

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 # 2008-1537-1IS

AUGUST 8, 2008

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

NEAL AND JOAN COOKSEY
C/O C.W. "ROCKY" BROWDER III
SLIGH ENVIRONMENTAL CONSULTANTS, INC
1815-A BOUNDARY STREET
BEAUFORT, S.C. 29902

for a permit to modify an existing dock and apply for a change in its use from private to commercial, in waters of

VILLAGE CREEK

at a location adjacent to 1453 Sea Island Parkway, St. Helena Island, Beaufort County, South Carolina (Latitude: 32.41183°, Longitude: -80.52486°)

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, SEPTEMBER 8, 2008

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

The proposed work consists of modifying the existing dock by relocating the existing 10' x 20' floating dock closer to the pierhead, adding an additional 10' x 20' floating dock to the end of the relocated floating dock, constructing a 14' x 20' 4-pile boatlift with two cradles on the downstream side of the pierhead, and the placement of 3 fender pilings and one 3-pile dolphin along the front of the pierhead and the floats, to aid in the mooring of the applicant's personal shrimp boat while in the area from its base in Charleston. According to the applicant no commercial shrimping activities will be performed at this dock. The overall purpose of the project is to change the use of the current dock from private to commercial to operate a kayak rental business at this location in the future. The additional dock space will aid in the operation of the kayak business by providing dock space for clients of the kayak rental business and the kayaks

themselves. The boatlift will provide moorage for the safety boats that will be used to accompany the renters, along with providing moorage for the applicant's personal boats. The fender system and 3-pile dolphin will aid the applicant in properly securing his personal shrimp boat.

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 (0.01) 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.

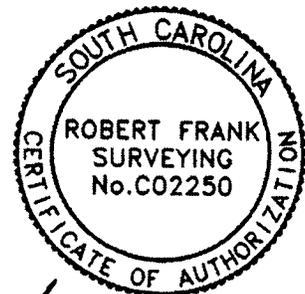
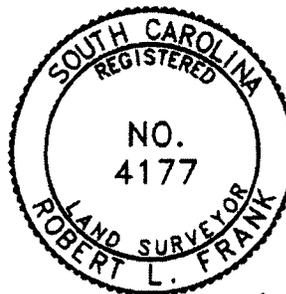
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine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

A MODIFICATION OF AN
EXISTING PRIVATE RECREATIONAL DOCK
INTO A COMMERCIAL DOCK
(FOR KAYAKING, RENTALS, ETC.)
AT 1453 SEA ISLAND PKWY.
LOCATED ON VILLAGE CREEK
ST. HELENA ISLAND
BEAUFORT COUNTY, SOUTH CAROLINA

THESE DRAWINGS ARE FOR DOCK PERMITTING
ONLY AND DO NOT CONSTITUTE A BOUNDARY
SURVEY OF THIS PROPERTY.

