

**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 # 2003-1H-313-W

28 November 2003

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 404 and 401 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

**MR. NORMAN AGNEW**  
**POST OFFICE BOX 227**  
**BALLENTINE, SOUTH CAROLINA 29002**

for a permit to expand the existing marina facilities in

**LAKE MURRAY**

located near Shadowood Road, Richland County, South Carolina (Latitude: 34.12899°, Longitude: 81.25272°).

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, 29 DECEMBER 2003**

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

The proposed work consists of constructing a 22-slip fixed/floating dock, a connecting walkway and a boat ramp. In detail, the 22-slip fixed/floating dock includes the construction of a 6' x 16' fixed pier connected to a 6' x 18' floating walkway by a 5' x 30' ramp. The floating walkway is attached to a perpendicular, 6' by 333' floating walkway with (22) 3' x 20' floating finger sections. The applicant proposes to construct a 20' x 100' concrete boat ramp. In addition, the applicant proposes to construct a walkway across the back of the cove to access the existing facilities. The purpose of the proposed work as stated by the applicant is to provide wet and dry storage of boats for public recreational access to the lake. The applicant has indicated that the facilities will also provide a staging area for Emergency Medical Services (EMS) during the recreation season.

**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 (0.20) acres of freshwater, open water habitat associated with 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.

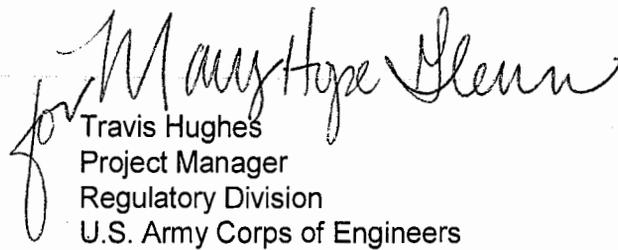
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

