

**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**  
Office of Environmental Quality Control  
Water Quality Certification and Wetlands Programs Section  
2600 Bull Street  
Columbia, South Carolina 29201

REGULATORY DIVISION  
Refer to: P/N # 2012-1157-5Z

January 10, 2013

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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

**CHRIS ABERNATHY**  
**C/O PERRY JOHNSTON**  
**DOCKMASTERS**  
**5850 CHARLOTTE HWY**  
**LAKE WYLIE, SOUTH CAROLINA 29710**

for a permit to construct a courtesy dock on

**LAKE WYLIE**

at an existing employee recreational area at the Catawba Nuclear Plant off of Concord Road, in York County, South Carolina, (Latitude: 35058117 Longitude: -81.065554).

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 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 courtesy dock for use by employees of the Catawba Nuclear Station. The dock will be located at an existing recreational area for the employees. Per the applicant, the dock will be, "a fixed pier 4' X 30' starting above the high water mark, an aluminum ramp 4' X12', 3 floating sections 6' X 25' each for a total floating length of 75'." The dock is to extend a total of 110' and 6" from the high water line. The dock is to be constructed of wood with PVC decking, aluminum ramp and frames, and HDPE tubes filled with flotation. The floating sections are to be anchored with galvanized steel pilings. As stated by the

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applicant, the purpose of the proposed project is to provide a courtesy dock for the boat launch area. The applicant has stated that because of the minimal impacts associated with this project, no compensatory mitigation is proposed.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: Laura Boos  
1835 Assembly Street  
Room 865 B-1  
Columbia, SC 29201**

The work shown on this application must be determined consistent with applicable provisions of the South Carolina Construction in Navigable Waters Permit Program. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to State navigable waters permit must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

Preliminary review of the scope of work sought by this application indicates that State and Federal permits should be processed concurrently. If the Federal permit is issued in advance of the State's a special provision will be included in the Federal permit expressing the endorsement of the District Engineer to any revisions or conditions subsequently imposed by the State permit.

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 approximately 0.02 acre of freshwater habitat well inland of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined 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 7(c) of the Endangered Species Act of 1973 (as amended).

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.

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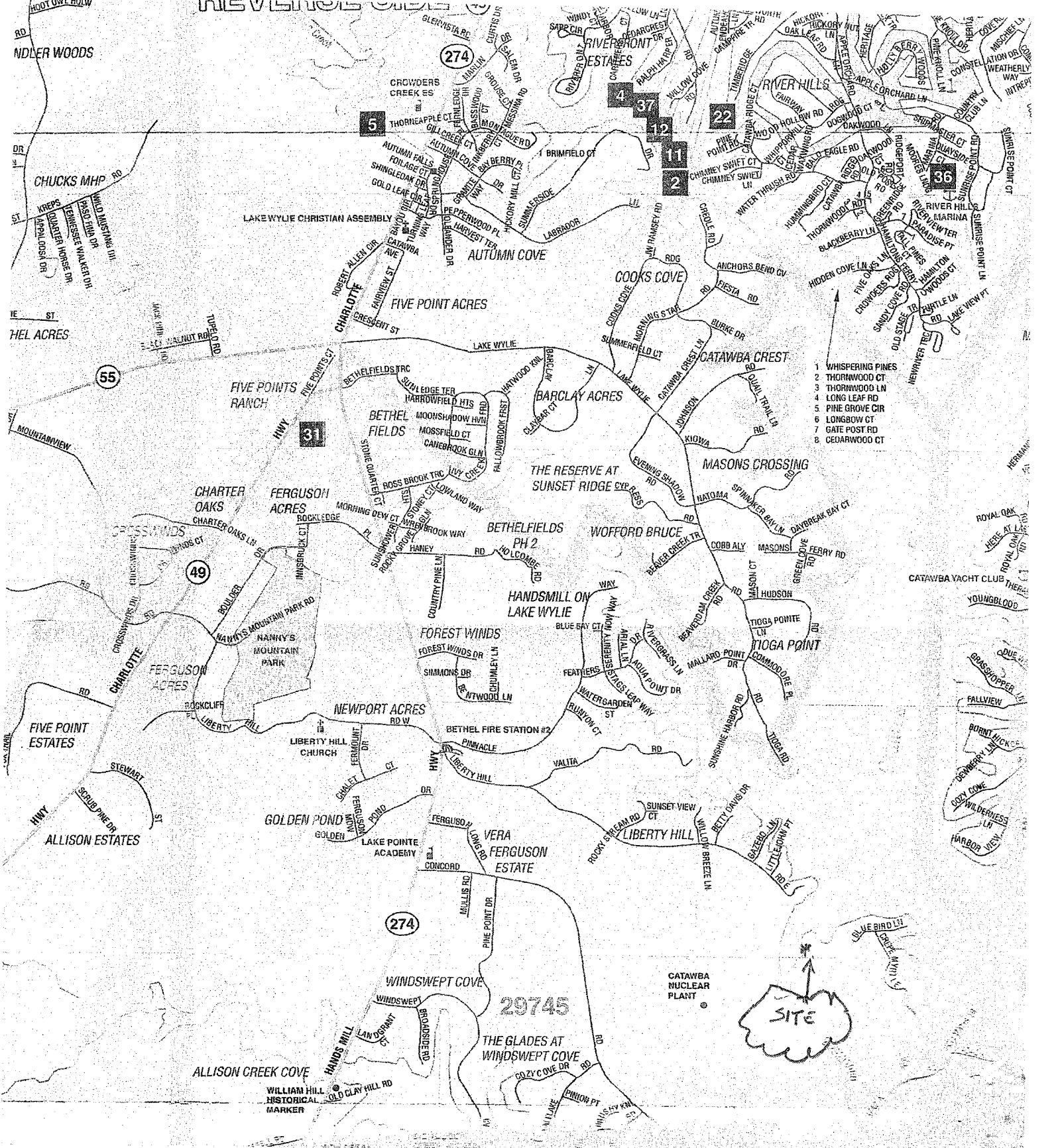
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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 of Engineers cannot undertake to adjudicate rival claims.

