

PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 29403-5107**

REGULATORY DIVISION

Refer to: General Permit No.: SAC-2018-01401 thru SAC-2018-01410

February 22, 2019

A General Permit to authorize the discharge of dredged or fill material into waters of the United States pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344) and/or place structures or perform work in or affecting navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), has been issued by the

**District Engineer
U.S. Army Engineer District, Charleston
Corps of Engineers
69-A Hagood Avenue
Charleston, South Carolina 29403-5107**

to the South Carolina Public Service Authority (Santee Cooper) and/or Lake Front Property Owners and Lessees authorizing the construction, repair and maintenance of private, non-commercial and limited commercial piers, docks, boat lifts, moorings, boat houses, boat ramps, marine railways for dry storage, retaining walls, bulkheads, riprap and groins for erosion control, minor maintenance, minor discharges, and removal of vessels within the boundaries of Lake Marion and Lake Moultrie in Berkeley, Clarendon, Orangeburg, Sumter and Calhoun Counties, South Carolina.

Note: A copy of the final General Permit is attached to this Public Notice and contains the general and special conditions of the authorization.

General Permit No. SAC-2018-01401 through SAC-2018-01410

Name of Applicant: The South Carolina Public Service Authority (Santee Cooper) and/ or Lake Front Property Owners and Lessees

Effective Date: February 15, 2019

Expiration Date: February 15, 2024

DEPARTMENT OF THE ARMY
GENERAL PERMIT

A general permit for work or structures in or affecting navigable waters of the United States pursuant to Section 10 of the Rivers and Harbors Act of March 3, 1899 (33 U.S.C. 403) and discharges of dredged or fill material in waters of the United States pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344), upon recommendation of the Chief of Engineers, is hereby issued by authority of the Secretary of the Army by the

District Engineer
U.S. Army Corps of Engineers, Charleston District
69-A Hagood Avenue Charleston, South Carolina 29403

to authorize the construction, repair and maintenance of private, non-commercial and limited commercial piers, docks, boat lifts, moorings, boat houses, boat ramps, marine railways for dry storage, retaining walls, bulkheads, riprap and groins for erosion control, minor maintenance, minor discharges, and removal of vessels within the boundaries of

LAKE MARION AND LAKE MOULTRIE
in Berkeley, Clarendon, Orangeburg, Sumter and Calhoun Counties,
South Carolina

NOTE: THIS GENERAL PERMIT (GP) DOES NOT AUTHORIZE ACTIVITIES OR WORK LOCATED ALONG THE ADJACENT BANKS OR IN THE WATERS OF THE INTAKE CANAL OF LAKE MARION EXTENDING TO THE ST. STEPHEN POWERHOUSE, A FEDERAL PROJECT.

The term "permittee," as used in this GP, means the Santee Cooper and/or lake front property owners and lessees.

I. AUTHORIZED ACTIVITIES AND SPECIAL CONDITIONS:

1. **Residential Piers and Docks (SAC-2018-01401)**

- a) Piers and docks shall not exceed six (6) feet in width, and the size and extension of a dock or pier must be limited to that which is reasonable for its intended use. As detailed in Paragraph I.1.b., in some locations such as narrow coved, the maximum size may not be permitted or docks may not be permitted at all. (**NOTE:** Berkeley County, which lies in a coastal zone, limits the walkway width of piers to four (4) feet.)

