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

MAJOR ACTIVITY

REGULATORY DIVISION July 18, 2008
Refer to: P/N # [redacted] 2008-1092-1IS -P

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

MITCH YATES
100 BERRINGER DRIVE
GOOSE CREEK, SOUTH CAROLINA 29445

for a permit to construct a community dock for lots 1, 2, 3, 9, &10, to provide water access to

SAND CREEK

at a location off of 8054 Russell Creek Drive, Charleston County, South Carolina (Latitude: 32.61211°, Longitude: -80.3428°)

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, AUGUST 18, 2008

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

The proposed work consists of constructing a joint use dock. Specifically, the project consists of a 4' x 744' walkway leading to a 10' x 16' covered pierhead, with a ramp leading to an 8' x 100' floating dock. The purpose of this work is for the private recreational use of the current and future land owners of lots 1, 2, 3, 9, and10.

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

REGULATORY DIVISION
Refer to: P/N # SAC 2008-1092-1IS

July 18, 2008

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 0.10 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 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.

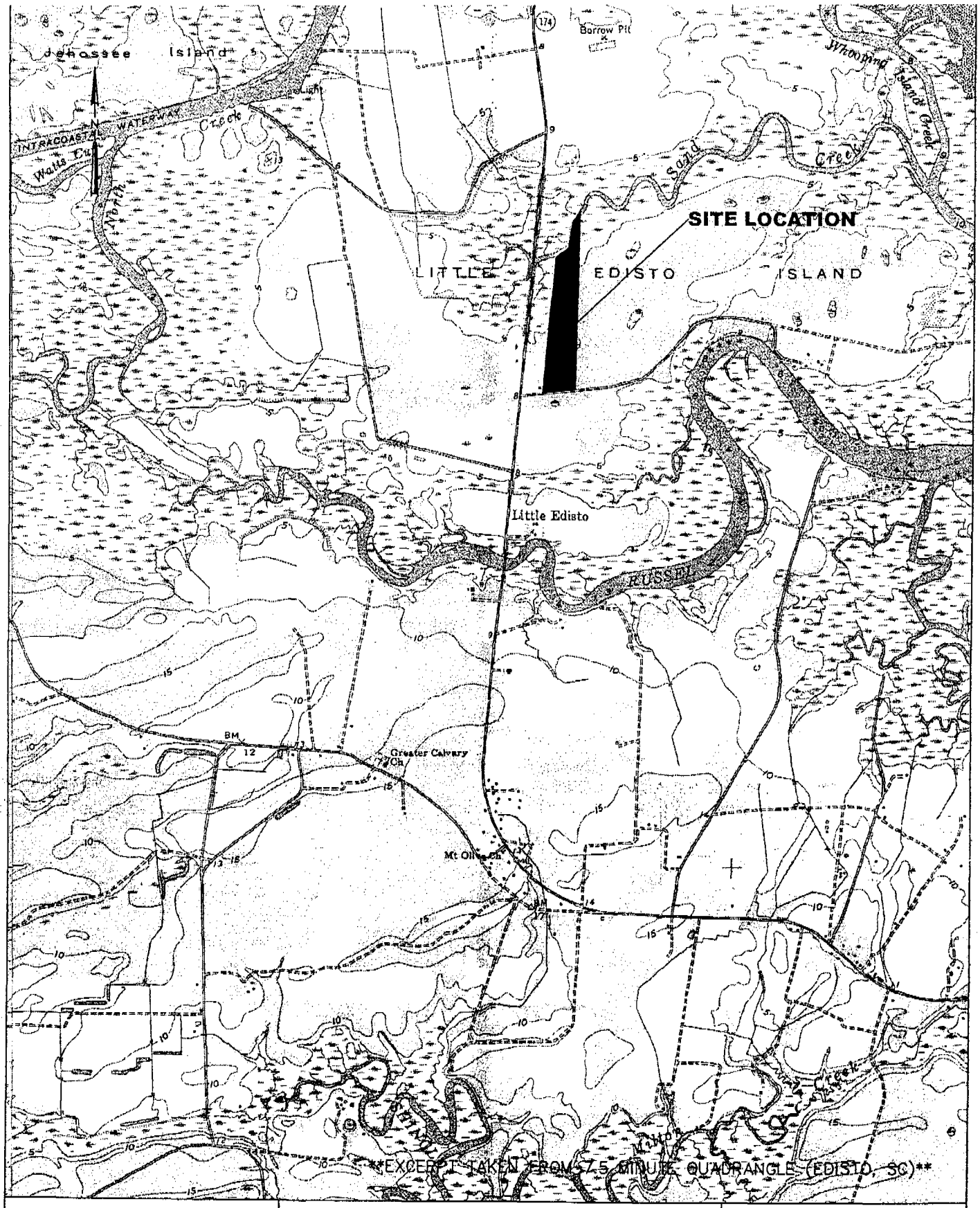
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may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

