

PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

REGULATORY DIVISION

Refer to: P/N SAC-2015-00592

August 18, 2017

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), the proposed Big Dutchman Creek Mitigation Bank (BDCMB) Prospectus has been submitted to the Department of the Army (Corps) and the South Carolina Interagency Review Team (IRT) by

**Meanders River Restoration, Inc.
ATTENTION: Mr. Robby Bowen
1510 Harmony Church
Monroe, GA 30655**

for a proposal to establish and operate the BDCMB located within the headwaters of

Big Dutchman Creek

at a location approximately three miles northwest of Rock Hill along Mt. Gallant Road, York County, South Carolina (Latitude 35.00422°, Longitude -81.08689°), Lake Wylie and the Rock Hill West U.S. Geological Service Quadrangle sheets.

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

30 day from the Date of this Notice,

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

The overall goal of the proposed BDCMB is to establish a stream and wetland mitigation bank within Lower Catawba watershed (03040103). BDCMB is proposed as a general use bank that provides compensatory mitigation for unavoidable adverse impacts to Waters of the United States, including wetlands, that result from activities authorized under Section 401 and 404 of the Clean Water Act, and Section 10 of the Rivers and Harbors Act, as authorized by the Charleston District and are within the prescribed service area of the bank. According to the Prospectus, a total of 17,600 linear feet of stream restoration and 3.82 acres of wetland enhancement are proposed.

The project goals include restoring degraded stream channels by returning incised streams to stable form using natural stream design and raising stream bottoms so they function properly within their floodplain. In addition, wetland and buffer enhancement include planting native trees to re-establish vegetative cover and habitat and improving water quality and natural revegetation by the exclusion of cattle. The bank will continue to operate within an active cattle ranch, but cattle access

and crossing will be heavily restricted. The bank sponsor, using a conservation easement, will protect the mitigation site.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices>.

According to the Prospectus, the proposed BDCMB will provide in-kind compensatory mitigation for authorized impacts to aquatic resources located within the Upper Catawba (03050101), Lower Catawba (03050103), and Upper Broad River (03050105) watersheds as shown on the attached Service Area Map. The work required to complete the proposed activities on the mitigation site may be authorized under Nationwide Permit #27, after reviews by the Corps, the South Carolina Department of Health and Environmental Control, and the Interagency Review Team.

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 applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project will not impact 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 umbrella mitigation bank actions would not have a substantial 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 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 District Engineer has consulted the most recently available information and has determined that the proposed project will have no effect on 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 Section 106 of the NHPA, the District Engineer has also consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(1)(1)), and has initially determined that no historic properties are present; 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 any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence from the State Historic Preservation Office on this determination.

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.

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 approve or deny the proposed umbrella mitigation bank will be based on an evaluation of the probable impact including cumulative impacts of the activity. 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.

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 approve or deny the proposed umbrella mitigation bank. 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 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.

**US Army Corps of Engineers
Attention: Regulatory Division
69A Hagood Avenue
Charleston, South Carolina 29403**

The Prospectus for the proposed mitigation bank is available for review by appointment between the hours of 9:00 am and 4:00 pm Monday through Friday at the address listed above. If there are any questions concerning the proposed mitigation bank or the information included in this public notice please contact David B. Wilson by e-mail at david.b.wilson@usace.army.mil or by telephone at 843-329-8044.

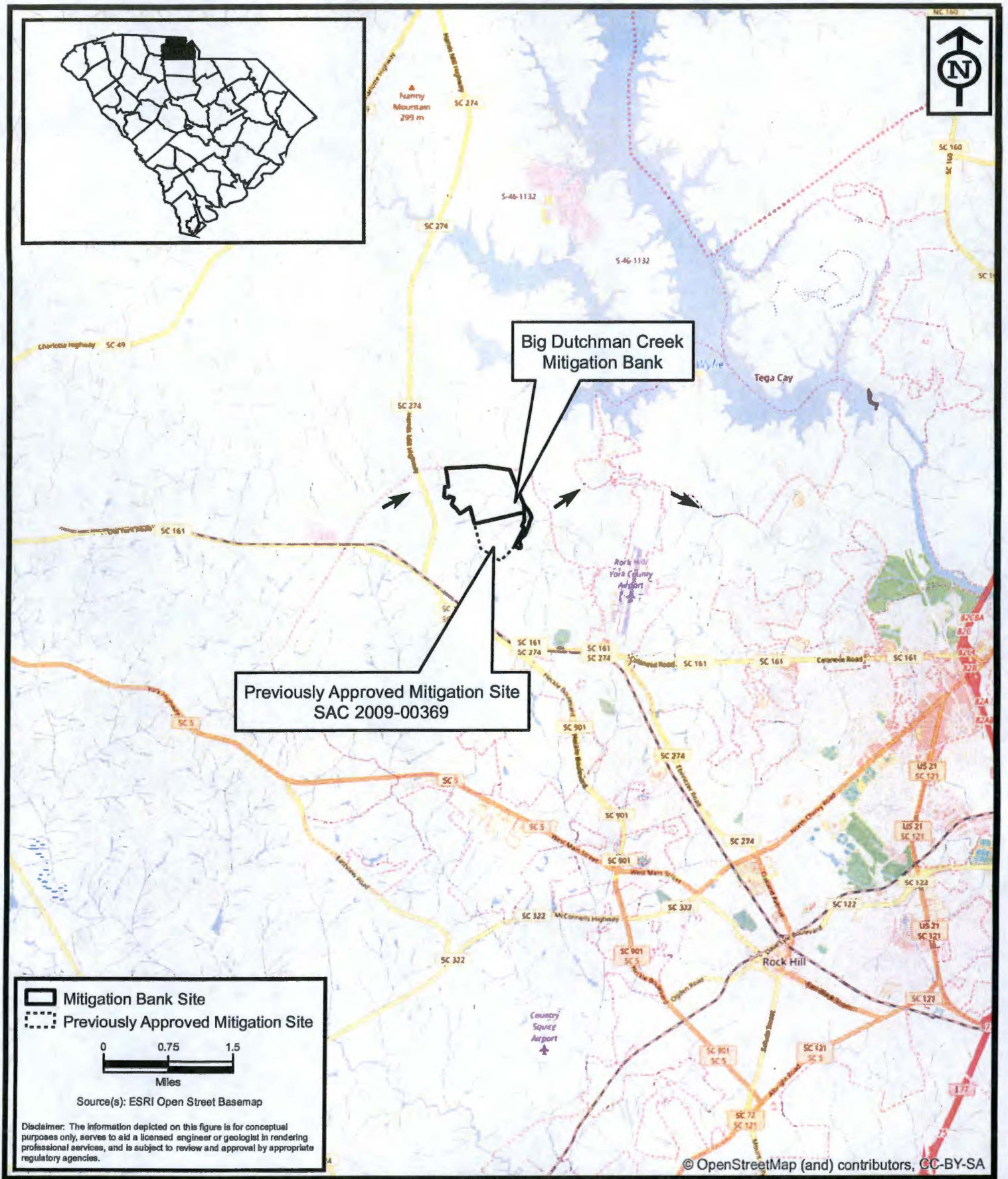


Figure 1. Mitigation Bank Site Location

Big Dutchman Creek Mitigation Bank

York County, South Carolina

Project:	ER12084.00
Date:	May 2017
Drawn By:	JRN
Checked By:	IRR
Approved By:	IRR
Figure:	1