TMS #00298573

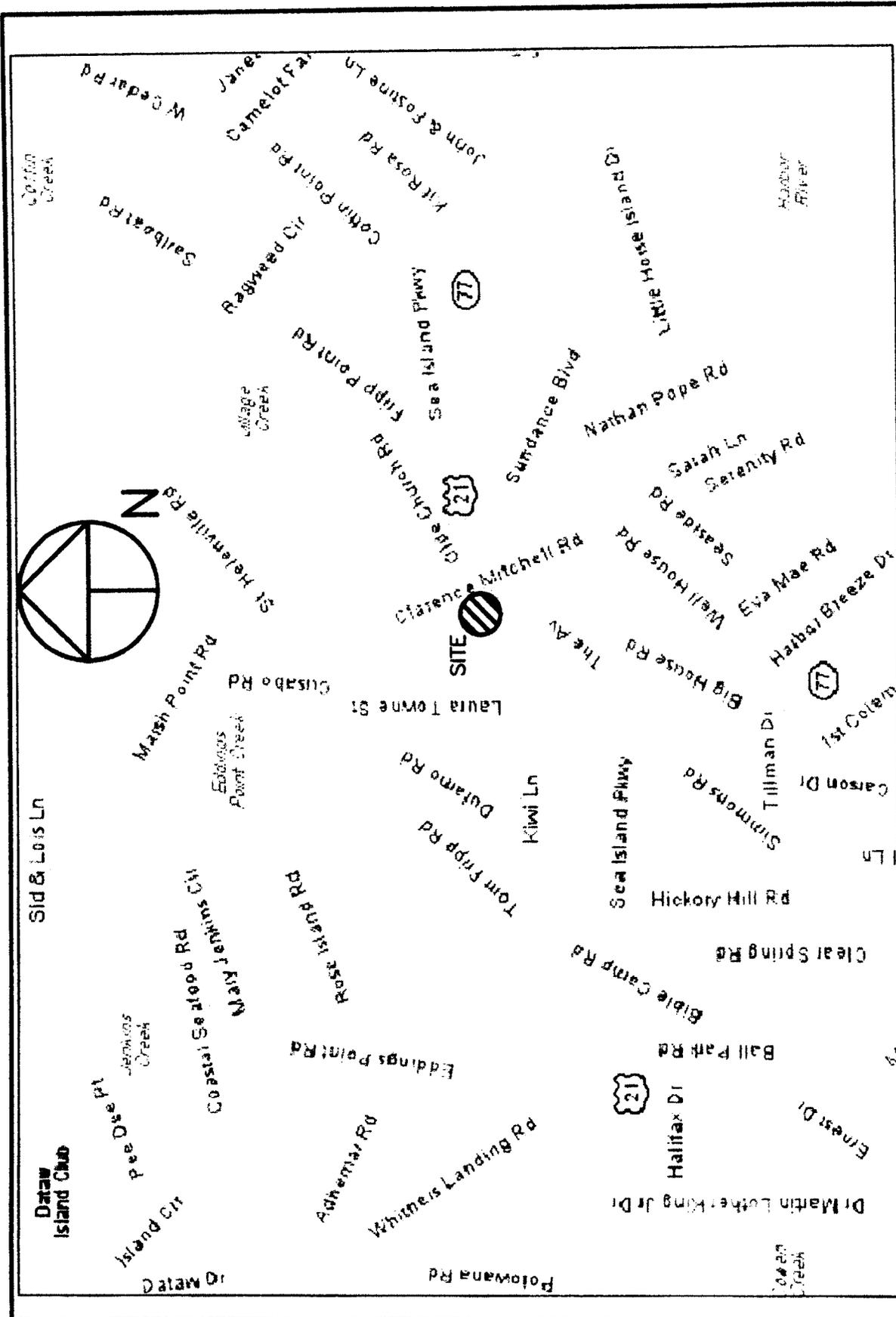


Robert Frank

APPLICATION BY:
NEAL COOKSEY
ADDRESS: 1453 SEA ISLAND PKWY.
DATE: MAY 23, 2008
REVISED: JULY 1, 2008

ROBERT FRANK SURVEYING
1923 MAYBANK HWY. - CHARLESTON, S.C. 29412
Phone: 843-762-4608 Fax 843-795-5970
E-mail - robertfranklandsurveying@comcast.net
WEB ADDRESS: www.robertfranksurveying.com

