

PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

REGULATORY DIVISION
Refer to: P/N SAC-2022-00673

July 8, 2022

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), a Prospectus has been submitted to the Department of the Army and the South Carolina Interagency Review Team by

**HGS, LLC
c/o Resource Environmental Solutions
701 East Bay Street, Suite 306
Charleston, South Carolina 29403**

for a proposal to establish and operate a stream and wetland mitigation bank that is located within the

South Fork Edisto River Watershed

at a location north of Springfield, SC, on Furtlick Drive in Orangeburg County, South Carolina (Latitude: 33.061895°, Longitude: -80.442707°), Springfield SC Quadrangle sheet.

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 the **Corps** until

30 Days from the Date of this Notice,

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

The proposal consists of establishing a freshwater stream and wetland mitigation bank in the South Fork Edisto River watershed (8-digit HUC 03050204) in the Mid-Atlantic Coastal Plain Region. The proposed 564-acre mitigation site includes approximately 13,872 linear feet of stream and 527.59 acres of wetlands. According to the Prospectus, the mitigation work plan includes vegetative and hydrologic enhancement of 336.03 acres of wetlands. Wetland enhancement will be through means of replanting native hardwoods and removal of logging roads. Stream enhancement of 4,426 linear feet will be done through installation of brush toes, constructed riffles and pools, and replacement of culverts associated with Furtlick Drive. In addition, preservation of 196.22 acres of wetlands and 9,446 linear feet of stream is proposed. Once the mitigation work is completed, the bank sponsor proposes to monitor the mitigation site to ensure that the restoration areas are developing as expected and meeting the necessary performance standards.

The proposed mitigation bank will provide in-kind compensatory mitigation for authorized impacts to aquatic resources located in the South Fork Edisto, Middle Savannah, and North Fork Edisto Watersheds as shown on the attached Service Area Map. The work required to complete the proposed activities on the mitigation site may be authorized under Nationwide Permit #27 after reviews by the Corps, the South Carolina Department of Health and Environmental Control, and the Interagency Review Team. The mitigation bank site will be protected by the bank sponsor using a conservation easement.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices>.

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 bank sponsor is hereby advised that supplemental information may be required by the State to facilitate the review.

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 not impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's 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). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information, that Red-cockaded woodpecker (*Picoides borealis*) and American wood stork (*Mycteria americana*) have the potential to occur within the vicinity of the project area. However, the District Engineer has determined that the project is not likely to adversely affect the Red-cockaded woodpecker (*Picoides borealis*) and American wood stork (*Mycteria americana*) or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(1)(1)), and has initially determined that there are historic properties present, but they will not be affected; therefore, there will be no effect on historic properties. To ensure that other historic properties 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 and other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

