

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 (Correction)

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. A Corps permit SAC-2003-13204 (2003-1E-004) was issued on August 27, 2003, for the construction of three (3) community docks; however, none of the community docks were constructed and the permit expired on September 30, 2008. As of the date of this public notice, no permit applications have been submitted to this office 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.

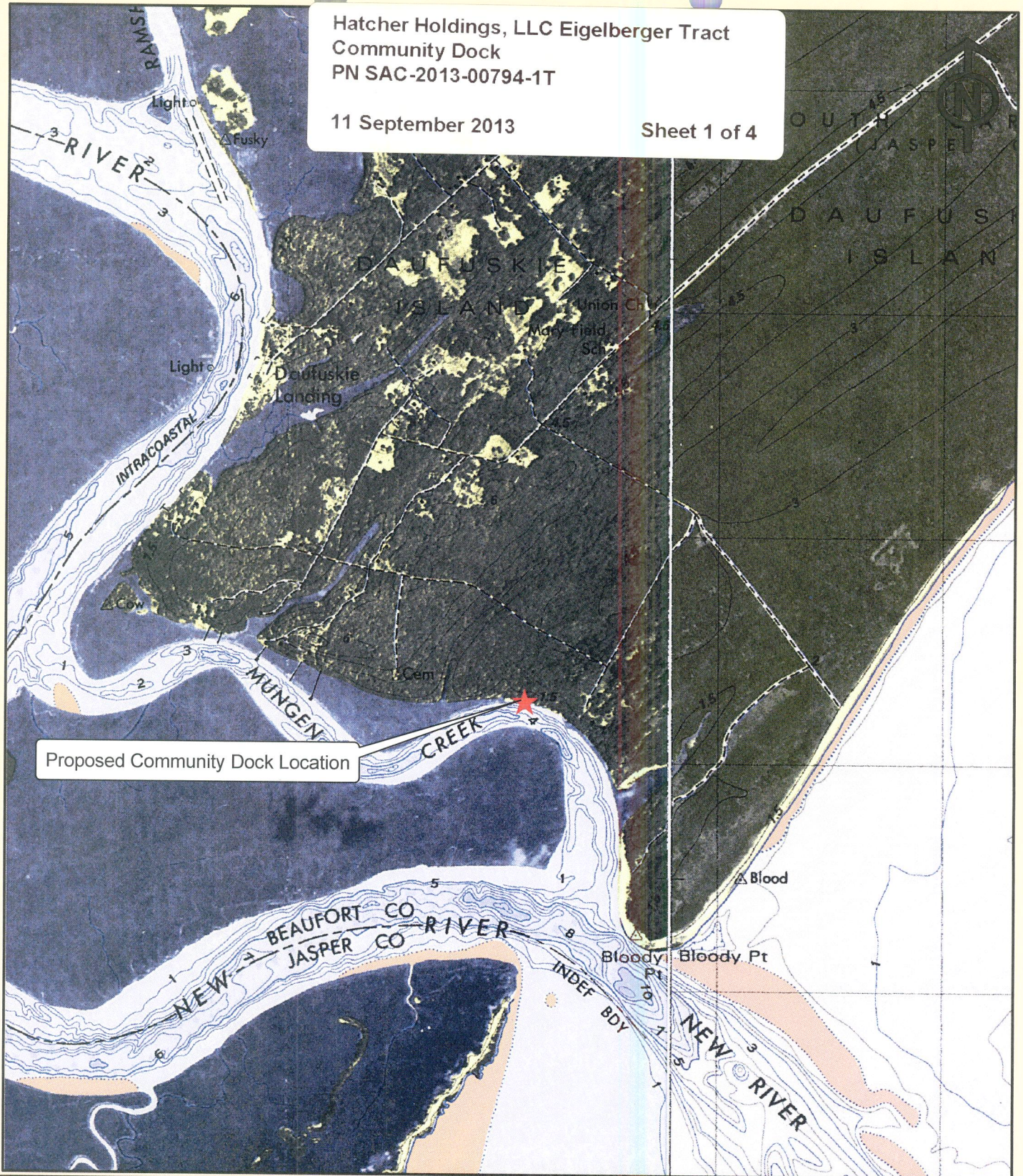
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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



