

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 #2004-1L-226

16 JULY 2004

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 S. C. Department of Health and Environmental Control by

PEGGY P. WHEELER
334 MYRTLE AVENUE
PAWLEYS ISLAND, SC 29585

for a permit to construct a dock in

WINYAH BAY

at a location on Helena Street approximately 0.4 miles east from the intersection with South Island Road, Georgetown, Georgetown County, South Carolina, (Latitude – 33.32252 N; Longitude – 79.29150 W)

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 16 AUGUST 2004,

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

The proposed work consists of construction of a 4' x 297' walkway leading to a 15' x 20' fixed pierhead with a 4' x 16' ramp extending to a 15' x 20' floating dock. The purpose is for the private recreational use of the future property owner.

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 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 0.04 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).

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

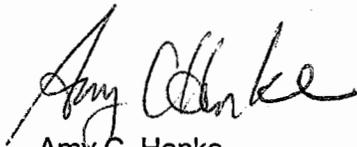
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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.

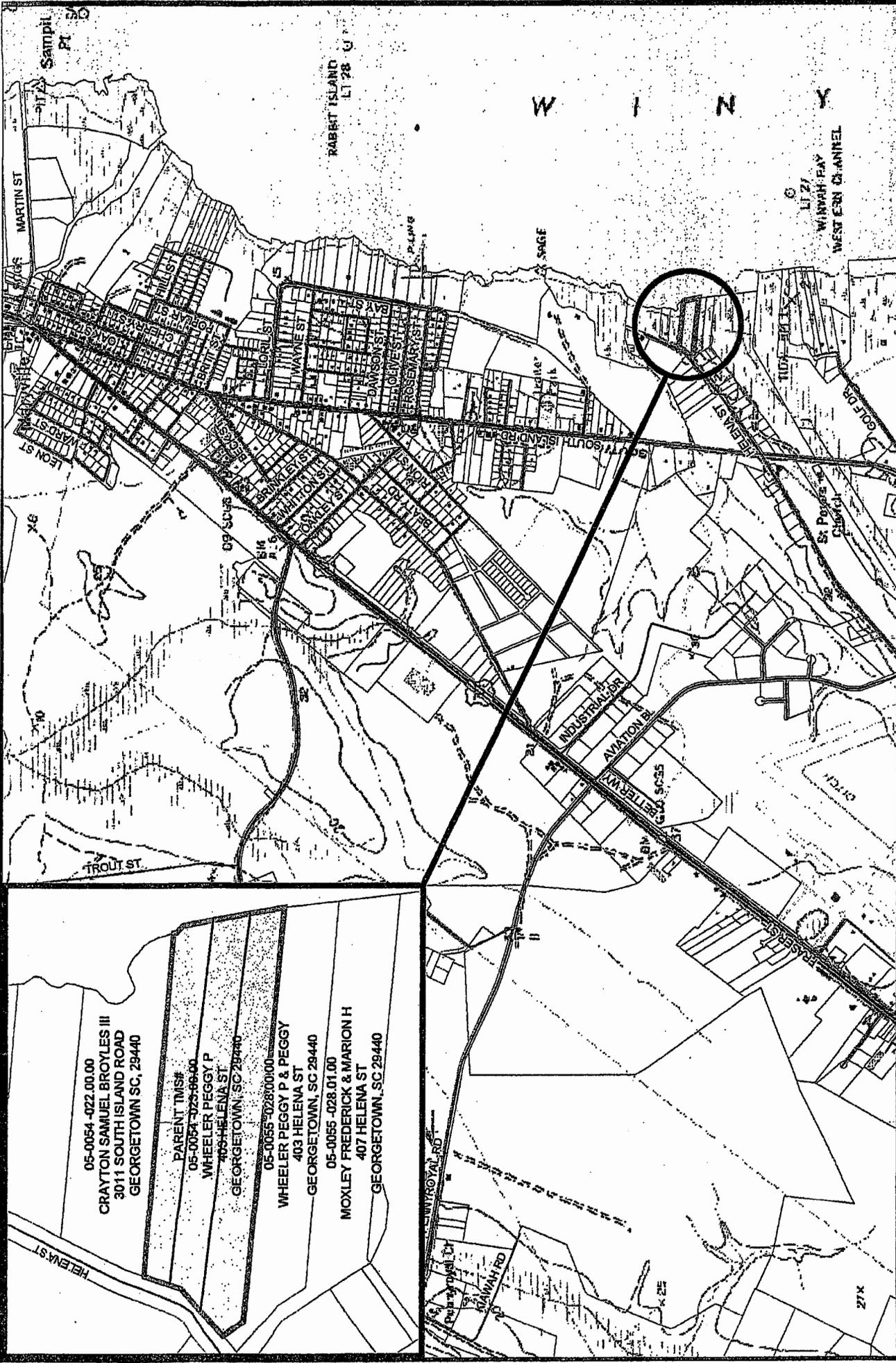
16 JULY 2004

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



Amy C. Henke
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



SITE / VICINITY MAP

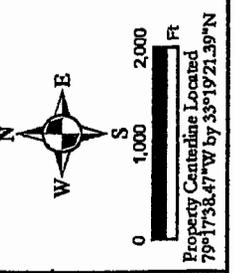
Date: 3/10/04 Scale 1" = 2000'

