

**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

REGULATORY DIVISION  
Refer to: P/N #2004-1R-300

8 October 2004

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344), an application has been submitted to the Department of the Army by

**RIPLEY COVE , LLC  
C/O NEWKIRK ENVIRONMENTAL, INC.  
PO BOX 746  
MT. PLEASANT, SC 29465**

for a permit to place fill material in an existing drainage easement ditch of

**RIPLEY COVE AT RIPLEY LIGHT MARINA**

located at the southwest end of the basin, adjacent to Ashley Pointe Drive, off of the SC Highway 61 connector, west of the Ashley River, Charleston County, South Carolina. (Latitude: 32.77611°, Longitude: 79.96472°) Please contact Bob Riggs of Newkirk Environmental, Inc. at (843) 388-6585 for any site access questions.

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, 8 NOVEMBER 2004**

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

The proposed work consists of placing 192 cubic yards of fill material (dirt or topsoil), seven cubic yards of stone, and 225 linear feet of 30-inch reinforced concrete pipe (RCP) in a jurisdictional drainage easement ditch (tidal wetlands). The area of impact is approximately 1,820 square feet. A stone check dam will be constructed at the eastern end of the tidal ditch prior to installing the RCP and backfill. After filling the tidal ditch, the stone check dam material will be spread to act as a splash apron at the discharge point. Also, a new pedestrian bridge will be constructed to replace the existing structure. According to the applicant, the basic purpose of the proposed project is to allow for construction to provide vehicular access. The overall purpose of the proposed project is to provide adequate area for access to the site to accommodate and facilitate economically viable development.

The applicant proposes as mitigation for the 1,820 sq. ft. of impact to establish proper grade and elevations on a 3,600 sq. ft. area. This area will be planted with Spartina alterniflora on approximate two (2) foot centers over the entire 3,600 sq. ft. area. The mitigation location is identified on the attached drawings.

This project was previously advertised as Ripley Light Development, LLC PN #2001-1H-354-P. A Critical Area Permit dated November 27, 2001 was issued by the SC Department of Health and Environmental Control/Office of Ocean and Coastal Resource Management. The property has changed ownership, and the proposed project is slightly different from the previous application, therefore this project is being re-advertised.

**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**

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 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.

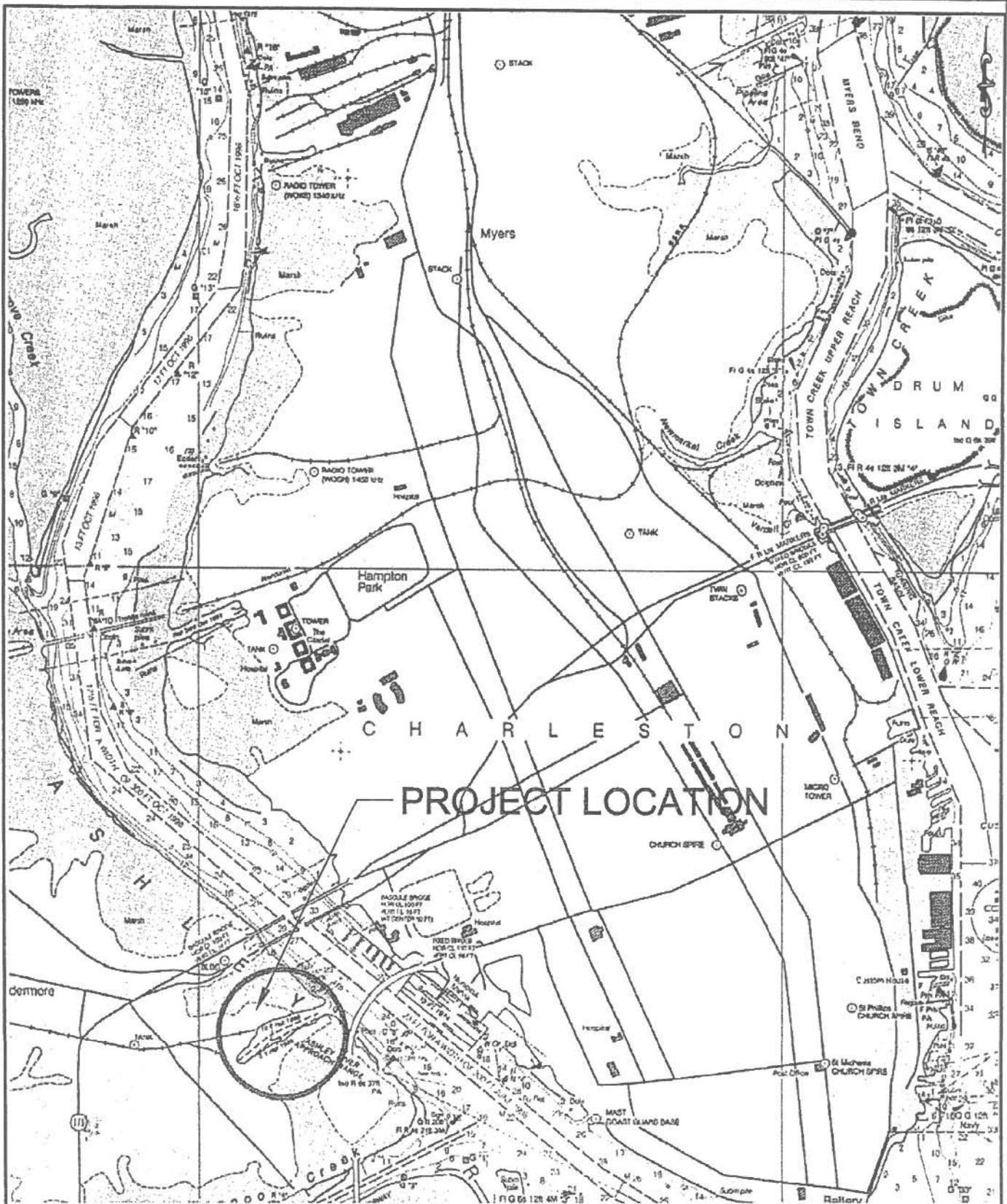
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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 me at 843-329-8167 or toll free at 1-866-329-8187.