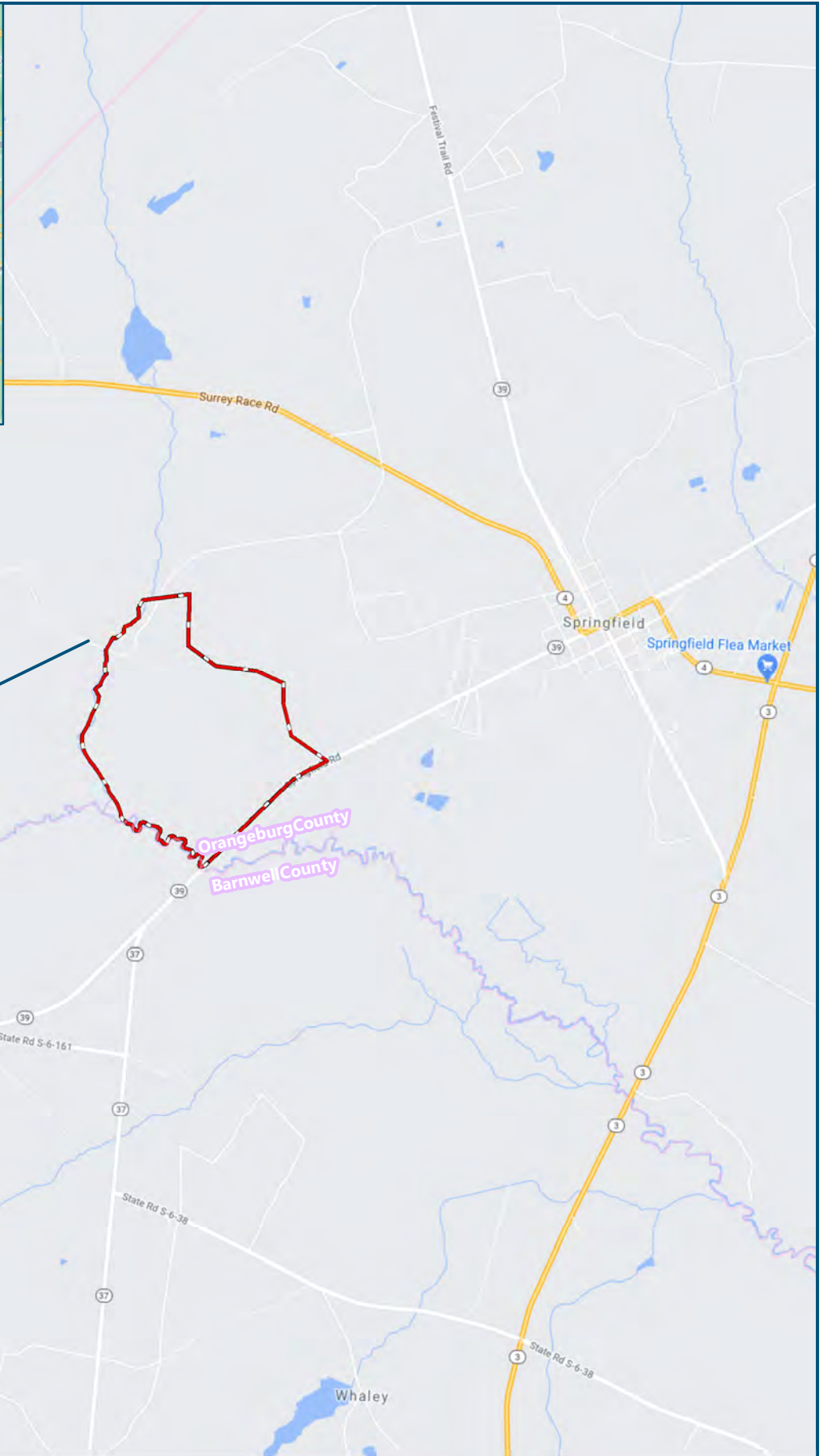
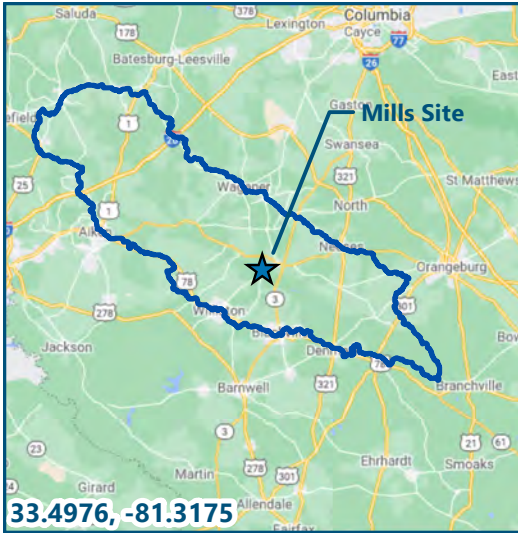
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to approve or deny the proposed mitigation bank will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. 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.

The Corps is soliciting comments from the public; Federal, state, 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 to determine whether to approve or deny the proposed mitigation bank. 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

US ARMY CORPS OF ENGINEERS
Regulator Division
69a Hagood Ave
Charleston, SC 29403

The Prospectus for the proposed mitigation bank is available for review upon request. If there are any questions concerning this public notice, please contact David B. Wilson, at (843) 329-8026 or by email at David.B.Wilson@usace.army.mil.



