D H E C
PROMOTE PROTECT PROSPER

C. Earl Hunter, Commissioner
Promoting and protecting the health of the public and the environment.

PUBLIC NOTICE
OPERATIONS & MAINTENANCE MANUAL

The Operations and Maintenance Manual for **Broad Creek Marina, P/N# 2005-1W-384-P**, is available for review during the normal business hours of 8:30-5:00, Monday through Friday at the OCRM Office, 1362 McMillan Avenue, Suite 400, Charleston, Charleston County, South Carolina.

Comments will be received on this public notice until December 10, 2005. For further information please contact the project manager for this activity, Denise Sanger at 843-747-4323, ext. 114.

November 10, 2005

SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Ocean and Coastal Resource Management
Charleston Office • 1362 McMillan Avenue • Suite 400 • Charleston, SC 29405
Phone: (843) 744-5838 • Fax: (843) 744-5847 • www.scdhec.gov

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69-A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403
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 #2005-1W-384-P

4 NOVEMBER 2005

MAJOR ACTIVITY

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 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

BROAD CREEK MARINA
c/o MR. ROGER FREEDMAN
P.O. BOX 309
BLUFFTON, S.C. 29910

for the modification to permit #99-1P-459, to allow the addition of a dock masters office and to reestablish a floating office in

BROAD CREEK

at a location along the shoreline at the existing Broad Creek Marina, near the terminus of Simmons Road on Hilton Head Island, Beaufort County, South Carolina.

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, 5 DECEMBER 2005

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

The proposed work consists the addition of a 40' x 75' fixed pier that will include a 24' x 40' one story dock master's office and the permanent mooring of a 28' x 55' floating office at Dock "E" of the marina. The proposed dock master's office will be used for accomplishing the normal operations associated with an existing commercial marina, to include jet ski and kayak rentals. The 28' x 55' floating office is to replace a previously existing floating office that was removed due to concerns of structural integrity. The floating office is to be permanently moored at the marina and will be used by the existing barge and ferry service business associated with the marina facility.

REGULATORY DIVISION 4 NOVEMBER 2005
Refer to: P/N #2005-1W-384-P

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
69-A Hagood Avenue
Charleston, South Carolina 29403

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 0.10 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 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.

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).

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.

REGULATORY DIVISION
Refer to: P/N #2005-1W-384-P

4 NOVEMBER 2005

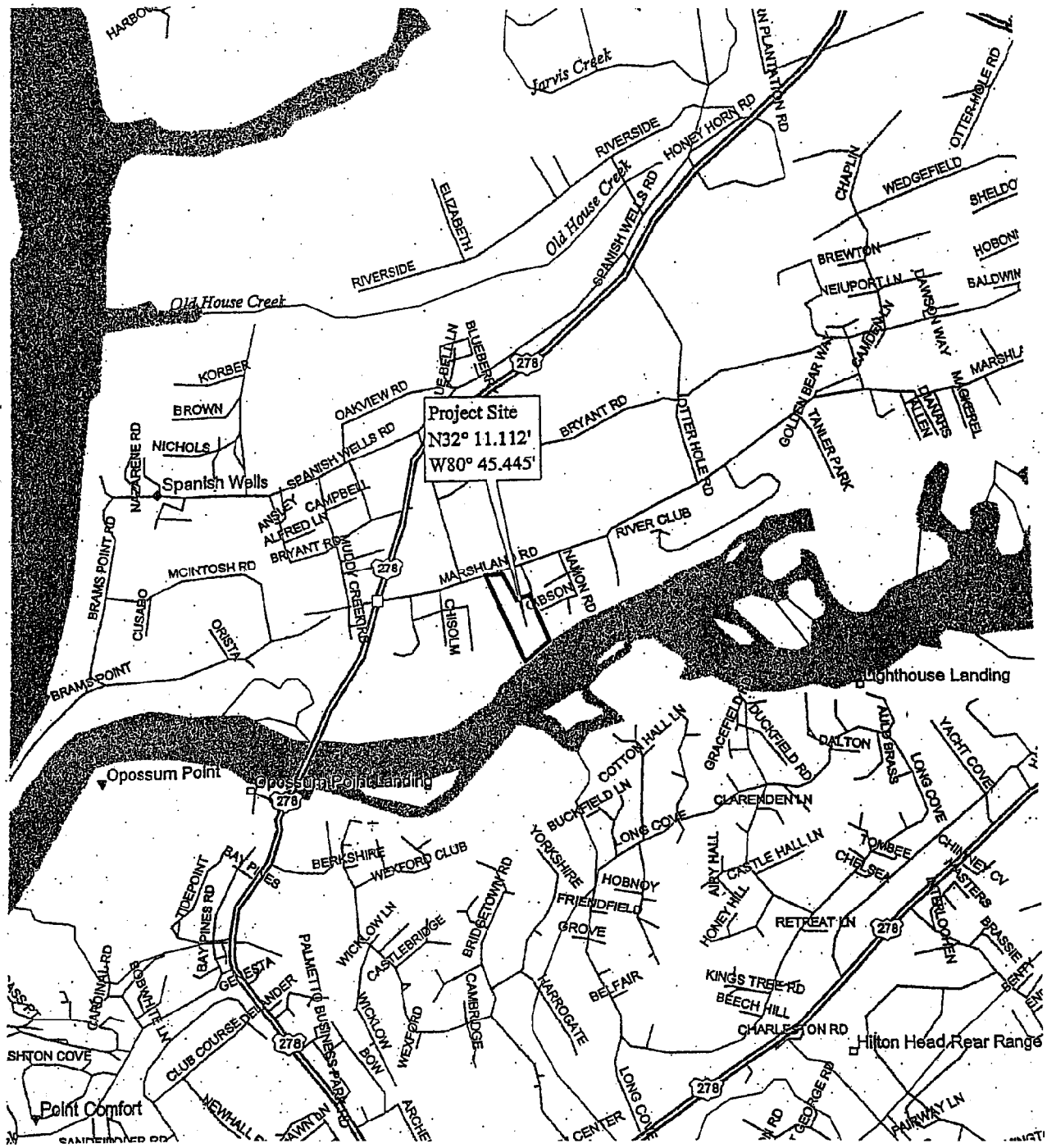
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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 me at 843-329-8044.