- b) If located on a cove, the combination of a dock and vessel may not block more than one third of the cove. The cove is defined as the area measured across normal pool elevation to normal pool elevation.
- c) Piers and docks may have a "T" or "L" shaped terminal having dimensions not greater than 16 feet in length by 24 feet in width.
- d) Hand railings are permissible provided that the sides of the docks are not enclosed so as to obscure cross-vision and they do not exceed three feet (3) in height. Pickets must be on 6" center to center.
- e) Piers, docks, floats and moorings located along the shoreline shall be limited to one (1) per waterfront lot.
- f) Sinks, toilets, showers, etc., or any type of equipment or construction that will create or cause any liquid or solid waste to be discharged into the waters of the lakes are not authorized under this General Permit.
- g) All fixed docks must be built at an elevation where the decking is a minimum of two (2) feet above the maximum high water line of the lake.
- h) Flotation devices for floating docks shall be of materials manufactured for marine use. Materials must not lose significant buoyancy if punctured, must not generally be subject to damage by animals, and must resist breaking apart under a broad range of wave energies. The uncoated, beaded polystyrene will not be permitted for any new construction or as replacement for existing facilities. Reuse of plastic, metal, or other previously used drums or containers for encasement or flotation purposes are not authorized under this General Permit. Existing approved flotation is authorized until it has severely deteriorated and is no longer serviceable, at which time it must be replaced with approved flotation.
- i) Houseboats used for any type of habitation may not be permanently moored at private docks. Permanent mooring of houseboats must be at marinas with appropriate waste pumping and treatment facilities.
- j) Roofs over terminals can be gabled or hip. No flat roofs are allowed. Roofs must be constructed with modern type of residential covering. Gable roofs cannot exceed thirteen (13) feet in height from the top of the pitch to the decking of the pier, or fifteen (15) from the top of the pitch to the water surface.
- k) No part of the pier or terminal can be enclosed with lattice or other materials which obstruct cross views for safe navigation.
- l) All piers/terminals must have reflectors on all outer edges and no less than every 20' apart down the length.

2. Moorings (SAC-2018-01402)

- a) Mooring structures, such as dolphins, pilings, or buoys, shall not be located beyond the distance prescribed in Paragraph I.1.a., and shall also not be located greater than 20' laterally from the side of the associated pier or dock when associated with the pier or dock. The number of such structures shall not exceed two per property.
- b) Vessels secured to mooring structures must be moored in a manner which will not create any hazards to navigation.

3. Boat lifts (SAC-2018-01403)

- a) Boat lift dimensions will not exceed sixteen (16) feet in width by thirty (30) feet in length.
- b) Sinks, toilets, showers, etc., or any type of equipment or construction which will create or cause any liquid or solid waste to be discharged into the waters of the lakes are not authorized under this General Permit.
- c) Roofs may be gabled or hip. Flat roofs are not authorized under this General Permit. Gable or hip roofs are not to exceed thirteen (13) feet in height from the top of pitch to the decking of the pier or fifteen (15) feet in height from top of pitch to the water surface. Roof overhang cannot exceed the footprint of 16' x 30'.
- d) Boat lifts must be single story structures.
- e) Uncovered boat lifts are authorized for all areas of Lake Marion and Lake Moultrie provided that when fully raised, the bottom of the boat may not exceed the height of the decking of the pier or dock. The total height of any portion of the lift will not exceed ten (10) feet above the maximum high water line of the lake.
- f) The number of uncovered boat lifts per waterfront lot is limited to two lifts. The boat lifts cannot be individually covered.
- g) Uncovered boat lifts may be floating or fixed. Flotation devices for floating boat lifts shall be of materials manufactured for marine use. Materials must not lose significant buoyancy if punctured, must not generally be subject to damage by animals, and must resist breaking apart under a broad range of wave energies. The uncoated, beaded polystyrene will not be permitted for any new construction or as replacement for existing facilities. Reuse of plastic, metal, or other previously used drums or containers for encasement or flotation purposes are not authorized under this General Permit. Existing approved flotation is authorized until it has severely deteriorated and is no longer serviceable, at which time it must be replaced with approved flotation.
- h) Each boat lift shall have reflectors at all four (4) corners.
- i) Covered boat lifts shall NOT be fully enclosed. Sides of boat lifts are allowed to come down no more than four (4) feet from the top eave of the boat lift roof.

j) Uncovered lifts for personal watercraft such as jet skis are authorized by this General Permit, provided that such lifts meet conditions a. through i. above.

k) This General permit does not authorize more than two (2) personal watercraft lifts.