Application#

Sheet 1 of 4

Legend

- Parcel Data
- Site
- 2000 Centerline Data



HELENA ST

05-0054-022.00.00
CRAYTON SAMUEL BROYLES III
 3011 SOUTH ISLAND ROAD
 GEORGETOWN SC, 29440

PARENT TMS#
 05-0054-023.86.00
WHEELER PEGGY P
 405 HELENA ST
 GEORGETOWN, SC 29440

05-0055-028.00.00
WHEELER PEGGY P & PEGGY
 403 HELENA ST
 GEORGETOWN, SC 29440

05-0055-028.01.00
MOXLEY FREDERICK & MARION H
 407 HELENA ST
 GEORGETOWN, SC 29440

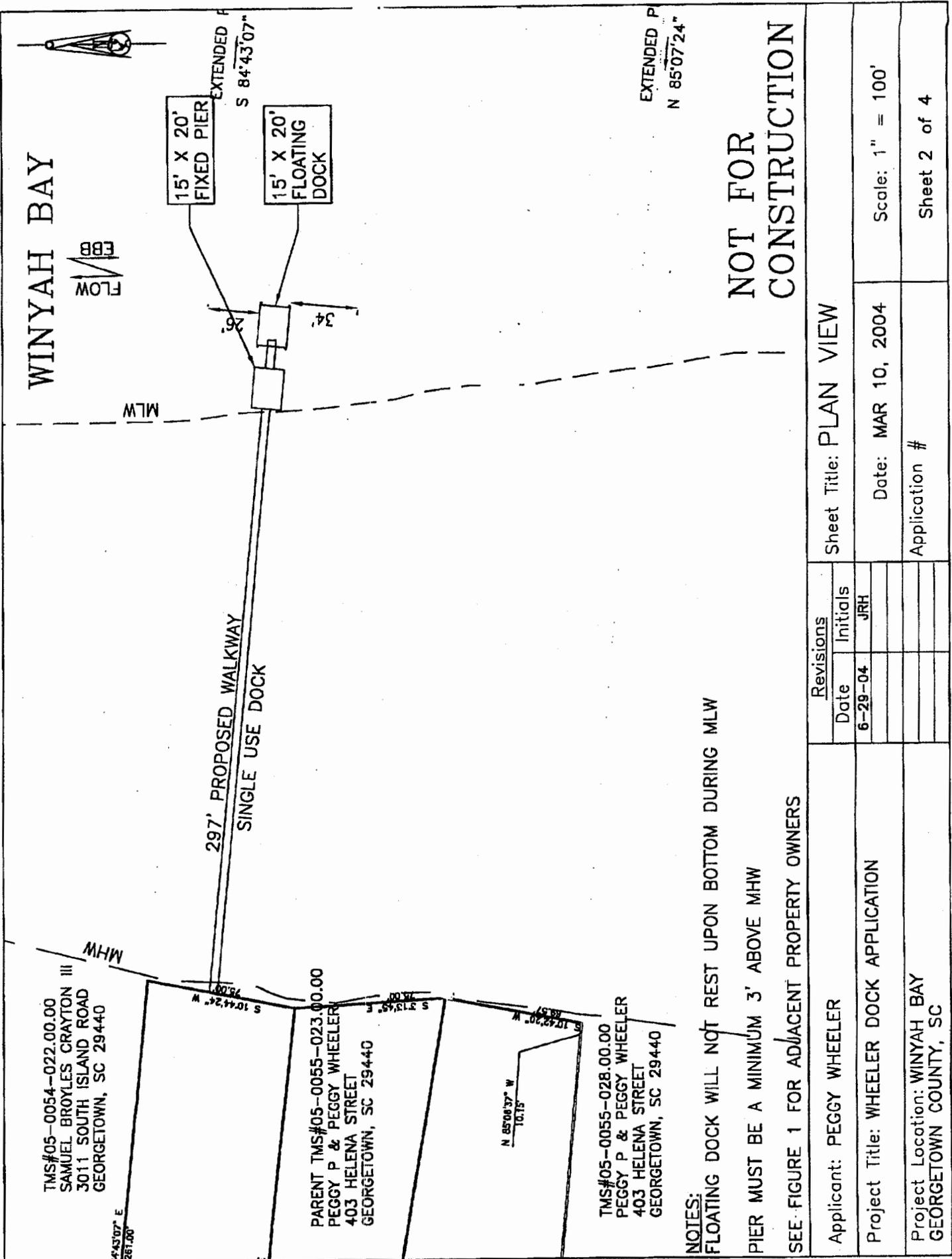
WINDYHAY RD

271X

Applicant: Peggy Wheeler

Project Title: Wheeler Dock Application

Project Location: Windyhay Bay
 Georgetown County, SC
 Georgetown South Quad

