

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 Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N # 2005-05546-6H

February 10, 2014

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et. seq., 1976 S.C. Code of Laws, as amended), an application has been submitted to the Department of the Army and the State of South Carolina by

Essex Homes Southeast, Inc.
C/O Mr. Frank Berry
120 Cromer Road
Lexington, South Carolina 29073

for a permit to expand an existing marina on

Lake Murray

located at Turner's Pointe Marina, adjacent to East Shore Drive, Town of Lexington, Lexington County, South Carolina (Lat 34.0179, Long -81.3582).

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

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

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

The proposed work consists of expanding the existing Turner's Pointe Marina. In detail, the work consists of the addition of a 26 slip floating dock and 52 boat lifts. This floating dock measures 46' X 204' with 4' X 24' fingers and will be attached to an existing walkway. The marina was previously authorized for 52 slips and 26 were constructed before the permit expired. The applicant is now proposing to construct the remaining 26 slips. The applicant also proposes to install 52 boat lifts that measure 8' X 20'. The project purpose, as stated by the applicant, is to complete marina construction. The applicant has not proposed any compensatory mitigation.

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: Jessica Hooten
1835 Assembly Street
Room 865 B-1
Columbia, South Carolina 29201**

The work shown on this application must be determined consistent with applicable provisions of the South Carolina Construction in Navigable Waters Permit Program. 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 navigable waters permit must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

Preliminary review of the scope of work sought by this application indicates that State and Federal permits should be processed concurrently. If the Federal permit is issued in advance of the State's a special provision will be included in the Federal permit expressing the endorsement of the District Engineer to any revisions or conditions subsequently imposed by the State permit.

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 0.21 acres of freshwater habitat well inland 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.

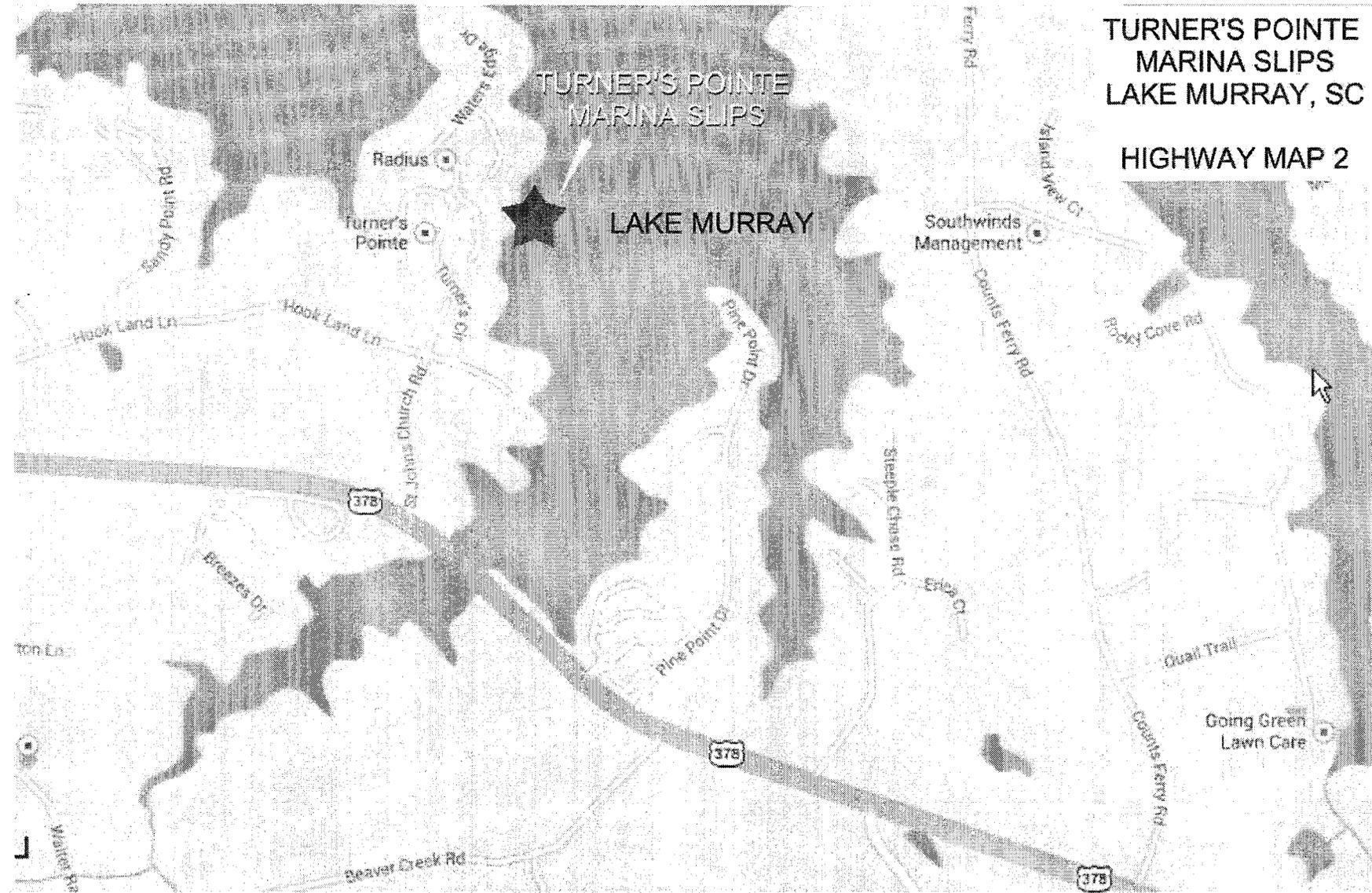
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may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