4. Boat Ramps (SAC-2018-01404)

a) Boat ramps will be constructed of reinforced concrete with a minimum thickness of four (4) inches. Use of asphalt compounds or petroleum products are not authorized under this General Permit. Boat ramps may be up to sixteen (16) feet wide and the minimum length required to be functional.

b) Vegetated wetlands must be avoided to the maximum extent practicable. Boat ramps that affect more than 500 square feet of vegetated wetlands are not authorized under this General Permit.

5. Marine Railways (SAC-2018-01405)

a) Marine railways extending from onshore boat houses must not interfere with navigation.

6. Erosion Control – Retaining Walls/Bulkheads, and Groins (SAC-2018-01406)

Bank stabilization activities necessary for erosion prevention are authorized, provided the structure and/or work meets all of the following conditions:

a) That the structure is constructed of treated wood, concrete, and vinyl sheeting. Deviations from these materials require prior written approval by the District Engineer or an authorized designee.

b) No material is placed in excess of the minimum needed for erosion protection.

c) The erosion control structure is no more than 500 feet in length along the bank.

d) The erosion control structure does not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark, unless this restriction is waived in writing by the District Engineer or an authorized designee.

e) The activity and/or structure does not involve discharges of dredged or fill material into special aquatic sites, unless this restriction is waived in writing by the District Engineer or an authorized designee.

f) No material is of the type, or is placed in any location, or in any manner, that would impair surface water flow into or out of any navigable waters of the United States.

- g) No material is placed in a manner that will be eroded by normal or expected high flows.
- h) Retaining walls/bulkheads and riprap must be placed against the existing erosional scarp, and landward of any wetland vegetation to prevent the loss of wetlands. The recapturing of land by earthen fill is not authorized under this General Permit.
- i) Only clean earthen fill free of all potential sources of pollution may be used as backfill material. The backfilled area must be stabilized with vegetative cover after construction to minimize erosion.
- j) Groin walls must be a minimum of two (2) feet above the maximum high water mark of the lake and must not be excessive in length.

7. Riprap or Bio-engineering (SAC-2018-01407)

- a) Riprap must consist of clean stone or masonry material free of all potential sources of pollution. Deviations from these materials must receive prior written approval by the District Engineer or an authorized designee.
- b) Material is limited to the minimum needed for erosion protection.
- c) The activity and/or structure is no more than 500 feet in length along the bank.
- d) The structure does not exceed an average of one cubic yard per running foot placed along the bank below the plane of the ordinary high water mark, unless this restriction is waived in writing by the District Engineer or an authorized designee.
- e) The activity does not involve discharges of dredged or fill material into special aquatic sites, unless this restriction is waived in writing by the District Engineer or an authorized designee.
- f) No material is of the type, or is placed in any location, or in any manner, to impair surface water flow into or out of any waters of the United States.
- g) No material is placed in a manner that will be eroded by normal or expected high flows.
- h) Retaining walls/bulkheads and riprap must be placed against the existing erosional scarp, and landward of any wetland vegetation to prevent the loss of wetlands. The recapturing of land by earthen fill is not authorized under this General Permit.
- i) Only clean earthen fill free of all potential sources of pollution may be used as backfill material. The backfilled area must be stabilized with vegetative cover after construction to minimize erosion.

