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 # 2006-1440-6IF

August 25, 2006

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

The Poinsett Companies
221 Pellham Road
Greenville, SC 29615

for a permit to place fill material in

wetlands adjacent to Big Brushy Creek and Middle Branch Creek

At a location on Three Bridges Road and Mount Airy Church Road in Easley, Anderson, South Carolina (Latitude 34.765097 Longitude -82.523912)

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, SEPTEMBER 25, 2006

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

The proposed work consists of placing fill material in wetlands to facilitate construction associated with the development of a residential subdivision. In detail, the applicant proposes to fill a total of 0.79 acres of on-site wetlands to facilitate the infrastructure needed for the proposed residential lots. As mitigation for the adverse impacts to aquatic resources, the applicant proposes to the hydrologic enhancement of 2.49 acres of on-site degraded wetlands and to place a 50-foot vegetated buffer around adjoining wetlands. The purpose of the proposed work is to build a residential subdivision.

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

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August 25, 2006

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 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 0.79 acres of freshwater riverbed located well inland 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.

The District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. 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 Federally listed or proposed to be listed endangered or threatened species and/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.

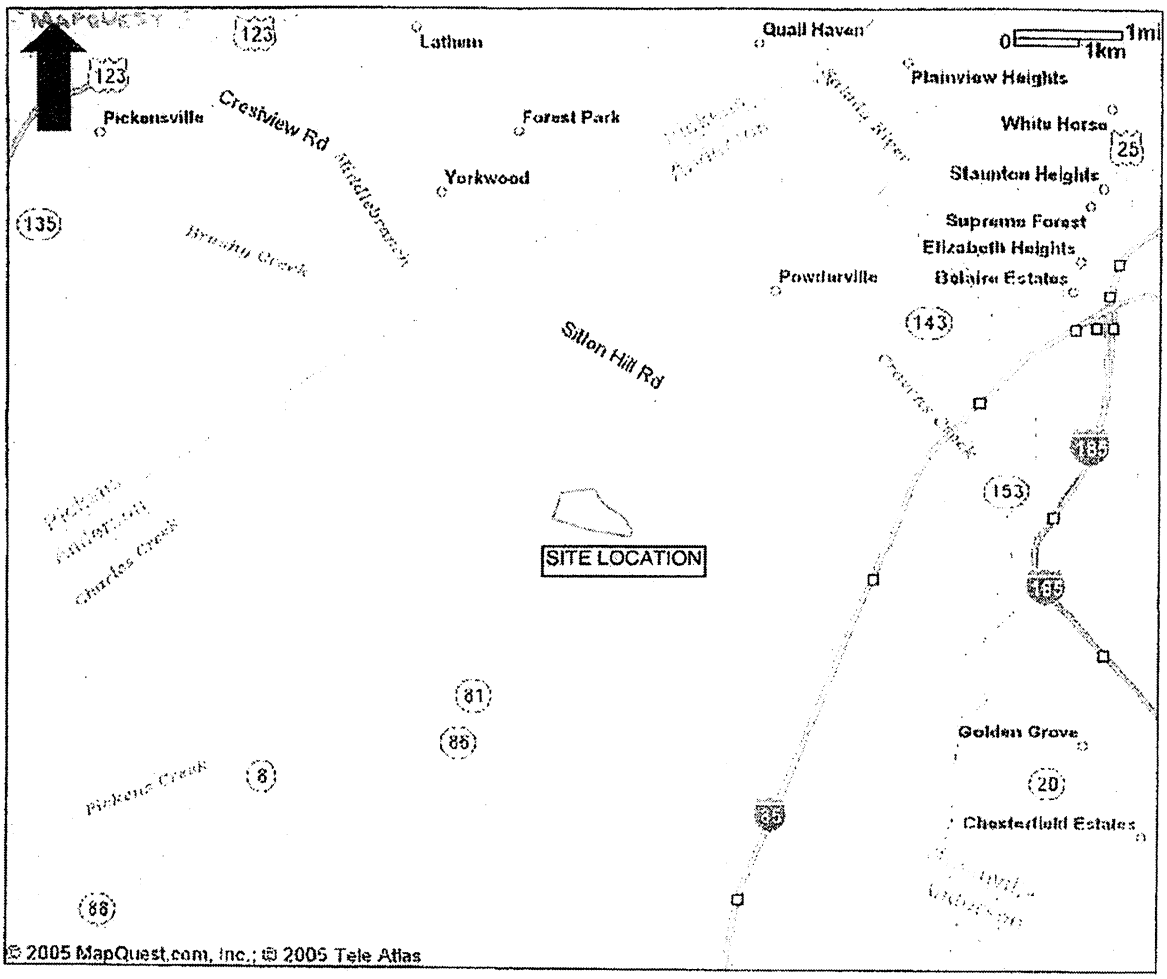
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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.

