

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**1835 Assembly Street, Room 865 B-1**  
**Columbia, South Carolina 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: P/N SAC-2017-01986

February 4, 2020

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 South Carolina Department of Health and Environmental Control by

**Mr. Jay McMullen**  
**Duke Energy Corp.**  
**526 S. Church Street**  
**Charlotte, North Carolina 28202**

for a permit to place sand on the shoreline in

Lake Wylie

at 4037 India Hook Road, Rock Hill, South Carolina 29732, York County, South Carolina (Latitude: 35.01623 °, Longitude: -81.00903 °), Lake Wylie 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.

The proposed work consists of placing sand on the shoreline of Lake Wylie at an existing park. In detail the applicant proposes to use a barge to offload sand into the designated area to create an attractive swim area. The sand would be placed during lower water levels to allow more

accurate placement. Sand would be placed such that 1,200 cubic yards of sand would cover 0.4 acre below the Full Pond Elevation, and additional sand would extend into the uplands. Two 12 inch diameter pilings would be placed below the Full Pond Elevation at the outer corners of the project to hold a buoy boundary line in place. The applicant has not proposed to mitigate for impacts to waters of the United States. The project purpose as stated by the applicant is to create a swim area for park visitors.

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

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. 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.

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 0.4 acre of freshwater lacustrine habitat well 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.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information 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 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)), 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.

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. 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 cannot undertake to adjudicate rival claims.

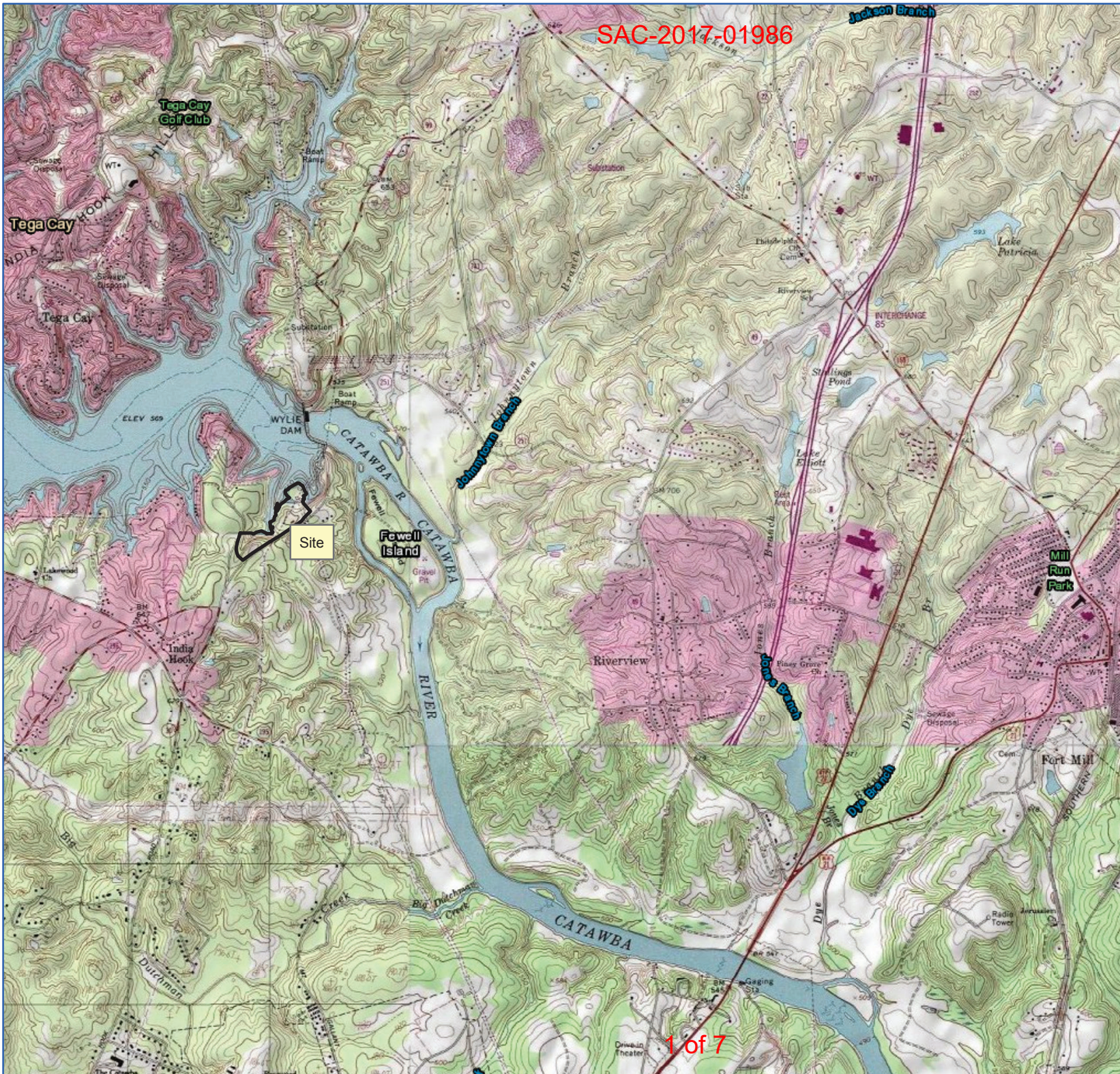
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers**  
**ATTN: REGULATORY DIVISION**  
1835 Assembly Street, Room 865 B-1  
Columbia, South Carolina 29201