SHT. NO.
1 OF 6



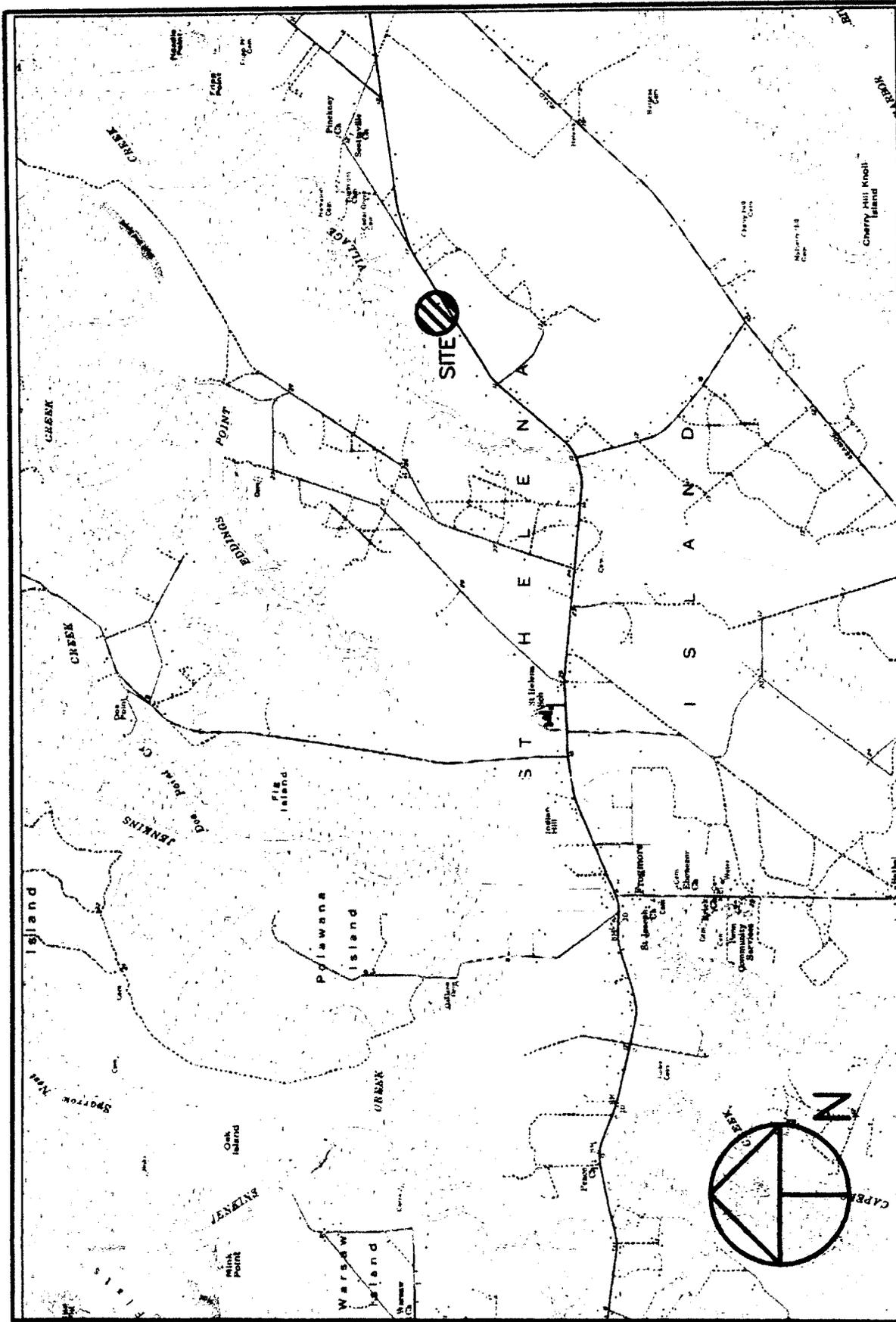
ADJOINING PROPERTY OWNERS:
 1. HENRY MITCHELL (LOT 5)
 2. CLARENCE J. MITCHELL (LOT 7)

APPLICATION BY:
 NEAL COOKSEY
 ADDRESS: 1453 SEA ISLAND PKWY.
 DATE: MAY 23, 2008
 REVISED:

LOCATION
 A MODIFICATION OF AN
 EXISTING PRIVATE RECREATIONAL DOCK
 INTO A COMMERCIAL DOCK
 (FOR KAYAKING, RENTALS, ETC.)
 AT 1453 SEA ISLAND PKWY.
 LOCATED ON VILLAGE CREEK
 ST. HELENA ISLAND
 BEAUFORT COUNTY, SOUTH CAROLINA

SHT. NAME
 LOCATION
 MAP

SHT. NO.
 2 OF 6



ADJOINING PROPERTY OWNERS:
 1. HENRY MITCHELL (LOT 5)
 2. CLARENCE J. MITCHELL (LOT 7)

APPLICATION BY:
 NEAL COOKSEY

ADDRESS: 1453 SEA ISLAND PKWY.

