

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 # 2008-0066-1IT

25 January 2008

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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

PORT ROYAL HARBOUR, LLC
C/O THOMAS & HUTTON ENGINEERING CO.
935 HOUSTIN NORTHCUTT BLVD.
MT. PLEASANT, SOUTH CAROLINA 29464

for a permit to construct a mixed public recreational and commercial marina in

BATTERY CREEK

at a location described as being at the end of Paris Avenue near the former Port Authority property in the Town of Port Royal in Beaufort County, South Carolina (32.37439 Latitude/ 80.69508 Longitude)

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, FEBRUARY 25, 2008

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

In summary, the proposed work consists of the construction of a 250 slip dry stack facility, the reconfiguration of shrimp docks, construction of a 228 wet slip marina, construction of a Megadock, and construction of a wave attenuator. In detail, the proposed work consists of the following: 1) Construction of a 250 slip dry stack facility constructed in the uplands; 2) Construction of a 10' X 70' and 10' X 50' L-shaped floating dock with a 10' X

25 January 2008

260.35' diagonal floating dock extension; 3) Construction of a 6' X 250' straight floating dock attached to the existing fixed pier; and 4) Construction of a 8' X 410' floating main dock with four 8' X 150' floating finger piers for the creation of shrimp docks. In addition to the above, the proposed work includes the construction of a 12' X 1400' main floating dock with six perpendicular floating T-head docks. Three different T-head dock configurations are proposed and are as follows: 1) Dock #1 and Dock #2 consist of an 8' X 404' and an 8' X 88' floating T-head dock combination with eighteen 4' X 40' floating finger piers, nine on either side of the T-head, creating eighteen 36' X 40' slips; 2) Dock #3, #4, and #5 consist of an 8' X 444' and 8' X 108' floating T-head dock combination with eighteen 4' X 50' floating finger piers, nine on either side of the T-head, creating eighteen 40' X 50' slips; and 3) Dock # 6 consists of an 8' X 377.91' and 8' X 128' floating T-head dock combination with twelve 4' X 60' finger piers, six on either side, creating twelve 48' X 60' slips. The main floating dock will connect with the uplands by three 6' X 80' gangways. An 18' X 264.58' wooden wave attenuator is also proposed downstream of the 228 wet slip marina. The work also includes the construction of a 20' X 1200' floating Megadock to be placed alongside the existing concrete wharf. The marina will be equipped with electricity, a fuel pump, and a pump out facility. The marina will encroach into Battery Creek by approximately 530' from the Mean Low Water Line. The purpose of the proposed work is to provide public and private recreational and commercial water access.

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 25 acres of open water 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

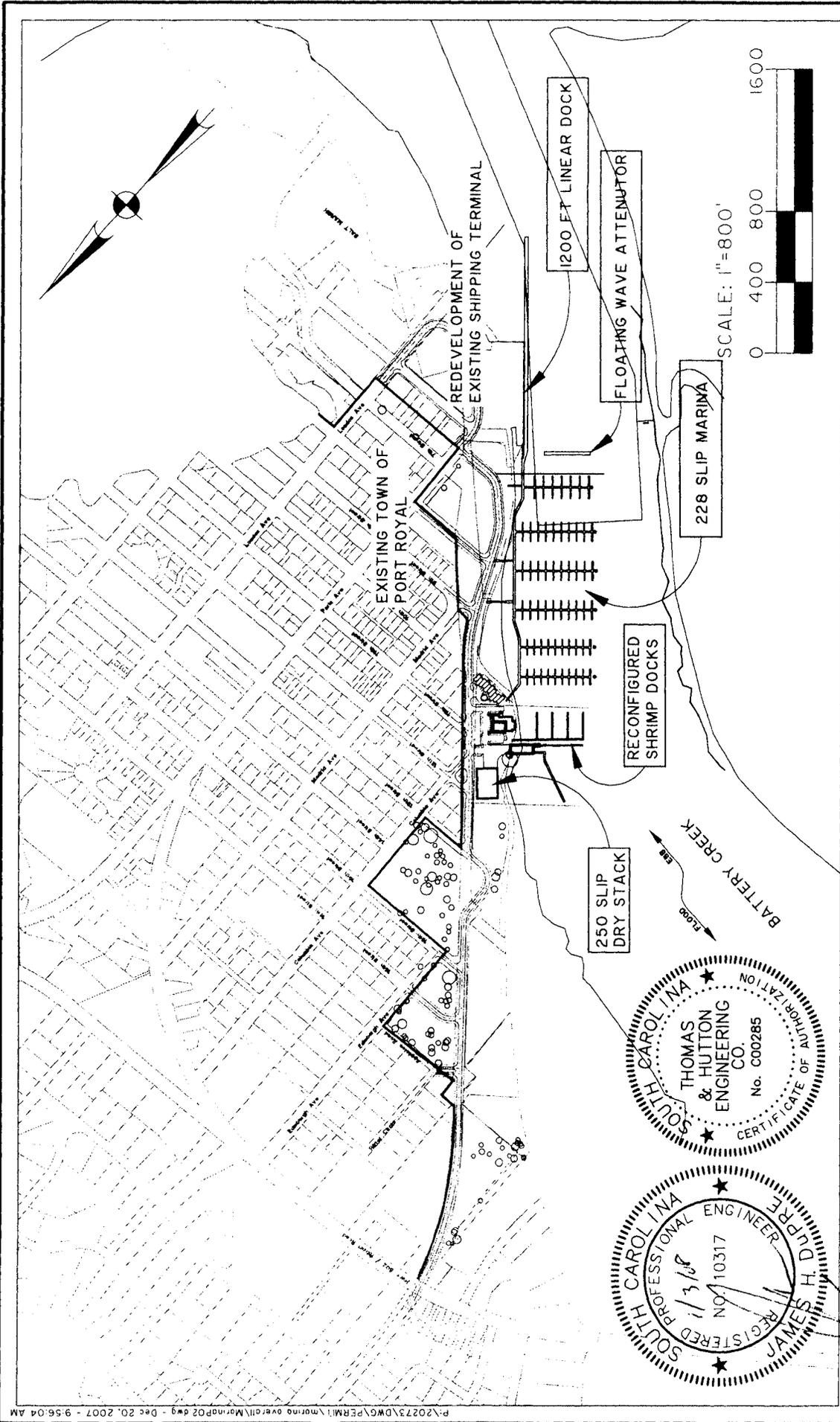
REGULATORY DIVISION
Refer to: P/N # 2008-0066-1IT

25 January 2008

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 C. Dotolo at 843-329-8044 or toll free at 1-866-329-8187.



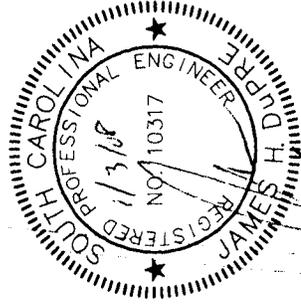
**OVERALL PLAN
PROPOSED MARINA**

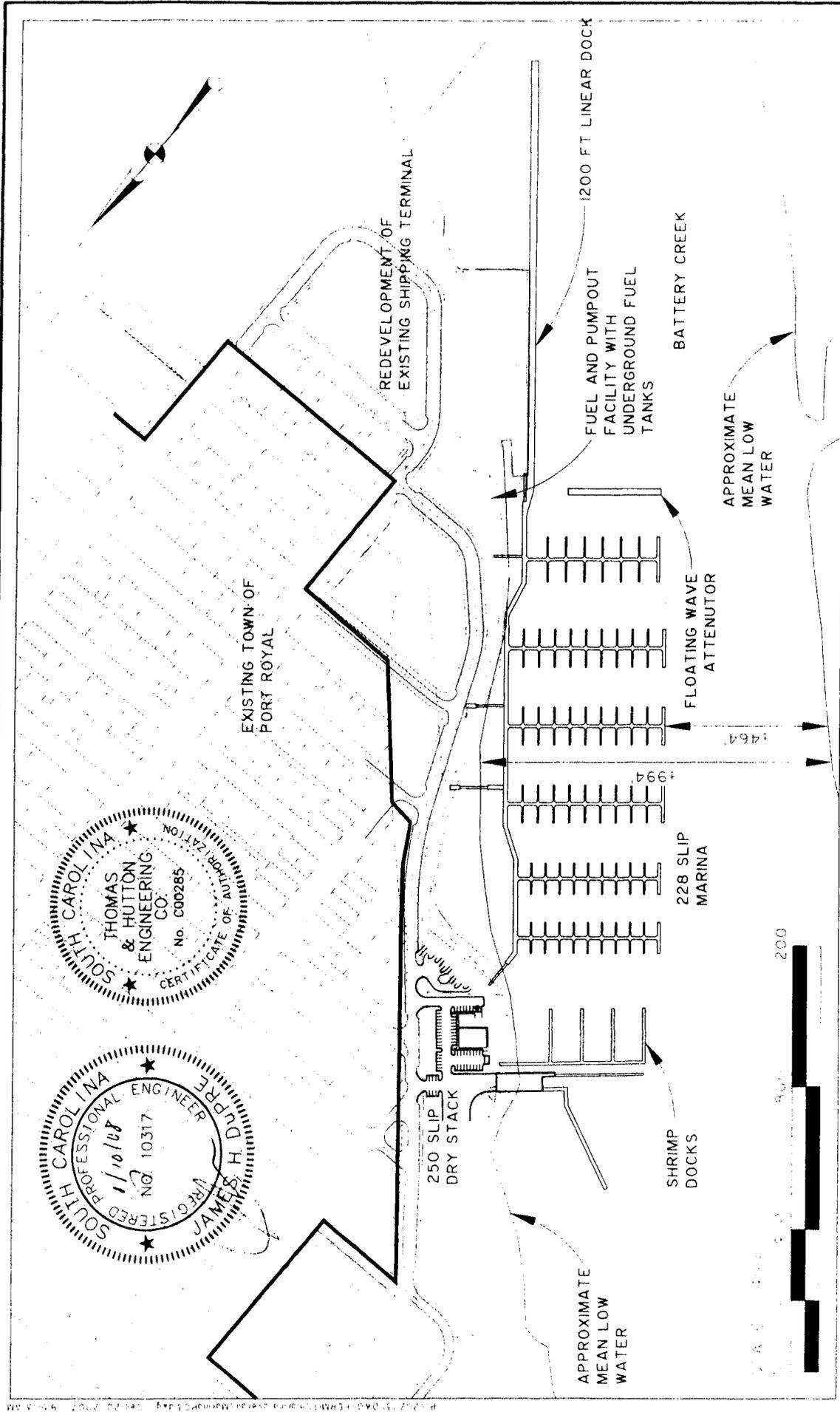
PROPOSED ACTIVITY: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC
 DECEMBER 19, 2007

