

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 #2004-1U-083

7 May 2004

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

MR. SAM COX
1639 EARLS BRIDGE ROAD
EASLEY, SC 29640

for a permit to place fill material an unnamed tributary of

TOWN CREEK

at a location northeast of the intersection of Sparks Lane and Highway 178 in the City of Pickens, Pickens County, South Carolina (Latitude 34.89628; Longitude 82.70944 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, 7 JUNE 2004

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

The proposed work consists of placing 854 linear feet (or 0.16 acres) of stream into 655 linear feet of culvert with a 72-inch diameter to obtain the grade for building pads and other infrastructure. Proposed compensatory mitigation includes restoring 601.5 linear feet of stream and buffering 1,272 linear feet on a 12.73-acre tract located approximately 0.34 miles from the impact site. The purpose of the proposed work, as stated by the applicant, is to construct a commercial development.

NOTE: The stream mitigation plan is available from this office upon request.

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 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).

The District Engineer has 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. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

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.

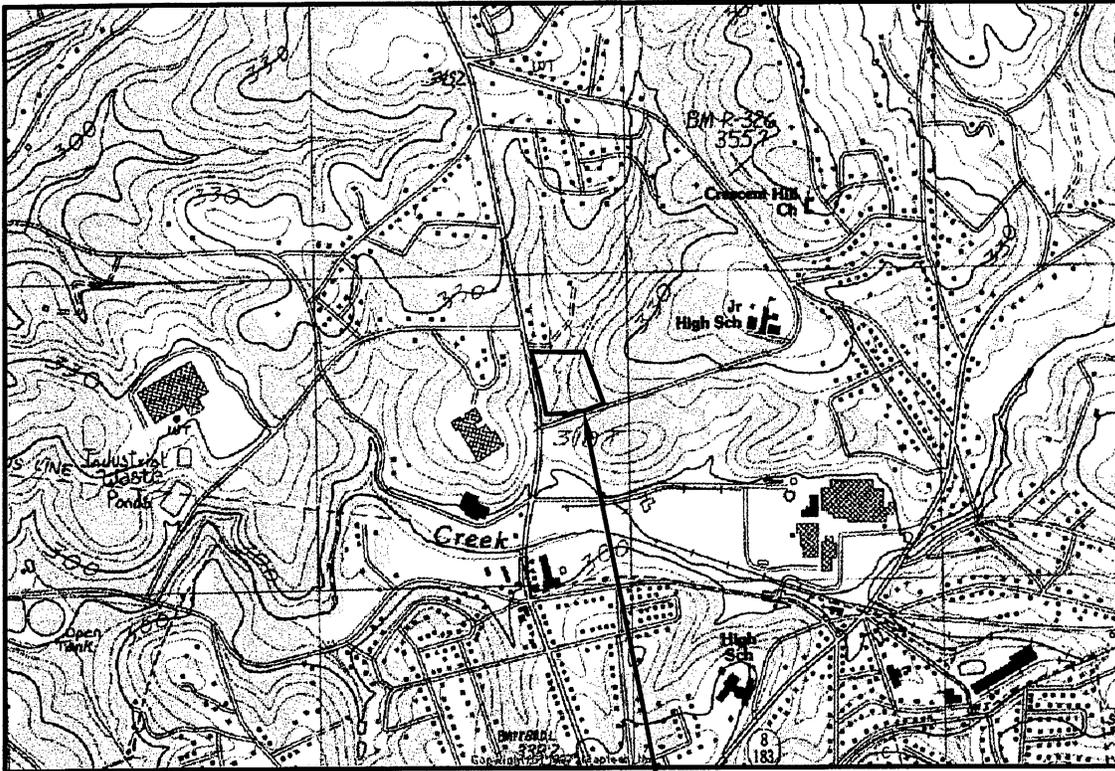
REGULATORY DIVISION
Refer to: P/N #2004-1U-083