Proposed Community Dock Location

 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

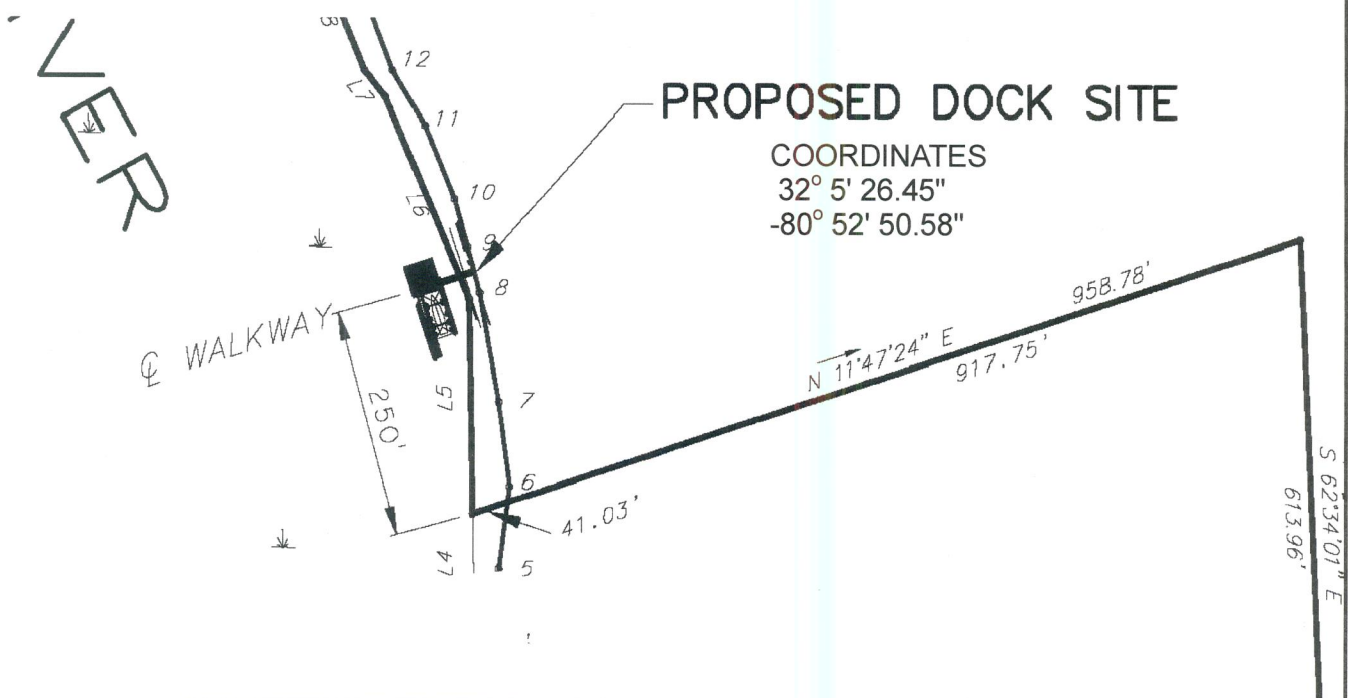
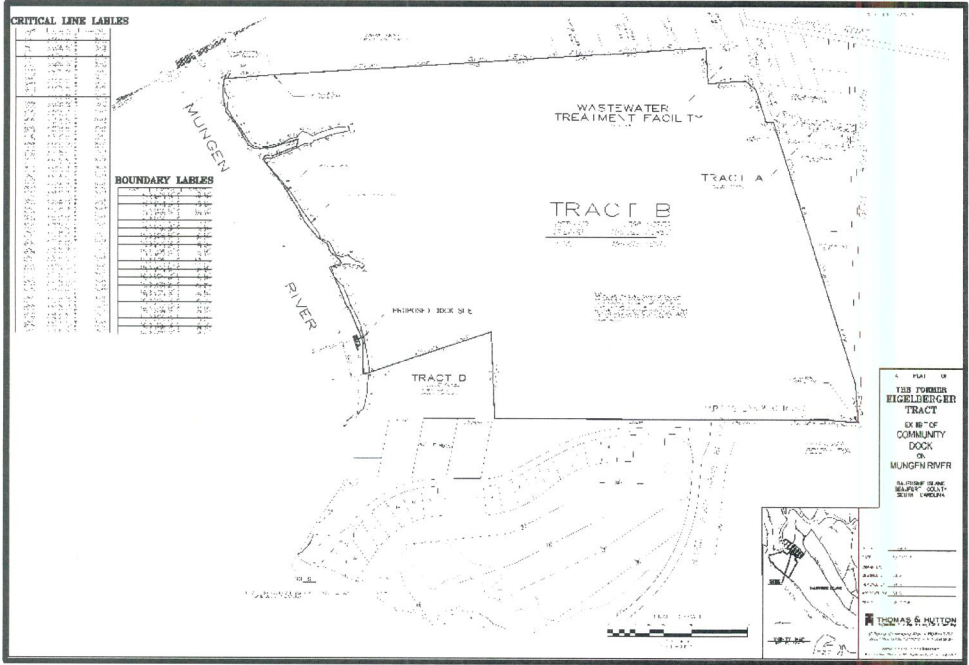
1 inch equals 2,000 feet