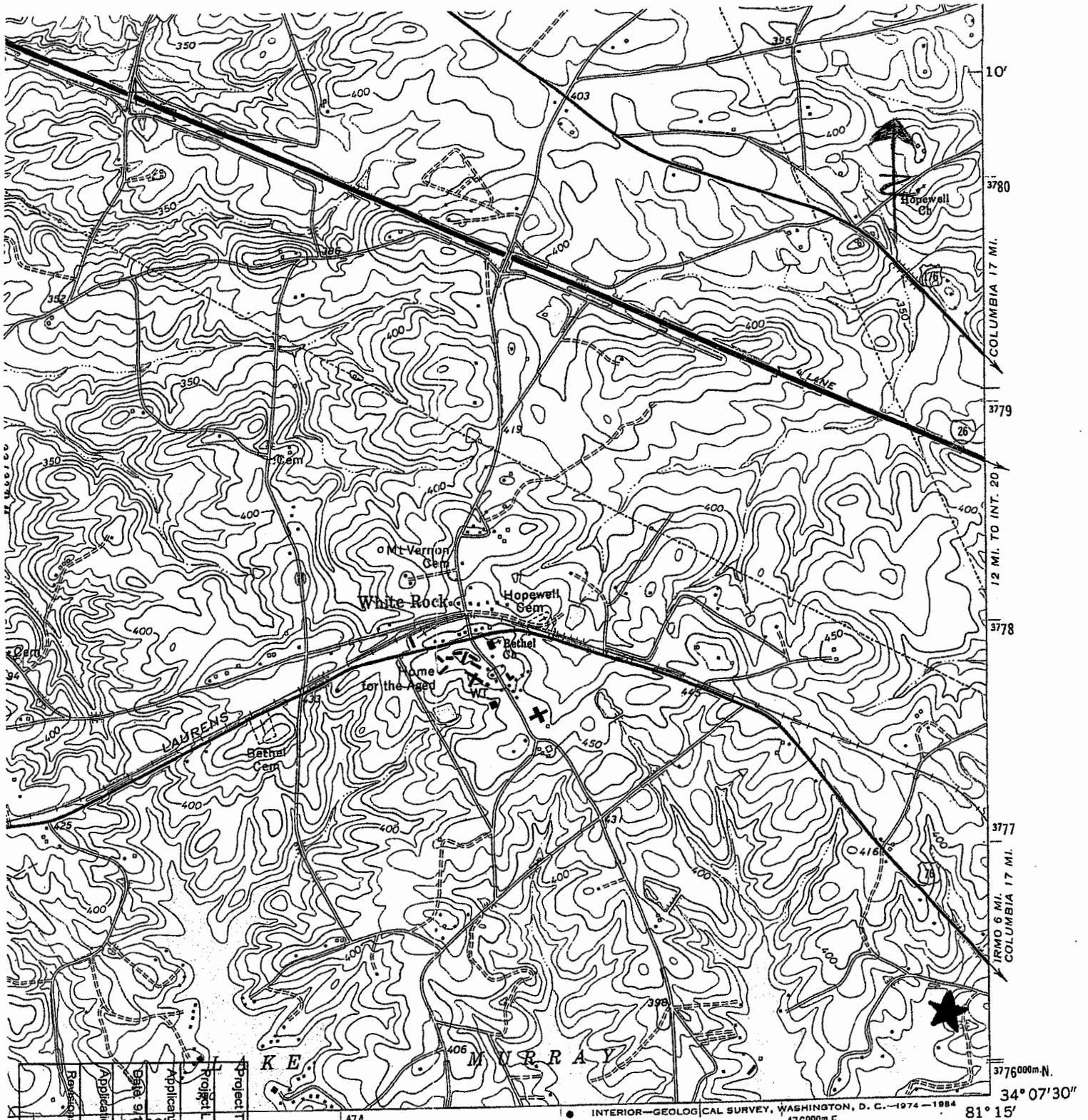
28 November 2003

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.

  
Travis Hughes  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



Project Title: Joseph M. Agnew	Scale: 1" = 100'
Project Location: 216 Shadowood Road	Sheet of 10
Applicant: Norman R. Agnew	Date: _____
Application # 9703	Initials: _____