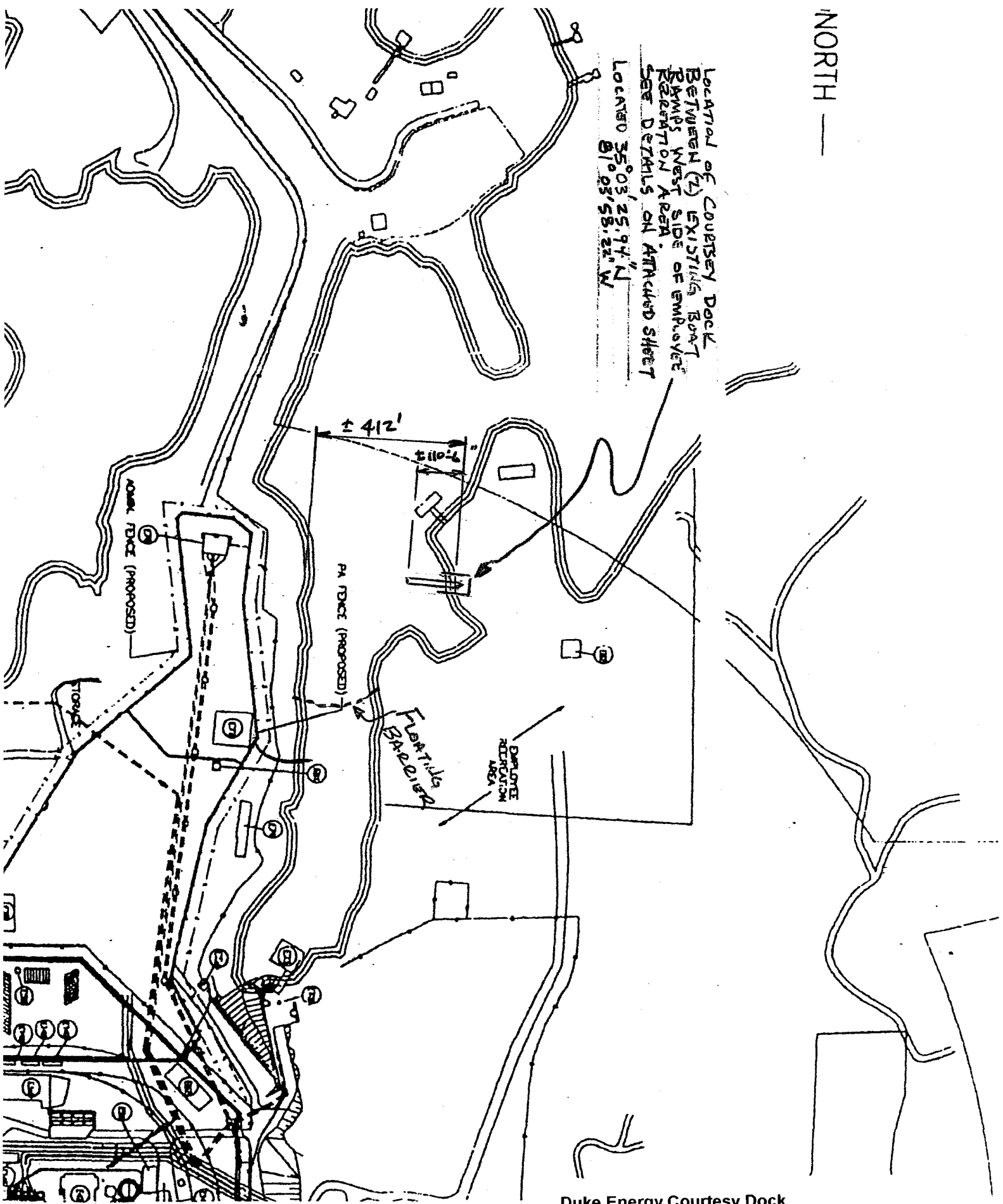
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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.

