

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 #2008-01900-2IR

December 24, 2008

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, 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

ST. JULIEN COVE PROPERTY OWNERS ASSOCIATION
C/O NICK STRAINAY
118 PINE RIDGE ROAD
EUTAWVILLE, SOUTH CAROLINA 29048

for a permit to perform maintenance dredging in

ST. JULIEN COVE OF LAKE MARION

Located off of St. Julien Drive in Orangeburg County, South Carolina. Latitude: 33.42442; Longitude: -80.35452

Directions: From Hwy 6, east of Eutawville, turn left onto Miracle Drive. Go 2.1 miles and turn left onto St. Julien Drive. Go 0.8 miles. The south end of the project site is located adjacent to 1156 St. Julien Drive.

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, JANUARY 26, 2009

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of performing maintenance excavation of three (3) existing channels and an entrance channel located in St. Julien Cove on Lake Marion. The three channels measure a total distance of 4,365' and 25' wide. The entrance channel is a distance of 200' and 50' wide. The total area impacted is approximately 2.73 acres below the high water mark of Lake Marion. The total volume of material to be removed is approximately 8,574 cubic yards of silt and sand material. Access to the lake will be limited to existing boat ramps. All vegetated and shallow water habitat will be avoided and no trees are cited to be cut. Silt fencing will be installed around each section of the channel as it is excavated. No double handling of material below the high water mark will occur. The proposed excavation will be performed with a land based track hoe and the

excavated material will be hauled by truck to dewatering sites located on high land along the project. The dewatering sites will each be 50' x 50' in size, will have an earthen berm 3' high around the perimeter and will be located above the high water mark (76.8' elevation). The proposed project is designed to maintain original channel depths and will not exceed the original lake bottom. The project is designed with 2 foot of fall from the south end to the north end. Channel "C" will end at the 68' contour. The entrance channel will be maintained to a 66.6' elevation, to maintain positive drainage to the lake. The entrance channel was previously permitted by P/N #2001-1W-128. At the north end of the project, there is an existing bald eagle nest located approximately 573' from the entrance channel as shown on sheet 10 of 12. The purpose of the project, according to the applicant, is to restore the existing channels to their original depth and to maintain a reasonable depth for navigation. The project is designed to restore navigation for recreational boating during normal lake fluctuations and winter drawdowns, and is not designed as a remedy to recent and on-going drought events.

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: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

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 (Section 401 of the Clean Water Act). The District Engineer will not process this application to a conclusion until such certification is received. 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 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 certification or the 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.

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 2.73 acres of freshwater habitat located upstream 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the applicant has provided information regarding the presence of a bald eagle nest (*Haliaeetus leucocephalus*) located approximately 573 feet from entrance channel portion of the proposed project. A depiction of the project in relation to the eagle nest is shown on sheet 10 of 12. The District Engineer has consulted the most recently available information and 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.

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.

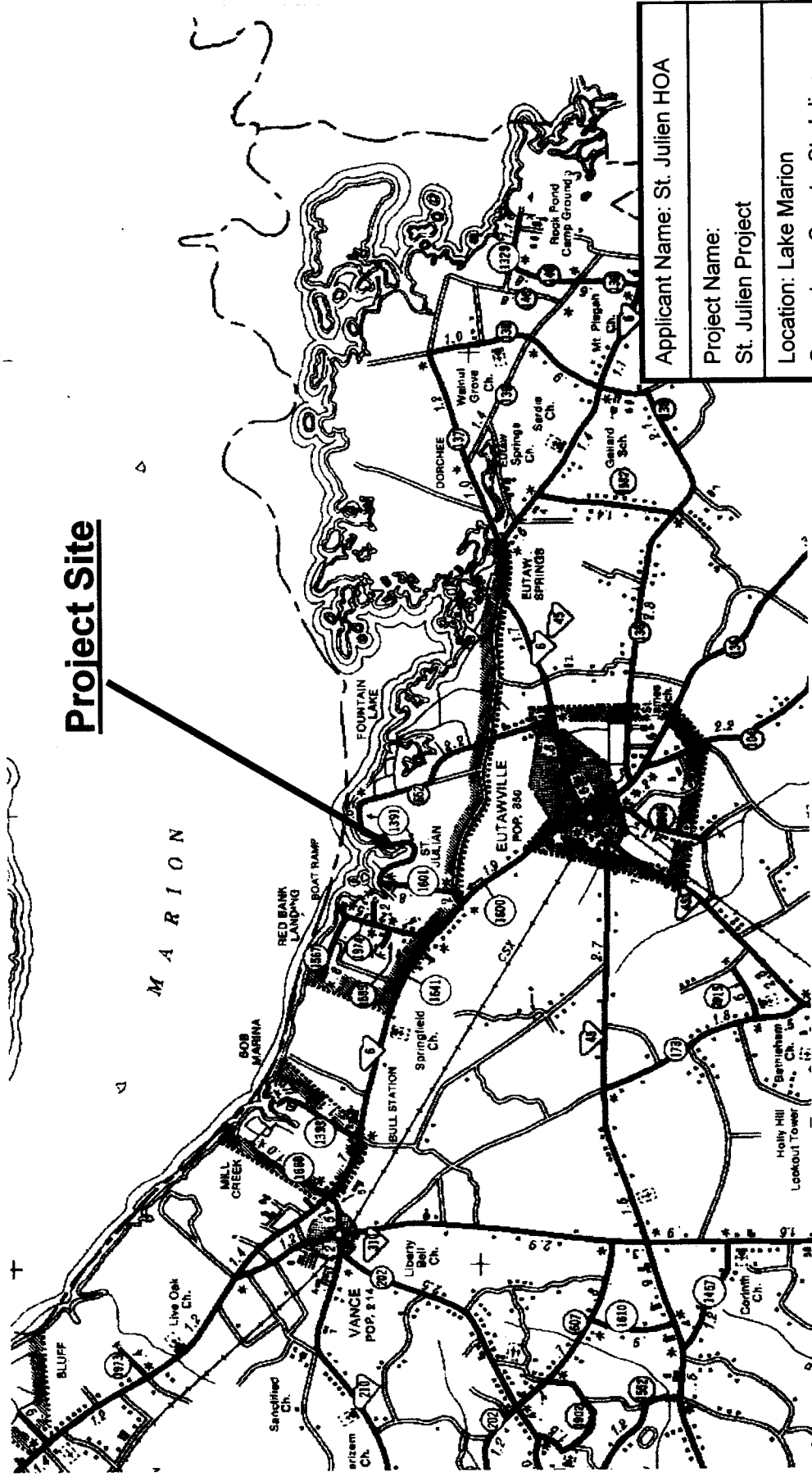
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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 Robin Coller-Socha at 843-329-8044 or toll free at 1-866-329-8187.