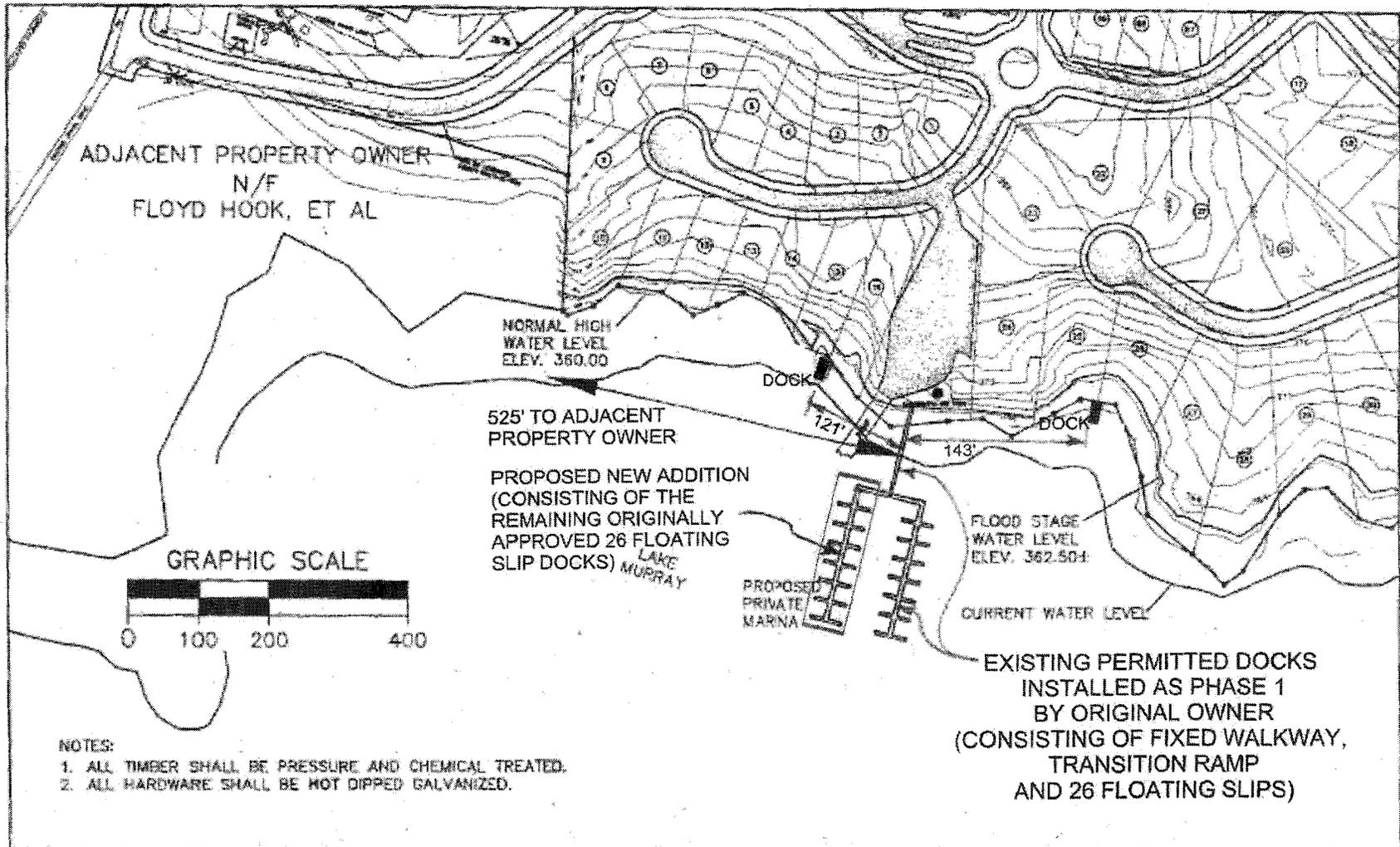
If there are any questions concerning this public notice, please contact Jessica Hooten at 803-253-3916.



