

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1519 Taylor Street
Columbia, SC 29201
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: SAC-2023-01298

18 April 2024

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. 1344), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Applicant:
Mr. Michael Leviner
2140 US-521
Sumter, South Carolina 29153

for an Individual Permit to dredge for access to Randolphs Landing a boating facility and construct a bulkhead and floating docks for on the water boat storage for clients.

Lake Marion

located at Randolphs Landing Way, in Manning, Clarendon County, South Carolina (Latitude: 33.5179°, Longitude: -80.1905°), Jordan Quad.

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 the **Corps** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

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

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is to dredge for access to the facility, to construct a bulkhead to protect the land around the cove from erosion from wake, and install floating docks for on the water boat storage for clients.

Project Description

The proposed work consists of dredging and installing a bulkhead and floating docks on Lake Marion. In detail, the applicant proposes to dredge 76 cubic yards of material from Lake Marion using a bucket loader from applicants' property and the excavated material would be placed behind the bulkhead. The bulkhead will be 1330 linear feet long and would extend 1' from the existing following the shoreline. Twenty-five floating docks that are 20' long x 4' wide would be installed.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by using floating silt fencing to keep any material localized to the site and other best management practices as necessary.

Proposed Compensatory Mitigation

The applicant has stated that due to the limited impacts to aquatic resources, mitigation is not proposed. No wetlands will be impacted with the dredging or bulkhead.

South Carolina Department of Health and Environmental Control

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will

notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

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 District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur:

American Chaffseed (*Schwalbea americana*)
Canby's Dropwort (*Oxypolis canbyi*)
Red-cockaded Woodpecker (*Picoides borealis*)
West Indian Manatee (*Trichechus manatus*)

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on the following species and will not result in the destruction or adverse modification of designated or proposed critical habitat.

American Chaffseed (*Schwalbea americana*)
Canby's Dropwort (*Oxypolis canbyi*)
Red-cockaded Woodpecker (*Picoides borealis*)
West Indian Manatee (*Trichechus manatus*)

This public notice serves as a request to the U.S. Fish and Wildlife Service (USFWS project Code: 2024-0034109 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.

Cultural Resources

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of

any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(1)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Corps' Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. 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 cannot undertake to adjudicate rival claims.

Solicitation of Public Comment

The Corps 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 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. 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.

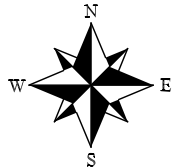
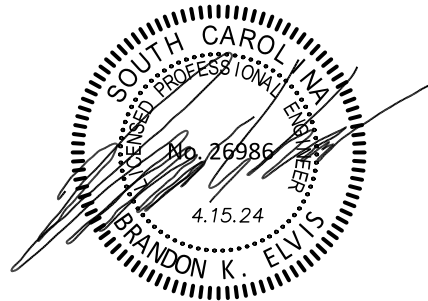
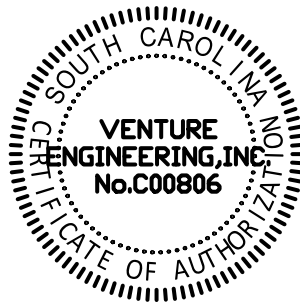
Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2023-01298), to Angela.M.Smith@usace.army.mil or the following address:

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1519 Taylor Street
Columbia, SC 29201**

If there are any questions concerning this public notice, please contact Angela Smith, Project Manager, at 803-995-1746, or by email at Angela.M.Smith@usace.army.mil.