QUADRANGLE LOCATION

LOCATION

**ROAD CLASSIFICATION**

Primary highway, hard surface \_\_\_\_\_

Secondary highway, hard surface \_\_\_\_\_

Light-duty road, hard or improved surface \_\_\_\_\_

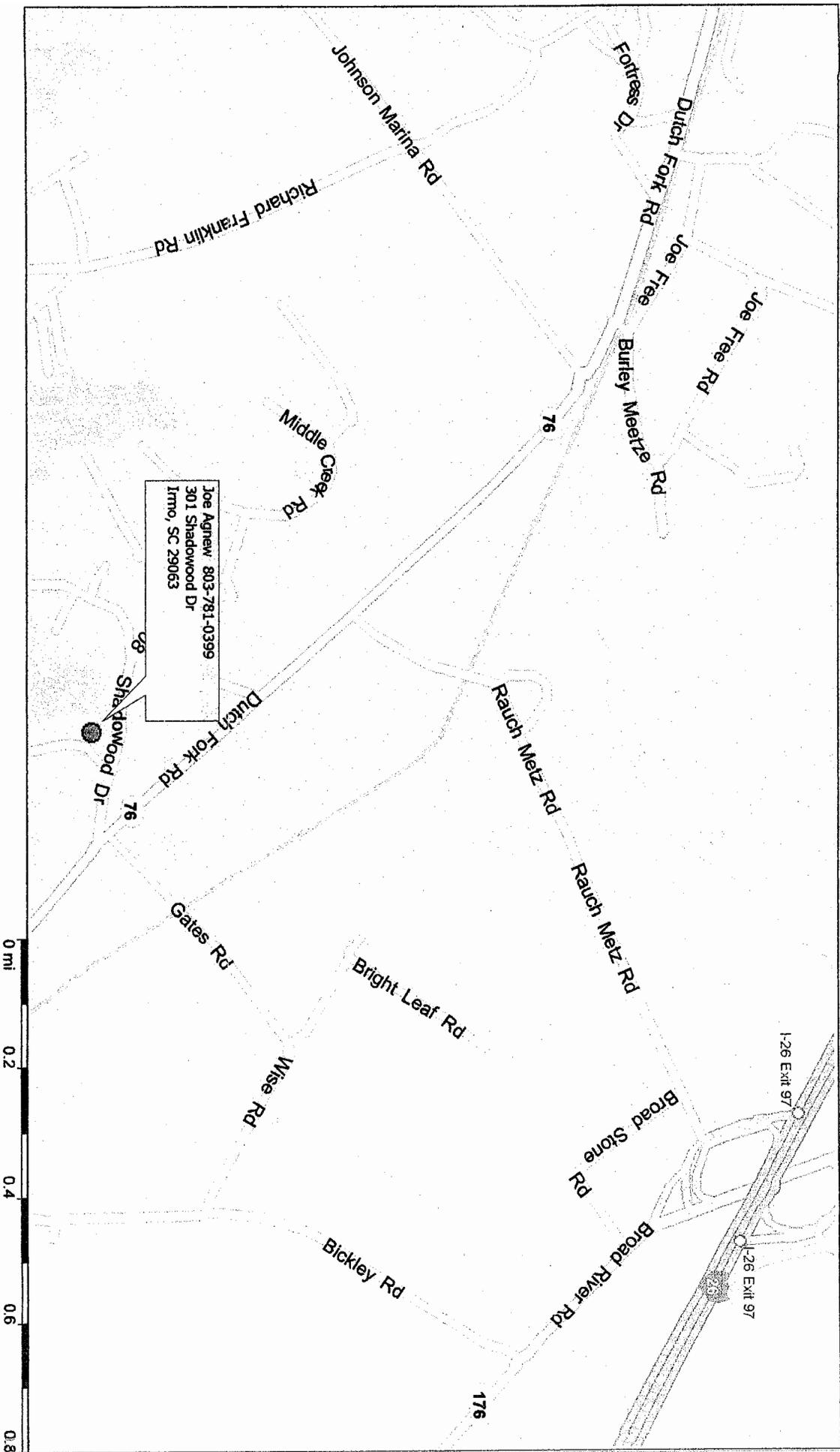
Unimproved road \_\_\_\_\_

Interstate Route   
 U. S. Route   
 State Route

**CHAPIN, S. C.**  
N3407.5—W8115/7.5

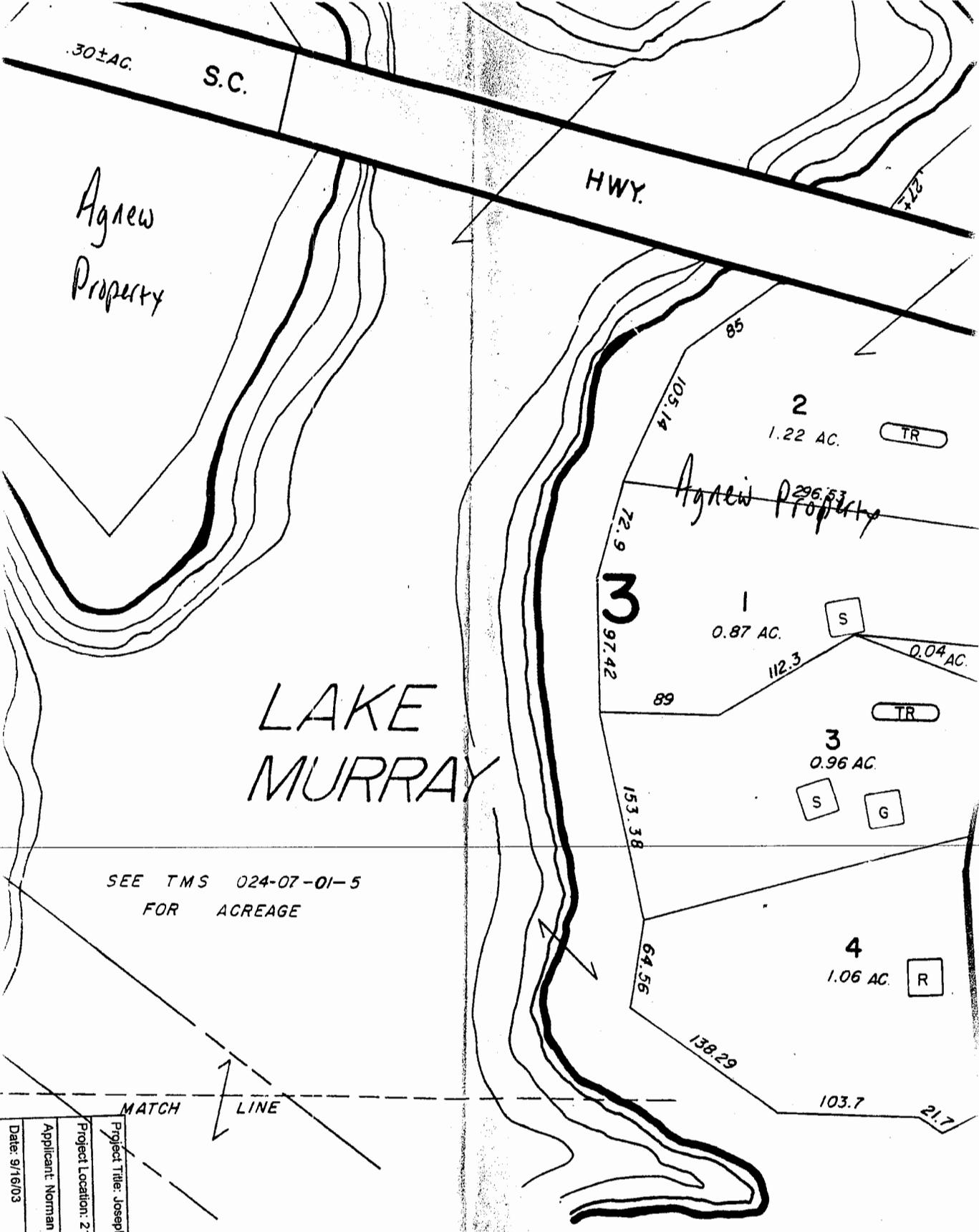
1971

Irmo area, South Carolina, United States



Project: Joseph M. Agnew  
1005 Carl Shealy Road and 216 Shadowwood  
Applicant: Norman Agnew  
9/16/03  
Sheet 2 of 10

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© Copyright 2000 by CompuSearch Micromarketing Data and Systems Ltd.



30±AC.

S.C.

Agnew Property

HWY.

