South Carolina Department of Health and Environmental Control
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

and

Charleston District, Army Corps of Engineers
69-A Hagood Avenue
Charleston, South Carolina 29403

January 24, 2014
Joint Permit Application Public Notice
***Seagrass Real Estate & Development*, 2013-01348-2T**

The Department has received an application for a permit for the alteration of a critical area. The application was submitted pursuant to the Coastal Zone Management Act (Act 123) of 1977 South Carolina General Assembly. The application in brief, is described as follows:

LOCATION: **On and adjacent to Beresford Creek at 530 Stuhr Lane, Wando, Berkeley County, South Carolina. TMS: 271-00-02-058.**

WORK: **The work as proposed consists of constructing a dock. The applicant seeks to construct a 5' x 267' walkway, with handrails, leading to a 15' x 30' covered pierhead, with benches. Ebbside of the pierhead, a 3' x 20' ramp will access a 10' x 60' floating dock and an 8' x 20' jet dock. Floodside of the pierhead, a 3' x 20' ramp will access a a 10' x 40' floating dock and an 8' x 20' floating jet dock. Nine of the ten slips will be sold to residents of the new townhome community. The future HOA will own the walkway, pierhead and one slip. The existing dock will be removed. The work as described is for community use for a future townhome community.**

This public notice is being distributed to all known interested persons and agencies to assist in developing facts on which a decision by the Department can be based. Comments concerning the proposed work must be submitted in writing, setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

Comments regarding this application must be received by the Department on or before **February 23, 2014**. For more information, please contact:
Jeff Thompson at **843-953-0219** or via email at **thompsdj@dhec.sc.gov.**

NOTE: Plans depicting the proposed work are available and will be provided upon receipt of a written request or may be viewed on the Department website at **www.scdhec.gov/environment/ocrm/public_notice.htm.**

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 # 2013-01348-2T

22 January 2014

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

SEAGRASS REAL ESTATE AND DEVELOPMENT
C/O JOHN HASSELL
1400 PALM BOULEVARD
ISLE OF PALMS, SC 29451

for a permit to construct a private community dock on

BERESFORD CREEK

at 530 Stuhr Lane in Wando, Berkeley County, South Carolina (32.894222 Latitude/ -79.909333 Longitude)

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,

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of the construction of 5' X 267' fixed walkway with handrails leading to a 15' X 30' fixed covered pierhead with one 3' X 20' ramp connecting to a 10' X 59.5' floating dock and 20' x 8' floating jet dock and a second 3' X 20' ramp connecting to a 10' X 40' floating dock and 8' X 20' floating jet dock. The existing dock will be removed and replaced with the proposed dock. The proposed dock will have electricity for a light. The purpose of the proposed dock is for the private recreational use of owners of an adjacent new townhome community. Nine out of ten of the slips will be sold to residents of the new townhome community. The condominium community/homeowners association will own the walkway, covered pierhead, and one slip. The dock will provide for both short term (day use) and long term dockage of boats and jet skis. The applicant stated that avoidance and minimization of impacts to waters of the U.S. occurred by positioning the floating docks parallel with the shoreline as opposed to perpendicular to the shoreline.

The applicant also stated that no compensatory mitigation is being proposed as filling of wetlands or waters of the U.S. will not occur with the proposed project.

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State certification must submit all comments in writing to the South Carolina Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

This 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 1,602 square feet of estuarine waters 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.

