

**PUBLIC NOTICE**

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

REGULATORY DIVISION  
Refer to: P/N SAC-2022-01365

September 23, 2022

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341) and the South Carolina Coastal Zone Management Act (48-39-10 et. seq.), a Prospectus has been submitted to the Department of the Army and the South Carolina Interagency Review Team by

**Southeast Mitigation, LLC  
Jeffery R Grant MBR  
120 S Zack Hinton Parkway  
McDonough, GA 30253**

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

**Edisto River Watershed**

at a location north of and adjacent to Russell Creek Road on Little Edisto Island in Charleston County, South Carolina (Latitude: 32.6107°, Longitude: -80.3198°), Edisto Island 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 tidal wetland mitigation bank in the Edisto River Watershed (8-Digit HUC 03050206), in the Southern Coastal Plain Ecoregion. The proposed 51-acre mitigation site includes approximately 4.6 acres of salt marsh, 0.7 acres of open waters, 0.7 acres of freshwater wetlands, 7.6 acres of uplands, and 37.4 acres of impoundments. According to the Prospectus, the mitigation work plan includes the restoration of 4.32 acres of tidal wetlands by removal of dikes and flood control structures and the enhancement of 38.81 acres of tidal wetlands by restoring hydrology and ecological connectivity onsite via dike and flood control structure removal and the construction of over 1,000 yards of tidal and intertidal channels to reintroduce tidal flow. The sponsor is also proposing the establishment of over 1 acre of shellfish (*Crassostrea virginica*) resources within the bank and 4.65 acres of salt marsh preservation onsite. The remainder of the site will be preserved as upland buffer. 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.

As proposed the mitigation bank would provide in-kind compensatory mitigation for authorized impacts to aquatic resources located in the Edisto River, Salkehatchie/Combahee, South Carolina Coastal, Cooper, Stono River, Bulls Bay, Santee River, Broad River, St. Helena Island Drainage, Waccamaw River, Little Pee Dee River, Lower Savannah, and Calibogue Sound/Wright River Watersheds within the Southern Coastal Plain ecoregion 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 review 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 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 Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*), Shortnose Sturgeon (*Acipenser brevirostrum*), Northern long-eared bat (*Myotis septentrionalis*), Black rail (*Laterallus jamaicensis*), American wood stork (*Mycteria americana*), and Florida manatee (*Trichechus manatus*) have the potential to occur within the vicinity of the project area. However, it has been determined that the project will have no effect on Shortnose Sturgeon (*Acipenser brevirostrum*) and Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*) and will not result in the destruction or adverse modification of their designated or proposed critical habitat. Additionally, the District Engineer has determined that the project is not likely to adversely affect the Northern long-eared bat (*Myotis septentrionalis*), Black rail (*Laterallus jamaicensis*), American wood stork (*Mycteria americana*), and Florida manatee (*Trichechus manatus*) 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)(f)(1)), and has initially determined that there are no historic properties present; 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).

