

**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 #2003-1W-299-W

28 NOVEMBER 2003

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

**EUGENE B. DUBOSE, JR.**  
**3624 WESSINGER ROAD**  
**CHAPIN, SOUTH CAROLINA 29036**

for a permit to perform excavation in waters of

LAKE MURRAY

at a location within a neighborhood cove bordered by Wessinger Road and Libby Ariail Circle south of the Town of Chapin, Lexington County, South Carolina (Latitude 34.0823°, Longitude 81.3266°)

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 removing 3,542 cubic yards of material from an area measuring 1.5 acres in a cove of Lake Murray using a track hoe, bulldozer and front end loader. The material will be loaded into trucks and transferred to a nearby upland disposal site as shown on sheet 7 of 7. The purpose of the project is to restore the depth of the cove for private recreational use and access to deeper waters of Lake Murray.

**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**

28 NOVEMBER 2003

**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.

Preliminary review of the scope of work sought by this application indicates that State and Federal permits should be processed concurrently. If the Federal permit is issued in advance of the State's a special provision will be included in the Federal permit expressing the endorsement of the District Engineer to any revisions or conditions subsequently imposed by the State permit.

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 1.5 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.

28 NOVEMBER 2003

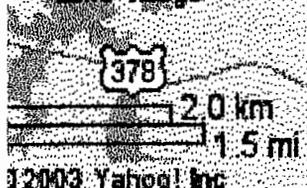
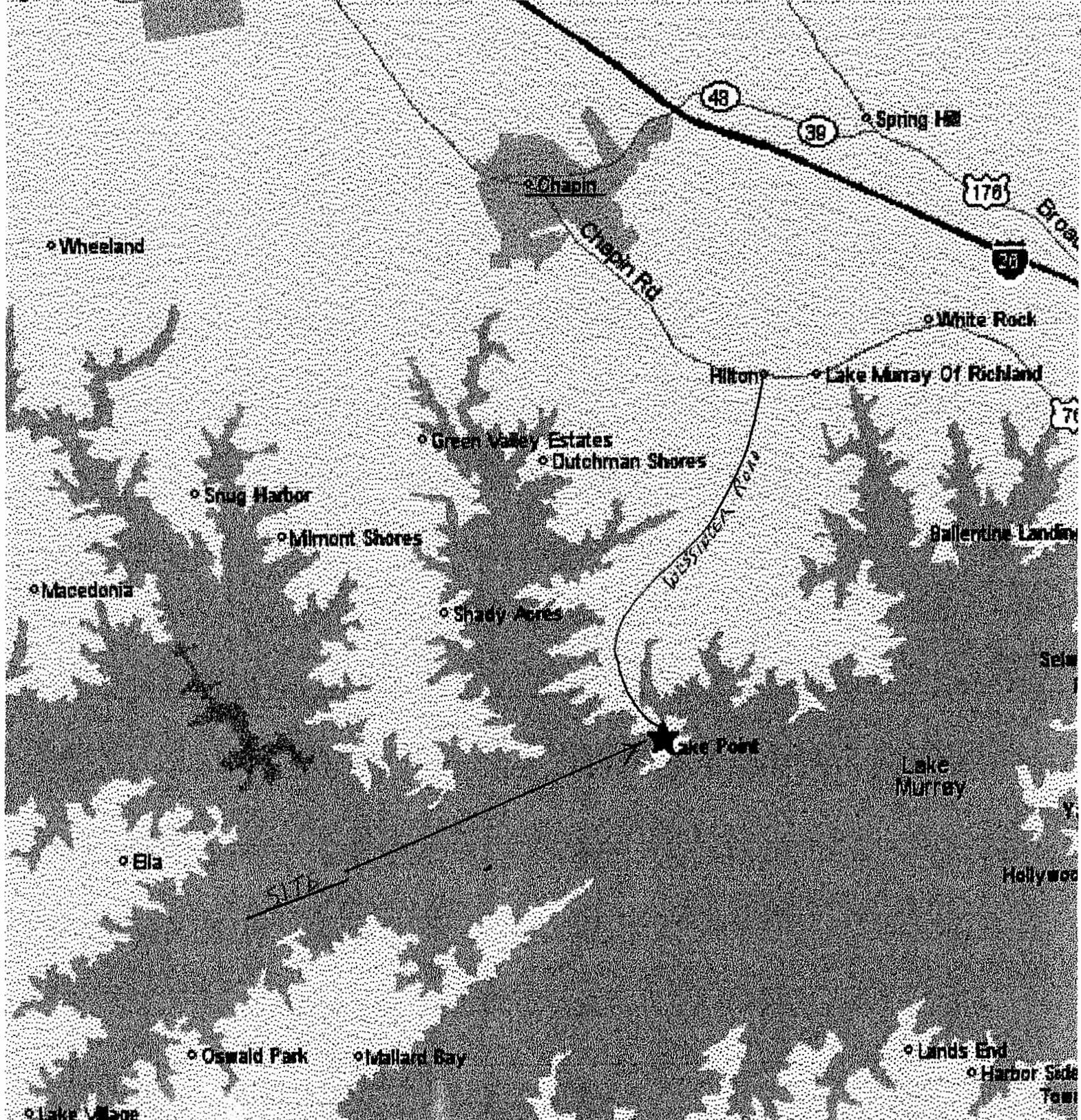
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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.



