

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 #2006-3655-5IC

23 MARCH 2007

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

FRANK HUNT
C/O BRANDON STUTTS
213 ROCKY POINT DRIVE
COLUMBIA, SOUTH CAROLINA 29212

for a permit to place fill material in waters of the United States, including freshwater wetlands, in and adjacent to

AN UNNAMED TRIBUTARY TO EAST FORK LITTLE RIVER

at a location generally south of Lewis Store Road and west of North Spring Road, near Woodward, Fairfield County, South Carolina (Latitude 34.506803°N, Longitude 80.216335°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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 23 APRIL 2007

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 0.01 acre of waters of the United States, including freshwater wetlands, or 144 linear feet of intermittent/perennial stream and flooding 0.07 acre of waters of the United States, including freshwater wetlands, or 891 linear feet of intermittent/perennial stream. As stated by the applicant, the purpose of the proposed work to place fill in waters of the United States, including freshwater wetlands, is to construct a recreational pond. The applicant proposes to mitigate for these proposed impacts by the placement in declaration of restrictive covenants or conservation easement, 7.74 acres of 200 foot riparian buffer on 1685 linear feet of East Fork Little River and 4.9 acres of 50 foot buffer on the proposed 6.9 acre pond.

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
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 0.60 acre of 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.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. 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 listed or proposed endangered or threatened species 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.

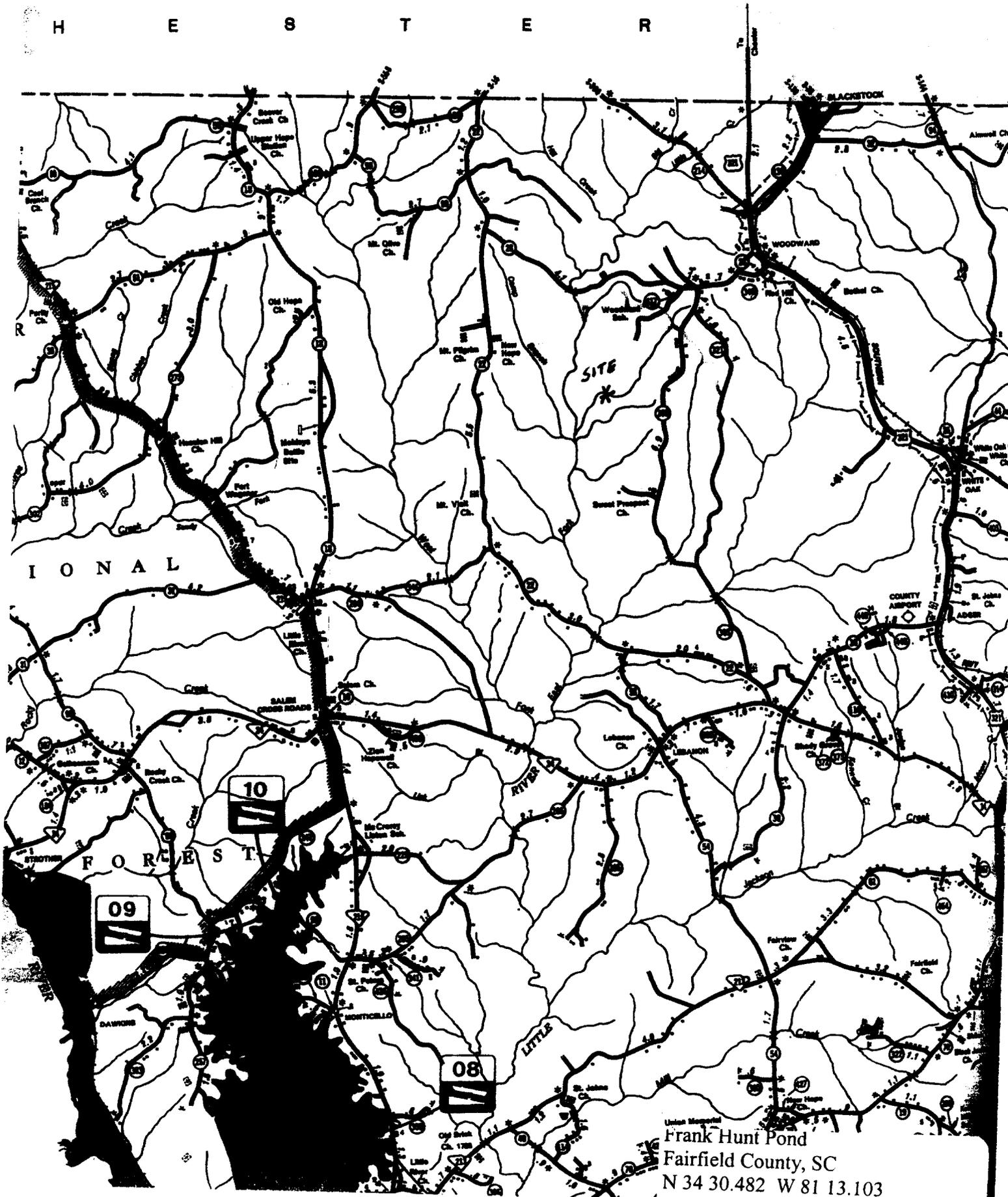
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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 Amy Cappellino at 803-253-3444.