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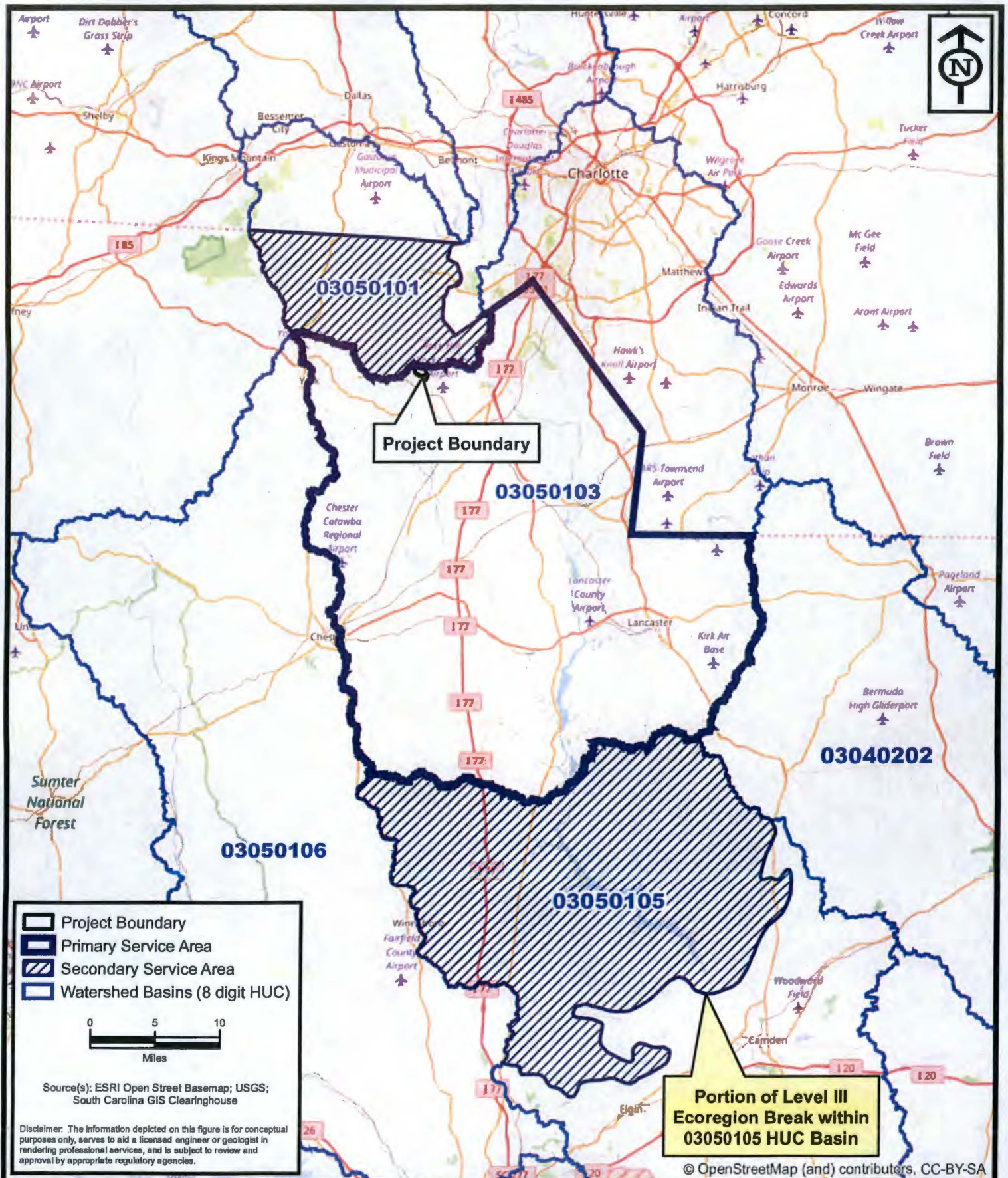


Figure 2. Watershed Basin Map

Big Dutchman Creek Mitigation Bank

York County, South Carolina

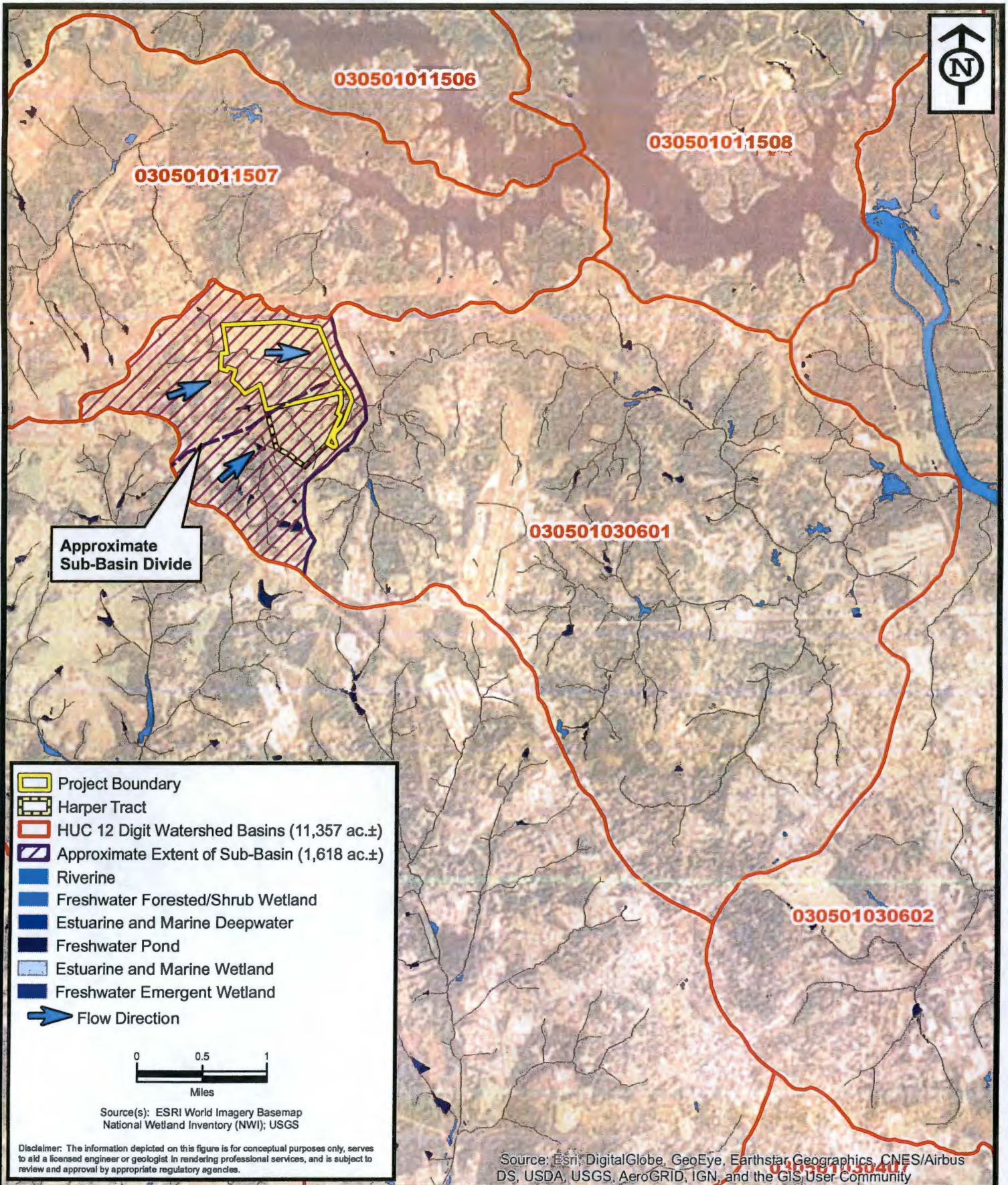
Project:	ER12084.00
Date:	Jun 2017
Drawn By:	JRN
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Approved By:	IRR
Figure:	2














