

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 # 2008-01283-2IY

SEPTEMBER 5, 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. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

MR. ARTHUR LITSCHESKI
104 CHASEY DRIVE
BONNEAU, SC 29431

for a permit to perform periodic maintenance excavation in an existing canal adjacent to

LAKE MOULTIRE

at a location adjacent to two lots (106 Chasey Drive and 313 Lake Moultrie Drive) in the Town of Bonneau, Berkeley County, South Carolina. (Latitude 33.3750 Longitude -80.0833)

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, OCTOBER 6, 2008

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

The proposed work consists of periodic maintenance excavation in an area measuring 22' x 200' x 3' (280.56 cubic yards) using a backhoe and tractor in an existing canal to maintain access to Lake Moultrie. Approval of this permit will give Federal authorization for maintenance excavation for a period of ten years from the date of issuance.

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

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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. The work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). 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. Persons wishing to comment or object to State certification 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 0.14 acres of freshwater substrates upstream from 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.

REGULATORY DIVISION

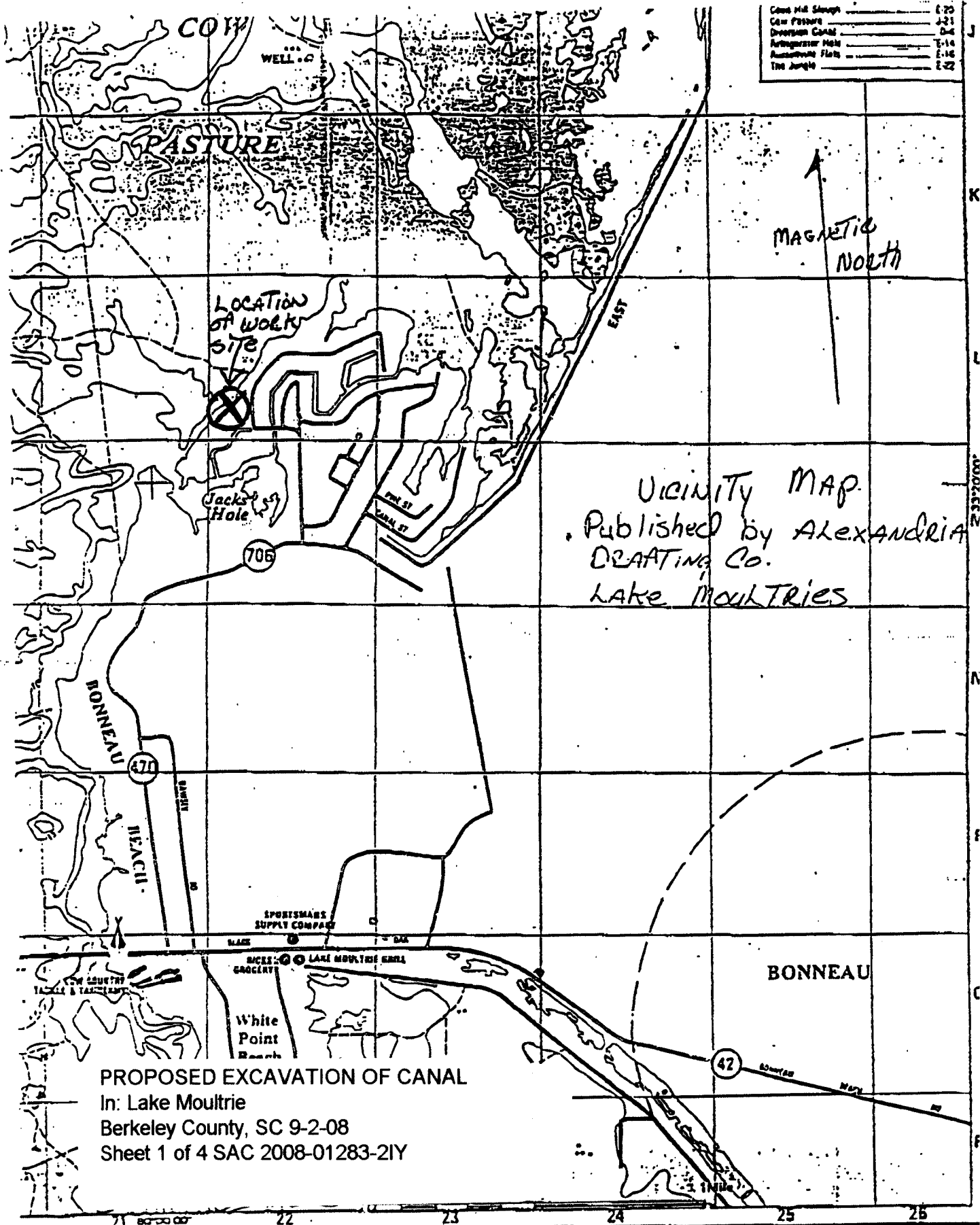
Refer to: P/N # 2008-01283-21Y

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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 David Chamberlain at 843-329-8044 or toll free at 1-866-329-8187.



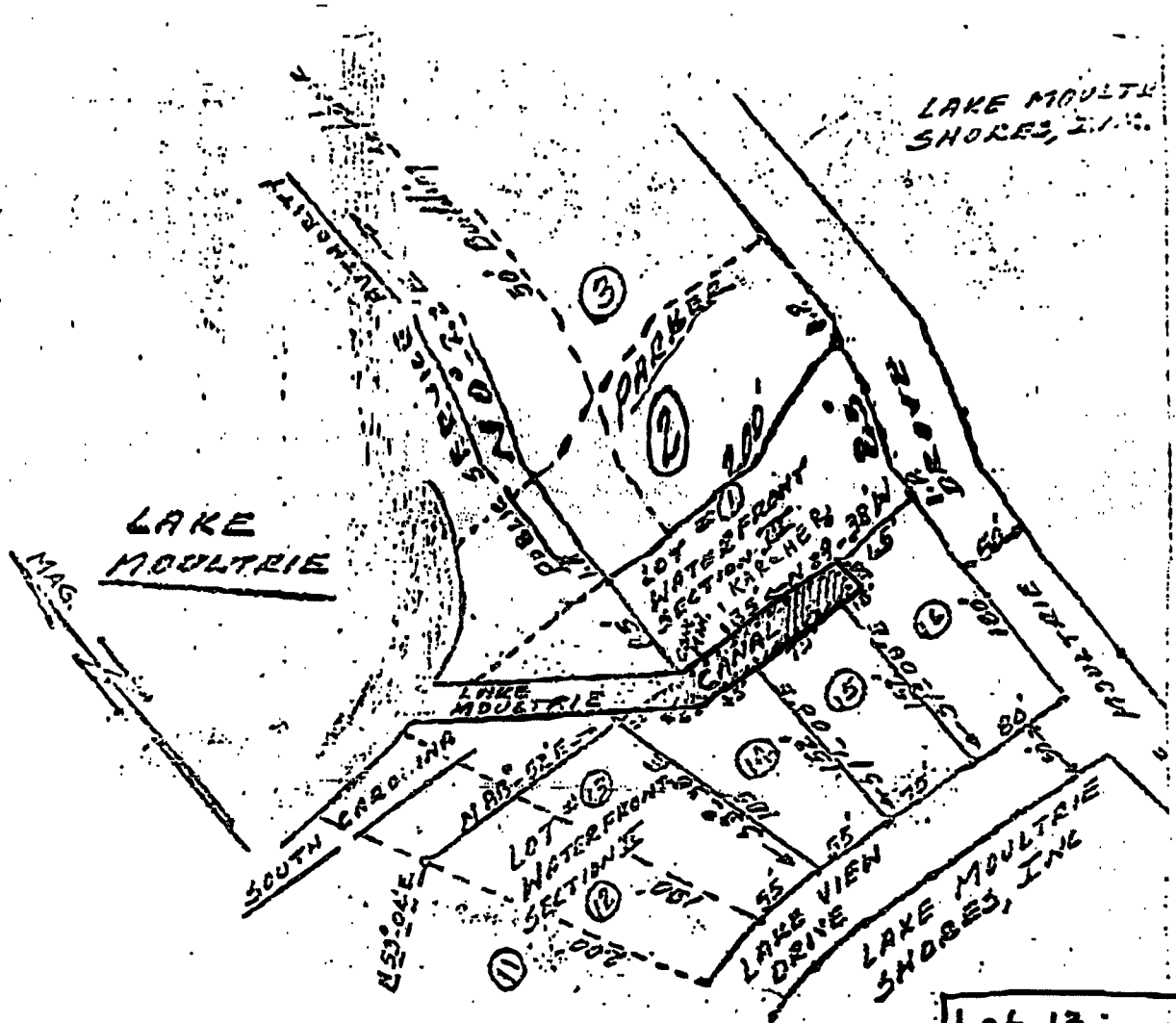
Clear Hill Slope	E:20
Clear Pasture	E:21
Drooping Canal	D:4
Artificially Made	E:14
Automotive Flats	E:16
Tree Jungle	E:22

