

**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 # 2012-1169-6F

February 28, 2014

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Health and Environmental Control by

**Lexington County Economic Development Department**  
**c/o Blair Wade**  
**Tidewater Environmental Services, Inc.**  
**P.O. Box 21415**  
**Charleston, SC 29413**

for a permit to place fill material in wetlands abutting

**TOMS BRANCH**

At a location south of the intersection of 12<sup>th</sup> Street and Old Wire Road, between Old State Road and Interstate 26, Lexington County, South Carolina. (Latitude 33.893175 N Longitude 81.035095 W)

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 the placement of fill material in wetlands for the extension of a road. In detail, the work consists of filling 2 acres of wetlands and clearing 0.15 acres to extend the existing 12<sup>th</sup> Street to facilitate Phase II of Saxe Gotha Industrial Park. The extension will also cross Toms Branch. The applicant is proposing to span Toms Branch with a bridge. The applicant is also proposing to place three low arch culverts with riprap to accommodate flows within the wetland. The applicant has provided an Alternatives Analysis which explored several off-site and on-site alternatives. The applicant has provided a Compensatory Mitigation Plan and is proposing a Permittee Responsible Mitigation (PRM) plan for a site that is less than 1 mile from the impact site. According to the applicant, the required mitigation credits for this project are 24.4 credits. They also state this PRM

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plan will involve the enhancement and preservation of wetlands and will create 53.1 credits. The Corps has not yet visited the mitigation site for a jurisdictional determination or evaluation for mitigation opportunities. The Permittee Responsible Mitigation Plan and Alternative Analysis are available upon request. According to the applicant, the project purpose is to extend 12<sup>th</sup> Street into a parcel that will facilitate Phase II of Saxe Gotha Industrial Park.

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 District Engineer will not process this application to a conclusion until such certification is 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 Water Quality 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 freshwater habitat 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 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.

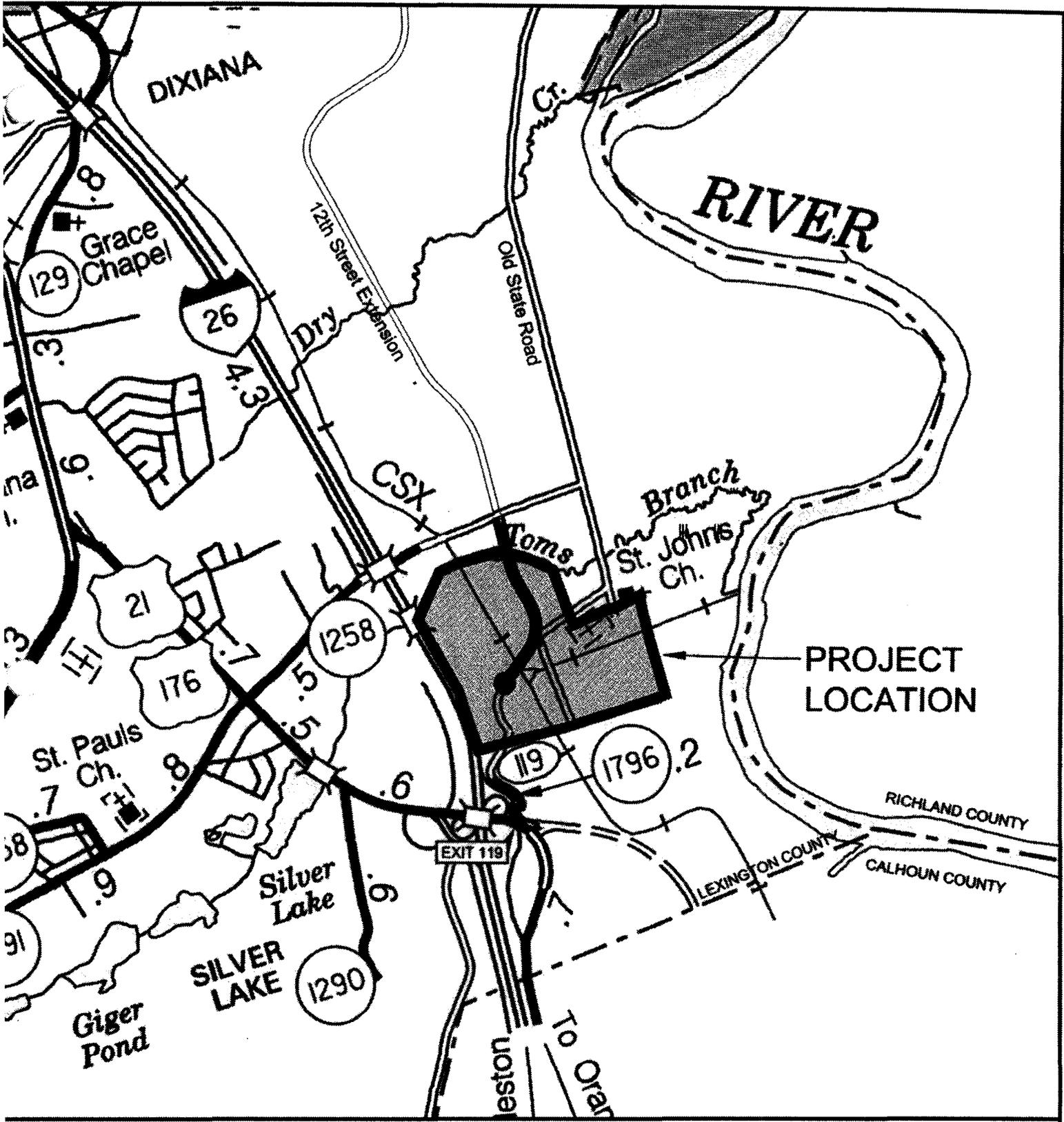
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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

