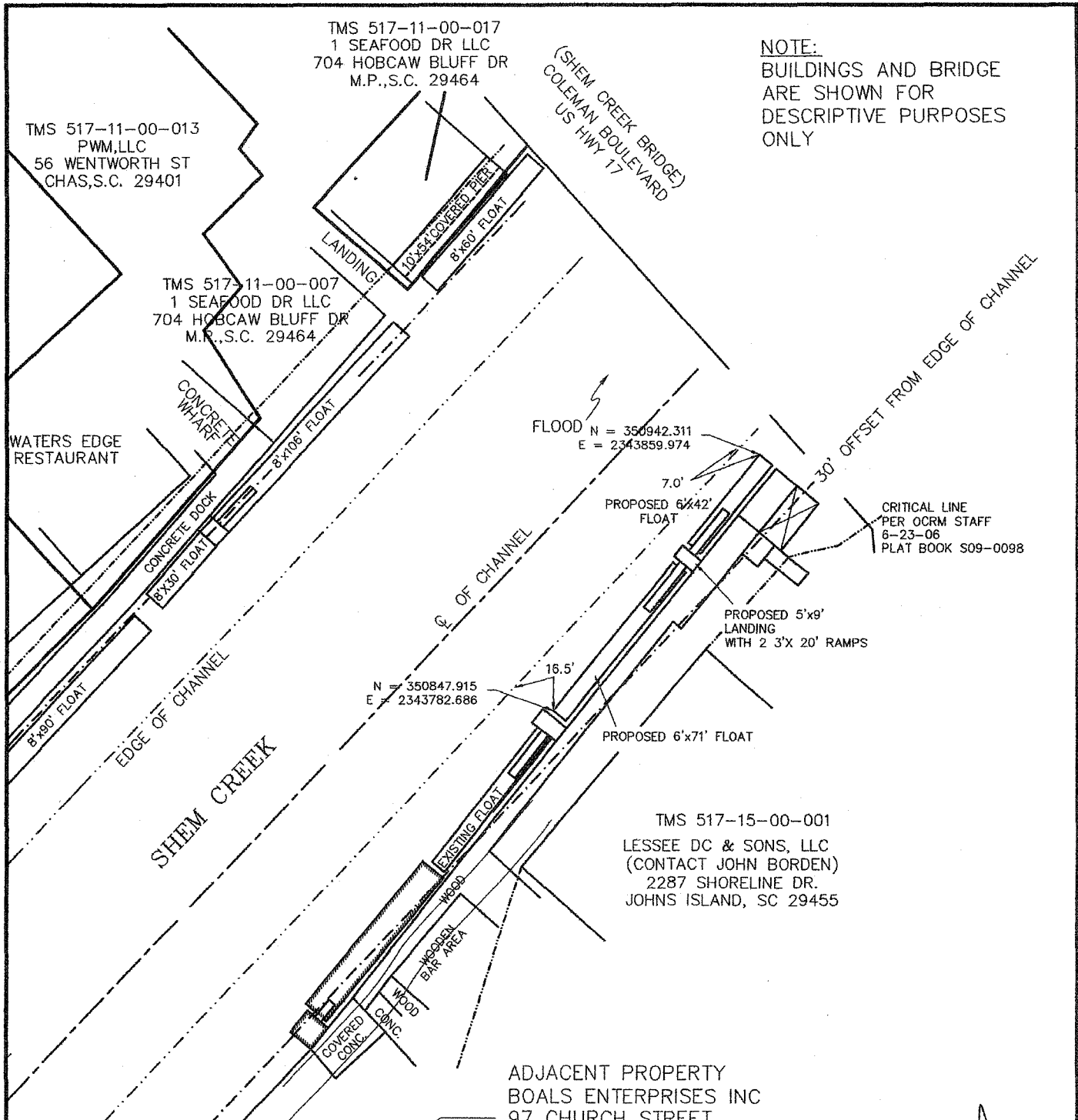
~~1/3~~

NO SCALE
DATE: AUGUST 22, 2013

SAC - 2013-01066-2G

FILE: 047-11

Sheet 1 of 3



NOTE:
 BUILDINGS AND BRIDGE
 ARE SHOWN FOR
 DESCRIPTIVE PURPOSES
 ONLY

TMS 517-11-00-013
 PWM, LLC
 56 WENTWORTH ST
 CHAS, S.C. 29401

TMS 517-11-00-017
 1 SEAFOOD DR LLC
 704 HOBCAW BLUFF DR
 M.P., S.C. 29464

TMS 517-11-00-007
 1 SEAFOOD DR LLC
 704 HOBCAW BLUFF DR
 M.P., S.C. 29464

WATERS EDGE
 RESTAURANT

FLOOD N = 350942.311
 E = 2343859.974

CRITICAL LINE
 PER OCRM STAFF
 6-23-06
 PLAT BOOK S09-0098

N = 350847.915
 E = 2343782.686

TMS 517-15-00-001
 LESSEE DC & SONS, LLC
 (CONTACT JOHN BORDEN)