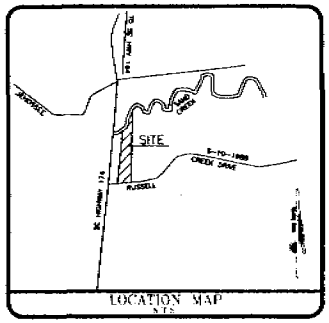
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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.

Fred Wallet
Project Manager
SCDHEC-OCRM



	RUSSELL CREEK DEVELOPMENT CO., LLC CHARLESTON COUNTY, SOUTH CAROLINA	PROJECT NO.: 06.008 DATE: 4/22/08 SCALE: 1"=2000'
	SITE LOCATION MAP	ADDENDUM NO.: SHEET REVISED: FIGURE NO.: 1



THIS LOT IS LOCATED IN
FLOOD ZONE AE, EL 14.00
SEE FIRM PANEL (45019C 0758 J)
MAP REVISED: 11/17/2004

NOTES:

1) AREA WAS DETERMINED BY THE COORDINATE METHOD.

2) ANYTHING SHOWN OUTSIDE THE DEFINED BOUNDARY IS FOR DESCRIPTIVE PURPOSE ONLY.

3) THE PUBLIC RECORDS REFERENCED ON THIS PLAT ARE ONLY USED AND/OR NECESSARY TO THE ESTABLISHMENT OF THE BOUNDARY OF THIS PROPERTY. THEY ARE NOT AND DO NOT CONSTITUTE A TITLE SEARCH.

