

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 # 2007-675-2IX

APRIL 6, 2007

Pursuant to Sections 401 and 404 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

BEASLEY, HILL NICHOLS, LLC
C/O GEL ENGINEERING, LLC
P.O. BOX 30712
CHARLESTON, SOUTH CAROLINA 29417

for a permit to place fill material in waters of the United States adjacent to

CHURCH CREEK

located at the northwest intersection of Parsonage Road and Cedar Lane in the West Ashley area of the City of Charleston, in Charleston County, South Carolina (Latitude 32.83676, Longitude 80.04443)

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, MAY 7, 2007

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

The proposed work consists of placing fill material in 0.69 acre of waters of the United States (jurisdictional pond) for infrastructure and lot development for a proposed residential subdivision. The applicant proposes to mitigate for these impacts by creating 0.82 acre of deep water habitat, a 25' upland buffer around critical areas, and placing a 15' upland buffer around the remaining freshwater wetlands as shown on the maps attached.

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 would impact 0.69 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.

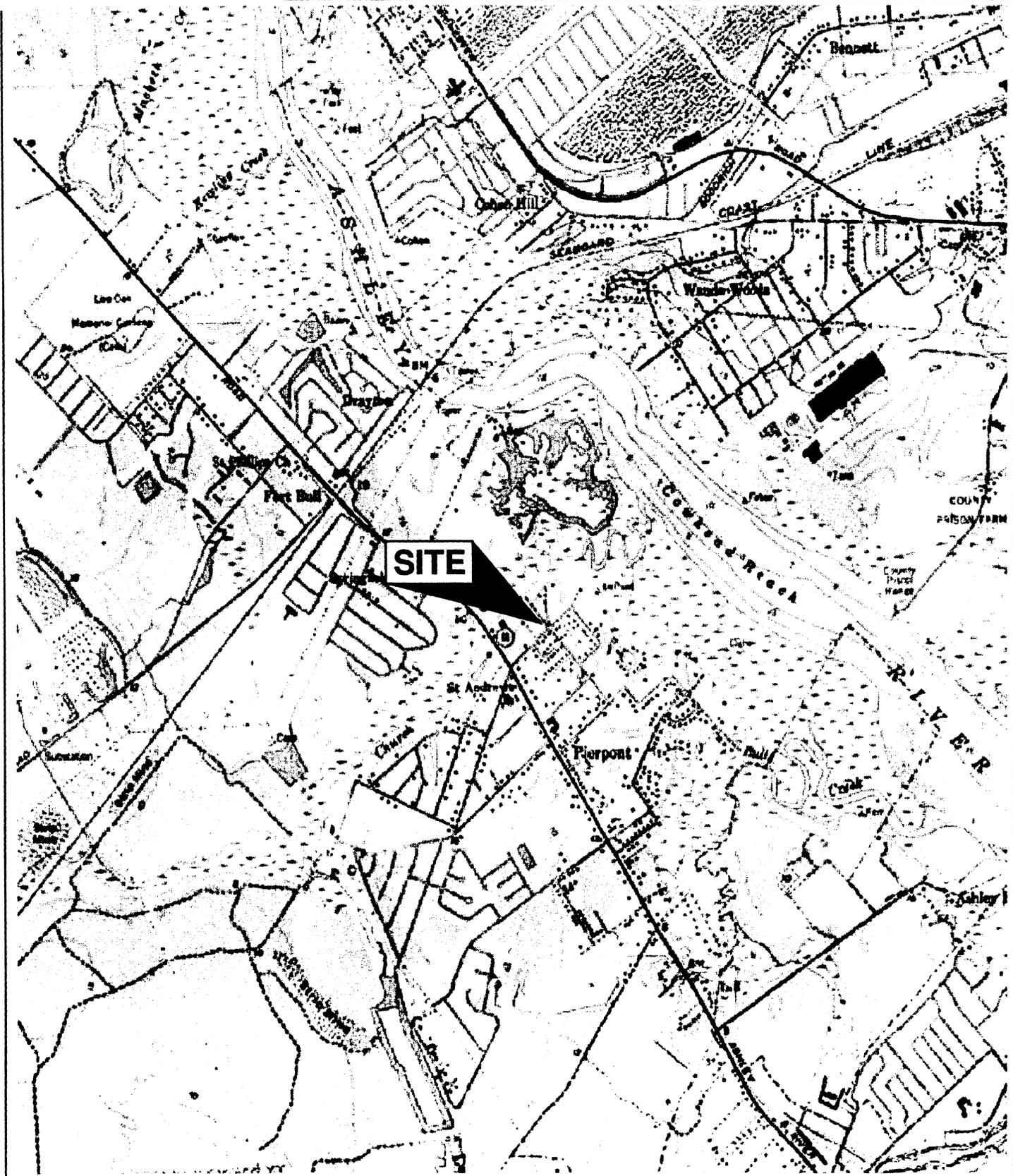
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 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 Elizabeth Jackson at 843-329-8044 or toll free at 1-866-329-8187.

