#### 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
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION Refer to: P/N SAC-2018-01546

**21 NOVEMBER 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. 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. KEITH EADIE C/O CRAIG PAWLYK JON GUERRY TAYLOR & ASSOCIATES PO BOX 1082 MOUNT PLEASANT, SC 29465

for a permit to perform excavation, construct a sheetpile bulkhead, widen an existing fixed pier, and construct two sheetpile jetty walls in waters of

#### LAKE MARION

at a location, adjacent to 1 Big Dog Lane, off of My Road and Old Humber Six Highway, near Eutawville, Orangeburg County, South Carolina (Latitude: 33.4398°N, Longitude: -80.3842°W), Vance 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 mechanical dredging/excavation of accumulated sand, construction of a sheetpile bulkhead, and construction of two sheetpile jetty walls. In detail, the applicant proposes to excavate approximately 400 cubic yards of sandy material from an area approximately 0.18 acre in size to elevation 71.0 by long reach excavator from the uplands. The material will be placed in a lined dump truck and transported to an upland disposal site/dewatering basin which will be constructed on an upland portion of the property. Prior to construction of the disposal site, the site will be graded flat so that the water can infiltrate into the ground, thus avoiding runback. The basin will be encompassed with silt fence and hay bales as indicated in the attached plans (sheet 17 of 17). Once the material has dried, it will be removed from the basin and used on the site. The applicant also stated that "all construction will be undertaken using industry standards and best management practices. Dredging will be conducted through mechanical means with a silt curtain deployed to limit the dispersion of sediment in the water". The applicant also proposes to install approximately 518 linear feet of steel sheetpile bulkhead approximately 36 inches in front of an existing timber bulkhead which will impact approximately 0.04 acre of waters. The applicant also proposes to construct a 64 foot long sheet pile jetty on each side of the mouth of the cove entrance as shown on the attached plans. Finally, the applicant proposes to widen the existing 4 foot wide fixed pier to 6 feet wide for Americans with Disabilities Act (ADA) accessibility. The applicant did not propose mitigation for the proposed work, stating "the area in which the improvements occur is devoid of aquatic vegetation and the material to be dredged has been introduced to the lake via upland erosion. The dredging will restore the natural flow of water in this area." The project purpose as stated by the applicant is "for bank stabilization and for the removal of sandy silt material to restore natural water flow and improve water quality to the adjacent cove."

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

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 approximately 0.22 acres of freshwater substrates well inland and upstream 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 <u>no effect</u> 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)(/)(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 and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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.

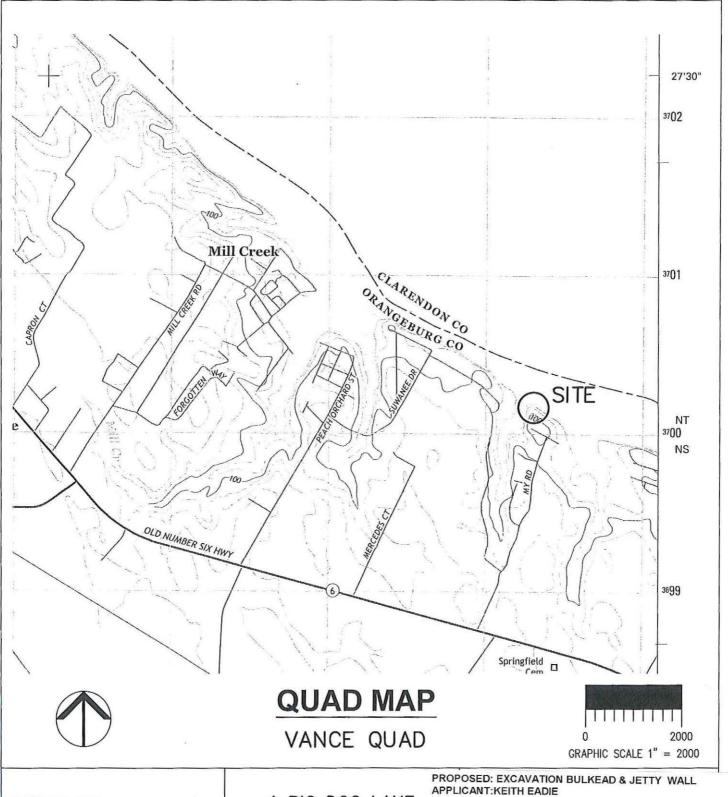
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to

# REGULATORY DIVISION SAC-2018-01546

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
69A HAGOOD AVENUE
CHARLESTON, SOUTH CAROLINA 29403-5107

If there are any questions concerning this public notice, please contact Mary Hope Green Project Manager, at (843) 329-8044 X 8034.



JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

LAT.: 33.439520' N LONG .: -80.383723' W

APPLICANT: KEITH EADIE LOCATION: WATERS OF LAKE MARION

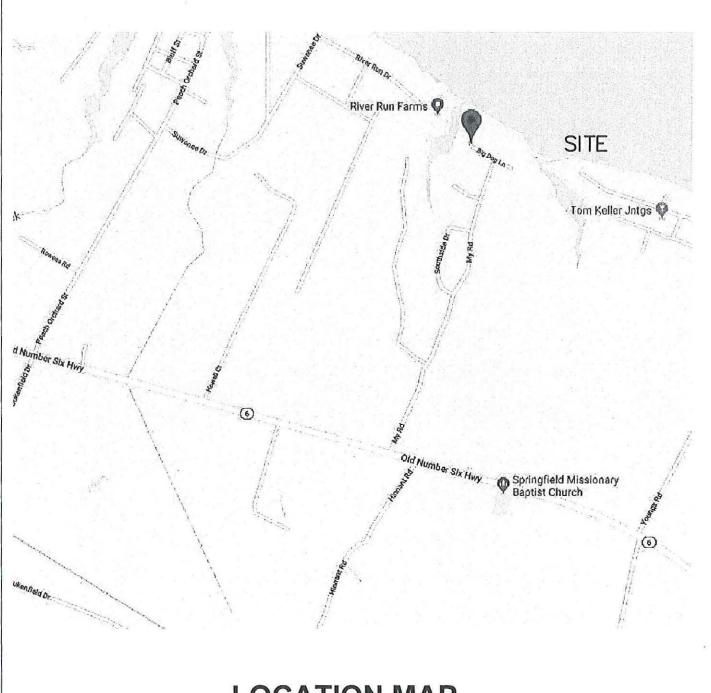
AT 1 BIG DOG LANE

NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546 SHEET 1 OF 17

DATE: 9-21-18 **SHEET:** 1 OF 17

5AC-2018-01546



# **LOCATION MAP**

NTS

#### AUTHORIZED AGENT:

JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

#### ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

PROPOSED: EXCAVATION BULKEAD & JETTY WALL APPLICANT:KEITH EADIE

LOCATION: WATERS OF LAKE MARION

AT 1 BIG DOG LANE

NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018

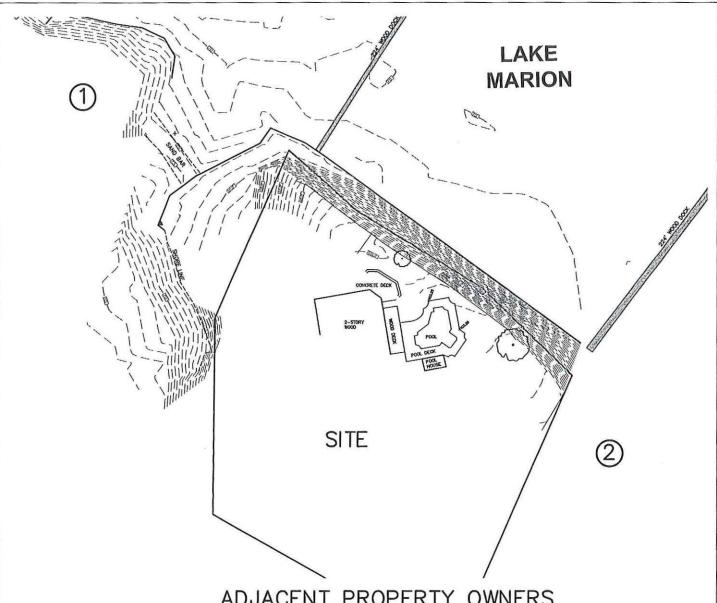
SHEET 2 OF 17

SAC-2018-01546

LAT.: 33.439520° N

LONG .: -80.383723' W

<u>DATE:</u> 9-21-18 <u>SHEET:</u> 2 OF 17







- OLIVER L. RAY 187 RIVER RUN DR. VANCE, SC 29163
- PATRICIA CONNER 109 BIG DOG LANE EUTAWVILLE, SC 29408

# **ADJACENT PROPERTY OWNERS**

#### AUTHORIZED AGENT:

JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS: (SEE SHEET 3)

## 1 BIG DOG LANE **BULKHEAD**

LAT.: 33.439520' N LONG .: -80.383723' W PROPOSED: EXCAVATION BULKEAD & JETTY WALL APPLICANT: KEITH EADIE LOCATION: WATERS OF LAKE MARION AT 1 BIG DOG LANE

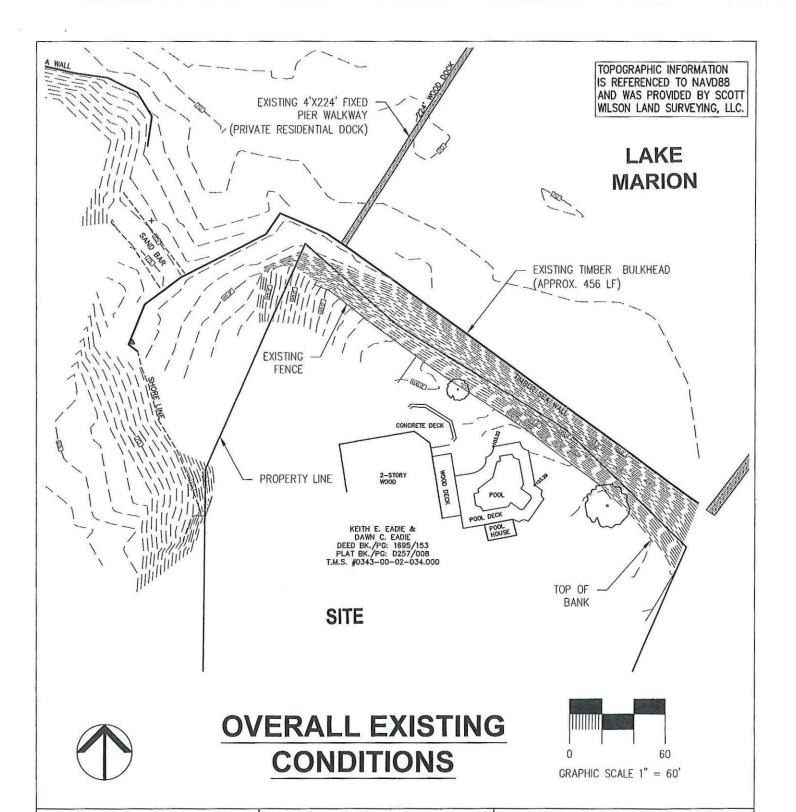
NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018