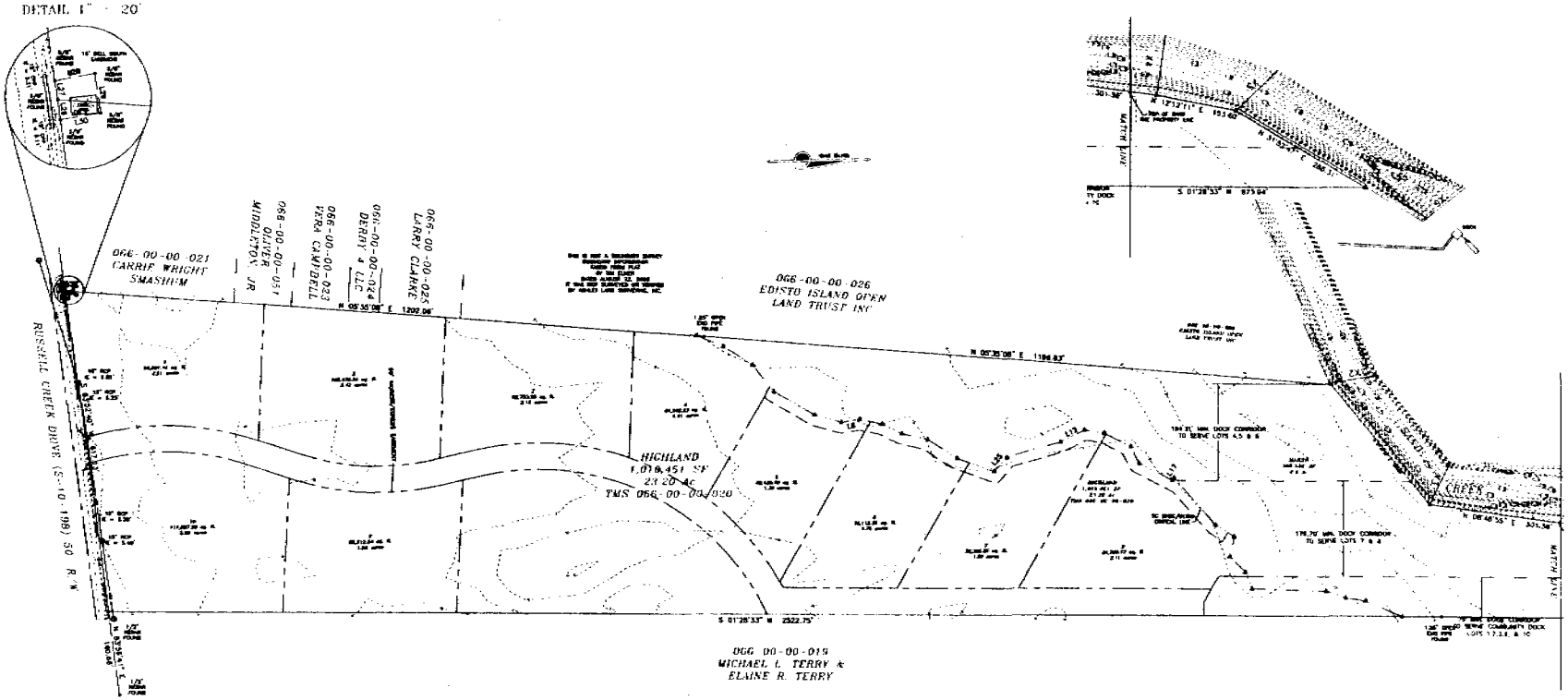
4) THIS PLAT HAS BEEN DONE FOR THE USE AND PURPOSE OF THE CLIENT ASCRIBED AND CONTRACTED WITH TO PERFORM THE REQUESTED SERVICES. ALL OTHER PARTIES ARE SUBSEQUENTLY PUT ON NOTICE AS TO THE LIMITED DEGREE OF RELIANCE UPON THIS PLAT BY THIRD PARTIES.

5) DISTANCE SHOWN HEREON ARE HORIZONTAL GROUND DISTANCES.

6) NO SUBSURFACE OR ENVIRONMENTAL INVESTIGATION OR SURVEYS WERE PERFORMED BY ASHLEY SURVEYING, INC. FOR THIS PLAT. THEREFORE THIS PLAT DOES NOT REFLECT THE EXISTENCE OR NONEXISTENCE OF WETLANDS, CONTAMINATION, OR OTHER CONDITIONS WHICH MAY AFFECT THIS PROPERTY.

