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 #2003-1Z-209-W

25 July 2003

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the State of South Carolina by

CARL & MOLLIE FOXWORTH
501 S. CREEKSIDE DRIVE
MURRELLS INLET, SOUTH CAROLINA 29574

for a permit to construct a greentree reservoir in wetlands adjacent to an unnamed tributary of

CATFISH CANAL

on property located adjacent to and southwest of the intersection of Moores Hill Road (S-34-64) and Wahee Road (S-34-731), approximately 3 miles southwest of Marion, in Marion County, South Carolina. (Latitude: 34.1405° N, Longitude: 79.4590° 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, AUGUST 25, 2003

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

The proposed work consists of constructing an embankment for an 8-acre greentree reservoir. In detail, the applicant proposes to place approximately 2,600 yds^3 of clay material in 0.28 acres of wetlands to construct a 600'-long, 6'-high greentree reservoir embankment. The proposed embankment is to have a top width of 6-8' and a base width of 20'. An in-line water level control structure and 24" inch pipe are to be installed in the embankment to allow complete drawdown during non-flooded seasons. Total wetland impacts as a result of the proposed work are 8.28 acres. The applicant has submitted a management plan that is in accordance with the "Interagency Guidance Concerning Authorization, Siting, Construction, and Management of Greentree Reservoirs" (Oct. 1997). The purpose of the proposed work is to enhance habitat for resident and migratory waterfowl, resident wildlife, and resident and migratory songbirds.

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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 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. Persons wishing to comment or object to Water Quality 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 8.28 acres of freshwater wetlands well inside 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.

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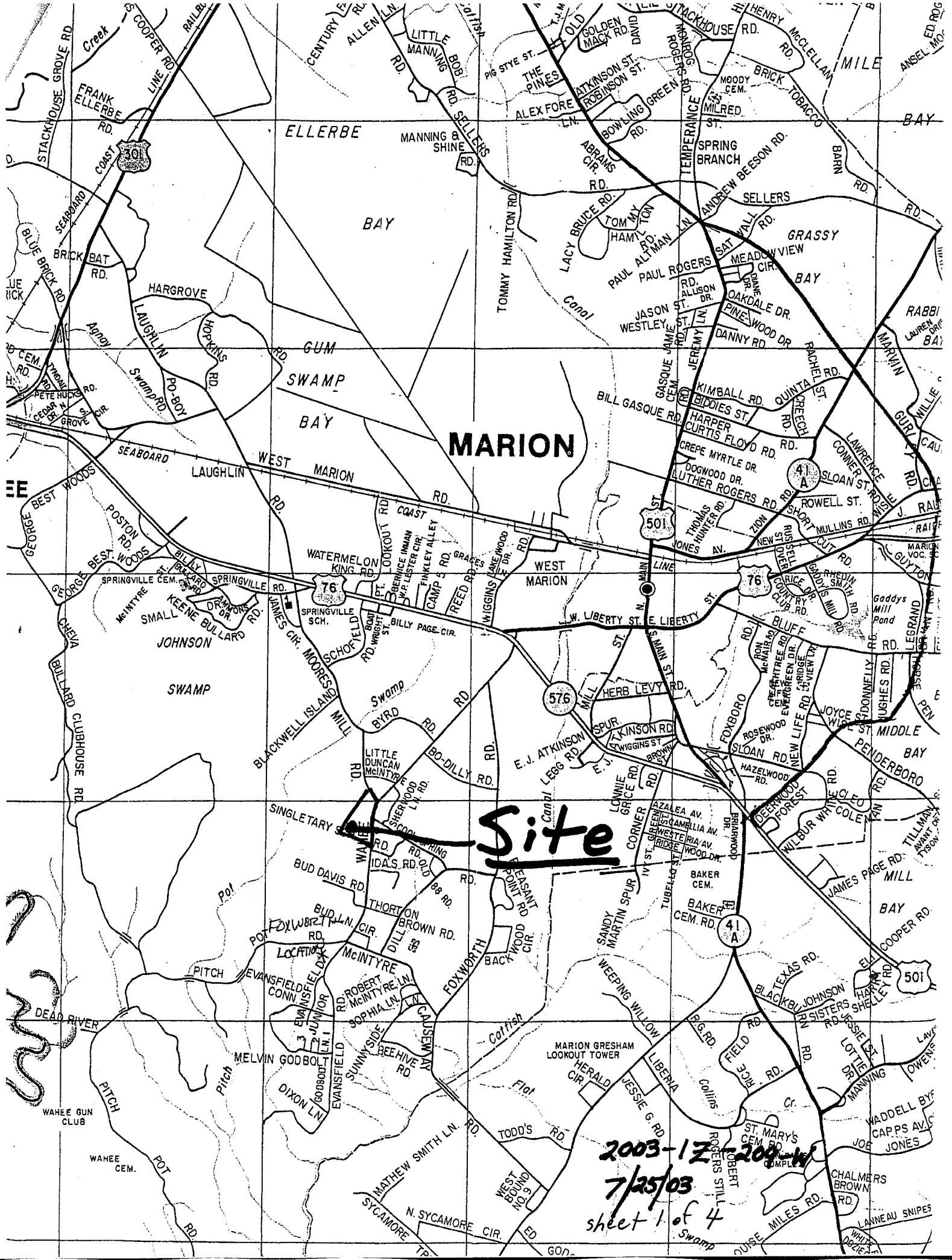
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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.

