

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-2007-01830-2IG

17 AUGUST 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 S.C. Department of Health and Environmental Control by

ASHLEY II OF CHARLESTON, LLC
C/O ROSS NELSON
TIDEWATER ENVIRONMENTAL SERVICES, INC.
POST OFFICE BOX 865
JOHN'S ISLAND, SOUTH CAROLINA 29457-0865

for a permit to construct a public fixed pier in the

ASHLEY RIVER

at a location, the Ashley River Center, at 2750 Speissegger Drive, in the City of North Charleston, Charleston County, South Carolina. (Latitude -79.971767° - Longitude 32.837941°)

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, SEPTEMBER 17, 2007

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

The proposed work consists of constructing a fixed 20' x 88' fixed timber pierhead attached to high land by an 8' x 613' fixed timber pier with railings. The proposed pierhead will consist of a 20' x 40' covered area and a 20' x 48' open deck on the upstream side of the covered area. It is understood that this work will be conducted on/or adjacent to an area subject to a prism and/or disposal easement held by the United States in perpetuity in conjunction with a Congressionally authorized project for the maintenance and improvement of the Ashley River Federal channel. Should a permit be issued, appropriate provisions will be included to ensure the interests of the Federal Government are understood. The applicant has stated that the upland areas adjacent to the proposed dock are proposed to be deeded to the City of North Charleston as a public park and that ownership of the proposed dock will eventually be turned over to the City of North Charleston. The purpose of the proposed work is for the recreational use of the public.

17 AUGUST 2007

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 should not impact 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.

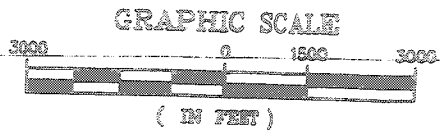
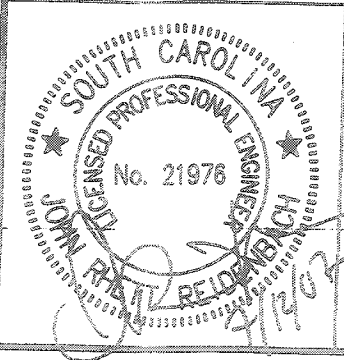
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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.

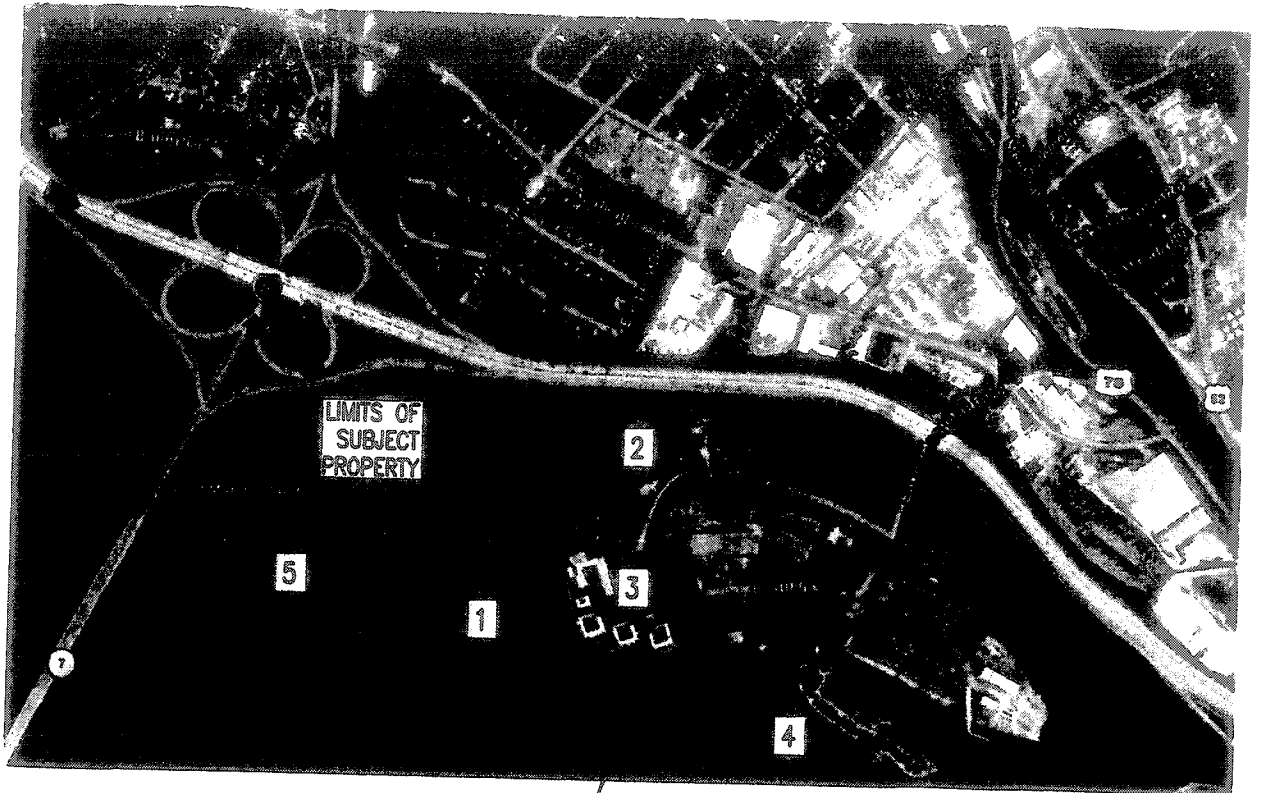
If there are any questions concerning this public notice, please contact Mary Hope Glenn at 843-329-8044 or toll free at 1-866-329-8187.



