

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1835 Assembly Street, Room 865 B-1
Columbia, South Carolina 29201

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N SAC-2009-00015

June 1, 2017

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), 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 South Carolina Department of Health and Environmental Control by

Mr. Mark Boyce
True Homes, LLC
2649 Breckonridge Centre Drive
Monroe, North Carolina 28110

for a permit to dredge and construct a commercial public marina facility in

Fishing Creek Lake

at a location north of SC Highway 200 (Great Falls Highway) at the terminus of Park Road in Lancaster, Lancaster County, South Carolina (Latitude: 34.6100 °N, Longitude: 80.8764 °W), Great Falls quadrangle.

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 dredging and constructing a commercial public marina in navigable waters of the U.S. In detail, the applicant proposes to dredge 605.6 cubic yards of clay below the original lake bottom (approximately 0.1 acre) for a dry boat storage launching

well and to construct a marina with 80 covered wet slips, each 24 feet in length, located on four piers, a gas dock, a departure pier, and a retrieval pier with an upland dry storage facility for an additional 150 boats (initial, expandable to 200 boats.) The marina will contain an office, ship store, parking for 48 vehicles, restrooms, marine fuel, and marine sewage pump out services, all available for use by the general public on a first-come, first-served basis. Dredge spoil will be placed on site above the FERC project boundary. Stockpiled dredged material will be surrounded by silt fence with outlets for drainage. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by implementing the following avoidance and minimization efforts: no construction will take place from March-June; the dredging operation will utilize a turbidity curtain to reduce sedimentation to the surrounding waters; dredged spoils will be placed on site above the FERC project boundary; designing and sizing the proposed marina in concert with the Edgewater Public Marina to minimize the effects of a single, larger marina at either location; proposing a number of slips that is less than the maximum allowable under Duke Energy's Shoreline Management Guidelines; and designing, constructing, and operating the proposed marina congruent with the State of South Carolina's Clean Marina Program guidelines. The applicant has not proposed any compensatory mitigation due to the minimal impacts consisting of approximately 0.1 acre of dredging for the dry boat storage launching well. The project purpose is to enhance public recreational boating on Fishing Creek Lake. A Standard Permit was issued by this office on September 20, 2010, authorizing dredging and marina construction. However, no work had commenced prior to permit expiration on September 30, 2015. Please note that only comments received in response to this public notice will be taken into consideration.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

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. This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. 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 0.01 acres of freshwater habitat well inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's 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). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and 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.

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 Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(l)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties 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 and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

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 and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act. 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 cannot undertake to adjudicate rival claims.

The Corps 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 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1835 Assembly Street, Room 865 B-1
Columbia, South Carolina 29201**

If there are any questions concerning this public notice, please contact Amy Cappellino, Project Manager, at (803) 253-3992.



USGS QUAD SHEET GREAT FALLS, SC

USGS QUAD SHEET LANCASTER SE, SC



CMEC, PC
Construction Materials
Engineering & Consulting, PC
C-3512
4401 Shopton Road
Charlotte, NC 28217
(704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA SITE PLAN USGS OVERLAY	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 1 OF 15 SCALE: NTS	REVISION # & DATE: CHANGE APPLICANT 3/31/17

EDGEWATER PUBLIC MARINA
SAC 2009-16-51C

EDGEWATER COMMUNITY DOCK #1
SAC 2009-17-51C

EDGEWATER COMMUNITY DOCK #2
SAC 2009-18-51C

EDGEWATER COMMUNITY DOCK #3
SAC 2009-19-51C

EDGEWATER COMMUNITY DOCK #4
SAC 2009-20-51C

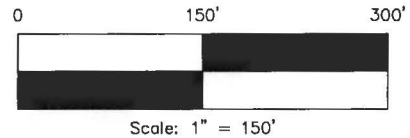
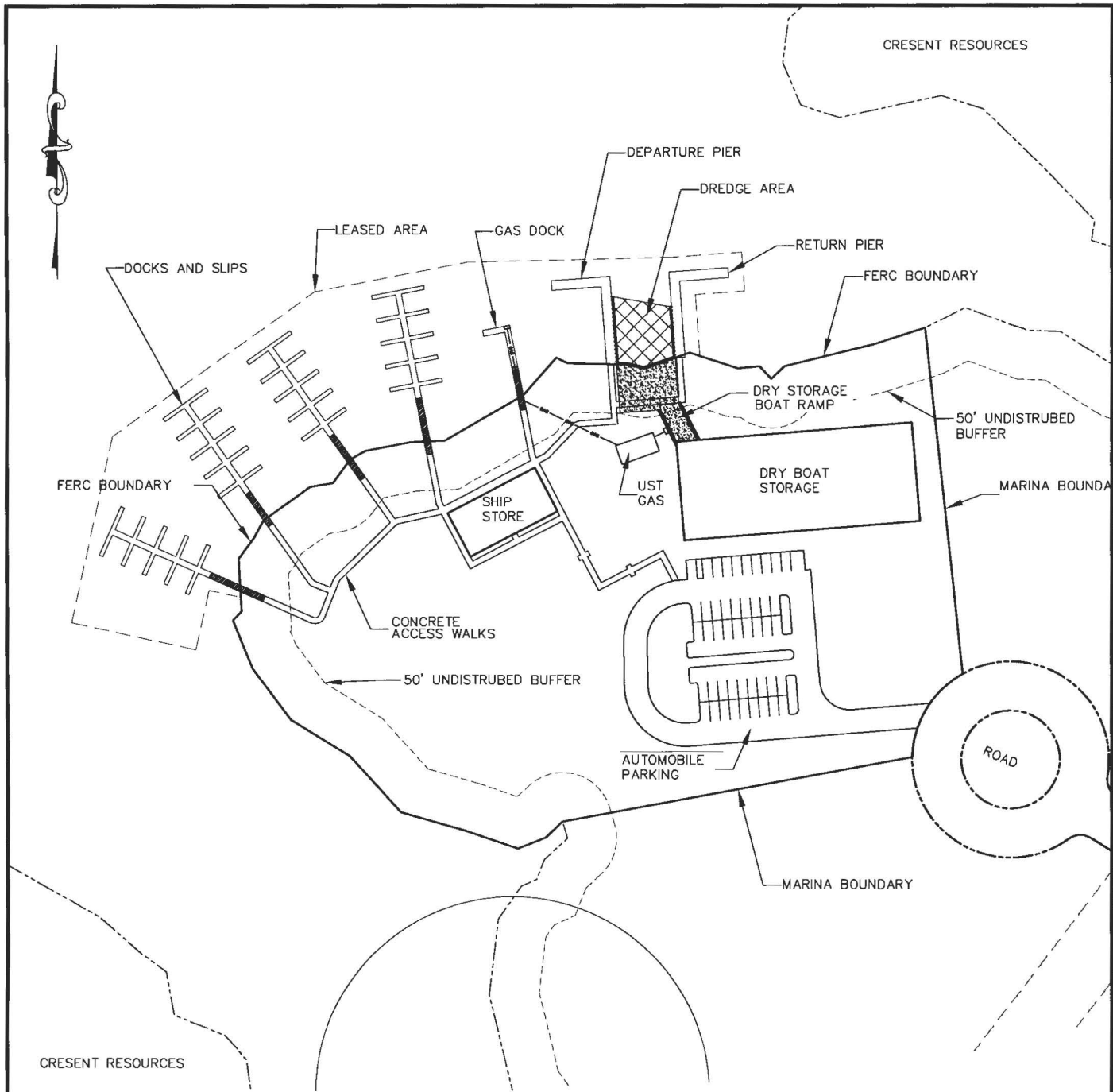
FISHING CREEK MARINA
SAC 2009-00015



Scale: 1" = 2000'