If there are any questions concerning this public notice, please contact Laura Boos at 803-253-3902.



NORTH —

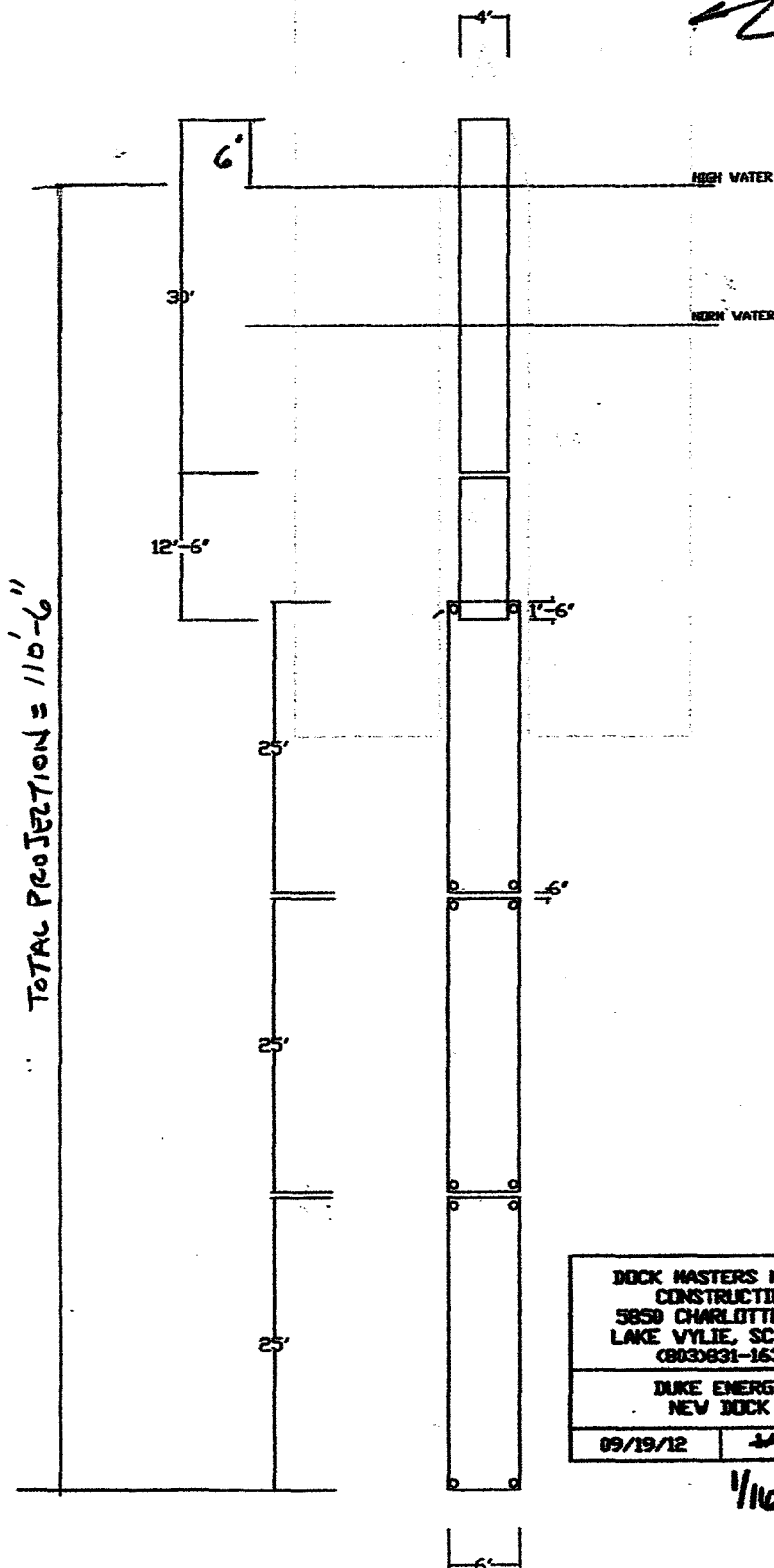
LOCATION OF COURTESY DOCK  
BETWEEN (Z) EXISTING BOAT  
RAMP'S WEST SIDE OF EMPLOYEE  
RECREATION AREA.  
SEE DETAILS ON ATTACHED SHEET  
LOCATED  $35^{\circ}03'25.94''N$   
 $81^{\circ}03'58.22''W$