NOTE: FOR PERMITTING PURPOSES ONLY.
 NOT FOR CONSTRUCTION

SCALE 1" = 800'
 SHEET 2 OF 21

935 HOUSTON NORTHCUTT
 BOULEVARD
 MOUNT PLEASANT, SC 29464
 (843)849-0200
 SAVANNAH, GA
 MYRTLE BEACH, SC





PROPOSED ACTIVITY: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC
 DECEMBER 19, 2007 REVISED: JANUARY 10, 2008

**SITE PLAN
 PROPOSED MARINA**

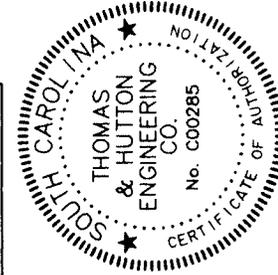
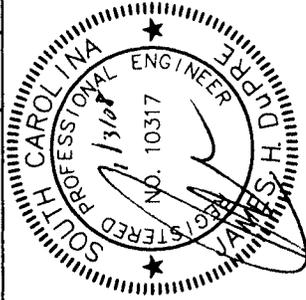
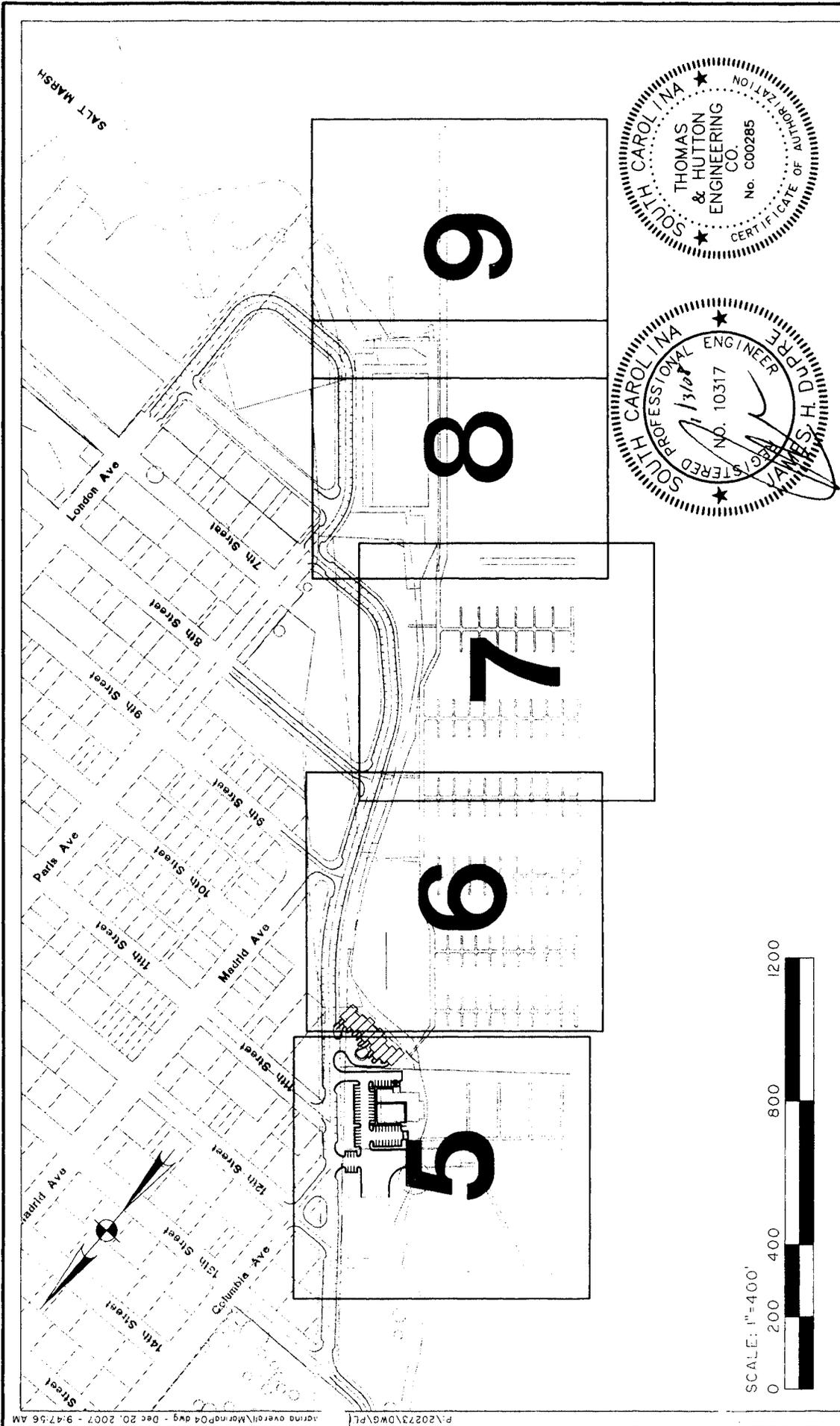
NOTE: FOR PERMITTING PURPOSES ONLY.
 NOT FOR CONSTRUCTION

335 HOUSTON NORTH-COTT
 BOULEVARD
 MOUNT PLEASANT, SC 29464
 843.398.4900
 SAVANNAH, GA
 MABLE BEAUFORT

THOMAS & HUTTON
 ENGINEERING CO.

SOUTH CAROLINA
 THOMAS & HUTTON
 & ENGINEERING
 CO.
 No. C00285
 CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA
 REGISTERED PROFESSIONAL ENGINEER
 1/10/08
 NO. 10317
 JAMES H. DUBRE



SHEET INDEX
PROPOSED MARINA

PROPOSED ACTIVITY: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR LLC
 DECEMBER 19, 2007

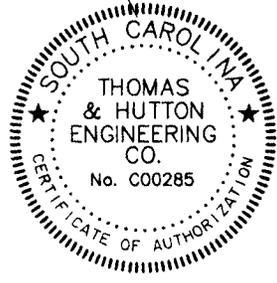
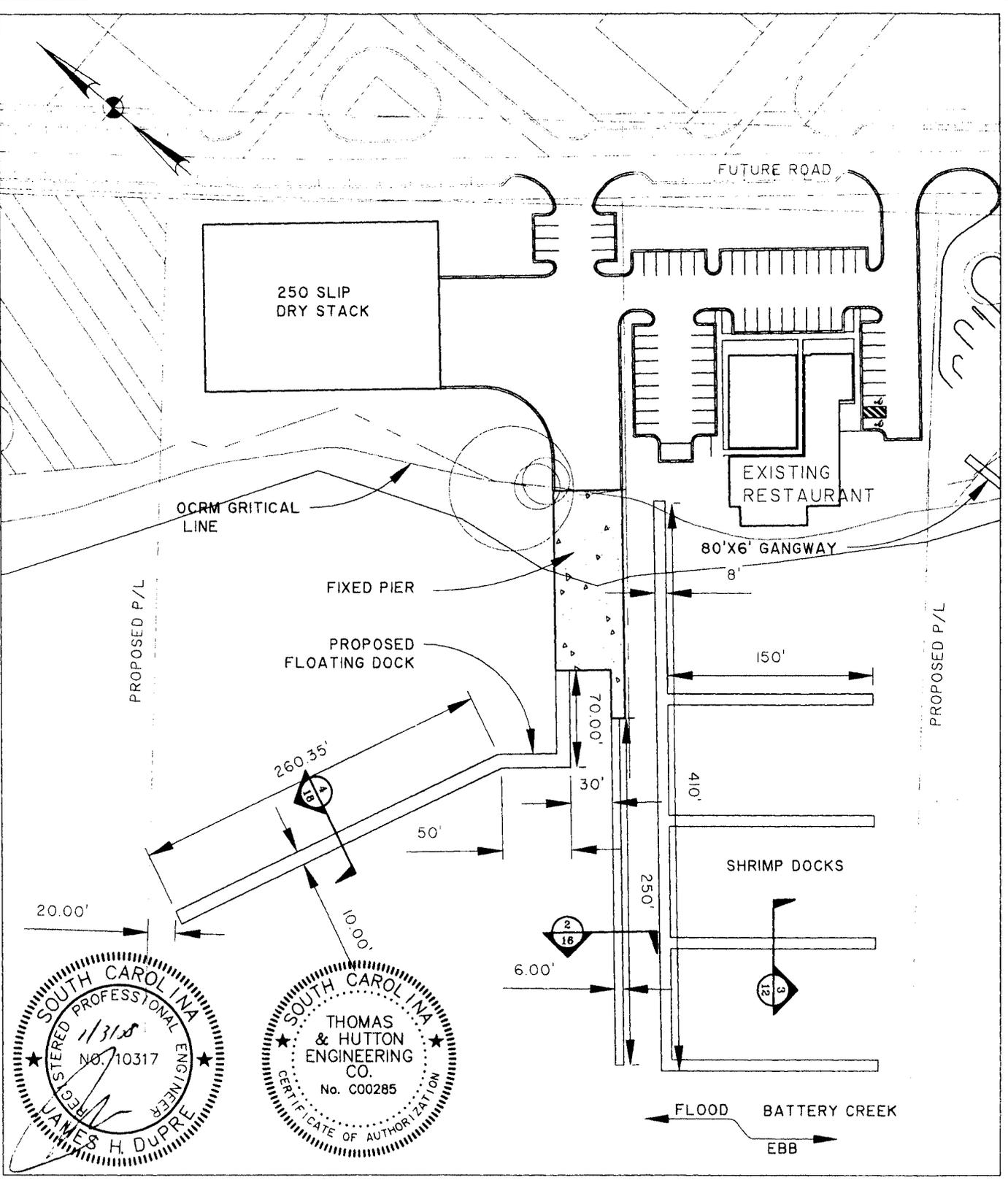