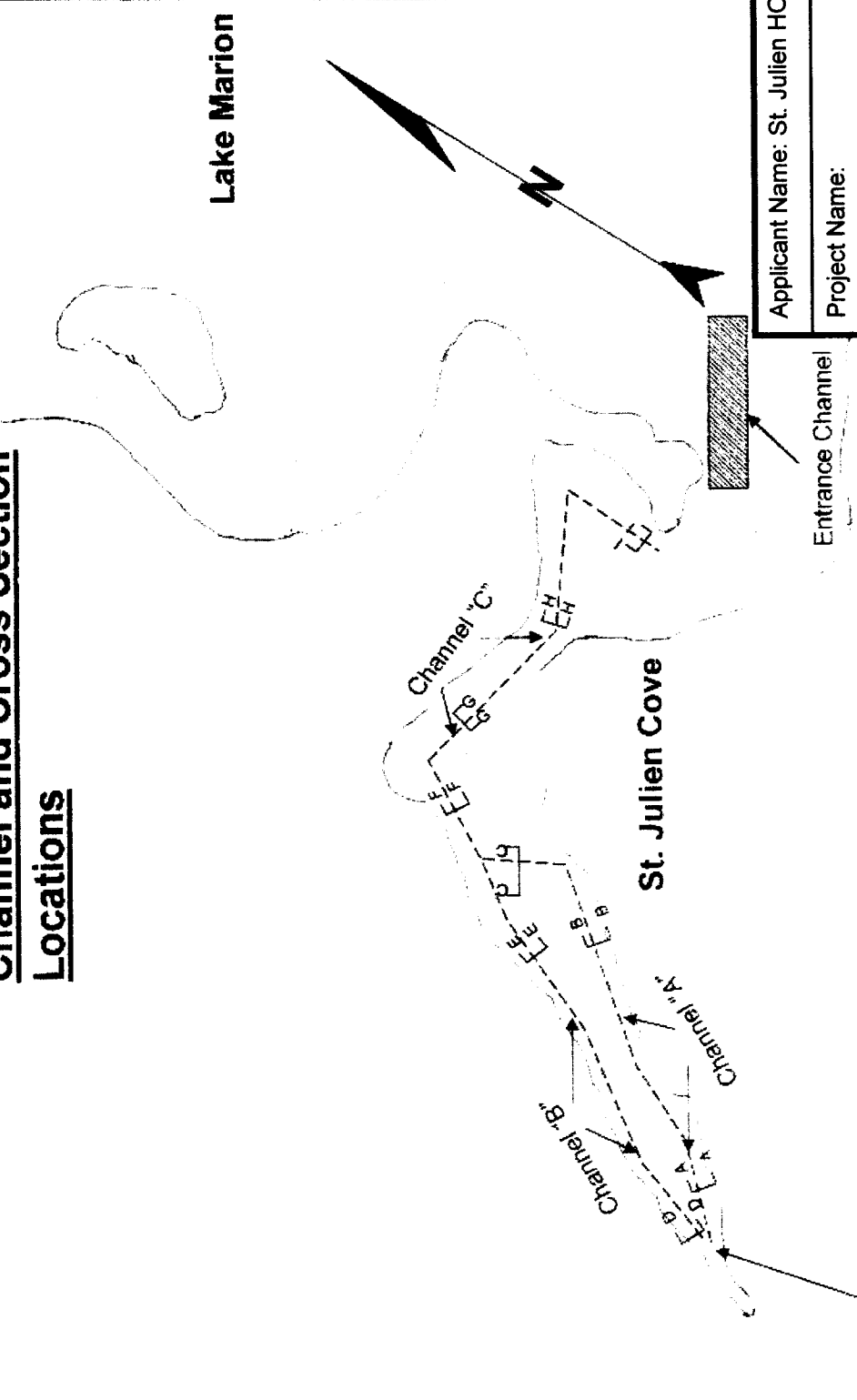
Project Site

Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No. 1 of 12

St. Julien Cove POA / Nick Strainey
 SAC#2008-01900-2IR
 December 15, 2008
 Sheet 1 of 11

