

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: P/N #SAC-2008-1381-2ID

15 August 2008

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

MILL CREEK SUBDIVISION HOMEOWNERS ASSOCIATION
c/o MR. THOMAS ORR
1245 MILL CREEK DRIVE
MANNING, SOUTH CAROLINA 29102

for a permit to change the use of an existing private pier in

LAKE MARION

at a location between lots 13 and 14 on Mill Creek Drive, south of Manning in Clarendon County, South Carolina.

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, 15 SEPTEMBER 2008

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

The proposed work consists of changing the use of an existing pier. The existing pier is 4' wide x 188' long with a 12' x 12' fixed pierhead. The purpose of this work is for the private recreational use of the residents of the existing Mill Creek Subdivision.

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 work shown on this application must be determined consistent with applicable provisions of the South Carolina Construction in Navigable Waters Permit Program. 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 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, associated with downstream 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.

The District Engineer has consulted the most recently available information and has determined 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 7(c) of the Endangered Species Act of 1973 (as amended).

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.

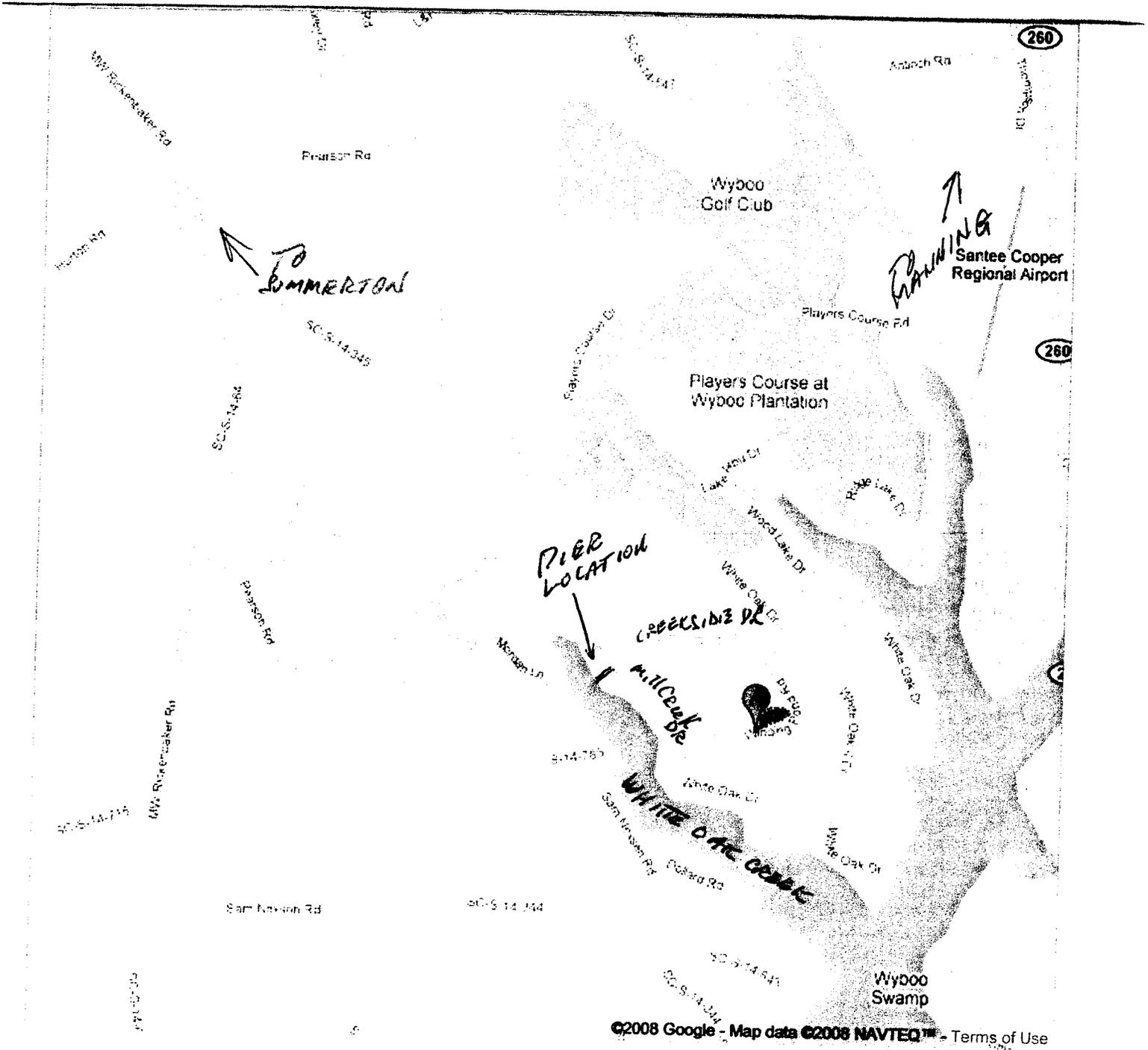
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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 Mr. Dean Herndon at 843-329-8044 or toll free at 1-866-329-8187.