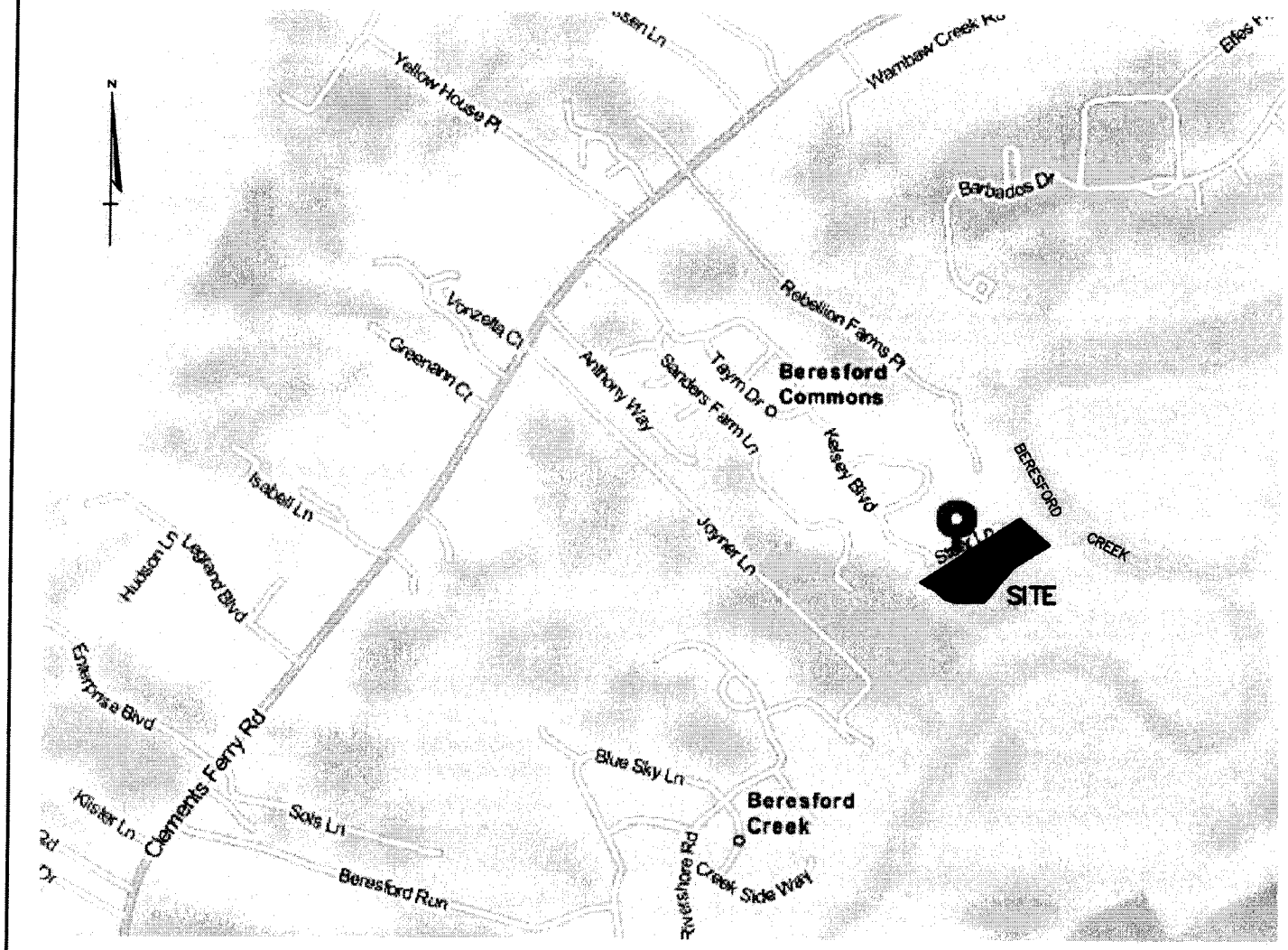
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 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 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 **Tracy Dotolo Sanders** at 843-329-8044 or toll free at 1-866-329-8187.



LOCATION MAP
(NOT TO SCALE)

Seagrass Real Estate and Development
Beresford Point Community Dock
P/N 2013-01348-2T

January 22, 2014 **Sheet 1 of 4**

SHEET 1 OF 4

APPLICANT: JOHN HASSELL

TMS 271-00-02-058
530 STUHR LANE
TOWN OF WANDO
BERKELEY COUNTY, SC
BERESFORD CREEK

15'x20' PIERHEAD WITH ROOF & BENCHES
(2) 20'x3' RAMPS
99.5' OF 10' WIDE FLOATING DOCK
40' OF 8' WIDE JET DOCK
267' WALKWAY 5' WIDE WITH HANDRAILS

