# 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 # 2007-1453-2IV – P

July 6, 2007

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

**PHILLIP LATHAM**
**2795 WINDMILL DRIVE**
**SUMTER, SOUTH CAROLINA 29150**

for a permit to modify an existing dock structure in

**ATLANTIC INTERCOASTAL WATERWAY**

in the Romain Retreat subdivision, at 6309 Come About Way, in Georgetown, Charleston County, South Carolina (Latitude:32.95598; Longitude:-79.64368)

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, JULY 23, 2007**

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

The proposed work consists of modification of an existing dock structure. The existing dock structure consists of a 4' x 620' timber walkway leading to a 14' x 18' covered pier head. Connected upstream to the pier head is a 12' x 18' floating pier, which is connected to the pier head by a 3' x 16' ramp. In the modification, the existing 4' x 620' timber walkway will be utilized but reduced in size to 4' x 613'. Also in the modification, the size of the pier head will be increased to 20' x 20', and the size of the floating dock will be increased to 10' x 30'. The size of the ramp that will connect the floating dock to the pier head will remain the same size as previously, 3' x 16'. A 12' x 14' boat lift will be installed on the downstream side. The purpose of the modification is for private recreational use.

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

REGULATORY DIVISION
Refer to: P/N # 2007-1453-2IV

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

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 0.0762 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,

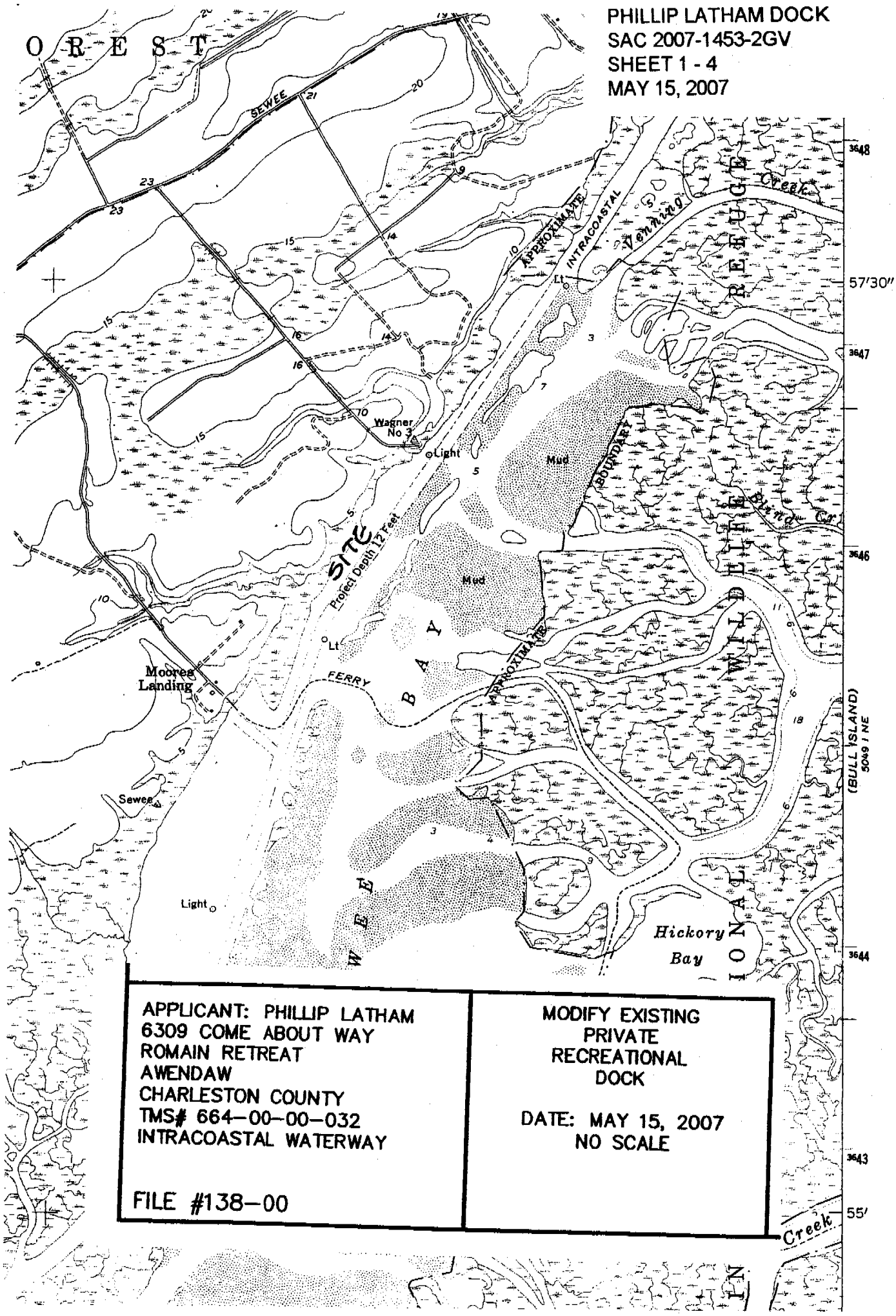
flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that 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 Robert Vega at 843-329-8044 or toll free at 1-866-329-8187.

