

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
69A Hagood Avenue  
Charleston, South Carolina 29403  
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: General Permit # 2018-01401 through 2018-01410

September 4, 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), the South Carolina Coastal Zone Management Act (48-39-10 et seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450, et seq., 1976 S.C. Code of Laws, as amended),

**NOTICE**

is hereby given that the District Engineer, Charleston District and the South Carolina Department of Health and Environmental Control propose to issue a General Permit to South Carolina Public Service Authority (Santee Cooper) to authorize, where such authorizations are required, the construction, repair and maintenance of private noncommercial piers, docks, boat lifts, moorings, boathouses, boat ramps, marine railways for dry storage, groins, retaining walls, bulkheads, rip rap and bio-engineering for erosion control, minor maintenance, minor discharges, and removal of vessels by lake front property owners and lessees in Berkeley, Clarendon, Orangeburg, Sumter and Calhoun Counties, South Carolina owners Lake Marion and Lake Moultrie.

**\*NOTE: A copy of the draft General Permit is attached to this Public Notice and contains the general and special conditions of the authorization.**

The purpose of this notice is to give all interested parties an opportunity to express their views on the proposed reissuance of the above referenced General Permit before action is taken. Written statements regarding the reissuance of this General Permit will be received until

**October 4, 2018**

from those interested in the activity and whose interests may be affected by the proposed work.

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 certification as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). 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 certification is 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 General Permit would have minimal impact on waters upstream 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 General Permit 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 evaluated the proposed General Permit regarding its potential to affect cultural resources including registered properties or properties listed as being eligible for inclusion in the National Register. Provisions have been made in the form of general conditions to the General Permit, which should prevent any adverse effect to 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 and 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 General Permit. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue this General 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 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  
69A Hagood Avenue  
Charleston, South Carolina 29412**

If there are any questions concerning this public notice, please contact Mrs. Courtney M. Stevens at (843) 329-8027.

General Permit No. SAC-2018-01401 through SAC-2018-01410  
Name of Applicant: South Carolina Public Service Authority (Santee Cooper)  
Effective Date: \_\_\_\_\_  
Expiration Date: \_\_\_\_\_

**DEPARTMENT OF THE ARMY  
AND  
SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL  
GENERAL PERMIT**

A general permit to perform work in or affecting waters of the United States, both navigable and non-navigable, upon the recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), the South Carolina Coastal Zone Management Act (48-39-10 et seq.), and the S.C. Construction in Navigable Waters Permit Program (R. 19-450 et seq., Code of Laws of South Carolina 1976, as amended), is hereby issued by authority of the Secretary of the Army by the

District Commander  
U. S. Army Corps of Engineers  
Charleston District  
69A Hagood Avenue  
Charleston, South Carolina 29403

and by the South Carolina Department of Health and Environmental Control (SCDHEC) to:

**SOUTH CAROLINA PUBLIC SERVICE AUTHORITY (SANTEE COOPER)  
FERC- Federal Energy Regulatory Commission Project 199**

to authorize, the construction, repair and maintenance of private noncommercial piers, docks, boat lifts, moorings, boathouses, boat ramps, marine railways for dry storage, groins, retaining walls, bulkheads, rip rap and bio-engineering for erosion control, minor maintenance, minor discharges, and removal of vessels by

*LAKE MARION AND LAKE MOULTRIE*  
Lake Front property owners and Lessees  
in Berkeley, Clarendon, Orangeburg, Sumter  
and Calhoun Counties, South Carolina

**I. General Conditions:**

- a) All activities identified and authorized herein shall be consistent with the terms and conditions of this permit; and that any variance or activity not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this permit which may result in the modification, suspension, or revocation of this permit, as set forth more

specifically in General Condition below and in the institution of such legal proceedings as the United States Government or SCDHEC may consider appropriate.