S. Dean Herndon
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

Denise Sanger
Project Manager
SCDHEC-OCRM



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	Project Location: Beaufort County, SC
Title: Vicinity	**Authorized Agent:** Asher Howell, NEI
	Applicant: Mr. Roger Freedman
	Scale: Not To Scale — **Date:** May 24, 2005
	Page: 1 of 9

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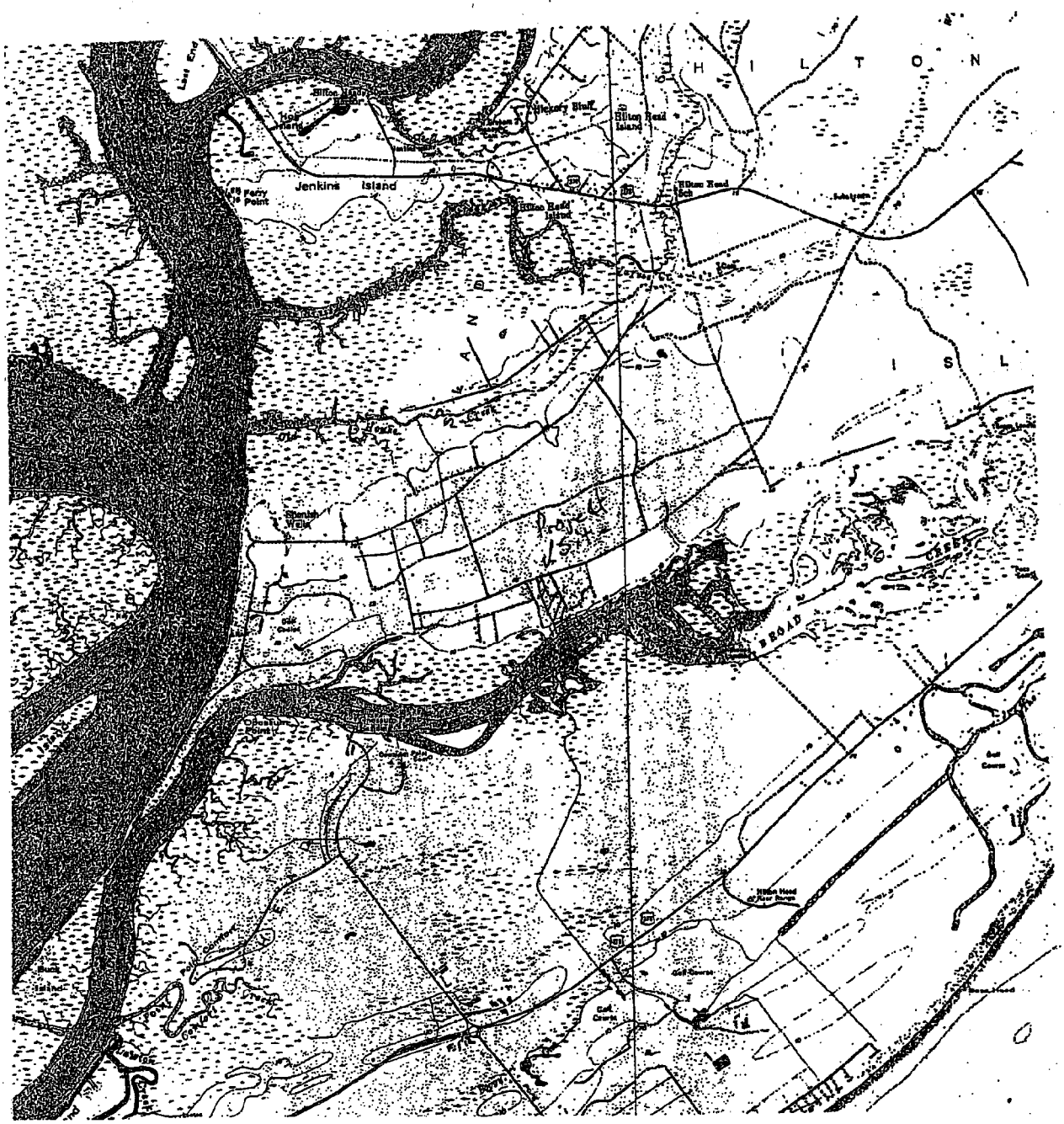