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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 **Kristin Riegel at 803-253-3903**.

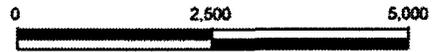


PROJECT LOCATION

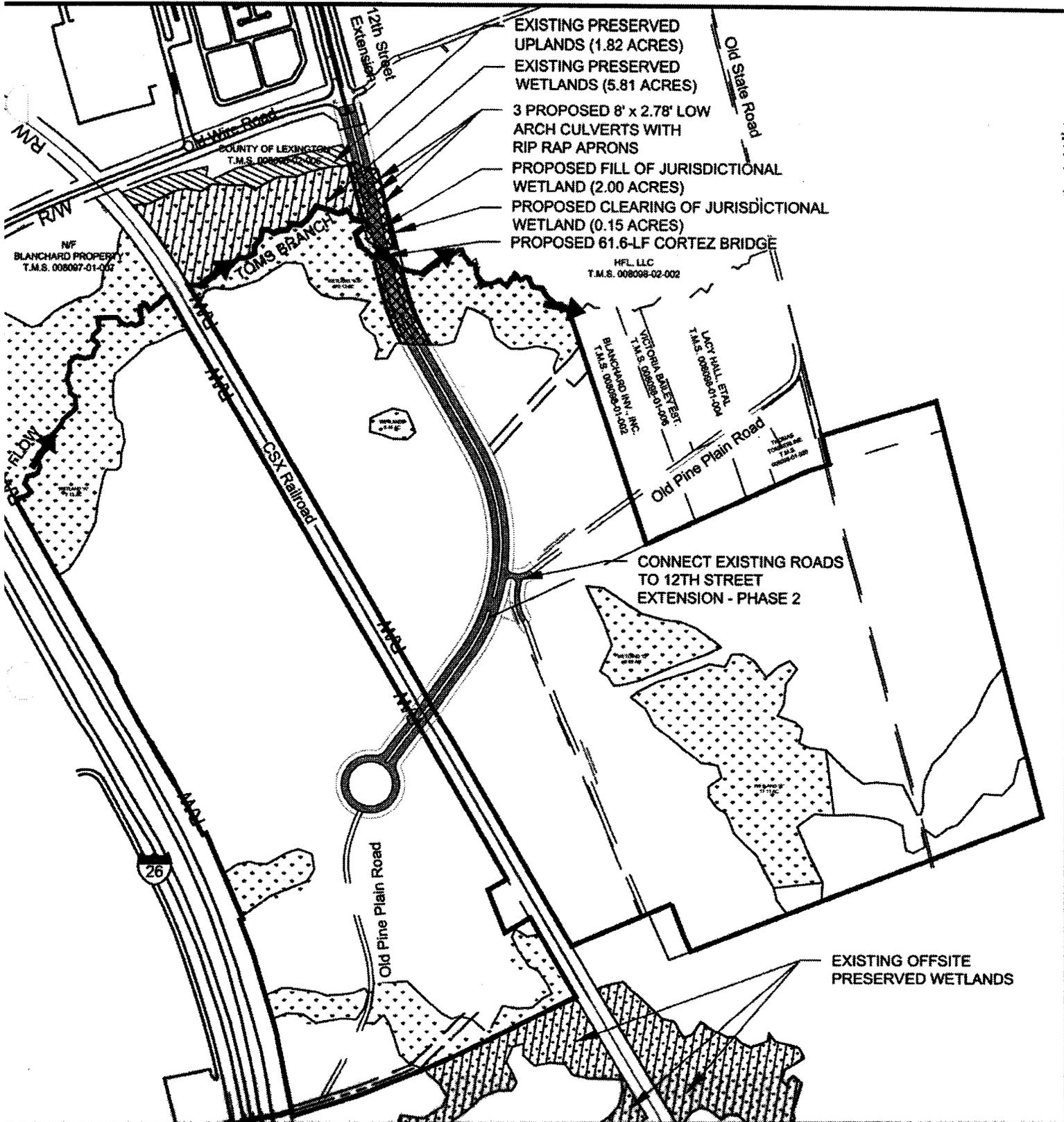
REFERENCE:  
LEXINGTON COUNTY  
HIGHWAY MAP  
DATED 2006