AFFECTED AREAS	
DREDGE	- 490sqft
DOCKS	- 2000sqft
BULKHEAD	- 1330sqft
TOTAL	- 3820sqft OR .087 AC

76CY DREDGE SPOIL USED AS
FILL BEHIND BULKHEAD
WHERE NEEDED



PROPOSED 76CY
DREDGE AREA

FULL POOL
FOLLOWS FACE
OF BULKHEAD

PROPOSED 25 - 20'x4'
FLOATING DOCKS

PROPOSED
1330lf
BULKHEAD

EXISTING BOTTOM
OF BANK

EXISTING TOP
OF BANK

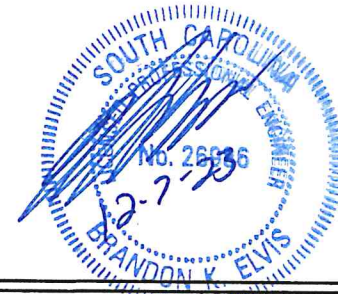
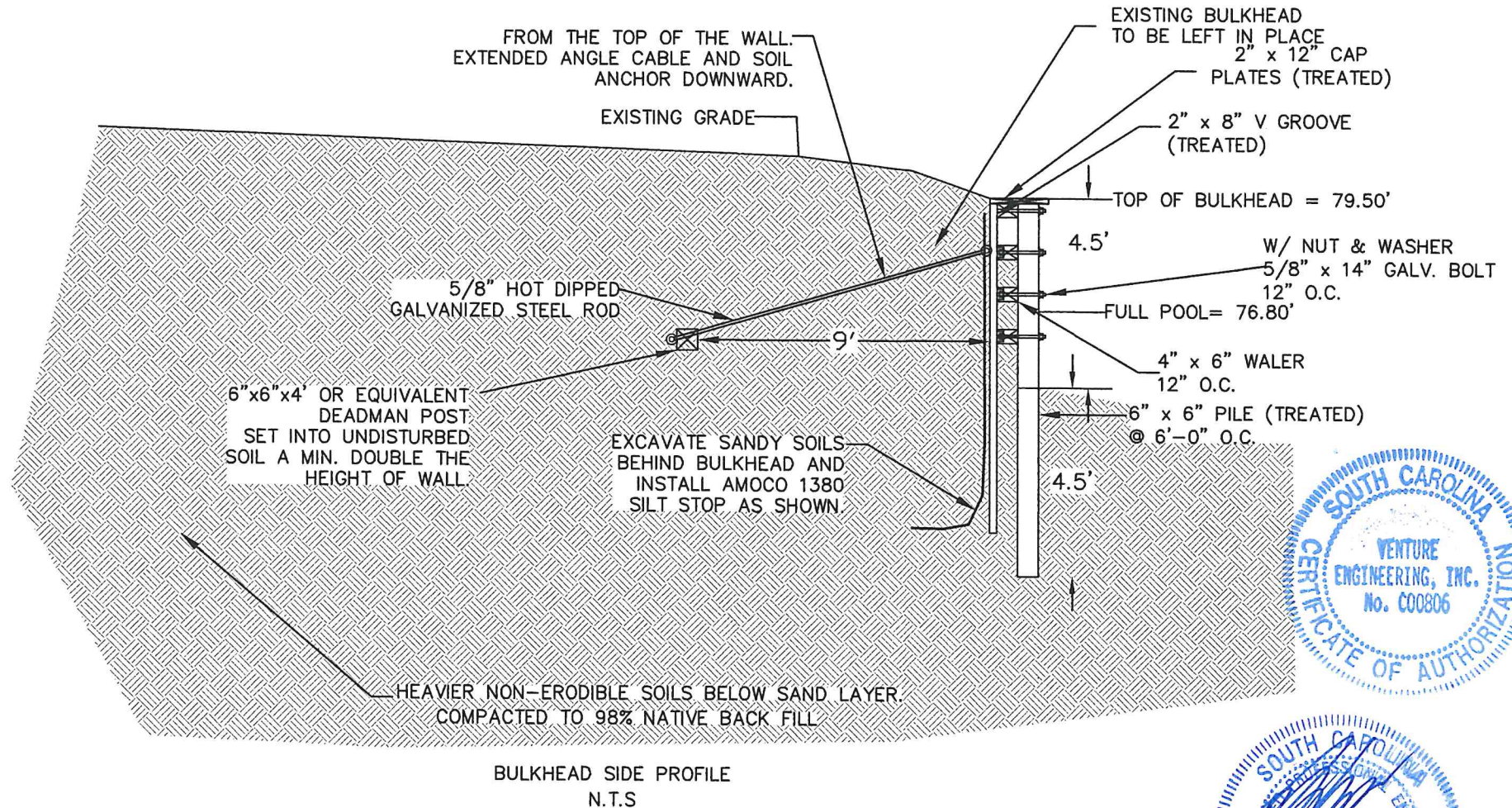
LAKE MARION

