

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

24 October 2008

Refer to: P/N # 2007-2667-1IT thru 2007-2678-1IT (Revised)

This is a re-issued public notice as the project was revised

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

JUDITH M. PASCULLIS et. al.
C/O RICHARD MOLINAROLI
3314 ORWAY STREET
WASHINGTON DC 20008

for a permit to construct 11 private single use and shared use docks and 1 community canoe launch on

WARING CREEK and FLOUNDER LAKE

Located off of Highway 165 across from Long Island Road on Yonges Island, Charleston County, South Carolina (32.71255 Latitude/ 80.22285 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, NOVEMBER 3, 2008

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

The proposed work consists of the construction of 11 private single use and shared use docks and 1 community canoe launch listed as follows:

2007-2667-1IT Lot #4 Private Crab Dock: Construction of a 4' X 161' walkway connecting to a 6' X 8' pierhead on Waring Creek. The purpose is to provide Lot #4 with private recreational water access.

Refer to: P/N # 2007-2667-1IT thru 2007-2678-1IT (Revised)

2007-2668-1IT Lot #5 Private Dock: Construction of a 4' X 856' walkway connecting to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system, and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #5 with private recreational water access. This private dock is located on Waring Creek.

2007-2669-1IT Lot #6 Private Dock: Construction of a 4' X 768' walkway connecting to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system, and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #6 with private recreational water access. This private dock is located on Waring Creek.

2007-2670-1IT Lot #7 Private Dock: Construction of a 4' X 478' walkway to a 12' X 18' fixed pierhead with a pile-mounted electric Davit system and a 6' X 20' floating dock connected by a ramp. The purpose is to provide Lot #7 with private recreational water access. This private dock is located on Waring Creek.

2007-2671-1IT Lot #8 Private Crab Dock: Construction of a 4' X 30' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #8 with private recreational water access. This private dock is located on Flounder Lake.

2007-2672-1IT Shared Community Canoe Launch: Construction of a small canoe launch located between Lot #7 and Lot #8. Purpose of the canoe launch is to provide the community with recreational small craft water access, and is located on Flounder Lake.

2007-2673-1IT Lot #9 Private Crab Dock: Construction of a 4' X 30' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #9 with private recreational water access. The private dock is located on Flounder Lake.

2007-2674-1IT Lot #10 Private Dock: Construction of a 4' X 29' walkway to a 12' X 18' fixed pierhead. The purpose is to provide Lot #10 with private recreational water access. The private dock is located on Flounder Lake.

2007-2675-1IT Lot #11 Private Dock: Construction of a 4' X 68' walkway to a 12' X 18' pier head. The purpose is to provide Lot #11 with private recreational water access. The private dock is located on Flounder Lake.

2007-2676-1IT Lot #12 and Lot # 13 Shared Private Crab Dock: Construction of a 4' X 116' walkway to a 8' X 16' pierhead. The purpose is to provide Lot #12 and #13 with private recreational water access. The private dock is located on Flounder Lake.

2007-2677-1IT Lot #14 and Lot #15 Shared Private Crab Dock: Construction of a 4' X 163' walkway to a 8' X 16' pierhead. The purpose is to provide Lot #14 and Lot #15 with private recreational water access. The private dock is located on Flounder Lake.

2007-2678-1IT Lot #16 and Lot #17 Shared Private Crab Dock: Construction of a 4' X 359'' walkway to a 8' X 16'' fixed pierhead. The purpose is to provide Lot #16 and Lot #17 with private recreational water access. The private dock is located on Flounder Lake.

2007-2679-1IT Please note that this PN number, used in the previous public notice dated December 14, 2007, has been withdrawn as the project was revised and the number of proposed docks reduced from 13 to 12.

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 approximately 7000 square feet 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.

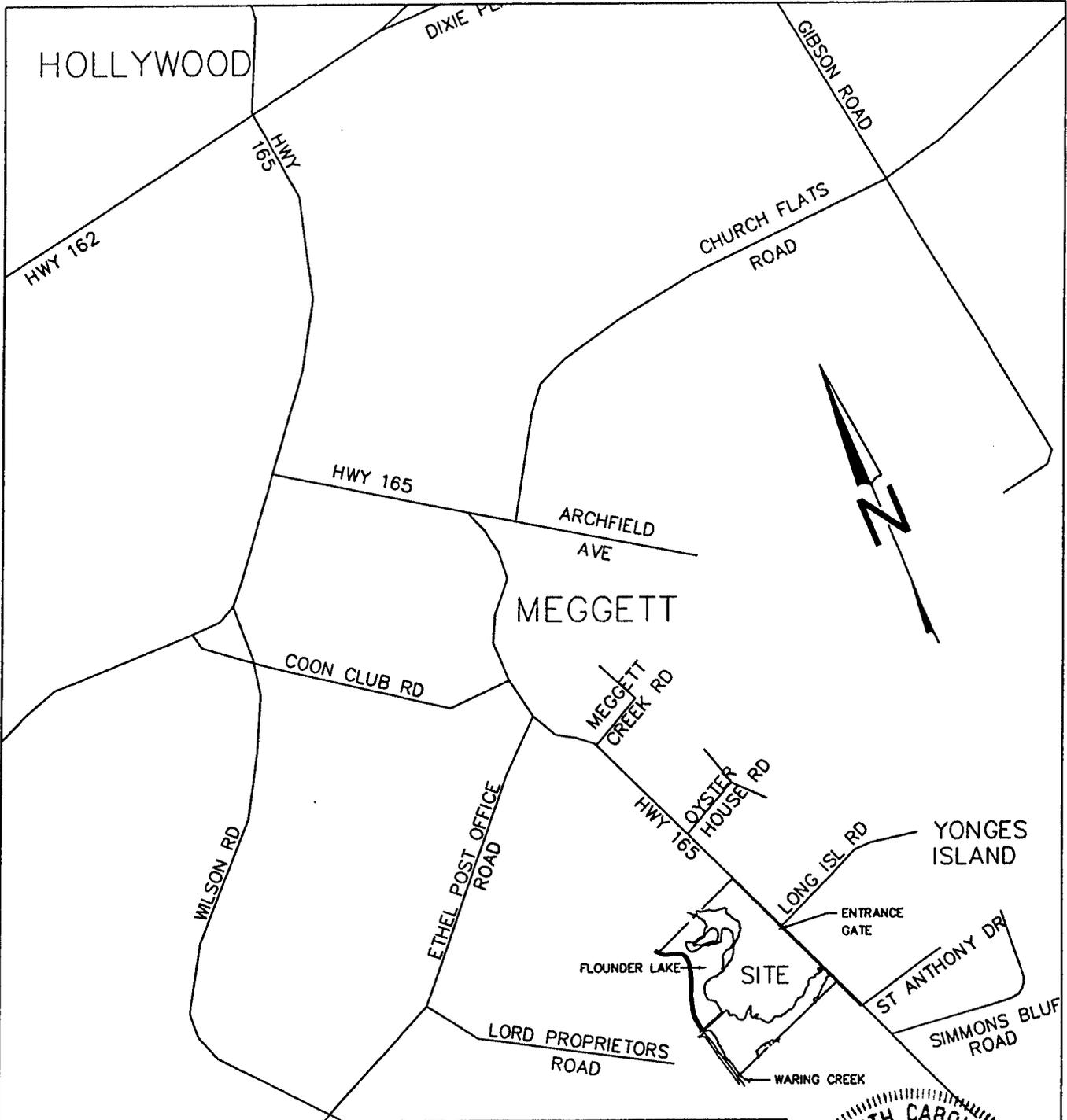
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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. 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.

