

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 # 2013-00369-6H

April 18, 2013

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 the State of South Carolina by

Mr. James Marett
C/O J&S Shoreline
686 Chandlers Ferry Road
Hartwell, Georgia 30643

for a permit to excavate accumulated silt in a cove of

Lake Hartwell

adjacent to the Harbor Gate Yacht Club, located at 111 Harbor Gate, City of Anderson, Anderson County, South Carolina (Lat 34.5236, Long -82.7775).

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 excavating approximately 1,700 cubic yards of accumulated silt in a cove of Lake Hartwell. In detail, the applicant proposes to excavate an area 120' X 40' X average dept of 6' (area 1) and another area 106' X 40' X average dept of 4' (area 2). The excavation work will be performed in the dry and will not go below original lake bottom contours. The work will be accomplished using an excavator, skid steer, and barge. The barge will be used to ferry silt from Area 1 to Area 2 to be loaded onto dump trucks. The disposal site for excavated material is located adjacent to the intersection of SC Highway 159 and SC Highway 34 (Lat 34.5069, Long -82.7705). The primary purpose of the project is to improve navigability in the cove by removing accumulated silt. The applicant has not proposed compensatory mitigation.

April 18, 2013

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: Jessica Hooten
1835 Assembly Street
Room 865 B-1
Columbia, South Carolina 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 0.20 acres 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.

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.

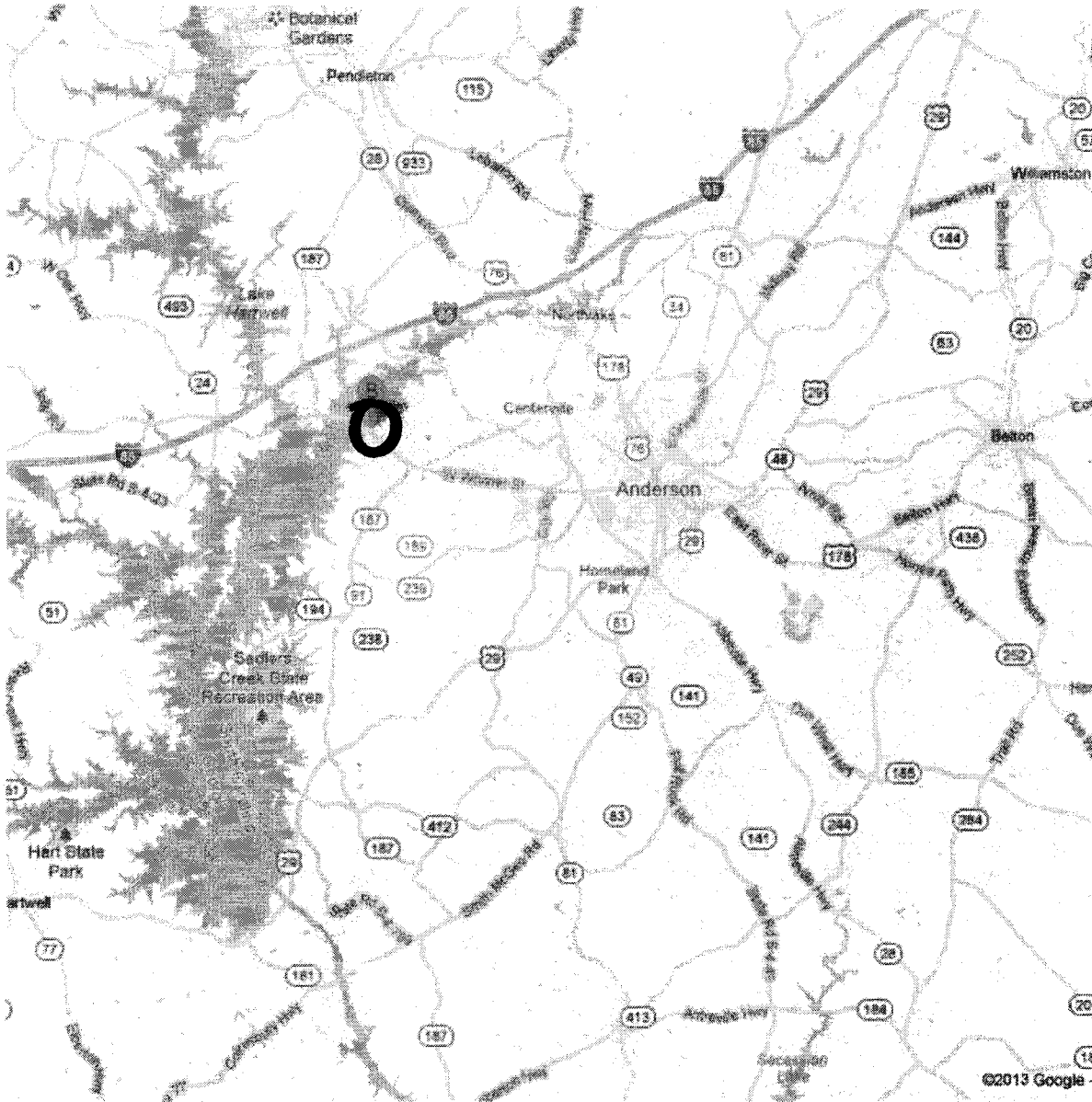
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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 Jessica Hooten at 803-253-3916.