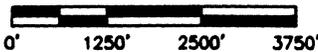


2007-675-21X

SURVEY DATUM: MLW

FIGURE 1
SITE LOCATION
MAP (USGS)

SCALE: 1" = 2500'



PROPOSED: CHURCH CREEK LANDING SUBDIVISION

LOCATION: PARSONAGE ROAD, CITY OF CHARLESTON
TMS # 355-07-00-003 & 004

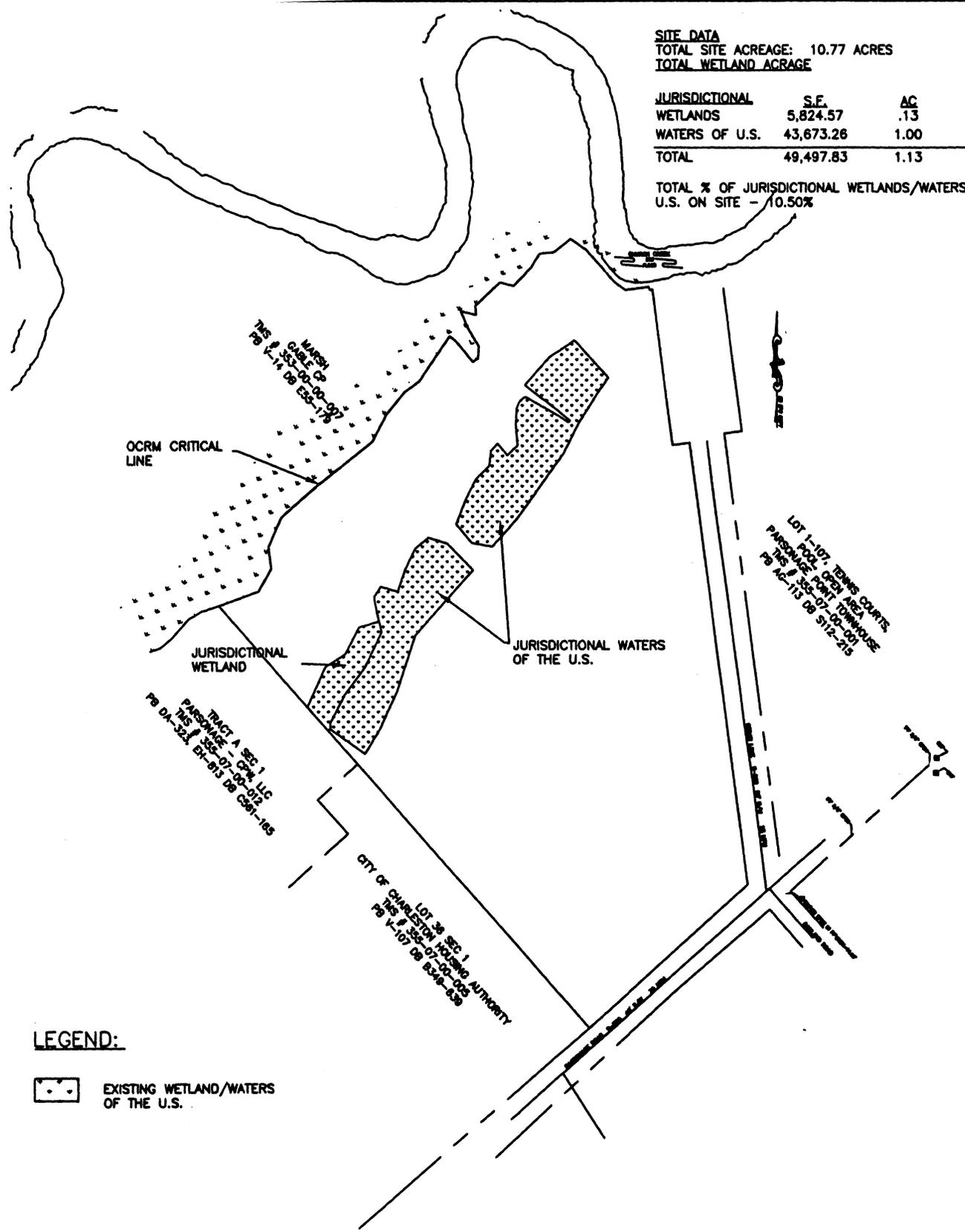
COUNTY OF: CHARLESTON,
SOUTH CAROLINA

SHEET: 1 OF 7

SITE DATA
 TOTAL SITE ACREAGE: 10.77 ACRES
 TOTAL WETLAND ACREAGE

JURISDICTIONAL	S.F.	AC
WETLANDS	5,824.57	.13
WATERS OF U.S.	43,673.26	1.00
TOTAL	49,497.83	1.13

TOTAL % OF JURISDICTIONAL WETLANDS/WATERS OF THE U.S. ON SITE - 10.50%



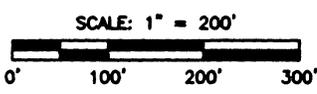
LEGEND:

 EXISTING WETLAND/WATERS OF THE U.S.