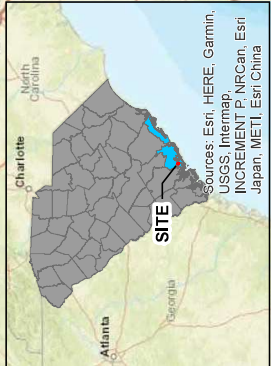
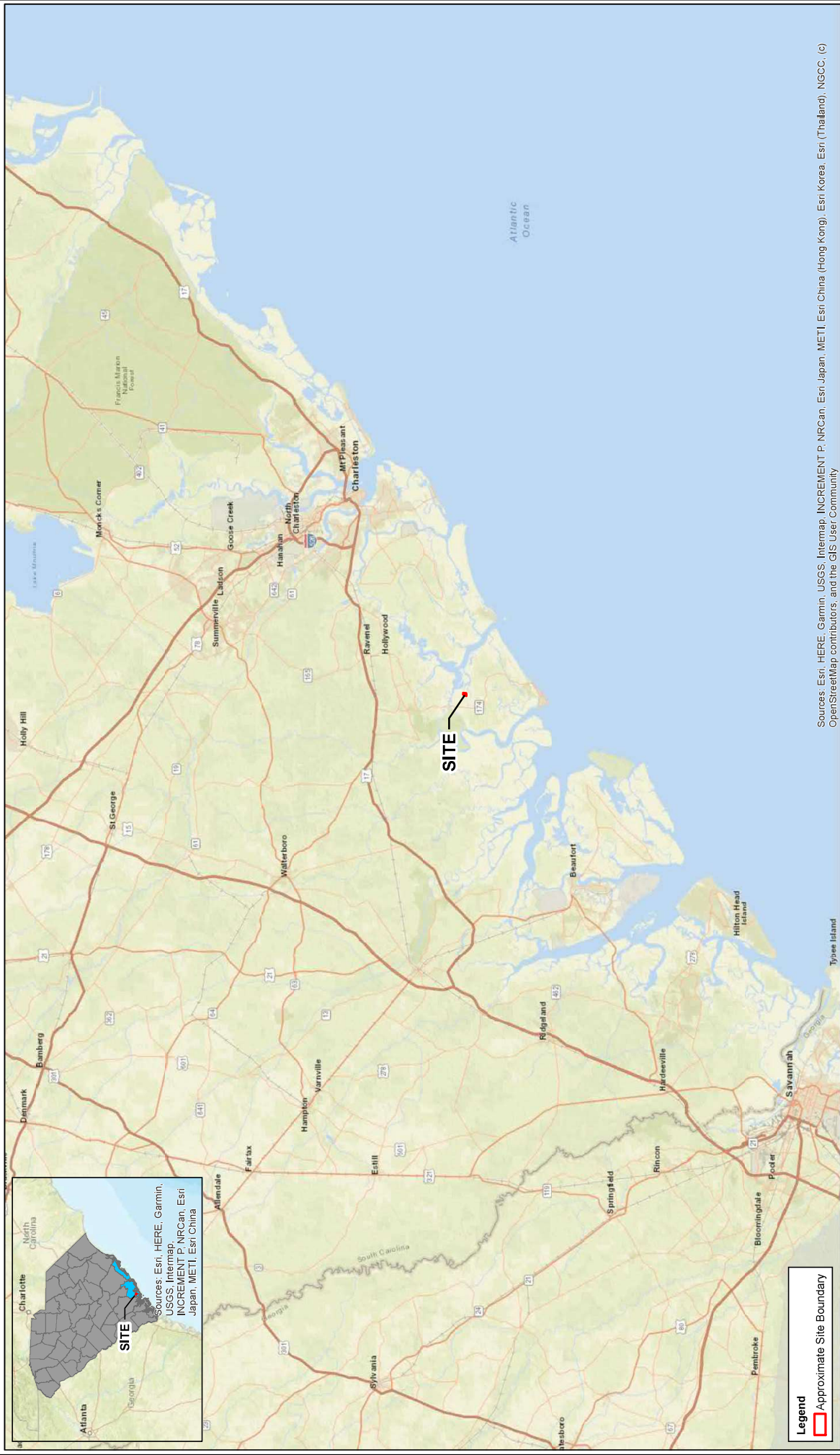
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this proposal. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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:**

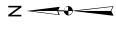
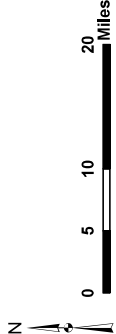
US ARMY CORPS OF ENGINEERS  
**Conway Regulatory Field Office**  
**Conway Agricultural Center**  
**1949 Industrial Park Road; Room 140**  
**Conway, South Carolina 29526**

The Prospectus for the proposed mitigation bank is available for review upon request. If there are any questions concerning this public notice, please contact Erica Stone, at (843) 329-4239 or by email at Erica.L.Stone@usace.army.mil.



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

**Legend**  
 Approximate Site Boundary



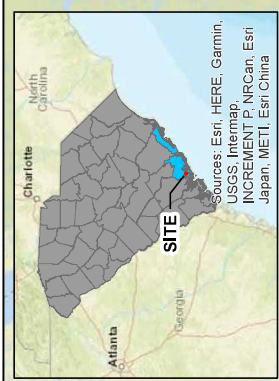
Project No.	EB271440
Prep.	JTM
Drawn By:	JTM
Date:	1/18/2022

