

**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 #2004-1W-337-W

26 NOVEMBER 2004

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

**LAKEPORT, LLC**

**c/o NEWKIRK ENVIRONMENTAL, INC.**

**POST OFFICE BOX 746**

**MT. PLEASANT, SOUTH CAROLINA 29465**

for a permit to perform excavation and to place fill material in waters of

**LAKE MURRAY**

at a location on a 64.15 acre tract adjacent to County Road 216 in the proposed Lakeport Subdivision near the community of White Rock in Richland County, South Carolina (Latitude 34.12725°, Longitude 81.27175°)

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, 6 DECEMBER 2004**

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

The proposed work consists of performing excavation to remove 6,600 cubic yards of material from Lake Murray in the dry while the water level of the lake is low using trackhoes and trucks and transporting the material to adjacent uplands immediately adjacent to the excavation area or using trackhoes, barges and trucks to transport the material to the same disposal site if the work has to be performed in the wet when the lake level is back up above the excavation area. The proposed work also includes the construction of two private docks and

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a community dock which all meet the requirements of General permit 2002-14-001 and will require no further processing under this application by this office. The proposed 12' x 70' portion of the boat ramp that extends into Lake Murray and into the proposed excavation area will, however, be included in this application and require processing by this office. The overall project purpose, according to the applicant is "to provide water-oriented recreational amenities for residents of the proposed development."

**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 approximately 1.75 acres of freshwater habitat upstream from 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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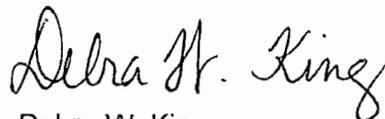
The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed 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.

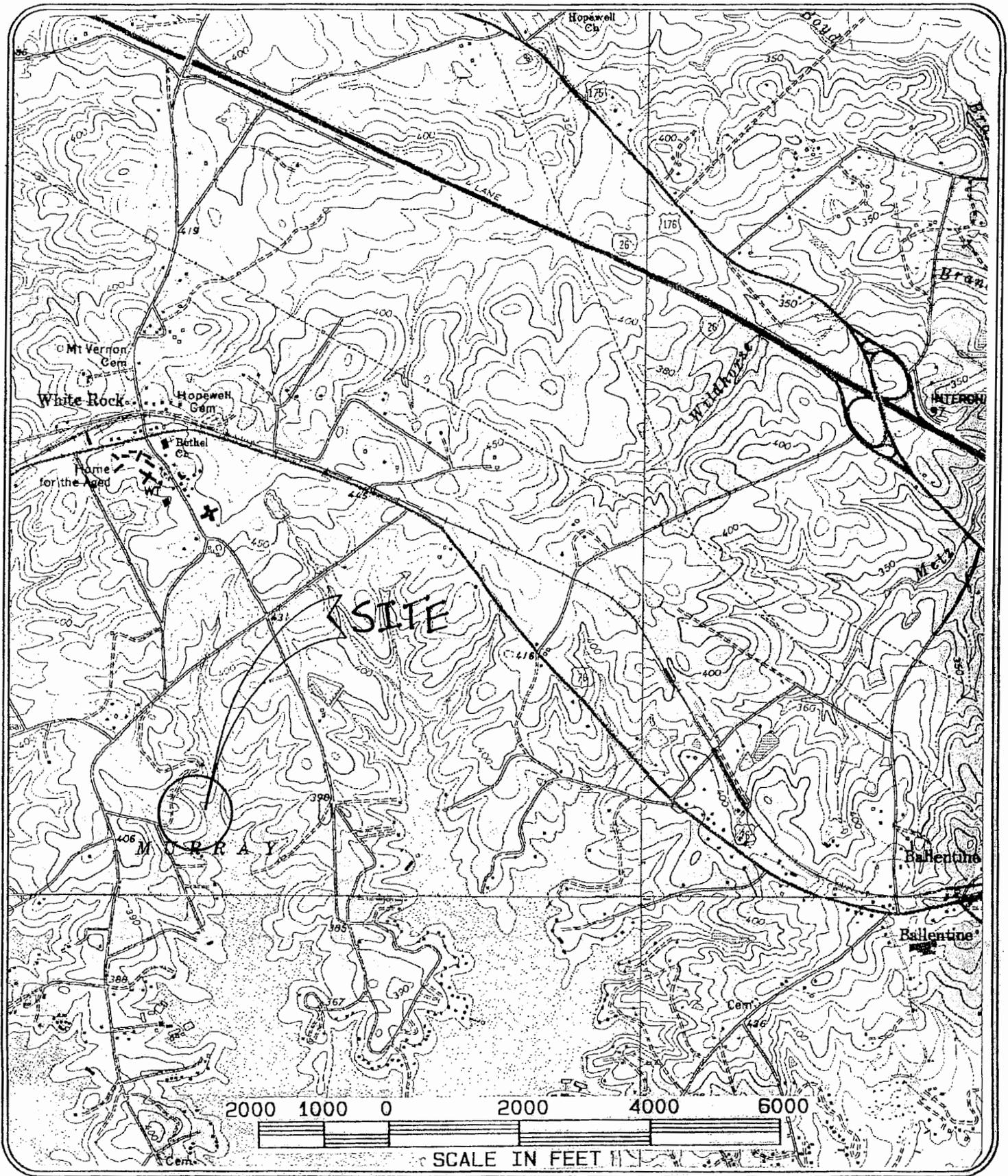
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section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