### Location Map

Project Title: Phase II Roadway Improvements  
12th Street Extension at the Saxe Gotha Industrial Park  
Applicant: Lexington County  
Location: Lexington County, SC  
Date: February 18, 2014  
Permit Number: SAC-



GRAPHIC SCALE IN FEET

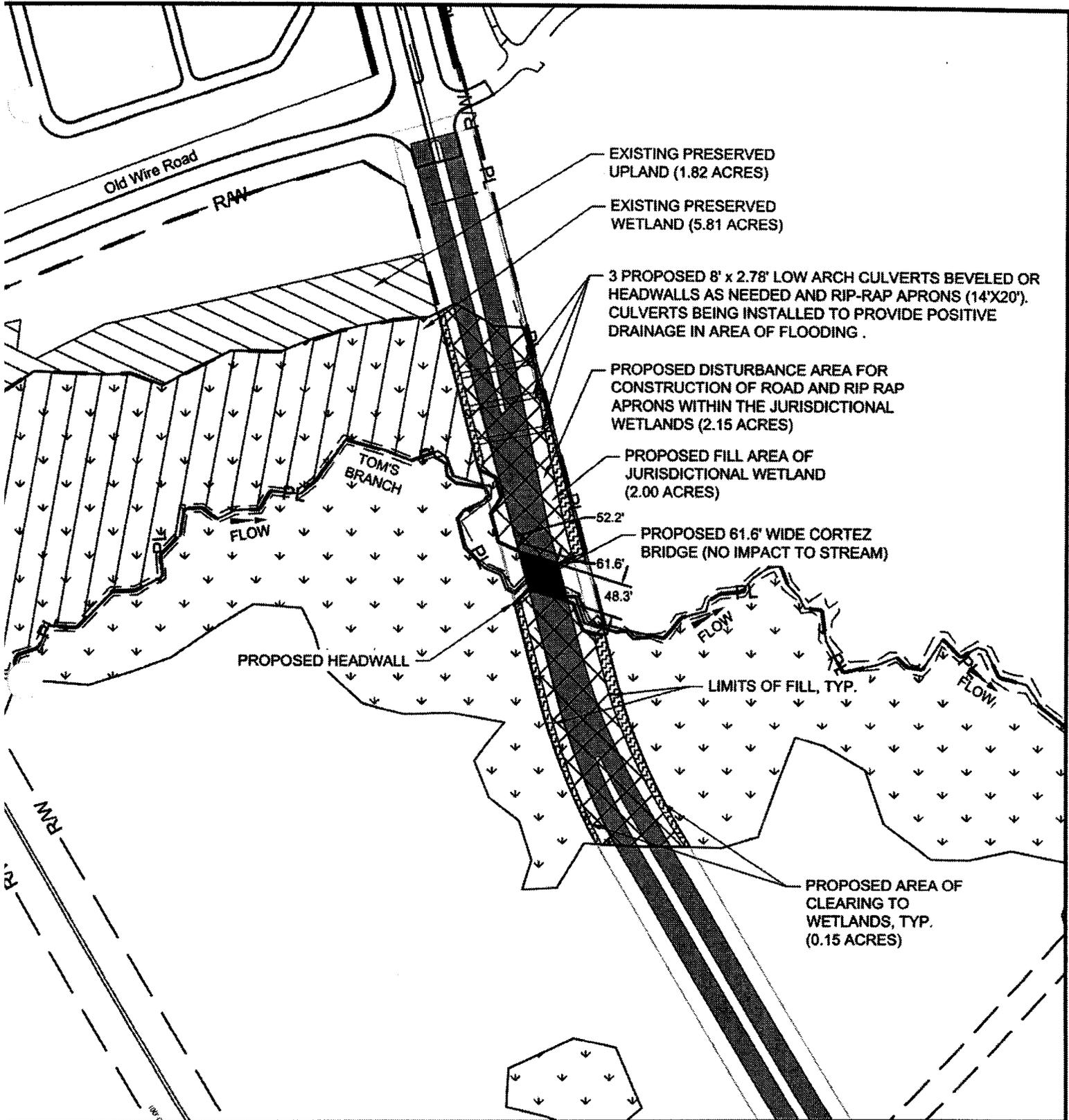


-  JURISDICTIONAL WETLANDS
-  PROPOSED WETLAND FILL AREA (2.00 ACRES)
-  EXISTING PRESERVED WETLANDS (5.81 ACRES)
-  EXISTING PRESERVED UPLANDS (1.82 ACRES)
-  PROPOSED WETLAND CLEARING AREA (0.15 ACRES)

