

**JOINT**  
**PUBLIC NOTICE**

**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**  
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 #SAC-2009-380-5IC

19 APRIL 2012

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 State of South Carolina by

**JOSEPH STOWE, LAKE WYLIE MARINE COMMISSION**  
525 N. TRYON ST., 12<sup>th</sup> FLOOR  
CHARLOTTE, NORTH CAROLINA 28202

for a permit to construct a boat ramp in

**LAKE WYLIE**

at 4755 East Liberty Hill Road, York County, South Carolina (Latitude 35.05979°N, 81.06648°W).

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.

**PLEASE NOTE: A public notice issued July 2, 2009, advertised a boat ramp, fixed pier, walkway, and boathouse, which were subsequently authorized October 16, 2009, under permit number SAC 2009-380-5IC. All of the authorized structures were constructed. This public notice constitutes an advertisement of a second boat ramp at the site. Only comments received in response to this public notice, dated April 19, 2012, will be considered during the permit review process for a second boat ramp.**

The proposed work consists of the placement of fill material in waters of the U.S. to construct a second boat ramp. In detail, the work specifically consists of constructing a 14 foot wide by 60 foot long boat ramp (approximately 0.02 acre of fill). The purpose of the work is to provide lake access for the York County Sheriff's

Department and the South Carolina Department of Natural Resources. According to the applicant, a second boat ramp is needed because the existing boat ramp authorized in 2009 is "unusable." The applicant states that avoidance and minimization will consist of using erosion controls, reseeding and planting disturbed areas upon completion of construction, and pouring the concrete slab on land then pushing it into Lake Wylie. The applicant has not proposed any compensatory mitigation due to the minimal adverse impacts consisting of approximately 0.02 acres of fill for the boat ramp.

**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: Amy Cappellino  
1835 Assembly Street  
Room 865 B-1  
Columbia, South Carolina 29201**

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 (Section 401 of the Clean Water Act). The District Engineer will not process this application to a conclusion until such certification is received. 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 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 certification or the 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.

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 0.02 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and 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 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.

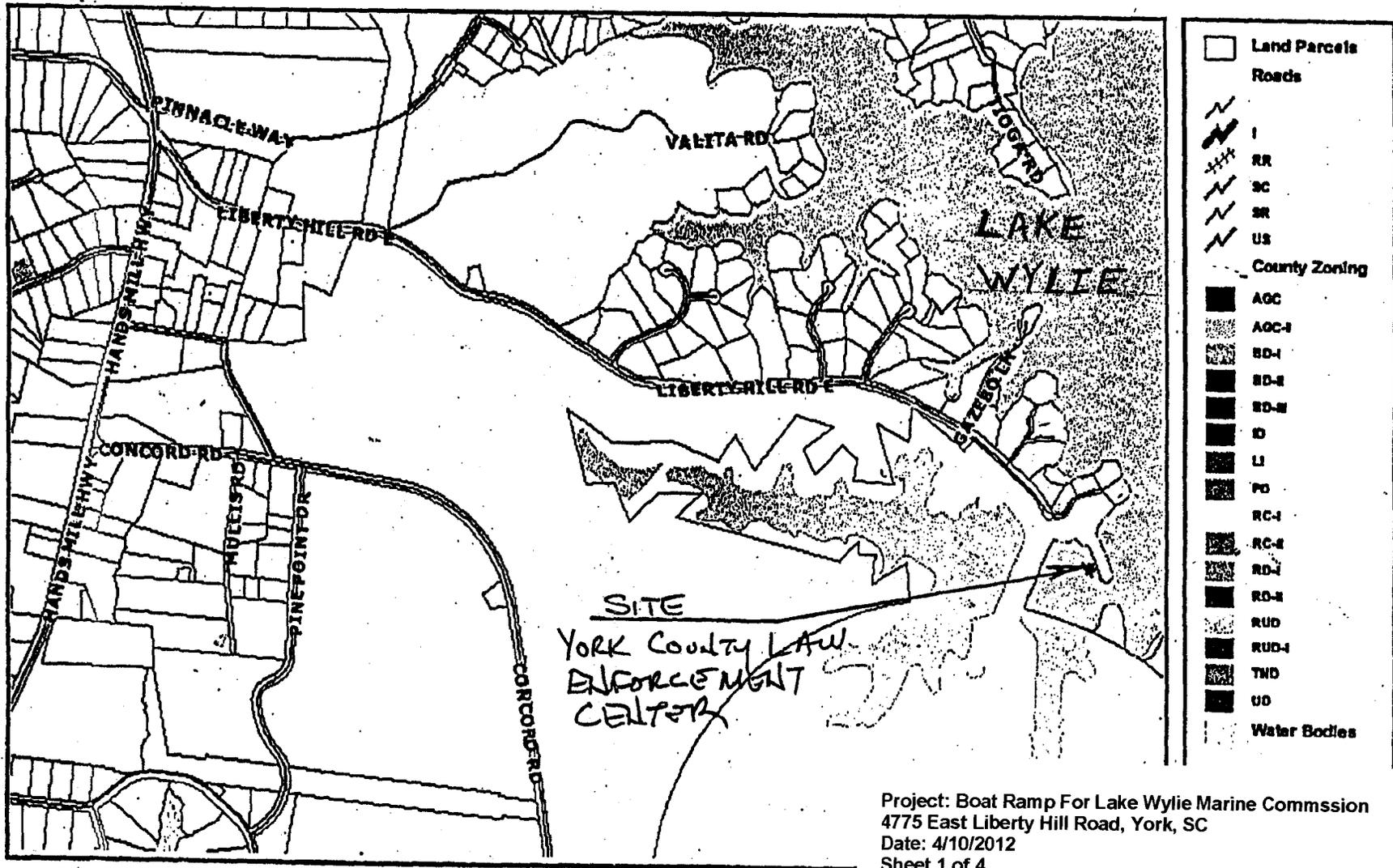
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 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 of Engineers cannot undertake to adjudicate rival claims.