SAC 2007-01830-216

DAVIS Engineering Architecture FLOYD Environmental & Laboratory Services <small>CHARLOTTE • CHARLESTON • COLUMBIA</small>	CLIENT MAGNOLIA DEVELOPMENT, LLC	TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS		PROJECT NO. 31213.00
	LOCATION SPEISSEGOER DR., CHARLESTON COUNTY, SC	DATE JULY 2007	DRAWN JDT/ALP	SHEET NO.
PROJECT LOCATION MAP		DESIGNED PAF	CHECKED JRR	NOTES <small>SEE OTHER SHEETS FOR ENDS & DETAILS</small>

P.O. BOX 61800 CHARLESTON, SC 29416-1800
843-556-6000



PROPOSED PROJECT

DIRECTIONS TO SITE
(AS SHOWN BY ARROWS IN ABOVE IMAGE)

FROM NORTH:

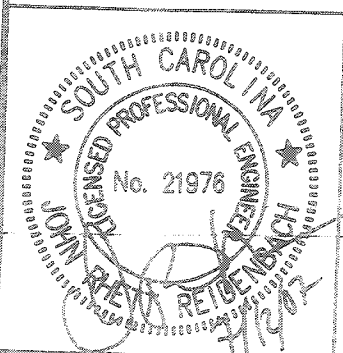
- I-26 EAST TO COSGROVE EXIT (ROUTE 7)
- ROUTE 7 NORTH TO AZALEA DRIVE
- AZALEA DRIVE EAST TO BAKER HOSPITAL BLVD
- BAKER HOSPITAL BLVD. SOUTH TO EVATT LN.

SUBJECT PROPERTY

- 1) TMS 469-00-00-012; TRACT "A-1"
OWNER: ASHLEY II OF CHARLESTON, LLC

ADJACENT PROPERTIES

- 2) TMS 469-00-00-011; PARCEL 3/TRACT "A-3"
OWNER: ASHLEY II OF CHARLESTON, LLC
- 3) TMS 469-00-00-009; TRACT "A-2"
OWNER: PALMETTO LOWCOUNTRY BEHAVIORAL HEALTH, LLC
- 4) TMS 469-00-00-018
OWNER: OSPREY PLACE APARTMENTS LIMITED PARTNERSHIP
- 5) TMS 469-00-00-004
OWNER: J.C. LONG



GRAPHIC SCALE



(IN FEET)

SAC 2007-01830-ZIG

DAVIS Engineering
Architecture
FLOYD Environmental & Laboratory Services
SOUTH CAROLINA

APPLICANT
MAGNOLIA DEVELOPMENT, LLC

LOCATION
SPEISSECOER DR., CHARLESTON COUNTY, SC

DRAWING TITLE
PROJECT LOCATION MAP

TITLE
ASHLEY RIVER CENTER
PROPOSED COMMUNITY DOCKS

PROJECT NO.
31213.00

DATE
JULY 2007

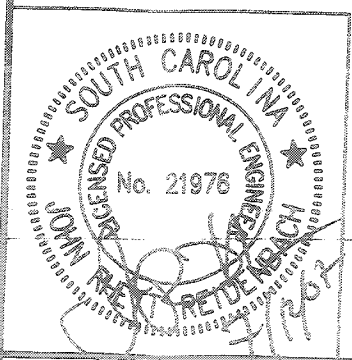
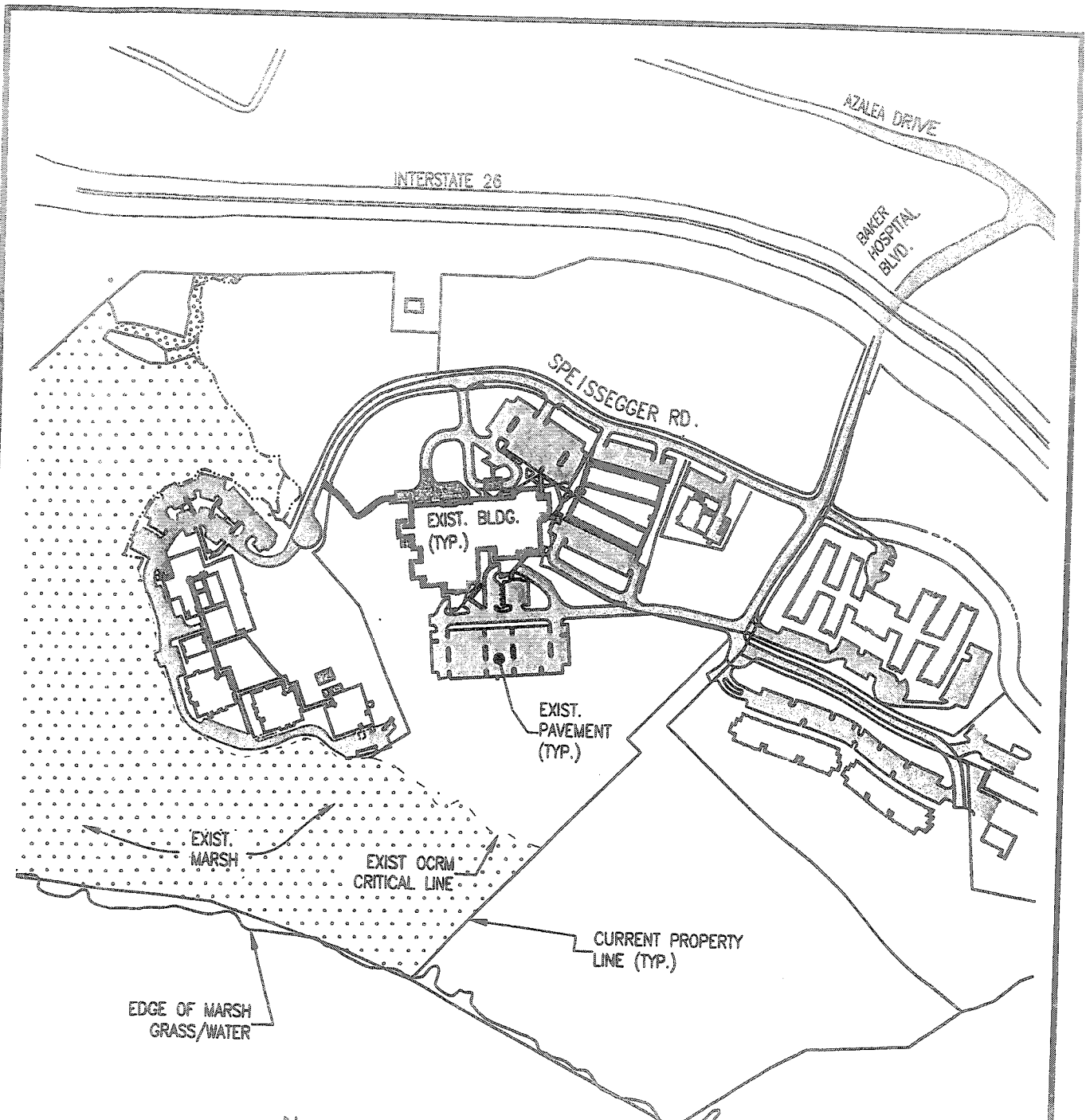
DESIGNER
PAF