Fairfield

FIELD COUNTY

H E S T E R



Union Memorial
Frank Hunt Pond
Fairfield County, SC
N 34 30.482 W 81 13.103

REV 2/2/07
11-20-06 Not To Scale
Sheet 1 of 12 SAC 2006-3655

topozone

Map/Photo Info

Topo Download

Photo Download

USGS Topo Maps

1:24K/25K Series

1:100K Series

1:250K Series

Map Size

Small

Medium

Large

View Scale

1 : 24,000

Update Map

Coordinate Format

DD.DDD

Coordinate Datum

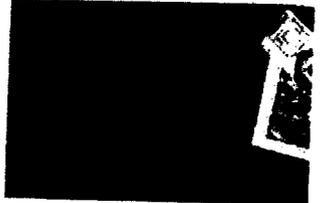
WGS84/NAD83

Show target

Email this map

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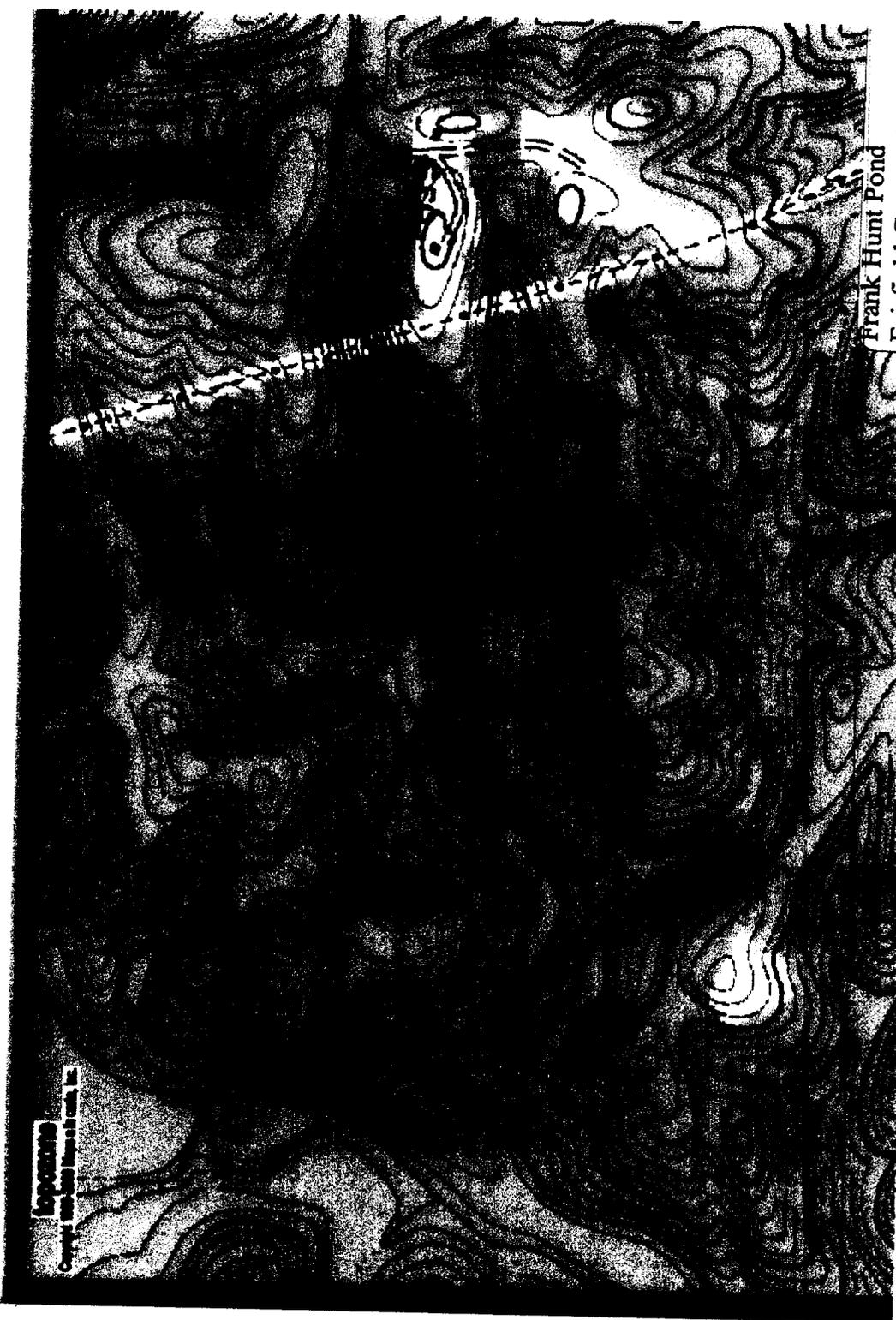
Print this map



