

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  
Office of Environmental Quality Control  
Water Quality Certification and Wetlands Programs Section  
2600 Bull Street  
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: PN# SAC 2008-00088-2IR

February 1, 2008

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), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**SANTEE COOPER  
C/O DENISE BUNTE-BISNETT  
POST OFFICE BOX 2946101  
MONCK'S CORNER, SOUTH CAROLINA 29461-6101**

for a permit to perform hydraulic dredging in the

**DIVERSION CANAL AT LAKE MOULTRIE**

at the Diversion Canal where it enters Lake Moultrie between navigation channel markers #32 and #30, near Cross, South Carolina; (Latitude: 33.34752; Longitude: -80.10019).

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 both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, MARCH 3, 2008**

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

The proposed work consists of dredging approximately 100,000 cubic yards of sand from the navigation channel where the diversion canal enters Lake Moultrie. Approximately 6' of shoaling has occurred since the canal was dredged to elevation 58' in the winter of 1988. The original channel cut was to elevation 44'. The proposed dredging will consist of a 200' wide cut through shoaling to elevation 58 NGVD 1929. This 2000' long cut will provide an 8' deep channel through the shoaling at current lake levels. The dredged material will be placed in an 11-acre upland spoil disposal site located on the north side of the diversion canal as noted on the attached drawings. This site was used during the 1988 dredging event and has 10' high dikes with a spillway.

The project purpose is to maintain the passage of water from Lake Marion to Lake Moultrie, and navigable depths. Dredging is planned to begin in the summer of 2008.

**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: 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. 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. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are 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 9.2 acres of freshwater habitat located 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 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

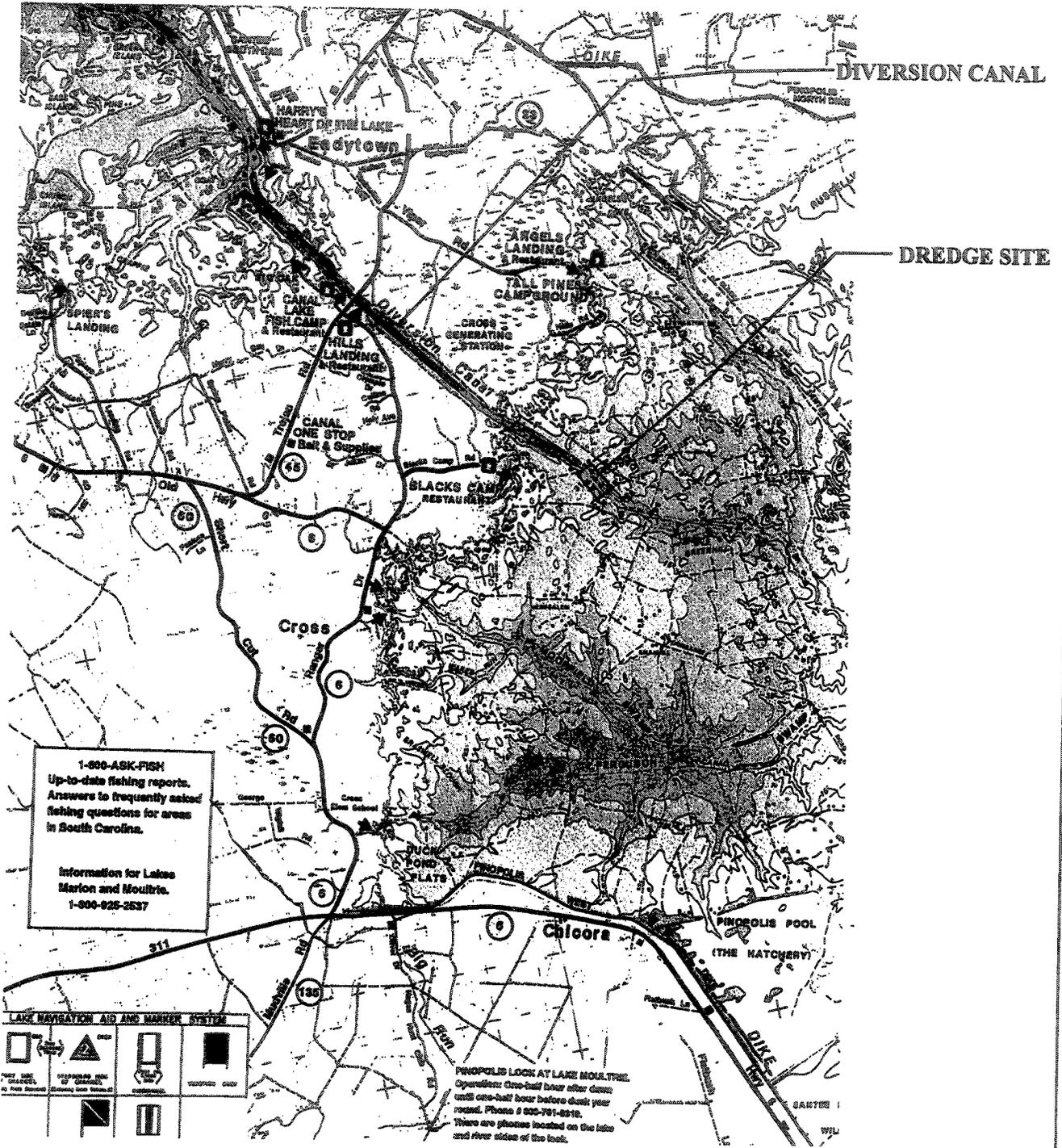
District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