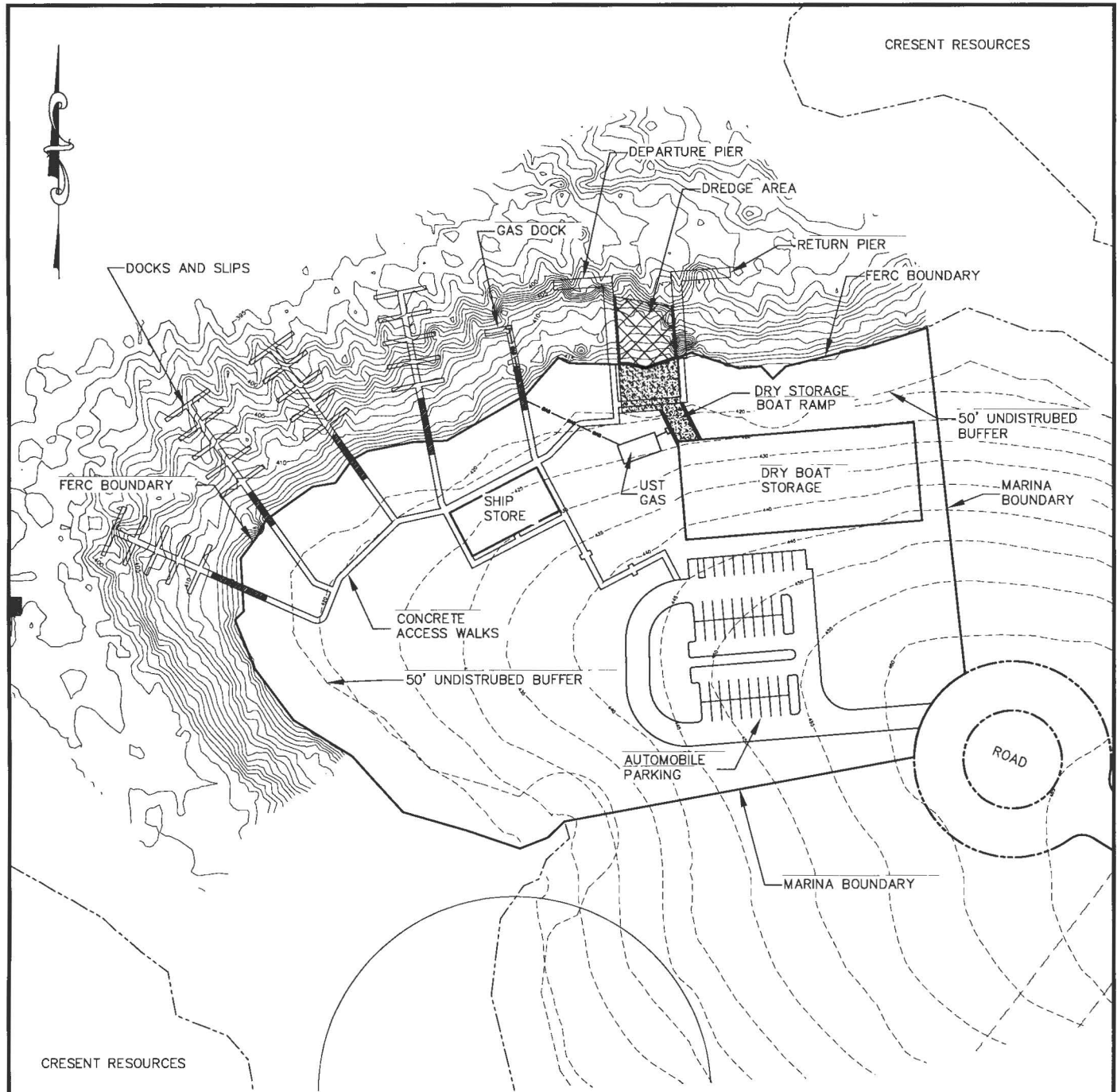
CMEC, PC
Construction Materials
Engineering & Consulting, PC
NCC-3512 SC COA 4239
4401 Shopton Road
Charlotte, NC 28217
(704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA LOCATION	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 2 OF 15 SCALE: 1"=2000'	REVISION # & DATE: CHANGE APPLICANT 3/31/17

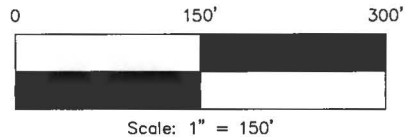


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PROJECT NAME: FISHING CREEK PUBLIC MARINA SITE PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 3 OF 15 SCALE: 1"=150'	REVISION # & DATE: CHANGE APPLICANT 3/31/17

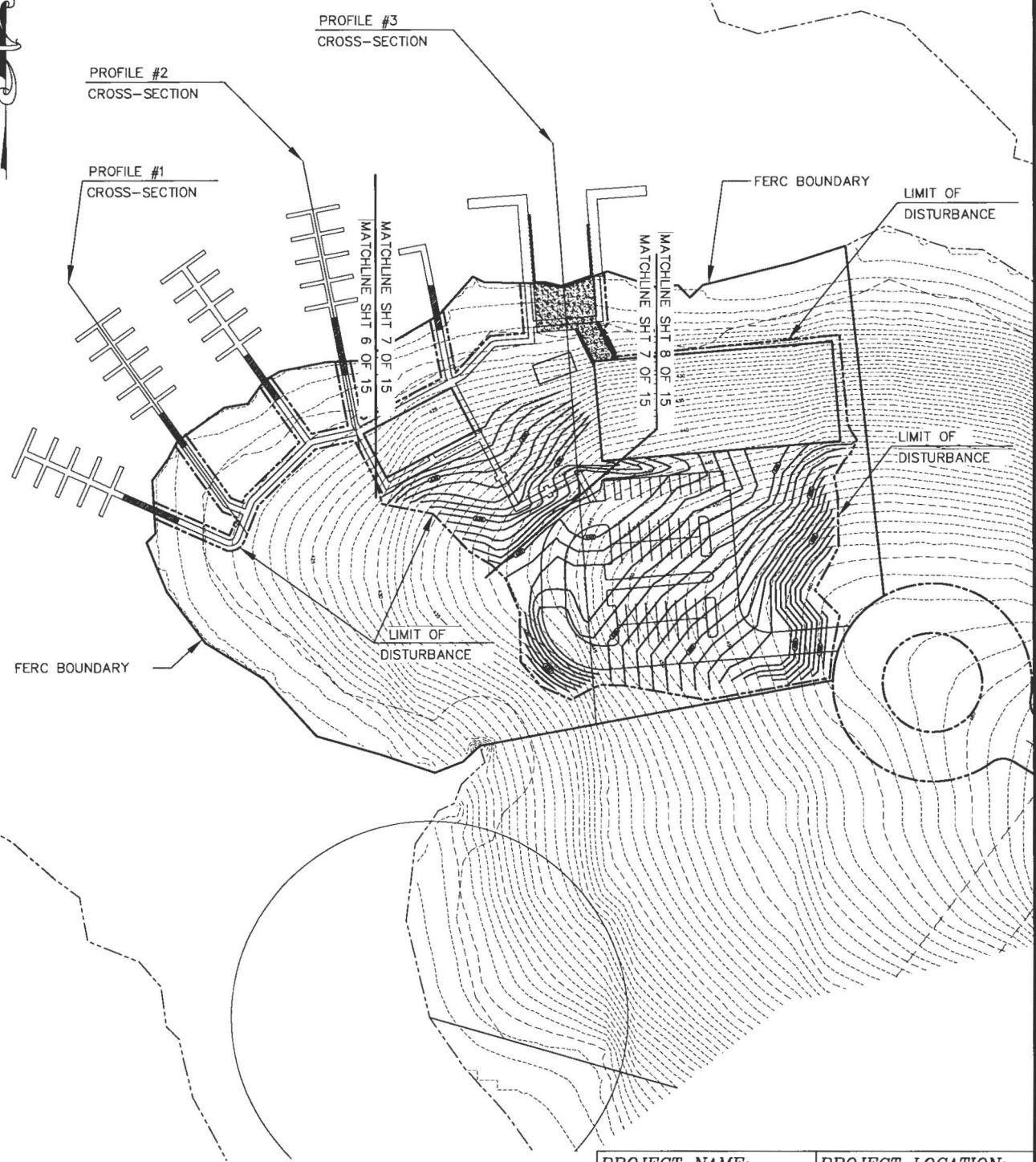


CONTOUR NOTE:
 BELOW FULL POND - 1' INTERVAL
 ABOVE FULL POND - 5' INTERVAL

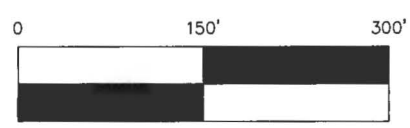


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 NC C-3512 SC COA 4239
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 Charlotte, NC 28217
 (704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA BATHYMETRY	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 4 OF 15 SCALE: 1"=150'	REVISION # & DATE: CHANGE APPLICANT 3/31/17