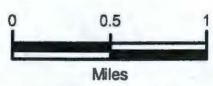
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-  Project Boundary
-  Harper Tract
-  HUC 12 Digit Watershed Basins (11,357 ac.±)
-  Approximate Extent of Sub-Basin (1,618 ac.±)
-  Riverine
-  Freshwater Forested/Shrub Wetland
-  Estuarine and Marine Deepwater
-  Freshwater Pond
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland
-  Flow Direction



Source(s): ESRI World Imagery Basemap
National Wetland Inventory (NWI); USGS

Disclaimer: The information depicted on this figure is for conceptual purposes only, serves to aid a licensed engineer or geologist in rendering professional services, and is subject to review and approval by appropriate regulatory agencies.

Source: ESRI, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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Figure 3. HUC 12 Digit Watershed Map

Big Dutchman Creek Mitigation Bank

York County, South Carolina









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Project:	ER12084.00
Date:	May 2017
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Checked By:	IRR
Approved By:	IRR
Figure:	3



Big Dutchman Creek
Mitigation Bank Site

Harper Tract Mitigation Site
SAC 2009-00369

-  Project Boundary
-  Harper Tract
-  Riverine
-  Freshwater Forested/Shrub Wetland
-  Estuarine and Marine Deepwater
-  Freshwater Pond
-  Estuarine and Marine Wetland
-  Freshwater Emergent Wetland



Source(s): ESRI World Imagery Basemap
National Wetland Inventory (NWI)

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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



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Figure 4. Aerial Photograph (2015) of Mitigation Parcels
(NWI Database)

Big Dutchman Creek Mitigation Bank

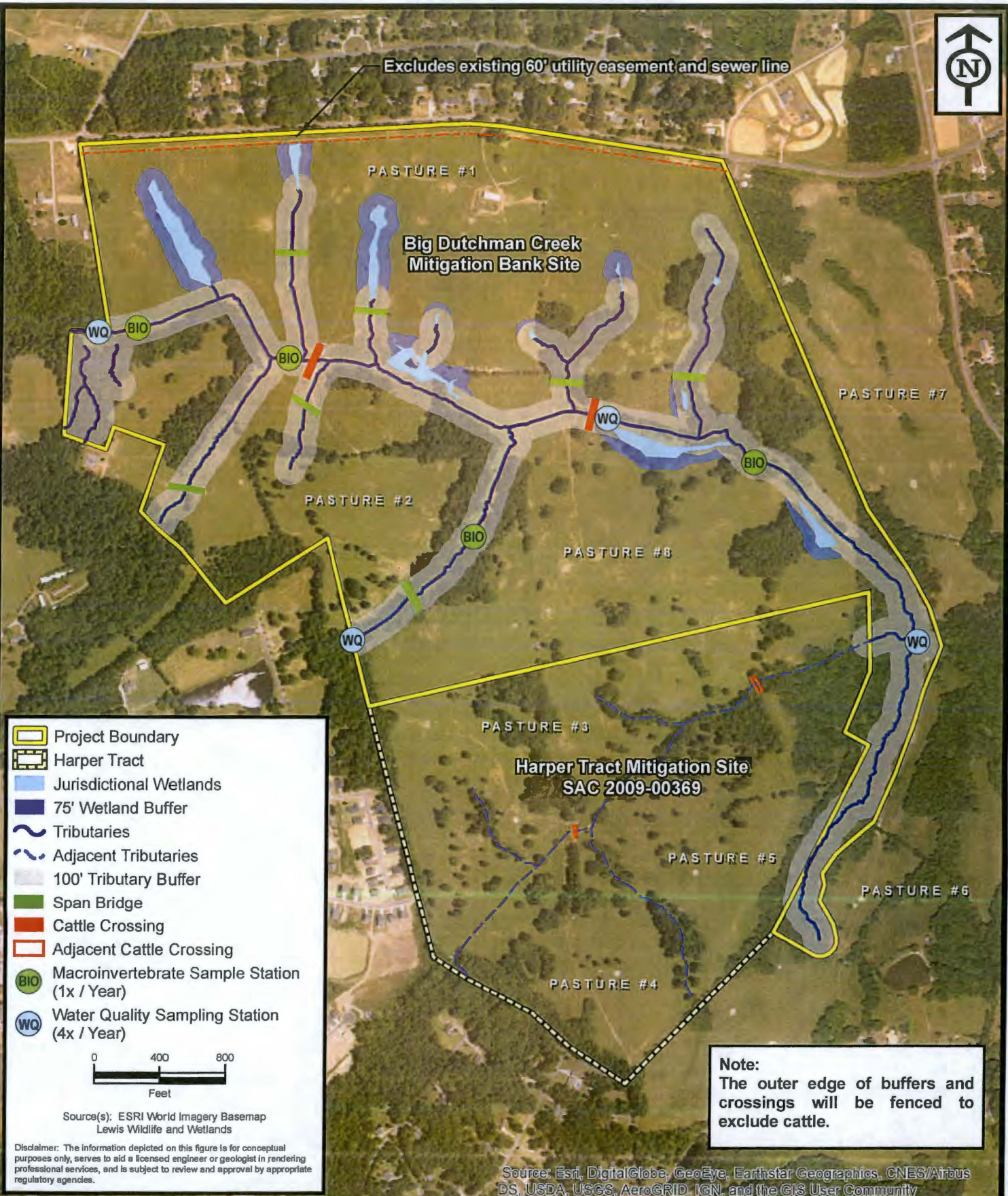
York County, South Carolina

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Project:	ER12084.00
Date:	Jun 2017
Drawn By:	JRN
Checked By:	IRR
Approved By:	IRR
Figure:	4



Excludes existing 60' utility easement and sewer line



- Project Boundary
- Harper Tract
- Jurisdictional Wetlands
- 75' Wetland Buffer
- Tributaries
- Adjacent Tributaries
- 100' Tributary Buffer
- Span Bridge
- Cattle Crossing
- Adjacent Cattle Crossing
- Macroinvertebrate Sample Station (1x / Year)
- Water Quality Sampling Station (4x / Year)



Source(s): ESRI World Imagery Basemap
Lewis Wildlife and Wetlands

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Note:
The outer edge of buffers and crossings will be fenced to exclude cattle.