PROPOSED DOCK, BULKHEAD AND DREDGE PLAN
 LOCATED IN CLARENDON COUNTY
 PREPARED FOR
 RANDOLFS LANDING AT SANTEE LLC

SHEET No.:	1
DATE:	4-15-24
DRAWN BY:	J.A.M
CHECKED BY:	B.K.E
THESE PLANS ARE AN INSTRUMENT OF SERVICE, ARE THE SOLE PROPERTY OF VENTURE ENGINEERING INC., AND ARE SUBJECT TO COPYRIGHT LAW.	



**VENTURE
ENGINEERING**
 209 HIGHWAY 544
 CONWAY, SC 29526
 843-347-5851



BULKHEAD SIDE PROFILE

LOCATED IN CLARENDON COUNTY

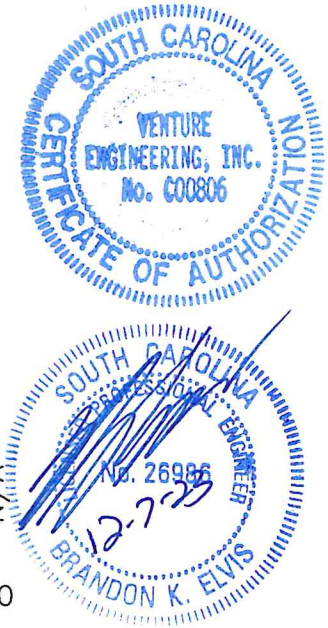
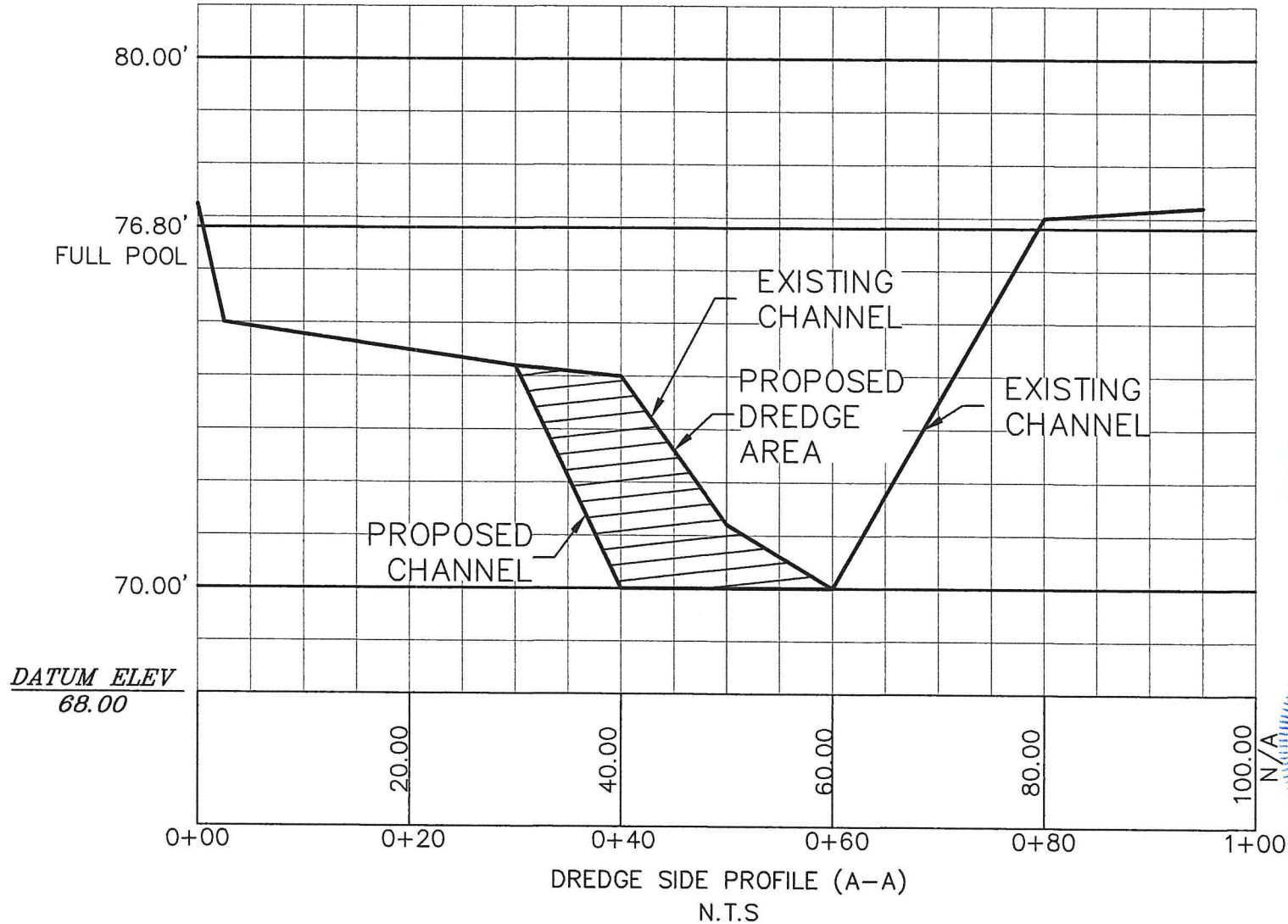
PREPARED FOR