*for* Robin Coller-Socha  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



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**NOT TO SCALE**

148 RIVER STREET, SUITE 220  
GREENVILLE, SOUTH CAROLINA 29601  
PHONE 864-421-9999  
www.fletchergroup.com

DRAWN BY: J. COLEMAN DATE: 06-24-2004  
PROJECT MANAGER: J. BARRON  
LAYOUT: 85x11 SHT-1 SITE LOC

**DRAWING 1 - SITE LOCATION MAP**  
for: **RIPLEY COVE at RIPLEY LIGHT MARINA**  
**CHARLESTON, SOUTH CAROLINA**

owner: **RIPLEY COVE, LLC.**

**P.O. BOX 676**  
**DUBLIN, GEORGIA 31040**

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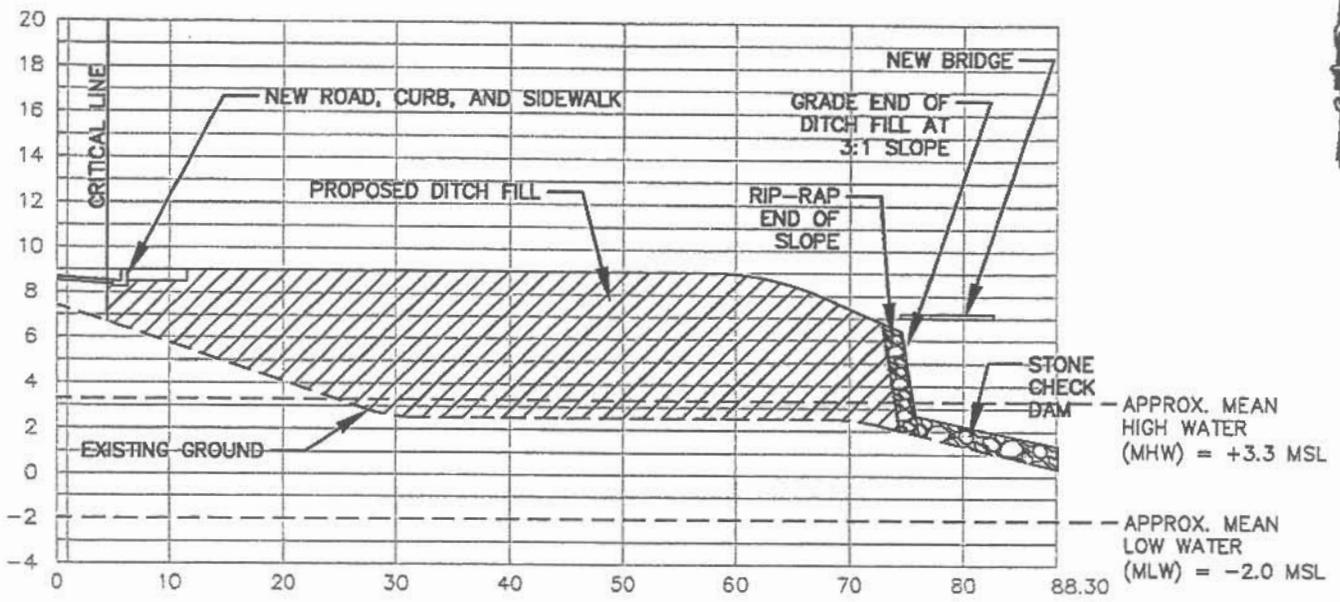
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PHONE 864-421-9999  
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DRAWN BY: J. COLEMAN DATE: 06-24-2004  
PROJECT MANAGER: J. BARRON  
LAYOUT: 65x11 6/11-2 SITE AREA