Click this map...

34.5076°N, 81.2116°W (WGS84/NAD83)
USGS Blackstock (SC) Topo Map Quad

View TopoZone Pro aerial photos, shaded relief, street maps, interactive coordinate display, and elevation

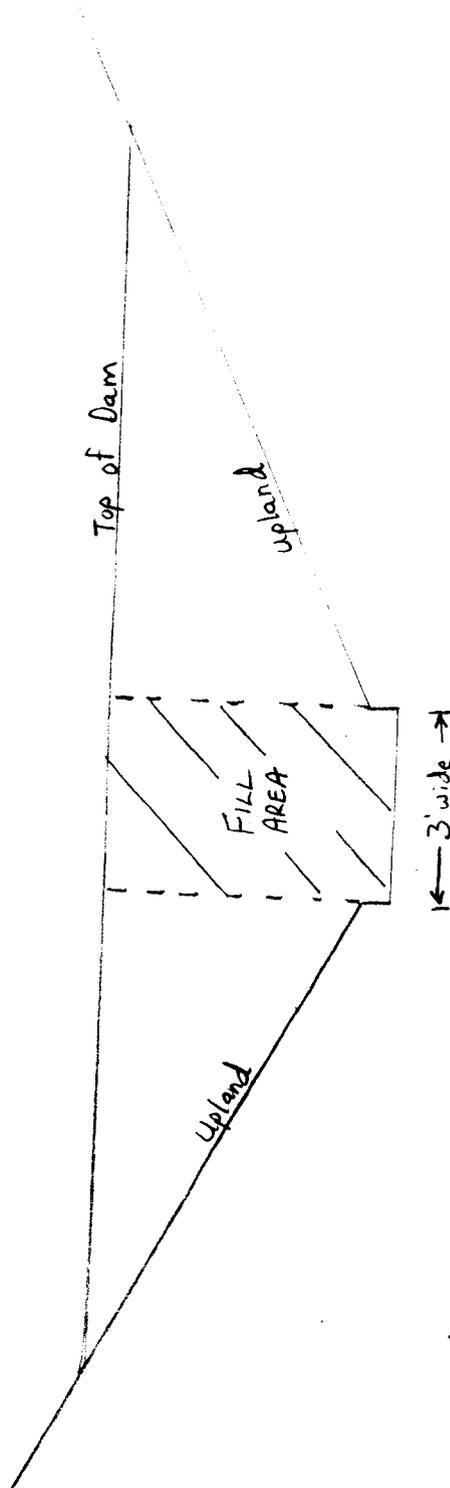


Frank Hunt Pond

Fairfield County, SC