Legend

-  Project Parcel
-  South Fork Edisto - 03050204

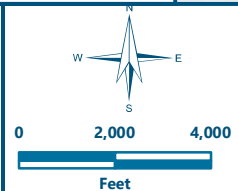
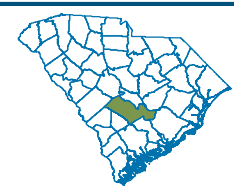
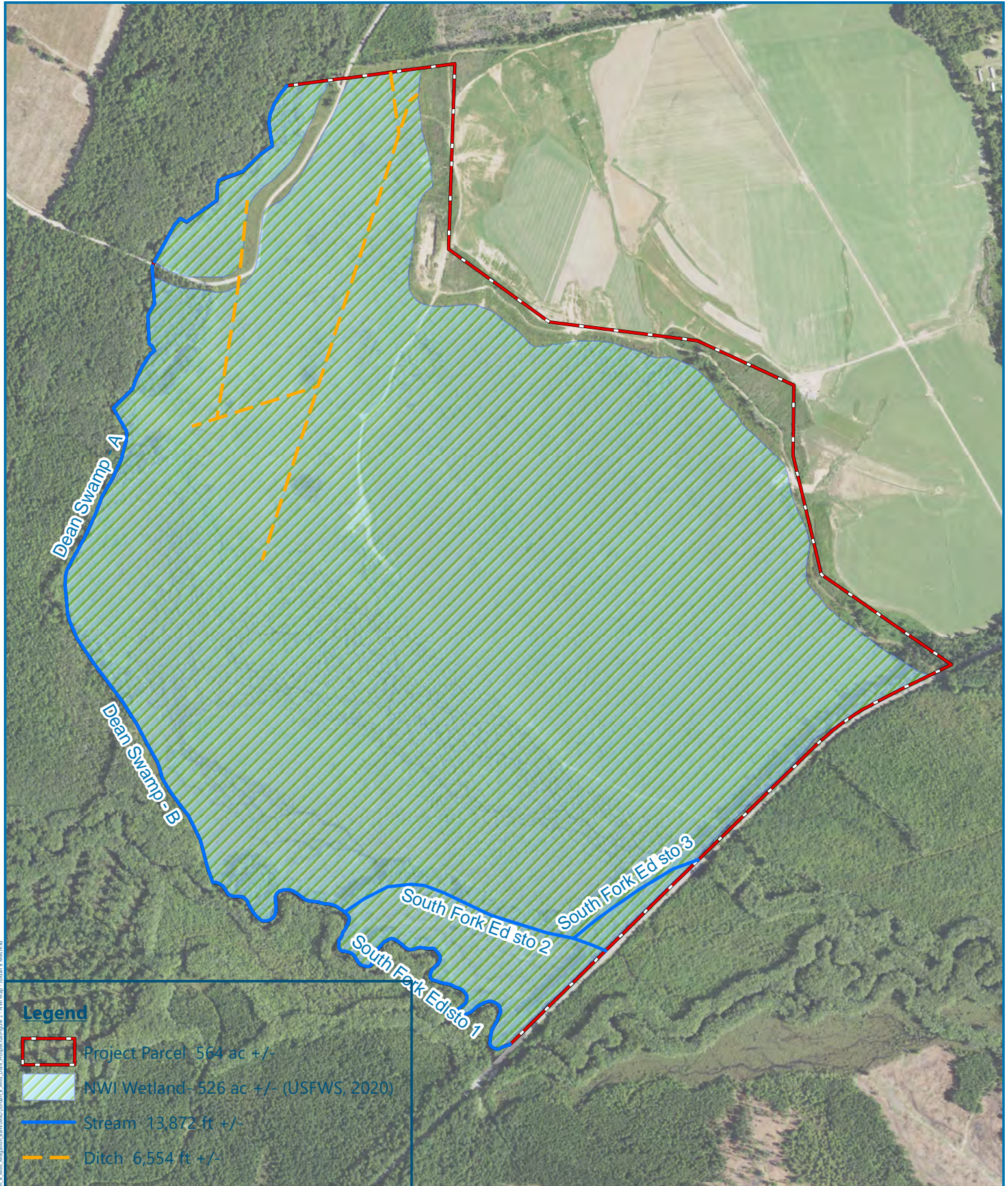


Figure 1 - Location Map
Jordan B. Mills Mitigation Bank
Orangeburg County, South Carolina





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| Date: 6/25/2021 |
| Drawn by: RPP |
| Checked by: CR |
| 1 inch = 4,000 Feet |



Document Path: K:\Borg\Projects\Projects\102128 Jordan B. Mills Mitigation Bank\W000Jordan B. Mills Draft Prospectus\Figure 1 - Location Map - Jordan B. Mills.mxd



Legend

-  Project Parcel 564 ac +/-
-  NWI Wetland- 526 ac +/- (USFWS, 2020)
-  Stream 13,872 ft +/-
-  Ditch 6,554 ft +/-