Larry Hanford
Project Manager
Regulatory Division
U.S. Army Corps of Engineers


MARION
Site
ELLERBE
BAY
GUM SWAMP
GRASSY BAY
WEST MARION
SPRING BRANCH
JOHNSON SWAMP
MILL BAY
MIDDLE BAY
PENDERBORO
SEABOARD COAST LINE
LAUGHLIN
HARGROVE
STACKHOUSE
COOPER RD
BRICK BAT RD
BEST WOODS
POSTON RD
GEORGE BEST WOODS
CHEVA
BULLARD CLUBHOUSE RD
KEENE BULLARD RD
SPRINGVILLE RD
WATERMELON KING RD
LOOKOUT RD
BLACKWELL ISLAND
MILL
BYRD RD
BO-DILLY RD
LITTLE DUNCAN McINTYRE
SINGLETARY
BUD DAVIS RD
THORTON
BROWN RD
McINTYRE
FOXWORTH
EVANSFIELD
CONN
MELVIN GODBOLT
DIXON LN
WAHEE GUN CLUB
WAHEE CEM.
DEAD RIVER
PITCH
POT
MATHEW SMITH LN
N. SYCAMORE CIR
SYCAMORE
WEST BOUND NO. 9
TODD'S RD
MARION GRESHAM LOOKOUT TOWER
HERALD CIR
JESSIE G. RD
LIBERIA
WEEPING WILLOW
BLACKBURN
TEXAS RD
BAKER CEM.
BAKER CEM. RD
SANDY MARTIN SPUR
TUBELLO ST
BACKWOOD CIR
PLEASANT POINT RD
CORNER
LONNIE GRICE RD
E.J. ATKINSON
LEGG RD
HERB LEVY RD
ATKINSON RD
SPUR
FOXBORO
NEW LIFE RD
ROSEWOOD DR
SLOAN RD
HAZELWOOD RD
DEERWOOD FOREST
WILBUR WHITE
COLEMAN
JAMES PAGE RD
COOPER RD
ELLERBE
MANNING & SHINE RD
SELLERS RD
ABRAMS CIR
TEMPERANCE
ANDREW BEESON RD
SELLERS RD
LACY BRUCE RD
TOMMY HAMILTON RD