If there are any questions concerning this public notice, please contact Laura Boos, Project Manager, at (803) 253-3902, or by email at [Laura.M.Boos@usace.army.mil](mailto:Laura.M.Boos@usace.army.mil).

SAC-2017-01986

Rock Hill Swim Beach  
Duke Energy  
York County  
South Carolina  
Rock Hill Swim Beach  
Vicinity Map



**Legend**

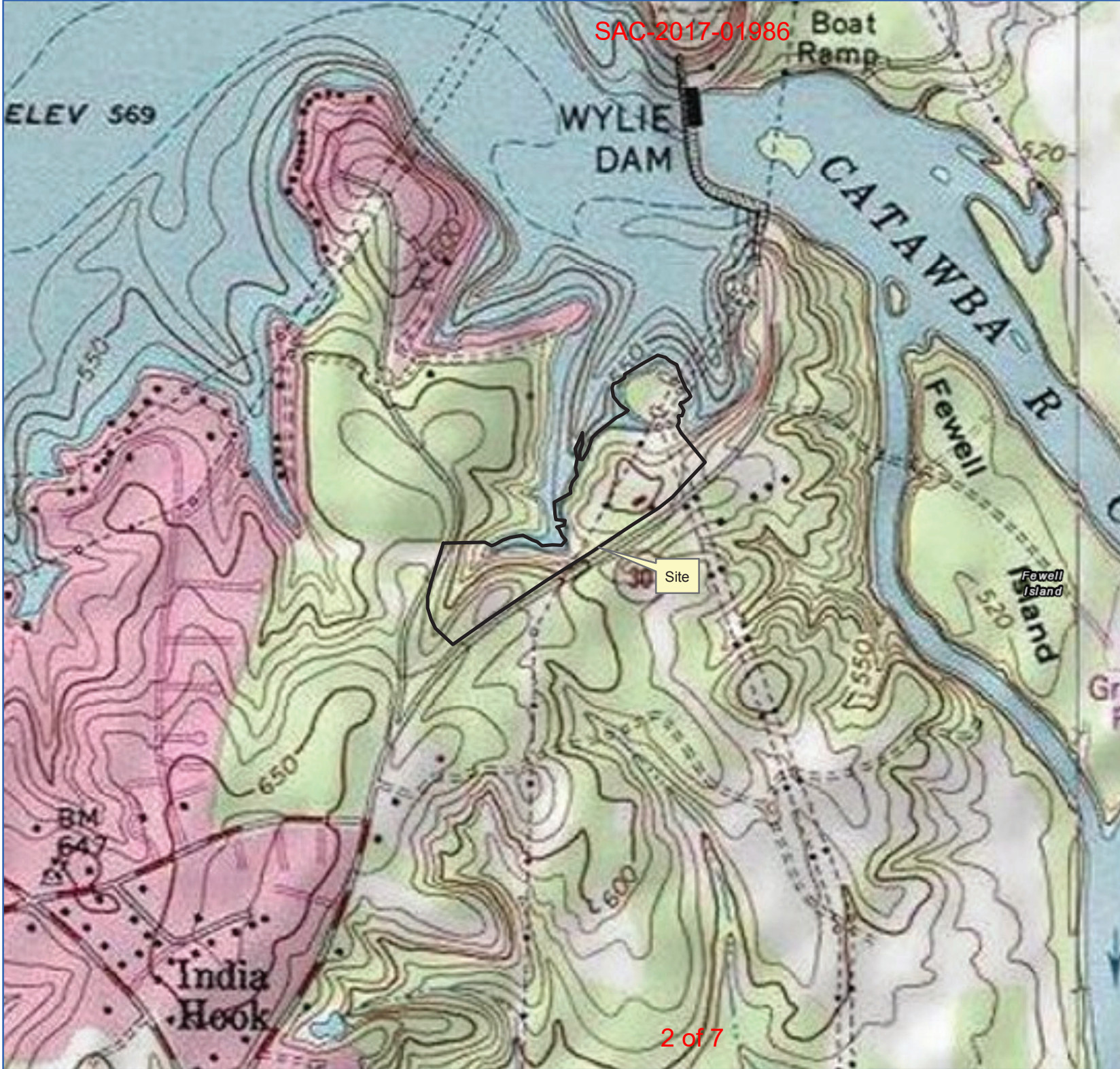
 Property Boundary - 22.29 ac

Ecological Associates, Inc  