Exhibit Date: June 17, 2013

Drawn By: JPW

Reviewed By: BWW

Job Number : 01-13-026



PROPOSED DOCK SITE

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

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

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

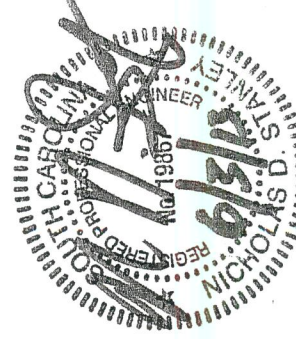
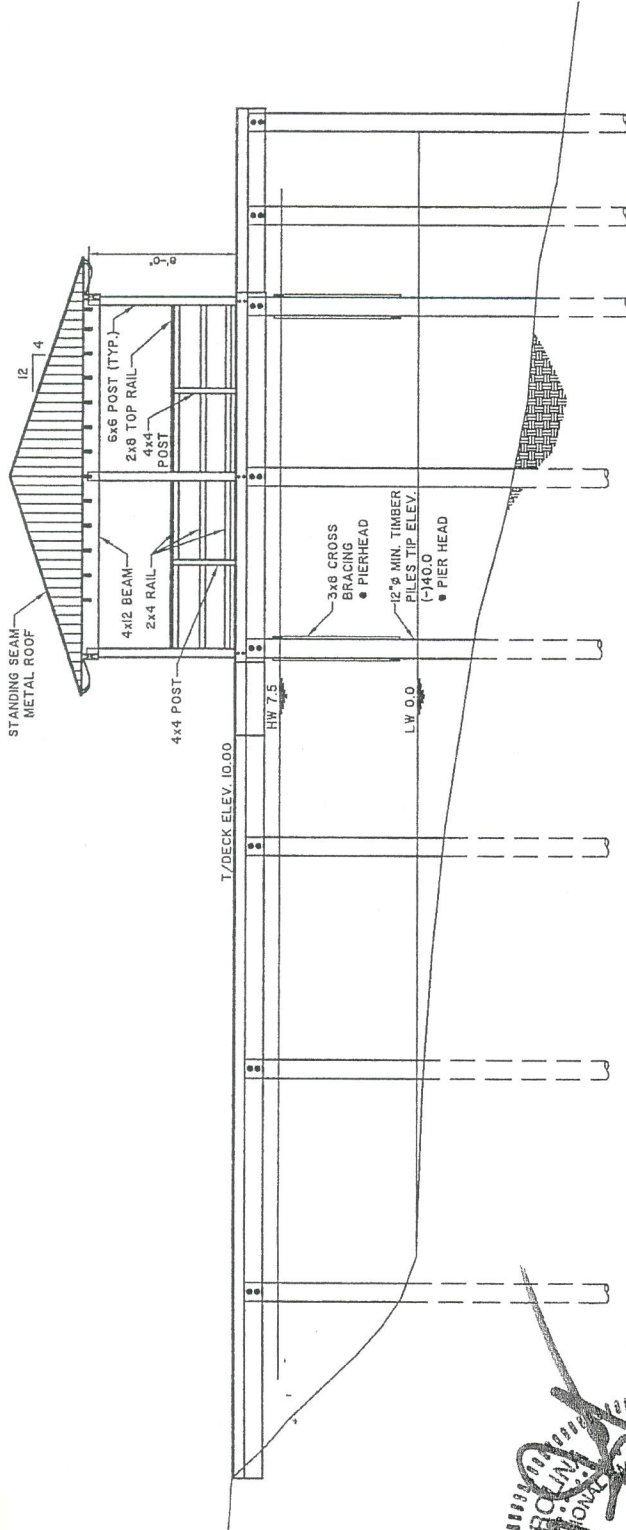
HATCHER HOLDINGS, LLC
 Eigelberger Tract, Daufuskie Island
 Beaufort County, South Carolina

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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11 September 2013



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.