REFERENCES:
1) PLAT BY TIM ELMER, DATED AUGUST 22, 2006

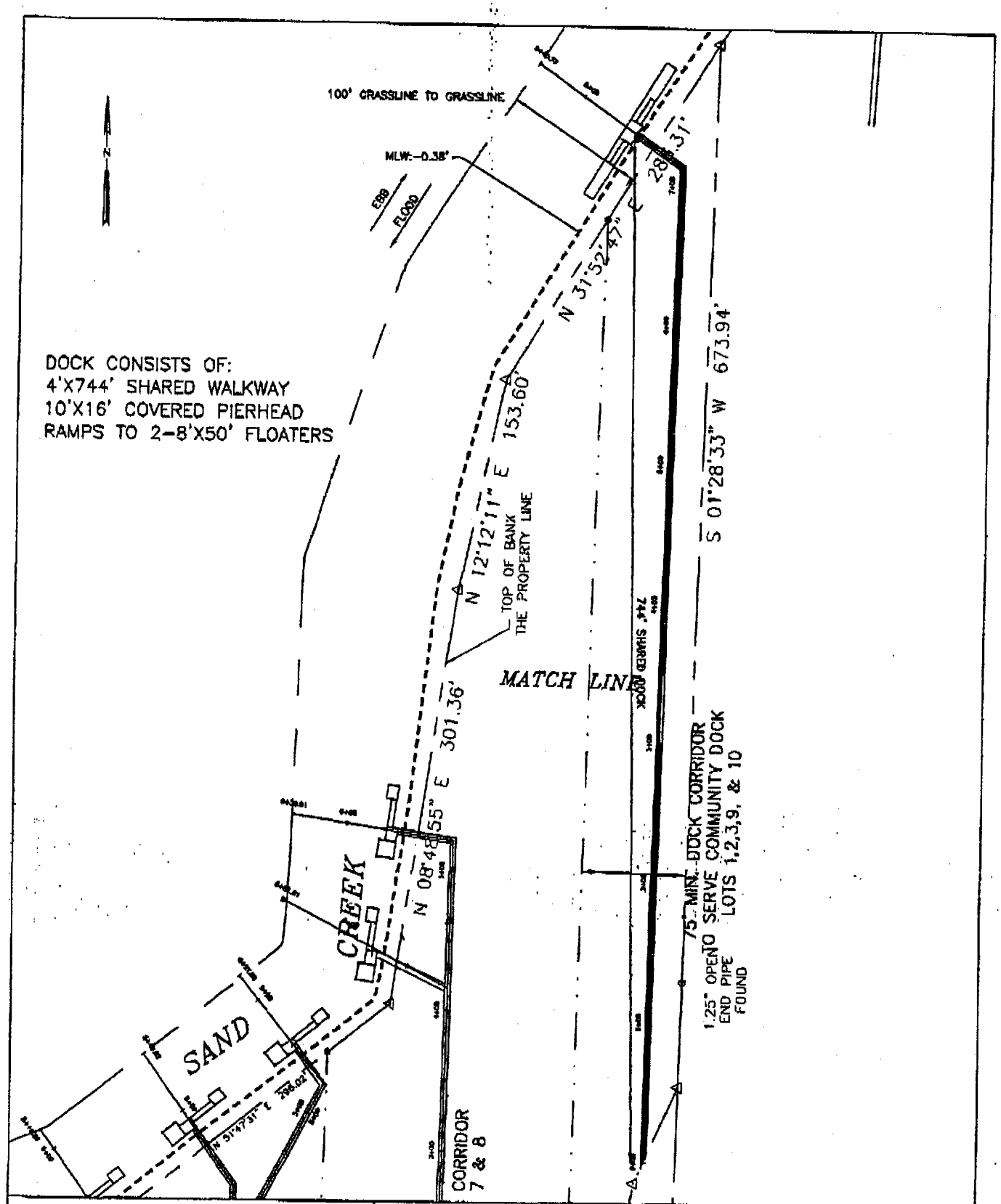
LINE	LENGTH	BEARING
L1	54.86	N 33°06'13" E
L2	66.86	N 33°42'13" E
L3	63.37	N 32°43'03" E
L4	88.82	N 30°54'40" E
L5	52.31	N 16°08'30" E
L6	36.57	N 07°05'40" W
L7	45.78	N 12°38'50" E
L8	40.57	N 27°47'46" E
L9	48.47	N 14°15'41" E
L10	85.88	N 33°43'38" E
L11	74.88	N 31°05'51" E
L12	51.40	S 28°41'21" E
L13	38.47	N 18°14'46" E
L14	54.17	N 28°41'24" E
L15	35.38	N 83°57'46" E
L16	70.87	N 28°46'54" E
L17	6.00	N 51°30'36" W
L18	41.47	N 33°30'56" E
L19	38.35	S 72°58'51" E
L20	40.84	N 45°47'51" E
L21	34.84	N 78°46'40" E
L22	39.86	N 28°06'30" E
L23	38.60	N 08°24'37" E
L24	78.10	N 24°15'28" E
L25	38.87	N 48°44'38" W
L26	7.77	S 83°55'46" W
L27	7.38	S 83°55'46" W
L28	15.24	N 88°44'02" W
L29	15.04	N 83°56'51" E
L30	15.22	S 08°24'54" E



TOPOGRAPHIC SURVEY FOR
TMS 066-00-00-020 (32.0 ACRES) OWNED BY
RUSSELL CREEK DEVELOPMENT CO., LLC
LOCATED ON LITTLE EDISTO ISLAND
CHARLESTON COUNTY, SOUTH CAROLINA