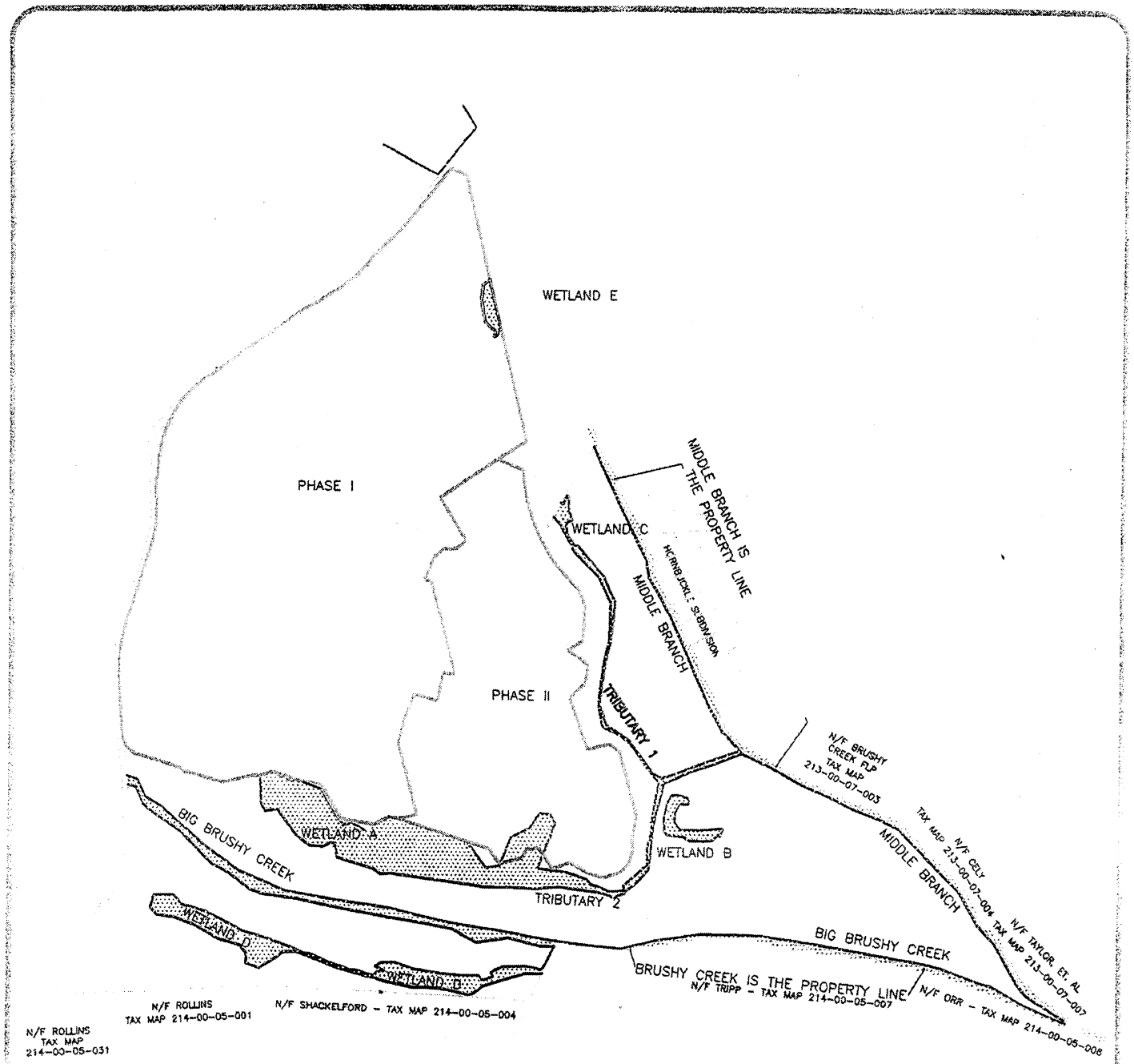
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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 Kristin Riegel at 803-253-3903.



