

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
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-2016-01514

30 March 2017

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. Keith and Dawn Eadie
1 Big Dog Lane
Eutawville, South Carolina 29048

for a permit to dredge an access channel in

MARION LAKE

at a location off 1 Big Dog Lane in Eutawville, Orangeburg County, South Carolina (Latitude: 33.43922°N, Longitude: -80.38387°W), Vance Quade.

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 dredging and maintaining an access channel into a finger of Marion Lake. Maintenance dredging would be authorized for the 10 year life of the permit. In detail approximately 250 cubic yards of sand material would be initially dredged from an approximately 0.2 acre open water area of Marion Lake to achieve and maintain an approximately 6' deep, 5' wide, 250 foot long channel. The dredged material would be transported to an off-site contained

upland disposal area (see PN Figure 2-3).

The applicant has proposed three methods to complete the proposed dredging work. **Option A** (sandbar based excavator): "If water level is low enough to have sandbar exposed, we will walk an excavator onto sand to excavate channel. The initial sand would be placed behind Mr. Oliver's existing head wall to fill voids. The residual excavated sandy material will be placed in dump truck on Mr. Eadie's shoreline, lined with filter fabric and have a hay bale barrier around truck for containment, to haul sand and stockpile at a designated site. Repeat process until designated profile is achieved." **Option B** (land based excavator): "If water level is too high, we will use a land based excavator along Mr. Eadie's shoreline to excavate material and place sandy material in dump truck on Mr. Eadie's shoreline, lined with filter fabric and have a hay bale barrier around truck for containment, to haul sand and stockpile at a designated site. Repeat process until designated profile is achieved." **Option C** (barge based excavator): "Utilize 2 barges. One would have an excavator with a dewatering bucket on it and the adjacent barge would have 6x6's secured around the perimeter and lined with hay bales to contain the excavated sand material and allow any residual water to be filtered. Once the barge is full, we would then transport the barge to shoreline where a second land based excavator would be located to load a dump truck, lined with filter fabric and have a hay bale barrier around truck for containment, to haul sand and stockpile at a designated site. Repeat process until designated profile is achieved."

The dredged material is expected to consist of clean sand. All three dredging methods would result in return water entering Marion Lake. The applicant has not proposed to mitigate for impacts to waters of the United States because the proposed project would not result in the loss of any waters. The project purpose is recreational access. See attached PN Figures 1-6.

A Standard Permit (Corps ID No. 2002-1W-562) was issued by this office on November 29, 2004 authorizing excavation, bank stabilization, and community use of the boat landing. However, since the permit expired on March 31, 2014 the access channel has filled in with sediment and boats no longer have enough clearance to enter this area of the lake.

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 0.2 acres of open freshwater upstream 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)(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
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice please contact Leslie Estill, Project Manager, at (843) 329-8039 or toll free at 1-866-329-8187.

