

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

December 19, 2008

Refer to: P/N # 2004-13730 (revised)

Originally permitted under # 2004-1W-293

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

MR. BUTCH CLARK
C/O JACK T. WALKER
GEL ENGINEERING, LLC
P.O. BOX 30712
CHARLESTON, SOUTH CAROLINA 29417

To obtain an After-the-fact permit and modification for a dock that has been constructed in the

WANDO RIVER

at a location 1026 Ferry Point Road off of Highway 41 in the River Reach community in Cainhoy, Berkeley County, South Carolina (Latitude 32.916747' N, Longitude -79.841307' W)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the completed and proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, TUESDAY, JANUARY 20, 2009

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

The completed work consists of a 4' wide by 588' long walkway leading to a 20' by 20' roofed pierhead. A 4' wide by 60' long section of walkway extending channelward from the pierhead connects to a 4' wide by 31' long ramp leading to an 8' wide by 110' long T-shaped float with four 6' wide by 20' long finger piers extending from opposite sides (two on each side). Ten four-pile dock units exist surrounding the T float (with five on either side).

The 4' wide by 60' long section of walkway extending channelward from the pierhead was not included in the original Corps permit issued on October 25, 2005. The permitted plans allowed for the 4' wide by 31' long ramp to connect from the pierhead to the T float. The original permit was amended through SCDHEC-OCRM to allow for the additional 4' wide by 60' long walkway to extend channelward from the pierhead. This deviation from the original permitted plans was not authorized by the Corps of Engineers, therefore, an After-the-fact permit is required so that the existing structure will no longer be out of compliance.

The proposed work consists of the addition of ten 12' by 20' four-pile boat lifts surrounding the 60' section of walkway extending beyond the pierhead (with five boat lifts on either side of the walkway).

NOTE: As-built and proposed 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 has and will continue to comply with applicable effluent limitations and water quality standards. The completed and proposed 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. The completed project has impacted 4,476 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 completed action has not had 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 it is unlikely that the project has adversely affected any Federally endangered, threatened, or proposed species or resulted 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 have been affected by the completed 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.