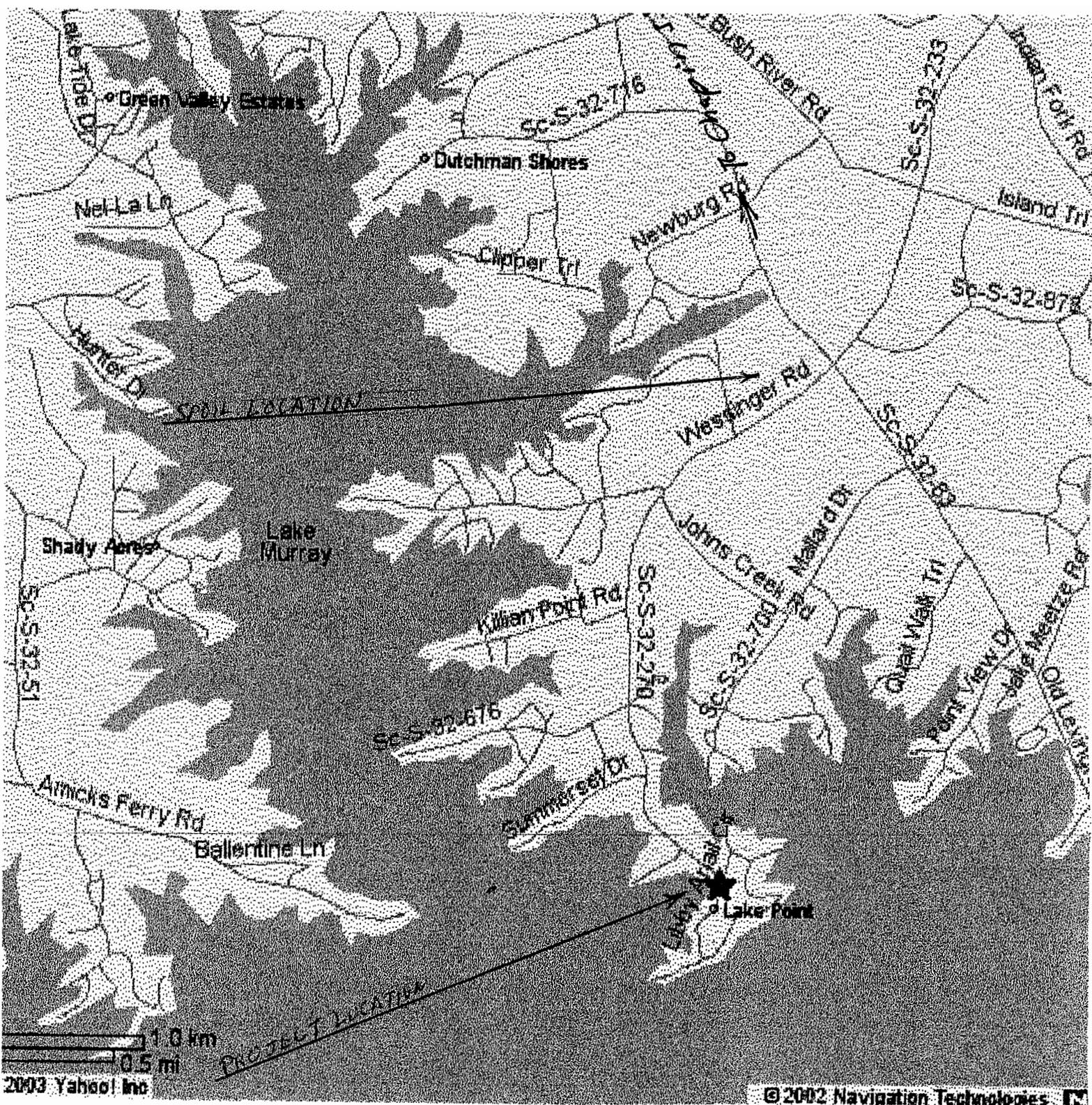
Debra W. King  
Project Manager  
Regulatory Division  
U.S. Army Corps of Engineers



