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: SAC-2006-1306-7IE-P

2 June 2006

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

PATTY & VITO SCARAFILE
101 NEW STREET
MT. PLEASANT, SOUTH CAROLINA 29464

for a permit to construct a pier, floating dock, and boat lift in

CHARLESTON HARBOR

at 202 Bank Street, Mt. Pleasant, Charleston County, South Carolina.
(Latitude – 32.78320; Longitude – 79.87570)

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, 19 JUNE 2006

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

The proposed work consists of constructing a timber pier with a 16' x 16' fixed pierhead attached to highland by a 4' x 649' walkway. An 8' x 30' floating dock is to be installed in front of the fixed pierhead and attached to the fixed pierhead by a 3' x 20' ramp. A 12' x 12' four-pile boat lift is to be installed on the upstream side of the fixed pierhead. It is understood that this work will be conducted on/or adjacent to an area subject to a prism and/or disposal easement held by the United States in perpetuity in conjunction with a Congressionally authorized project for the maintenance and improvement of Charleston Harbor. Should a permit be issued, appropriate provisions will be included to ensure the interests of the Federal Government are understood. The purpose of this work is for the applicants' private recreational use.

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 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 has determined that the proposed work will occur within the boundaries of the "Mt. Pleasant Historic District," an area included in the National Register of Historic Places. The District Engineer has made a preliminary determination that the project will have "no adverse effect" on the characteristics which resulted in the "Mt. Pleasant Historic District" being determined eligible for inclusion in the National Register of Historic Places. By copy of this notice, the views of the State Historic Preservation Officer and his concurrence in the above stated "no adverse effect" determination are being sought.

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

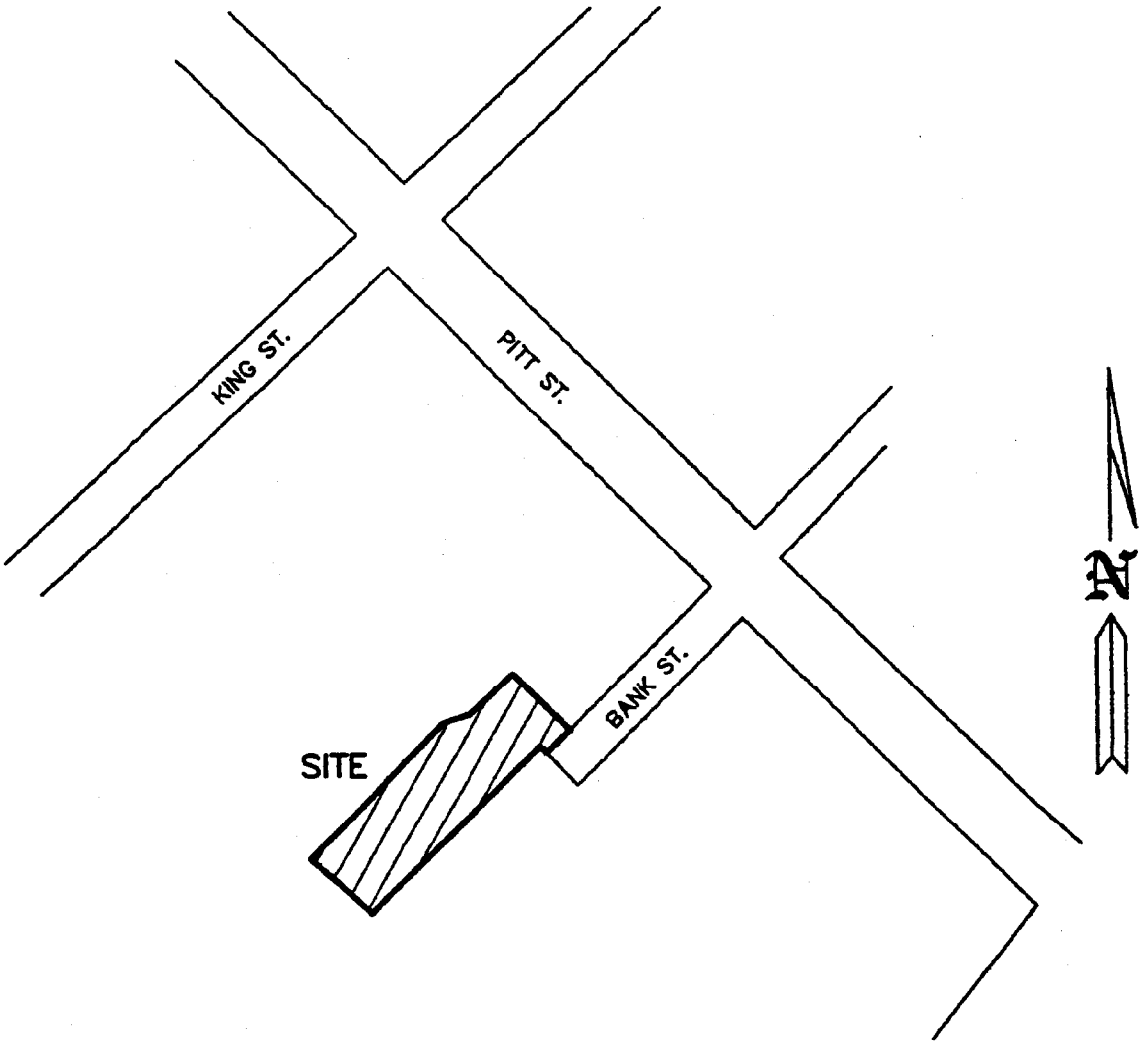
the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, 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 me at 843-329-8044 or toll free at 1-866-329-8187.