### Overall Site Plan

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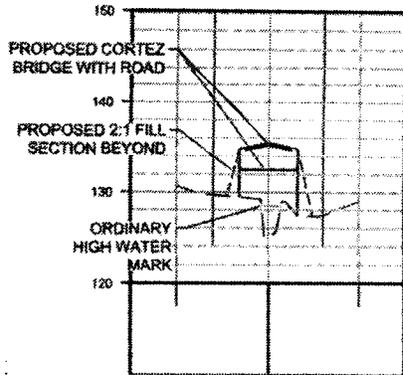
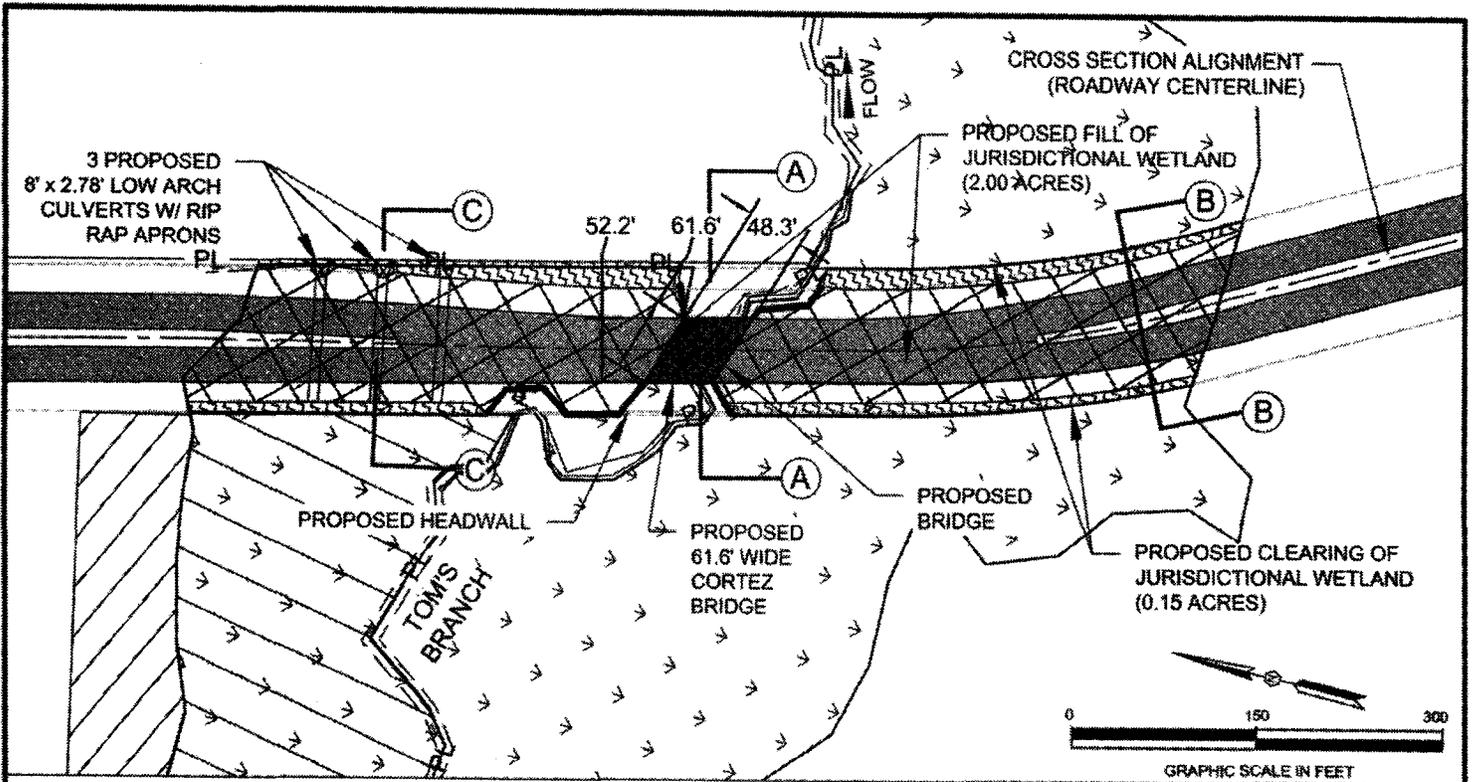
### Proposed Crossing

Project Title: Phase II Roadway Improvements  
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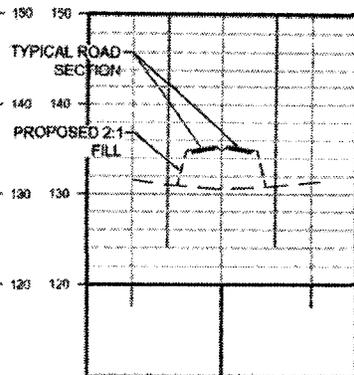


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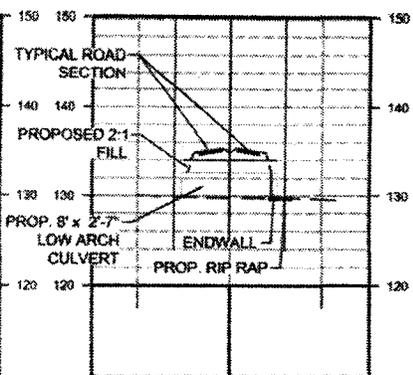
**BRIDGE CROSS-SECTION A**

