

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 # 2009-1077-1IS

September 24, 2009

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

HUGER SINKLER II
C/O E. M. SEABROOK, JR., INC
POST OFFICE BOS 96
MOUNT PLEASANT, SOUTH CAROLINA 29465

for a permit to construct a timber pier in waters of

Bohicket Creek

at a location adjacent to lot 5 (a vacant lot) on Retriever Road, approximately 8370 feet east of its intersection with Rosebank Road, on Wadmalaw Island, Charleston County, South Carolina. (Latitude: 32.667°, Longitude: -80.1341°)

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 the Corps until

FRIDAY, OCTOBER 9, 2009

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

The proposed work consists of 4' x 510' walkway, leading to a 16' x 20' covered pierhead. Upstream of the pierhead a will be a 14' x 28' boatlift, and downstream of the pierhead will be a 3' x 24' ramp leading to a 10' x 30' floating dock. Due to the minimal impacts to aquatic resources that will result from the proposed project, the applicant has not proposed any compensatory mitigation. The purpose of the project is for private recreational access of the residents of lot 4 to Bohicket Creek.

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

September 24, 2009

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 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. 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,

September 24, 2009

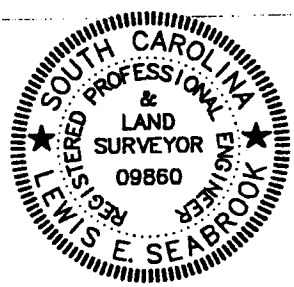
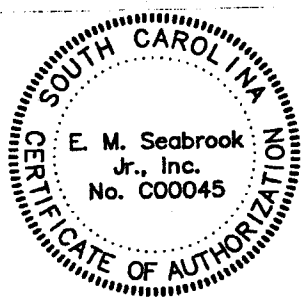
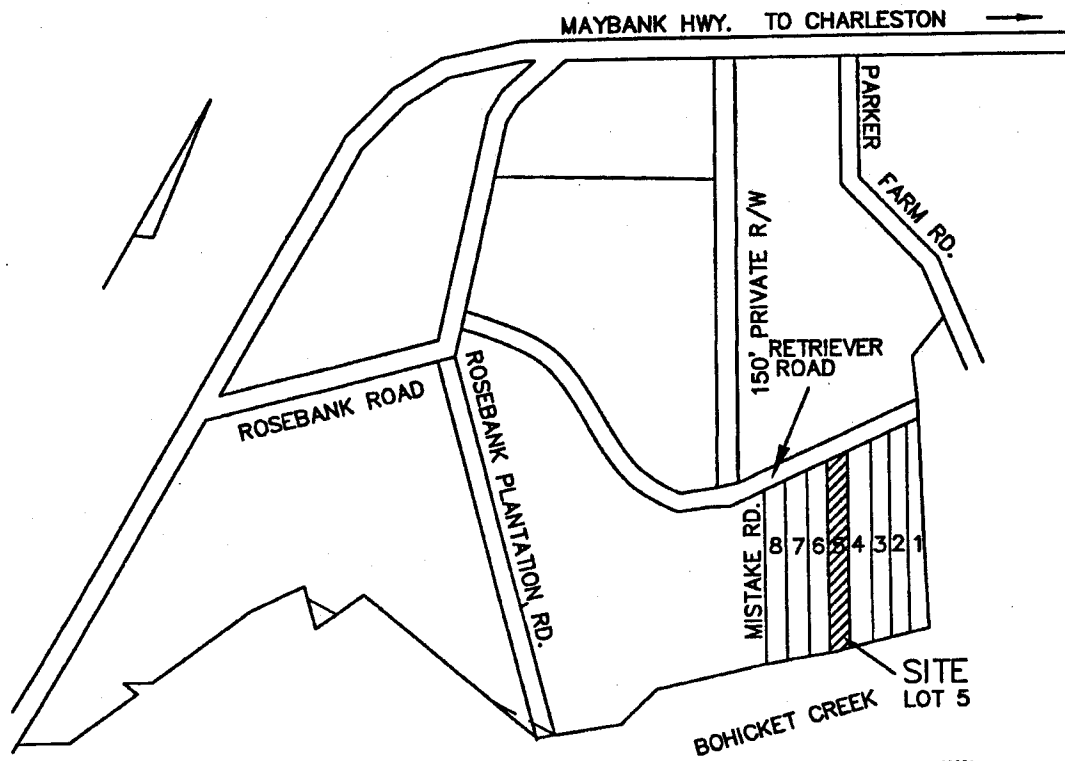
aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and

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.