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Project Title: <i>NEIGHBORHOOD COVE IMPROVEMENT</i>	
Project Location: <i>WESSINGER ROAD AND LIBBY AERIAL CIRCLE</i>	
Applicant: <i>EUGENE B. DUBOSE JR</i>	
Date: <i>10-20-03</i>	Scale:
Application #: <i>2003-1W-299-W</i>	Sheet <i>1</i> of <i>7</i>

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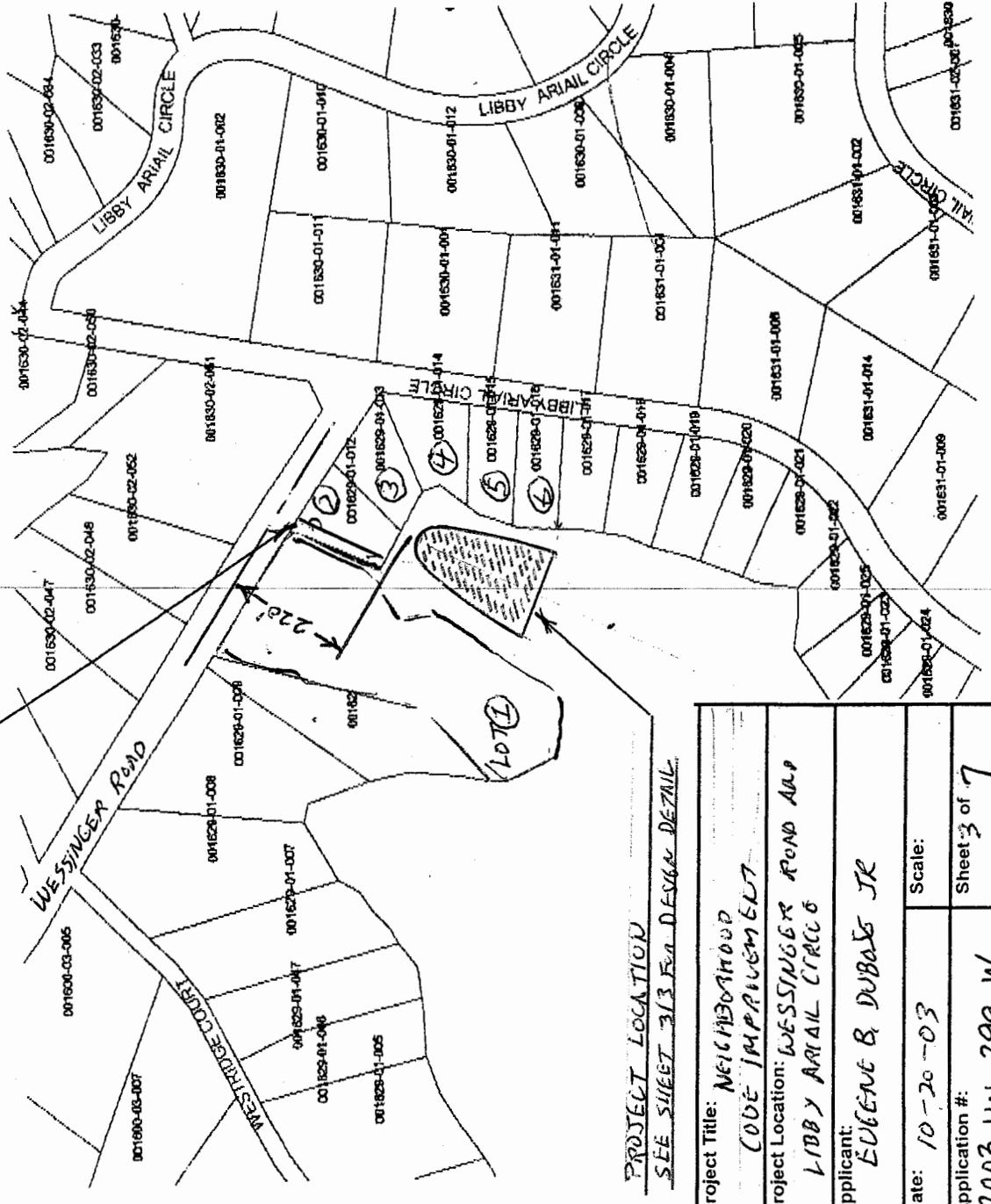


Project Title: NEIGHBORHOOD COVE IMPROVEMENT	
Project Location: WESTINGER ROAD AND LIBBY AERIAL CIRCLC	
Applicant: EUGENE B. DUBOSE SR.	
Date: 10-20-03	Scale:
Application #: 2003-1W-299-W	Sheet 2 of 7

PROPERTY OWNERS  
 DUBOSE LOT 1  
 ROSS LOT 2  
 HINSON LOT 3  
 SANDERS LOT 4  
 SAVILLE LOT 5  
 BOLARD LOT 6

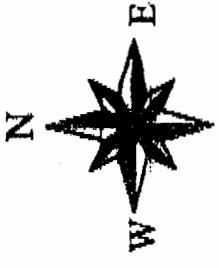
Sept 2002

ROAD TO SITE



PROJECT LOCATION  
 SEE SHEET 313 FOR DESIGN DETAIL

Project Title: NEIGHBORHOOD CODE IMPROVEMENT	
Project Location: WESTINGER ROAD AND LIBBY ARIAL CIRCLE	
Applicant: EUGENE B. DUBOSE JR	
Date: 10-20-03	Scale:
Application #: 2003-1W-299-W	Sheet 3 of 7