935 HOUSTON NORTHCUTT
 BOULEVARD
 MOUNT PLEASANT, SC 29464
 (843)849-0200
 SAVANNAH, GA
 MYRTLE BEACH, SC

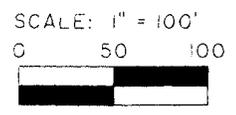
NOTE: FOR PERMITTING PURPOSES ONLY.
 NOT FOR CONSTRUCTION

SCALE 1" = 400'
 SHEET 4 OF 21

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SITE PLAN
PROPOSED MARINA



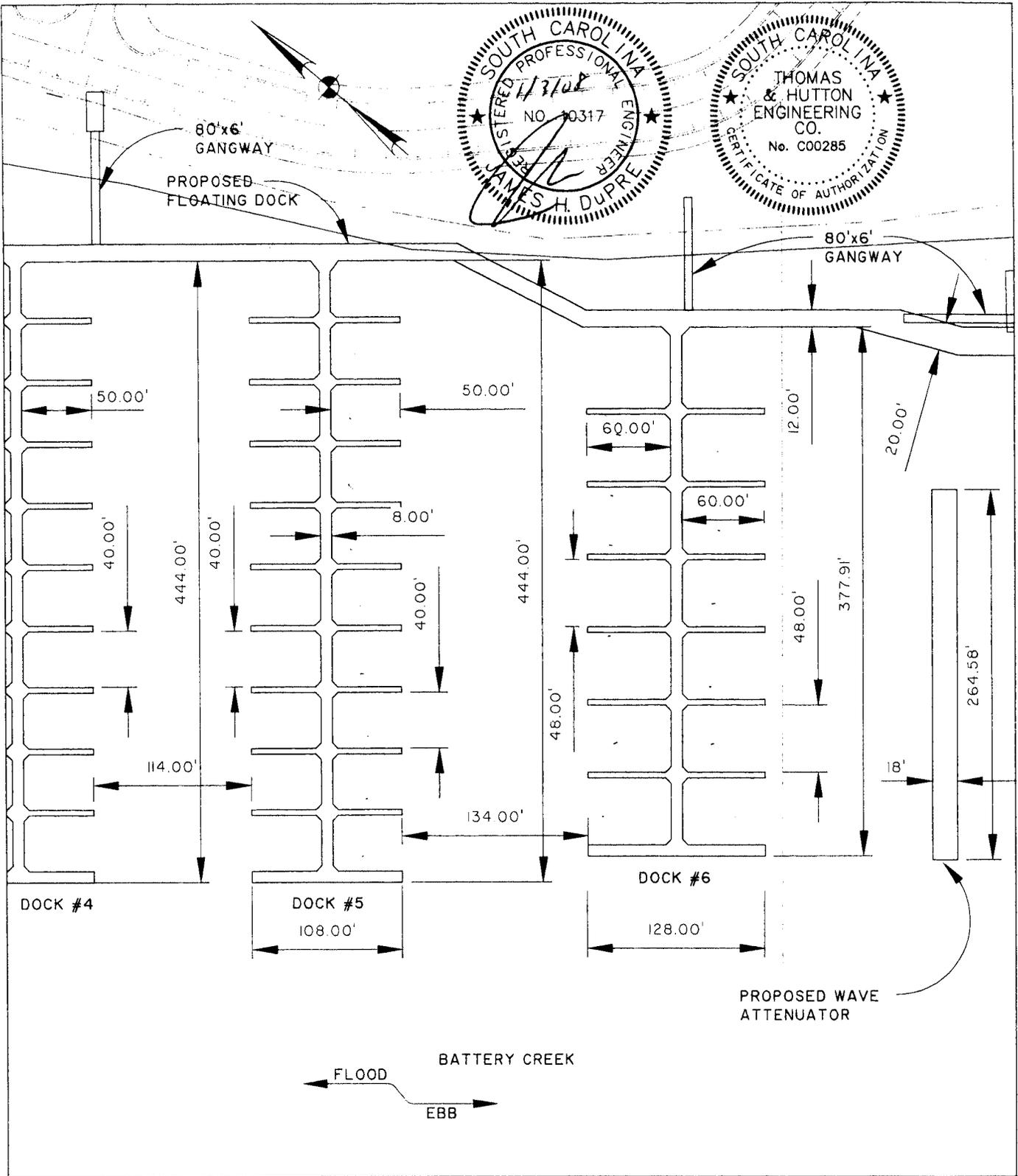
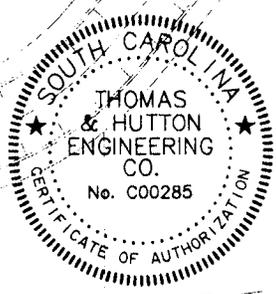
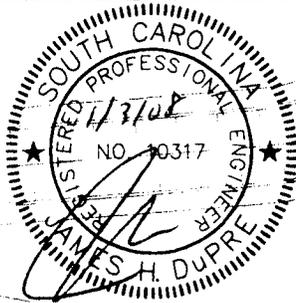
PROJECT: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

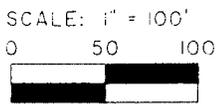
SHEET 5 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY.
 NOT FOR CONSTRUCTION

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SITE PLAN PROPOSED MARINA

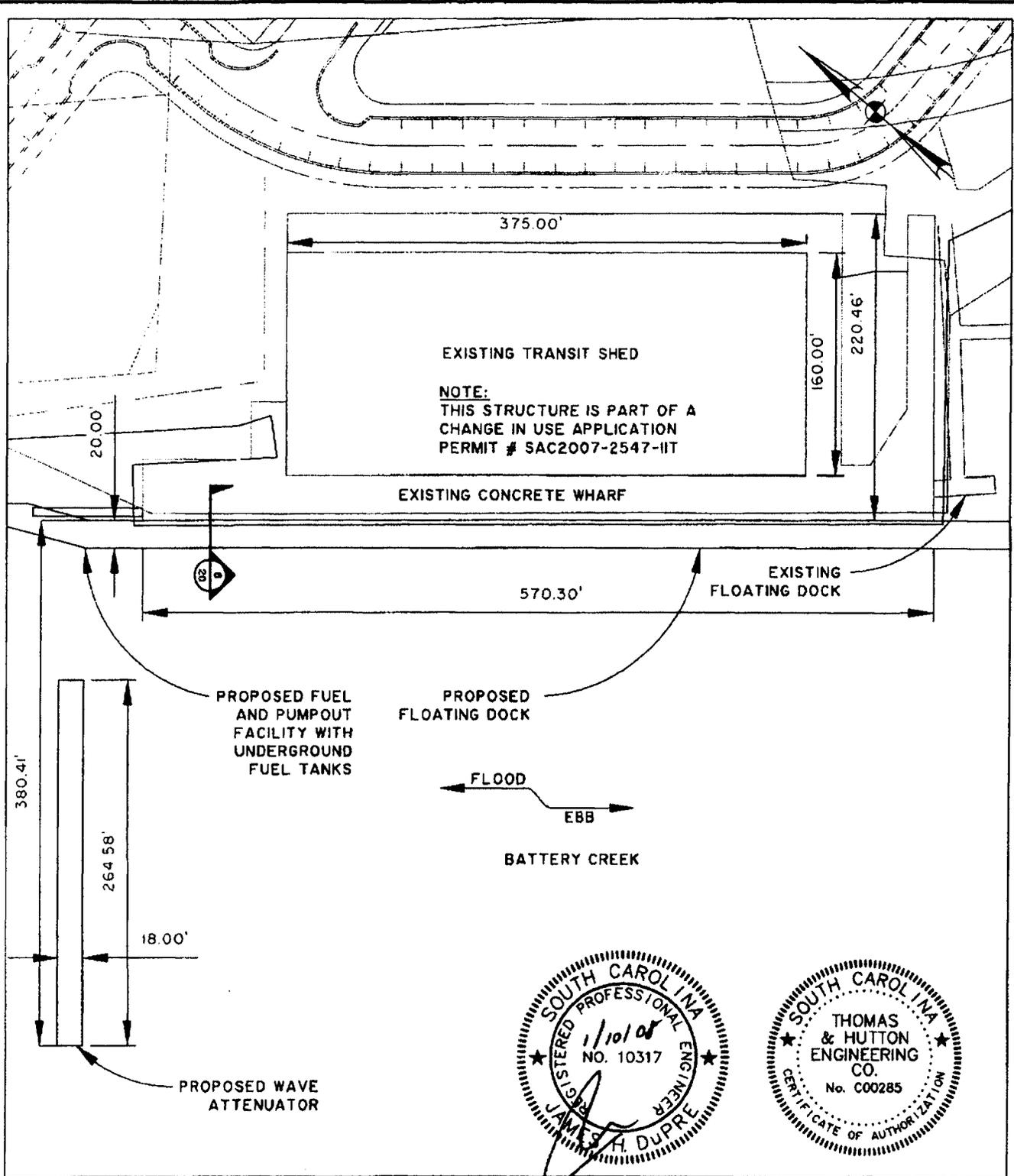


PROJECT: PORT ROYAL HARBOUR MARINA
COUNTY: BEAUFORT
APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

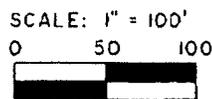
SHEET 7 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY,
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**SITE PLAN
PROPOSED MARINA**