HORIZONTAL SCALE: 1" = 200'  
VERTICAL SCALE: 1" = 20'



**WETLAND FILL CROSS-SECTION B**

HORIZONTAL SCALE: 1" = 200'  
VERTICAL SCALE: 1" = 20'



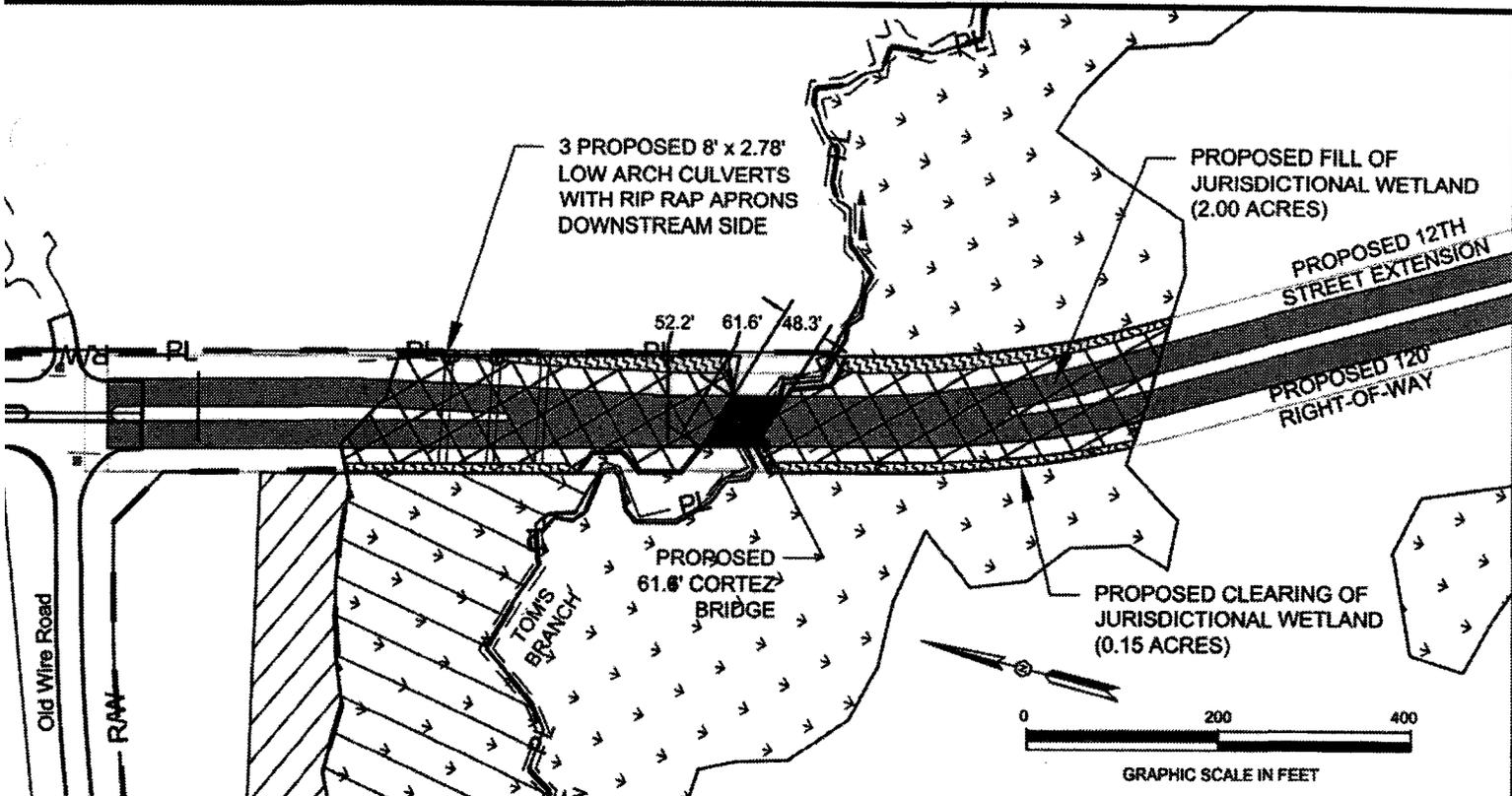
**LOW ARCH CROSS-SECTION C**

HORIZONTAL SCALE: 1" = 200'  
VERTICAL SCALE: 1" = 20'

