# JOINT PUBLIC NOTICE

# CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A HAGOOD AVE CHARLESTON, SOUTH CAROLINA 29403 and

THE S.C. DEPARTMENT OF ENVIRONMENTAL SERVICES
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia. South Carolina 29201

REGULATORY DIVISION Refer to: SAC-2021-01918

September 18, 2024

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. 1344), Section 14 of the Rivers and Harbors Act of 1899, 33 USC 408 (Section 408) the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), 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 South Carolina Department of Environmental Services by

Mr. Russell Cornette
Berkeley County Government
PO Box 6122
Moncks Corner, South Carolina 29461

Mr. Reggie Reeves
GEL Engineering, LLC
2040 Savage Rd
Charleston, South Carolina 29407
reggie.reeves@gel.com

for a permit to upgrade an existing landing, construction of courtesy and floating docks, construction of a separate docking facility for law enforcement, a breakwater structure, installation of navigational buoys, and associated dredging in

#### Lake Moultrie

located northwest and adjacent to Broughton Road, Moncks Corner, Berkeley County, South Carolina (Latitude: 33.2355°, Longitude: -80.0126°), Moncks Corner 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 **SCDES** 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: <a href="http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices">http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices</a> .

#### **Applicant's Stated Purpose**

According to the applicant, the purpose of the proposed project is to provide greater boating and recreational access in Berkeley County by redeveloping the former Atkin's Landing with an upgraded and modern mega boat launch.

#### **Project Description**

Berkeley County, in cooperation with Santee Cooper proposes to **upgrade an** existing boat landing (formerly known as Atkin's Landing) and to construct new amenities for public and law enforcement use. In detail, the proposed project includes:

- Constructing a Law Enforcement Boat Slip with the following elements:
  - A 10' x 94' long, floating walkway connected to uplands by a 6' x 25' aluminum gangway to be anchored by a concrete foundation. Concrete foundations will be located in uplands above the OWHM.
  - The walkway will provide access to two floating piers, both measure 5' x 50' long. The spacing between the piers will be 13' to allow dockage for law enforcement watercraft.
  - The entire system will be constructed with 11 timber guide piles, up to 12" in diameter.
- **Boat Ramps and courtesy docks**: Demolition and removal of the existing double lane boat ramp to be replaced with three double lane boat ramps, totaling six lanes and includes the following elements:
  - Three double lane concrete 30' x 109' long ramps totaling 0.26 acre of impacts below OHWM.
  - o Four floating 8' x 90', courtesy docks are proposed to be constructed

- alongside and between the boat launches. Each structure would be supported by five (5) timber, guide piles up to 12" in diameter.
- Each courtesy dock will be accessed via a 6' x 35' long aluminum gangway anchored to uplands by a concrete foundation.
- An 8' x 294' riprap apron is proposed to be constructed along the outside edges of the boat launch area that will deposit approximately 90 cubic yards of material (0.05 acre) below the Ordinary High Water Mark of Lake Moultrie.
- Floating Dock System The project proposes a floating dock system of multiple finger piers situated on opposite side of the walkway and includes the following elements:
  - A floating 10' x 202' walkway constructed attached to uplands with concrete abutments situated above the OWHM.
  - Four (4) finger piers will be constructed on each side of the walkway, totaling eight (8) finger piers. Each finger pier will be 8' x 50' long with two timber guide piles, up to 12" in diameter. The distance between finger piers will be 30'.
  - The walkway will be accessed via a 6' x 35' long aluminum gangway. The gangway will be anchored to the uplands via a concrete gangway foundation.
  - o In total, 22 timber guide piles will be installed as part of the floating dock system.
- **Sheet Pile Breakwater** The project includes construction of a steel sheet pile breakwater structure to the north and east of the floating dock system. The breakwater includes the following items:
  - Two segments of breakwater will be installed. Individually, the segments are
     253 linear feet (LF) and 315 LF, totaling 568 LF of breakwater.
  - The breakwater is constructed of two steel sheet piles, each 3/8" thick. The sheet piles are located 18" apart. A 3/8" thick steel cap will be installed atop the two sheet piles.
  - The top elevation of the breakwater is 80.0 feet Mean Sea Level (MSL). The full pool elevation of Lake Moultrie is 75.5' MSL.
- Dredging In order to accommodate boat launching and associated water- based travel, dredging is required to deepen portions of the project area. The dredging includes:
  - The applicant proposed to dredge approximately 43,500 cubic yards of material to a designed dredge depth of 65.0' MSL with a 3:1 side slope.
  - The dredged channel beginning at the boat launch would extend into Lake Moultrie and be 354' wide to facilitate adequate depths for the access to boat ramps. A dredged channel would connect the law enforcement dock to the main channel would be approximately 65' in width.
  - The dredging will be conducted with a barge-mounted excavator. The sediment will be transferred to dump trucks and transported to the upland placement area located away at a travel distance of 8,050 linear feet. A turbidity barrier/curtain with anchor kit will be deployed around the project area to prevent increased suspended sediments from leaving the project area.

 The placement area is 1.70-acres in size. Prior to placement, a double row of silt fence will be placed around the stockpile area to prevent loss of water or sediment outside of the area.