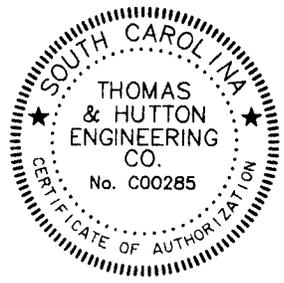
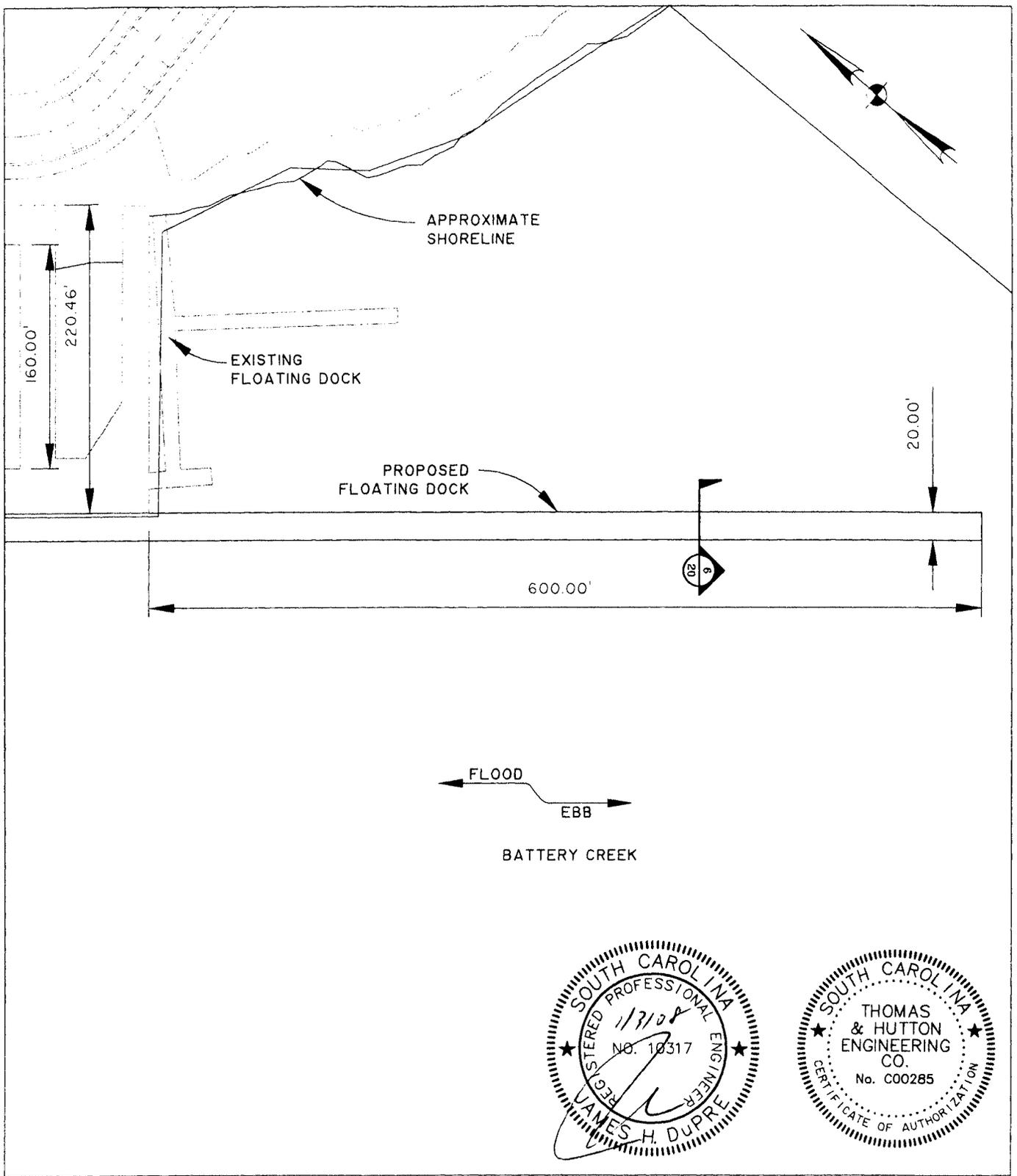
DECEMBER 19, 2007
REVISED: JANUARY 10, 2008



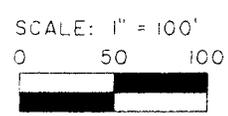
SHEET 8 OF 21

PROJECT: PORT ROYAL HARBOUR MARINA
COUNTY: BEAUFORT
APPLICANT: PORT ROYAL HARBOUR, LLC

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**SITE PLAN
PROPOSED MARINA**



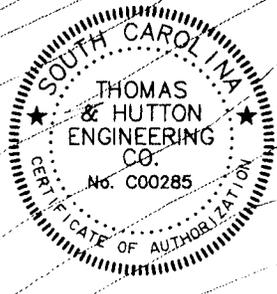
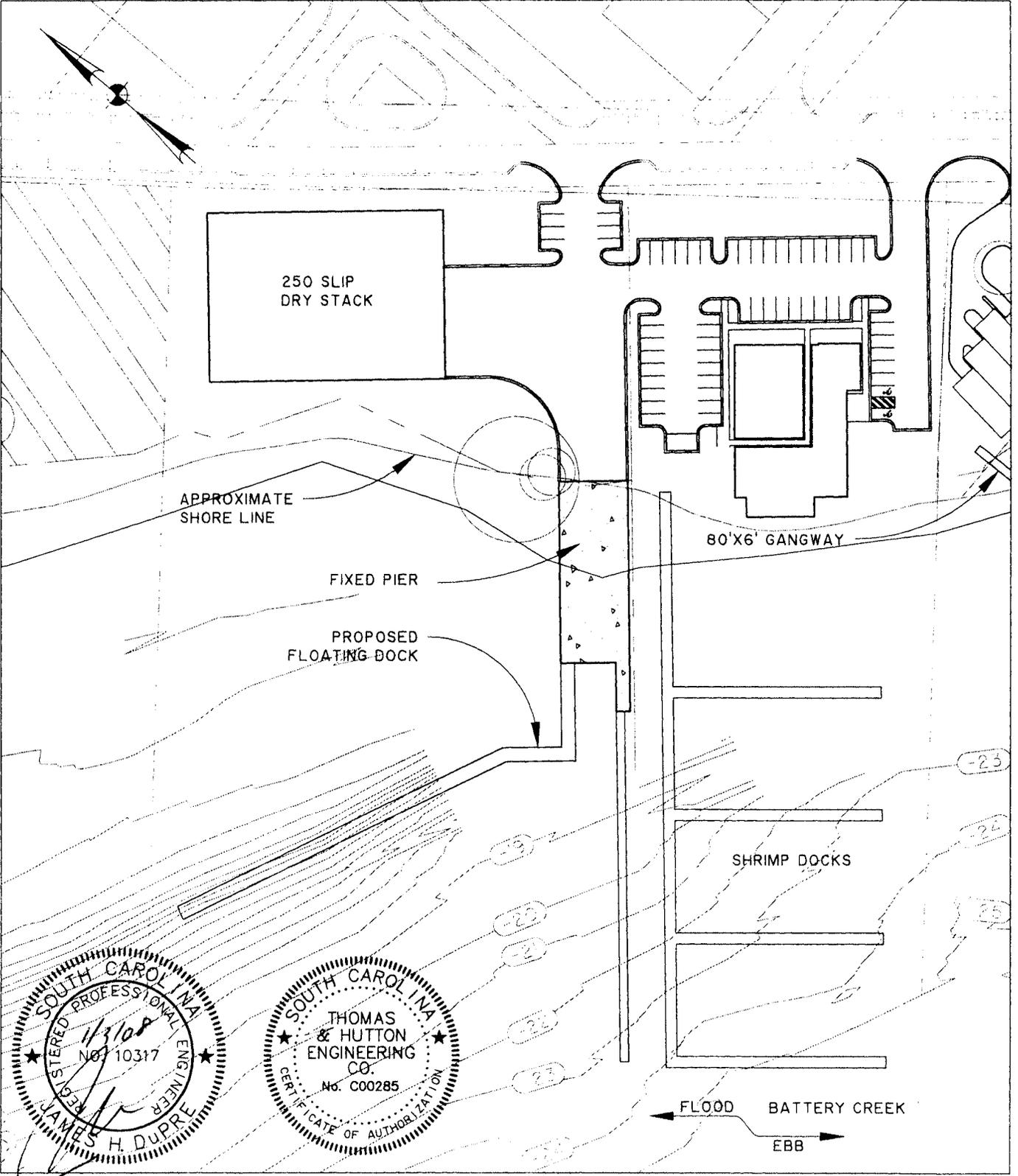
PROJECT: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

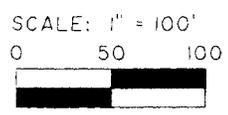
SHEET 9 OF 21

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SITE PLAN - BATHYMETRY
PROPOSED MARINA