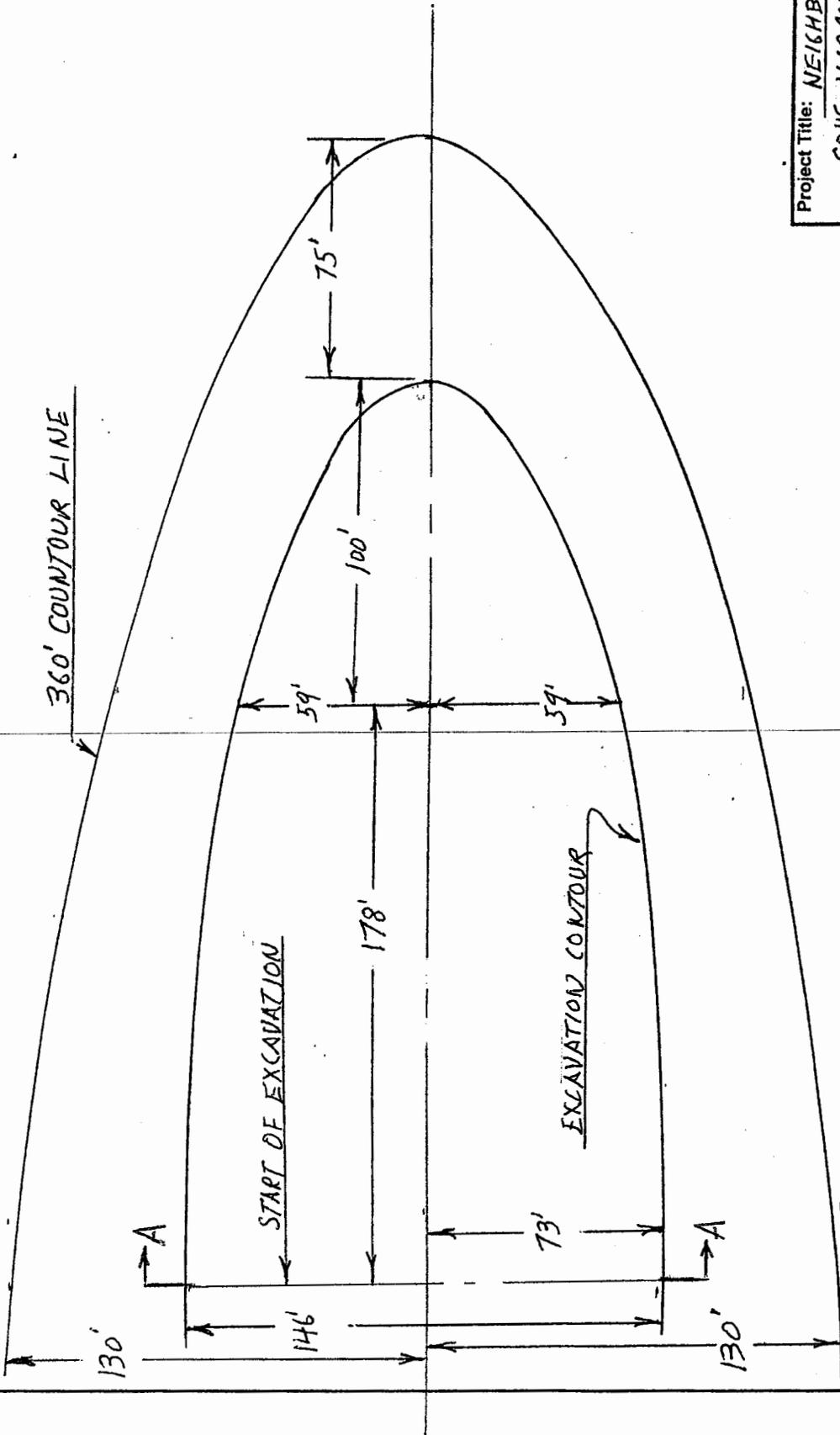


0.2 Miles

WESSINGER RD

TO LIBBY AIRIAL CIRCLE →

360' COUNTOUR LINE



SCALE  
1" = 50'