**DRAWING 2 - SITE AREA**  
**for: RIPLEY COVE at RIPLEY LIGHT MARINA**  
**CHARLESTON, SOUTH CAROLINA**  
**owner: RIPLEY COVE, LLC.**  
**P.O. BOX 676**  
**DUBLIN, GEORGIA 31040**

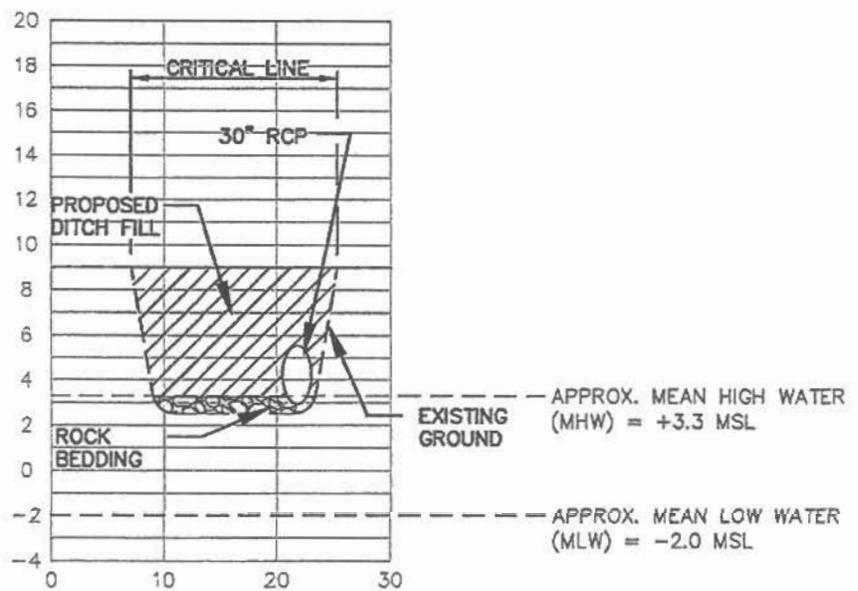
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**STORM DITCH SECTION A-A**

