

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 # 2012-00676-1T

27 November 2012

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

MICHAEL LOFTUS
C/O SLIGH ENVIRONMENTAL CONSULTANTS, INC.
BRANDON WALL
31 PARK OF COMMERCE WAY, SUITE 200B
SAVANNAH, GEORGIA 31405

for a permit to expand and existing private recreation dock on the

COOPER RIVER (AIWW)

at Lot 4 Carvin Road on Daufuskie Island in Beaufort County, South Carolina (32.134475 Latitude / -80.869262 Longitude).

NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

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

The proposed work consists of adding a new 10' X 25' floating dock to an existing private single family recreational dock. The existing dock consists of a 4' X 221' fixed walkway with handrails leading to a 16' X 16' covered fixed pierhead with a 2' X 5' sink platform, a catwalk and 13' X 13' four-pile boatlift. An existing 4' X 32' ramp extends channelward from the fixed pierhead to a 12' X 30' floating dock. The new proposed floating dock will be added to the side of the 12' X 30' floating dock. The entire dock structure extends approximately 255' feet into the Cooper River (AIWW). The end of the outermost structure is 145' from the edge of the AIWW channel.

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Please note that a previous Corps permit, 82-3E-161, was issued for the existing dock; however, the existing dock was not constructed per the permitted plans. The proposed project includes the construction of the new 10' X 25' floating dock and the after-the-fact permit modification to 82-3E-161, which is the existing dock as described above.

The purpose of the proposed project is to provide additional mooring space. The applicant attempted to avoid and minimize impacts to the greatest extent possible as the only new activity is the proposed 10' X 25' float. No compensatory mitigation is being proposed.

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 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 approximately 1546 square feet acres estuarine waters 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.

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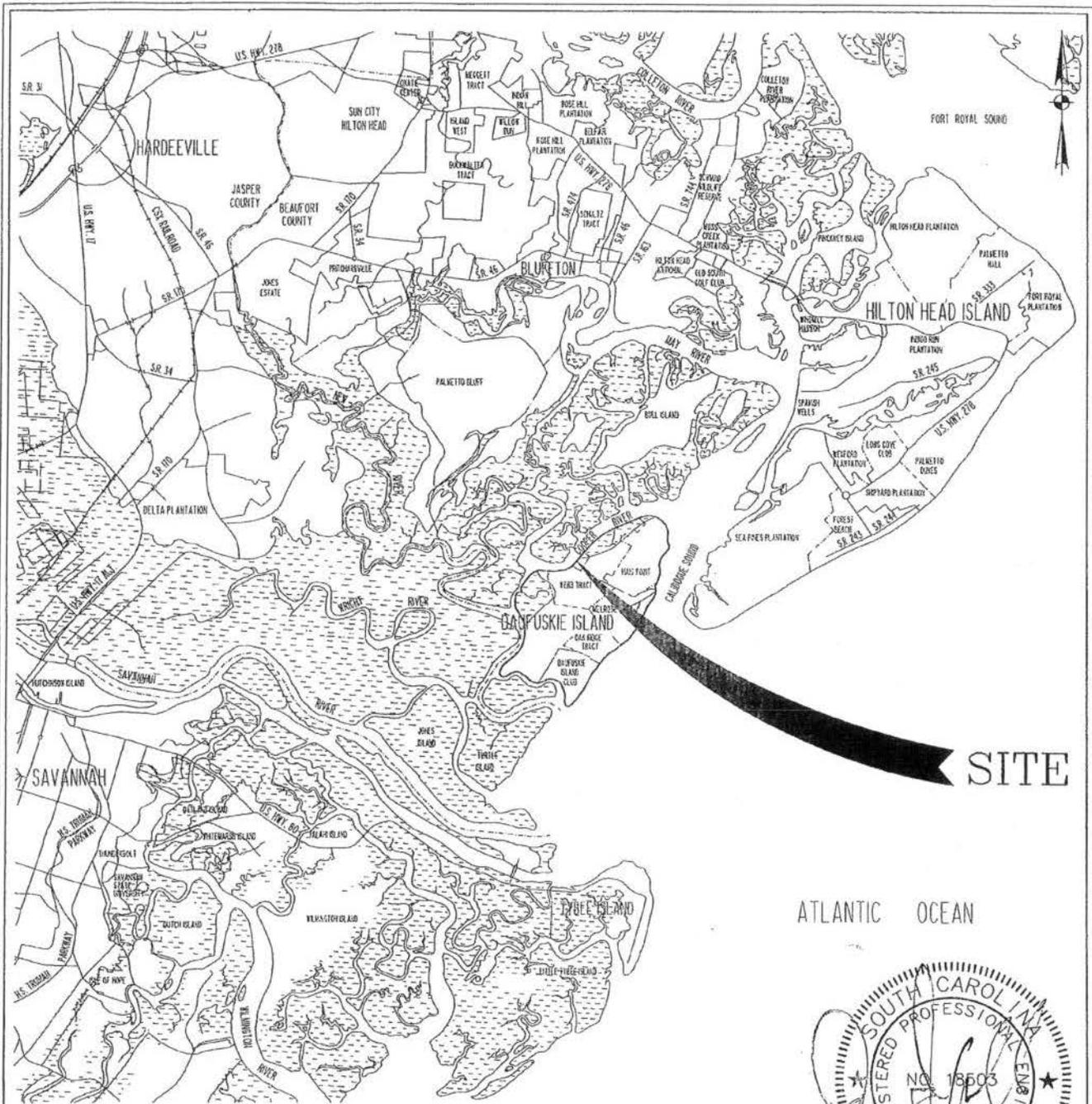
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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 **(Tracy Dotolo Sanders)** at 843-329-8044 or toll free at 1-866-329-8187.