Tess Rodgers
Project Manager
SCDHEC-OCRM

PHILLIP LATHAM DOCK
SAC 2007-1453-2GV
SHEET 1 - 4
MAY 15, 2007



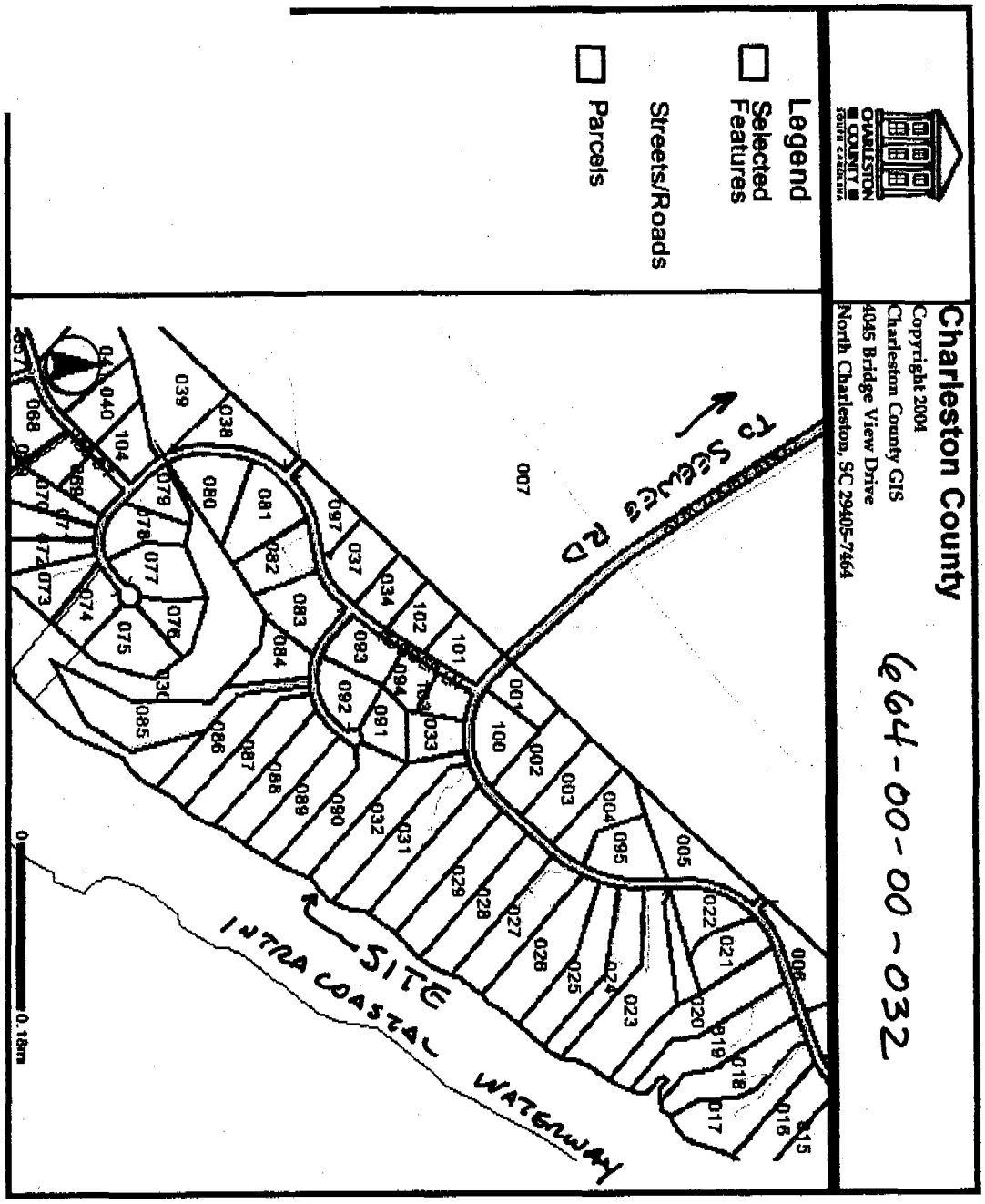

APPLICANT: PHILLIP LATHAM
6309 COME ABOUT WAY
ROMAIN RETREAT
AWENDAW
CHARLESTON COUNTY
TMS# 664-00-00-032
INTRACOASTAL WATERWAY