**Terracon**  
 1930 Reynolds Avenue  
 Phone: 843.884.1234 Fax: 843.884.0243  
 N. Charleston, SC 29405

**Site Vicinity Map**  
 Russell Creek Mitigation Bank  
 Charleston County, South Carolina

EXHIBIT NO.  
**1**

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



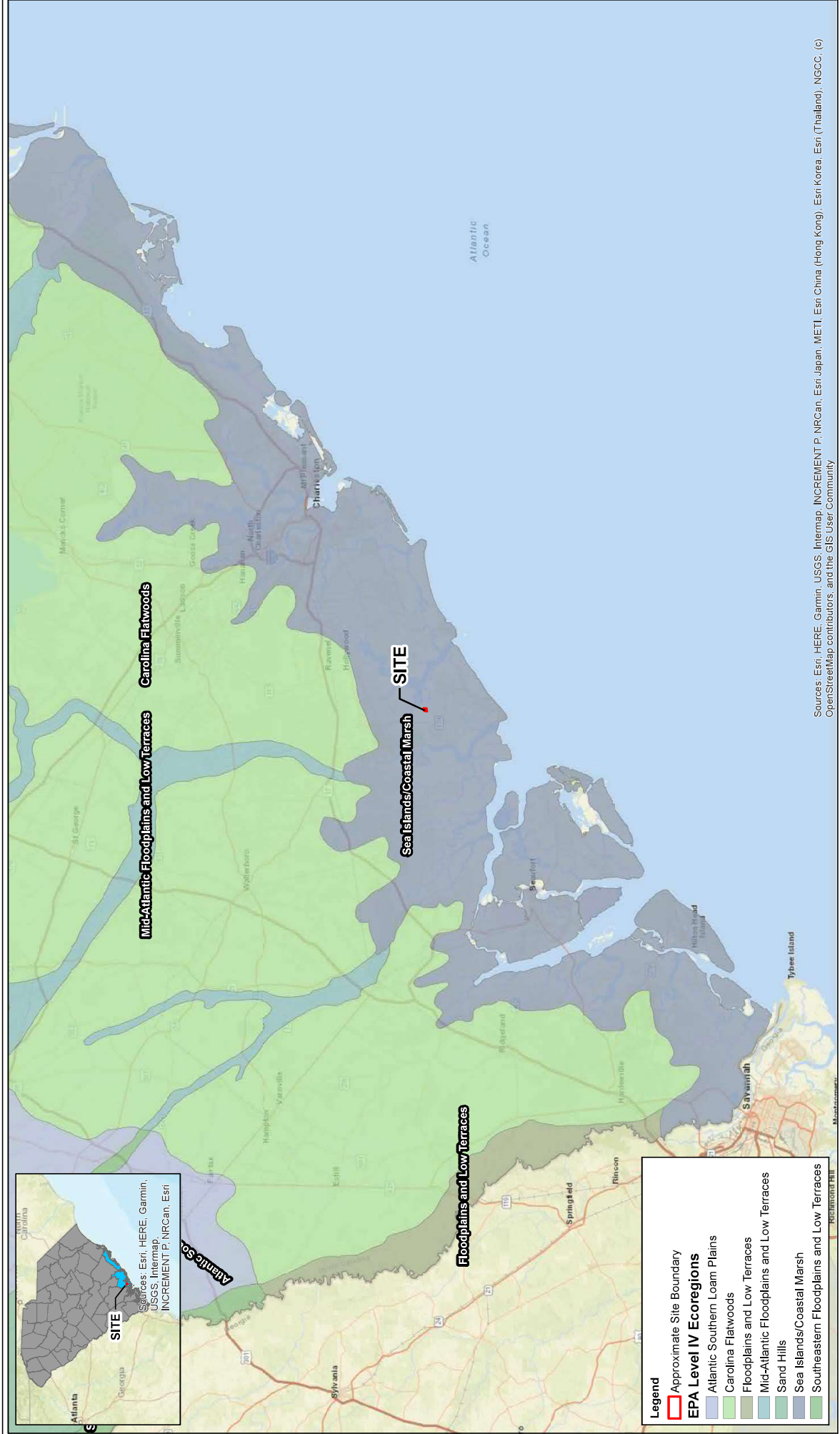
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

Project No.	EBZ17440
Prepared By:	JTM
Drawn By:	JTM
Date:	1/19/2022

**Terracon**  
 1930 Reynolds Avenue  
 N Charleston, SC 29405  
 Phone: 843.884.1234 Fax: 843.884.0243

<b>Site Location Map</b>	
Russell Creek Mitigation Bank Charleston County, South Carolina	
<b>Legend</b> Approximate Site Boundary	
<b>EXHIBIT NO.</b>	<b>2</b>

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



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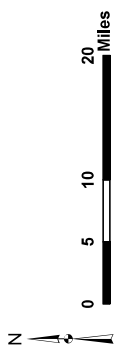
**Terracon**  
 1500 Reynolds Avenue N. Charleston, SC 29405  
 Phone: 843.884.1234 Fax: 843.884.0244

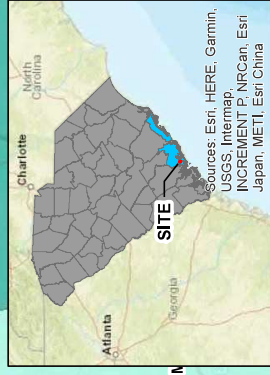
**Ecoregion Map**  
 Russell Creek Mitigation Bank  
 Charleston County, South Carolina

