

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1835 Assembly Street, Room 865B-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-2018-00328

March 15, 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. William Nicholson
c/o Mr. Mark Johnson
J&S Shoreline, LLC
686 Chandlers Ferry Road
Hartwell, Georgia 30643

for a permit to a remove accumulated sediment from a cove in

Lake Hartwell

at 235 Cox Circle, Fair Play, Anderson County, South Carolina (Latitude: 34.4912 °N, Longitude: 82.9545 °W), Reed Creek 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 the excavation of accumulated sediment from a cove. In detail, the work consists of the removal of 1,300 cubic yards of material from a project area of 220 ft x 80 ft tapering to 30 ft x average 2 ft depth of silt. The work will be performed by an excavator and skid steer in the dry and will be transported to an off-site disposal area. There will be no

excavation below the hard pan/original lake bottom. According to the applicant, the project purpose is to improve navigability in the cove.

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

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 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.

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 that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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. 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:**

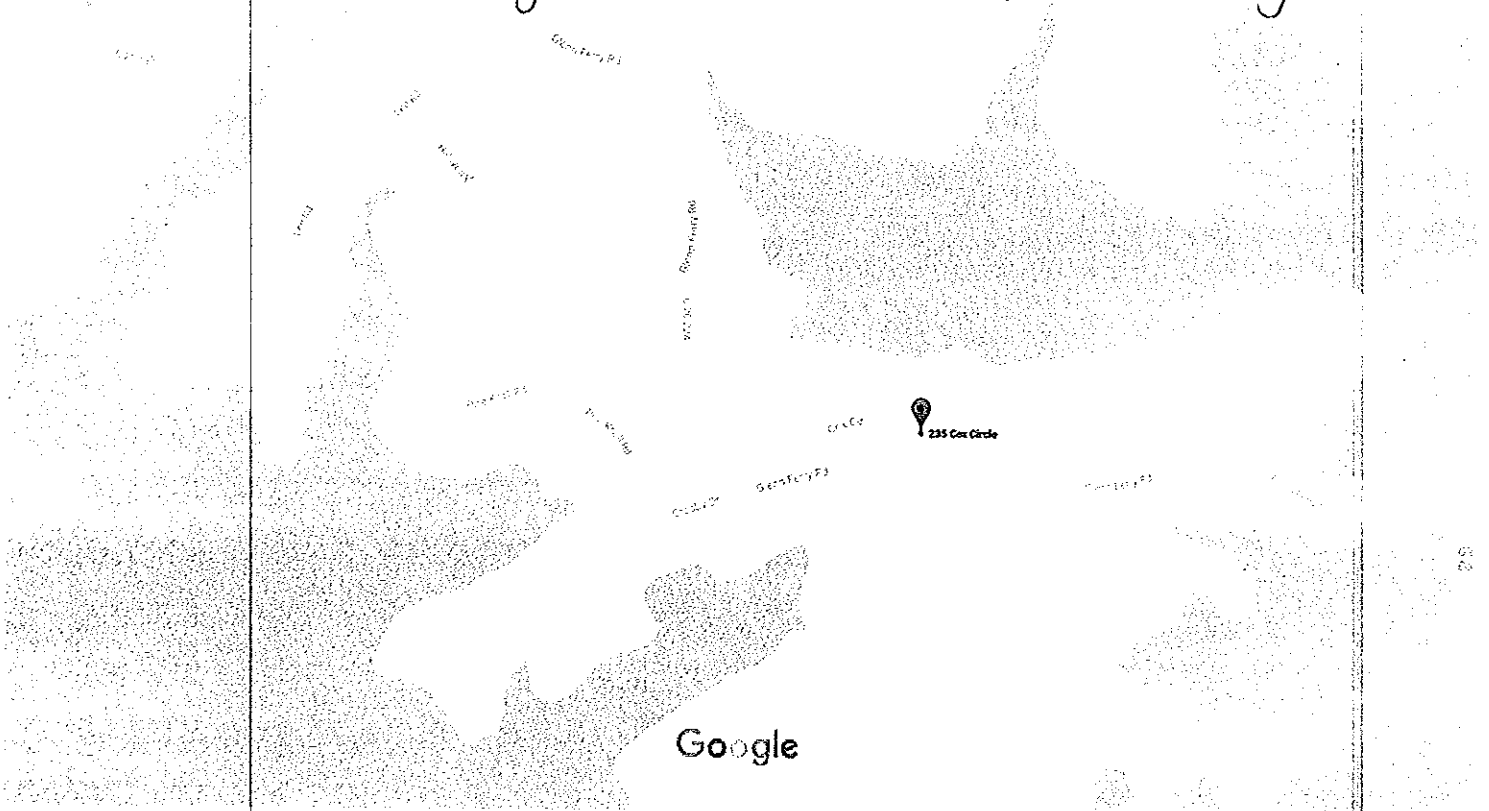
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
150 Executive Center Drive, Suite 205
Mailbox 83
Greenville, South Carolina 29615**

If there are any questions concerning this public notice, please contact Kristin B. Andrade, Watershed Manager, at (864) 609-4324.

