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

September 18, 2013
Joint Permit Application Public Notice

Shem EC, LLC, 1994-10390-2G(13)

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 Shem Creek at 510 Mill St., Mount Pleasant, Charleston County, South Carolina. TMS: 517-16-00-096.**

WORK: **The work as proposed consists of making changes at an existing commercial dock. Specifically, the applicant seeks to build a 4' x 16' walkway, with handrails, leading to a 7' x 14' pierhead. Channelward of the pierhead, a 4' x 20' ramp will access a 5' x 39' floating center walkway and four, 4' x 22.5' floating finger piers. The work as described is for mooring boats for owners of the office properties and for kayak launch and retrieval. PLEASE NOTE: The Operations and Maintenance Manual for this project is also available for review.**

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 **October 18, 2013**. For more information, please contact **Steve Brooks** at **843-953-0235** or via email at **brookss@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 #SAC-1994-10390-2G (13) 4 SEPTEMBER 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

SHEM EC, LLC
C/O SEAN BARNES
DOCKS UNLIMITED
1361 OLD GEORGETOWN ROAD
MOUNT PLEASANT, SOUTH CAROLINA 29464

for a permit to re-construct and modify an existing fixed pier and floating docks in

SHEM CREEK

at a location, 510 Mill Street, in Mount Pleasant, Charleston County, South Carolina.
(Latitude 32.793549° - Longitude -79.878165°)

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 reconstructing and modifying the existing dock. In detail, the applicant proposes to construct a 7' x 14' pierhead attached to high ground by a 4' x 16' fixed pier with handrails. On the waterward side of the pierhead, the applicant proposes to construct a 4' x 20' ramp leading to a 5' x 39' floating center walkway with two 4' x 22.5' floating finger piers as shown on the attached plans. (Please note: The existing dock extends 54 feet into the Shem Creek channel. The proposed dock will also extend 54 feet into the Shem creek channel). The

applicant has stated that the purpose of the reconstructed dock is for mooring boats for owners of office properties and for kayak launch and retrieval (for commercial use).

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 have minimal impact on 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 Mary Hope Green at 843-329-8044 or toll free at 1-866-329-8187.

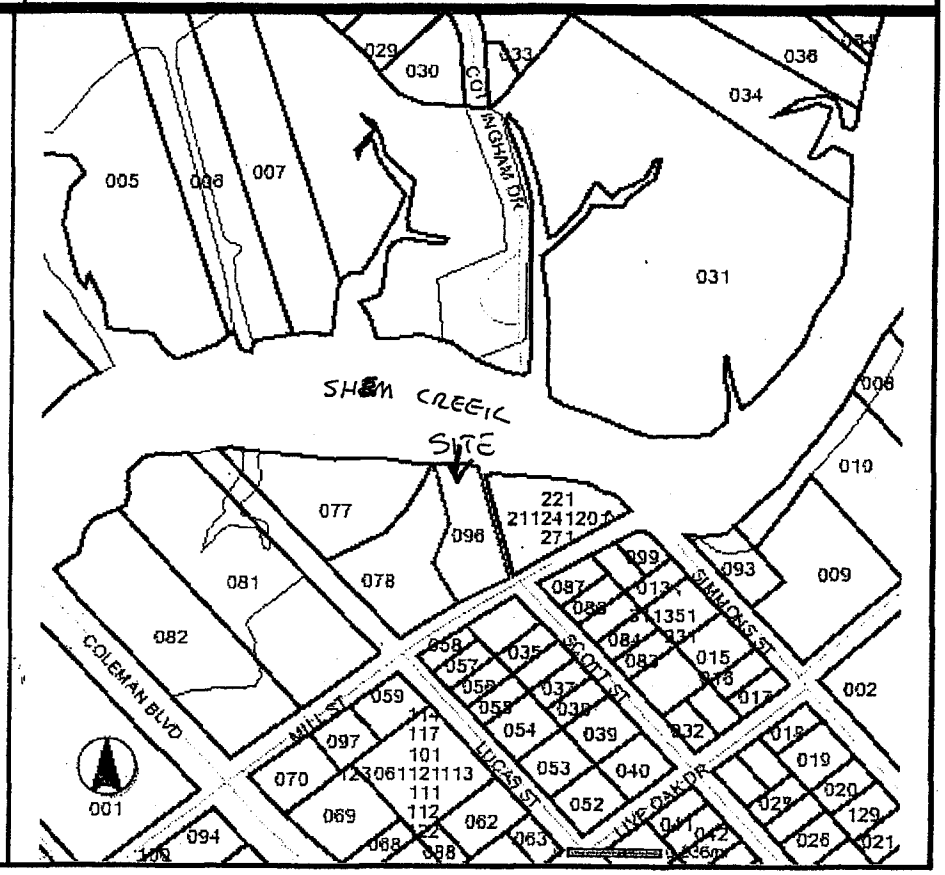
Steve Brooks
SCDHEC - OCRM
Project manager
843-953-0235