CONTOUR NOTE:
ABOVE FULL POND - 1' INTERVAL



Scale: 1" = 150'

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(704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA GRADING PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 5 OF 15 SCALE: 1"=150'	REVISION # & DATE: CHANGE APPLICANT 3/31/17



PROFILE #2
CROSS-SECTION

FERC BOUNDARY

MATCHLINE SHT 7 OF 15

PROFILE #1
CROSS-SECTION

FERC BOUNDARY

LANDING: 418.0

LANDING: 418.0

LIMIT OF
DISTURBANCE

50' UNDISTURBED
BUFFER

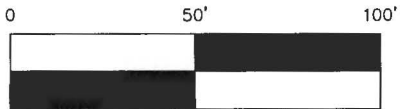
TW: 427.0
BW: 421.5

LIMIT OF
DISTURBANCE

LANDING: 418.0

LIMIT OF
DISTURBANCE

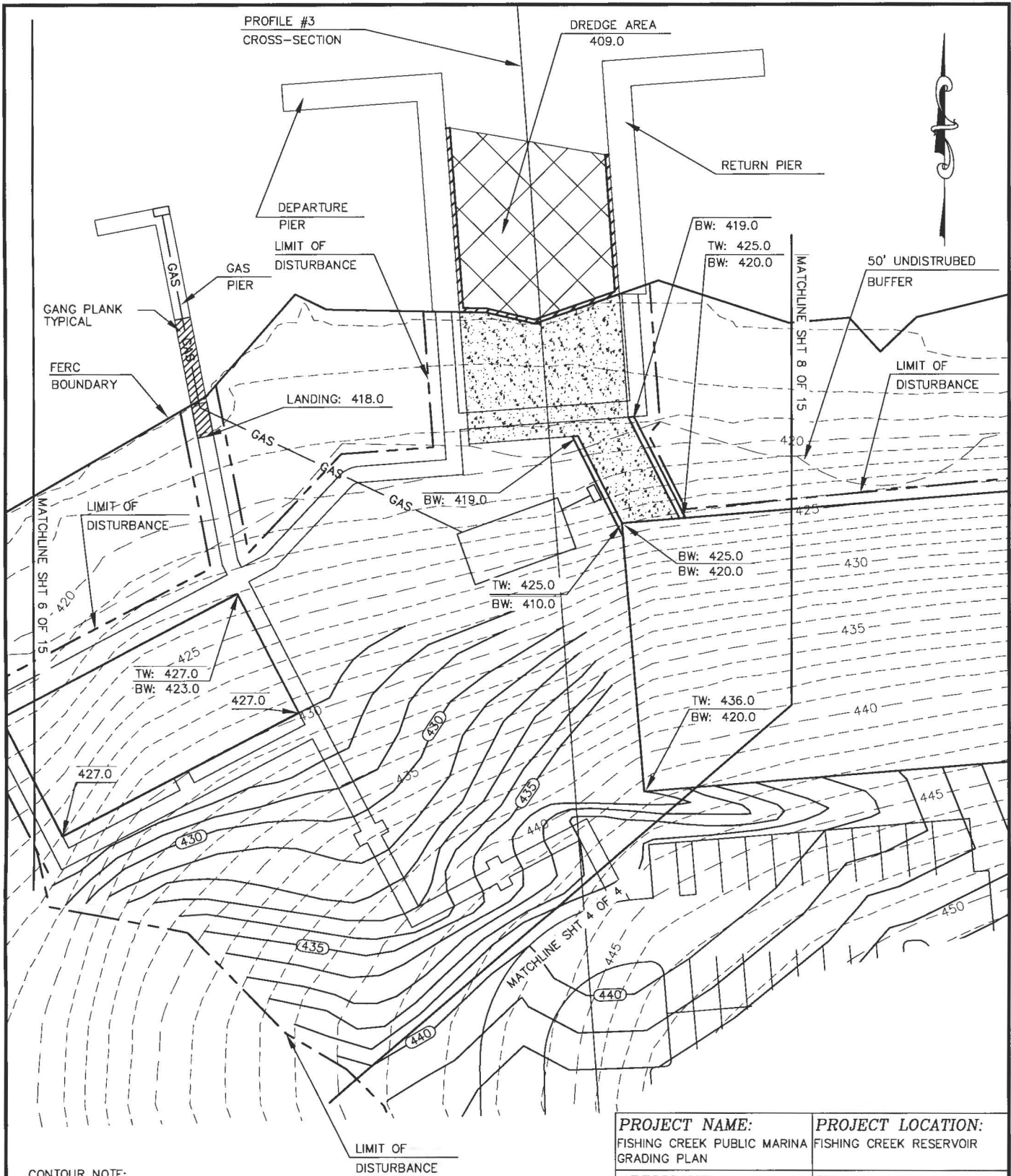
CONTOUR NOTE:
ABOVE FULL POND - 1' INTERVAL



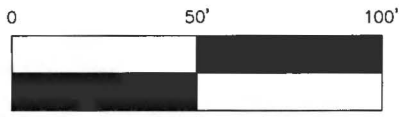
Scale: 1" = 50'

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NC C-3512 SC COA 4239
4401 Shopton Road
Charlotte, NC 28217
(704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA GRADING PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 6 OF 15 SCALE: 1"=50'	REVISION # & DATE: CHANGE APPLICANT 3/31/17