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 Robin Collier-Socha at 843-329-8044 or toll free at 1-866-329-8187.

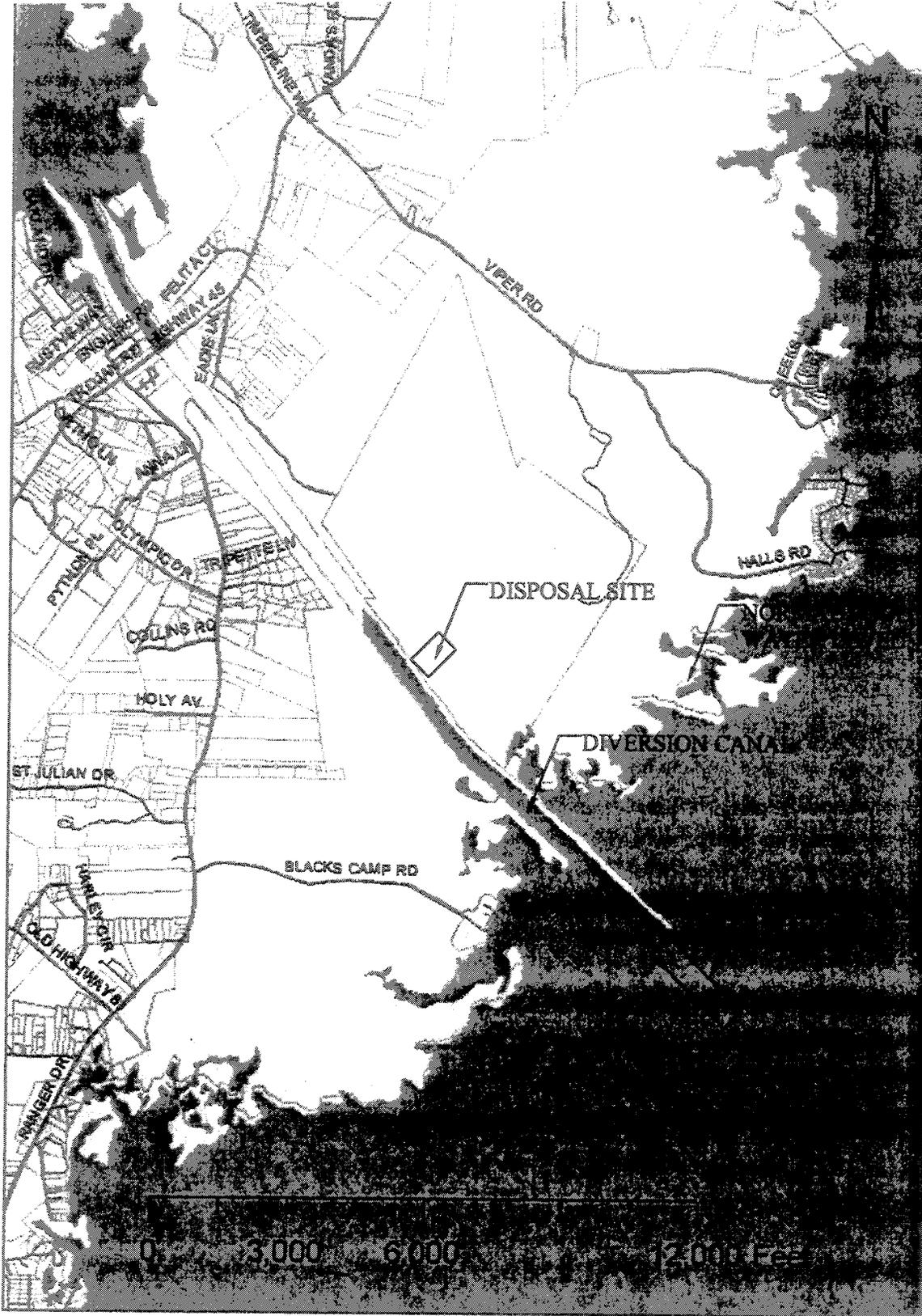


**PROJECT: DIVERSION CANAL DREDGING**  
**LOCATION: BERKELEY COUNTY**  
**LATITUDE: N33-20'-46.68"**  
**LONGITUDE: W80-06'-01.44"**  
**DATUM: NAD 27**

**APPLICANT: SANTEE COOPER**  
**DATE: DECEMBER 26, 2007**

*Sheet# 2008-00088-2IR*

	CONSTRUCTION SERVICES	DIVERSION CANAL LAKE MOULTRIE	
	CIVIL PROJECTS	VICINITY MAP	
	DRAWN BY: R.B. MCNAMIN DATE: 12/26/07 FILENAME: I:\53570\1\SCPRJ\DIVERSION CANAL SOUNDINGS VICINITY MAP	CHECKED: SBB SCALE: AS NOTED	
	SHEET 1 OF 6		