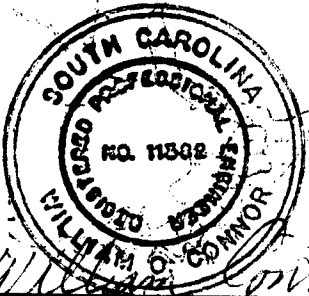
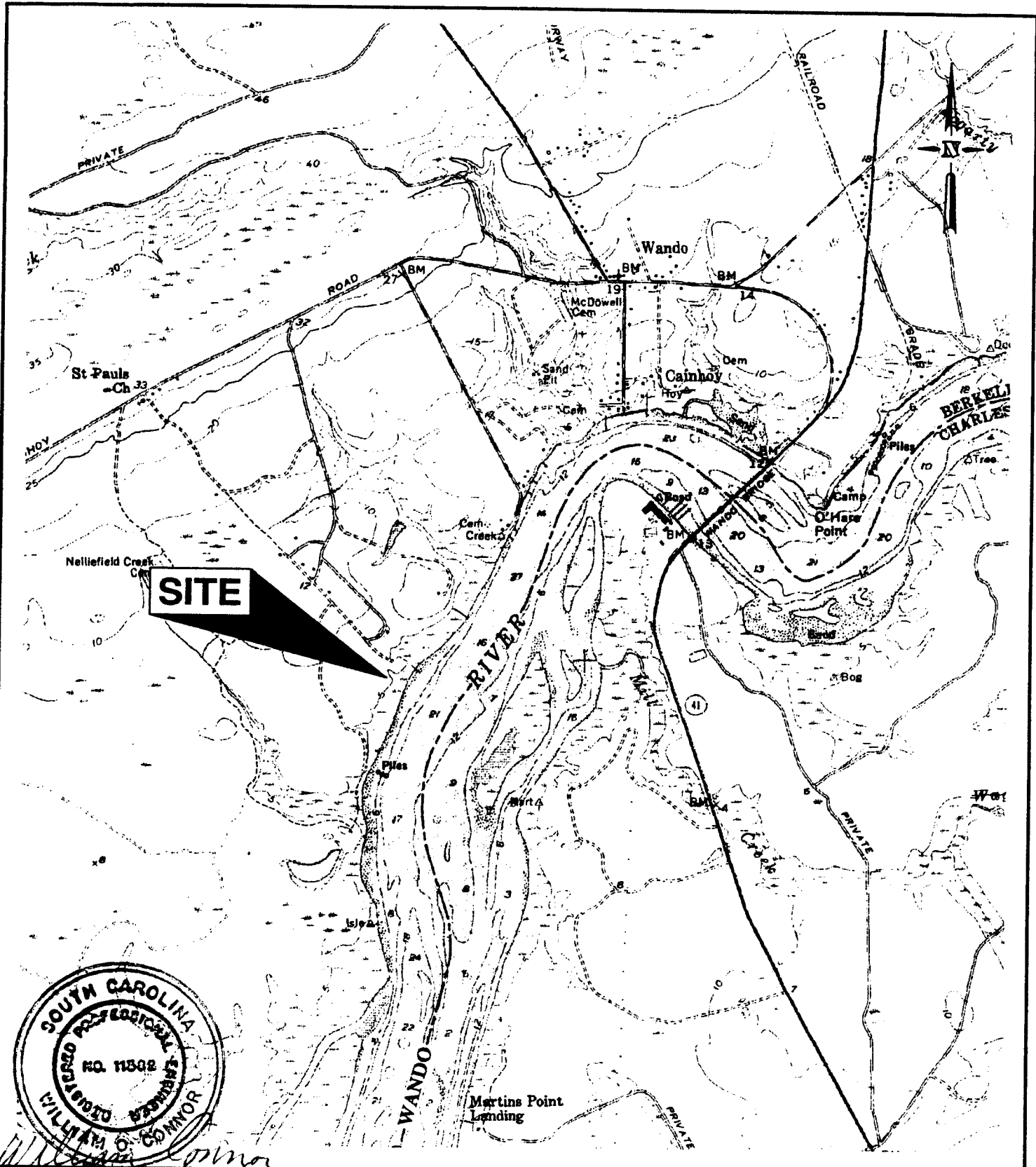
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue an after-the-fact permit and permit modification will be based on an evaluation of the 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 have accrued from the completed project must be balanced against any 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. An after-the-fact permit and permit modification 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 an after-the-fact permit and permit modification 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 Holland Youngman at 843-329-8044 or toll free at 1-866-329-8187.

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SITE

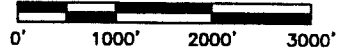
PURPOSE: PRIVATE SHARED RESIDENTIAL DOCK

ADJACENT PROPERTY OWNERS
D.R. HORTON
MEHA, LLC
SUMMERVILLE HOMES, LLC

SURVEY DATUM: MLW

FIGURE 1
LOCATION MAP
USGS MAP "CAINHOY"

SCALE: 1" = 2000'