Jackie Easterling
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

Tess Rodgers
Project Manager
SCDHEC-OCRM



SOUTH CAROLINA
E. M. Seabrook Jr., Inc.
No. 000046
CERTIFICATE OF AUTHORIZATION

SOUTH CAROLINA
PROFESSIONAL ENGINEER
E. M. SEABROOK, JR.

VICINITY MAP

NOT TO SCALE

PURPOSE: TO CONSTRUCT A PRIVATE DOCK

ADJACENT PROPERTY OWNERS:

1. WILLIAM C. AND NINA W. MADDUX (TMS 532-05-00-007)
   319 PITT STREET
   MOUNT PLEASANT, S. C. 29464
2. RAY MOOREHEAD CROSBY (TMS 532-05-00-010)
   200 BANK STREET
   MOUNT PLEASANT, S. C. 29464

PROPOSED: DOCK

IN CHARLESTON HARBOR

AT LOT 1 (202 BANK ST.-TMS 532-05-00-225)
TOWN OF MT. PLEASANT
CHARLESTON COUNTY, S.C.

APPLICATION BY:
VITO AND PATTY SCARAFILE
101 NEW STREET
MOUNT PLEASANT, S. C. 29464

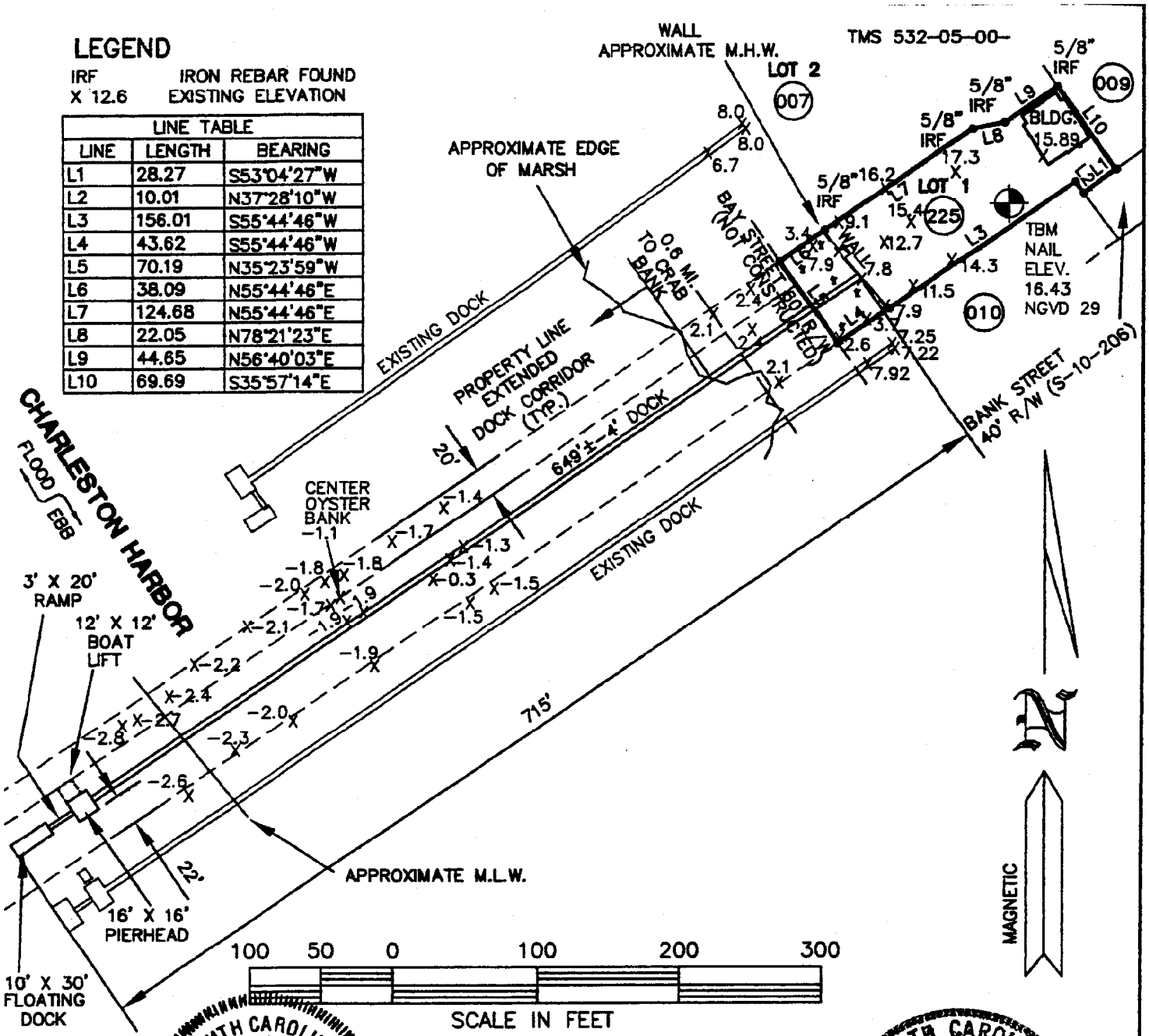