Bill Eiser
Project Manager
SCDHEC-OCRM



NOT TO SCALE
VICINITY MAP

PURPOSE: TO CONSTRUCT A PRIVATE DOCK AND BOAT LIFT

ADJACENT PROPERTY OWNERS:

1. JOSEPH K. QALEY (TMS 198-00-00-016)
23 BROAD STREET
CHARLESTON, S. C. 29401
2. PATRICIA M. FLANAGHAN (TMS 198-00-00-012)
519 BUFFLEHEAD DRIVE
KIAWAH ISLAND, S. C. 29455
3. HUGH SINKLER, JR./G. DANA SINKLER TRUST (TMS 198-00-00-001)
PO BOX 687
COLUMBIA, S. C. 29202

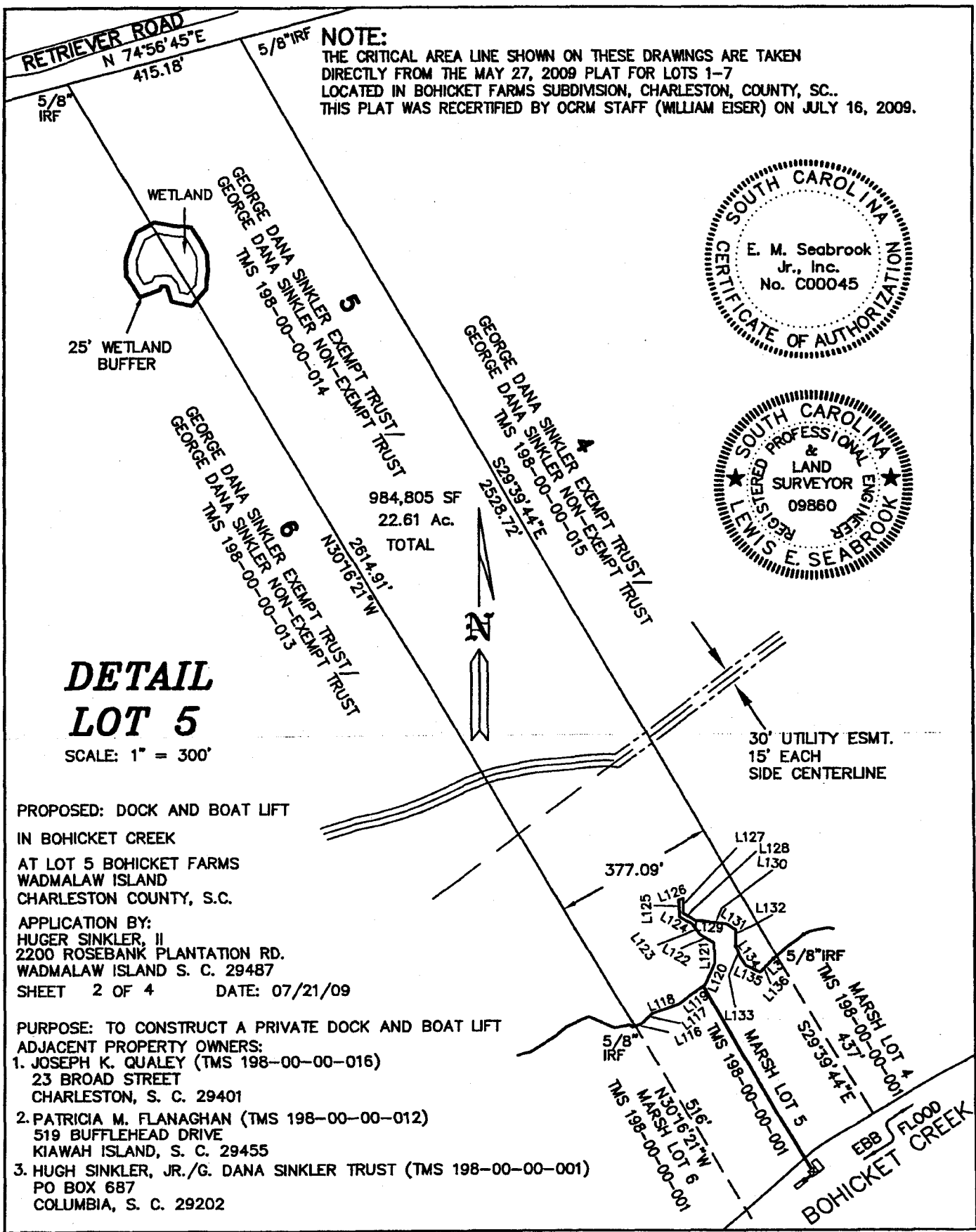
PROPOSED: DOCK AND BOAT LIFT
IN BOHICKET CREEK