7 May 2004

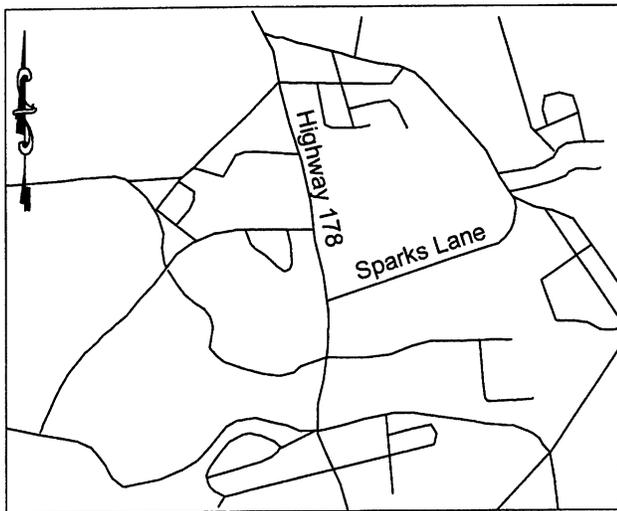
If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink that reads "Tracy Hurst". The signature is written in a cursive, flowing style.

Tracy Hurst
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



SITE LOCATION



LOCATION MAP

N.T.S.

REVISIONS		
NO.	DRAWN BY:	COMMENTS
1	csg	Sheet 4 added

**ENVIRONMENTAL
PERMITTING
CONSULTANTS, INC.**

GRAPHIC SCALE
 1000 0 1000 2000
 1 inch = 2000 feet

Post Office Box 3744
 Greenville, SC 29608
 Phone: (864) 271-3040
 Fax: (864) 235-9299

DRAWN BY: _____
 DATE: _____ 2
 EPC PROJECT NO.: _____

VICINITY MAP

SHEET NO.

PROJECT TITLE: SAM COX COMMERCIAL DEVELOPMENT
 APPLICANT: SAM COX
 LOCATION: PICKENS COUNTY, SC
 DATE: MAY 7, 2004
 FILE: P/N #2004-1U-083



