JOINT
PUBLIC NOTICE CORRECTION

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 #[redacted] 2008-0201-1IW-P

15 FEBRUARY 2008

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 South Carolina Department of Health and Environmental Control by

LEMON ISLAND LANDING, LLC
c/o SLIGH ENVIRONMENTAL CONSULTANTS, INC.
1815-A BOUNDARY STREET
BEAUFORT, SOUTH CAROLINA 29902

for a permit to construct a public dry stack facility and commercial dock in waters of the

CHECHESSEE RIVER

at a location adjacent to 310 Okatie Highway in the Town of Bluffton, Beaufort County, South Carolina (Latitude 32.37497°, Longitude -80.83785°)

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, 17 MARCH 2008

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

PLEASE NOTE: This project was advertised on February 8, 2008, however the project did not include review under Section 401 of the Clean Water Act (33 U.S.C. 1344). To correct this omission, the public notice comment period is being extended as indicated above. The proposed work consists of the construction of a public dry stack facility that will have the capacity to house up to 150 boats up to 36' in length and commercial dock at the former Lemon Island Marina site. Both gasoline and diesel fuel will be available at this location at a site located in uplands. A 22' x ± 136' access pier leading from highland to the Chechessee River will

consist of a 16' wide section that will be for forklift access, with an attached 6' wide access walkway for pedestrians. This access pier will lead to a 36' x 30' pierhead that will allow for forklift operations and boat launching/retrieving. Adjacent to the terminus of the access pier on the upstream side, will be a 15' x 10' wooden platform to assist in forklift operations.

From the pedestrian access walkway described above, a 4' x 36' aluminum ramp will lead to three floating docks, two of which will be boat staging docks. Floating dock #1 will be 6' x 16' and will be used solely by Lemon Island Landing employees to shift boats to and from the forklift to the staging docks. Floating dock #2 will be attached to the end of floating dock #1 and will be 10' x 24' and will be used as a staging dock. Floating dock #3 will be 10' x 100' and will be perpendicular to floating dock #2 and will run parallel to the Chechessee River, and will also be used for staging purposes only. The purpose of this commercial dock is to facilitate the launching and retrieval of boats being housed in the Lemon Island Landing dry stack facility, via the use of forklifts that will transport boats to and from leased storage bays in upland buildings to the floating staging docks via the access pier.

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 0.13 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, the District Engineer has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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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, 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 Debra W. King at 843-329-8044 or toll free at 1-866-329-8187.

Jeff Thompson
SCDHEC-OCRM project manage