SHEET 3 OF 17

SAC-2018-01546

DATE: 9-21-18 **SHEET:** 3 OF 17





JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

### 1 BIG DOG LANE BULKHEAD

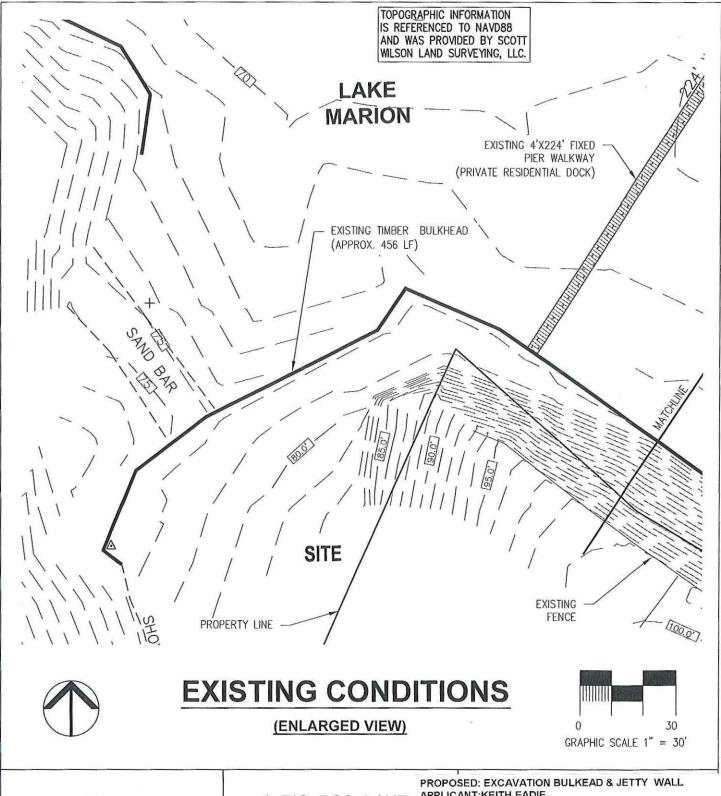
PROPOSED: EXCAVATION BULKEAD & JETTY WALL APPLICANT: KEITH EADIE

LOCATION: WATERS OF LAKE MARION

AT 1 BIG DOG LANE NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546 SHEET 4 OF 17