LAKE MURRAY

SEE TMS 024-07-01-5 FOR ACREAGE

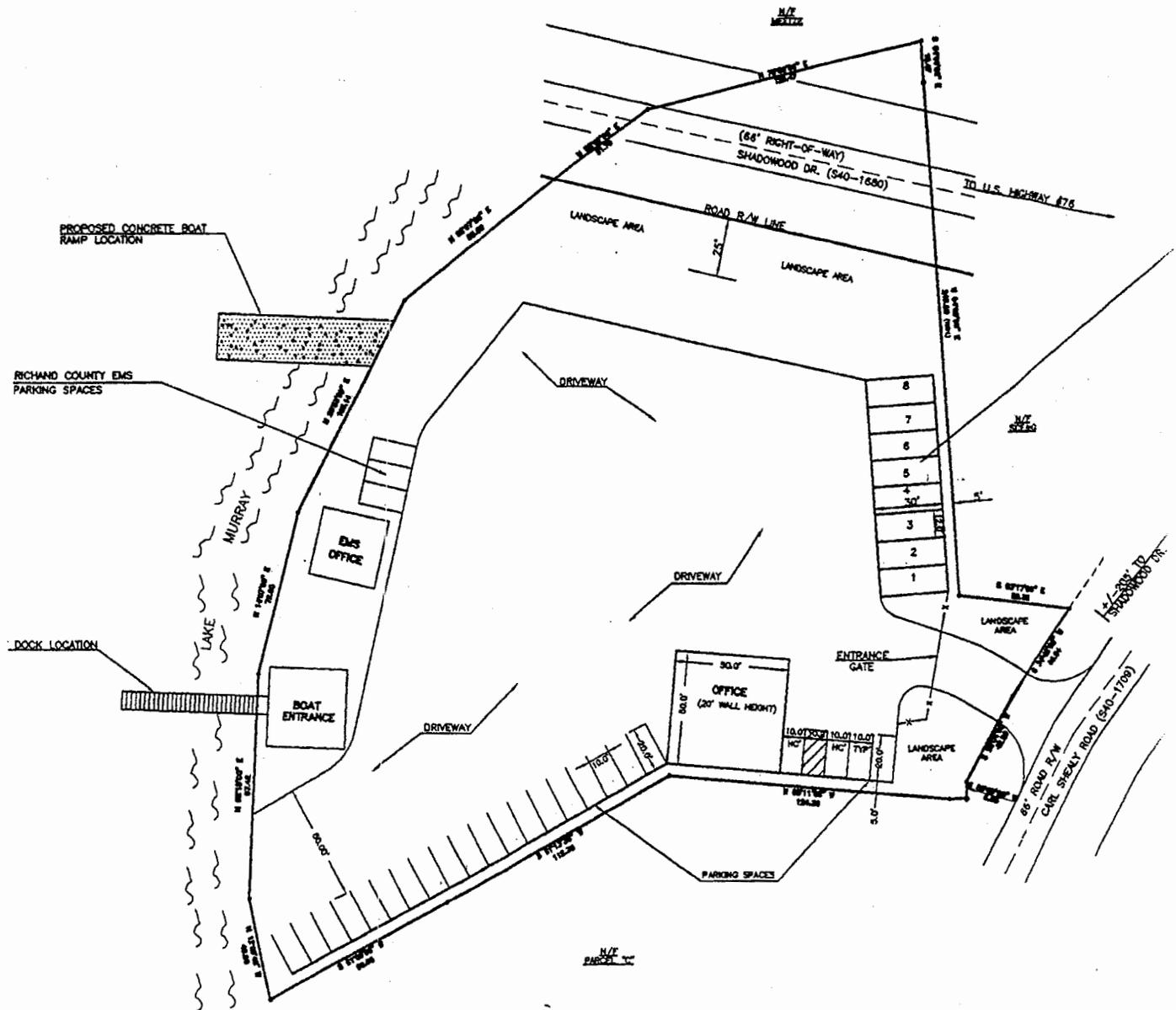
MATCH LINE

Project Title: Joseph M. Agnew	50
Project Location: 21	50
Applicant: Norman F. Agnew	1505
Date: 9/16/03	6.55 AC
Scale:	1204
Application #	Sheet 6 of 10
Revisions:	Date: Initials:

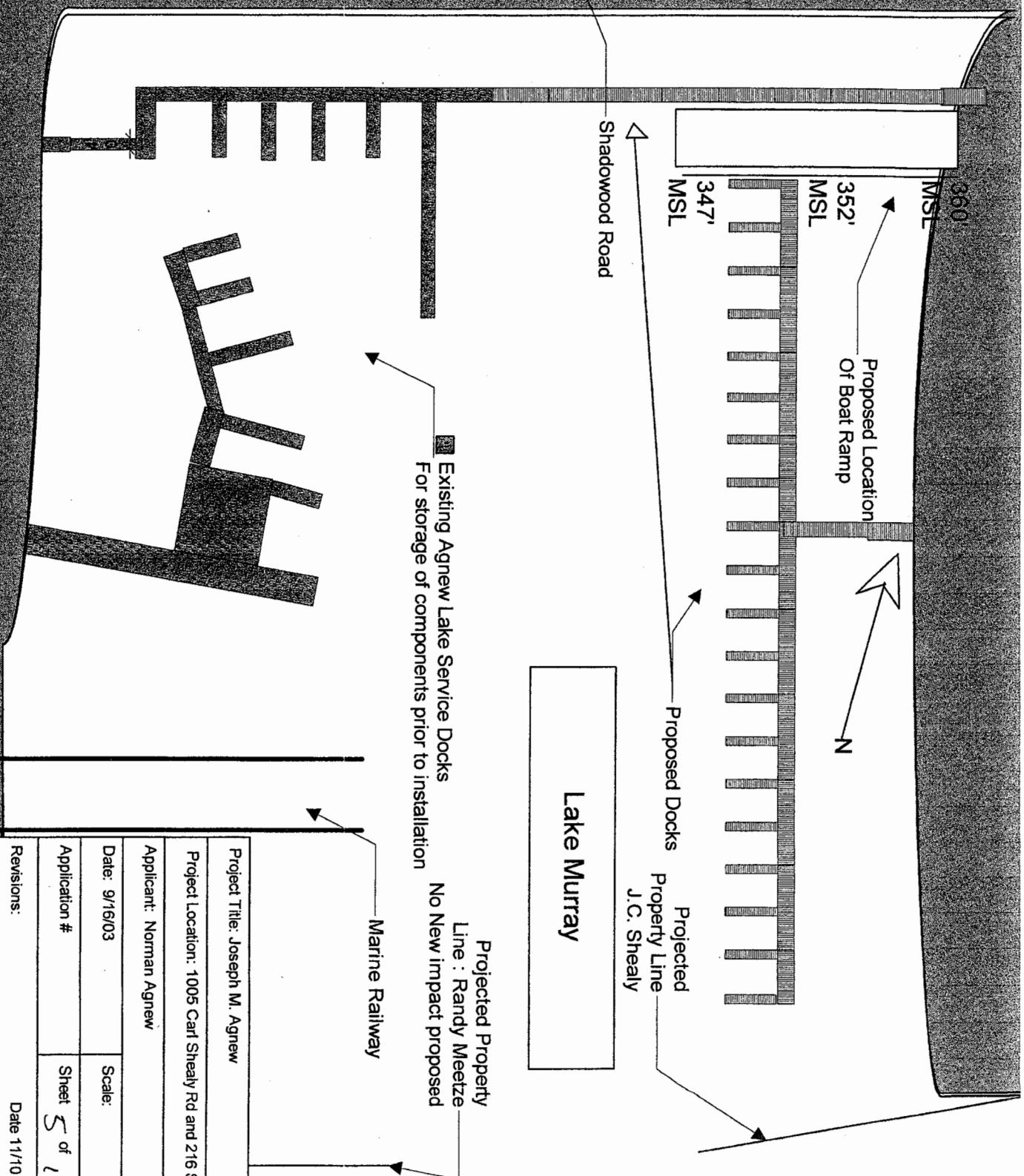
PROPERTY TAX MAP  
**RICHLAND COUNTY**

SOUTH CAROLINA

THIS IS A  
 COUN  
 ASSES  
 CLUSI

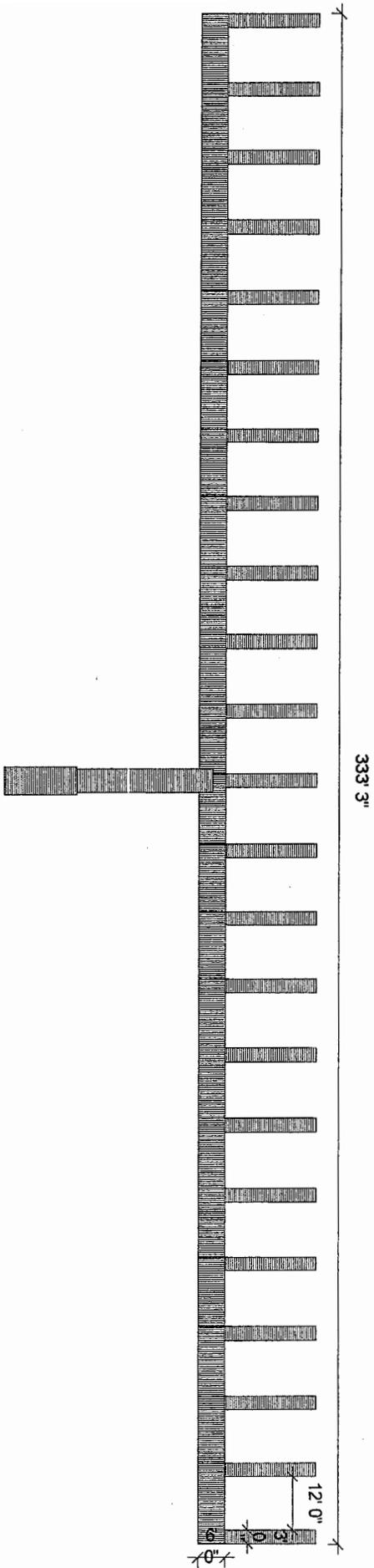


Project: Joseph M. Agnew  
 1005 Carl Shealy Road and 216 Shadowood  
 Applicant: Norman Agnew  
 9/16/03  
 Sheet 4 of 10



Project Title: Joseph M. Agnew	
Project Location: 1005 Carl Shealy Rd and 216 Shadow	