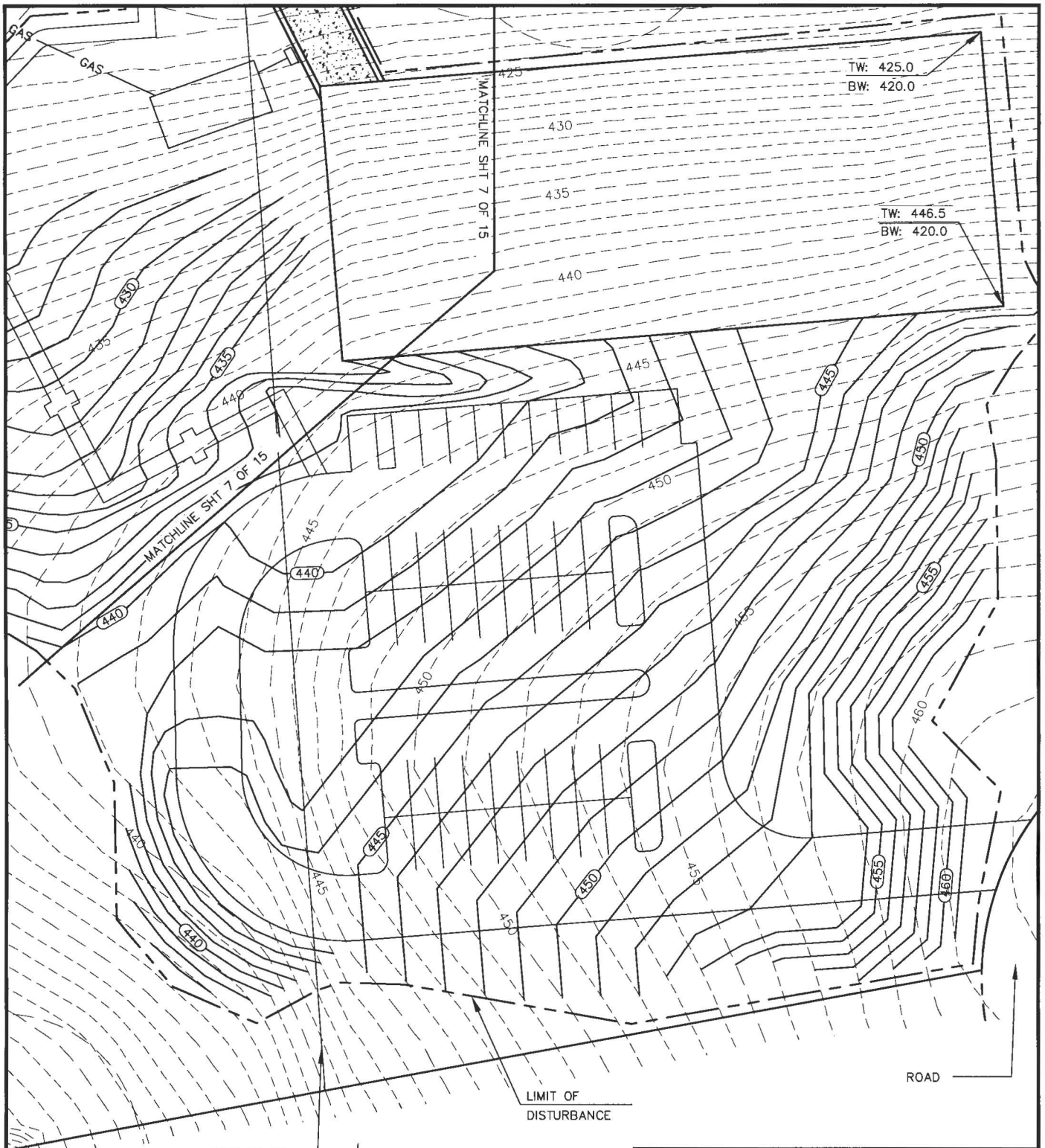


CONTOUR NOTE:
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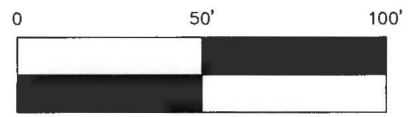
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Construction Materials
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NC C-3512 SC COA 4239
4401 Shopton Road
Charlotte, NC 28217
(704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA GRADING PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 7 OF 15 SCALE: 1"=50'	REVISION # & DATE: CHANGE APPLICANT 3/31/17



PROFILE #3
CROSS-SECTION

CONTOUR NOTE:
ABOVE FULL POND - 1' INTERVAL

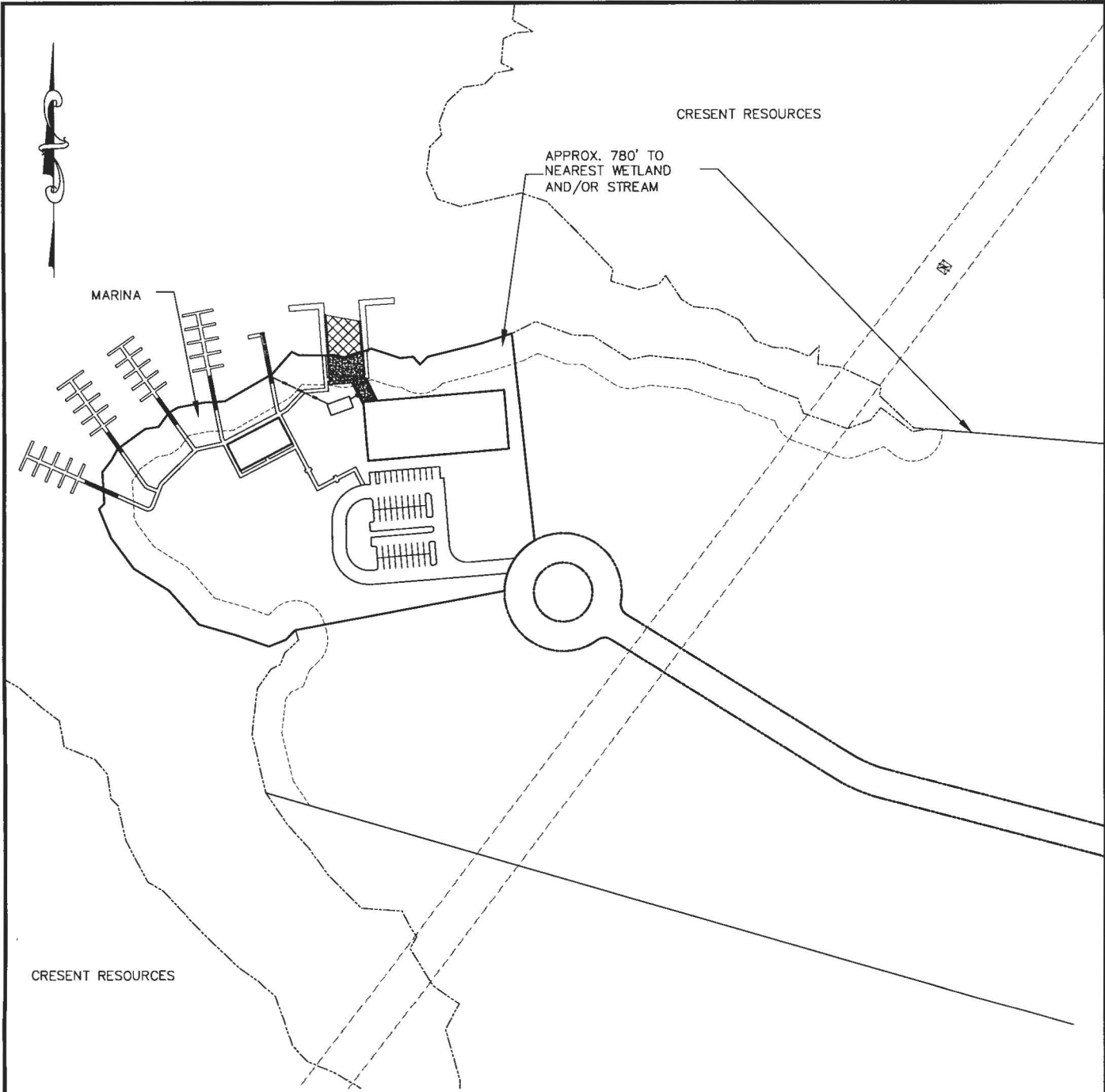


Scale: 1" = 50'



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Construction Materials
Engineering & Consulting, PC
NC C-3512 SC COA 4239
4401 Shopton Road
Charlotte, NC 28217
(704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA GRADING PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 8 OF 15 SCALE: 1"=50'	REVISION # & DATE: CHANGE APPLICANT 3/31/17



CRESENT RESOURCES

CRESENT RESOURCES

APPROX. 780' TO
NEAREST WETLAND
AND/OR STREAM

MARINA

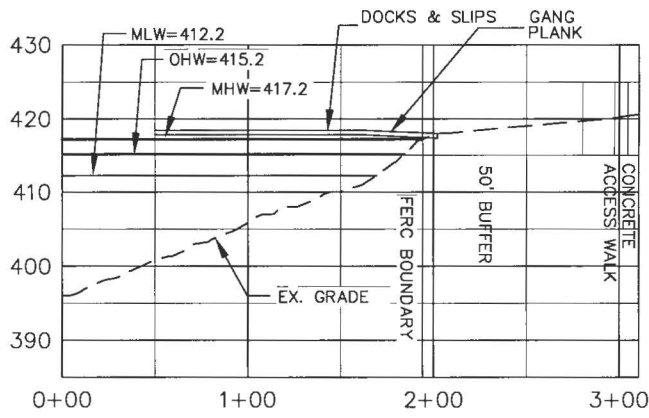


Scale: 1" = 250'