LAT.: 33.439520' N LONG.: -80.383723' W DATE: 9-21-18 SHEET: 4 OF 17



JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465

C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE APPLICANT: KEITH EADIE LOCATION: WATERS OF LAKE MARION BULKHEAD

APPLICANT: KEITH EADIE

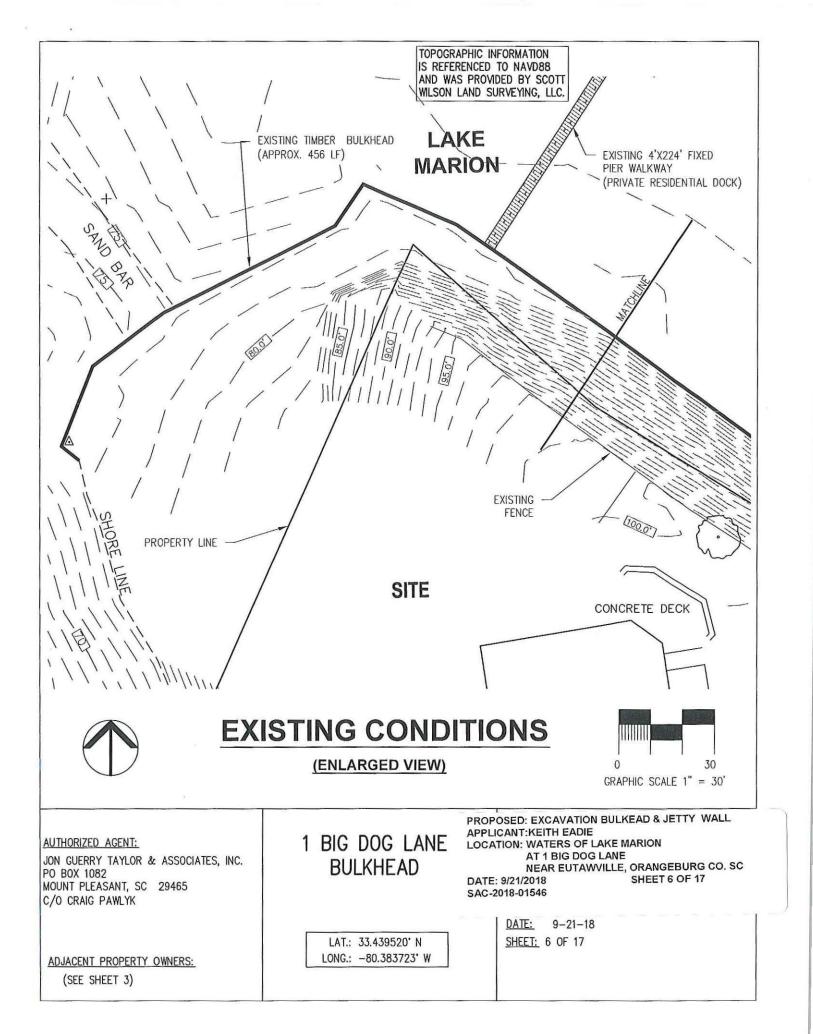
AT 1 BIG DOG LANE

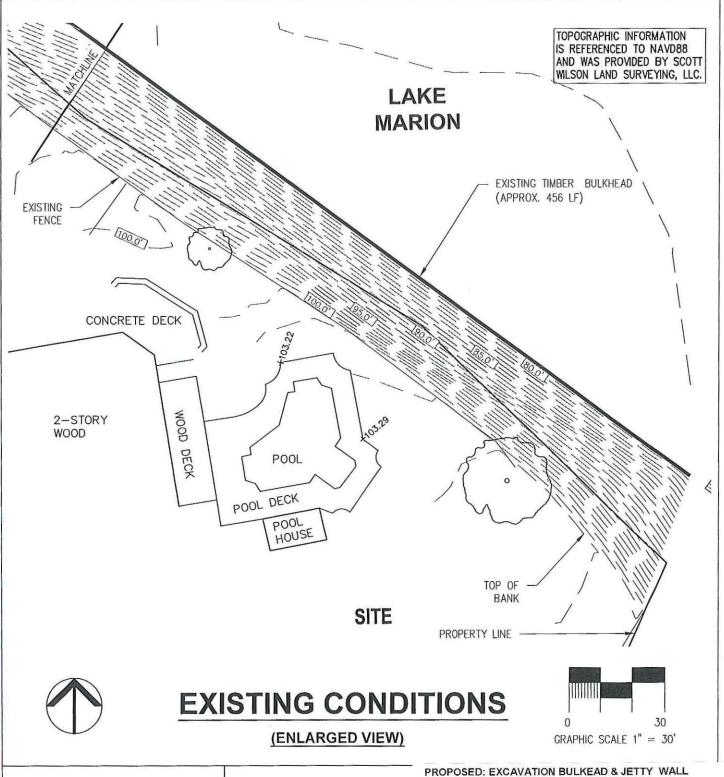
NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546 SHEET 5 OF 17

