

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 # 2004-1R-401

28 JANUARY 2005

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

HORRY COUNTY SOLID WASTE AUTHORITY
P.O. BOX 1664
CONWAY, SOUTH CAROLINA 29528

for a permit to excavate and place fill material in jurisdictional freshwater wetlands adjacent to the

STERRITS SWAMP

at a location south of and adjacent to SC Hwy 90 approximately five miles east of Conway, Horry County, South Carolina (Latitude – 33.81547, Longitude 78.96909).

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, 28 FEBRUARY 2004

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

The proposed work consists of excavating 3.43 acres of wetland/waters of the U.S. to serve as fill and cover material for landfill operations; and the filling of 0.39 acres of wetlands for access roads between the proposed borrow area and existing landfill operation. In addition, this project will address mitigation for pre-existing impacts to existing upland buffer areas (4.02 acres) and existing preservation areas (0.63 acres), as well as proposed impacts to existing buffer areas (0.1 acres). The applicant proposes to address mitigation through on-site wetland preservation (57.24 acres) and buffer establishment (36.03 acres), in addition to off-site mitigation (to be determined). The stated project purpose is to mine suitable cover in support of the daily operations of an existing municipal solid waste landfill and a construction and demolition material landfill.

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 work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are 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 State 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 3.82 acres of jurisdictional wetlands 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 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).

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. The applicant has submitted a Phase 1 cultural resource assessment of the subject property. The assessment revealed no significant archeological sites and produced one ineligible archeological site. Presently unknown archeological, scientific, pre-historical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

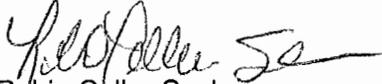
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

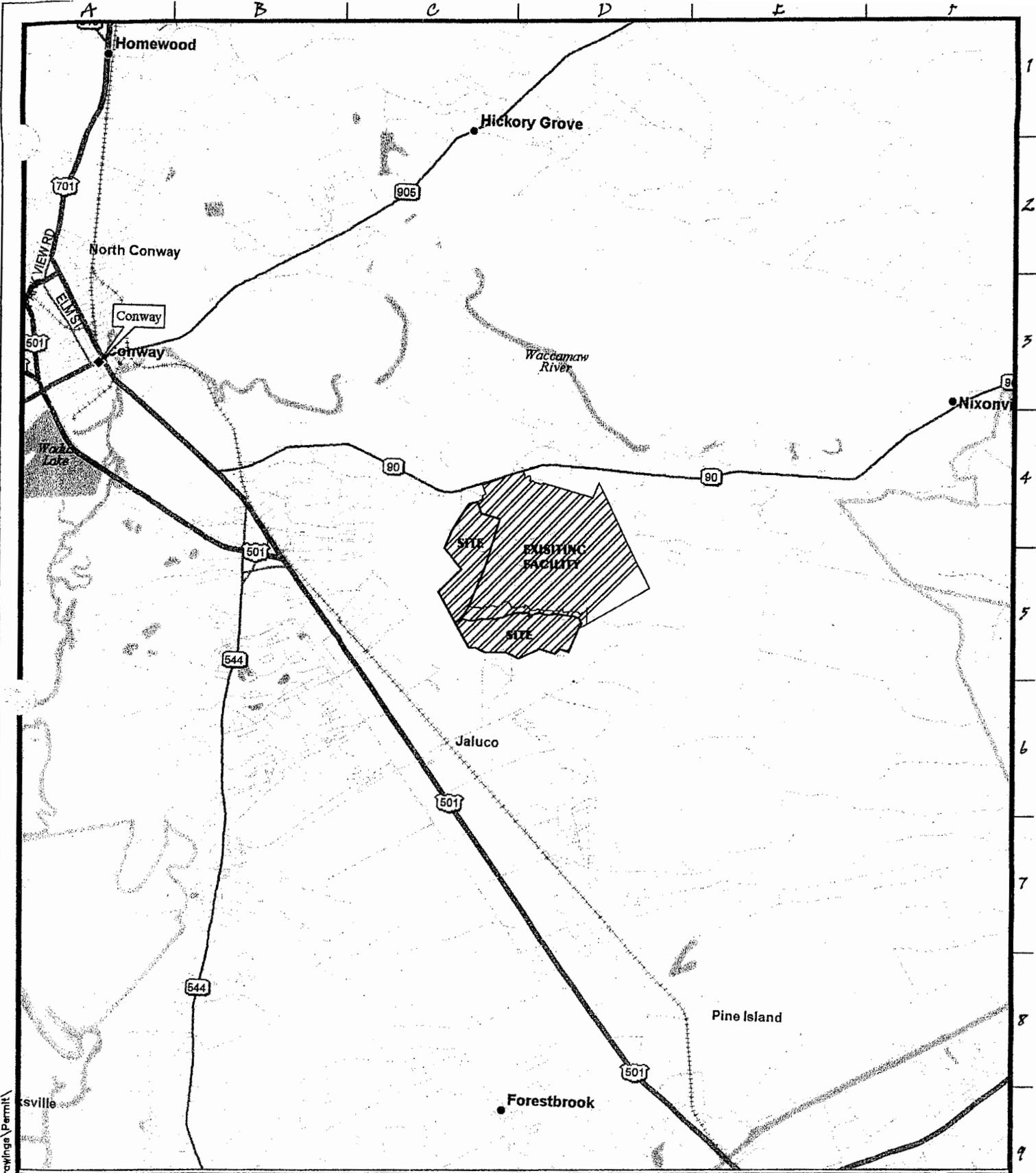
28 JANUARY 2005

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.

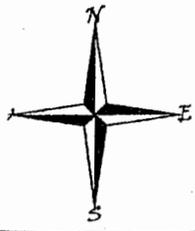
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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 843-329-8167 or toll free at 1-866-329-8187.