SHEET 1 OF 3 DATE: 04/14/06

SAC-2006-1306

LEGEND

IRF — IRON REBAR FOUND
X 12.6 — EXISTING ELEVATION

LINE TABLE		
LINE	LENGTH	BEARING
L1	28.27	S53°04'27"W
L2	10.01	N37°28'10"W
L3	156.01	S55°44'46"W
L4	43.62	S55°44'46"W
L5	70.19	N35°23'59"W
L6	38.09	N55°44'46"E
L7	124.68	N55°44'46"E
L8	22.05	N78°21'23"E
L9	44.65	N56°40'03"E
L10	69.69	S35°57'14"E



SOUTH CAROLINA CERTIFICATE OF AUTHORIZATION E. M. Seabrook Jr., Inc. No. 800045

PLAN
LOT 1

SCALE: 1" = 100'
DATUM: NGVD 29

SOUTH CAROLINA REGISTERED PROFESSIONAL ENGINEER & LAND SURVEYOR 8436 E. M. SEABROOK, III

PURPOSE: TO CONSTRUCT A PRIVATE DOCK
ADJACENT PROPERTY OWNERS:

1. WILLIAM C. AND NINA W. MADDUX (TMS 532-05-00-007)
   319 PITT STREET
   MOUNT PLEASANT, S. C. 29464
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   MOUNT PLEASANT, S. C. 29464