SHEET No. R-100 A  
COURTESY DOCK LOCATION

Duke Energy Courtesy Dock  
SAC 2012-1157-5Z  
York County  
January 3, 2012  
Sheet 2 of 4

EXISTING CONCRETE RAMP

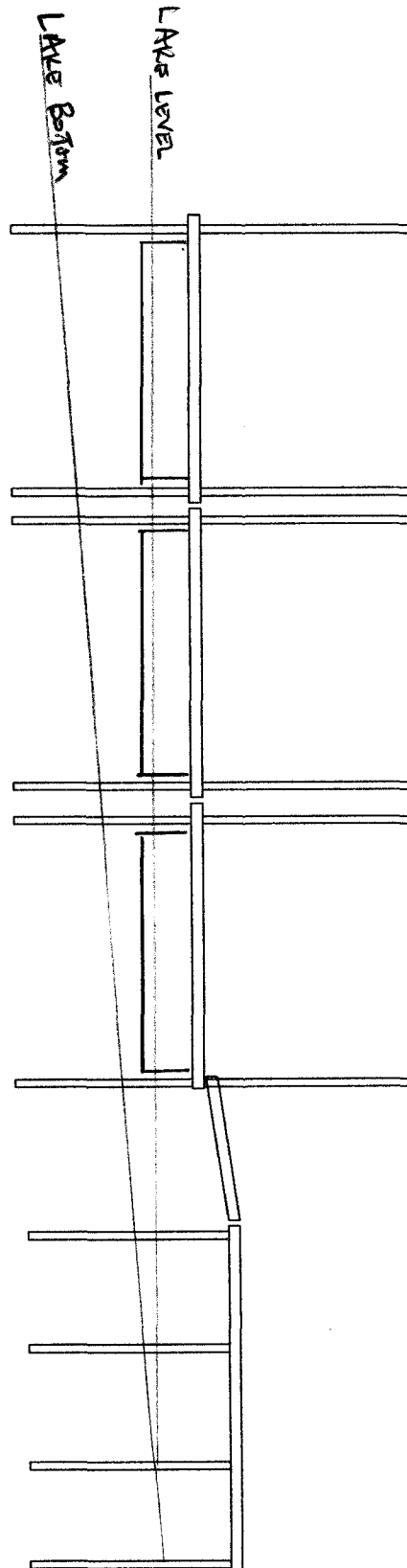


DOCK MASTERS MARINE CONSTRUCTION 5850 CHARLOTTE HWY LAKE VYLIE, SC 29710 8030831-1633	
DUKE ENERGY NEW DOCK	
09/19/12	<del>1/8" = 1'</del>

1/10" = 1'

PLAN VIEW

Duke Energy Courtesy Dock  
SAC 2012-1157-5Z  
York County  
January 3, 2012  
Sheet 3 of 4



DICK MASTERS MARINE CONSTRUCTION 5850 CHARLOTTE HWY LAKE WYLE, SC 29710 (803)831-1633	
DUKE ENERGY NEW DOCK	
09/19/12	402-4

1/16" = 1'

SECTION VIEW