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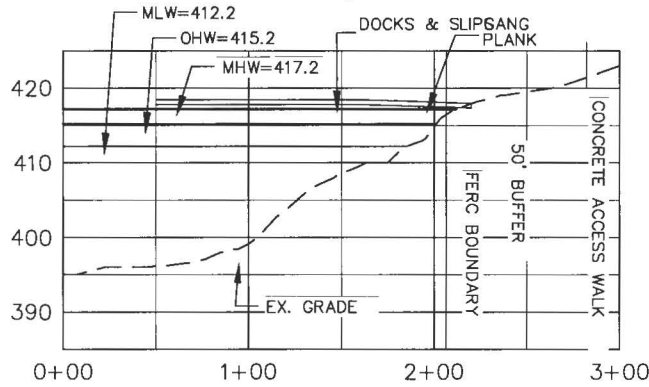
PROJECT NAME: FISHING CREEK PUBLIC MARINA WETLANDS	PROJECT LOCATION: FISHING CREEK RESERVOIR WETLANDS
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 9 OF 15 SCALE: 1"=250'	REVISION # & DATE: CHANGE APPLICANT 3/31/17

CUT VOLUME: 0.0 CYS
 FILL VOLUME: 0.0 CYS
 BASED ON 15' WIDTH
 MATERIAL: N/A

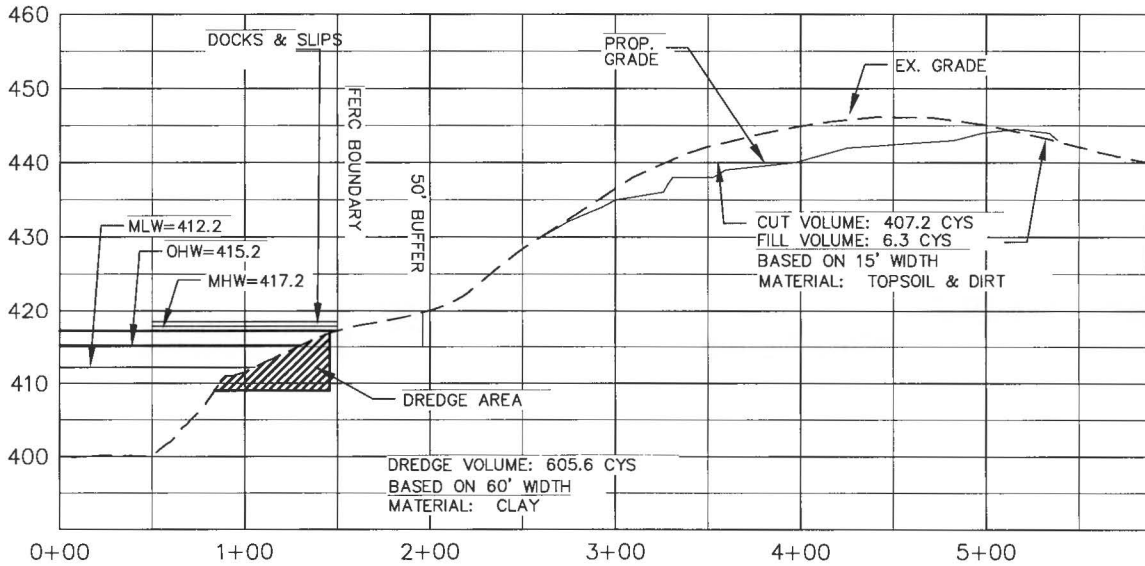


PROFILE #1

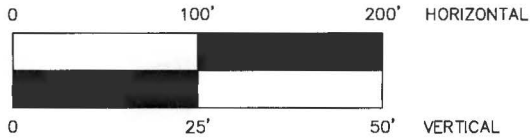
CUT VOLUME: 0.0 CYS
 FILL VOLUME: 0.0 CYS
 BASED ON 15' WIDTH
 MATERIAL: N/A



PROFILE #2

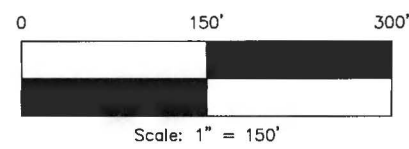
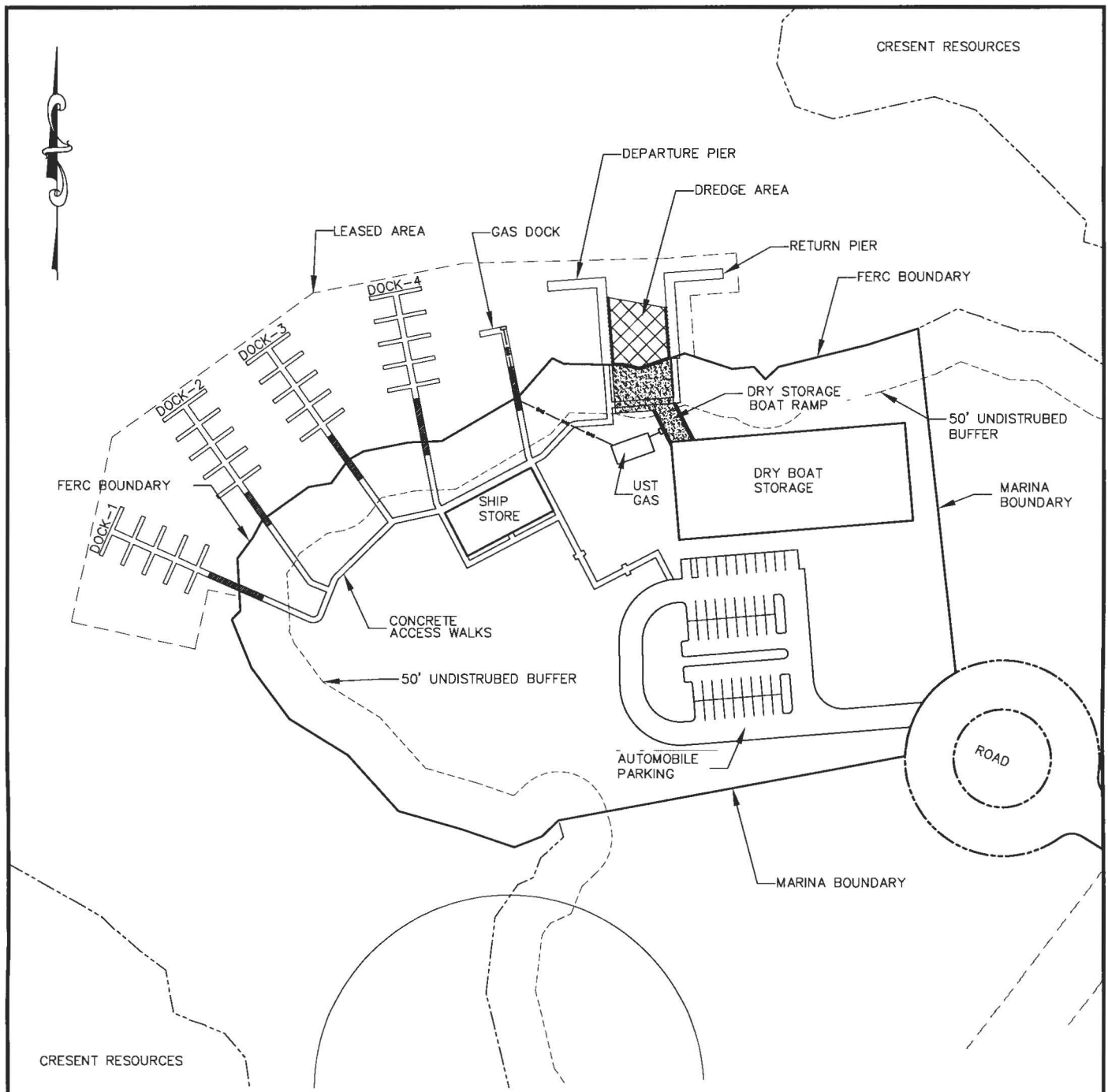