Dredging Project in Marion Lake Location Map

Mr. Keith and Dawn Eadie

Eutawville, County, South Carolina

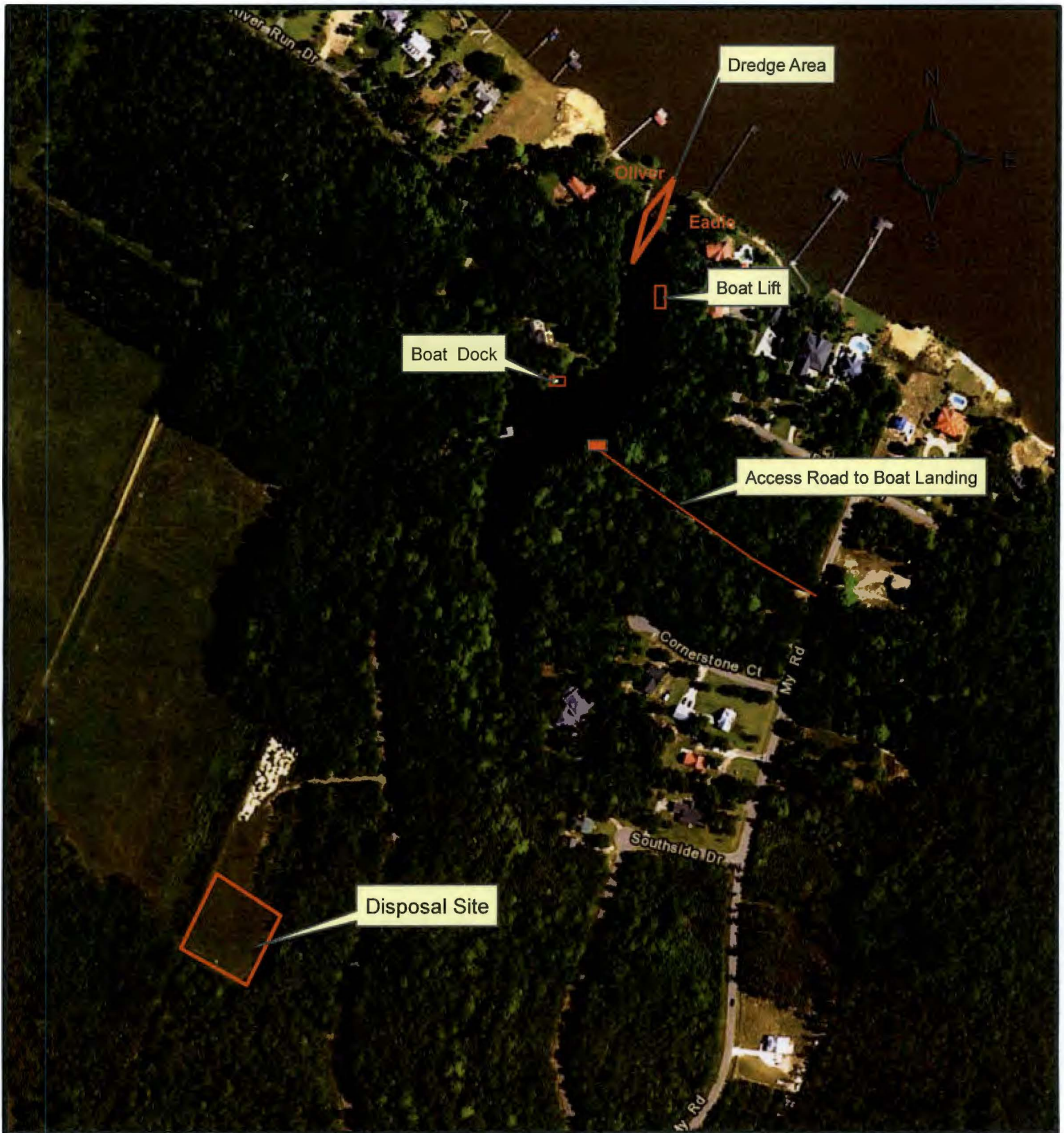