PN 2006-1440-6IF
Sheet 1 of 7

Scale: As Shown	S&ME	**SITE VICINITY MAP** **Rose Hill Farm Subdivision – Phase II** The Poinsett Companies Anderson County, South Carolina	Figure No:
Drawn by: SLK			1
Checked by: LJB			
Date: 12-15-05		Project No. 1264-05-811	



WETLANDS/WATERS OF US
PROPERTY BOUNDARY

NOTE: BASE MAP PREPARED BY RCI, INC.
MODIFIED BY S&ME FOR IP APPLICATION

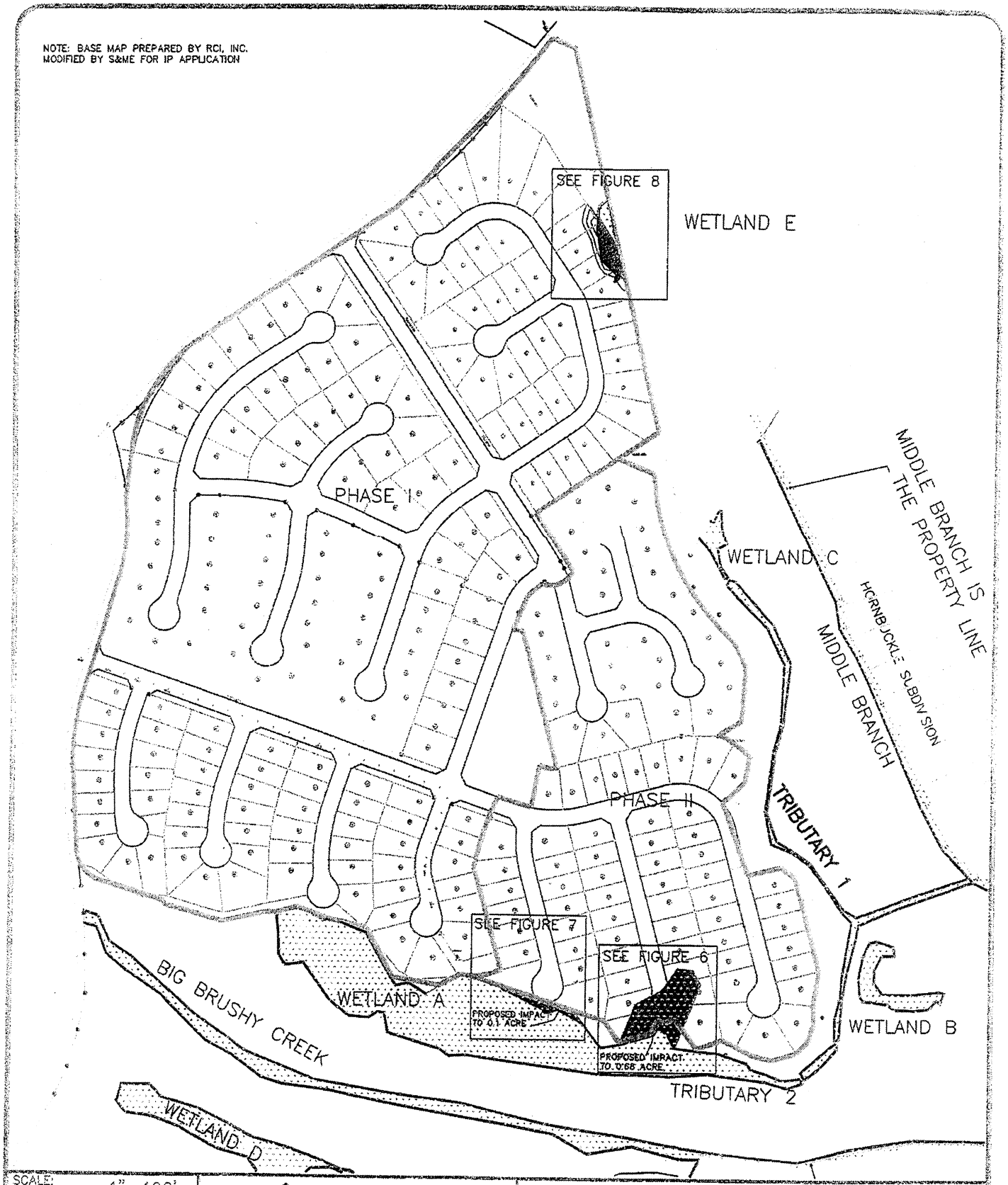
PN 2006-1440-GIF
sheet 2 of 7

SCALE:	1"=650'
DATE:	4.28.06
DRAWN BY:	See Note
PROJECT NO:	1264-05-811

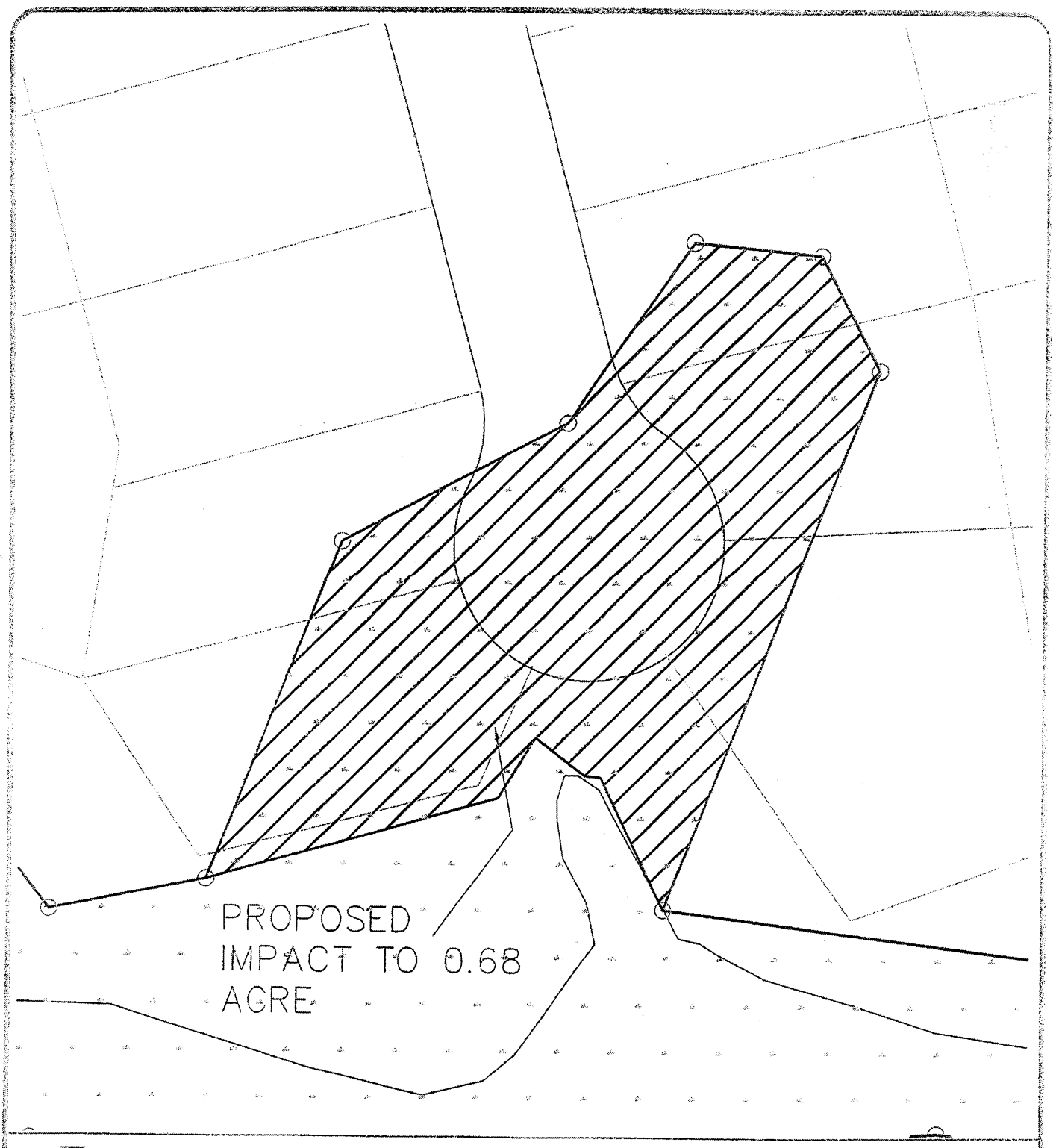
S&ME

Jurisdictional Boundary Map
Rose Hill Farm