SCALE: 1" = 16' HORIZONTAL  
1" = 8' VERTICAL



**STORM DITCH SECTION B-B**

SCALE: 1" = 16' HORIZONTAL  
1" = 8' VERTICAL

REV. 9-28-2004 - CORRECTED MLW AND MHW ELEVATIONS  
REV. 9-23-2004 - ADDED MLW AND MHW ELEVATIONS



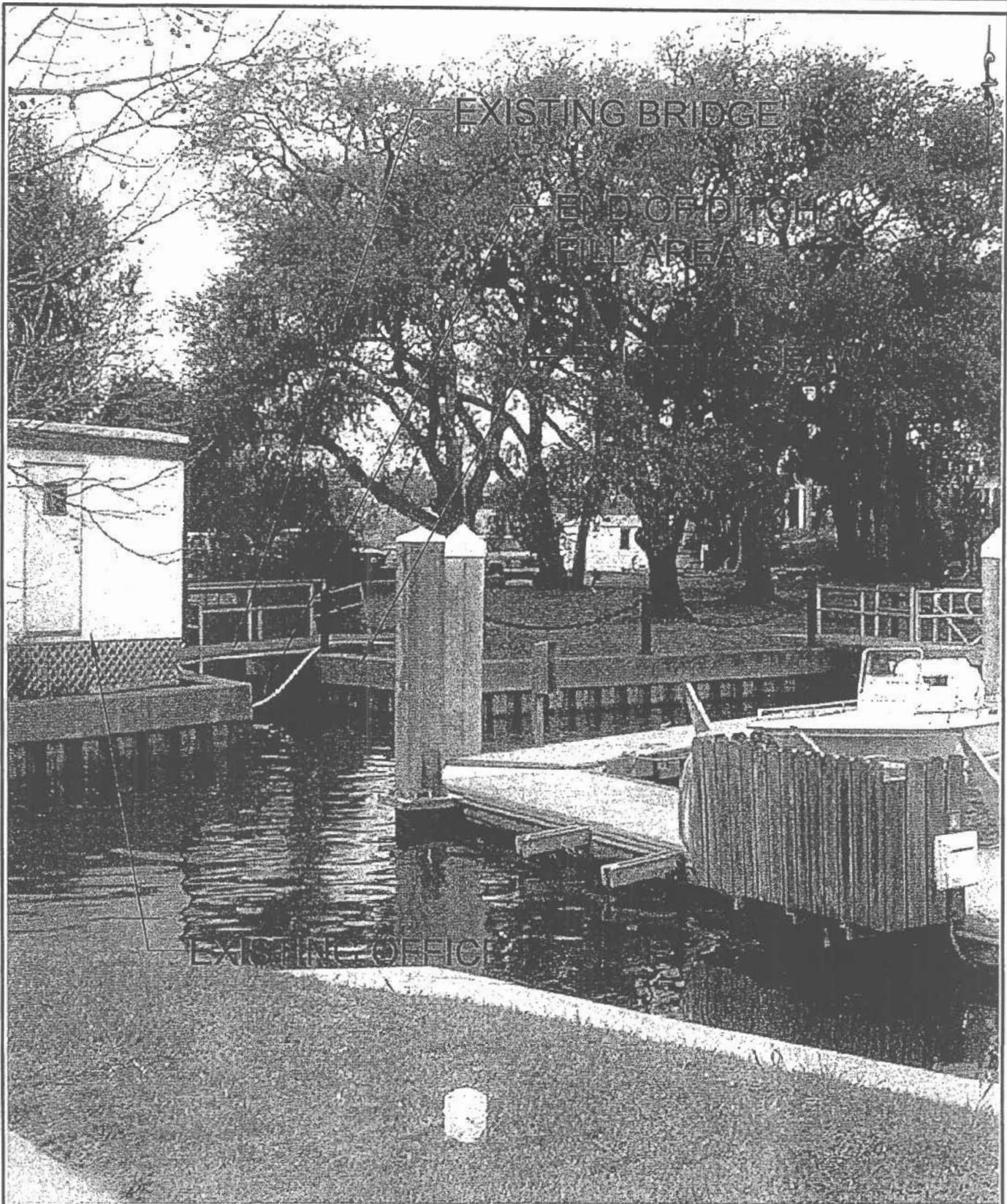
GRAPHIC SCALE  
8 0 8 16  
IN FEET

148 RIVER STREET, SUITE 220  
GREENVILLE, SOUTH CAROLINA 29601  
PHONE 864-421-9999  
www.fletchergroup.com

DRAWN BY: J. COLEMAN DATE: 06-24-2004  
PROJECT MANAGER: J. BARRON  
LAYOUT: 85x11 SHT-4 SECTIONS A-A AND B-B

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**DRAWING 4 - SECTIONS A-A AND B-B**  
for: **RIPLEY COVE at RIPLEY LIGHT MARINA**  
**CHARLESTON, SOUTH CAROLINA**  
owner: **RIPLEY COVE, LLC.**  
**P.O. BOX 676**  
**DUBLIN, GEORGIA 31040**