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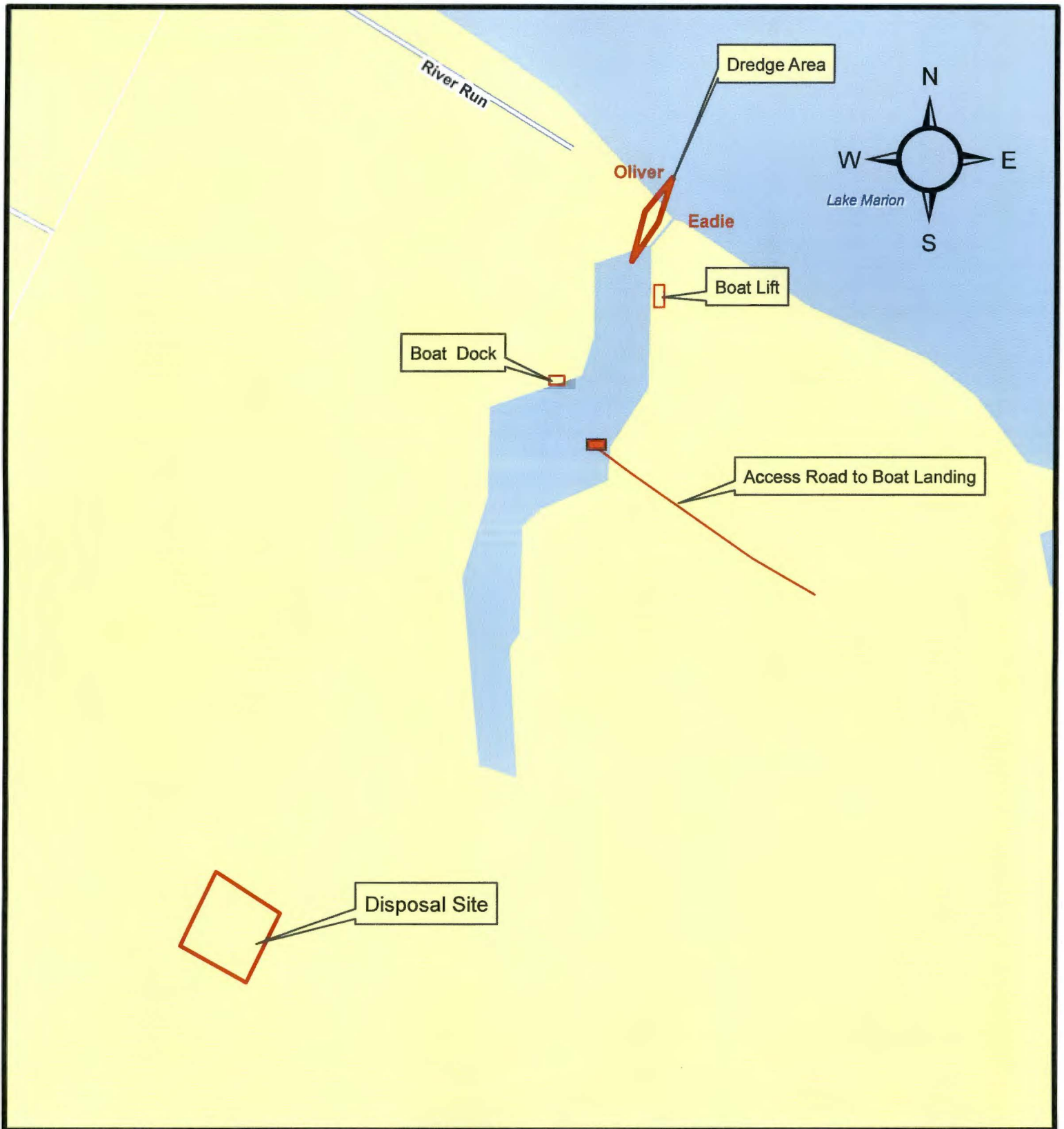
Project Location

