

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
1835 Assembly Street  
Strom Thurmond Federal Building  
Room 865 B-1  
Columbia, South Carolina 29201  
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 # 2003-2806-6

November 25, 2015

**\*\*This public notice is being reissued because the applicant provided the incorrect total length for the proposed dock modification. The total length of the dock will change from an existing 308' to 372'. All previous comments will be considered.\*\***

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

**Mr. David Landis**  
**Cherokee Shores Boat Slip Association**  
400 Bay Pointe  
Lexington, South Carolina 29072

for a permit to modify a dock in

**Lake Murray**

Located at 400 Bay Pointe Drive, Lexington, South Carolina 29072  
(Latitude 34.0253 Longitude -81.3217)

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 **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**

The proposed work consists of modifying a dock. In detail, the applicant proposes to modify the existing sixteen (16) 10' X 20' double boat slips to thirty two (32) 12' X 24' single boat slips. Each slip will have an 11'6" X 13' boat lift. The total length of the dock will change from an existing 308' to 372'. The project purpose, as stated by the applicant, is to provide protection of 32 boat slips and the boats that are moored there during foul weather conditions.

**NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

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. 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 (0.15) acres 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, 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.**

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)(j)(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.

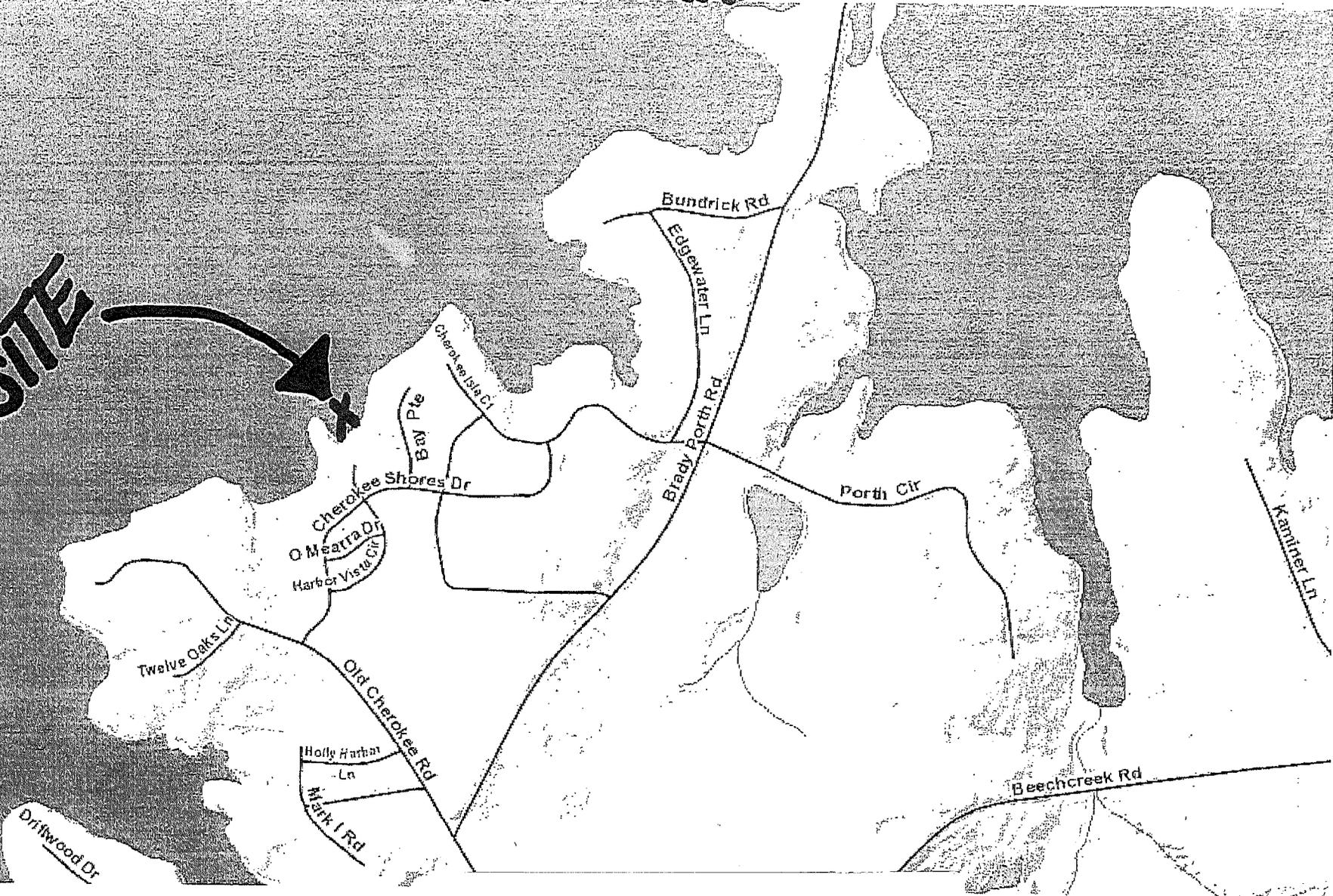
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All 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.