DRAWN
JDT/ALP

CHECKED
JRR

SHEET NO.
10

SCALE/REVISIONS (FIRST) (L) (R) (D)



ASHLEY RIVER
 FLOOD EBB TIDE



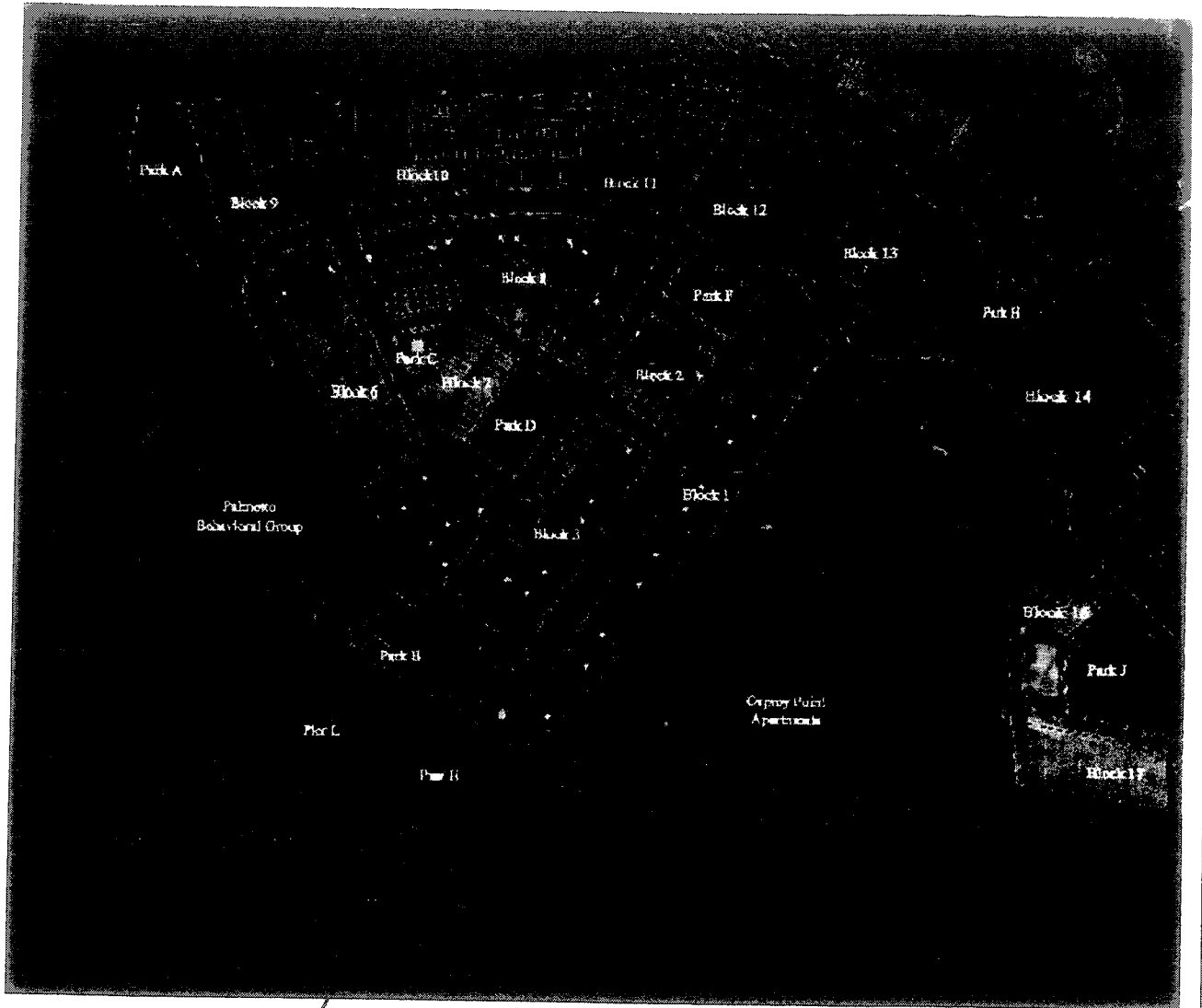
SAC 2007-01830-216

DAVIS Engineering
FLOYD Architecture
 Environmental & Laboratory Services

SPONSOR MAGNOLIA DEVELOPMENT, LLC
LOCATION SPEISSEGER DR., CHARLESTON COUNTY, SC
PROJECT TITLE EXISTING CONDITIONS

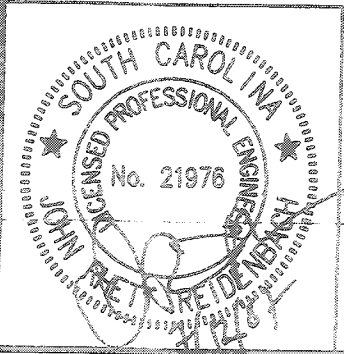
TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS		PROJECT NO. 31213.00
DATE JULY 2007	DRAWN JDT/ALP	SHEET NO.
DESIGN PAP	CHECKED JRB	
SHEET REPRESENTS ONE OF THREE		

