

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 # 2015-00074-4E

Date: May 29, 2015

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

MARION SWINK
MCCALL FARMS
C/O BRITT FELDNER
THE BRIGMAN COMPANY
PO BOX 1532
CONWAY, SOUTH CAROLINA 29528

for a permit to place fill material within wetlands adjacent to the

LYNCHES RIVER

at a location west of US Highway 52, in the Town of Effingham, Florence County, South Carolina (Latitude 34.054215, Longitude -79.762723).

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 installation of an 18" sewer line that will outfall within Lynchess River and the placement of fill material within wetlands for the construction of a road crossing. In detail, the work involves temporary impacts to approximately 0.05 acre of waters of the United States associated with bedding and backfilling for the installation of 1,250 linear feet of an 18" sewer line and permanent impacts to 0.035 acres of jurisdictional wetlands and 40 lf of a jurisdictional tributary for the construction of a 32' wide road. The applicant

states that the current 8" sewer line is inadequate to handle wastewater from the existing vegetable canning facility due to recent expansions. The proposed 18" sewer line with an outfall is necessary to supplement the existing 8" outfall currently in place. According to the applicant, the road crossing will be utilized to access a proposed overflow parking area that will accommodate anticipated additional employee parking as well as truck overflow parking. Previous authorizations for this site consist of utilizing Nationwide Permits 18, 33, and 39 to authorize 0.514 acre of impacts to jurisdictional wetlands. Because the total authorized impacts on the site have exceeded the 0.50 acre threshold, an individual permit is required for this proposed project. The applicant states that impacts were unavoidable due to the location of the wetlands surrounding the existing facility and the location of the Lynches River. Impacts for the proposed sewer line were minimized by crossing the wetland perpendicularly and avoiding the removal of canopy trees within the forested wetland. Impacts for the proposed road crossing were minimized by crossing the jurisdictional waters of the US perpendicularly and by constructing retaining walls to avoid having to slope the sides of the road within waters of the US. The applicant proposes to mitigate for the 0.035 a. of permanent impacts by purchasing credits from Vandross Bay Mitigation Bank. No stream mitigation was proposed by the applicant. The purpose of the project, as stated by the applicant, is to accommodate increased wastewater flows and parking needs resulting from the expansion of the facility.

NOTE: A public notice was issued on February 13, 2015, (PN SAC 2105-00072-4E) for a portion of the project, specifically the impacts associated with the sewer line. This revised notice (SAC 2015-00074-4E) incorporates additional information and impacts submitted by the applicant since that time. As a result, the previous notice is being withdrawn and ONLY comments received in response to this Public Notice will be considered.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request 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 0.085 acre upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the 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 Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer 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 initially determined that no historic properties, nor properties eligible for inclusion in the National Register, are present; therefore, there will be no effect on historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