VICINITY MAP
NOT TO SCALE

ATLANTIC OCEAN

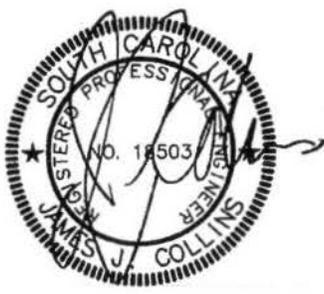
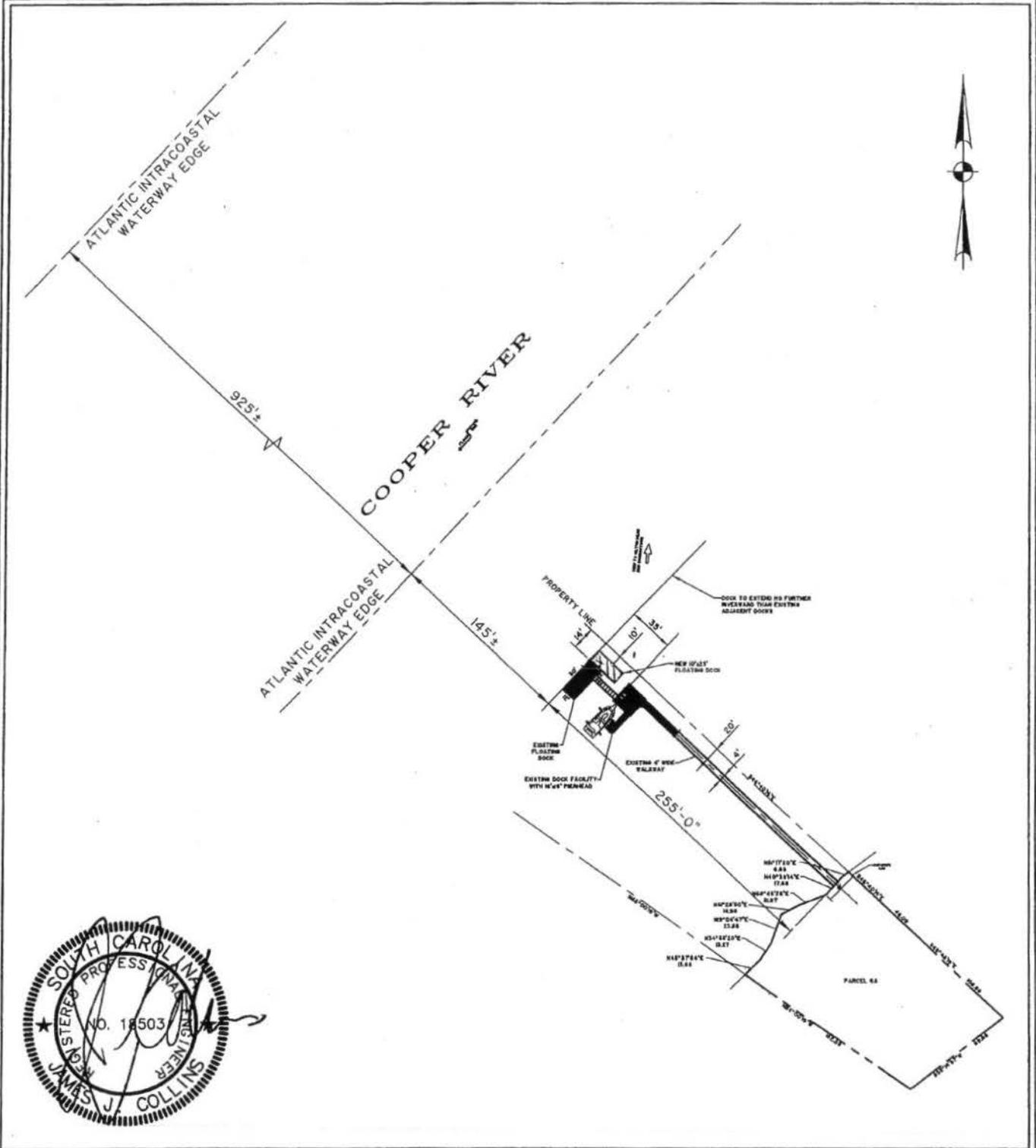


