

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**750 Executive Center Drive, Suite 103, Greenville South Carolina 29615**

and

**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Water Quality Certification and Wetlands Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

and

**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Office of Ocean and Coastal Resource Management**  
**1362 McMillan Avenue, Suite 400**  
**North Charleston, South Carolina 29405**

REGULATORY DIVISION  
Refer to: SAC-2021-00470

May 8, 2024

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

**Ms. Kelsey DiBiase**  
**Santee Cooper**  
**1 Riverwood Drive-OC08**  
**Monks Corner, South Carolina 29407**

for a permit to remove an island downstream of the Santee Dam in

**Santee River**

Located just downstream of the Santee Dam, Berkeley and Clarendon Counties, South Carolina (Latitude: 33.4505 °, Longitude: -80.1625 °), Eadytown 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.

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

**Applicant's Stated Purpose**

According to the applicant, the purpose of the proposed project is to remove the island to prevent ongoing erosion at one of the spillway training walls.

**Project Description**

The proposed work consists of excavating a 9.1-acre island. In detail, 220,000 cubic yards of material will be removed to 25 feet (NGVD29) by long reach excavators, placed in trucks and stockpiled on a nearby upland site.

**Avoidance and Minimization**

The applicant has stated the following concerning avoidance and minimization measures that will be implemented during completion of the project, "...Construction will be dependent upon weather and any necessary spilling at the spillway. The anticipated period of January through April will be avoided to avoid impacts on American Shad, Hickory Shad, and Blueback Herring. Santee Cooper will provide appropriate erosion and siltation control measures prior to any land disturbing activity and until the area is permanently stabilized. Silt fence will be installed where the excavated material will be stored. Two turbidity curtains will be installed. One will be installed across the Santee River directly downstream of the work and one will be installed around the land mass work area. Vegetation stabilization mix for the upload disposal site be provided for agency review. Santee Cooper will provide the following quantities and mixture to SCDNR. Springtime Mixture: Hulled Bermuda, Fescue, Fertilizer, Lime, and Wood Fiber Mulch. Wintertime Mixture: Un-Hulled Bermuda, Clover, Winter Abruzzi Rye, Fertilizer, Lime, and Wood Fiber Mulch."

**Proposed Compensatory Mitigation**

No mitigation will be required due to the remedial nature of the project and there will be no impacts to waters of the U.S.

## **South Carolina Department of Health and Environmental Control**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). 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.

### **Essential Fish Habitat**

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 9.1 acres 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.

### **Endangered Species**

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur. Northern Long-eared Bat (*Myotis septentrionalis*), Red-cockaded Woodpecker, West Indian Manatee (*Picoides borealis*), American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Pondberry *Lindera melissifolia*.

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on Northern Long-eared Bat (*Myotis septentrionalis*), Red-cockaded Woodpecker, West Indian Manatee (*Picoides borealis*), American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), Pondberry *Lindera melissifolia* and will not 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.

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.

### **Cultural Resources**

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 there are historic properties present, but they will not be affected; 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 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.

### **Corps' Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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.

### **Solicitation of Public Comment**

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. 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.