Sheet 3 of 10



PROJECT AREA

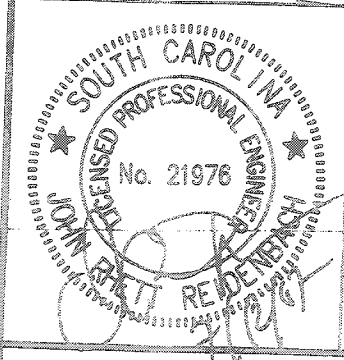
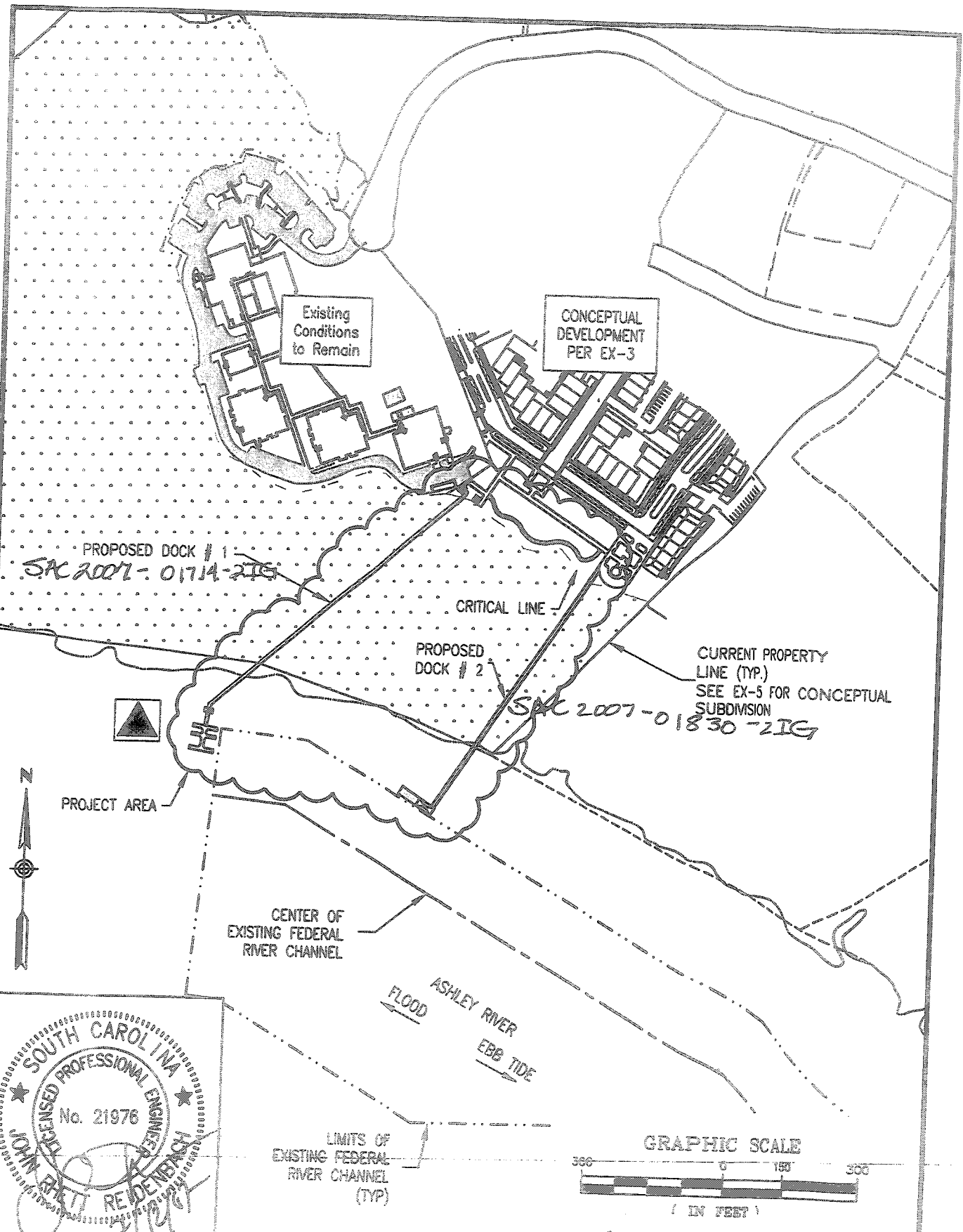
NOTE:
 PROPOSED DEVELOPMENT AND DOCK
 LOCATIONS BASED ON CONCEPTUAL
 RENDERING; SEE REMAINING EXHIBITS FOR
 DETAILED DOCK INFORMATION



SAC 2007-01930-215

DAVIS Engineering FLOYD Architecture Environmental & Laboratory Services <small>CHARLOTTE • CHARLESTON • COLUMBIA SOUTH CAROLINA</small>	CLIENT MAGNOLIA DEVELOPMENT, LLC	TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS		PROJECT NO. 31213.00
	LOCATION SPEISSEGOER DR., CHARLESTON COUNTY, SC	DATE JULY 2007	DRAWN JDT/ALP	SHEET NO.
	ORIGINAL TITLE CONCEPTUAL DEVELOPMENT PLAN	DESIGN PAF	CHECK JRR	SITE/CH. REFERENCES (SHEET) NUMBER -

P.O. BOX 61500 CHARLESTON, SC 29410-1500
 843-566-0000



SAC 2007-01830-2IG

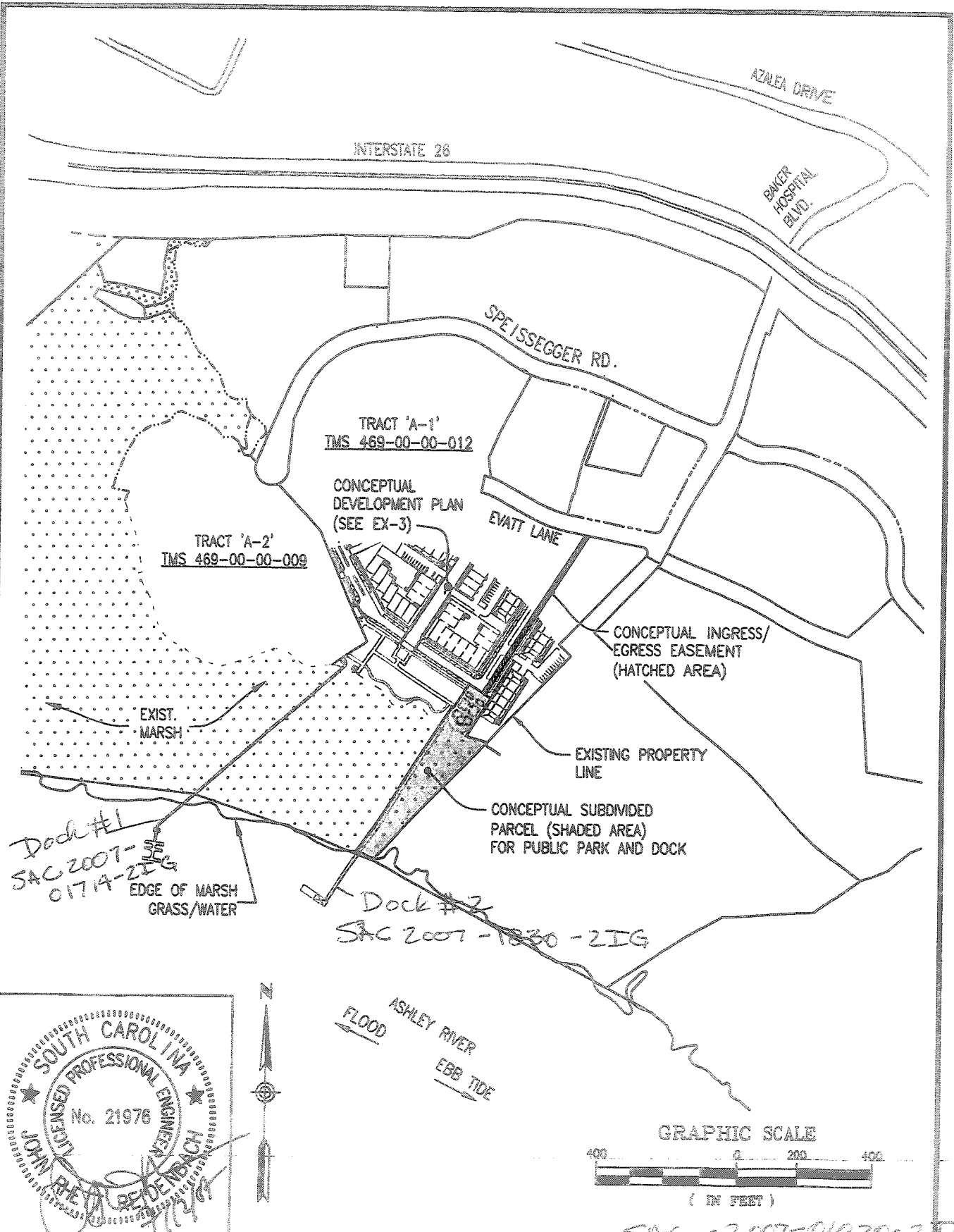
DAVIS Engineering
Architecture
FLOYD Environmental & Laboratory Services