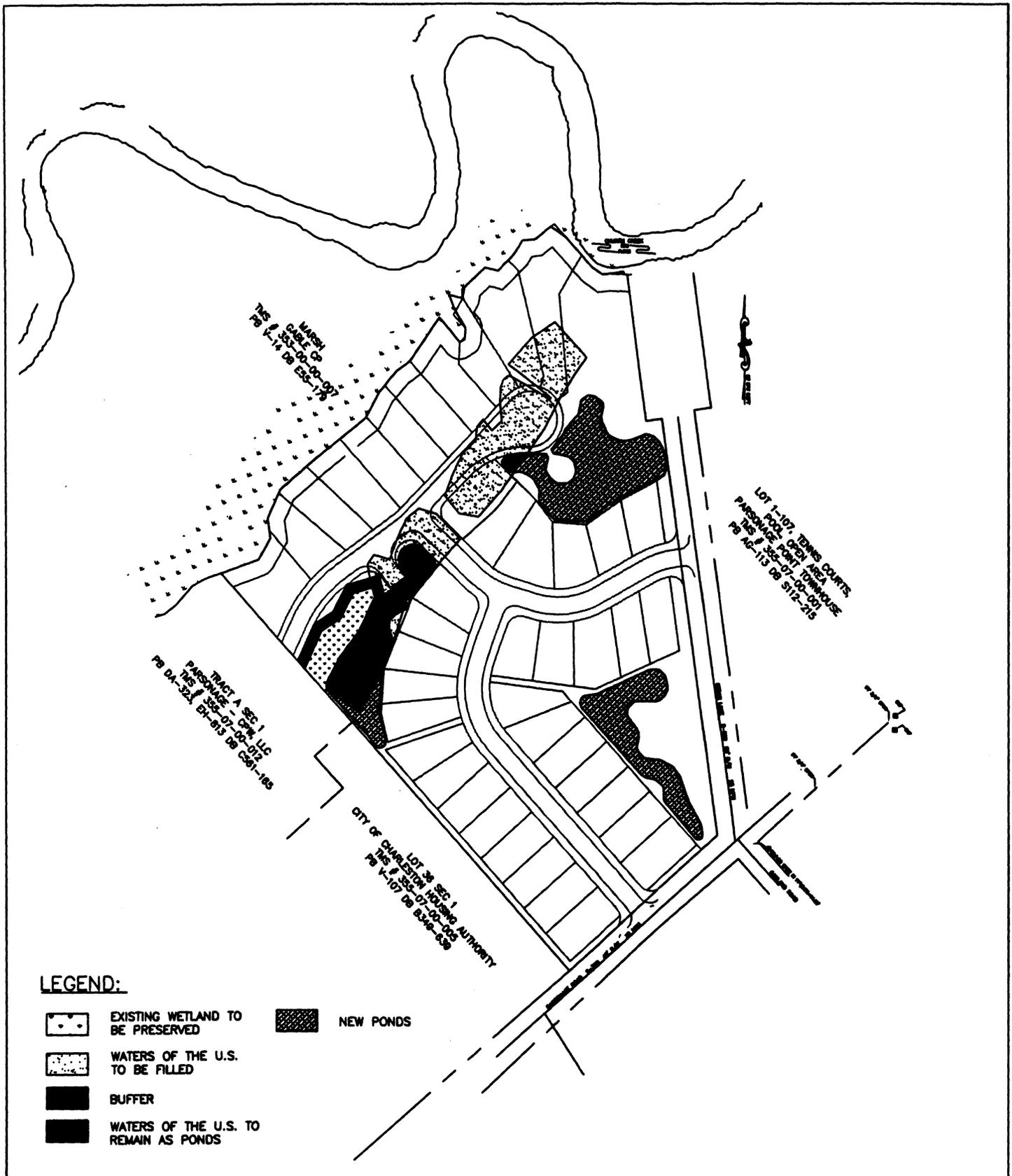
2007-675-21X

SURVEY DATUM: MLW

FIGURE 2
 EXISTING WETLAND CONDITIONS



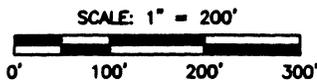
PROPOSED: CHURCH CREEK LANDING SUBDIVISION
 LOCATION: PARSONAGE ROAD, CITY OF CHARLESTON