PROFILE #3



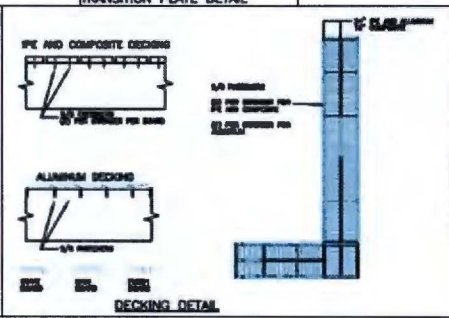
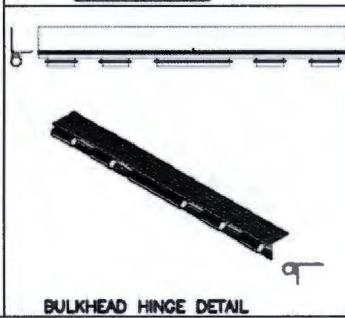
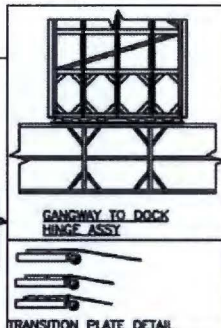
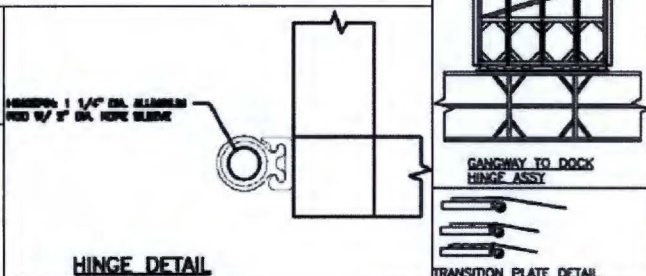
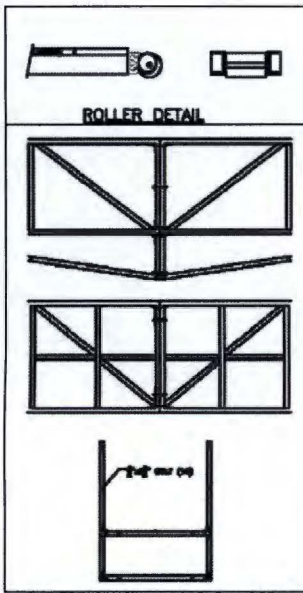
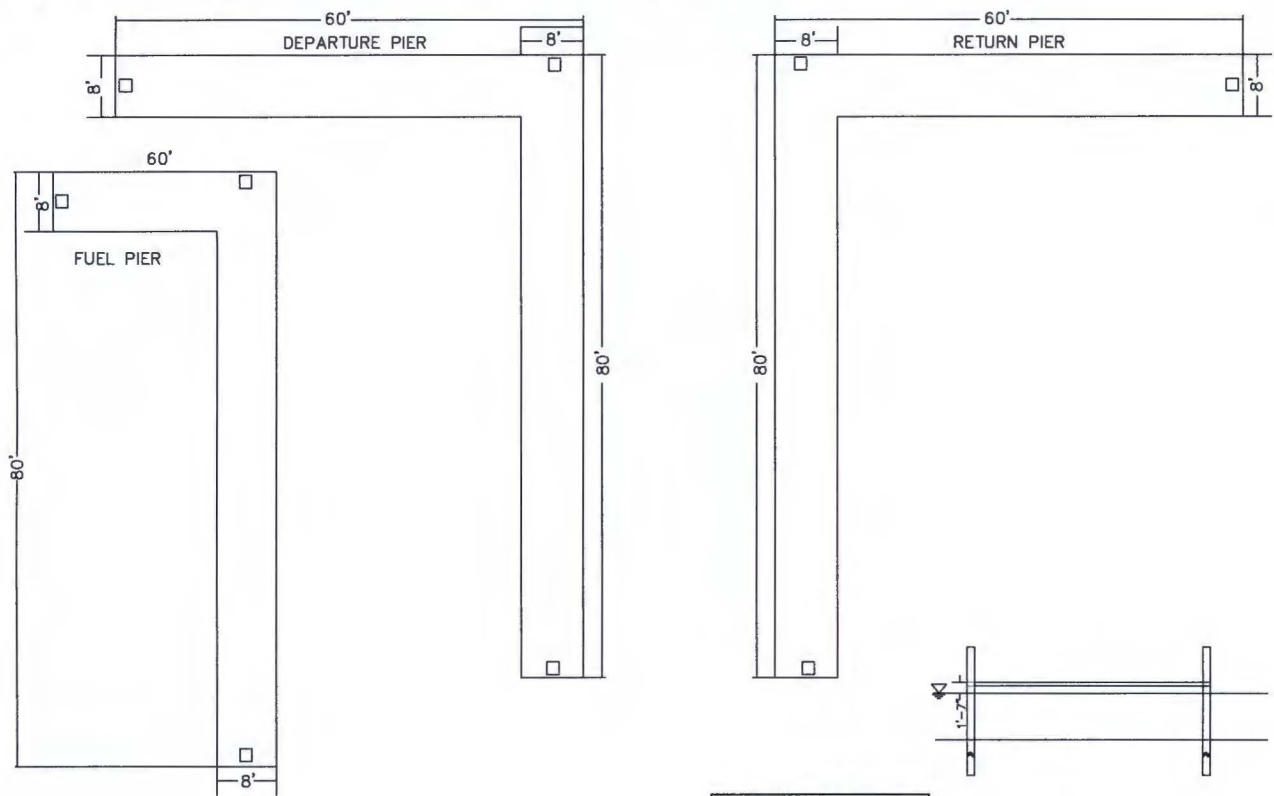
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 4401 Shopton Road
 Charlotte, NC 28217
 (704) 361-8104 Fax (704) 665-5619

PROJECT NAME: FISHING CREEK PUBLIC MARINA PROFILE	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 10 OF 15: SCALE: 1"=100' H 1"=25' V	REVISION # & DATE: CHANGE APPLICANT 3/31/17



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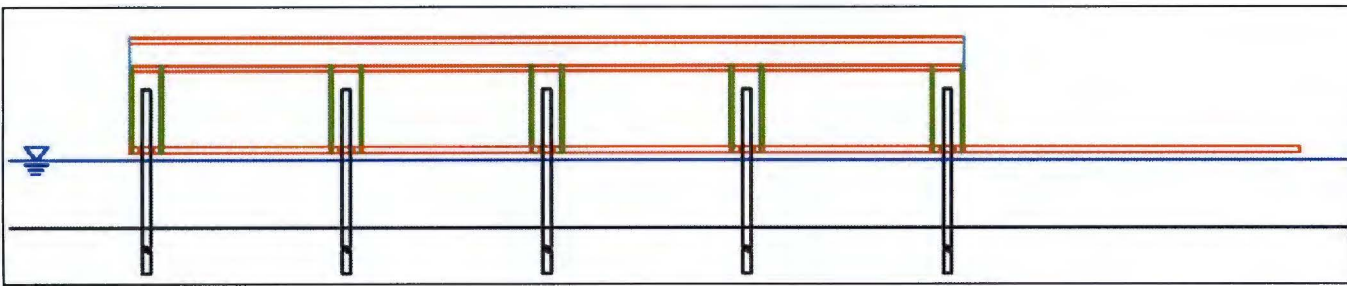
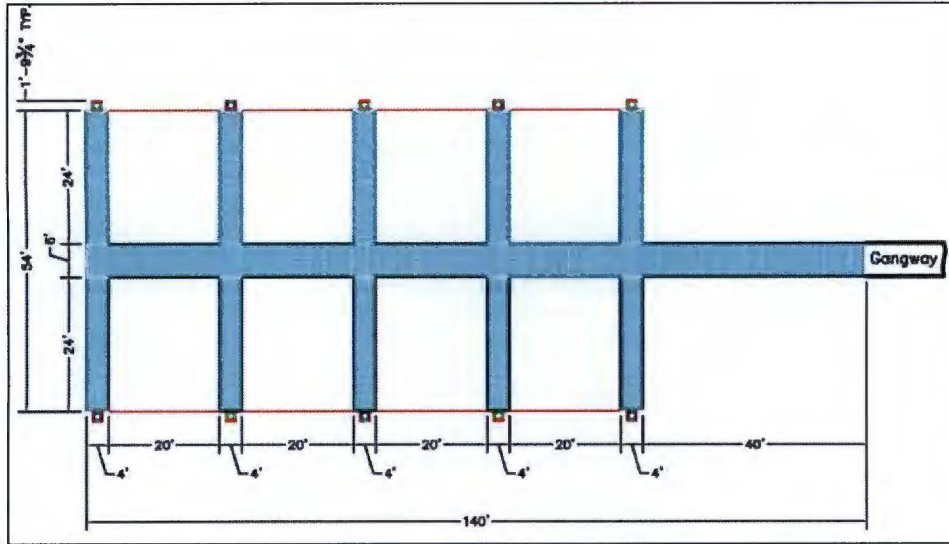
PROJECT NAME: FISHING CREEK PUBLIC MARINA SITE PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 11 OF 15 SCALE: 1"=150'	REVISION # & DATE: CHANGE APPLICANT 3/31/17