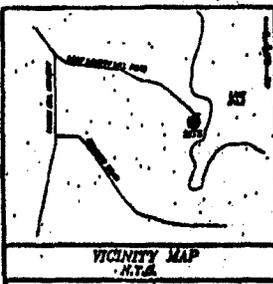
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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 Amy Cappellino at 803-253-3992.

# York County GIS

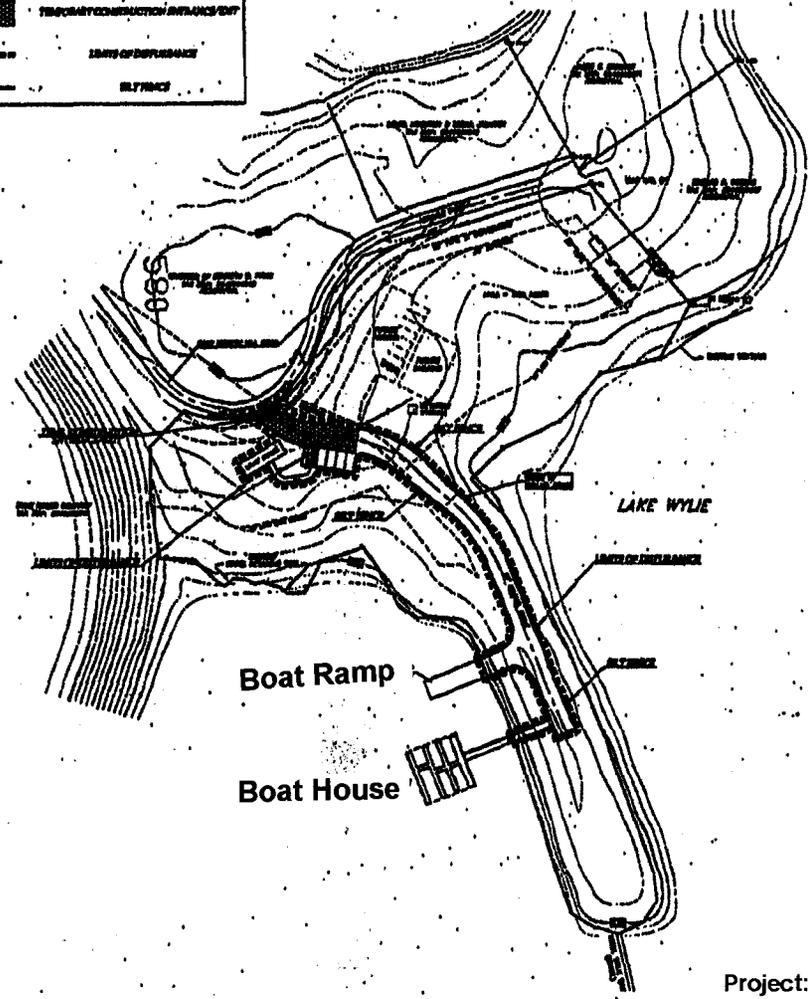


Project: Boat Ramp For Lake Wylie Marine Commission  
 4775 East Liberty Hill Road, York, SC  
 Date: 4/10/2012  
 Sheet 1 of 4  
 SAC 2009-380-51C  
 Location Map



**LEGEND**

- TEMPORARY CONSTRUCTION ENTRANCE
- BOUNDARY OF DISTURBANCE
- EXISTENCE



1. THE PROJECT IS LOCATED IN THE UNINCORPORATED AREA OF YORK COUNTY, SOUTH CAROLINA, AND IS SUBJECT TO THE JURISDICTION OF THE SOUTH CAROLINA DEPARTMENT OF ENVIRONMENTAL AND NATURE RESOURCES (DENR).

