

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526

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 # 2008-01684-4IJ

August 29, 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. 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

MARION COUNTY
C/O TIM VINSON
S.C DEPARTMENT OF NATURAL RESOURCES
P.O. BOX 167
COLUMBIA, SOUTH CAROLINA 29202

for a permit to construct a floating dock, excavate, and place fill material in the

LITTLE PEE DEE RIVER

located at the Fork Retch Boat Landing on Fork Retch Court, east of the Town of Mullins, Marion County, South Carolina (Latitude 34.198938°N; Longitude -79.168365°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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, SEPTEMBER 29, 2008

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

The proposed work consists of constructing a floating dock, concrete dock pad, excavation, and placement of rip-rap for stabilization. In detail, the work consists of constructing an 8' x 75' aluminum floating courtesy dock adjacent to and south of the existing boat ramp. The dock will be secured by four 10" pilings. Approximately 16.3 cubic yards of material will be excavated and 3.8 cubic yards of fill will be placed within the footprint of the dock to allow for the construction of a 50' x 8' x 4" concrete dock pad. The pad will support the dock at low water levels. The excavated material will be disposed of offsite at an approved upland location. There will be approximately 9.2 cubic yards of rip-rap placed below the Ordinary High Water Mark to stabilize the area once the docking facility is constructed.

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In addition, a 17' x 8.5' concrete abutment will be constructed in uplands, west of and adjacent to the existing boat ramp to provide access to the dock. The purpose of this project is to upgrade the existing, public boat ramp facility by providing an area for boaters to access vessels at varying river levels.

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
1949 Industrial Park Road, Room 140
Conway, South Carolina 29526**

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 South Carolina Coastal Zone Management Act (15 CFR 930). 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. Persons wishing to comment or object to State certification 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 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 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

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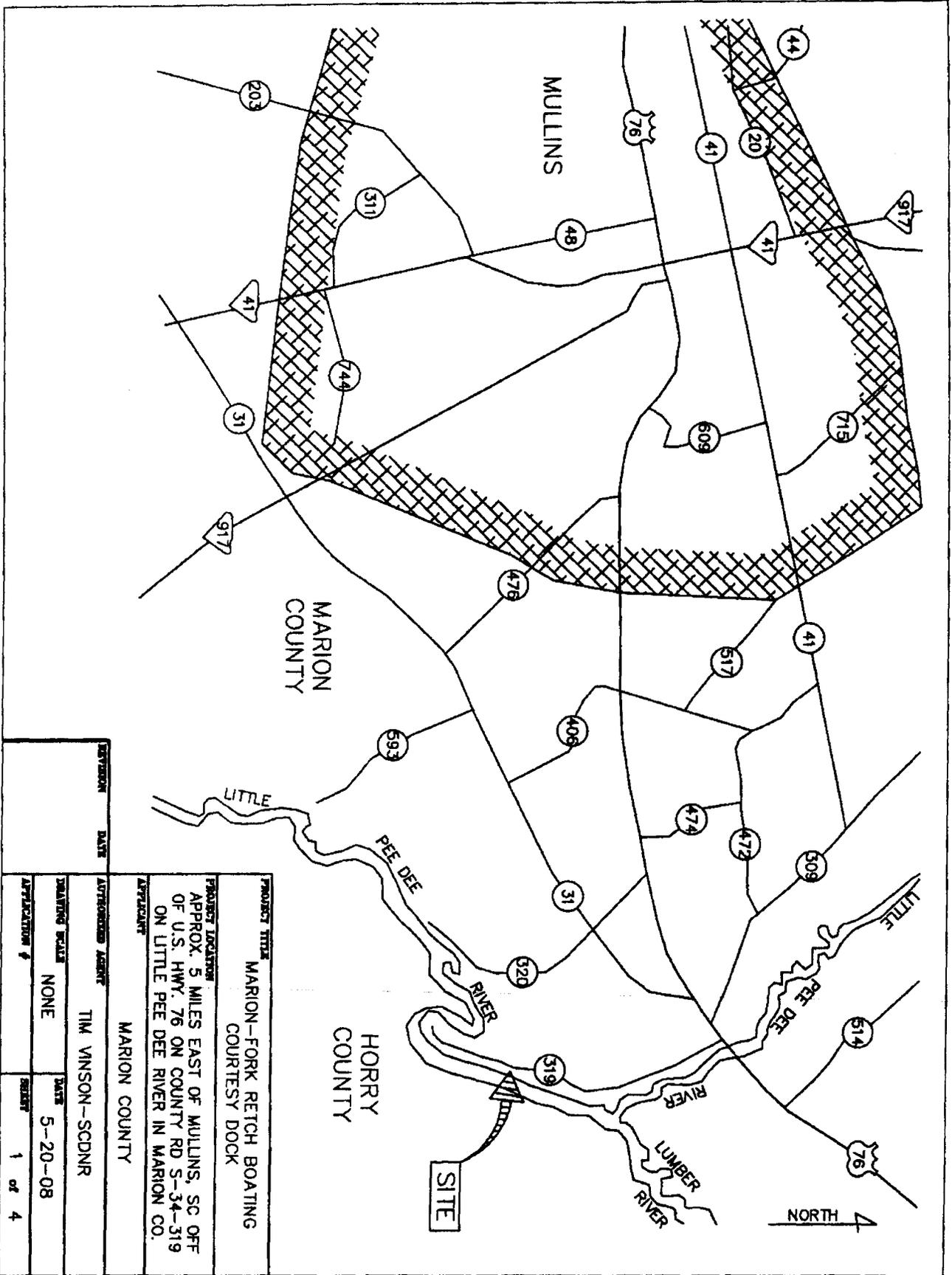
District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office to provide any information it may have with regard to historic and cultural resources.