DATE: MAY 23, 2008

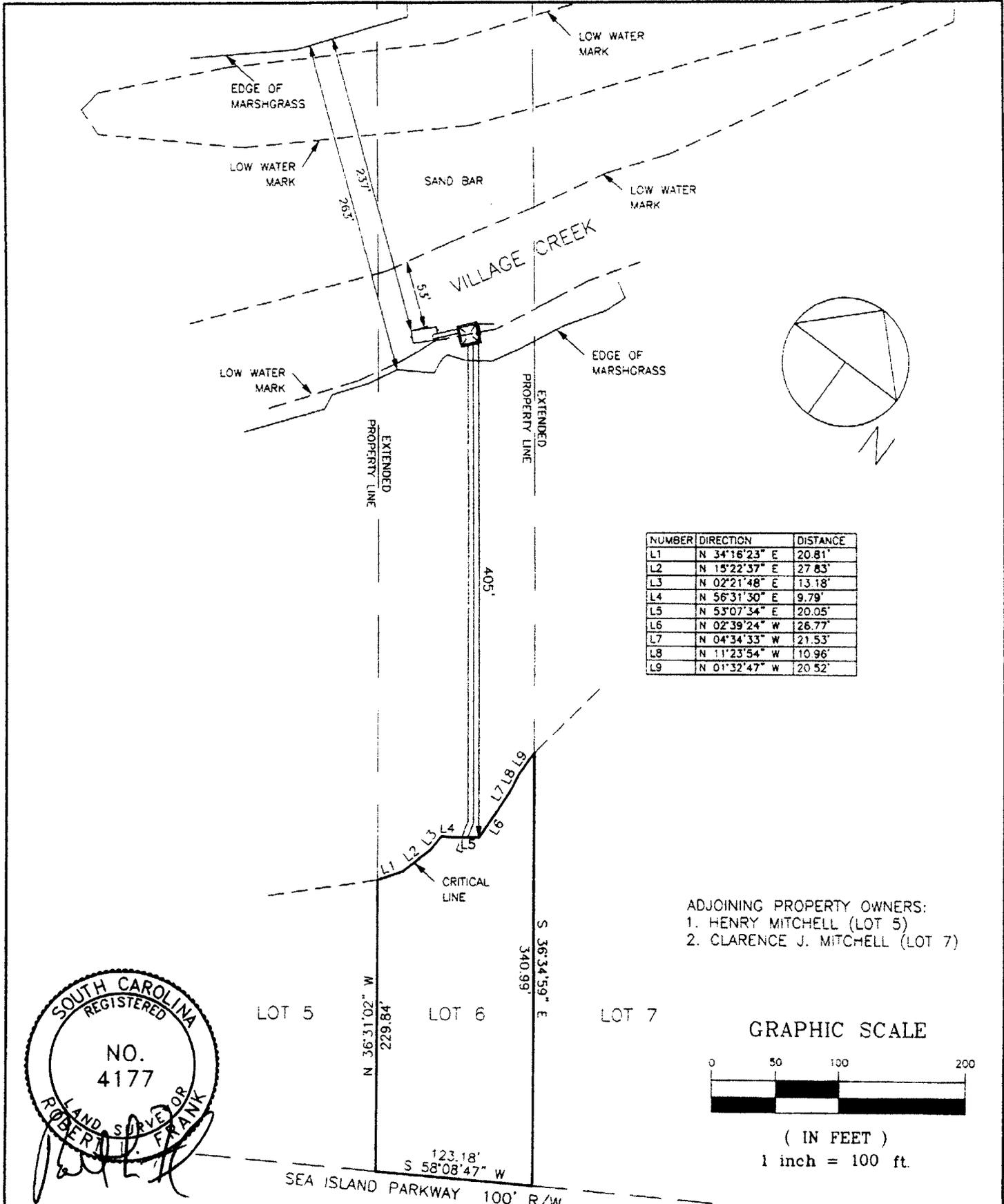
REVISED: JULY 1, 2008

LOCATION
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 INTO A COMMERCIAL DOCK
 (FOR KAYAKING, RENTALS, ETC.)
 AT 1453 SEA ISLAND PKWY.
 LOCATED ON VILLAGE CREEK
 ST. HELENA ISLAND
 BEAUFORT COUNTY, SOUTH CAROLINA