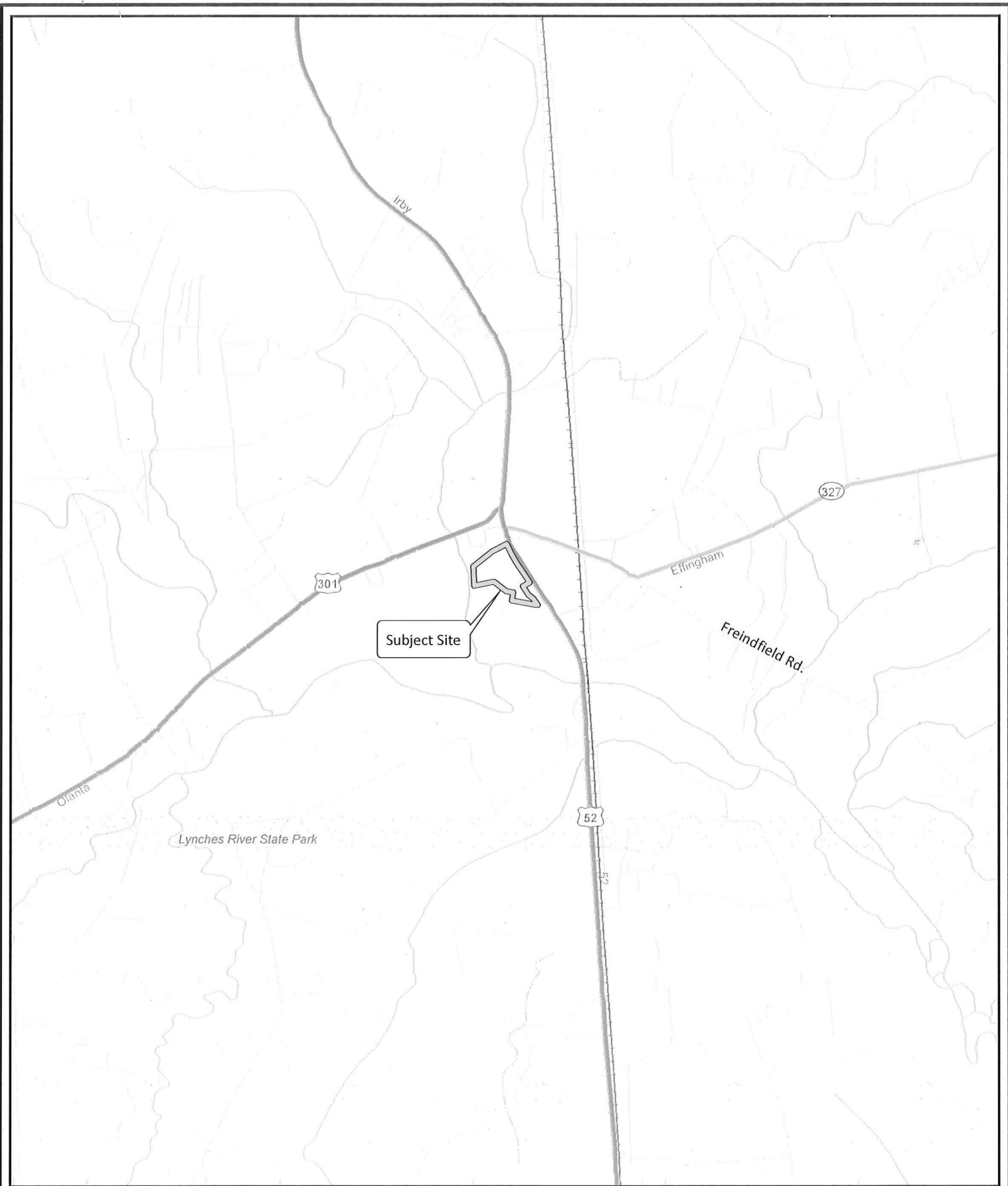
The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required, and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

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 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 Ann Eaddy at 843-365-1709.



