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, Corps of Engineers
69-A Hagood Avenue
Charleston, South Carolina 29403-5107

March 18, 2013

Joint Permit Application Public Notice

Town of Meggett, 2013-0209-1Q

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:

Applicant: **Town of Meggett**

Location: **On and adjacent to Toogoodoo Creek at Highway 174 & Little Britton Road, Meggett, Charleston County, South Carolina. TMS: 061-00-00-063.**

Work: **The work as proposed consists of adding a new 4' x 32' walkway leading from the high ground to an existing 200 square foot dock platform and a new adjacent 8' x 20' floating dock channelward that will be accessed by a new 4' x 10' fixed platform leading from the high ground to a 3' x 20' walkway. The total finished foot print is 588 square feet. Permanent moorage will not be available. The work as described is for community use for day use boaters and recreational fishing and crabbing at Roxbury Park.**

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 **April 17, 2013**. For more information, please contact **Bill Eiser** at **843-953-0237** or via email at **eiserwc@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 # **2013-0209-1Q** **13 MARCH 2013**

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

TOWN OF MEGGETT, SOUTH CAROLINA
c/o MR. REGINALD REEVES
4476 SC HIGHWAY 165
MEGGETT, SOUTH CAROLINA 29449

for a permit to modify an existing dock structure for community small boat day-use, to include an fixed walkway access to the existing fixed dock and a new floating dock platform accessed by a hinged pier, at a creek bank location within the newly-acquired Town of Meggett-owned *Roxbury Park*, about 0.5-mile east of the SC174 bridge, on

TOOGOODOO CREEK

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

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

The proposed work consists of adding a new 4-foot x 32-foot fixed pier leading from high ground to an existing 200-square foot dock platform, and a new adjacent 8-foot x 20-foot floating dock on its riverward-side that is accessed by an new 4-foot x 10-foot fixed platform leading from high ground to a 3-foot x 20-foot hinged pier, landing on the float's west end. The total finished footprint is 588-square feet, including the existing (200–square foot) structure.

According to the applicant, the purpose of the community dock is to provide day-use small boat dockage available at all tide stages for visitors arriving by water at Roxbury Park, and to provide a platform for recreational crabbing and fishing; it will not be used for any permanent moorage.

REGULATORY DIVISION
Refer to: SAC# 2013-0209-1Q

13 MARCH 2013

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107

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 impact 0.013 acres of estuarine substrates and emergent wetlands 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.