Dredging Project in Marion Lake Overview Map

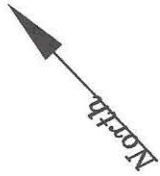
Mr. Keith and Dawn Eadie
Eutawville, County, South Carolina
Latitude: 33.43922°N, Longitude: -80.38387°W



Dredging Project in Marion Lake
Overview Map
Mr. Keith and Dawn Eadie
Eutawville, County, South Carolina
Latitude: 33.43922°N, Longitude: -80.38387°W



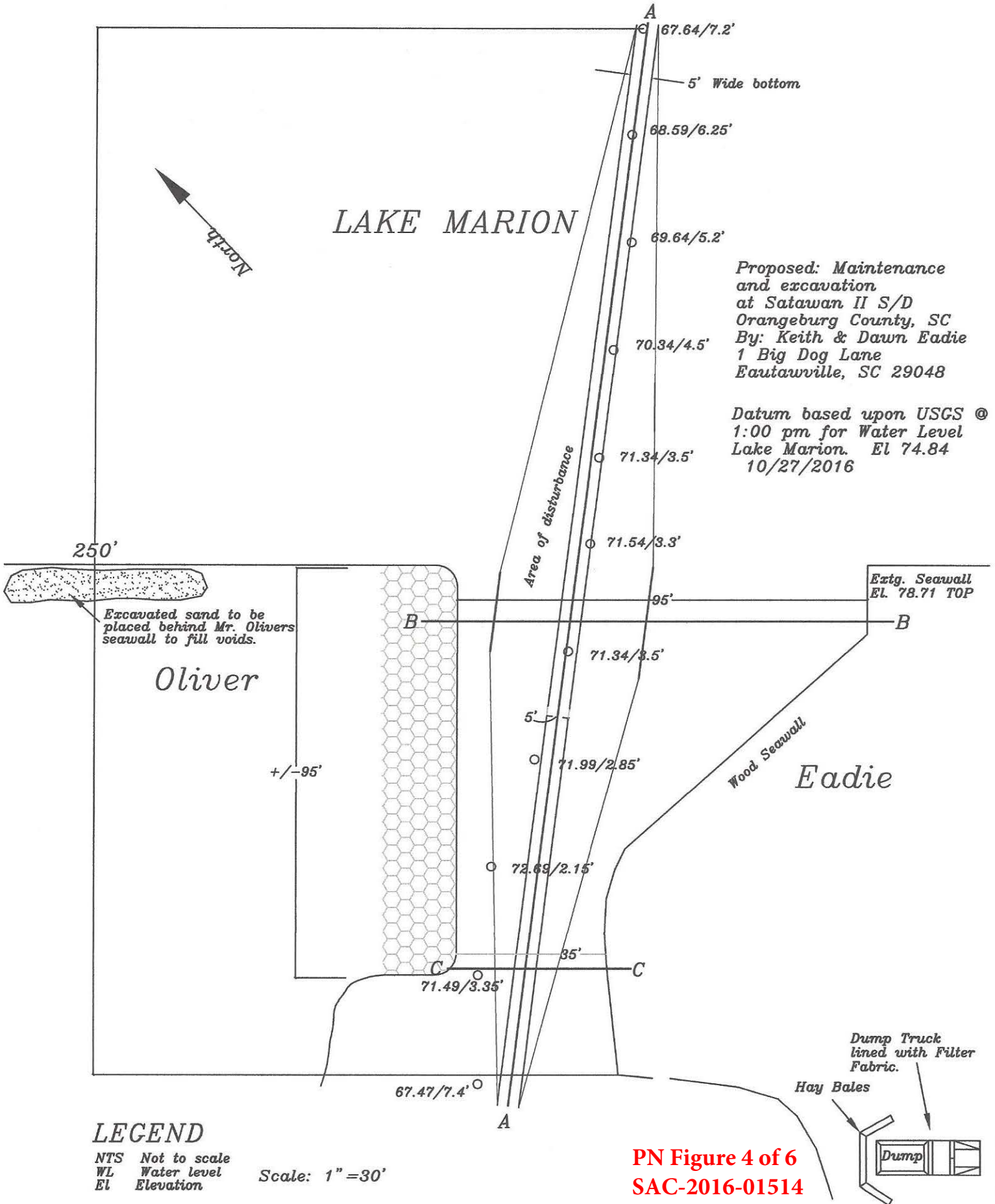
MARCH 3, 2017



LAKE MARION

Proposed: Maintenance and excavation at Satawan II S/D Orangeburg County, SC
By: Keith & Dawn Eadie
1 Big Dog Lane
Eatawville, SC 29048