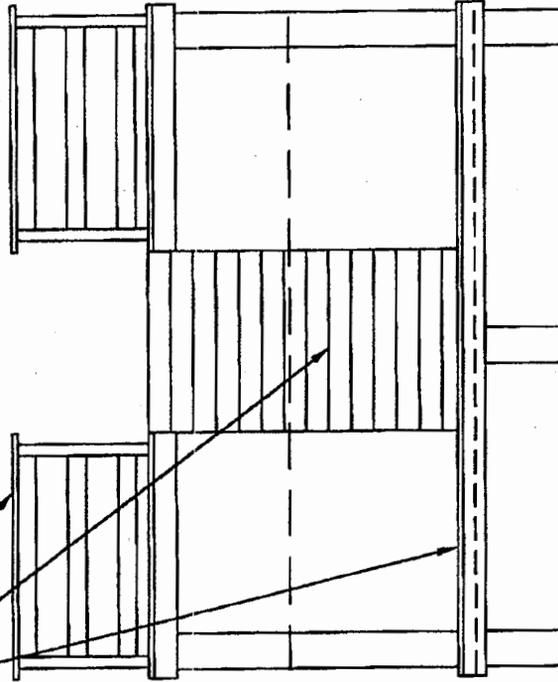


NOT FOR CONSTRUCTION

NOTES:
 FLOATING DOCK WILL NOT REST UPON BOTTOM DURING MLW
 PIER MUST BE A MINIMUM 3' ABOVE MHW
 SEE FIGURE 1 FOR ADJACENT PROPERTY OWNERS

Applicant: PEGGY WHEELER		Sheet Title: PLAN VIEW	
Project Title: WHEELER DOCK APPLICATION		Date: MAR 10, 2004	Scale: 1" = 100'
Project Location: WINYAH BAY GEORGETOWN COUNTY, SC		Application #	Sheet 2 of 4
Revisions			
Date	Initials		
6-29-04	JRH		

PROPOSED 15' X 20' FIXED PIER
 PROPOSED 4' X 16' RAMP
 PROPOSED 15' X 20' FLOATING DOCK



MHW(+4.13')

MLW(0.00')

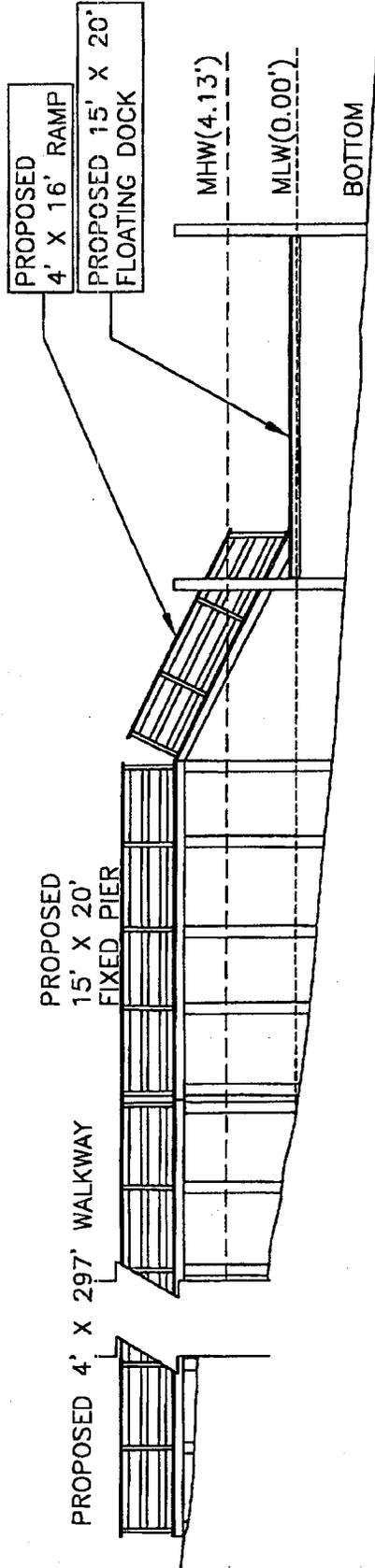
BOTTOM(-2.00')