SHT. NAME
 FROGMORE
 QUADRANGLE MAP

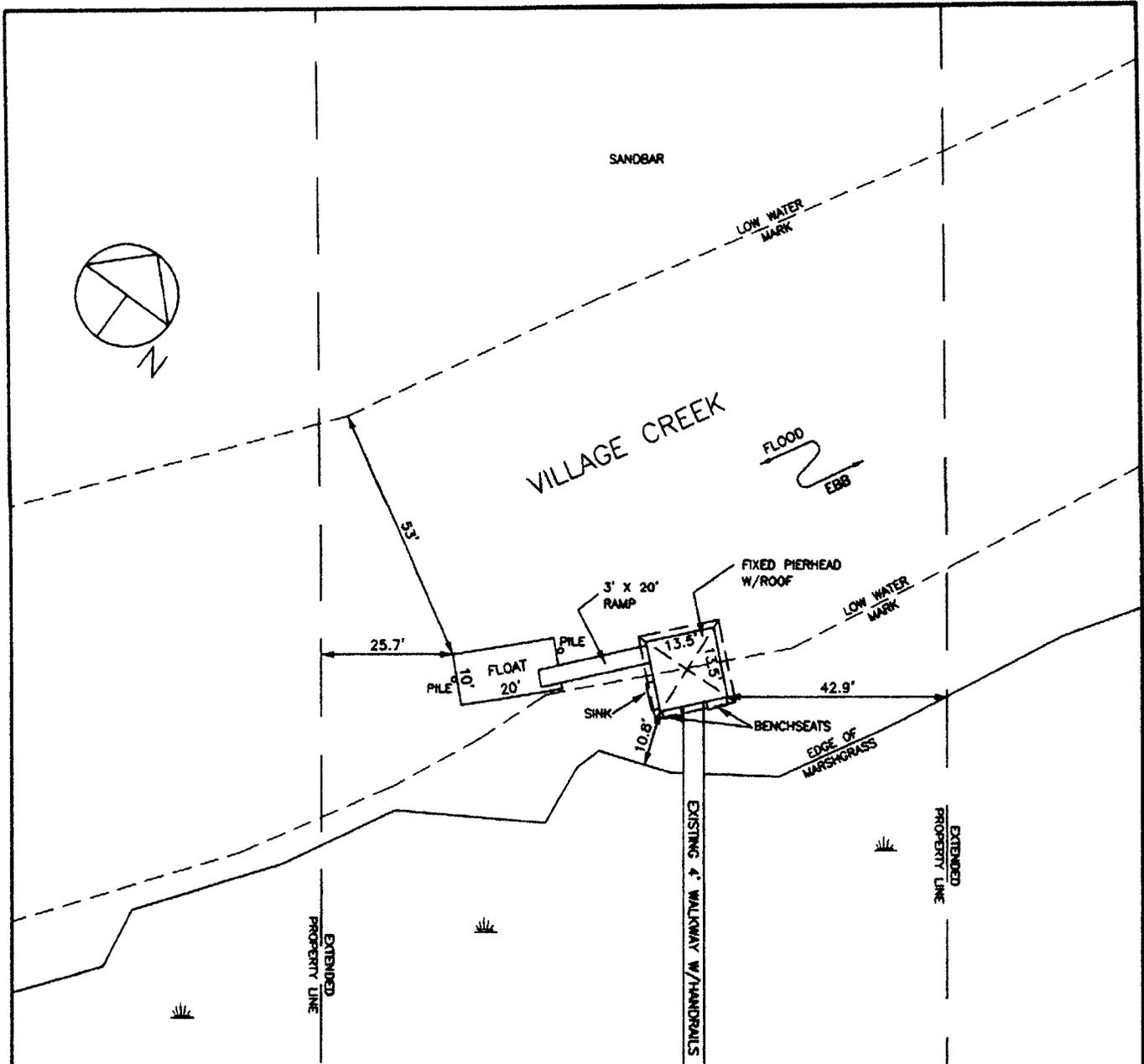
PROJECT LATITUDE/LONGITUDE:
 LATITUDE -- 32°24'42.6"
 LONGITUDE -- 80°31'29.5"