GREENWOOD • CHARLESTON • COLLEEN
803-733-0444 • 803-733-0444

P.O. BOX 61888 CHARLESTON, SC 29416-1888
803-733-0444

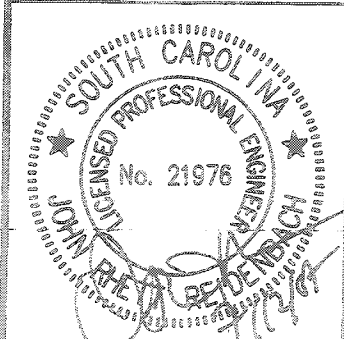
CLIENT MAGNOLIA DEVELOPMENT, LLC
LOCATION SPEISSEGOBER DR., CHARLESTON COUNTY, SC
PROJECT TITLE PERMIT PROJECT AREA

TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS		PROJECT NO. 31213.00
DATE JULY 2007	DRAWN JBT/ALP	SHEET NO.
BY PAF	CHECKED JRB	
STITCH RETURN FLOW NUMBER		

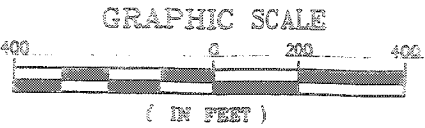


Dock #1
 SAC 2007-0174-2IG
 EDGE OF MARSH
 GRASS/WATER

Dock #2
 SAC 2007-1830-2IG



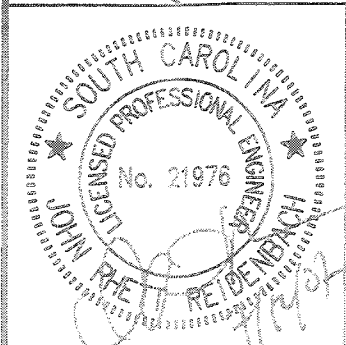
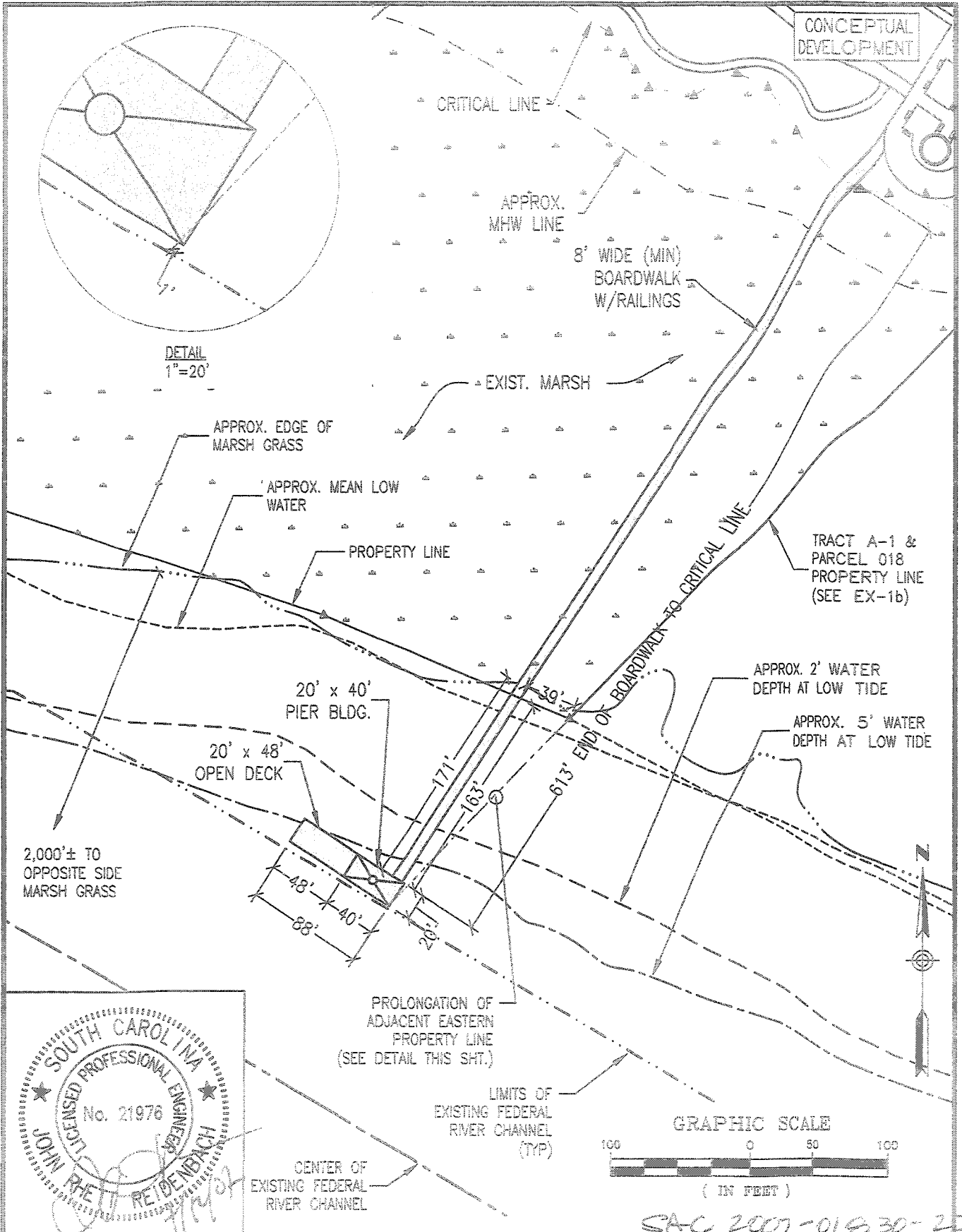
ASHLEY RIVER
 FLOOD
 EBB TIDE