Robin Collier-Socha
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



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VICINITY MAP
**BORROW AREA EXPANSION/
 FACILITY IMPROVEMENTS(POP.)**
404 PERMIT APPLICATION

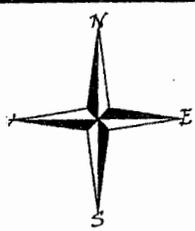
DATE: 9/14/04
 APPLICATION NO. _____

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THE WETLAND DELINEATIONS USED IN PREPARING THIS WETLAND MASTER PLAN HAVE BEEN DONE IN ACCORDANCE WITH CORPS. OF ENGINEERS METHODS AND TECHNIQUES AND ARE AN ACCURATE REPRESENTATION OF ALL JURISDICTIONAL WETLANDS WITHIN THE PROJECT. THE DELINEATION HAS BEEN REVIEWED AND APPROVED BY THE CORPS. AND ASSIGNED THE FOLLOWING DELINEATION NUMBER: SAC 81-2000-0110



M. JOBS 200
134-04092 Drawings Permit



PROJECT LOCATION MAP

**BORROW AREA EXPANSION/
FACILITY IMPROVEMENTS (PROP.)**

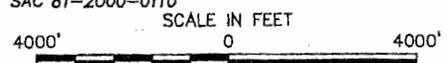
404 PERMIT APPLICATION

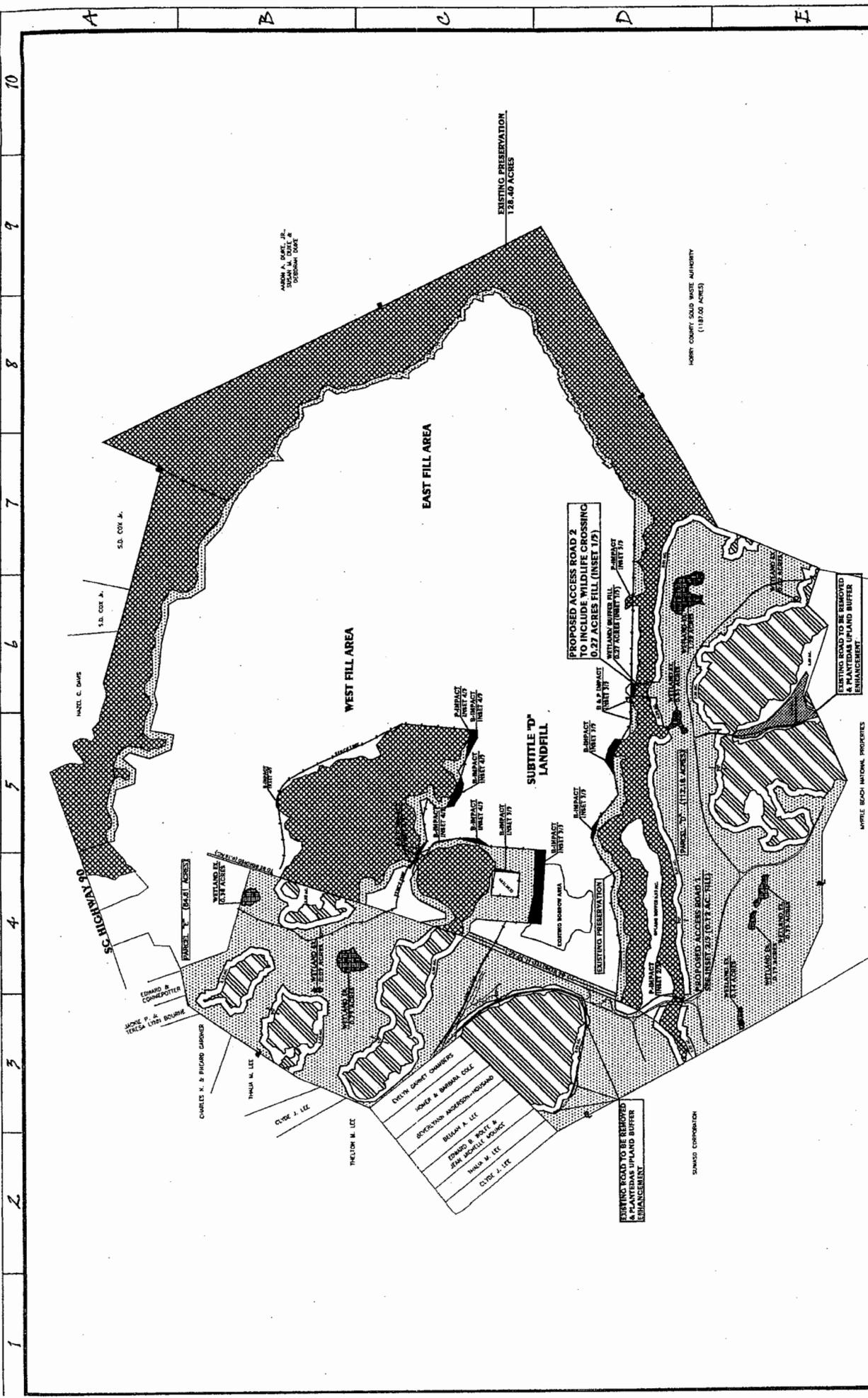
DATE: 9/14/04

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APPLICATION NO. _____

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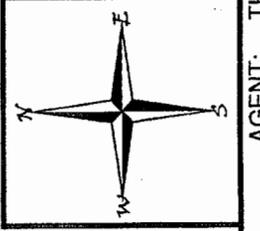


ORIG. WETLANDS	61.06 ACRES
PROP. WETLAND EXCAV.	3.43 ACRES
PROP. WETLAND FILL	0.39 ACRES
WETLAND PRESERVATION	57.24 ACRES
PROP. UPLAND BUFFER	36.03 ACRES
AREA OF DISTURBANCE	124.79 ACRES
BUFFER ENHANCEMENT	2.55 ACRES