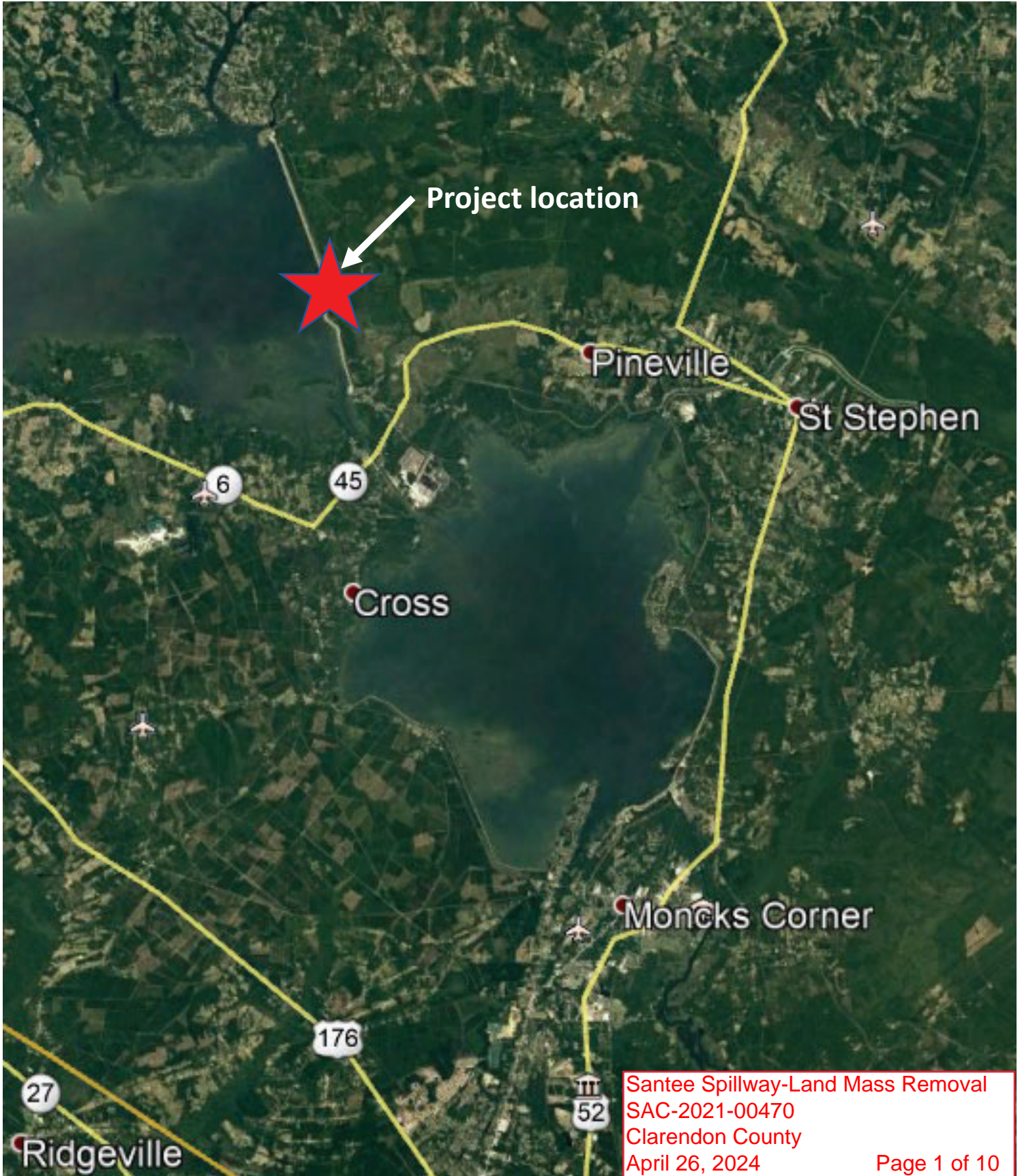
**Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2021-00470), to [Irvin.C.Ridgeway@usace.army.mil](mailto:Irvin.C.Ridgeway@usace.army.mil) or the following address:**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
750 Executive Center Drive, Suite 103, Greenville South Carolina 29615**

If there are any questions concerning this public notice, please contact Chip Ridgeway, Project Manager, at 864-609-4326, toll free at 1-866-329-8187, or by email at [Irvin.C.Ridgeway@usace.army.mil](mailto:Irvin.C.Ridgeway@usace.army.mil).

APPENDIX A

Location Map



PROJECT: SANTEE SPILLWAY – LAND MASS REMOVAL  
OWNER: SCPSA (SANTEE COOPER)  
REP: MIKKI CROCKER, PE

**APPENDIX B  
Vicinity Map**

**PROJECT: SANTEE SPILLWAY – LAND MASS REMOVAL  
OWNER: SCPSA (SANTEE COOPER)  
REP: MIKKI CROCKER, PE**



**Lake  
Marion**

**Santee  
Spillway**

**Dove Field**

**Access Road**

**Land Mass to  
be Removed**

**Santee River**

**Wilson Landing Rd**

APPENDIX C  
Plan View

Lake Marion

Gang Gates

Current Normal Tailwater  
Elevation 27.6' (NGVD 29)

Current Flow

Scour  
Potential

Material Above NWL:  
Approx. 140,000 cy

Material Above Elev. 25'  
Approx. 220,000 cy

Access Road

Extent of Land Mass  
Removed.  
Approx. 9.1 Acres

Santee  
River

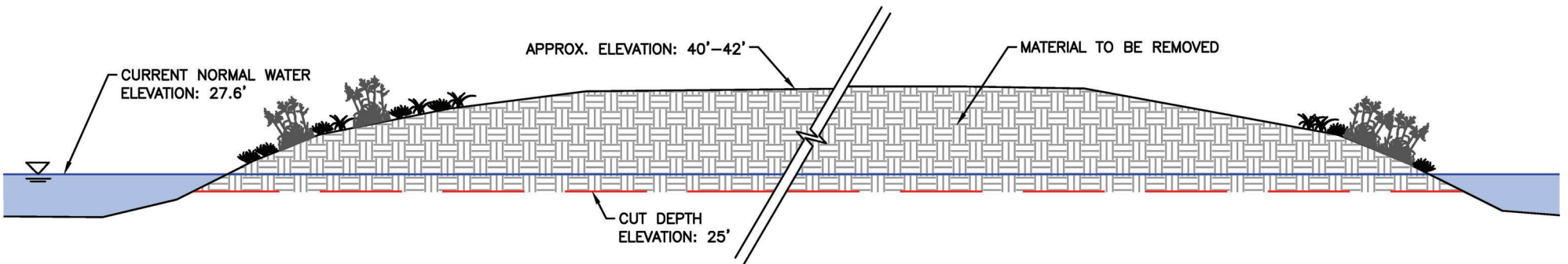
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SANTEE SPILLWAY - LAND MASS REVOVAL

APPENDIX D

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TYPICAL CROSS-SECTION

(NGVD 29)

- Step 1:
  - Install silt fence in adjacent dove field where excavated material will be stored.
  - Install turbidity curtain across the Santee River directly downstream of the work.