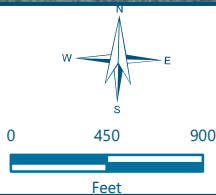
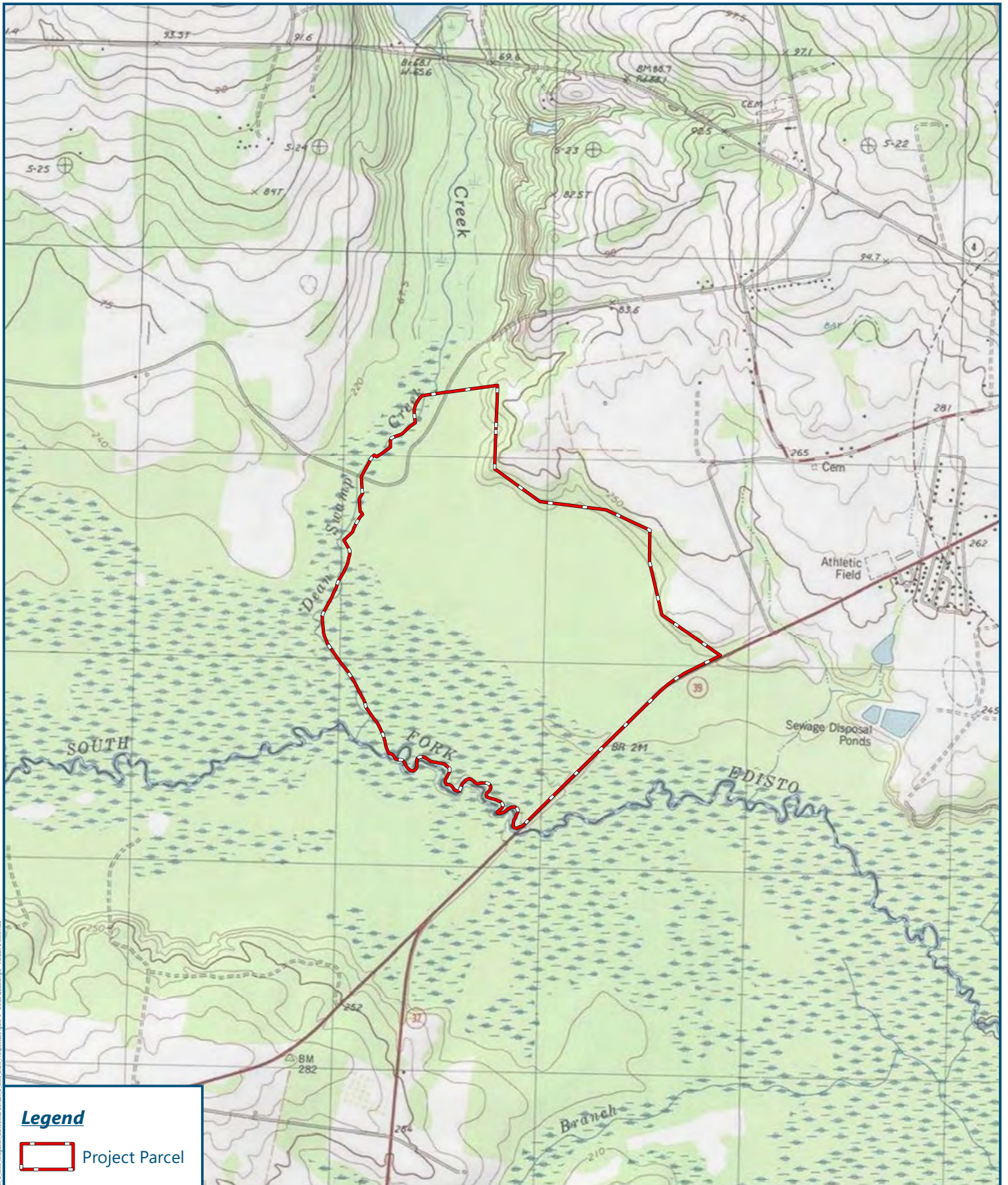


Figure 2 - National Wetlands Inventory
Jordan B. Mills Mitigation Bank
Orangeburg County, South Carolina

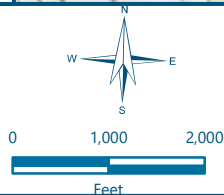
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| Drawn by: RPP |
| Checked by: CR |
| 1 inch = 900 feet |





