

**JOINT**  
**PUBLIC NOTICE**

**U.S. ARMY CORPS OF ENGINEERS, CHARLESTON DISTRICT  
REGULATORY DIVISION  
1835 Assembly Street, Rm 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-2018-00603

July 3, 2018

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. Michael Harbor  
D & J Machinery  
891 Rock N Creek Road  
Leesville, South Carolina 29070**

for a permit to construct a fixed boardwalk/dock along the shoreline of a tract of land on Lake Murray, a navigable water of the U.S., to create a pedestrian walkway and provide for temporary mooring and boat access to a future restaurant facility constructed on uplands. The fixed boardwalk/dock will extend 401 linear feet along the shoreline and 12 linear feet in

**LAKE MURRAY**

at a location north of US Highway 378, at 3348 US Highway 378, Leesville, Lexington County, South Carolina (Latitude: 34.0217° N, Longitude: 81.4486° W), LAKE MURRAY WEST QUAD SHEET.

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 the construction of a boardwalk/dock that will extend 401 linear feet along the shoreline and 12 linear feet in Lake Murray. In detail the fixed boardwalk/dock will be 12 linear feet wide and extend 401 linear feet along the shoreline, totaling 4,812 square feet or 0.11 acre. The top deck will be 2 inch X 12 inch X 12 feet of treated timber and lighted by surface mount solar lights mounted every 10 feet. The top of the deck at its water most side will be at an elevation 6 feet above the bottom elevation with a normal water elevation of 158. The fixed boardwalk/pier will be supported by pilings constructed where a 4 inch X 4 inch X ¼ inch steel tube will be driven into the bedrock, then surrounded by a schedule 10 PVC 10 inch casing, and then backfilled with 3500 PSI concrete, encasing the steel tube in concrete. The proposed work will not entail the dredging of benthic substrate in Lake Murray. The applicant has advised the Corps that shore power and fuel will not be provide. The applicant has advised the Corps that at the request of SCE&G Lake Management and agreed to by the applicant, a concrete block retaining wall located in uplands at or above the 360 elevation will be removed by excavation. All material will be removed to an upland disposal site and the resulting earthen bank will be immediately stabilized with grass sod and have a 3:1 slope. The applicant will install and maintain 598 linear feet of silt fence along the shoreline prior to the performance of any work. The applicant has not proposed a compensatory mitigation for impacts to wetlands and/or waters of the United States, as the applicant has stated that there is not a discharge of fill material in freshwater wetlands or submerged aquatic vegetation. The Corps has not approved a mitigation plan as of the date of this notice. The project purpose as stated by the applicant is to have a “restaurant accessible by land and water a boardwalk that has minimal distance into the lake [Murray] and creates no navigation hazards” and provides “safe boat parking in a minimum of 6 feet of water with the lake [Murray] at 358” elevation”.

**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 this activity may 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 0.11 acre of freshwater substrate 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)(j)(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. 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, CHARLESTON DISTRICT  
ATTN: REGULATORY DIVISION  
Leslie L. Parker  
1835 Assembly Street, Rm 865 B-1  
Columbia, South Carolina, 29201**

If there are any questions concerning this public notice, please contact Leslie L. Parker, at (803) 253-3904.



Project Title:

*Board Walk*

Project Location:

*3348 Hwy 378 Leesville*

Applicant:

*Michael Harbour*

Date:

*6-12-2018*

Scale:

*NA*

Application #:

*SAC2018-00603*

Sheet of

*1 9*

Search for a place or



Job site

Rocky Ridge Rd

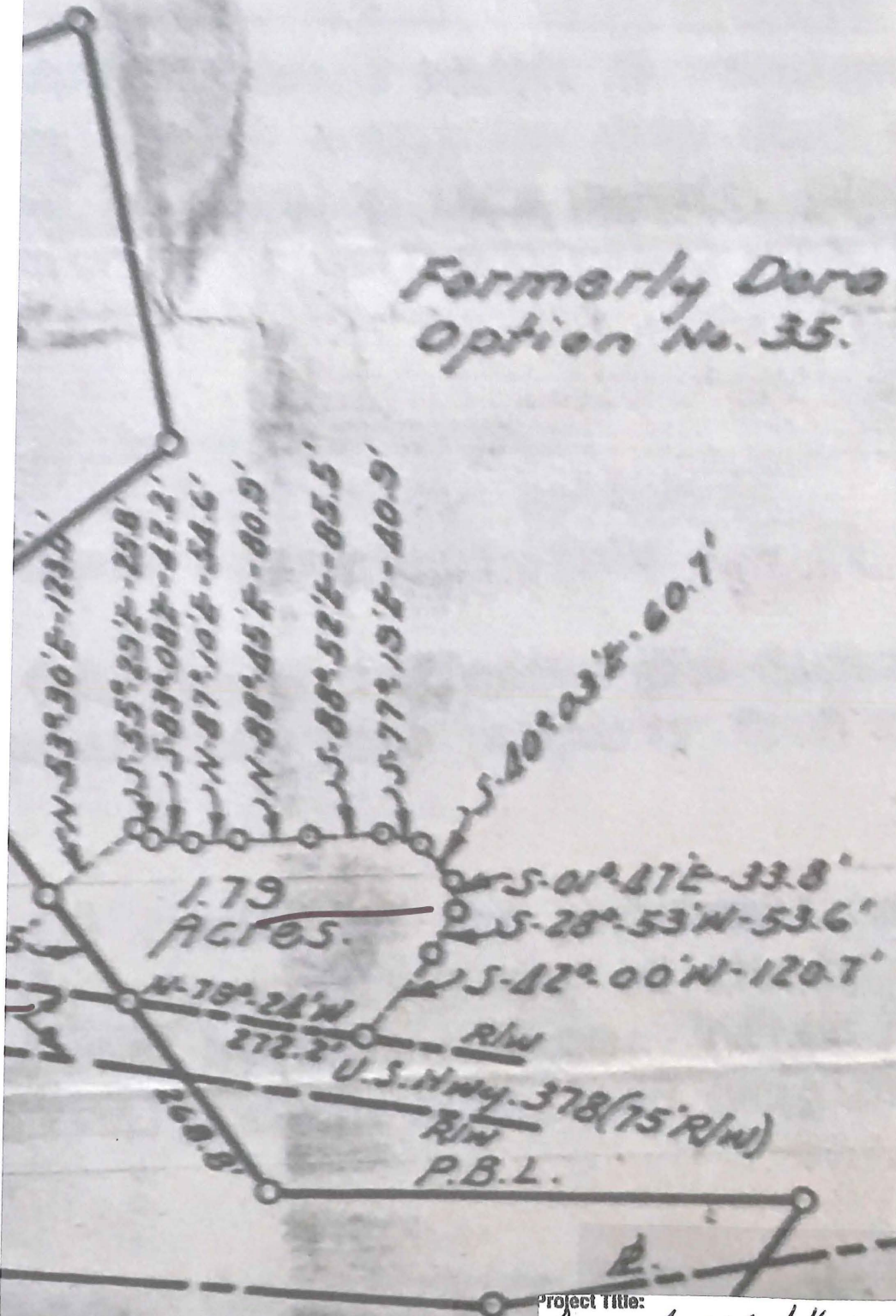
378

<i>board walk</i>	
Project Location: <i>3348 Hwy 378 Leesville</i>	
Applicant: <i>Michael Harbour</i>	
Date: <i>6-12-2018</i>	Scale: <i>N</i>
Application #: <i>SAC-2018-00603</i>	Sheet of <i>29</i>

Search for a place or a



Formerly Duro  
Option No. 35.



Project Title: Board Walk	
Project Location: 3348 Hwy 378 Leesville SC	
Applicant: Michael Harbour	
Date: 5-12-2018	Scale: NT
Application #: AC-2018-00603	Sheet of 3 9



Project Title: <i>board Walk</i>	
Project Location: <i>2348 Hwy 378 Loosville SC</i>	
Applicant: <i>Michael Harbour</i>	
Date: <i>6-12-2018</i>	Scale:
Application #: <i>SK-201800603</i>	Sheet of <i>49</i>

Search for a place or address



3348 US-378

Rocky-Ridge-Rd

### Ruler

Line | Path | Pro

Measure the distance between two points on the ground

Map Length: 343.06 Feet  
Ground Length: 343.07  
Heading: 25.29 degrees

Mouse Navigation

Project Title: <i>Board Walk</i>	
Project Location: <i>3348 Hwy 378 Leesville SC</i>	
Applicant: <i>Michael D Harbour</i>	
Date: <i>6-17-2018</i>	Scale: <i>N/A</i>
Application #: <i>DAC-2018-00603</i>	Sheet of <i>5-9</i>