- b) Structures authorized by this General Permit shall be private, single family, noncommercial, simple piers, docks, moorings boathouses, boat ramps, marine railways for dry storage, groins, retaining walls, bulkheads, rip rap and bio-engineering for erosion on residential lots only, minor maintenance, minor discharges, and removal of vessels and conforming to the standards contained herein. Only one (1) dock, pier, boat ramp, railway, boathouse or boat lift may be constructed on a single lot or tract of land.
- c) *That the term "permittee" means the individual authorized by the District Commander to accomplish work under this General Permit. The majority of activities authorized under this General Permit are limited to private, non-commercial use and limited commercial uses. However, subaqueous utility lines and overhead power lines are typically constructed and/or maintained by corporations or other commercial entities.*
- d) The structure owner/permittee must make every reasonable effort to perform the work authorized herein in a manner so as to minimize any adverse impact of the work on fish, wildlife and natural environmental values or historic or prehistoric values.
- e) The structure owner/permittee must perform the work authorized herein in a manner so as to minimize any degradation of water quality.
- f) The structure owner/permittee shall allow the District Commander or his authorized representative, state law enforcement personnel, representatives of the SCDHEC or other authorized State permit inspectors to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this permit is in accordance with the terms and conditions prescribed herein.
- g) The structure owner shall maintain structures authorized herein in good condition.
- h) This General Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State or Local Laws or regulations or Federal Energy Regulatory Commission regulations, nor does it obviate the requirement to obtain local or South Carolina Public Service Authority (SCPSA or Santee Cooper) assent or to comply with any applicable standards required by ordinance for the construction of structures authorized herein. Other Federal, State, or local agencies and/or Santee Cooper are not limited by this document and may impose more stringent requirements than those identified in this document.
- i) Structures authorized by this General Permit shall be designed, located, and/or operated to allow the full and free use by the public of all navigable waters adjacent to the work authorized by this permit.

- j) This General Permit may be either modified, suspended, or revoked in whole or in part if the District Engineer or the SCDHEC determines that immediate suspension would be in the general public interest or there has been a violation of any terms and conditions of this permit. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by a permittee which are deemed necessary by the District Commander or SCDHEC to abate imminent hazards to the general public interest. A permittee shall take immediate action to comply with the provisions of this notice. Within ten (10) days following the receipt of this notice of suspension, the permittee may request a meeting with the District Commander or SCDHEC or a public hearing to present information relevant to a decision whether his/her permit should be reinstated, modified, or revoked. If a public hearing is requested it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the public hearing or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the authorization of the specific work or structure will be reinstated, modified, or revoked. Any modification, suspension, or revocation of authorization under this General Permit shall not be the basis for any claim for damages against the United States.
- k) If the display of lights and signals on any structure authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.
- l) If and when a structure owner who desires to abandon an authorized structure, or when a structure falls in to a state of disrepair such that it no longer conforms to the conditions of this permit, may be required to remove the structure, unless such abandonment is part of a transfer procedure by which the individual is transferring ownership of the structure.
- m) Once the project is initiated, it must be carried to completion in an expeditious manner in order to minimize the period of disturbance to the environment.
- n) Permittee/Structure owners recognize the possibility that works or structures authorized herein may be subject to damage by wave wash from passing vessels. The issuance of this General Permit does not relieve permittee/structure owners from taking all proper steps to insure the integrity of their structures permitted hereby and the safety of boats moored thereto from damage by wave wash and the permittee/structure owners shall not hold the United States or SCHEC liable for any such damage.
- o) A structure owner upon receipt of a notice from the District Engineer or SCDHEC of failure to comply with the terms, conditions or standards of this General Permit shall, within sixty (60) days (unless circumstances require more expeditious actions to protect health, safety, or environment) without expense to the United States or the State of South Carolina and in such manner as the agency may direct, effect compliance with terms, conditions, and standards or remove the structure.