 TMS # 355-07-00-003 & 004
 COUNTY OF: CHARLESTON,
 SOUTH CAROLINA
 SHEET: 2 OF 7 2/27/07



2007-675-21X

SURVEY DATUM: MLW

FIGURE 3
OVERALL WETLAND PLAN



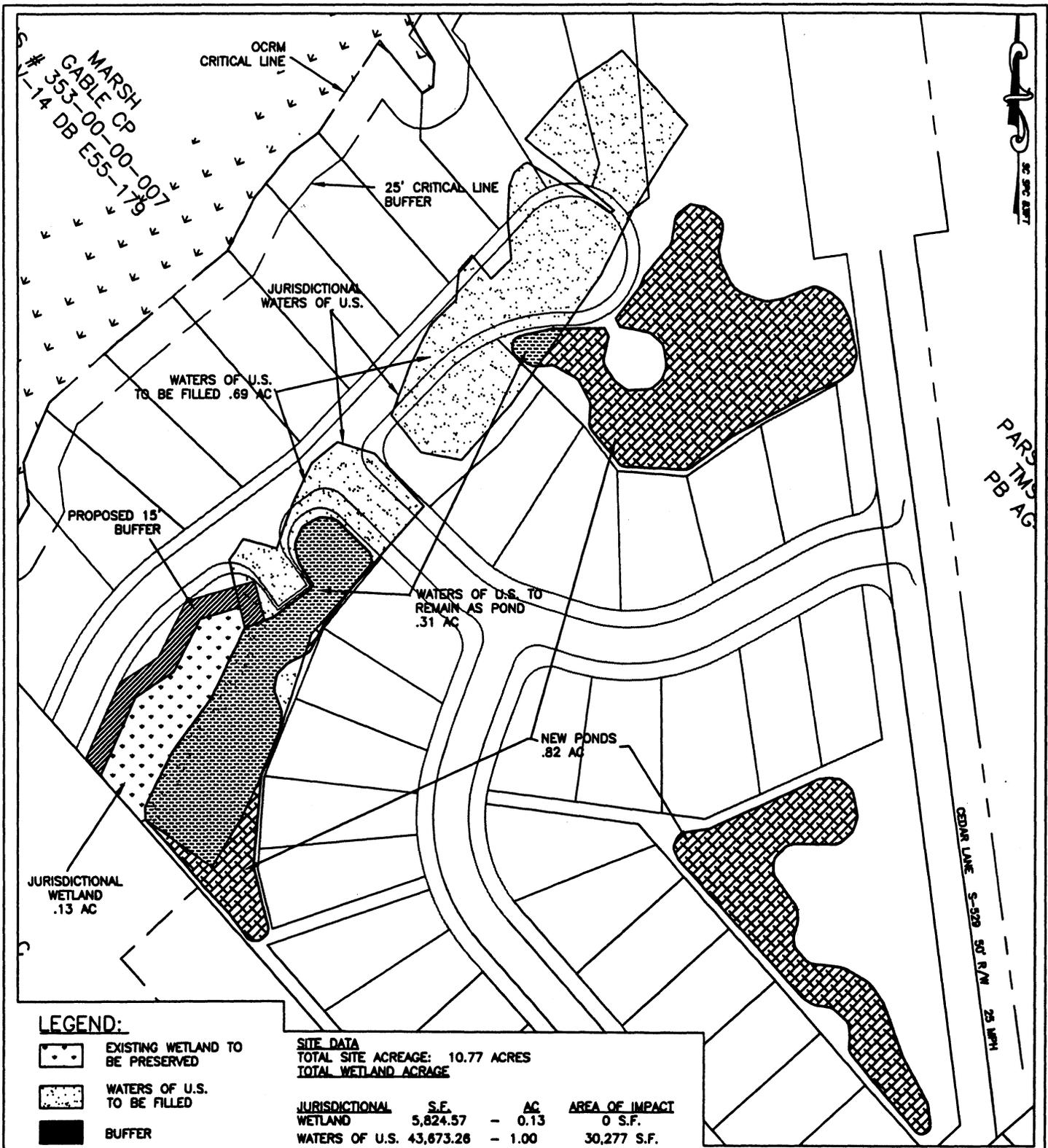
PROPOSED: CHURCH CREEK LANDING SUBDIVISION