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



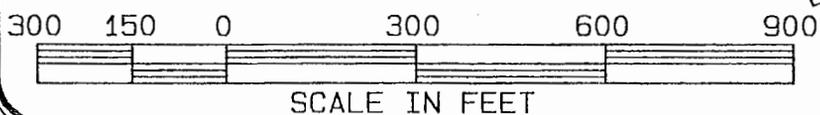
<b>PROPOSED ACTIVITY:</b> DOCKS, BOAT RAMP, AND DREDGING	
<b>APPLICANT:</b> LAKEPORT, LLC	<b>STATE:</b> S.C.
<b>DATE:</b> 7-02-04	<b>COUNTY:</b> RICHLAND
<b>DRAWN:</b> U.S.G.S.	<b>JOB NUMBER</b>
<b>PAGE:</b> 1 OF 6	<b>04049</b>

**LOCATION MAP**  
P/N 2004-1W-337-W


**CIVIL ENGINEERING of COLUMBIA**  
 CONSULTING ENGINEERING SURVEYING AND PLANNING  
 3608 FERNANDINA ROAD COLUMBIA, SOUTH CAROLINA 29210  
 TELEPHONE (803) 798-2220 FAX (803) 798-2226



# LAKEPORT SUBDIVISION

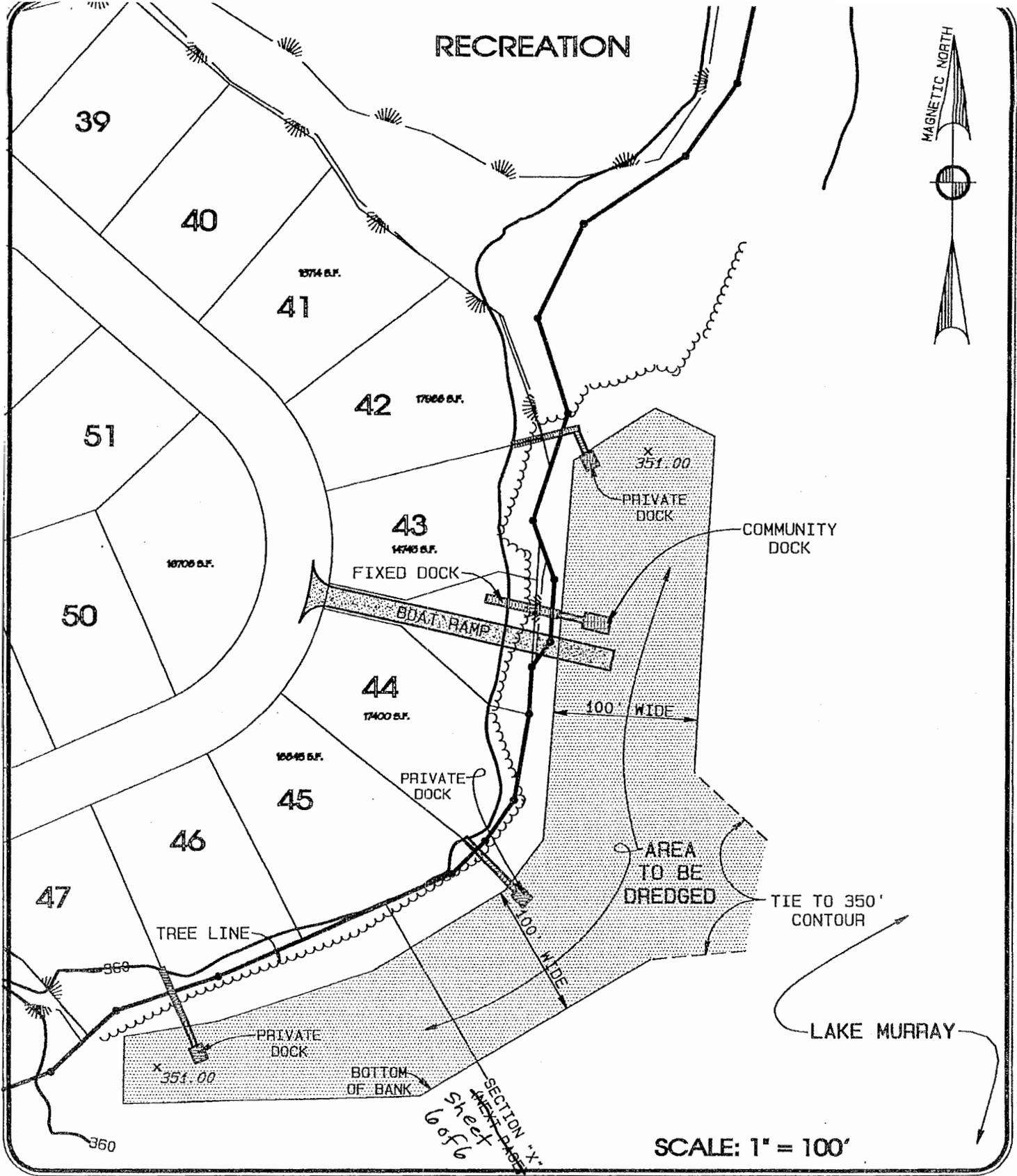


<b>PROPOSED ACTIVITY:</b> DOCKS, BOAT RAMP, AND DREDGING	
<b>APPLICANT:</b> LAKEPORT, LLC	<b>STATE:</b> S.C.
<b>DATE:</b> 7-02-04	<b>COUNTY:</b> RICHLAND
<b>DRAWN:</b> C. WALSH	<b>JOB NUMBER</b> <b>04049</b>
<b>PAGE:</b> 2 OF 6	

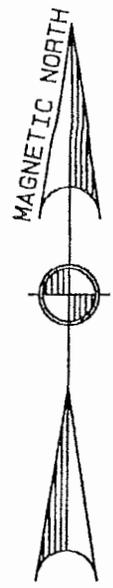
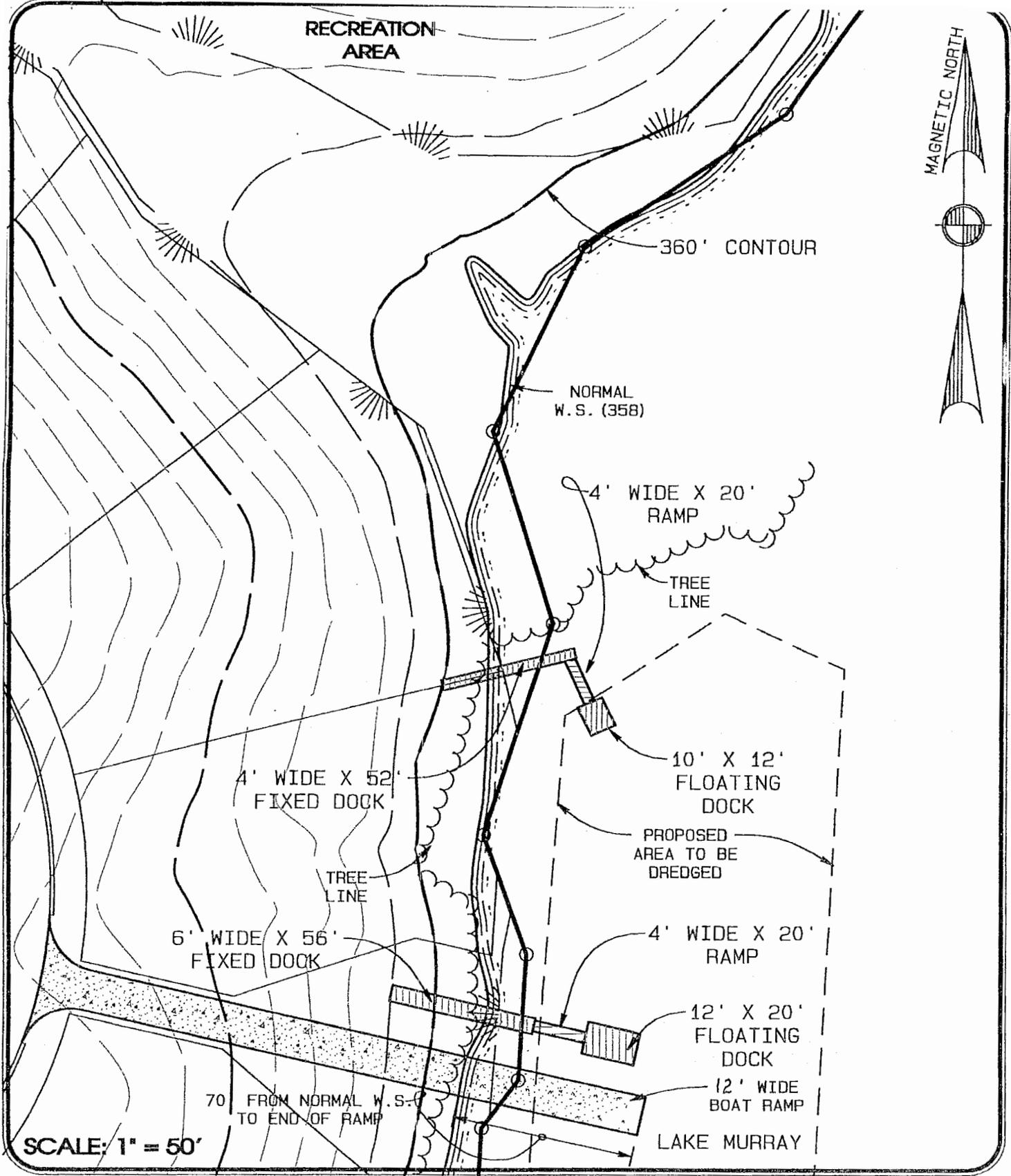
## DEVELOPMENT PLAN P/N 2004-1W-337-W