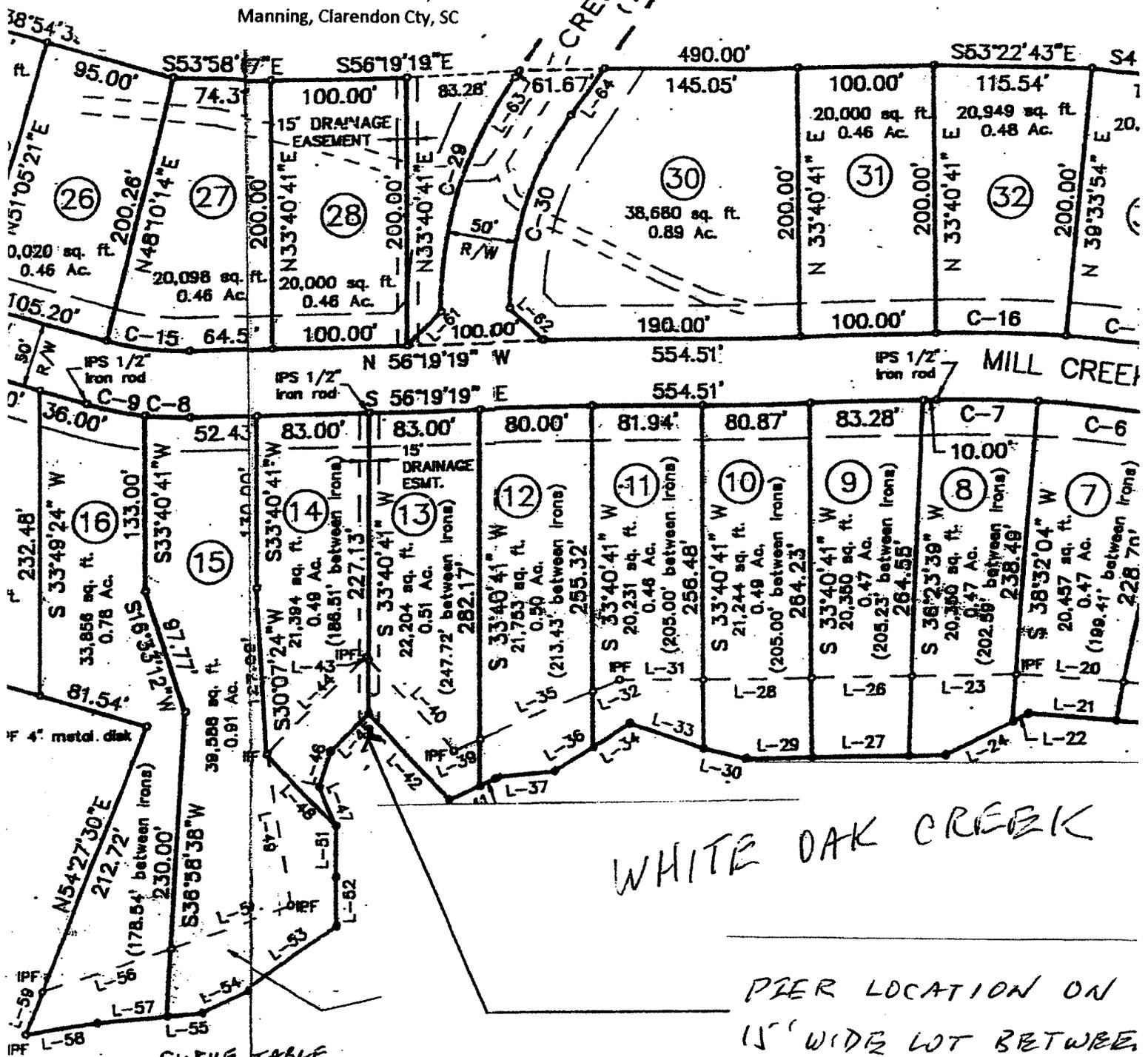
OVERALL LOCATION

2008-1381-2ID Mill Creek
Subdivision Community Pier
Application on White Oak
Creek at Mill Creek Dr.,
Manning, Clarendon Cty, SC
Sh. 1 of 4 B-6-08



Sh. 2 of 4
 8-6-08
 2008-1381-21D Mill Creek
 Subdivision Community Pier
 Application on White Oak
 Creek at Mill Creek Dr.,
 Manning, Clarendon Cty, SC

A.