RANDOLFS LANDING AT SANTEE LLC

SHEET No.:	2
DATE:	12-7-23
DRAWN BY:	J.A.M
CHECKED BY:	B.K.E

THESE PLANS ARE AN INSTRUMENT OF SERVICE, ARE THE SOLE PROPERTY
OF VENTURE ENGINEERING INC., AND ARE SUBJECT TO COPYRIGHT LAW.

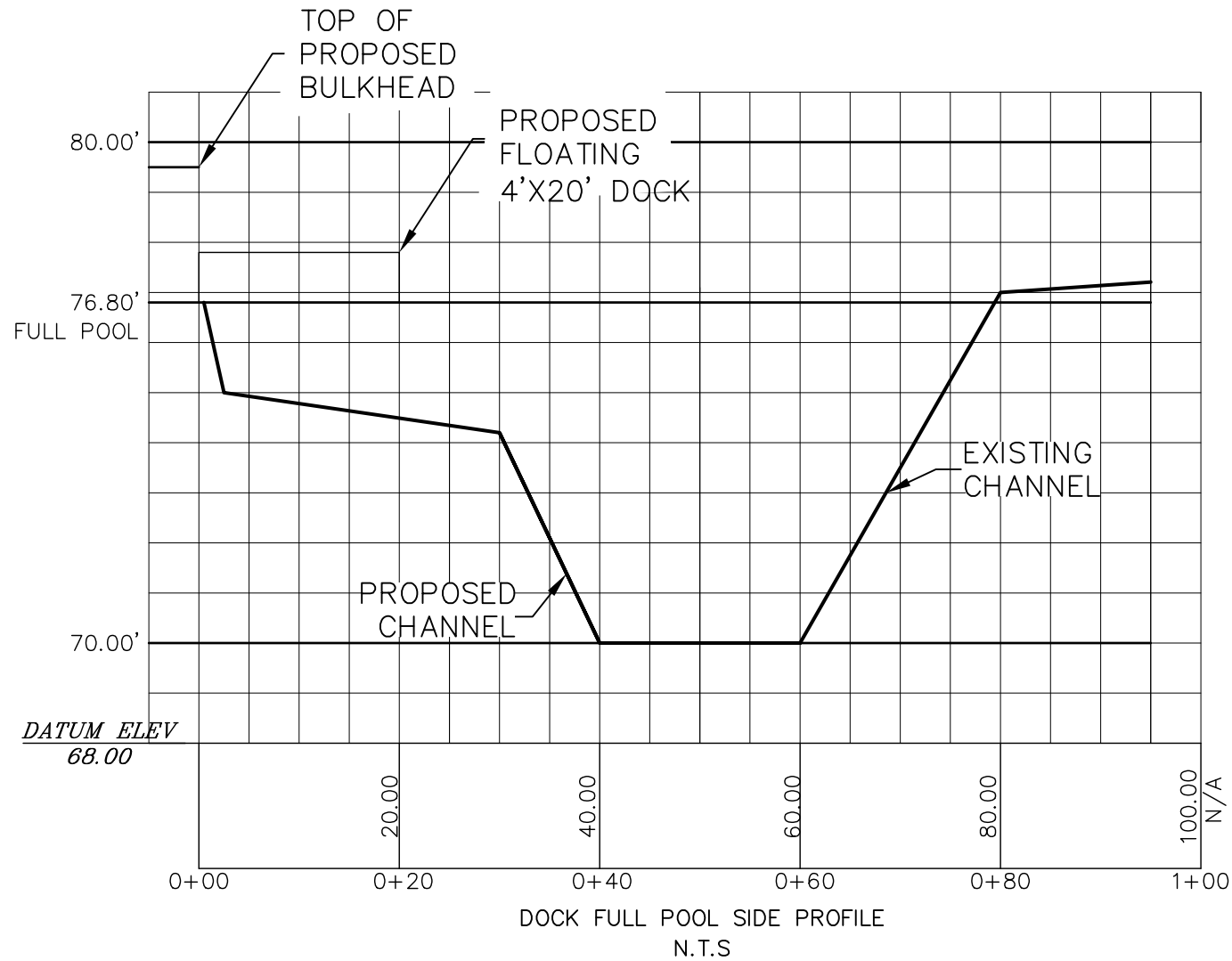




DREDGE SIDE PROFILE
 LOCATED IN CLARENDON COUNTY
 PREPARED FOR
 RANDOLFS LANDING AT SANTEE LLC

SHEET No.:	3
DATE:	12-7-23
DRAWN BY:	J.A.M
CHECKED BY:	B.K.E
THESE PLANS ARE AN INSTRUMENT OF SERVICE, ARE THE SOLE PROPERTY OF VENTURE ENGINEERING INC., AND ARE SUBJECT TO COPYRIGHT LAW.	



