

**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 #2002-1W-562-W

10 JANUARY 2003

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

BARNEY ATKINSON  
c/o SANTEE DOCK BUILDERS  
115 LAKE MARION LANE  
VANCE, SOUTH CAROLINA 29163

for a permit to perform excavation, construct a seawall and change the use of an existing private use boat ramp to a community boat ramp in waters of

**LAKE MARION**

at a location in the Satawen II Subdivision off of Highway 6 approximately 7.5 miles east of Santee 12104 Old Highway #6 at Lake Marion in Orangeburg County, South Carolina (Latitude 33.43738°, Longitude 80.38048°)

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, 10 FEBRUARY 2003**

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

The proposed work consists of excavating 15,011 cubic yards of material from an area measuring 0.62 acres at the mouth of an existing cove using a trackhoe and trucking the material approximately two miles to an upland property owned by the applicant, containing the material with silt fencing and seeding upon project completion. Approval of this permit will give Federal authorization for maintenance excavation for a period of ten years from the date of issuance. The project also includes construction of a 180 linear foot timber bulkhead with 2300 cubic yards of backfill material from the excavation project to be placed above the normal high water level of Lake Marion as shown on sheets 3 and 4 of 4 and a request to change the use of an existing private use boat ramp measuring 12' x 80' shown on sheet 2 of 4 to a community boat ramp. The purpose of the project is to allow boating access from the cove to the main body of Lake Marion at all lake levels for the use of the Satawen II Subdivision and for erosion control at the mouth of the cove.

REGULATORY DIVISION

Refer to: P/N #2002-1W-562-W

10 JANUARY 2003

**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 (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 0.62 additional acres of freshwater habitat 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).

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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.

REGULATORY DIVISION

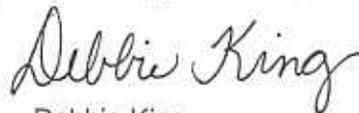
Refer to: P/N #2002-1W-562-W

10 JANUARY 2003

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.