PO Box 357  
Johns Island, S.C. 29457  
(704) 517-4804  
carlwgambrell@gmail.com

SCALE:



Date: 11/22/19




SAC-2017-01986

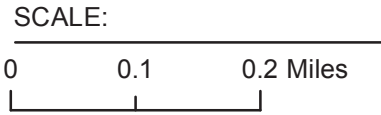
Rock Hill Park Swim Beach  
Duke Energy  
York County  
South Carolina

Rock Hill Park Swim Beach  
QUAD Map

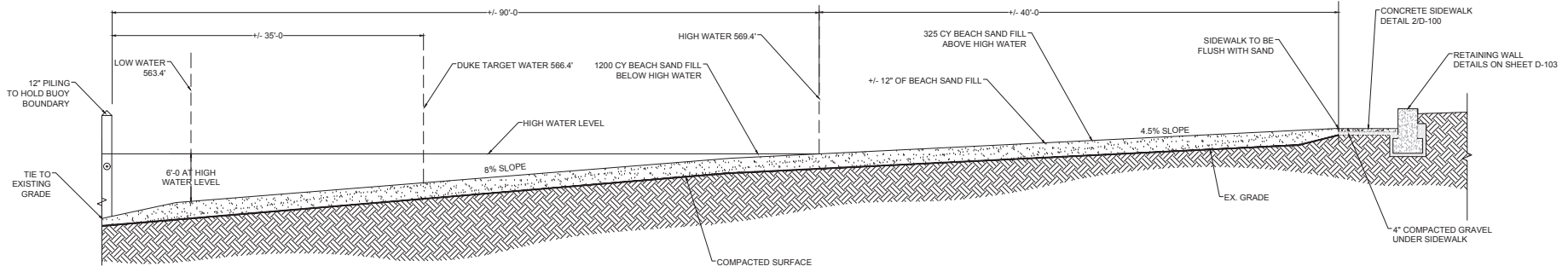
**Legend**

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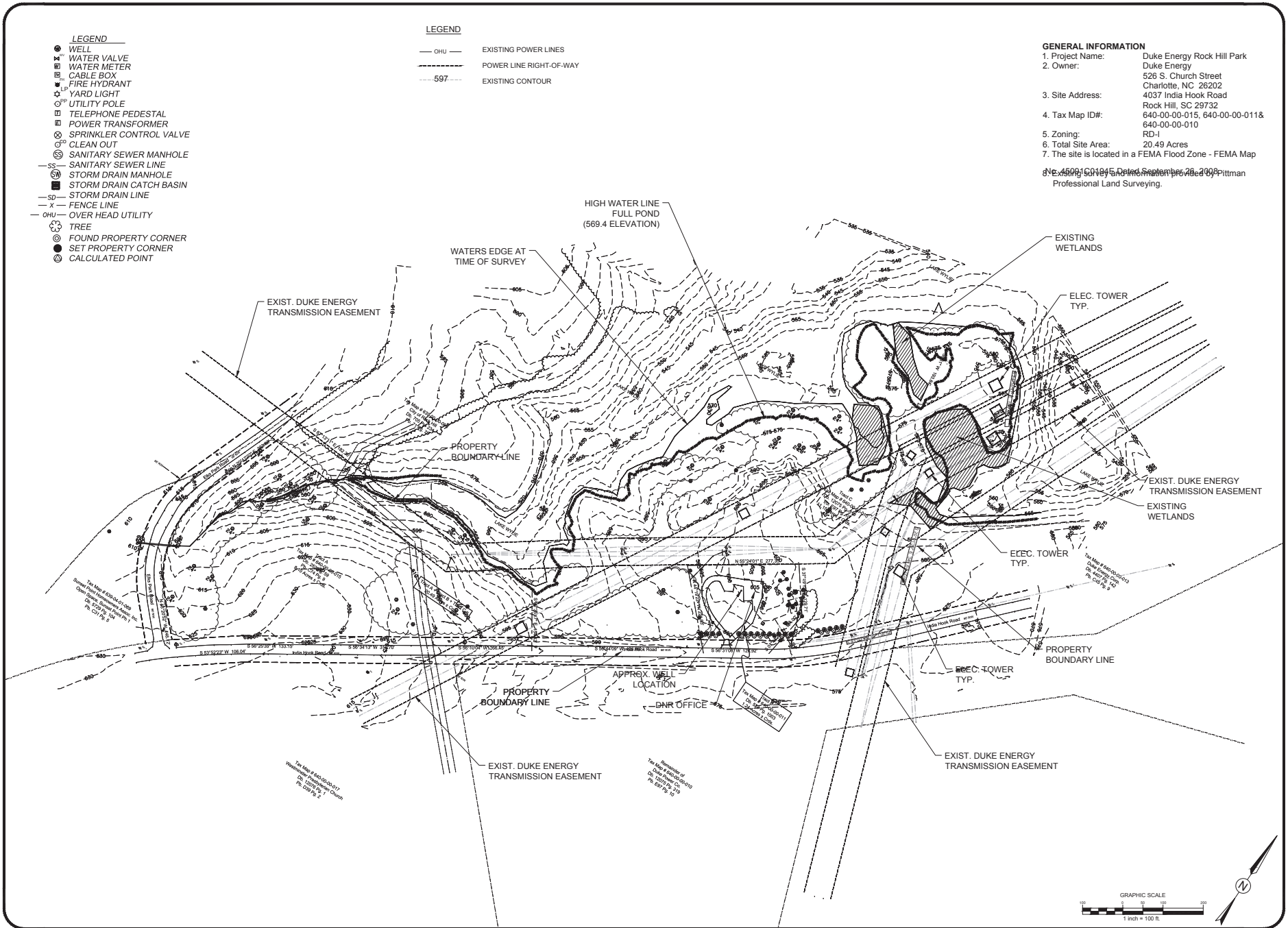
REVISIONS:


**1** SWIM BEACH SECTION  
 NOT TO SCALE

OWNER:  
**DUKE ENERGY**  
 CHARLOTTE, NORTH CAROLINA

**DUKE ENERGY ROCK HILL PARK**  
**SWIM BEACH**  
 4037 INDIA HOOK ROAD  
 ROCK HILL, SOUTH CAROLINA

SCALE: NTS  
 DATE: 12-18-19  
 SHEET NAME:  
 SITE DETAILS  
 SHEET NO:  
**D-101**



2007 Hixdale Street  
Charlotte, NC 28205  
(704) 582-3751

DUKE ENERGY  
CHARLOTTE, NORTH CAROLINA

DUKE ENERGY ROCK HILL PARK  
SWIM BEACH  
4037 INDIA HOOK ROAD  
ROCK HILL, SOUTH CAROLINA

SCALE: 1" = 100'  
DATE: 12-18-19  
SHEET NAME:  
EXISTING  
CONDITIONS  
PLAN  
SHEET NO:  
C-100

**GENERAL EROSION CONTROL NOTES:**

1. PLEASE REFER TO SCDHEC STANDARD NOTES ON SHEET C204.
2. GRADING OUTSIDE OF WHAT IS DEPICTED ON THESE PLANS TO BE CLEARED IS PROHIBITED. CONTRACTOR SHALL BE HELD RESPONSIBLE FOR REMOVAL OF TREES NOTED TO REMAIN ON SITE AT THE CONTRACTOR'S EXPENSE.
3. THE NATURE OF CONSTRUCTION IS BUILDING CONSTRUCTION, VEHICLE PARKING AREAS, SIDEWALKS ACCESS, KAYAK LAUNCH, SWIM BEACH, AND DETENTION BASIN.
4. ADDITIONAL MEASURES TO CONTROL EROSION AND SEDIMENT MAY BE REQUIRED BY A REPRESENTATIVE OF FORT MILL AND/OR SCDHEC.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY SOIL OR MATERIAL TESTING REQUIRED TO MEET SPECIFICATIONS.
6. THE GRADING CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING POSITIVE DRAINAGE IN ALL INSTANCES.
7. PROVIDE SILT FENCE OR FILTERBOX SEDIMENT TUBES ALONG THE TOE OF ANY FILL SLOPES OR LOCATIONS WHERE SEDIMENT SHALL DISCHARGE FROM THE SITE.
8. ALL SLOPES TO BE STABILIZED BEFORE CITY OF ROCK HILL AND/OR SCDHEC ACCEPTANCE.

