

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 #2004-1Z-191-W

16 JULY 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

ALLEN R. WENNER
166 HOLLY RIDGE LANE
WEST COLUMBIA, SOUTH CAROLINA 29169

for a permit to place fill material in waters of the U.S. along an unnamed tributary of

ROB SENN BRANCH

on property located southwest of the intersection of Ephrata Drive and Pine Lake Drive, in West Columbia, Lexington County, South Carolina (Latitude – 34.0111°, Longitude – 81.1224°).

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, 16 AUGUST 2004

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

The proposed work includes the placement of fill material in waters of the U.S. for residential lot development and the construction of a stormwater retention basin. In detail, the applicant is proposing the placement of fill material in 0.075 acres of wetlands and 0.090 acres of open water (0.165 acres total) to facilitate the development of four lots (Lot #'s 3,5,6, and 7) within the proposed "Quail Creek" residential subdivision. The areas to be filled comprise part of a pond that has become partially drained due to a failed water control structure and an eroding embankment. The applicant is proposing to convert the pond into a stormwater retention basin by repairing the embankment, replacing the water control structure, and grading the land encompassing and immediately surrounding the pond to create a permanent pool area of 0.12 acres and a temporary storage area of 1.46 acres. Repairing the embankment will require filling approximately 0.025 acres of wetlands and 59 linear feet of stream bed located immediately downstream from the embankment. Approximately 0.67 acres of wetlands and 0.16 acres of open waters are to be excavated an average of 3'. The upper 12" of excavated material is to be set aside until excavation activities are complete, at which time it is to be replaced in the

16 JULY 2004

excavated areas to reestablish the appropriate wetland soils and vegetation seed bank. Approximately 0.06 acres of existing wetlands will be excavated and permanently inundated. Approximately 104 linear feet of stream channel located immediately upstream of the proposed stormwater retention basin will be impacted by redirection as a result of the project. The purpose of the project is to provide single-family housing for the local community.

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 1.11 acres of freshwater wetlands located well upstream from 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).

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.

REGULATORY DIVISION

Refer to: P/N #2004-1Z-191-W

ALLEN R. WENNER

16 JULY 2004

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.

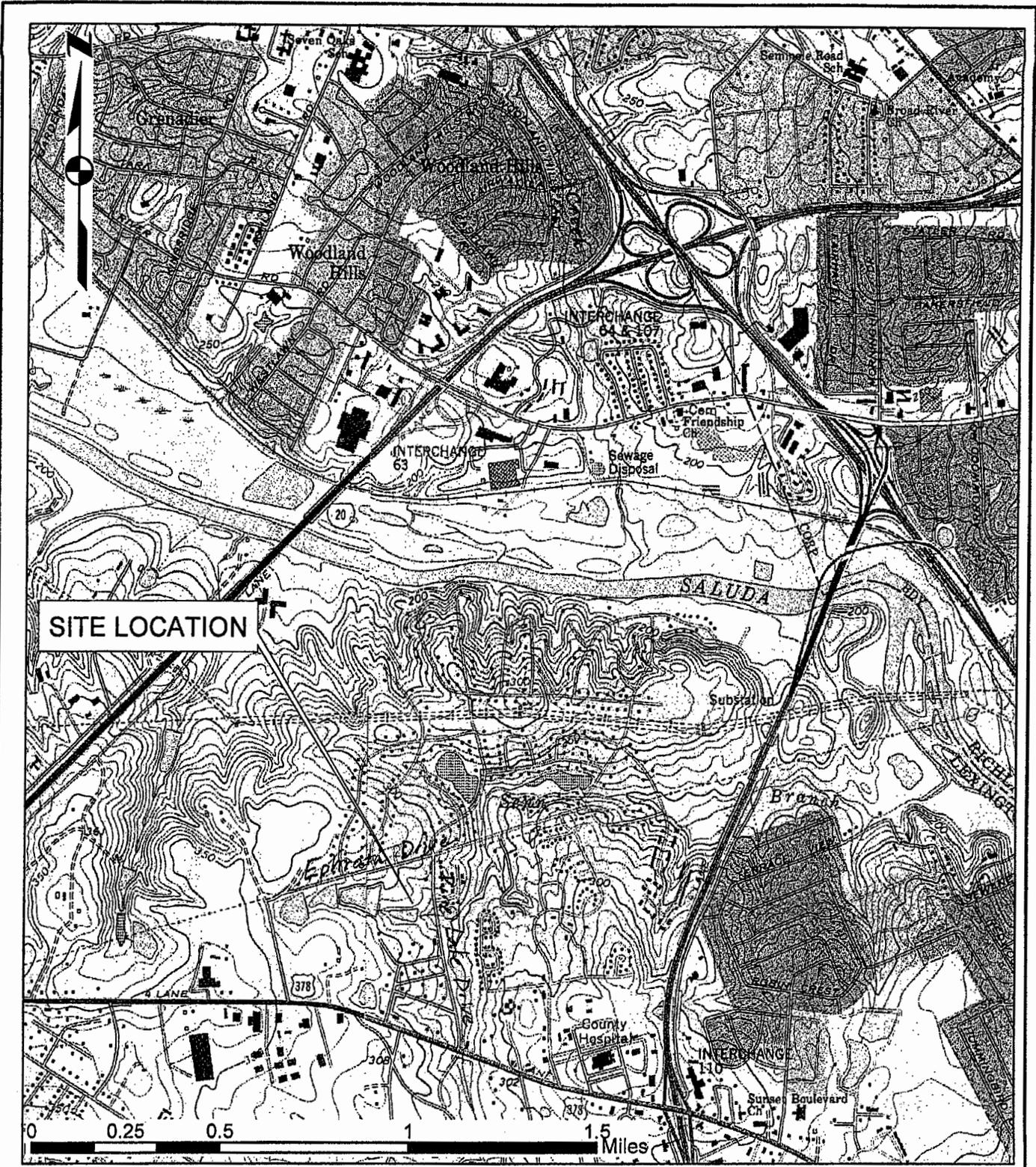
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 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 me at 843-329-8044 or toll free at 1-866-329-8187.