PAUL ALTMAN LN
PAUL ROGERS RD
MEADOWVIEW CIR
OAKDALE DR
PINEWOOD DR
DANNY RD
JASON ST
WESTLEY ST
JEREMY LN
GASQUE JAMIE CEM RD
BILL GASQUE RD
KIMBALL RD
BIDDIES ST
HARPER
CURTIS FLOYD RD
CREPE MYRTLE DR
DOGWOOD DR
LUTHER ROGERS RD
THOMAS HUNTER RD
ZION
JONES AV
ROWELL ST
SHORT CUT RD
MULLINS RD
RUSSELL
RICE DR
COUNTRY CLUB RD
GADDYS MILL RD
Gaddys Mill Pond
W. LIBERTY ST
E. LIBERTY ST
S. MAIN ST
N. MAIN ST
MAIN LINE
BLUFF RD
LEGRAND
DONNELLY RD
HUGHES RD
JOYCE
LAWRENCE
CONNER
SLOAN ST
MARVIN
RACHEL ST
QUINTA
CREECH RD
GURLEY
WILLIE
RABBI
LAUREN DR
BRICK TOBACCO BARN RD
MILE
HENRY McCLELLAN
STACKHOUSE RD
MONROE ROGERS RD
MOODY CEM.
MILRED ST
BOWLING RD
GREEN
ATKINSON ST
ROBINSON ST
ALEX FORE LN
THE PINES
PIG STYE ST
OLD GOLDEN MACK RD
DAVID
LITTLE MANNING BOB RD
ALLEN LN
CENTURY RD
FRANK ELLERBE RD
Creek
Canal
Catfish
Flat
Swamp
Agnol
PO-BOY RD
LAUGHLIN
HOPKINS RD
PETE HUCKS RD
CEDAR GROVE CIR
TYNDAL RD
BLUE BRICK RD
SEABOARD
COAST
LINE
RAILRO
ANSEL MO
ED. ROG
501
76
41 A
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FOXWORTH LOCATION
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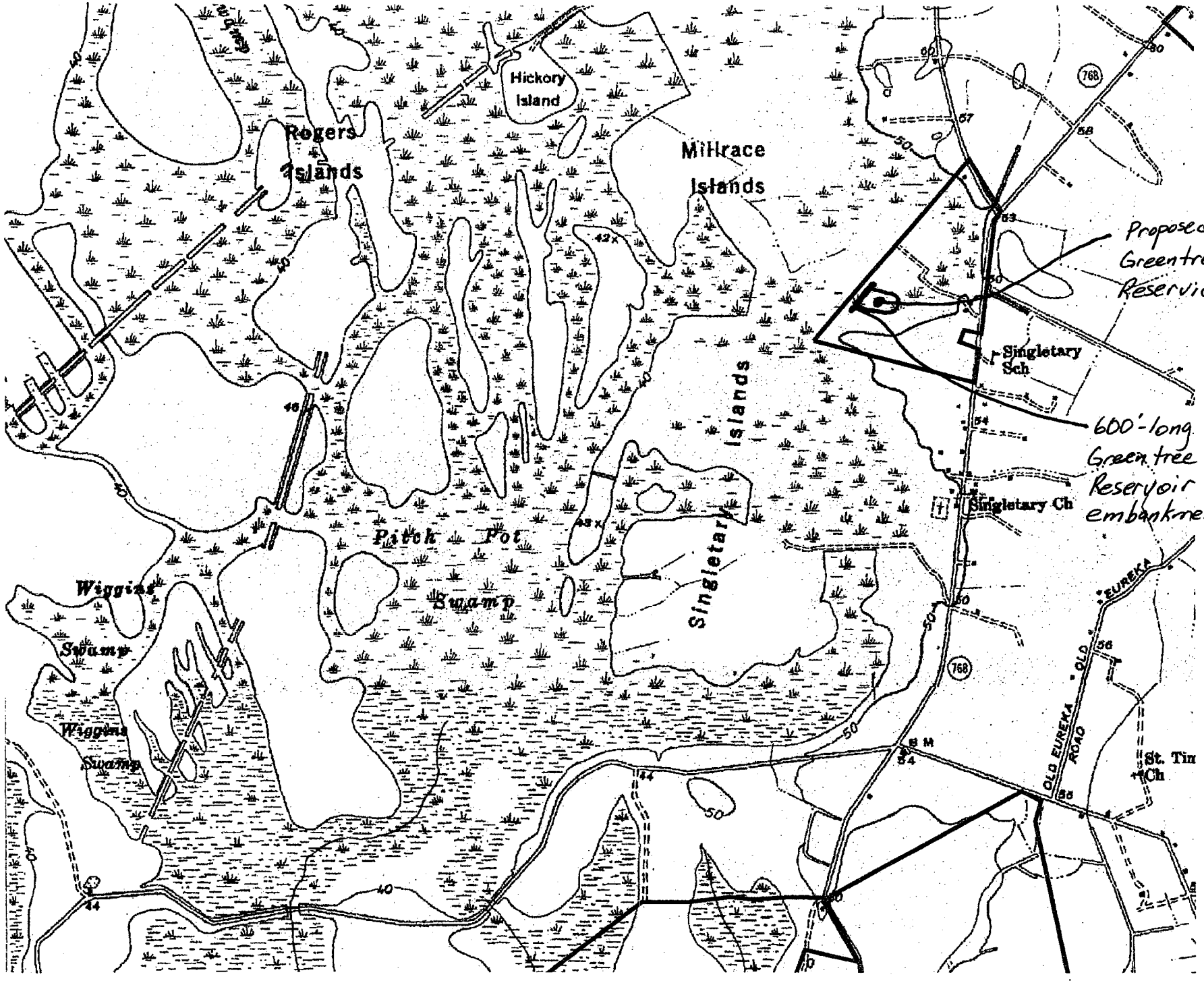
sheet 1 of 4