The Poinsett Companies
Anderson County, SC

FIGURE NO.
4



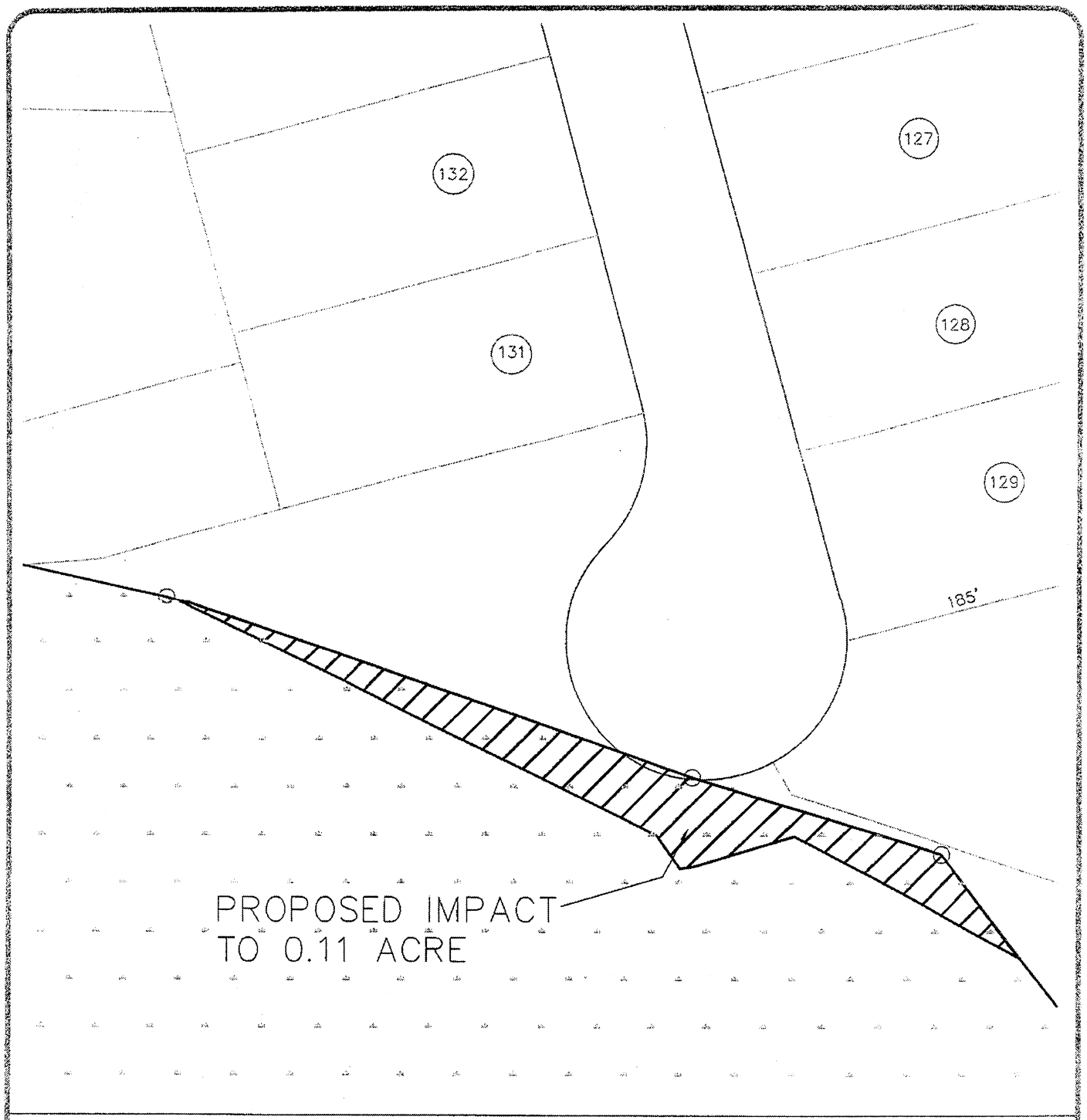
SCALE: 1"=400'	S&ME	Proposed Site Layout Rose Hill Farm The Poinsett Companies Anderson County, SC	FIGURE NO. 5
DATE: 4.28.06			
DRAWN BY: See Note			
PROJECT NO: 1264-05-811	PN 2006-1440-6IF sheet 3 of 7		



