

JOINT
PUBLIC NOTICE

**DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
1835 Assembly Street Room 865B-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-2017-01370

June 6, 2018

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. 1344), 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 S.C. Department of Health and Environmental Control by

**Mr. George Faust
1013 Carly Shealy Road
Irmo, South Carolina 29063**

for a permit to construct a seawall and remove accumulated sediment in

a cove of Lake Murray

at a location on Lake Murray at 1013 Carl Shealy Road Irmo, Richland County, South Carolina (Latitude: 34.128143 °N, Longitude: 81.2515885 °W), Chapin Quad.

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 two phases, to build a seawall to be used as a boat loading area, and remove accumulated sediment from the bottom of the cove. In detail, the proposed work consists of the removal of approximately 682 cubic yards of accumulated sediment from the bottom

of the cove. Depth of removal ranges from 2 to 4.5 feet. Sediment will be removed and placed in nearby uplands owned by the applicant. The work will not go below the hard pan. According to the applicant, the purpose of the proposed work is to restore cove depth to improve navigation. The second portion of the project consists of the construction of a seawall to be used as a loading area for a small barge. Approximately 33 cubic yards of material will be placed below the 360'. A portion of this work was started prior to the submittal of the permit application. Additionally, six mooring poles will be installed adjacent to the shore to allow for the temporary docking of boats. The barge will be regularly temporarily docked at the seawall during loading and unloading, but will be moored parallel to the shore to allow cove access during other times. The project purpose is to improve cove navigability and provide a reliable access-point for the loading and unloading of a barge used for a lake shore stabilization business.

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. 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, based on the most recently available information 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.

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)(1)), and has initially determined that no historic properties are present; therefore, there will be no potential to cause 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.

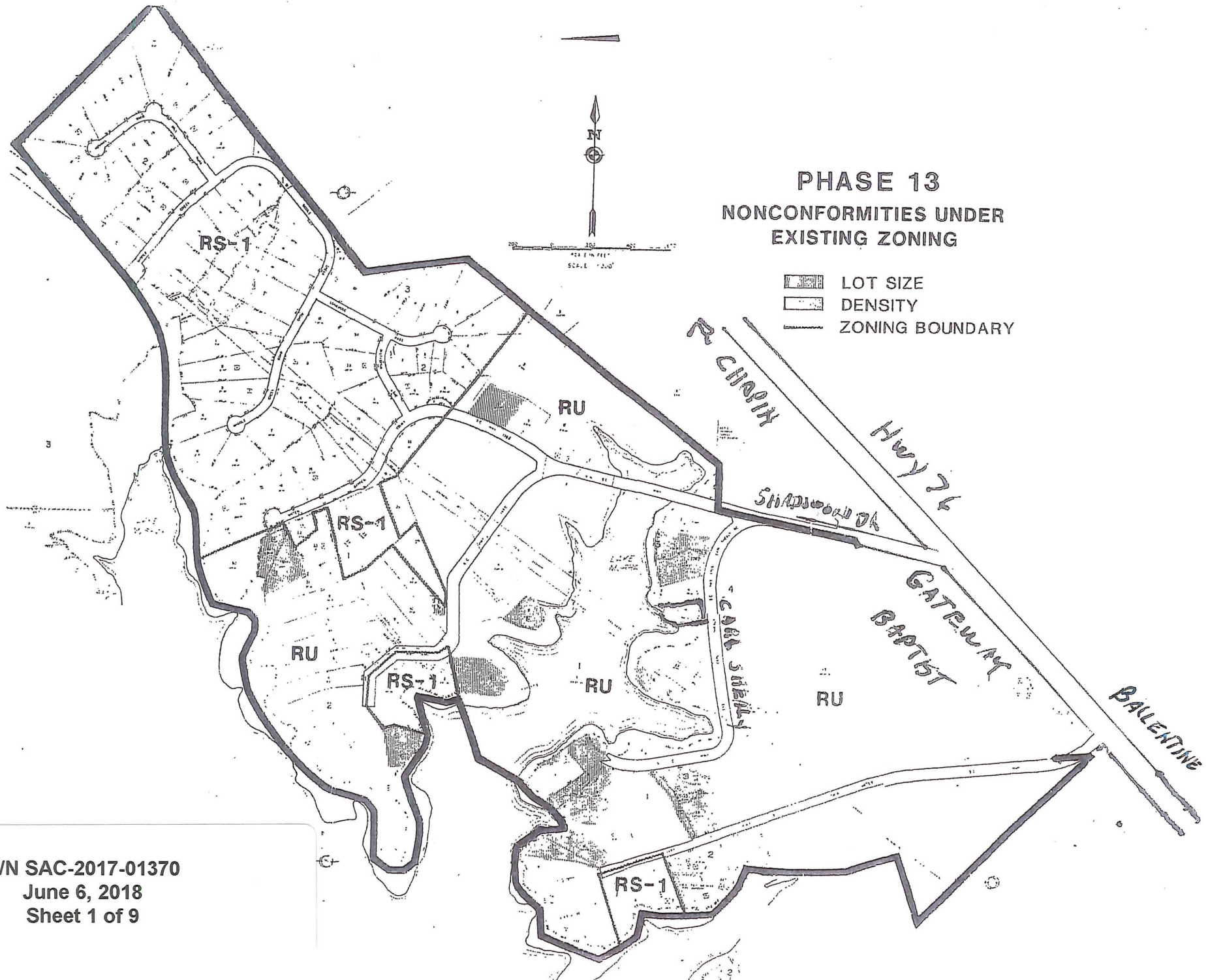
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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 865B-1
Columbia, South Carolina 29201**

