JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 150 Executive Center Drive, Suite 205 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

REGULATORY DIVISION Refer to: P/N SAC-2020-01315

October 21, 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, <u>et. seq.</u>, 1976 <u>S.C. Code of Laws</u>, 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. Phil Shirley Oconee County Parks, Recreation, & Tourism 415 S. Pine Street Walhalla, South Carolina 29691

for a permit to place fill material for a boat ramp, construct a fishing pier, and construct a kayak launch on

LAKE HARTWELL

at 280 Seneca Creek Road in Seneca, Oconee County, South Carolina (Latitude: 34.6821 °, Longitude: -82.8662 °), Clemson 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 placement of fill for a boat ramp and associated docks, plus the construction of a fishing pier and kayak launch. In detail, the project consists of building a 3-lane boat ramp with 2 courtesy docks, a fishing pier, and a kayak launch on Lake Hartwell. The boat ramp will be 50-feet wide and 130-feet long with two courtesy docks on either side. The

courtesy docks will each have a 5-foot wide by 80-foot long gangway leading to five separate 8-foot wide by 20-foot long floating dock sections at the end. In total, the boat ramp and associated docks will be 66-feet wide by 177-feet long. The boat ramp will be constructed in an area where there is an existing ramp that consists of an asphalt drive into the lake. The fishing pier will have a 5-foot wide by 80-foot long gangway that leads to a 20-foot by 21-foot framed float. The framed float will have four 12-inch steel piles at each corner. The total length of the fishing pier will be 96-feet and width will be 21-feet. The kayak launch will have a 5-foot by 80-foot gangway that leads to a framed float that is a total of 24-feet by 20-feet 3-inches. The framed float will have two 7-foot wide by 13-foot 3-inch long floats with a 4-foot 4-inch wide by 15-foot long kayak launch between them. The kayak float will have four 12-inch steel piles at each corner. The total length of the kayak launch will be 100-feet and the width will be approximately 25-feet. The ramp and docks will be operated and maintained by the County. The project purpose is to improve boating access and provide recreation opportunities on 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 freshwater 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 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.

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)(*I*)(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 and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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 150 Executive Center Drive, Suite 205 Greenville, South Carolina 29615

If there are any questions concerning this public notice, please contact Kristin B. Andrade, Team Leader, at (864) 609-4324, or by email at Kristin.B.Andrade@usace.army.mil.