Applicant: Norman Agnew	
Date: 9/16/03	Scale:
Application #	Sheet 5 of 10
Revisions: Date 11/10 Initials N RA	
Added Boat Ramp, Modified proposed configuration.	

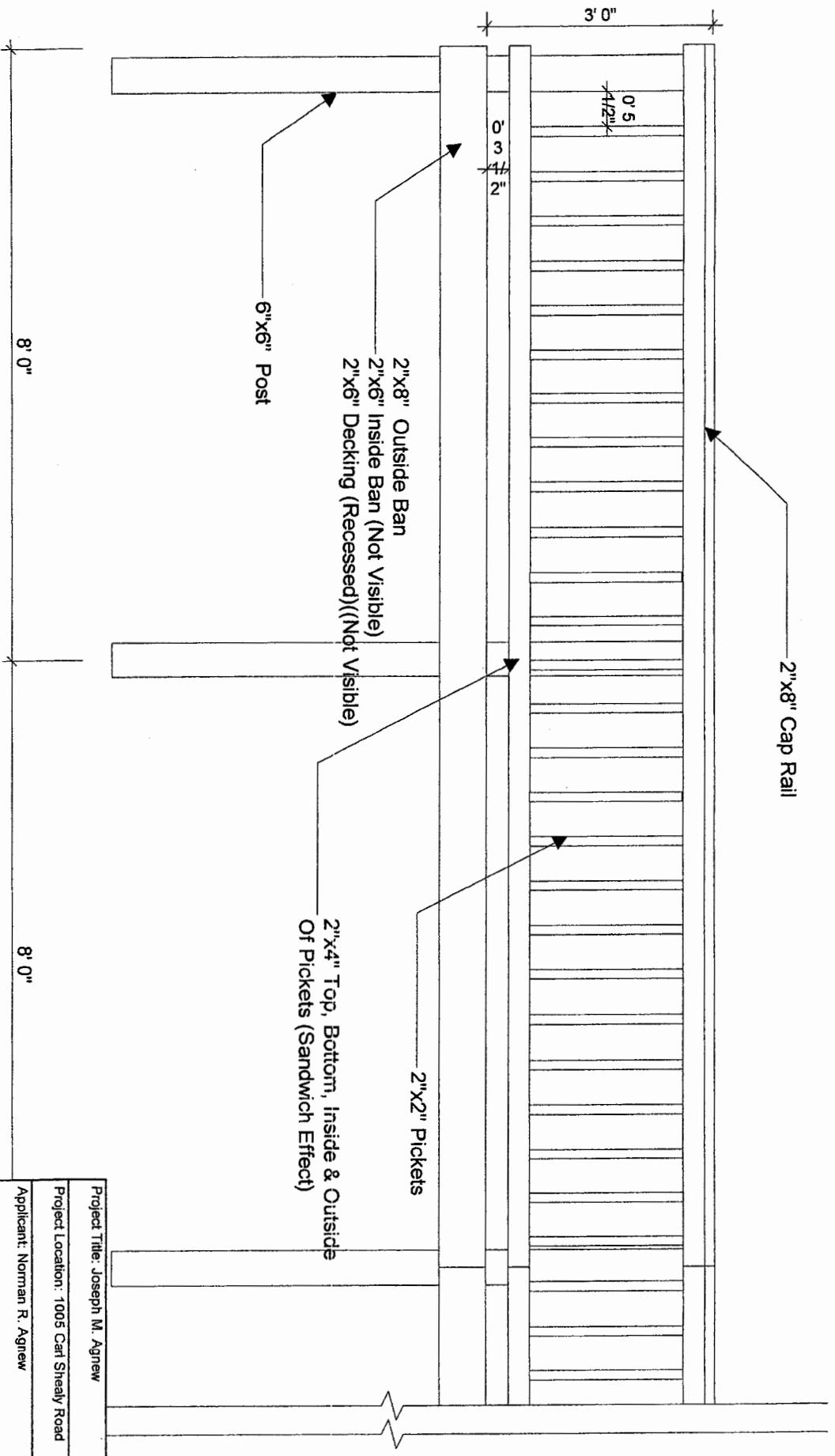
Proposed Docks  
 Joe Agnew



- 21 - 6'x15' Main Walk Sections
- 1 - 6'x18' Main Walk Sections
- 22 - 3'x20' Finger Dock Sections
- 1 - 5'x30' Steel Ramp
- 1 - 6'x16' Pier w/Sandwich Picket Handrails