WETLANDS/WATERS OF US
IMPACT AREA
50-FT BUFFER

NOTE: BASE MAP PREPARED BY RCI, INC.
MODIFIED BY S&ME FOR iP APPLICATION

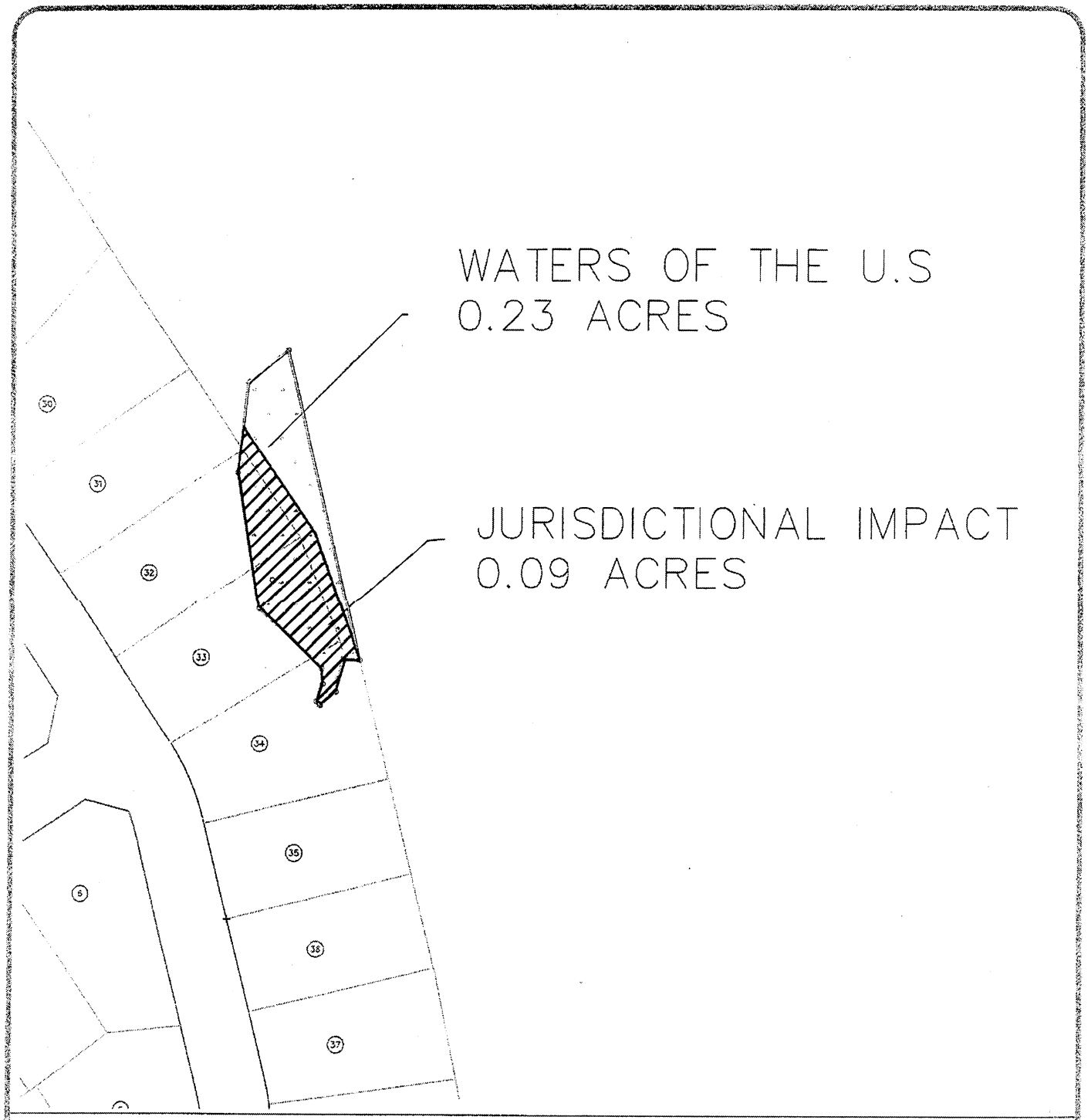
SCALE: 1"=50'	S&ME	Impact Area 1	FIGURE NO.
DATE: 4.28.06		Rose Hill Farm	
DRAWN BY: See Note	P.N 2006-1440-6IF	The Poinsett Companies	6
PROJECT NO: 1264-05-811	sheet 4 of 7	Anderson County, SC	