**CONSTRUCTION SEQUENCE NOTES (PHASE II):**

1. INSTALL STORM DRAINAGE SYSTEM AND PLACE TEMPORARY INLET PROTECTION AS EACH INLET IS INSTALLED.
2. COMPLETE STORM DRAINAGE AND UTILITY (WATER AND SEWER) CONSTRUCTION.
3. BEGIN FINE GRADING OF THE BUILDING PAD, PARKING AREAS, SIDEWALKS, KAYAK LAUNCH, AND SWIM BEACH.
4. PERMANENTLY STABILIZE ALL DISTURBED AREAS.
5. CLEAN-OUT OF DETENTION BASINS THAT WERE USED AS SEDIMENT CONTROL STRUCTURES AND RE-GRADING OF DETENTION POND BOTTOMS, IF NECESSARY, MODIFICATION OF SEDIMENT BASIN RISER TO CONVERT TO DETENTION BASIN OUTLET STRUCTURE.
6. REQUEST APPROVAL FROM INSPECTOR PRIOR TO REMOVAL OF TEMPORARY SEDIMENT & EROSION CONTROL MEASURES AFTER ENTIRE AREA DRAINING TO THE STRUCTURE IS FINALLY STABILIZED.
7. BACKFILL SEDIMENT TRAPS TO GRADES SHOWN ON THE PLANS. BACKFILL TYPE AND PLACEMENT SHALL BE PER GEOTECHNICAL ENGINEER RECOMMENDATIONS.
8. CONVERT TEMPORARY SEDIMENT BASIN 1 (TSB-1) TO PERMANENT DRY DETENTION BASIN.
9. PERFORM AS-BUILT SURVEYS OF ALL DETENTION STRUCTURES AND SUBMIT A SET OF PROPERLY SIGNED AND SEALED AS-BUILT DRAWINGS OF THE STORMWATER PLAN TO THE STORMWATER DEPARTMENT FOR ACCEPTANCE.
10. FILE THE NOTICE OF TERMINATION (NOT) WITH THE ROCK HILL STORMWATER DEPARTMENT ONCE TEMPORARY SEDIMENT AND EROSION CONTROL MEASURES HAVE BEEN REMOVED AND THE SITE IS COMPLETELY STABILIZED.

ALL SLOPES AND SWALES TO BE STABILIZED WITH NORTH AMERICAN GREEN SC 150 (STAPLE D) OR APPROVED EQUAL.