RIVER REACH POINTE, LLC
THE CITY OF CHARLESTON
BERKELEY COUNTY, SOUTH CAROLINA 29440

PROPOSED: PRIVATE DOCK

AT: RIVER REACH SUBDIVISION

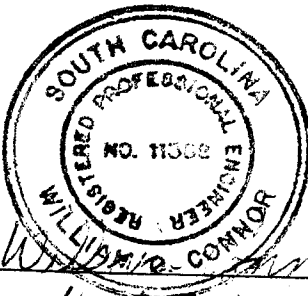
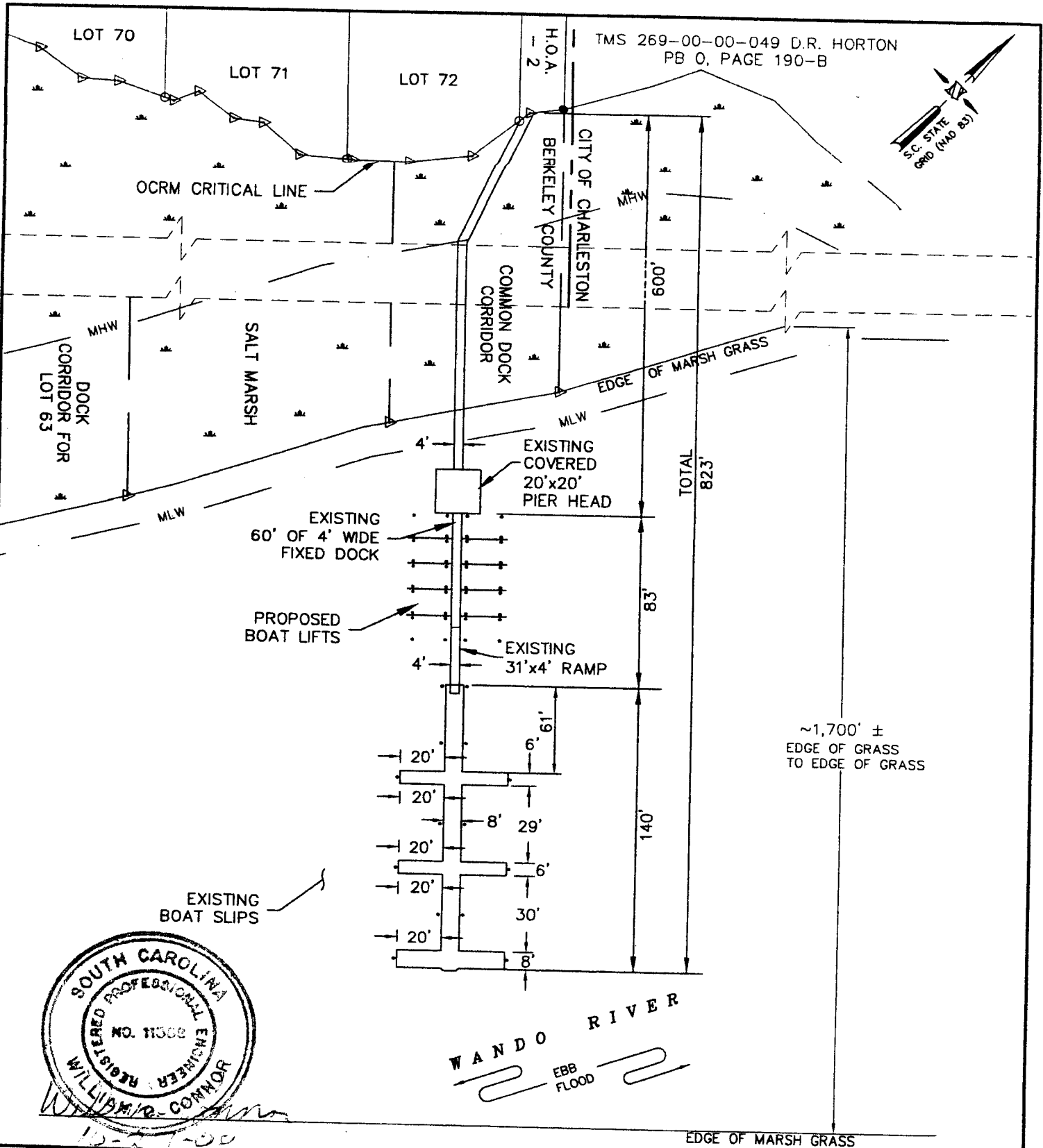
IN: WANDO RIVER