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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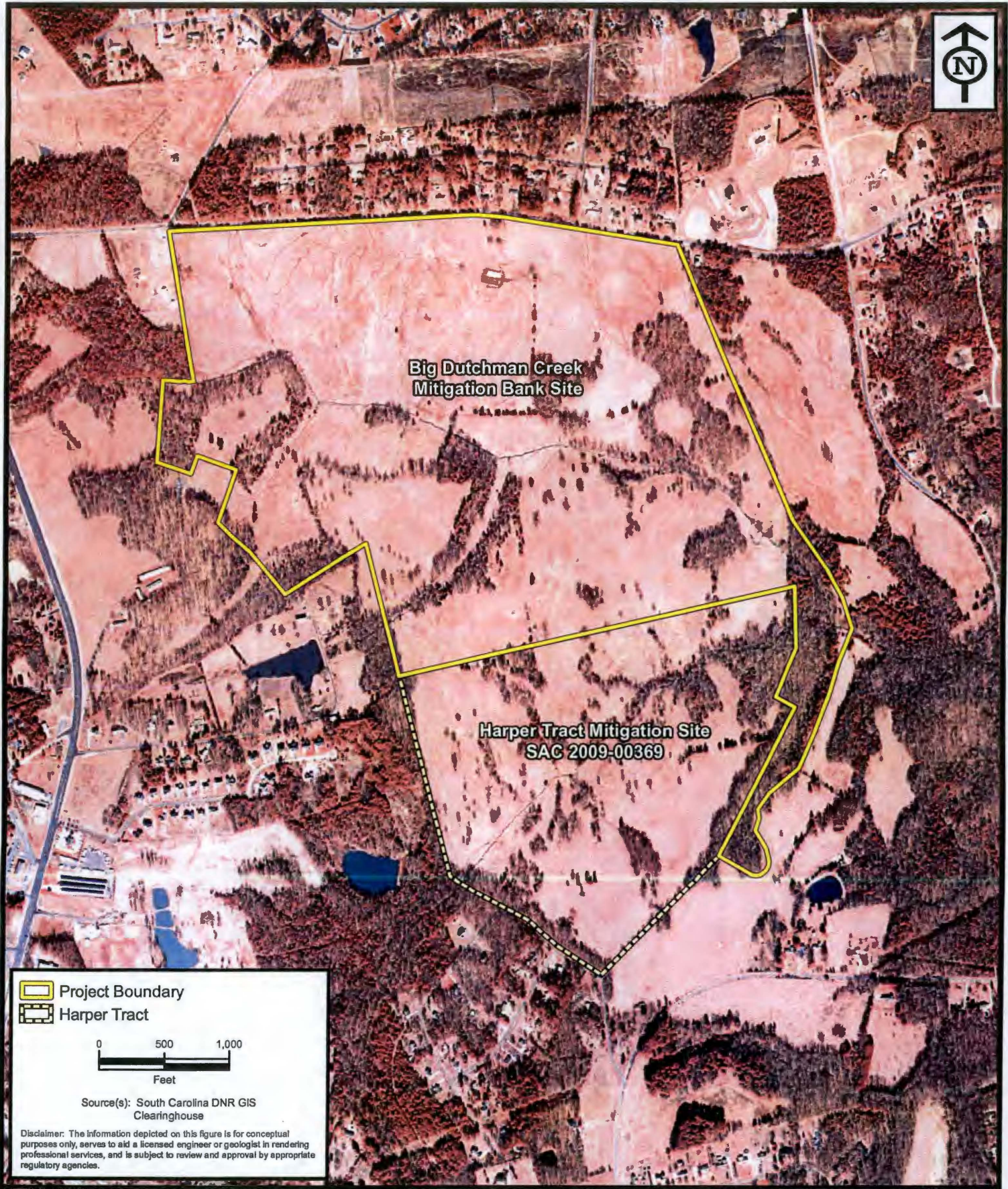
Figure 5. Mitigation Plan



Big Dutchman Creek Mitigation Bank

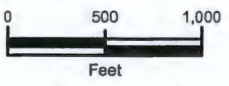
York County, South Carolina

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Project:	ER12084.00
Date:	Jul 2017
Drawn By:	JRN
Checked By:	IRR
Approved By:	IRR
Figure:	5



-  Project Boundary
-  Harper Tract



Source(s): South Carolina DNR GIS Clearinghouse

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Figure 6b. Aerial Photograph - 2006

Big Dutchman Creek Mitigation Bank

York County, South Carolina

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Project:	ER12084.00
Date:	May 2017
Drawn By:	JRN
Checked By:	IRR
Approved By:	IRR
Figure:	6b



