

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 # 2012-01010-5Z

June 24, 2013

Pursuant to 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

Scott Keller, City of Gaffney
C/O Barrett Stone
Florence & Hutcheson
501 Huger Street
Columbia, South Carolina 29201

for a permit to place fill material in

Peoples Creek

At an existing crossing of Peoples Creek at Oak Street, in the town of Gaffney, in Cherokee County, South Carolina (Latitude 35.072855, Longitude -81.640472).

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 replacement of an existing culvert. In detail, the proposed work consists of the removal of an existing 84-inch culvert 47 feet long. The proposed replacement would consist of 72 linear feet of 84-inch reinforced concrete pipe and 32 feet of 96-inch reinforced concrete pipe joined by a precast drop structure/junction box. In addition to the replacement of the existing culvert, the proposed project would include 106 square feet of wetland fill, 22 square feet of wetland clearing, culverting 57 linear feet of

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perennial stream and rip-raping 42 linear feet of perennial stream. Further, the precast drop structure/junction box would bifurcate Peoples Creek with 750 linear feet of perennial stream remaining upstream of the proposed work. According to the applicant, the project purpose is to replace the existing deteriorating pipe and to accommodate the roadway improvements associated with the Gaffney Mill Village Renaissance Project. The applicant has stated that due to the extreme grade differential between the inlet and outlet areas, it is not practicable to avoid the use of the proposed junction box, which creates a stepped effect, effectively bifurcating Peoples Creek. The applicant proposes to mitigate for impacts through the purchase of 171.11 stream credits (85.56 restoration, 85.56 preservation) from Taylors Creek Mitigation Bank.

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
1835 Assembly Street, Room 865B-1
Columbia, South Carolina 29201**

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 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.

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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 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 **Laura Boos at 803-253-3902.**

Shaded Area Indicates
County Location in SC



VICINITY MAP

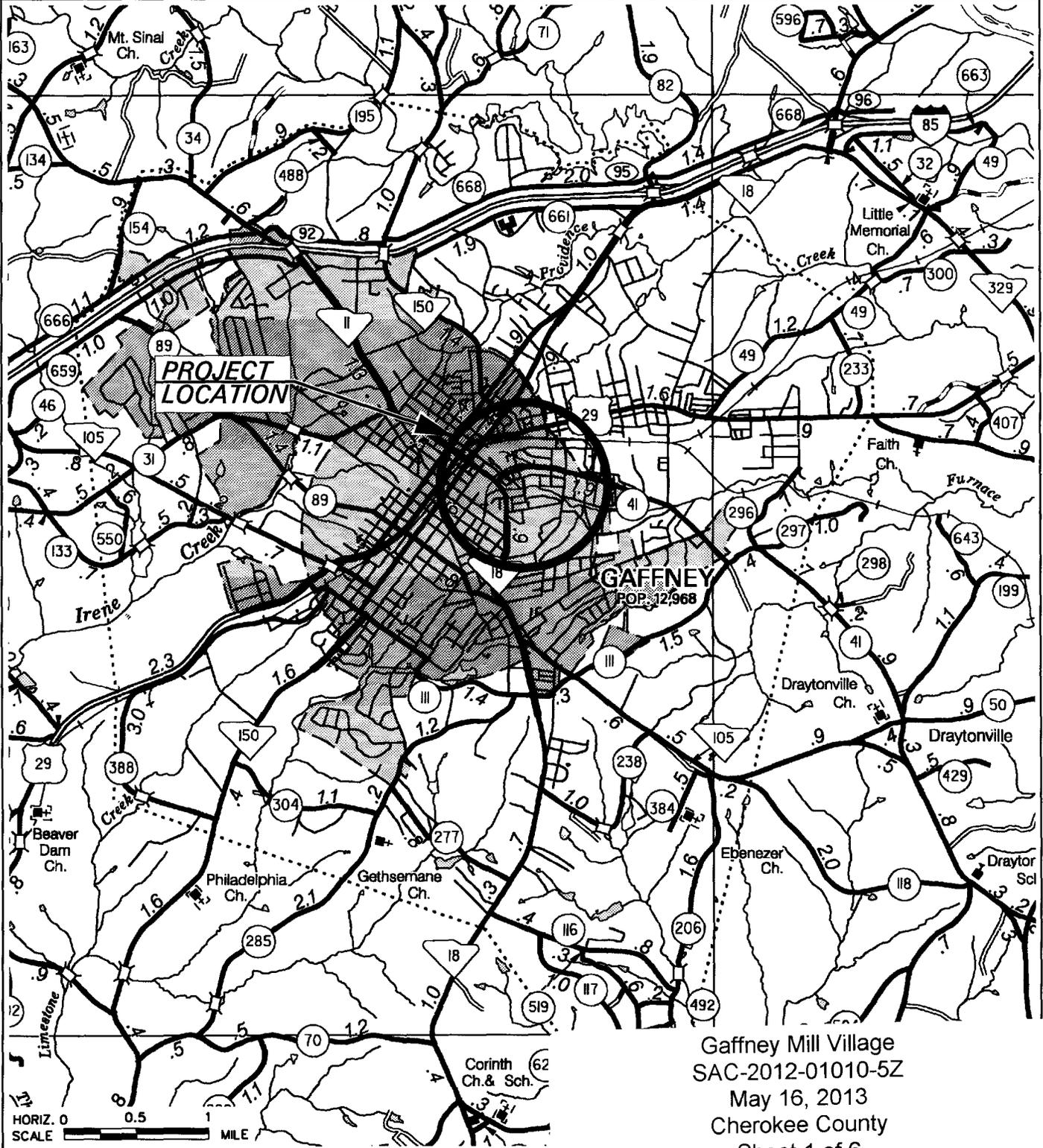
Cherokee County, S.C.