- p) This General Permit authorizes the construction and continued use of certain structures in the navigable waters of Lake Marion and Lake Moultrie by landowners adjacent to these lakes. This authorization is a revocable privilege and if changed circumstances warrant, the SCDHEC may revoke such privilege and require removal of a structure at the expense of the owner.
- q) If the permittee, prior to or during the performance of the work authorized herein, encounters previously unidentified archeological remains or cultural resources within the area subject to Department of the Army authorization, the applicant agrees to cease work and contact the District Commander, so that coordination with the South Carolina Institute of Archaeology and Anthropology, the South Carolina Department of Archives and History, and the Tribal Historic Preservation Office may be conducted.
- r) The permittee must notify the District Commander if the activity authorized by this General Permit may affect any historic properties listed, or which may be eligible for listing on the National Register of Historic Places. The activity is not authorized until the procedures for the protection of cultural resources (Appendix C to 33 CFR 325) have been completed on the eligible property or structure.
- s) The Permittee must notify the South Carolina Institute of Archaeology and Anthropology in accordance with the South Carolina Underwater Antiquities Act of 1991 (Article 5, Chapter 7, Title 54 Code of Laws of South Carolina, 1976) in the event archaeological or paleontological remains is found during the course of the work. Archaeological remains consist of any materials made or altered by man which remains from the past historic or prehistoric times (i.e. older than 50 years). Examples include old pottery fragments, metal, wood. Arrowheads, stone implements or tools human burials, historic docks, structures or non-recent (i.e. older than 100 years) vessel ruins, Paleontological remains consist of old animal remains, original or fossilized, such as teeth, tusk, bone or entire skeletons.
- t) The Permittee must notify the South Carolina Department of Archives and History if any archaeological materials are encountered during the course of the work. Archaeological materials consist of any items, fifty years of older, which were made or used by man. These items include, but are not limited to stone projectile points (arrowheads), ceramic sherds, and bricks, worked wood, bone and stone, metal objects and human skeleton remains. These materials may be present on the ground surface and/or under the surface of the ground.
- u) This General Permit does not authorize work or structures within areas designated as "environmentally sensitive areas" by Santee Cooper.
- v) The permittee must implement best management practices during and after all construction to minimize erosion and migration of sediments off site. These practices may include use of devices capable of preventing erosion and migration of sediments in waters of the U.S., including wetlands. These devices must be maintained in a functioning capacity until the area is permanently stabilized upon project completion.

- w) If the District Commander determines federal listed threatened or endangered species and/or designated critical habitat are known to exist in the project area and that such species may be adversely affected by the proposed work, then that specific work is not authorized by this General Permit.
- x) A variance in the dimensions or locations of the activities authorized herein may be granted in instances where conformity with existing structures would be practical and in cases where exemptions would be desirable due to curvature and/or slope of the shoreline. This variance will be considered authorized upon approval by Santee Cooper. However, the District Commander reserves the right to deny such variance if effects on navigation and the aesthetic values of the surrounding area are determined to be contrary to the public interest.
- y) This general permit relates only to activities authorized herein and does not convey the right to place any cover, closed structure, or structures for any nonwater-related use on or adjacent to the pier, dock, boat lifts, moorings, boat houses, boat ramps, marine railways for dry storage, seawalls, retainer walls, and riprap without the prior written approval of the Corps of Engineers.
- z) The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.
- aa) Structures authorized by this permit must be located a minimum of ten (10') feet from adjacent property lines and ten (10') from the imaginary lakeward extension of said property lines. A variance in the distance of a structure from the adjacent property lines may be granted in instances where conformity with existing structures would be practical and in cases where exceptions would be desirable due to curvature of the shoreline. Common use structures, between adjacent property owners, are encouraged. The sideline limitation of ten (10') feet may be waived for proposed common use structures. A copy of the written agreement between property owners must be furnished to Santee Cooper.

## **II. Authorized Activities and Special Conditions**

### **a. Residential Piers and Docks (SAC-2018-01401)**

(1) Piers and docks walkways shall not exceed six (6) feet in width, the size and extension of a dock or pier must be limited to that which is reasonable for its intended use. In some locations such as narrow coves, the maximum size may not be permitted or docks may not be permitted at all. \*\*Berkeley County which lies in a coastal zone limits piers walkway widths to four (4) foot.