LOCATION MAP
PRIVATE DOCK

DECEMBER 5, 2013

NOT TO SCALE

SOUTH CAROLINA REGISTERED LAND SURVEYOR
No. 10778
THOMAS V. BESSENT

Island Surveying Inc
1720 Central Park Rd, Chas., SC 29412
Phone (843) 225-6582

LEGEND:
N.T.S. – NOT TO SCALE
L.F. – LINEAR FEET
CTF – IRON PIPE FOUND, CRIMPED TOP
△ – NO MARKER SET

MARSH

MARSH

APPROXIMATE MEAN LOW WATER LINE

N

GRID

BERESFORD CREEK

±208' TO MARSH

±253' TO MARSH

±302' MARSH TO MARSH

PROPERTY LINE EXTENDED

PROPERTY LINE EXTENDED

NEW 20'x8' JET DOCK

NEW 40'x10' FLOATING DOCK

NEW 20'x3' RAMP

NEW 20'x3' RAMP

NEW 59.5'x10' FLOATING DOCK

NEW 20'x8' JET DOCK

±33'

±41'

APPROXIMATE MEAN LOW WATER LINE

BOAT LIFT (TO BE REMOVED)

NEW 15'x20' PIERHEAD WITH ROOF AND BENCHES

EXISTING WOOD WALKWAY (TO BE REBUILT 5'x267' WITH HANDRAILS)

MARSH

Seagrass Real Estate and Development
Beresford Point Community Dock
P/N 2013-01348-2T

January 22, 2014 **Sheet 2 of 4**

SHEET 2 OF 4

APPLICANT: JOHN HASSELL

TMS 271-00-02-058
530 STUHR LANE
TOWN OF WANDO
BERKELEY COUNTY, SC
BERESFORD CREEK

15'x20' PIERHEAD WITH ROOF & BENCHES
(2) 20'x3' RAMPS
99.5' OF 10' WIDE FLOATING DOCK
40' OF 8' WIDE JET DOCK
267' WALKWAY 5' WIDE WITH HANDRAILS

DOCK LAYOUT
PRIVATE DOCK

DECEMBER 5, 2013

SCALE: 1" = 60'