LOCATION: PARSONAGE ROAD, CITY OF CHARLESTON
TMS # 355-07-00-003 & 004

COUNTY OF: CHARLESTON,
SOUTH CAROLINA

SHEET: 3 OF 7

DATE: 2/27/07



LEGEND:

-  EXISTING WETLAND TO BE PRESERVED
-  WATERS OF U.S. TO BE FILLED
-  BUFFER
-  WATERS OF U.S. TO REMAIN AS PONDS
-  NEW PONDS

SITE DATA

TOTAL SITE ACREAGE: 10.77 ACRES
 TOTAL WETLAND ACREAGE

JURISDICTIONAL WETLAND	S.F.	AC	AREA OF IMPACT
WATERS OF U.S.	5,824.57	0.13	0 S.F.
WATERS OF U.S.	43,873.28	1.00	30,277 S.F.
TOTAL	49,497.83	1.13	30,277 S.F.

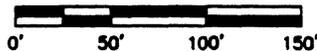
TOTAL % OF JURISDICTIONAL WETLAND/WATERS ON SITE - 10.50%
 TOTAL % OF IMPACT TO JURISDICTIONAL WETLAND/WATERS - 61.17%

2007-675-21X

SURVEY DATUM: MLW

**FIGURE 4
 DETAILED JURISDICTIONAL
 WETLANDS IMPACT INFORMATION**

SCALE: 1" = 100'