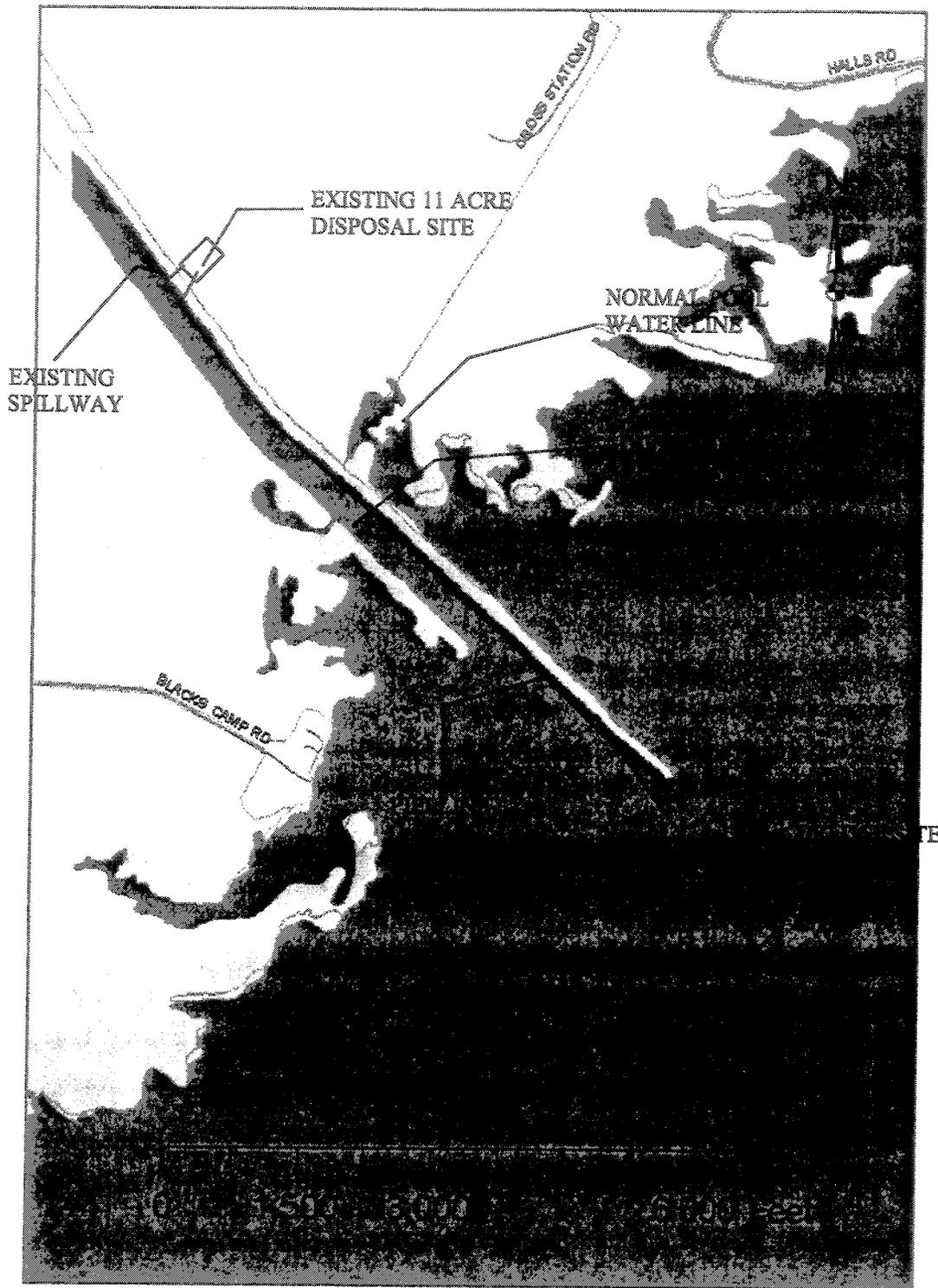


PROJECT: DIVERSION CANAL DREDGING  
 LOCATION: BERKELEY COUNTY  
 LATITUDE: N33-20'-46.68"  
 LONGITUDE: W80-06'-01.44"  
 DATUM: NAD 27

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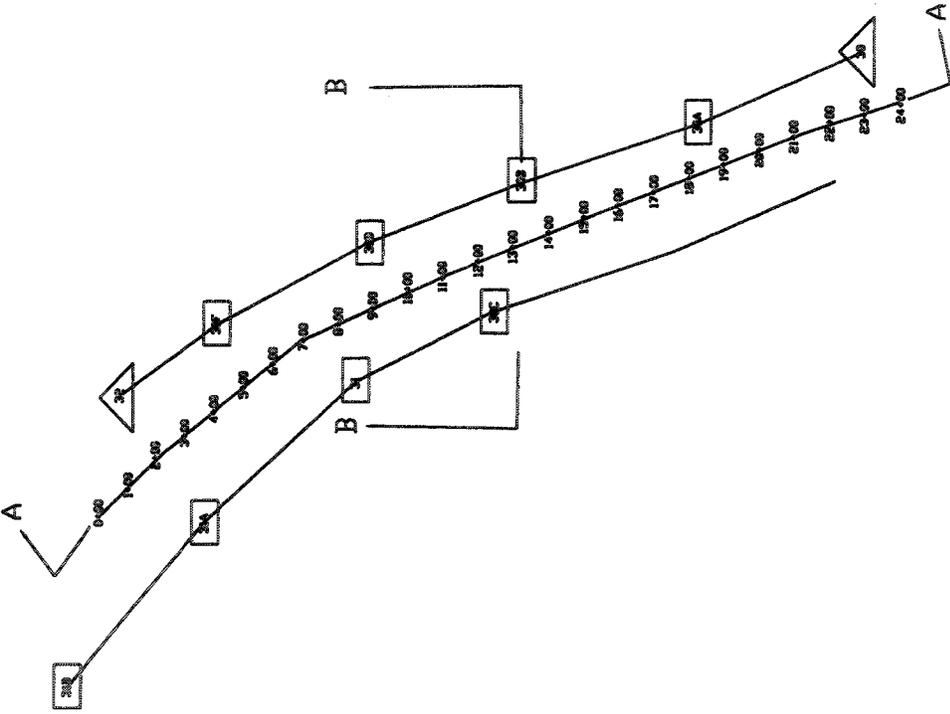
SAR# 2008-00088-2IR

	CONSTRUCTION SERVICES	DIVERSION CANAL LAKE MOULTRIE
	CIVIL PROJECTS	PLAN VIEW OF PROJECT AREA
	<small>           DRAWN BY R. S. HOWARD / CHECKED: EBB            DATE: 12/26/07 / DATE: RES            SCALE: AS NOTED         </small>	
<small>           FILENAME: 1-152570-1-SCPROJ-IR-DIVERSION CANAL-132481-IR2-PLAN VIEW         </small>		<small>SHEET 2 OF 4</small>



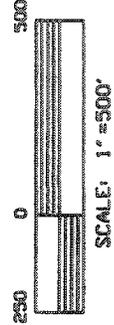
SAC# 2008-00088-2IR

 <p><b>Santee Cooper.</b> Public Power Created by the People of South Carolina</p>	CONSTRUCTION SERVICES	DIVERSION CANAL LAKE MOULTRIE
	CIVIL PROJECTS	PLAN VIEW OF SITE
	DRAFTER R. D. MCMAKIN   CHECKED: DBB	
	DATE 12/26/07   AUTH. NO.   SCALE: AS NOTED	
FILENAME: I:\53570\SCPROJ\DIVERSION CANAL\SOUNDINGS\PROFILE		SHEET 3 OF 6