MAGNETIC
NORTH

VICINITY MAP.
Published by ALEXANDRIA
DRAFTING Co.
Lake Moultrie

PROPOSED EXCAVATION OF CANAL
In: Lake Moultrie
Berkeley County, SC 9-2-08
Sheet 1 of 4 SAC 2008-01283-2IY

21 22 23 24 25 26



PLAT OF LOTS 14, 15, 16 & 1
 WATERFRONT SECTIONS II & III
 LAKE MOULTRIE SHORES
 LAKE MOULTRIE SHORES, INC.
 BERKELEY CO. SOUTH CAROLINA
 SCALE: 1" = 100' DEC. 3, 1966

Handwritten signature and date:

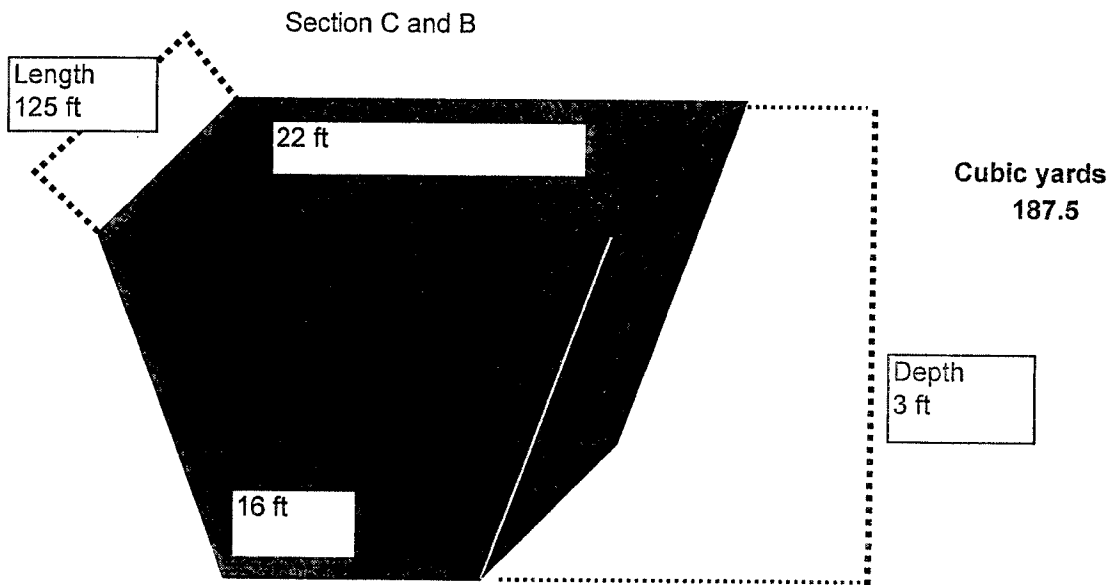
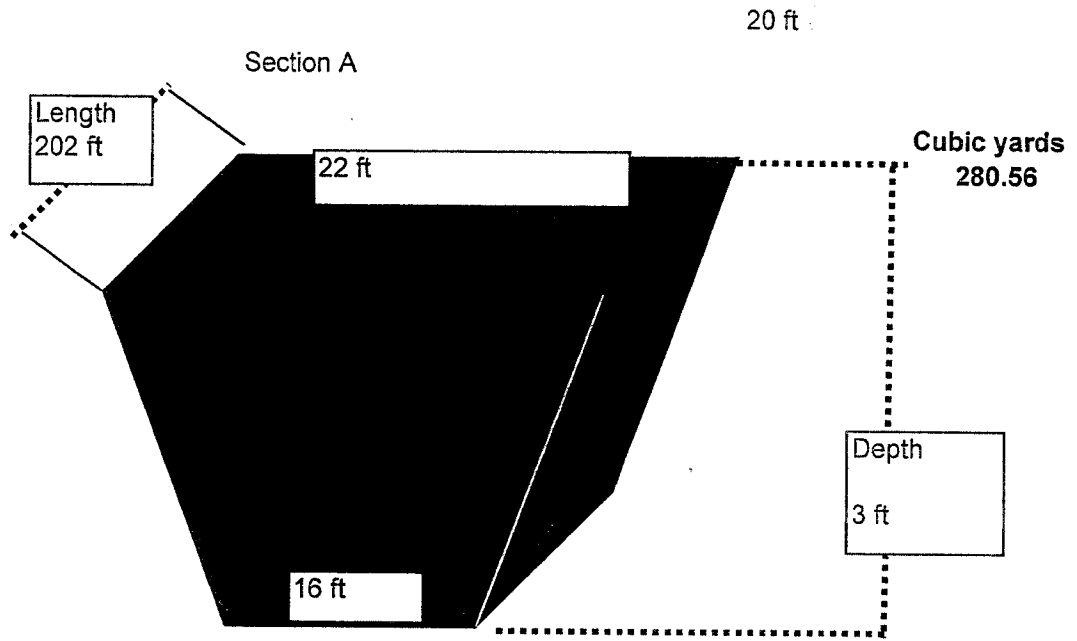
 11/15/66 S.C. 849

- | | |
|---------|------------|
| Lot 13: | Gonzales |
| Lot 14: | Hart |
| Lot 15: | Scheffield |
| Lot 16: | Cole |
| Lot 1: | Rogers |