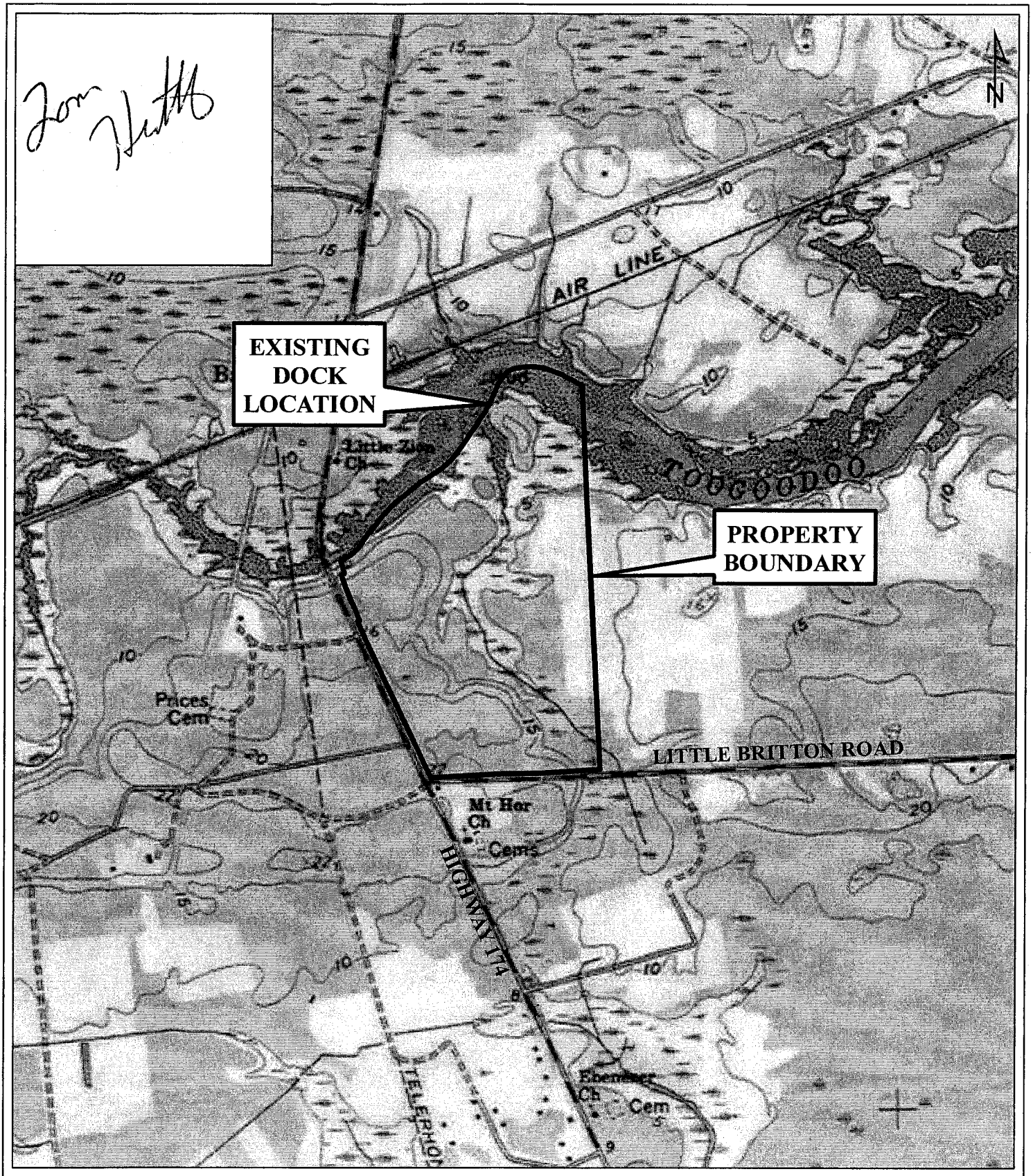
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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 Paul Hinchcliff at 843-329-8044 or toll free at 1-866-329-8187.