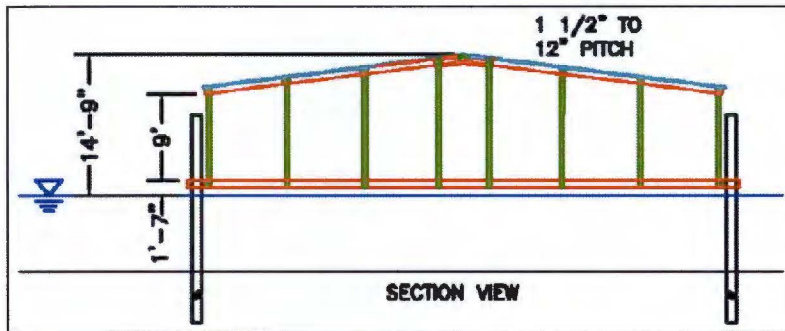
2-PIECE GANGWAY ASSEMBLY DETAIL

Category 5 Dock Materials	
Mainframe	- 9" x 2.25" x 3/16" Aluminum C-Channel
Gussets	- 2" x 2" x 1/8" Aluminum Square Tubing
Vertical Supports	- 4" x 4" x 1/8" Aluminum Square Tubing
Roof Framing	- 8" x 2" x 3/16" Aluminum C-Channel
Decking	- 8" Aluminum Decking Planks on 24" Centers with Non-Skid Surface Coating
Roofing	- 5.5" x .75" Ipe Planks on 24" Centers
Fasteners	- 26 Gauge Galvanized, painted Sheet Metal
Floatation	- Stainless Steel Fasteners throughout
Welds	- Celcofoam (Permafloat) encapsulated floatation
	- Welds conform to "American Welding Society Structural Welding Code - Aluminum"

PROJECT NAME: FISHING CREEK PUBLIC MARINA SITE PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 12 OF 15 SCALE: NTS	REVISION # & DATE: CHANGE APPLICANT 3/31/17

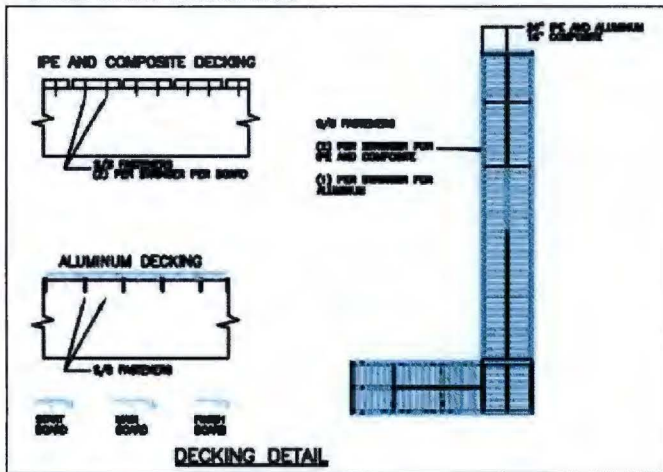
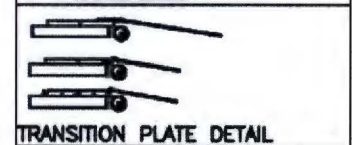
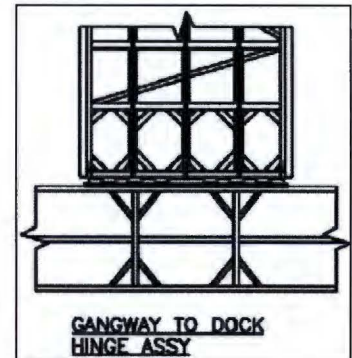
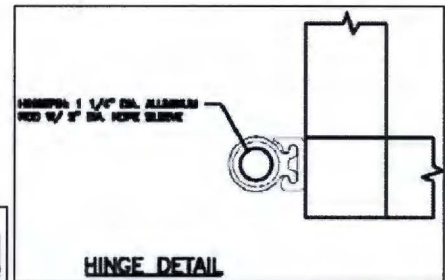
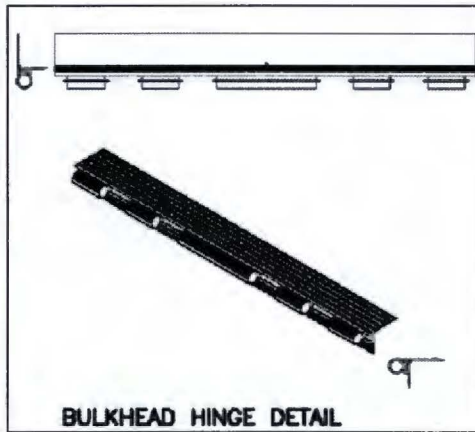
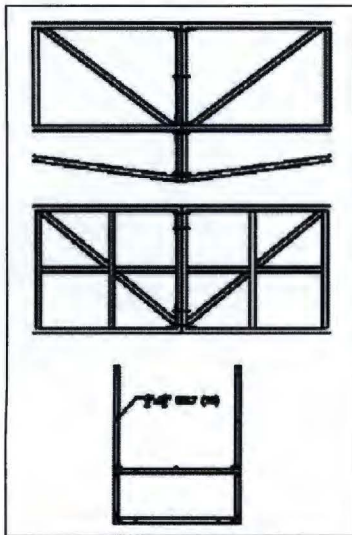
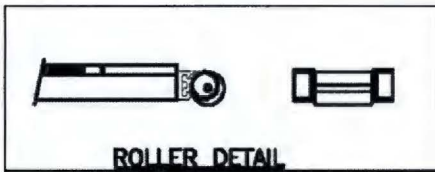
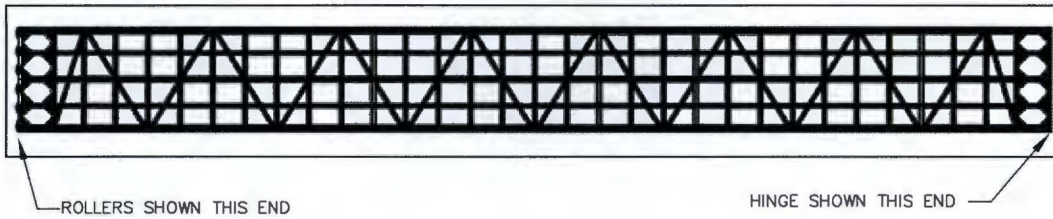
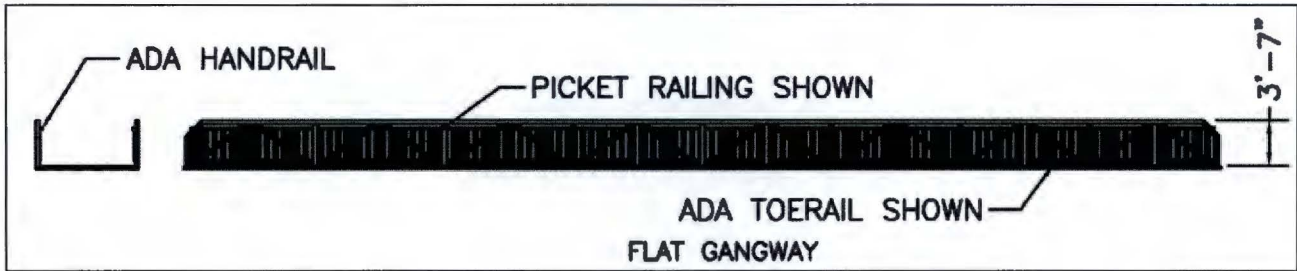