Channel and Cross Section Locations

Not to Scale



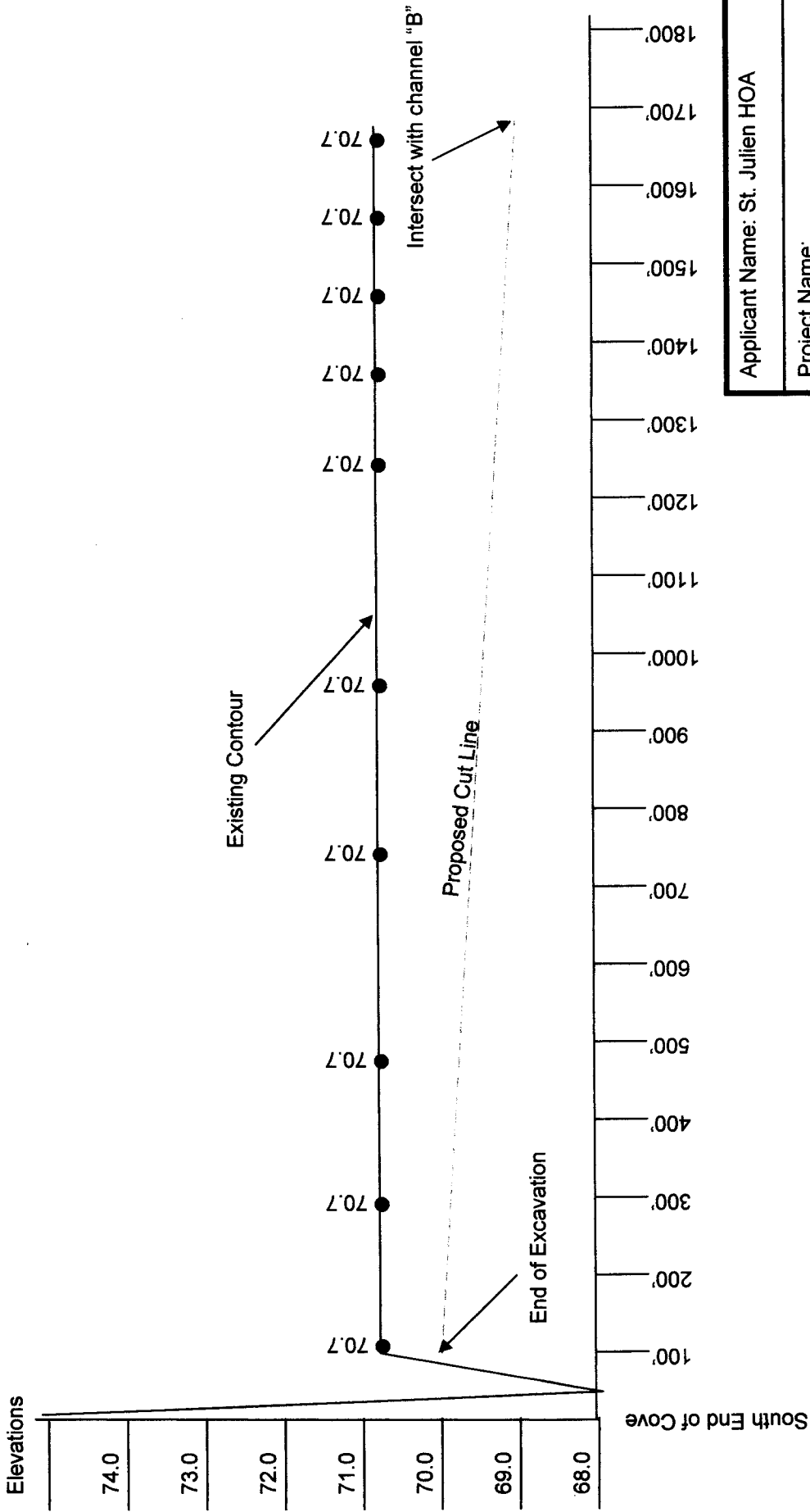
Robert Norris
Irrigation Intake Pipe

Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No. 2 of 12

St. Julien Cove POA / Nick Strainey
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Not to Scale

Profile - Channel "A"

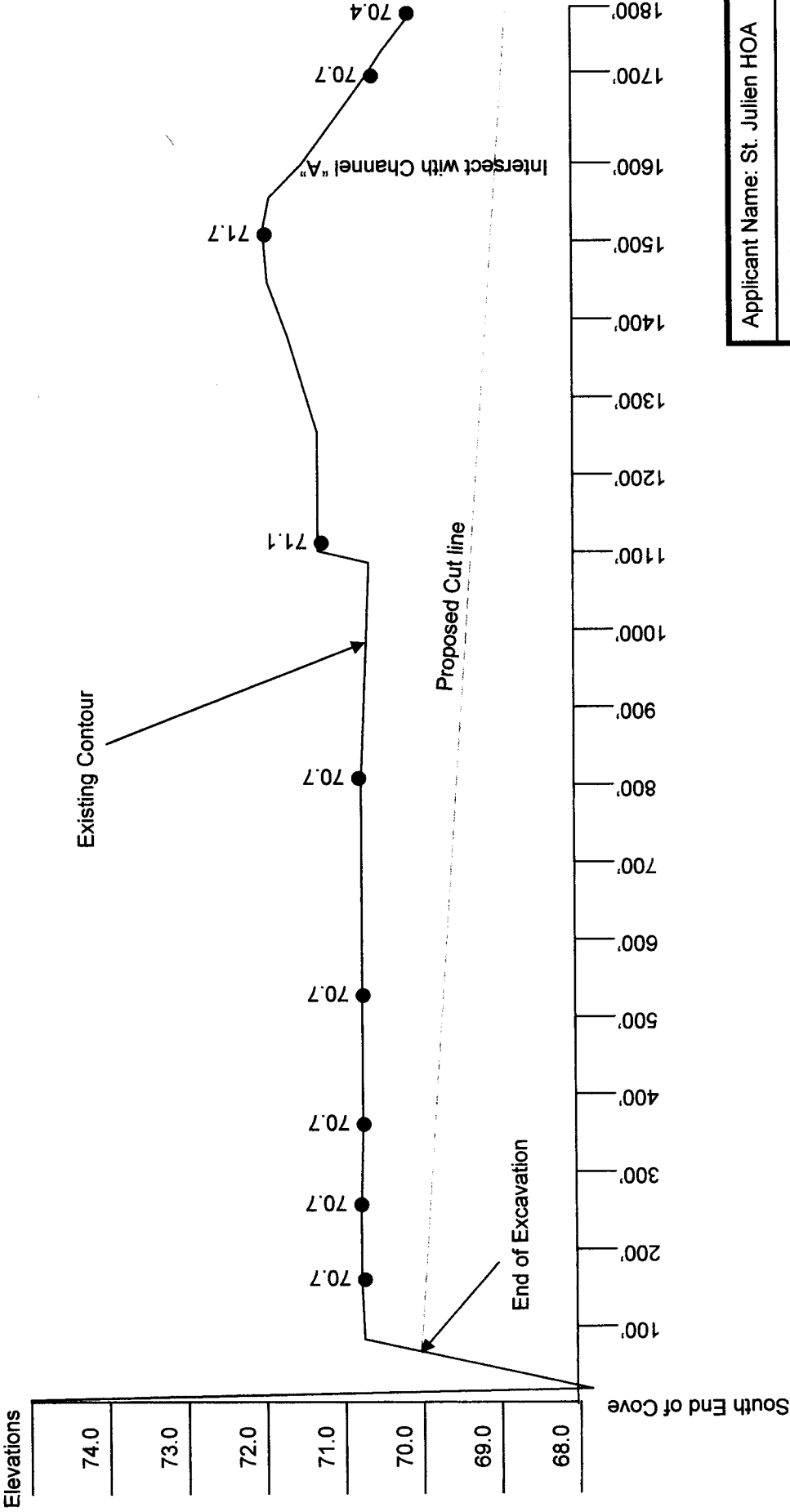


Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No. 3 of 12

St. Julien Cove POA / Nick Strainey
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Not to Scale