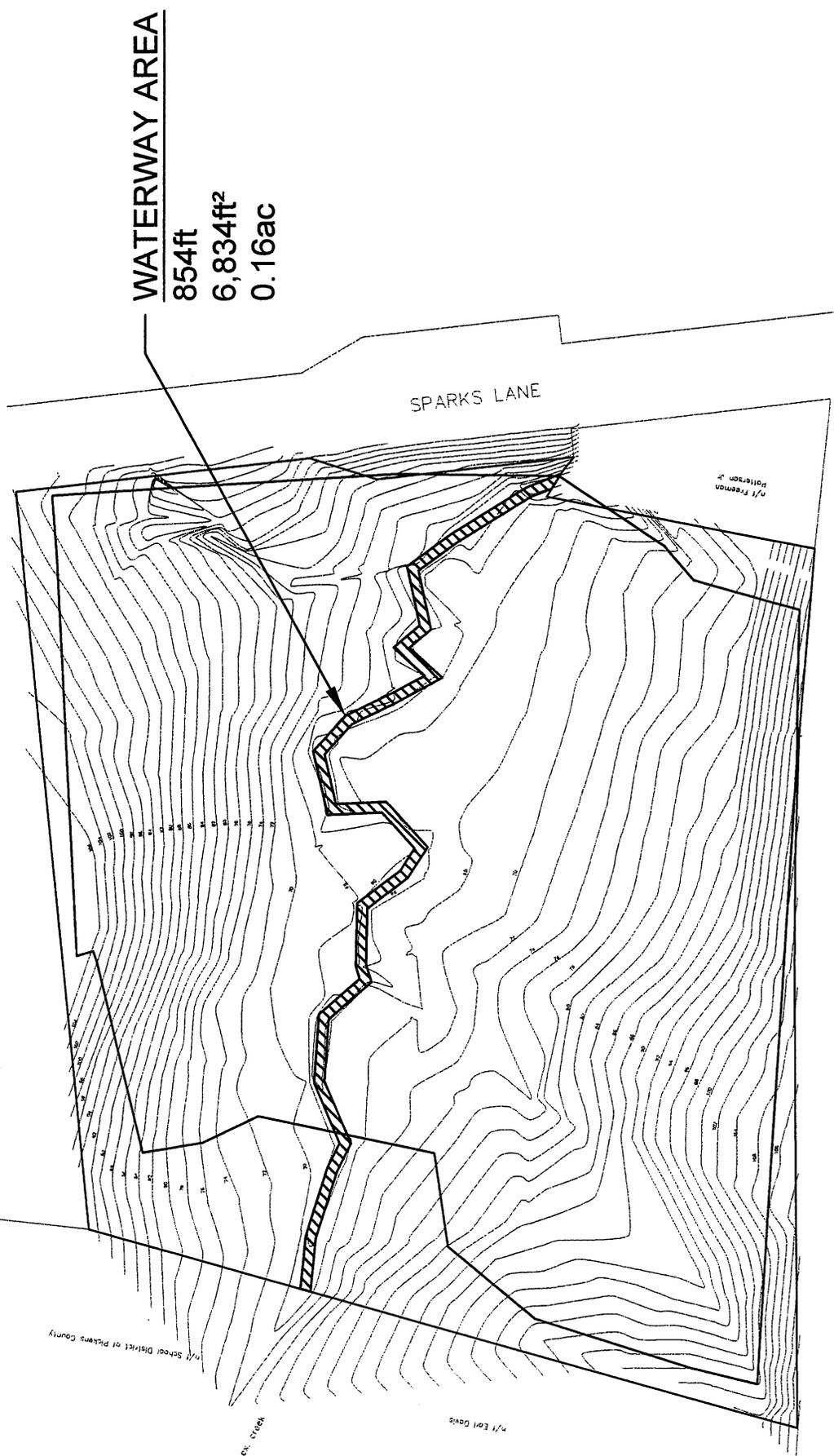
n/1 Pickens, Apis, LTD Partnership

n/1 School District of Pickens County

n/1 Earl Davis

n/1 Earl Davis

n/1 Freeman Jr



WATERWAY AREA
854ft
6,834ft²
0.16ac

U.S. HWY 178
66' R/W

REVISIONS

NO.	DRAWN BY	COMMENTS
1	csg	Sheet 4 added

GRAPHIC SCALE
0 60 120
1 inch = 120 feet

Post Office Box 3744
Greenville, SC 29608
Phone: (864) 271-3040
Fax: (864) 235-9299

DRAWN BY: csg
DATE: 23apr/2004
EPC PROJECT NO.: 03pen111

ENVIRONMENTAL PERMITTING CONSULTANTS, INC.

PROJECT TITLE: SAM COX COMMERCIAL DEVELOPMENT
APPLICANT: SAM COX
LOCATION: PICKENS COUNTY, SC
DATE: MAY 7, 2004
FILE: P/N #2004-1U-083