LAT.: 33.439520° N LONG .: -80.383723' W

DATE: 9-21-18 **SHEET:** 5 OF 17





JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465

C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

LAT.: 33.439520' N

LONG .: -80.383723' W

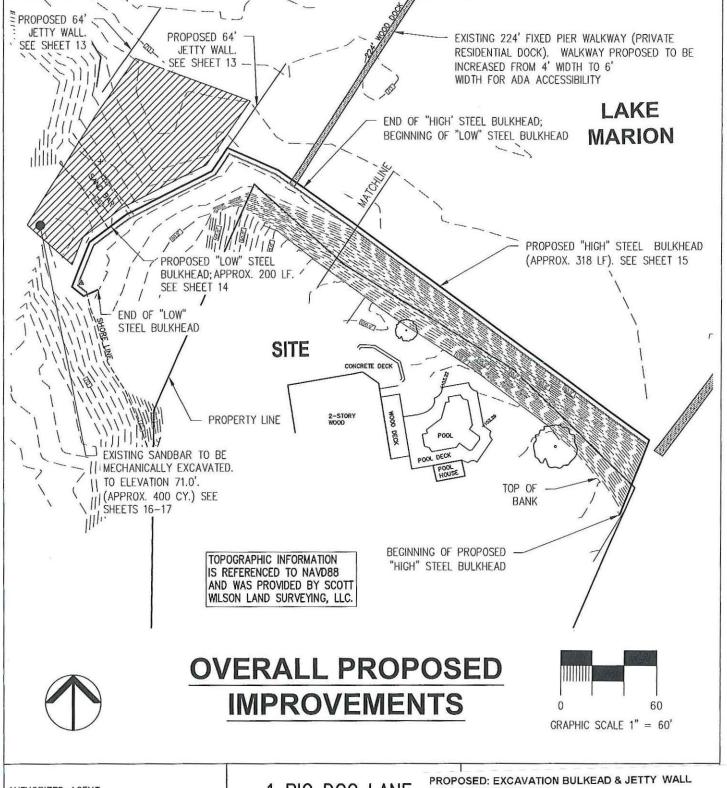
APPLICANT: KEITH EADIE

LOCATION: WATERS OF LAKE MARION AT 1 BIG DOG LANE

NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546 SHEET 7 OF 17

DATE: 9-21-18 SHEET: 7 OF 17



JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

#### 1 BIG DOG LANE BULKHEAD

APPLICANT: KEITH EADIE

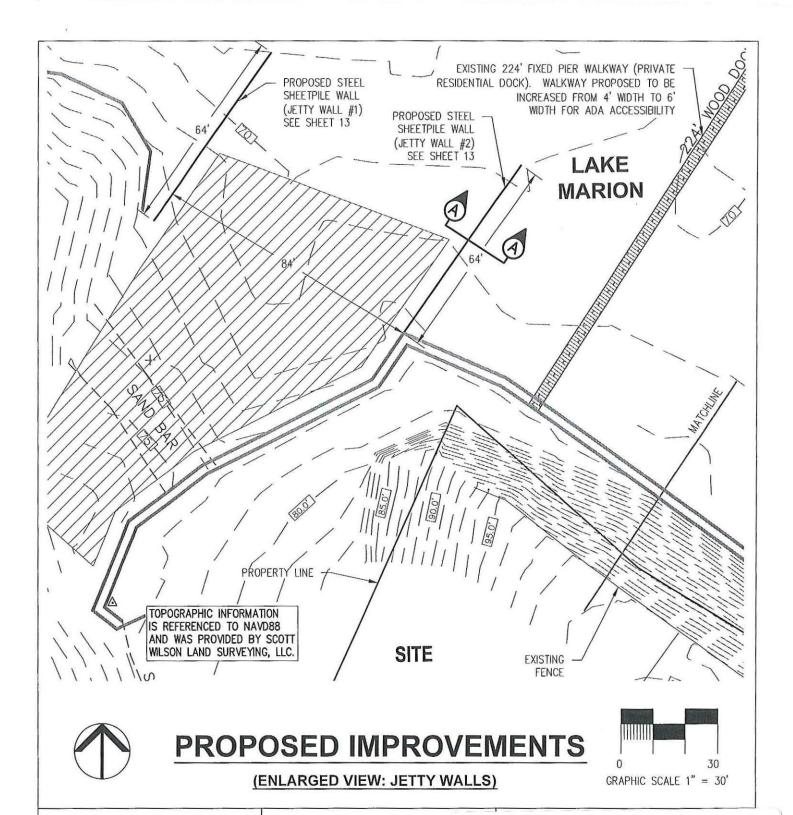
LOCATION: WATERS OF LAKE MARION AT 1 BIG DOG LANE

NEAR EUTAWVILLE, ORANGEBURG CO. SC SHEET 8 OF 17

DATE: 9/21/2018 SAC-2018-01546

> DATE: 9-21-18 SHEET: 8 OF 17

LAT.: 33.439520' N LONG .: -80.383723' W





JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE **BULKHEAD**

LAT.: 33.439520' N

LONG .: -80.383723' W

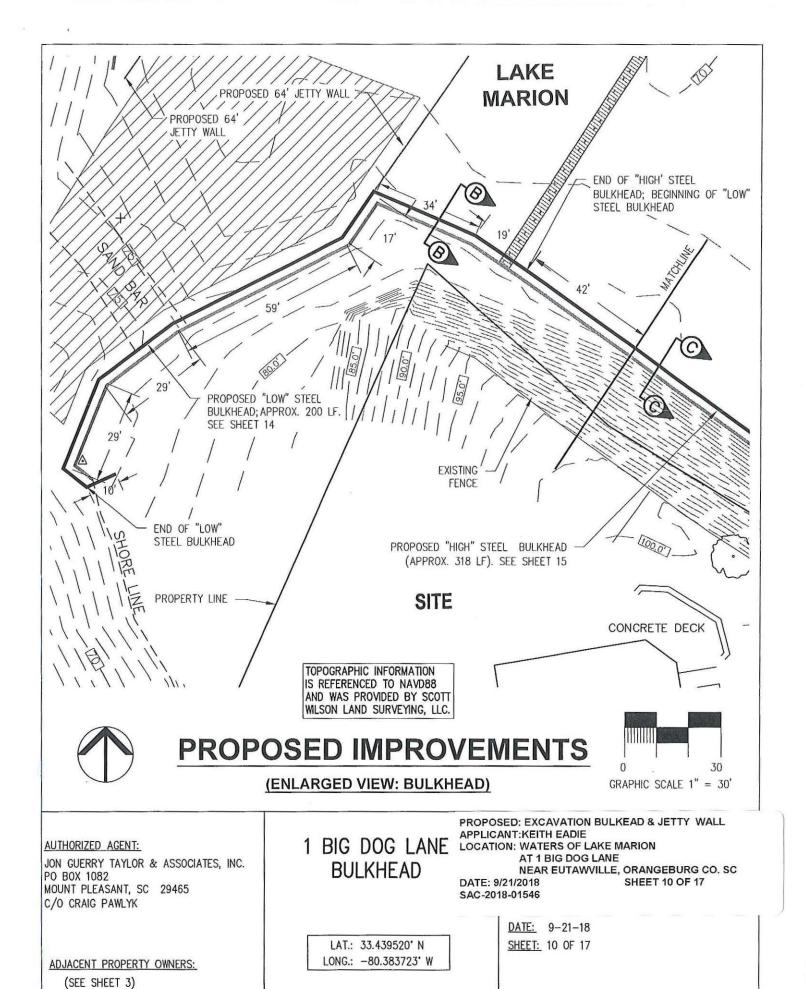
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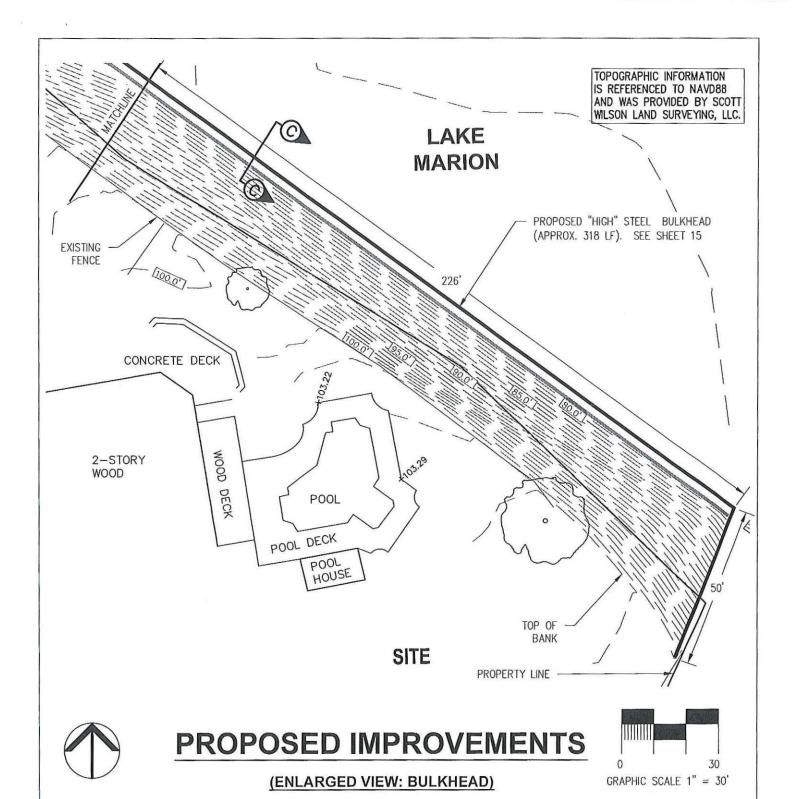
LOCATION: WATERS OF LAKE MARION