**EXHIBIT NO.**  
**3**

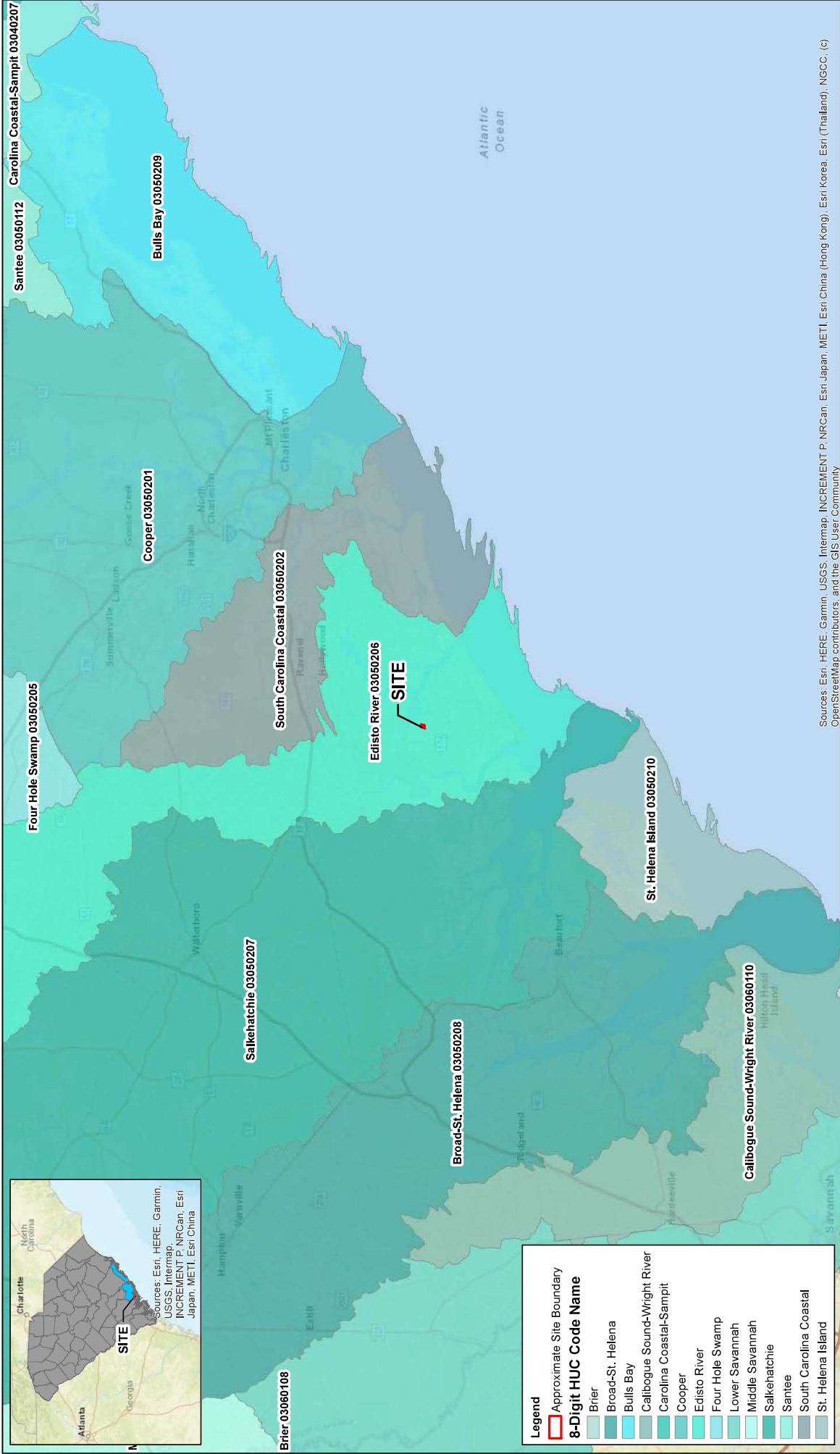
**Legend**

- ▬ Approximate Site Boundary
- EPA Level IV Ecoregions**
- Atlantic Southern Loam Plains
- Carolina Flatwoods
- Floodplains and Low Terraces
- Mid-Atlantic Floodplains and Low Terraces
- Sand Hills
- Sea Islands/Coastal Marsh
- Southeastern Floodplains and Low Terraces



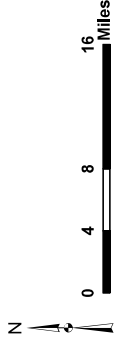


Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China



**Legend**

- Approximate Site Boundary
- 8-Digit HUC Code Name**
- Brier
- Broad-St. Helena
- Bulls Bay
- Calibogue Sound-Wright River
- Carolina Coastal-Sampit
- Cooper
- Edisto River
- Four Hole Swamp
- Lower Savannah
- Middle Savannah
- Salkehatchie
- Santee
- South Carolina Coastal
- St. Helena Island



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Drawn By:	JTM
Date:	1/19/2022