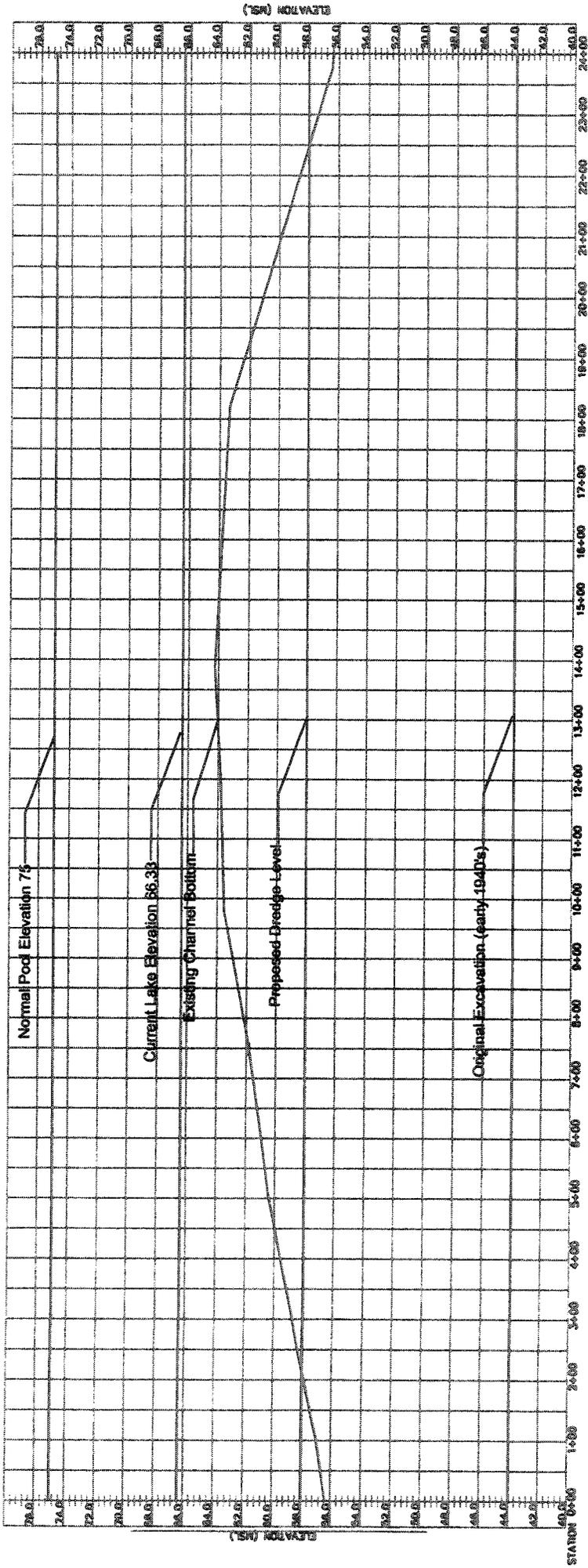
LEGEND

-  STARBOARD SIDE OF CHANNEL
-  ROCK MARKER
-  PORT SIDE OF CHANNEL



JAC # 2008-00088-2 I.R.

 <p><b>Santee Cooper</b> Public Power Serving the People of South Carolina</p>	CONSTRUCTION SERVICES	DIVERSION CANAL LAKE MOULTRIE
	CIVIL PROJECTS	PLAN VIEW OF DREDGE AREA
DRAFTER: R. D. MCMAKIN   CHECKED: DBB DATE: 12/26/07   AUTH: ND   SCALE: AS NOTED FILENAME: J:\33570\ISCPROJ\DIVERSION CANAL\SOUNDINGS\PROFILE		SHEET 4 OF 6