Profile - Channel "B"

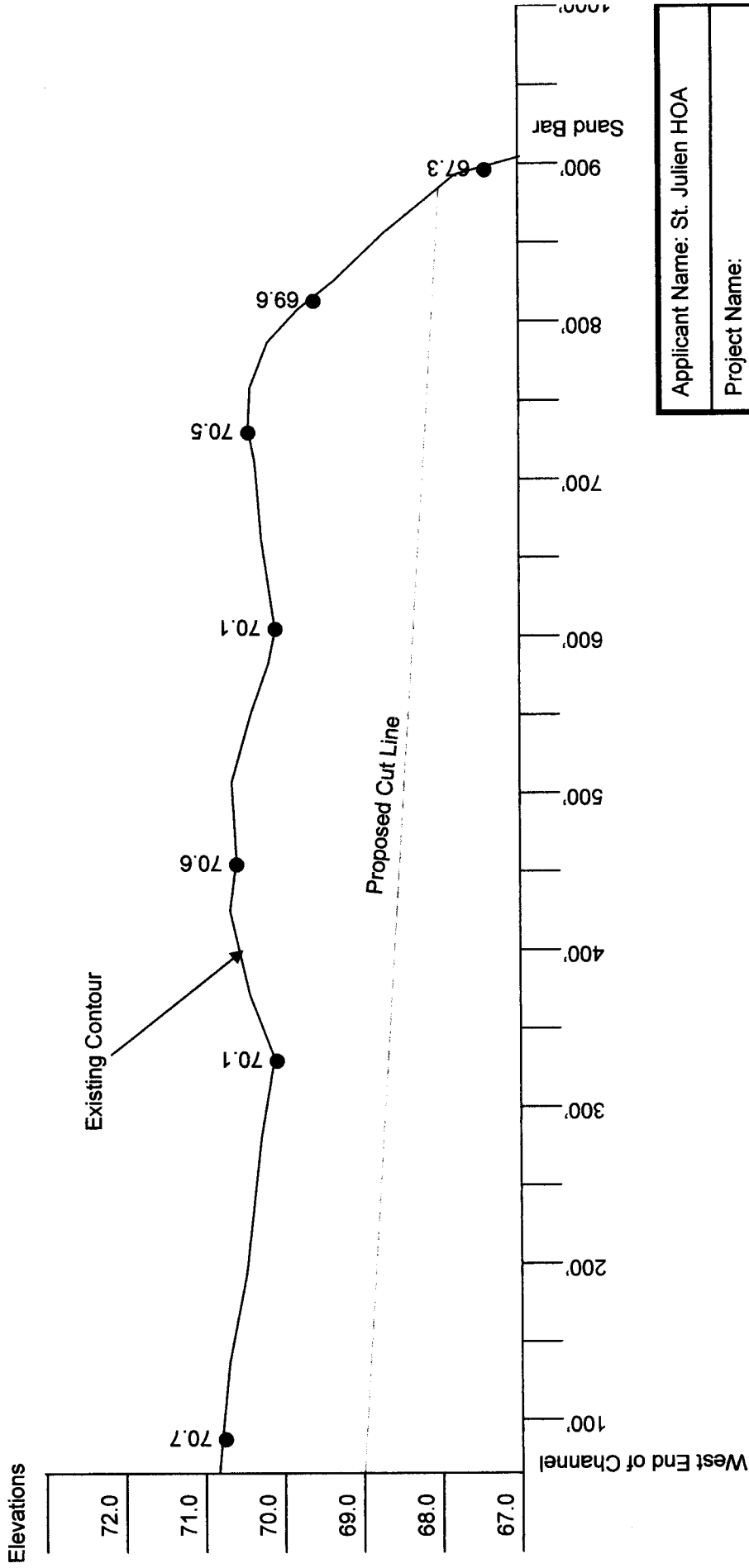


Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No. 4 of 12

St. Julien Cove POA / Nick Strainey
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Sheet 4 of 11

Not to Scale

Profile - Channel "C"



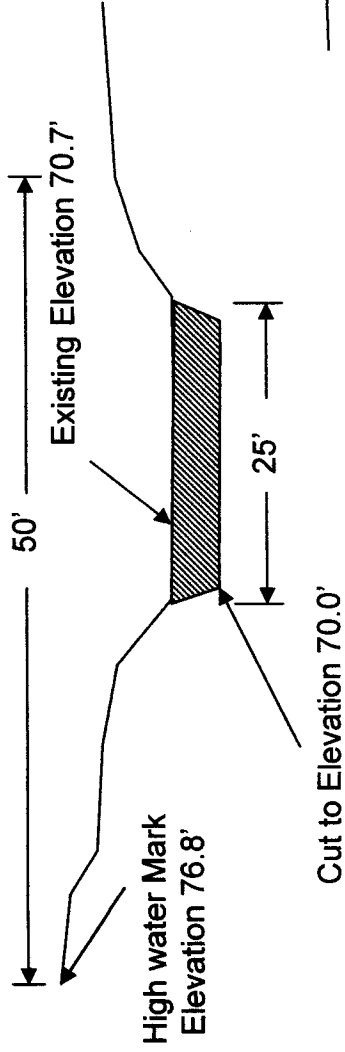
Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No. 5 of 12