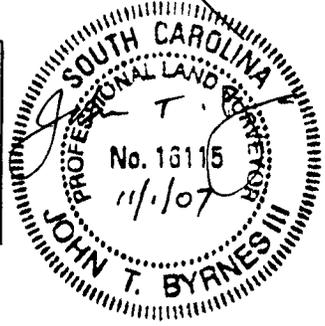
If there are any questions concerning this public notice, please contact Tracy C. Dotolo at 843-329-8044 or toll free at 1-866-329-8187.

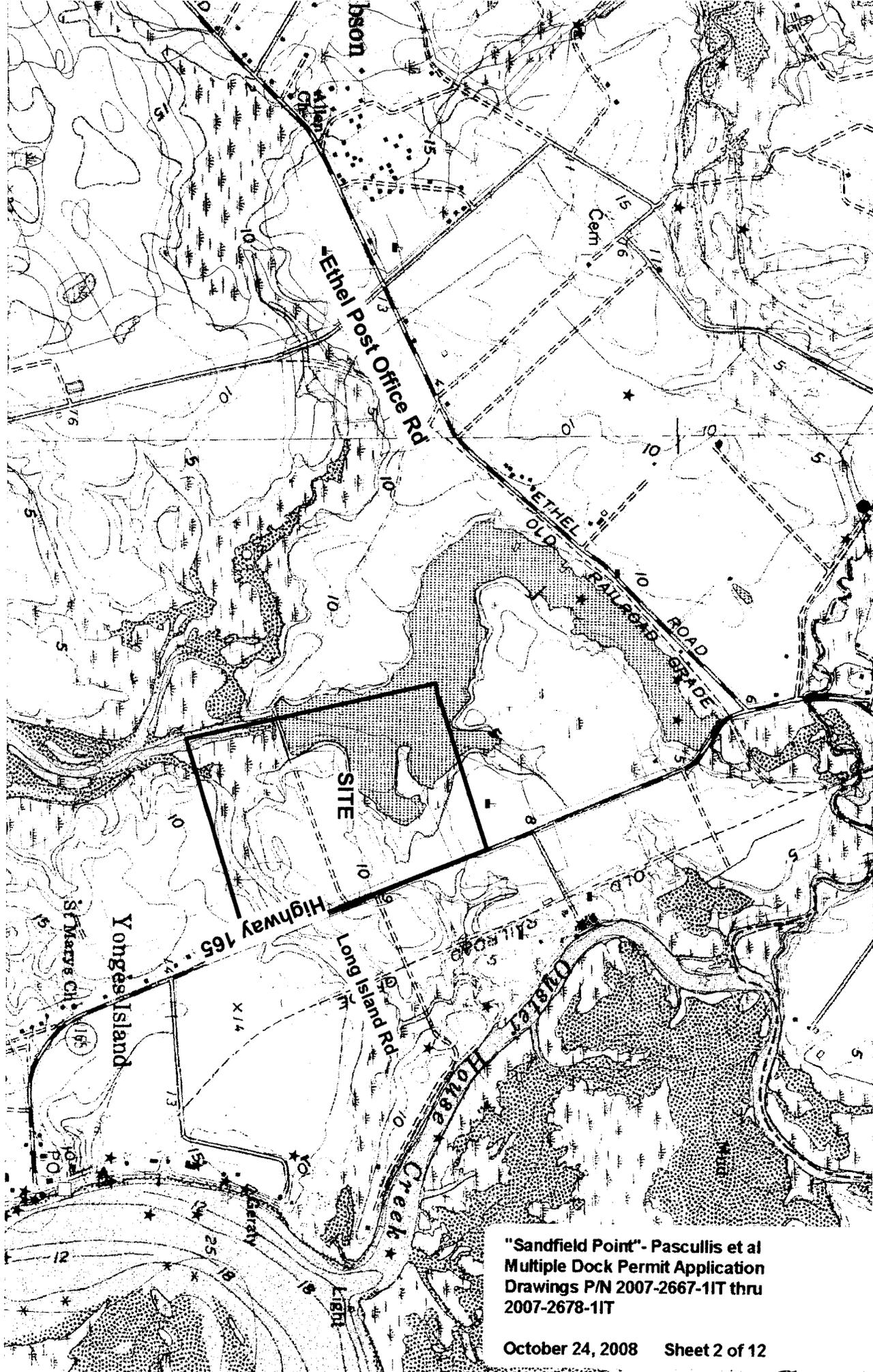


APPLICANT: VITO R. PASCULLIS, AGENT
 SC 165
 SUBDIVISION: SANDFIELD POINT
 TOWN OF MEGGETT
 CHARLESTON COUNTY
 TMS #159 00 00 002
 WATERBODIES: WARING CREEK &
 FLOUNDER LAKE