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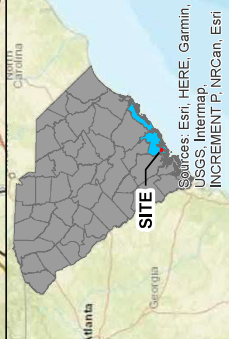
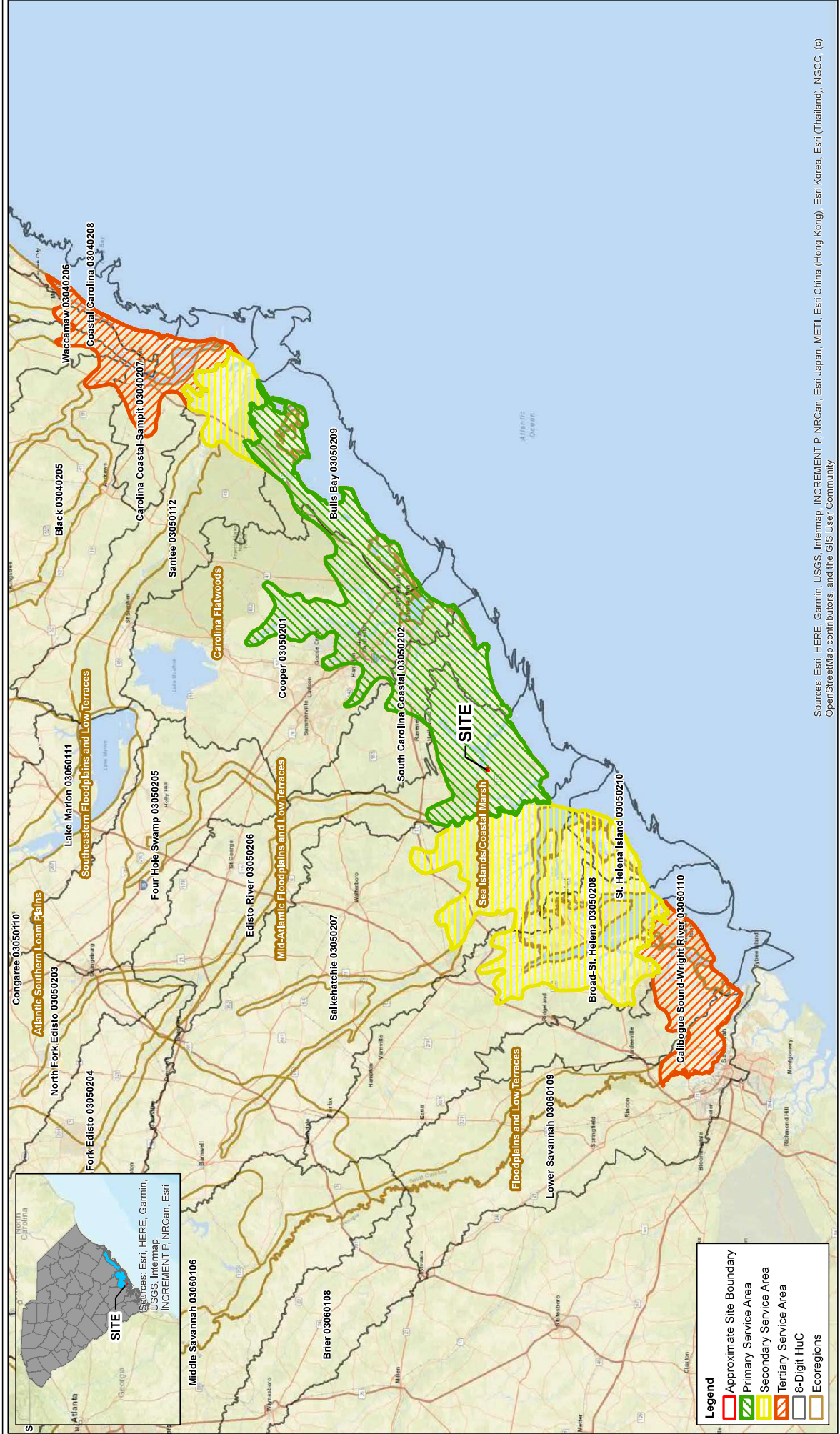
1930 Reynolds Avenue  
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**8-Digit Hydrologic Unit Code Map**

Russell Creek Mitigation Bank  
 Charleston County, South Carolina

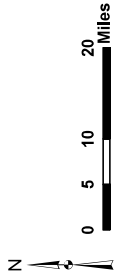
EXHIBIT NO. **4**

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

- Legend**
- Approximate Site Boundary
  - Primary Service Area
  - Secondary Service Area
  - Tertiary Service Area
  - 8-Digit HuC
  - Ecoregions