AT LOT 5 BOHICKET FARMS
WADMALAW ISLAND
CHARLESTON COUNTY, S.C.

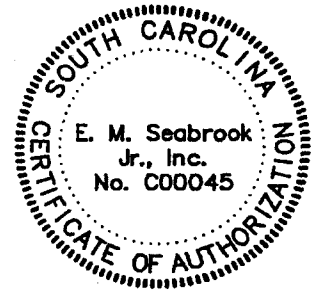
APPLICATION BY:
HUGER SINKLER, II
2200 ROSEBANK PLANTATION RD.
WADMALAW ISLAND S. C. 29487

SHEET 1 OF 4 DATE: 07/21/09

95133



NOTE:
THE CRITICAL AREA LINE SHOWN ON THESE DRAWINGS ARE TAKEN DIRECTLY FROM THE MAY 27, 2009 PLAT FOR LOTS 1-7 LOCATED IN BOHICKET FARMS SUBDIVISION, CHARLESTON, COUNTY, SC.. THIS PLAT WAS RECERTIFIED BY OCRM STAFF (WILLIAM EISER) ON JULY 16, 2009.



**DETAIL
LOT 5**

SCALE: 1" = 300'

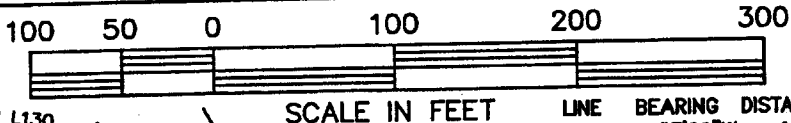
PROPOSED: DOCK AND BOAT LIFT
IN BOHICKET CREEK
AT LOT 5 BOHICKET FARMS
WADMALAW ISLAND
CHARLESTON COUNTY, S.C.