Legend

 Project Parcel



**Figure 3 - USGS Quadrangle
Springfield (1979)
Jordan B. Mills Mitigation Bank
Orangeburg County, South Carolina**

Date: 6/25/2021

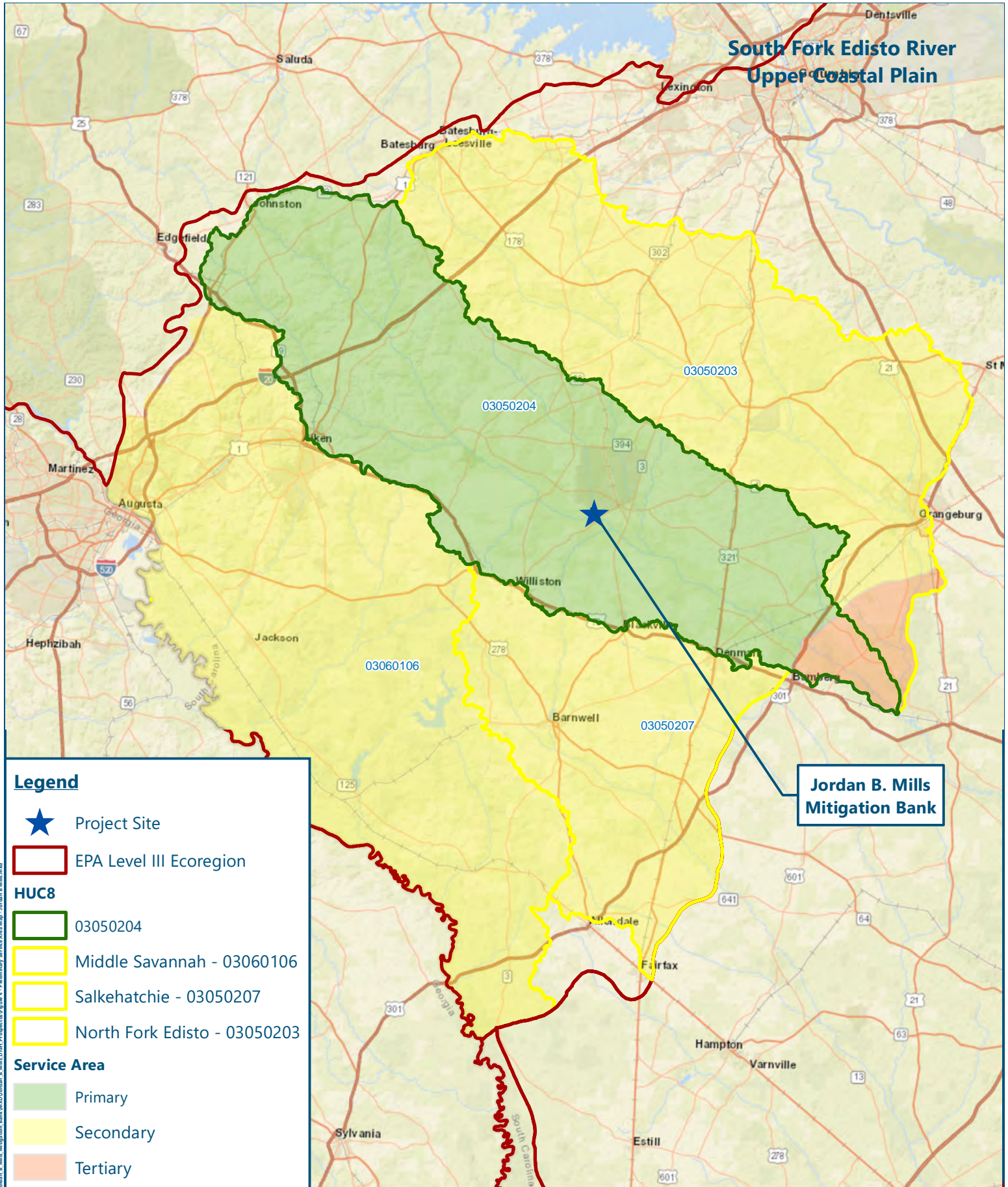
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1 inch = 2,000 Feet



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**South Fork Edisto River
Upper Coastal Plain**

**Jordan B. Mills
Mitigation Bank**

Legend

- Project Site
- EPA Level III Ecoregion

HUC8

- 03050204
- Middle Savannah - 03060106
- Salkehatchie - 03050207
- North Fork Edisto - 03050203