**Big Dutchman Creek
Mitigation Bank Site**

**Harper Tract Mitigation Site
SAC 2009-00369**

 Project Boundary

 Harper Tract



Source(s): South Carolina DNR GIS
Clearinghouse

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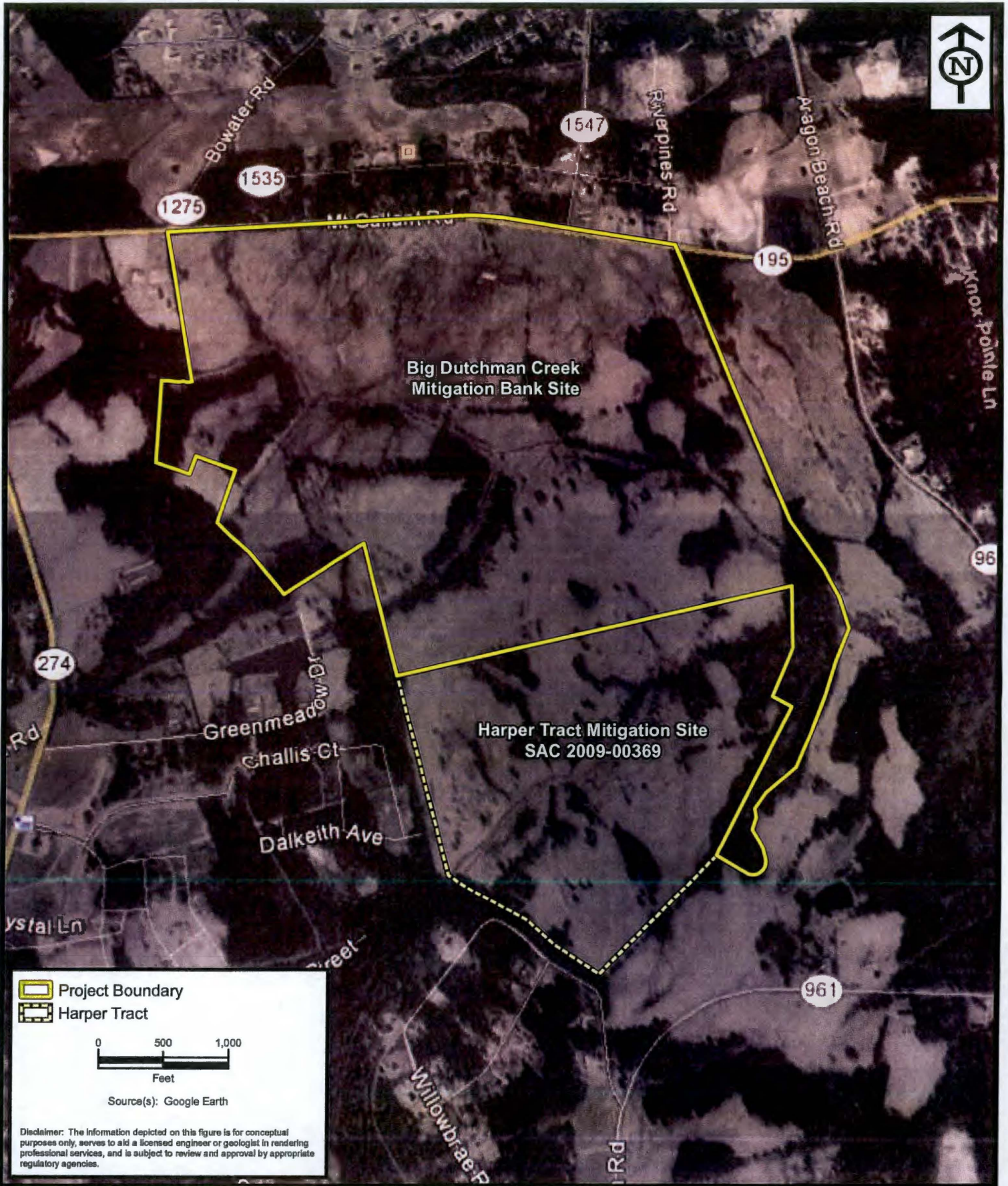
Figure 6c. Aerial Photograph - 1999



Big Dutchman Creek Mitigation Bank

York County, South Carolina

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Project:	ER12084.00
Date:	May 2017
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Figure:	6c



-  Project Boundary
-  Harper Tract



Source(s): Google Earth

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Figure 6d. Aerial Photograph - 1995

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York County, South Carolina

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Project:	ER12084.00
Date:	Jun 2017
Drawn By:	JRN
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Figure:	6d

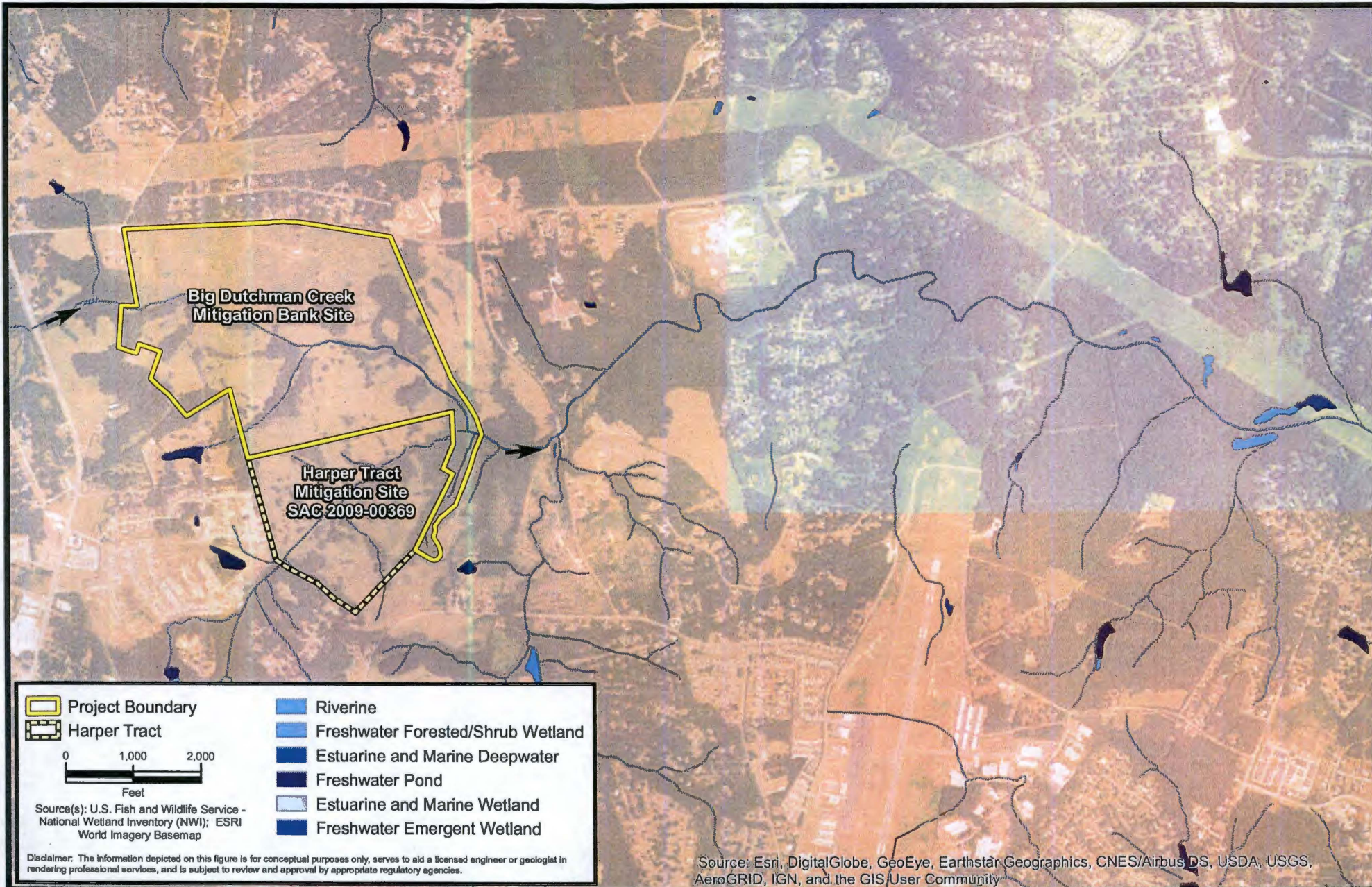


Figure 7. National Wetlands Inventory (NWI)
Big Dutchman Creek Mitigation Bank

York County, South Carolina



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Date:	Jun. 2017
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Figure:	7

TITLE BLOCK	
Project Name:	Big Dutchman Creek Mitigation Bank
Owner:	Harper Farms
County:	York
State:	SC