FILE #138-00

MODIFY EXISTING
PRIVATE
RECREATIONAL
DOCK

DATE: MAY 15, 2007
NO SCALE

PHILLIP LATHAM DOCK
SAC 2007-1453-2GV
SHEET 2 - 4
MAY 15, 2007

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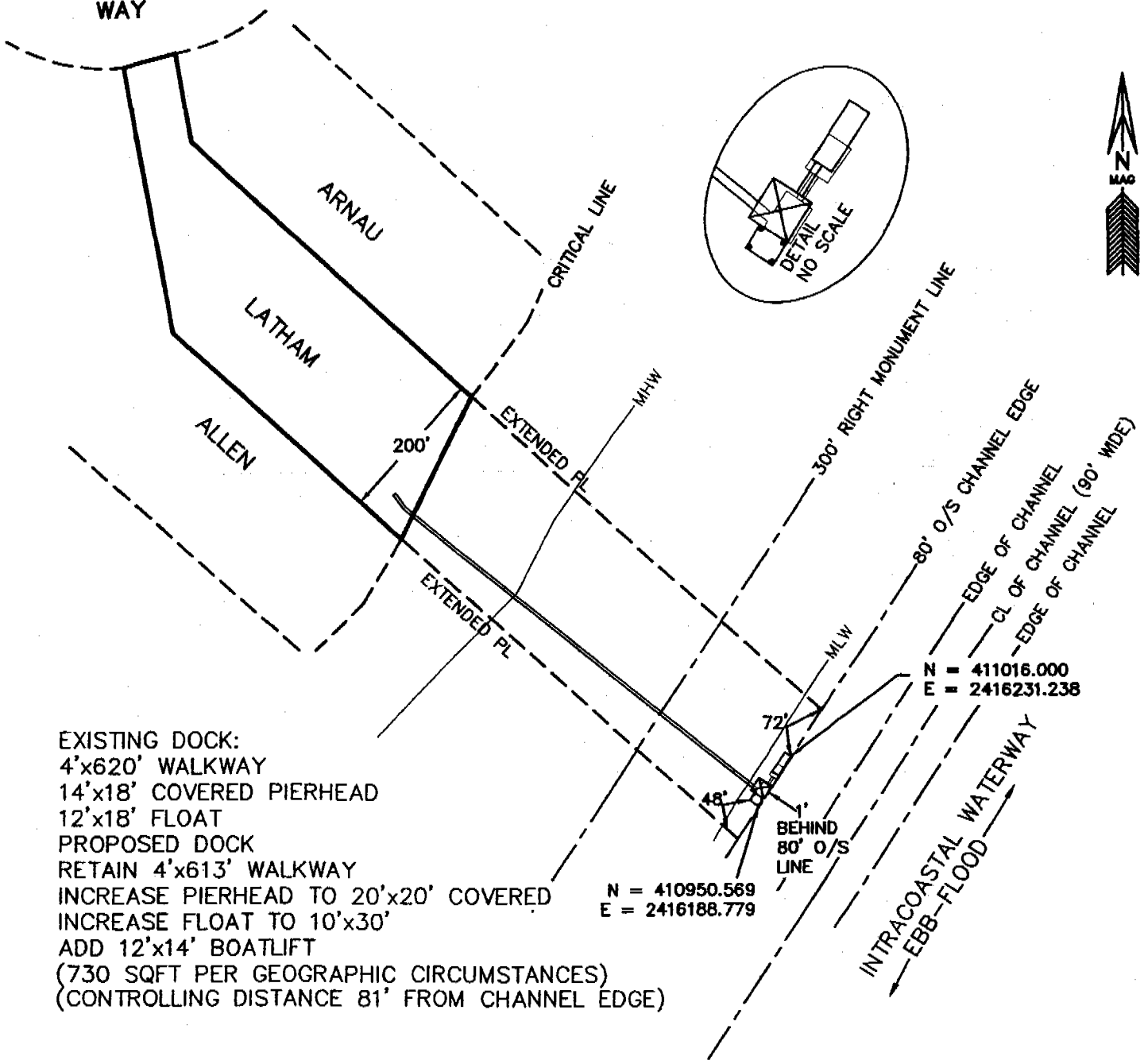
|---|---|
| APPLICANT: PHILLIP LATHAM<br>6309 COME ABOUT WAY<br>ROMAIN RETREAT<br>AWENDAW<br>CHARLESTON COUNTY<br>TMS# 664-00-00-032<br>INTRACOASTAL WATERWAY<br><br>FILE #138-00 | MODIFY EXISTING<br>PRIVATE<br>RECREATIONAL<br>DOCK<br><br>DATE: MAY 15, 2007<br>NO SCALE |

SAC 2007-1453-2GV
SHEET 3 - 4
MAY 15, 2007

MONUMENTS UTILIZED:
235+00S 300RT
250+00S 300RT




EXISTING DOCK:
4'x620' WALKWAY
14'x18' COVERED PIERHEAD
12'x18' FLOAT
PROPOSED DOCK
RETAIN 4'x613' WALKWAY
INCREASE PIERHEAD TO 20'x20' COVERED
INCREASE FLOAT TO 10'x30'
ADD 12'x14' BOATLIFT
(730 SQFT PER GEOGRAPHIC CIRCUMSTANCES)
(CONTROLLING DISTANCE 81' FROM CHANNEL EDGE)

APPLICANT: PHILLIP LATHAM
6309 COME ABOUT WAY
ROMAIN RETREAT
AWENDAW
CHARLESTON COUNTY
TMS# 664-00-00-032
INTRACOASTAL WATERWAY