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	Project Location: Beaufort County, SC	
Title: Topography	Authorized Agent: Asher Howell, NEI	
	Applicant: Mr. Roger Freedman	
	Scale: Not To Scale	Date: May 24, 2005
		Page: 2 of 9

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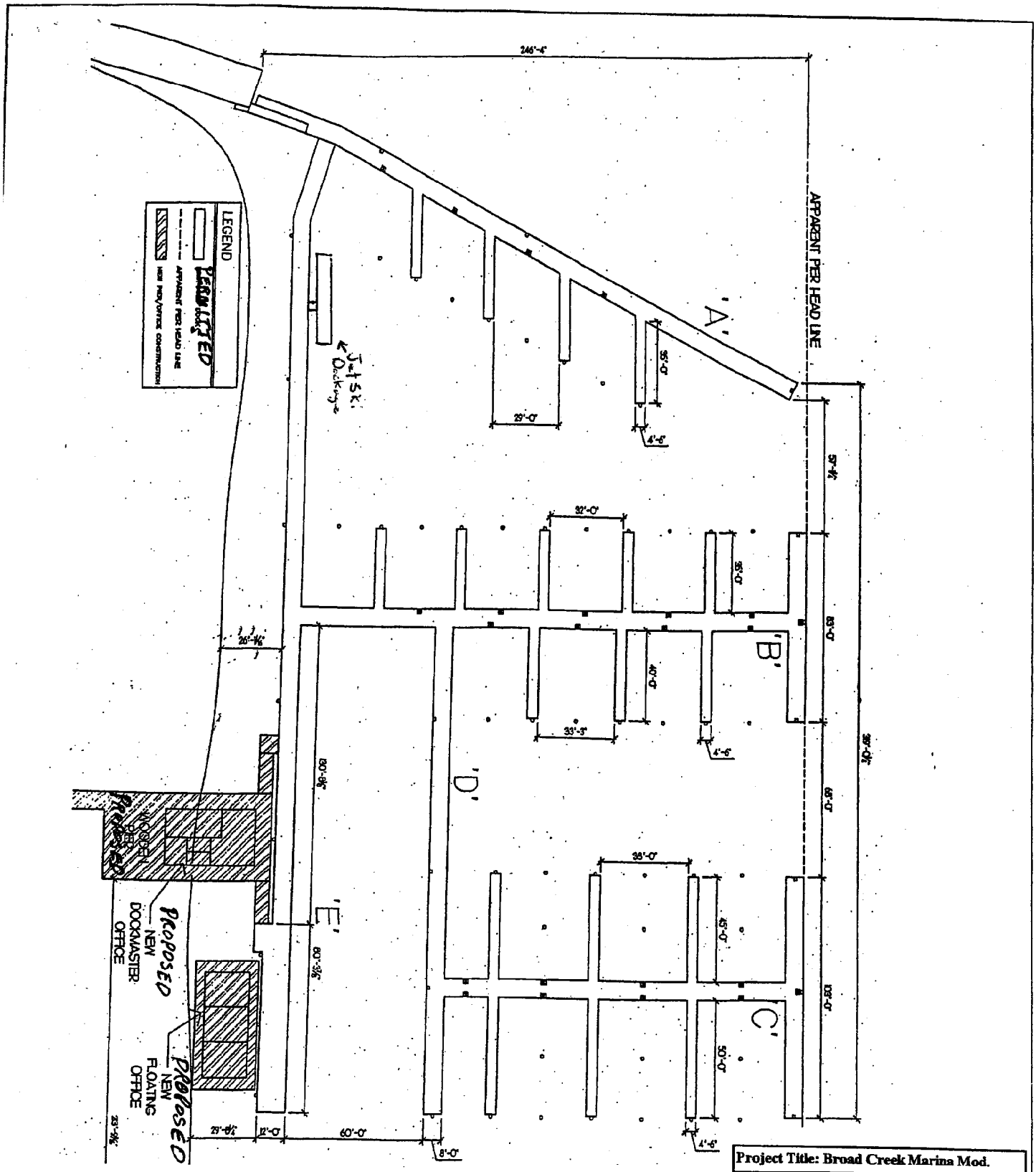