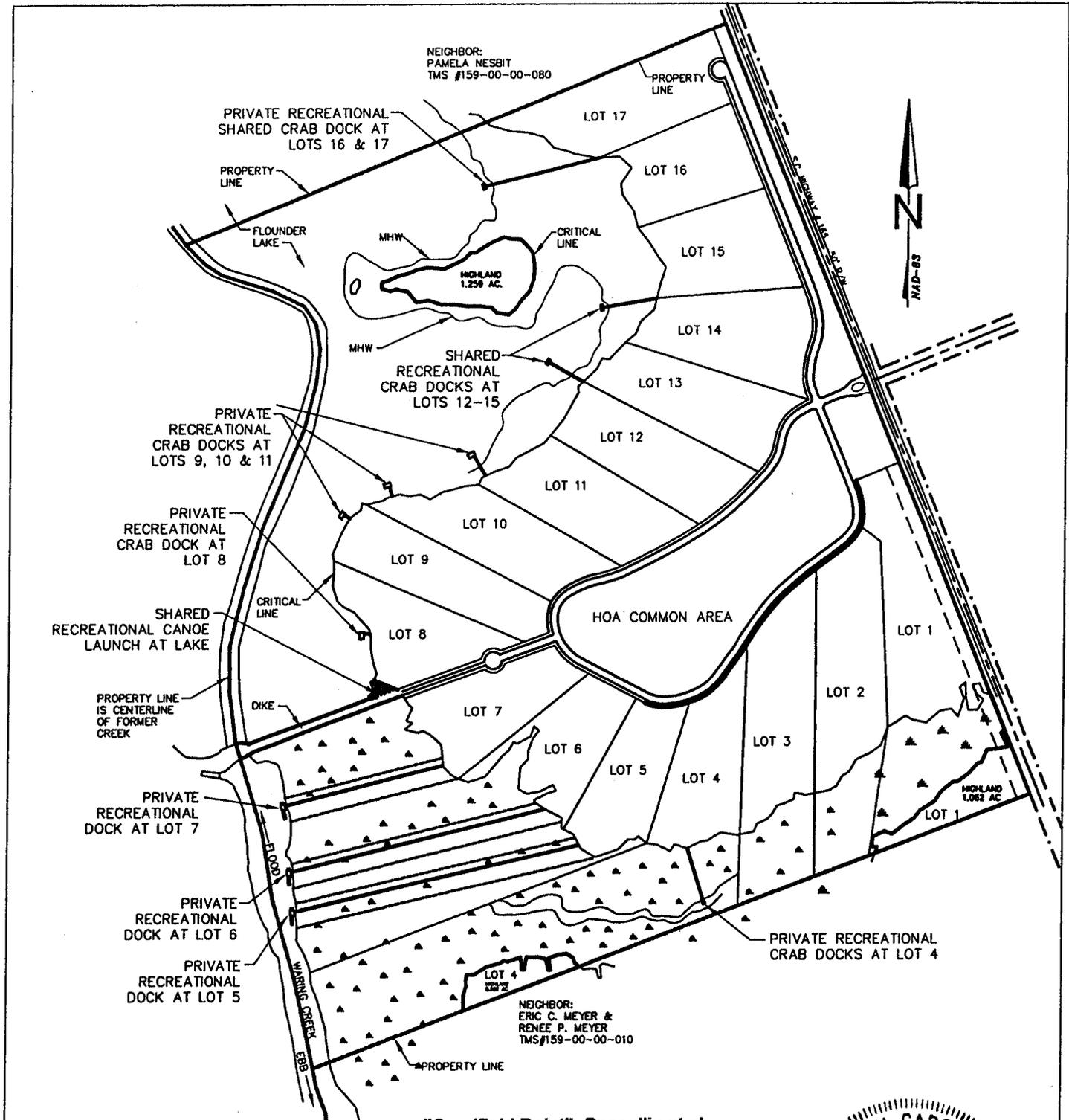
LOCATION PLAN
 NOT TO SCALE

"Sandfield Point"- Pascullis et al
 Multiple Dock Permit Application
 Drawings P/N 2007-2667-1IT thru
 2007-2678-1IT





"Sandfield Point"- Pascullis et al
Multiple Dock Permit Application
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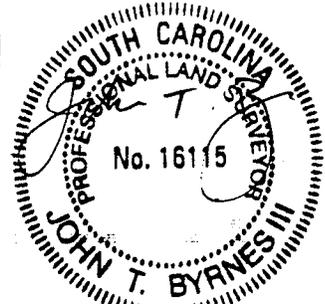


**APPLICANT: VITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEDGETT
CHARLESTON COUNTY
TMS #159 00 00 002
WATERBODIES: WARING CREEK &
"FLOUNDER" LAKE**

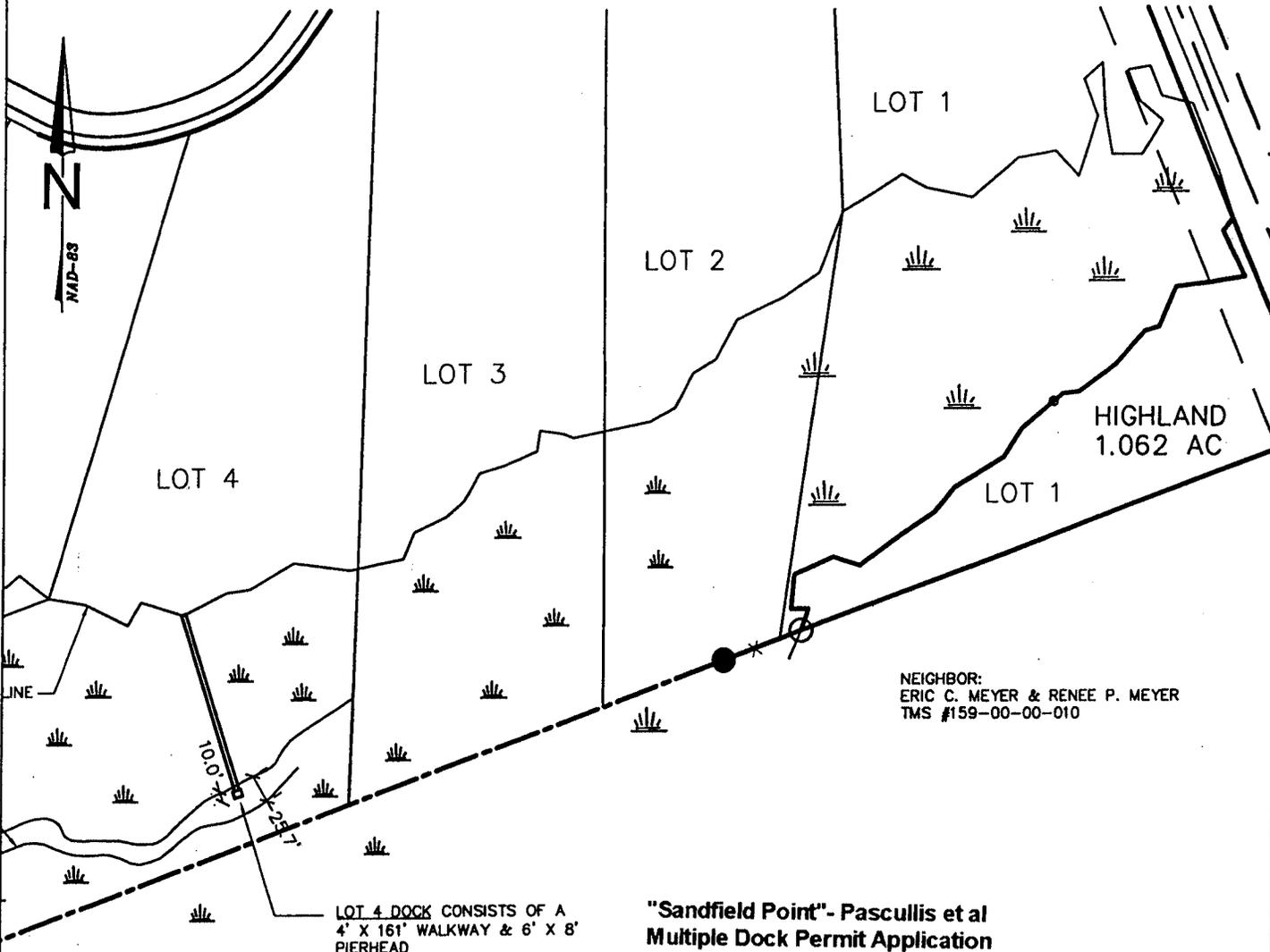
**"Sandfield Point"- Pascullis et al
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2007-2678-1IT**