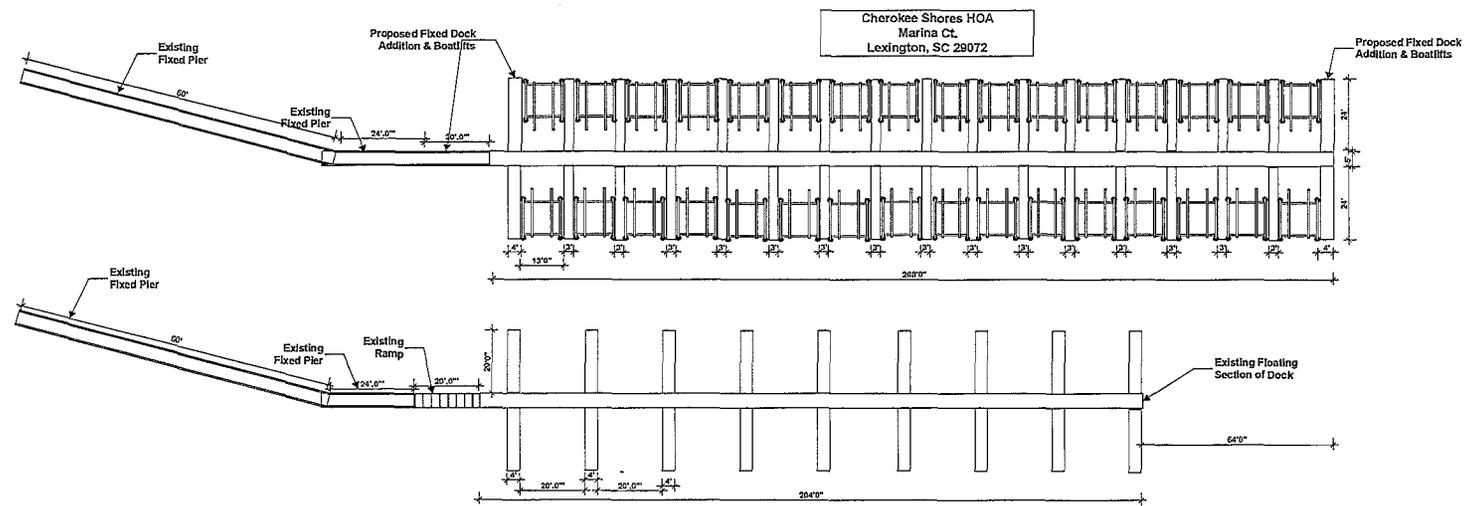
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

If there are any questions concerning this public notice, please contact Chip Ridgeway at 803-253-3906.