Approximate Location of Project is:

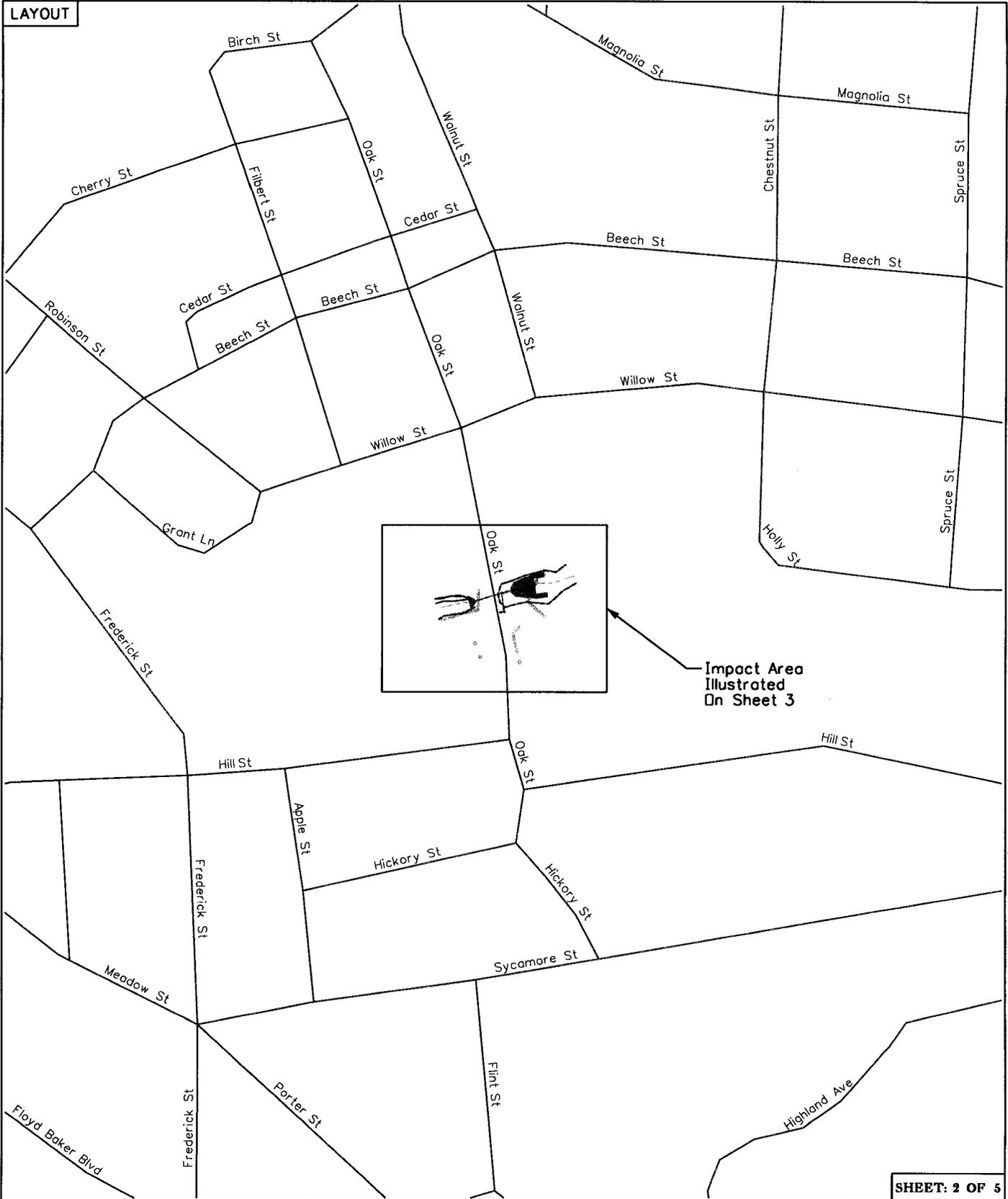
Longitude 81° 38' 25"