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 Justin Johnson at 843-365-1724.



PROJECT TITLE
 MARION-FORK RETCH BOATING
 COURTESY DOCK

PROJECT LOCATION
 APPROX. 5 MILES EAST OF MULLINS, SC OFF
 OF U.S. HWY. 76 ON COUNTY RD S-34-319
 ON LITTLE PEE DEE RIVER IN MARION CO.

APPLICANT
 MARION COUNTY

APPROVED AGENT
 TIM VINSON-SCDNR

DRAWING SCALE
 NONE

DATE
 5-20-08

APPLICATION #
 1 of 4

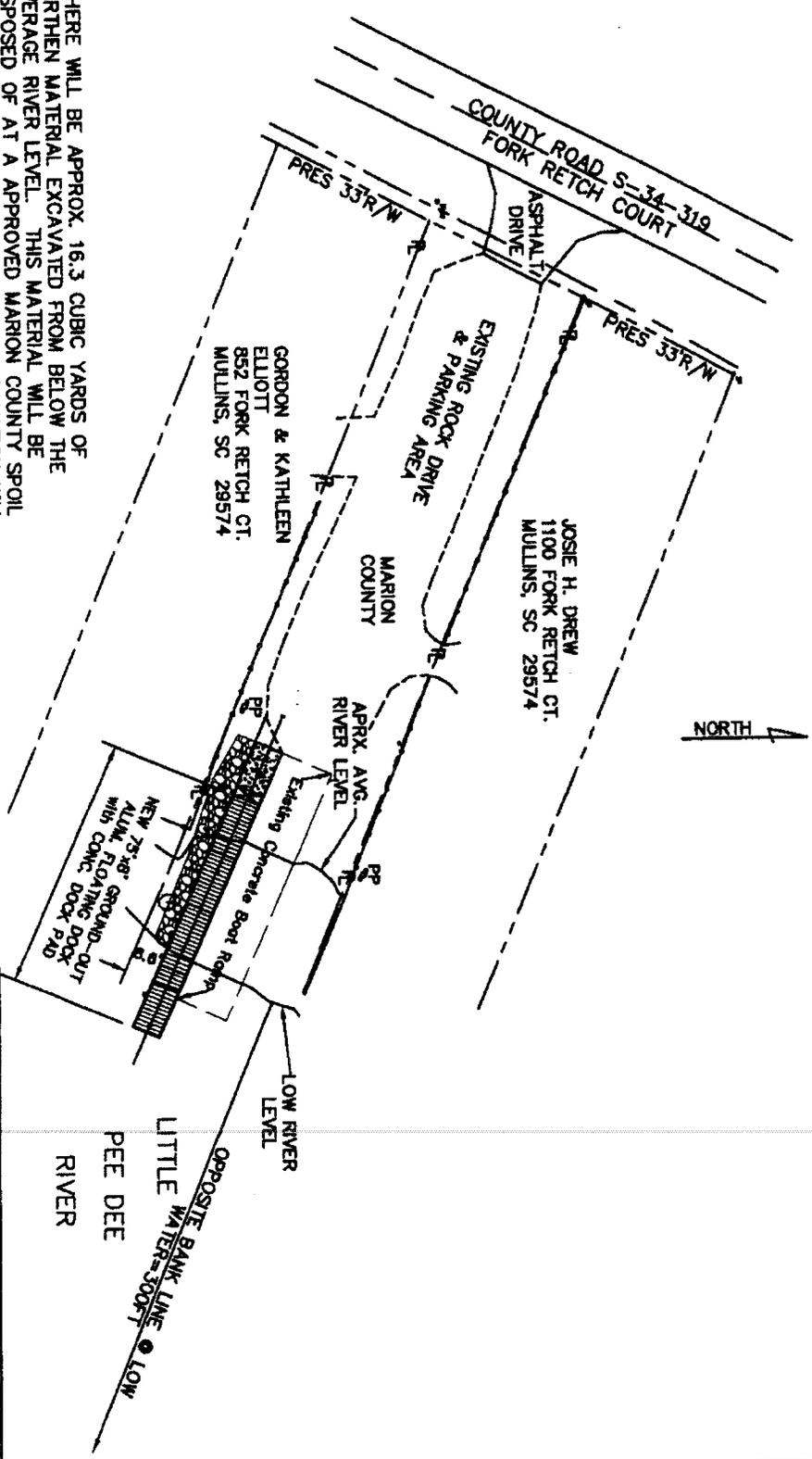
REVISION **DATE**

*THERE WILL BE APPROX. 16.3 CUBIC YARDS OF EARTHEN MATERIAL EXCAVATED FROM BELOW THE AVERAGE RIVER LEVEL. THIS MATERIAL WILL BE DISPOSED OF AT A APPROVED MARION COUNTY SPOIL AREA SITE OR LANDFILL AREA. ALL EXCAVATION WILL BE PERFORMED BY MECHANICAL MEANS.