# LOCATION MAP

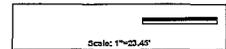
**SITE**





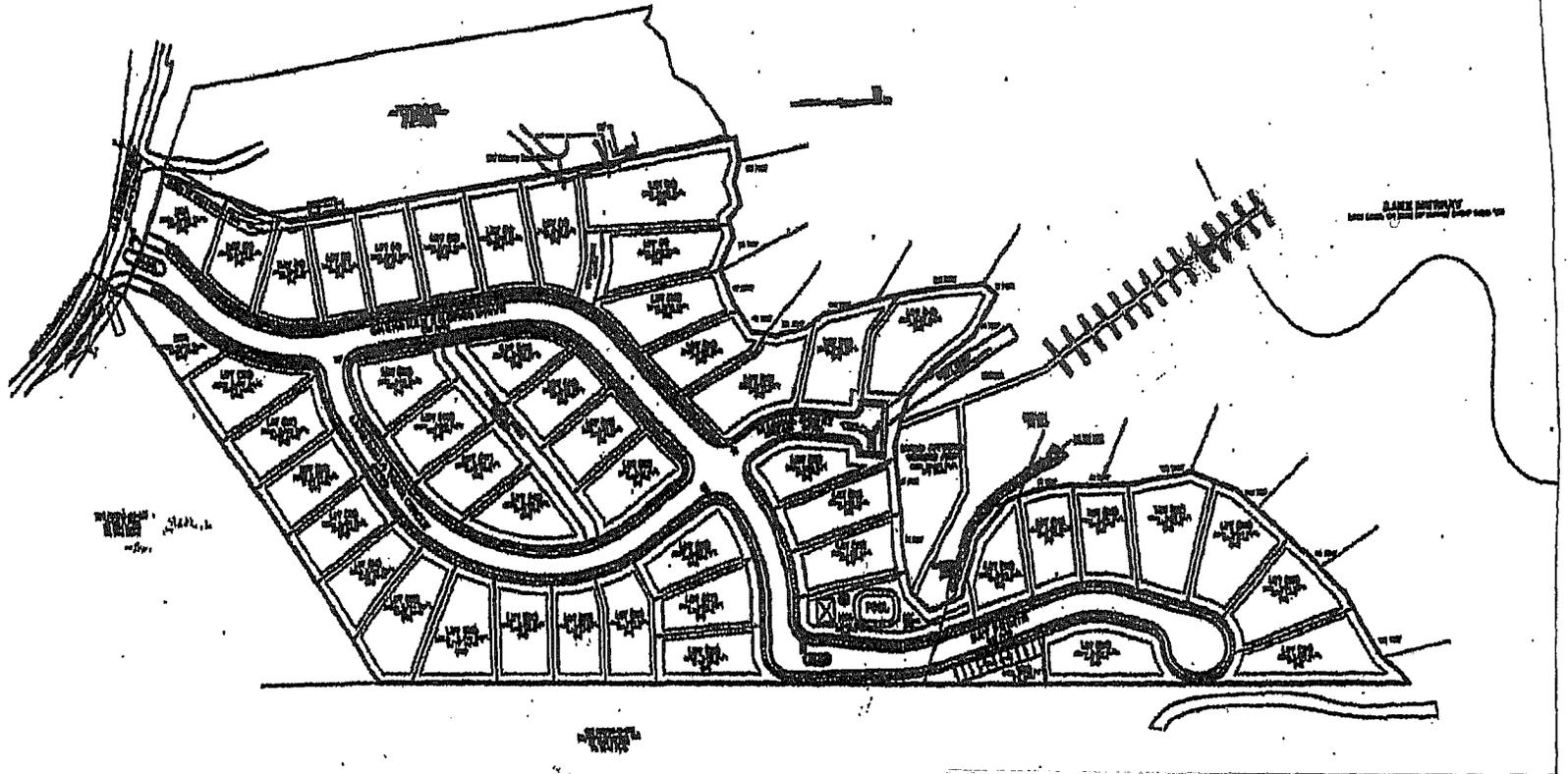
The bottom drawing is a depiction of the existing multi-slip dock system that is currently in place. It is a combination of fixed pier, ramp, and floating slip sections. The total length is 204'.  
 The top drawing is a depiction of the proposed multi-slip dock system that is all fixed with boatlifts inside each slip. The number of slips will remain the same but the overall length will increase by 56' to a total of 260'.

Note: The existing floating sections and ramp will be removed from the lake.