Charleston County

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

Legend

- Selected Features
- Streets/Roads
- Parcels



APPLICANT: SHEM EC, LLC
510 MILL STREET
TOWN OF MOUNT PLEASANT
CHARLESTON COUNTY
TMS# 517-06-00-096
SHEM CREEK

FILE #071-13

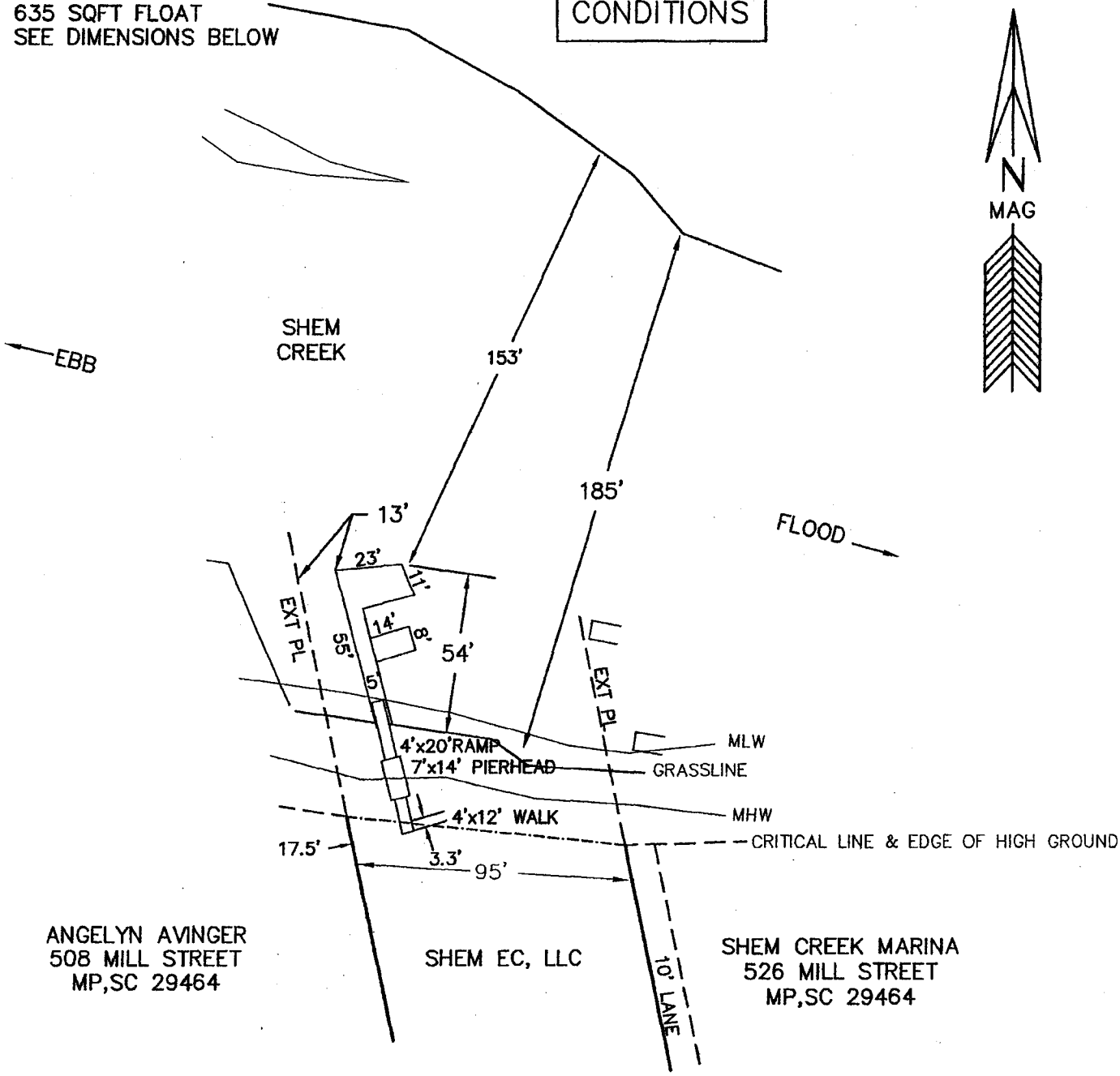
SAC-1994-10390-2G
SHEET 1 OF 4

COMMERCIAL
DOCK

DATE: JULY 8, 2013
NO SCALE

DOCK CONSISTS OF:
4'x12' WALKWAY WITH HANDRAILS
7'x14' PIERHEAD
4'x20'RAMP TO
635 SQFT FLOAT
SEE DIMENSIONS BELOW

EXISTING CONDITIONS



APPLICANT: SHEM EC, LLC
510 MILL STREET
TOWN OF MOUNT PLEASANT
CHARLESTON COUNTY
TMS# 517-06-00-096
SHEM CREEK

FILE #071-13

SAC-1994-10390-2G
SHEET 2 OF 4

COMMERCIAL DOCK
Rev. 8/15/13
DATE: APRIL 24, 2013
SCALE: 1" = 50'

50 0 50

SOUTH CAROLINA PROFESSIONAL LAND SURVEYOR REG. NO. 13171 JOHN E. WADE JR.

PROPOSED DOCK CONSISTS OF:
4'x16' WALKWAY WITH HANDRAILS
7'x14' PIERHEAD
4'x20'RAMP TO
590 SQFT FLOAT
SEE DIMENIONS BELOW

DOCKS ON NORTH SIDE OF CREEK
TAKEN FROM CHAS CO AERIAL PHOTOS

PROPOSED DOCK

N
MAG

CAROLINA LAM
1097 COTTINGHAM DR
MP, SC 29464

COOPER ESTATES CIVIC CLUB INC
996 COTTINGHAM DR
MP, SC 29464

SHEM CREEK

EBB

FLOOD

147.5'

185'

N = 351244.780
E = 2344770.510

N = 351251.657
E = 2344720.876

54' CHANNELWARD

50'
4'
22.5'
22.5'
24'
22'
5'
22.5'
4'
22'
22.5'
54'
4'x20'
EXT PL
EXT PL
7'x14'
4'x16'
41'
95'

MLW
GRASSLINE
MHW
CRITICAL LINE & EDGE OF HIGH GROUND

ANGELYN AVINGER
508 MILL STREET
MP,SC 29464

WALKWAY STARTS
@ CRITICAL LINE

SHEM EC, LLC

10' LANE

SHEM CREEK MARINA
526 MILL STREET
MP,SC 29464

1) EXISTING DOCK TO BE REMOVED.
2) BOUNDARIES (I.E. EXTENDED PL) SHOWN AS USED BY OCRM
3) DOCK FOR ON WATER STORAGE OF WATERCRAFT AND LAUNCH OF SMALL CRAFTS (KAYAKS)