AT 1 BIG DOG LANE NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546 SHEET 9 OF 17

DATE: 9-21-18 **SHEET:** 9 OF 17







JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465

C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

LONG .: -80.383723' W

PROPOSED: EXCAVATION BULKEAD & JETTY WALL APPLICANT: KEITH EADIE

LOCATION: WATERS OF LAKE MARION

AT 1 BIG DOG LANE

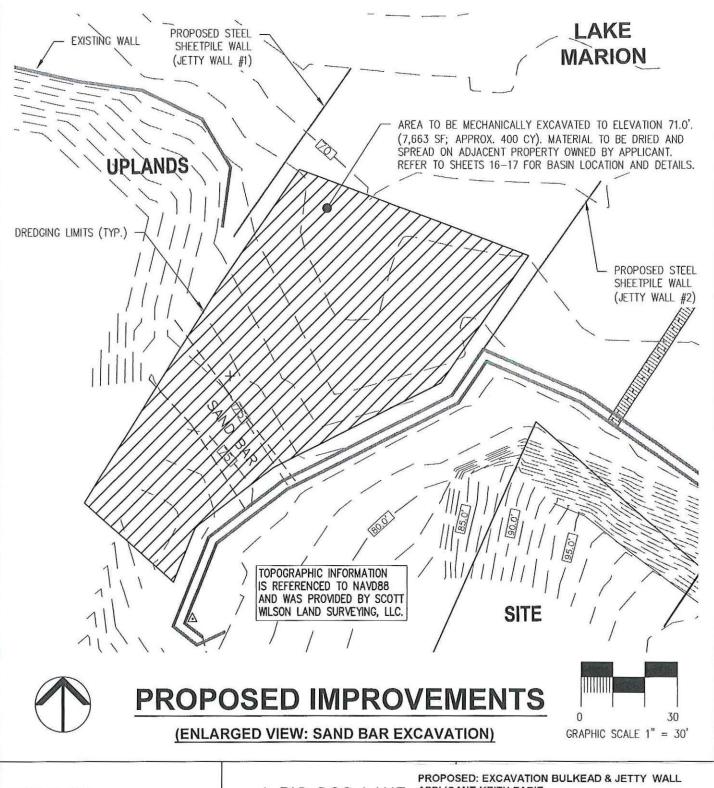
NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546

**SHEET 11 OF 17** 

LAT.: 33.439520' N

DATE: 9-21-18 SHEET: 11 OF 17



JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465

C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

APPLICANT: KEITH EADIE

LOCATION: WATERS OF LAKE MARION

AT 1 BIG DOG LANE

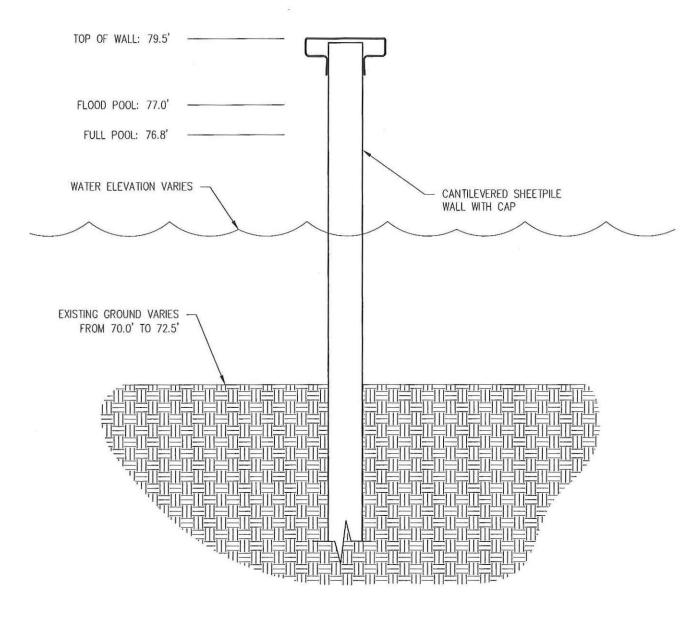
NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546 **SHEET 12 OF 17** 