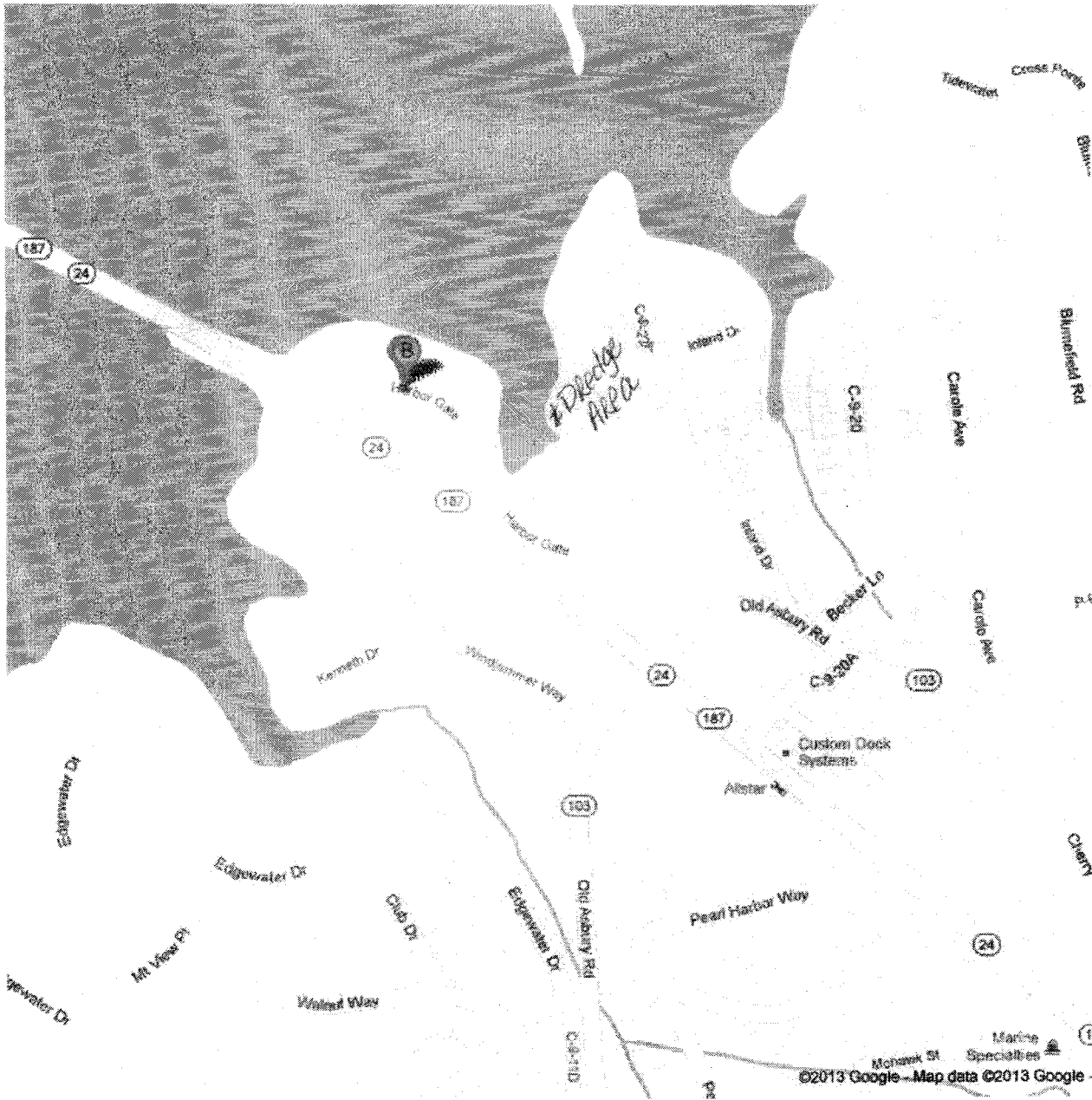


Harbor Gate Dredge (B)
11 Harbor Gate
Anderson, SC 29625





Directions to Harbor Gate
16 ft



SAC-2013-00369-6H