OVERALL PLAN VIEW
**BORROW AREA EXPANSION/
 FACILITY IMPROVEMENTS (PROP.)**

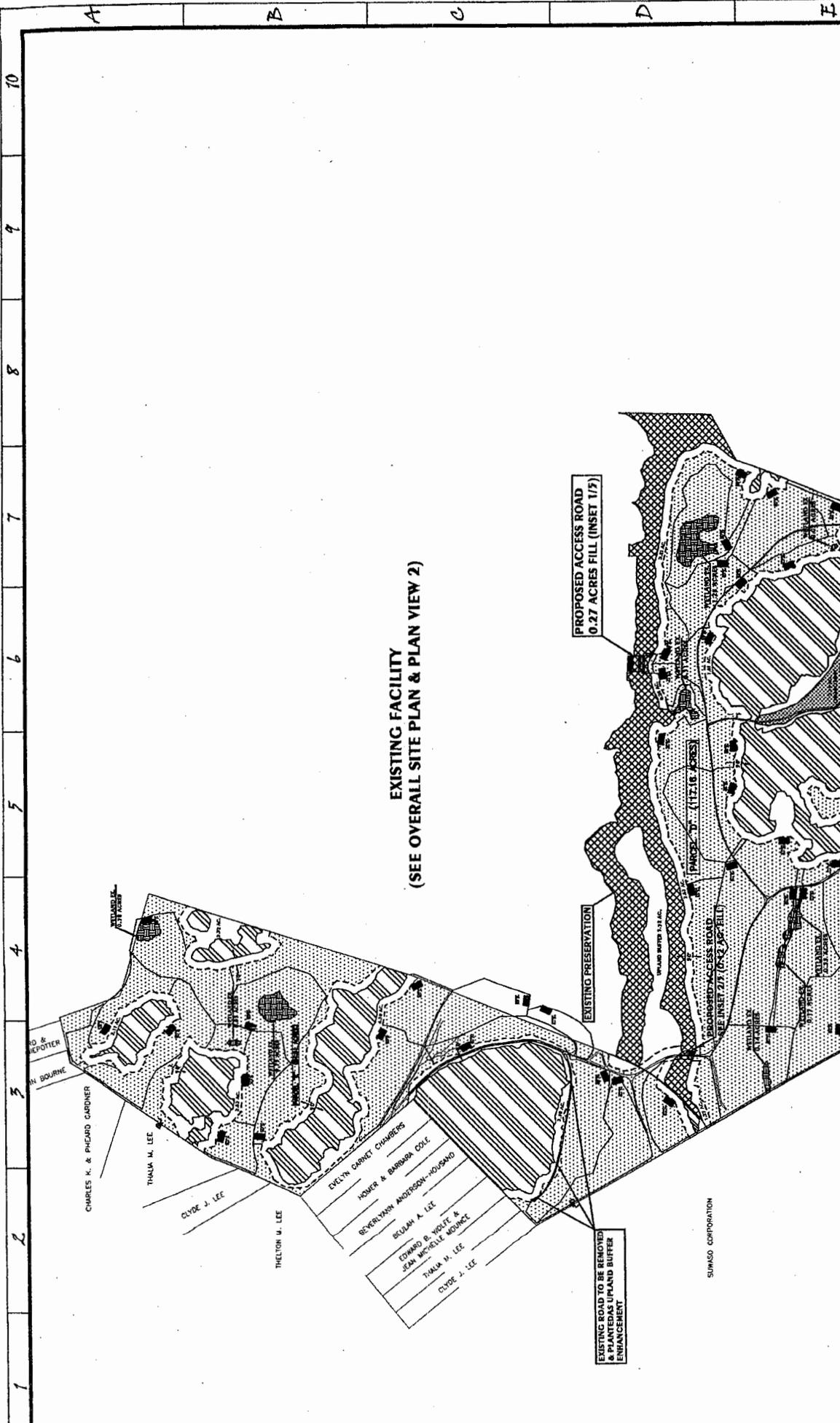
404 PERMIT APPLICATION PAGE 3/6

DATE: 9/14/04 APPLICATION NO. _____



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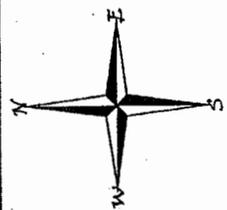
SCALE IN FEET
 0 900'



EXISTING FACILITY
(SEE OVERALL SITE PLAN & PLAN VIEW 2)

THE WETLAND DELINEATIONS USED IN PREPARING THIS WETLAND MASTER PLAN HAVE BEEN DONE IN ACCORDANCE WITH CORPS. OF ENGINEERS METHODS AND TECHNIQUES AND ARE AN ACCURATE REPRESENTATION OF ALL JURISDICTIONAL WETLANDS WITHIN THE PROJECT. THE DELINEATION HAS BEEN REVIEWED AND APPROVED BY THE CORPS. AND ASSIGNED THE FOLLOWING DELINEATION NUMBER: SAC 81-2000-0110

SCALE IN FEET
0 900'