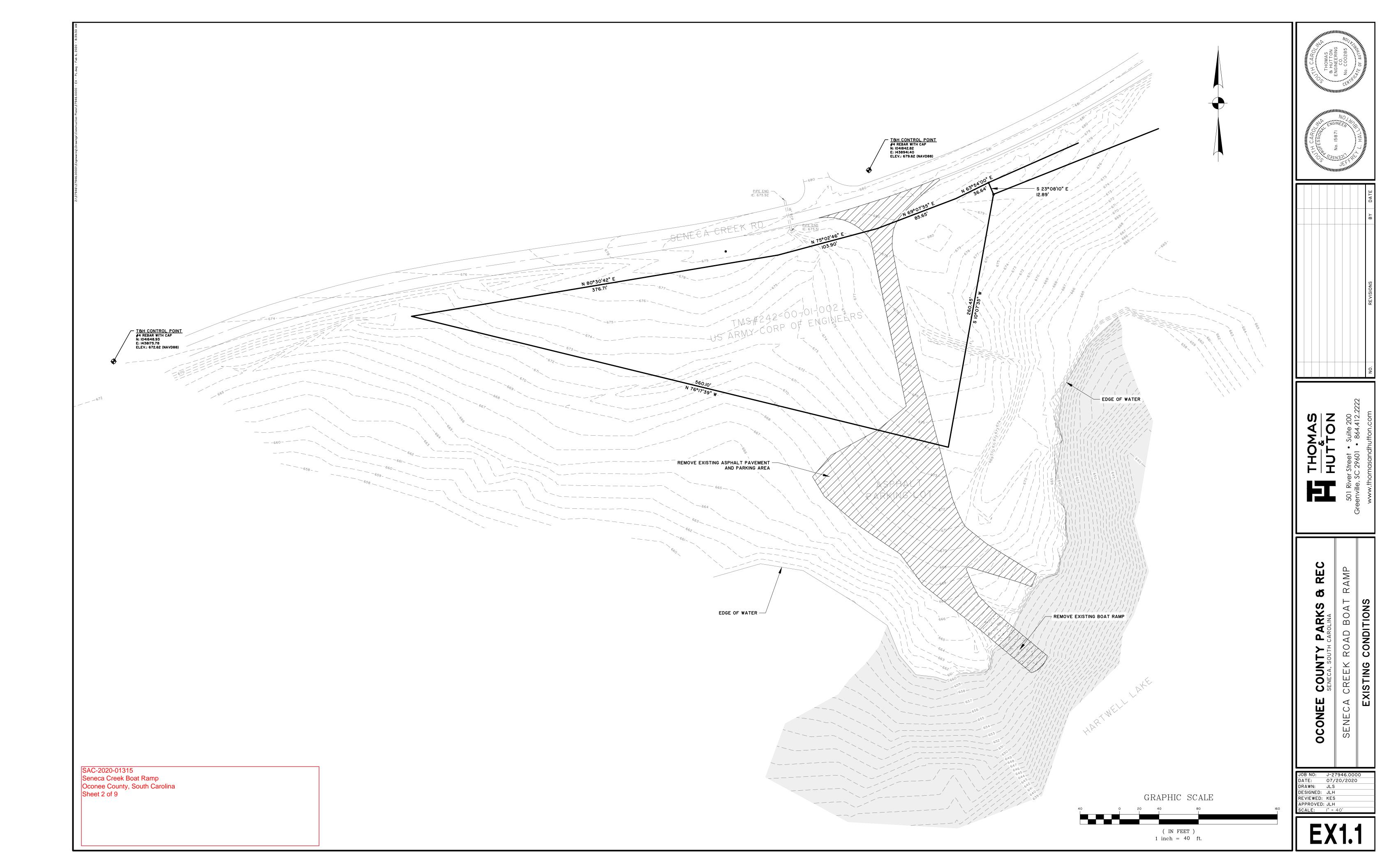
This map was created using geothinQ | www.geothinQ.com | Mapping Smart Land Decisions