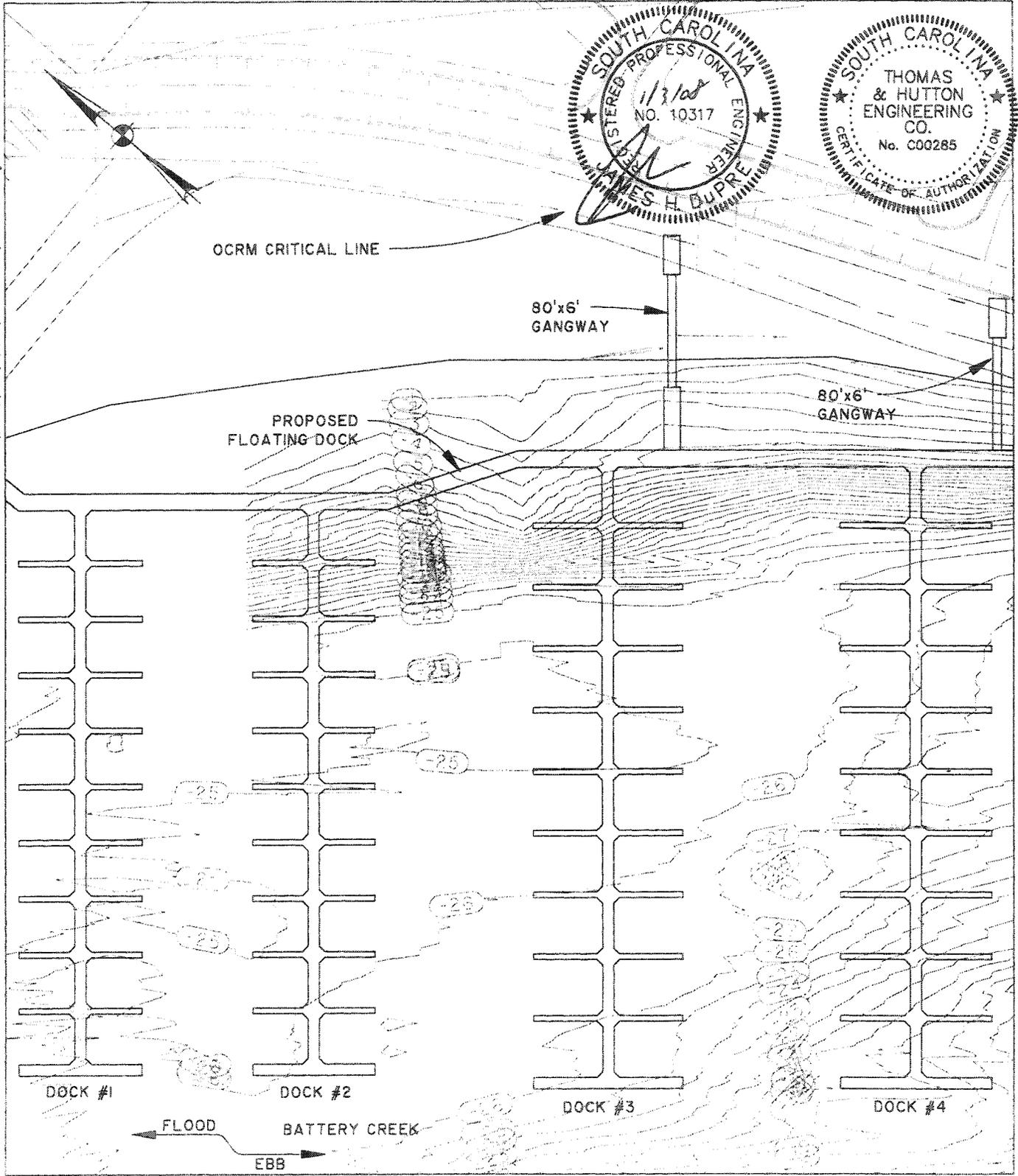
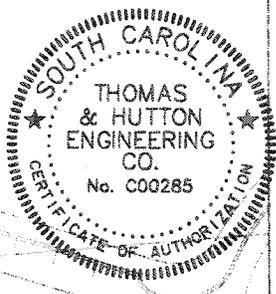
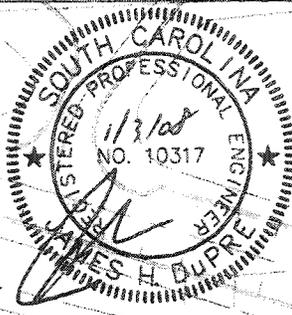
PROJECT: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

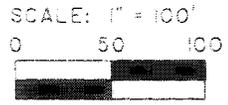
SHEET 10 OF 21

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SITE PLAN - BATHYMETRY PROPOSED MARINA



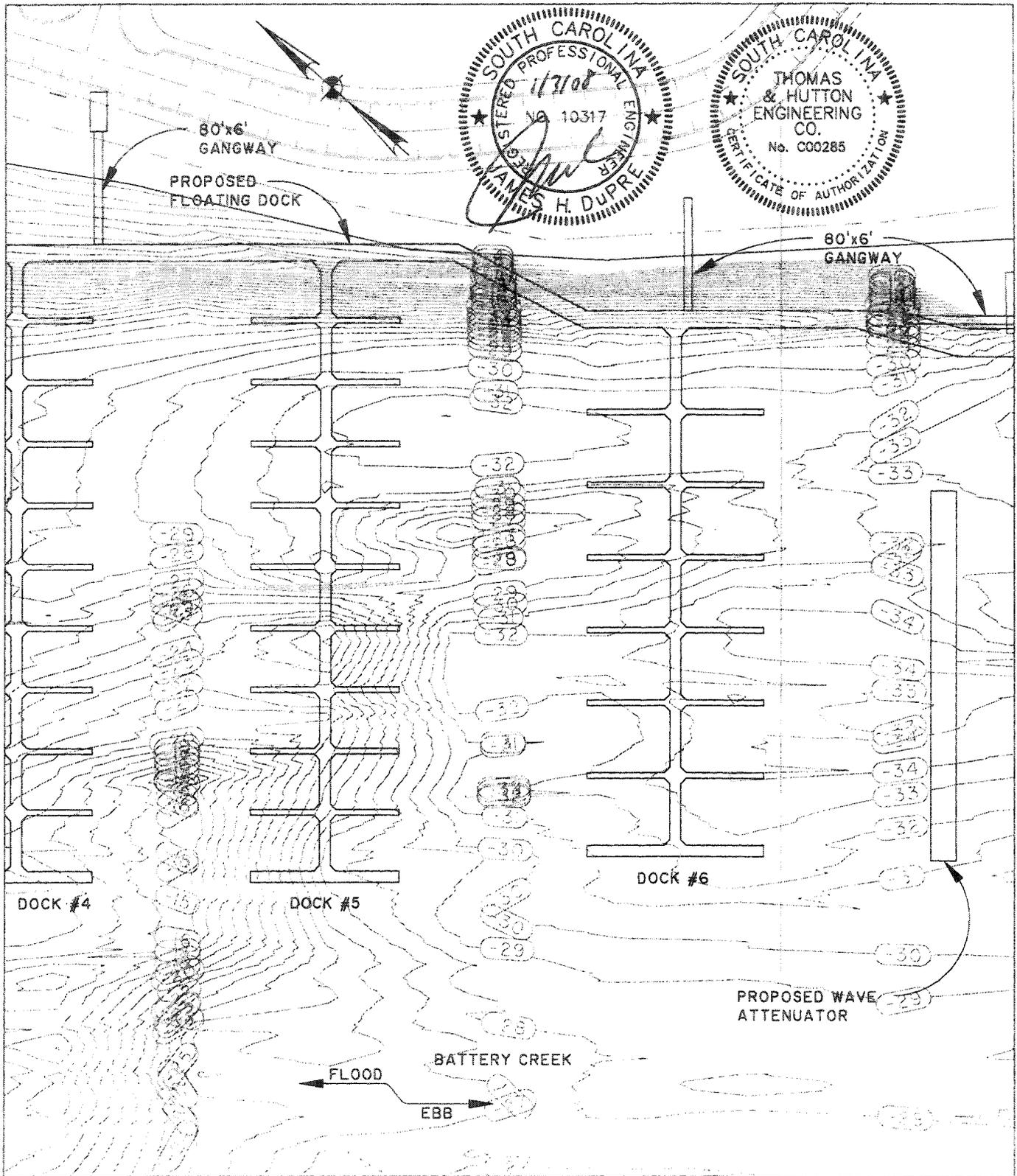
PROJECT: PORT ROYAL HARBOUR MARINA
COUNTY: BEAUFORT
APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

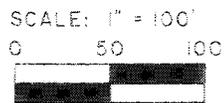
SHEET II OF 21

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**SITE PLAN - BATHYMETRY
PROPOSED MARINA**