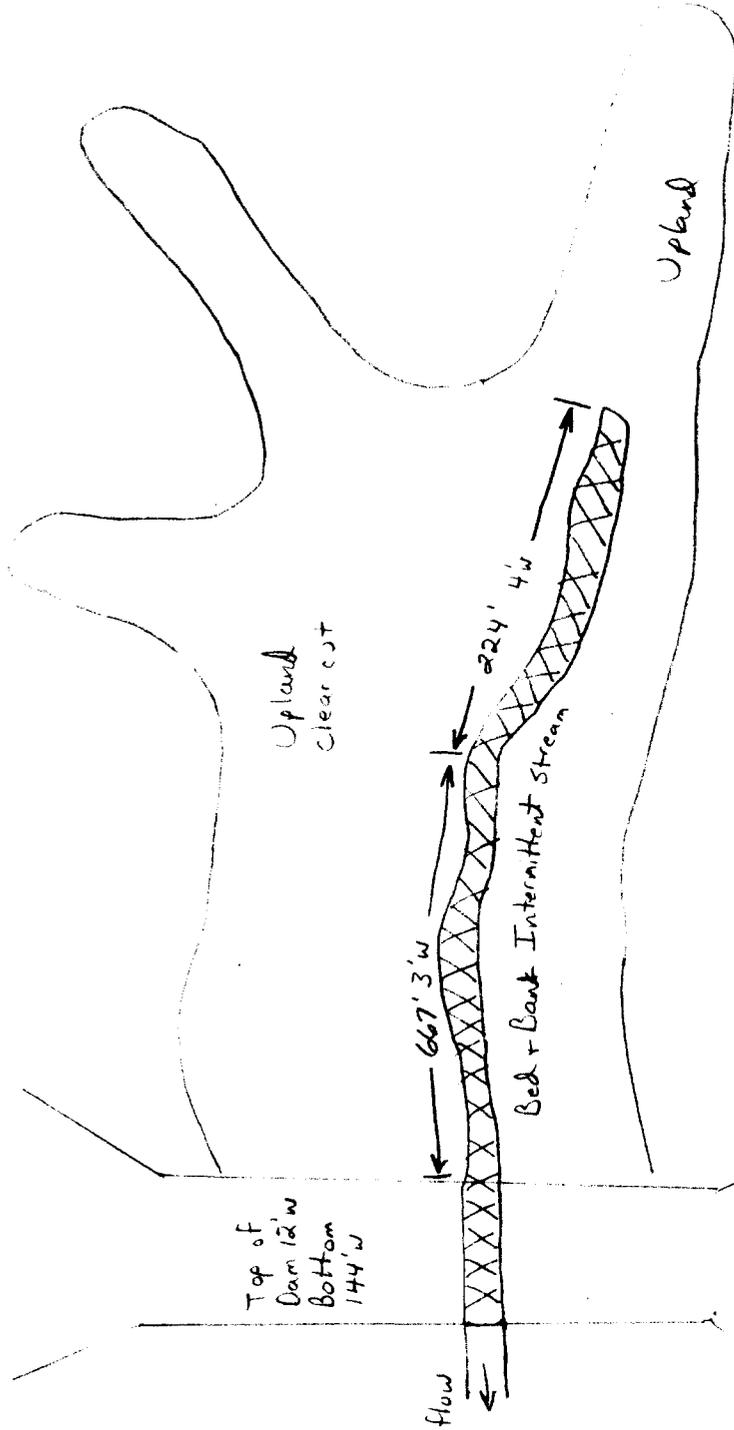
N 34 30.482 W 81 13.103

11-20-06 Not To Scale



Project Title: Frank Hunt Pond	
Project Location: Fairfield Co., SC	N 34° 30.482 ~ 81° 13.103
Applicant: Frank Hunt	
Date: 11-20-06	Scale: NTS
Application #: SAC-2006-3655	Sheet of 5 of 12