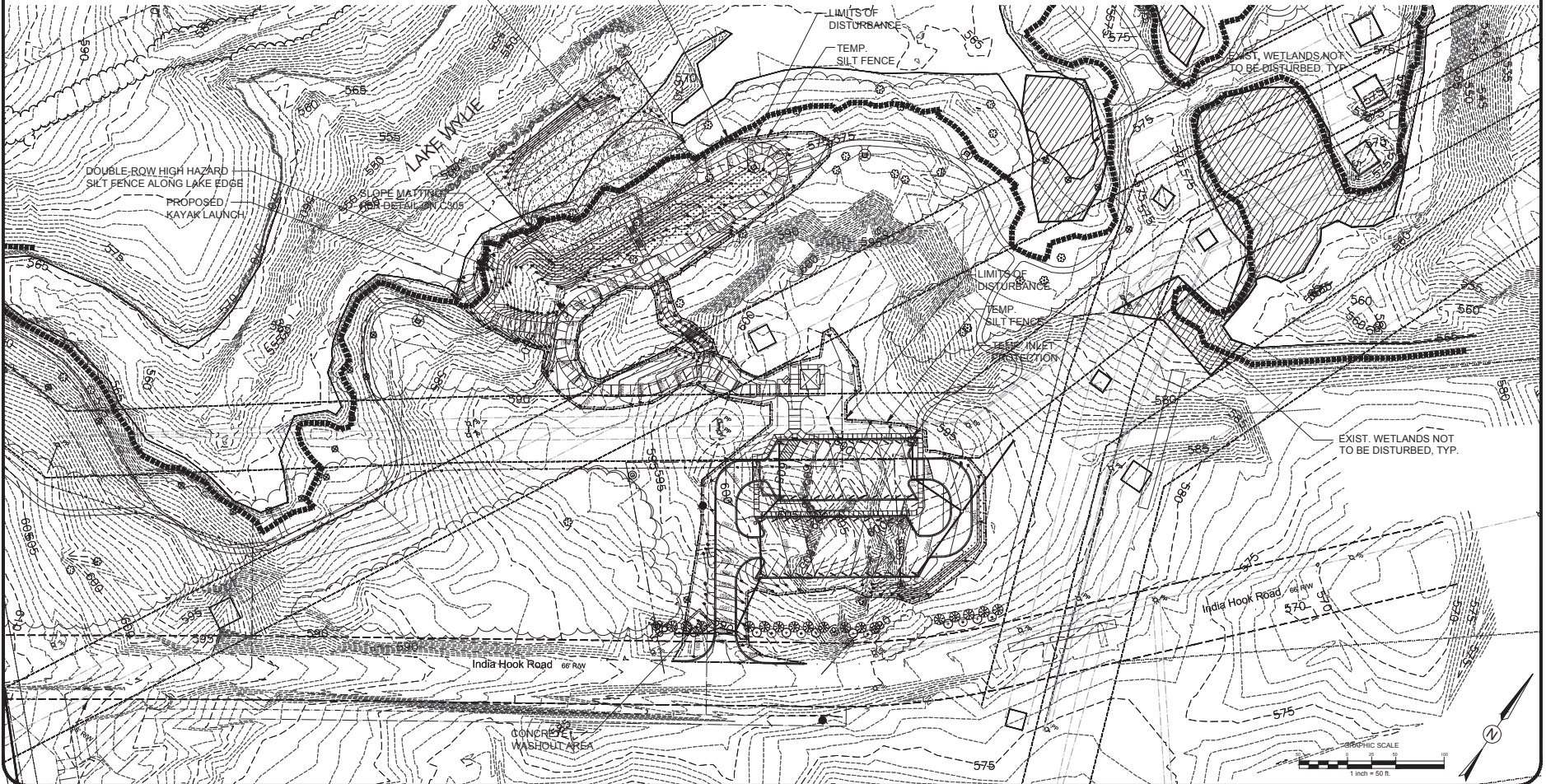
**LEGEND**

- EXISTING CONTOUR
- PROPOSED CONTOUR
- TEMP. DIVERSION SWALE W/ ROCK CHECK DAM
- ▬ RIPRAP APRON PIPE OUTLET
- ▬ PROPOSED STORM DRAIN PIPE
- LIMITS OF DISTURBANCE
- TEMP. SILT FENCE
- ▬ SILT FENCE ROCK OUTLET
- ▬ STORM INLET PROTECTION
- TREE PROTECTION FENCE