#### **Avoidance and Minimization**

The applicant has stated: The project will not require filling of wetland or special aquatic sites, as such, no mitigation is proposed. Although there will be temporary turbidity and siltation associated with the proposed dredging, the applicant will install a turbidity barrier/curtain to limit those to the direct project area during construction.

## **Proposed Compensatory Mitigation**

No mitigation was proposed for the site due to the lack of impacts to wetlands or other special aquatic sites.

#### **South Carolina Department Environmental Services**

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 Environmental Services, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). 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 South Carolina Department of Environmental Services. 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 approximately 4.5 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 proposed project and based on location and available information, the following species have the potential to occur in the vicinity of the proposed work: Northern Long-eared bat (*Myotis septentrionalis*), Tricolored Bat (*Perimyotis subflavus*), West Indian Manatee (*Trichechus manatus*), Red-cockaded Woodpecker (*Picoides borealis*), Wood Stork (*Mycteria americana*), Monarch Butterfly (*Danaus plexippus*), American chaffseed (*Schwalbea americana*), Canby's dropwort (*Oxpolis canbyi*), Pondberry (*Lindera melissifolia*), Atlantic sturgeon (*Acipenser oxyrinchus*), and Shortnose sturgeon (*Acipenser brevirostrum*).

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 <u>no effect</u> on Red-cockaded Woodpecker (*Picoides borealis*), Wood Stork (*Mycteria americana*), Monarch Butterfly (*Danaus plexippus*), American chaffseed (*Schwalbea americana*), Canby's dropwort (*Oxpolis canbyi*), Pondberry (*Lindera melissifolia*), and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project <u>is not likely to adversely affect</u> West Indian Manatee (*Trichechus manatus*), Northern Long-eared bat (*Myotis septentrionalis*), Tricolored Bat (*Perimyotis subflavus*), Atlantic sturgeon (*Acipenser oxyrinchus*), and Shortnose sturgeon (*Acipenser brevirostrum*) or 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 (Project Code: 2024-0115511) 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)(*I*)(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 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.

#### **Solicitation of Public Comment**

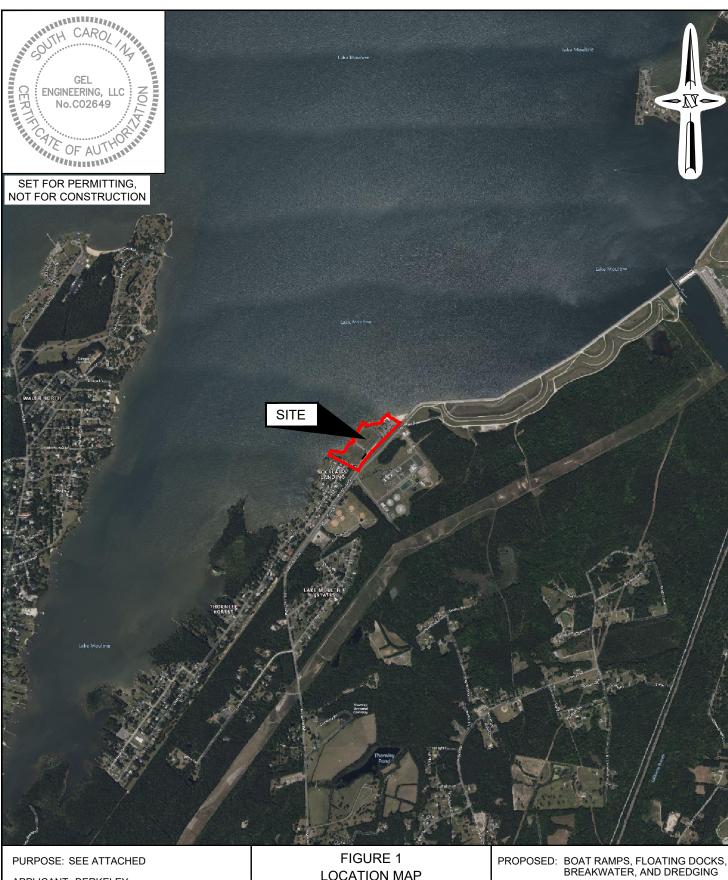
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate

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-2021-01918), to tony.b.hardee@usace.army.mil **or** the following address:

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 1949 INDUSTRIAL PARK ROAD / ROOM 140 CONWAY, SOUTH CAROLINA 29526

If there are any questions concerning this public notice, please contact T. Brian Hardee, project manager, at (843) 365-0848, or by email at tony.b.hardee@usace.army.mil.