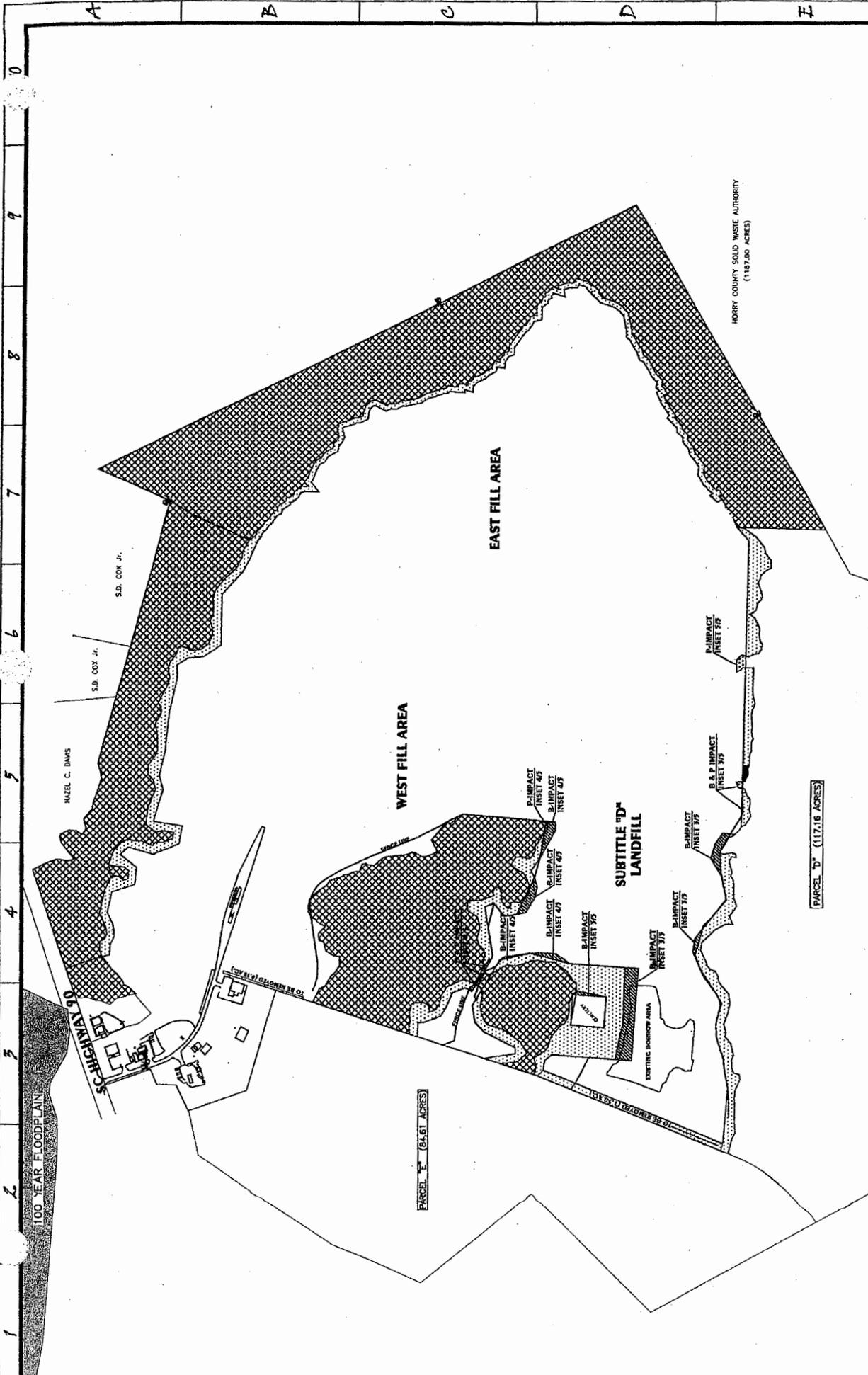


PLAN VIEW 1 (PROPOSED ACTIONS)
**BORROW AREA EXPANSION/
 FACILITY IMPROVEMENTS (PROP.)**
404 PERMIT APPLICATION

DATE: 9/14/04
 APPLICATION NO. _____

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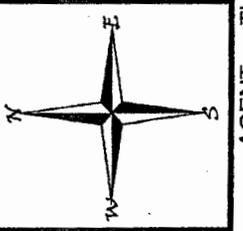
	ORIGINAL WETLANDS	61.06 ACRES
	PROP. WETLAND EXCAV.	3.43 ACRES
	PROP. WETLAND FILL	0.39 ACRES
	WETLAND PRESERVATION	57.24 ACRES
	UPLAND BUFFER	36.03 ACRES