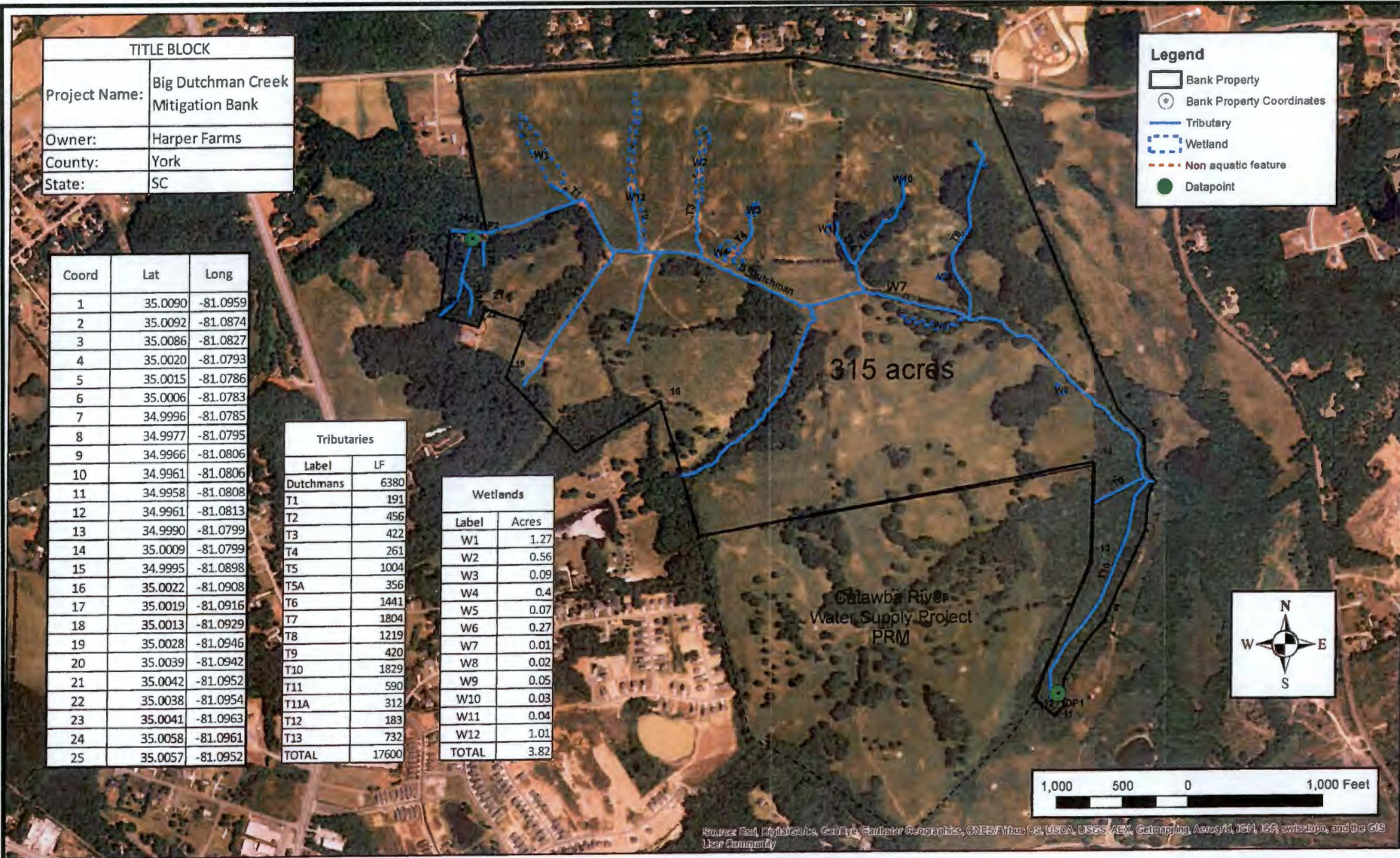
Coord	Lat	Long
1	35.0090	-81.0959
2	35.0092	-81.0874
3	35.0086	-81.0827
4	35.0020	-81.0793
5	35.0015	-81.0786
6	35.0006	-81.0783
7	34.9996	-81.0785
8	34.9977	-81.0795
9	34.9966	-81.0806
10	34.9961	-81.0806
11	34.9958	-81.0808
12	34.9961	-81.0813
13	34.9990	-81.0799
14	35.0009	-81.0799
15	34.9995	-81.0898
16	35.0022	-81.0908
17	35.0019	-81.0916
18	35.0013	-81.0929
19	35.0028	-81.0946
20	35.0039	-81.0942
21	35.0042	-81.0952
22	35.0038	-81.0954
23	35.0041	-81.0963
24	35.0058	-81.0961
25	35.0057	-81.0952

Tributaries	
Label	LF
Dutchmans	6380
T1	191
T2	456
T3	422
T4	261
T5	1004
T5A	356
T6	1441
T7	1804
T8	1219
T9	420
T10	1829
T11	590
T11A	312
T12	183
T13	732
TOTAL	17600

Wetlands	
Label	Acres
W1	1.27
W2	0.56
W3	0.09
W4	0.4
W5	0.07
W6	0.27
W7	0.01
W8	0.02
W9	0.05
W10	0.03
W11	0.04
W12	1.01
TOTAL	3.82

Legend

- Bank Property
- Bank Property Coordinates
- Tributary
- Wetland
- Non aquatic feature
- Datapoint



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, IGP, swisstopo, and the GIS User Community

Project:	EJ15519.00
Date:	Jun. 2017
Drawn by:	N/A
Checked by:	N/A
Approved by:	N/A
Figure:	8

Figure 8. Preliminary Jurisdictional Map Identifying Stream Reaches (T1-T13) and Wetlands (W1-W12) Big Dutchman Creek Mitigation Bank York County, South Carolina Page A-12