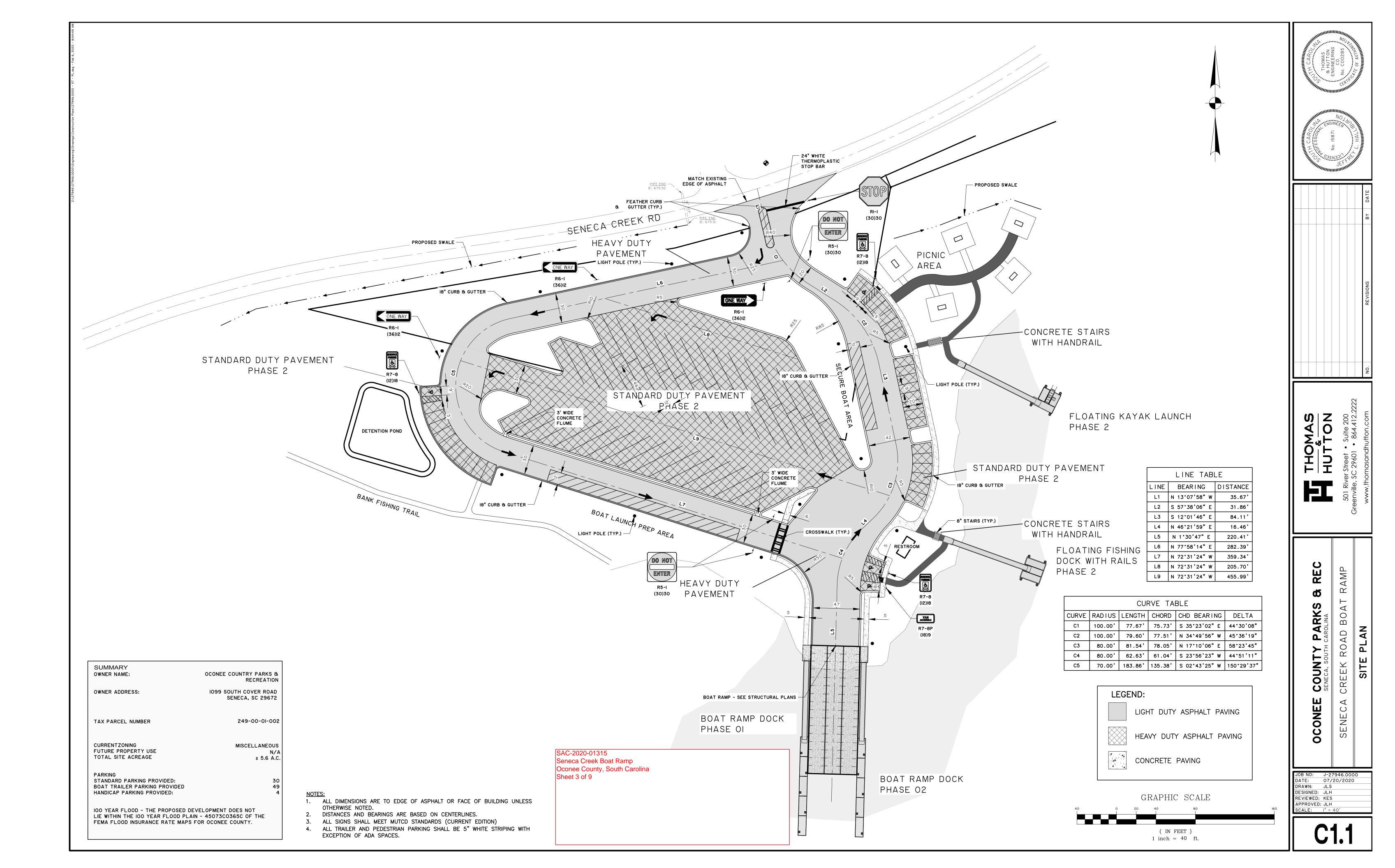


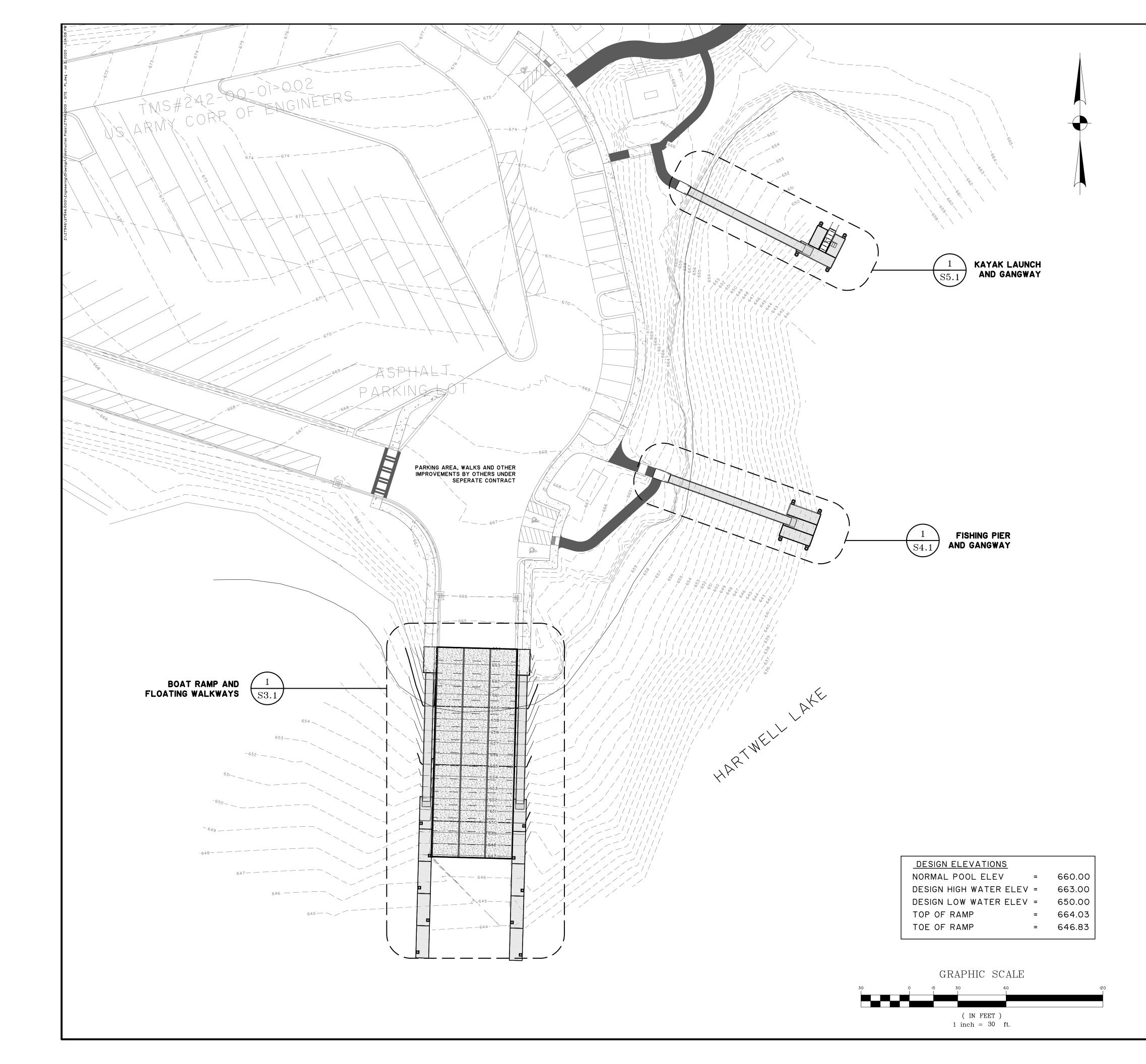