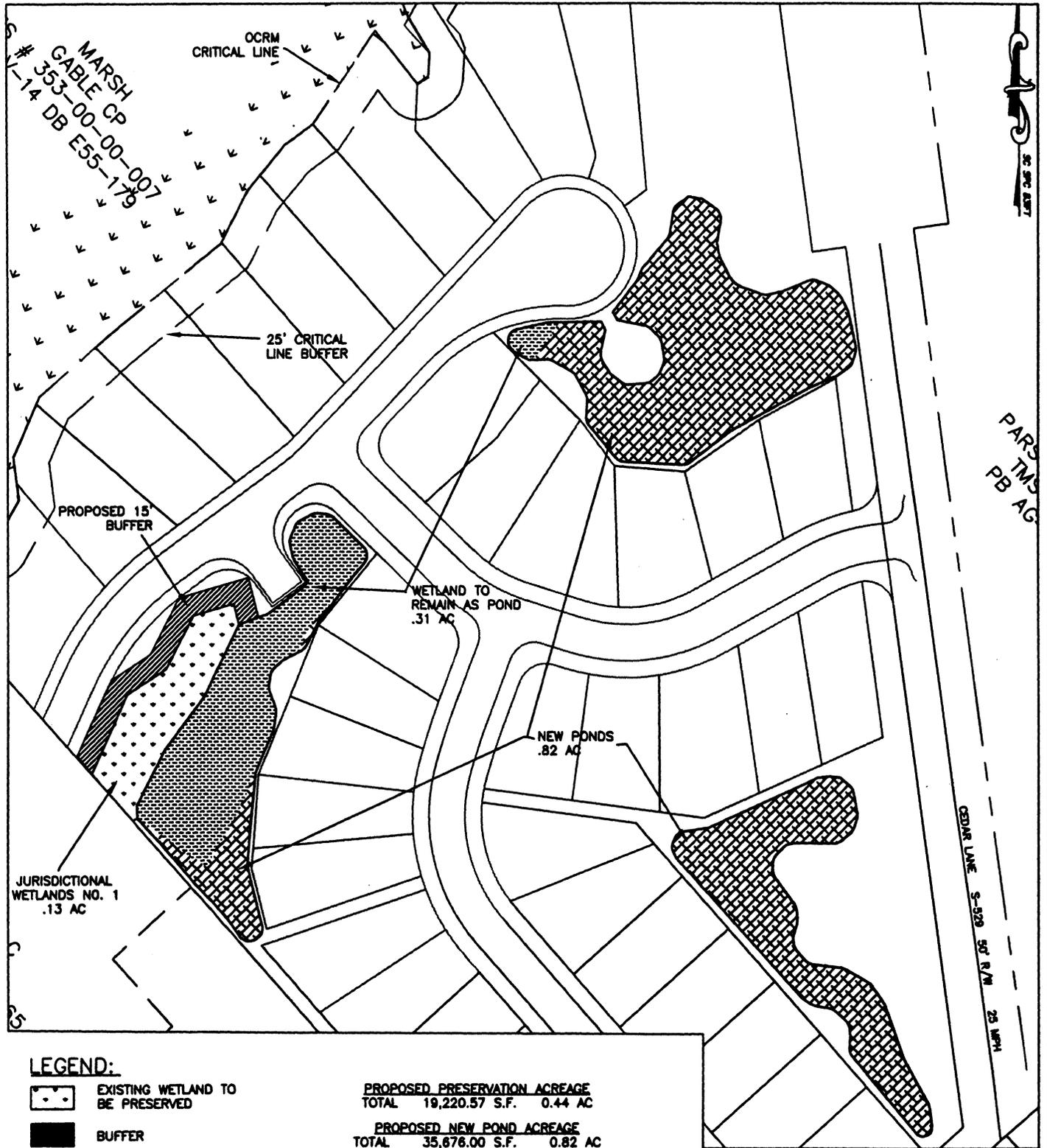
PROPOSED: CHURCH CREEK LANDING SUBDIVISION

LOCATION: PARSONAGE ROAD, CITY OF CHARLESTON
 TMS # 355-07-00-003 & 004

COUNTY OF: CHARLESTON,
 SOUTH CAROLINA

SHEET: 4 OF 7

DATE: 2/27/07



LEGEND:

-  EXISTING WETLAND TO BE PRESERVED
-  BUFFER
-  WATERS OF U.S. TO REMAIN AS PONDS
-  NEW PONDS

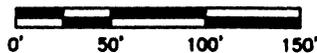
PROPOSED PRESERVATION ACREAGE	
TOTAL	19,220.57 S.F. 0.44 AC
PROPOSED NEW POND ACREAGE	
TOTAL	35,676.00 S.F. 0.82 AC
PROPOSED WETLAND BUFFER ACREAGE	
TOTAL	3,007.00 S.F. 0.07 AC
PROPOSED CRITICAL LINE BUFFER ACREAGE	
TOTAL	24,410.10 S.F. 0.56 AC

2007-675-21X

SURVEY DATUM: MLW

**FIGURE 5
MITIGATION PLAN**

SCALE: 1" = 100'