Larry Hanford
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



SITE LOCATION

0 0.25 0.5 1 1.5 Miles



Q O R E
PROPERTY SCIENCES

**USGS TOPOGRAPHIC MAP
QUAIL CREEK SUBDIVISION**

LEXINGTON COUNTY, SOUTH CAROLINA

P/W 2004-12-191-W

SOURCE: MAP CREATED USING ARCVIEW 8.3. DATA OBTAINED FROM THE SC DEPARTMENT OF NATURAL RESOURCES GIS WEBSITE.

JOB NO.
6766

FIGURE NO.
1 OF 9

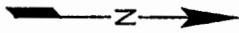
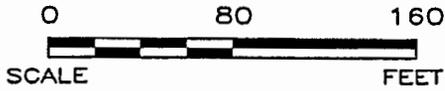
DRAWN BY
RFB

CHECKED BY
RDC

SCALE
1: 24,000

DATE
03/11/2004

WETLANDS
 (1.29 ACRE/56,029 SQ. FT.)
 (WITHIN LIMITS OF SUBJECT PROPERTY)



IMPACTED CHANNEL
 0.02 ACRES
 104.3 LN FT

WETLAND AREA TO BE
 EXCAVATED AND
 REESTABLISHED
 0.66 AC

PROPOSED POND NORMAL POOL
 (ELEVATION 266 FT)
 0.12 AC

POND TO BE EXCAVATED
 0.15 AC

EXISTING POND NORMAL POOL
 (ELEVATION 269 FT)
 0.41 AC

FLOODED WETLAND AREA
 0.06 AC

WETLAND AREA TO BE
 EXCAVATED AND
 REESTABLISHED
 0.007 AC

FILLED WETLAND
 & STREAM AREA
 0.025 AC
 59.1 LN FT

WETLANDS
 (0.13 ACRE/5,736 SQ. FT.)
 WETLAND BUFFER
 0.273 ACRES

FILLED WETLAND AREA
 0.07 AC

POND AREA TO BE TEMP FLOODED
 0.16 AC

FILLED POND AREA
 0.09 AC

FILLED WETLAND AREA
 0.091 AC

FILLED WETLAND AREA
 0.004 AC

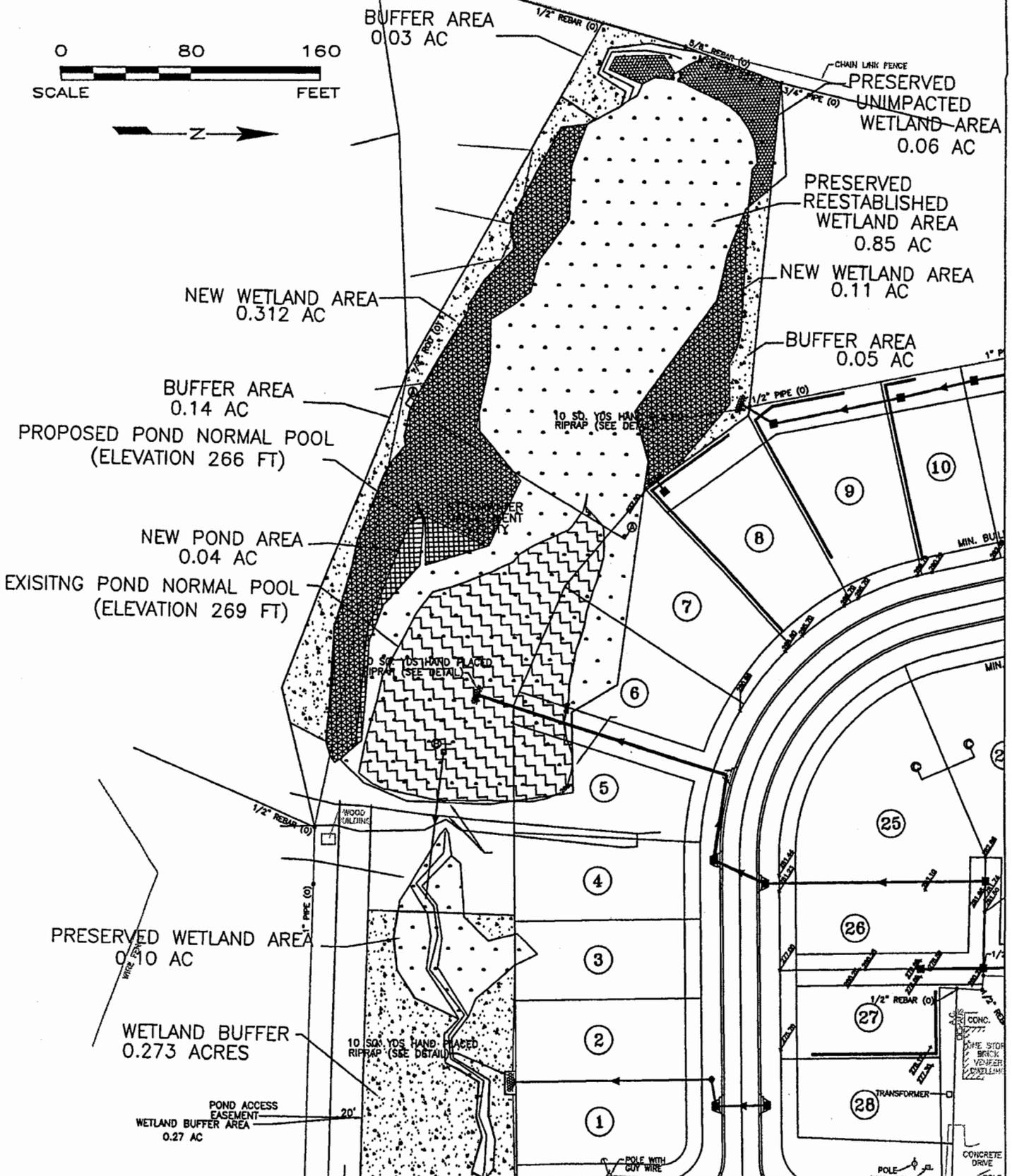
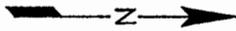
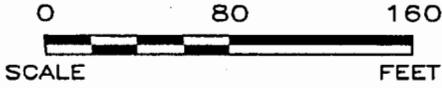
POND ACCESS
 EASEMENT
 20'