St. Julien Cove POA / Nick Strainey
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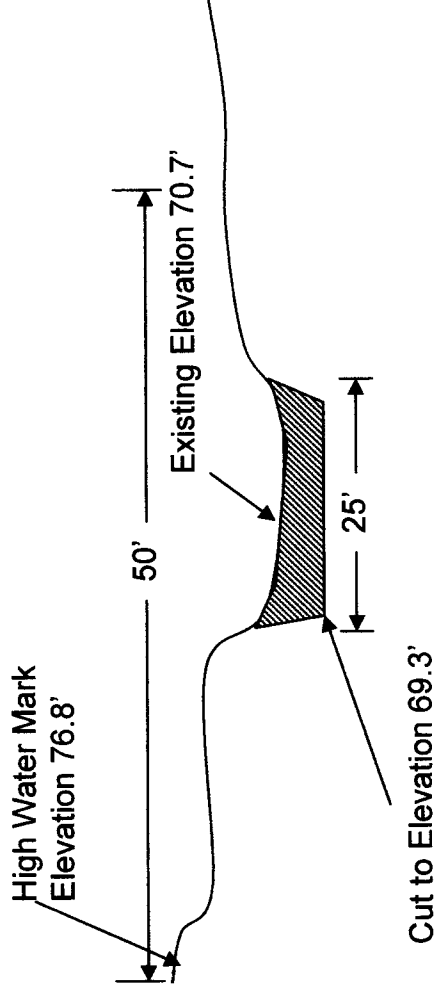
Cross Sections of Channel "A"

Not to Scale

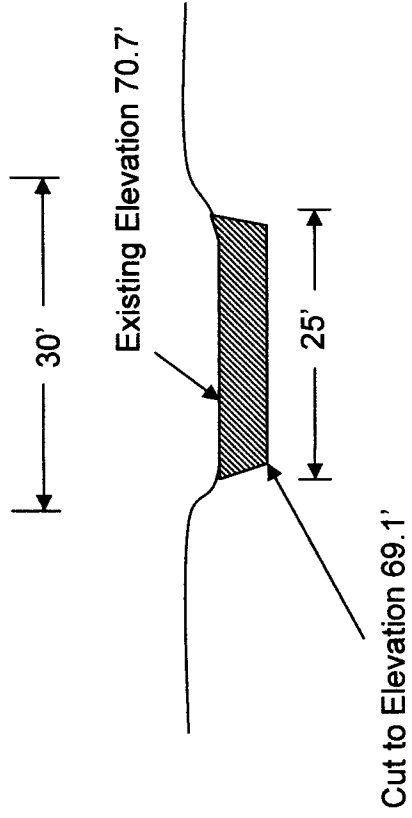
Cross Section "AA"



Cross Section "BB"



Cross Section "CC"



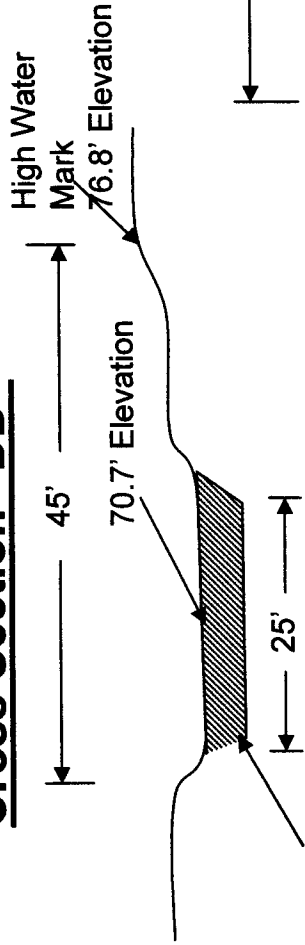
Applicant Name:	St. Julien HOA
Project Name:	St. Julien Project
Location:	Lake Marion, Orangeburg County, St. Julien Cove
Date:	08-29-08
Sheet No.	6 of 12

St. Julien Cove POA / Nick Strainey
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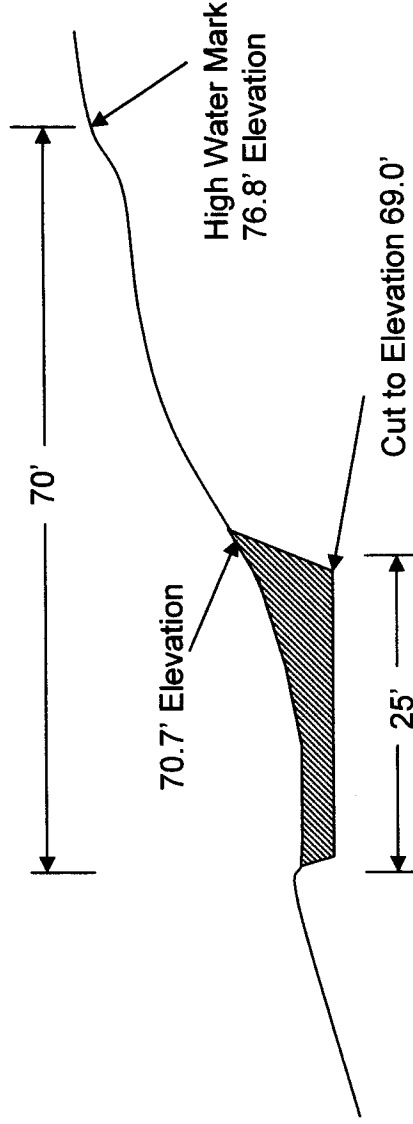
Not to Scale

Cross Sections of Channel "B"

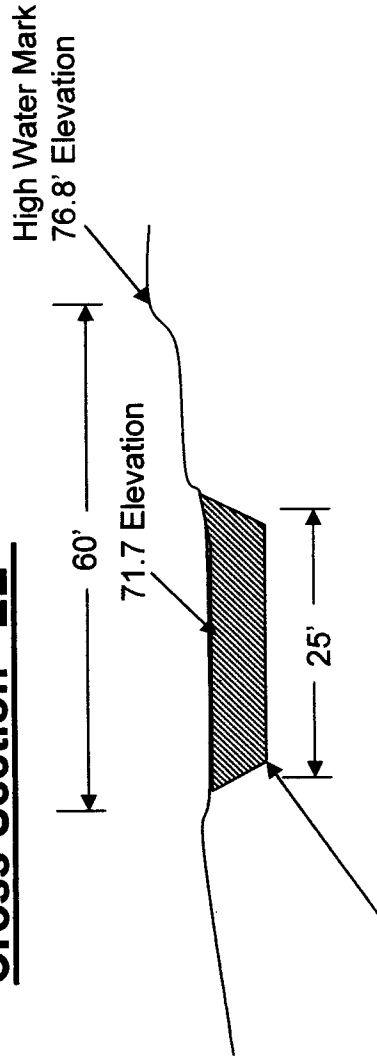
Cross Section "DD"