2. THE PROJECT IS SUBJECT TO THE DENR PERMITTING PROCESS AND THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) PERMITTING PROCESS.

3. THE PROJECT IS SUBJECT TO THE DENR PERMITTING PROCESS AND THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL (DHEC) PERMITTING PROCESS.

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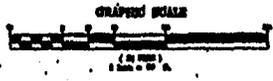
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- EXISTING UTILITIES**
- 1. EXISTING UTILITIES TO BE PROTECTED
  - 2. EXISTING UTILITIES TO BE REMOVED
  - 3. EXISTING UTILITIES TO BE RELOCATED
  - 4. EXISTING UTILITIES TO BE ABANDONED
  - 5. EXISTING UTILITIES TO BE MAINTAINED
  - 6. EXISTING UTILITIES TO BE REPAIRED
  - 7. EXISTING UTILITIES TO BE REPLACED
  - 8. EXISTING UTILITIES TO BE MODIFIED
  - 9. EXISTING UTILITIES TO BE ENHANCED
  - 10. EXISTING UTILITIES TO BE PRESERVED

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**LWE**  
 LATHAM-WALKER ENGINEERING, INC.  
 1000 W. 10th Street, Suite 100  
 York, SC 29732  
 (803) 782-1111 FAX (803) 782-1112

Project: Boat Ramp For Lake Wylie Marine Commission  
 4775 East Liberty Hill Road, York, SC  
 Date: 4/10/2012  
 Sheet 2 of 4  
 SAC 2009-380-51C  
 Existing Site Map

