

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 # SAC-2007-685-51K

May 11, 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 State of South Carolina by

**KEITH PARIS, PARIS PROJECTS**  
**C/O LAURA BELANGER**  
**ENVIRONMENTAL PERMITTING CONSULTANTS**  
**POST OFFICE BOX 3744**  
**GREENVILLE, SOUTH CAROLINA 29608**

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

**DILLARD CREEK**

at a location south of Interstate Highway 85 and east of South Carolina State Highway 14, in the Town of Pelham, Spartanburg County, South Carolina (Latitude 34.8715447°N, Longitude 82.2214870°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, JUNE 11, 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 3.2 acres of wetlands and other waters of the United States, which includes 2965 linear feet of intermittent/perennial streams. As stated by the applicant, the purpose of the work is to construct a multi-use retail services center. As compensatory mitigation to off set the permanent loss of wetlands and other waters of the United States the applicant has proposed to purchase 11694 stream credits and 12.2 wetland credits from the Grove 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  
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 0.057 acre of wetlands and other waters of the United States 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.

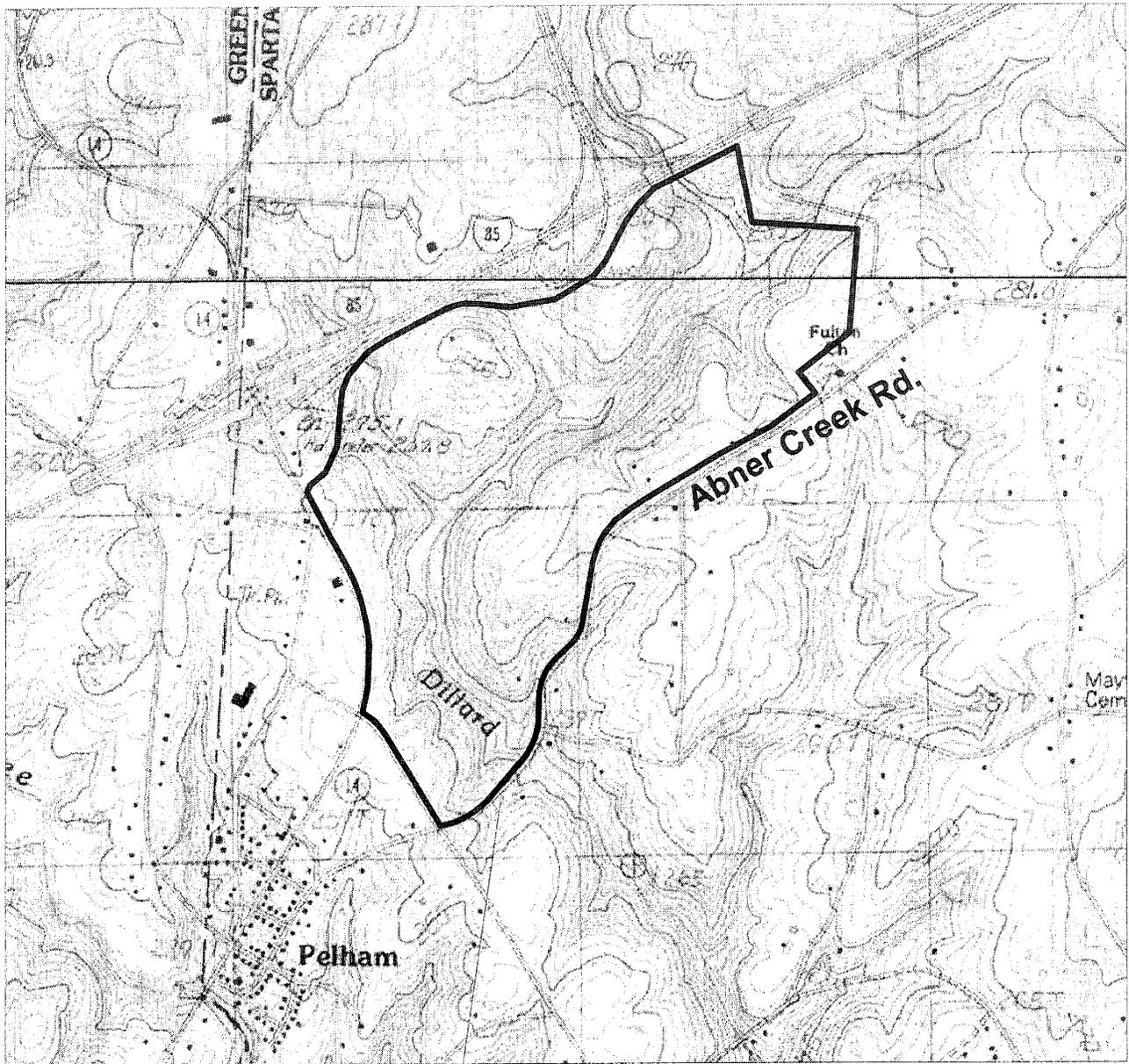
Refer to: P/N # SAC-2007-685-51K

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 Leslie L. Parker at 803-253-3444.



**Site Location**

Source: USGS Topographic Series, Pelham and Greer Quadrant  