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NOT TO SCALE



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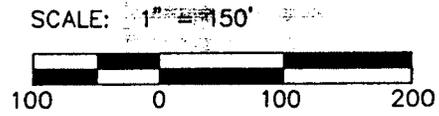
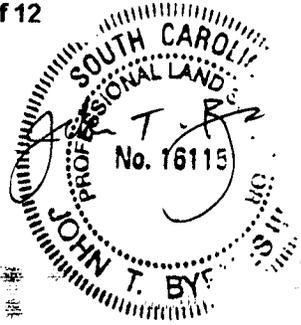


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 2007-2678-1IT

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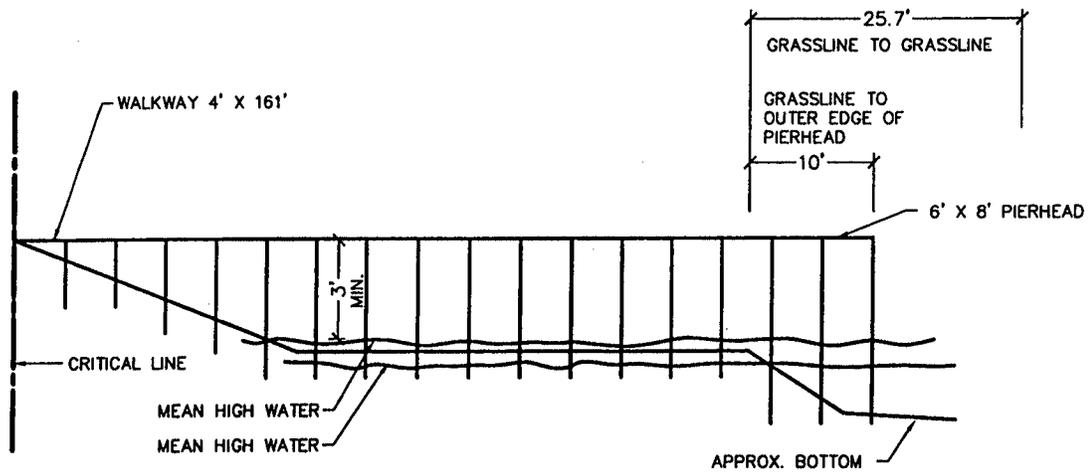
APPLICANT: VITO R. PASCULLIS, AGENT
 SC 168
 SUBDIVISION: SANDFIELD POINT
 TOWN OF MEGGETT
 CHARLESTON COUNTY
 TMS #159 00 00 002
 WATERBODY: FLOUNDER LAKE

PRIVATE RECREATIONAL CRAB DOCK -
 LOT 4



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OCRM DOCK

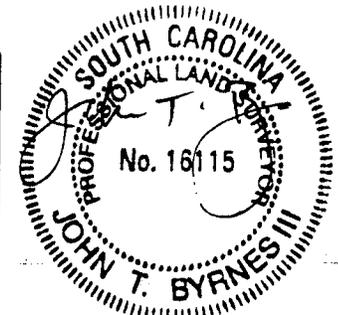


PRIVATE RECREATIONAL CRAB DOCK
AT LOT 4

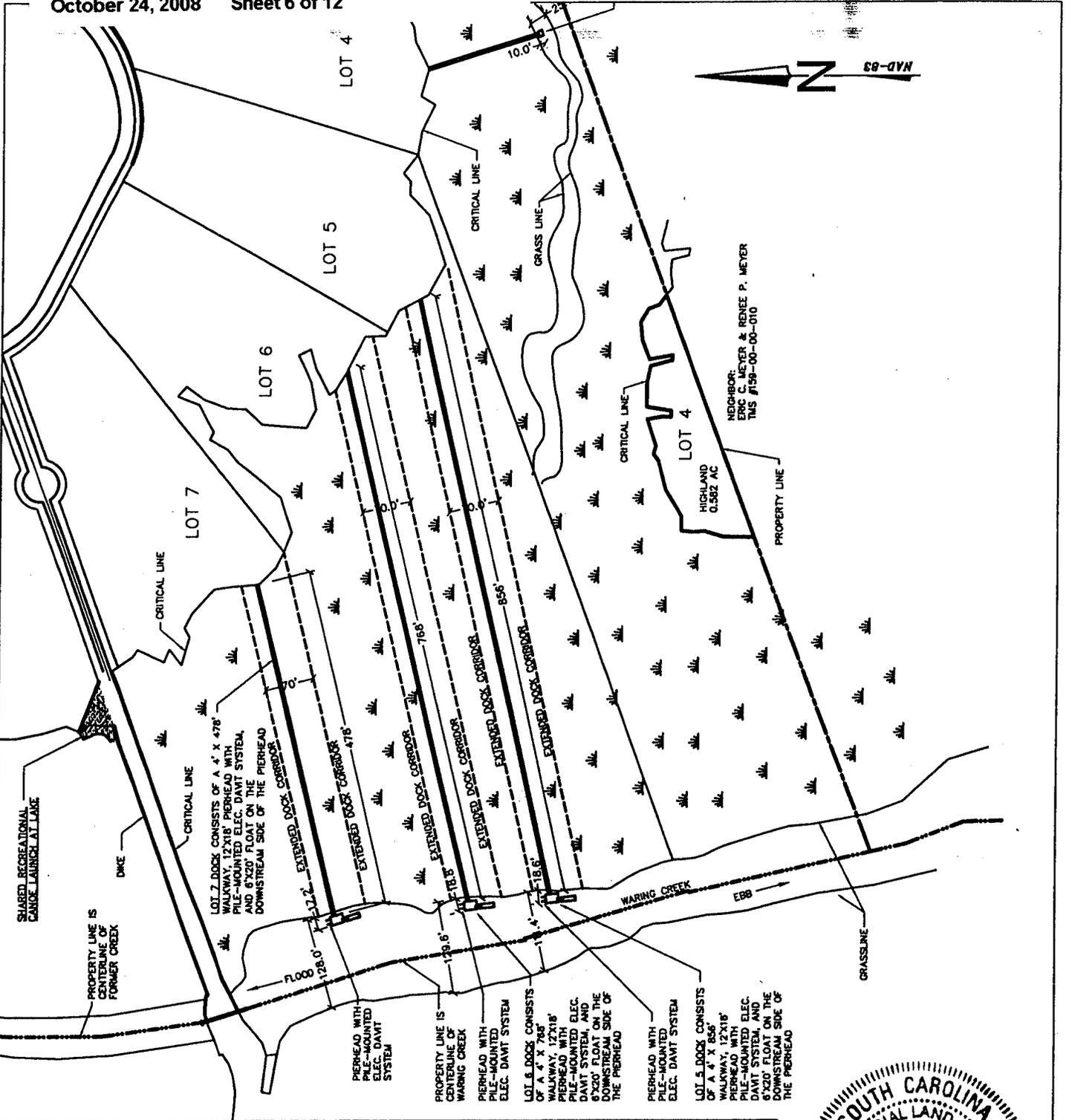
"Sandfield Point"- Pascullis et al
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2007-2678-1IT