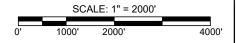
APPLICANT: BERKELEY

COUNTY

GEL Project No. BERK00124 SURVEY DATUM: NAD83

DATE: 8/14/24

# **LOCATION MAP**



LAKE MOULTRIE MEGA BOAT LANDING MONCKS CORNER, SOUTH CAROLINA

AT: MONCKS CORNER

IN: LAKE MOULTRIE

COUNTY OF: BERKELEY

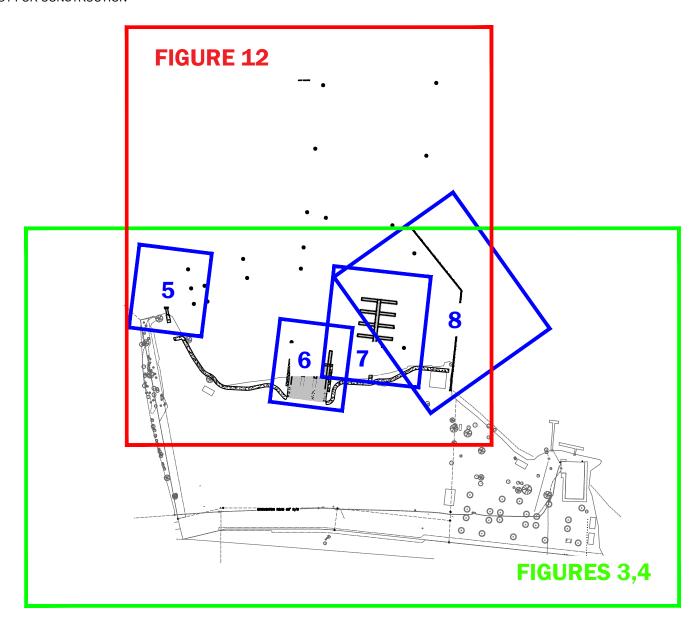
SOUTH CAROLINA

SHEET: 1 OF 15 a Member of THE GEL GROUP, INC.