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PROPOSED ACTIVITY: DOCKS, BOAT RAMP, AND DREDGING		<h2 style="margin: 0;">DREDGING PLAN</h2> <p style="margin: 0;">PIN 2004-1W-337-W</p>
APPLICANT: LAKEPORT, LLC	STATE: S.C.	
DATE: 7-02-04	COUNTY: RICHLAND	<p style="margin: 0;"><b>CIVIL ENGINEERING of COLUMBIA</b></p> <p style="margin: 0;">CONSULTING ENGINEERING SURVEYING AND PLANNING</p> <p style="margin: 0;">3608 FERNANDINA ROAD COLUMBIA, SOUTH CAROLINA 29210</p> <p style="margin: 0;">TELEPHONE (803) 798-2820 FAX (803) 798-2825</p>
DRAWN: C. WALSH	JOB NUMBER	
PAGE: 3 OF 6	04049	



PROPOSED ACTMITY: DOCKS, BOAT RAMP, AND DREDGING	
APPLICANT: LAKEPORT, LLC	STATE: S.C.
DATE: 7-02-04	COUNTY: RICHLAND
DRAWN: C. WALSH	JOB NUMBER
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## DOCK & BOAT RAMP LAYOUT

P/N 2004-1W-337-W



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LAKE MURRAY



SCALE: 1" = 50'

PROPOSED AREA TO BE DREDGED

10' X 12' FLOATING DOCK

4' WIDE x 20' RAMP

4' WIDE x 36' FIXED DOCK

TREE LINE

NORMAL W.S. (358)

4' WIDE x 20' RAMP

10' X 12' FLOATING DOCK

4' WIDE x 45' FIXED DOCK

360

PROPOSED ACTIVITY: DOCKS, BOAT RAMP, AND DREDGING

APPLICANT: LAKEPORT, LLC STATE: S.C.

