

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**750 Executive Center Drive, Suite 103**  
**Greenville, South Carolina 29615**  
**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-2022-01762

December 13, 2023

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 South Carolina Department of Health and Environmental Control by

**Mr. John McCall**  
**308 Turk Road**  
**Townville, South Carolina 29689**

for a permit to remove accumulated silt from a cove in

**Lake Hartwell**

located at 308 Turk Road in Townville, Anderson County, South Carolina (Latitude: 34.553 °, Longitude: -82.838 °), La France 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 improve navigability in the cove.

### **Project Description**

The proposed work consists of the excavation of accumulated sediment from a cove. In detail, the work consists of the removal of 1,333 cubic yards of material from a project area of 80 feet by 300 feet with an average depth of silt material of 1.5 feet. The work will be performed by a track hoe in the dry and transported to an off-site disposal area. There will be no excavation below the hard pan/original lake bottom.

### **Avoidance and Minimization**

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by performing the work in the dry.

### **Proposed Compensatory Mitigation**

The applicant has not proposed to mitigate for impacts to wetlands and/or waters of the United States because they are only excavating to the hard pan and impacts are minimal and temporary.

### **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).

### **Essential Fish Habitat**

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 freshwater habitat inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's 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). The District

Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

### **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: Eastern Black Rail (*Laterallus jamaicensis ssp.jamaicensis*) and Smooth Coneflower (*Echinacea laevigata*).

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 Eastern Black Rail (*Laterallus jamaicensis ssp.jamaicensis*) and Smooth Coneflower (*Echinacea laevigata*) 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 (USFWS project code: 2024-0023876) 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).

### **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-2022-01762), to [Kristin.B.Andrade@usace.army.mil](mailto:Kristin.B.Andrade@usace.army.mil) or the following address:**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
750 Executive Center Drive, Suite 103  
Greenville, South Carolina 29615**

If there are any questions concerning this public notice, please contact Kristin B. Andrade, Team Leader, at (864) 992-0713, or by email at [Kristin.B.Andrade@usace.army.mil](mailto:Kristin.B.Andrade@usace.army.mil).