USAC

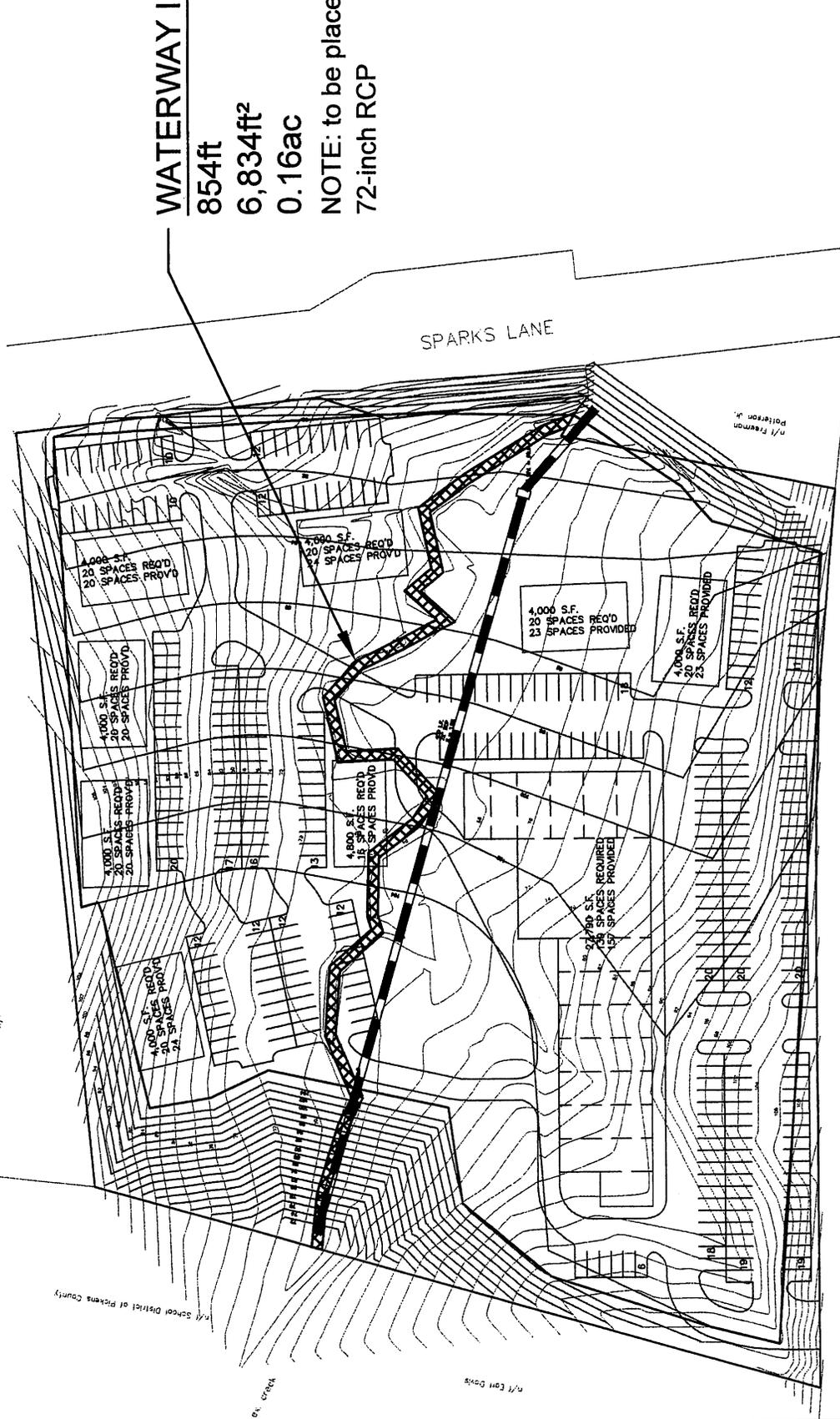


n/1 Pickens Apts. LTB Fortnuth

n/1 School District of Pickens County

n/1 Carl Cox

n/1 Farnon Jr.