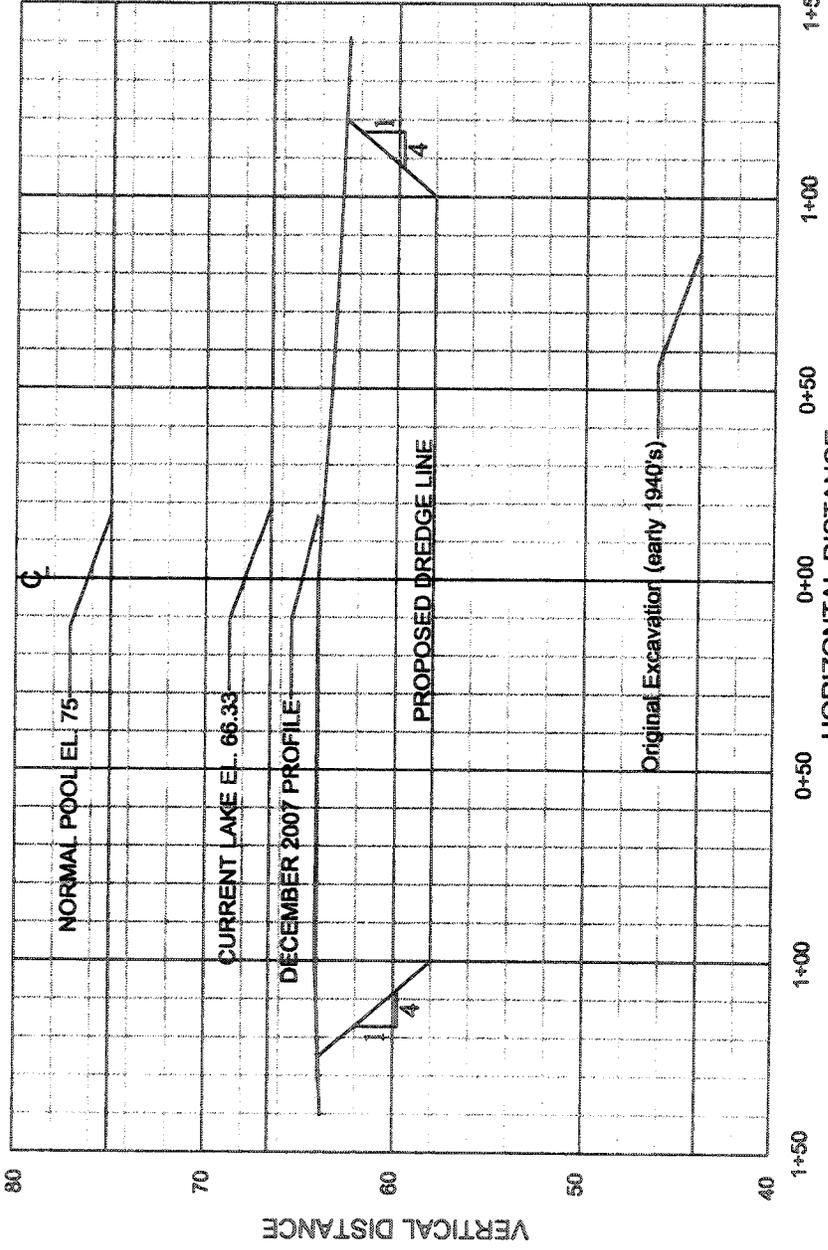


Sheet # 2008-02088-2 IR

**LONGITUDINAL CHANNEL CROSS SECTION (A-A)**  
 (Unless otherwise noted)

SCALE: 1" = 250' HORIZ.  
 1" = 10' VERT.

 <p><b>Santee Cooper</b>          Public Power          Owned by the People          of South Carolina</p>	<p>CONSTRUCTION SERVICES</p>	<p>DIVERSION CANAL          LAKE MOULTRIE</p>
	<p>CIVIL PROJECTS</p>	<p>LONGITUDINAL CHANNEL          CROSS SECTION</p>
<p>DRAFTER R. D. MCMAKIN CHECKED DBB</p>		
<p>DATE 12/26/07 AUTH. NO.</p>		
<p>SCALE: AS NOTED</p>		
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**TYPICAL CHANNEL CROSS SECTION (B-B)**  
 (Unless otherwise noted)

SCALE: 1" = 50' HORIZ.  
 1" = 10' VERT.

*SAT # 2008-00088-2.FE*

	CONSTRUCTION SERVICES	DIVERSION CANAL LAKE MOULTRIE
	CIVIL PROJECTS	TRANSVERSE CHANNEL CROSS SECTION
DRAFTER: R. D. MCMAKIN   CHECKED: DBB DATE: 12/26/07   AUTH. NO.: SCALE: AS NOTED FILENAME: I:\33570\SCPROJ\DIVERSION CANAL\BOUNDINGS\PRF.B		
SHEET 6 OF 6		