JOB NO. 6766	FIGURE 5 OF 9
DRAWN BY RFB	CHECKED BY RDC
SCALE AS SHOWN	DATE 6/30/2004



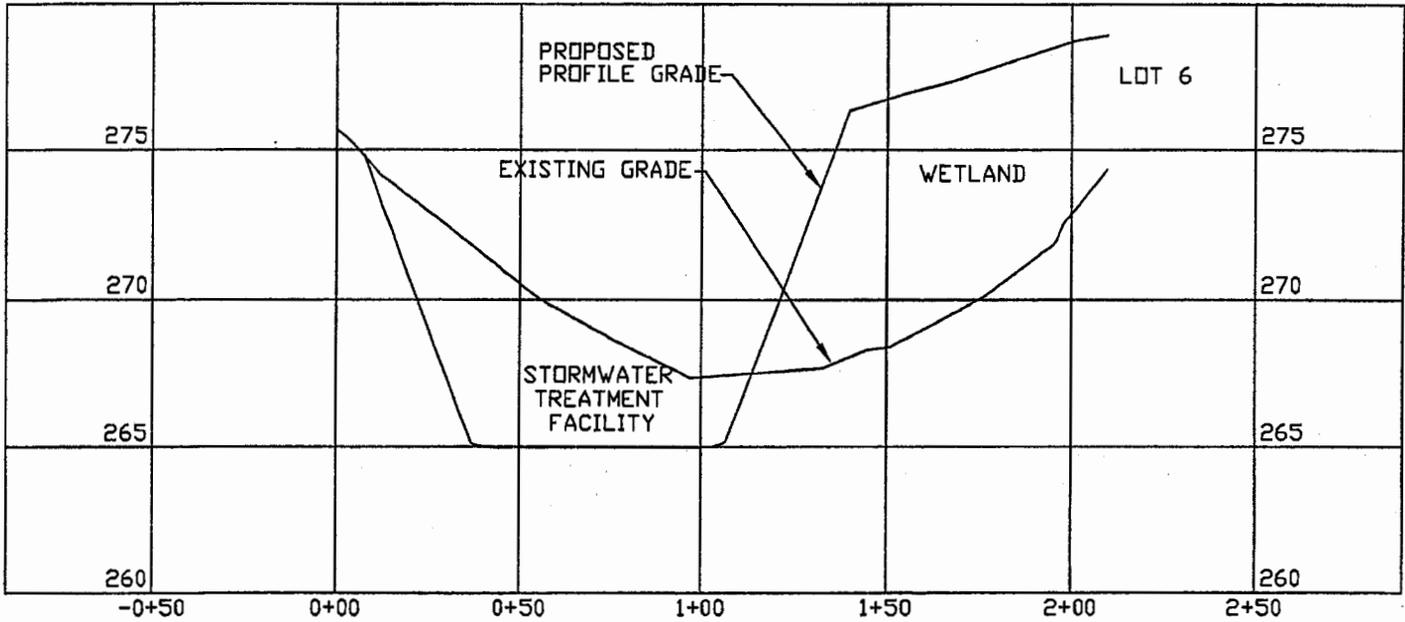
IMPACTED AREAS
 QUAIL CREEK SUBDIVISION
 LEXINGTON COUNTY, SOUTH CAROLINA
 P/N # 2004-12-191-W

SOURCE: ADAPTED FROM DRAWINGS PROVIDED BY HUSSEY, GAY, BELL, AND DEYOUNG, INTERNATIONAL, INC.



MITIGATION AREAS QUAIL CREEK SUBDIVISION LEXINGTON COUNTY, SOUTH CAROLINA		JOB NO. 6766	FIGURE 6 OF 9
		DRAWN BY RFB	CHECKED BY RDC
		SCALE AS SHOWN	DATE 3/26/2004

SOURCE: ADAPTED FROM DRAWINGS PROVIDED BY HUSSEY, GAY, BELL, AND DEYOUNG, INTERNATIONAL, INC.