WATERWAY IMPACT

854ft

6,834ft²

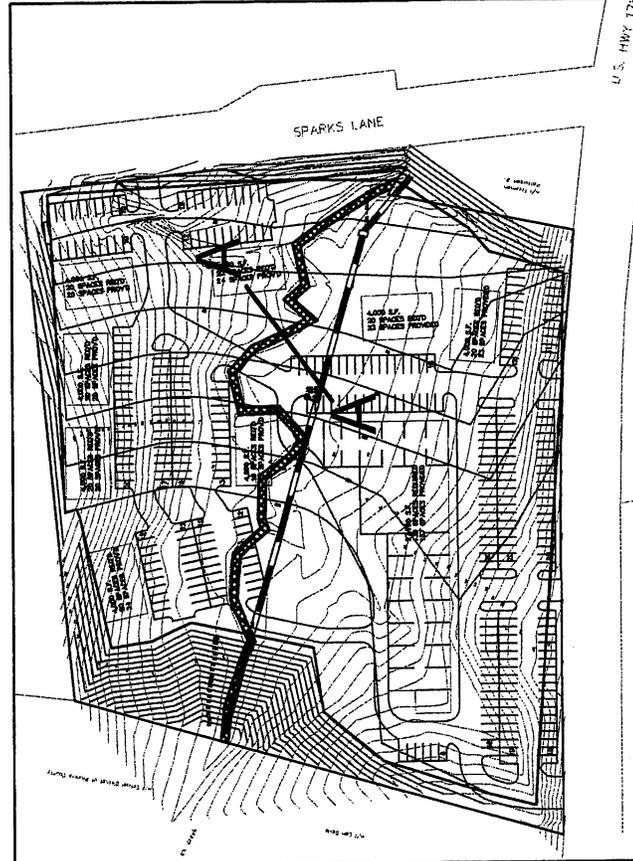
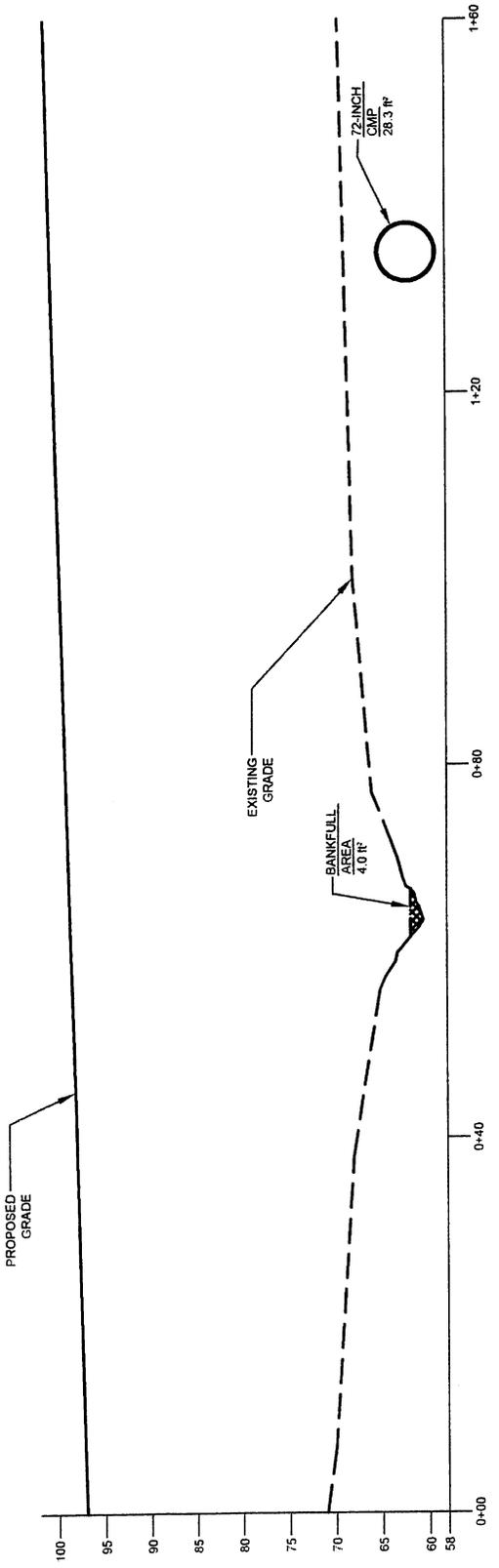
0.16ac