Project Title: <u>Joseph M. Agnew</u>	
Project Location: <u>1005 Carl Shealy</u>	
Applicant: <u>Norman R. Agnew</u>	
Date: <u>9/16/03</u>	Scale: <u>1" = 35'</u>
Application #	Sheet <u>6 of 10</u>
Revisions:	Date: _____ Initials: _____

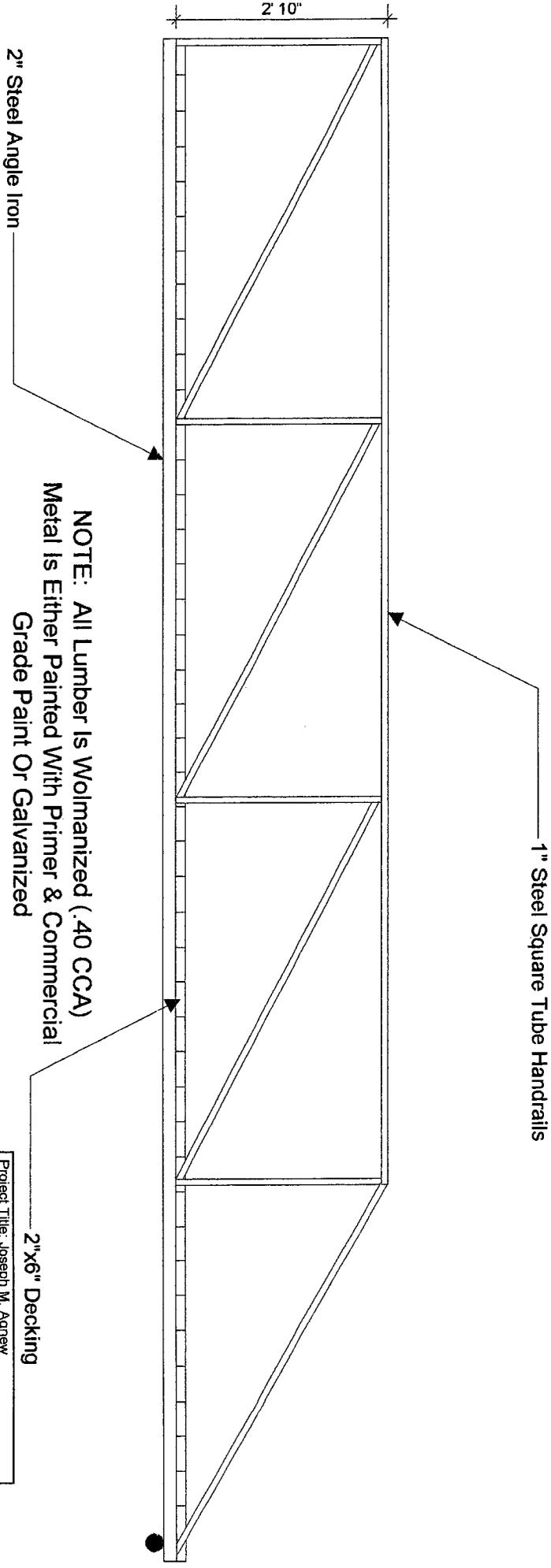
# Pier Construction for proposed configuration