COUNTY OF: BERKELEY,
SOUTH CAROLINA

SHEET: 1 OF 8

DATE: 10/8/08

SAC 2004-13730

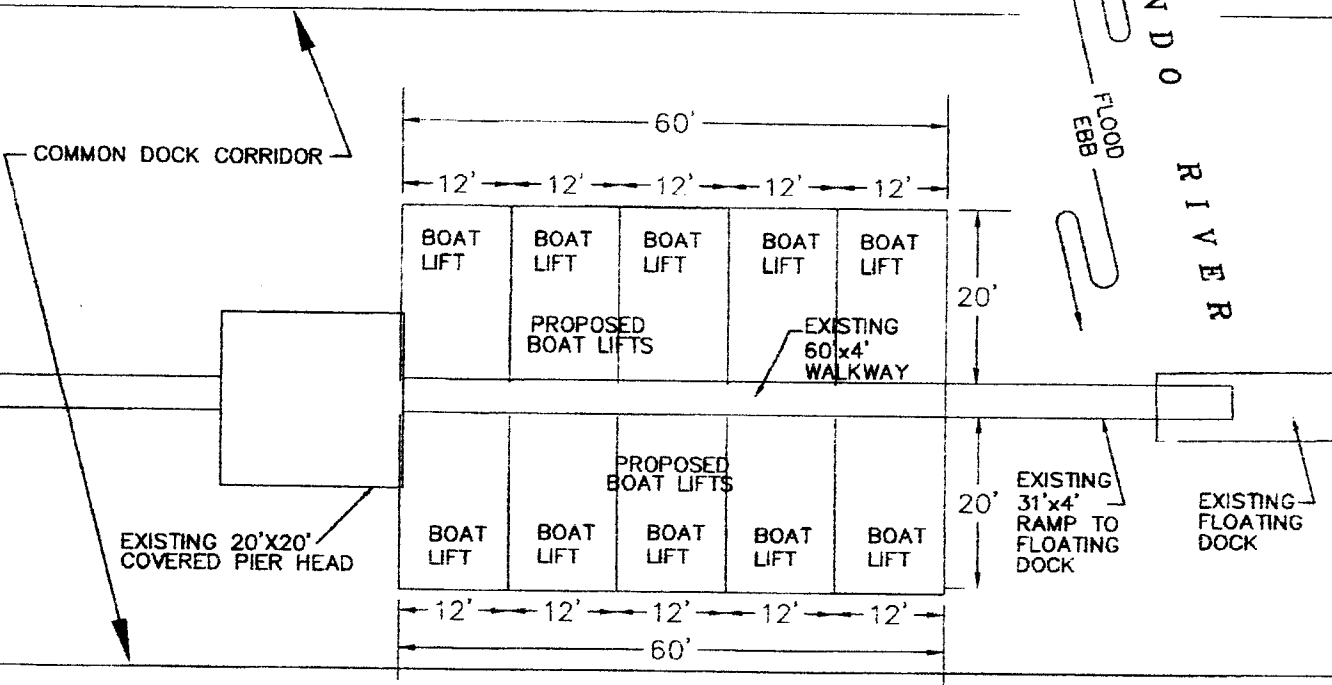


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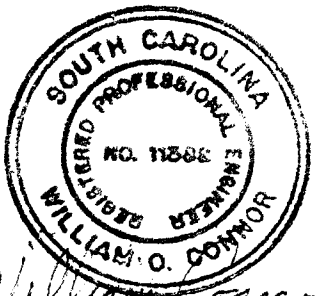
<p>PURPOSE: PRIVATE SHARED RESIDENTIAL DOCK</p> <p>ADJACENT PROPERTY OWNERS D.R. HORTON MEHA, LLC SUMMERVILLE HOMES, LLC</p> <p>SURVEY DATUM: MLW</p>	<p align="center">FIGURE 2 PLAN VIEW OF EXISTING STRUCTURE & PROPOSED BOAT LIFTS</p> <p align="center">NOT TO SCALE</p> <p align="center">RIVER REACH POINTE, LLC THE CITY OF CHARLESTON BERKELEY COUNTY, SOUTH CAROLINA 29440</p>	<p>PROPOSED: PRIVATE DOCK</p> <p>AT: RIVER REACH SUBDIVISION</p> <p>IN: WANDO RIVER</p> <p>COUNTY OF: BERKELEY, SOUTH CAROLINA</p> <p>SHEET: 2 OF 6 DATE: 10/8/08</p>
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WANDO RIVER
FLOOD
EBB