SAC-2005-05546
TURNER'S POINTE MARINA
LEXINGTON COUNTY, SC
FEBRUARY 10, 2014
SHEET 1 OF 11



**TURNER'S POINTE
MARINA SLIPS
LAKE MURRAY, SC
HIGHWAY MAP 2**



PURPOSE: PROVIDE BOATING ACCESS

DATUM: MLW
ADJACENT PROPERTY OWNERS:
1. EDWIN E. HOOK, ETALS

SITE PLAN

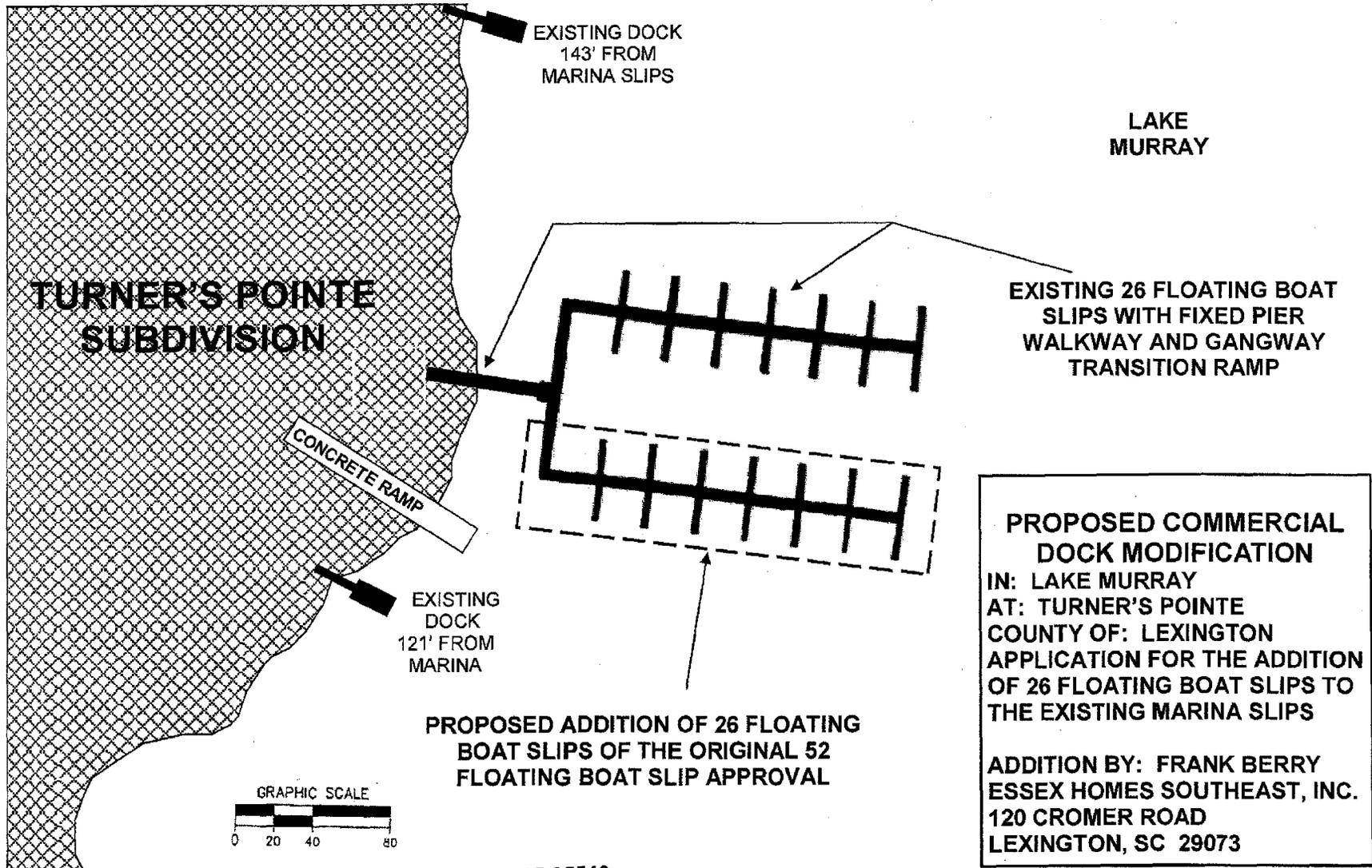
APPLICANT
ESSEX HOMES SOUTHEAST, INC.
120 CROMER ROAD
LEXINGTON, SC 29073

PROPOSED COMMERCIAL DOCK

IN: LAKE MURRAY
AT: TURNER'S POINTE
COUNTY OF: LEXINGTON
APPLICATION BY:
FRANK BERRY