Santee Spillway-Land Mass Removal

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- Step 2:
  - Mobilize equipment to island (Excavator, Offroad Trucks)
    - Start closest to Spillway and work back towards the adjacent dove field.



- Step 3:
  - Use large excavator to excavate to the mud line and haul using Offroad Trucks to stockpile in adjacent dove field.
  - Below mud line
    - Use Long Boom Excavator to excavate the wet material.
    - Dewater area to dump material on land mass to dry and then haul.
    - Ensuring not to mix wet material with the dry material.

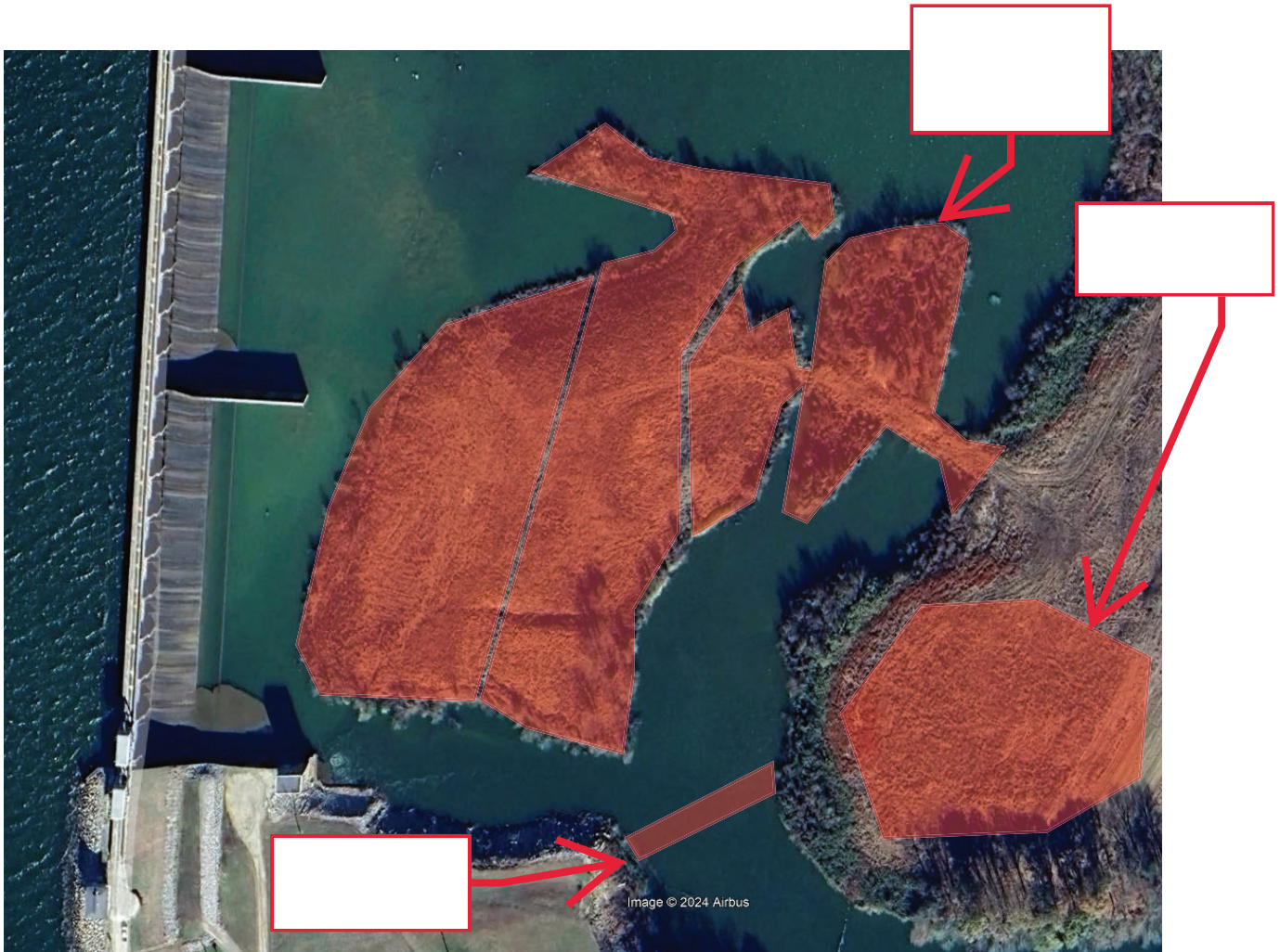


- Step 4:
  - Repeat Step 3 until all material has been removed.



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- Step 4:
  - Repeat Step 3 until all material has been removed.



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- Step 5:
  - Demobilize equipment.
  - Remove turbidity curtain.
  - Remove silt fence from stockpile location once this material has been removed from site.