APPLICATION BY:
HUGER SINKLER, II
2200 ROSEBANK PLANTATION RD.
WADMALAW ISLAND S. C. 29487
SHEET 2 OF 4 DATE: 07/21/09

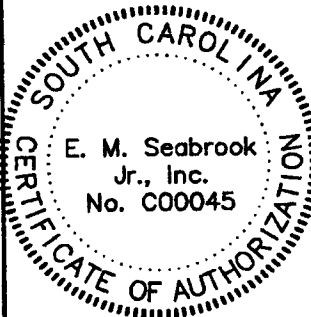
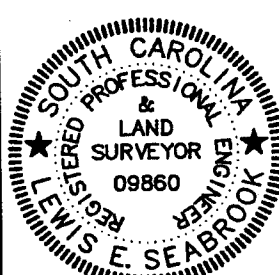
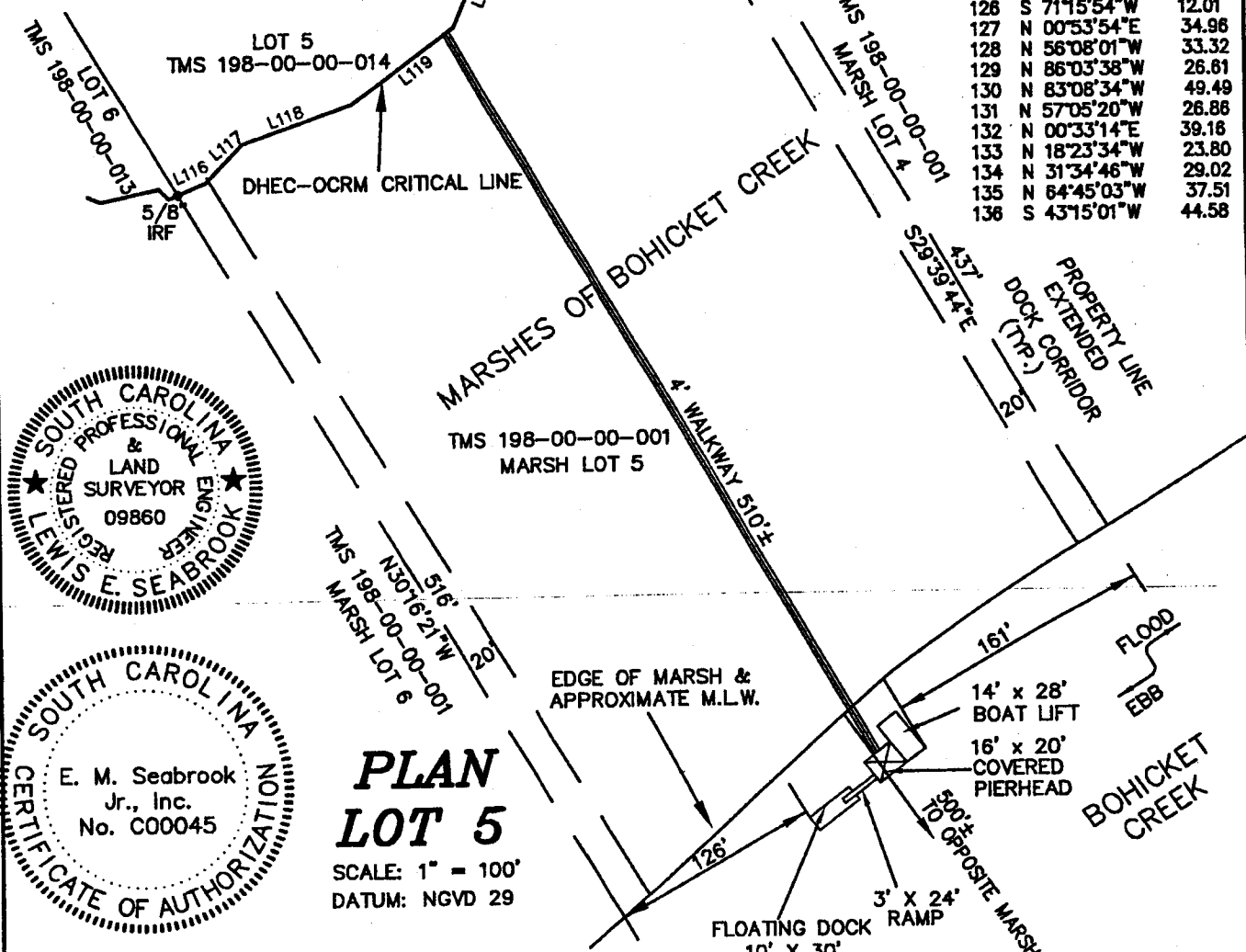
PURPOSE: TO CONSTRUCT A PRIVATE DOCK AND BOAT LIFT
ADJACENT PROPERTY OWNERS:

1. JOSEPH K. QUALEY (TMS 198-00-00-016)
23 BROAD STREET
CHARLESTON, S. C. 29401
2. PATRICIA M. FLANAGHAN (TMS 198-00-00-012)
519 BUFFLEHEAD DRIVE
KIAWAH ISLAND, S. C. 29455
3. HUGH SINKLER, JR./G. DANA SINKLER TRUST (TMS 198-00-00-001)
PO BOX 687
COLUMBIA, S. C. 29202

NOTE:
 THE CRITICAL AREA LINE SHOWN
 ON THESE DRAWINGS ARE
 TAKEN DIRECTLY FROM THE
 MAY 27, 2009 PLAT FOR LOTS
 1-7 LOCATED IN BOHICKET
 FARMS SUBDIVISION,
 CHARLESTON, COUNTY, SC..
 THIS PLAT WAS RECERTIFIED BY OCRM
 STAFF (WILLIAM EISER) ON JULY
 16, 2009.