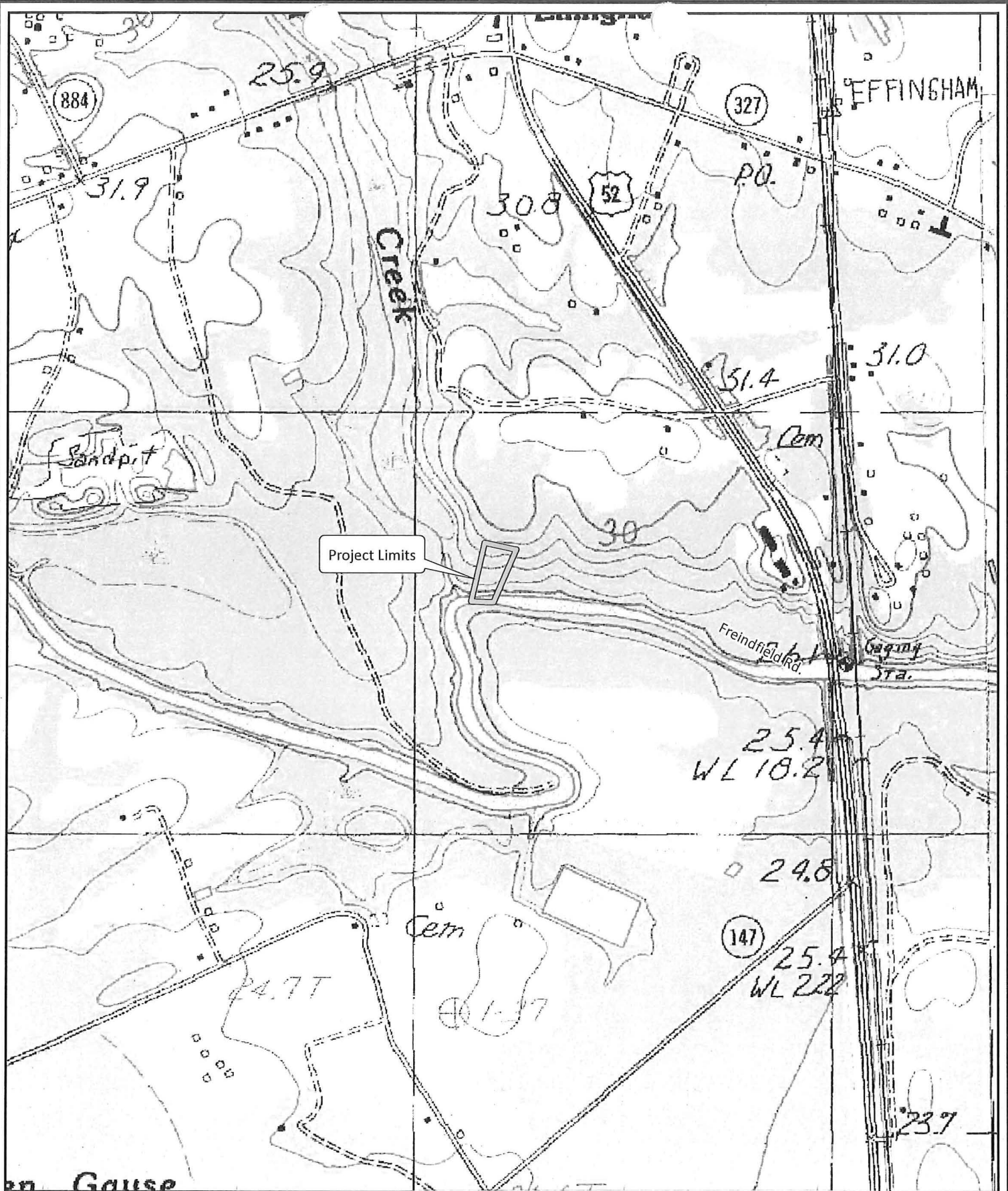
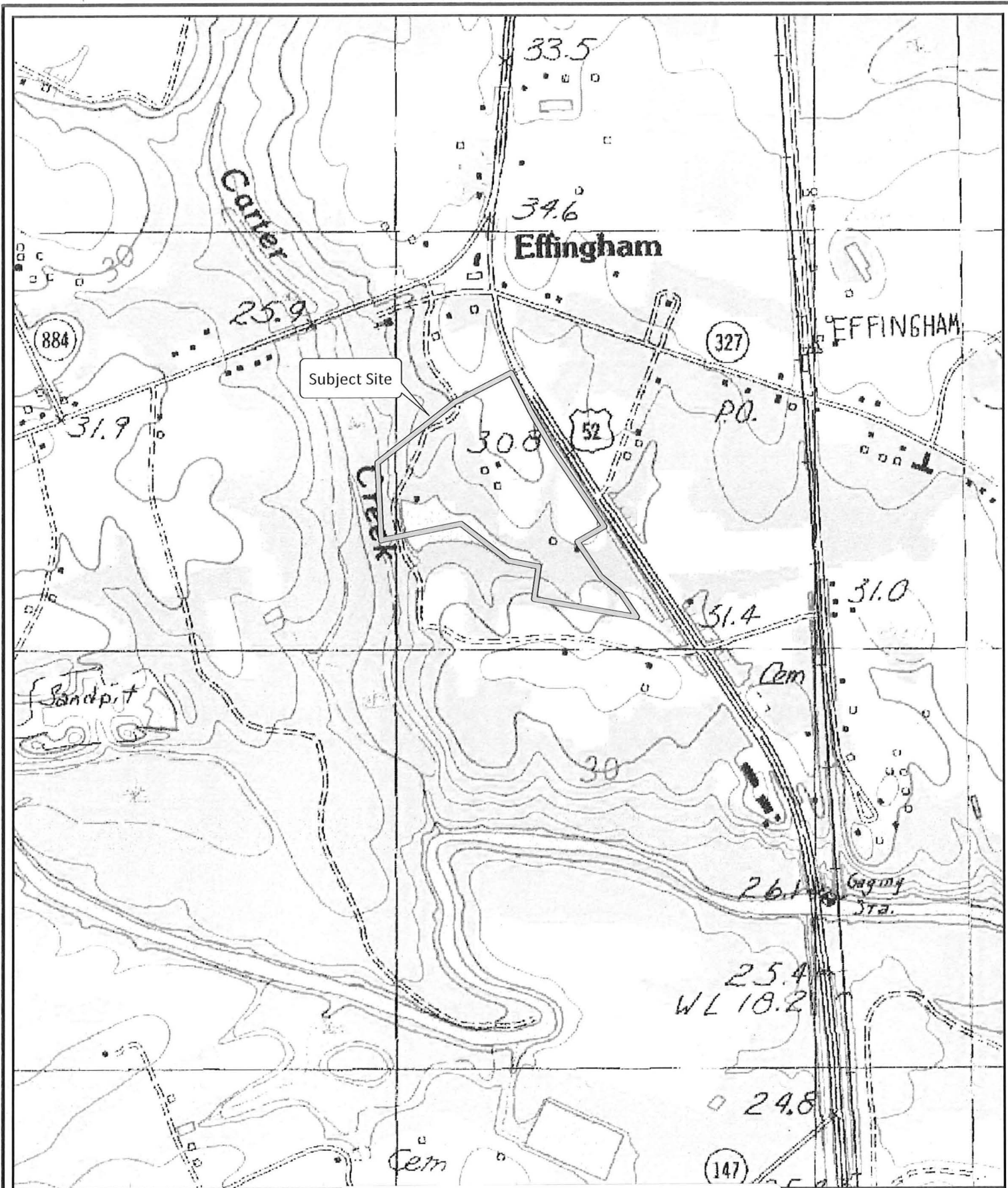