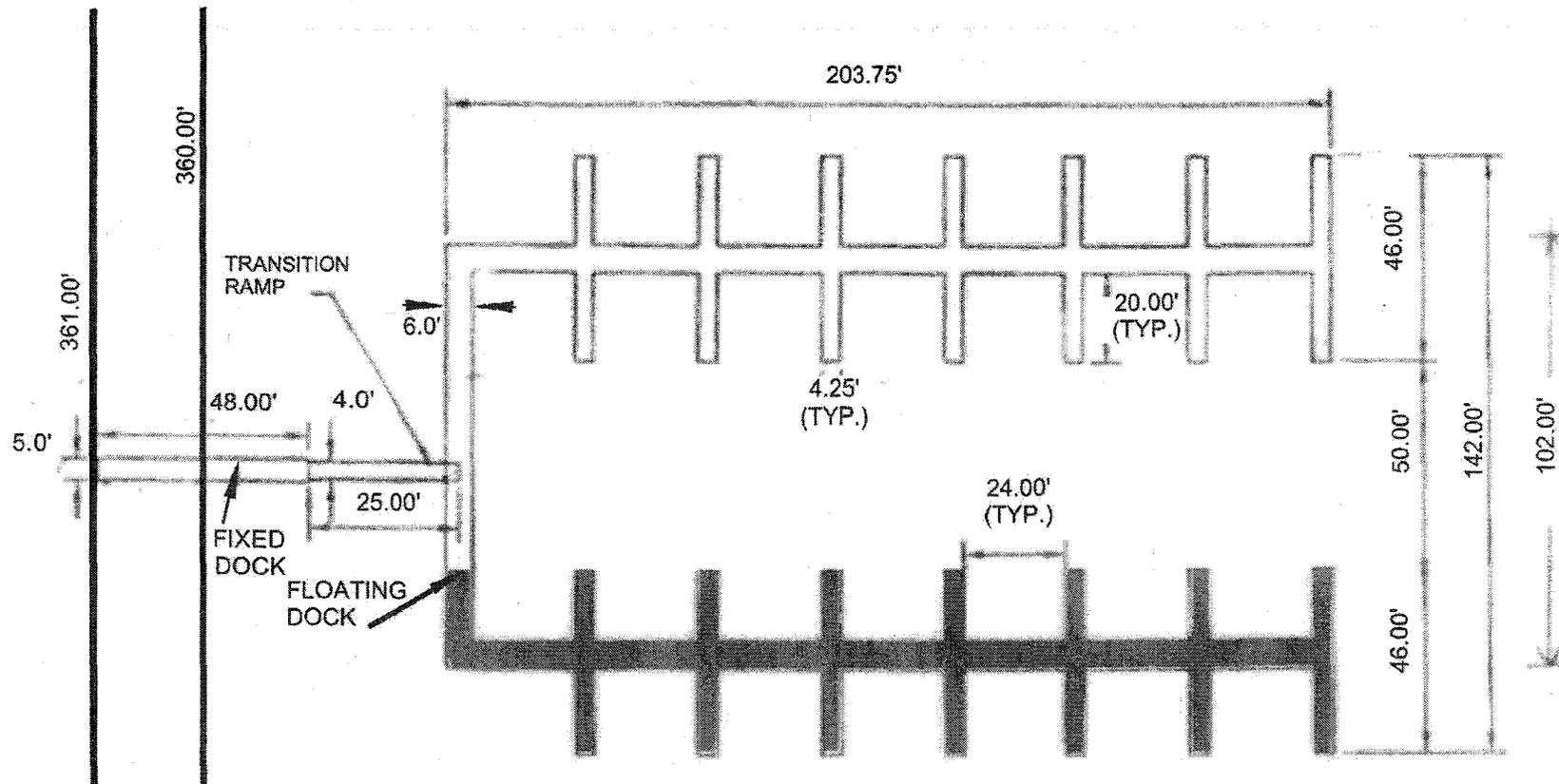
DEC. 5, 2013

AERIAL VIEW - TURNER'S POINTE EXISTING AND PROPOSED MARINA SLIPS



PROPOSED COMMERCIAL DOCK MODIFICATION
 IN: LAKE MURRAY
 AT: TURNER'S POINTE
 COUNTY OF: LEXINGTON
 APPLICATION FOR THE ADDITION OF 26 FLOATING BOAT SLIPS TO THE EXISTING MARINA SLIPS

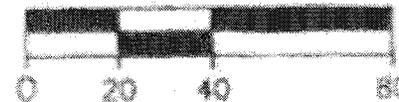
ADDITION BY: FRANK BERRY
 ESSEX HOMES SOUTHEAST, INC.
 120 CROMER ROAD
 LEXINGTON, SC 29073



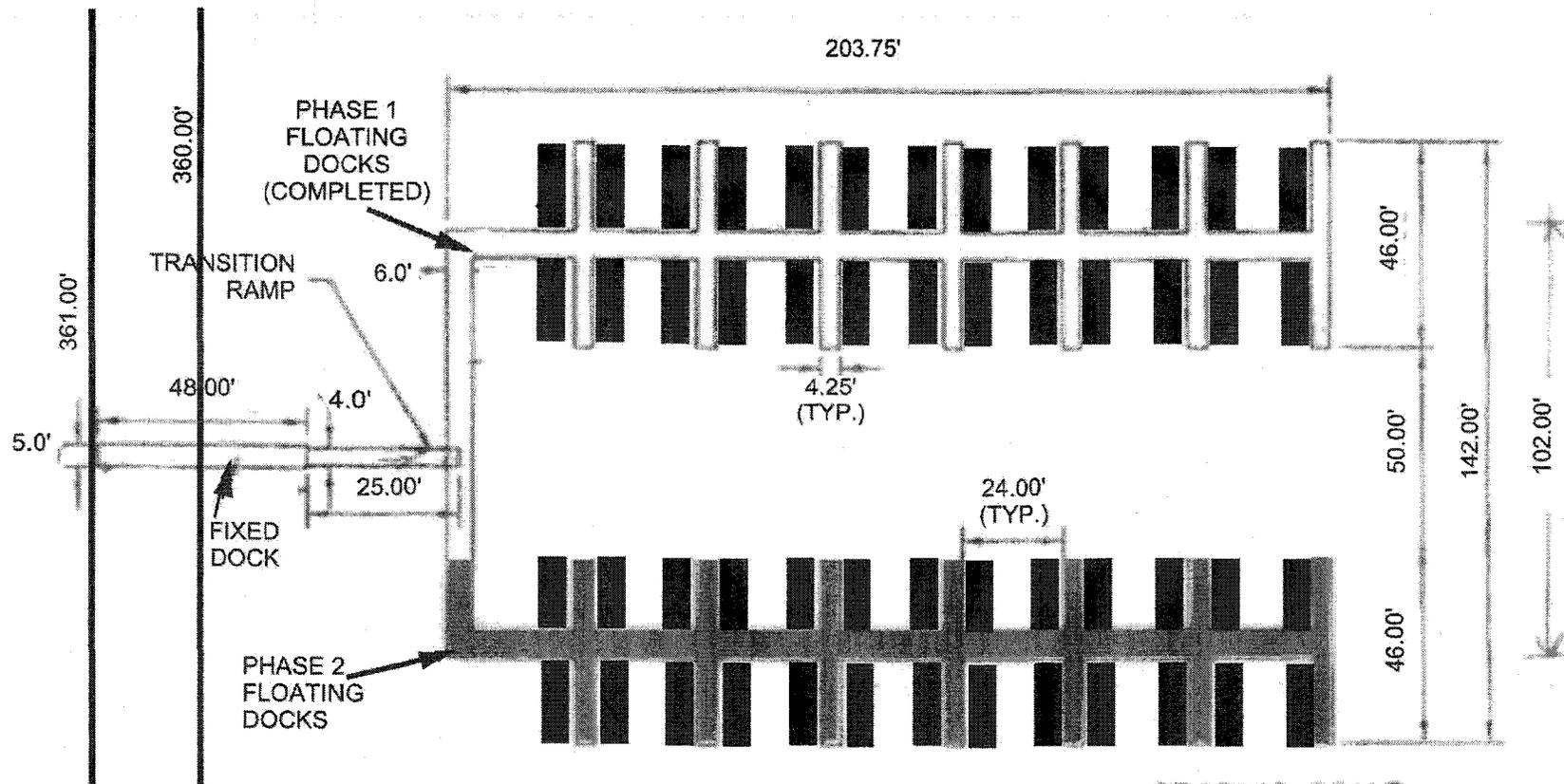
NOTES:

1. ALL TIMBER SHALL BE PRESSURE AND CHEMICAL TREATED.
2. ALL HARDWARE SHALL BE HOT DIPPED GALVANIZED.

GRAPHIC SCALE



■ = Phase 2 Marina Slips



LEGEND:  = FLOATING BOAT LIFT

GRAPHIC SCALE

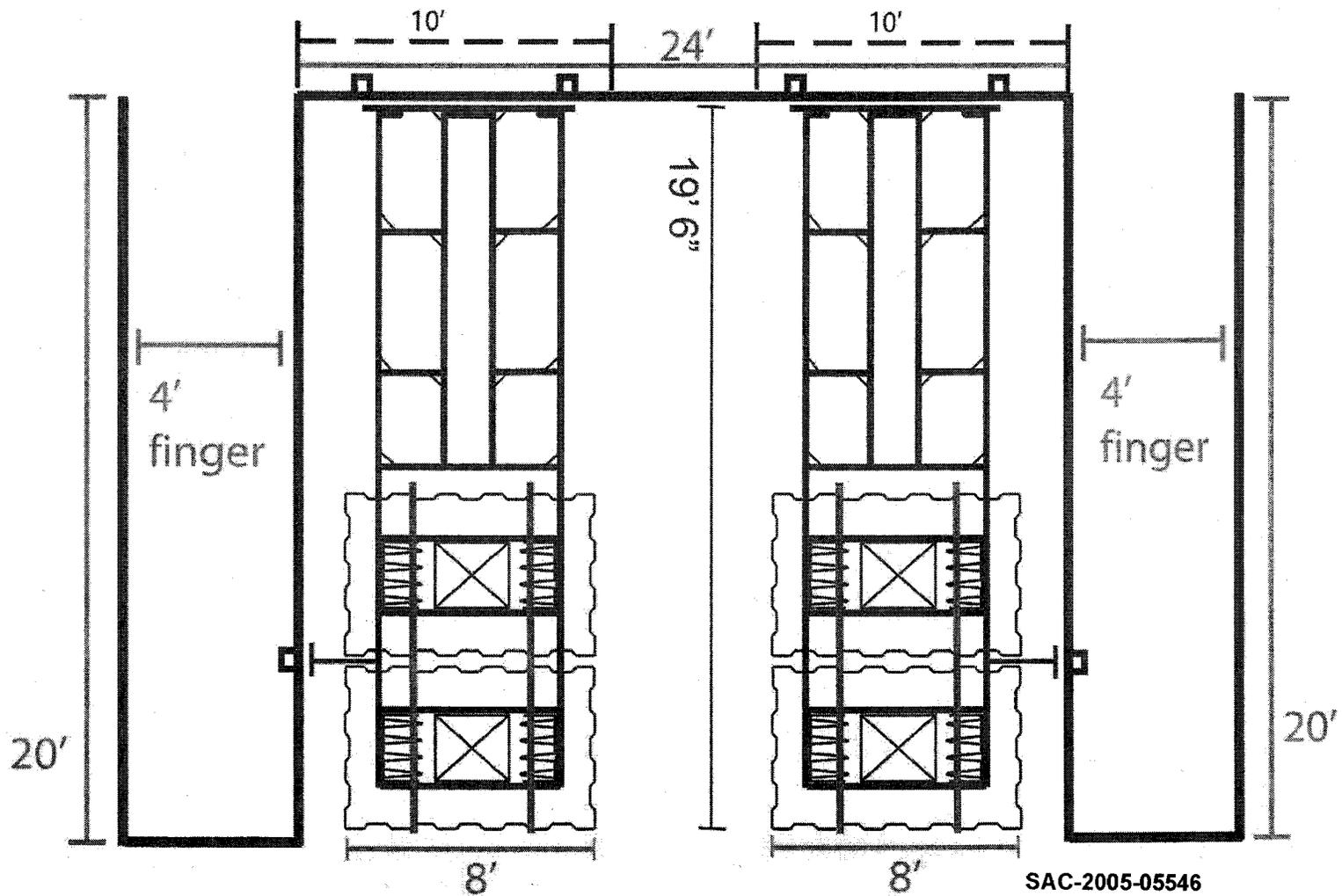


TURNER'S POINTE

PROPOSED FLOATING BOAT LIFT SLIP LOCATIONS

SAC-2005-05546