Cross Section "FF"



Cross Section "EE"



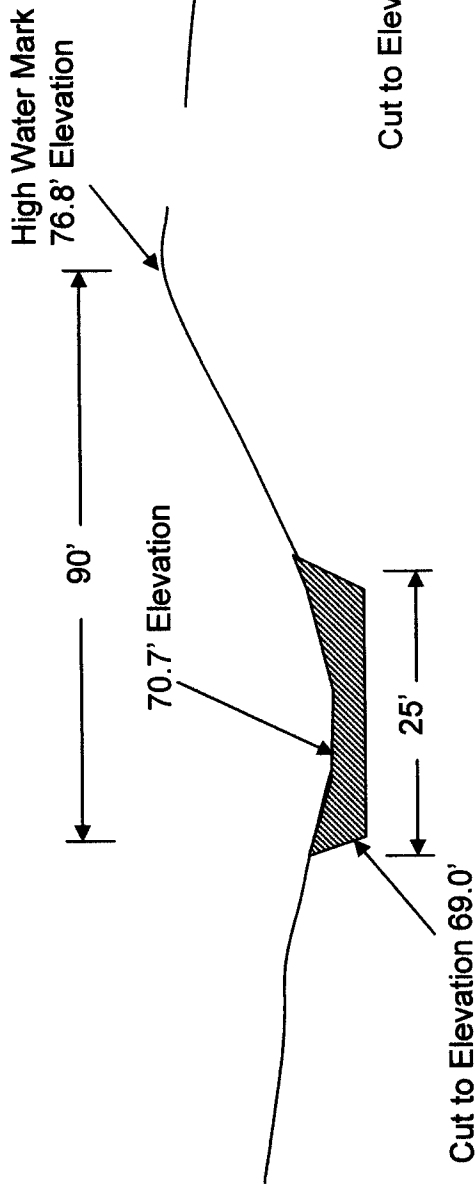
Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion, Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No. 7 of 12

St. Julien Cove POA / Nick Strainey
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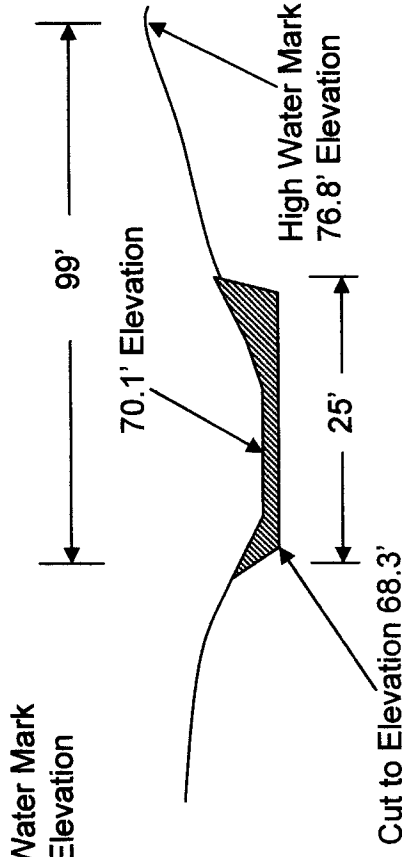
Not to Scale

Cross Sections of Channel "C"

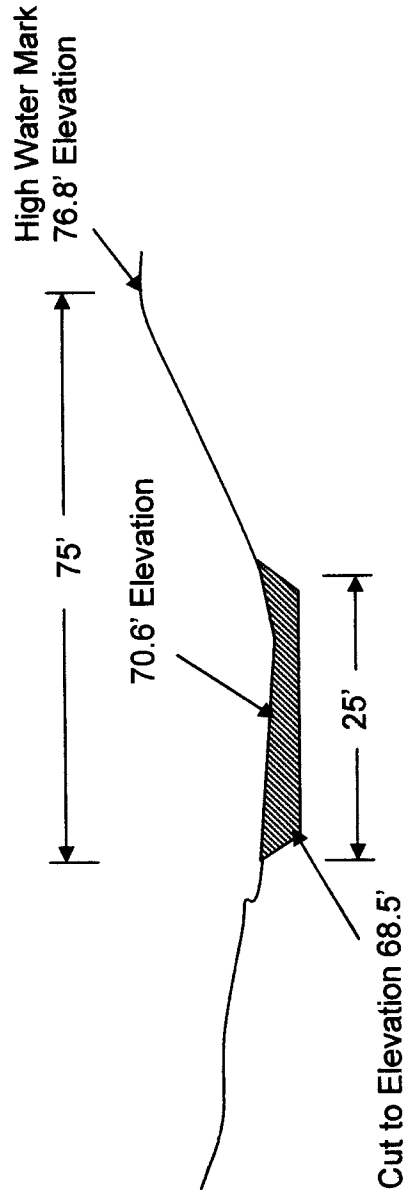
Cross Section "GG"



Cross Section "JJ"



Cross Section "HH"