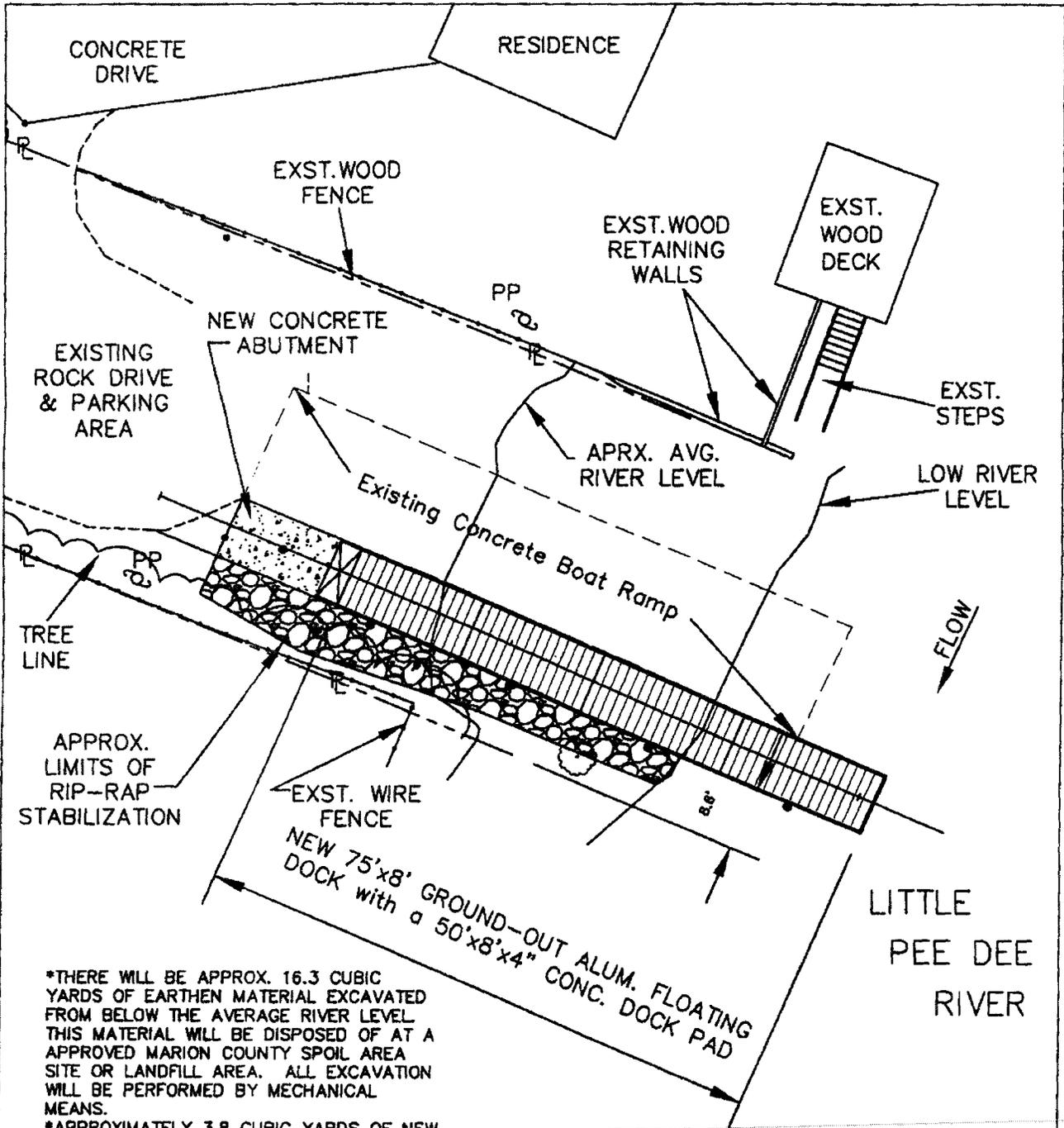
*APPROXIMATELY 3.8 CUBIC YARDS OF NEW CONCRETE WILL BE PLACED BELOW THE AVERAGE RIVER LEVEL FOR THE CONSTRUCTION OF THE NEW FLOATING COURTESY DOCK.

*THERE WILL BE APPROX. 9.2 CUBIC YARDS OF ROCK STABILIZATION AND FILL PLACED BELOW THE AVERAGE RIVER LEVEL FOR THE CONSTRUCTION OF THE NEW FLOATING COURTESY DOCK.

*STANDARD SILT FENCING AND/OR HAY BALES WILL BE USED TO HELP PREVENT ANY SILT LAIDEN STORM WATERS FROM ENTERING THE ADJACENT LANDS OR WATER BODY DURING CONSTRUCTION.



REVISION	DATE	AUTHORIZED AGENT
PROJECT TITLE MARION-FORK RETCH BOATING COURTESY DOCK		
PROJECT LOCATION APPROX. 5 MILES EAST OF MULLINS, SC OFF OF U.S. HWY. 76 ON COUNTY RD S-34-319 ON LITTLE PEE DEE RIVER IN MARION CO.		
APPLICANT MARION COUNTY		
DRAWING SCALE	1" = 50'	DATE
APPLICATION #		5-16-08
		2 of 4



*THERE WILL BE APPROX. 16.3 CUBIC YARDS OF EARTHEN MATERIAL EXCAVATED FROM BELOW THE AVERAGE RIVER LEVEL. THIS MATERIAL WILL BE DISPOSED OF AT AN APPROVED MARION COUNTY SPOIL AREA SITE OR LANDFILL AREA. ALL EXCAVATION WILL BE PERFORMED BY MECHANICAL MEANS.