FILE #138-00

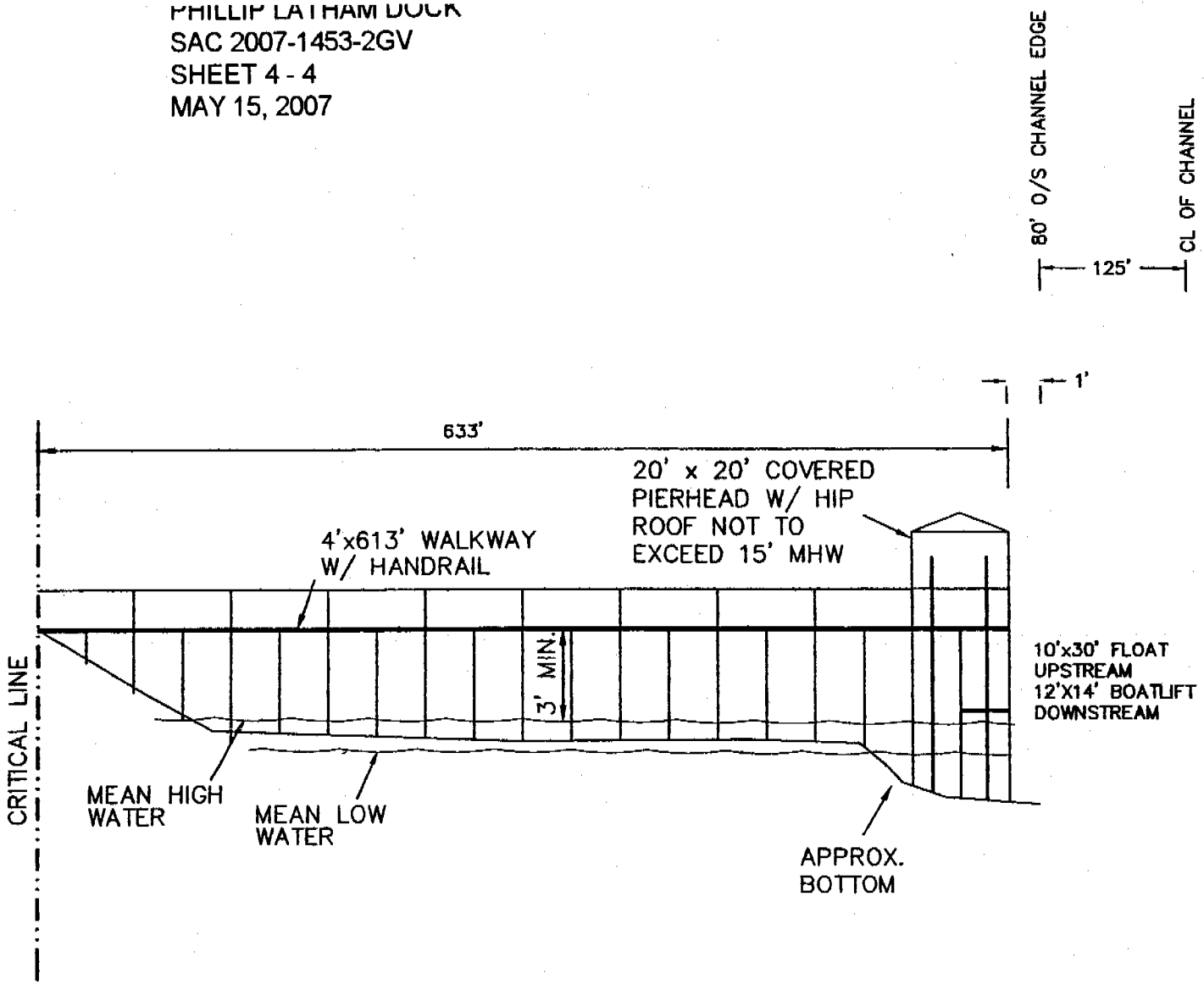
MODIFY EXISTING
PRIVATE
RECREATIONAL
DOCK

DATE: MAY 15, 2007
SCALE: 1" = 200'

200 0 200

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

PHILLIP LATHAM DOCK
SAC 2007-1453-2GV
SHEET 4 - 4
MAY 15, 2007

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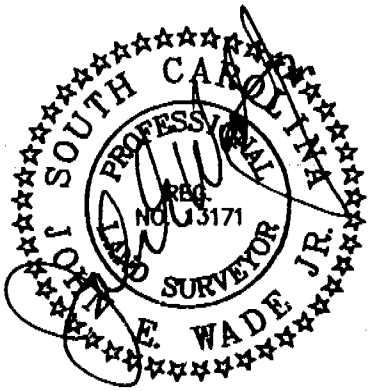
DATE: MAY 15, 2007
NO SCALE