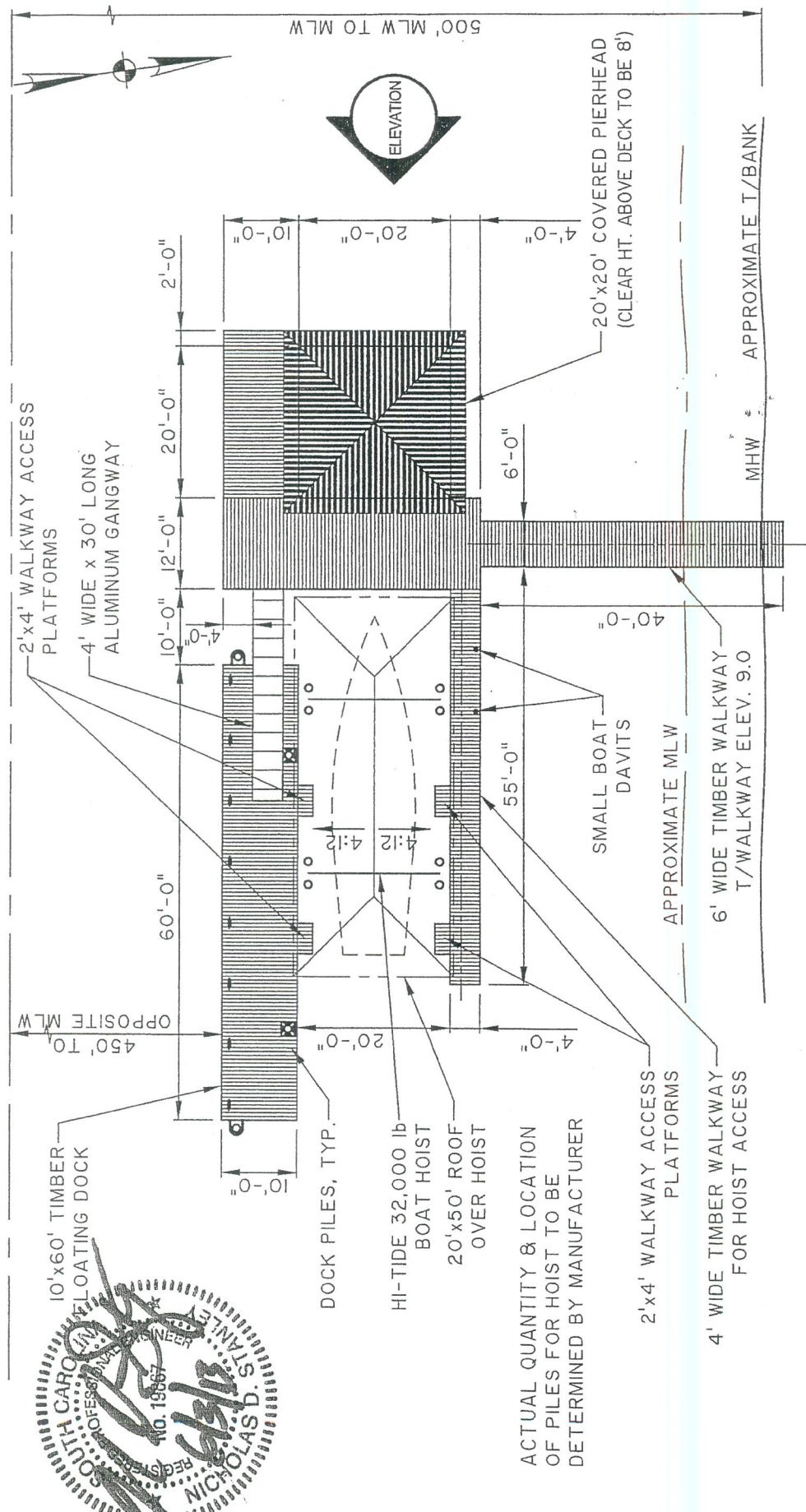
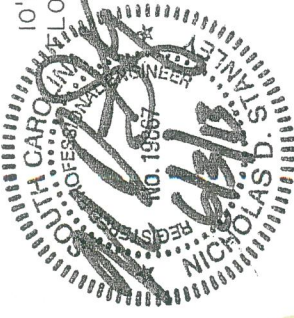
DATUM:
 MLW

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"

Private Community Dock - Mungen Creek

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

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4092

LAYOUT PLAN