**TOTAL DENUDED AREA = 3.0 ACRES**

HIGH WATER LINE FULL POND  
569.4 ELEVATION

PROPOSED SWIM BEACH



2027 Hixdale Street  
Rock Hill, SC 29730  
(716) 794-5323/2375

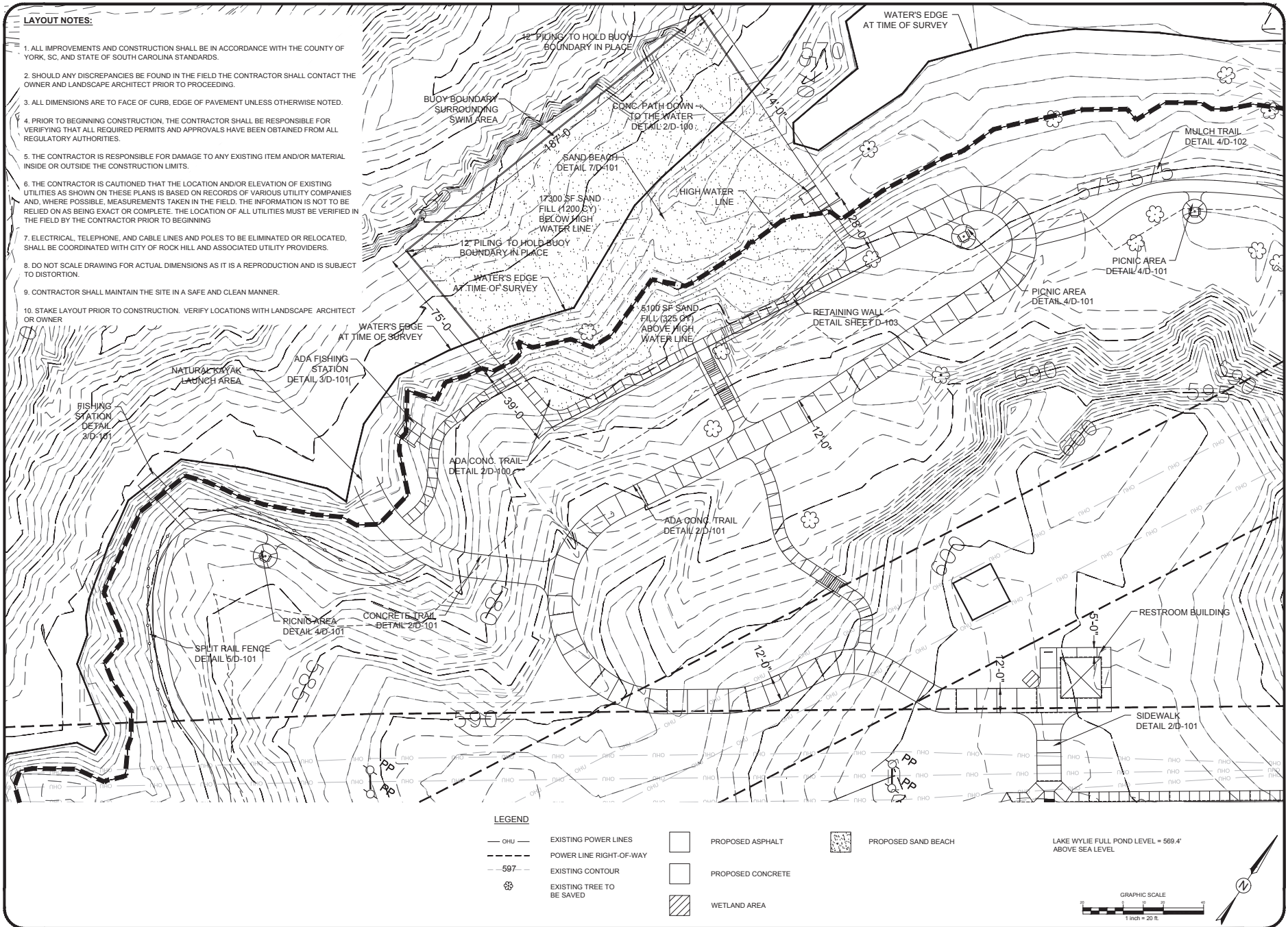
DUKE ENERGY  
CHARLOTTE, NORTH CAROLINA

OWNER: DUKE ENERGY  
PROJECT: ROCK HILL PARK SWIM BEACH

4037 INDIA HOOK ROAD  
ROCK HILL, SOUTH CAROLINA

SCALE: 1" = 50'  
DATE: 12-18-19  
SHEET NAME: PHASE 2 EROSION AND SEDIMENT CONTROL PLAN  
SHEET NO.: C-201





THE GOOD STUDIO  
PO Box 182 29715  
17100 8th 4330  
www.thegoodstudio.com

REVISIONS:

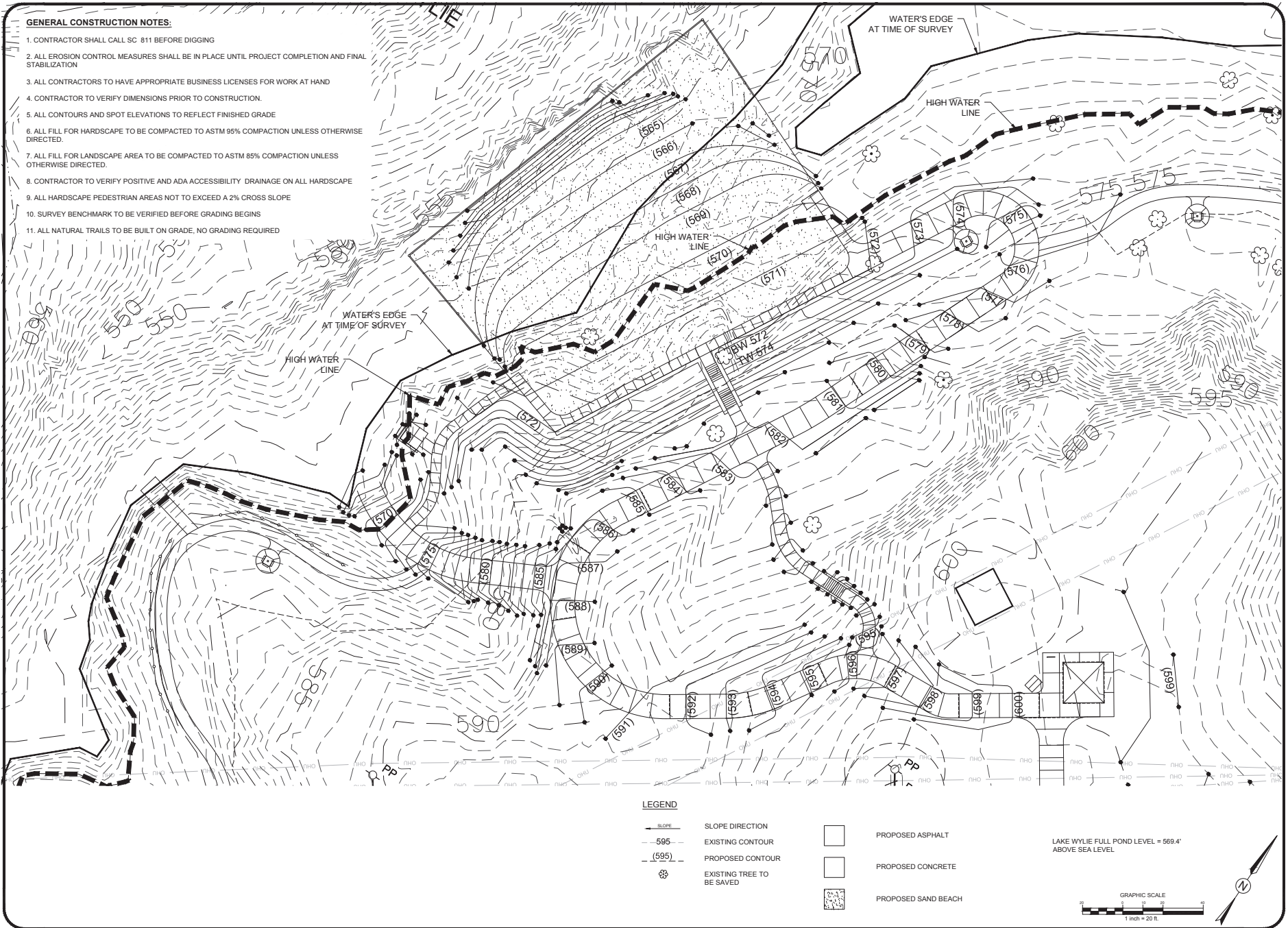
OWNER: **DUKE ENERGY**  
CHARLOTTE, NORTH CAROLINA