SAC - 2007-01830-2IG

DAVIS Engineering Architecture FLOYD Environmental & Laboratory Services <small>CHARLOTTE • COLUMBIA • GREENVILLE • RICHMOND • SOUTH CAROLINA</small>	APPLICANT MAGNOLIA DEVELOPMENT, LLC	TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS	PROJECT NO. 31213.00
	LOCATION SPEISSEBOGER DR., CHARLESTON COUNTY, SC	DATE JULY 2007	DRAWN BY JDT/ALP JRR
	DRAWING TITLE PROPERTY SUBDIVISION PLAN	CHECKED BY JRR	SHEET NO. 6

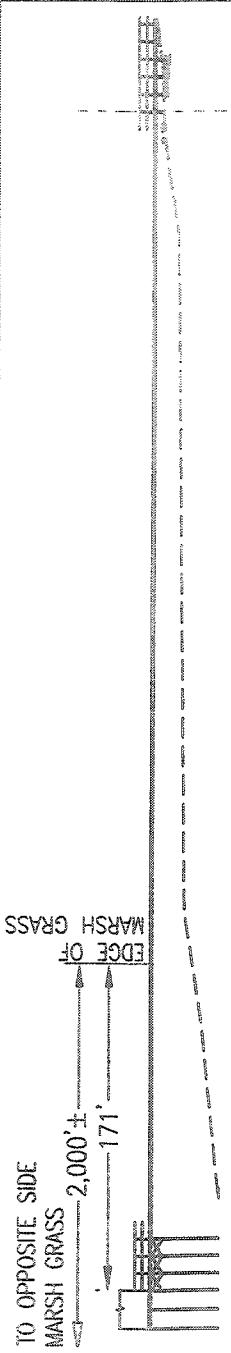
P.O. BOX 6680 CHARLOTTE, NC 28240-1680
 704-366-0000



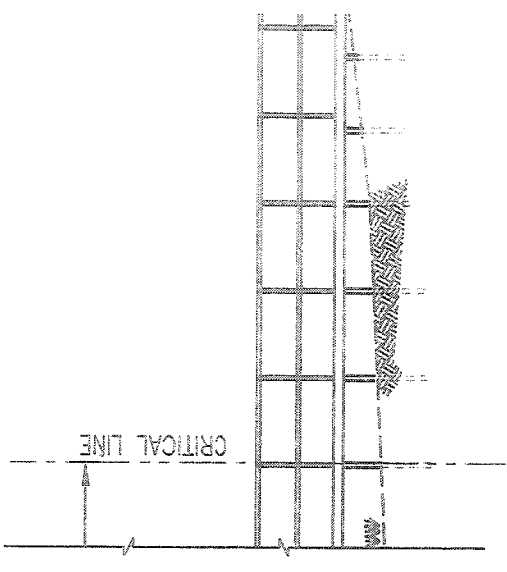
SAC 2007-01830-2IG

DAVIS Engineering FLOYD Architecture Environmental & Laboratory Services <small>GREENWOOD • CHARLESTON • COLUMBIA SOUTH CAROLINA</small>	CLIENT MAGNOLIA DEVELOPMENT, LLC	TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS		PARCEL # 31213.00
	LOCATION SPEISSEBOGER DR., CHARLESTON COUNTY, SC	DATE JULY 2007	DRAWN JDT/ALP	CHECKED JRR
PROGRAM TITLE PLAN VIEW; PROPOSED DOCK #2		DESIGNER PAF		SHEET TOTAL