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	Project Location: Beaufort County, SC
Title: Plan View (Revised)	Authorized Agent: Asher Howell, NEI
	Applicant: Mr. Roger Freedman
	Scale: Not To Scale — Date: September 8, 2005
	Page: 3 of 9

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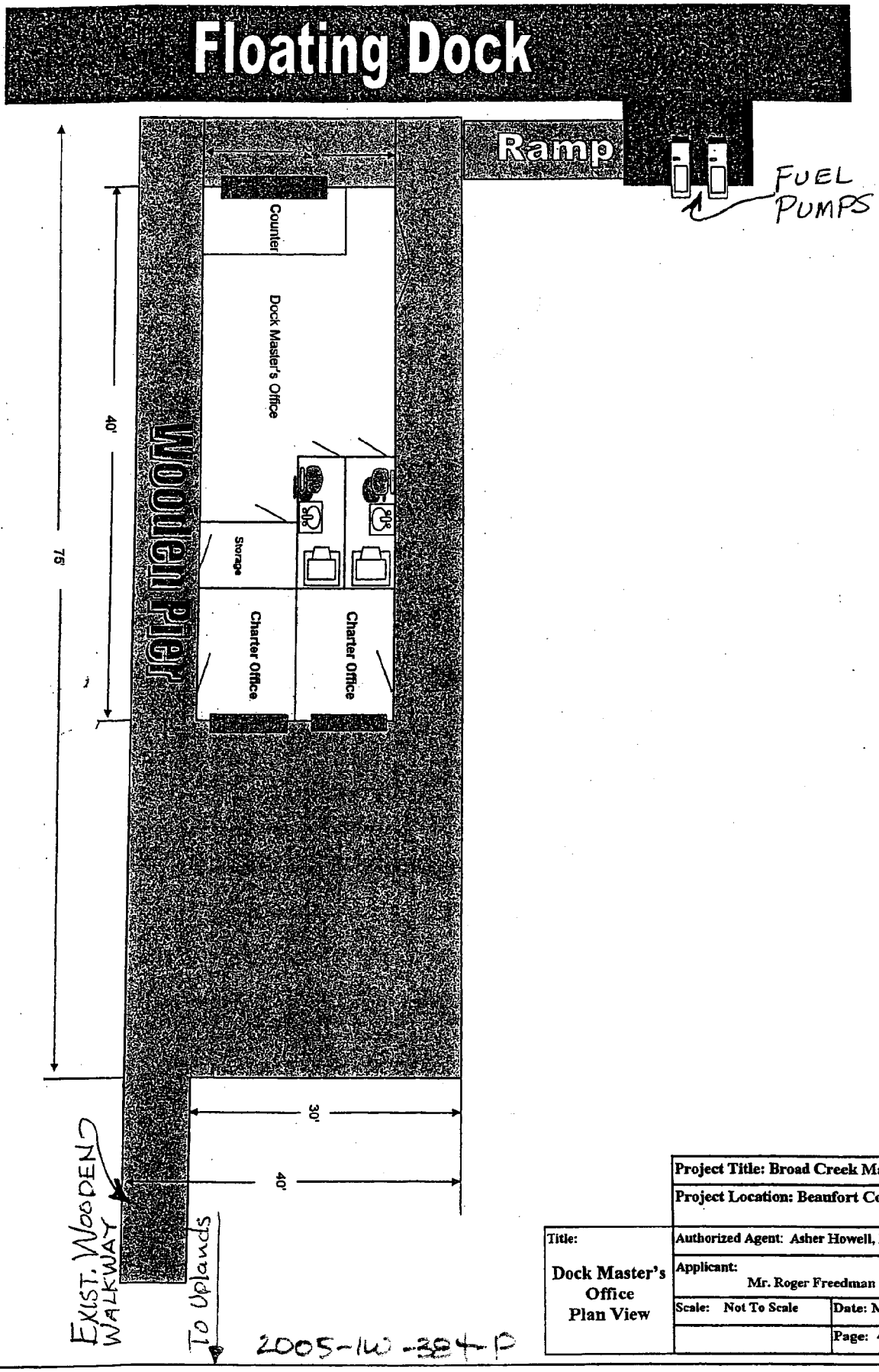

