

**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 # 2013-00794-1T

11 September 2013

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

**HATCHER HOLDINGS, LLC**  
**MR. EDWIN KING JR.**  
**C/O SLIGH ENVIRONMENTAL CONSULTANTS, INC.**  
**ATTN: JEFFREY WILLIAMS**

for a permit to construct a private community dock on

**MUNGEN CREEK**

on the Eigelberger Tract on the southern end of Daufuskie Island, west of the Bloody Point development, Daufuskie Island, Beaufort County, South Carolina (32.090681 Latitude/ -80.880717 Longitude)

**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,**

and **SCDHEC** will receive written statements regarding the proposed work until

**30 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 the construction of a 6' X 40' fixed walkway, a 34' X 30' pier head of which 20' X 20' will be covered, a 4' X 30' aluminum gangway used to access a 10' X 60' floating dock that has two (2) 2' X 4' walkway access platforms, a 20' X 50' covered hoist, and a 4' X 55' catwalk that has two (2) 2' X 4' walkway access platforms. The proposed dock will also have water and power.

The property, known as the Eigelberger Tract, is only accessible by water from the public boat landing on Daufuskie Island. Since the property is not accessible via ground transportation, the purpose of the proposed community dock is to provide access to the property by property owners and guest.

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No compensatory mitigation is being proposed. According to the applicant, all activities will be performed in a manner to minimize turbidity in the Mungen River. There will be no oils or other pollutants released from the proposed activities, and the proposed project should have no adverse effect on water quality. All work performed during construction will be done in a manner to prevent interference with legitimate water uses.

Please note that the proposed community dock is part of a dock master plan (DMP) for this property that was approved by the Office of Ocean and Coastal Resource Management. The DMP includes 2 additional community docks for this property. As of the date of this public notice, no additional community docks have been constructed, no permit applications have been submitted to this office for the additional community docks, nor have Corps permits been issued for the additional community docks.

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 1,964 square feet of open waters above estuarine substrates 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.

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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 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.

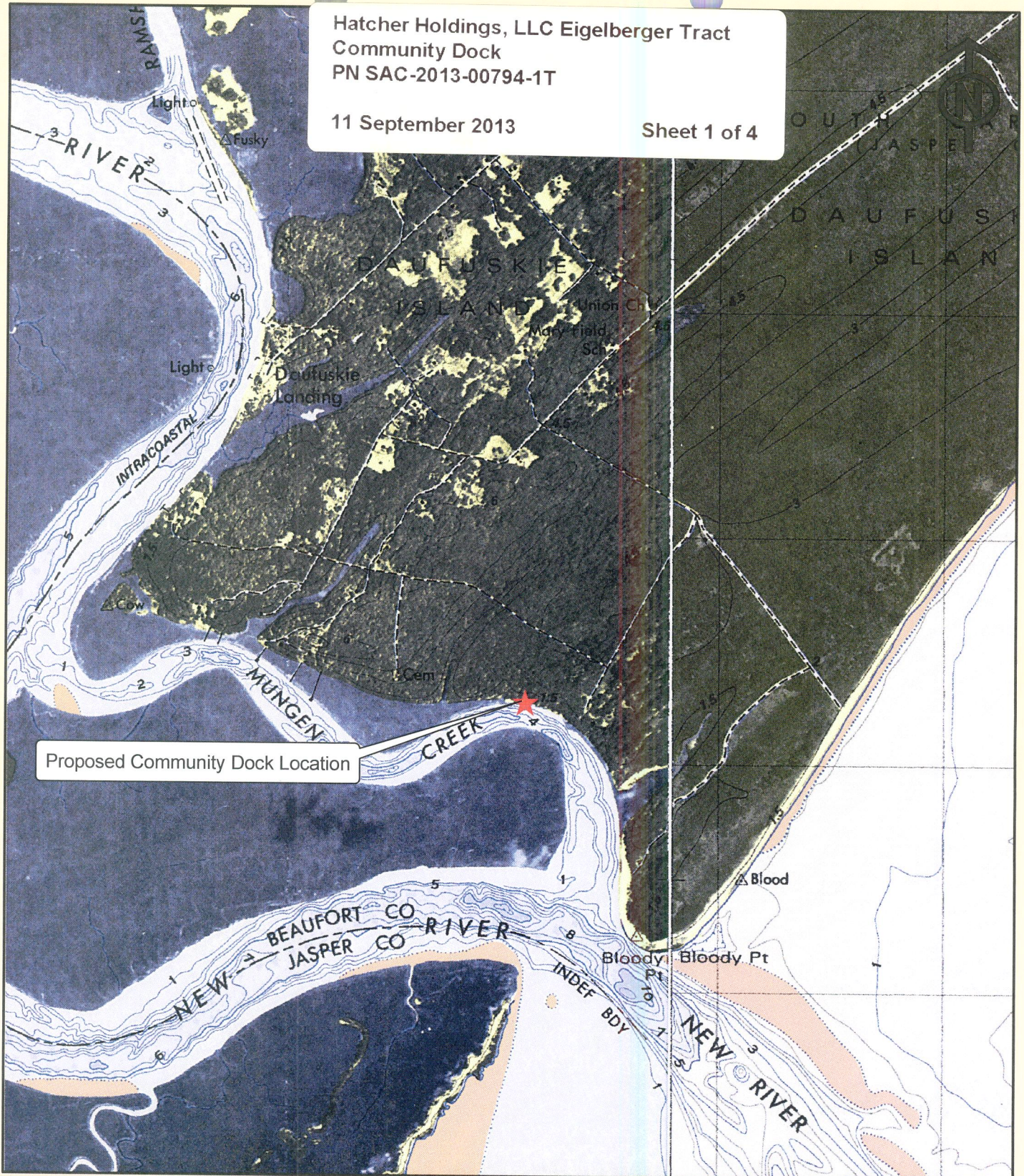
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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 **Tracy Dotolo Sanders** at 843-329-8044 or toll free at 1-866-329-8187.