Revisions	
Date	Initials
2/2/07	



Top of Dam 12'w
Bottom 144'w

Upland
Clear cut

667' 3" w

224' 4" w

Bed + Bank Intermittent Stream

Upland

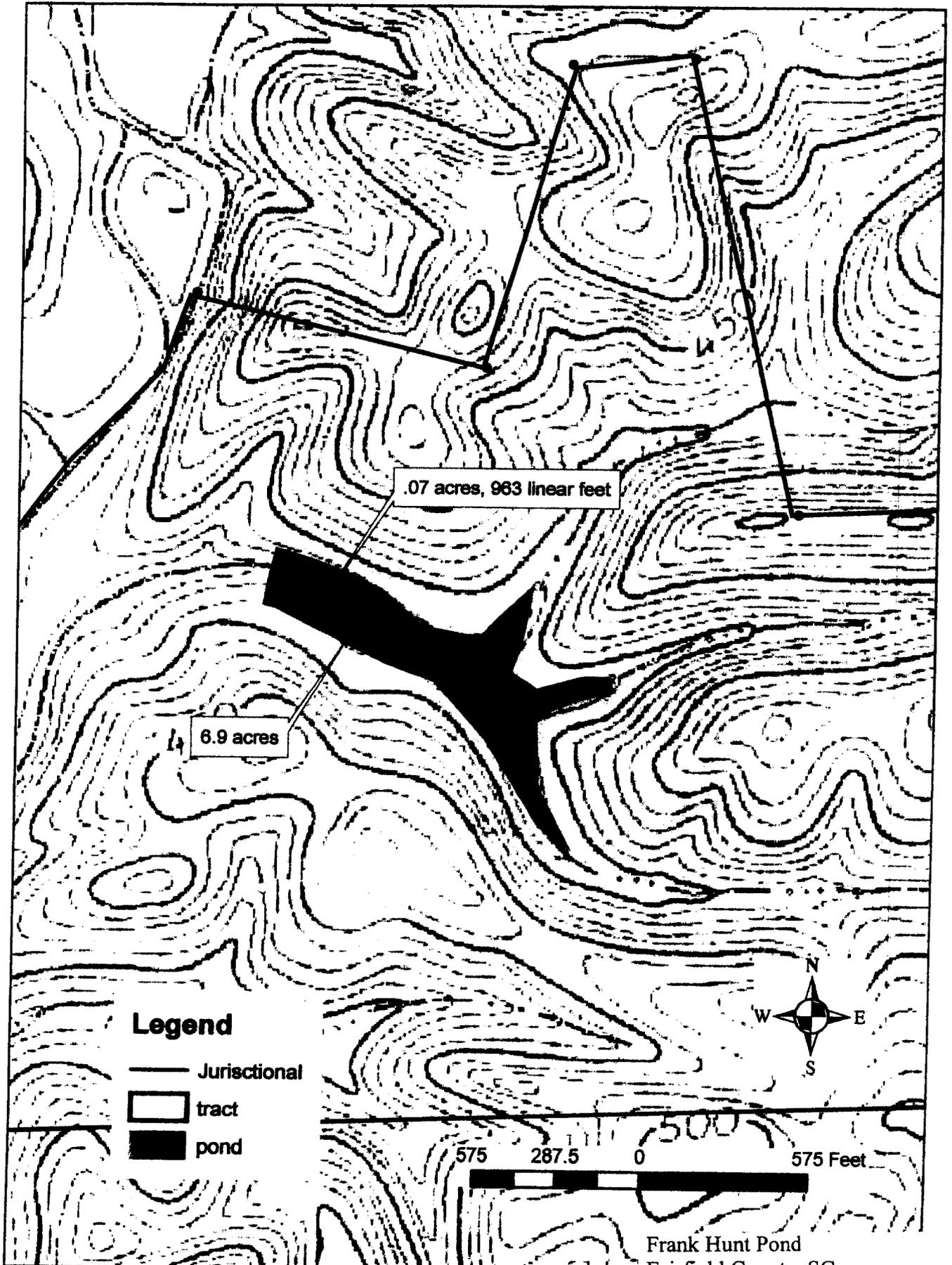
- Impacts to U.S. Waters
- Flooding 0.07 Acres
- Filling 0.01 acres

XXXXX Impacted waters

Project Title:	Frank Hunt Pond
Project Location:	N 34° 30' + 82°
Fairfield Co. SC	N 81° 13' + 03°
Applicant:	Frank Hunt
Date:	11-20-06
Scale:	NTS
Application #:	SAC-2006-3655
Sheet of	6
	12