NOTE: to be placed into 655ft of 72-inch RCP

U.S. HWY 178
66' R/W

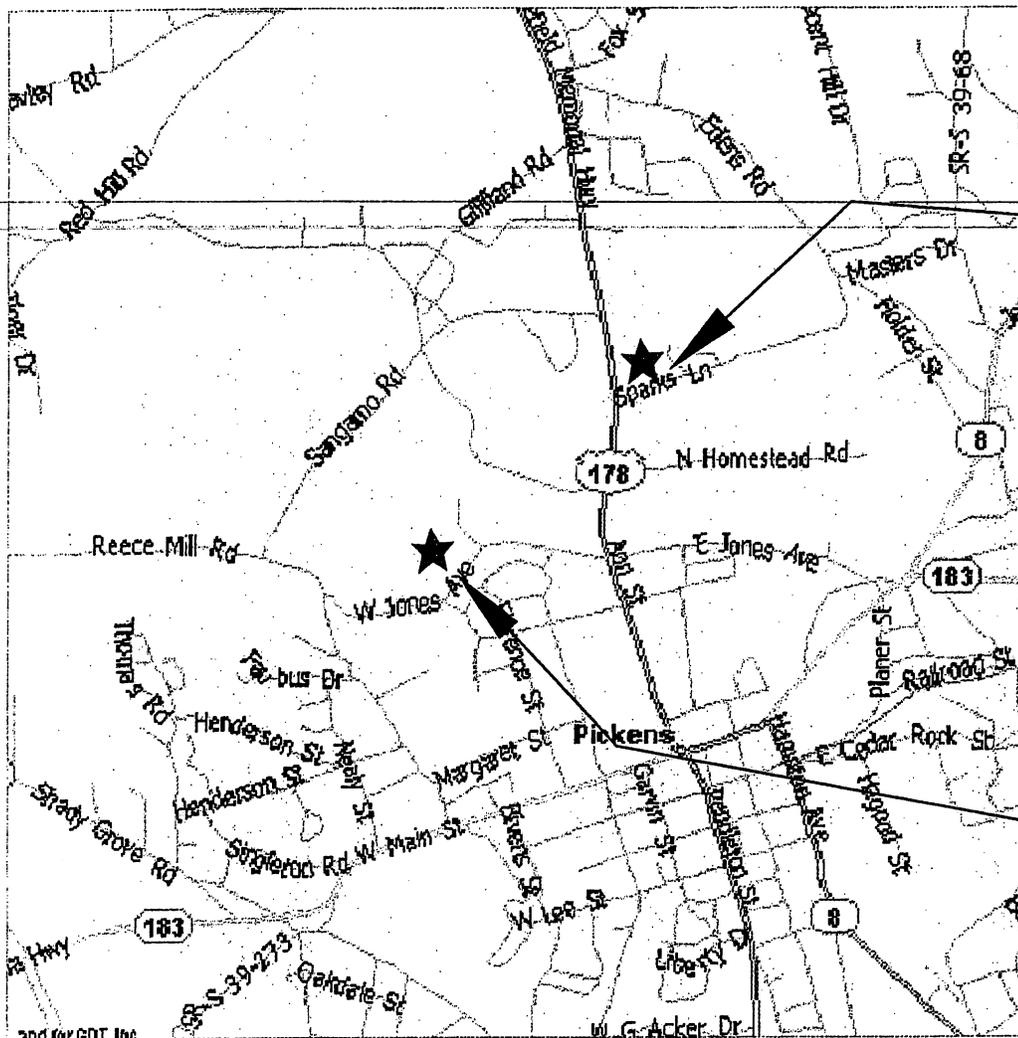
PROJECT TITLE: SAM COX COMMERCIAL DEVELOPMENT
APPLICANT: SAM COX
LOCATION: PICKENS COUNTY, SC
DATE: MAY 7, 2004
FILE: P/N #2004-1U-083

ENVIRONMENTAL PERMITTING CONSULTANTS, INC.	GRAPHIC SCALE		REVISIONS	
			NO.	DRAWN BY:
	Post Office Box 3744 Greenville, SC 29608 Phone: (864) 271-3040 Fax: (864) 235-9268		1	csg
	Drawn By: csg Date: 23apr2004 ERC PROJECT NO.: 03pcn111		COMMENTS Sheet 4 added	
			USACE I	



NOT TO SCALE

ENVIRONMENTAL PERMITTING CONSULTANTS, INC. Post Office Box 3744 Greenville, SC 29608 Phone: (864) 271-3040 Fax: (864) 235-9299	GRAPHIC SCALE 	REVISIONS <table border="1"> <thead> <tr> <th>NO.</th> <th>DATE</th> <th>BY</th> <th>COMMENTS</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	NO.	DATE	BY	COMMENTS																	PROJECT TITLE: SAM COX COMMERCIAL DEVELOPMENT APPLICANT: SAM COX LOCATION: PICKENS COUNTY, SC DATE: MAY 7, 2004 FILE: P/N #2004-1U-083
	NO.	DATE	BY	COMMENTS																			
DRAWN BY: CSG DATE: 23apr2004 EPC PROJECT NO.: 03pcn111	USAC																						