2005-10-384-P

	Project Title: Broad Creek Marina Mod.
	Project Location: Beaufort County, SC
Title: Dock Master's Office Plan View	Authorized Agent: Asher Howell, NEI
	Applicant: Mr. Roger Freedman
	Scale: Not To Scale — Date: May 24, 2005
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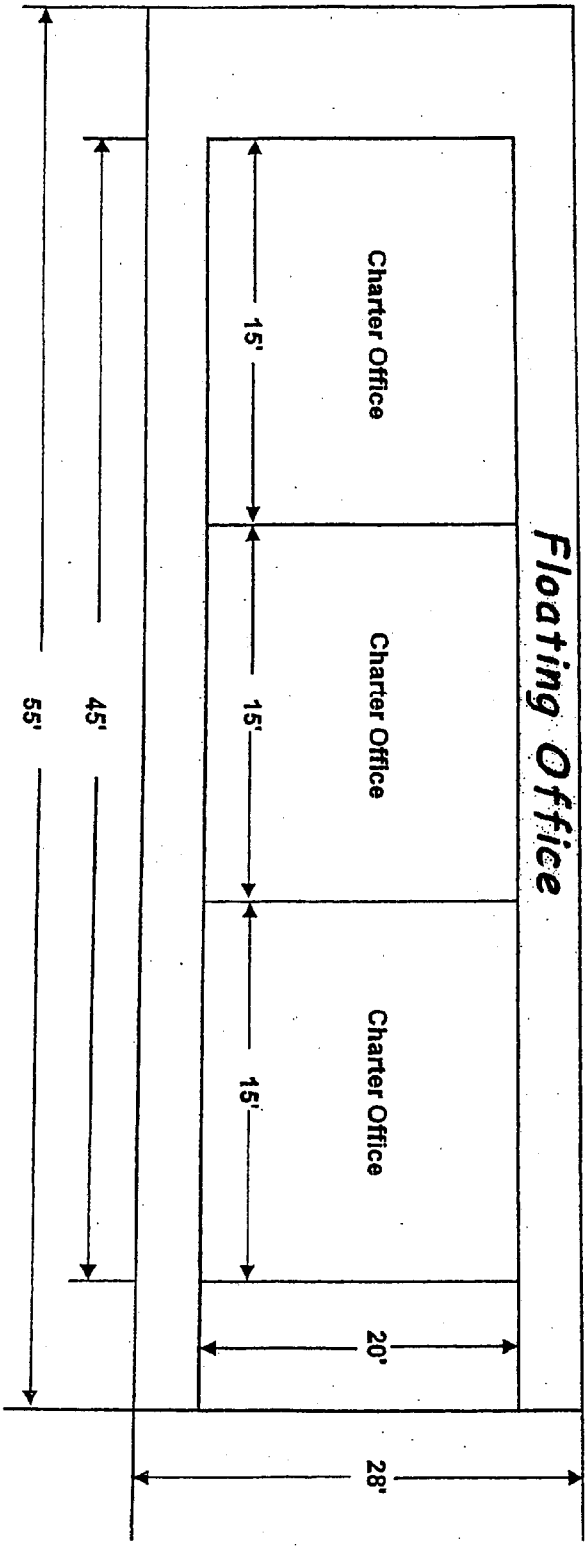