SCALE 1" = 100'
APRIL 15, 2006

ASHLEY LAND SURVEYING, INC.
JOB NUMBER 2006-3058-001
PCL



PROJECT TITLE: PALM CREEK SUBDIVISION

PROJECT LOCATION: 8054 RUSSELL CREEK DR., LITTLE EDISTO ISLAND, CHARLESTON COUNTY

APPLICANT: MITCH YATES
100 BERRINGER DR.
GOOSE CREEK, SC 29445

APPLICATION #: SAC 2008-1092-1IS

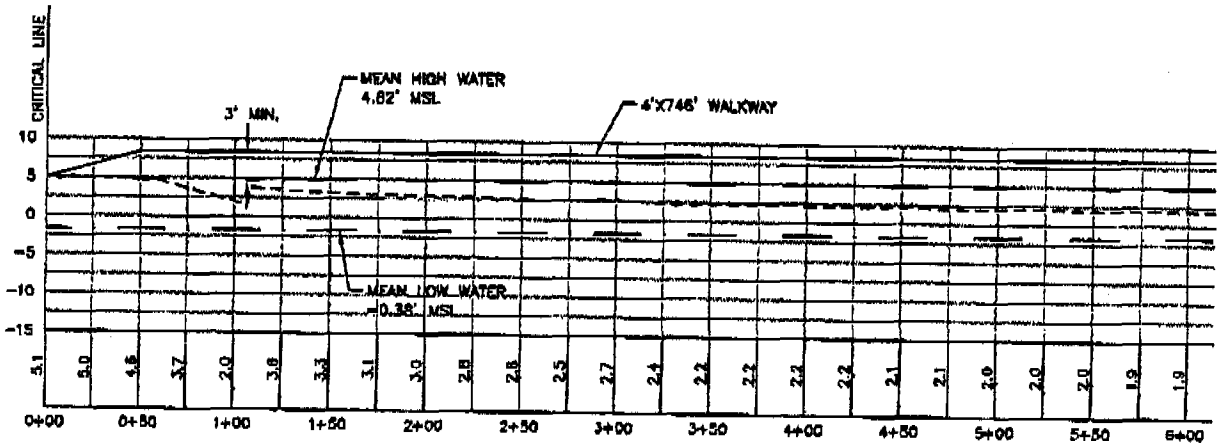
PRIVATE RECREATIONAL JOINT-USE DOCK
FOR LOTS 1,2,3,9, & 10

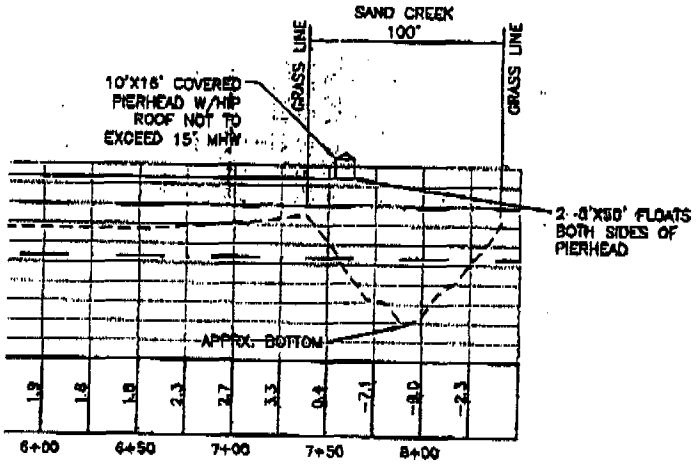
DATE: 5/30/08

SCALE 1"=100'

0' 100' 200'

SOUTH CAROLINA REGISTERED PROFESSIONAL ENGINEER
No. 21276
STEVEN MITCHELL YATES





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APPLICATION #: SAC 2008-1092-1IS

PRIVATE RECREATIONAL JOINT-USE DOCK
FOR LOTS 1,2,3,9, & 10

DATE: 5/30/08

HORIZ. SCALE 1"=100'
VERT. SCALE 1"=25'

0' 100' 200'

SOUTH CAROLINA REGISTERED PROFESSIONAL ENGINEER
No. 21276
STEVEN MITCHELL YATES