LAT.: 33.439520' N

LONG .: -80.383723' W

DATE: 9-21-18 SHEET: 12 OF 17



# SECTION A-A PROPOSED IMPROVEMENTS

(JETTY WALLS)

AUTHORIZED AGENT:

JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS: (SEE SHEET 3)

1 BIG DOG LANE APPLICANT: KEITH EADIE **BULKHEAD** 

PROPOSED: EXCAVATION BULKEAD & JETTY WALL LOCATION: WATERS OF LAKE MARION

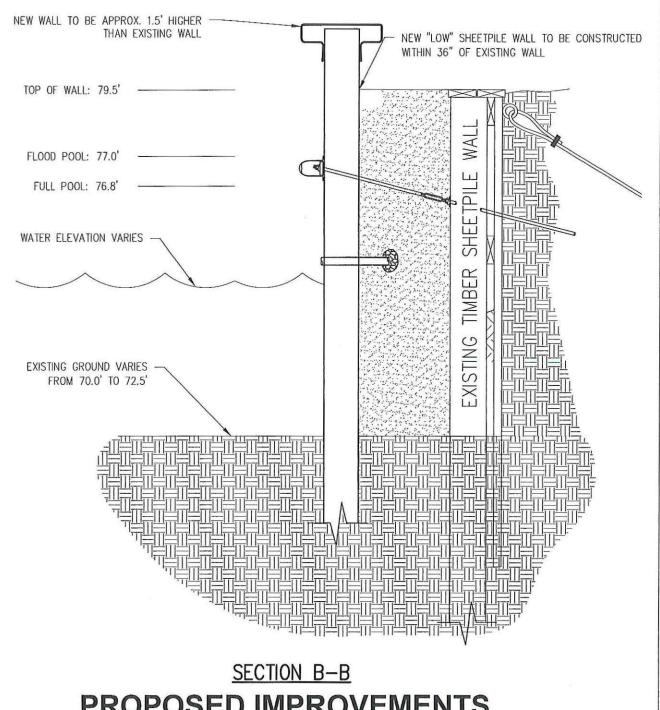
AT 1 BIG DOG LANE NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018

**SHEET 13 OF 17** 

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LAT.: 33.439520' N LONG .: -80.383723' W DATE: 9-21-18 SHEET: 13 OF 17



# PROPOSED IMPROVEMENTS

("LOW" BULKHEAD)

#### AUTHORIZED AGENT:

JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

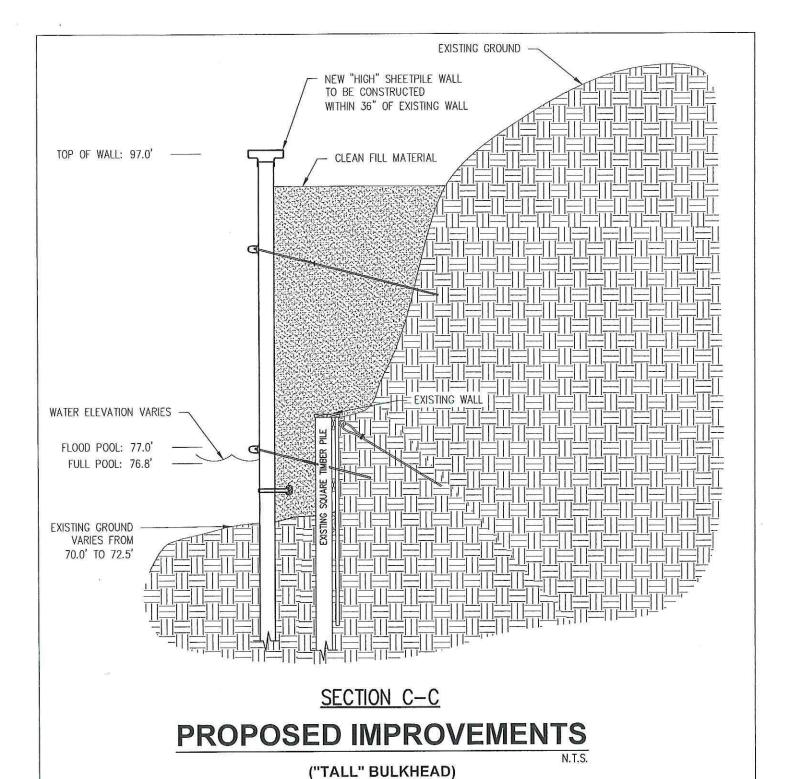
PROPOSED: EXCAVATION BULKEAD & JETTY WALL APPLICANT: KEITH EADIE LOCATION: WATERS OF LAKE MARION

AT 1 BIG DOG LANE NEAR EUTAWVILLE, ORANGEBURG CO. SC **SHEET 14 OF 17** 

DATE: 9/21/2018 SAC-2018-01546

> DATE: 9-21-18 SHEET: 14 OF 17

LAT.: 33.439520' N LONG .: -80.383723' W



JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082
MOUNT PLEASANT, SC 29465
C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