If there are any questions concerning this public notice, please contact Jordan E. Jessop, Project Manager, at (803) 253-3400.



P/N SAC-2017-01370
 June 6, 2018
 Sheet 1 of 9

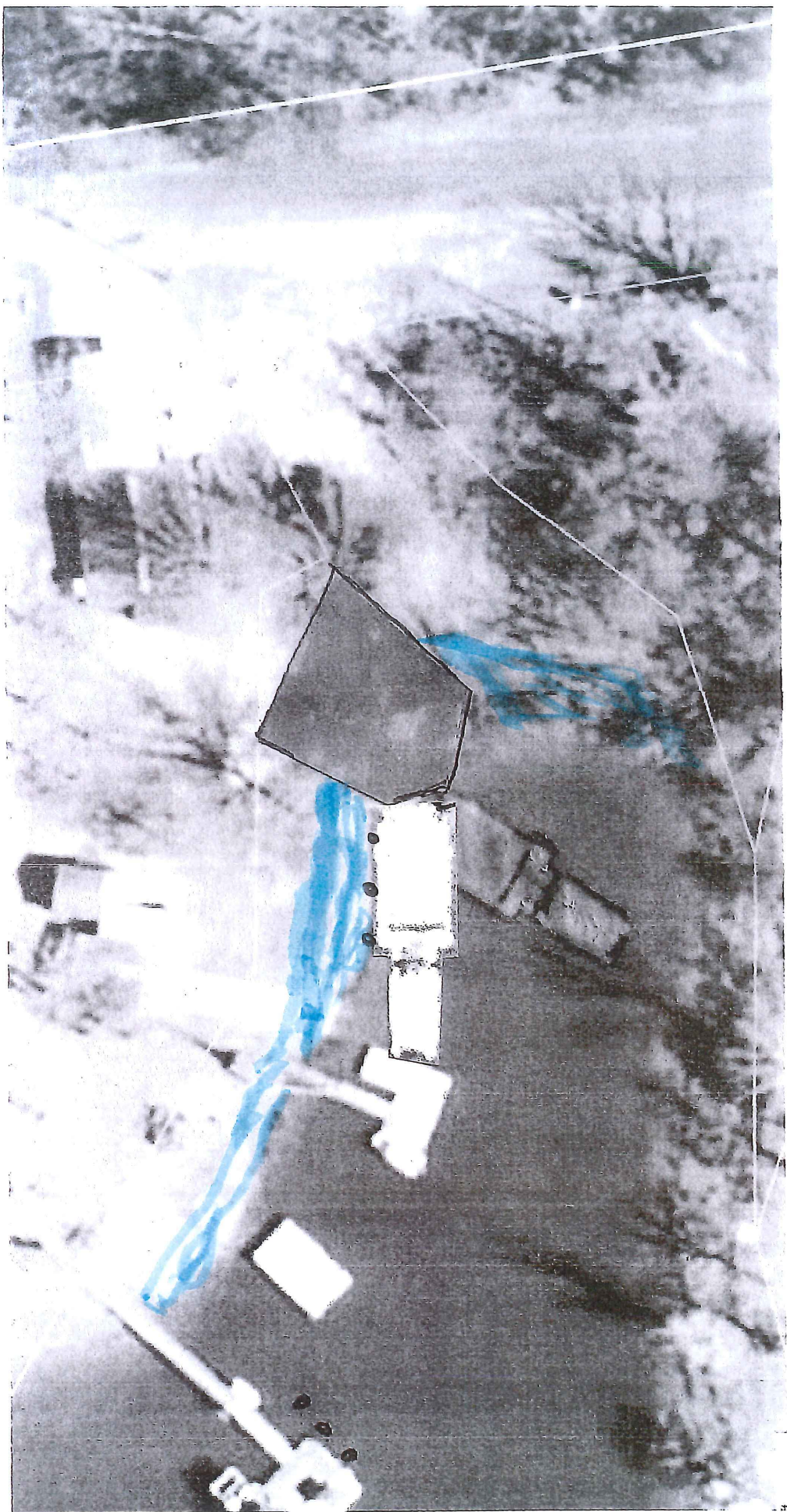


1013 CARL SHEALY RD
Irmo SC 29063

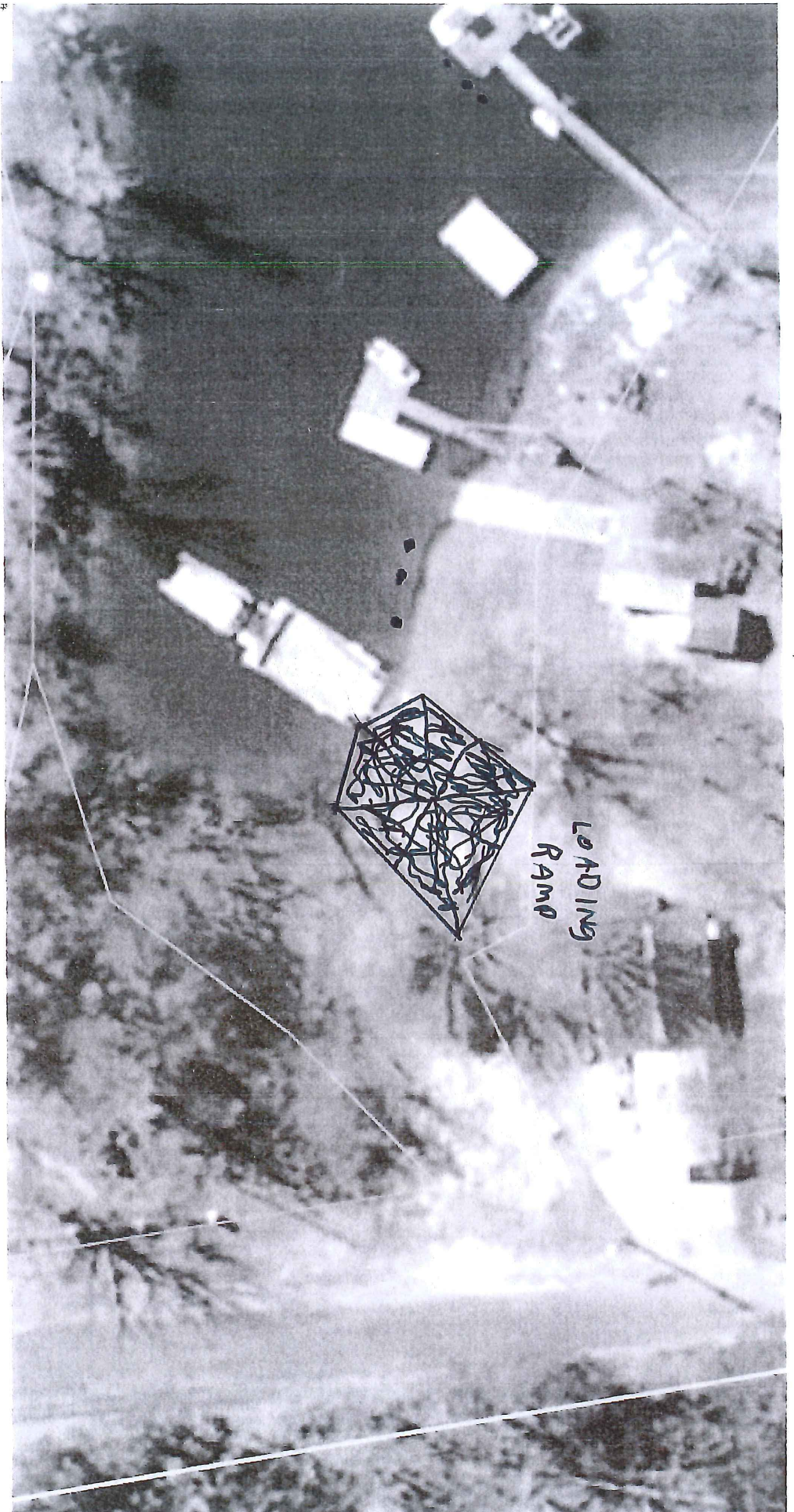
P/N SAC-2017-01370
June 6, 2018
Sheet 2 of 9