Seneca Creek Boat Ramp

Vicinity Map 10/08/2020

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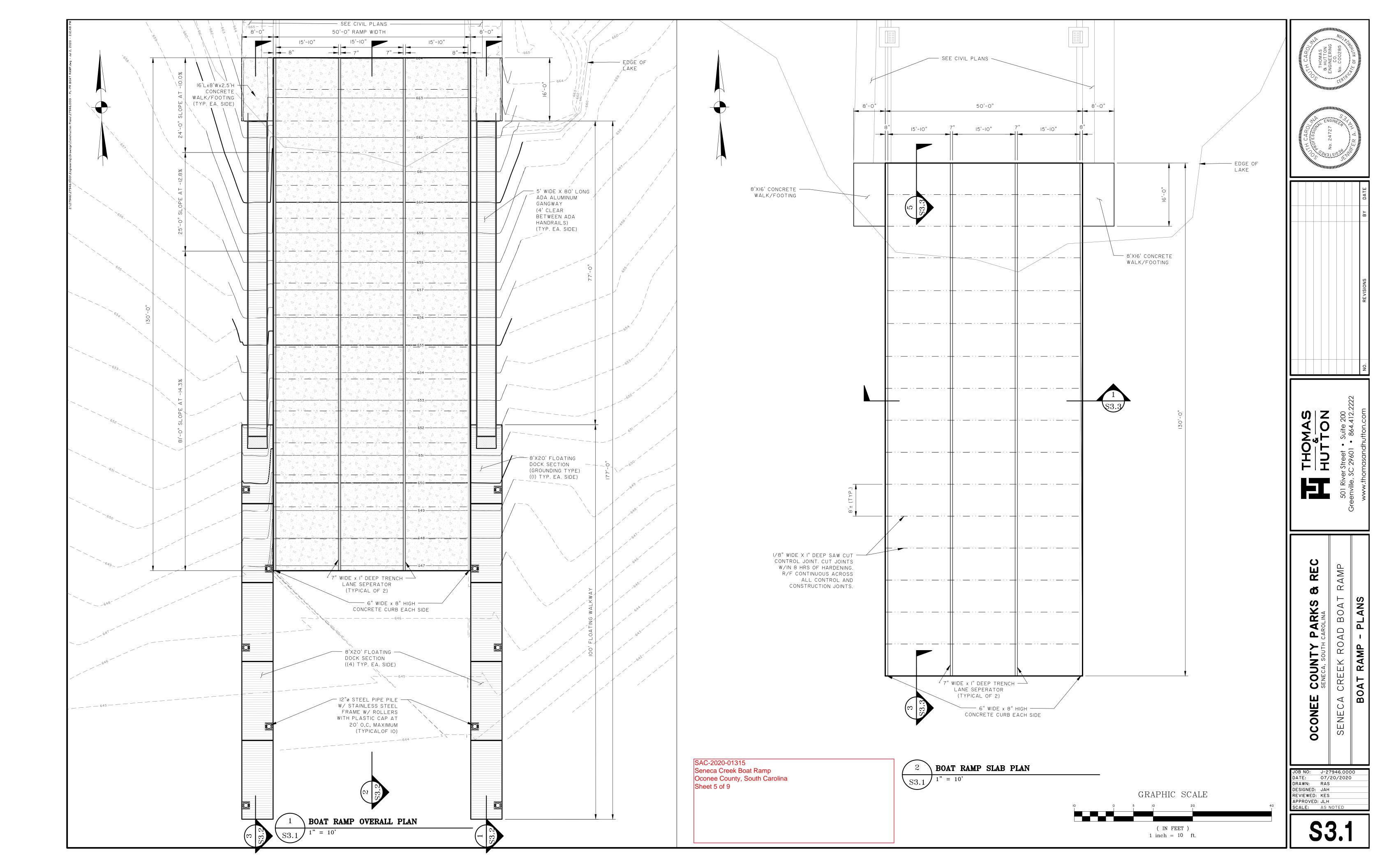