SET FOR PERMITTING, NOT FOR CONSTRUCTION



PURPOSE: SEE ATTACHED

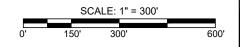
APPLICANT: BERKELEY

COUNTY

GEL Project No. BERK00124 SURVEY DATUM: NAD83

DATE: 8/14/24

FIGURE 2 INDEX



LAKE MOULTRIE MEGA BOAT LANDING MONCKS CORNER, SOUTH CAROLINA

PROPOSED: BOAT RAMPS, FLOATING DOCKS,

BREAKWATER, AND DREDGING

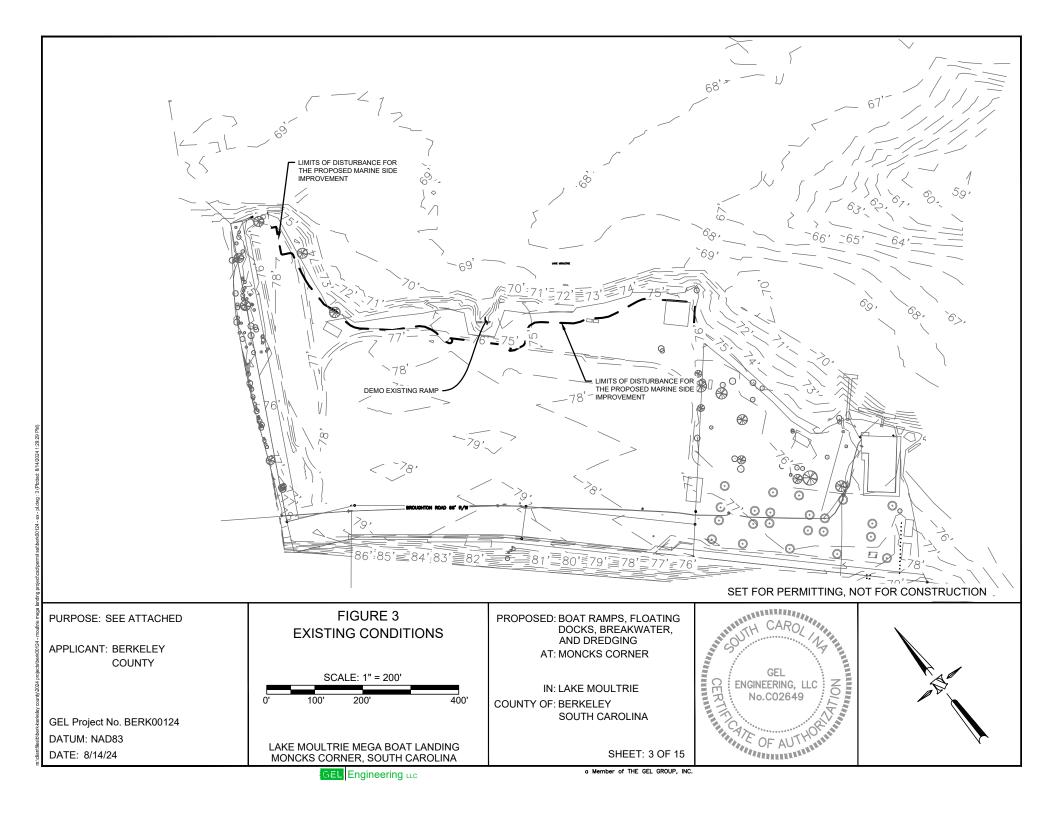
AT: MONCKS CORNER

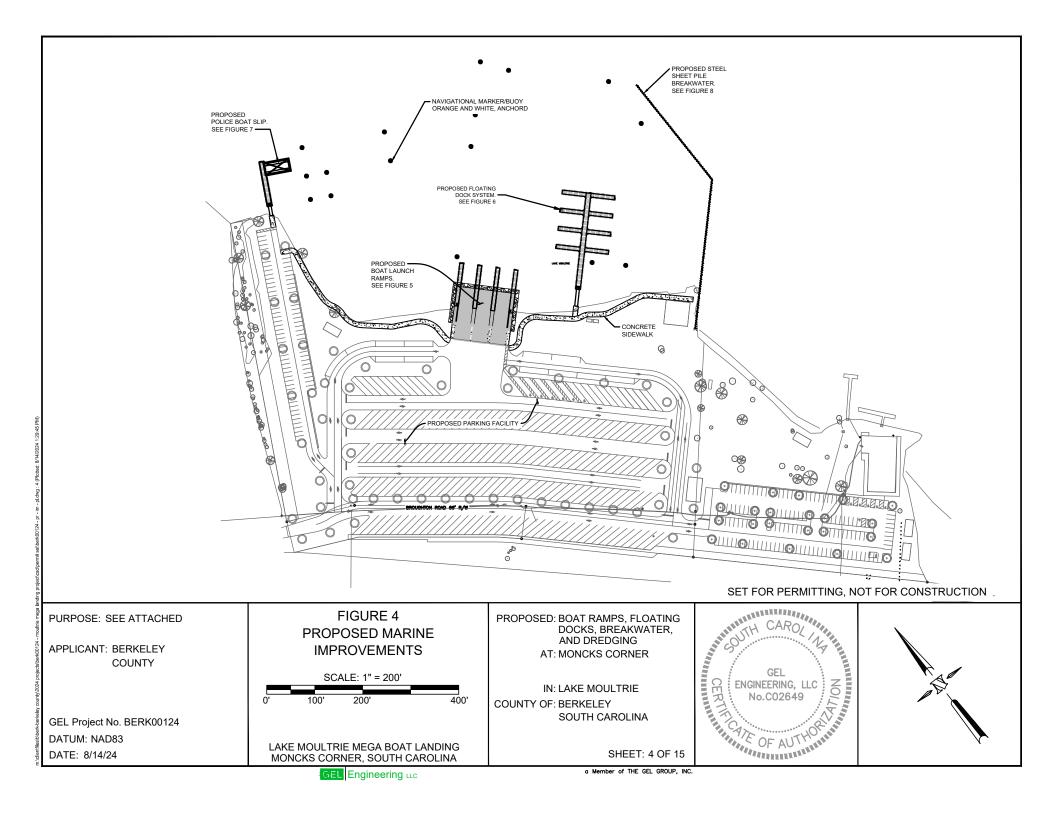
IN: LAKE MOULTRIE

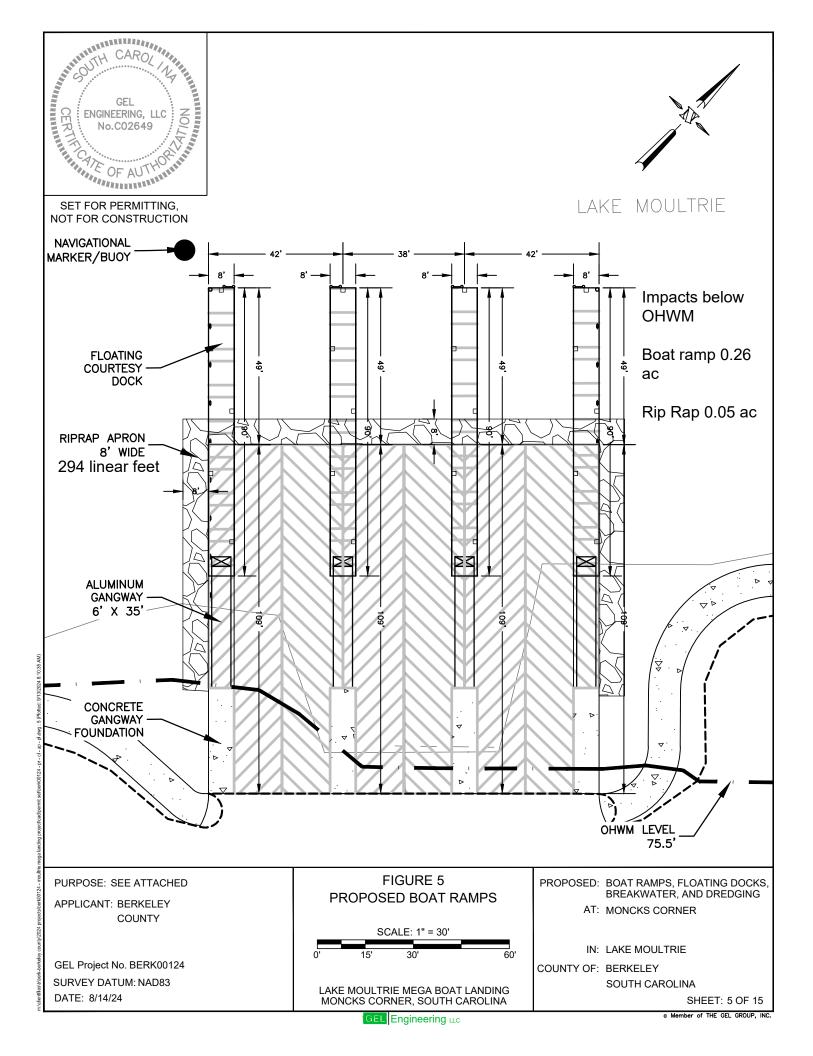
COUNTY OF: BERKELEY

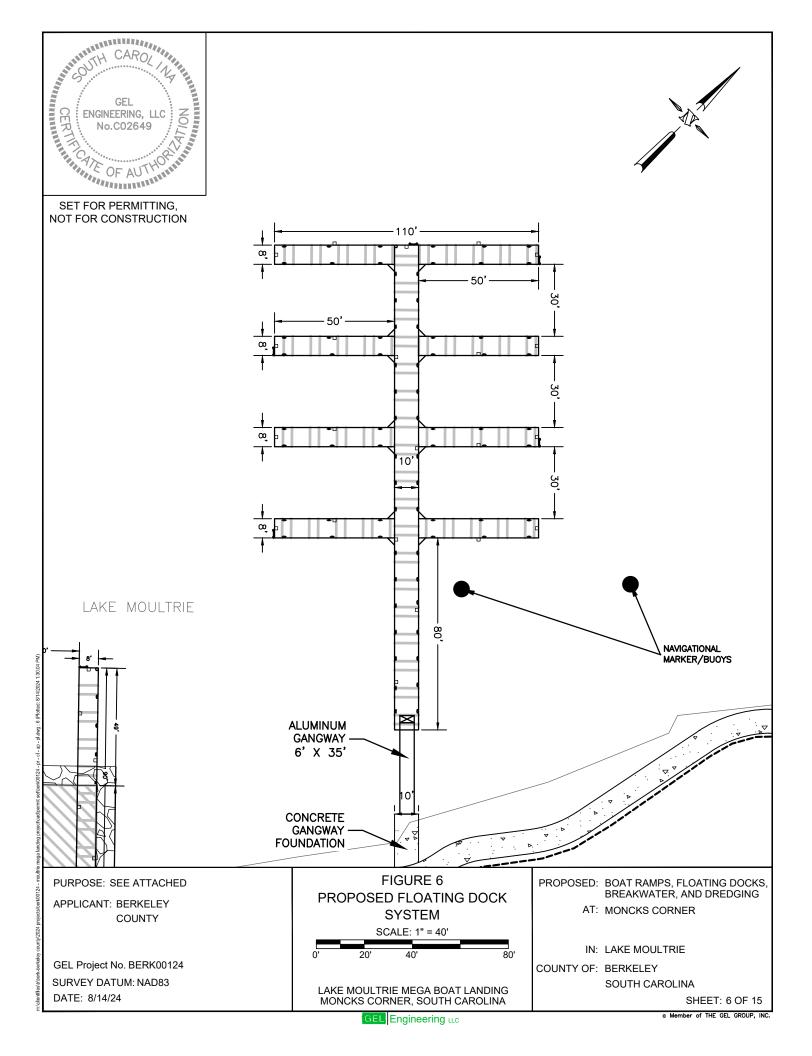
SOUTH CAROLINA

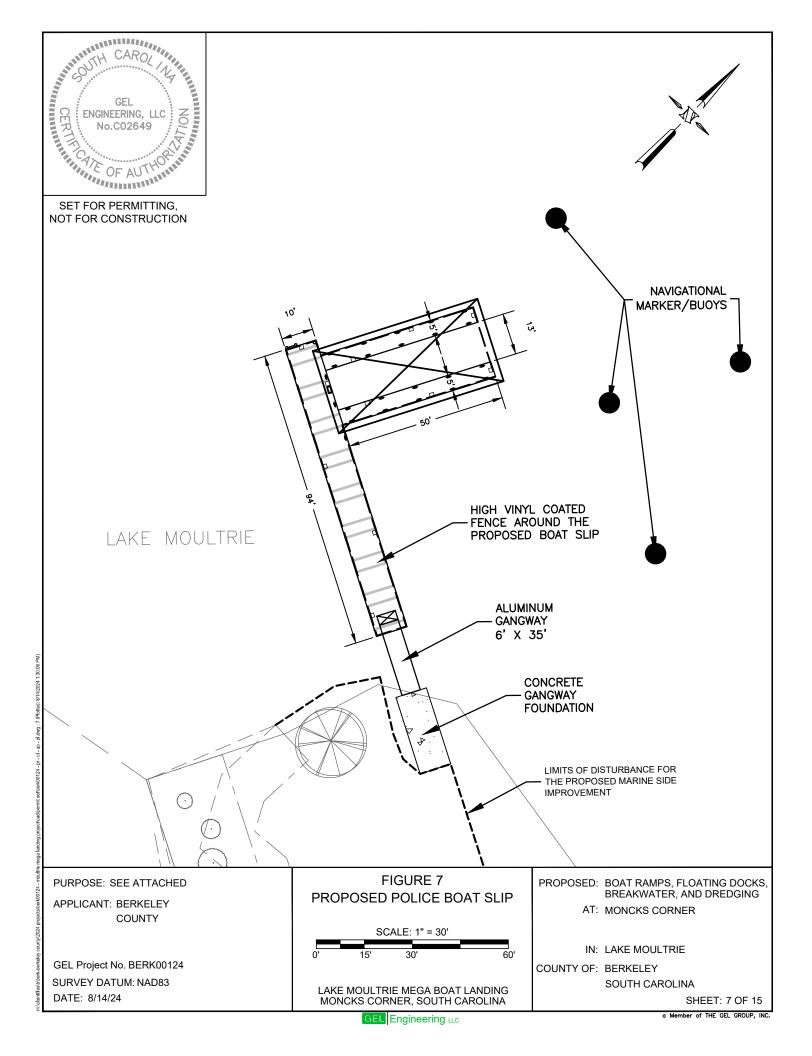
SHEET: 2 OF 15