SHT. NO.
 3 OF 6



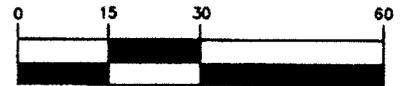
SOUTH CAROLINA
 REGISTERED
 NO. 4177
 LAND SURVEYOR
 ROBERT L. FRANK

APPLICATION BY: NEAL COCKSEY	LOCATION AN AS BUILT OF A RECREATIONAL DOCK AT 1453 SEA ISLAND PKWY. LOCATED ON VILLAGE CREEK ST. HELENA ISLAND BEAUFORT COUNTY SOUTH CAROLINA	SHT. NAME FULL PLAN VIEW	SHT. NO. 4 OF 6
ADDRESS: 1453 SEA ISLAND PKWY.			
DATE: MAY 23, 2008			
REVISED: JULY 1, 2008			



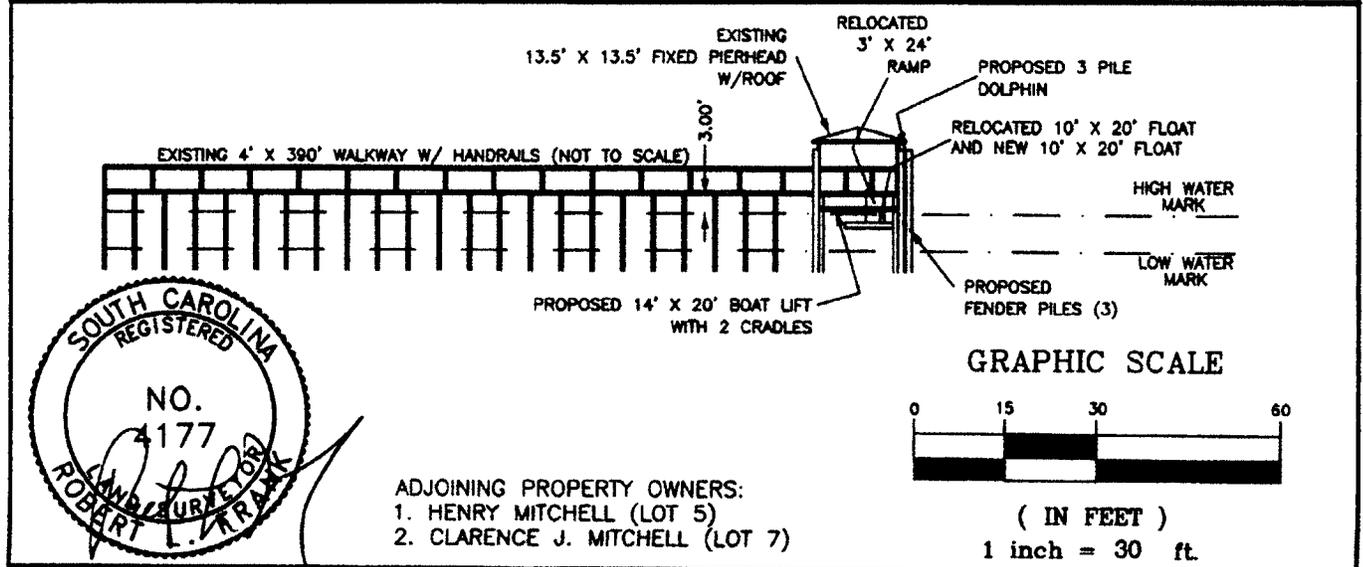
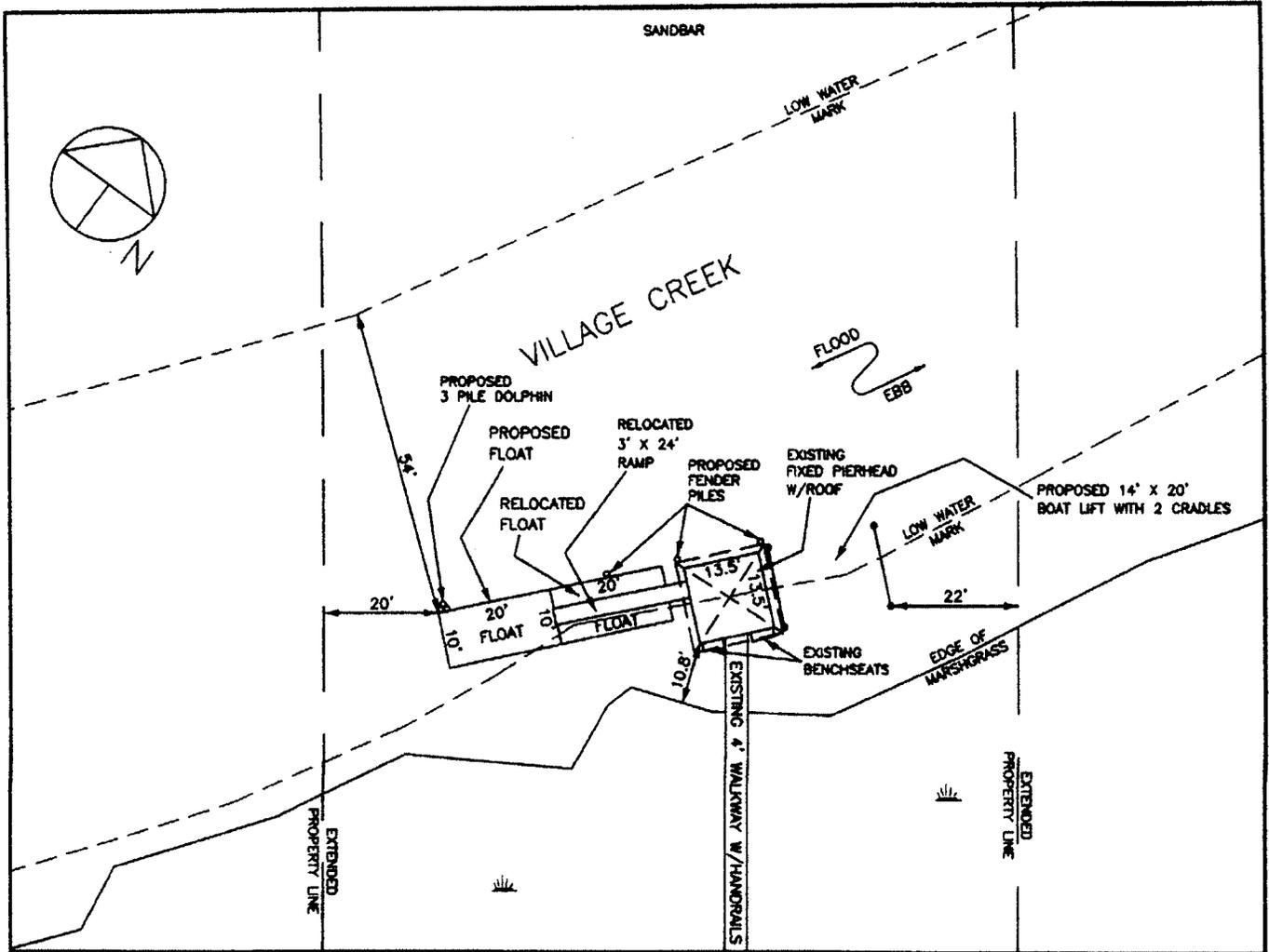
ADJOINING PROPERTY OWNERS:
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GRAPHIC SCALE