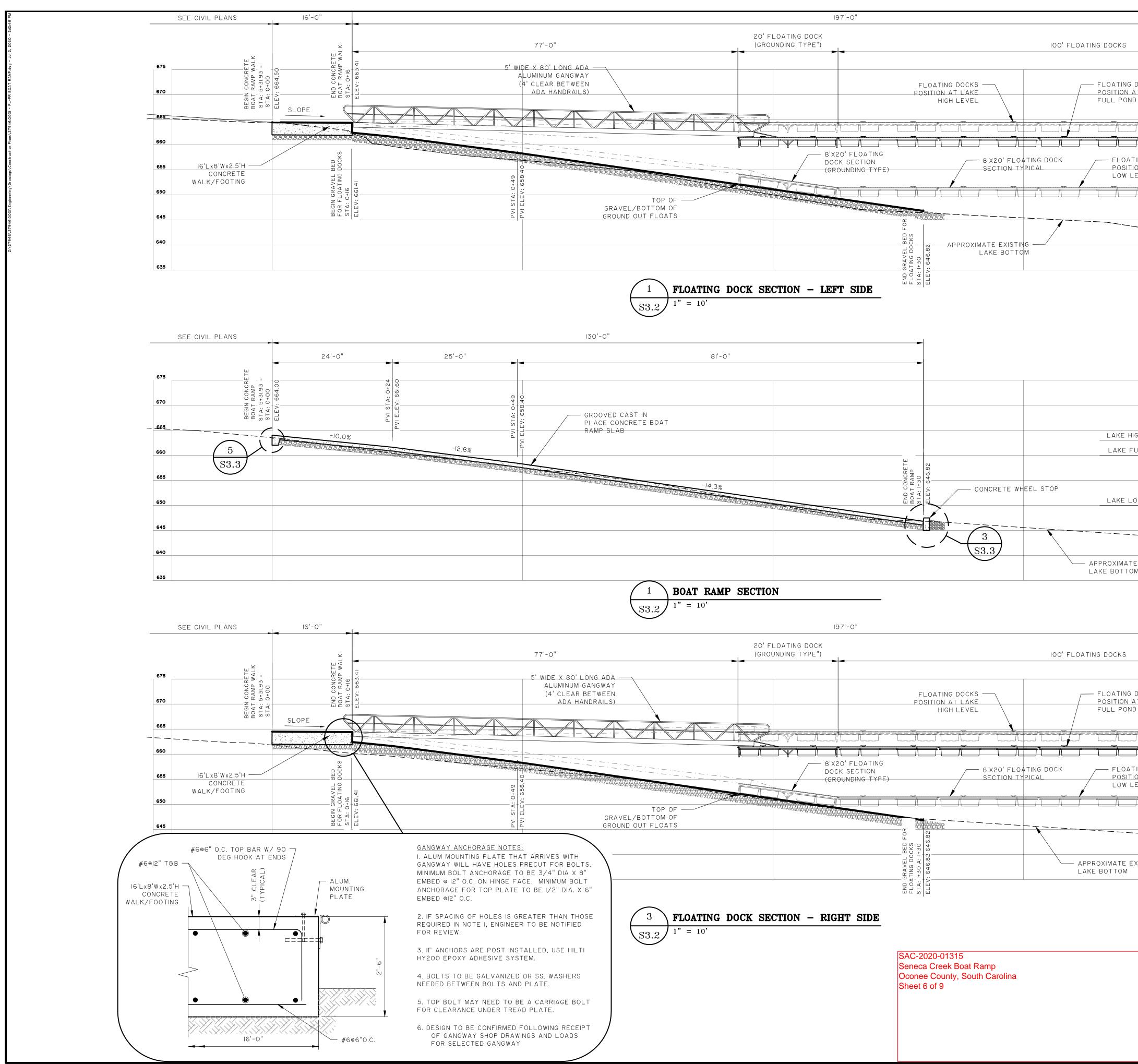




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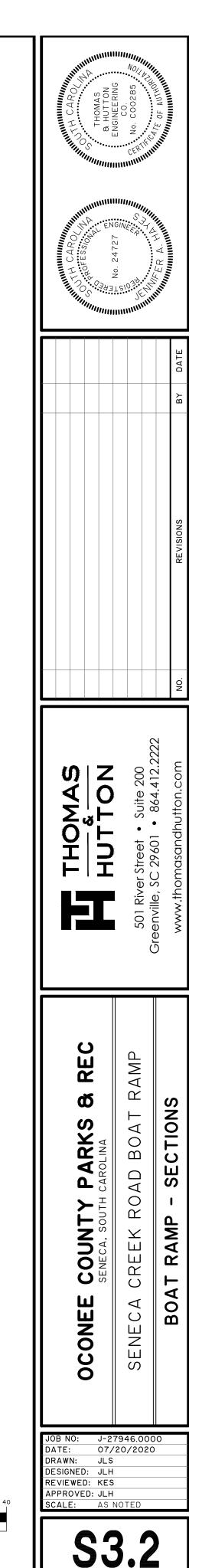




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GRAPHIC SCALE

(IN FEET) 1 inch = 10 ft.