WHITE OAK CREEK

PIER LOCATION ON
 15' WIDE LOT BETWEEN
 LOTS 13 AND 14.

Adjacent property
 owners N & A on
 W. attached sheet.

ARC	LENGTH	CHORD		
00'	61.16'	61.15'		
00'	84.79'	84.75'		
00'	112.44'	112.36'		
00'	102.88'	102.80'		
00'	191.83'	191.77'		
00'	74.17'	74.14'		
00'	32.66'	32.64'		
00'	43.31'	43.26'	S43°52'26\"	09°55'38\"
00'	25.83'	25.84'	S24°03'08\"	29°43'03\"
00'	32.54'	31.97'	S09°27'04\"	37°17'20\"
00'	48.23'	46.38'	S55°43'36\"	55°15'46\"

911 ADDRESS:

TAX MAP #162-05-00-013-00

THIS PROPERTY LIES IN ZONE X ACCORDING TO FLOOD INSURANCE RATE MAP #0450051 01708; EFFECTIVE DATE JUNE 3, 1991.

NOTES:
1. This plat is the property of the State of South Carolina and shall remain in the public domain. It is subject to the provisions of the Flood Insurance Rate Map Act of 1968, as amended, and the Flood Insurance Act of 1968, as amended.
2. The State of South Carolina is not responsible for the accuracy of the information shown hereon.
3. The State of South Carolina is not responsible for the accuracy of the information shown hereon.
4. The State of South Carolina is not responsible for the accuracy of the information shown hereon.
5. The State of South Carolina is not responsible for the accuracy of the information shown hereon.



Sh. 3 of 4
8-6-08

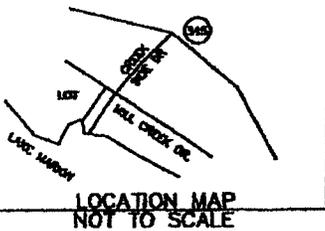
2008-1381-2ID Mill Creek Subdivision Community Pier Application on White Oak Creek at Mill Creek Dr., Manning, Clarendon Cty, SC

ADJACENT PROPERTY OWNERS

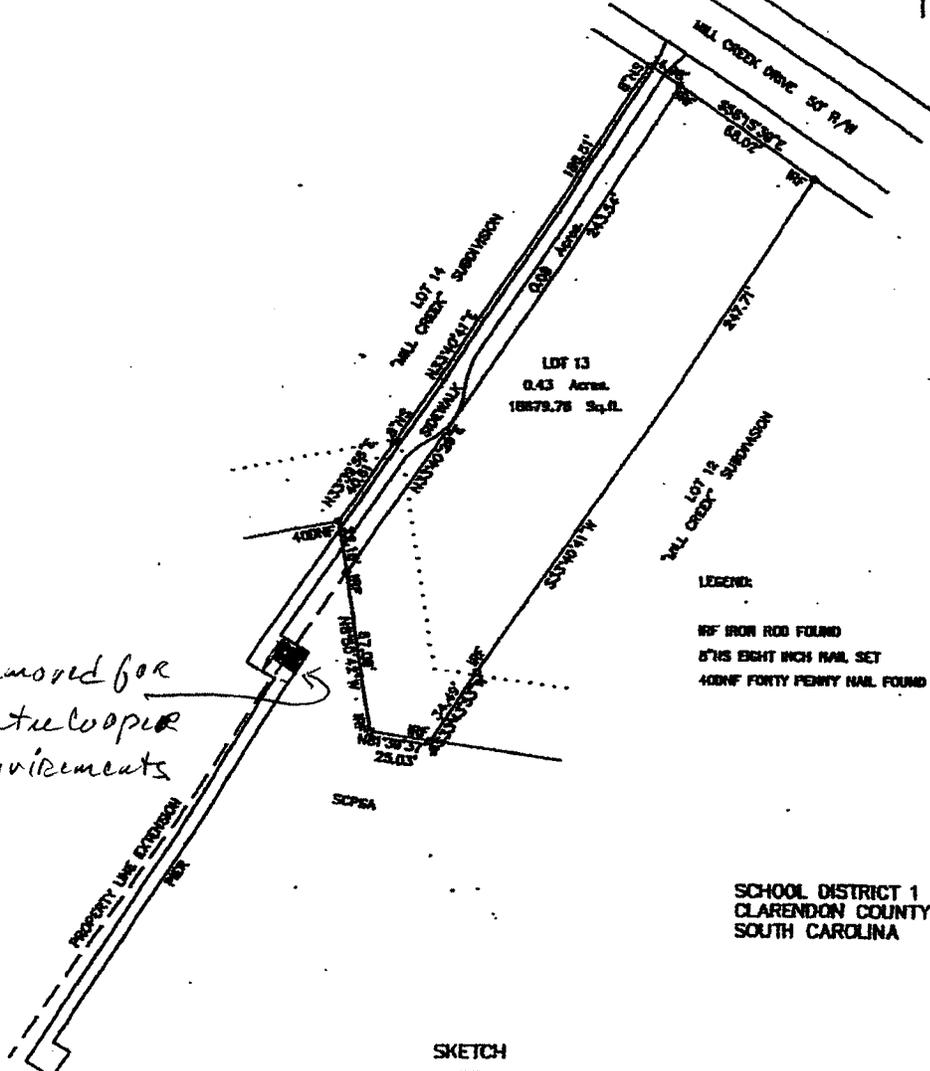
LOT 12
David Vowels
600 Salty Alley
Mt. Pleasant SC
29464