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<p>APPLICANT: VITO R. PASCULLIS, AGENT SC 165 SUBDIVISION: SANDFIELD POINT TOWN OF MEGGETT CHARLESTON COUNTY TMS #189 00 00 002 WATERBODY: FLOUNDER LAKE</p> <p>OCRM DOCK</p>	<p>PRIVATE RECREATIONAL CRAB DOCK - LOT 4</p> <p>NOT TO SCALE</p>
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REVISED 21 JULY 2008



NEIGHBOR
 ERIC C. MEYER & RENEE P. MEYER
 TMS #198-00-00-010

SHARED RECREATIONAL
 RANGER LAUNCH AT LAKE

PROPERTY LINE IS
 CENTERLINE OF
 FORMER CREEK

LOT 7 DOCK CONSISTS OF A 4' X 478'
 WALKWAY, 12'X18' PIERHEAD WITH
 PILE-MOUNTED ELEC. DAVIT SYSTEM,
 AND 6'X20' FLOAT ON THE
 DOWNSTREAM SIDE OF THE PIERHEAD

PIERHEAD WITH
 PILE-MOUNTED
 ELEC. DAVIT
 SYSTEM

PROPERTY LINE IS
 CENTERLINE OF
 WARING CREEK

PIERHEAD WITH
 PILE-MOUNTED
 ELEC. DAVIT SYSTEM

LOT 6 DOCK CONSISTS
 OF A 4' X 765'
 WALKWAY, 12'X18'
 PIERHEAD WITH
 PILE-MOUNTED ELEC.
 DAVIT SYSTEM AND
 6'X20' FLOAT ON THE
 DOWNSTREAM SIDE OF
 THE PIERHEAD

PIERHEAD WITH
 PILE-MOUNTED
 ELEC. DAVIT SYSTEM

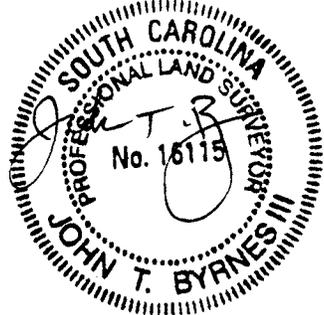
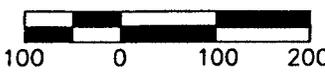
LOT 5 DOCK CONSISTS
 OF A 4' X 856'
 WALKWAY, 12'X18'
 PIERHEAD WITH
 PILE-MOUNTED ELEC.
 DAVIT SYSTEM, AND
 6'X20' FLOAT ON THE
 DOWNSTREAM SIDE OF
 THE PIERHEAD

APPLICANT: VITO R. PASCULLIS, AGENT
 SC 165
 SUBDIVISION: SANDFIELD POINT
 TOWN OF MEGGETT
 CHARLESTON COUNTY
 TMS #198 00 00 002
 WATERBODY: WARING CREEK

OCRM DOCK

- PRIVATE RECREATIONAL DOCK - LOT 5
- PRIVATE RECREATIONAL DOCK - LOT 6
- PRIVATE RECREATIONAL DOCK - LOT 7

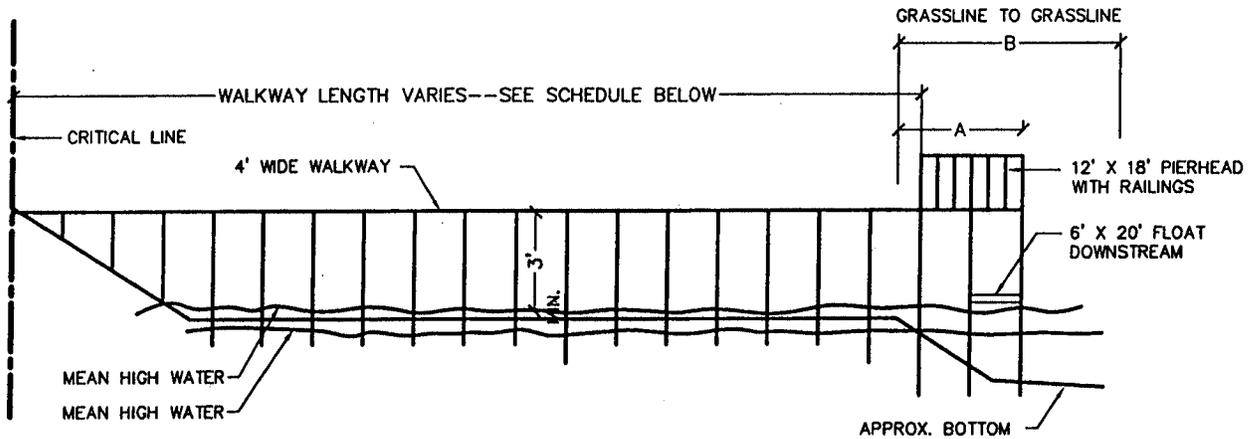
SCALE: 1" = 200'



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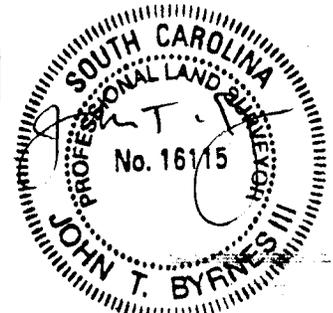
**DOCKS FOR LOTS 5, 6, AND 7 AT
WARING CREEK**

<u>WALKWAY LENGTHS</u>	<u>DIMENSION 'A'</u>		<u>DIMENSION 'B'</u>	
WALKWAY AT LOT 5: 856'	AT LOT 5 DOCK:	18.6'	AT LOT 5 DOCK:	111.4'
WALKWAY AT LOT 6: 768'	AT LOT 6 DOCK:	18.8'	AT LOT 6 DOCK:	129.6'
WALKWAY AT LOT 7: 478'	AT LOT 7 DOCK:	17.2'	AT LOT 7 DOCK:	128'