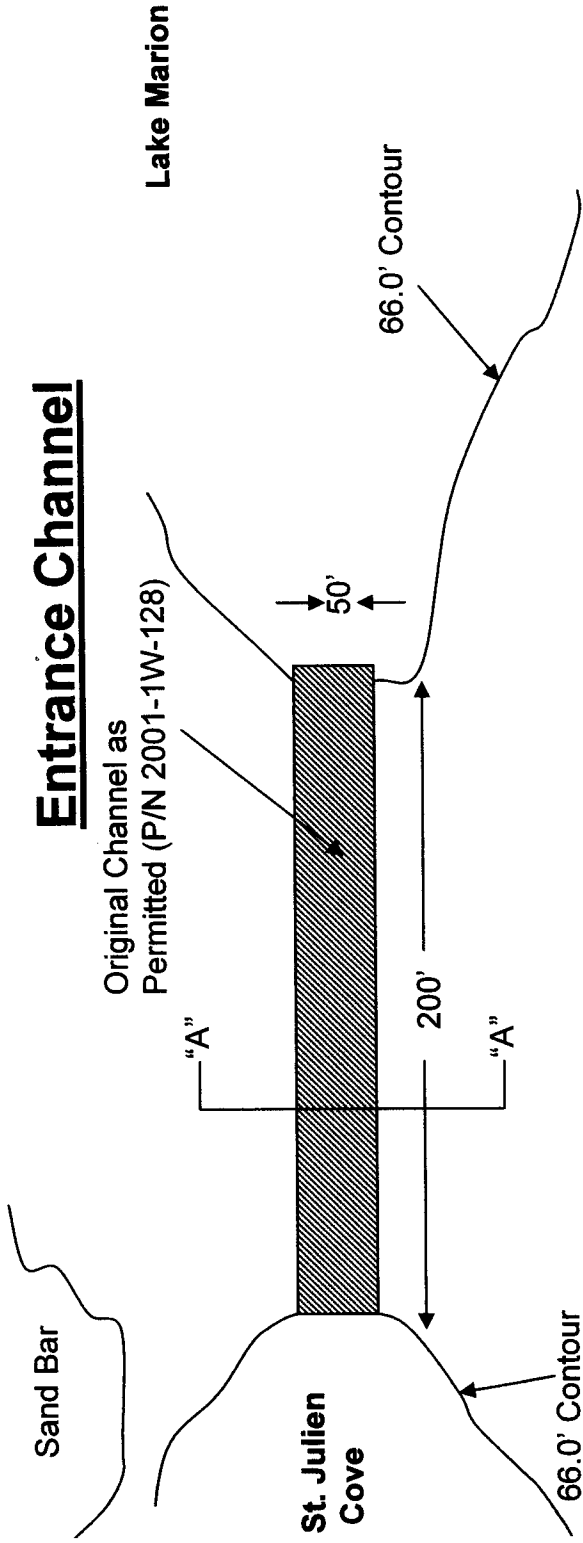


Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion, Orangeburg County, St. Julien Cove
Date: 08-29-08
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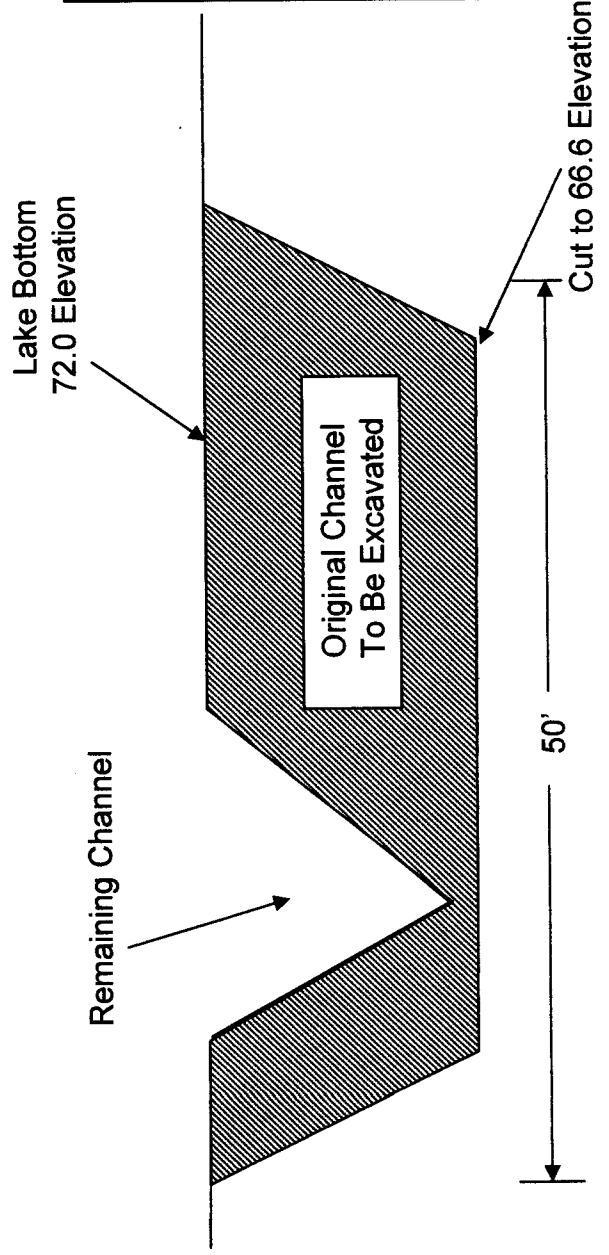
St. Julien Cove POA / Nick Strainey
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Not to Scale

Entrance Channel



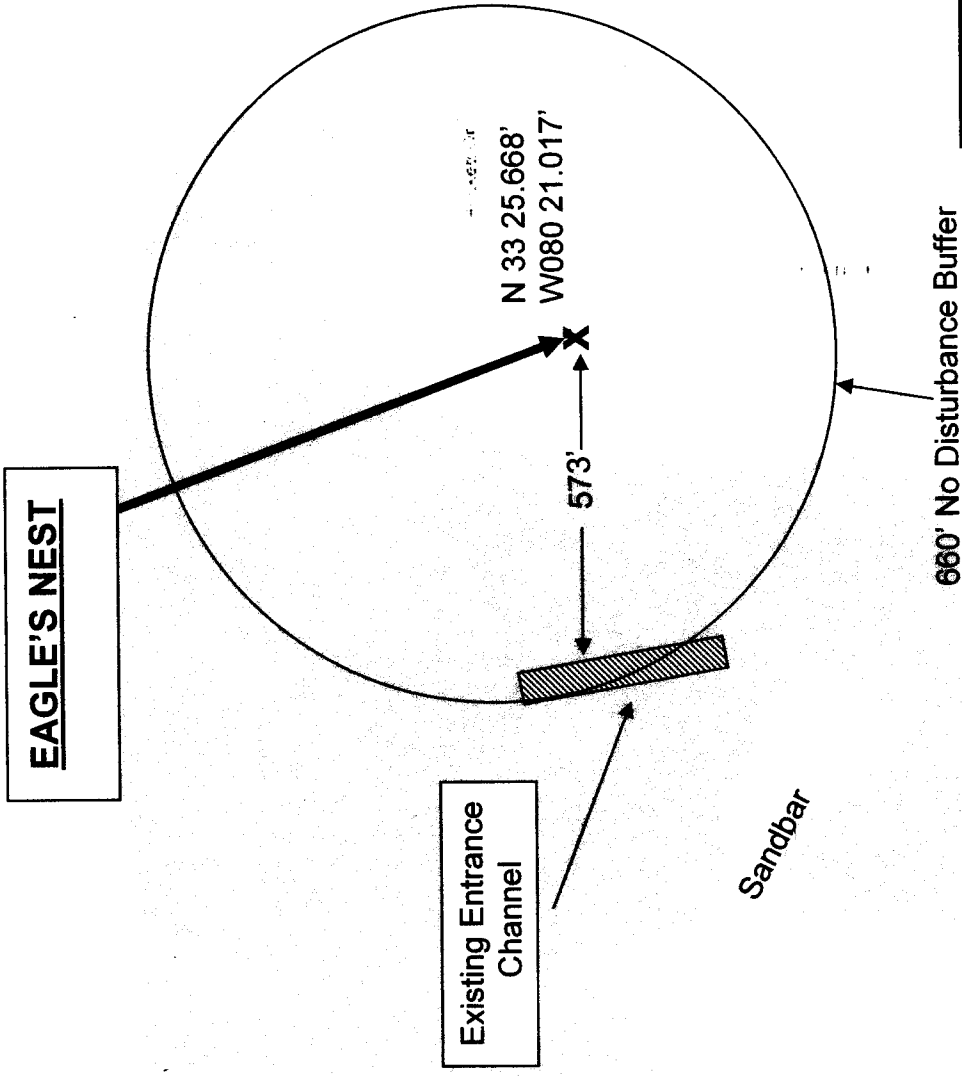
Cross Section "AA"