60 30 0 60

SCALE IN FEET

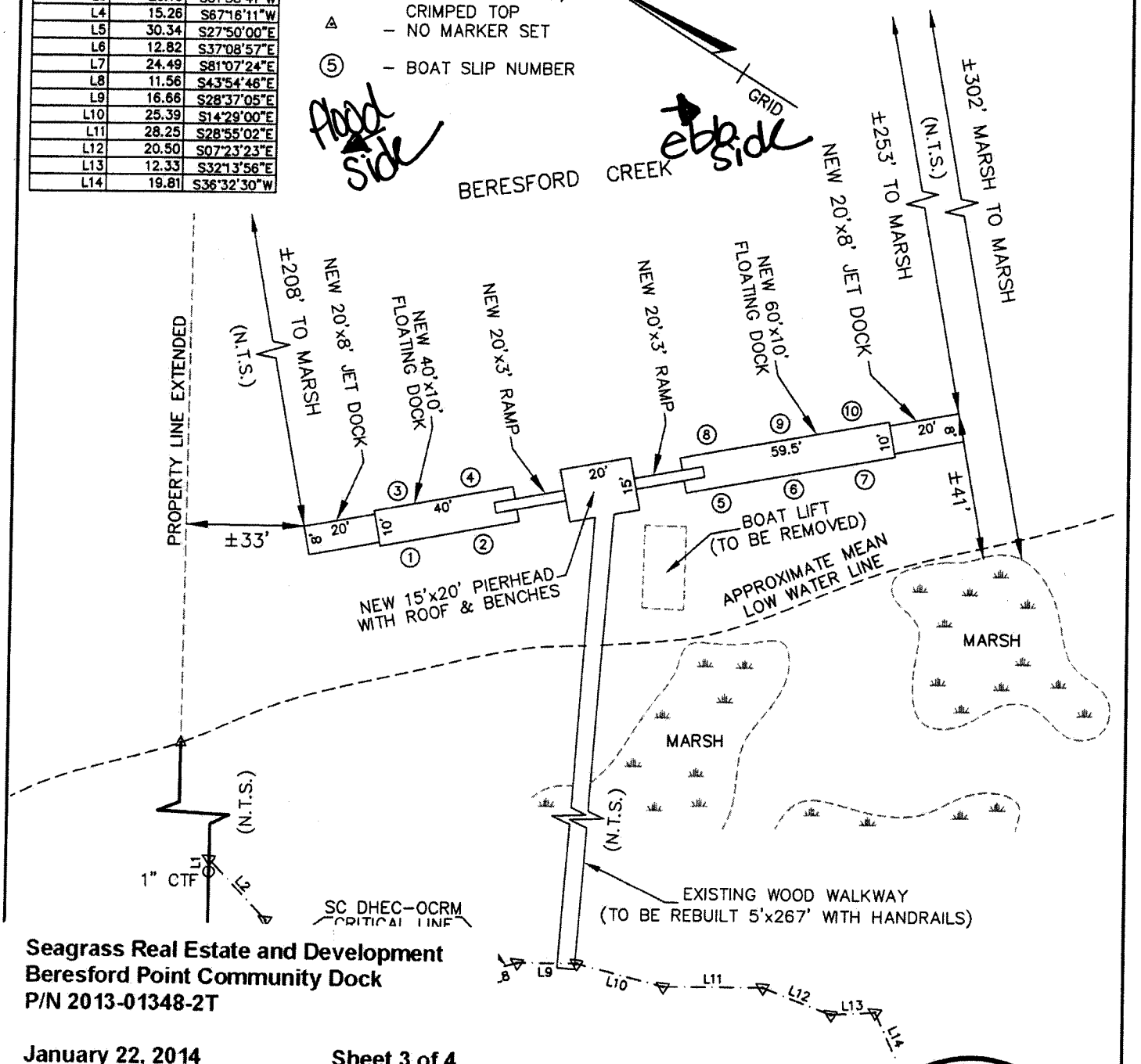
SOUTH CAROLINA REGISTERED LAND SURVEYOR
No. 10778
THOMAS V. BESSENT

Island Surveying Inc
1720 Central Park Rd, Chas., SC 29412
Phone (843) 225-6582

LINE TABLE		
LINE	LENGTH	BEARING
L1	3.68	N61°37'24"E
L2	23.63	S18°14'43"W
L3	20.15	S51°38'41"W
L4	15.26	S67°16'11"W
L5	30.34	S27°50'00"E
L6	12.82	S37°08'57"E
L7	24.49	S81°07'24"E
L8	11.56	S43°54'46"E
L9	16.66	S28°37'05"E
L10	25.39	S14°29'00"E
L11	28.25	S28°55'02"E
L12	20.50	S07°23'23"E
L13	12.33	S32°13'56"E
L14	19.81	S36°32'30"W

LEGEND:
N.T.S. – NOT TO SCALE
L.F. – LINEAR FEET
CTF – IRON PIPE FOUND, CRIMPED TOP
△ – NO MARKER SET
⑤ – BOAT SLIP NUMBER

NOTE:
CRITICAL LINE SHOWN WAS SURVEYED BY CHARLES F. DAWLEY, JR. AND SIGNED BY D.J. THOMPSON DATED DECEMBER 12, 2013.



Seagrass Real Estate and Development
Beresford Point Community Dock
P/N 2013-01348-2T

January 22, 2014 **Sheet 3 of 4**

SHEET 3 OF 4

APPLICANT: JOHN HASSELL

TMS 271-00-02-058
530 STUHR LANE
TOWN OF WANDO
BERKELEY COUNTY, SC
BERESFORD CREEK

15'x20' PIERHEAD WITH ROOF & BENCHES
(2) 20'x3' RAMPS
99.5' OF 10' WIDE FLOATING DOCK
40' OF 8' WIDE JET DOCK
267' WALKWAY 5' WIDE WITH HANDRAILS