Hatcher Holdings, LLC Eigelberger Tract  
 Community Dock  
 PN SAC-2013-00794-1T

11 September 2013

Sheet 1 of 4



Approximate Property Boundary
 ★ Proposed Community Dock Location

**sligh** environmental consultants, inc.  
 31 Park of Commerce Way, Suite 200B  
 Savannah, Georgia 31405  
 phone (912) 232-0451  
 fax (912) 232-0453

HATCHER HOLDINGS, LLC  
 Eigelberger Tract  
 Daufuskie Island  
 Beaufort County, South Carolina  
 U.S. Geological Survey -  
 Fort Pulaski & Tybee Island North Quadrangles

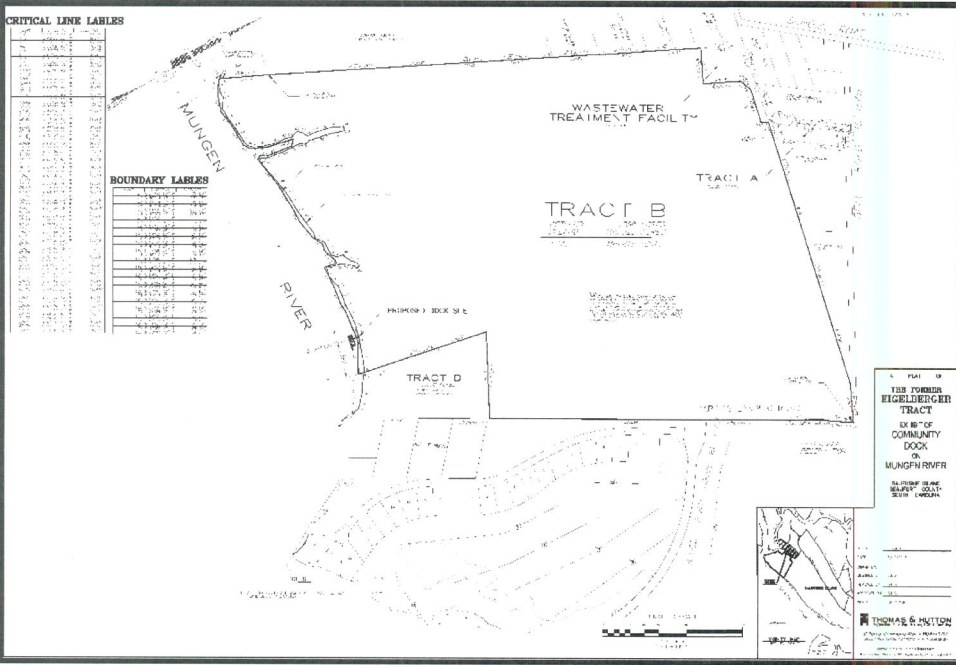
1 inch equals 2,000 feet  
 Exhibit Date: June 17, 2013  
 Drawn By: JPW  
 Reviewed By: BWW  
 Job Number : 01-13-026