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William O. Connor
10-27-08

PURPOSE: PRIVATE SHARED RESIDENTIAL DOCK

ADJACENT PROPERTY OWNERS
D.R. HORTON
MEHA, LLC
SUMMERVILLE HOMES, LLC

SURVEY DATUM: MLLW

FIGURE 3
DETAIL OF PROPOSED
10 NEW BOAT LIFTS

NOT TO SCALE

RIVER REACH POINTE, LLC
THE CITY OF CHARLESTON
BERKELEY COUNTY, SOUTH CAROLINA 29440

PROPOSED: PRIVATE DOCK

AT: RIVER REACH SUBDIVISION

IN: WANDO RIVER

COUNTY OF: BERKELEY,
SOUTH CAROLINA

SHEET: 3 OF 6 DATE: 10/8/08

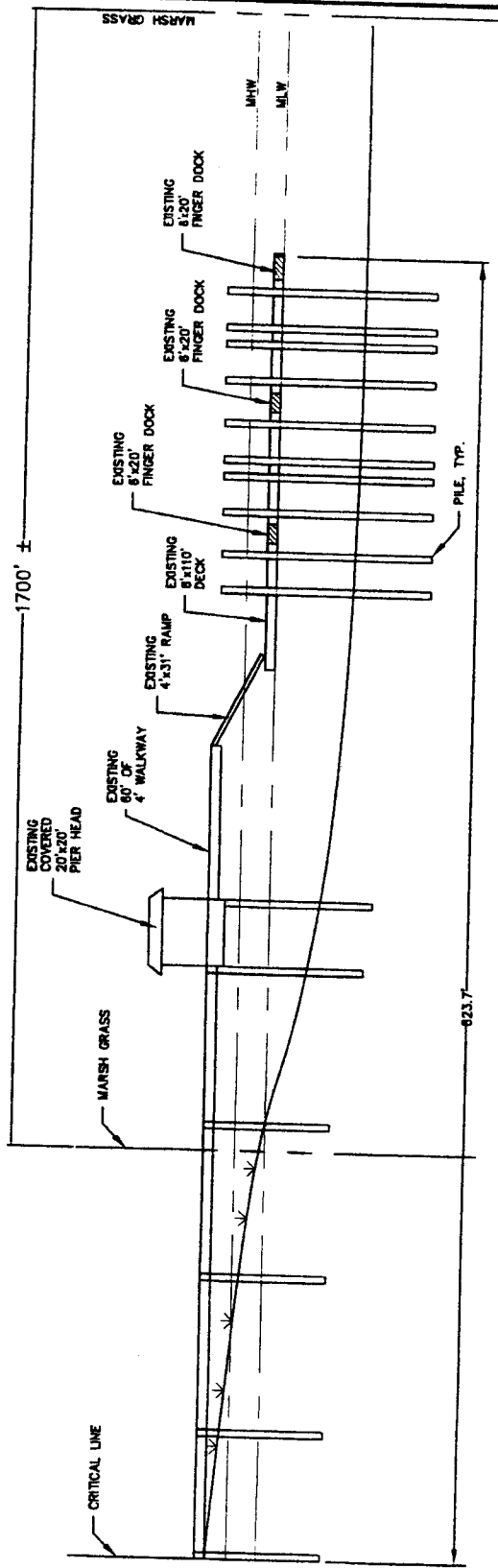
SPLP00108C

GEL ENGINEERING, INC.

a Member of THE GEL GROUP, INC.

SAC 2004-13730

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William O. Poinboer
10-27-08

