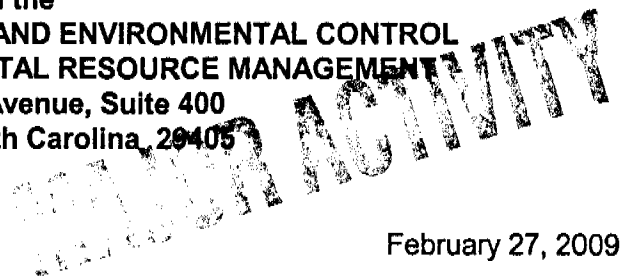


**JOINT**  
**PUBLIC NOTICE**

**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 #2009-165-2IM

February 27, 2009

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

**BULLS BAY OVERLOOK COMMUNITY ASSOCIATION**  
**C/O MR. GRANT REEVES**  
**P.O. BOX 445**  
**AWENDAW, SOUTH CAROLINA 29429**

for a permit to perform maintenance and repair of three existing outfall structures in

**ATLANTIC INTRACOASTAL WATERWAY**

at the existing Bulls Bay Overlook Community, on Pelican Bay Drive near Doar Road, Awendaw Charleston County, South Carolina, (Latitude: 33.004864; Longitude: -79.598878)

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 both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, MARCH 30, 2009**

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

The proposed project consists of the regarding and extension of an existing community boat ramp and associated protective bulkhead. The new construction will extend the existing walled boat ramp by 75 feet waterward. A 4' x 40' walkway with handrails will be added adjacent to the boat ramp extension leading to a 6' x 10' fixed timber pier head with handrails, waterward from this a 4' x 30' gangway will lead to a 10' x 40' floating dock. The applicant will also be removing a 10' x 160' section of the existing floating dock structure along with an 80' section of the timber breakwater structure. The proposed project, as stated by the applicant, is for private and recreational use of Bulls Bay Overlook residents and their guests. See the attached drawings for existing conditions and for a depiction of all proposed work.

**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 1820 square feet 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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.

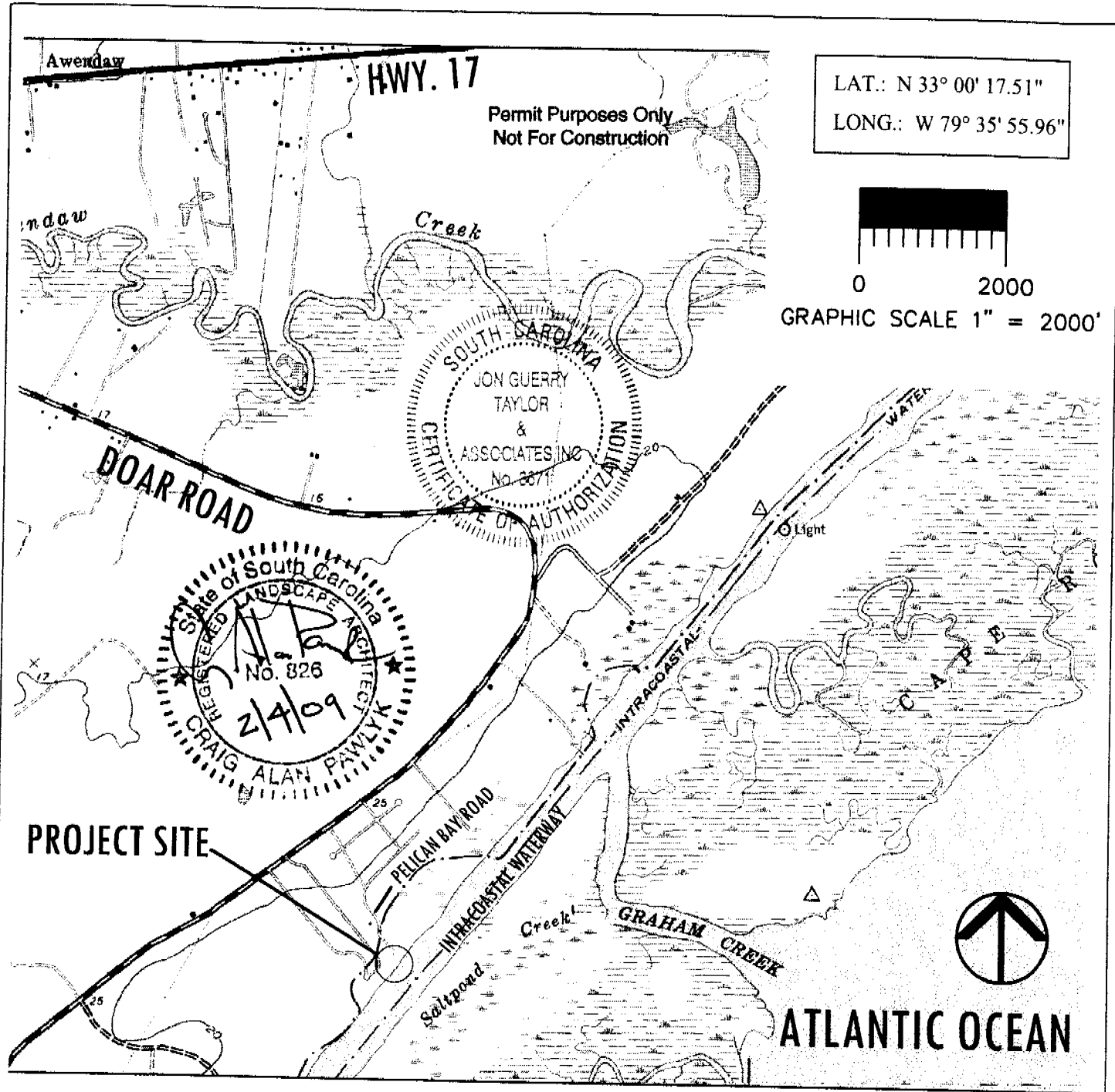
February 27, 2009

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 Christopher Mims at 843-329-8044 or toll free at 1-866-329-8187.

OCCM  
Jamie Trumbull  
843-953-0218



**AUTHORIZED AGENT:**

JON GUERRY TAYLOR & ASSOC., INC.  
 P.O. BOX 1082  
 MT. PLEASANT, SC 29465  
 c/o CRAIG PAWLYK

**ADJACENT RIPARIAN PROPERTY:**

SEE SHEET 3

**USGS QUADRANGLE  
 MAP**

**AWENDAW QUAD**

**BULLS BAY OVERLOOK COMMUNITY  
 ASSOCIATION BOAT RAMP  
 AND DOCK MODIFICATIONS**

**PROPOSED:** EXTEND BOAT RAMP AND  
 BULKHEAD, REMOVE AND RECONFIGURE  
 EXISTING FLOATING DOCKS FOR ALL TIDE  
 ACCESS

IN: TOWN OF AWENDAW

ON: AIWW

COUNTY OF: CHARLESTON

STATE OF: SC

DATE: 1-12-09

SHEET: 1 OF 12

SAC 2009-165-21M