LAT.: 33.439520' N LONG.: -80.383723' W PROPOSED: EXCAVATION BULKEAD & JETTY WALL APPLICANT:KEITH EADIE

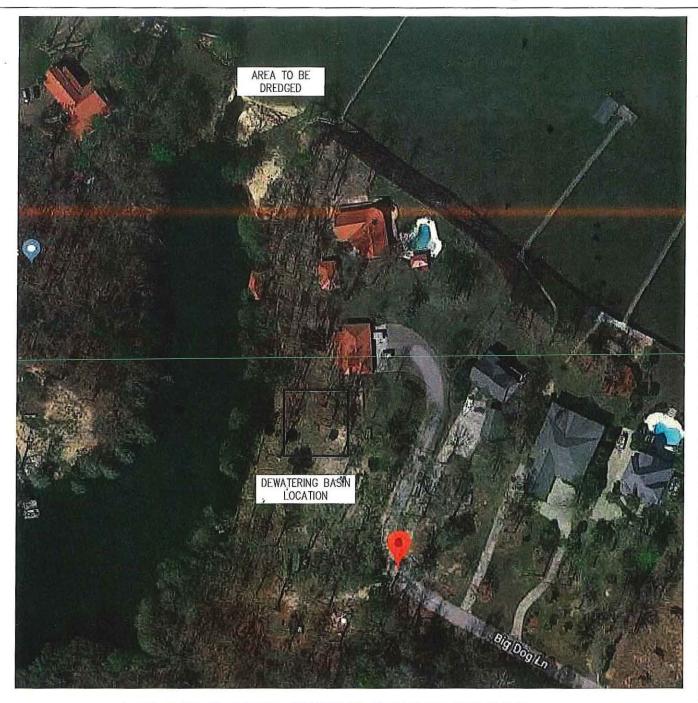
LOCATION: WATERS OF LAKE MARION

AT 1 BIG DOG LANE
NEAR EUTAWVILLE, ORANGEBURG CO. SC
9/21/2018 SHEET 15 OF 17

DATE: 9/21/2018 SAC-2018-01546

STATE OF: SOUTH CAROLINA

<u>DATE:</u> 9-21-18 <u>SHEET:</u> 15 OF 17



# PROPOSED IMPROVEMENTS

(DEWATERING BASIN LOCATION EXHIBIT)

#### AUTHORIZED AGENT:

JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS: (SEE SHEET 3)

## 1 BIG DOG LANE LOCATION: WATERS OF LAKE MARION **BULKHEAD**

LAT.: 33.439520° N LONG .: -80.383723' W PROPOSED: EXCAVATION BULKEAD & JETTY WALL

APPLICANT:KEITH EADIE

AT 1 BIG DOG LANE

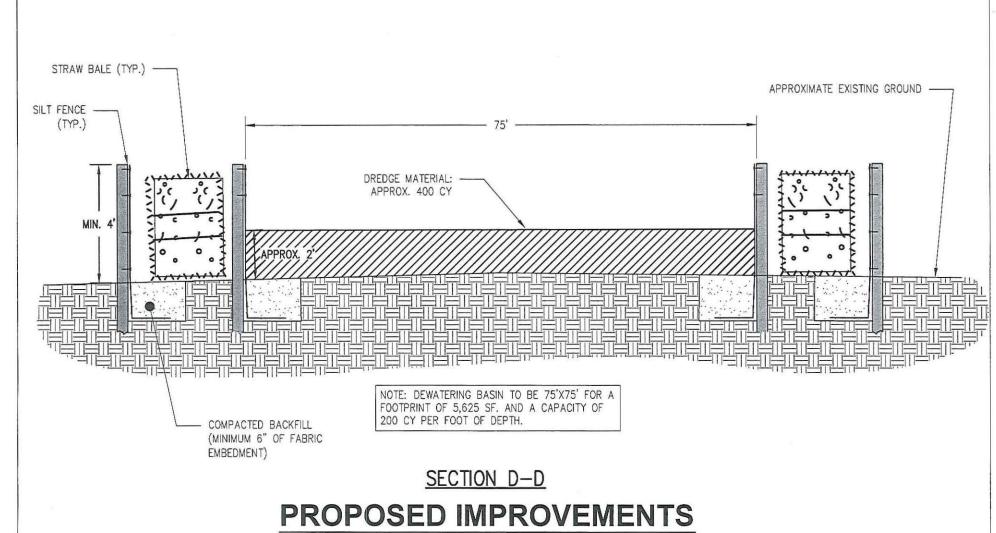
NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018

**SHEET 16 OF 17** 

SAC-2018-01546

DATE: 9-21-18 SHEET: 16 OF 17



(DEWATERING BASIN)

NOT TO SCALE

#### AUTHORIZED AGENT:

JON GUERRY TAYLOR & ASSOCIATES, INC. PO BOX 1082 MOUNT PLEASANT, SC 29465 C/O CRAIG PAWLYK

ADJACENT PROPERTY OWNERS:

(SEE SHEET 3)

## 1 BIG DOG LANE BULKHEAD

LAT.: 33.439520° N LONG.: -80.383723° W PROPOSED: EXCAVATION BULKEAD & JETTY WALL APPLICANT: KEITH EADIE

LOCATION: WATERS OF LAKE MARION AT 1 BIG DOG LANE

NEAR EUTAWVILLE, ORANGEBURG CO. SC

DATE: 9/21/2018 SAC-2018-01546

**SHEET 17 OF 17** 

AO-2010-01340

DATE: 9-21-18

SHEET: 17 OF 17