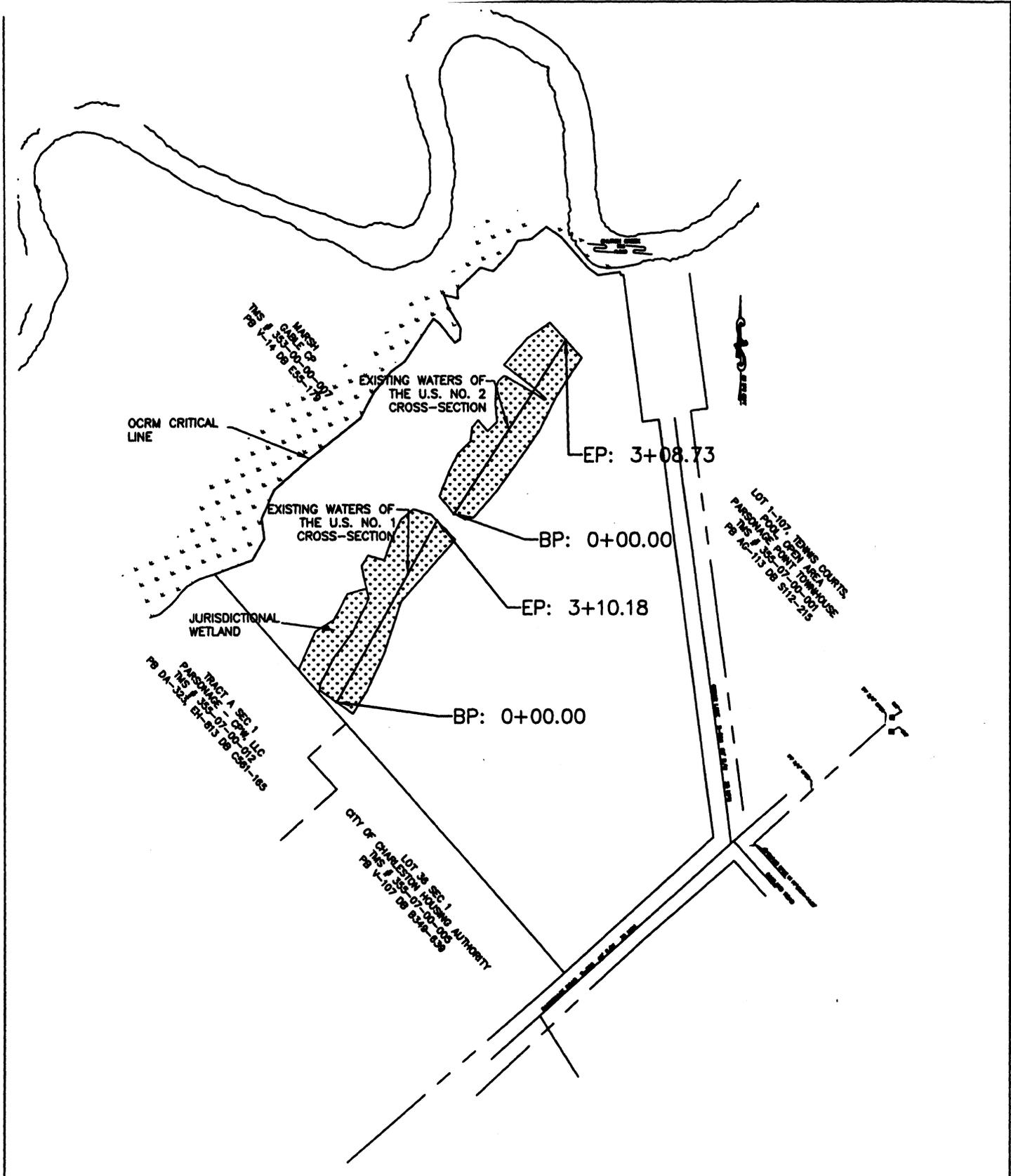
PROPOSED: CHURCH CREEK LANDING SUBDIVISION