Spartanburg County, South Carolina

**ENVIRONMENTAL  
PERMITTING  
CONSULTANTS, INC.**

**GRAPHIC SCALE**

1 inch = 1000 feet

Post Office Box 3744 Greenville, SC 29608 Phone: (864) 271-3040 Fax: (864) 235-9299	DRAWN BY: MCW DATE: 07august2006 EPC PROJECT NO.: 06jwd130
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**Topo Location Map**  
Hwy 14/I-85  
Paris Projects  
Spartanburg County

FIGURE NO.  
**1**



Source: South Carolina Department of Natural Resources, Pelham NW and Greer SW 1999  
Digital Orthophoto Quarter Quadrangle

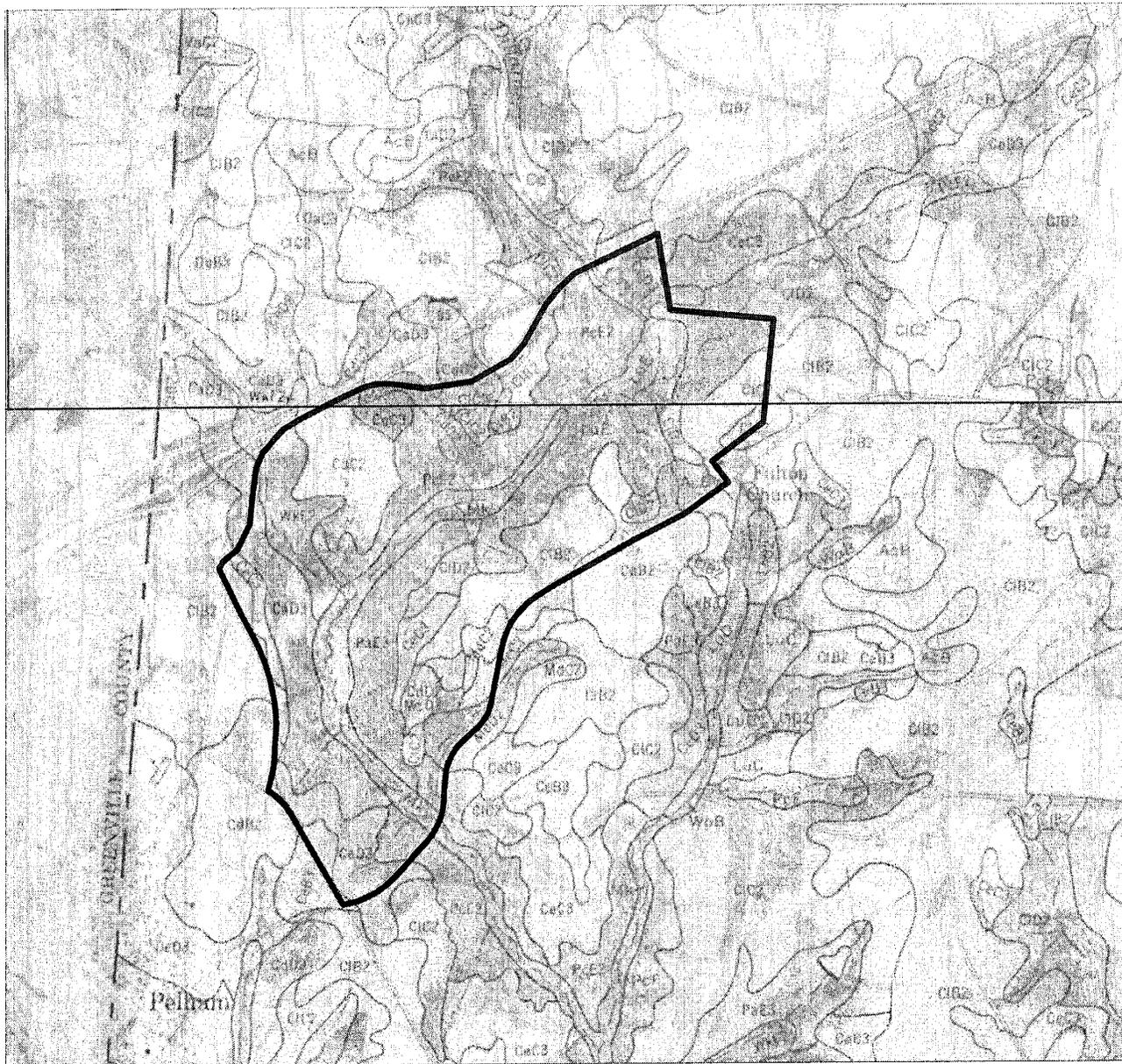
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<b>GRAPHIC SCALE</b>	
1 inch = 1000 feet	
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**Aerial Infrared Map**  
Hwy 14/I-85  
Paris Projects  
Spartanburg County