P.O. BOX 61666 CHARLESTON, SC 29416-1666
 843-554-9999



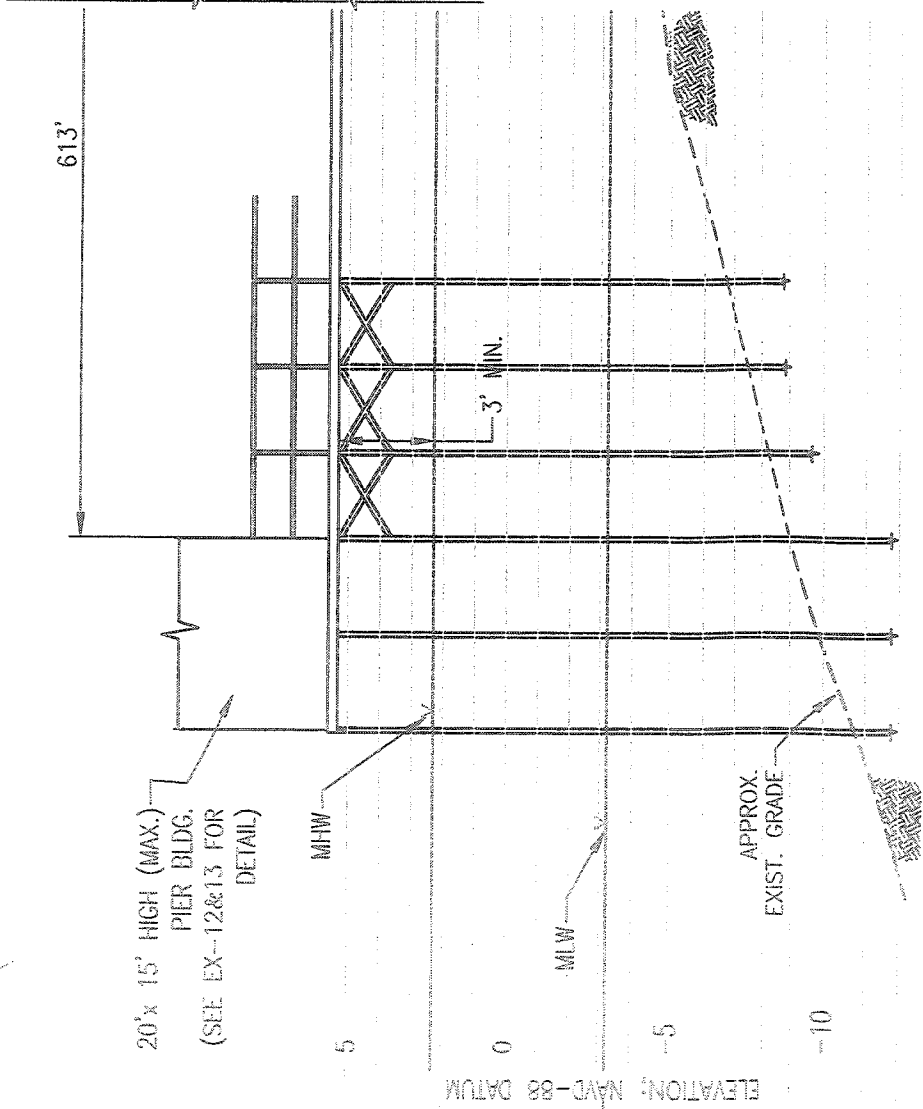
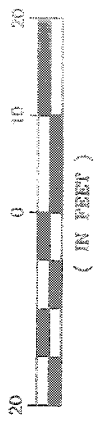
DOCK 2 OVERALL SECTION
NO SCALE



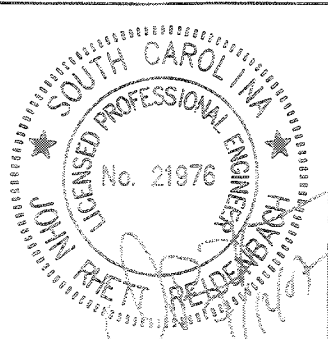
NOTE: EXISTING GROUND ELEVATION BASED ON BATHYMETRIC SURVEY PROVIDED BY GEL ENGINEERING, LLC.

H: 1"=20'
V: 1"=6'

GRAPHIC SCALE



DOCK 2 RIVER SECTION

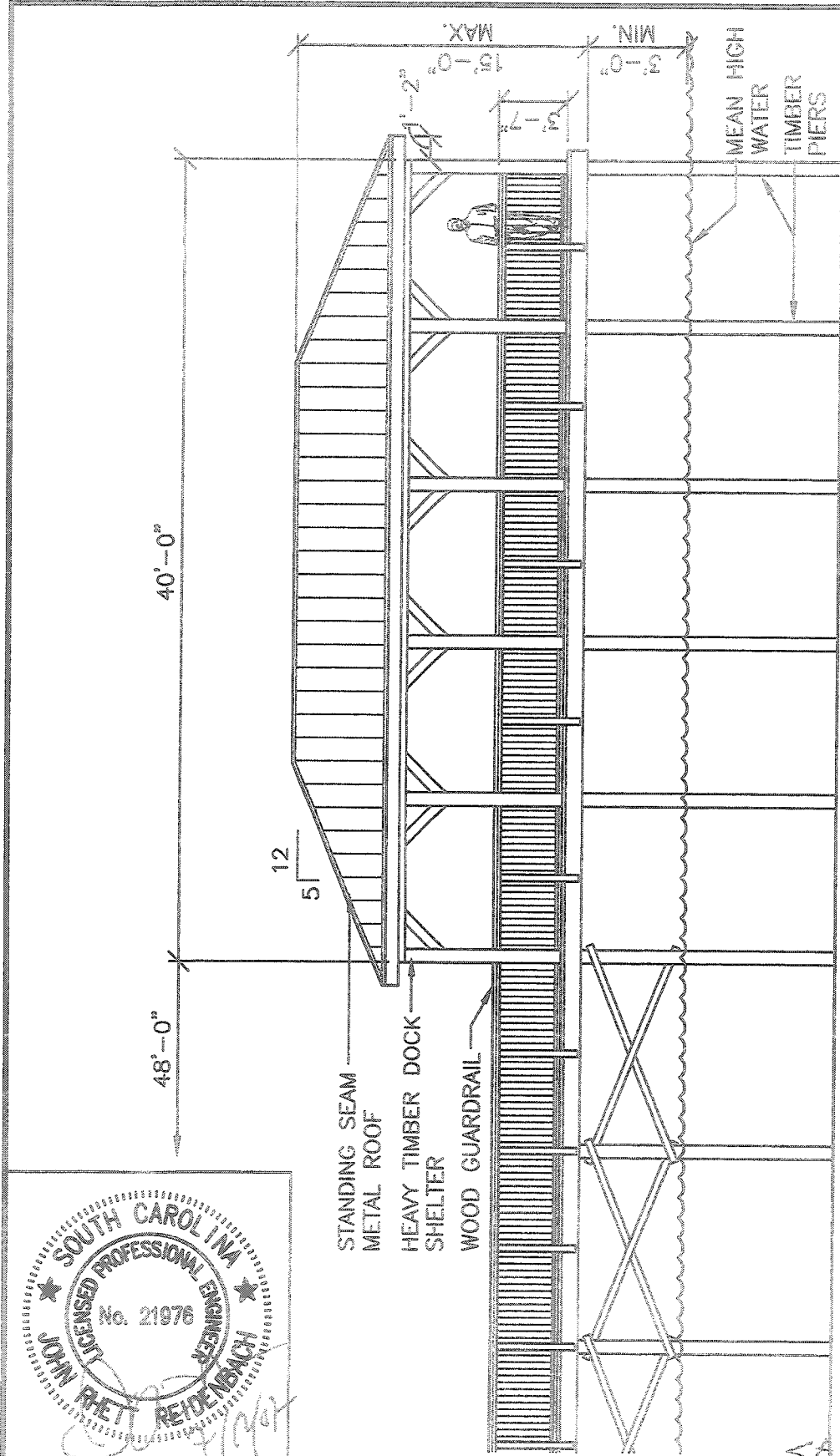


DAVIS Engineering Architecture
FLOYD Environmental & Laboratory Services

CLIENT MAGNOLIA DEVELOPMENT, LLC
LOCATION SPEISSEGOGER DR., CHARLESTON COUNTY, SC
PROJECT TITLE PROFILE OF PROPOSED DOCK #2

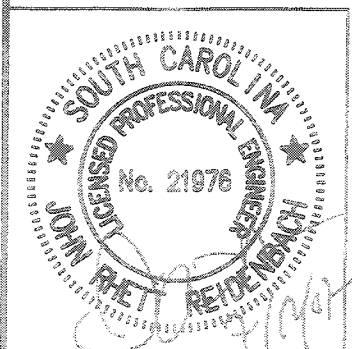
DATE JULY 2007		DESIGNER JDT/ALP	
DRAWN PAF		CHECKED JRR	

PROJECT NO. 31213.00
SHEET NO.