LOCATION: PARSONAGE ROAD, CITY OF CHARLESTON
TMS # 355-07-00-003 & 004

COUNTY OF: CHARLESTON,
SOUTH CAROLINA

SHEET: 5 OF 7

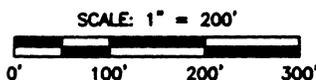
DATE: 2/27/07



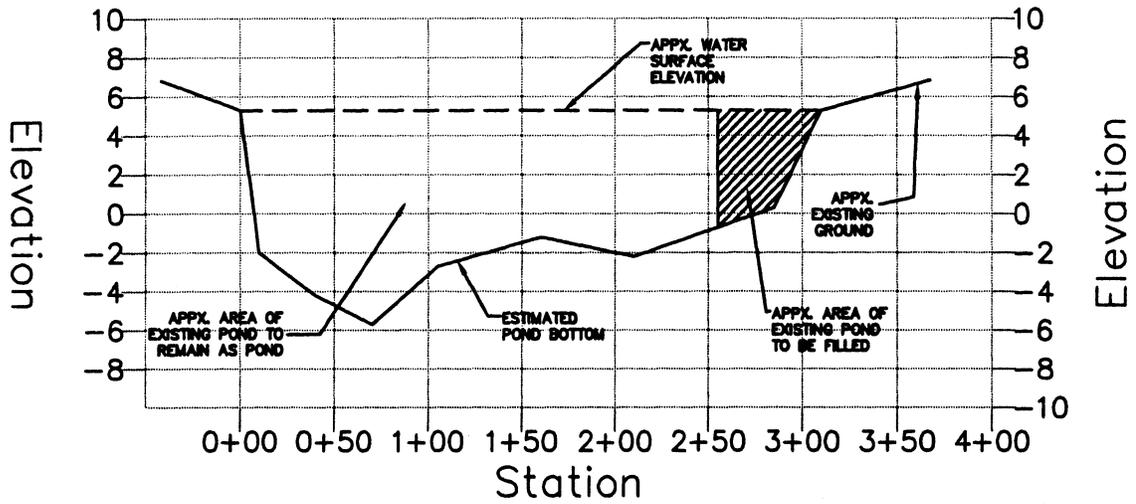
2007-675-21X

SURVEY DATUM: MLW

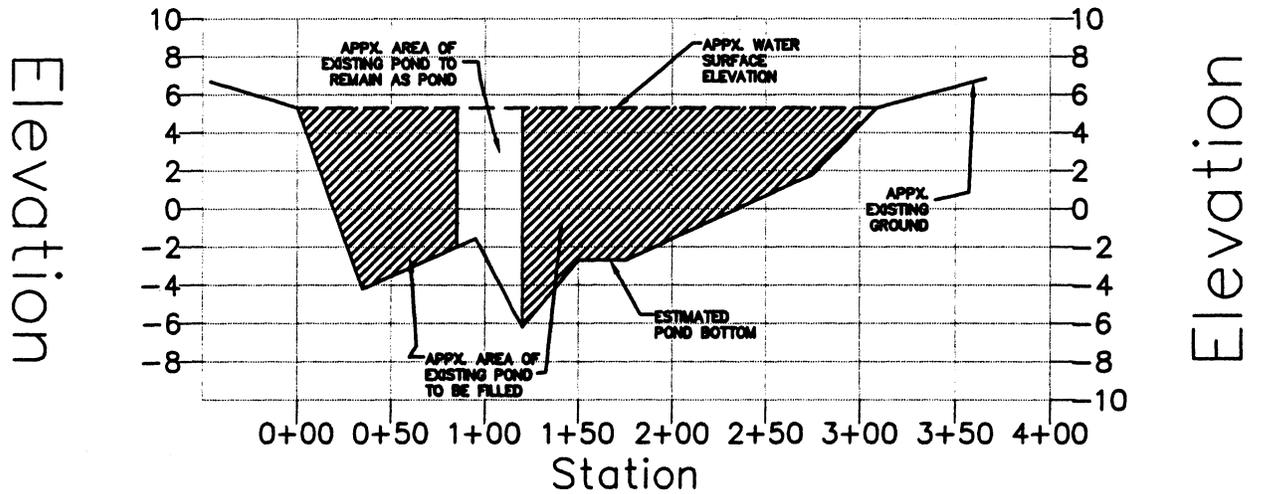
FIGURE 6
EXISTING WATERS OF U.S. PLAN VIEW



PROPOSED: CHURCH CREEK LANDING SUBDIVISION
 LOCATION: PARSONAGE ROAD, CITY OF CHARLESTON
 TMS # 355-07-00-003 & 004
 COUNTY OF: CHARLESTON,
 SOUTH CAROLINA
 SHEET: 6 OF 7 DATE: 2/27/07



CROSS-SECTION OF EXISTING WATERS OF THE U.S. NO. 1
 HZ SCALE: 1"=100' V SCALE: 1"=10'



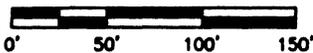
CROSS-SECTION OF EXISTING WATERS OF THE U.S. NO. 2
 HZ SCALE: 1"=100' V SCALE: 1"=10'

2007-675-21X

SURVEY DATUM: MLW

FIGURE 7
 CROSS-SECTIONS OF EXISTING
 WATERS OF THE U.S.

HORIZONTAL SCALE: 1" = 100'



PROPOSED: CHURCH CREEK LANDING SUBDIVISION

LOCATION: PARSONAGE ROAD, CITY OF CHARLESTON
 TMS # 355-07-00-003 & 004

COUNTY OF: CHARLESTON,
 SOUTH CAROLINA

SHEET: 7 OF 7

DATE: 2/27/07