FIGURE NO.

**2**



Source: Soil Survey of Spartanburg County, 1968  
 Sheets 33 and 39



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**GRAPHIC SCALE**

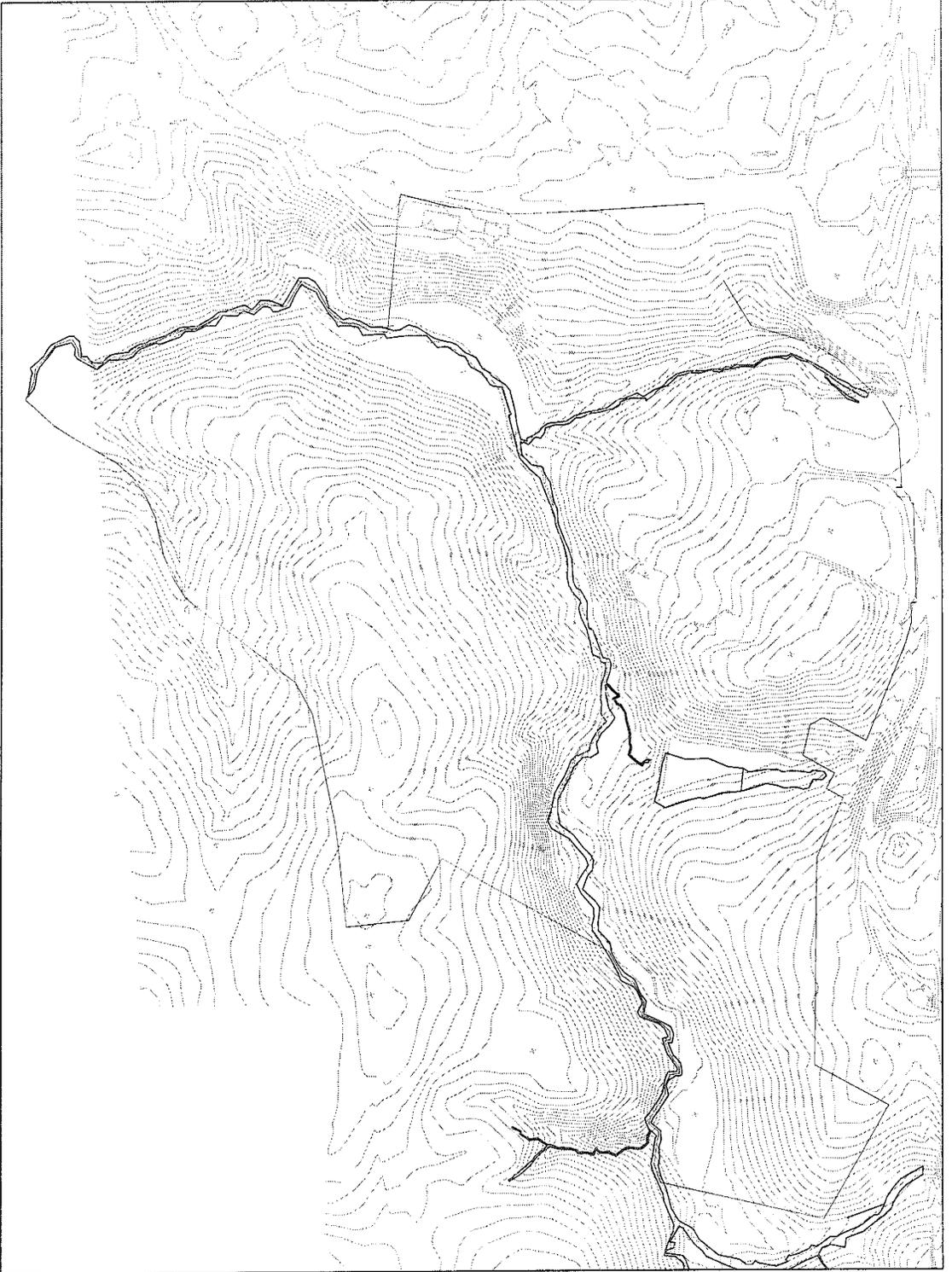
1 inch = 1000 feet

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**Soil Survey Map**  
 Hwy14/I-85  
 Paris Projects  
 Spartanburg County

FIGURE NO.