LOFTUS DAUFUSKIE DOCK

Michael Loftus Dock
P/N 2012-00676-1T



THOMAS & HUTTON ENGINEERING CO.
50 PARK OF COMMERCE WAY
POST OFFICE BOX 2727
SAVANNAH, GA. 31402-2727 (912)234-5300



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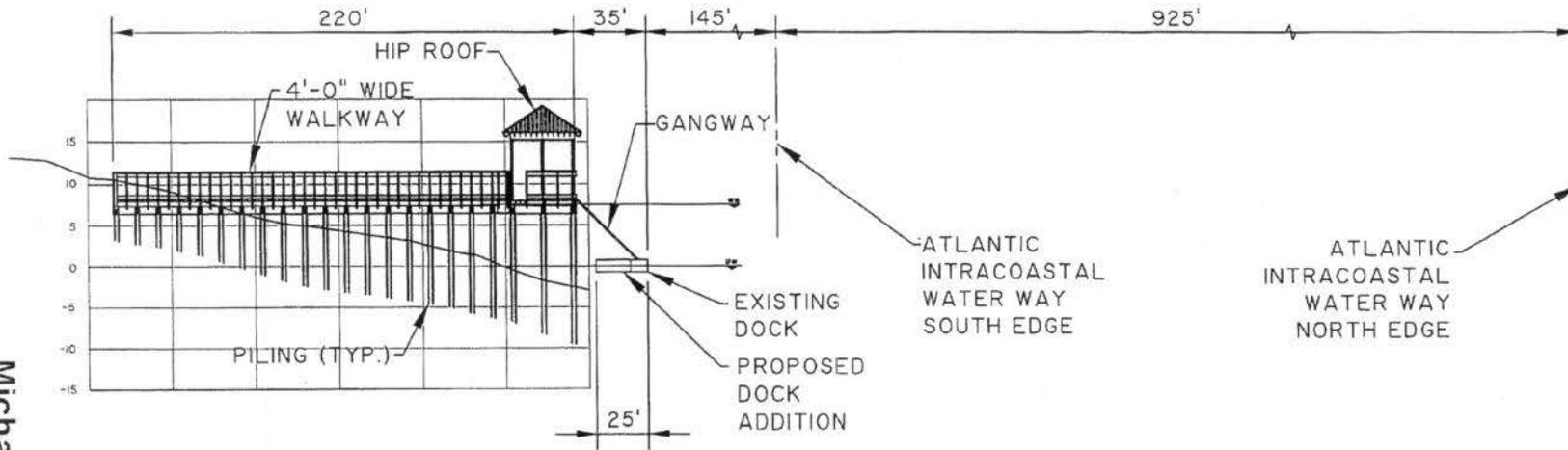
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CHARLESTON, SC • MYRTLE BEACH, SC

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LOFTUS DAUFUSKIE DOCK

PROPOSED ACTIVITY: PRIVATE RESIDENTIAL DOCK
 APPLICANT: MIKE LOFTUS
 DATE: 5/12/2009

LOCATION: DAUFUSKIE ISLAND, S.C.
 COUNTY: DAUFUSKIE ISLAND, S.C.

SCALE: HORIZONTAL 1"=80'

SCALE: VERTICAL 1"=40'

SHEET: 3 OF 3



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