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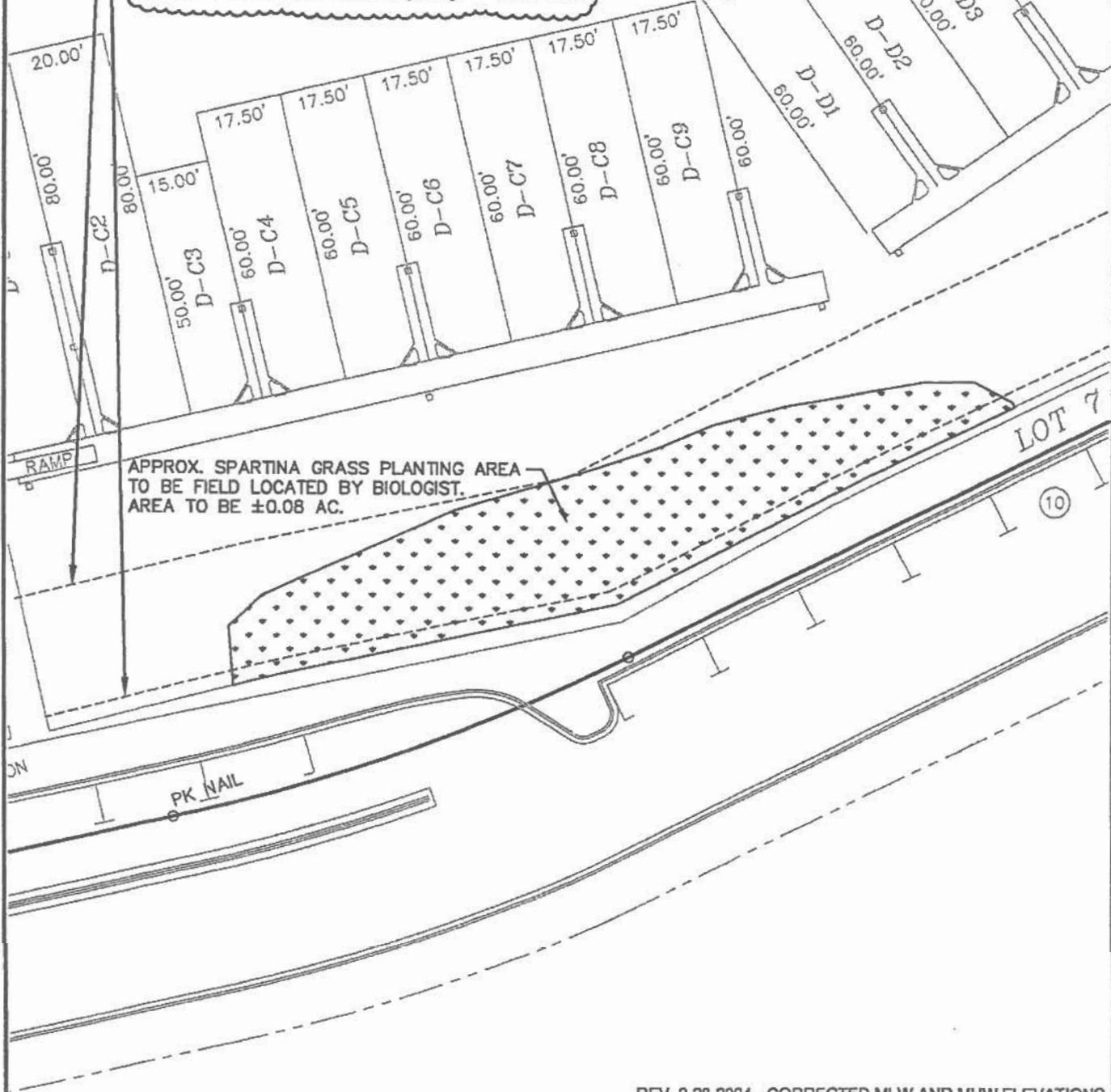
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 PHONE 864-421-9999  
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DRAWN BY: J. COLEMAN      DATE: 06-24-2004  
 PROJECT MANAGER: J. BARRON  
 LAYOUT: 85x11 6HT-6 AREA PHOTO

**DRAWING 5 - AREA PHOTO**  
 for: **RIPLEY COVE** at **RIPLEY LIGHT MARINA**  
**CHARLESTON, SOUTH CAROLINA**  
 owner: **RIPLEY COVE, LLC.**  
**P.O. BOX 676**  
**DUBLIN, GEORGIA 31040**

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APPROX. MEAN LOW WATER (MLW) = -2.0 MSL  
 APPROX. MEAN HIGH WATER (MHW) = +3.3 MSL



APPROX. SPARTINA GRASS PLANTING AREA  
 TO BE FIELD LOCATED BY BIOLOGIST.  
 AREA TO BE ±0.08 AC.

REV. 9-28-2004 - CORRECTED MLW AND MHW ELEVATIONS  
 REV. 9-23-2004 - ADDED MLW AND MHW ELEVATIONS



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GRAPHIC SCALE  
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 IN FEET

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DRAWN BY: J. COLEMAN DATE: 06-24-2004  
 PROJECT MANAGER: J. BARRON  
 LAYOUT: 65x11 6HT-3 DITCH FILL PLAN

**DRAWING 6 - MITIGATION PLAN**  
 for: **RIPLEY COVE at RIPLEY LIGHT MARINA**  
**CHARLESTON, SOUTH CAROLINA**  
 owner: **RIPLEY COVE, LLC.**  
**P.O. BOX 676**  
**DUBLIN, GEORGIA 31040**

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