Revisions	Date	Initials
	2/2/07	

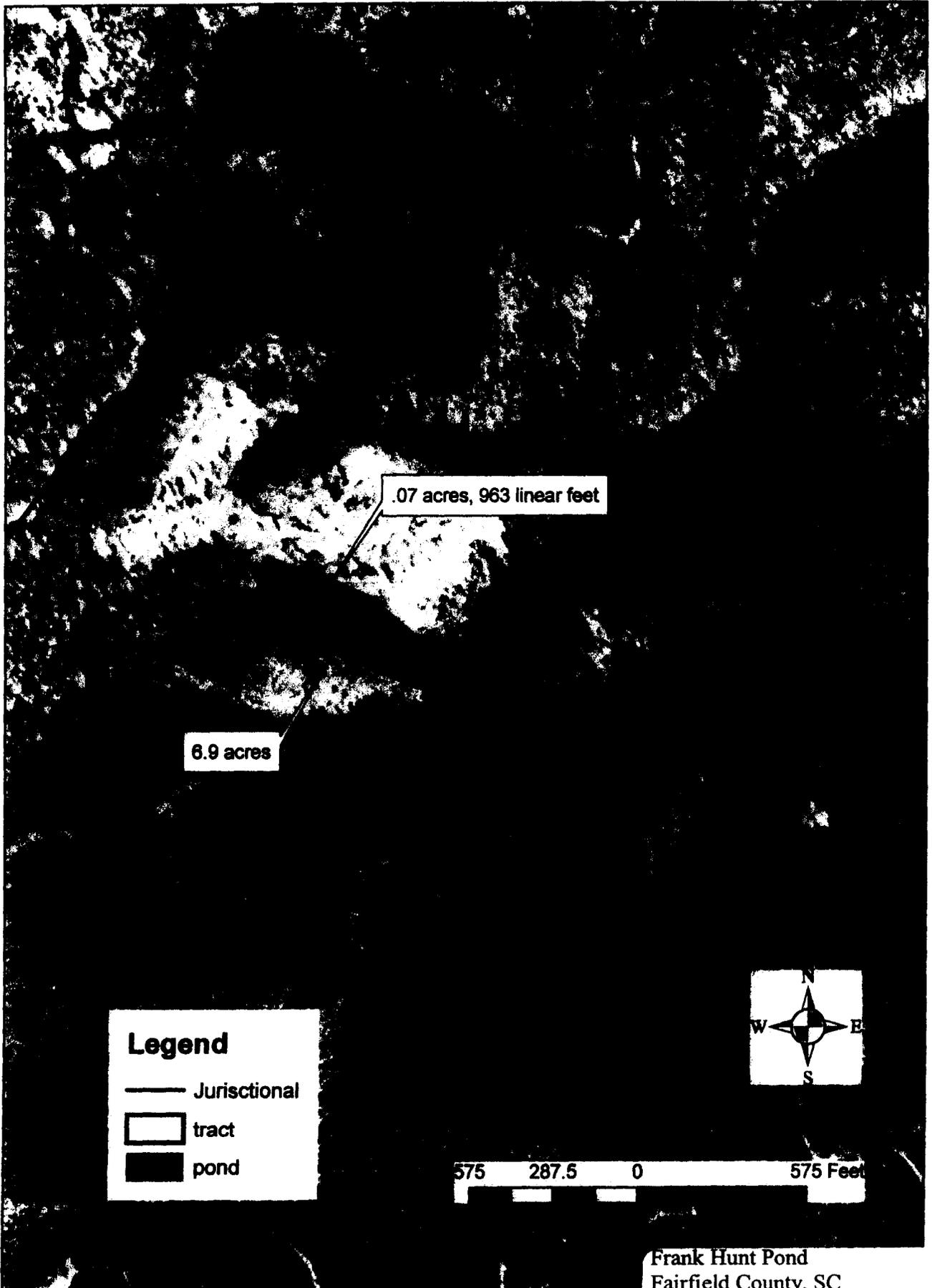
Frank Hunt Pond



Frank Hunt Pond
Fairfield County, SC
N 34 30.482 W 81 13.103

REV 2/2/07 11-20-06 Not To Scale
Sheet 7 of 12 SAC-2006-3655

Frank Hunt Pond



Frank Hunt Pond
Fairfield County, SC
N 34 30.482 W 81 13.103

Rev 2/5/07
11-20-06 Not To Scale
Sheet 8 of 12 SAC-2006-3658

PROPOSED MITIGATION

Due to the lack of availability of suitable sites, the applicant requests that the agencies waive part of the required mitigation credits. The drainages above the pond site are ephemeral and the stream below the dam site is stable and bordered by an access road on one side and a cultivated wildlife food plot on the other. This area is one of the few level portions of the entire tract and is the best area accessible to manage wildlife openings (specifically for wild turkey). The applicant proposes a 200 foot riparian buffer along 1685 LF of the East Fork of Little River (see attached photos, sheets 16-18) for a total of 7.74 acres of riparian buffer. The applicant also proposes a 50 foot buffer around the proposed 6.9 acre pond for an additional 4.9 acres of riparian buffer (sheet 13 of 18). In summary, the applicant proposes 12.64 acres of riparian buffer for impacts to 0.08 acres of intermittent stream.