Line | Path | Pro

Measure the distance between two points on the ground

Map Length: 383.39 Feet

Ground Length: 383.39

Heading: 105.11 degrees

Mouse Navigation

Save Clear

3348 US-378

Project Title: <i>Board Walk</i>	
Project Location: <i>3348 Hwy 378 Leesville SC</i>	
Applicant: <i>Michael Harbour</i>	
Date: <i>6-12-2018</i>	Scale: <i>1" = 10'</i>
Application #: <i>SAC-2018-00603</i>	Sheet of <i>6 9</i>



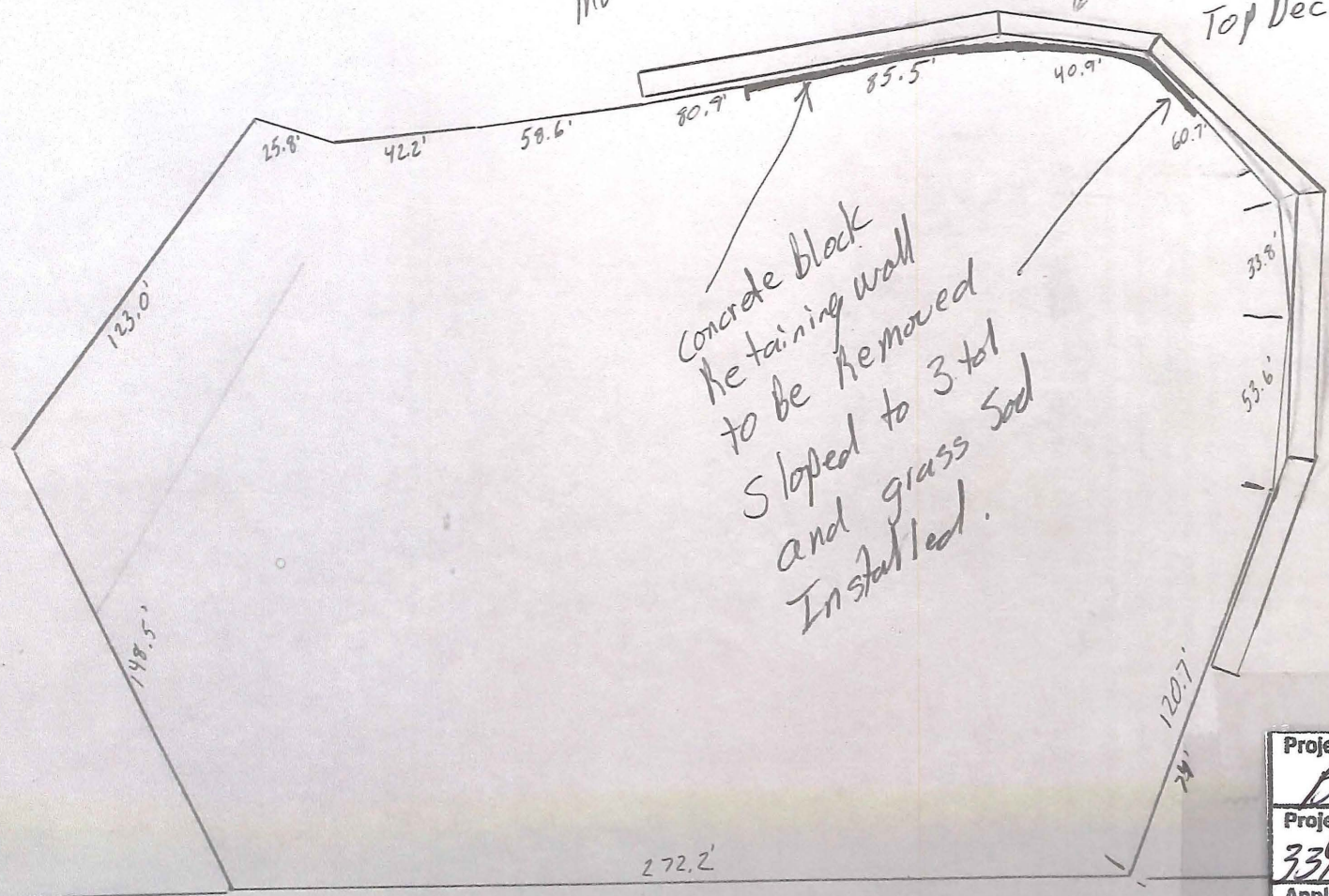
Steel Driven  
Into Rockbed.