**APPLICANT: WITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #150 00 00 002
WATERBODY: WARING CREEK**

**PRIVATE RECREATIONAL DOCK - LOT 5
PRIVATE RECREATIONAL DOCK - LOT 6
PRIVATE RECREATIONAL DOCK - LOT 7**

NOT TO SCALE

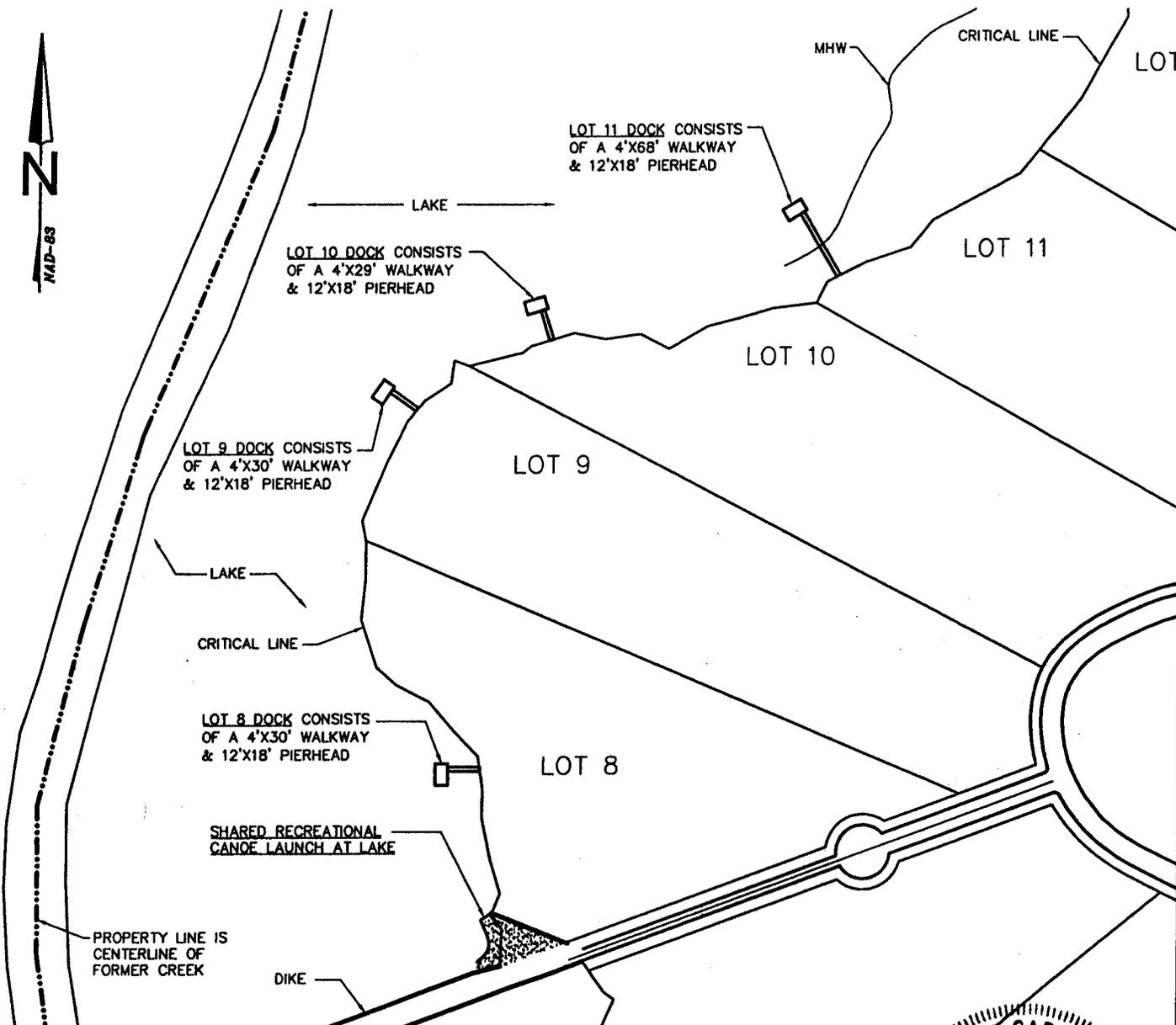


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OCRM DOCK

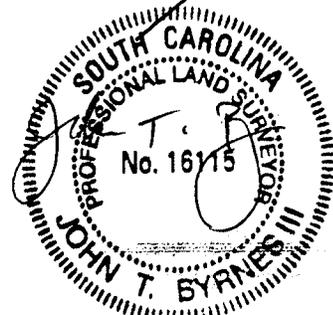
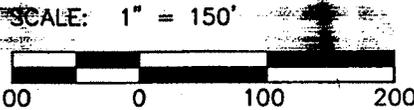
**"Sandfield Point"- Pascullis et al
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**APPLICANT: WITO R. PASCULLIS, AGENT
SC 185
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #159 00 00 002
WATERBODY: FLOUNDER LAKE**

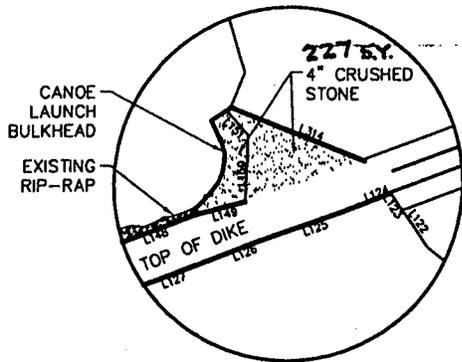
**SHARED REC. BOAT LAUNCH
PRIVATE REC. CRABDOCK AT LOT 8
PRIVATE REC. CRABDOCK AT LOT 9
PRIVATE REC. CRABDOCK AT LOT 10
PRIVATE REC. CRABDOCK AT LOT 11**