Datum based upon USGS @ 1:00 pm for Water Level Lake Marion. El 74.84
10/27/2016

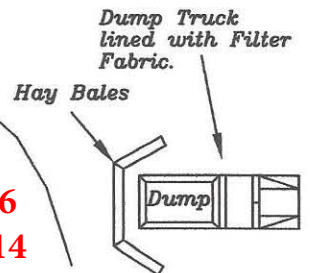


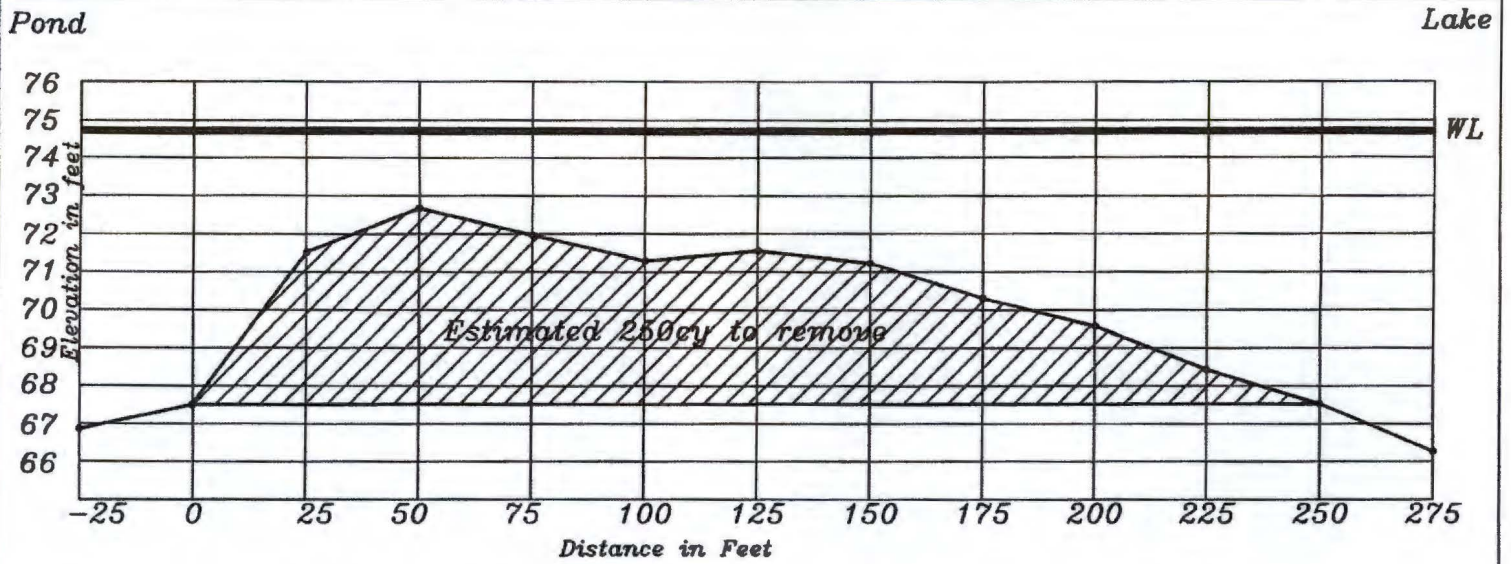
LEGEND

NTS Not to scale
WL Water level
El Elevation

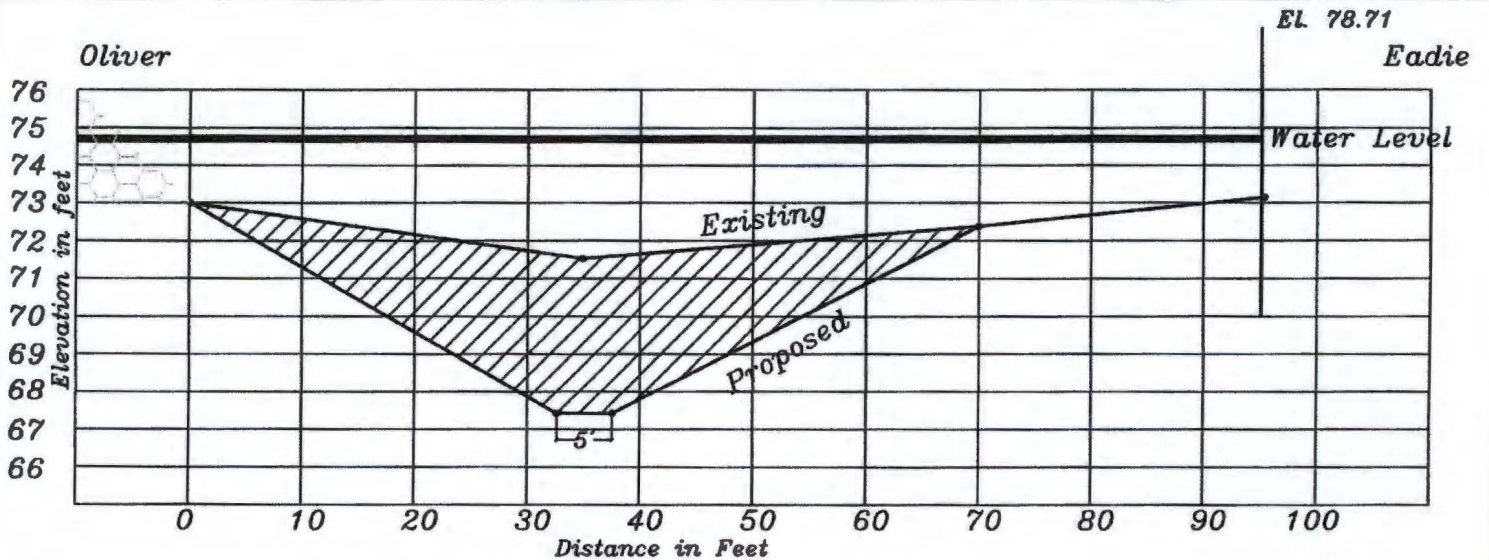
Scale: 1" = 30'