**DUKE ENERGY ROCK HILL PARK SWIM BEACH**  
4037 INDIA HOOK ROAD  
ROCK HILL, SOUTH CAROLINA

SCALE: 1" = 20'  
DATE: 12-18-19  
SHEET NAME: SWIM BEACH ENLARGEMENT  
SHEET NO: L-103

**GENERAL CONSTRUCTION NOTES:**

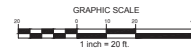
1. CONTRACTOR SHALL CALL SC 811 BEFORE DIGGING
2. ALL EROSION CONTROL MEASURES SHALL BE IN PLACE UNTIL PROJECT COMPLETION AND FINAL STABILIZATION
3. ALL CONTRACTORS TO HAVE APPROPRIATE BUSINESS LICENSES FOR WORK AT HAND
4. CONTRACTOR TO VERIFY DIMENSIONS PRIOR TO CONSTRUCTION.
5. ALL CONTOURS AND SPOT ELEVATIONS TO REFLECT FINISHED GRADE
6. ALL FILL FOR HARDSCAPE TO BE COMPACTED TO ASTM 95% COMPACTION UNLESS OTHERWISE DIRECTED.
7. ALL FILL FOR LANDSCAPE AREA TO BE COMPACTED TO ASTM 85% COMPACTION UNLESS OTHERWISE DIRECTED.
8. CONTRACTOR TO VERIFY POSITIVE AND ADA ACCESSIBILITY DRAINAGE ON ALL HARDSCAPE
9. ALL HARDSCAPE PEDESTRIAN AREAS NOT TO EXCEED A 2% CROSS SLOPE
10. SURVEY BENCHMARK TO BE VERIFIED BEFORE GRADING BEGINS
11. ALL NATURAL TRAILS TO BE BUILT ON GRADE, NO GRADING REQUIRED



**LEGEND**

- |  |                           |  |                     |
|--|---------------------------|--|---------------------|
|  | SLOPE DIRECTION           |  | PROPOSED ASPHALT    |
|  | EXISTING CONTOUR          |  | PROPOSED CONCRETE   |
|  | PROPOSED CONTOUR          |  | PROPOSED SAND BEACH |
|  | EXISTING TREE TO BE SAVED |  |                     |

LAKE WYLIE FULL POND LEVEL = 569.4' ABOVE SEA LEVEL



THE DODD STUDIO  
 Fort Mill, SC 29715  
 (716) 881-4330  
 www.thedoddstudio.com

REVISIONS:

DUKE ENERGY  
 CHARLOTTE, NORTH CAROLINA

OWNER: DUKE ENERGY ROCK HILL PARK  
 SWIM BEACH  
 4037 INDIA HOOK ROAD  
 ROCK HILL, SOUTH CAROLINA

SCALE: 1" = 20'  
 DATE: 12-18-19  
 SHEET NAME: SWIM BEACH GRADING PLAN  
 SHEET NO: G-101