MORNING POLES AND POSITION FOR TEMPORARY DOCKING.

6 POLES

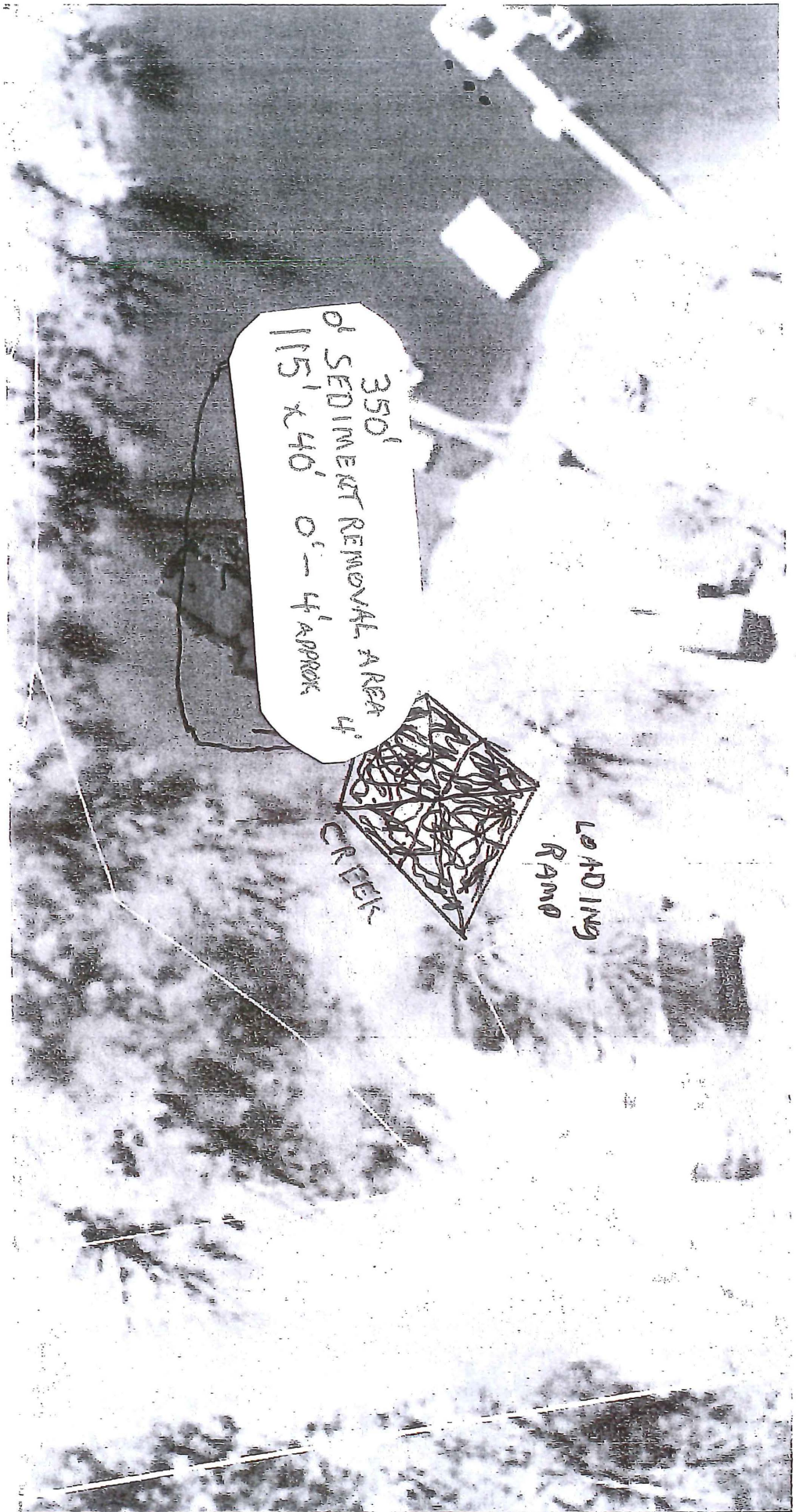


P/N SAC-2017-01370
June 6, 2018
Sheet 3 of 9