**3**



Total Acreage =  
 321.79 acres  
 Waters of the US =  
 5.83 acres

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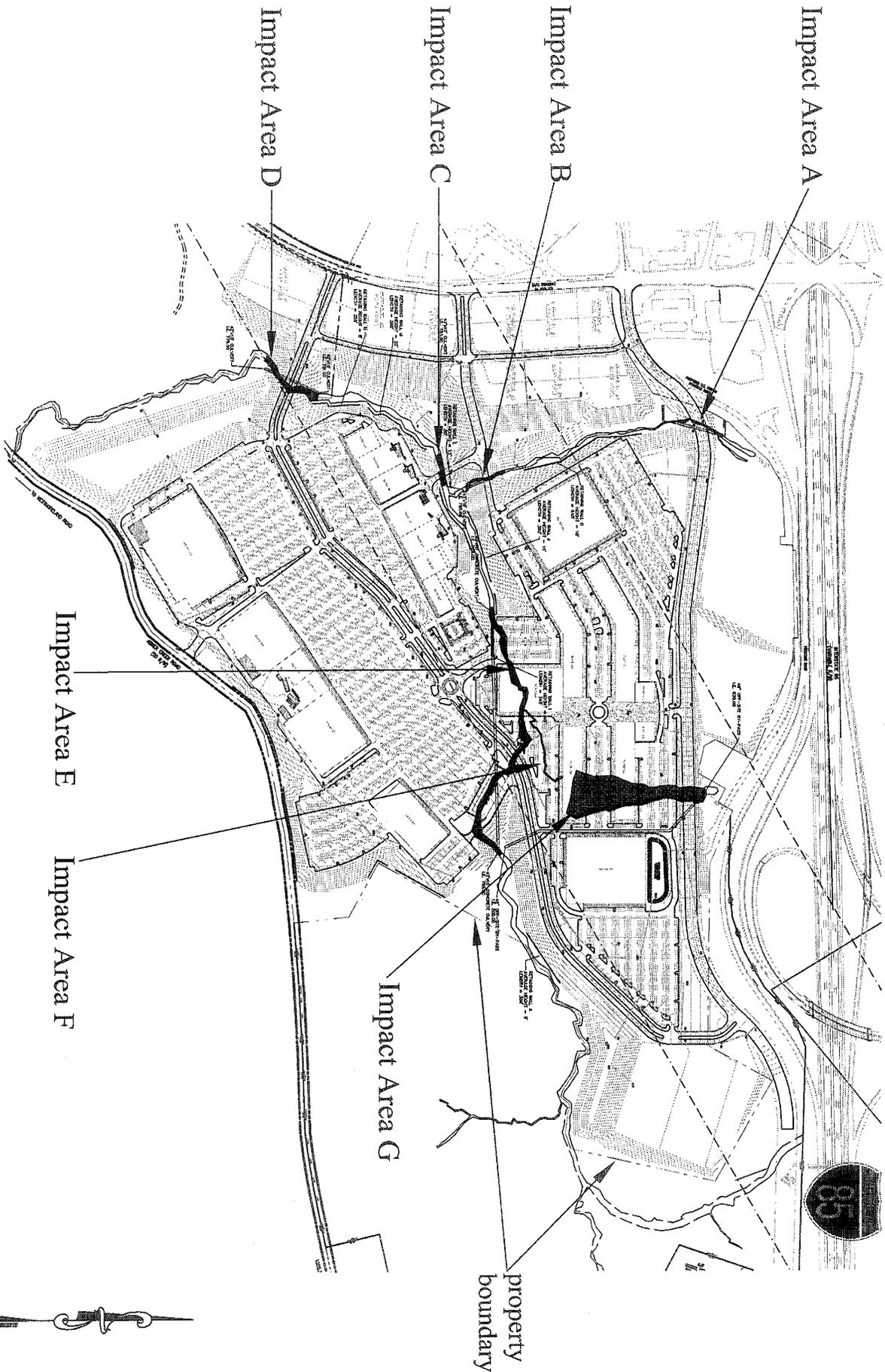
**GRAPHIC SCALE**  
 350 0 350 700  
 1 inch = 700 feet

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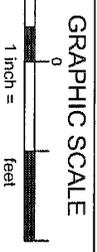
REVISIONS	
NO.	COMMENTS