8. Minor Maintenance Dredging (SAC-2018-01408)

- a) This authorizes the removal of accumulated sediments and debris in the vicinity of and within existing structures (e.g. bridges, culverts, road crossing, water intake structures etc.) and the placement of new or additional riprap to protect the structure. The removal of sediment is limited to the minimum necessary to restore the waterway in the immediate vicinity of the structure to the approximate dimensions that existed when the structure was built, but cannot extend further than 200 feet in any direction from the structure. This 200 foot limit will also apply to maintenance dredging to remove accumulated sediments from canals associated with outfall and intake structures. All dredged or excavated materials must be deposited and retained in upland areas unless otherwise specifically approved by the District Engineer or an authorized designee under separate authorization. The placement of riprap must be the minimum necessary to protect the structure or to ensure the safety of the structure. Any bank stabilization measures not directly associated with the structure are not authorized under this General Permit.
- b) This also authorizes temporary structures, fills, and work necessary to conduct the maintenance activity. Appropriate measures must be taken to maintain normal downstream flows and minimize flooding to the maximum extent practicable, when temporary structures, work, and discharges, including cofferdams, are necessary for construction activities, access fills, or dewatering of construction sites. Temporary fills must consist of materials, and be placed in a manner, that will not be eroded by expected high flows. Temporary fills must be removed in their entirety and the affected areas returned to pre-construction elevations. The areas affected by temporary fills must be re-vegetated, as appropriate.
- c) **The permittee must submit a notification of commencement of work to the Corps.** Where maintenance dredging is proposed, the notification of commencement of work must include information regarding the original design capacities and configurations of the outfalls, intakes, small impoundments, and canals.
- d) This authorizes the repair, rehabilitation or replacement of any previously authorized structure or fill that does not qualify for the Clean Water Act Section 404(f) exemption for maintenance.
- e) All temporary structures and fills must be removed within 120 days and the area restored to pre-project conditions.

9. Minor Discharges (SAC-2018-01409)

- a) This authorizes minor discharges of dredged or fill material into waters of the United States within Lake Marion or Lake Moultrie, provided the quantity of discharged material and the volume of area excavated does not exceed 25 cubic yards below the plane of the ordinary high water mark.
- b) The discharge will not cause the loss of more than 1/10-acre of waters of the United States within Lake Marion or Lake Moultrie.

10. Removal of Vessels (SAC-2018-01410)

- a) Temporary structures or minor discharges of dredged or fill material required for the removal of wrecked, abandoned, or disabled vessels, or the removal of man-made obstructions to navigation are authorized, provided the temporary structures or minor discharges are removed within 120 days and the area is restored to pre-project conditions.

II. GENERAL CONDITIONS:

- a) All activities identified and authorized herein shall be consistent with the terms and conditions of this General Permit; and that any variance or activity not specifically identified and authorized herein shall constitute a violation of the terms and conditions of this General Permit, which may result in the modification, suspension, or revocation of this General Permit, as set forth more specifically in the Paragraph IV below and in the institution of such legal proceedings as the United States may consider appropriate.
- b) That the permittee agrees to make every reasonable effort to perform the work authorized herein in a manner so as to minimize any adverse impact of the work and/or structure on fish, wildlife and environmental resources.
- c) That the permittee must perform the work authorized herein in a manner so as to minimize any degradation of water quality.
- d) That the permittee shall allow the District Engineer or his authorized representative to make periodic inspections at any time deemed necessary in order to assure that the activity being performed under authority of this General Permit is in accordance with the terms and conditions prescribed herein.
- e) That the permittee shall maintain the work and/or structures authorized herein in good condition. If and when a permittee desires to abandon an authorized structure, unless such abandonment is part of a transfer procedure by which the individual is transferring ownership of the structure, the permittee may be required to remove the structure.
- f) That this General Permit does not convey any property rights, either in real estate or material, or any exclusive privileges; and it does not authorize any injury to property or invasion of rights or any infringement of Federal, State or Local Laws or regulations or Federal Energy Regulatory Commission regulations, nor does it obviate the requirement to obtain other Federal, State, local, or South Carolina Public Service Authority (SCPSA or Santee Cooper) assent or to comply with any applicable standards required by ordinance for the construction of structures authorized herein. Other Federal, State, or local agencies may impose more stringent requirements than those stated herein as they see fit.