Latitude 35° 04' 23"



Gaffney Mill Village
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May 16, 2013
Cherokee County
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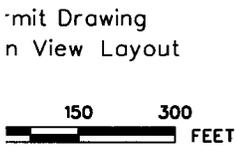
LAYOUT



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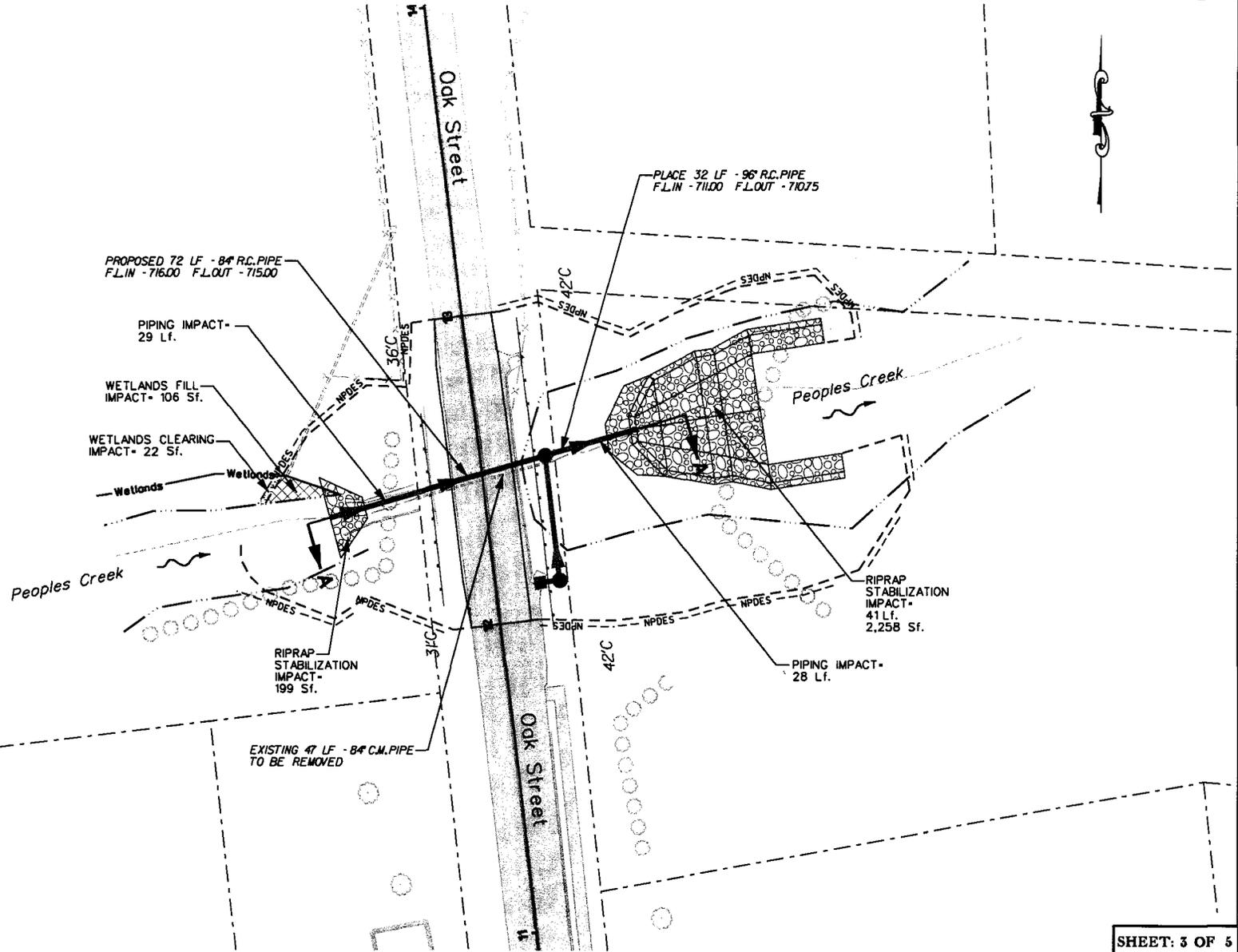
SHEET: 2 OF 5