## Proposed Wetland Fill Cross-Section

Project Title: Phase II Roadway Improvements  
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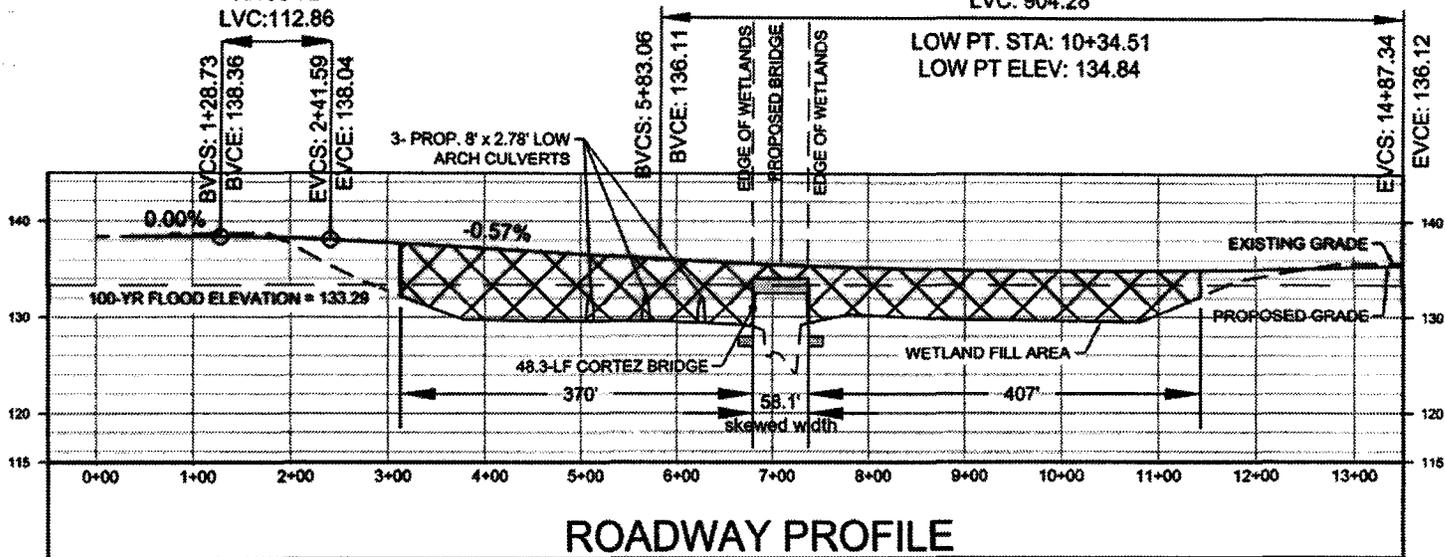




PVI STA: 1+85.16  
 PVI ELEV: 138.36  
 K: 199.72  
 LVC: 112.86

PVI STA: 10+35.20  
 PVI ELEV: 133.56  
 K: 799.36  
 LVC: 904.28

LOW PT. STA: 10+34.51  
 LOW PT. ELEV: 134.84



### ROADWAY PROFILE

HORIZONTAL SCALE: 1" = 200'  
 VERTICAL SCALE: 1" = 20'

- EXISTING PRESERVED WETLANDS (5.81 ACRES)
- EXISTING PRESERVED UPLANDS (1.82 ACRES)
- JURISDICTIONAL WETLANDS
- PROPOSED WETLAND FILL AREA (2.00 ACRES)
- PROPOSED WETLAND CLEARING AREA (0.15 ACRES)

### Proposed Wetland Fill Profile

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