**NOTE: All Lumber Is Wolmanized (.40 CCA)**

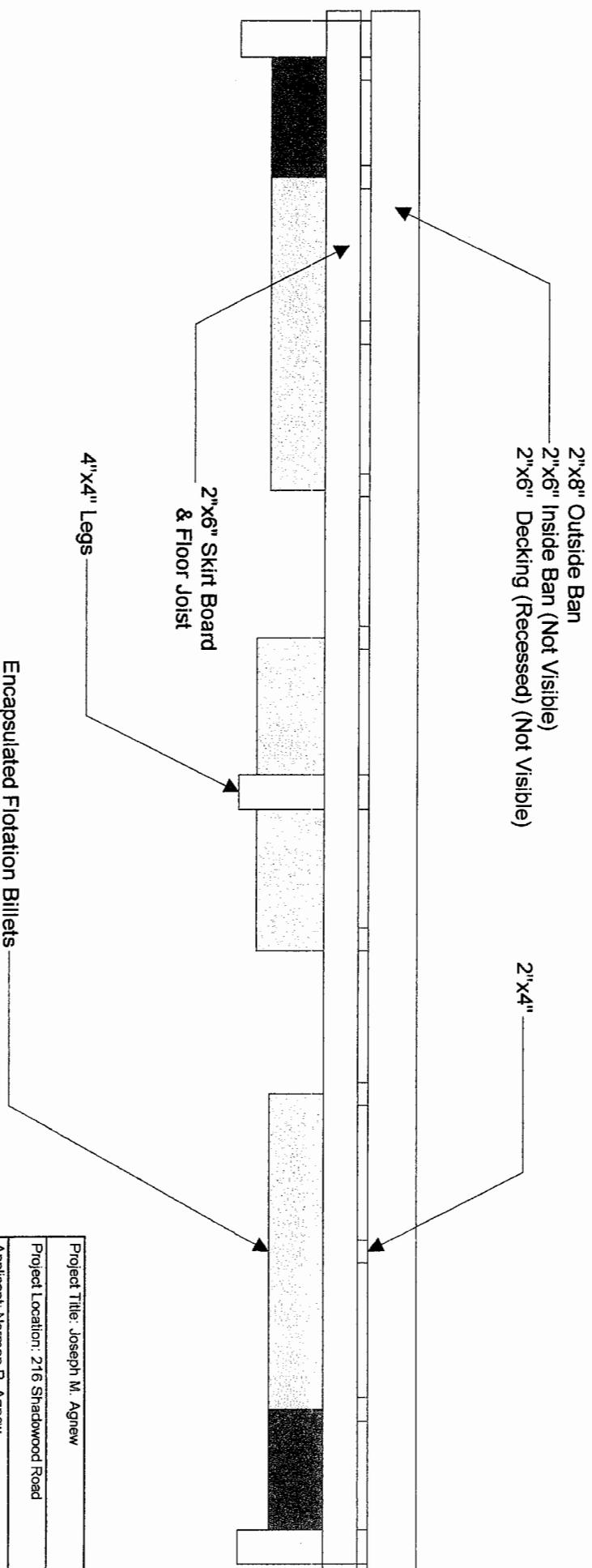
Project Title: Joseph M. Agnew	
Project Location: 1005 Carl Shealy Road	
Applicant: Norman R. Agnew	
Date: 9/16/03	Scale: 1/2" = 1'
Application #	Sheet 7 of 10
Revisions:	Date: _____ Initials: _____

# Transition Ramp Construction for Proposed Configuration



Project Title: Joseph M. Agnew	
Project Location: 216 Shaewood Rd.	
Applicant: Norman Agnew	
Date: 9/16/03	Scale: 1/2" = 1'
Application #	Shepherd of <i>MS</i>
Revisions:	Date:                      Initials:

**3'x20' Finger  
(Typical Floating Dock Construction)**

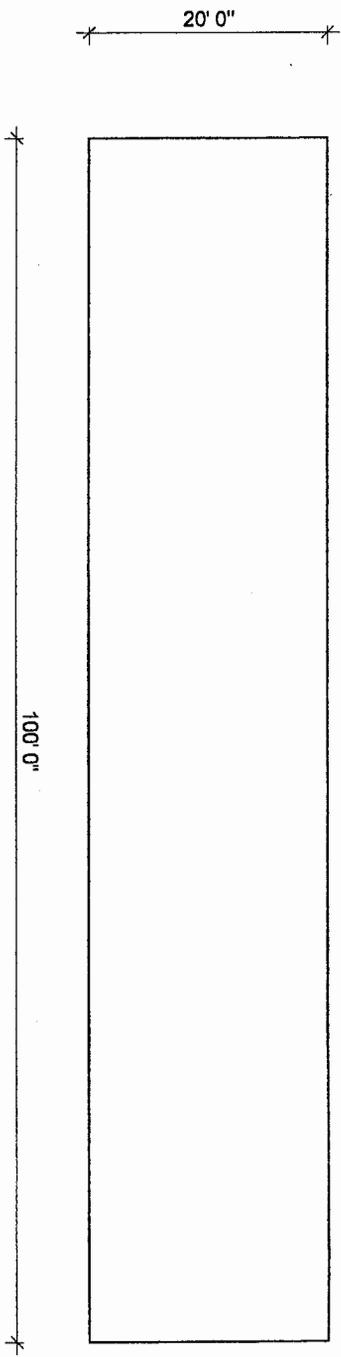


**NOTE: All Lumber Is Wolmanized (.40 CCA)**

Project Title: Joseph M. Agnew	
Project Location: 216 Shadowwood Road	
Applicant: Norman R. Agnew	
Date: 9/16/03	Scale: 1/2" = 1'
Application #	Sheet 9 of 10
Revisions:	Date: _____ Initials: _____

No Fill Required  
Minimal Grading

Proposed Boat Ramp



361'  
MSL

347'  
MSL

Fall= 1' in 7'

Project: Joeseeph M. Agnew  
1005 Carl Shealy Road and 216 Shadowood  
Applicant: Norman Agnew  
9/16/03  
Sheet Dof1D