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Florence & Hutcheson
 An ICA Company
 501 Huger Street, Columbia, SC 29201

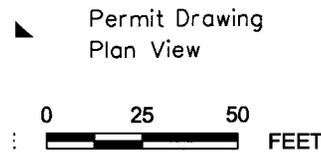
PLAN



LEGEND

- Wetlands — WETLANDS BOUNDARY
- WETLANDS FILL
IMPACT - 106 Sf.
- WETLANDS CLEARING
IMPACT - 22 Sf.
- PIPING IMPACT - 57 Lf.
- RIPRAP STABILIZATION
IMPACT - 41 Lf. / 2,457 Sf.
- EXISTING ROADWAY

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SHEET: 3 OF 5



Florence & Hutcheson

An ICA Company

501 Huger Street, Columbia, SC 29201

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JMM 5/16/2013
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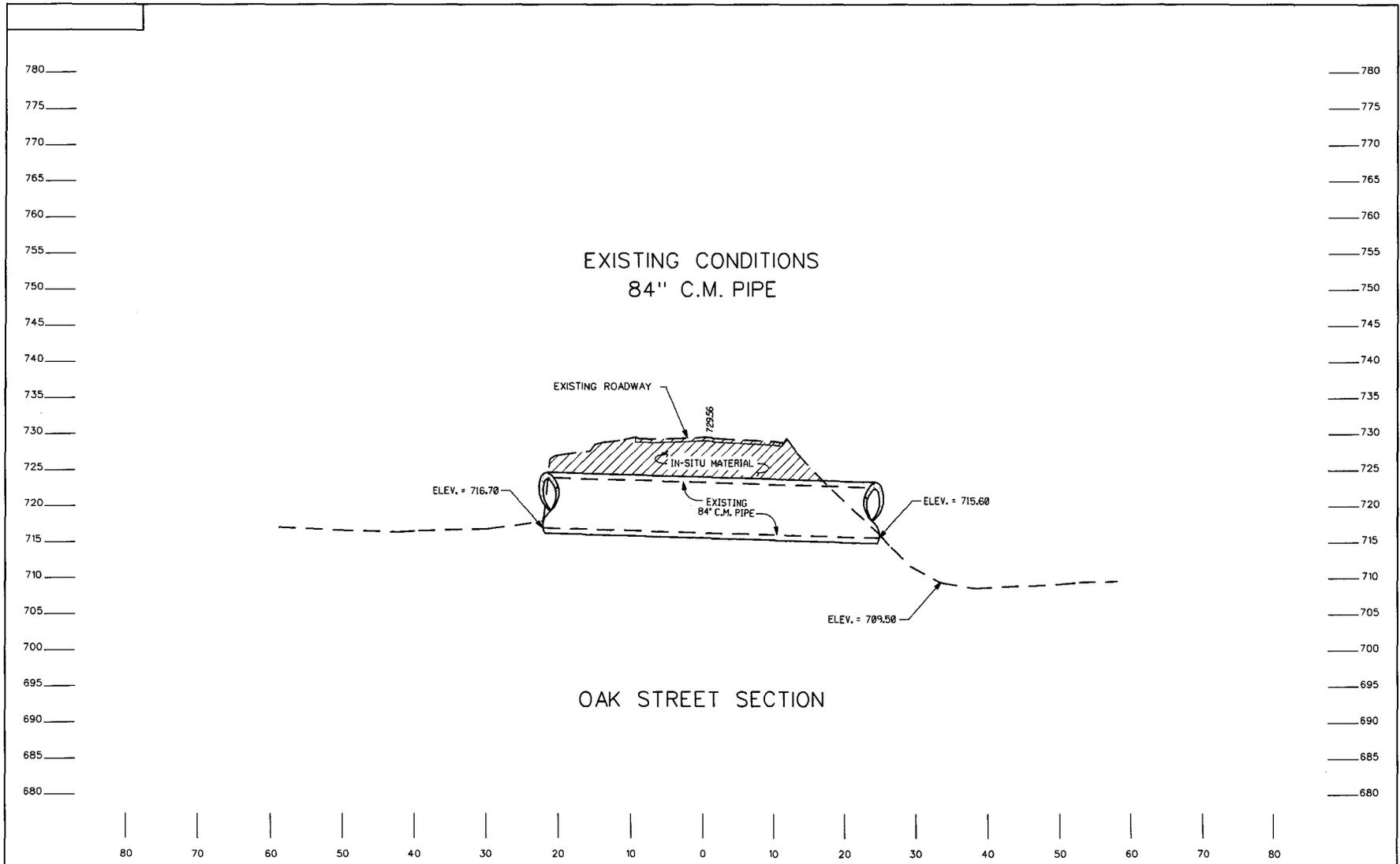