DATE: 7-02-04 COUNTY: RICHLAND

DRAWN: C. WALSH JOB NUMBER

PAGE: 5 OF 6 04049

### INDIVIDUAL DOCKS LAYOUT

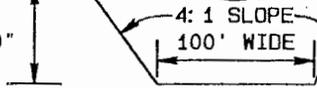
P/N 2004-1W-337-W



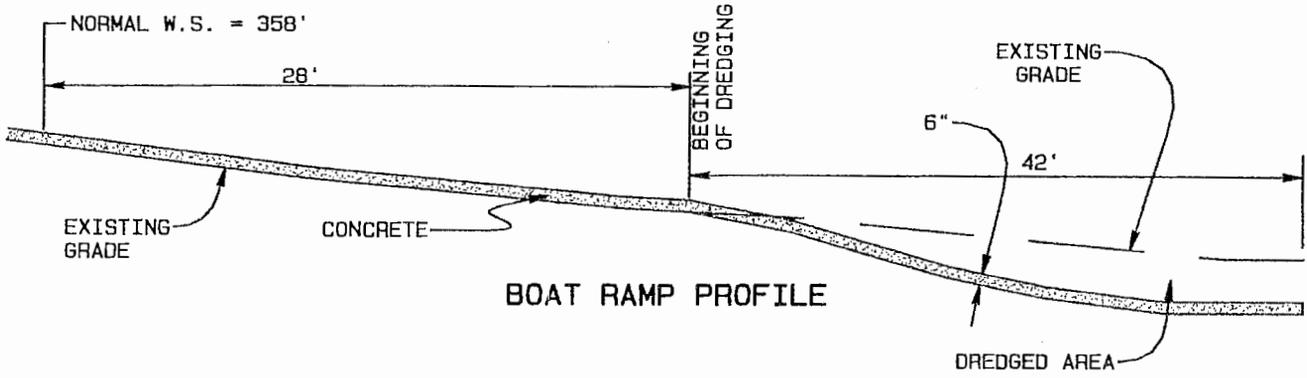
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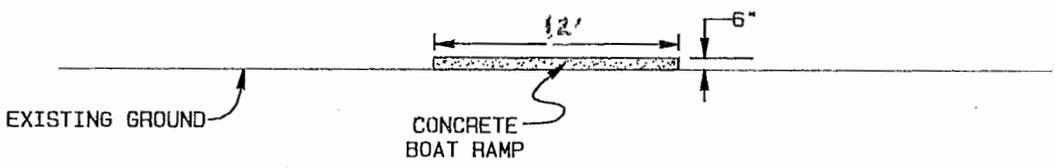
DREDGING DEPTH  
VARIES FROM 1'-0"  
TO 8'-0"



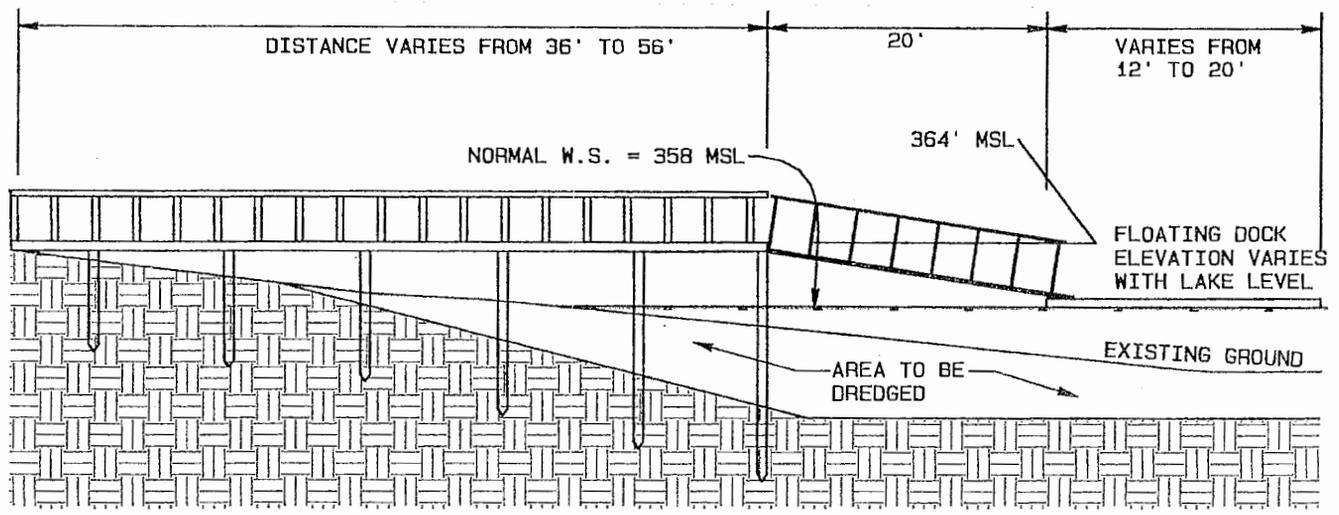
SECTION "X"



BOAT RAMP PROFILE



BOAT RAMP SECTION



DOCKING PROFILE

PROPOSED ACTIVITY: DOCKS, BOAT RAMP, AND DREDGING	
APPLICANT: LAKEPORT, LLC	STATE: S.C.
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TYPICAL CROSS SECTIONS/PROFILES

P/N 2004-1W-337-W



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