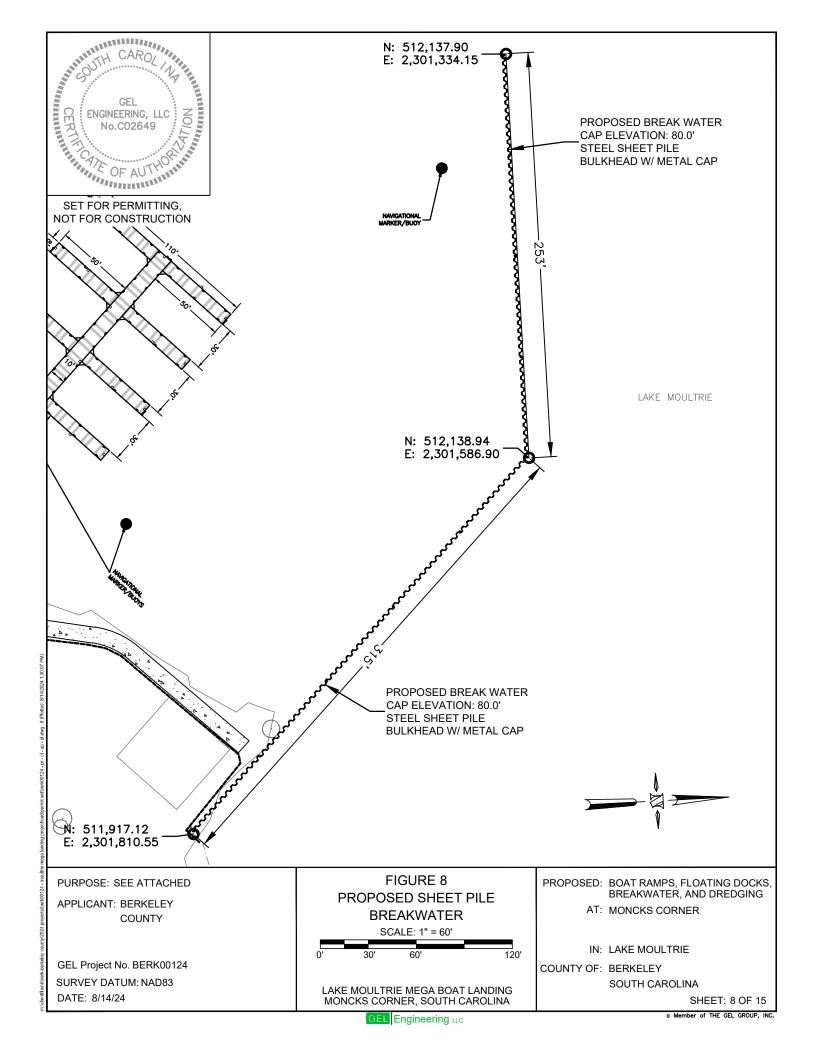


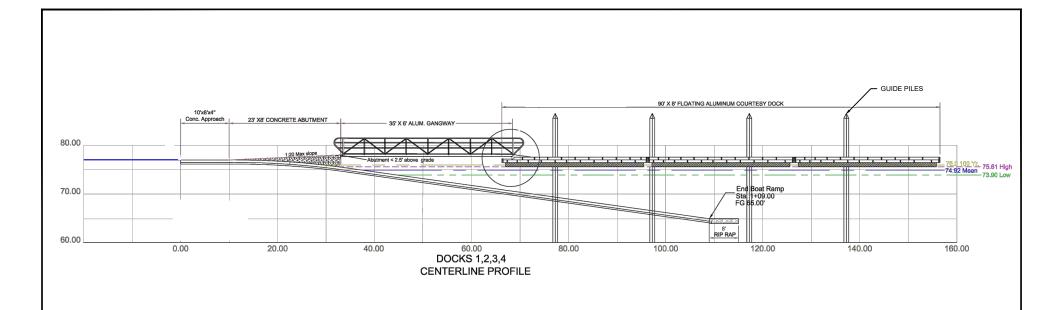












GEL ENGINEERING, LLC No. C02649

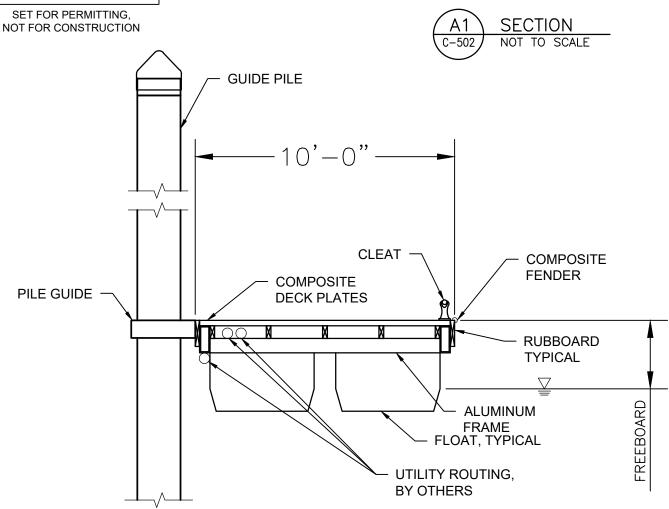
OF AUTHORITIES

OF AUTHORITIE FIGURE 9 PURPOSE: SEE ATTACHED PROPOSED: BOAT RAMPS, FLOATING DOCKS, BREAKWATER, **BOAT LAUNCH CROSS-SECTION** AND DREDGING APPLICANT: BERKELEY COUNTY AT: MONCKS CORNER SET FOR PERMITTING, NOT FOR CONSTRUCTION IN: LAKE MOULTRIE COUNTY OF: BERKELEY SOUTH CAROLINA GEL Project No. BERK00124 DATUM: NAD83 LAKE MOULTRIE MEGA BOAT LANDING SHEET: 9 OF 15 DATE: 8/14/24 MONCKS CORNER, SOUTH CAROLINA

GEL Engineering LLC

a Member of THE GEL GROUP, INC.