WETLANDS/WATERS OF US
IMPACT AREA
50-FT BUFFER

NOTE: BASE MAP PREPARED BY RCI, INC.
MODIFIED BY S&ME FOR IP APPLICATION

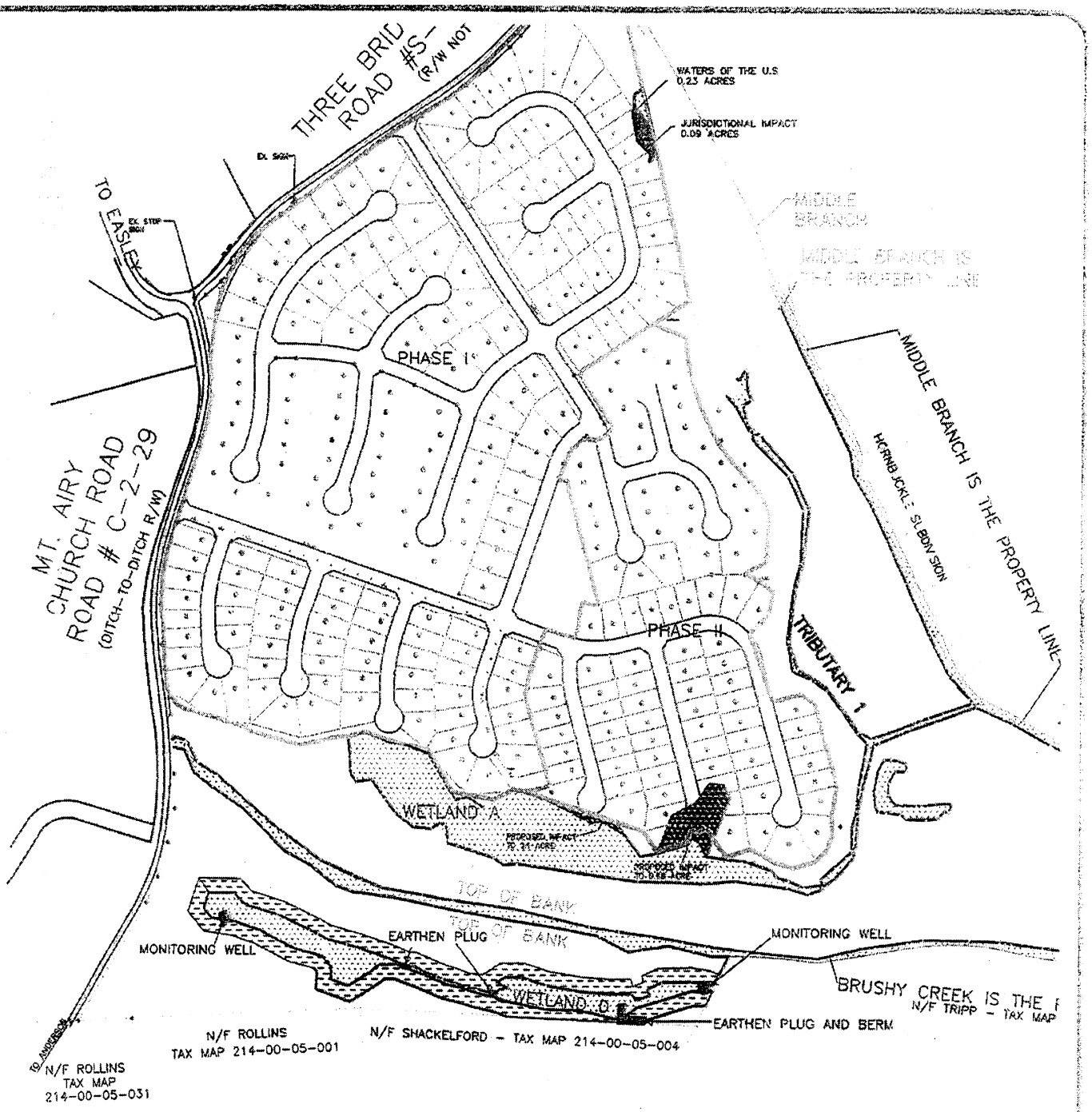
SCALE: 1"=50'	S&ME	Impact Area 2 Rose Hill Farm The Poinsett Companies Anderson County, SC	FIGURE NO.
DATE: 4-28-06			7
DRAWN BY: See Note			
PROJECT NO: 1264-05-811	PN 2006-1440-GJF Sheet 5 of 7		



WETLANDS/WATERS OF US
IMPACT AREA
50-FT BUFFER

NOTE: BASE MAP PREPARED BY RCI, INC.
MODIFIED BY S&ME FOR IP APPLICATION

SCALE: 1"=100'	S&ME	IMPACT AREA 3	FIGURE NO.
DATE: 4-11-06		Rose Hill Farm	8
DRAWN BY: See Note		The Poinsett Companies	
PROJECT NO: 1264-05-811	PN 2006-1440-6IF Sheet 6 of 7	Anderson County, SC	



WETLANDS/WATERS OF US

IMPACT AREA

50-FT BUFFER

NOTE: BASE MAP PREPARED BY RCI, INC.
MODIFIED BY S&ME FOR IP APPLICATION

SCALE: 1"=500"	S&ME	Proposed Mitigation Areas	FIGURE NO.
DATE: 4-17-06		Rose Hill Farm	9
DRAWN BY: See Note	PN 2006-1440-67F	The Poinsett Companies	
PROJECT NO: 1264-05-811	Sheet 7 of 7	Anderson County, SC	