Project Title: NEIGHBORHOOD  
COVE IMPROVEMENT

Project Location: WESSINGER ROAD AND  
LIBBY AIRIAL CIRCLE

Applicant:  
EUGENE B. DUBOSE JR

Date: 8-4-03

Scale: SEE NOTE

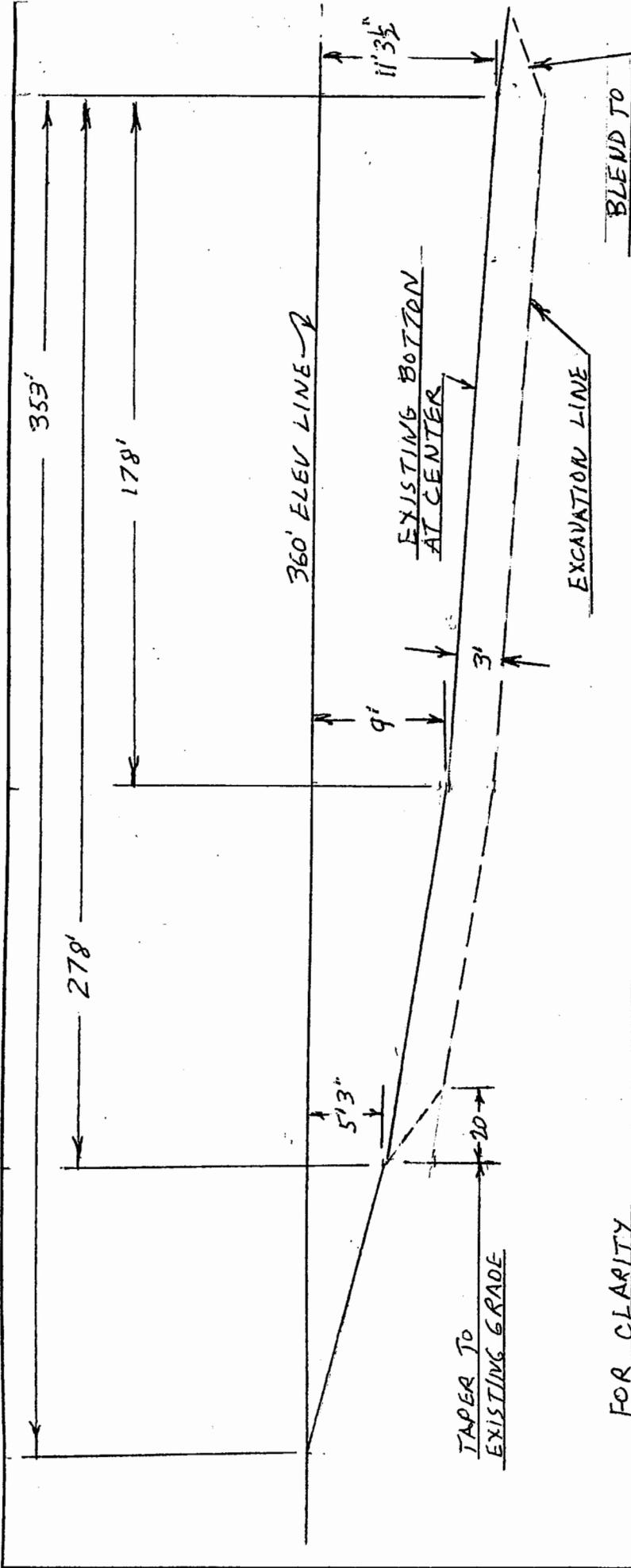
Application #:

Sheet

2003-1W-299-W

4 of 7

Revisions  
Date Initials

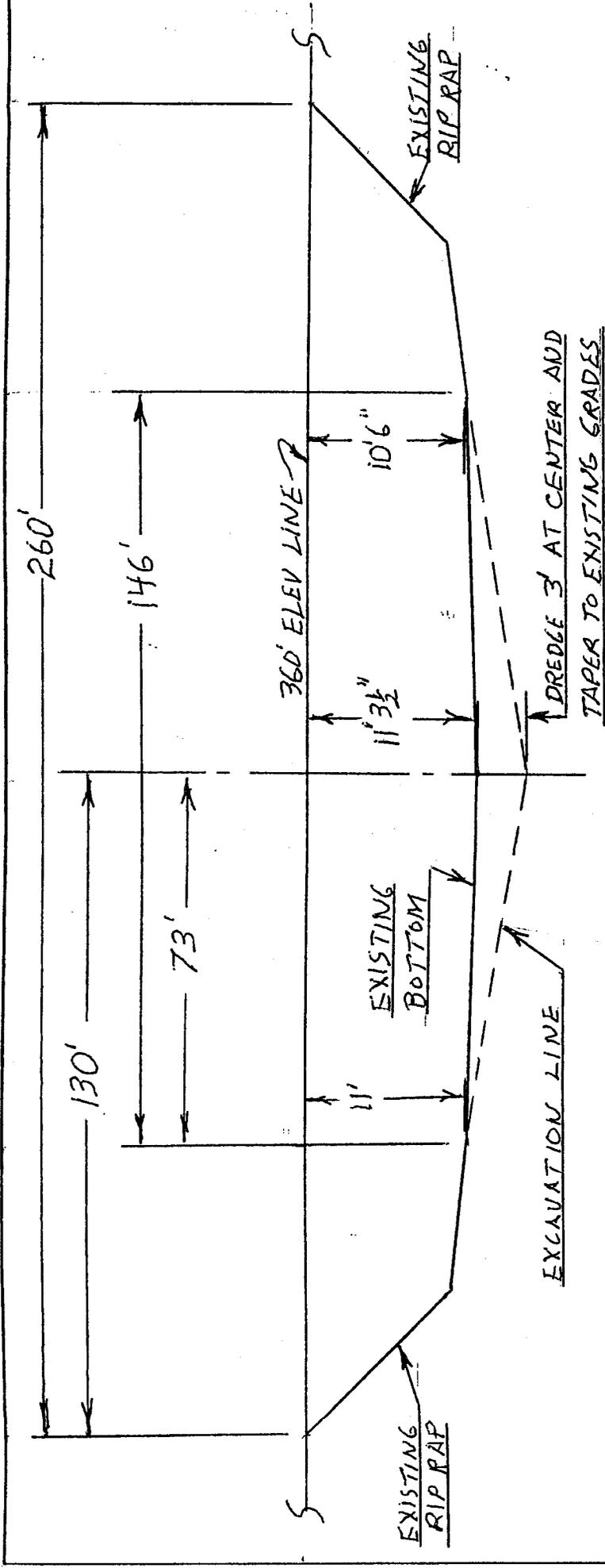


FOR CLARITY  
 HORIZONTAL SCALE, 1" = 40'  
 VERTICAL SCALE, 1" = 10'

BLEND TO  
 EXISTING  
 BOTTOM

Project Title: <u>NEIGHBORHOOD</u>	
CONE IMPROVEMENT	
Project Location: <u>WESSINGER ROAD AND</u>	
<u>LIBBY ARIAN CIRCLE</u>	
Applicant: <u>EUGENE B. DUBOIS JR</u>	
Date: <u>8-4-03</u>	Scale: <u>SEE NOTE</u>
Application #: <u>2003-1W-299-W</u>	Sheet <u>5 of 7</u>