**NOTES**

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**APPROVED**

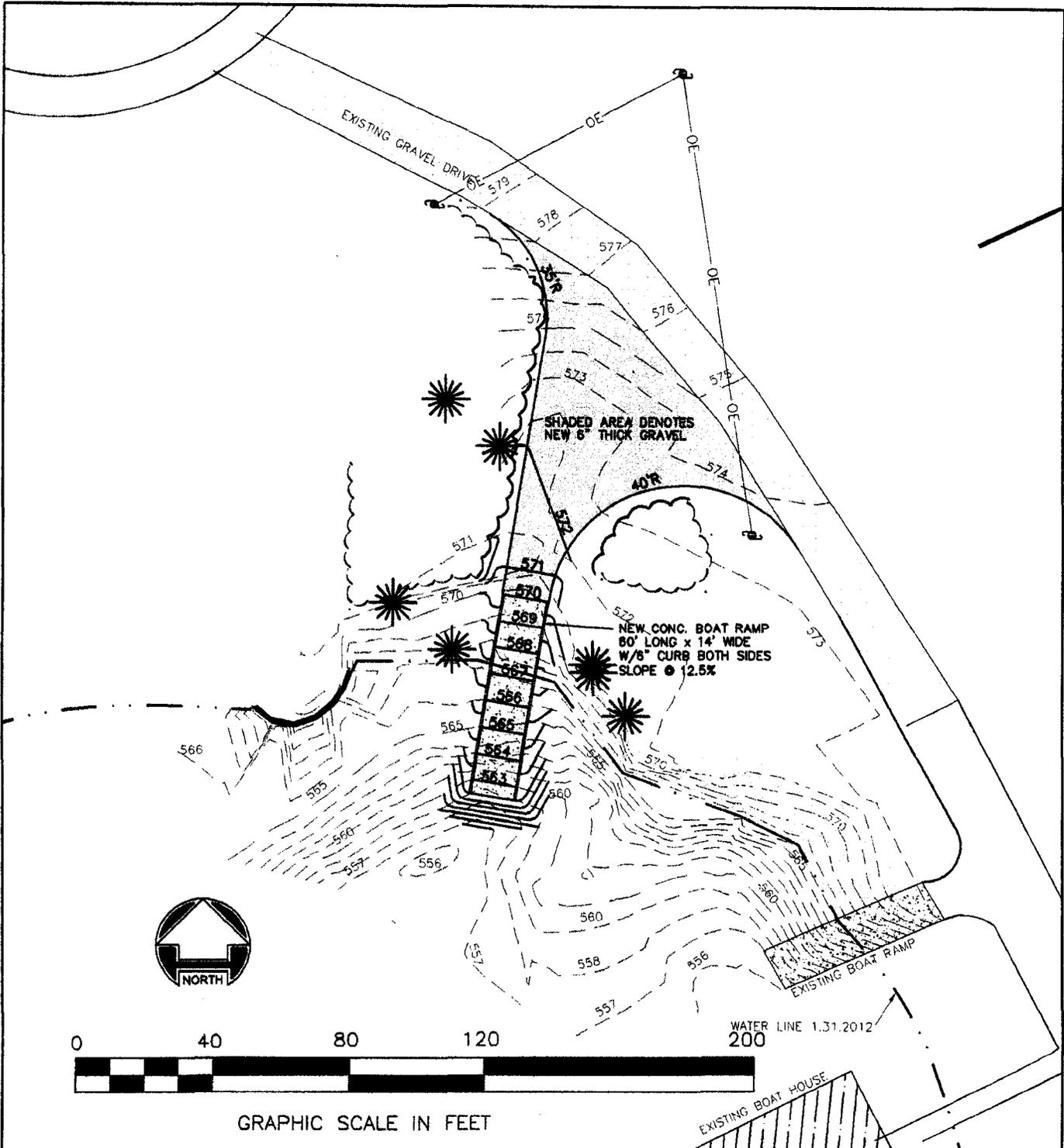
DATE: 4/10/2012

BY: [Signature]

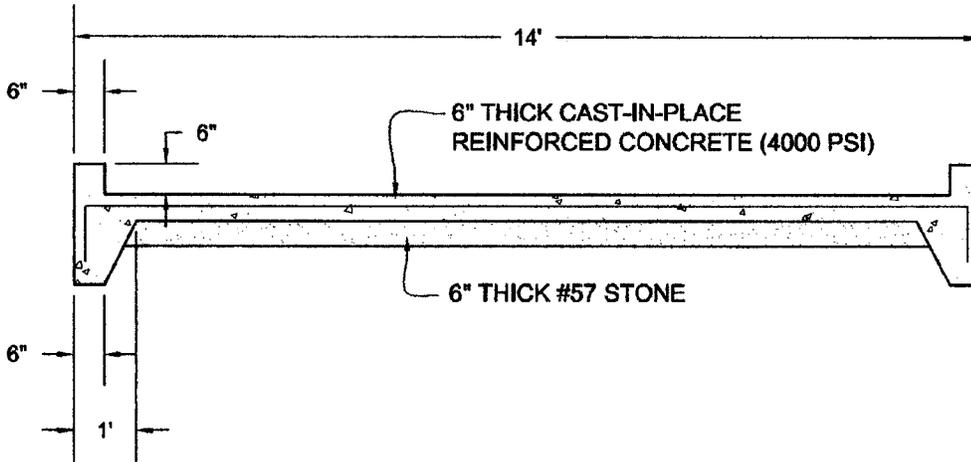
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2009-380-51C

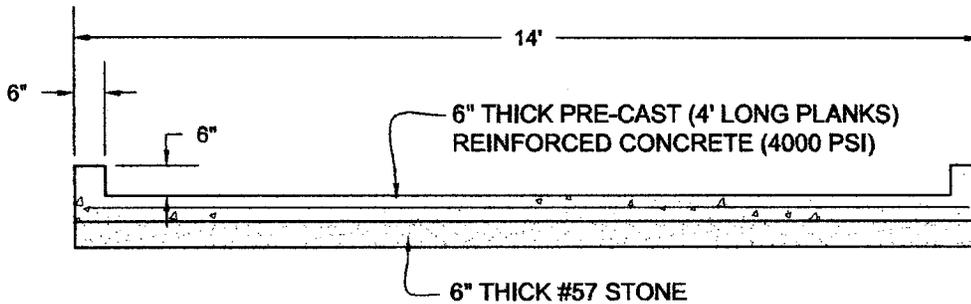




<p>Project:</p> <p><b>Boat Ramp For Lake Wylie Marine Commission</b> 4775 EAST LIBERTY HILL ROAD, YORK, SC</p>	<p>By:</p> <p><b>Sweat Engineering &amp; Consulting LLC</b></p> <p>Tracking Number:</p> <p><b>SAC 2009-380-51C</b></p>	<p>Date:</p> <p><b>4/10/2012</b></p> <p>Sheet:</p> <p><b>3 of 4</b></p>
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**CROSS SECTION OF RAMP SECTION ABOVE WATERLINE**  
NTS



**CROSS SECTION OF RAMP SECTION BELOW WATERLINE**  
NTS

Project: <b>Boat Ramp For Lake Wylie Marine Commission</b> 4775 EAST LIBERTY HILL ROAD, YORK, SC	By: <b>Sweat Engineering &amp; Consulting LLC</b> Tracking Number: <b>SAC 2009-380-51C</b>	Date: 4/10/2012 Sheet: <b>4 of 4</b>
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