 TURNER'S POINTE MARINA
 LEXINGTON COUNTY, SC
 FEBURARY 10, 2014
 SHEET 6 OF 11

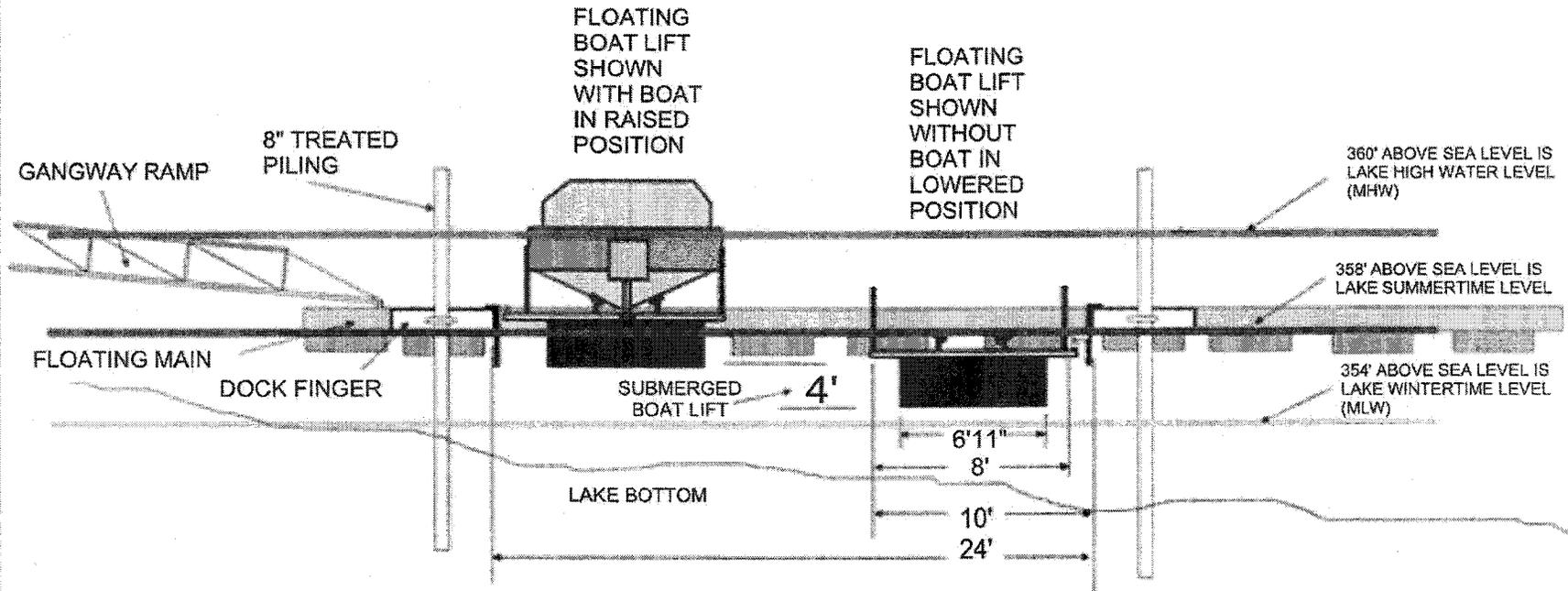
TURNER'S POINTE MARINA PROPOSED BOAT LIFTS



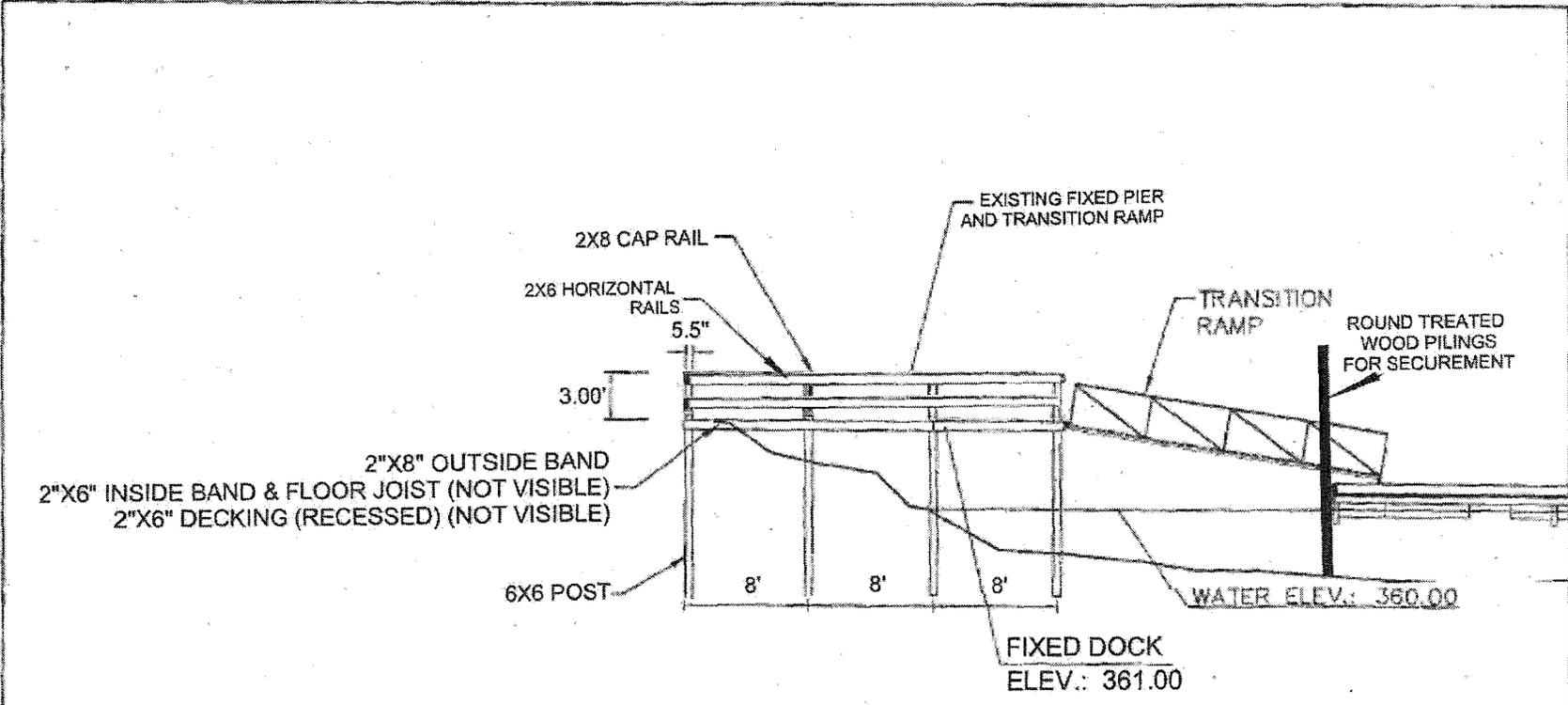
SAC-2005-05546
TURNER'S POINTE MARINA
LEXINGTON COUNTY, SC
FEBURARY 10, 2014
SHEET 7 OF 11