PN Figure 4 of 6
SAC-2016-01514

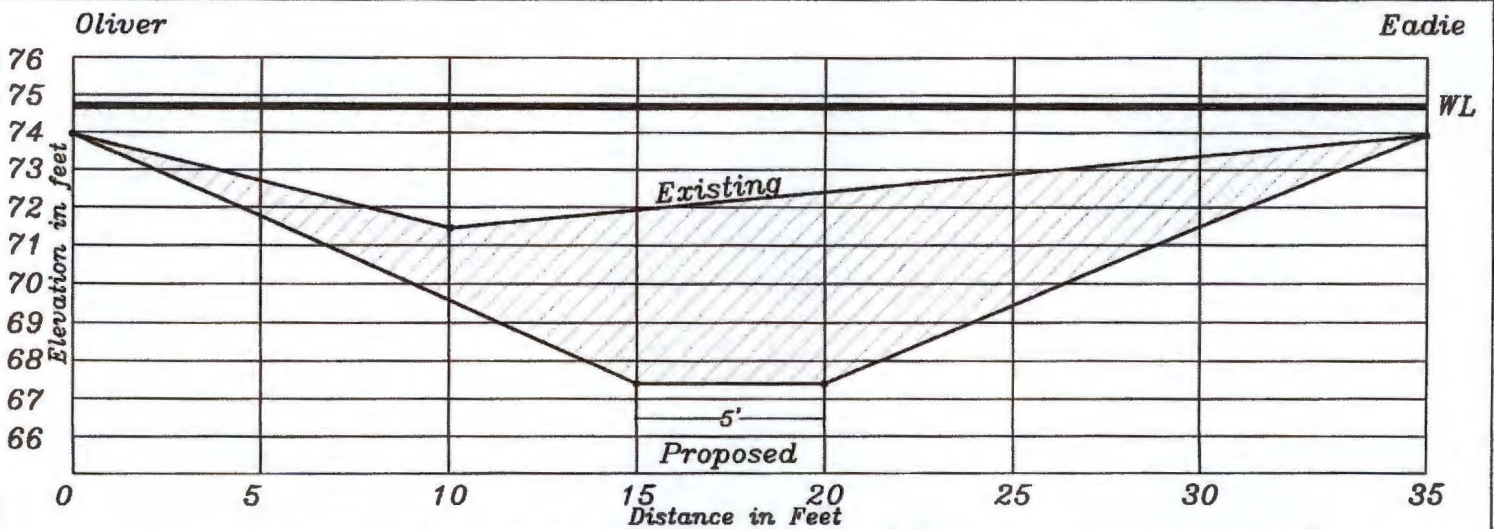




SECTION A-A (Not to Scale)

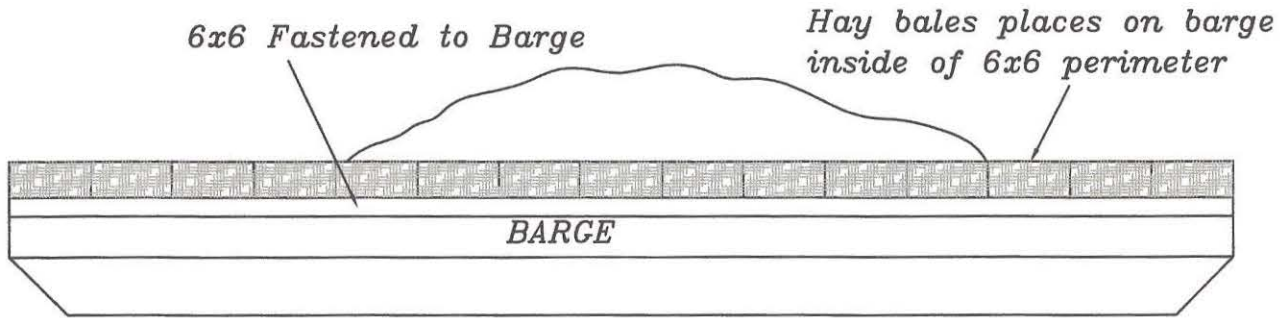


SECTION B-B (Not to Scale)