(2) Piers and docks will be located a minimum of ten (10) feet from adjacent property lines and should not encroach across the imaginary lakeward extension of said property lines. Variances must be approved by Santee Cooper.

(3) Piers and docks may have a "T" or "L" shaped terminal having dimensions not greater than 16 feet in length by 24 feet in width.

(4) Hand railings are permissible provided that the sides of the docks are not enclosed so as to obscure cross-vision and they do not exceed three (3) feet in height. Pickets must be on 6" center to center.

(5) Piers, docks, floats and moorings located along the FERC Residential Land Classification shoreline, shall be limited to one (1) single-family structure.

(6) No sinks, toilets, showers, etc., or any type of equipment or construction which will create or cause any liquid or solid waste to be discharged into the waters of the lakes will be permitted.

(7) All fixed docks must be built at an elevation where the decking is a minimum of two (2) feet above the maximum high water line of the lake.

(8) Flotation devices supporting floating docks shall be encased or encapsulated. Styrofoam billets, barrels or similar devices are not permitted.

(9) Houseboats used for any type habitation may not be permanently moored at private docks. Permanent mooring of houseboats must be at marinas with appropriate waste pumping and treatment facilities.

(10) Roofs over terminals can be gabled or hip. No flat roofs are allowed. Roofs must be constructed with modern type of residential covering. Gable roof cannot exceed thirteen (13) feet in height from the top of the pitch to the decking of the pier, or fifteen (15) from the top of the pitch to the water surface.

(11) NO part of the pier or terminal can be enclosed with lattice or other materials which obstruct cross views for safe navigation.

(12) All piers/terminals must have reflectors on all outer edges and no less than every 20' apart down the length.

**b. Moorings (SAC-2018-01402)**

(1) Mooring structures, such as dolphins, pilings, or buoys, shall not be located beyond the distance prescribed in Paragraph II. a. (1) nor shall they be located greater than 20' laterally from the side of the associated pier or dock when associated with the pier or dock. The number of such structures shall not exceed two per property. A variance in the location and number of buoys may be considered on a case by case basis by Santee Cooper, provided their location

does not extend beyond the distances prescribed in Paragraph II. a. (1) and they do not interfere with navigation or aesthetic values.

(2) Vessels secured to mooring structures must be moored in a manner which will not create any hazards to navigation.

**c. Boat Lifts (SAC-2018-01403)**

(1) Boat house dimensions will not exceed sixteen (16) feet in width by thirty (30) feet in length.

(2) No sinks, toilets, showers, etc., or any type of equipment or construction which will create or cause any liquid or solid waste to be discharged into the waters of the lake will be permitted.

(3) Roofs may be gabled or hip. Flat roofs are not are not allowed. Gable or hip roofs are not to exceed thirteen (13) feet in height from the top of pitch to the decking of the pier or fifteen (15) feet in height from top of pitch to the water surface. Roof overhang cannot exceed the footprint of 16' x 30'.

(4) Boat lifts must be single story structures.

(5) Boat lift will be located a minimum of ten (10) feet from adjacent property lines and should not encroach across the imaginary lakeward extension of said property lines. A variance in the distance from the adjacent property lines may be granted in instances where conformity with existing structures would be practical and in cases where exceptions would be desirable due to the curvature of the shoreline.

(6) Uncovered boat lifts will be considered for all areas of Lake Marion and Lake Moultrie provided that when fully raised, the bottom of the boat may not exceed the height of the decking of the pier or dock. The total height of any portion of the lift will not exceed ten (10) feet above the maximum high water line of the lake.

(7) No more than two (2) uncovered boat lifts per waterfront lot will be allowed, and cannot be individually covered.

(8) Uncovered boat lifts may be floating or fixed. Flotation devices shall be encased or encapsulated. Styrofoam billets, barrels or similar devices are not permitted.

(9) All Boat lifts with no exception must have reflectors placed at all 4 corners.

(10) Covered Boatlifts, with no exceptions, are NOT allowed to be fully enclosed. Sides are allowed to come down no more than four (4') from the top eave of the roof.

(11) Uncovered lifts for personal watercraft such as jet skis will be considered.