DOCK NO. 2
 NORTH ELEVATION
 SCALE: 1/8" = 1'-0"

(FROM ASHLEY RIVER LOOKING TOWARDS ARC DEVELOPMENT)

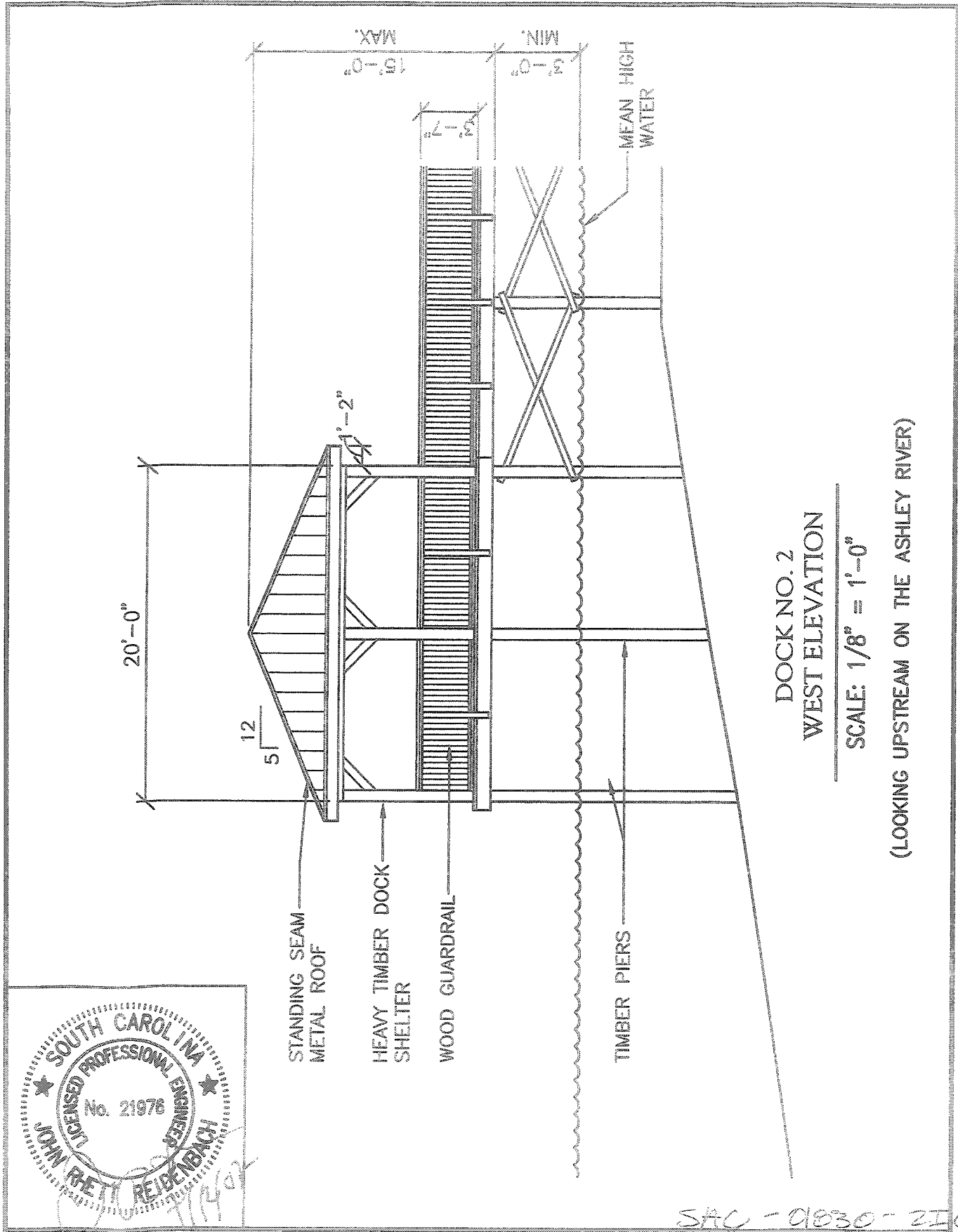


SAC-01830-216

DAVIS Engineering FLOYD Architecture Environmental & Laboratory Services <small>CHARLOTTE • CHATTANOOGA • COLUMBIA SOUTH CAROLINA</small>	CLIENT MAGNOLIA DEVELOPMENT, LLC	TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS		PROJECT NO 31213.00
	LOCATION SPEISSEGGER DR., CHARLESTON COUNTY, SC	DATE JULY 2017	DRAWN JDT/ALP	CHECKED JRR
DRAWING TITLE ELEVATION; PROPOSED DOCK #2		SKETCH REFERENCE: DWG. N47-HEL		

P.O. BOX 61880 CHARLOTTE, NC 28261-1880
 704-522-6666

Sheet 9 of 10



SAC - 0830 - ZIG

DAVIS FLOYD Engineering Architecture Environmental & Laboratory Services	CLIENT MAGNOLIA DEVELOPMENT, LLC	TITLE ASHLEY RIVER CENTER PROPOSED COMMUNITY DOCKS	PROJECT NO. 31213.00
	LOCATION SPEISSBOGER DR., CHARLESTON COUNTY, SC	DATE JULY 2007	DRAWN JDT/ALP
DRAWING TITLE ELEVATION; PROPOSED DOCK #2		DESIGN PF	CHECK JRR
		SHEET REFERENCES DWG NUMBER -	

P.O. BOX 61000 CHARLESTON, SC 29416-1000
 843-799-8000