PURPOSE: SEE ATTACHED

APPLICANT: BERKELEY

COUNTY

GEL Project No. BERK00124 SURVEY DATUM: NAD83

DATE: 8/14/24

FIGURE 10

FLOATING DOCK CROSS-SECTION

LAKE MOULTRIE MEGA BOAT LANDING MONCKS CORNER, SOUTH CAROLINA

PROPOSED: BOAT RAMPS, FLOATING DOCKS,

BREAKWATER, AND DREDGING

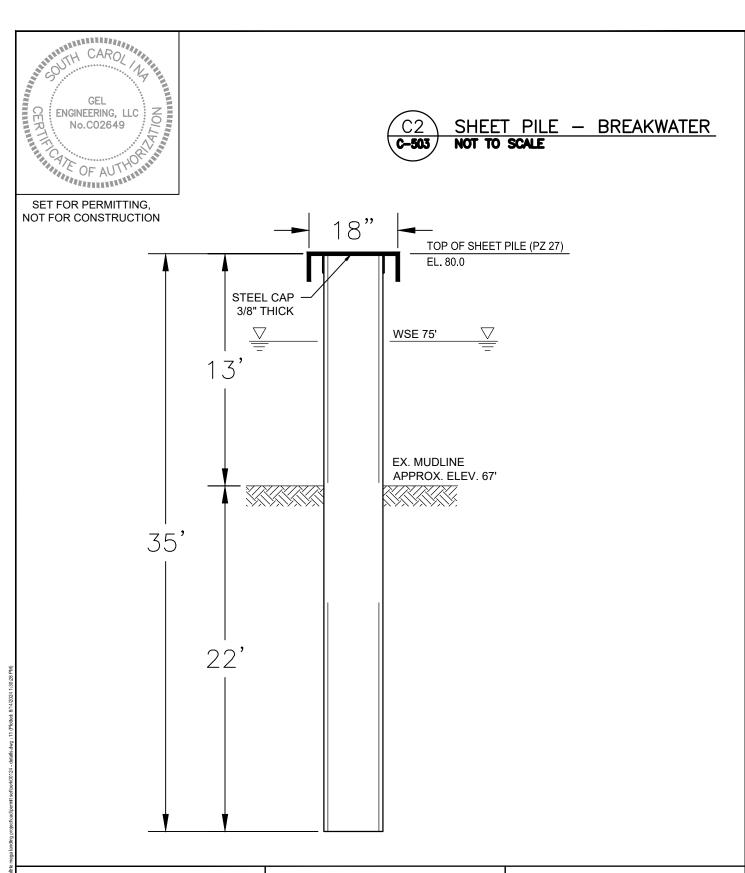
AT: MONCKS CORNER

IN: LAKE MOULTRIE

COUNTY OF: BERKELEY

SOUTH CAROLINA

SHEET: 10 OF 15



PURPOSE: SEE ATTACHED
APPLICANT: BERKELEY

COUNTY

GEL Project No. BERK00124 SURVEY DATUM: NAD83

DATE: 8/14/24

FIGURE 11 SHEET PILE BREAKWATER CROSS-SECTION

LAKE MOULTRIE MEGA BOAT LANDING MONCKS CORNER, SOUTH CAROLINA

PROPOSED: BOAT RAMPS, FLOATING DOCKS,

BREAKWATER, AND DREDGING

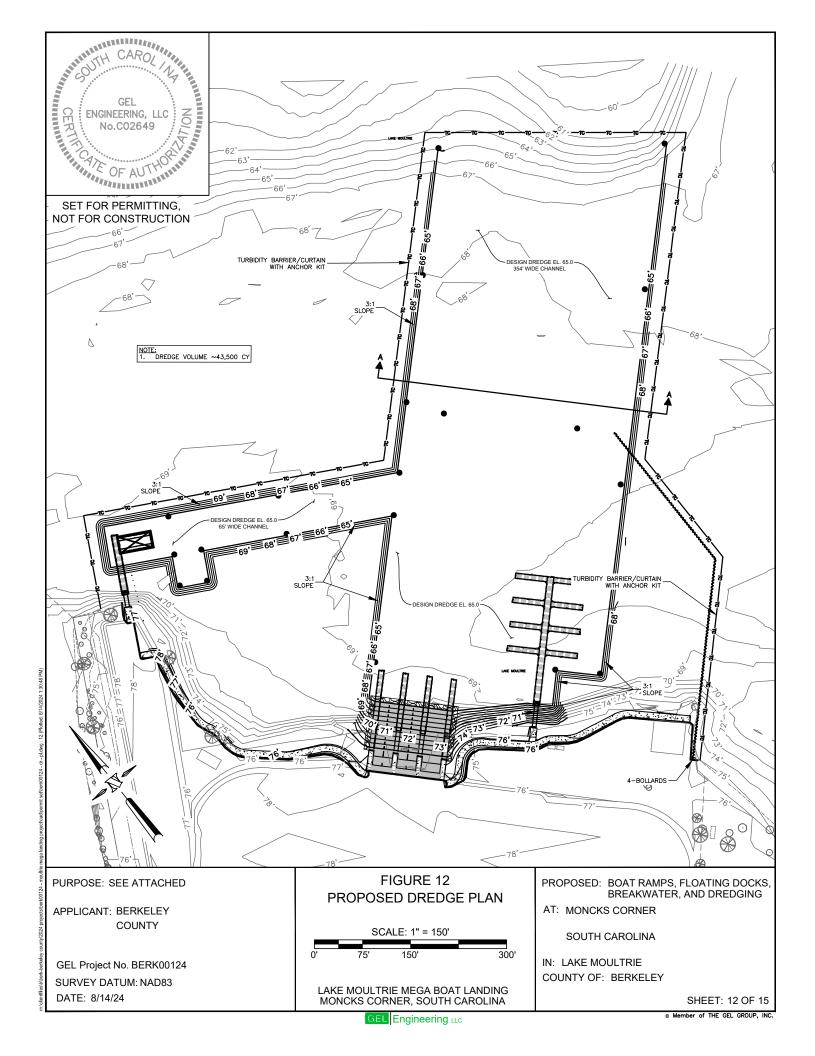
AT: MONCKS CORNER

IN: LAKE MOULTRIE

COUNTY OF: BERKELEY

SOUTH CAROLINA

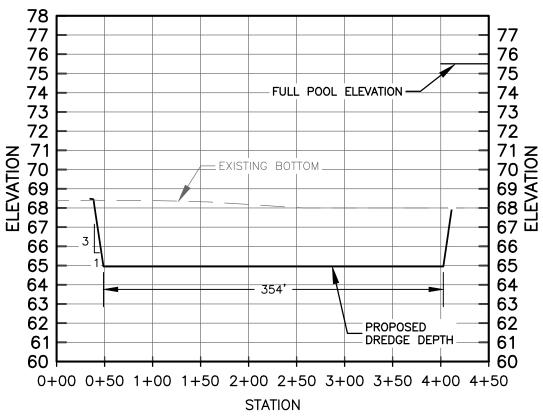
SHEET: 11 OF 15





SET FOR PERMITTING, NOT FOR CONSTRUCTION





PURPOSE: SEE ATTACHED

APPLICANT: BERKELEY

COUNTY

GEL Project No. BERK00124 SURVEY DATUM: NAD83

DATE: 8/14/24

FIGURE 13 CROSS SECTION A CROSS-SECTION

LAKE MOULTRIE MEGA BOAT LANDING MONCKS CORNER, SOUTH CAROLINA

PROPOSED: BOAT RAMPS, FLOATING DOCKS,

BREAKWATER, AND DREDGING

AT: MONCKS CORNER

IN: LAKE MOULTRIE

COUNTY OF: BERKELEY

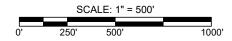
SOUTH CAROLINA
SHEET: 13 OF 15



APPLICANT: BERKELEY COUNTY

GEL Project No. BERK00124

DATUM: NAD83 DATE: 8/14/24



LAKE MOULTRIE MEGA BOAT LANDING MONCKS CORNER, SOUTH CAROLINA

AT: MONCKS CORNER

IN: LAKE MOULTRIE COUNTY OF: BERKELEY SOUTH CAROLINA

SHEET: 14 OF 15