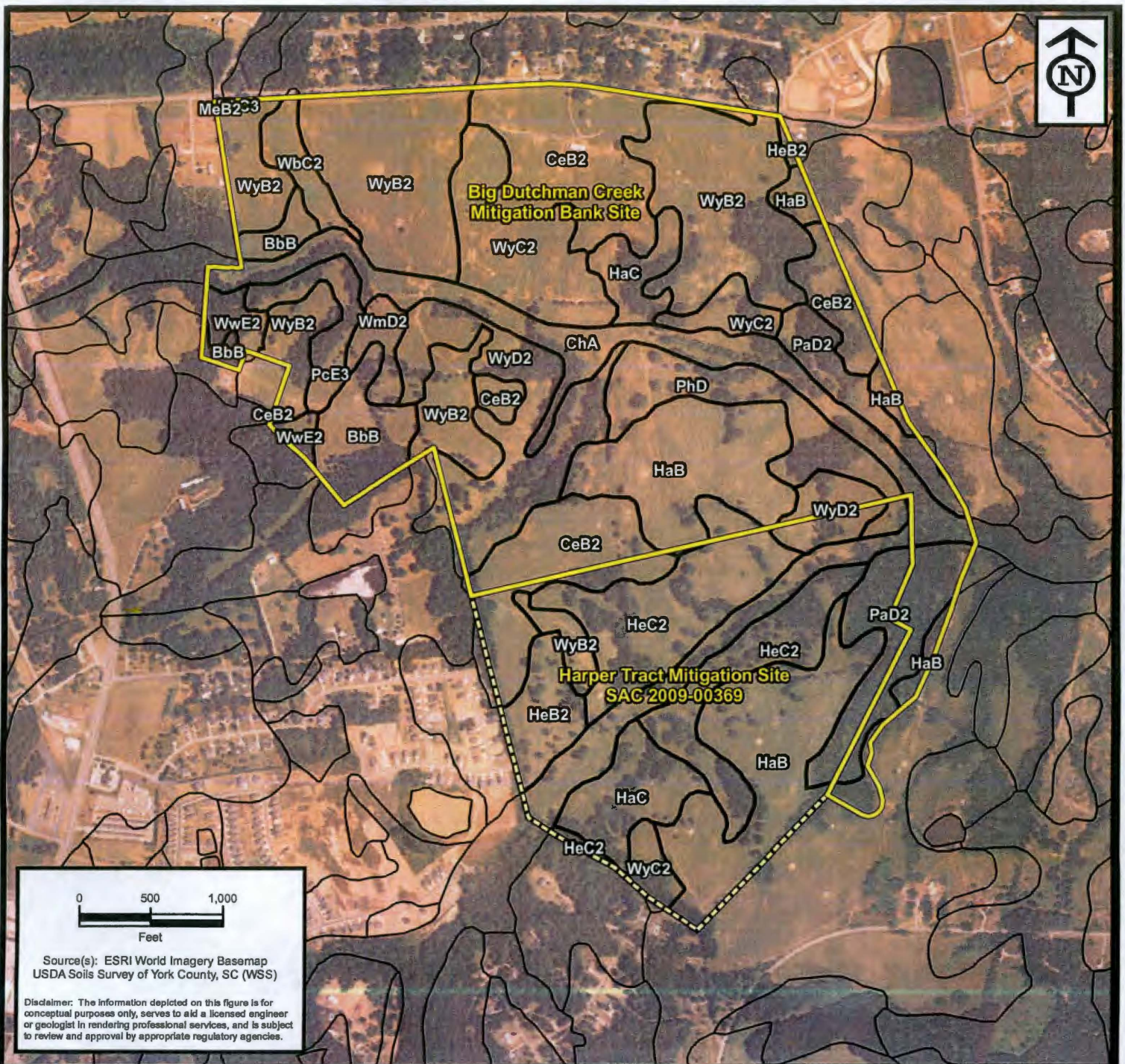


Big Dutchman Creek Mitigation Bank

Color Imagery MAP
 Quad: Lake Wylie
 Date: 4/12/2016

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File: P:\028_P\Projects\0281204\0406\Proposed\Map_01_Tributaries.mxd Date: 6/2/2017 5:28:58 PM



Source(s): ESRI World Imagery Basemap
USDA Soils Survey of York County, SC (WSS)

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Project Boundary

Harper Tract

Soils

- BbB - Brewback fine sandy loam, 2 to 6 percent slopes
- CeB2 - Cecil sandy clay loam, 2 to 6 percent slopes, moderately eroded
- ChA - Chewacla loam, 0 to 2 percent slopes, frequently flooded
- HaB - Hard Labor sandy loam, 2 to 6 percent slopes
- HaC - Hard Labor sandy loam, 6 to 10 percent slopes
- HeB2 - Helena sandy loam, 2 to 6 percent slopes, moderately eroded
- HeC2 - Helena sandy loam, 6 to 10 percent slopes, moderately eroded
- MeB2 - Mecklenburg-Wynott complex, 2 to 6 percent slopes, moderately eroded

- MkC3 - Mecklenburg-Wynott complex, 6 to 10 percent slopes, severely eroded
- PaD2 - Pacolet sandy clay loam, 10 to 15 percent slopes, moderately eroded
- PcE3 - Pacolet clay loam, 15 to 25 percent slopes, severely eroded
- PhD - Pacolet-Hard Labor complex, 10 to 15 percent slopes
- WbC2 - Wynott-Brewback complex, 6 to 10 percent slopes, moderately eroded
- WmD2 - Wynott-Mecklenburg complex, 10 to 15 percent slopes, moderately eroded
- WwE2 - Wynott-Wilkes complex, 15 to 25 percent slopes, moderately eroded
- WyB2 - Wynott-Winnsboro complex, 2 to 6 percent slopes, moderately eroded
- WyC2 - Wynott-Winnsboro complex, 6 to 10 percent slopes, moderately eroded
- WyD2 - Wynott-Winnsboro complex, 10 to 15 percent slopes, moderately eroded

Figure 10. NRCS Soils Survey

Big Dutchman Creek Mitigation Bank

York County, South Carolina

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Project:	ER12084.00
Date:	Jun 2017
Drawn By:	JRN
Checked By:	IRR
Approved By:	IRR
Figure:	10