**d. Boat Ramps (SAC-2018-01404)**

(1) Boat ramps will be constructed of reinforced concrete with a minimum thickness of four (4) inches. Uses of asphalt compounds or petroleum products are not authorized under this General permit. Boat ramps may be up to sixteen (16) feet wide and the minimum length required being functional.

(2) Boat ramps will be located a minimum of ten (10) feet from adjacent property lines and should not encroach across the imaginary lakeward extension of said property lines. A variance in the distance from the adjacent property lines may be granted in instances where conformity with existing structures would be practical and in cases where exceptions would be desirable due to the curvature of the shoreline.

(3) Vegetated wetlands must be avoided to the maximum extent practicable. If a proposed boat ramp would affect more than 500 square feet of vegetated wetlands, review and concurrence of the U. S. Fish and Wildlife Service and the South Carolina Department of Natural Resources are required.

**e. Marine Railways (SAC-2018-01405)**

(1) Marine railways extending from onshore boat houses must not interfere with navigation.

(2) Marine railways will be located a minimum of ten (10) feet from adjacent property lines and should not encroach across the imaginary lakeward extension of said property lines. A variance in the distance from the adjacent property lines may be granted in instances where conformity with existing structures would be practical and in cases where exceptions would be desirable due to the curvature of the shoreline.

**f. Erosion Control -- Retaining Walls/Bulkheads, and Groins (SAC-2018-01406)**

***Bank stabilization activities necessary for erosion prevention, provided the activity meets all of the following criteria:***

(1) That they are constructed of treated wood, concrete, vinyl sheeting, or some other suitable material that has received prior approval by Santee Cooper.

(2) No material is placed in excess of the minimum needed for erosion protection.

(3) The activity is no more than 500 feet in length along the bank.

(4) The activity does not exceed an average of one cubic yard per fanning foot placed along the bank below the plane of the ordinary high water mark, unless this criterion is waived in

writing by the U. S. Army Corps of Engineers District Engineer and SCDHEC concluding that the discharge will result in minimal adverse effects.

(5) The activity does not involve discharges or dredged or fill material into special aquatic sites, unless this criterion is waived in writing by the U. S. Army Corps of Engineers District Engineer.

(6) No material is of the type, or is placed in any location, or in any manner, to impair surface water flow into or out of any waters of the United States.

(7) No material is placed in a manner that will be eroded by normal or expected high flows.

(8) Retaining walls/bulkheads and riprap must be placed against the existing erosional scarp, and landward of any wetland vegetation to prevent the loss of wetlands. The recapturing of land by earthen fill will not be permitted.

(9) Only clean earthen fill free of all potential sources of pollution may be used as backfill material. The backfilled area must be stabilized with vegetative cover after construction to minimize erosion.

(10) Groin walls must be a minimum of two (2) feet above the maximum high water mark of the lake and must not be excessive in length. Groins walls must be clearly marked and lighted by U. S. Coast Guard standards so as not to be a hazard to safe navigation.

**g. Riprap or Bio-engineering (SAC-2018-01407)**

(1) Riprap must consist of clean stone or masonry material free of all potential sources of pollution. Riprap materials must have received prior approval by Santee Cooper.

(2) No material is placed in excess of the minimum needed for erosion protection.

(3) The activity is no more than 500 feet in length along the bank.

(4) The activity does not exceed an average of one cubic yard per funning foot placed along the bank below the plane of the ordinary high water mark, unless this criterion is waived in writing by the U. S. Army Corps of Engineers District Engineer and SCDHEC concluding that the discharge will result in minimal adverse effects.

(5) The activity does not involve discharges or dredged or fill material into special aquatic sites, unless this criterion is waived in writing by the U. S. Army Corps of Engineers District Engineer.

(6) No material is of the type, or is placed in any location, or in any manner, to impair surface water flow into or out of any waters of the United States.

(7) No material is placed in a manner that will be eroded by normal or expected high flows.