Figure 2

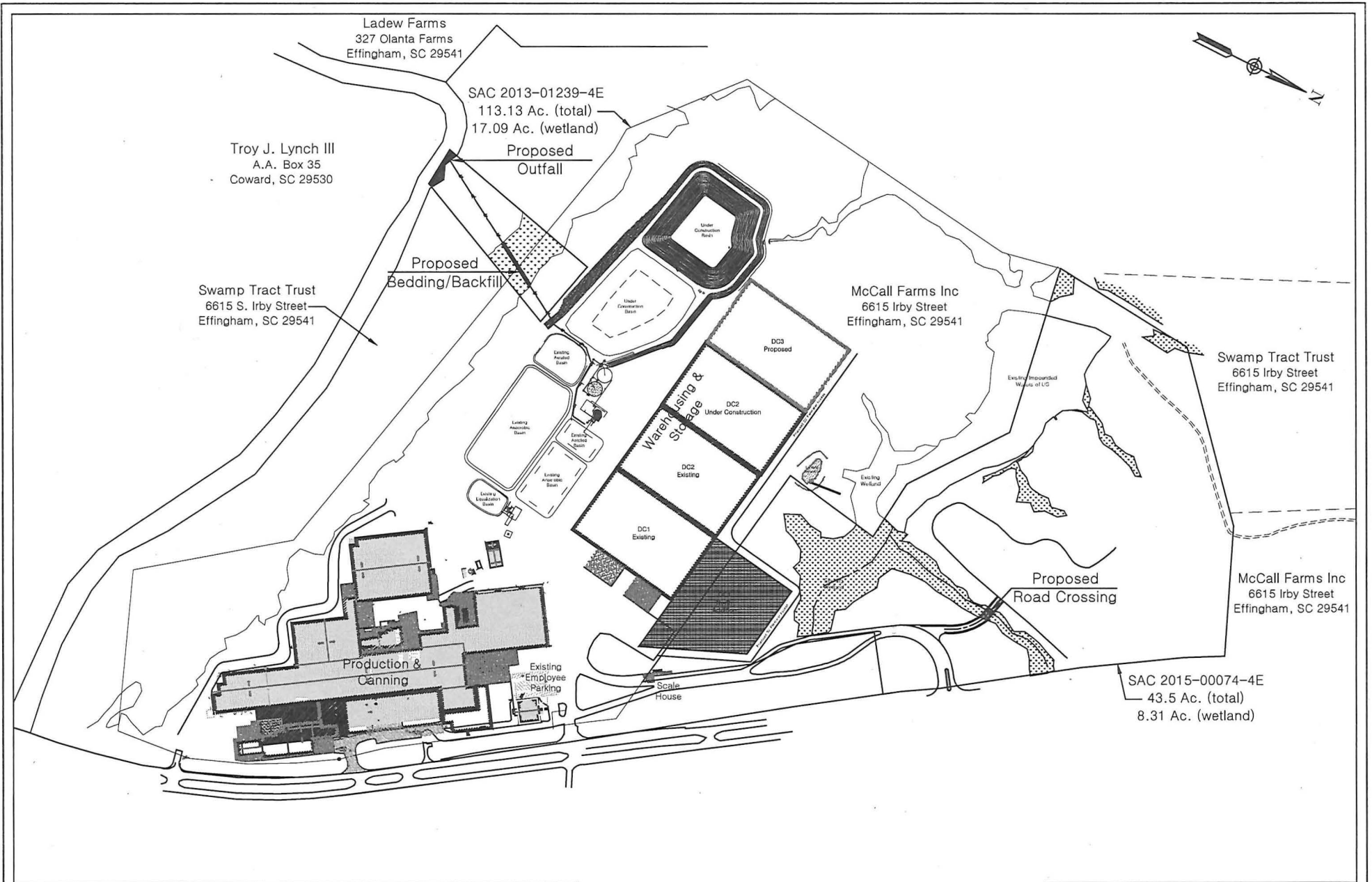


the
BRIGMAN
COMPANY
 wetland consulting - forest management

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 