	AREA OF DISTURBANCE	124.79 ACRES
	BUFFER ENHANCEMENT	2.55 ACRES



HORRY COUNTY SOLID WASTE AUTHORITY
(1187.00 ACRES)

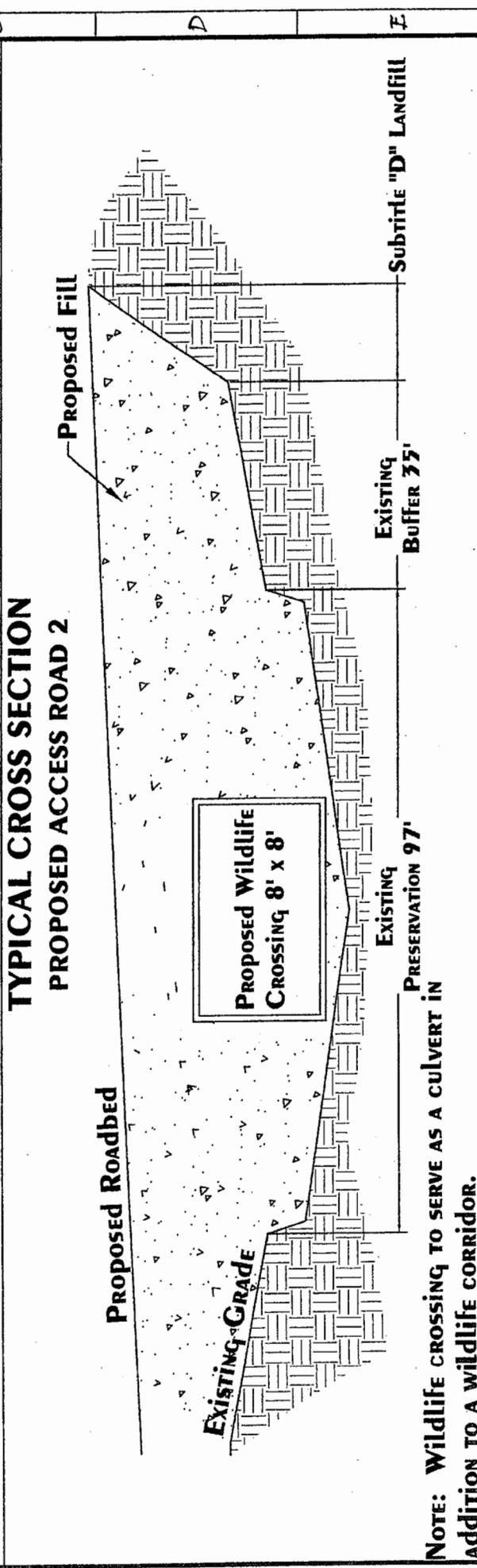
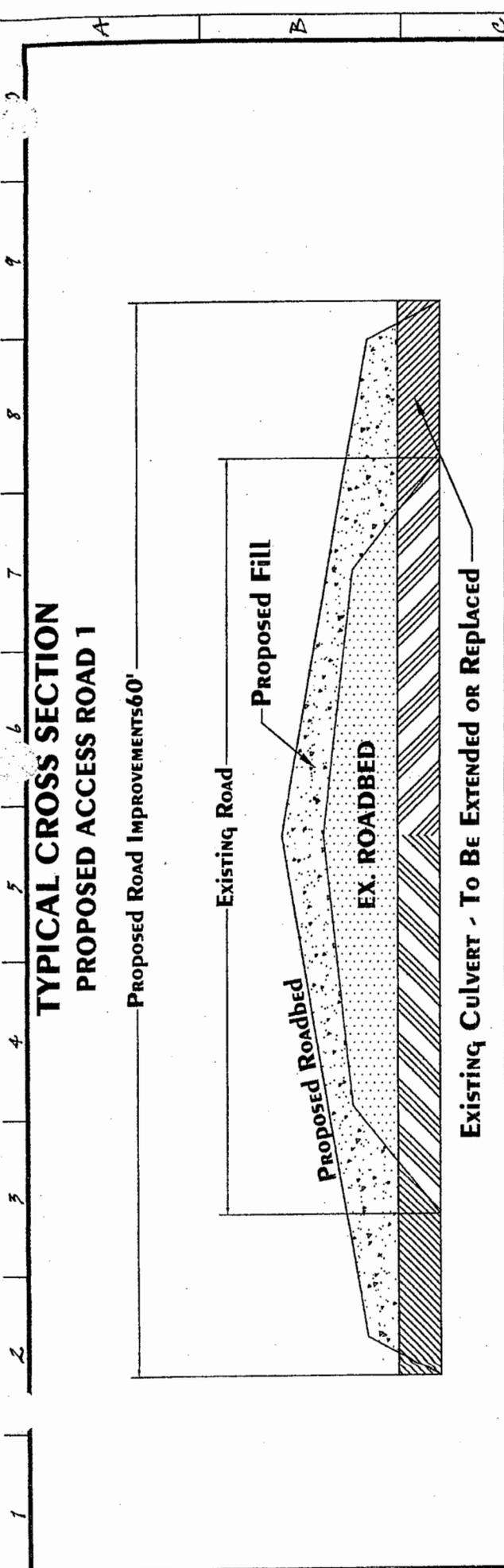
TOTAL PROP. AREA	489.10 ACRES
PROP. BUFFER IMPACT	0.10 ACRES
EXIST. BUFFER IMPACT	2.34 ACRES
EXIST. PRES. IMPACT	0.63 ACRES
EXISTING BUFFER	28.17 ACRES
EXIST. PRESERVATION	128.40 ACRES
BUFFER TO BE REMOVED	1.66 ACRES