FIGURE 1

Gaffney Mill Village
SAC-2012-01010-5Z
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Cherokee County
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Existing Conditions
Cross Section View

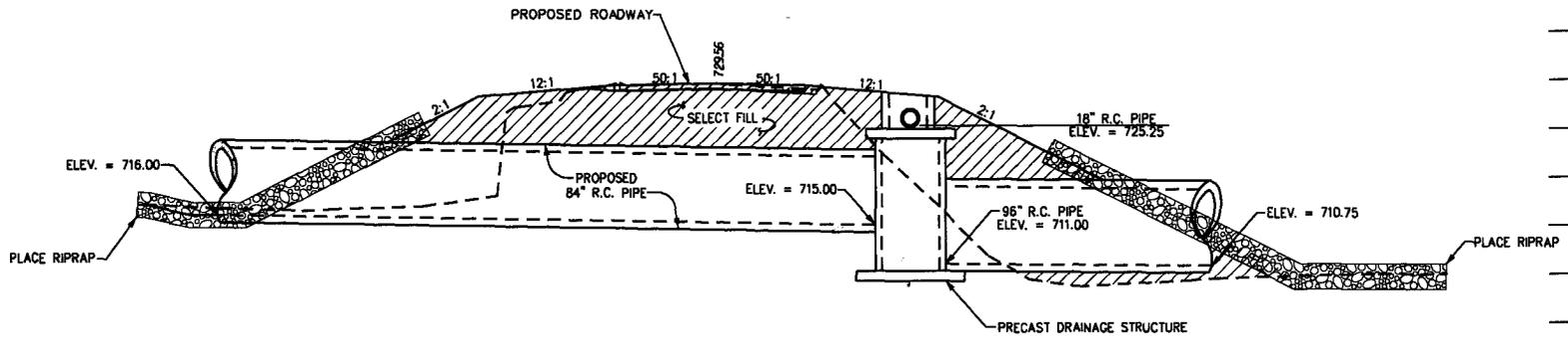
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 **Florence & Hutcheson**
An **ICA** Company
16 Wellington Avenue, Greenville, SC 29609