Frank Hunt Pond
Fairfield County, SC
N 34 30.482 W 81 13.103
REV 2/2/07 11-20-06 Not To Scale
Sheet 9 of 12 SAC 2006-3655

Mitigation for Linear Systems

19. Tables and Worksheets.

19.1. Adverse Impacts Table.

ADVERSE IMPACT FACTORS FOR LINEAR SYSTEMS

FACTORS	OPTIONS								
Lost Type	Intermittent 1 st and 2 nd Order Streams 0.3						All Other Streams 0.8		
Priority Category	Tertiary 0.1			Secondary 0.3			Primary 0.5		
Existing Condition	Impaired..... 0.1			Moderately Impaired..... 0.75			Fully Functional 1.5		
Duration	Seasonal 0.05			0-1 Year 0.1			> 1 Year 0.3		
Dominant Impact	Shade/ Clear 0.05	Utility Crossing 0.15	Culvert 0.3	Armor 0.5	Dentent- ion/Weir 0.75	Morpho- logic 1.5	Impound 2.0	Pipe 2.2	Fill 2.5
Cumulative Impact	0.0005 x total linear feet of stream impacted ($\sum LL_i$)								

Note: The cumulative impact factor for the overall project must be used in each reach column on the Required Mitigation Credits Worksheet below.

Required Mitigation Credits Sample Worksheet

Factor	Reach 1	Reach 2	Reach 3	Reach 4	Reach 5	Reach 6
Lost Type	0.3	0.3	Dam 0.3			
Priority Category	0.1	0.1	0.1			
Existing Condition	.50	.60	.50			
Duration	.3	.3	0.3			
Dominant Impact	2.0	2.0	2.5			
Cumulative Impact	.333	.112	.072			
Sum of R Factors	$R_1 = 3.53$	$R_2 = 3.41$	$R_3 = 3.772$	$R_4 =$	$R_5 =$	$R_6 =$
Linear Feet Impact	$LL_1 = 667$	$LL_2 = 224$	$LL_3 = 144$	$LL_4 =$	$LL_5 =$	$LL_6 =$
R x LL=	2354.51	767.29	543.17			

Total Required Credits = $\sum (R \times LL) =$

3661.97

* Based Condition on abundant sediment in stream bed, lack of buffer, road adjacent, cultivated fields adjacent

September 19, 2002
Page 55 of 73

2602/2/07

Frank Hunt Pond
Fairfield County, SC
N 34 30.482 W 81 13.103
11-20-06 Not To Scale
Sheet 10 of 12 SAC 2006-3655

Mitigation for Linear Systems

Step 5: Use net improvements calculated in Step 4 in the table below. Net improvements should be calculated independently for each side of a single reach of stream. In cases where only a single side of a reach is buffered, a reach multiplier of 0.75 is used. In cases where both sides of a reach are buffered, a reach multiplier of 1.25 is used.

19.3. Riparian Buffer Enhancement Table.

RIPARIAN BUFFER ENHANCEMENT MITIGATION FACTORS FOR LINEAR SYSTEMS

Factors	Options				
Net Improvement	Riparian Buffer Enhancement (Calculate Value from above Net Improvement Table) 0.05 - 1.0				
Control	Covenant Private 0.05	Covenant POA 0.1	Easement 0.15	Conservancy 0.2	
Credit Schedule	Schedule 5 * 0	Schedule 4 0.02	Schedule 3 0.05	Schedule 2 0.08	Schedule 1 0.1
Kind	Category 5 0.0	Category 4 0.04	Category 3 0.06	Category 2 0.08	Category 1 0.1
Location	Zone 5 0.0	Zone 4 0.05	Zone 3 0.1	Zone 2 0.2	Zone 1 0.3

* Use this option to calculate credits when no restoration of buffer necessary

Proposed Riparian Buffer Enhancement Mitigation Sample Worksheet for LINEAR SYSTEMS

Factors		Reach 1	Reach 2	Reach 3	Reach 4	Reach 5
Net Improvement	Stream Side A	.3	.1			
Net Improvement	Stream Side B		.1			
Control		.05	.05			
Credit Schedule		.1	.1			
Kind		.1	.1			
Location		.3	.3			
Sum of Factors	M =	.85	0.75			
Linear Feet	L =	1685.21	891			
Reach Multiplier	RM =					
	Buffer one side = 0.75					
	Buffer both sides = 1.25	0.75	1.25			
M x L x RM		1074.32	835.31			