Impact Site

Proposed Mitigation Site

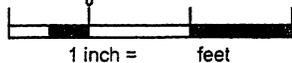


Source: Microsoft Maps

REVISIONS		
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GRAPHIC SCALE

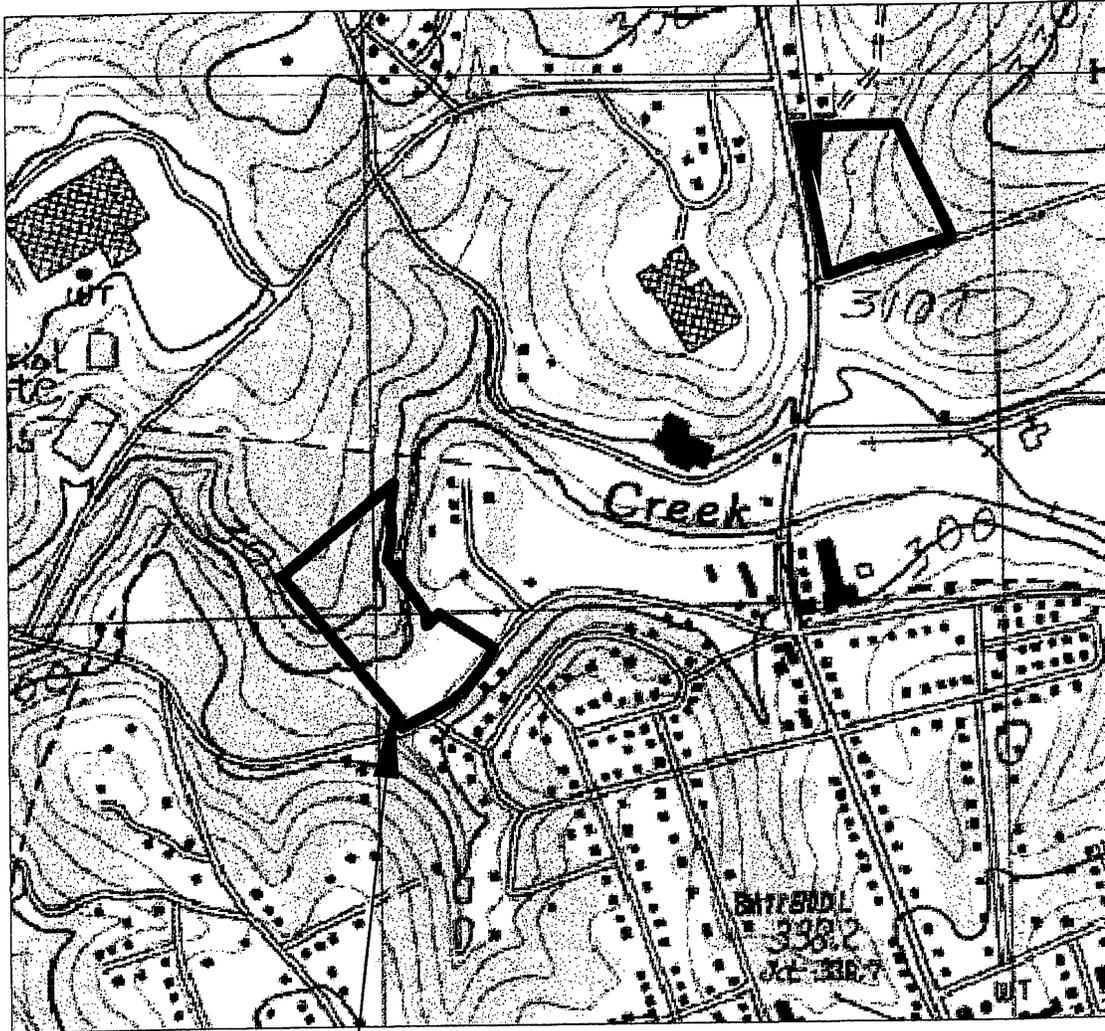


Post Office Box 3744
Greenville, SC 29608
Phone: (864) 271-3040
Fax: (864) 235-9299

DRAWN BY: bee
DATE: 03/17/2004
EPC PROJECT NO.: 03mit111

PROJECT TITLE: SAM COX COMMERCIAL DEVELOPMENT
APPLICANT: SAM COX
LOCATION: PICKENS COUNTY, SC
DATE: MAY 7, 2004
FILE: P/N #2004-1U-083

Impact Site

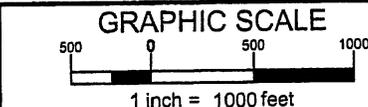


Proposed Mitigation Site



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CONSULTANTS, INC.**



Post Office Box 3744
Greenville, SC 29608
Phone: (864) 271-3040
Fax: 18641 235-9299

DRAWN BY: bee
DATE: 3/19/2004
EPC PROJECT NO.: 03MIT111

PROJECT TITLE: SAM COX COMMERCIAL DEVELOPMENT
APPLICANT: SAM COX
LOCATION: PICKENS COUNTY, SC
DATE: MAY 7, 2004
FILE: P/N #2004-1U-083

SHEET 6 OF 6