- g) That the work and/or structures authorized by this General Permit shall be designed, located, and/or operated to allow the full and free use by the public of all navigable waters adjacent to the work and/or structures authorized by this General Permit.
- h) Authorization of a specific work or structure authorized herein may be summarily suspended in whole or in part upon a finding by the District Engineer that immediate suspension would be in the general public interest or there has been a violation of any terms or conditions of this permit. Such suspension shall be effective upon receipt by the permittee of a written notice thereof which shall indicate (1) the extent of the suspension, (2) the reasons for this action, and (3) any corrective or preventative measures to be taken by a permittee which are deemed necessary by the District Engineer to abate imminent hazards to the general public interest. A permittee shall take immediate action to comply with the provisions of this notice. Within ten (10) days following the receipt of this notice of suspension, the permittee may request a meeting with the District Engineer or a public hearing to present information relevant to a decision whether their permit should be reinstated, modified, or revoked. If a public hearing is requested it shall be conducted pursuant to procedures prescribed by the Chief of Engineers. After completion of the public hearing or within a reasonable time after issuance of the suspension notice to the permittee if no hearing is requested, the authorization of the specific work or structure will be reinstated, modified, or revoked. Any modification, suspension, or revocation of authorization under this General Permit shall not be the basis for any claim for damages against the United States.
- i) This General Permit (GP) does not authorize activities or work located along the adjacent banks or in the waters of the intake canal of Lake Marion extending to the St. Stephen Powerhouse, a Federal Project.
- j) That if the display of lights and signals on any structure authorized herein is not otherwise provided for by law, such lights and signals as may be prescribed by the United States Coast Guard shall be installed and maintained by and at the expense of the permittee.
- k) That once the project is initiated, it must be carried to completion in an expeditious manner in order to minimize the period of disturbance to the environment.
- l) That the permittee recognizes the possibility that works or structures authorized herein may be subject to damage by wave wash from passing vessels and wind-driven waves. The issuance of this General Permit does not relieve permittee from taking all proper steps to ensure the integrity of the structures authorized herein and the safety of boats moored thereto from damage by wave wash and the permittee shall not hold the United States liable for any such damage.
- m) That upon receipt of a notice from the District Engineer of a failure to comply with the terms, conditions or standards of this General Permit, the permittee shall, within sixty (60) days (unless circumstances require more expeditious actions to protect health, safety, or

environment) without expense to the United States and in such manner as directed by the District Engineer or an authorized representative, effect compliance with terms, conditions, and standards or remove the previously authorized structure.

- n) With the exception of West Indian manatees (*Trichechus manatus*) and the American wood stork (*Mycteria americana*) which are addressed below in Special Conditions o. and p., any activity that may affect any federally listed threatened or endangered species, a species proposed for listing, or designated critical habitat is NOT authorized by this General Permit. Any proposed activity that may affect listed species or designated critical habitat, will require prior written approval by the District Engineer or an authorized designee and consultation with the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service.
- o) That in order to ensure protection of any threatened or endangered species, and designated critical habitat that may be present in the project area during construction activities, the permittee will comply with the following:
1. The permittee shall instruct all personnel associated with the project of the potential presence of and the need to avoid collisions with protected species, which may include but is not limited to West Indian manatees, Atlantic sturgeon, and shortnose sturgeon.
 2. The permittee shall advise all construction personnel that there are civil and criminal penalties for harming, harassing, or killing protected species which are protected under the Marine Mammal Protection Act of 1972 and/or the Endangered Species Act of 1973.
 3. Any siltation barriers used during the project shall be made of material in which protected species cannot become entangled and must be properly secured, and regularly monitored to avoid protected species entrapment.
 4. All vessels associated with the project shall operate at "no wake/idle" speeds at all times while in the construction area and while in water where the draft of the vessel provides less than a four-foot clearance from the bottom. All vessels will follow routes of deep water whenever possible.
 5. If protected species are seen within 100 yards of the active construction area all appropriate precautions shall be implemented to ensure protection of the protected species. These precautions shall include the operation of all moving equipment no closer than 50 feet to a protected species. Operation of any equipment closer than 50 feet to a protected species shall necessitate immediate shutdown of that equipment. Activities will not resume until the protected species has departed the project area of its own volition.
 6. Incidents where any individuals of West Indian manatees, Atlantic sturgeon, shortnose sturgeon listed by NOAA Fisheries under the Endangered Species Act appear to be injured or killed as a result of discharges of dredged or fill material into