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**Service Area Map**

Russell Creek Mitigation Bank  
Charleston County, South Carolina

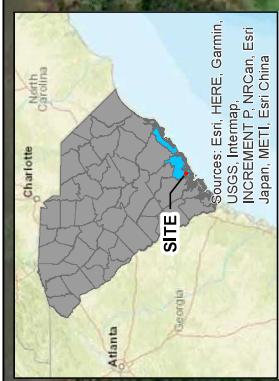
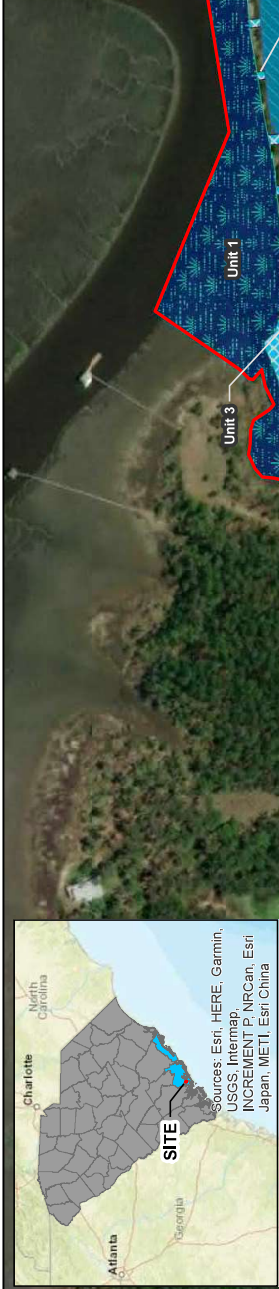
EXHIBIT NO. **5**

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



Total Unit 1 Critical Area Wetlands (Salt Marsh) Preservation: ~4.6 Acres  
 Total Unit 2 Critical Area Wetlands (Salt Marsh) Enhancement: ~36.8 Acres  
 Total Unit 3 Critical Area Wetlands (Salt Marsh) Restoration: ~4.3 Acres  
 Total Upland / Upland Preservation: ~1.4 Acres  
 Conservation Easement: ~51.0 Acres  
 Total Site Acreage: ~91.0 Acres

Sources: Esri, HERE, Garmin,  
 USGS, Intermap,  
 INCREMENT P, NRCan, Esri  
 Japan, METI, Esri China



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, ©  
 OpenStreetMap contributors

Project No.	EBZ17440
PR:	JTM
Drawn By:	JTM
Date:	1/20/2022

<b>Terracon</b>	
1650 Reynolds Avenue N Charleston, SC 29405 Phone: 843.884.1234 Fax: 843.884.0240	

Wetland Mitigation Unit Map	
Russell Creek Mitigation Bank Charleston County, South Carolina	
EXHIBIT NO.	7

Total Critical Area Wetland / Critical Area Wetlands Preservation: ~4.6 Acres  
 Total Open Water / Critical Area Wetland Enhancement: ~1.7 Acres  
 Total Impoundment / Critical Area Wetland Enhancement: ~37.4 Acres  
 Total Freshwater Wetland / Critical Area Wetland Enhancement: ~0.7 Acres  
 Total Dike Removal / Critical Area Wetland Restoration: ~4.3 Acres  
 Total Upland / Upland Preservation: ~4.4 Acres  
 Total Conservation Easement: ~51.0 Acres  
 Total Site Acreage: ~51.0 Acres

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China

Project No. EB271440  
 P/N: JTM  
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 Date: 1/20/2022

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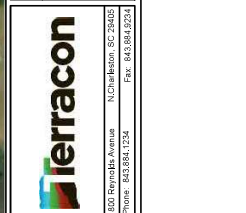
Legend

- Approximate Site Boundary
- Culvert
- Critical Area Wetland / Preservation (Unit 1)
- Open Water / Critical Area Wetland Enhancement (Unit 2)
- Impoundment / Critical Area Wetland Enhancement (Unit 2)
- Freshwater Wetland / Critical Area Wetland Enhancement (Unit 2)
- Dike Removal / Critical Area Wetland Restoration (Unit 2)
- Upland / Preservation

Scale: 0 150 300 600 Feet

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, © OpenStreetMap contributors

Russell Creek Mitigation Bank  
 Charleston County, South Carolina



Project No. EB271440  
 P/N: JTM  
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 Date: 1/20/2022

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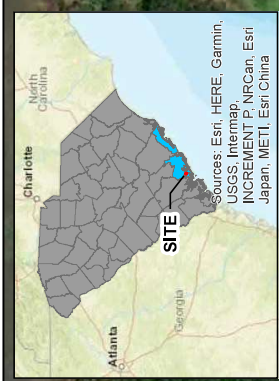
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 P/N: JTM  
 Drawn By: JTM  
 Date: 1/20/2022

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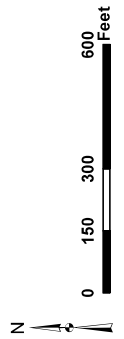
Project No. EB271440  
 P/N: JTM  
 Drawn By: JTM  
 Date: 1/20/2022

Total Critical Area Wetlands: ~4.6 Acres  
 Total Open Waters: ~7 Acres  
 Total Impoundments: ~27 Acres  
 Total Freshwater Wetlands: ~0.7 Acres  
 Total Critical Area Wetlands: ~12.6 Acres  
 Total Site Acreage: ~51.0 Acres