Exhibit B

Title: Floating Office Plan View	Project Title: Broad Creek Marina Mod.	
	Project Location: Beaufort County, SC	
	Authorized Agent: Asher Howell, NEI	
	Applicant: Mr. Roger Freedman	
	Scale: Not To Scale	Date: May 24, 2005
		Page: 5 of 9

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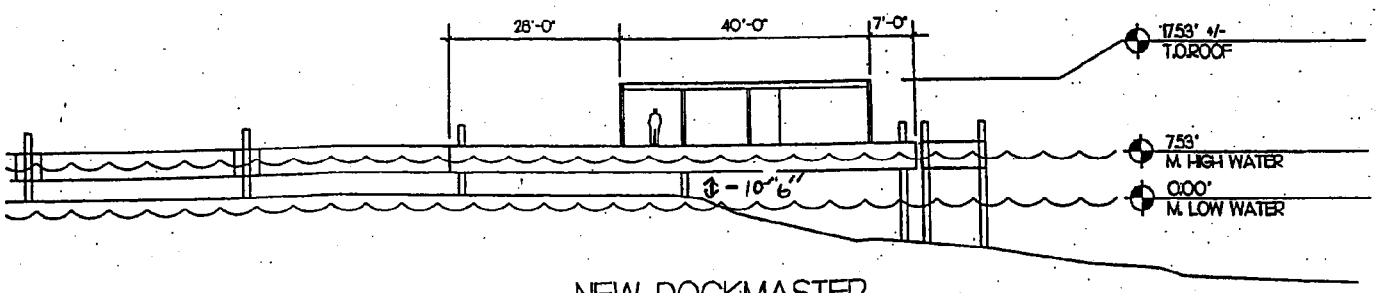
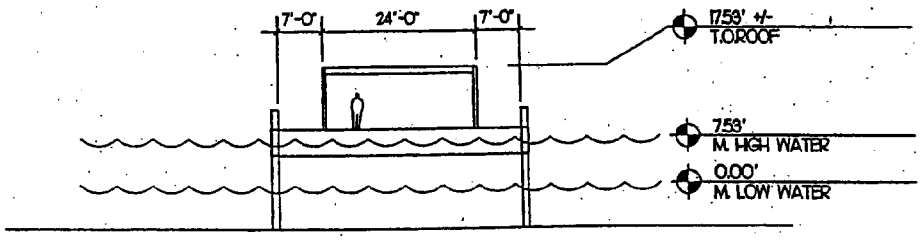


NEW DOCKMASTER
OFFICE
LONG SECTION



NEW DOCKMASTER
OFFICE
CROSS SECTION

	Project Title: Broad Creek Marina Mod.
	Project Location: Beaufort County, SC
Title: Cross-Section	Authorized Agent: Asher Howell, NEI
	Applicant: Mr. Roger Freedman
	Scale: Not To Scale — Date: May 24, 2005
	Page: 6 of 9

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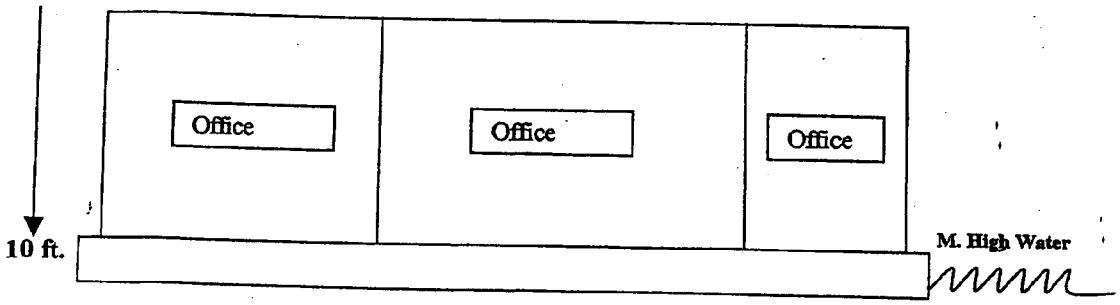
Floating Office Cross Section