McCall Farms Tracts "A" & "C"
 Florence County, SC
 Date: May 29, 2015 Sheet 3 of 8



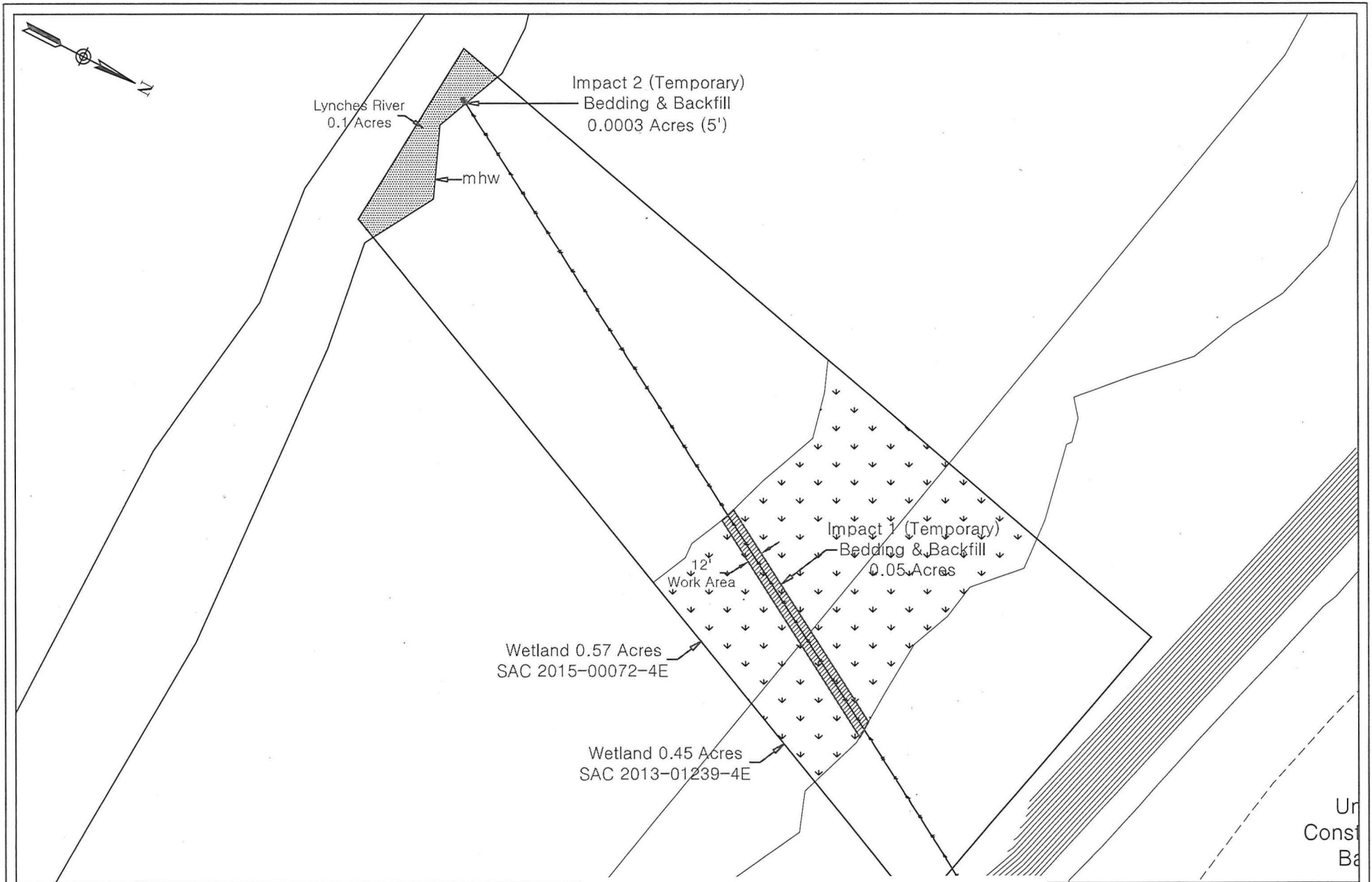
1" equals 1,000'