**Legend**

- Approximate Site Boundary
- Critical Area Wetland
- Open Water
- Impoundment
- Freshwater Wetland



Project No.	EBZ17440
PI:	JTM
Drawn By:	JTM
Date:	1/20/2022

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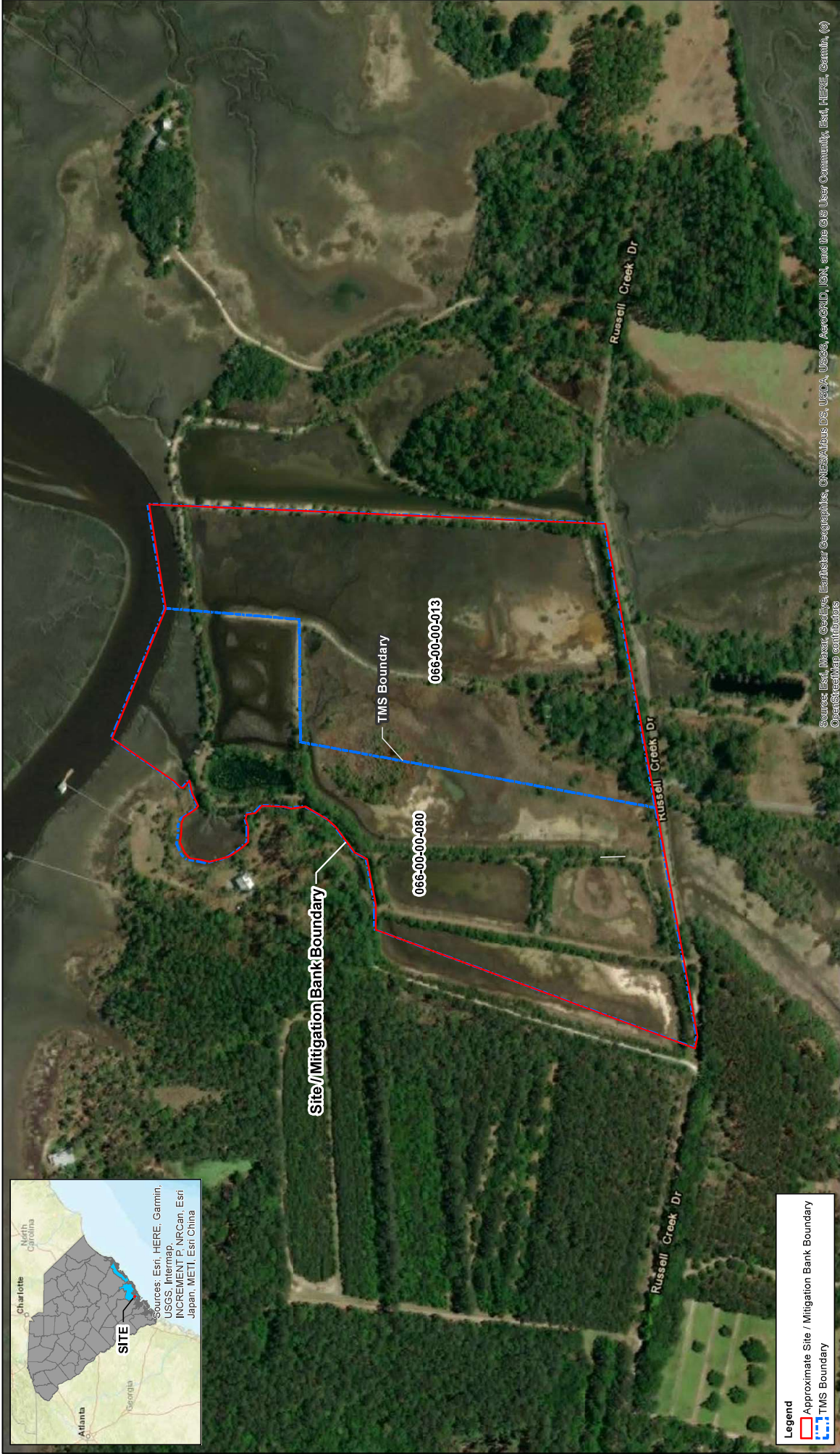
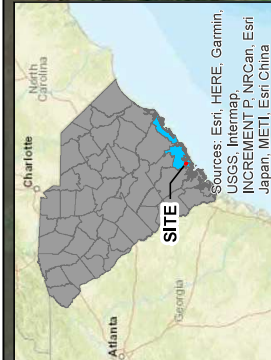
1650 Reynolds Avenue  
 N. Charleston, SC 29405  
 Phone: 843.884.1234 Fax: 843.884.0244

**Wetland Map**

Russell Creek Mitigation Bank  
 Charleston County, South Carolina

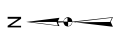
EXHIBIT NO. **9**

Source: Est. Water, Geoly, Earthstar Geographics, QNEST/Atlas DS, USFA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, © OpenStreetMap contributors