	Project Title: Broad Creek Marina Mod.	
	Project Location: Beaufort County, SC	
Title: Cross-Section Floating Office	Authorized Agent: Asher Howell, NEI	
	Applicant: Mr. Roger Freedman	
	Scale: Not To Scale	Date: October 24, 2005
		Page: 7 of 9

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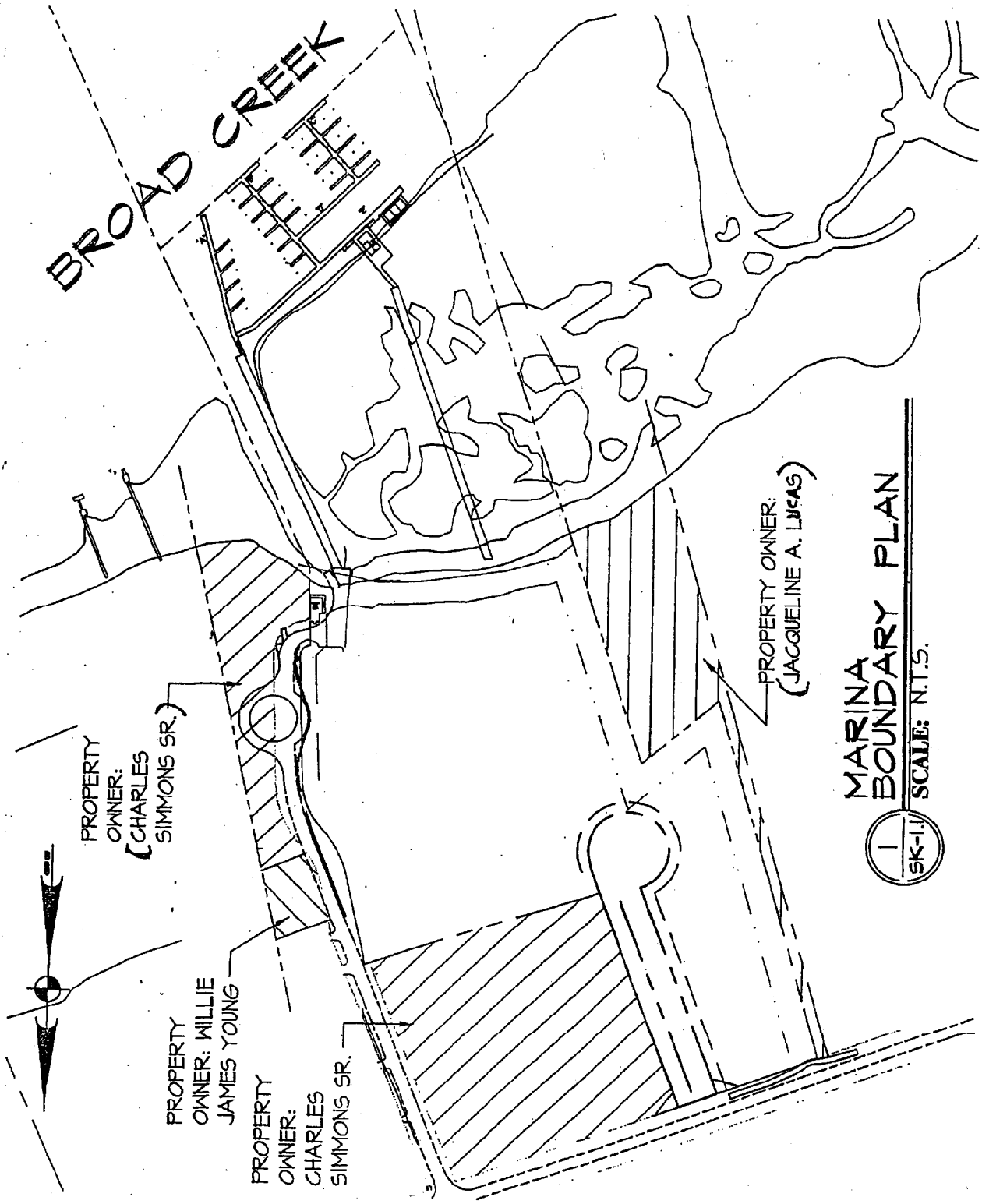