(IN FEET)
 1 inch = 30 ft.

APPLICATION BY: NEAL COOKSEY	LOCATION AN AS BUILT OF A RECREATIONAL DOCK AT 1453 SEA ISLAND PKWY. LOCATED ON VILLAGE CREEK ST. HELENA ISLAND BEAUFORT COUNTY SOUTH CAROLINA	SHT. NAME PLAN AND PROFILE	SHT. NO. 5 OF 6
ADDRESS: 1453 SEA ISLAND PKWY.			
DATE: MAY 23, 2008			
REVISED: JULY 1, 2008			



ADJOINING PROPERTY OWNERS:
 1. HENRY MITCHELL (LOT 5)
 2. CLARENCE J. MITCHELL (LOT 7)

APPLICATION BY: NEAL COOKSEY	A MODIFICATION OF AN EXISTING PRIVATE RECREATIONAL DOCK INTO A COMMERCIAL DOCK (FOR KAYAKING, RENTALS, ETC.) AT 1453 SEA ISLAND PKWY. LOCATED ON VILLAGE CREEK ST. HELENA ISLAND BEAUFORT COUNTY, SOUTH CAROLINA	SHT. NAME PLAN AND PROFILE	SHT. NO. 6 OF 6
ADDRESS: 1453 SEA ISLAND PKWY.			
DATE: MAY 23, 2008			
REVISED: JULY 1, 2008			