Service Area

- Primary
- Secondary
- Tertiary

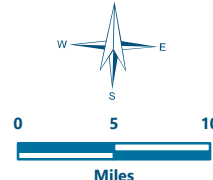
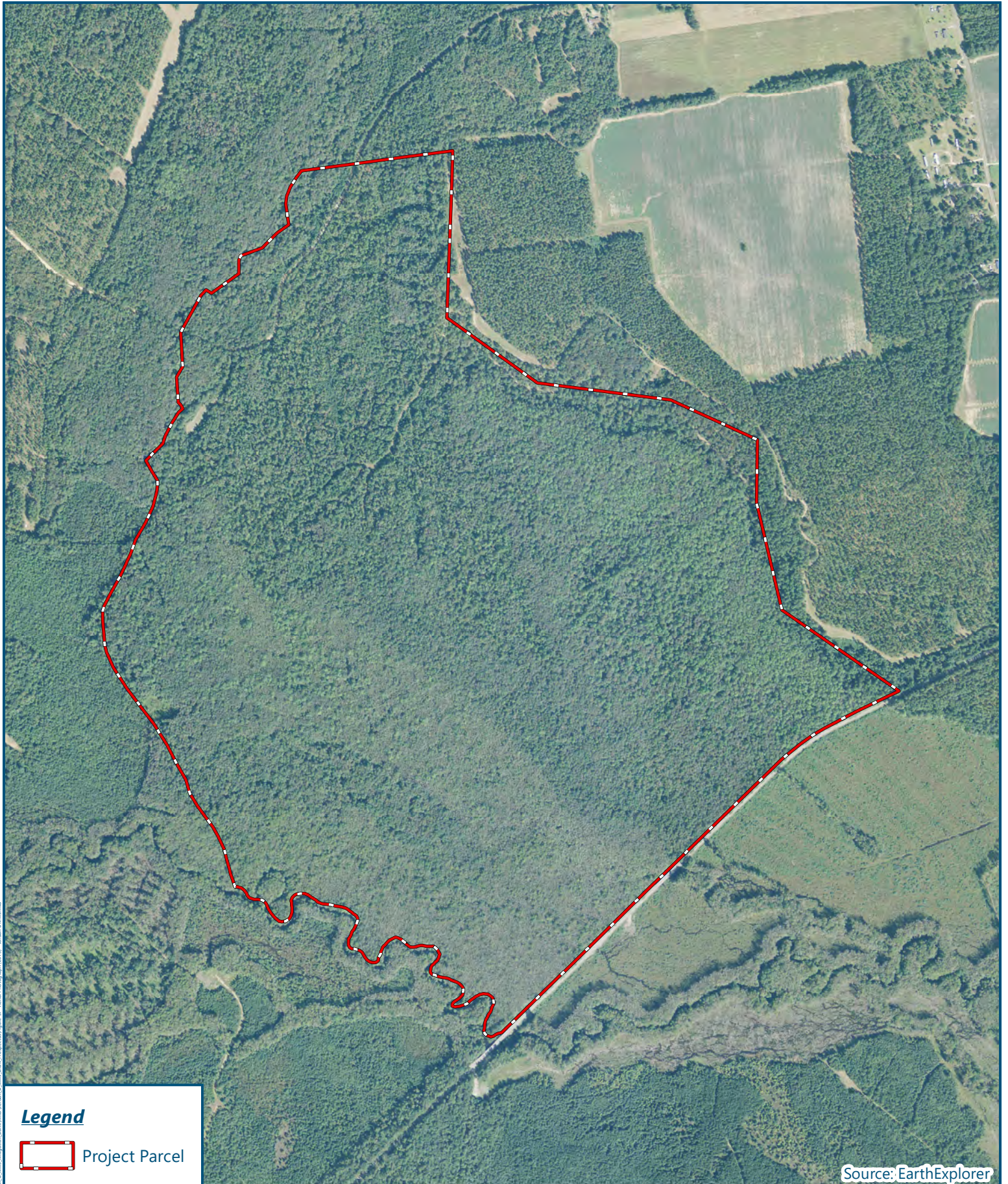


Figure 4 - Watershed and Service Area
Jordan B. Mills Mitigation Bank
Orangeburg County, South Carolina