LINE	BEARING	DISTANCE
3	S 48°57'09"W	10.74
116	S 66°50'35"W	17.86
117	S 43°22'08"W	32.24
118	S 70°25'39"W	69.38
119	S 53°15'08"W	78.64
120	S 23°32'15"W	57.87
121	S 01°42'49"E	48.08
122	S 59°00'01"E	39.70
123	S 34°49'05"E	30.57
124	S 59°52'52"E	34.82
125	S 03°58'45"E	40.34
126	S 71°15'54"W	12.01
127	N 00°53'54"E	34.96
128	N 56°08'01"W	33.32
129	N 86°03'38"W	26.61
130	N 83°08'34"W	49.49
131	N 57°05'20"W	26.86
132	N 00°33'14"E	39.18
133	N 18°23'34"W	23.80
134	N 31°34'46"W	29.02
135	N 64°45'03"W	37.51
136	S 43°15'01"W	44.58

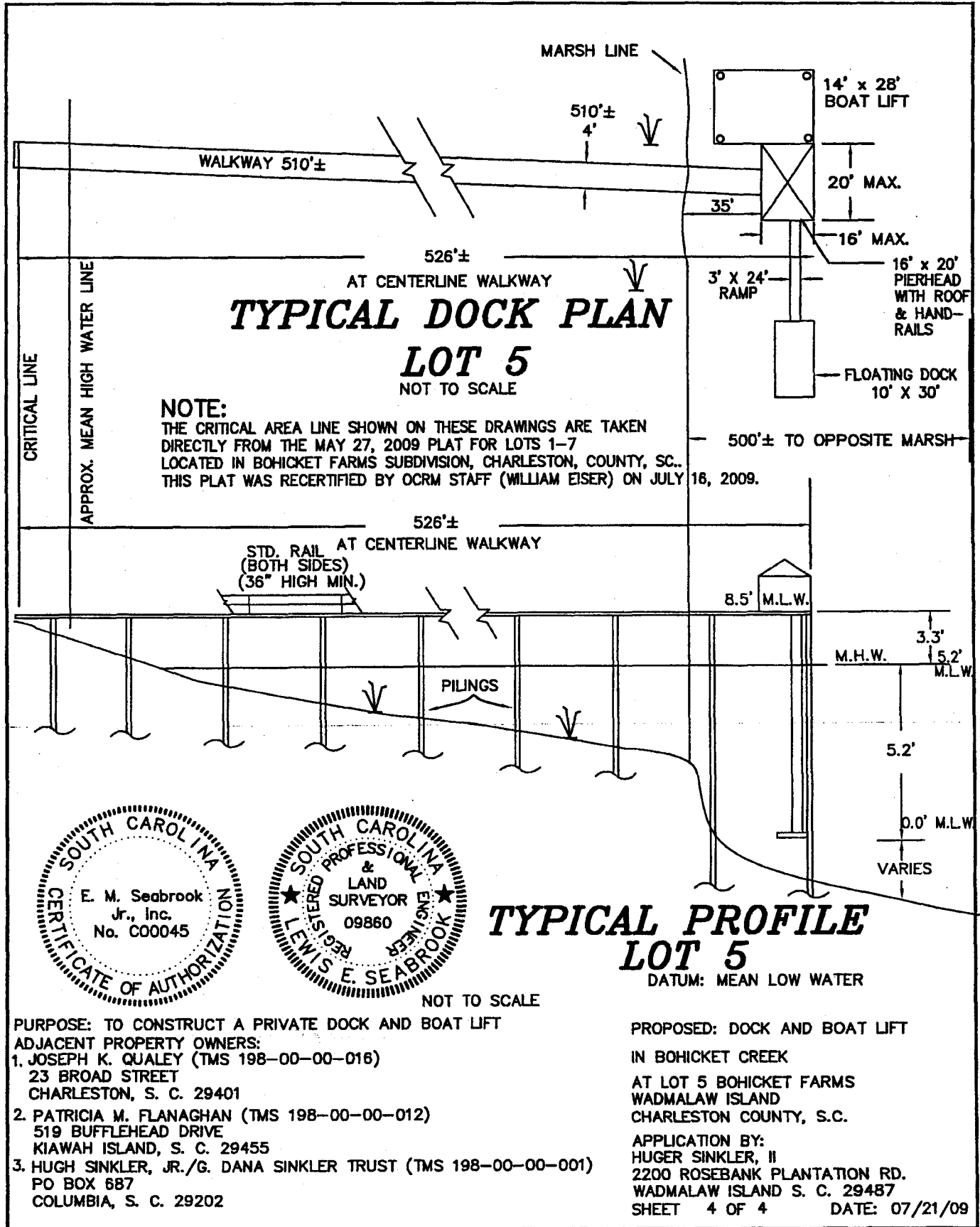


**PLAN
 LOT 5**

SCALE: 1" = 100'
 DATUM: NGVD 29

PURPOSE: TO CONSTRUCT A PRIVATE DOCK AND BOAT LIFT
ADJACENT PROPERTY OWNERS:
 1. JOSEPH K. QALEY (TMS 198-00-00-016)
 23 BROAD STREET
 CHARLESTON, S. C. 29401
 2. PATRICIA M. FLANAGHAN (TMS 198-00-00-012)
 519 BUFFLEHEAD DRIVE
 KIAWAH ISLAND, S. C. 29455
 3. HUGH SINKLER, JR./G. DANA SINKLER TRUST (TMS 198-00-00-001)
 PO BOX 687
 COLUMBIA, S. C. 29202

PROPOSED: DOCK AND BOAT LIFT
 IN BOHICKET CREEK
 AT LOT 5 BOHICKET FARMS
 WADMALAW ISLAND
 CHARLESTON COUNTY, S.C.