PURPOSE: DOCK MODIFICATIONS
2013-0209-1Q
ADJACENT PROPERTY OWNER
SEE ATTACHED LIST

DATUM: NAVD88

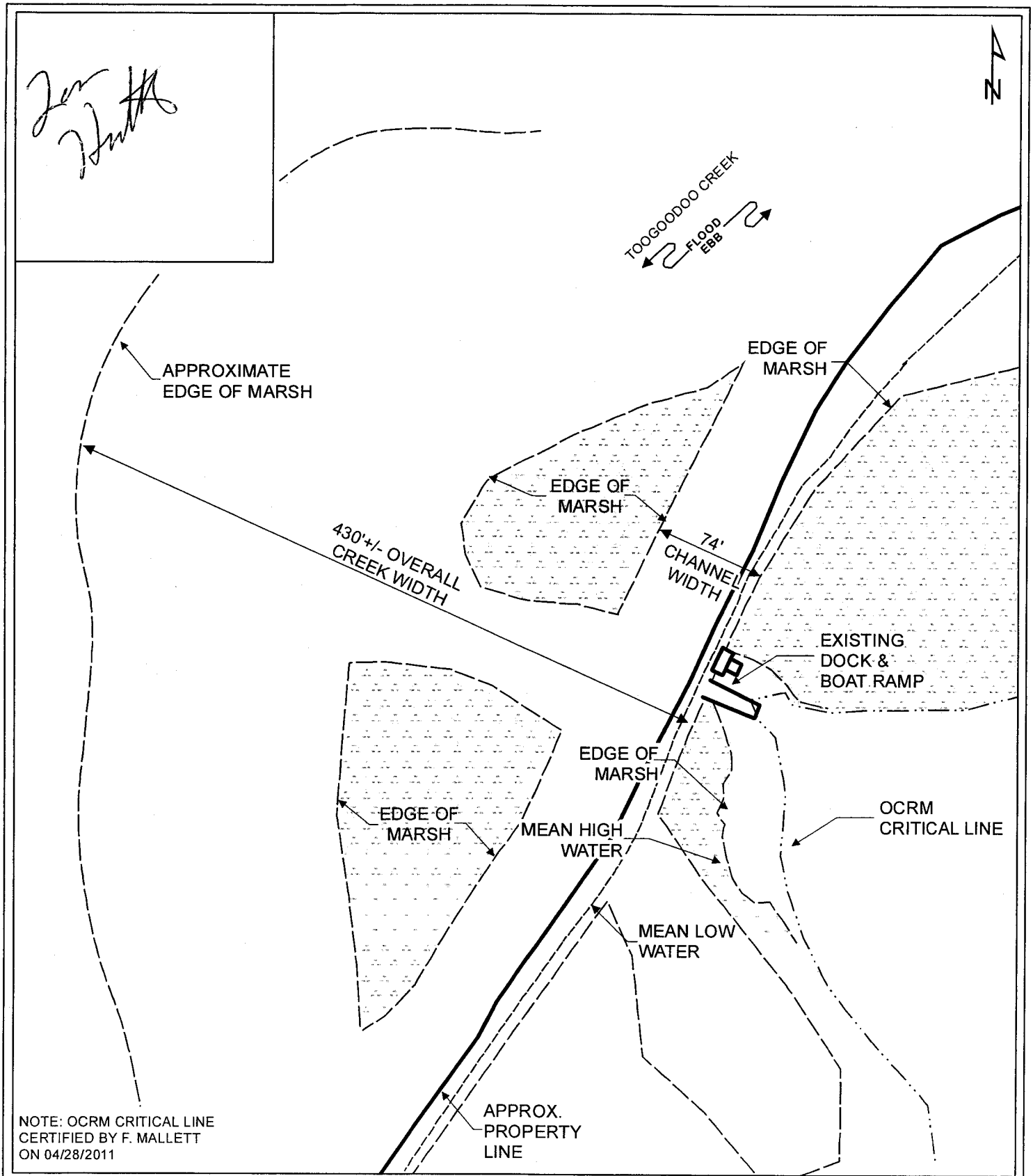
SHEET 1 OF 5 DATE: 3/4/2013

FIGURE 1
SITE LOCATION MAP

USGS QUAD "ADAMS RUN"
SCALE: 1" = 2000'