DOCK DETAIL
PRIVATE DOCK

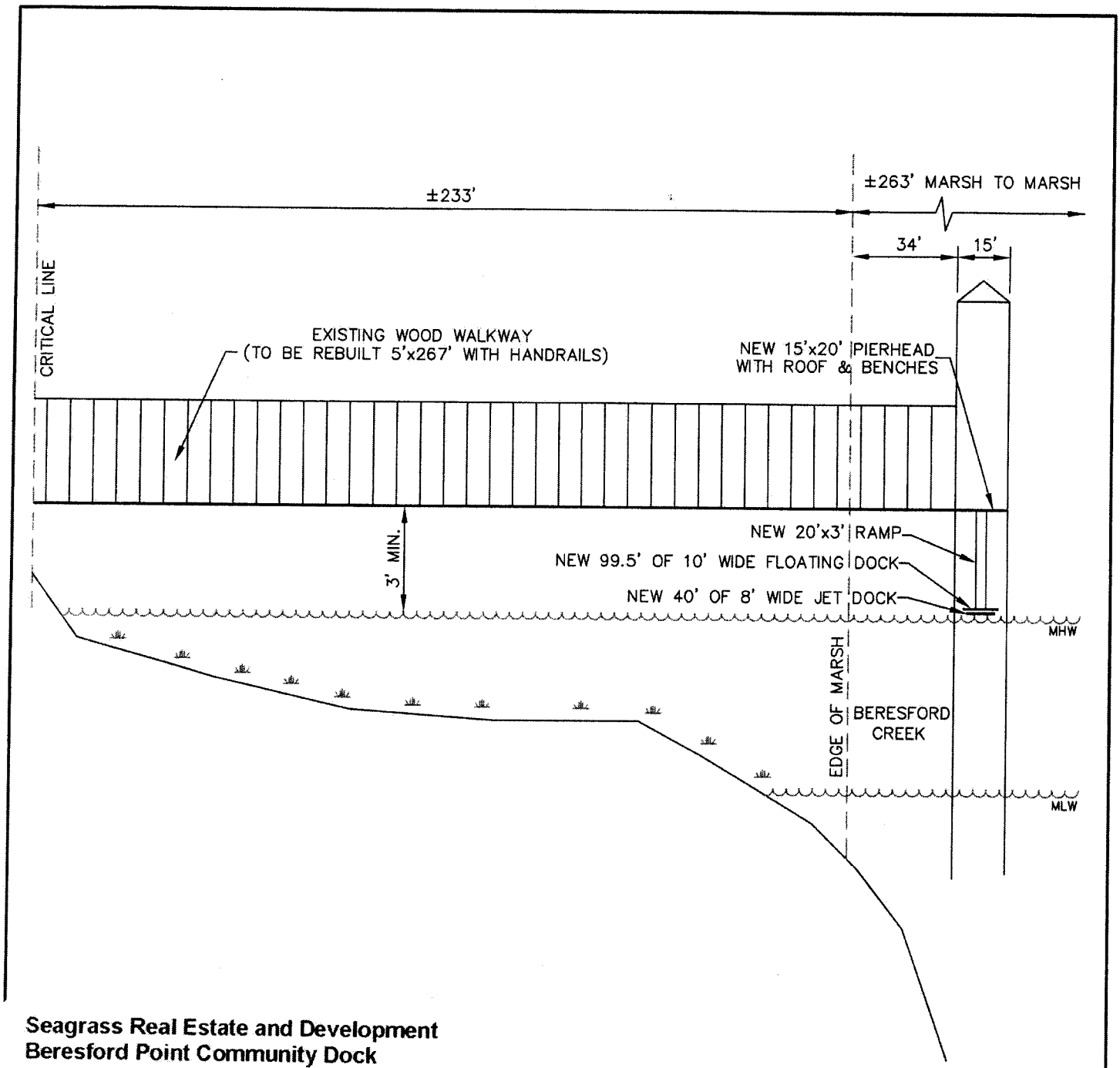
DECEMBER 5, 2013

SCALE: 1" = 40'

40 20 0 40
SCALE IN FEET

SOUTH CAROLINA REGISTERED LAND SURVEYOR No. 10778 THOMAS V. BESSENT

Island Surveying Inc
1720 Central Park Rd, Chas., SC 29412
Phone (843) 225-6582



Seagrass Real Estate and Development
Beresford Point Community Dock
P/N 2013-01348-2T

January 22, 2014 **Sheet 4 of 4**

SHEET 4 OF 4

APPLICANT: JOHN HASSELL

TMS 271-00-02-058
530 STUHR LANE
TOWN OF WANDO
BERKELEY COUNTY, SC
BERESFORD CREEK

15'x20' PIERHEAD WITH ROOF & BENCHES
(2) 20'x3' RAMPS
99.5' OF 10' WIDE FLOATING DOCK
40' OF 8' WIDE JET DOCK
267' WALKWAY 5' WIDE WITH HANDRAILS

CROSS-SECTION
PRIVATE DOCK

DECEMBER 5, 2013

HORIZONTAL SCALE: 1" = 40'
VERTICAL SCALE: 1" = 4'

40 20 0 40
SCALE IN FEET

SOUTH CAROLINA REGISTERED LAND SURVEYOR
No. 10778
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