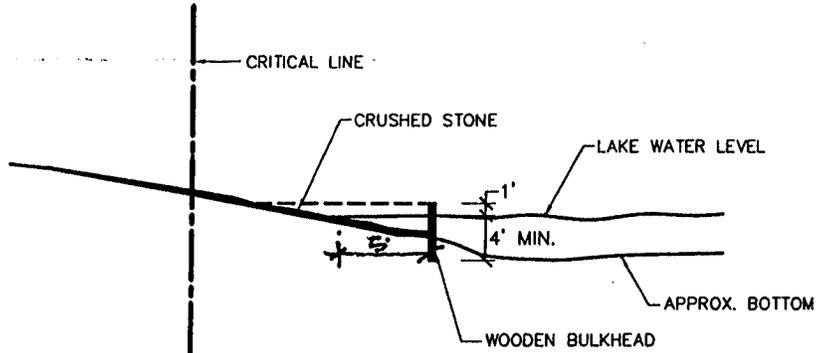
REVISED 21 JULY 2008

OCRIM DOCK

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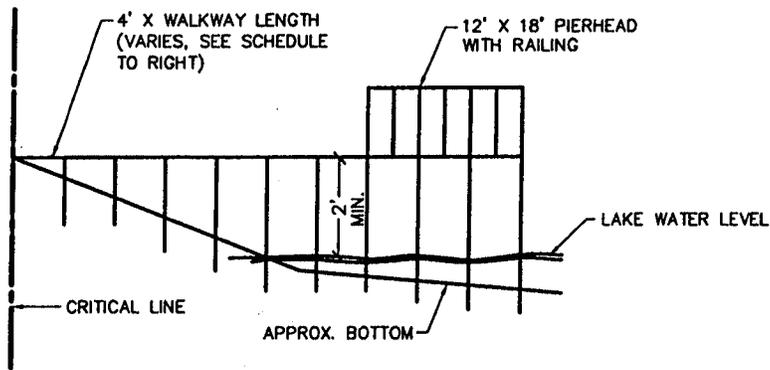


PLAN



SECTION

SHARED RECREATIONAL CANOE LAUNCH AT LAKE



WALKWAY LENGTH	
WALKWAY AT LOT 8:	30'
WALKWAY AT LOT 9:	30'
WALKWAY AT LOT 10:	29'
WALKWAY AT LOT 11:	68'

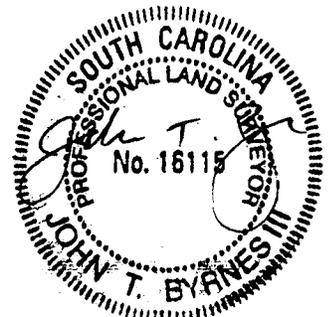
PRIVATE RECREATIONAL CRAB DOCKS AT LAKE
 FOR LOTS 8, 9, 10, AND 11

APPLICANT: VITO R. PASCULLIS, AGENT
 SC 165
 SUBDIVISION: SANDFIELD POINT
 TOWN OF MEGGETT
 CHARLESTON COUNTY
 TMS #150 00 00 002
 WATERBODY: FLOUNDER LAKE