Overall Plan View
 McCall Farms Expansions - 2015
 Florence County
 Date: 5-18-15
 Application No.

SAC 2015-00074-4E
McCall Farms Tracts "A" & "C"
 Florence County, SC
 Date: May 29, 2015 Sheet 4 of 8

Proposed Activity: Wetland Fill & Bedding and Backfill
 Applicant: McCall Farms
 SCALE IN FEET
 500' 0 500'

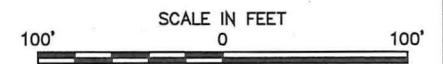


Plan View - Sewer Outfall
McCall Farms Expansion - 2015
Florence County
Date: 5-18-15
Application No.

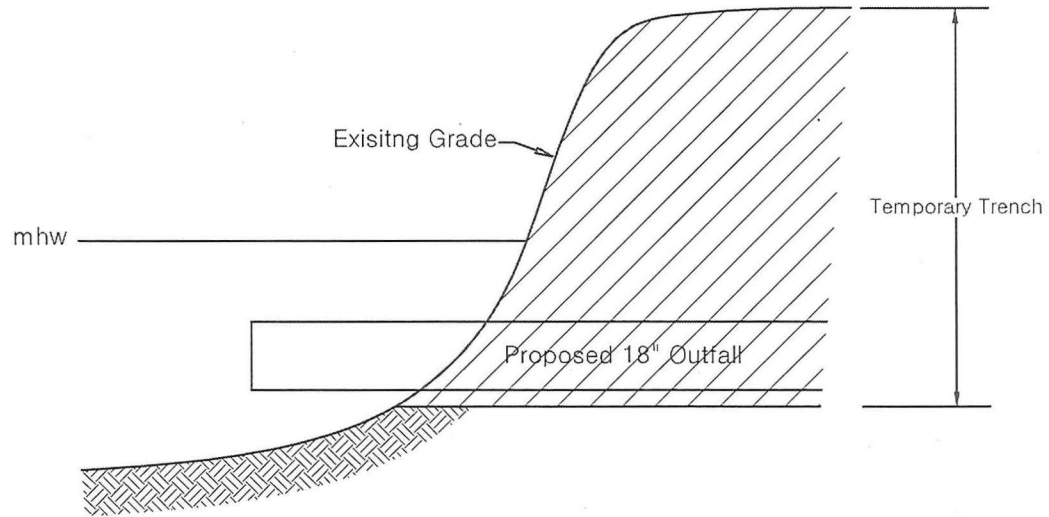
SAC 2015-00074-4E
McCall Farms Tracts "A" & "C"
Florence County, SC
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Proposed Activity: Wetland Fill & Bedding and Backfill