Dump Site

308 Tuck Rd  
Job site



Search Maps

47°  
AOI 34

12:30

306 Turk Rd

Near Cedar Grove Rd

Dump Site

3D

Chris Sullivan dock

End of site

dock # ~~11048~~  
Frank Terlizzi

dock # 11048

Jill Mullinax Dock

dock # 2267

dock # 12447

dock # 516

• 3 FT

• 3 FT

• 4 FT

• 1 FT

• 2 1/2 FT

• 3 FT

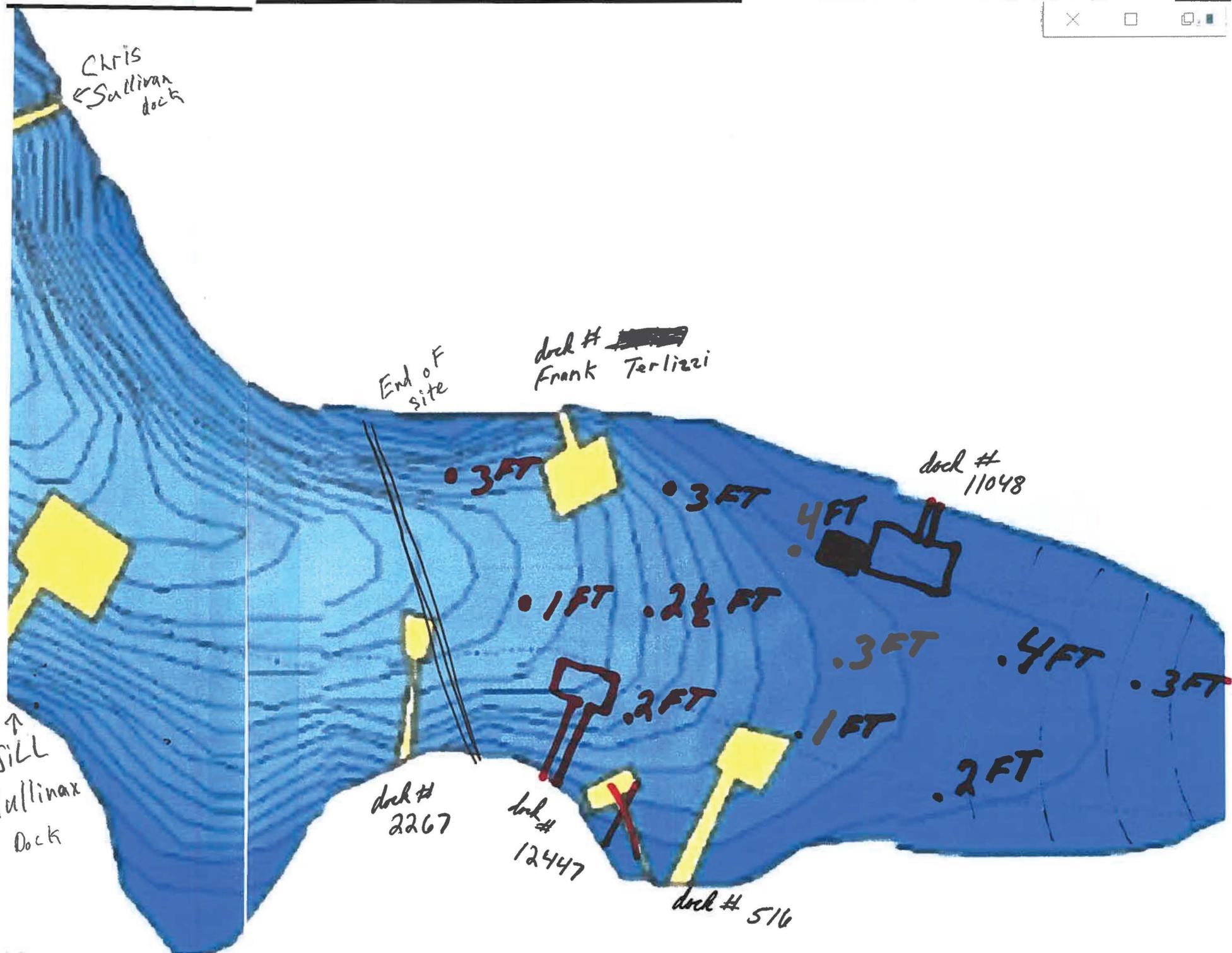
• 4 FT

• 3 FT

• 2 FT

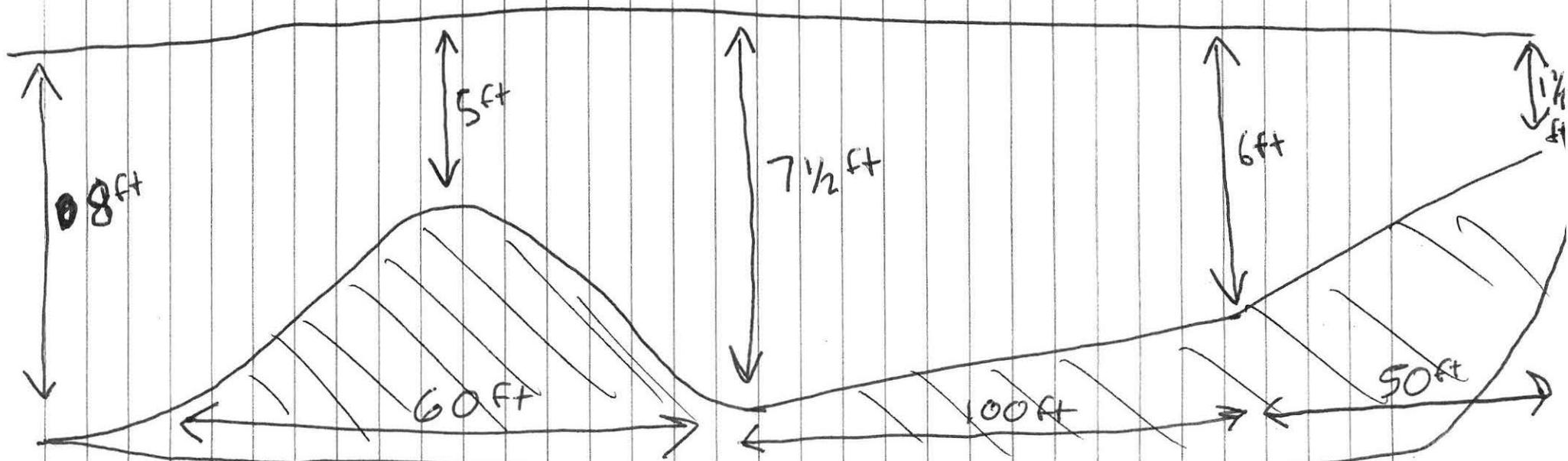
• 1 FT

• 2 FT





full pond 660 ft MSL



current elevation ~~new low~~ 652.69 ft MSL  
11/26/23





Hwy 24

I85

dump site

Hwy 24