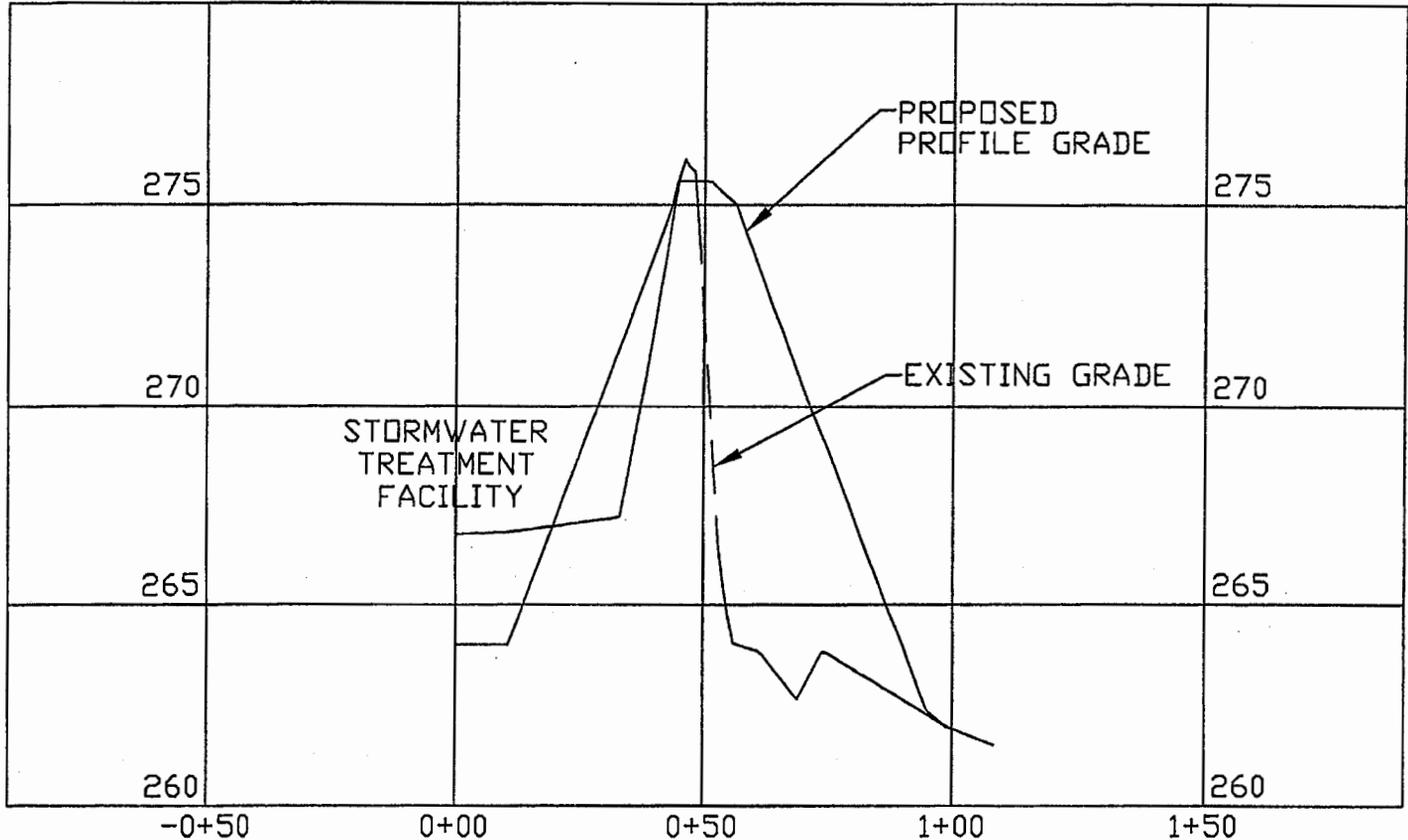
P/W # 2004-12-191-W

STORMWATER POND PROFILE VIEW
 QUAIL CREEK SUBDIVISION
 LEXINGTON COUNTY, SOUTH CAROLINA

JOB NO. 6766	FIGURE 7 OF 9
DRAWN BY RFB	CHECKED BY RDC
SCALE AS SHOWN	DATE 3/11/2004

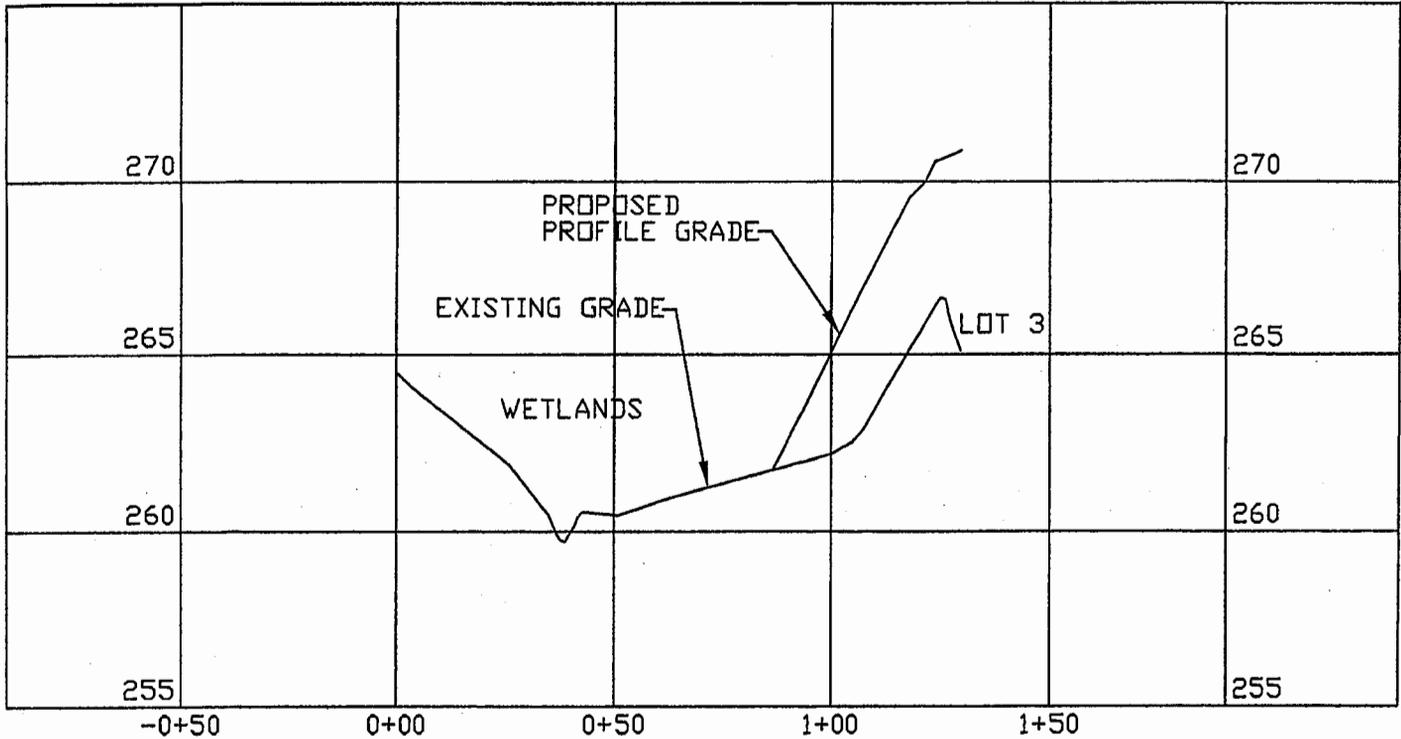
SOURCE: ADAPTED FROM DRAWINGS PROVIDED BY HUSSEY, GAY, BELL, AND DEYOUNG, INTERNATIONAL, INC.





P/W # 2004-12-191-W

	DAM PROFILE VIEW QUAIL CREEK SUBDIVISION LEXINGTON COUNTY, SOUTH CAROLINA		JOB NO. 6766	FIGURE 8 OF 9
			DRAWN BY RFB	CHECKED BY RDC
			SCALE AS SHOWN	DATE 3/11/2004
	SOURCE: ADAPTED FROM DRAWINGS PROVIDED BY HUSSEY, GAY, BELL, AND DEYOUNG, INTERNATIONAL, INC.			



P/N # 2004-12-191-W

	LOT 3 AREA PROFILE VIEW QUAIL CREEK SUBDIVISION LEXINGTON COUNTY, SOUTH CAROLINA		JOB NO. 6766	FIGURE 9 OF 9
			DRAWN BY RFB	CHECKED BY RDC
			SCALE AS SHOWN	DATE 3/11/2004
SOURCE: ADAPTED FROM DRAWINGS PROVIDED BY HUSSEY, GAY, BELL, AND DEYOUNG, INTERNATIONAL, INC.				