HARBOR GATE DREDGE
ANDERSON COUNTY, SC
SHEET 2 OF 5
APRIL 18, 2013

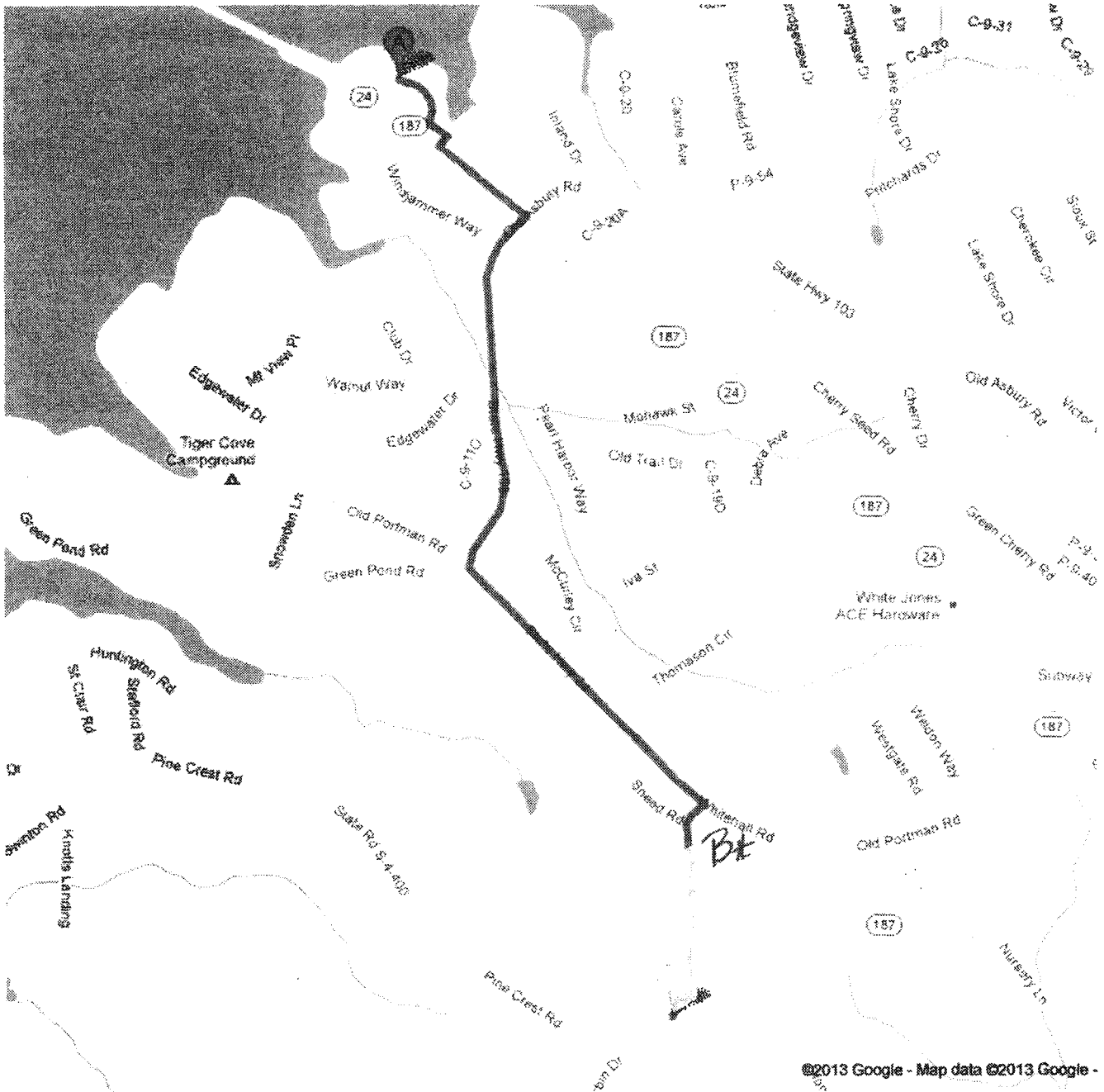


Directions to Harbin Dr, Anderson, SC 29626