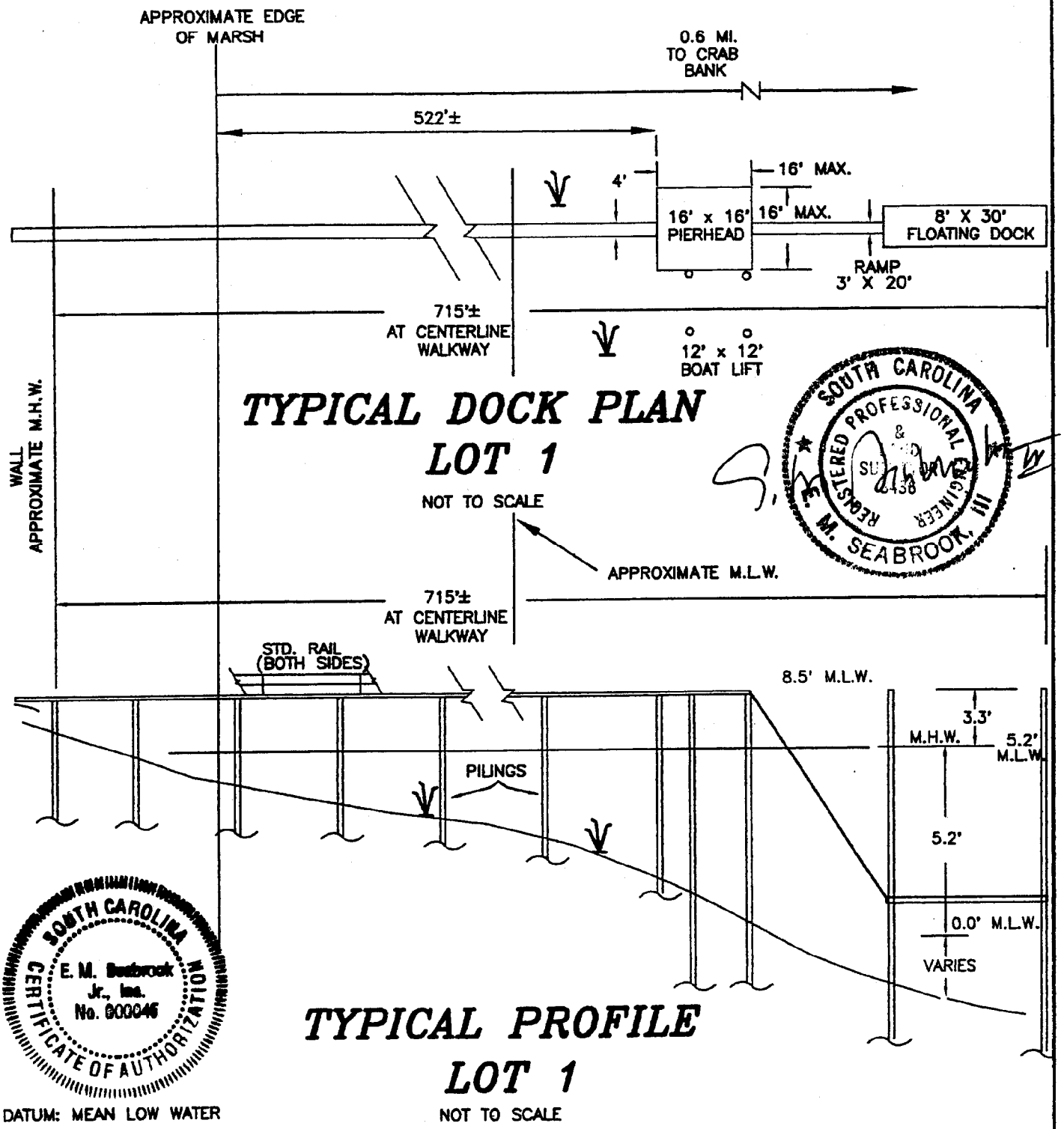
PROPOSED: DOCK

IN CHARLESTON HARBOR

AT LOT I (202 BANK ST.-TMS 532-05-00-225)
TOWN OF MT. PLEASANT
CHARLESTON COUNTY, S.C.

APPLICATION BY:
VITO AND PATTY SCARAFILE
101 NEW STREET
MOUNT PLEASANT, S. C. 29464
SHEET 2 OF 3 DATE: 04/14/06

SAC-2006-1306



DATUM: MEAN LOW WATER

PURPOSE: TO CONSTRUCT A PRIVATE DOCK
ADJACENT PROPERTY OWNERS:

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PROPOSED: DOCK

IN CHARLESTON HARBOR

AT LOT 1 (202 BANK ST.-TMS 532-05-00-225)
TOWN OF MT. PLEASANT
CHARLESTON COUNTY, S.C.

APPLICATION BY:
VITO AND PATTY SCARAFILE
101 NEW STREET
MOUNT PLEASANT, S. C. 29464
SHEET 3 OF 3 DATE: 04/14/06

SAC-2006-1306