SHARED RECREATIONAL CANOE LAUNCH

PRIVATE RECREATIONAL CRAB DOCKS
 AT LOTS 8, 9, 10 AND 11

NOT TO SCALE

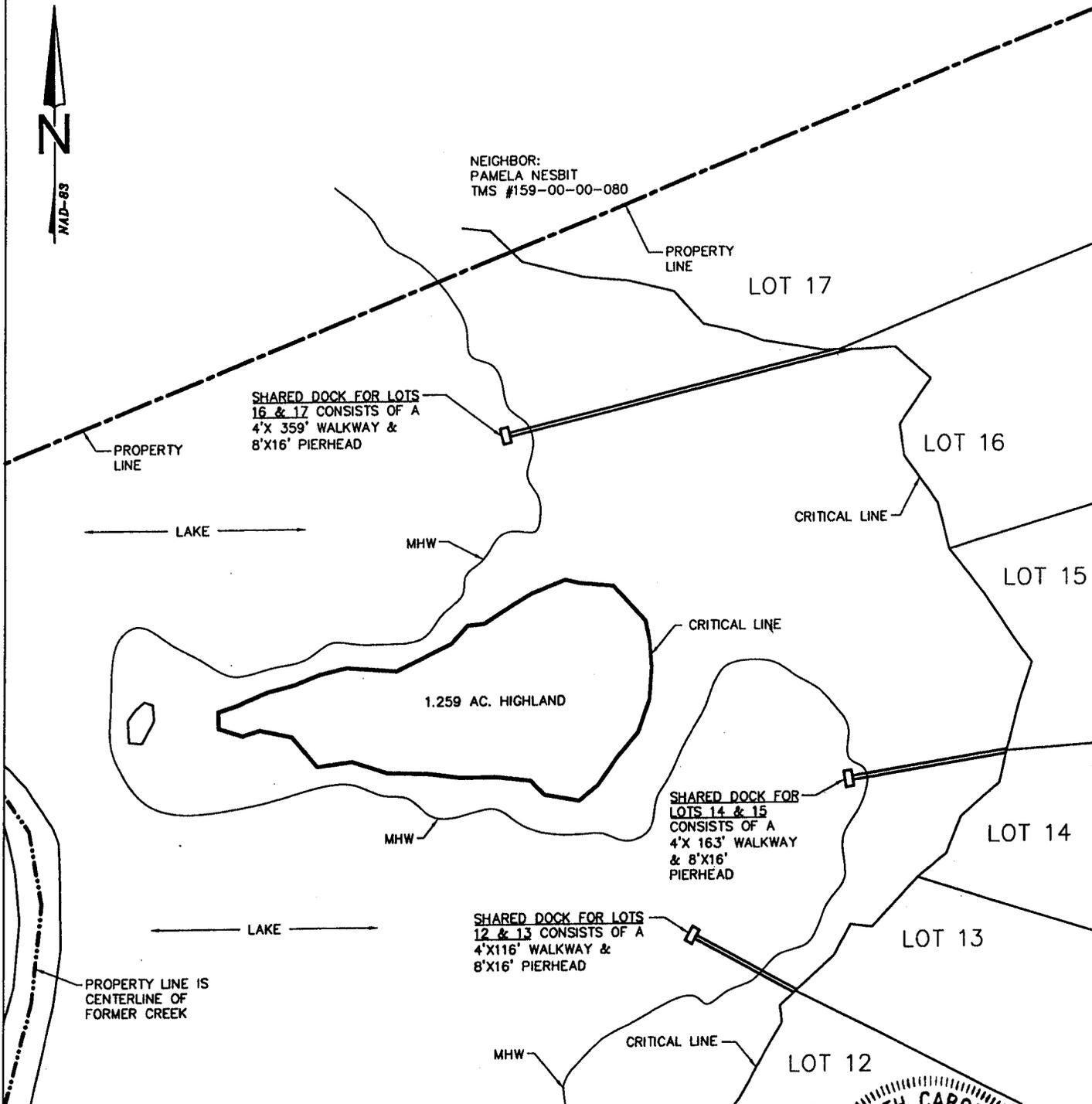


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OCRM DOCK

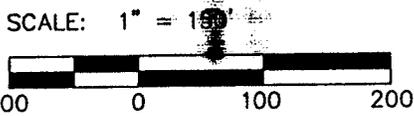
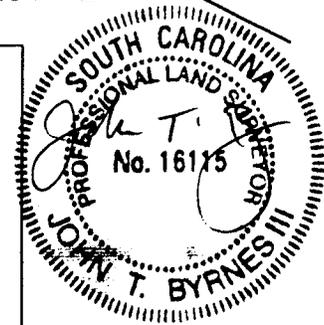
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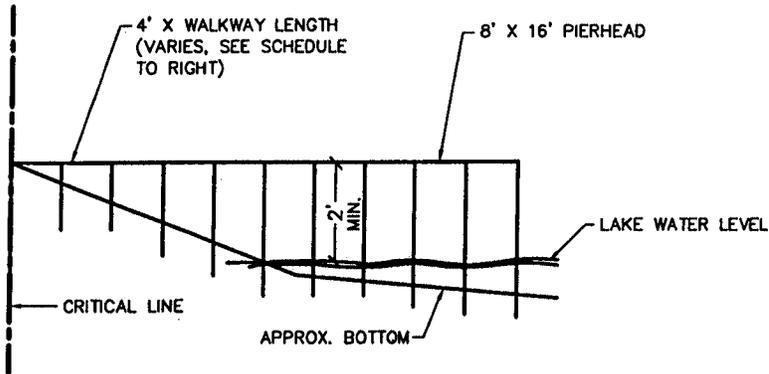
APPLICANT: VITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #159 00 00 002
WATERBODY: FLOUNDER LAKE

PRIVATE RECREATIONAL SHARED CRAB DOCK AT LOTS 12 & 13
PRIVATE RECREATIONAL SHARED CRAB DOCK AT LOTS 14 & 15
PRIVATE RECREATIONAL SHARED CRAB DOCK AT LOTS 16 & 17



OCRM DOCK

REVISED 21 JULY 2008



WALKWAY LENGTH	
WALKWAY AT LOTS 12/13:	116'
WALKWAY AT LOTS 14/15:	163'
WALKWAY AT LOTS 16/17:	359'

PRIVATE SHARED RECREATIONAL CRAB DOCKS
AT LAKE FOR LOTS 12 & 13, LOTS 14 & 15,
AND LOTS 16 & 17

APPLICANT: VITO R. PASCULLIS, AGENT
 SC 185
 SUBDIVISION: SANDFIELD POINT
 TOWN OF MEGGETT
 CHARLESTON COUNTY
 TMS #159 00 00 002
 WATERBODY: FLOUNDER LAKE

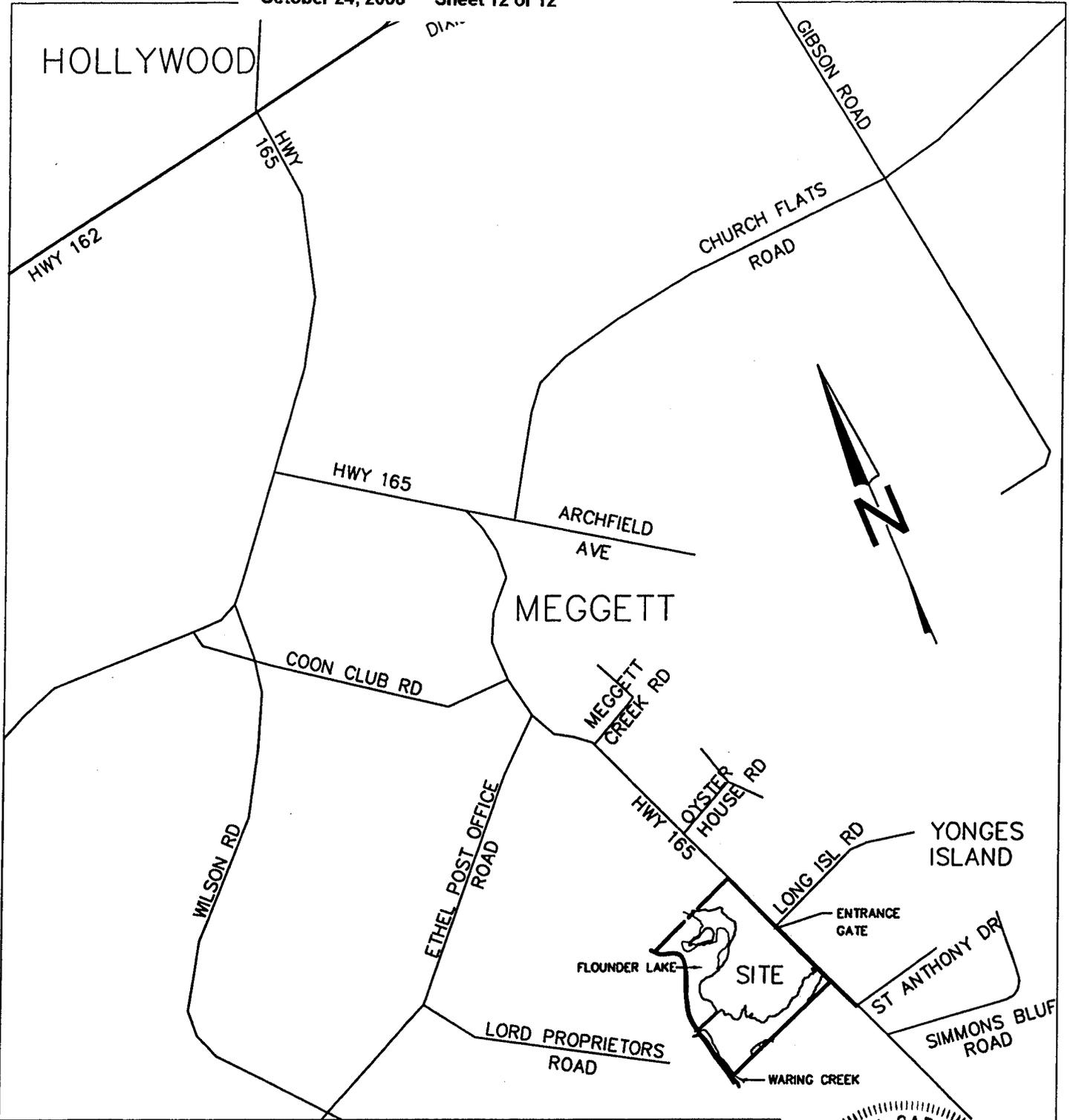
OCRM DOCK

PRIVATE RECREATIONAL SHARED CRAB
 DOCK AT LOTS 12 & 13
 PRIVATE RECREATIONAL SHARED CRAB
 DOCK AT LOTS 14 & 15
 PRIVATE RECREATIONAL SHARED CRAB
 DOCK AT LOTS 16 & 17

NOT TO SCALE



REVISED 21 JULY 2008



APPLICANT: VITO R. PASCULLIS, AGENT
SC 165
SUBDIVISION: SANDFIELD POINT
TOWN OF MEGGETT
CHARLESTON COUNTY
TMS #150 00 00 002
WATERBODIES: WARING CREEK &
FLOUNDER LAKE

LOCATION PLAN
NOT TO SCALE