DRAWING APPLIES TO DOCKS 1,2,3,4

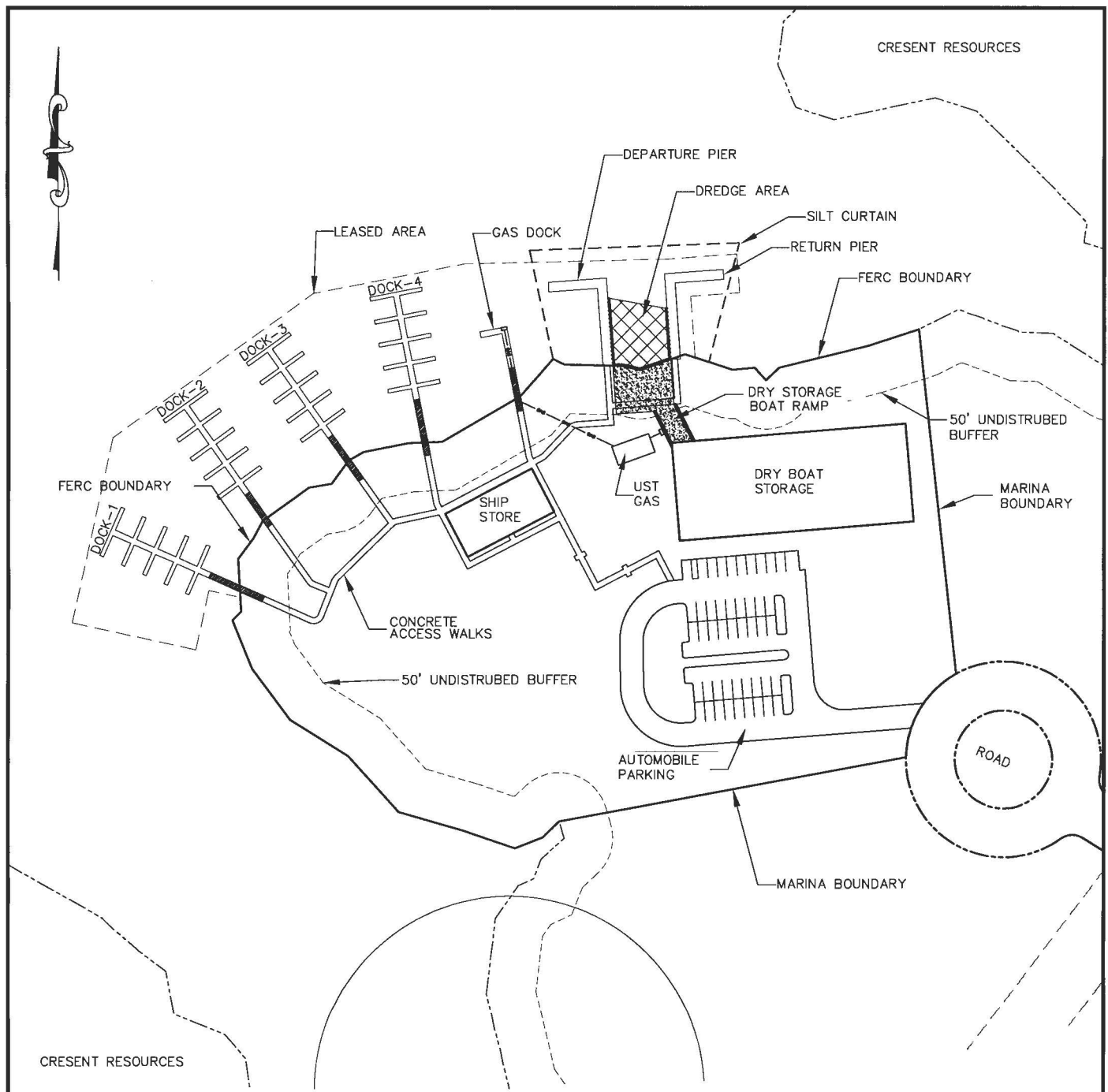


Category 5 Dock Materials	
Mainframe	- 8" x 2.25" x 3/16" Aluminum C-Channel
Gussets	- 2" x 2" x 1/8" Aluminum Square Tubing
Vertical Supports	- 4" x 4" x 1/8" Aluminum Square Tubing
Roof Framing	- 8" x 2" x 3/16" Aluminum C-Channel
Decking	- 6" Aluminum Decking Planks on 24" Centers with Non-Skid Surface Coating
Roofing	- 5.5" x .75" Ipe Planks on 24" Centers
Fasteners	- 26 Gauge Galvanized, painted Sheet Metal
Fasteners	- Stainless Steel Fasteners throughout
Floatation	- Celcofoam (Permafloat) encapsulated floatation
Welds	- Welds conform to "American Welding Society Structural Welding Code - Aluminum"

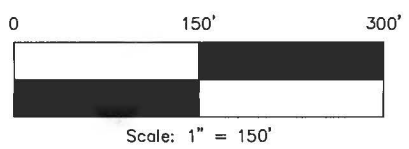
PROJECT NAME: FISHING CREEK PUBLIC MARINA SITE PLAN	PROJECT LOCATION: FISHING CREEK RESERVOIR
APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 13 OF 15 SCALE: NTS	REVISION # & DATE: CHANGE APPLICANT 3/31/17



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SHEET 14 OF 15 SCALE: NTS	REVISION # & DATE: CHANGE APPLICANT 3/31/17



- NOTES:
1. TURBIDITY CURTAIN TO BE INSTALLED PRIOR TO ANY DREDGING ACTIVITY.
 2. TURBIDITY CURTAIN IS TO REMAIN IN PLACE UNTIL POST DREDGING WATER QUALITY SAMPLES (TURBIDITY TESTS) ARE DEMONSTRATED TO BE AT PRE DREDGING LEVELS.
 3. DREDGED SOIL IS TO BE STOCKPILED FOR DEWATERING.
 4. STOCKPILE LOCATION IS TO BE PROTECTED BY INSTALLATION OF A DOUBLE ROW OF SILT FENCE TO PREVENT SEDIMENT RUNOFF.
 5. UPON COMPLETION OF DEWATERING, THE DREDGE MATERIAL STOCKPILE SHALL BE USED AS FILL MATERIAL DURING THE SITE GRADING AND ALL DISTURBED AREA STABILIZED WITH PERMANENT GROUND COVER.



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 Charlotte, NC 28217
 (704) 361-8104 Fax (704) 665-5619

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APPLICANT: TRUE HOMES, LLC MONROE, NC 28110	USACE FILE #: SAC 2009-00015
LAT/LONG: LAT: 34°36'36" N LONG: 80°52'35" W	DATE/INITIALS: 02/17/09 JPM
SHEET 15 OF 15 SCALE: 1"=150'	REVISION # & DATE: CHANGE APPLICANT 3/31/17