 2287 SHORELINE DR.
 JOHNS ISLAND, SC 29455

ADJACENT PROPERTY
 BOALS ENTERPRISES INC
 97 CHURCH STREET
 MT. PLEASANT, SC 29464

PROJECT: COMMERCIAL DOCK

APPLICANT: DC & SONS LLC
 100 CHURCH STREET
 MT. PLEASANT
 TMS# 517-15-00-001
 SHEM CREEK

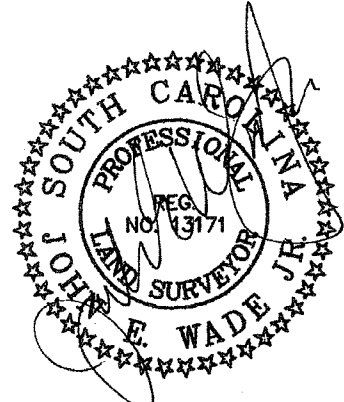
SCALE 1" = 50'
 DATE: AUGUST 22, 2013

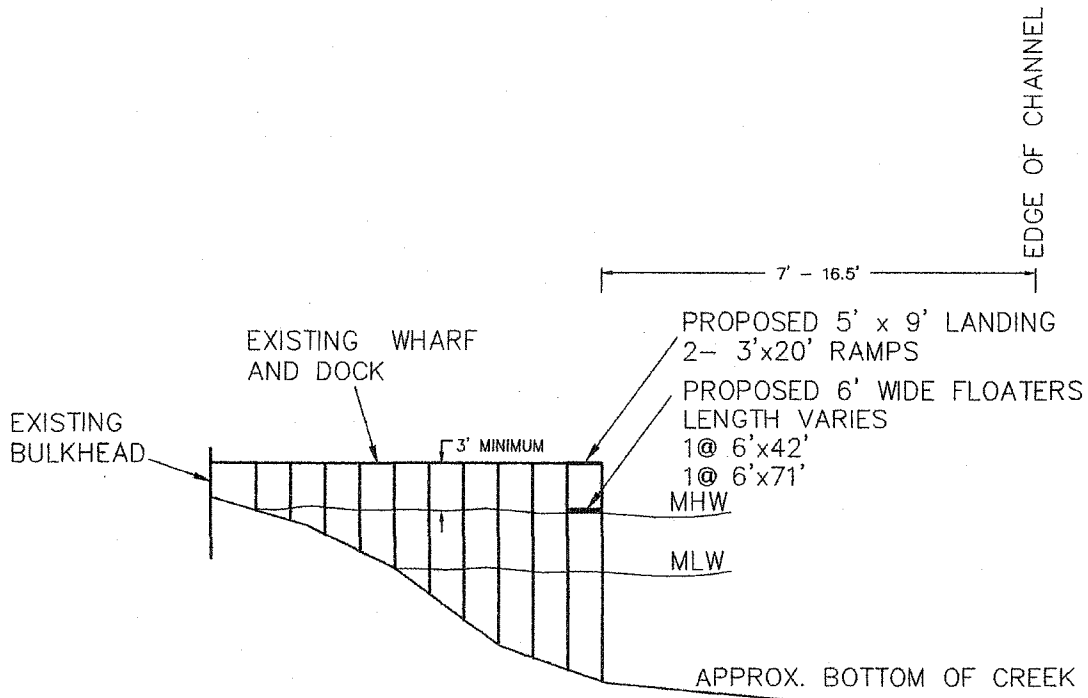


SAC-2013-01066-28

FILE: 047-11

Sheet 2 of 3

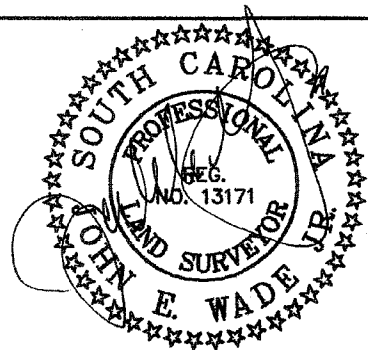




PROJECT: COMMERCIAL DOCK

APPLICANT: DC & SONS LLC
 100 CHURCH STREET
 MT. PLEASANT
 TMS# 517-15-00-001
 SHEM CREEK

NO SCALE
 DATE: AUGUST 22, 2013



SAC-2013-01066-2G

FILE: 047-11

Sheet 3 of 3