NOTES:
 FLOATING DOCK WILL NOT REST
 UPON BOTTOM DURING MLW
 PIER MUST BE A MINIMUM 3'
 ABOVE MHW

NOT FOR
 CONSTRUCTION

Applicant: PEGGY WHEELER	Revisions		Sheet Title: FRONT ELEVATION	
	Date	Initials	Date: MAR 10, 2004	Scale: 1" = 4'
Project Title: WHEELER DOCK APPLICATION			Application #	Sheet 3 of 4
Project Location: WINYAH BAY GEORGETOWN COUNTY, SC				

7500' TO EDGE
OF MARSHGRASS



NOTES:
 FLOATING DOCK WILL NOT REST
 UPON BOTTOM DURING MLW
 PIER MUST BE A MINIMUM 3'
 ABOVE MHW

NOT FOR
 CONSTRUCTION

Applicant: PEGGY WHEELER	Revisions		Sheet Title: SIDE ELEVATIONS	
	Date	Initials	Date	Scale: 1" = 10'
Project Title: WHEELER DOCK APPLICATION	6-29-04	JRH	Date: MAR 10, 2004	Application #
Project Location: WINYAH BAY GEOGETOWN COUNTY, SC				Sheet 4 of 4

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CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
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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 #2004-1E-227-P

16 July 2004

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

JEFFREY D. EFIRD
160 KIMBERLY AVENUE
ASHEVILLE, NORTH CAROLINA 28804

for a permit to construct a pier, floating dock, and boat lift in

JEREMY CREEK

at Lot #7, Pinckney Street, McClellanville, Charleston County, South Carolina.
(Latitude – 33.07909, Longitude – 79.45998)

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, 2 AUGUST 2004

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

The proposed work consists of constructing a timber pier with a 12' x 26' covered fixed pierhead attached to highland by a 4' x 64' walkway. In addition, the applicant proposes to install a 10' x 36' floating dock in front of the fixed pierhead and attached to the fixed pierhead by a 3' x 20' ramp. A 16' x 17' four-pile boat lift is to be installed between the fixed pierhead and floating dock and attached to the fixed pierhead by a 3' x 16' catwalk. It is understood that this work will be conducted on/or adjacent to an area subject to a prism and/or disposal easement held by the United States in perpetuity in conjunction with a Congressionally authorized project for the maintenance and improvement of Jeremy Creek. Should a permit be issued, appropriate provisions will be included to ensure the interests of the Federal Government are understood. The purpose of this work is for the applicant's private recreational use.

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

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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 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.

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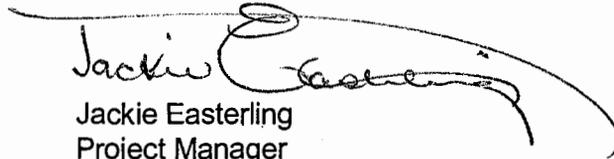
Refer to: P/N #2004-1E-227-P