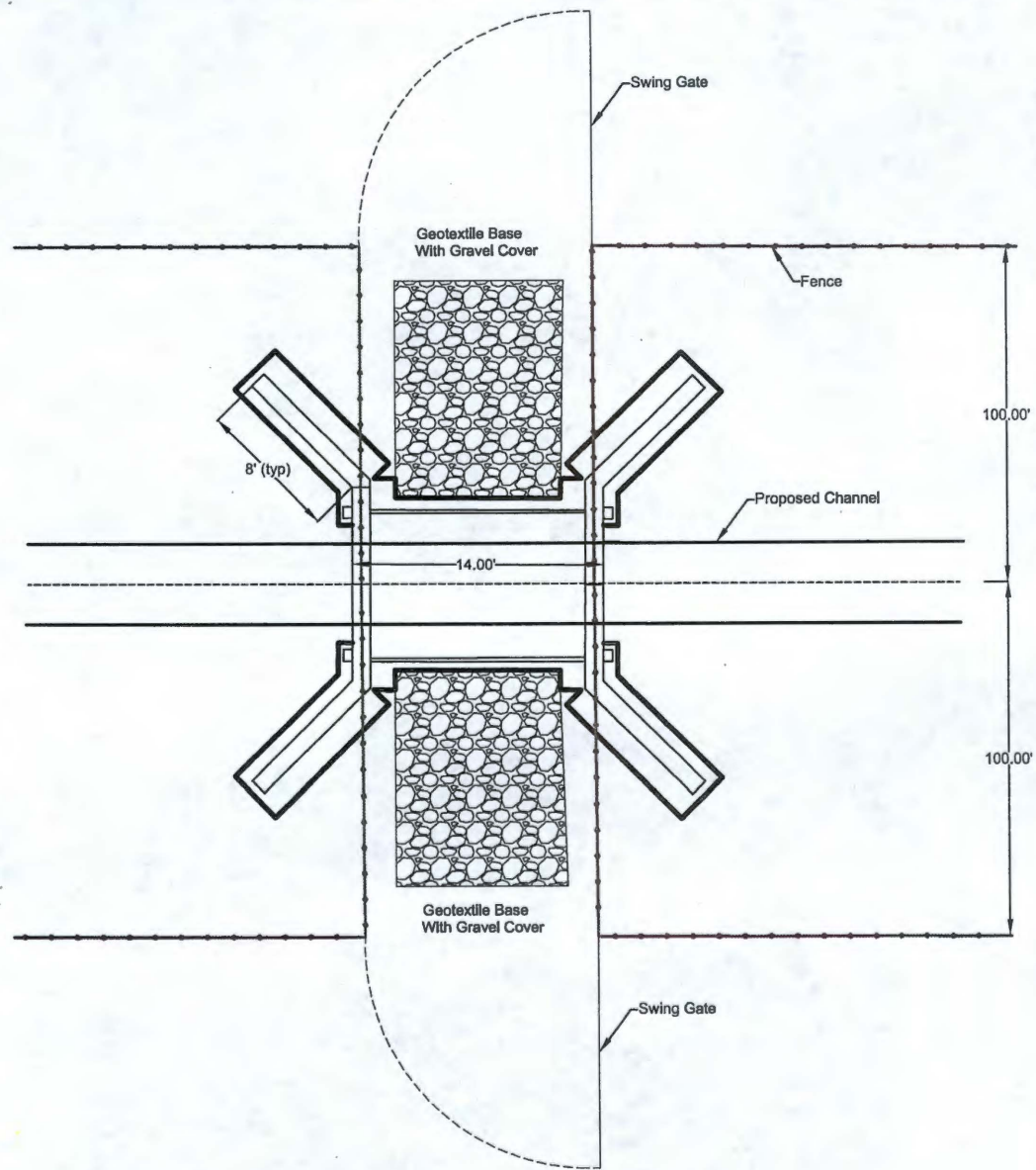
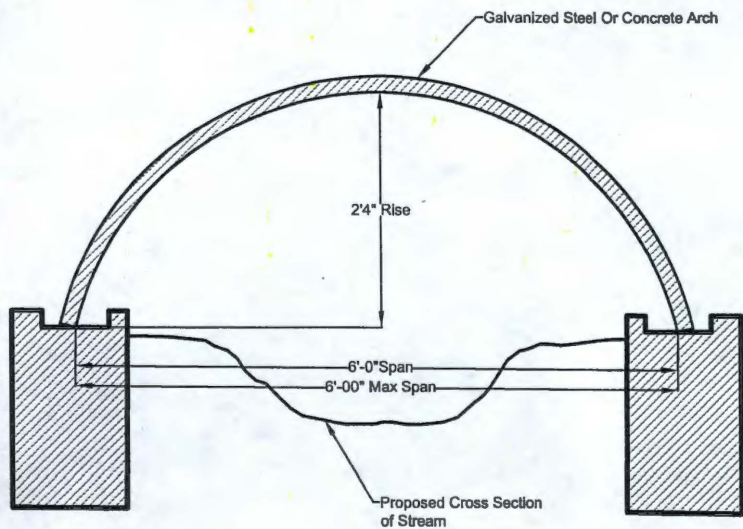
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Plotted: Jun 26, 2017 - 10:56am, By: aoidini

P:\GIS\Projects\FR\21084\00\fig\cotile_Crossing.dwg



Not To Scale

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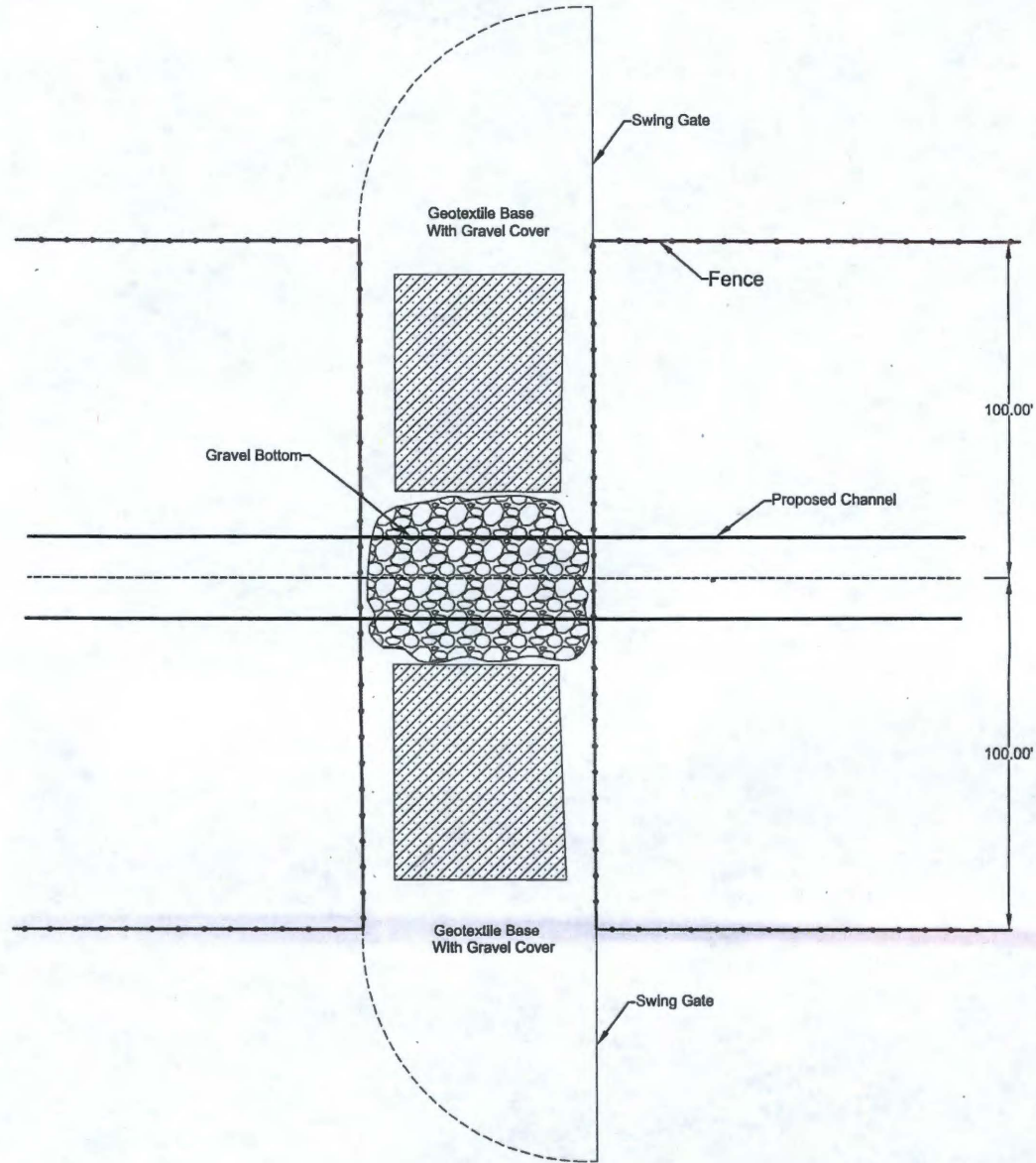
Figure 11. Span Bridge Details
Big Dutchman Creek Mitigation Bank
York County, South Carolina

Project: ER12084.00

Date: June 2017

Drwn/Chkd: AA/JRN

Figure: 11



Not To Scale

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Figure 12. At Grade Crossing
Big Dutchman Creek Mitigation Bank
 York County, South Carolina

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Date:	June 2017
Drwn/Chkd:	AA/JRN
Figure:	12