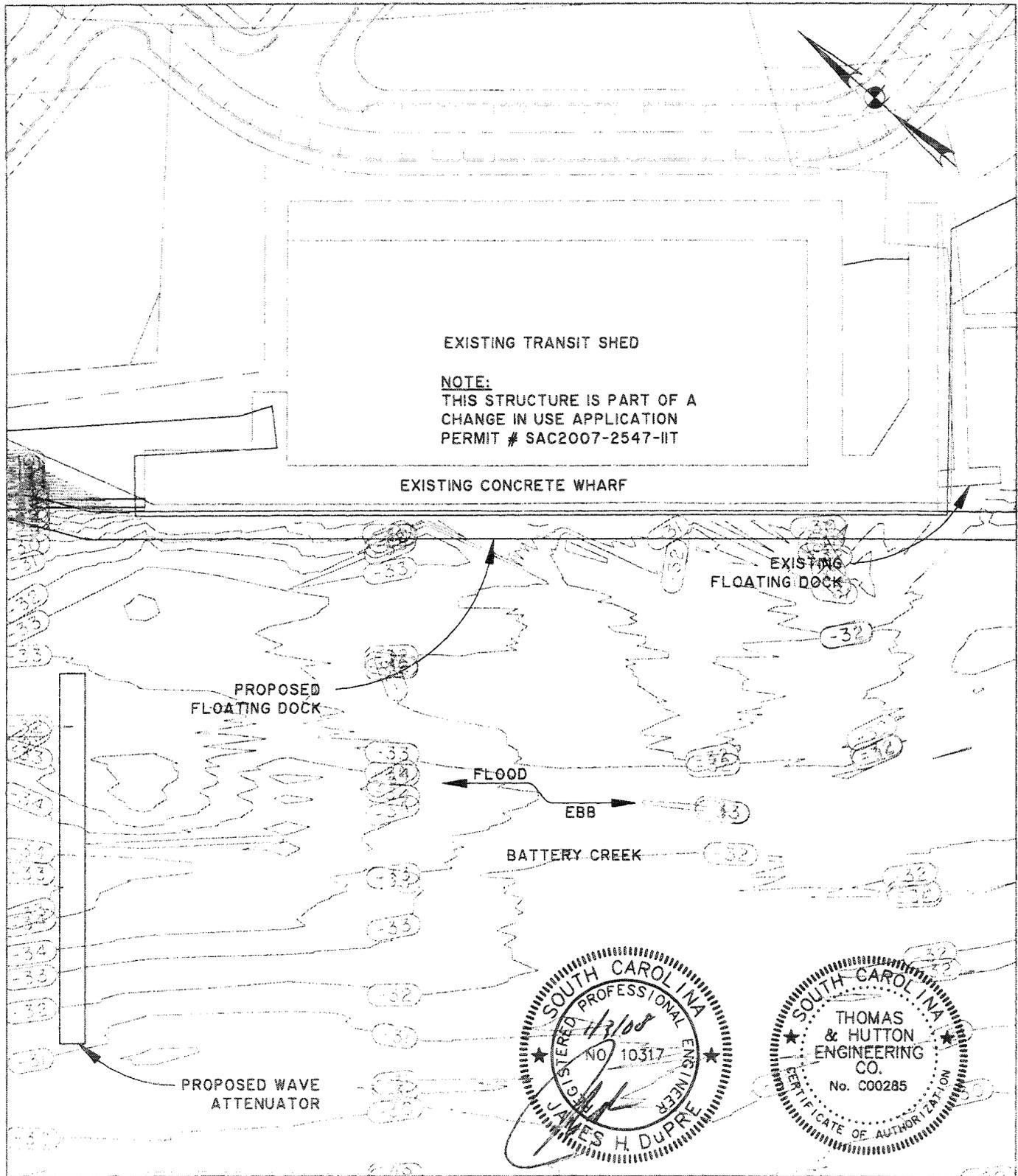


PROJECT: PORT ROYAL HARBOUR MARINA
COUNTY: BEAUFORT
APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

SHEET 12 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY,
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EXISTING TRANSIT SHED

NOTE:
THIS STRUCTURE IS PART OF A
CHANGE IN USE APPLICATION
PERMIT # SAC2007-2547-IIT

EXISTING CONCRETE WHARF

EXISTING
FLOATING DOCK

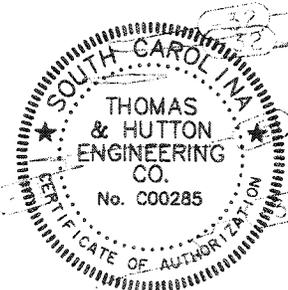
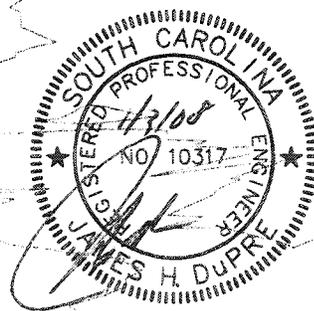
PROPOSED
FLOATING DOCK

FLOOD

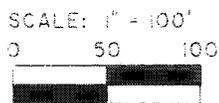
EBB

BATTERY CREEK

PROPOSED WAVE
ATTENUATOR



SITE PLAN - BATHYMETRY PROPOSED MARINA

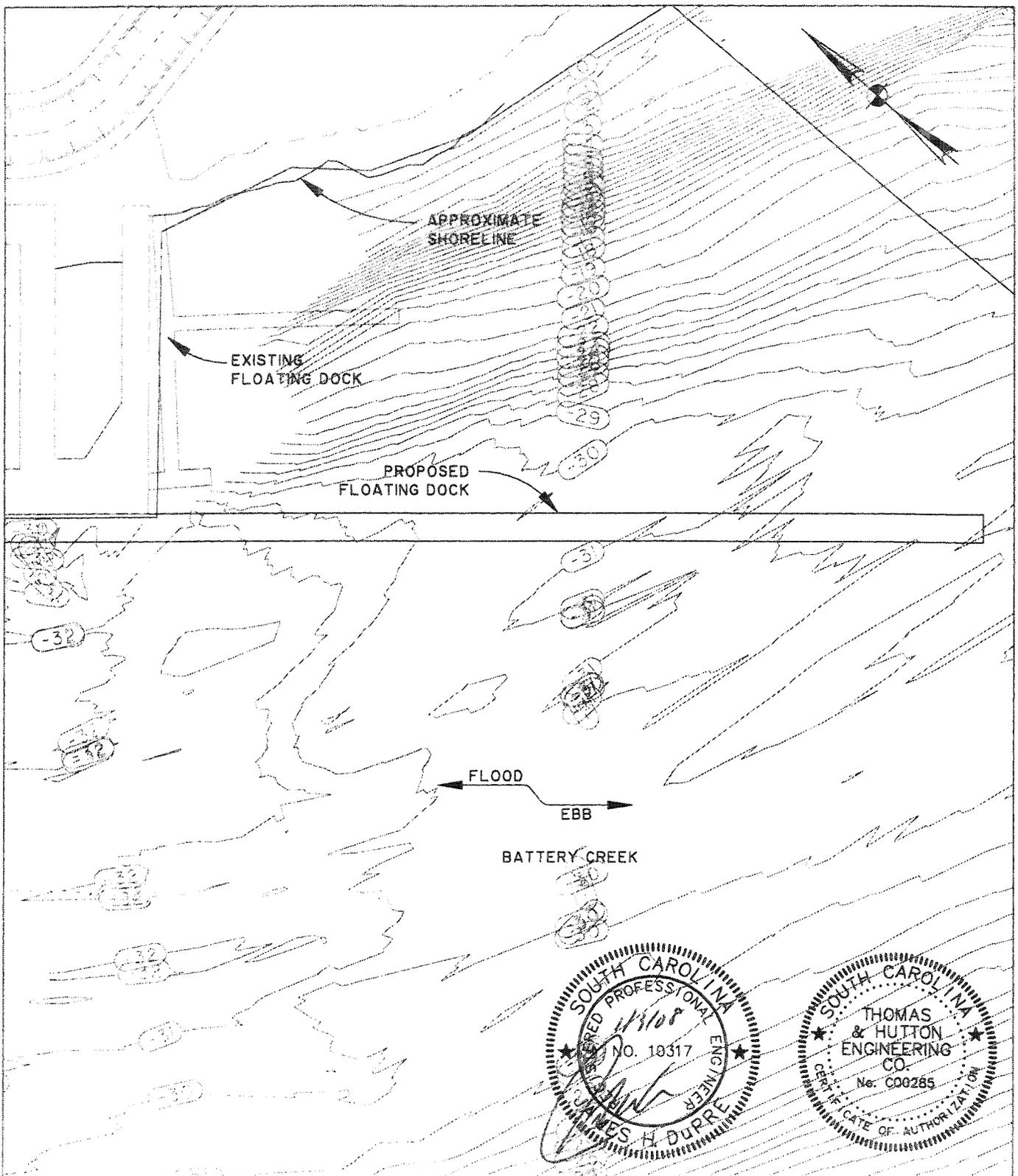


PROJECT: PORT ROYAL HARBOUR MARINA
COUNTY: BEAUFORT
APPLICANT: PORT ROYAL HARBOUR, LLC

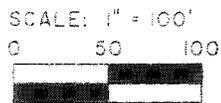
DECEMBER 19, 2007

SHEET 13 OF 21

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SITE PLAN - BATHYMETRY
PROPOSED MARINA



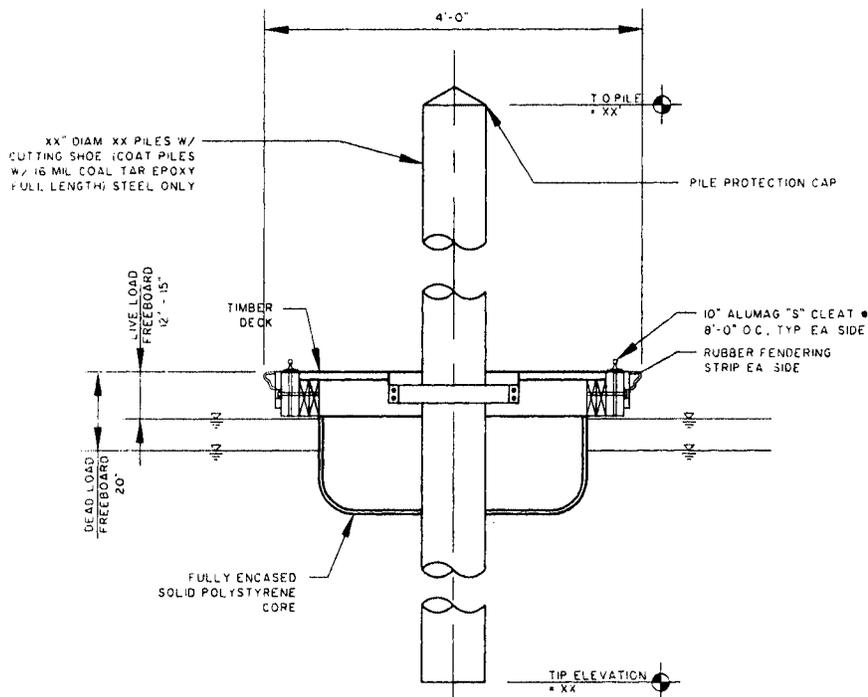
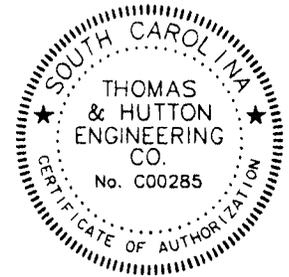
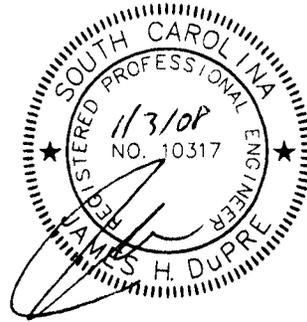
PROJECT: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