PURPOSE: PRIVATE SHARED RESIDENTIAL DOCK

ADJACENT PROPERTY OWNERS
D.R. HORTON
MEHA, LLC
SUMMERVILLE HOMES, LLC

SURVEY DATUM: MLW

FIGURE 4
TYPICAL CROSS SECTION
EXISTING STRUCTURE

NOT TO SCALE

RIVER REACH POINTE, LLC
THE CITY OF CHARLESTON
BERKELEY COUNTY, SOUTH CAROLINA 29440

PROPOSED: PRIVATE DOCK

AT: RIVER REACH SUBDIVISION

IN: WANDO RIVER

COUNTY OF: BERKELEY, SOUTH CAROLINA

SHEET: 4 OF 6 **DATE:** 10/8/08

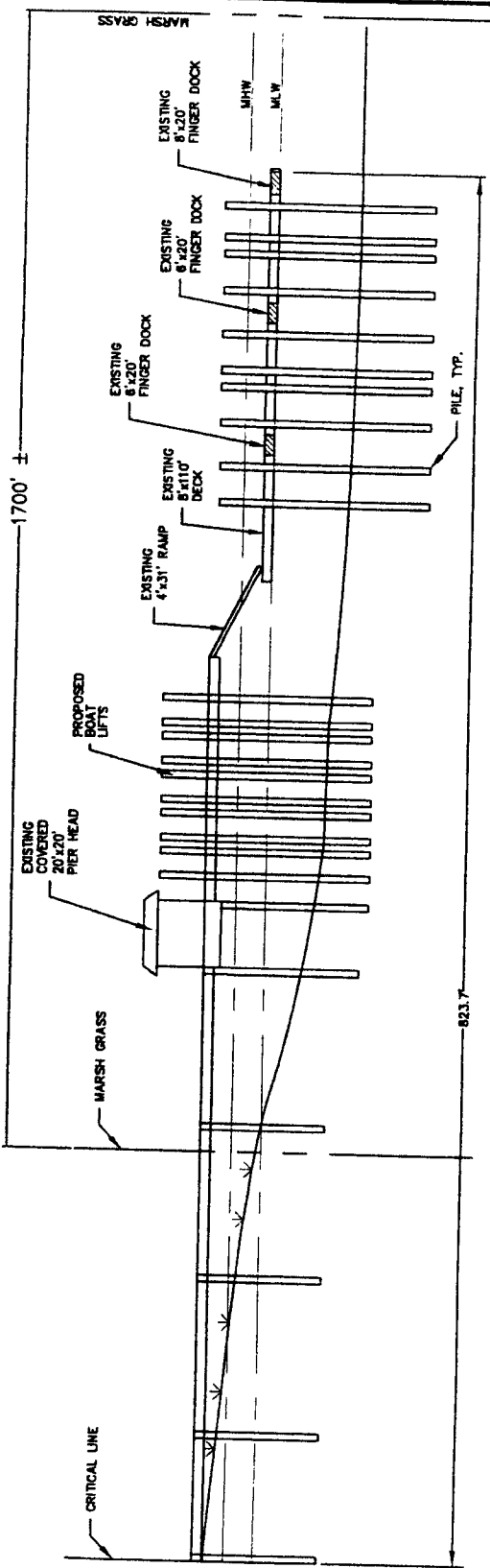
SPLP00108C

GEL ENGINEERING, INC.

Member of THE GEL GROUP, INC.