TURNER'S POINTE MARINA SLIPS

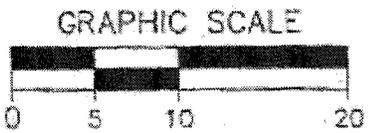
SIDE CUTAWAY VIEW OF PROPOSED FLOATING BOAT LIFTS AT DIFFERENT LAKE LEVELS



SAC-2005-05546
 TURNER'S POINTE MARINA
 LEXINGTON COUNTY, SC
 FEBRUARY 10, 2014
 SHEET 8 OF 11



- NOTES:
1. ALL TIMBER SHALL BE PRESSURE AND CHEMICAL TREATED.
 2. ALL HARDWARE SHALL BE HOT DIPPED GALVANIZED.



PURPOSE: PROVIDE BOATING ACCESS

DATUM MLW

ADJACENT PROPERTY OWNERS:

1. EDWN E. HOOK, ETALS

DOCK ELEVATION 1

APPLICANT

ESSEX HOMES SOUTHEAST, INC.

120 CROMER ROAD

LEXINGTON, SC 29073

PROPOSED COMMERCIAL DOCK

IN: LAKE MURRAY

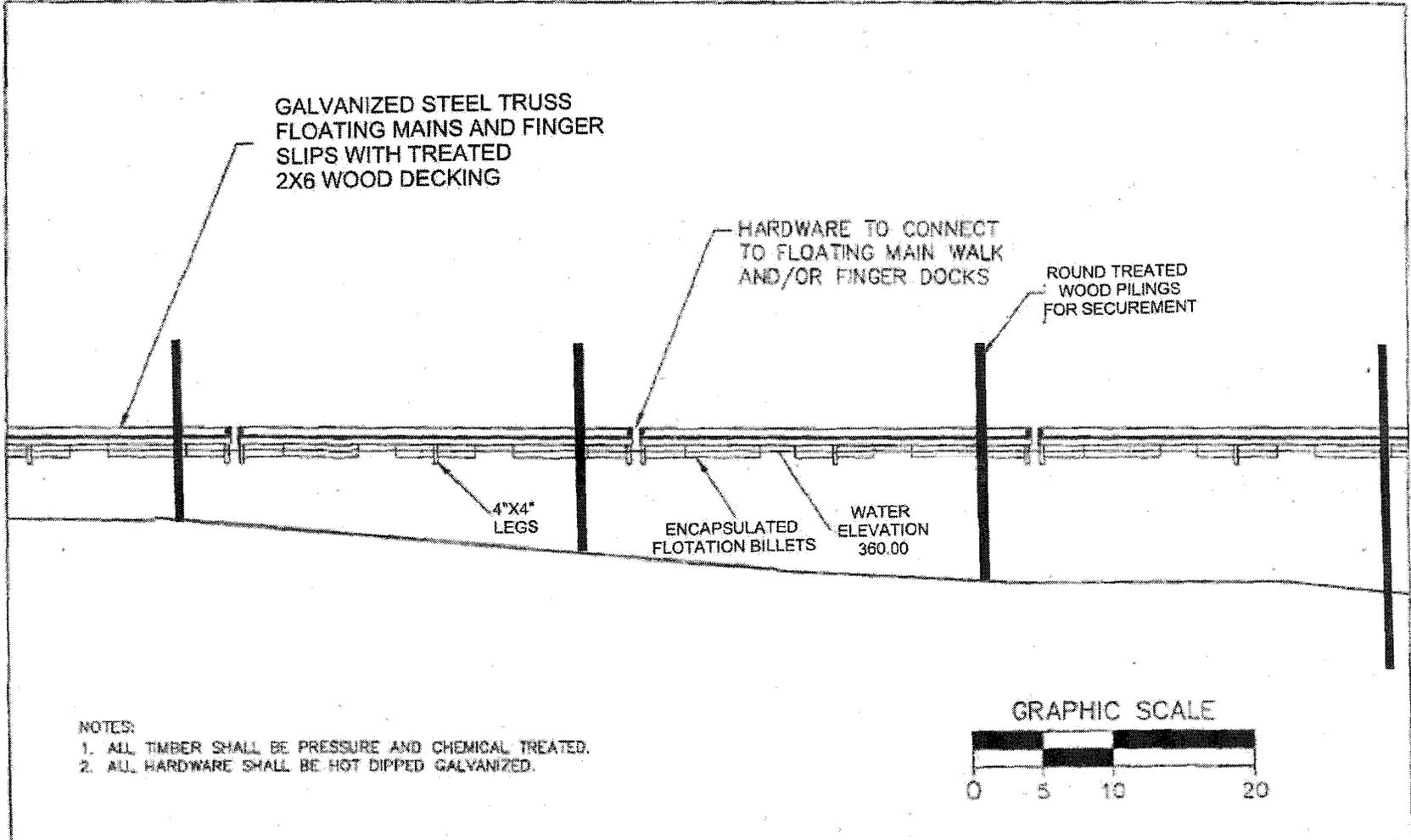
AT: TURNER'S POINTE

COUNTY OF: LEXINGTON

APPLICATION BY:

FRANK BERRY

DEC. 5, 2013



PURPOSE: PROVIDE BOATING ACCESS

DATUM: MLW
ADJACENT PROPERTY OWNERS:
1. EDWIN E. HOOK, ETALS

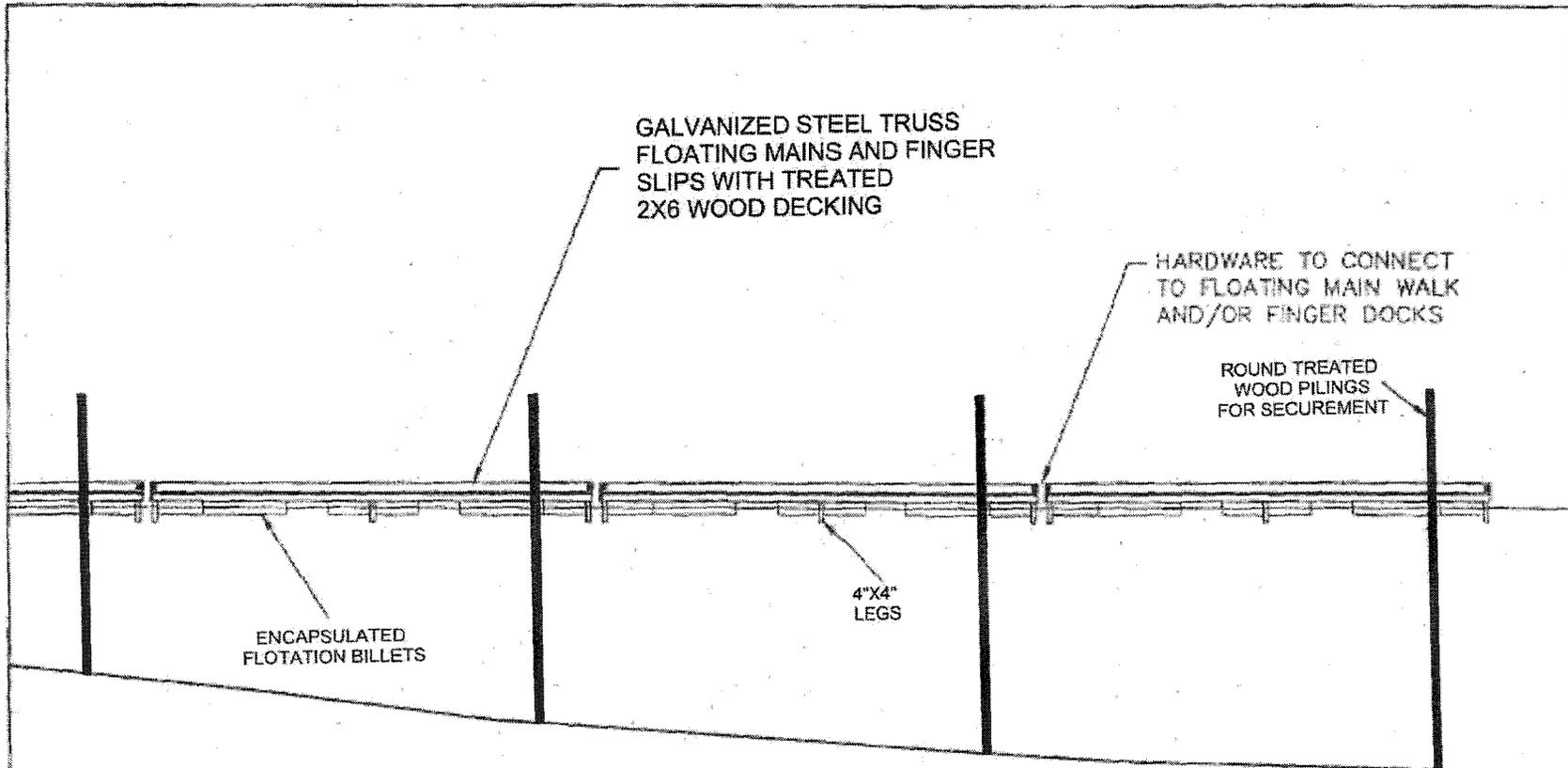
DOCK ELEVATION 2

APPLICANT
ESSEX HOMES SOUTHEAST, INC.
120 CROMER ROAD
LEXINGTON, SC 29073

PROPOSED COMMERCIAL DOCK

IN: LAKE MURRAY
AT: TURNER'S POINTE
COUNTY OF: LEXINGTON
APPLICATION BY:
FRANK BERRY

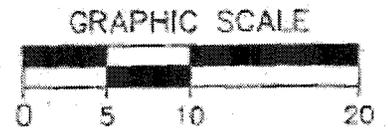
DEC. 5, 2013



ENCAPSULATED FLOTATION BILLETS

4\"X4\" LEGS

- NOTES:
1. ALL TIMBER SHALL BE PRESSURE AND CHEMICAL TREATED.
 2. ALL HARDWARE SHALL BE HOT DIPPED GALVANIZED.



PURPOSE: PROVIDE BOATING ACCESS

DATUM: MLW

ADJACENT PROPERTY OWNERS:
1. EDWIN E. HOOK, ETALS

DOCK ELEVATION 3

APPLICANT
ESSEX HOMES SOUTHEAST, INC.
120 CROMER ROAD
LEXINGTON, SC 29073

PROPOSED COMMERCIAL DOCK

IN: LAKE MURRAY
AT: TURNER'S POINTE
COUNTY OF: LEXINGTON
APPLICATION BY:
FRANK BERRY

DEC. 5, 2013