SHEET 14 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY,
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1 **FLOAT ASSEMBLY SECTION (TIMBER DOCK SYSTEM)**
 S15 SCALE: 1/2"=1'-0"

DETAILS
PROPOSED MARINA

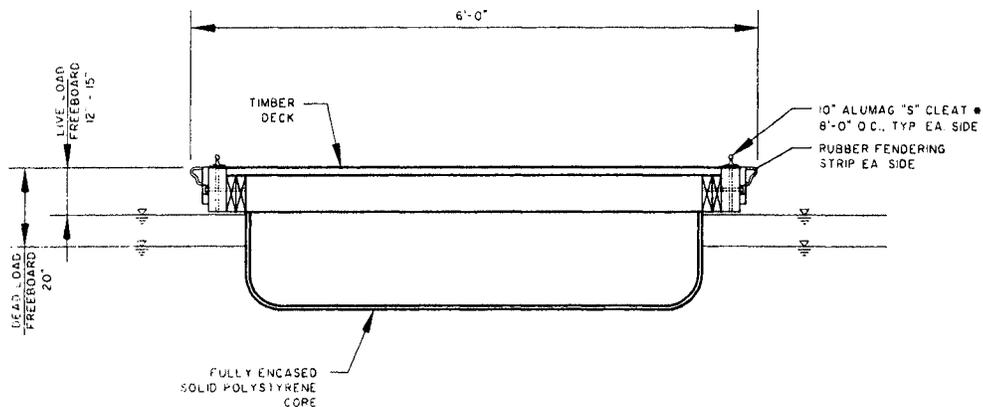
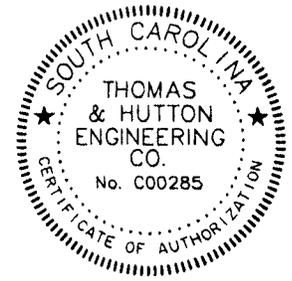
NOT TO SCALE

PROJECT: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

SHEET 15 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY,
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2 FLOAT ASSEMBLY SECTION (TIMBER DOCK SYSTEM)
S16 SCALE: 1/2"=1'-0"

DETAILS
PROPOSED MARINA

NOT TO SCALE

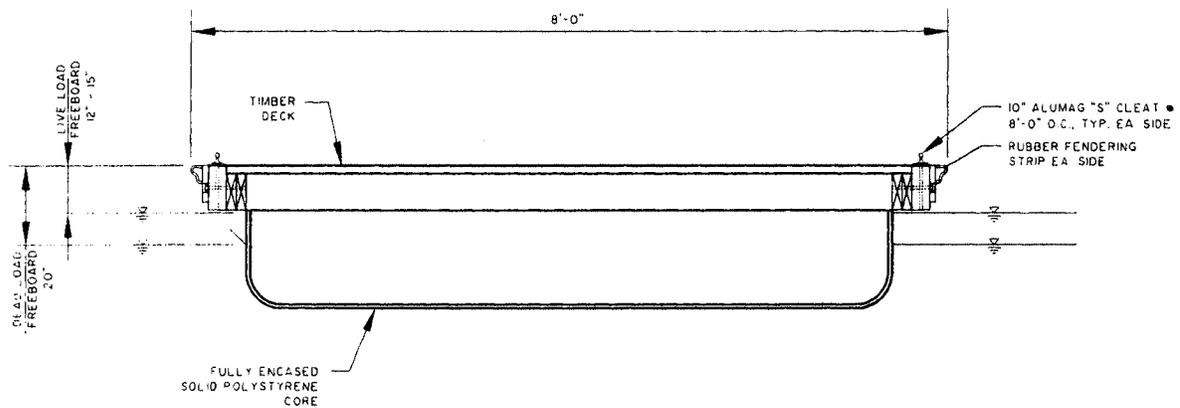
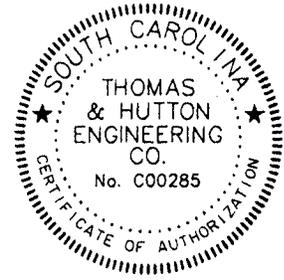
PROJECT: PORT ROYAL HARBOUR MARINA
COUNTY: BEAUFORT
APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

SHEET 16 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY,
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3 FLOAT ASSEMBLY SECTION (TIMBER DOCK SYSTEM)
 S17 SCALE: 1/2"=1'-0"

DETAILS
 PROPOSED MARINA

NOT TO SCALE

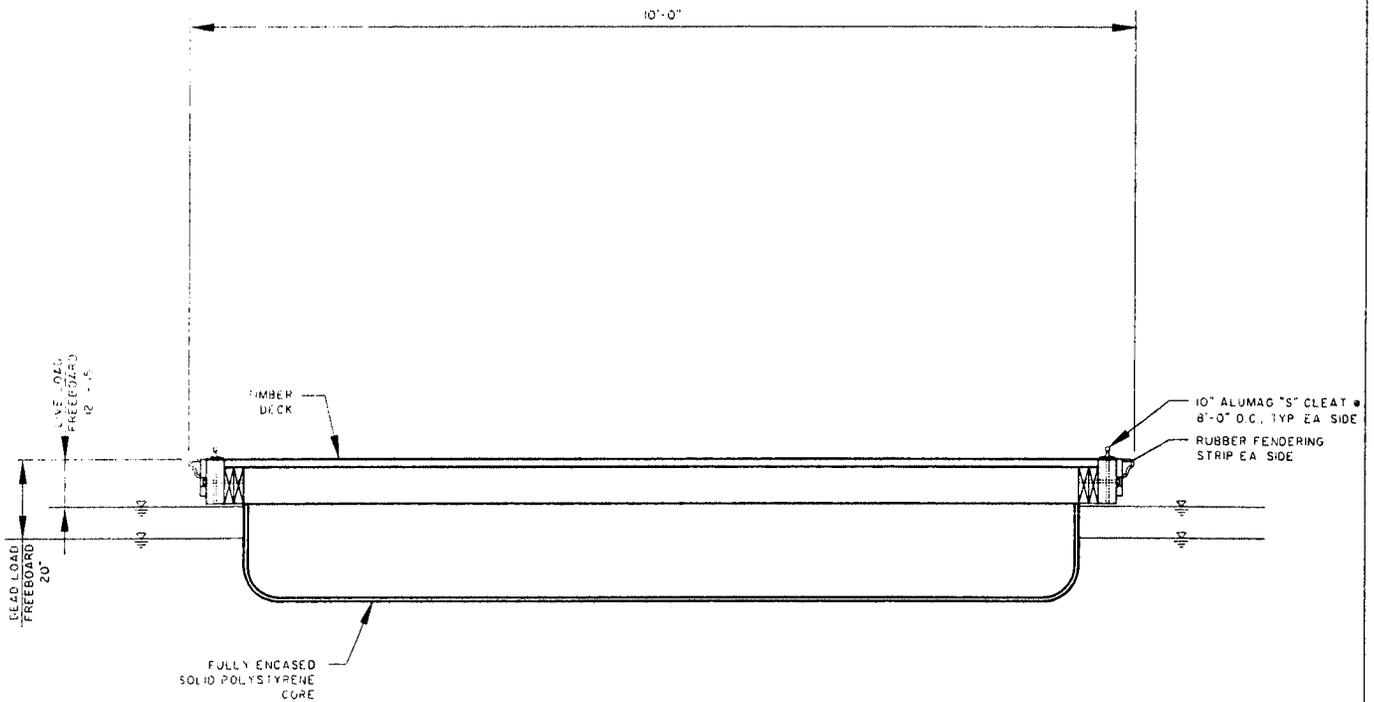
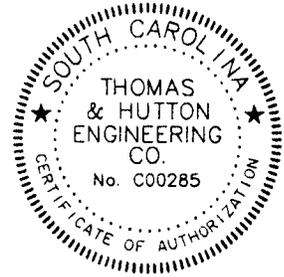
PROJECT: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

SHEET 17 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY.
 NOT FOR CONSTRUCTION

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4 **FLOAT ASSEMBLY SECTION (TIMBER DOCK SYSTEM)**
 S18 SCALE: 1/2"=1'-0"

DETAILS
 PROPOSED MARINA

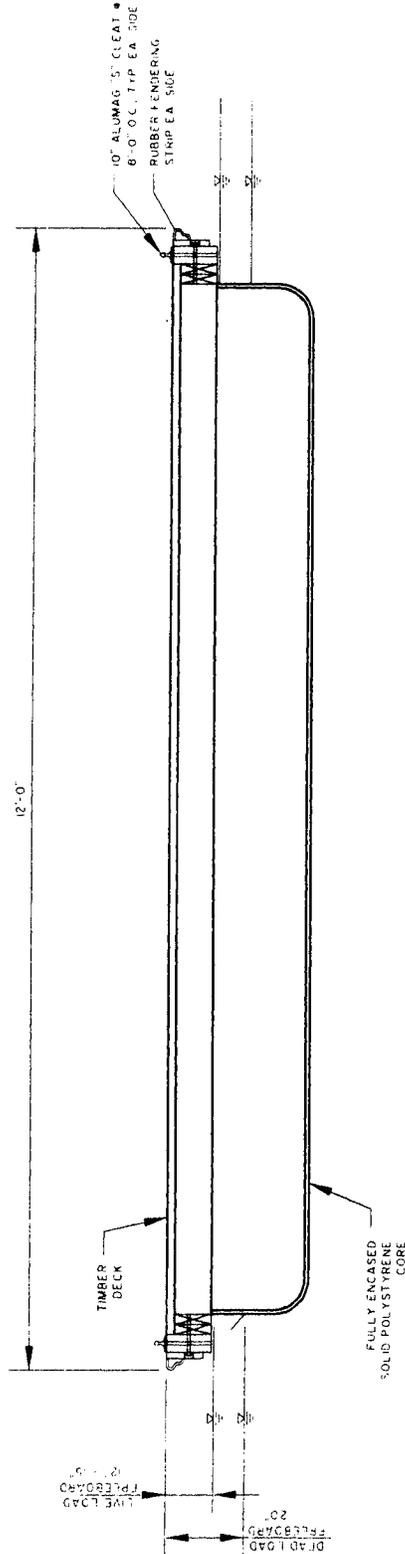
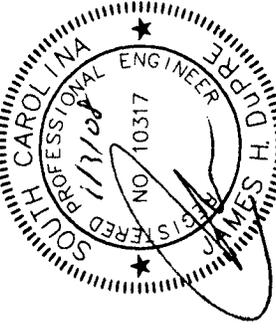
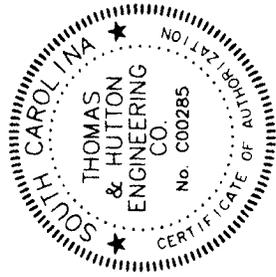
NOT TO SCALE