St. Julien Cove POA / Nick Strainey
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A	Project Name:	St. Julien Project
S	Location:	Lake Marion, Orangeburg County, St. Julien Cove
	Date:	08-29-08
	Sheet No.	9 of 12

Not to Scale

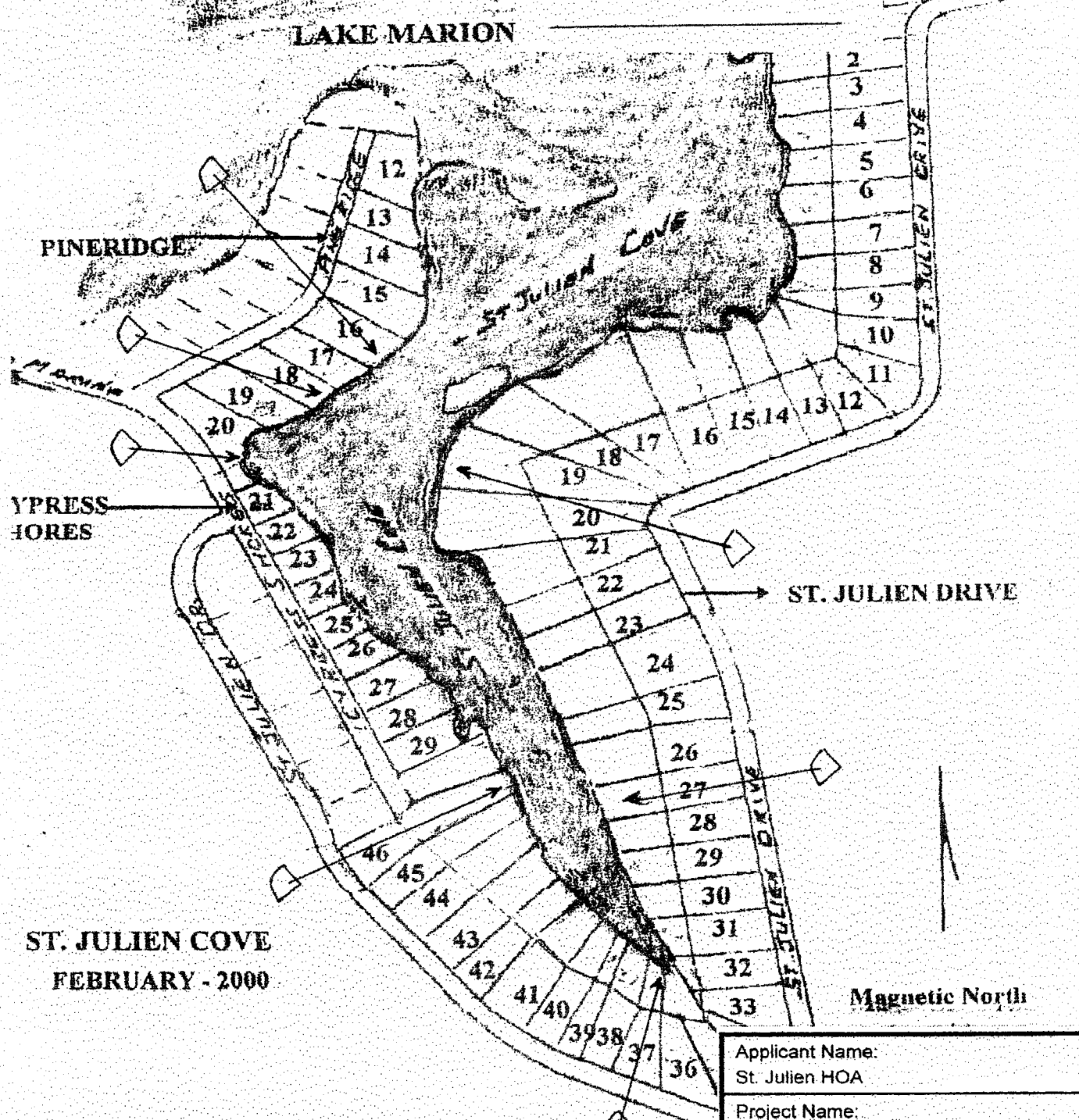


Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No. 10 of 12

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St. Julien Cove POA / Nick Strainey
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Sheet 10 of 11

Dewatering Sites Not To Scale



ST. JULIEN COVE
FEBRUARY - 2000

Magnetic North

Dewatering Sites =

Applicant Name: St. Julien HOA
Project Name: St. Julien Project
Location: Lake Marion, Orangeburg County, St. Julien Cove
Date: 08-29-08
Sheet No.