(8) Retaining walls/bulkheads and riprap must be placed against the existing erosional scarp, and landward of any wetland vegetation to prevent the loss of wetlands. The recapturing of land by earthen fill will not be permitted.

(9) Only clean earthen fill free of all potential sources of pollution may be used as backfill material. The backfilled area must be stabilized with vegetative cover after construction to minimize erosion.

#### **h. Minor Maintenance Dredging (SAC-2018-01408)**

(1) This authorizes the removal of accumulated sediments and debris in the vicinity of and within existing structure (e.g. bridges, culverts, road crossing, water intake structures etc.) and the placement of new or additional riprap to protect the structure. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. This 200 foot limit will also apply to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in upland areas unless otherwise specifically approved by the district engineer under separate authorization. The placement of riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. Any bank stabilization measures not directly associated with the structure will require a separate authorization from the Army Corps of Engineers district engineer.

(2) This also authorizes temporary structures, fills, and work necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be re-vegetated, as appropriate.

(3) The permittee must submit a pre-construction notification to Santee Cooper prior to commencing the activity. Where maintenance dredging is proposed, the pre-construction notification must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundment, and canals.

(4) This authorizes the repair, rehabilitation or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance.

**i. Minor Discharges (SAC-2018-01409)**

(1) Minor discharges of dredged or fill material into waters of Santee Cooper system.

a. The quantity of discharged material and the volume of area excavated does not exceed 25 cubic yards below the plane of the ordinary high water mark.

b. The discharge will not cause the loss of more than acre of waters of the Santee Cooper system.

**j. Removal of Vessels (SAC-2018-01410)**

(1) Temporary structures or minor discharges of dredged or fill material required for the removal of wrecked, abandoned, or disabled vessels, or the removal of man-made obstructions to navigation.

**III. Required Authorization**

Each person seeking authorization for the activities described in this General Permit must first obtain approval for such activities from Santee Cooper. In obtaining authorization, each person shall provide notice of the proposed activity to all landowners immediately adjacent to the property upon which the activity is to occur and shall submit to Santee Cooper written evidence that such notice has been provided. Failure to provide such evidence shall preclude authorization under this General Permit.

**IV. PROHIBITED ACTIVITIES**

All work that exceeds the terms and conditions specified herein is prohibited unless an Individual or Nationwide Department of the Army Permit has been obtained from the Corps of Engineers. All work for purposes other than those specified herein is expressly not authorized by this document.

**V. Penalties for Violation**

Authorization obtained under this General Permit limits the size, length and use of structures. Any deviation from the specifications or other terms or conditions of the General Permit would constitute a violation of regulations and could result in removal of the structures or work and restoration of the waterway to its former condition and/or imposition of penalties as provided by law.

**VI. Revocation of General Permit**

This General Permit may be withdrawn or revoked by issuance of the public notice at any time the District Commander and/or SCDHEC determines that the singular or cumulative efforts of the activities authorized herein have an adverse effect on the public interest. Following such revocation any future activities in areas covered by this General Permit will be processed as individual or nationwide permits.

**VII. Reporting of Activities Authorized by the General Permit**

Santee Cooper shall furnish the Corps of Engineers and the South Carolina Department of Health and Environmental a monthly tabulation of all activities authorized under this General Permit, including the location and type of work performed. The report is due on the 25<sup>th</sup> day of the following month.

**VIII. Duration of General Permit**

This permit will cover activities started within five (5) years and completed with one (1) year after the date of issuance unless this permit is revoked in the interim. A revocation of the General Permit will not affect the work that had been authorized when the General Permit was in effect, in accordance with the conditions stated herein.

This General Permit shall become effective on the date signed by the District Commander and the SCDHEC.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:

\_\_\_\_\_  
Jeffrey S. Palazzini  
Lieutenant Colonel, U.S. Army  
Commander and District Engineer

\_\_\_\_\_  
Date

or his Designee

Travis G. Hughes  
Chief, Regulatory Division

AND THE SOUTH CAROLINA DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL:

\_\_\_\_\_  
SCHEC Authorized Agent

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title of Authorized Agent