1.8 mi – about 6 mins

A: Dredging Site

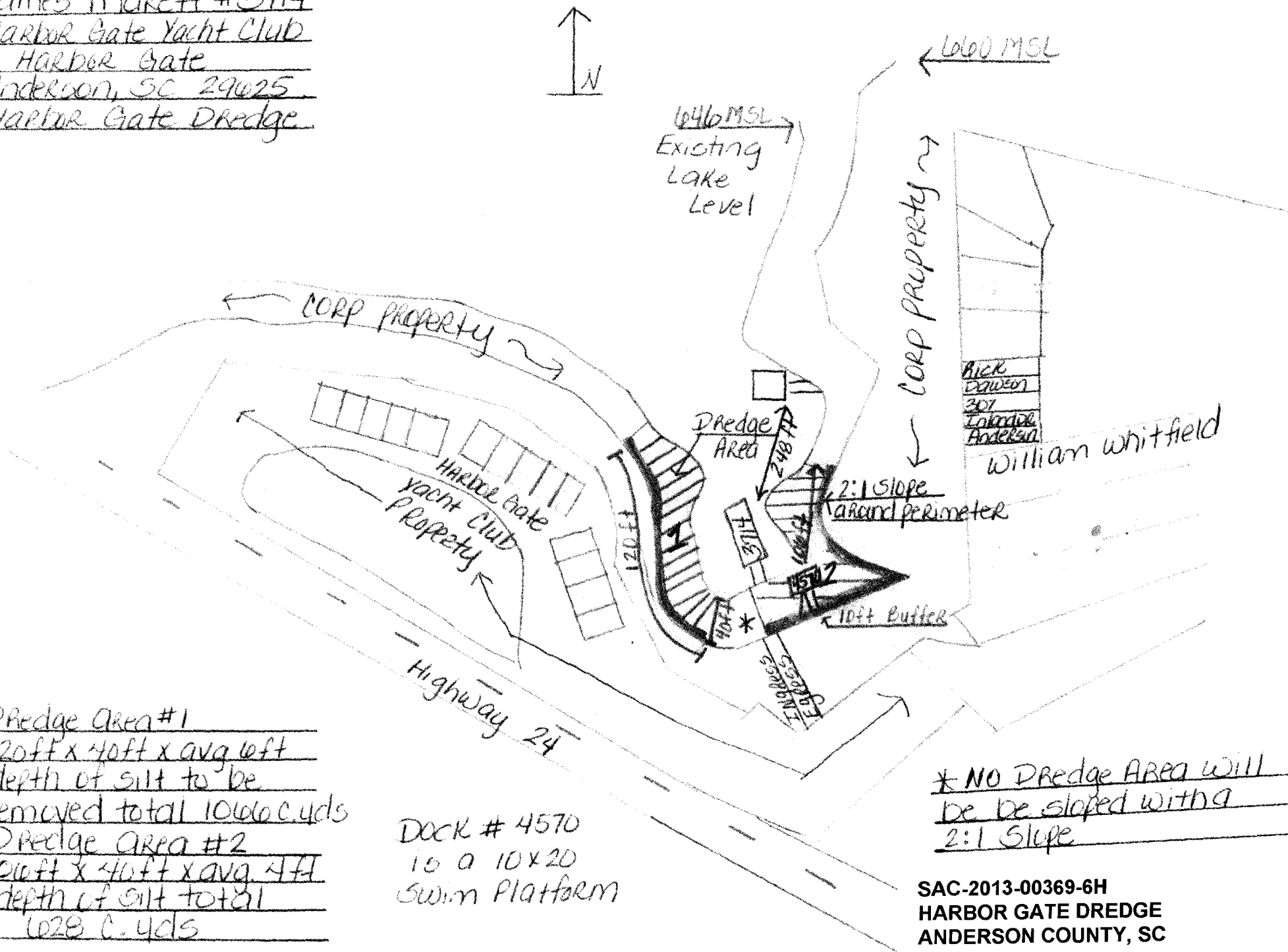
B: Disposal Site Corner of Harbin Drive & Whithall Extension (No 911 Address)