**CRITICAL LINE TABLES**

LINE NO.	DESCRIPTION	LENGTH	BEARING
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			

**BOUNDARY TABLES**

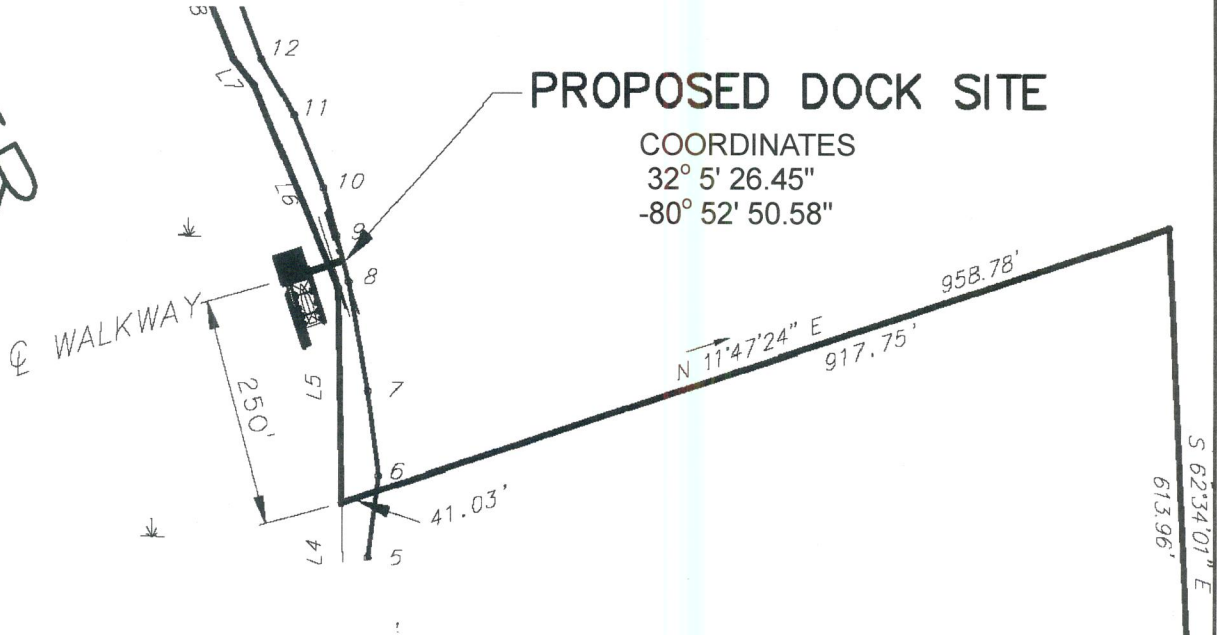
LINE NO.	DESCRIPTION	LENGTH	BEARING
1			
2			
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12			



RIVER

**PROPOSED DOCK SITE**

COORDINATES  
 32° 5' 26.45"  
 -80° 52' 50.58"



Hatcher Holdings, LLC Eigelberger Tract  
 Community Dock  
 PN SAC-2013-00794-1T