PROJECT: PORT ROYAL HARBOUR MARINA
 COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC

DECEMBER 19, 2007

SHEET 18 OF 21

NOTE: FOR PERMITTING PURPOSES ONLY,
 NOT FOR CONSTRUCTION



5 FLOAT ASSEMBLY SECTION (TIMBER DOCK SYSTEM)

SCALE: 1/2"=1'-0"



**DETAILS
PROPOSED MARINA**

PROPOSED ACTIVITY: PORT ROYAL HARBOUR MARINA

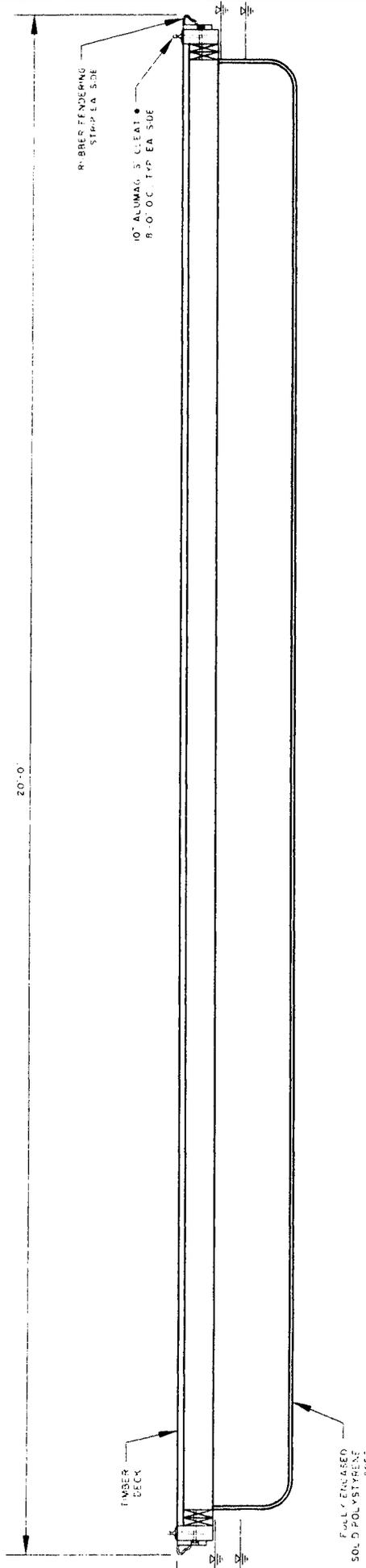
COUNTY: BEAUFORT
 APPLICANT: PORT ROYAL HARBOUR, LLC
 DECEMBER 19, 2007

NOTE: FOR PERMITTING PURPOSES ONLY,
 NOT FOR CONSTRUCTION.

NO. TO SCALE
 SHEET 19 OF 21

935 HOUSTON NORTHCUTT
 BOULEVARD
 MOUNT PLEASANT, SC 29464
 (843)849-0200
 SAVANNAH, GA
 MYRTLE BEACH, SC

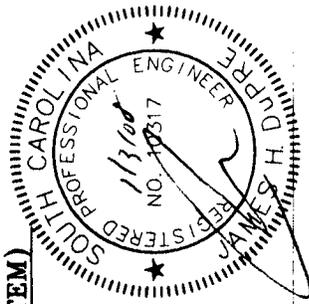




FLOAT ASSEMBLY SECTION (TIMBER DOCK SYSTEM)

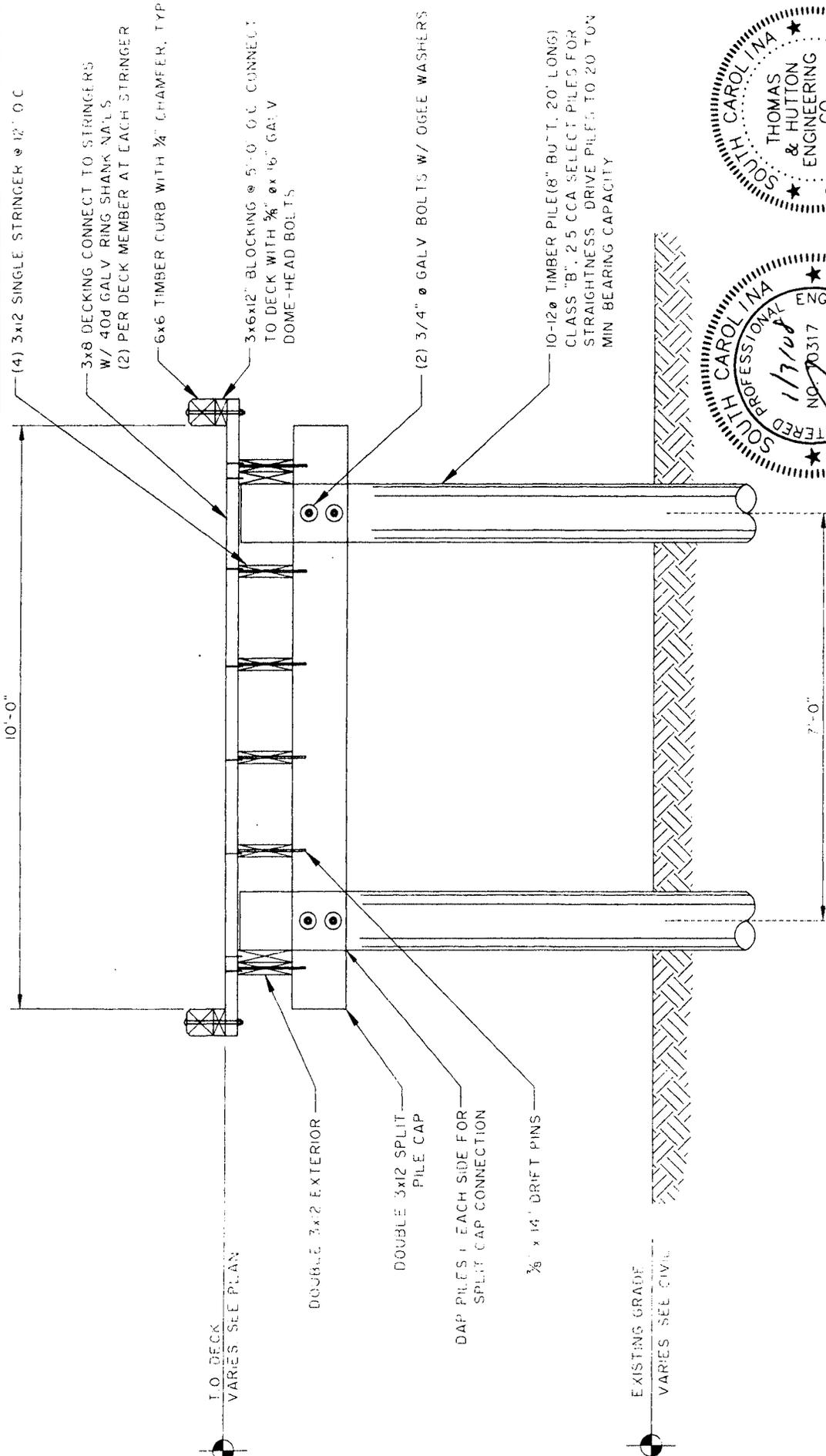
SCALE: 1/2"=1'-0"

6
S20



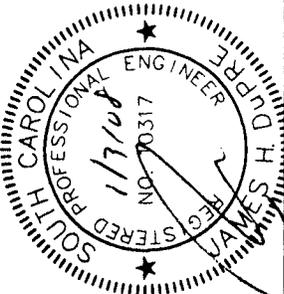
 <p>935 HOUSTON NORTHCUTT BOULEVARD MOUNT PLEASANT, SC 29464 (843)849-0200 SAVANNAH, GA MYRTLE BEACH, SC</p>	<p>DETAILS PROPOSED MARINA</p> <p>PROPOSED ACTIVITY: PORT ROYAL HARBOUR MARINA COUNTY: BEAUFORT APPLICANT: PORT ROYAL HARBOUR, LLC NOVEMBER 26, 2007</p>	<p>NOT TO SCALE</p> <p>SHEET 20 OF 21</p>
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NOTE: FOR PERMITTING PURPOSES ONLY.
NOT FOR CONSTRUCTION



7 **TIMBER BRIDGE SECTION**

SCALE: 1/2" = 1'-0"



DETAILS
PROPOSED MARINA

PROPOSED ACTIVITY: PORT ROYAL HARBOUR MARINA
COUNTY: BEAUFORT
APPLICANT: PORT ROYAL HARBOUR, LLC
DECEMBER 19, 2007

955 HOUSTON NORTHCUTT
BOULEVARD
MOUNT PLEASANT, SC 29464
(843)849-0200
SAVANNAH, GA
MYRTLE BEACH, SC



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NOT TO SCALE