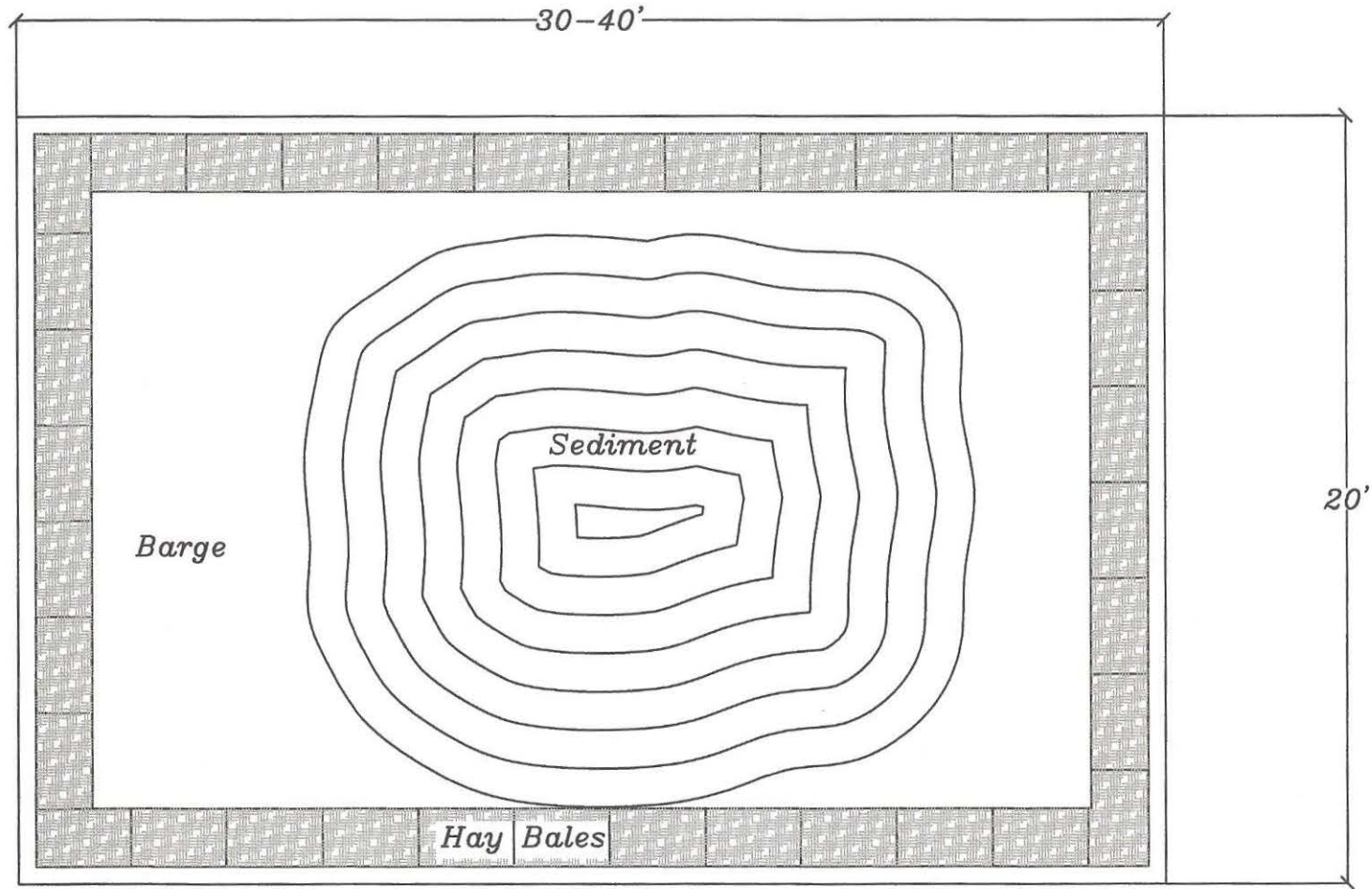


SECTION C-C (Not to Scale)

Eadie Permit (SAC-2016-1514) Barge Detail



Profile (Not to Scale)



6x6 Fastened to Barge

Plan View (Not to Scale)

**PN Figure 6 of 6
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