11 September 2013                      Sheet 2 of 4

sligh environmental consultants, inc.  
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 Savannah, Georgia 31405  
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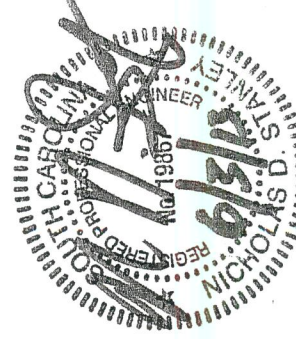
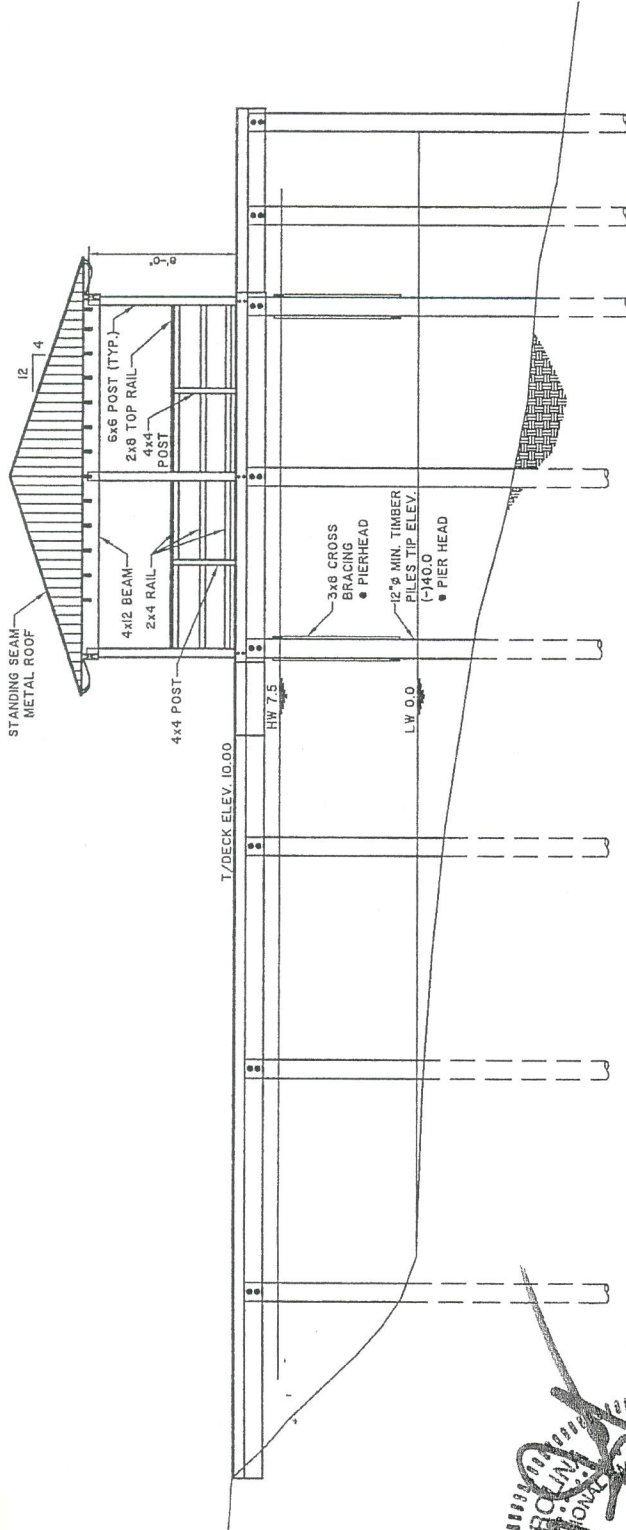
**HATCHER HOLDINGS, LLC**  
 Eigelberger Tract, Daufuskie Island  
 Beaufort County, South Carolina

Not to Scale
Exhibit Date: September 4, 2013
Drawn By: JPW
Reviewed By: BWW
Job Number : 01-13-026

Hatcher Holdings, LLC Eigelberger Tract  
 Community Dock  
 PN SAC-2013-00794-1T

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**ELEVATION**

**Private Community Dock - Mungen Creek**

BEAUFORT, SOUTH CAROLINA

APPLICANT:  
 HATCHER HOLDINGS, LLC

DATE: FEBRUARY 13, 2013

COUNTY: BEAUFORT

JOB #: J-24092

PROPOSED ACTIVITY:  
 COMMUNITY DOCK  
 DAUFUSKIE ISLAND, S.C.