PLAN VIEW 2 (EXISTING ACTIONS)
**BORROW AREA EXPANSION/
 FACILITY IMPROVEMENTS (PROP.)**
 404 PERMIT APPLICATION
 DATE: 9/14/04
 APPLICATION NO. _____
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THE WETLAND DELINEATIONS USED IN PREPARING THIS WETLAND MASTER PLAN HAVE BEEN DONE IN ACCORDANCE WITH CORP. OF ENGINEERS METHODS AND TECHNIQUES AND ARE AN ACCURATE REPRESENTATION OF ALL JURISDICTIONAL WETLANDS WITHIN THE PROJECT. THE DELINEATION HAS BEEN REVIEWED AND APPROVED BY THE CORPS. AND ASSIGNED THE FOLLOWING DELINEATION NUMBER: SAC 81-2000-0110

SCALE IN FEET
 0 900'

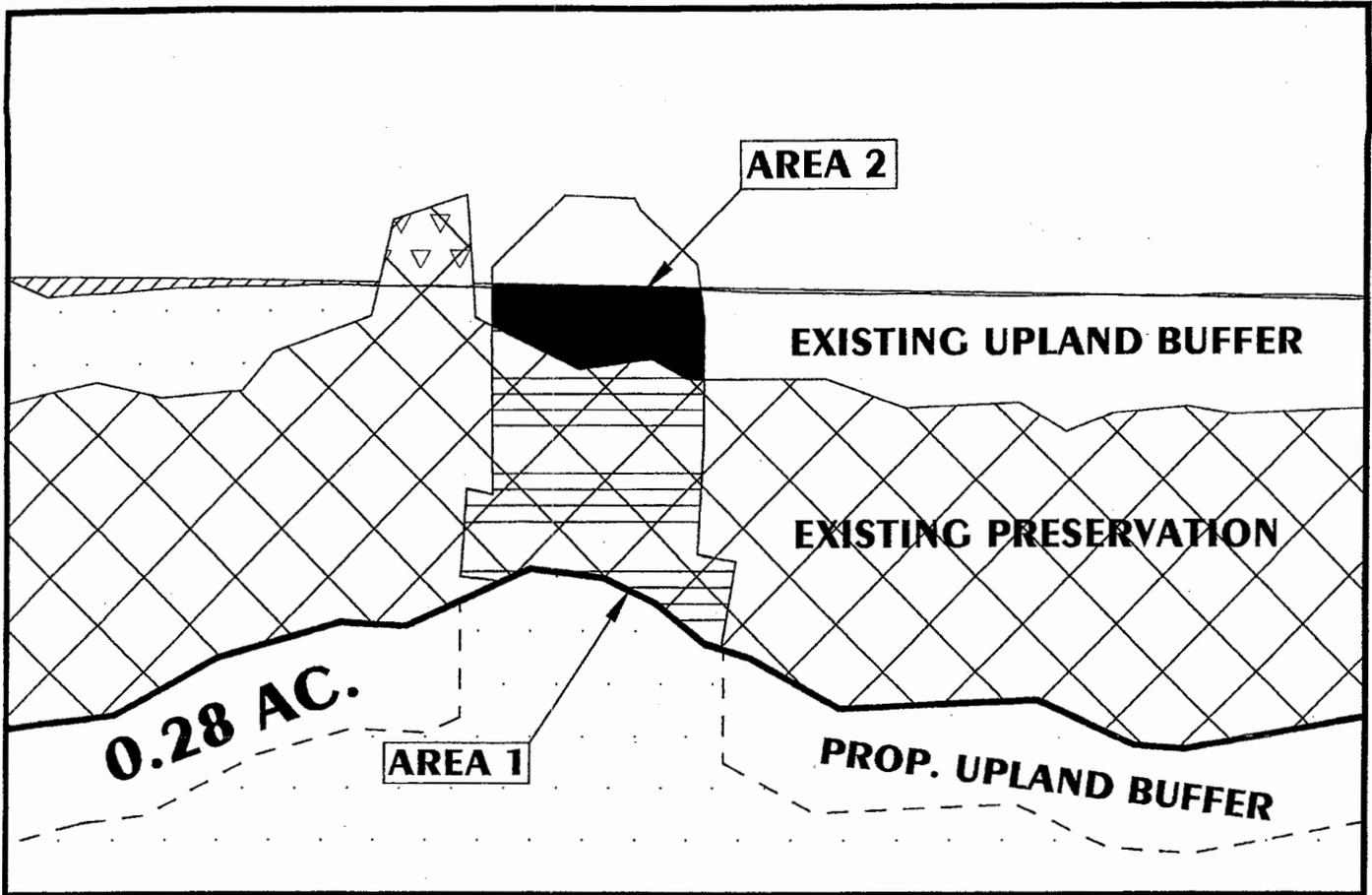


NOTE: Wildlife crossing to serve as a culvert in addition to a wildlife corridor.

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SECTION VIEW
**BORROW AREA EXPANSION/
 FACILITY IMPROVEMENTS (PROP.)**
 404 PERMIT APPLICATION PAGE 6/6
 DATE: 9/14/04 APPLICATION NO. _____

	N/A	N/A

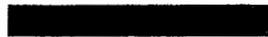


AREA OF IMPACT 1:	<u>0.27</u>	ACRES	<u>11,761</u>	SQ. FT.
AREA OF IMPACT 2:	<u>0.10</u>	ACRES	<u>4,356</u>	SQ. FT.

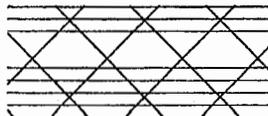
TYPE OF IMPACT: **PROPOSED PLACEMENT OF FILL MATERIAL IN UPLAND BUFFER & PROPOSED PLACEMENT OF FILL MATERIAL IN WETLAND PRESERVATION.**

REMARKS: **DUE TO THE NEED FOR ACCESS INTO PARCEL D FOR FILL MATERIAL THIS IMPACT IS UNAVOIDABLE.**

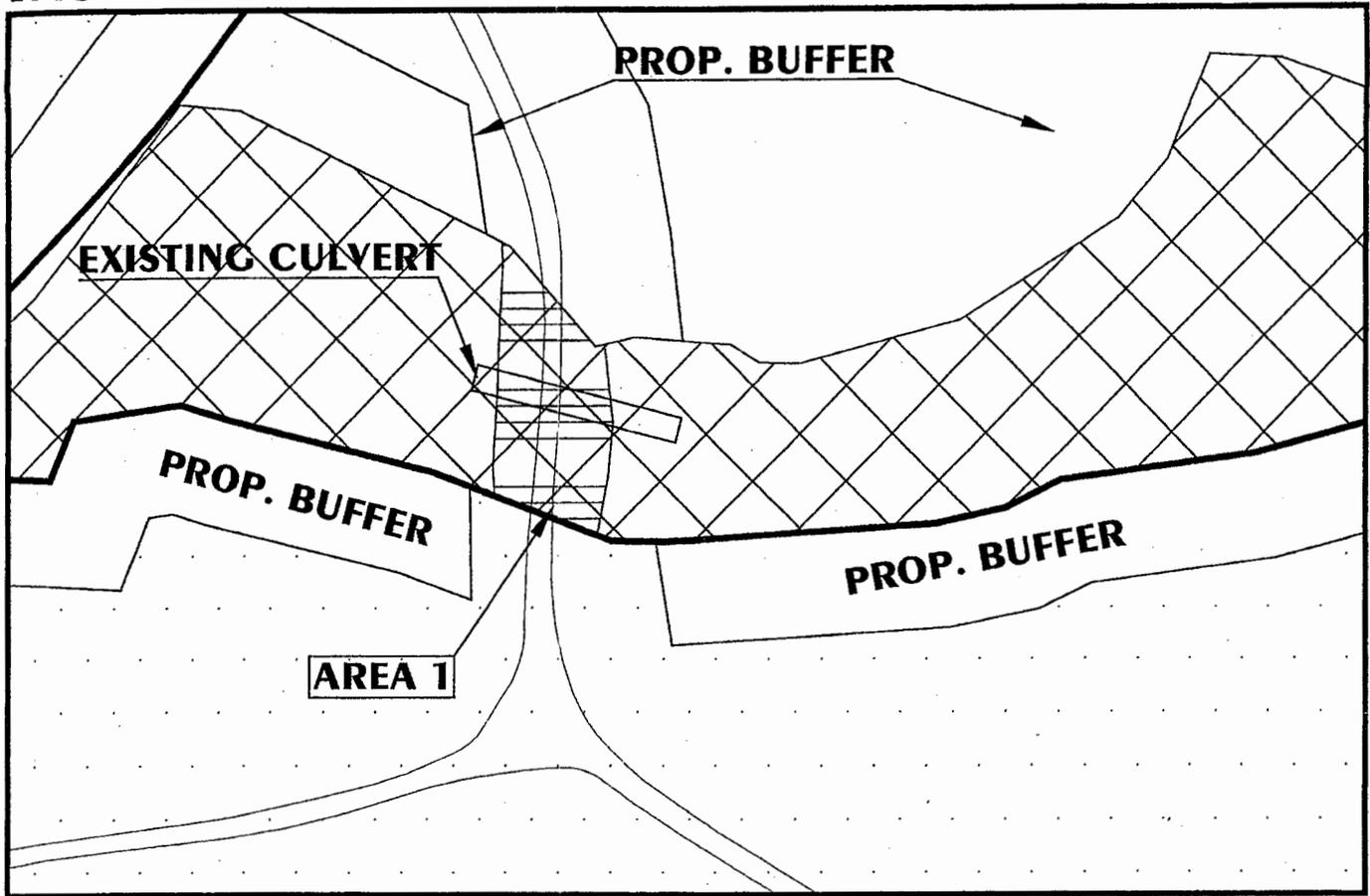
UPLAND BUFFER ENCROACHMENT



WETLAND PRESERVATION ENCROACHMENT (PROPOSED FILL)



INSET 2/5



AREA OF IMPACT 1: 0.12 ACRES 5,369 SQ. FT.