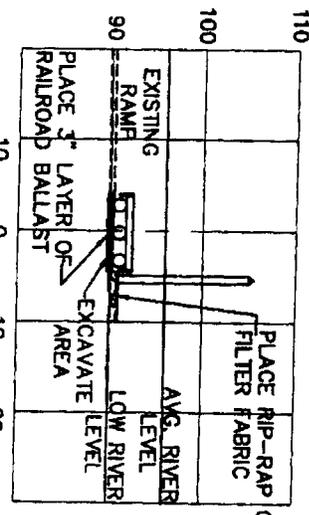
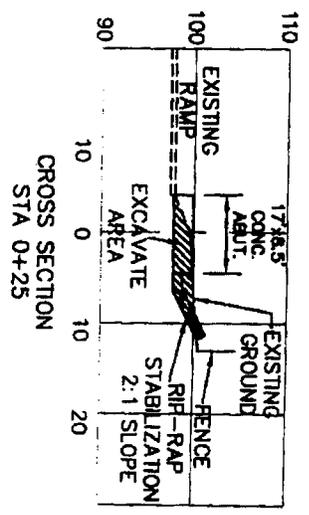
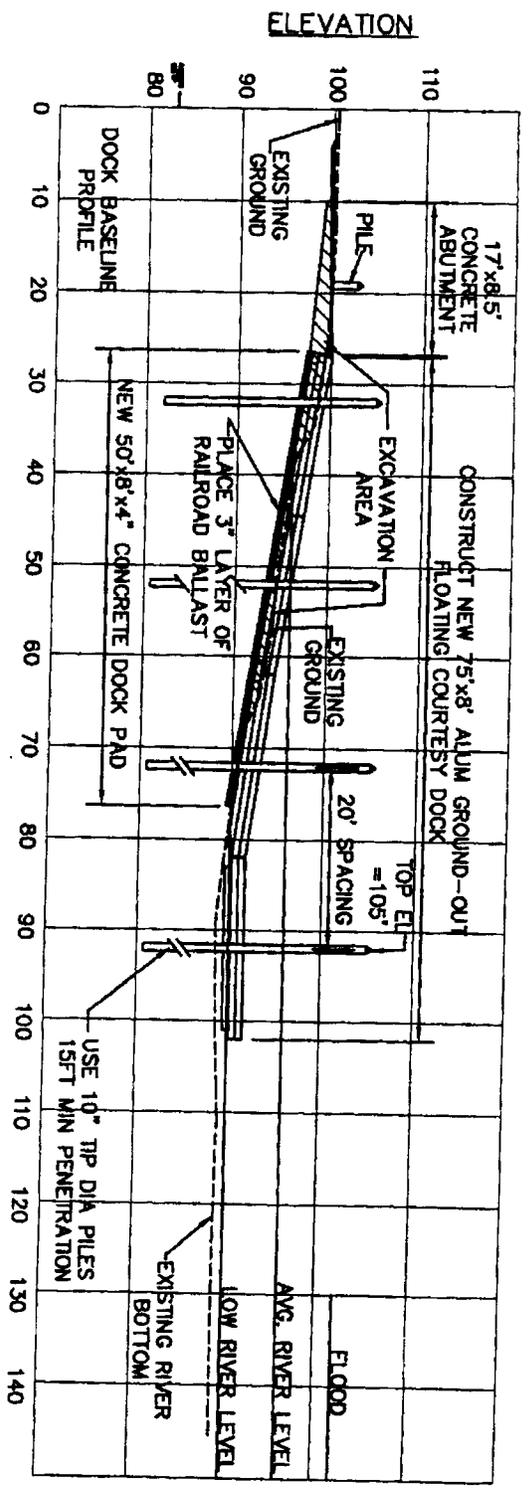
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MARION-FORK RETCH BOATING COURTESY DOCK	
PROJECT LOCATION	
APPROX. 5 MILES EAST OF MULLINS, SC OFF OF U.S. HWY. 76 ON COUNTY RD S-34-319 ON LITTLE PEE DEE RIVER IN MARION CO.	
APPLICANT	
MARION COUNTY	
AUTHORIZED AGENT	
TIM VINSON-SCDNR	
DRAWING SCALE	DATE
1" = 20'	5-20-08
APPLICATION #	SHEET
	3 of 4

REVISION	DATE



PROJECT TITLE	MARION-FORK RETCH BOATING COURTESY DOCK		
PROJECT LOCATION	APPROX. 5 MILES EAST OF MULLINS, SC OFF OF U.S. HWY. 76 ON COUNTY ROAD S-34-319 ON THE LITTLE PEE DEE RIVER IN MARION CO.		
APPLICANT	MARION COUNTY		
APPROVED AGENT	TIM VINSON-SCDNR		
DRAWING SCALE	1" = 20'	DATE	5-15-08
APPLICATION #	4	SHEET	4 of 4