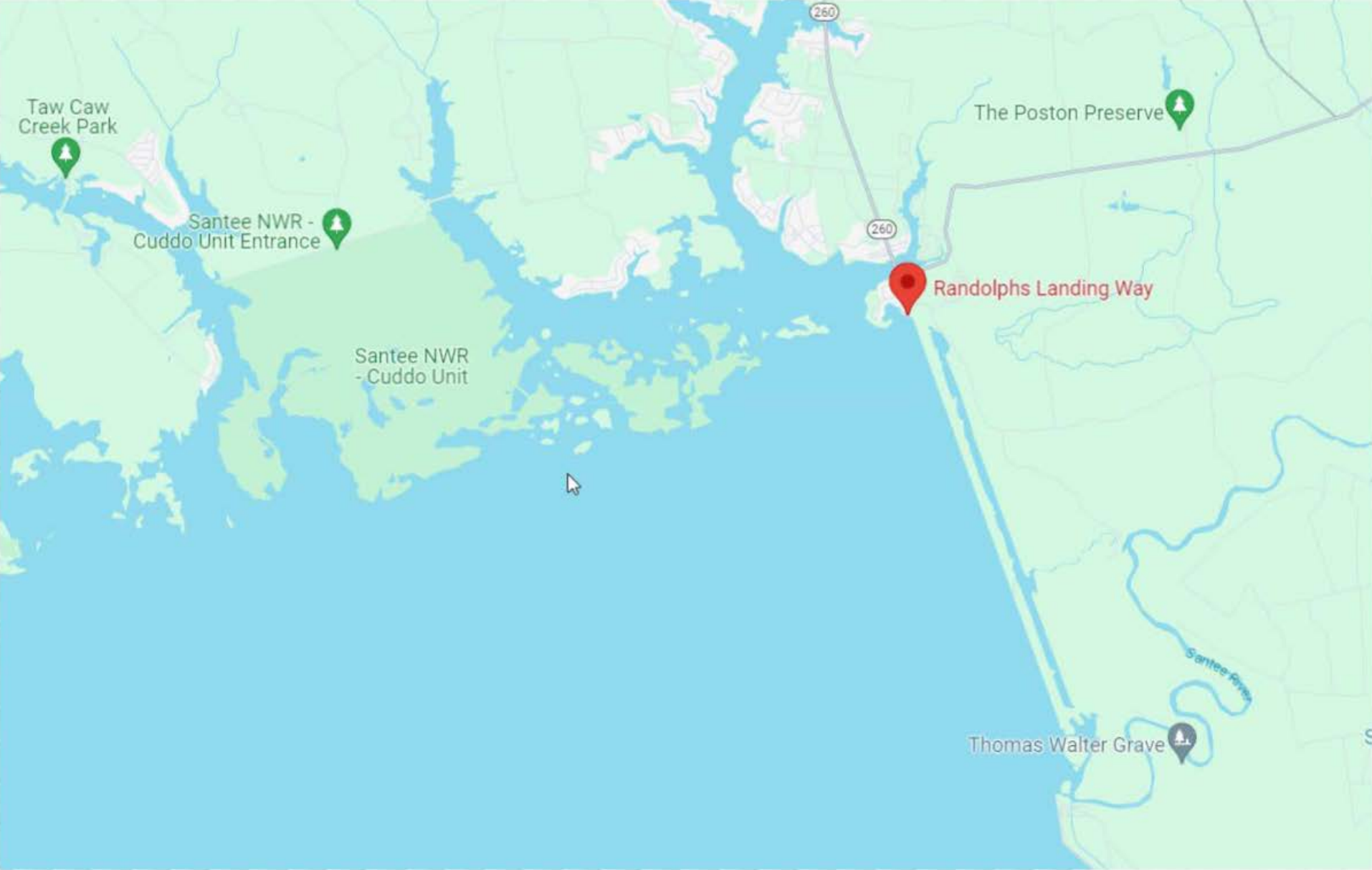


DREDGE SIDE PROFILE
 LOCATED IN CLARENDON COUNTY
 PREPARED FOR
 RANDOLFS LANDING AT SANTEE LLC

SHEET No.:	3
DATE:	12-7-23
DRAWN BY:	J.A.M
CHECKED BY:	B.K.E
THESE PLANS ARE AN INSTRUMENT OF SERVICE, ARE THE SOLE PROPERTY OF VENTURE ENGINEERING INC., AND ARE SUBJECT TO COPYRIGHT LAW.	



**VENTURE
ENGINEERING**
 209 HIGHWAY 544
 CONWAY, SC 29526
 843-347-5851



Taw Caw
Creek Park

Santee NWR -
Cuddo Unit Entrance

Santee NWR
- Cuddo Unit

Randolphs Landing Way

The Poston Preserve

Thomas Walter Grave

Santee River