waters of the United States or structures or work in navigable waters of the United States authorized by this DA permit shall be reported to NOAA Fisheries, Office of Protected Species at (727) 824-5312, the SCDNR Hotline at 1-800-922-5431, and the Regulatory Office of the Charleston District of the U.S. Army Corps of Engineers at (843) 329-8044. The finder should leave the animal alone, make note of any circumstances likely causing the death or injury, note the location and number of individuals involved and, if possible, take photographs. Adult animals should not be disturbed unless circumstances arise where they are obviously injured or killed by discharge exposure, or some unnatural cause. The finder may be asked to carry out instructions provided by NOAA Fisheries, Office of Protected Resources, to collect specimens or take other measures to ensure that evidence intrinsic to the specimen is preserved.

7. The permittee understands and agrees that pilings will be installed using a water jet or vibratory hammer. In the event standard pile driving (impact hammer) is utilized, the permittee understands and agrees that a soft-strike procedure (three strikes at 40%-60% energy level once a minute for 3 minutes) must be conducted prior to beginning pile driving activities and after any pile driving interruptions of more than 30 minutes.
 8. That the permittee understands and agrees that pile driving activities must be limited to 12 hours per day with a 12-hour rest period between pile driving activities.
- p) That in order to ensure protection and reduce potential construction-related impacts to West Indian manatees that may enter the project area during construction activities performed outside the winter months (November thru April), to discountable and insignificant levels, the permittee will comply with the following:
1. All construction personnel must monitor water-related activities for the presence of manatee(s) during May – October.
 2. Any collision with and/or injury to a manatee shall be reported immediately to Mr. Jim Valade of the U.S. Fish and Wildlife Service, North Florida Field Office, at (904) 731-3116, and the SCDNR Hotline at 1-800-922-5431.
- q) Historic Properties.
1. Any activity that may affect any historic properties listed, or which may be eligible for listing on the National Register of Historic Places is NOT authorized by this General Permit. Any proposed activity that would, or has the potential to, affect any sites that are listed, or are eligible for inclusion, in the National Register of Historic Places, will require consultation with the State Historic Preservation Officer or Tribal Historic Preservation Officer.
 2. Federal permittees should follow their own procedures for complying with the requirements of Section 106 of the National Historic Preservation Act. Federal

permittees must provide the District Engineer with the appropriate documentation to demonstrate compliance with those requirements. The District Engineer will review the documentation and determine whether it is sufficient to address section 106 compliance for the proposed activity, or whether additional section 106 consultation is necessary.