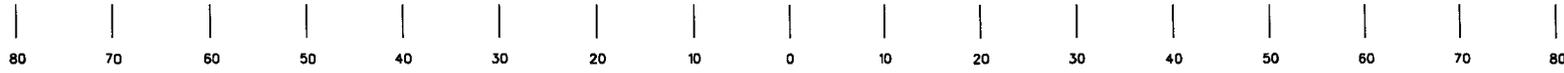
SECTION xx-xx

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OAK STREET SECTION
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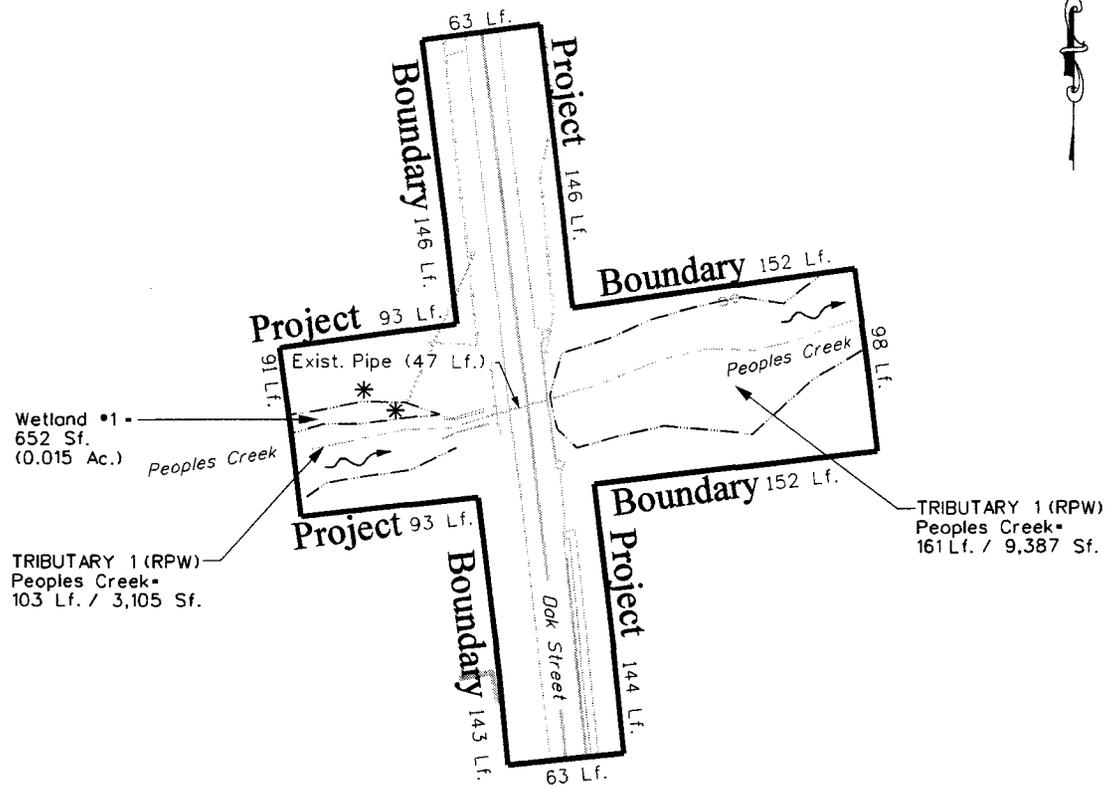
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Gaffney Mill Village
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Permit Drawing
Cross Section View
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SCALE  FEET

 **Florence & Hutcheson**
An **ICK** Company
501 Hunger Street, Columbia, SC 29201

JWM 11/30/2012
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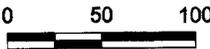
* = Data Point Location

TOTAL BOUNDED AREA: 1.090 Ac. (47,502 Sf.)
 TOTAL JURISDICTIONAL WETLANDS: 0.015 Ac. (652 Sf.)
 TOTAL JURISDICTIONAL TRIBUTARIES: 311 Lf. / 11,840 Sf. (Approx. 47 Lf. Piped)
 TOTAL NONJURISDICTIONAL FEATURES: 0 Ac. (0 Sf.) (0 Lf.)
 TOTAL UPLAND AREA: 0.808 Ac. (35,183 Sf.)

SHEET: 5 OF 5

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 Jurisdictional Delineation
 Drawing
 Plan View

SCALE  FEET


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