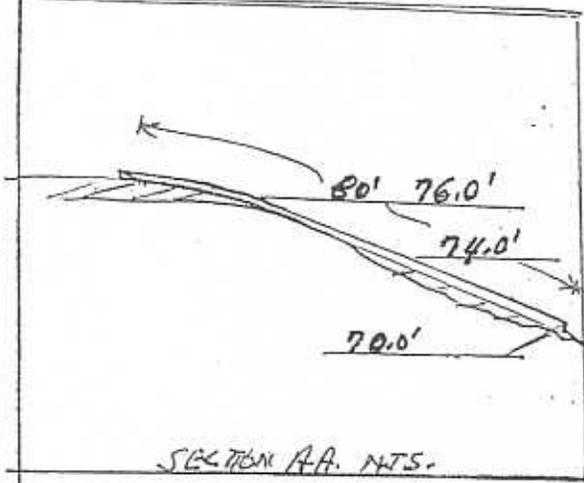
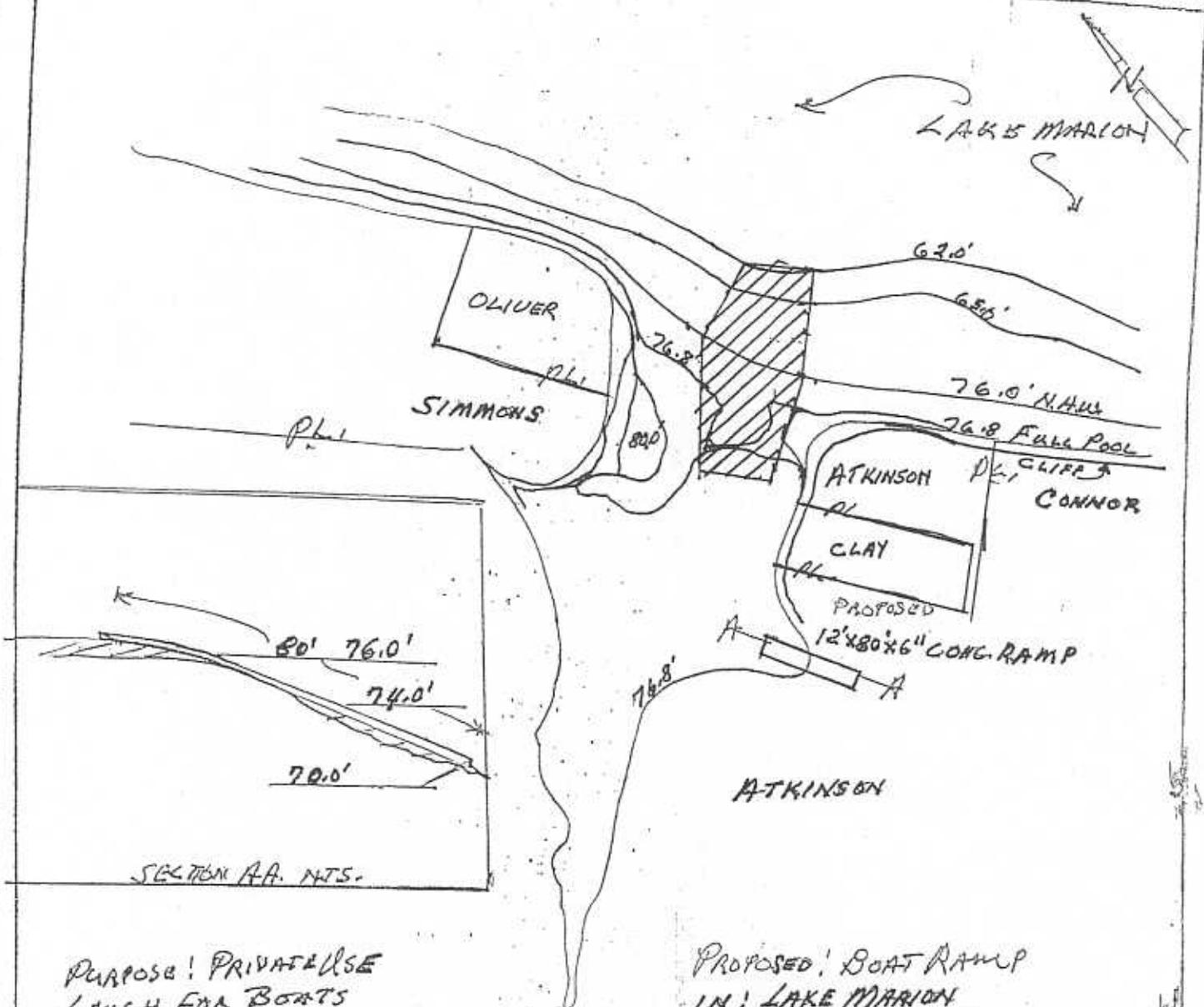
If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.



Debbie King  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



# PLAN VIEW



PURPOSE: PRIVATE USE  
LAUNCH FOR BOATS

DATUM: 76.0' N.H.W.

ADJACENT OWNERS:

RANDALL CONNOR  
NATHANIEL SIMMONS  
208 N.W. FRONT STR.  
MILFORD, DE. 19763-020

ROBERT S. CLAY  
2604 AVENHAM AVE.  
ROANOKE, VA. 24014

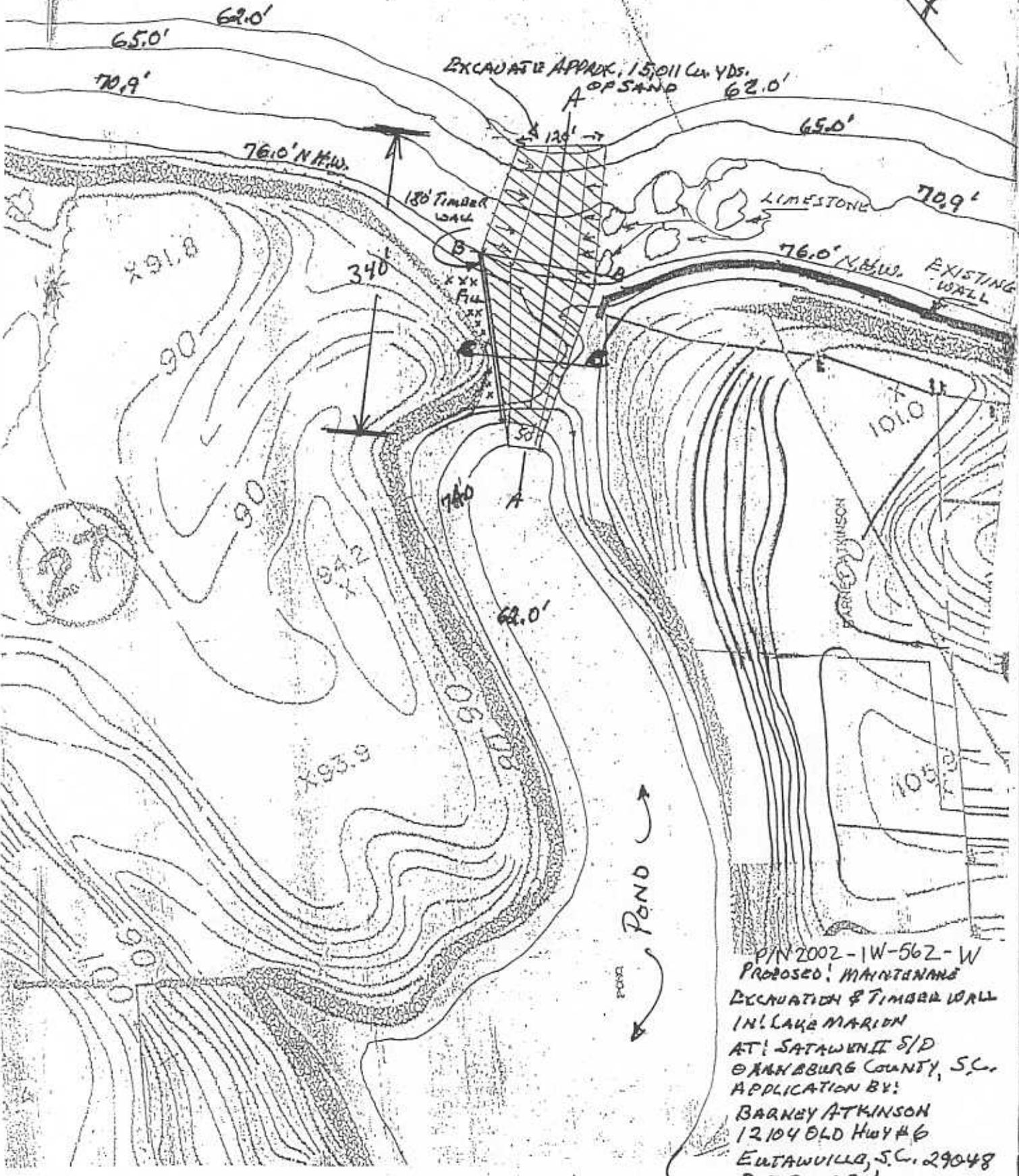
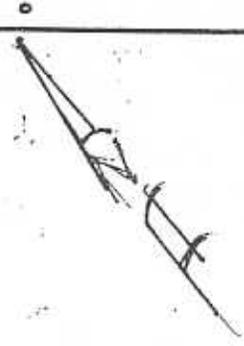
PROPOSED: BOAT RAMP  
IN: LAKE MARION  
AT: SATAWEN II S/D

COUNTY OF ORLB.  
SOUTH CAROLINA  
APPL. BY:

BARNEY ATKINSON  
12104 OLD HWY #6  
EUTAWVILLE, SC. 29048

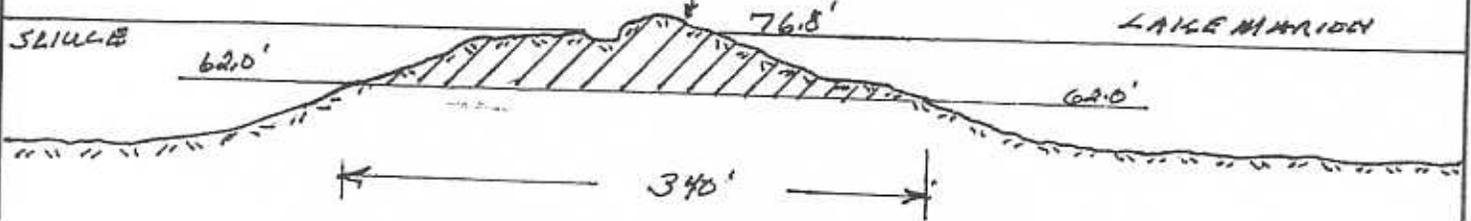
Sheet 2 of 4  
P/N 2002-1W-562-W

LAKE MARION

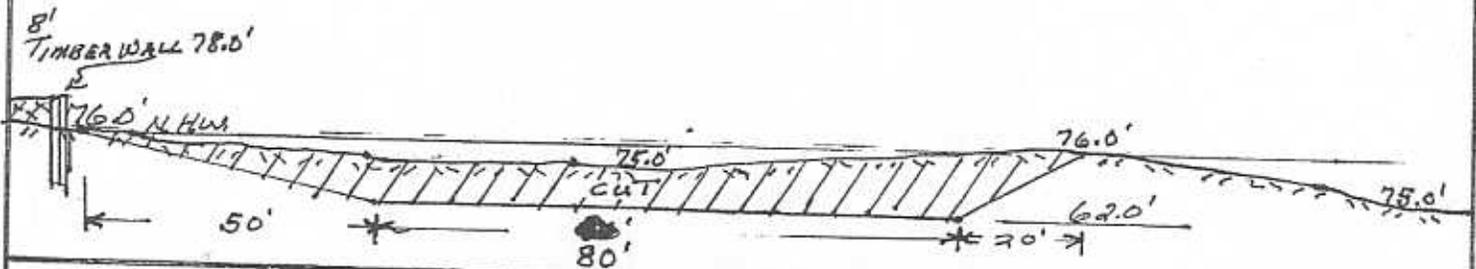


PIN 2002-1W-562-W  
 PROPOSED MAINTENANCE  
 EXCAVATION & TIMBER WALL  
 IN LAKE MARION  
 AT SATAWUNNIE S/D  
 ORANBURG COUNTY, S.C.  
 APPLICATION BY:  
 BARNEY ATKINSON  
 12104 OLD HWY #6  
 EUTAWVILLE, S.C. 29048  
 SHEET 3 OF 4

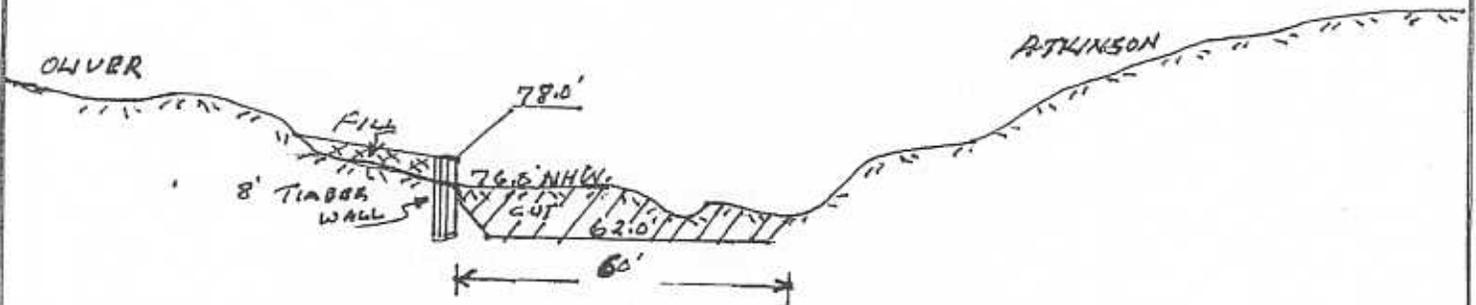
EXCAVATE APPROX. 15,011 CU. YDS OF SANDY SOIL  
FROM MOUTH OF SLUICE



SECTION AA NOT TO SCALE



SECTION BB NOT TO SCALE



SECTION CC NOT TO SCALE

PURPOSE: BOATING ACCESS  
TO SLUICE

DATUM: 76.0' M.S.L.

ADJACENT PROPERTY OWNERS

DR. RAY OLIVER

RANDALL CONDR

PROPOSED: MAINTENANCE EXCAVATION  
& SEAWALL

IN LAKE MARION

AT: SATAWON II S/D

ORANGEBURG COUNTY

SOUTH CAROLINA

APPLICATION BY:

BARNBY ATKINSON

12104 OLD HWY#6

EWINGVILLE, S.C. 29048

SHT. 4 OF 4