3. Non-federal permittees must submit a Pre-Construction Notice (PCN) to the District Engineer if the authorized activity may have the potential to cause effects to any historic properties listed on, determined to be eligible for listing on, or potentially eligible for listing on the National Register of Historic Places, including previously unidentified properties. For such activities, the PCN must state which historic properties may be affected by the proposed work or include a vicinity map indicating the location of the historic properties or the potential for the presence of historic properties. Assistance regarding information on the location of or potential for the presence of historic resources can be sought from the State Historic Preservation Officer or Tribal Historic Preservation Officer, as appropriate, and the National Register of Historic Places. Based on the information submitted and these efforts, the District Engineer shall determine whether the proposed activity has the potential to cause an effect on the historic properties. Where the non-Federal applicant has identified historic properties on which the activity may have the potential to cause effects and so notified the Corps, the non-Federal applicant shall not begin the activity until notified by the District Engineer either that the activity has no potential to cause effects or that consultation under Section 106 of the NHPA has been completed.
4. The District Engineer will notify the prospective permittee within 60 days of receipt of a complete PCN whether NHPA Section 106 consultation is required. Section 106 consultation is not required when the Corps determines that the activity does not have the potential to cause effects on historic properties. If NHPA section 106 consultation is required and will occur, the District Engineer will notify the non-Federal applicant that he or she cannot begin work until Section 106 consultation is completed. If the non-Federal applicant has not heard back from the Corps within 60 days, the applicant must still wait for notification from the Corps.
5. Prospective permittees of this General Permit should be aware that section 110k of the NHPA (16 U.S.C. 470h-2(k)) prevents the Corps from granting a permit or other assistance to an applicant who, with intent to avoid the requirements of Section 106 of the NHPA, has intentionally significantly adversely affected a historic property to which the permit would relate, or having legal power to prevent it, allowed such significant adverse effect to occur, unless the Corps, after consultation with the Advisory Council on Historic Preservation (ACHP), determines that circumstances justify granting such assistance despite the adverse effect created or permitted by the applicant. If circumstances justify granting the assistance, the Corps is required to notify the ACHP and provide documentation specifying the circumstances, the degree of damage to the integrity of any historic properties affected, and proposed mitigation. This documentation must include any views obtained from the applicant, SHPO/THPO,

appropriate Indian tribes if the undertaking occurs on or affects historic properties on tribal lands or affects properties of interest to those tribes, and other parties known to have a legitimate interest in the impacts to the permitted activity on historic properties.

- r) That if the permittee, prior to or during the performance of the work authorized herein, encounters previously unidentified archeological remains or cultural resources within the area subject to Department of the Army authorization, the permittee agrees to cease work and contact the District Engineer immediately, so that coordination with the South Carolina Institute of Archaeology and Anthropology, the South Carolina Department of Archives and History, and the Tribal Historic Preservation Office may be conducted.
- s) That the permittee must notify the South Carolina Institute of Archaeology and Anthropology in accordance with the South Carolina Underwater Antiquities Act of 1991 (Article 5, Chapter 7, Title 54 Code of Laws of South Carolina, 1976) in the event archaeological or paleontological remains are found during the course of the work. Archaeological remains consist of any materials made or altered by man which remains from the past historic or prehistoric times (i.e. older than 50 years). Examples include old pottery fragments, metal, wood, arrowheads, stone implements or tools human, burials, historic docks, structures or non-recent (i.e. older than 100 years) vessel ruins. Paleontological remains consist of old animal remains, original or fossilized, such as teeth, tusk, bone or entire skeletons.
- t) That the permittee must implement best management practices during and after all construction to minimize erosion and migration of sediments off site. These practices may include use of devices capable of preventing erosion and migration of sediments in waters of the United States, including wetlands. These devices must be maintained in a functioning capacity until the area is permanently stabilized upon project completion.
- u) A variance in the dimensions or locations of the activities authorized herein may be granted in instances where conformity with existing structures would be practical and in cases where exemptions would be desirable due to curvature and/or slope of the shoreline. This variance will be considered authorized upon approval by the District Engineer or an authorized designee. However, the District Engineer reserves the right to deny such variances if effects on navigation and the aesthetic values of the surrounding area are determined to be contrary to the public interest.
- v) That this General Permit relates only to activities authorized herein and does not convey the right to place any cover, closed structure, or structures for any non-water-related use on or adjacent to the pier, dock, boat lifts, moorings, boat houses, boat ramps, marine railways for dry storage, seawalls, retainer walls, and riprap. Deviations from these activities require prior written approval by the District Engineer or an authorized designee.
- w) That the permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structure or work herein authorized, or if, in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps, to remove,

- x) Structures authorized by this General Permit must be located a minimum of ten (10') feet from adjacent property lines and ten (10') feet from the imaginary lakeward extension of said property lines. A variance in the distance of a structure from the adjacent property lines may be granted by the District Engineer in instances where conformity with existing structures would be practical and in cases where exceptions would be desirable due to curvature of the shoreline. Common use structures between adjacent property owners are encouraged. The sideline limitation of ten (10') feet would be inherently waived for proposed common use structures. A copy of the written agreement between property owners may be requested by the District Engineer and must be provided upon request.