LOT 13
Ann Patterson
1124 Mill Creek Dr.
Manning SC 29102

LOT 14
David Wiest
186 E. Belmont Dr.
Henrico, NC 27842



LOCATION MAP NOT TO SCALE

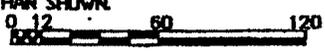


LEGEND:
IRF IRON ROD FOUND
8" IS EIGHT INCH NAIL SET
40DNF FORTY PENNY NAIL FOUND

SCHOOL DISTRICT 1
CLARENDON COUNTY
SOUTH CAROLINA

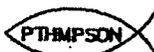
SKETCH OF A LOT SHOWING LOCATION OF PIER WITH RESPECT TO EXTENDED PROPERTY LINE; SURVEY COMPLETED OCTOBER 17, 2007 FOR ANN B. PATTERSON

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF THAT THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS 'A' SURVEY AS SPECIFIED THEREIN. ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.



87-079 SCALE 1"=60'

DIVALLE V. ELLIOTT, RPLS #85769
MANNING, SOUTH CAROLINA
803-435-2624

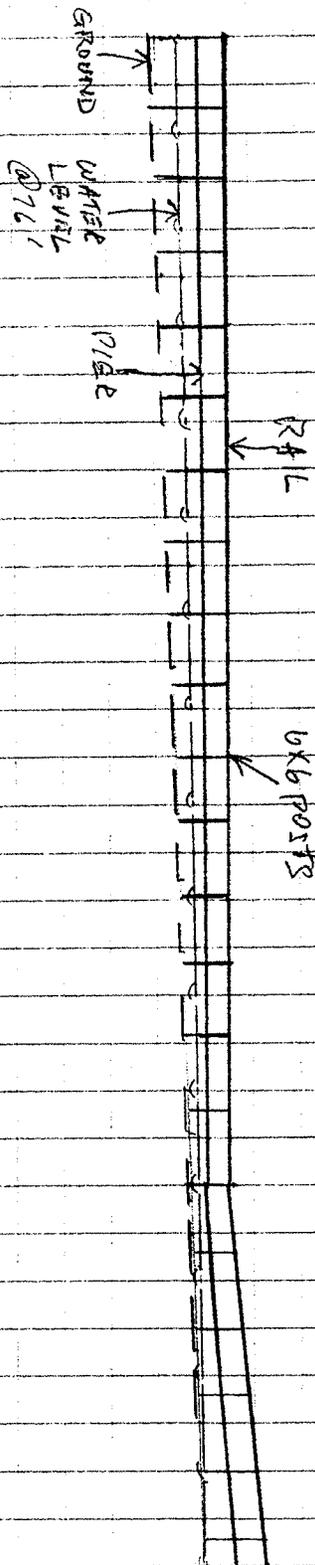


SIDE ELEVATION

2008-1381-2ID Mill Creek
Subdivision Community Pier
Application on White Oak
Creek at Mill Creek Dr.,
Manning, Clarendon Cty, SC

Sh. 4 of 4
8-6-08

SCALE 1/4" = 6'



* PIN @
HIGH WATER
MARK
(76.1)