Date: 6/25/2021
 Drawn by: RPP
 Checked by: CR
 1 inch = 10 Miles



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Legend

 Project Parcel

Source: EarthExplorer

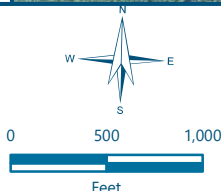
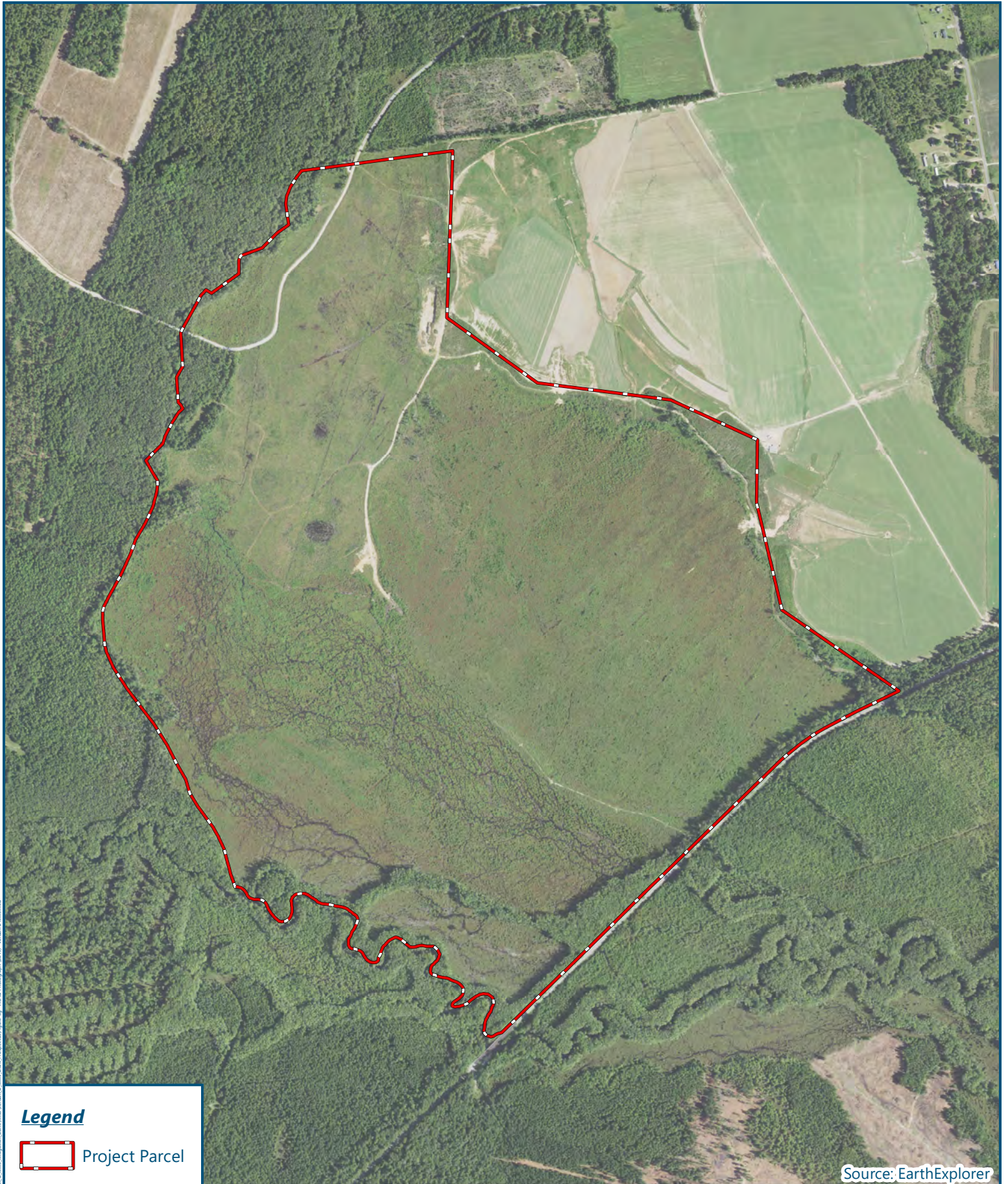


Figure 5f - Aerial Photograph (2013)
Jordan B. Mills Mitigation Bank
Orangeburg County, South Carolina