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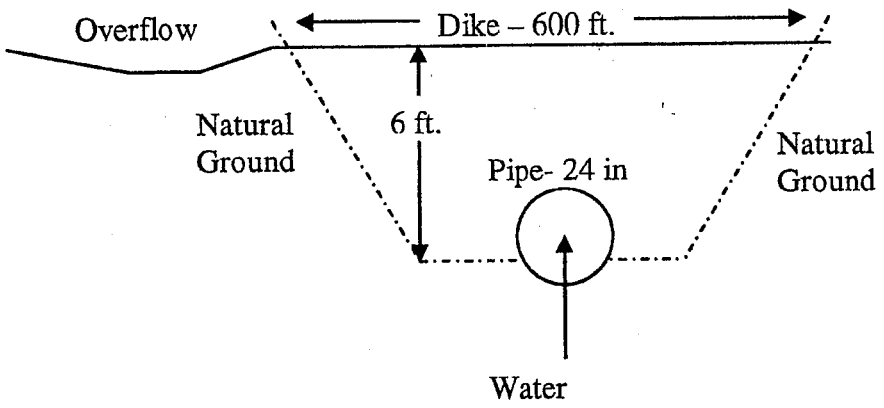
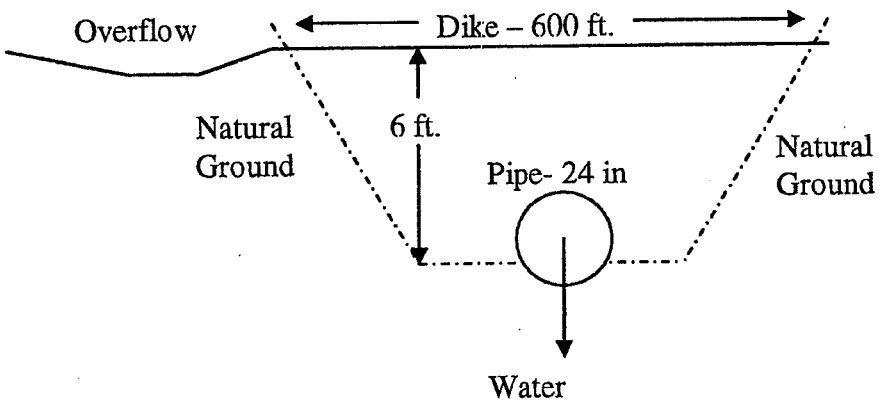
CARL FOXWORTH - MARION QUAD 7/25/03 sheet 2 of 4