Jeffrey D. Efirm

to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

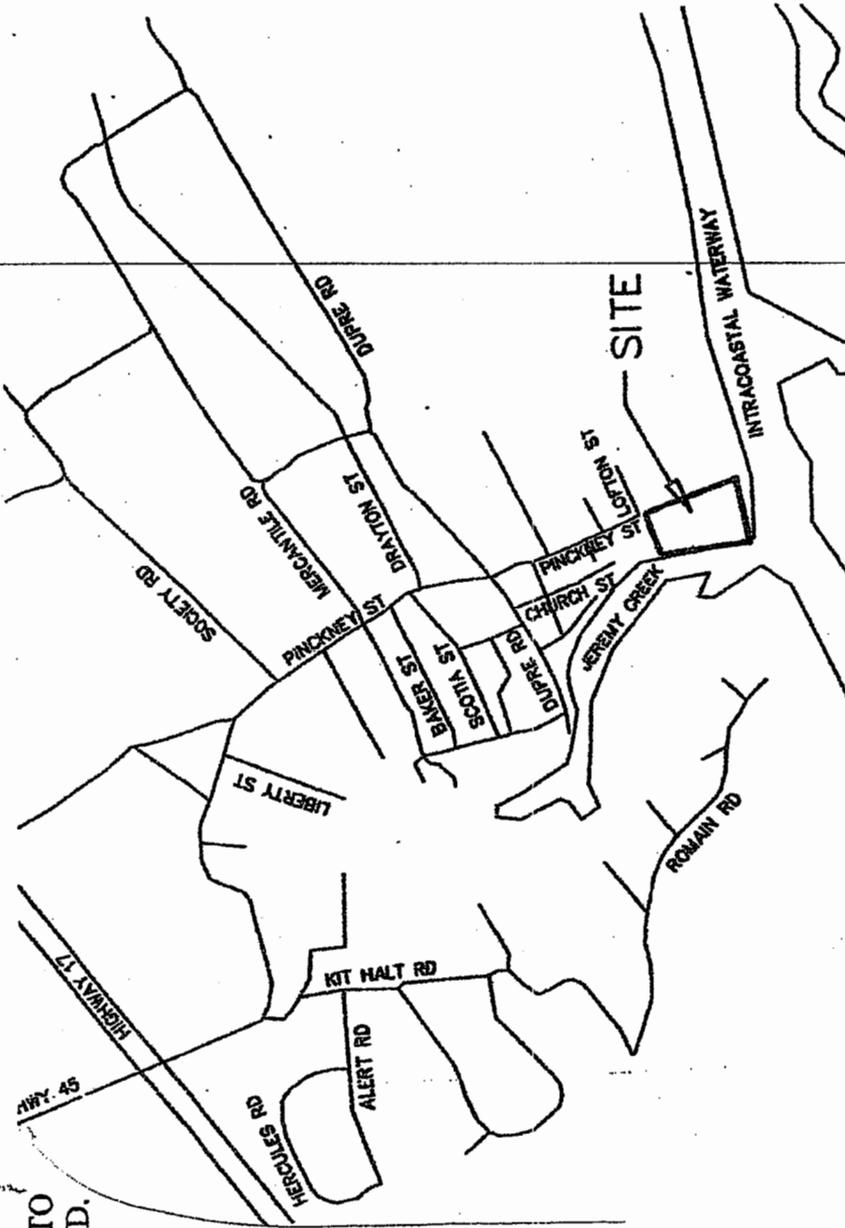
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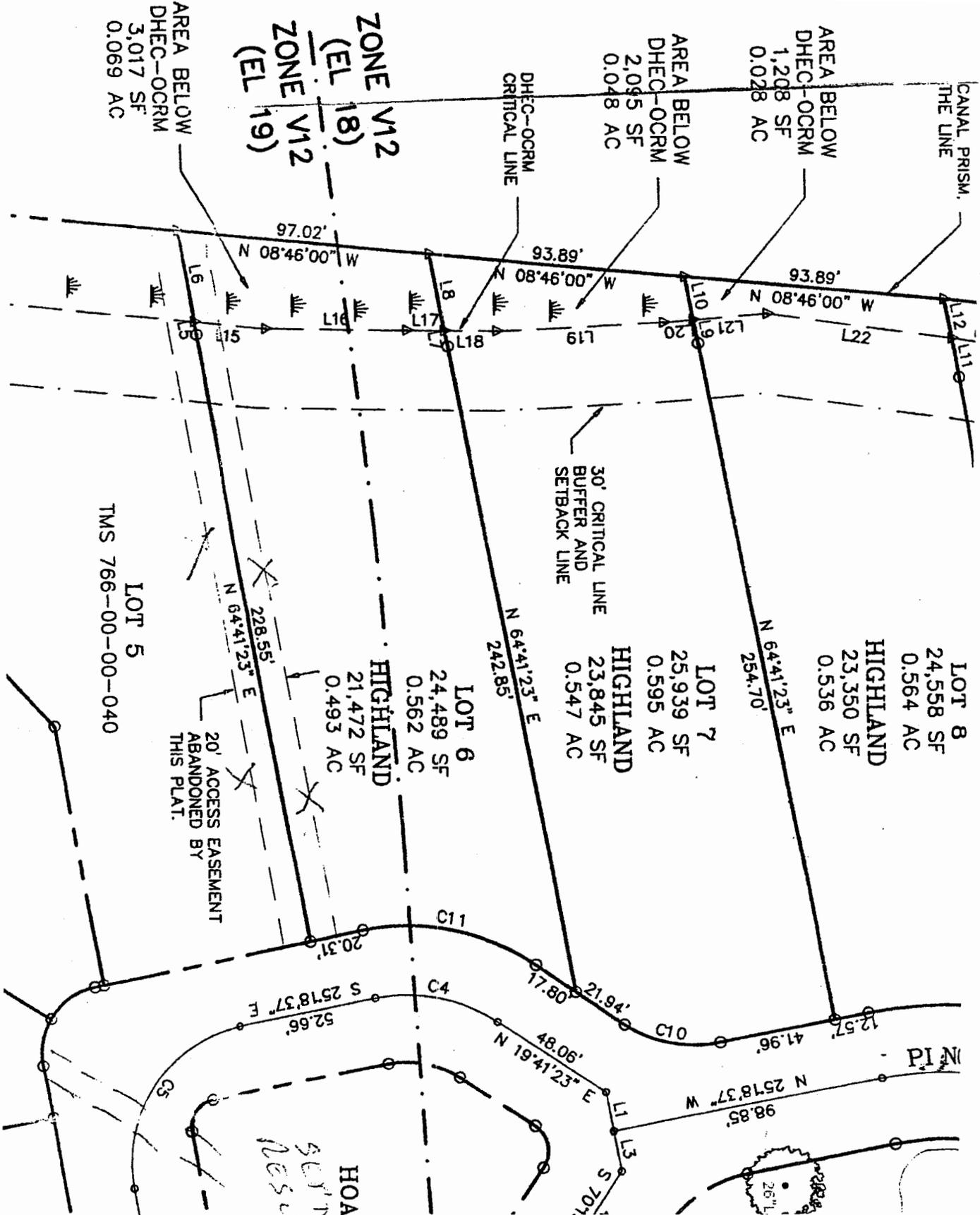
A handwritten signature in black ink, appearing to read "Jackie Easterling", with a long, sweeping horizontal line extending to the right across the top of the signature.