Lake  
Murray

New board walk  
401' Linear Feet

Top Elevation 360'  
Width 12 feet  
Construction Concrete  
Top Deck 2" x 12" x 12" Steel Pile  
Treated Tim.

Concrete block  
Retaining wall  
to be removed  
Sloped to 3:1  
and grass seed  
Installed.



US Highway 378

Project Title: <i>Board Walk</i>	
Project Location: <i>3348 Hwy 378 Leesville SC</i>	
Applicant: <i>Michael Harbour</i>	
Date: <i>6-17-2018</i>	Scale: <i>1/4" = 1'</i>
Application #: <i>SAC-2018-00603</i>	Sheet of <i>7 9</i>



Surface solar  
Mount solar  
heights Every 10 feet  
on Shore Side

All timbers  
Treated  
With hurricane  
Connectors on all  
Joints both Ends.

Galvanized  
Splice Connector  
1/4" A36 Shop Welded  
+ Timber Bolt  
with galvanized  
1/2" bolts.

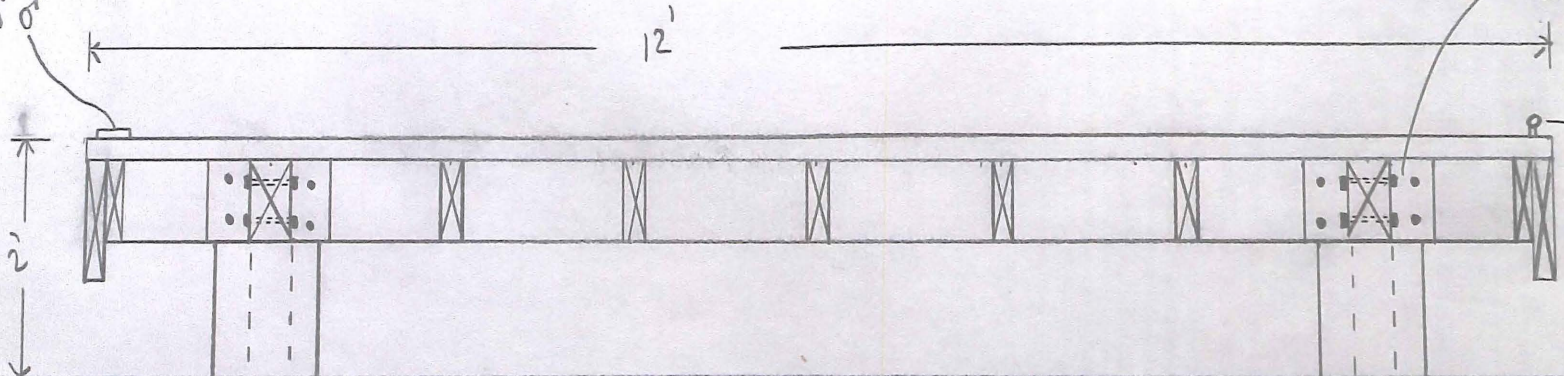
galvanized  
570 C lead  
for Tie  
10ft

Typical  
Water Elevation  
@ 158

Concrete  
Back Filled.

secrete  
10 PVC  
10"

Lake  
Bottom  
Slope  
Typical  
Slate  
Rock



Project Title: <i>Board Walk</i>	
Project Location: <i>3348 Hwy 378 Leesville</i>	
Applicant: <i>Michael Harbour</i>	
Date: <i>6-12-2018</i>	Scale: <i>NA</i>
Application #: <i>SAK 2018-00603</i>	Sheet of <i>8 9</i>



Project Title: Boardwalk	
Project Location: 3348 Hwy 378 Leesville SC	
Applicant: Michael Harbour	
Date: 6-12-2018	Scale:
Application #: SAC-2018-00003	Sheet of 9-9

Boardwalk Project

3348 Hwy 378 Leesville SC.  
29070