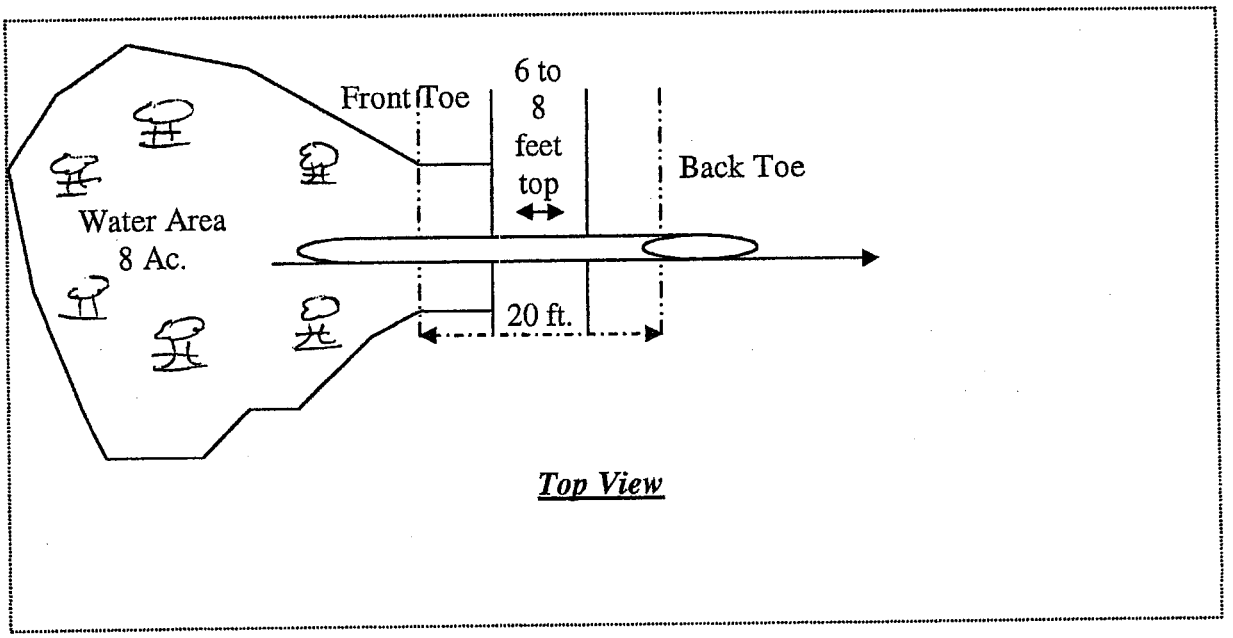
Carl Foxworth – Dike Design

Front View



Back View





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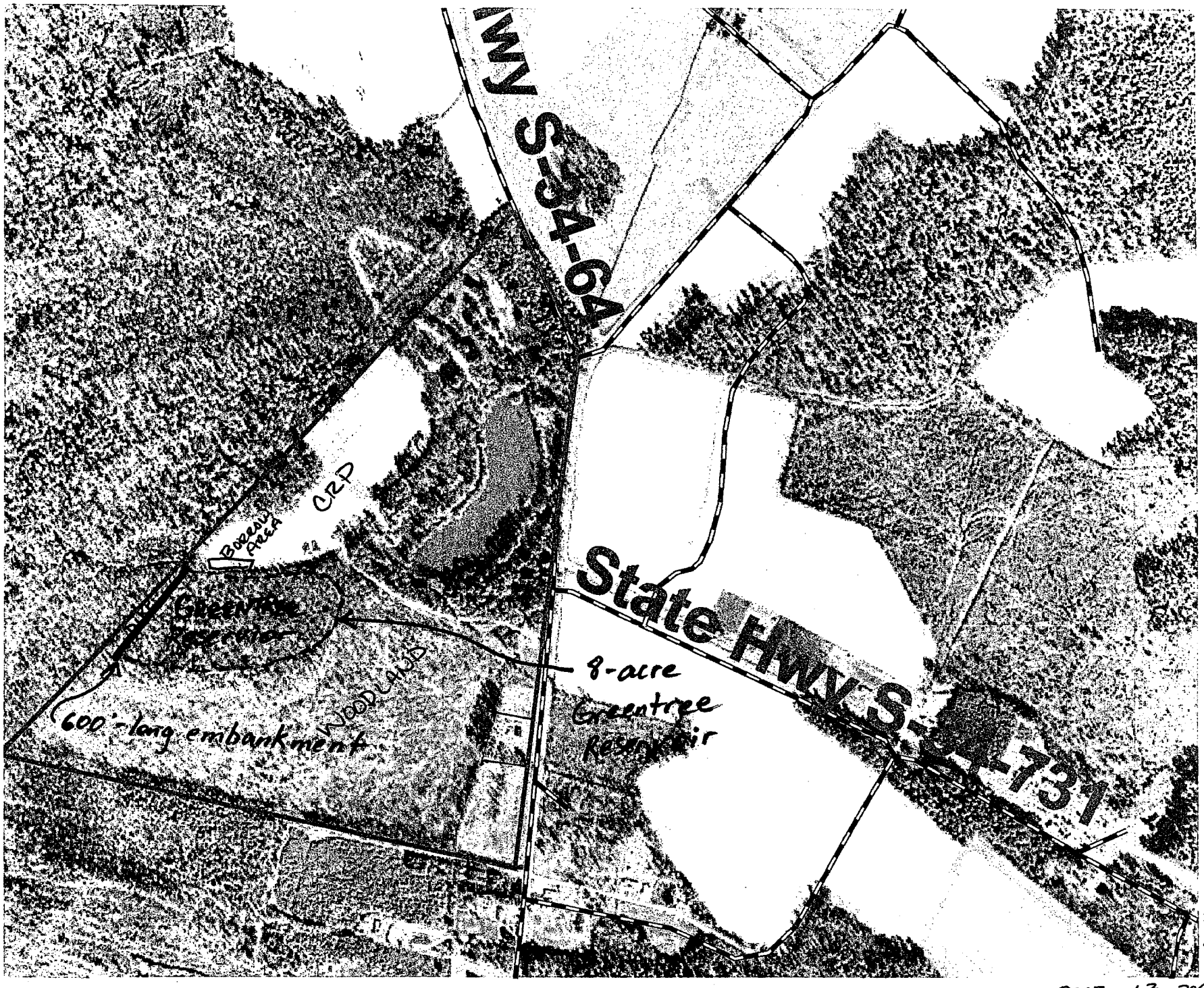

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1 in ≅ 660 ft

sheet 4 of 4

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7/25/03

CARL FOXWORTH - DIKE LOCATION