Revisions	
Date	Initials



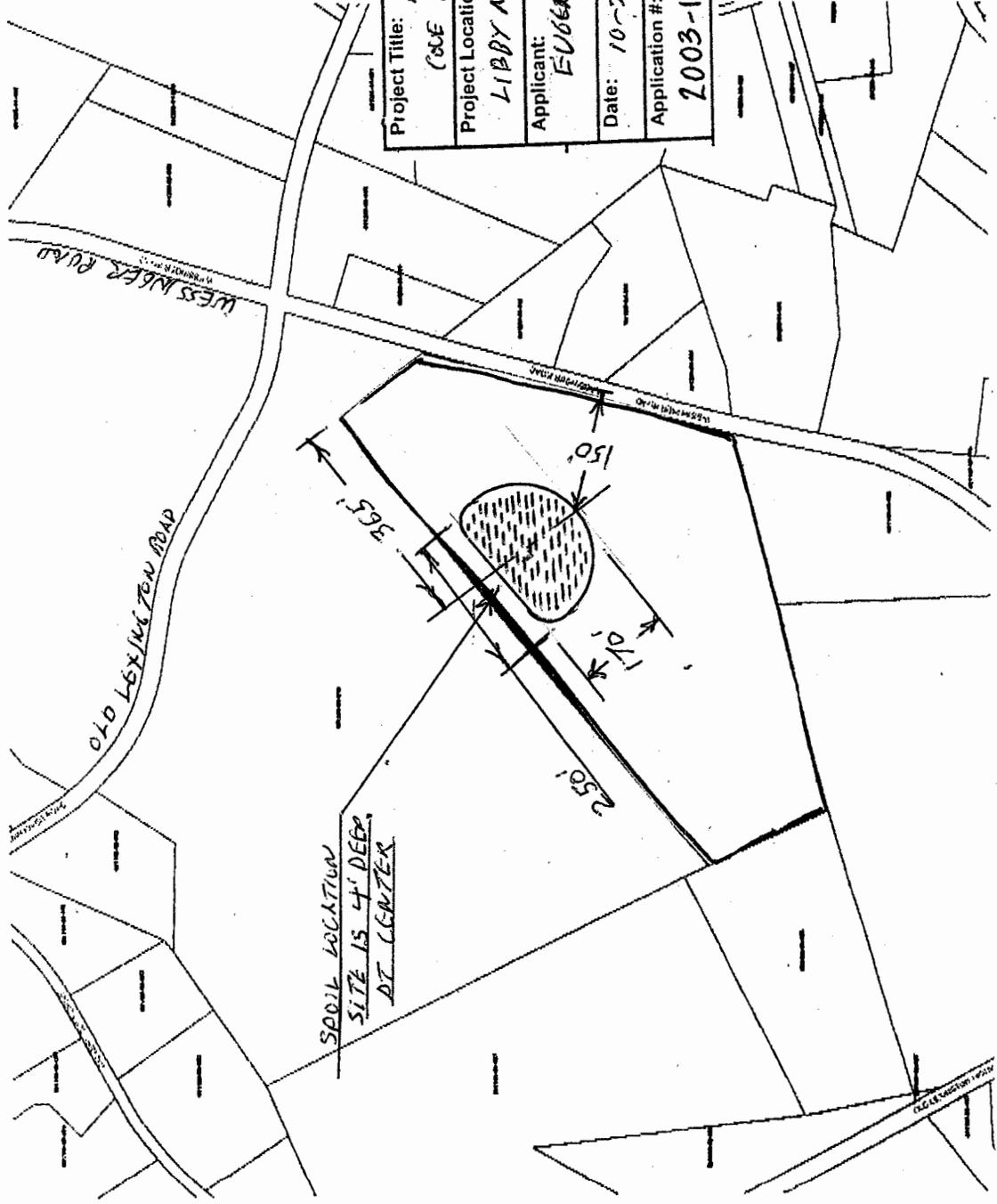
SECTION A-A

FOR CLARITY  
 HORIZONTAL SCALE, 1" = 30'  
 VERTICAL SCALE, 1" = 10'

Project Title: <u>NEIGHBORHOOD</u> <u>COVE IMPROVEMENT</u>	
Project Location: <u>WESSINGER ROAD AND</u> <u>LIBBY ARIAL CIRCLE</u>	
Applicant: <u>EUGENE B. DUBOSE JR</u>	
Date: <u>8-4-03</u>	Scale: <u>SEE NOTE</u>
Application #: <u>2003-1W-299-W</u>	Sheet: <u>6 of 7</u>

Revisions	
Date	Initials

# Sept 2002



Project Title: NEIGHBORHOOD CODE IMPROVEMENT	
Project Location: WESTLAKER ROAD AND LIBBY ARJANE CIRCU	
Applicant: EUGENE B. DUBOSE JR	
Date: 10-20-03	Scale:
Application #: 2003-1W-299-W	Sheet 7077