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SAC-2013-00369-6H
 HARBOR GATE DREDGE
 ANDERSON COUNTY, SC
 SHEET 3 OF 5
 APRIL 18, 2013

James Marett #3714
 Harbor Gate Yacht Club
 11 Harbor Gate
 Anderson, SC 29625
 Harbor Gate Dredge

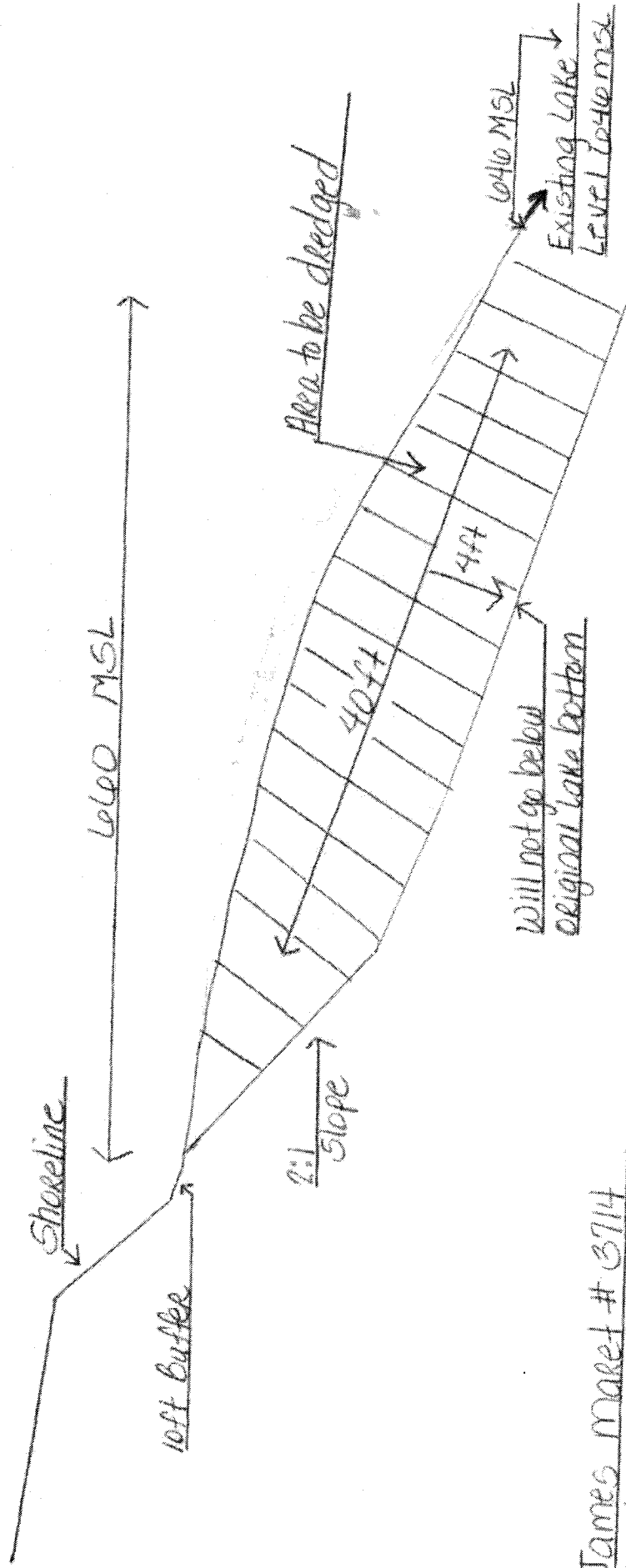


Dredge Area #1
 120ft x 40ft x avg 1ft
 depth of silt to be
 removed total 1066 c.yds
Dredge Area #2
 100ft x 40ft x avg 4ft
 depth of silt total
 1628 c.yds

Dock # 4570
 is a 10x20
 swim platform

* NO Dredge Area will
 be be sloped with a
 2:1 Slope

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 HARBOR GATE DREDGE
 ANDERSON COUNTY, SC
 SHEET 4 OF 5
 APRIL 18, 2013



James Maret # 3714
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 Anderson, SC 29625
 Harbor Gate Dredge