**Village at Pelham**  
 Waters of the US  
 Paris Projects  
 Spartanburg County

USACE P.I.N.:  
 SHEET NO.  
 4  
 OF 10



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Fax: (864) 235-9289

DRAWN BY: jhb  
DATE: 08/01/07  
EPC PROJECT NO.: 06epc130

**REVISIONS**

NO.	DATE	BY	COMMENTS

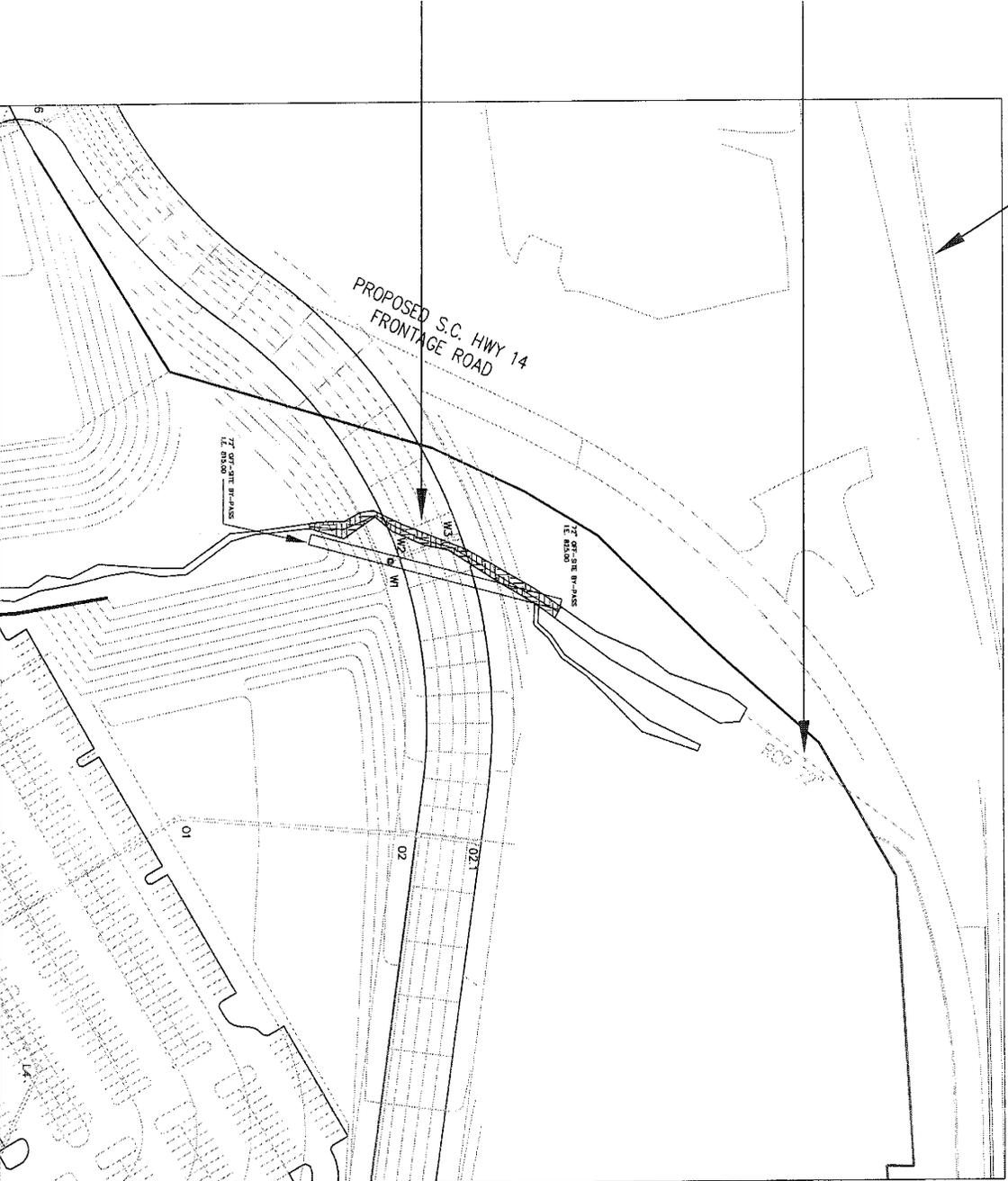
**Village at Palham**  
Overview  
Paris Projects  
Spartanburg County