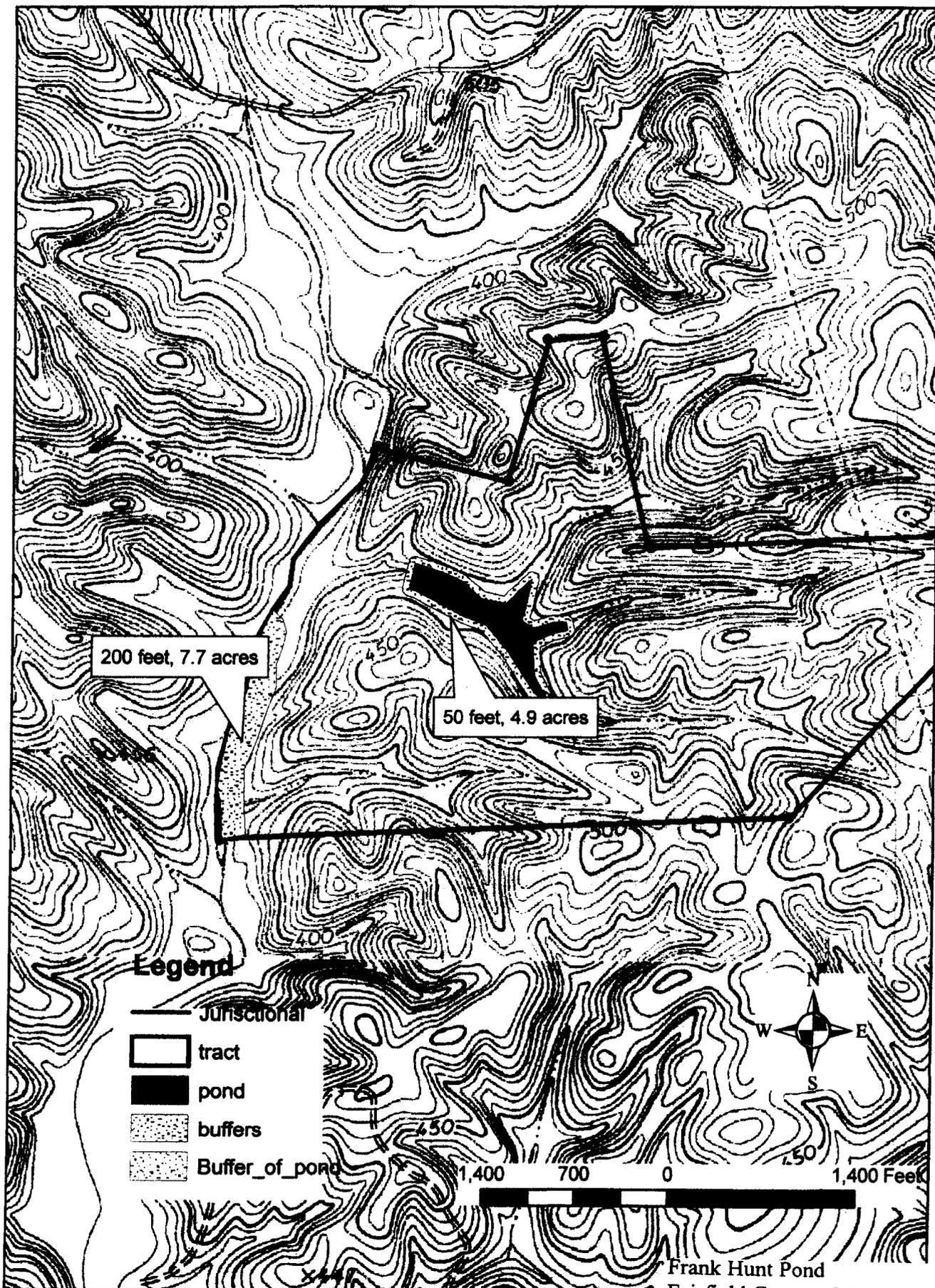
Total Riparian Buffer Enhancement Credits = $\Sigma (M \times L \times RM) =$ 1909.63

September 19, 2002
Page 58 of 73

Frank Hunt Pond
Fairfield County, SC
N 34 30.482 W 81 13.103

REV 2/3/07 11-20-06 Not To Scale
Sheet 11 of 12 SAC 2006-3655

Mitigation Buffers



Frank Hunt Pond
Fairfield County, SC
N 34 30.482 W 81 13.103