ROXBURY PARK
MEGGETT, SOUTH CAROLINA

PROPOSED:	DOCK MODIFICATIONS
AT:	ROXBURY PARK
IN:	TOOGOODOO CREEK
COUNTY OF:	CHARLESTON, SOUTH CAROLINA



PURPOSE: DOCK MODIFICATIONS

2013-0209-1Q

ADJACENT PROPERTY OWNER

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DATUM: NAVD88

SHEET 2 OF 5 DATE: 3/4/2013

FIGURE 2

SITE PLAN

0 45 90 180

Feet

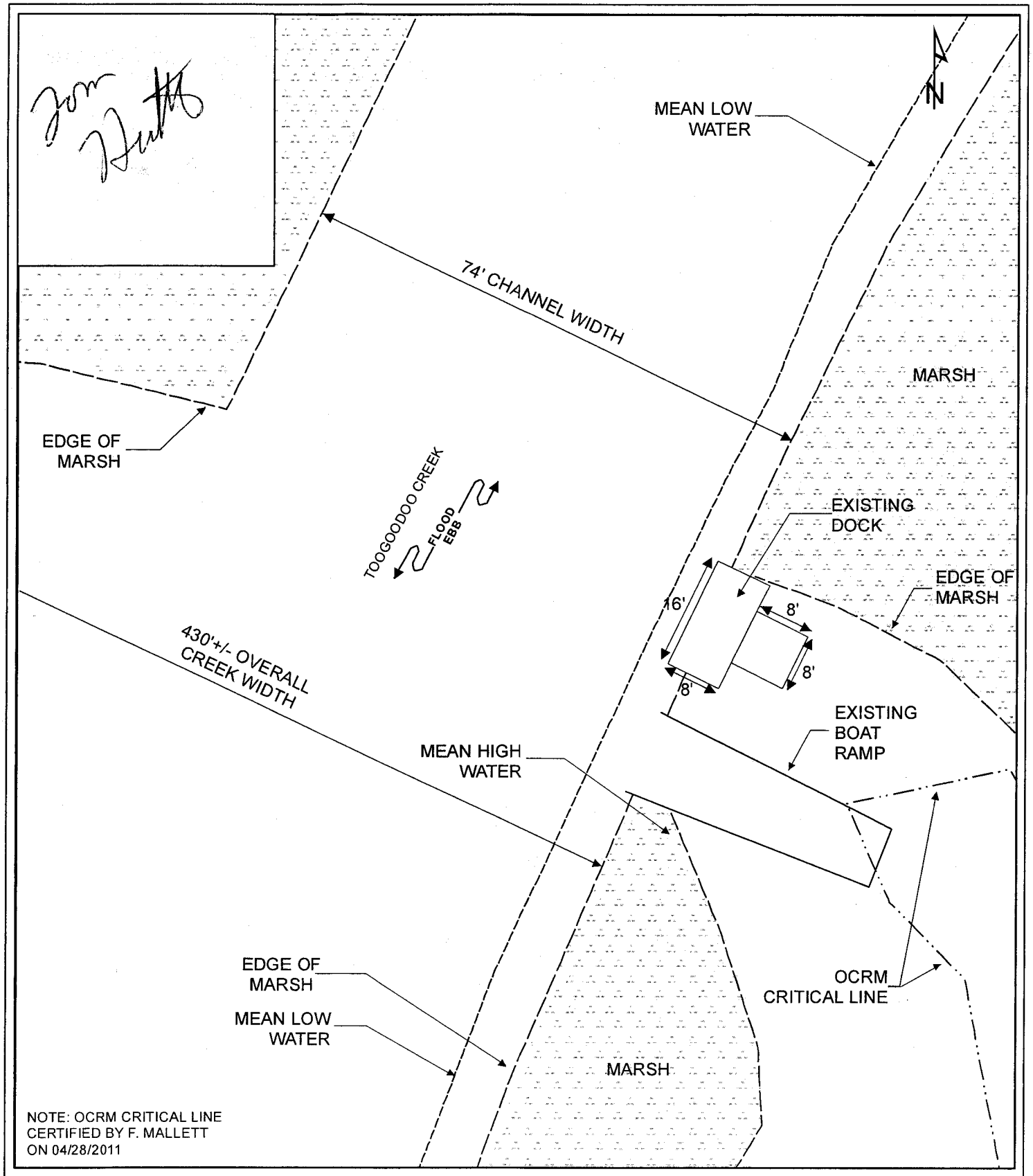
ROXBURY PARK
MEGGETT, SOUTH CAROLINA

PROPOSED: DOCK MODIFICATIONS

AT: ROXBURY PARK

IN: TOOGOODOO CREEK

COUNTY OF: CHARLESTON, SOUTH CAROLINA



PURPOSE: DOCK MODIFICATIONS

ADJACENT PROPERTY OWNER
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DATUM: NAVD 29