Jackie Easterling
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

FOLLOW HWY 17N TO CAUTION LIGHT
 IN MCCLELLANVILLE. TURN RIGHT ONTO
 PINCKNEY STREET AND FOLLOW TO END.
 SITE IS ON RIGHT

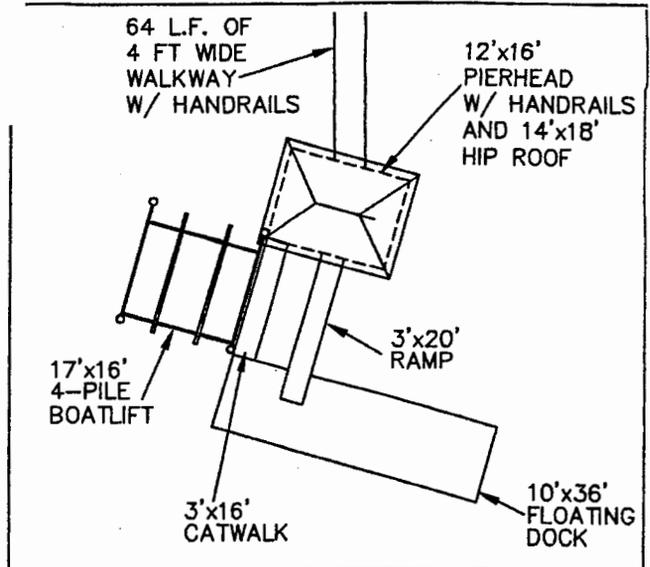


<p>APPLICANT: JEFFREY D. EFIRD</p> <p>ACTIVITY: CONSTRUCT DOCK</p> <p>P/N# 2004-1E-227</p>	<p>LOCATION: LOT 7 PINCKNEY STREET DOCK THE TOWN OF MCCLELLANVILLE TMS# 766-02-00-039</p> <p>COUNTY: CHARLESTON</p> <p>DATE: MAY 25, 2004</p>	<p>ADJACENT PROPERTY OWNERS:</p> <p>1.) LOT 6: PETER WRIGHT</p> <p>2.) LOT 8: PINCKNEY STREET DOCK PARTNERSHIP</p>
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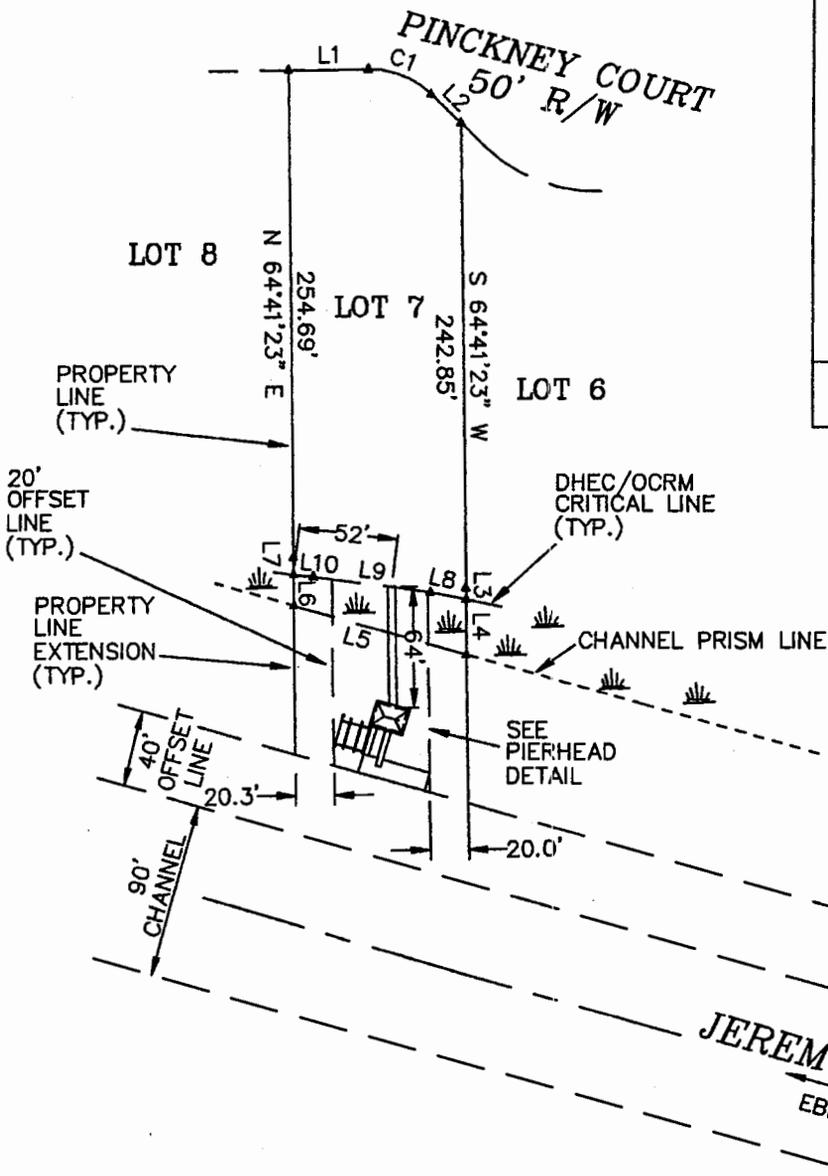
<p> APPLICANT: JEFFREY D. EFIRD ACTIVITY: CONSTRUCT DOCK P/N# 2004-1E-227 </p>	<p> LOCATION: LOT 7 PINCKNEY STREET DOCK, THE TOWN OF McCLELLANVILLE TMS# 766-02-00-039 COUNTY: CHARLESTON DATE: MAY 25, 2004 </p>	<p> ADJACENT PROPERTY OWNERS: 1.) LOT 6: PETER WRIGHT 2.) LOT 8: PINCKNEY STREET DOCK PARTNERSHIP </p>
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NOTE: The controlling dimension for structures on Jeremy Creek is the distance from the waterward end of the structure to the centerline of Jeremy Creek. The controlling dimension for this structure is 85'.



PIERHEAD DETAIL (N.T.S.)

LINE TABLE		
LINE	DIRECTION	DISTANCE
L1	S25°18'37"E	41.96'
L2	S19°41'23"W	21.94'
L3	S64°41'23"W	6.00'
L4	S64°41'23"W	28.91'
L5	N08°46'00"W	93.89'
L6	N64°41'23"E	16.32'
L7	N64°41'23"E	9.00'
L8	N13°09'12"W	18.98'
L9	N16°57'34"W	61.53'
L10	N18°46'22"W	10.64'



CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	BEARING
C1	46.00'	45°00'15"	36.13'	19.06'	35.21'	N02°48'37"W

PROPOSED DOCK
SCALE: 1"=100'