Google Maps

235 Cox Cir

dredge location Cox Circle Dredge



Google

Map data ©2017 Google United States 500 ft

Live traffic

Fast  Slow

SAC-2018-00328

Sheet 1 of 4

COX Circle
Dredge

Anderson County, South Carolina

Geographic Information Systems

Search Results Layers

Results List

Details

Anderson County Tax Parcel

TMS: 60302040
 Owner: NICHOLSON WILLIAM R JR ET AL
 235 COX CIR
 FAIR PLAY SC 29643
 Physical Address: GLENN FERRY PARK 235 COX CIR
 Description: LT 11 + ACCESS COX CIR .30 AC
 Deed Reference: 9868 112
 Sale Price: ██████████
 Sale Year: 2010
 Previous Owner: NICHOLSON WILLIAM R JR + MARY ANN
 Total Market Value: ██████████
 Tax District: 4

• [Property Record Card](#)

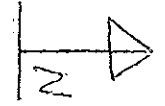
Zoom To Buffer Adjainers Clear



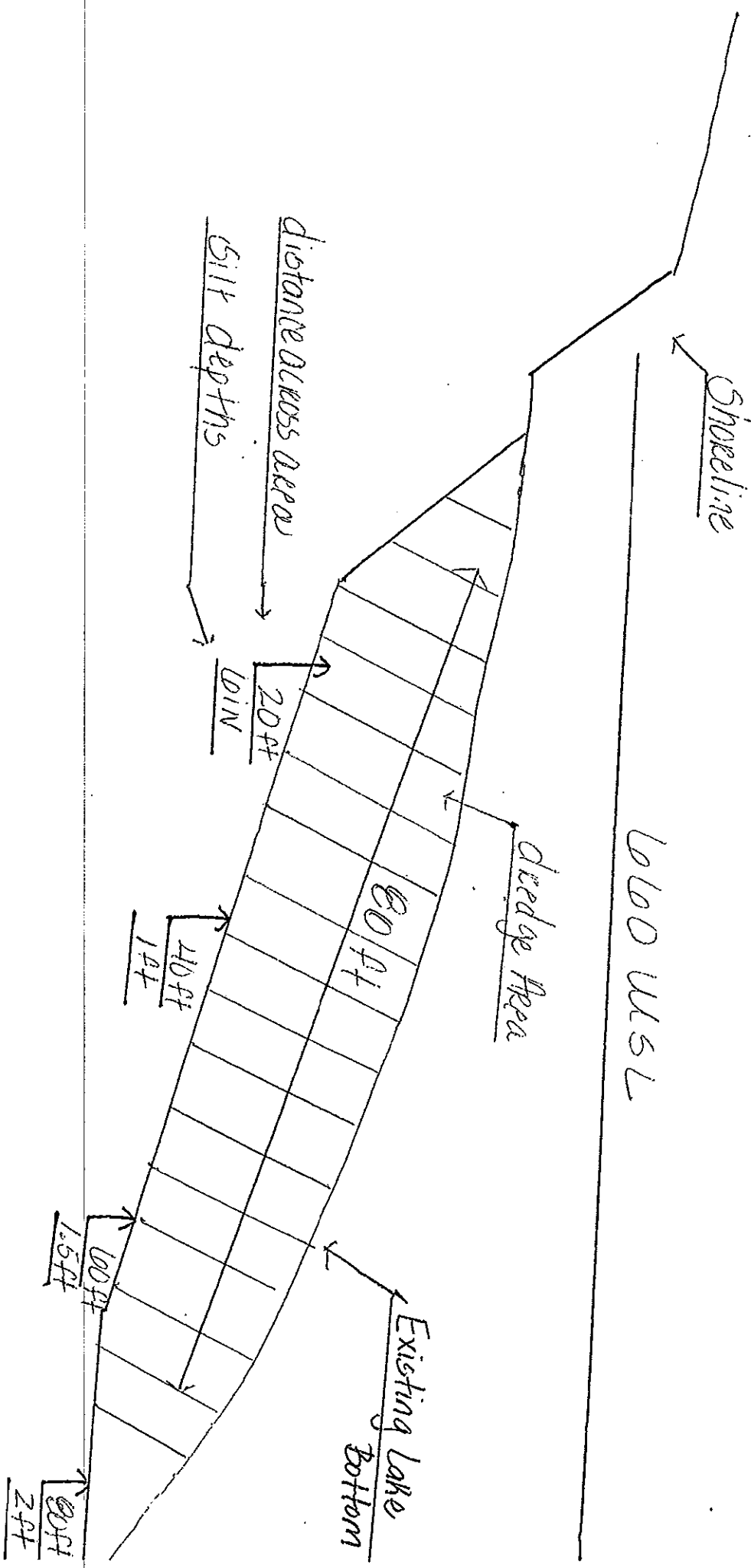
→ Dredge Area 220ft x 80ft
 x avg 2ft depth of silt
 Lake Level must be at
 WSD WSL or lower before
 project starts

Plan View Sketch

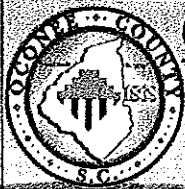
Almond 10/1/17



Side View Sketch



- William Nicholson
- 235 box circle
- Fair Play, St 2904B
- Box circle Dredge
- Dredge area 220x80x2ft



OCONEE COUNTY

"Land Beside the Water"

Assessor's Office

[Oconee Home](#) [Return To Starting Point](#) [Street View\(if available\)](#)



Website design and integration by & nPublic.net

* Disposal area for silt
809 East Fair Play Blvd
Fair Play SC.