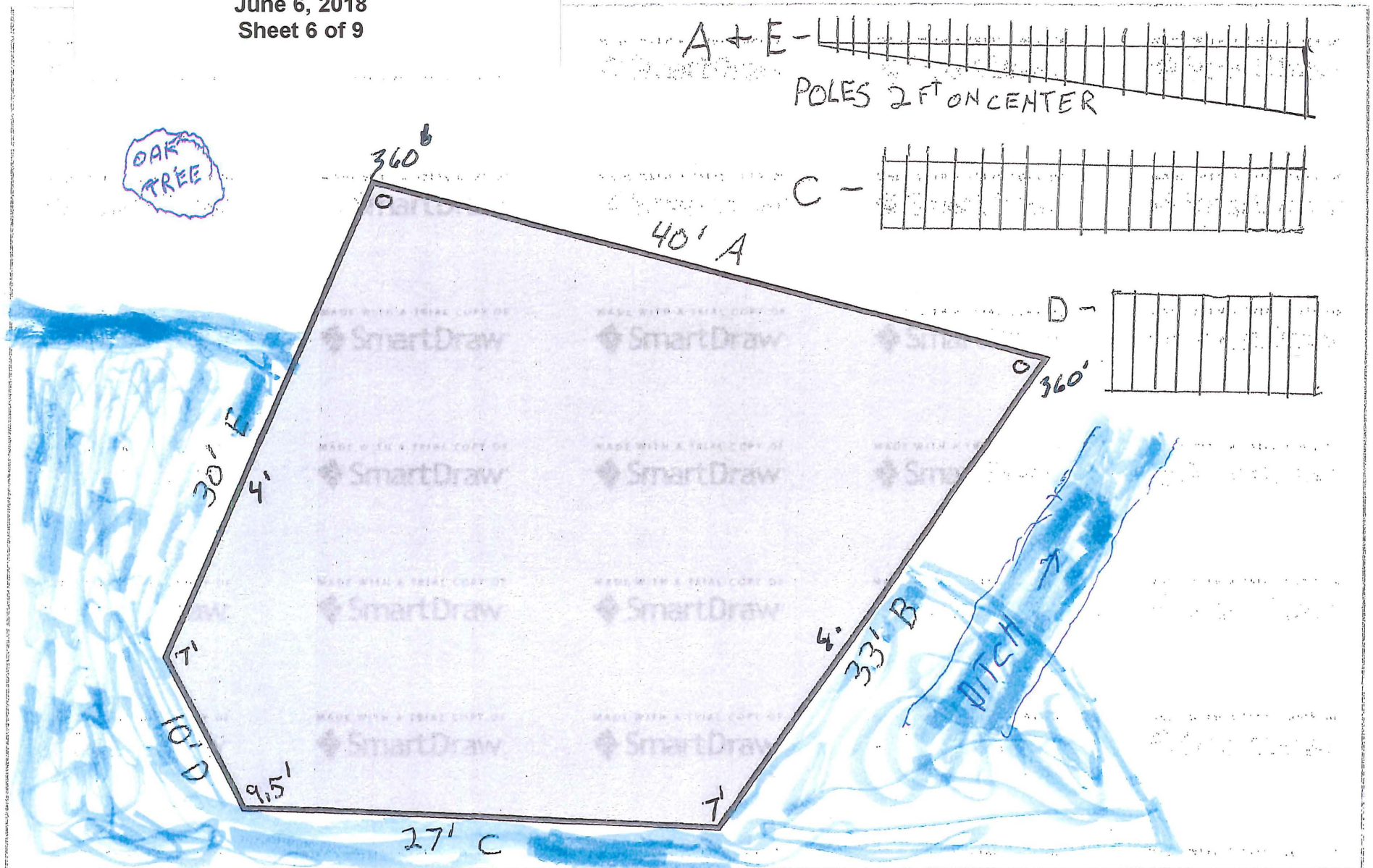
• MORRIS PALS

P/N SAC-2017-01370
June 6, 2018
Sheet 4 of 9

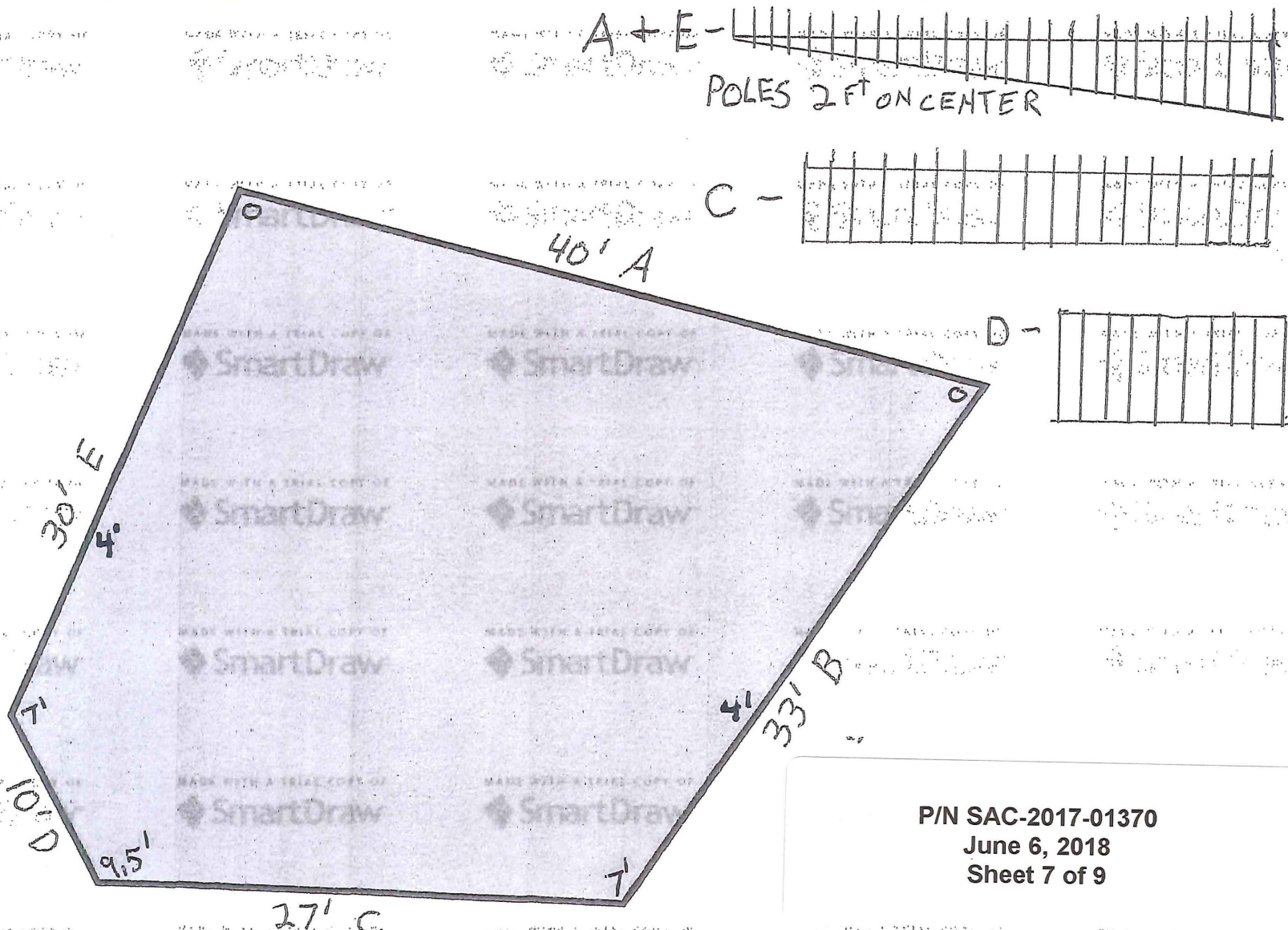