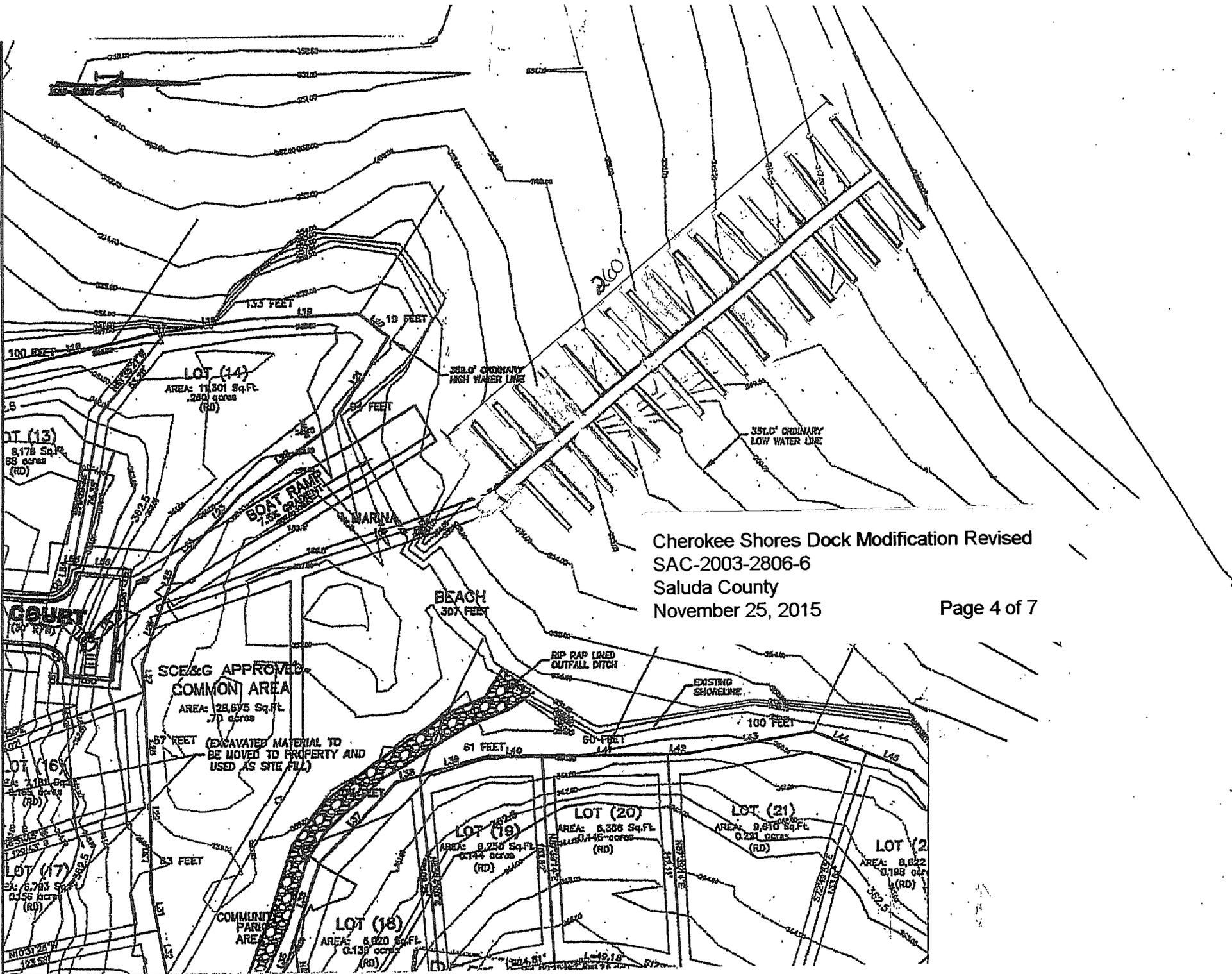


**Cherokee Shores Dock Modification Revised**  
**SAC-2003-2806-6**  
**Saluda County**  
**November 25, 2015**

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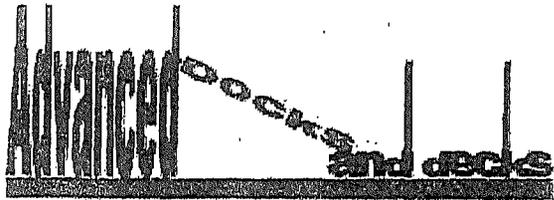
Cherokee Shores Dock Modification Revised  
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Cherokee Shores Dock Modification Revised  
 SAC-2003-2806-6  
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# Proposed Modification