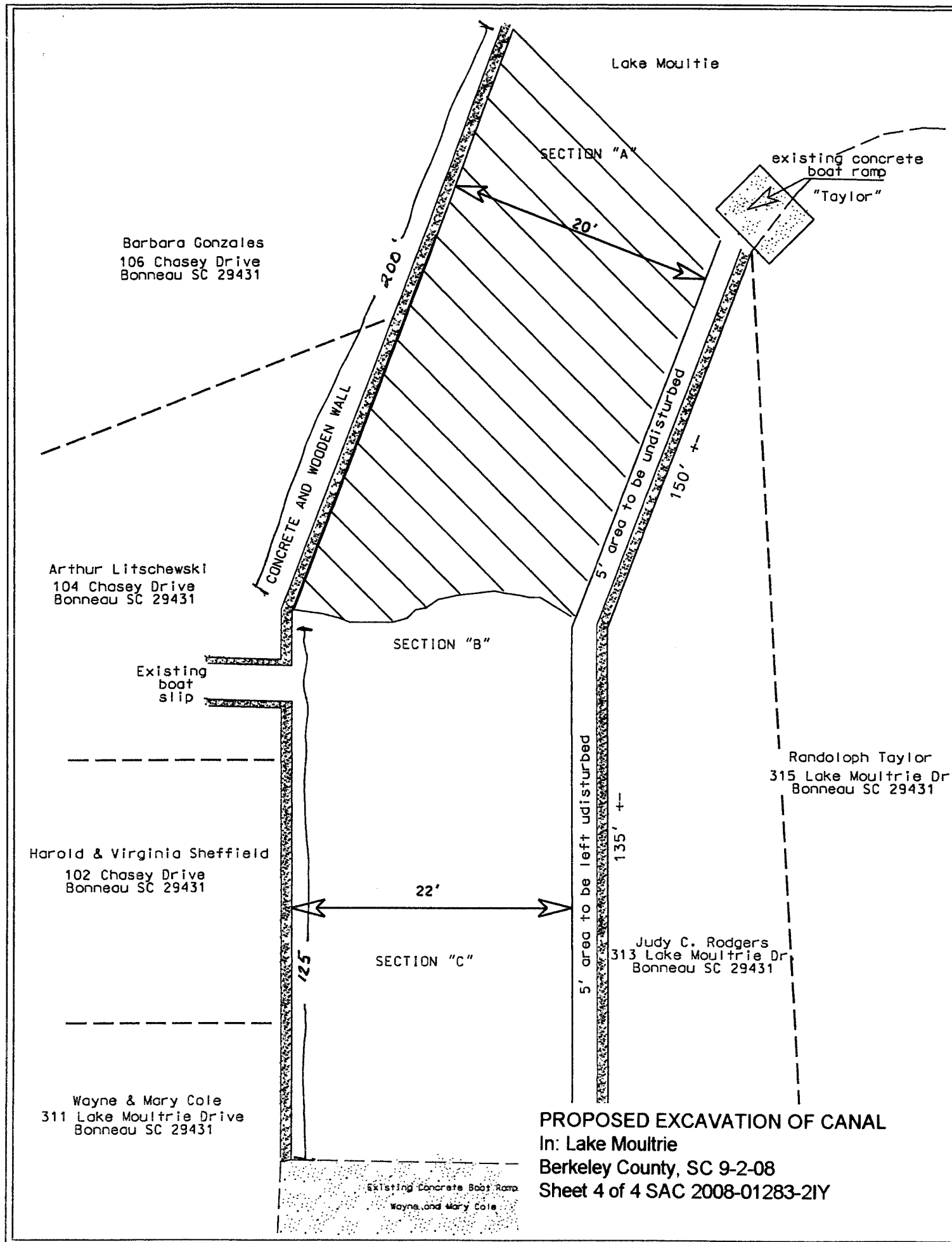
* Note:
 Building setback 50' front
 lakefront property line or 22'
 canal front, 30' from right
 of 1/2 of streets for residence.

Total Cubic Yards To Be Removed

468.056



PROPOSED EXCAVATION OF CANAL
In: Lake Moultrie
Berkeley County, SC 9-2-08
Sheet 3 of 4 SAC 2008-01283-2IY



Barbara Gonzales
106 Chasey Drive
Bonneau SC 29431

Arthur Litschewski
104 Chasey Drive
Bonneau SC 29431

Existing
boat
slip

Harold & Virginia Sheffield
102 Chasey Drive
Bonneau SC 29431

Wayne & Mary Cole
311 Lake Moultrie Drive
Bonneau SC 29431

Existing Concrete Boat Ramp
Wayne and Mary Cole

Lake Moultrie

SECTION "A"

existing concrete
boat ramp
"Taylor"

CONCRETE AND WOODEN WALL

SECTION "B"

5' area to be left undisturbed

135' +-

SECTION "C"

Judy C. Rodgers
313 Lake Moultrie Dr
Bonneau SC 29431

Randolph Taylor
315 Lake Moultrie Dr
Bonneau SC 29431

PROPOSED EXCAVATION OF CANAL
In: Lake Moultrie
Berkeley County, SC 9-2-08
Sheet 4 of 4 SAC 2008-01283-21Y