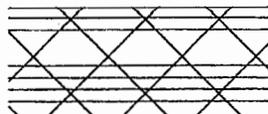
TYPE OF IMPACT: EXISTING PLACEMENT OF FILL MATERIAL IN WETLAND PRESERVATION.

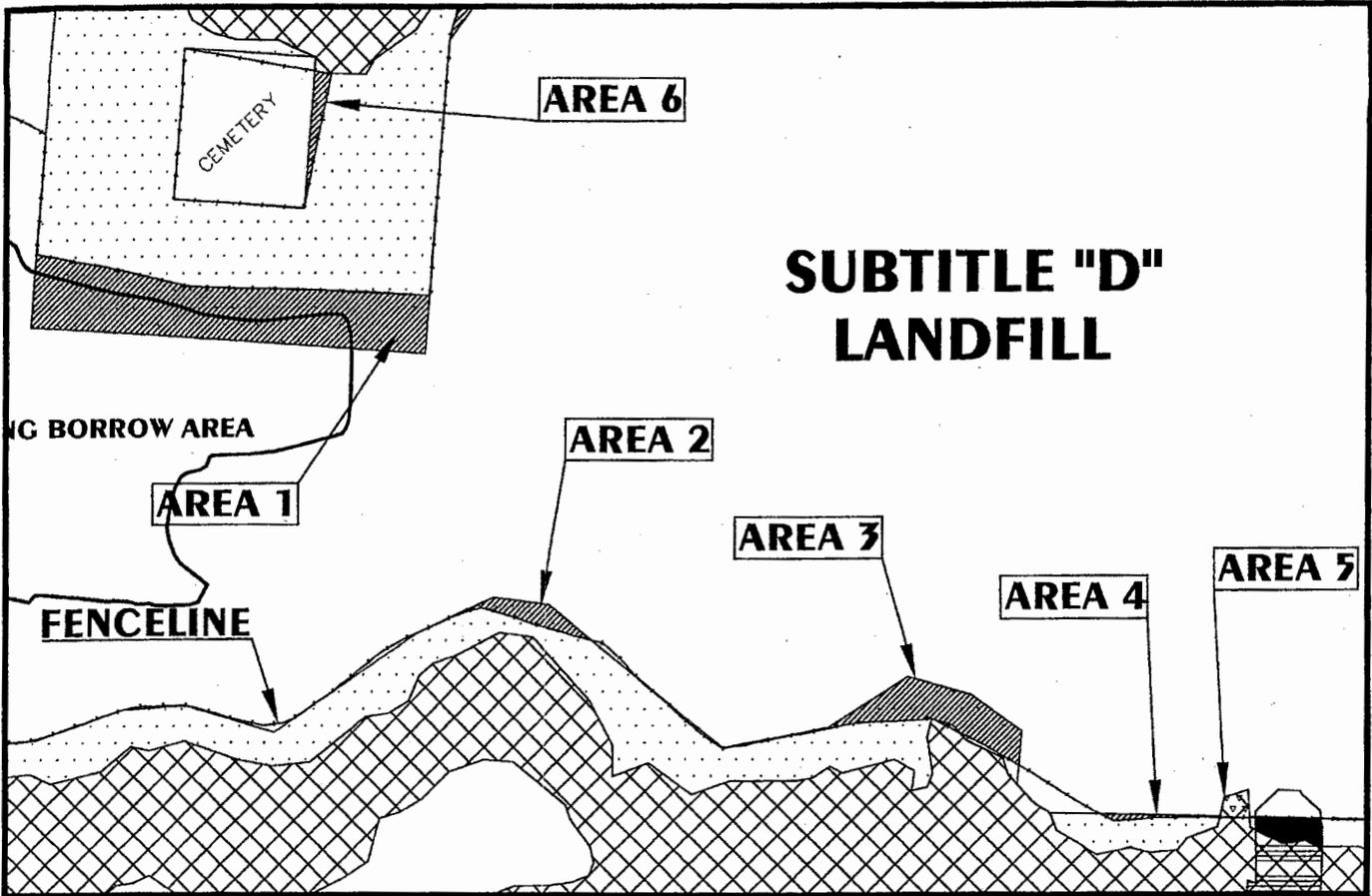
REMARKS: AREA 1 IS CURRENTLY USED AS A SECONDARY ACCESS TO PARCEL D. THIS IMPACT HAS BEEN IN PLACE FOR APPROXIMATELY 7+ YEARS. THE CURRENT ROAD CROSSING HAS A CULVERT IN PLACE TO ALLOW FOR WATER TRANSFER. HCSWA REQUESTS AUTHORIZATION TO MAINTAIN THIS CROSSING IN ITS CURRENT STATE.

EXISTING PRESERVATION



WETLAND PRESERVATION ENCROACHMENT (PROPOSED FILL)