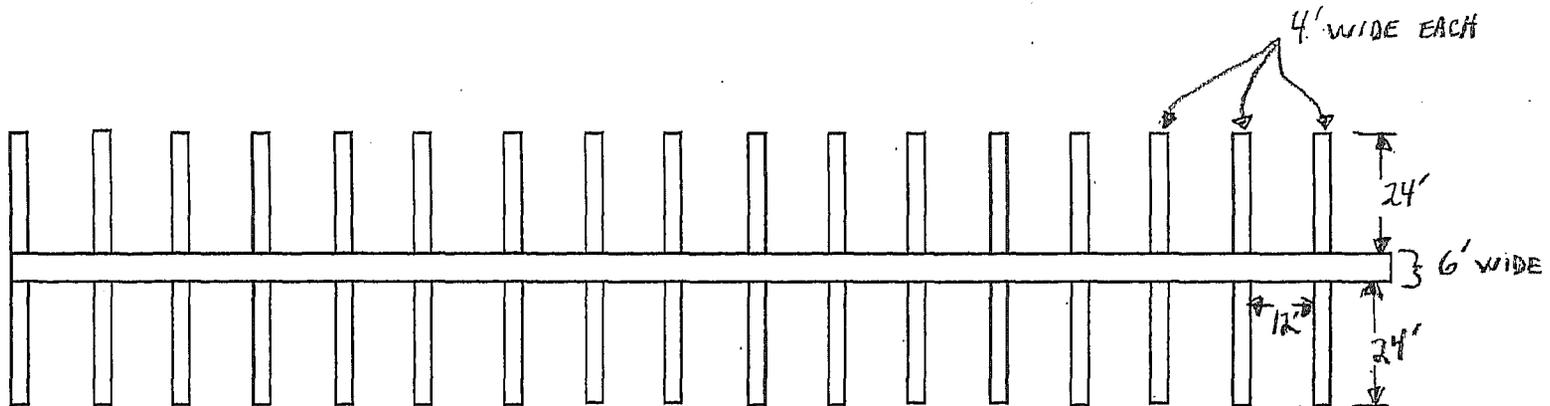
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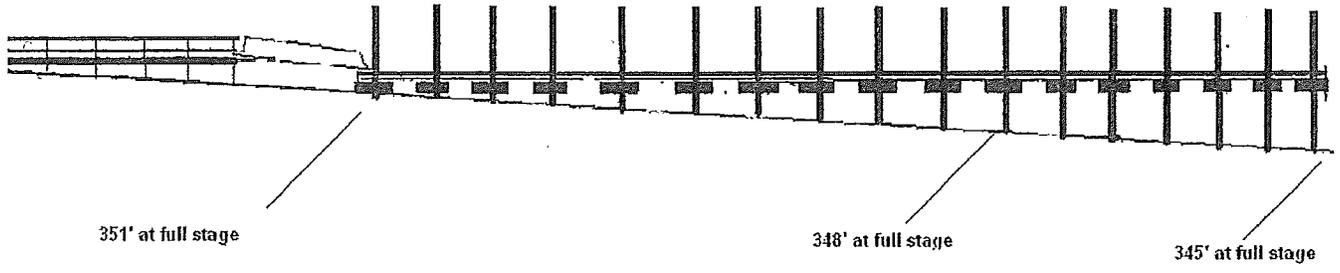
Cherokee Shores HOA  
Marina Ct.  
Lexington, SC 29072



----- Total length 260' -----  
new dock

1. SINGLE Slip SYSTEM. Each slip is 12' x 24'.
2. MAIN WALKWAY IS 6' x 260'.
3. SMALL WALKWAY ARE 4' x 24'.

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Cherokee Shores Boat Slip Association  
Marina Ct.  
Lexington, SC 29072

Boat lift dimensions are as follows:

Overall Width: 11'6"  
Overall Length: 13'