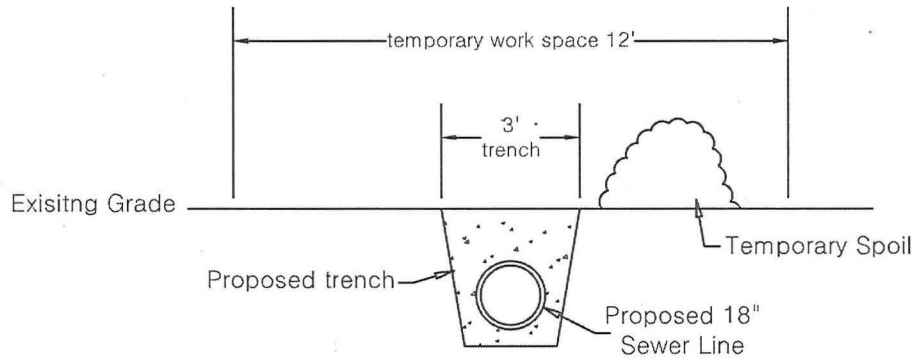
Applicant: McCall Farms

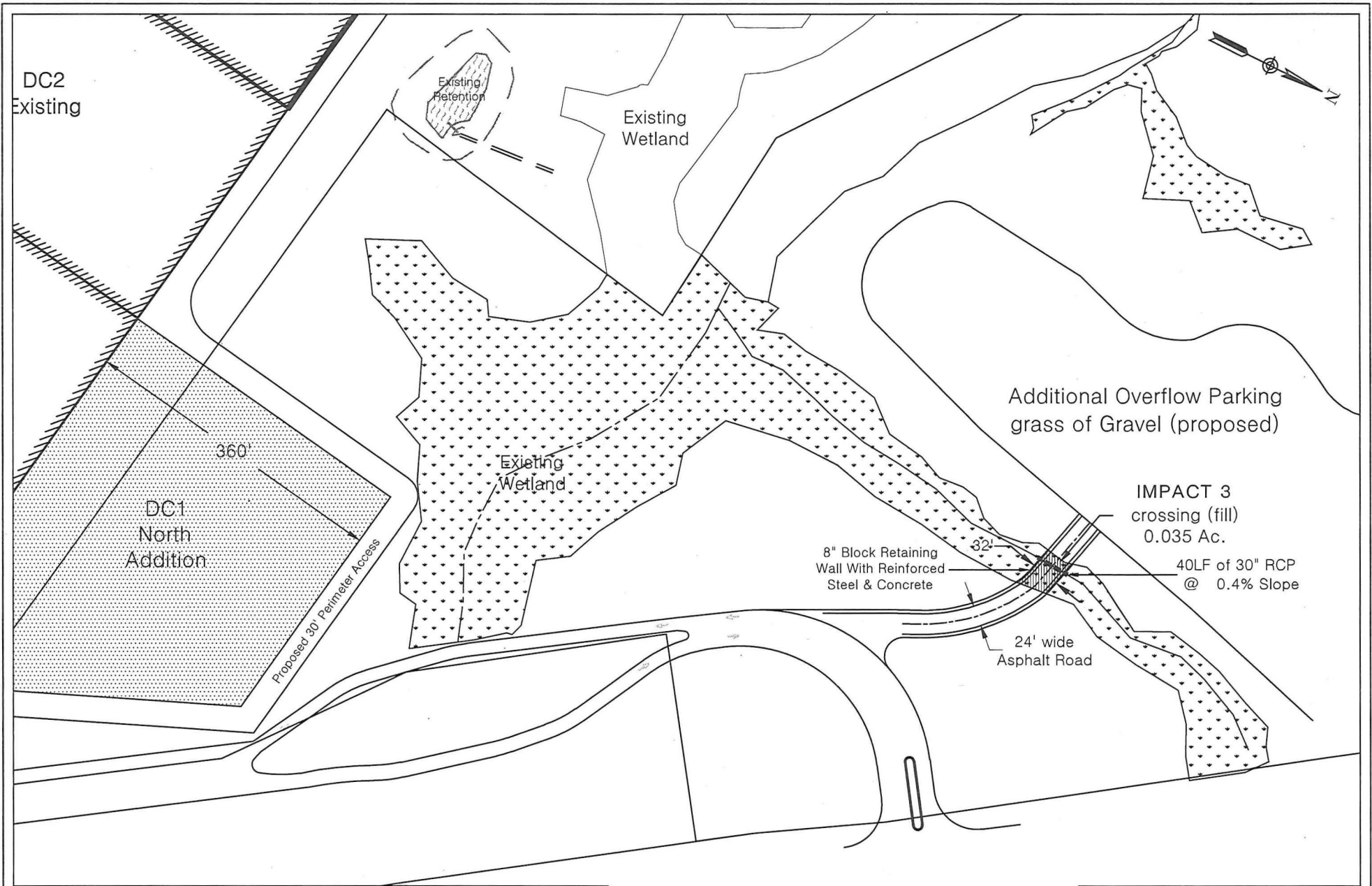


Side View – Impact 2
not to scale



Front View – Impact 1
not to scale

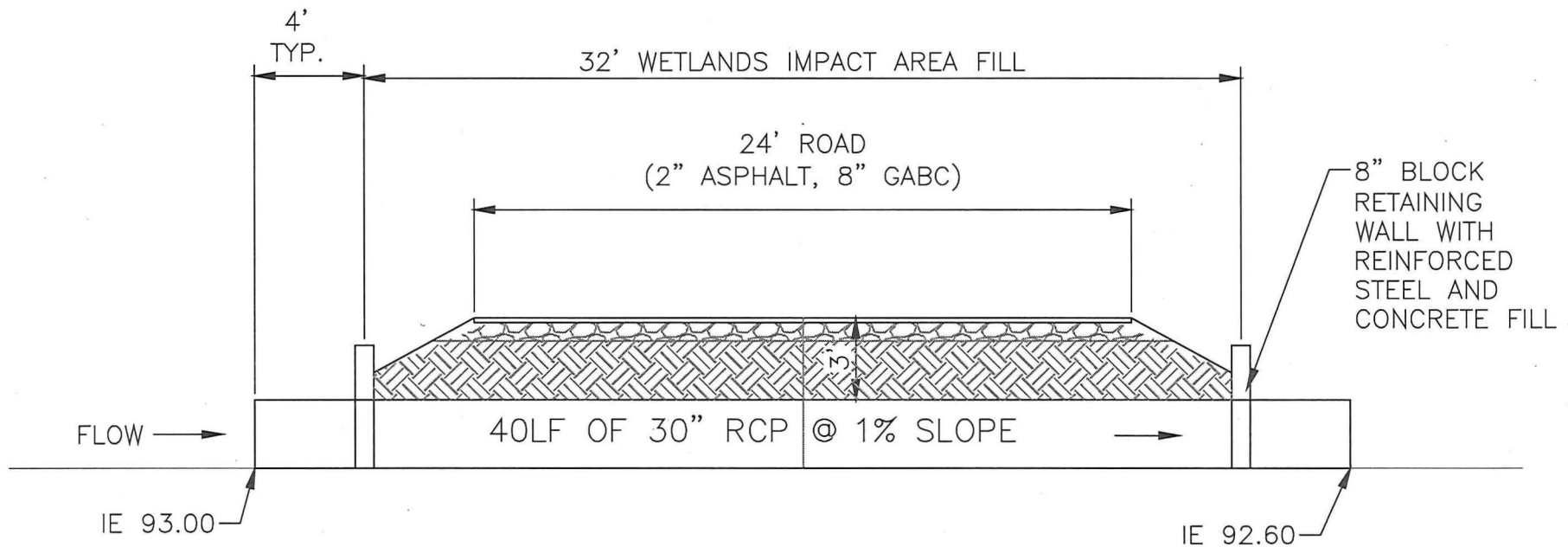




Plan View - Road Crossing
 McCall Farms Expansions - 2015
 Florence County
 Date: 5-18-15
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SAC 2015-00074-4E
McCall Farms Tracts "A" & "C"
 Florence County, SC
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Proposed Activity: Wetland Fill & Bedding and
 kfill
 Applicant: McCall Farms
 SCALE IN FEET
 0' 0 150'



Section View - Road Crossing

McCall Farms Expansions - 2015
 Florence County
 Date: 5-18-15
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McCall Farms Tracts "A" & "C"

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Activity: Wetland Fill & Bedding and

McCall Farms