P/N SAC-2017-01370
June 6, 2018
Sheet 5 of 9

• MORRIS PAGES

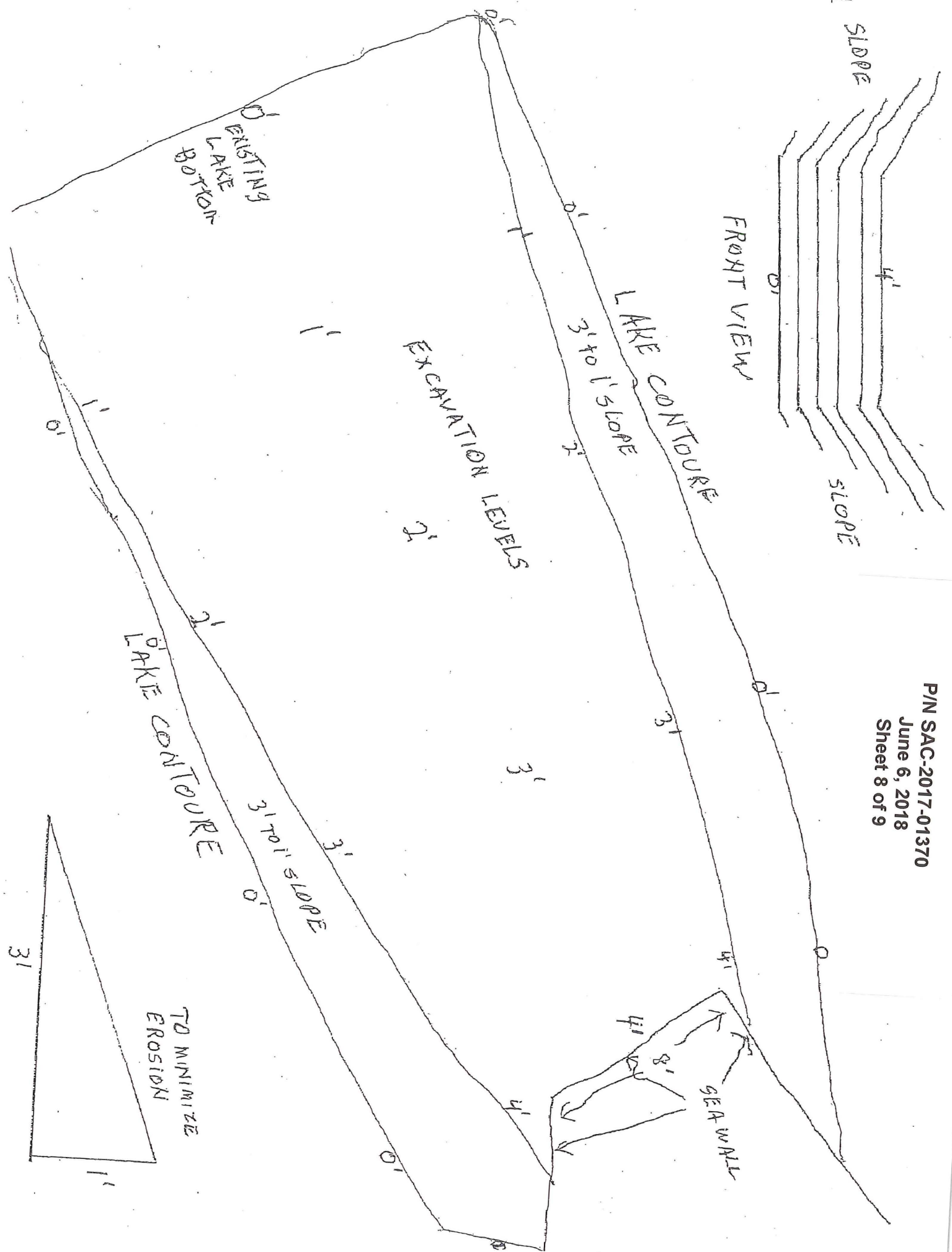


Site:	Drawing	Project: 0000416	Drawn: George Faust	Notes: ELEVATION 0 = 360'	GCEC Services 1013 Carl Shealy Rd. Irmo, SC 29063
Title: Loading Platform Area	Scale: 1/8" : 1' 0"	Date: 02/13/2018	Rev: A		