III. PROHIBITED ACTIVITIES:

All work that exceeds the terms and conditions specified herein is prohibited unless an Individual or Nationwide Department of the Army Permit has been obtained from the Corps. All work for purposes other than those specified herein is expressly not authorized by this document.

IV. REQUIRED AUTHORIZATIONS:

- a. Prior to performing any of the work authorized herein within the prescribed geographical limits of this General Permit, the permittee must also obtain authorization from Santee Cooper.
- b. Santee Cooper shall furnish the Corps with the attached monthly tabulation and pertinent information on all work or activities authorized under this General Permit, including the location and type of construction. The report is due by the 25th day of the following month.

V. PENALTIES FOR VIOLATIONS:

Authorization obtained under this General Permit limits the size, length and use of any work or structures. Any deviation from the specifications, or other terms or conditions of the General Permit shall constitute a violation of the River and Harbors Act of 1899 and/or Section 404 of the Clean Water Act, and may result in the District Engineer seeking judicial relief to have the permittee remove structures and/or restore the project area to its former condition as well as the imposition of penalties as provided by law.

VI. REVOCAION OF THE GENERAL PERMIT:

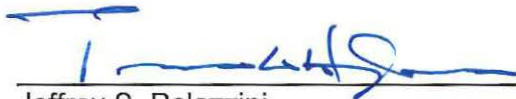
This permit may be revoked by issuance of a public notice at any time the District Engineer determines that the cumulative effects of the activities authorized herein have an adverse effect on the public interest. Following such revocation, any future activities in areas covered by this General Permit will be processed as Individual or Nationwide Permits.

VII. DURATION OF THE GENERAL PERMIT.

This General Permit will cover activities started within five (5) years and completed within one (1) year after the date of issuance unless this General Permit is revoked in the interim. Revoking the General Permit will not affect work performed in accordance with the conditions stated herein. At the end of the first year and every succeeding year, the Corps of Engineers and the Federal and State regulatory and resource agencies will jointly review activities authorized by this General Permit to determine if significant cumulative impacts have resulted. If the District Commander determines revocation of this permit, in whole or in part, may be in order due to cumulative impacts, a public notice of the intention will be issued and after a review of all additional data submitted, action will be taken to amend, modify or revoke this permit as appropriate.

This General Permit shall become effective on the date of the District Engineer's signature.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:



Jeffrey S. Palazzini
Lieutenant Colonel, U.S. Army
Commander and District Engineer

Date

15 Feb 2019

or an authorized Designee

Travis G. Hughes
Chief, Regulatory Division

NOTICE OF COMMENCEMENT
OF WORK AUTHORIZED BY
DEPARTMENT OF THE ARMY (DA) PERMIT

_____ DATE

WORK AUTHORIZED BY DEPARTMENT OF THE ARMY
PERMIT _____

TO PERFORM WORK IN (WATERBODY NAME) (circle appropriate response):

LAKE MARION

LAKE MOULTRIE

WAS COMMENCED

ON _____
(DATE)

BY

(PRINTED NAME)

(SIGNATURE)

(ADDRESS)

Corps RGP #	Corps RGP Name
SAC-2018-01401	Residential Piers and Docks
SAC-2018-01402	Moorings
SAC-2018-01403	Boat lifts
SAC-2018-01404	Boat Ramps
SAC-2018-01405	Marine Railways
SAC-2018-01406	Erosion Control – Retaining Walls/Bulkheads, and Groins
SAC-2018-01407	Riprap or Bio-engineering
SAC-2018-01408	Minor Maintenance Dredging
SAC-2018-01409	Minor Discharges
SAC-2018-01410	Removal of Vessels