**SHEET NO.**  
5  
**OF**  
10

I-85

Existing 72" RCP

Impact Area A  
Stream  
255 linear feet  
Pipe  
72" RCP



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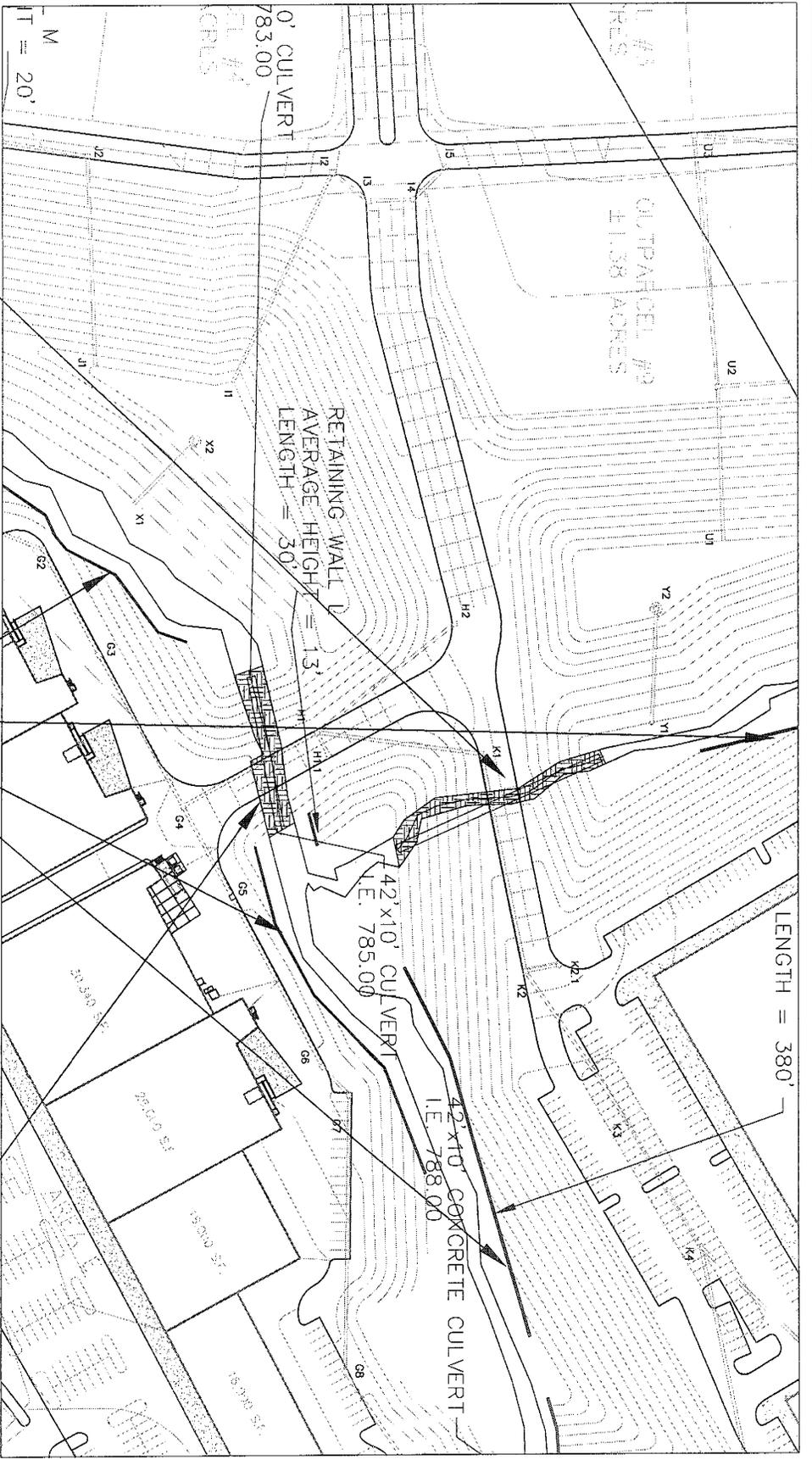
DRAWN BY: jhb  
DATE: 8mar07  
EPC PROJECT NO.: 06pct130

REVISIONS

NO.	DATE	COMMENTS

USACE P/N: Village at Pelham  
Impact Area A  
Paris Projects  
Spartanburg County

SHEET NO. 6  
OF 10

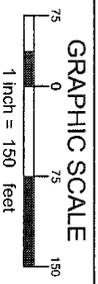


Impact Area B  
Stream  
233 linear feet  
Pipe  
72" RCP

Proposed Retaining Walls

Impact Area C  
Stream  
158 linear feet  
Pipe  
42' x 10' box culvert

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Columbia, SC 29208  
Phone: (804) 271-3040  
Fax: (804) 255-9299