**SUBTITLE "D"
LANDFILL**

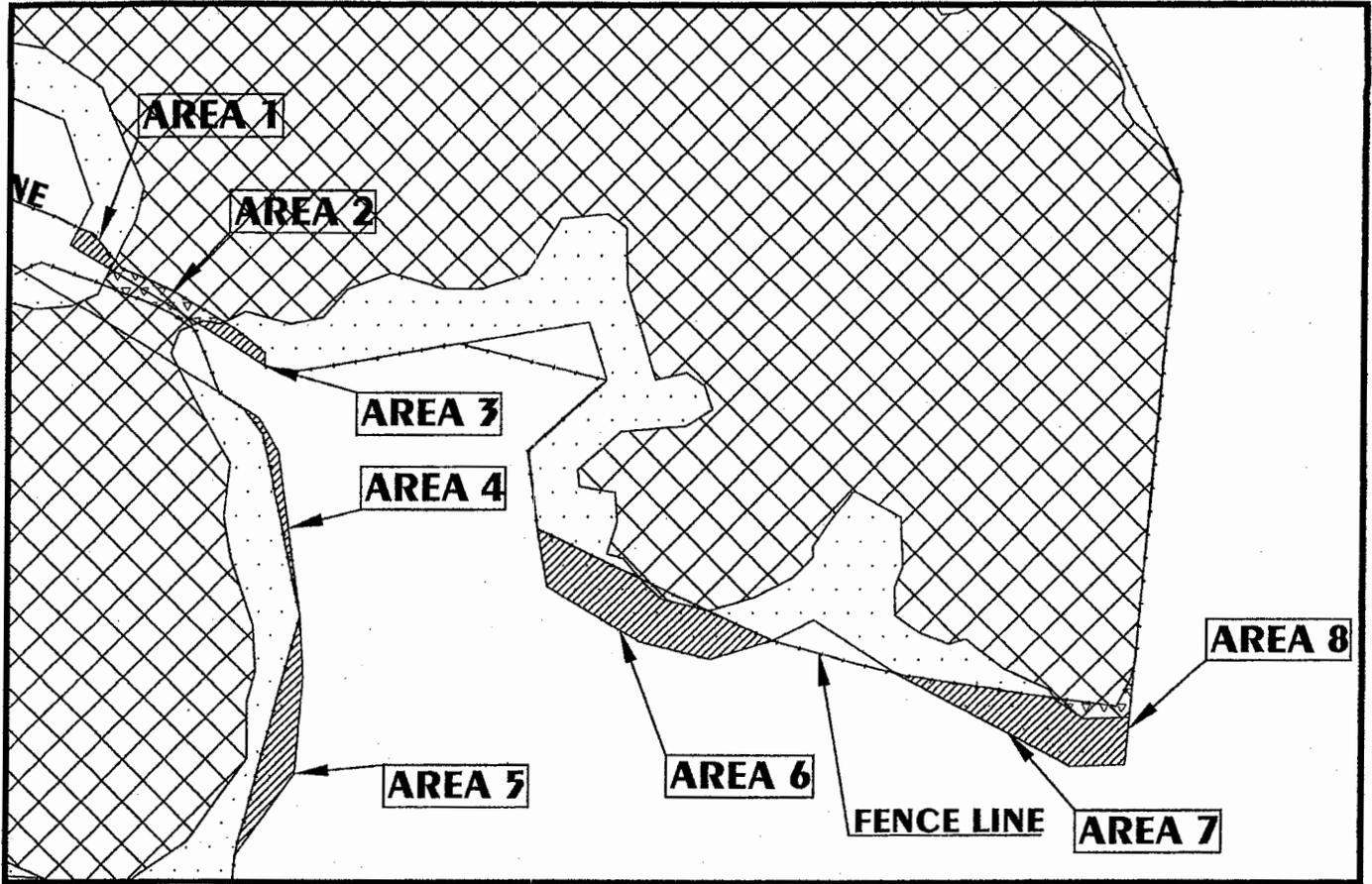
AREA OF IMPACT 1:	<u>1.16</u>	ACRES	<u>50,917</u>	SQ. FT.
AREA OF IMPACT 2:	<u>0.09</u>	ACRES	<u>3,852</u>	SQ. FT.
AREA OF IMPACT 3:	<u>0.31</u>	ACRES	<u>13,487</u>	SQ. FT.
AREA OF IMPACT 4:	<u>0.02</u>	ACRES	<u>871</u>	SQ. FT.
AREA OF IMPACT 5:	<u>0.03</u>	ACRES	<u>1,456</u>	SQ. FT.
AREA OF IMPACT 6:	<u>0.06</u>	ACRES	<u>2,645</u>	SQ. FT.

TYPE OF IMPACT: EXISTING PLACEMENT OF FILL MATERIAL AND EXCAVATION IN UPLAND BUFFER & PRESERVATION. RESULTS FROM ENCROACHMENT OF SUBTITLE D LANDFILL AND THE EXCAVATION OF BORROW AREA.

REMARKS: ALL OF THE ABOVE AREAS ARE CURRENTLY DEPICTED BY AN EXISTING FENCELINE. THE FENCE LINE IS POSTED WITH "CONSERVATION AREA DO NOT DISTURB" SIGNS. HCSWA REQUESTS AUTHORIZATION TO MAINTAIN THE CURRENT FENCE LINE AS THE NEW UPLAND BUFFER LINE.

- UPLAND BUFFER ENCROACHMENT**
- FENCE LINE**
- EXISTING PRESERVATION**
- EXISTING UPLAND BUFFER**

INSET 4/5



AREA OF IMPACT 1:	0.02	ACRES	900	SO. FT.
AREA OF IMPACT 2:	0.06	ACRES	2,706	SO. FT.
AREA OF IMPACT 3:	0.02	ACRES	1,034	SO. FT.
AREA OF IMPACT 4:	0.03	ACRES	1,431	SO. FT.
AREA OF IMPACT 5:	0.13	ACRES	5,544	SO. FT.
AREA OF IMPACT 6:	0.28	ACRES	11,993	SO. FT.
AREA OF IMPACT 7:	0.22	ACRES	9,473	SO. FT.
AREA OF IMPACT 8:	0.03	ACRES	1,269	SO. FT.

TYPE OF IMPACT: EXISTING PLACEMENT OF FILL MATERIAL IN UPLAND BUFFER & PRESERVATION. RESULTS FROM ENCROACHMENT OF SUBTITLE D LANDFILL.

REMARKS: ALL OF THE ABOVE AREAS ARE CURRENTLY DEPICTED BY AN EXISTING FENCELINE. THE FENCE LINE IS POSTED WITH "CONSERVATION AREA DO NOT DISTURB" SIGNS. HCSWA REQUESTS AUTHORIZATION TO MAINTAIN THE CURRENT FENCE LINE AS THE NEW UPLAND BUFFER LINE.

PRESERVATION ENCROACHMENT	▽▽▽▽▽▽▽▽▽▽▽▽▽▽
UPLAND BUFFER ENCROACHMENT	//////
FENCE LINE	- - - - -
EXISTING PRESERVATION	XXXXXX
EXISTING UPLAND BUFFER