SHEET 3 OF 5 DATE: 2/8/2013

FIGURE 3

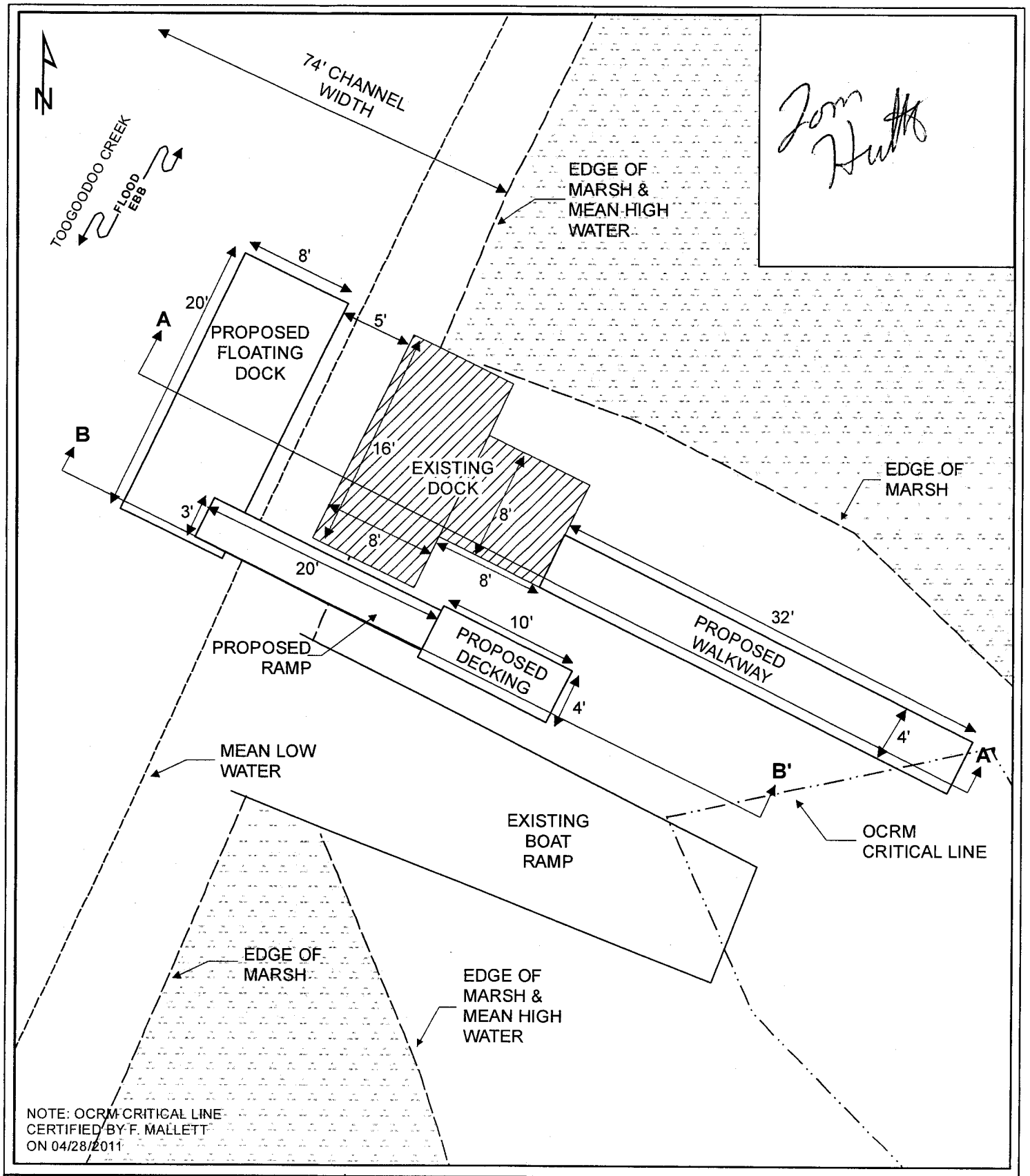
EXISTING PLAN VIEW

0 10 20 40
Feet

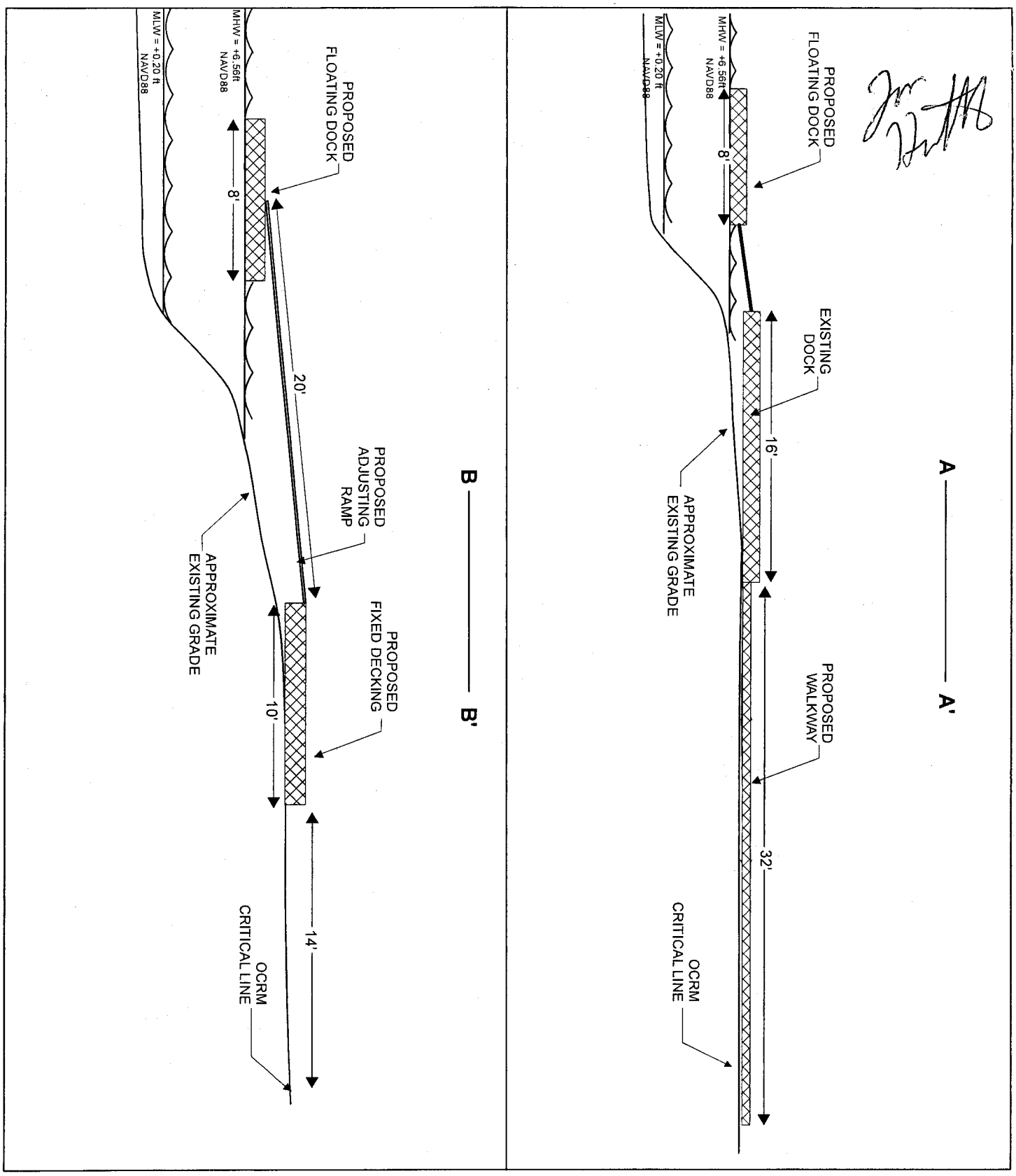
ROXBURY PARK
MEGGETT, SOUTH CAROLINA

PROPOSED: DOCK MODIFICATIONS
AT: ROXBURY PARK
IN: TOOGOODOO CREEK
COUNTY OF: CHARLESTON, SOUTH CAROLINA

2013-0209-1Q



PURPOSE: DOCK MODIFICATIONS ADJACENT PROPERTY OWNER SEE ATTACHED LIST 2013-0209-1Q DATUM: NAVD88 SHEET 4 OF 5 DATE: 3/4/2013	**FIGURE 4** PROPOSED PLAN VIEW 0 3 6 12 Feet ROXBURY PARK MEGGETT, SOUTH CAROLINA	PROPOSED: DOCK MODIFICATIONS AT: ROXBURY PARK IN: TOOGOODOO CREEK COUNTY OF: CHARLESTON, SOUTH CAROLINA



PURPOSE: DOCK MODIFICATIONS

ADJACENT PROPERTY OWNER
SEE ATTACHED LIST

2013-0209-1Q

DATUM: NAVD88

SHEET 5 OF 5 DATE: 2/8/2013

FIGURE 5

PROPOSED PLAN VIEW
CROSS-SECTIONS
A - A' & B - B'
NOT TO SCALE

ROXBURY PARK
MEGGETT, SOUTH CAROLINA

PROPOSED:	DOCK MODIFICATIONS
AT:	ROXBURY PARK
IN:	TOOGOODOO CREEK
COUNTY OF:	CHARLESTON, SOUTH CAROLINA