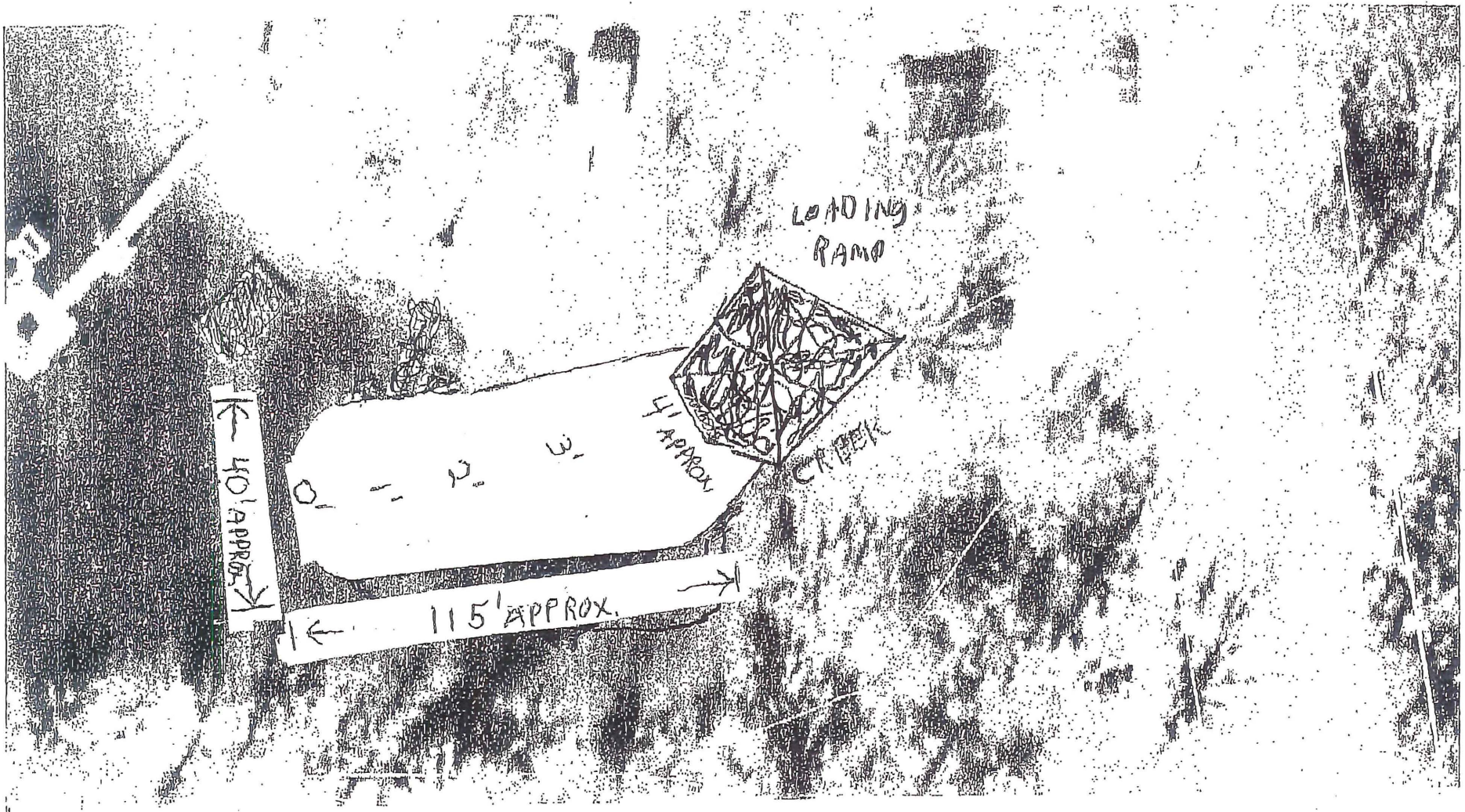


P/N SAC-2017-01370
 June 6, 2018
 Sheet 7 of 9

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P/N SAC-2017-01370
 June 6, 2018
 Sheet 8 of 9



SILT REMOVAL TO BE DONE AT 350' DRAWDOWN.
 SO IT CAN BE A DRY REMOVAL OF DIRT

P/N SAC-2017-01370
 June 6, 2018
 Sheet 9 of 9