APPLICATION BY:
 HUGER SINKLER, II
 2200 ROSEBANK PLANTATION RD.
 WADMALAW ISLAND S. C. 29487
 SHEET 3 OF 4 DATE: 07/21/09



TYPICAL DOCK PLAN

LOT 5
NOT TO SCALE

NOTE:
THE CRITICAL AREA LINE SHOWN ON THESE DRAWINGS ARE TAKEN DIRECTLY FROM THE MAY 27, 2009 PLAT FOR LOTS 1-7 LOCATED IN BOHICKET FARMS SUBDIVISION, CHARLESTON, COUNTY, SC.. THIS PLAT WAS RECERTIFIED BY OCRM STAFF (WILLIAM EISER) ON JULY 16, 2009.

TYPICAL PROFILE
LOT 5

DATUM: MEAN LOW WATER

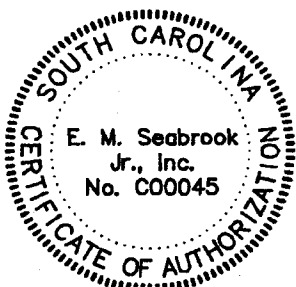
NOT TO SCALE

PURPOSE: TO CONSTRUCT A PRIVATE DOCK AND BOAT LIFT
ADJACENT PROPERTY OWNERS:

1. JOSEPH K. QAULEY (TMS 198-00-00-016)
23 BROAD STREET
CHARLESTON, S. C. 29401
2. PATRICIA M. FLANAGHAN (TMS 198-00-00-012)
519 BUFFLEHEAD DRIVE
KIAWAH ISLAND, S. C. 29455
3. HUGH SINKLER, JR./G. DANA SINKLER TRUST (TMS 198-00-00-001)
PO BOX 687
COLUMBIA, S. C. 29202

PROPOSED: DOCK AND BOAT LIFT
IN BOHICKET CREEK
AT LOT 5 BOHICKET FARMS
WADMALAW ISLAND
CHARLESTON COUNTY, S.C.

APPLICATION BY:
HUGER SINKLER, II
2200 ROSEBANK PLANTATION RD.
WADMALAW ISLAND S. C. 29487
SHEET 4 OF 4 DATE: 07/21/09



95133