Date: 6/25/2021
Drawn by: RPP
Checked by: CR
1 inch = 1,000 Feet



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Legend

 Project Parcel

Source: EarthExplorer

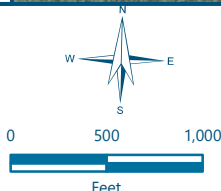
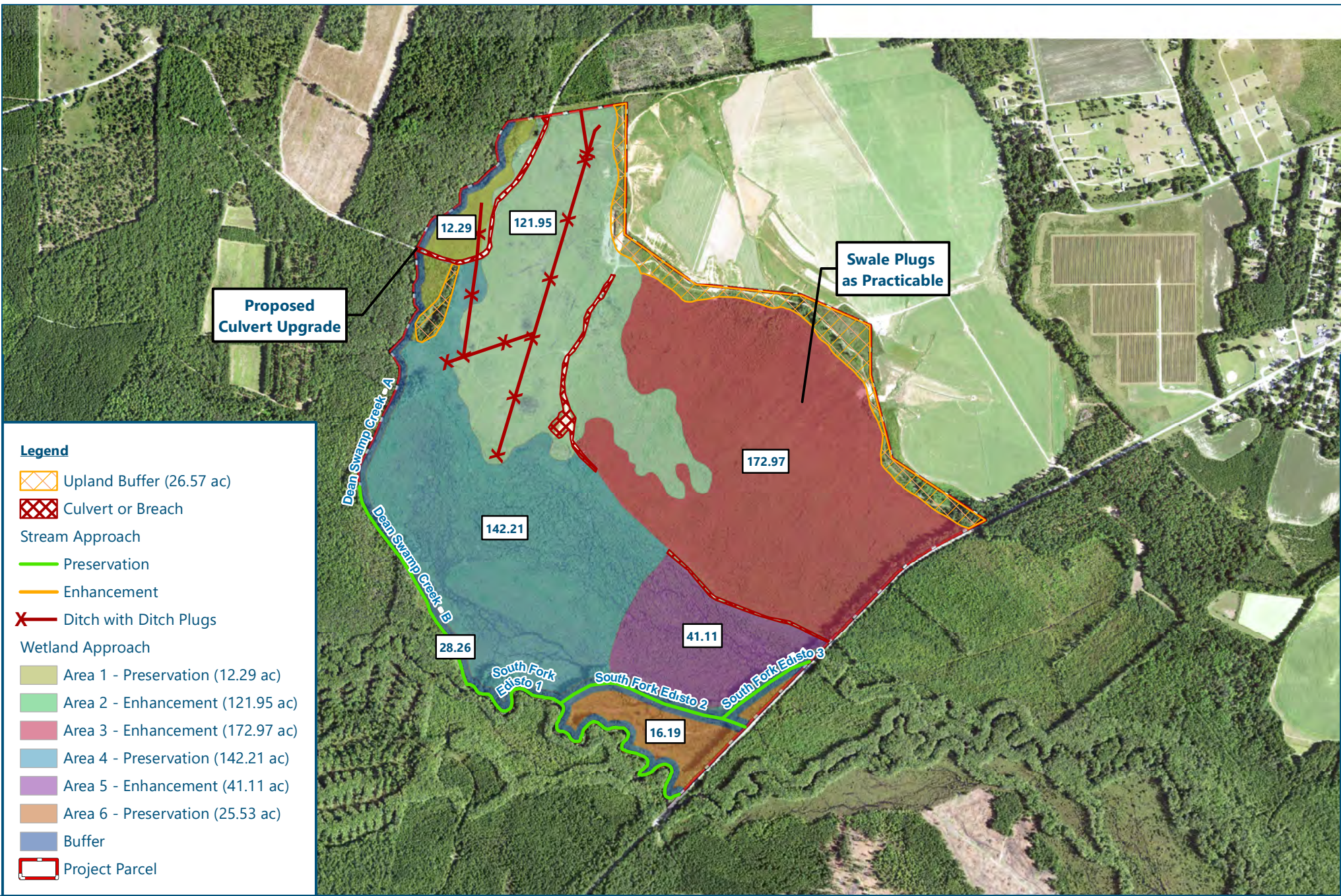


Figure 5g - Aerial Photograph (2019)
Jordan B. Mills Mitigation Bank
Orangeburg County, South Carolina

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| Date: 6/25/2021 |
| Drawn by: RPP |
| Checked by: CR |
| 1 inch = 1,000 Feet |



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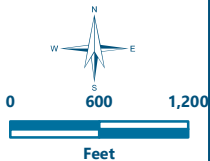


Figure 8 - Conceptual Design

Jordan B. Mills Mitigation Bank

Orangeburg County, South Carolina

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| Date: 2/25/2022 |
| Drawn by: MDE |
| Checked by: CR |
| 1 inch = 1,294.83 Feet |