APPLICANT: SHEM EC, LLC
510 MILL STREET
TOWN OF MOUNT PLEASANT
CHARLESTON COUNTY
TMS# 517-06-00-096
SHEM CREEK

FILE #071-13

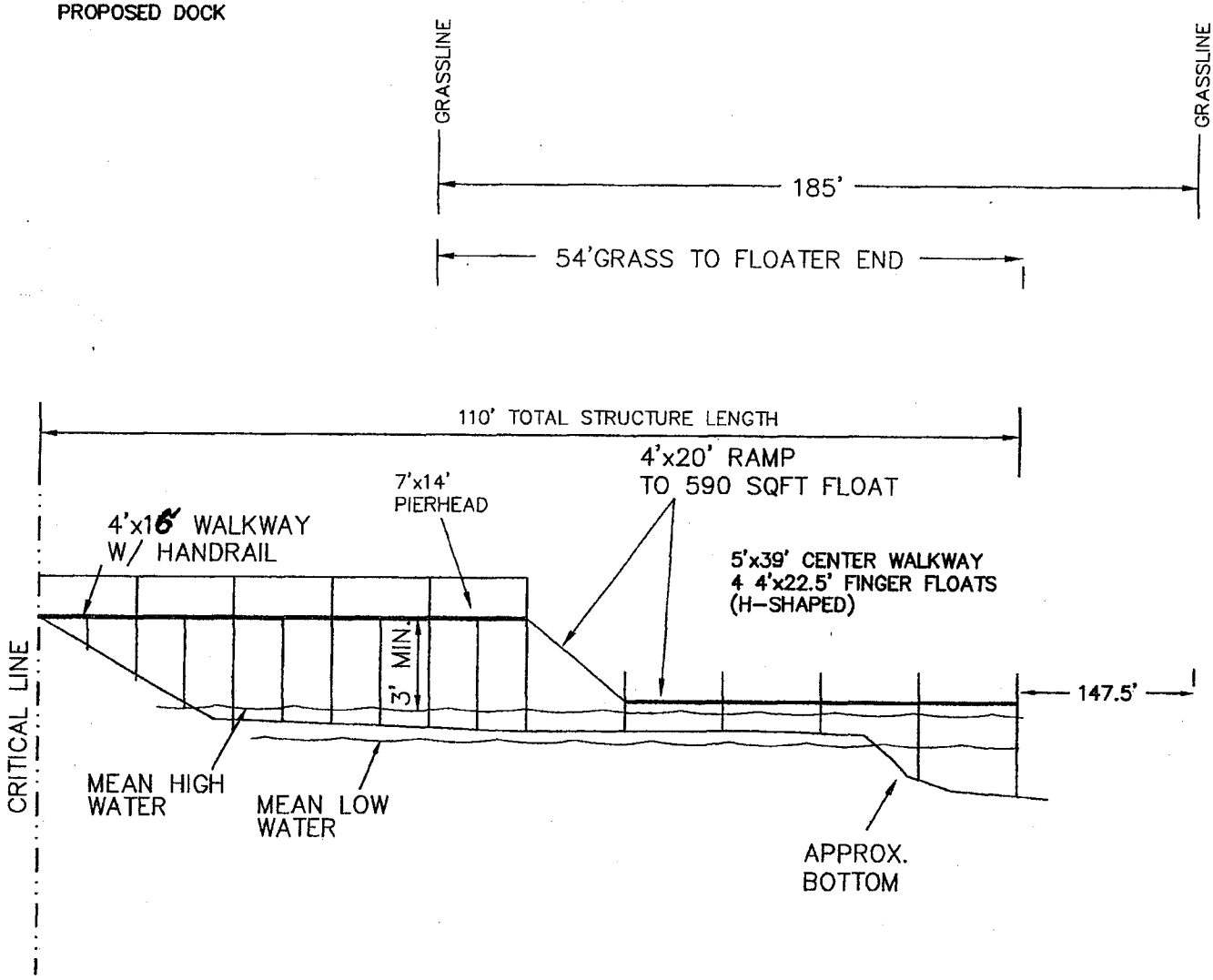
SAC-1994-10390-2G
SHEET 3 OF 4

COMMERCIAL DOCK
Rev. 8/15/13
DATE: JULY 8, 2013
SCALE: 1" = 50'

50 0 50

SOUTH CAROLINA
PROFESSIONAL
REG. NO. 13171
LAND SURVEYOR
JOHN E. WADE JR.

PROPOSED DOCK



APPLICANT: SHEM EC, LLC
510 MILL STREET
TOWN OF MOUNT PLEASANT
CHARLESTON COUNTY
TMS# 517-06-00-096
SHEM CREEK

FILE #071-13

SAC-1994-10390-2G
SHEET 4 OF 4

COMMERCIAL
DOCK
Rev. 8/15/13
DATE: JULY 8, 2013
NO SCALE

SOUTH CAROLINA
PROFESSIONAL
REG. NO. 13171
LAND SURVEYOR
JOHN E. WADE JR.