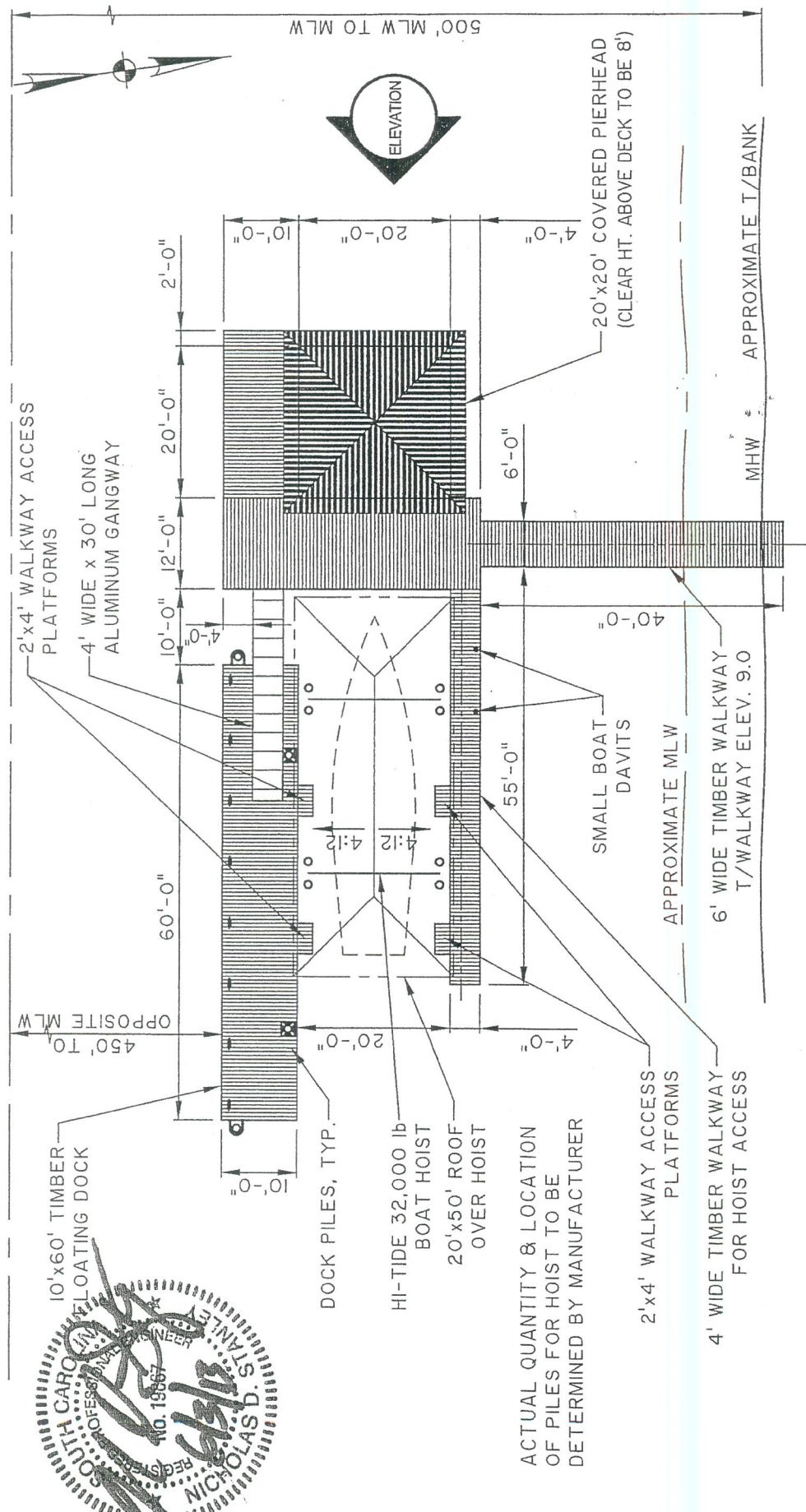
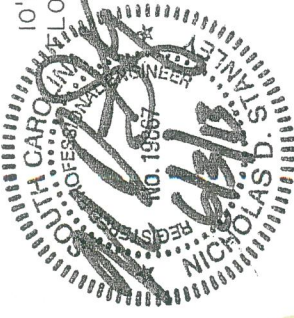
DATUM:  
 MLW

SCALE: 1"=10'-0"

**THOMAS & HUTTON**  
 50 PARK OF COMMERCE WAY • PO BOX 2727  
 SAVANNAH, GA 31402-2727 • 912.234.5300  
 www.thomasandhutton.com

Wilmington, NC  
 Myrtle Beach, SC  
 Charleston, SC

This map illustrates a general plan of the development which is for discussion purposes only, does not limit or bind the owner/developer, and is subject to change and revision without prior written notice to the holder. Dimensions, boundaries and position locations are for illustrative purposes only and are subject to an accurate survey and property description.  
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Brunswick, GA Charleston, SC Myrtle Beach, SC Wilmington, NC

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PROPOSED ACTIVITY:  
 COMMUNITY DOCK  
 DAUFUSKIE ISLAND, S.C.

DATUM:  
 MLW

SCALE: 1"=20'-0"

**LAYOUT PLAN**

Private Community Dock - Mungen Creek

Hatcher Holdings, LLC Eigelberger Tract  
 Community Dock  
 PN SAC-2013-00794-1T

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