	Project Title: Broad Creek Marina Mod.
	Project Location: Beaufort County, SC
Title: Marina Boundary Plan	Authorized Agent: Asher Howell, NEI
	Applicant: Mr. Roger Freedman
	Scale: Not To Scale / Date: October 24, 2005
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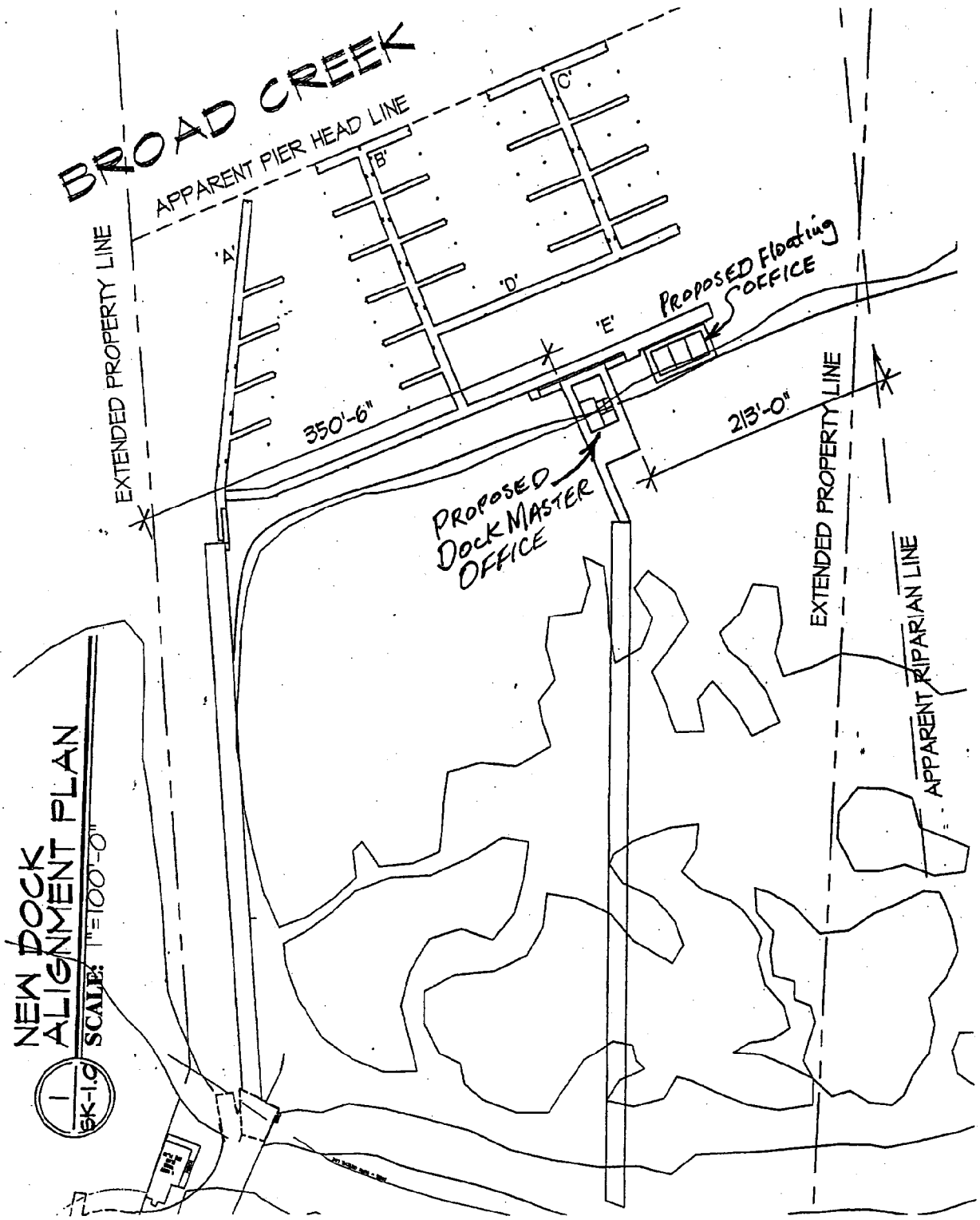

	Project Title: Broad Creek Marina Mod.
	Project Location: Beaufort County, SC
Title: Adjacent Property Detail Plan	Authorized Agent: Asher Howell, NEI
	Applicant: Mr. Roger Freedman
	Scale: Not To Scale — Date: October 24, 2005
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