SAC 2004-13730

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William S. Gorman
10-27-08

PURPOSE: PRIVATE SHARED RESIDENTIAL DOCK

ADJACENT PROPERTY OWNERS
D.R. HORTON
MEHA, LLC
SUMMERVILLE HOMES, LLC

SURVEY DATUM: MLW

FIGURE 5
TYPICAL CROSS SECTION
PROPOSED BOAT LIFTS

NOT TO SCALE

RIVER REACH POINTE, LLC
THE CITY OF CHARLESTON
BERKELEY COUNTY, SOUTH CAROLINA 29440

PROPOSED: PRIVATE DOCK

AT: RIVER REACH SUBDIVISION

IN: WANDO RIVER

COUNTY OF: BERKELEY, SOUTH CAROLINA

SHEET: 5 OF 6 **DATE: 10/8/08**

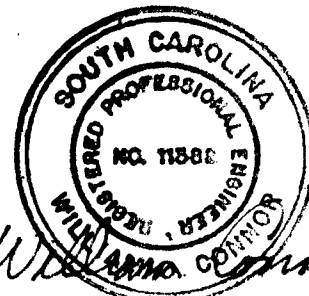
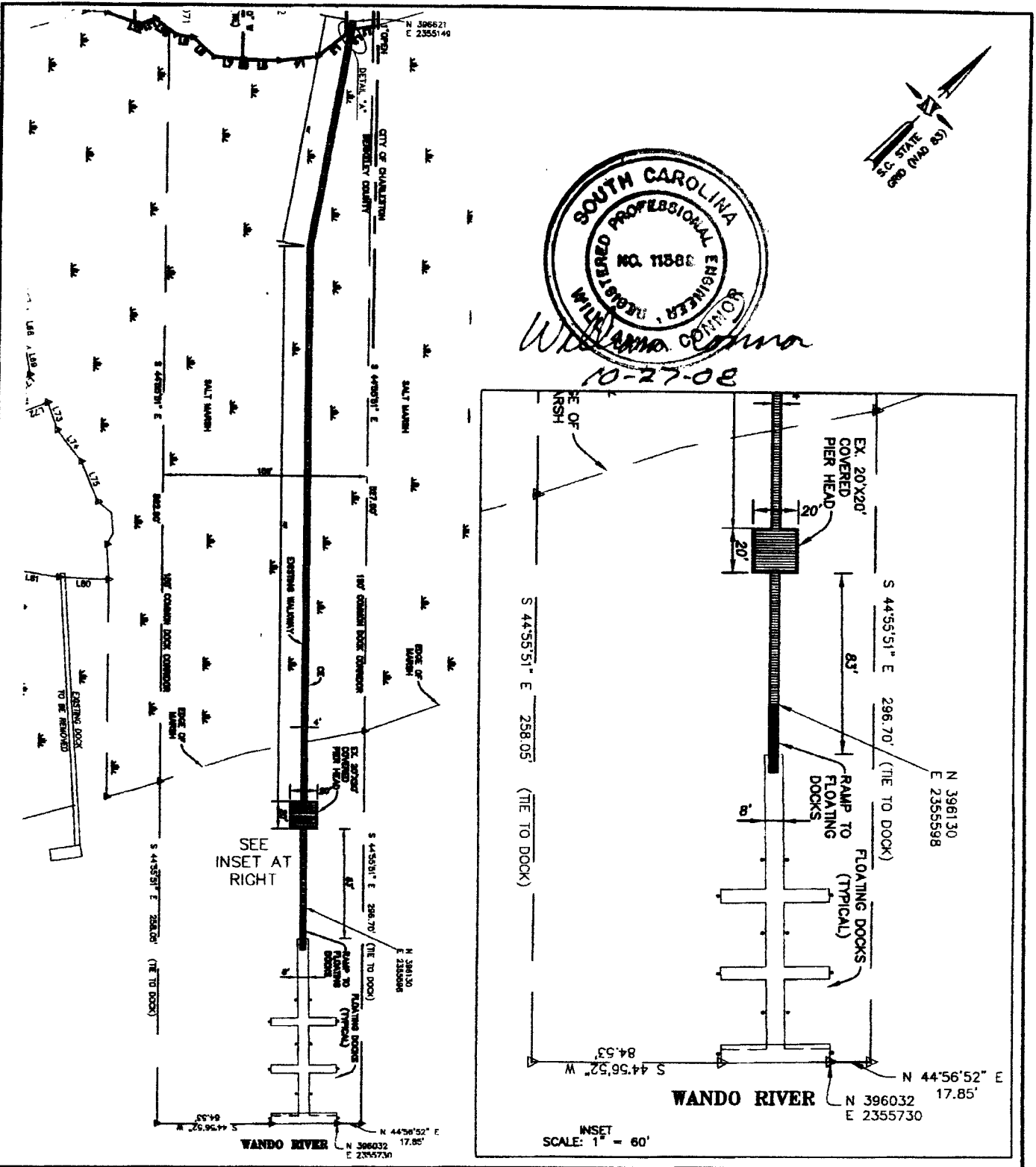
SPLP00108C

GEL ENGINEERING, INC.

SAC 2004-13730

Member of THE GEL GROUP, INC.

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PURPOSE: PRIVATE SHARED RESIDENTIAL DOCK

ADJACENT PROPERTY OWNERS
 D.R. HORTON
 MEHA, LLC
 SUMMERSVILLE HOMES, LLC

SURVEY DATUM: MLW

FIGURE 6
PLAN VIEW OF
EXISTING STRUCTURE-ASBUILT

SCALE: 1" = 100'

RIVER REACH PONTE, LLC
 THE CITY OF CHARLESTON
 BERKELEY COUNTY, SOUTH CAROLINA 29440

PROPOSED: PRIVATE DOCK

AT: RIVER REACH SUBDIVISION

IN: WANDO RIVER

COUNTY OF: BERKELEY,
 SOUTH CAROLINA

SHEET: 6 OF 6 **DATE:** 10/8/08

SPLP00108C

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