DRAWN BY: Jhb  
DATE: 8/14/2007  
EPC PROJECT NO.: 06pca130

REVISIONS

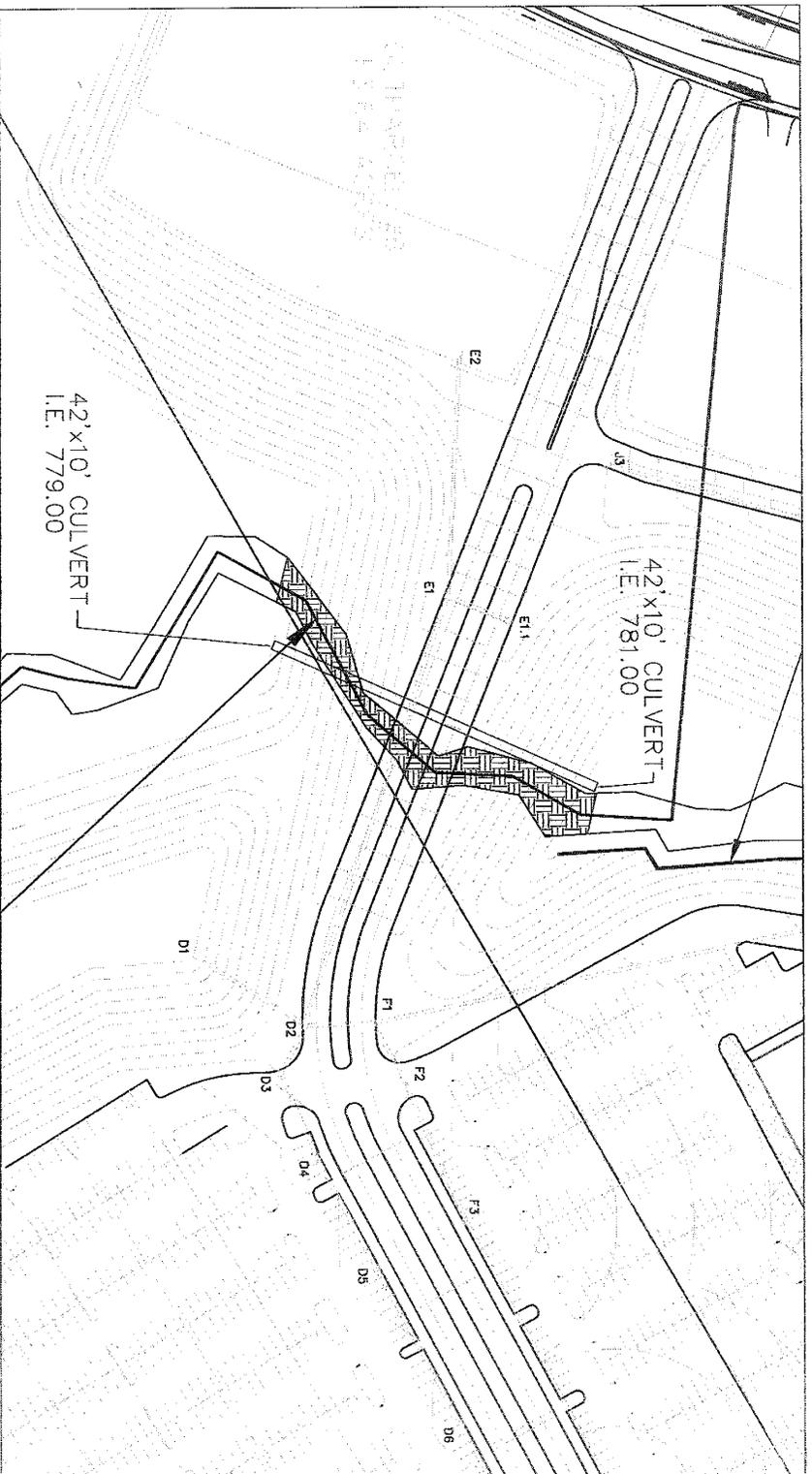
NO.	DATE	COMMENTS

USACE P.N.:

Village at Pelham  
Impact Areas B and C  
Paris Projects  
Spartanburg County

SHEET NO.  
7

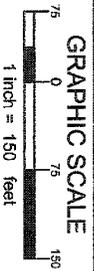
OF 10



Impact Area D  
Stream  
359 linear feet  
Pipe  
42' x 10' culvert

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DRAWN BY:                       
DATE:                       
EPC PROJECT NO.:                     

**REVISIONS**

**Village at Pelham**  
Impact Area D  
Parks Projects  
Spartanburg County

USACE P/N:                     

SHEET NO.

8

OF 10