LINDSEY LAND SURVEYING, CO.
160-D MAIN ROAD · JOHNS ISLAND, S.C. ZIP 29465
TELEPHONE (843) 786-3058



APPLICANT:
JEFFREY D. EFIRD
ACTIVITY: CONSTRUCT DOCK
P/N# 2004-1E-227

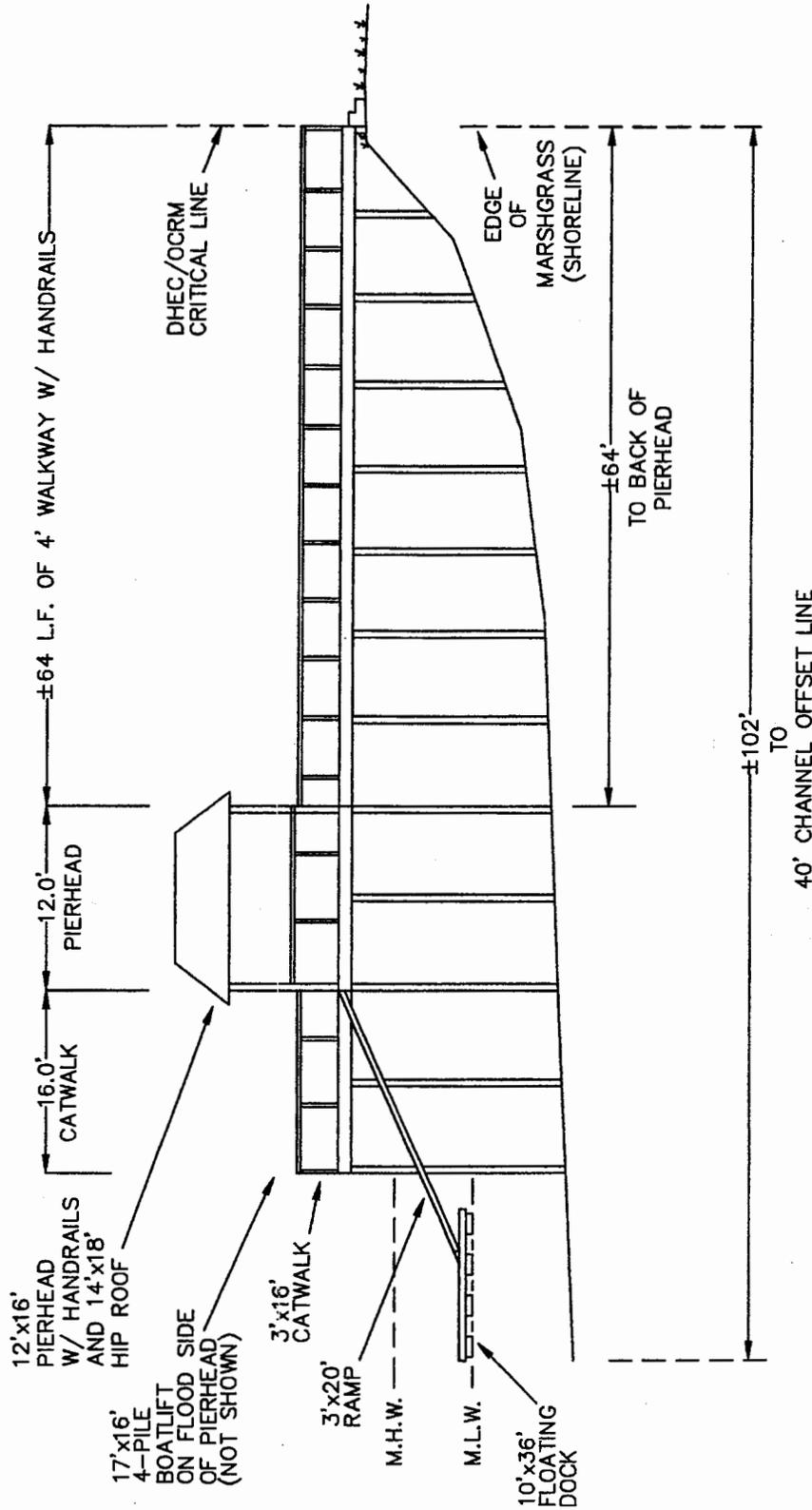
LOCATION: LOT 7
PINCKNEY STREET DOCK
THE TOWN OF McCLELLANVILLE
TMS# 766-02-00-039
COUNTY: CHARLESTON
DATE: MAY 25, 2004

ADJACENT PROPERTY OWNERS:
1.) LOT 6:
PETER WRIGHT
2.) LOT 8:
PINCKNEY STREET
DOCK PARTNERSHIP



LINDSEY LAND SURVEYING, CO.

160-D MAIN ROAD, JOHNS ISLAND, S.C. ZIP 29455
TELEPHONE (843) 766-3058



CROSS SECTION
(Not To Scale)

APPLICANT:
JEFFREY D. EFIRD

ACTIVITY: CONSTRUCT DOCK

P/N# 2004-1E-227

LOCATION: LOT 7
PINCKNEY STREET DOCK
THE TOWN OF McCLELLANVILLE
TMS# 766-02-00-039

COUNTY: CHARLESTON
DATE: MAY 25, 2004

ADJACENT PROPERTY OWNERS:

- 1.) LOT 6:
PETER WRIGHT
- 2.) LOT 8:
PINCKNEY STREET
DOCK PARTNERSHIP