**Legend**

- Approximate Site / Mitigation Bank Boundary
- TMS Boundary



Project No.	BN217440
PI:	JTM
Drawn By:	JTM
Date:	2/2/2022

**Terracon**

1650 Reynolds Avenue  
 N. Charleston, SC 29405  
 Phone: 843.884.1234 Fax: 843.884.0240

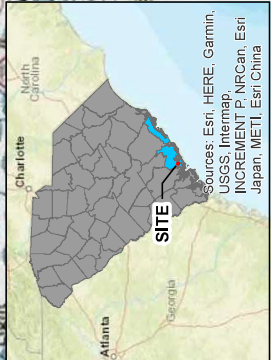
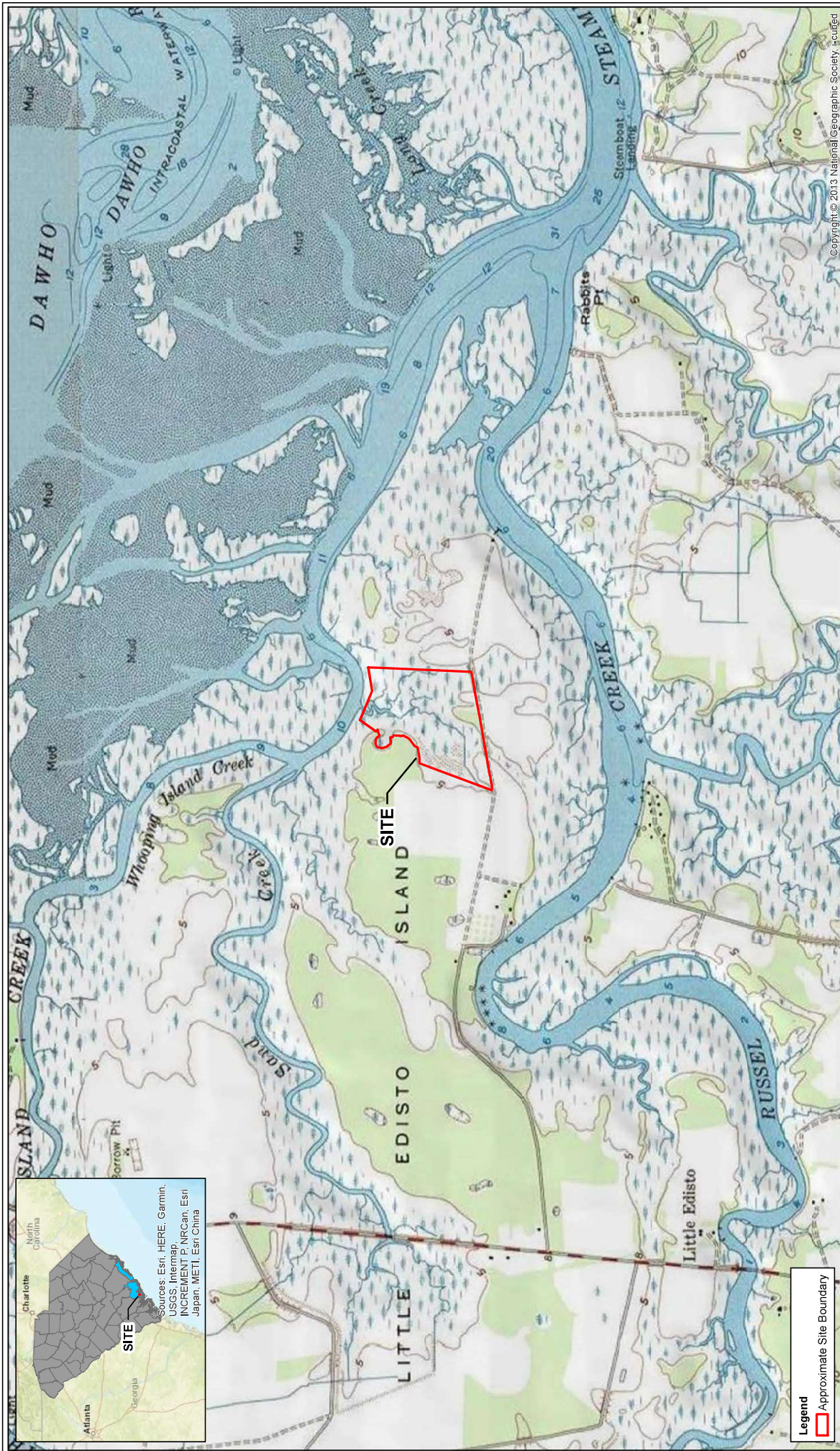
**Mitigation Bank Boundary**

Russell Creek Mitigation Bank  
 Charleston County, South Carolina

EXHIBIT NO.

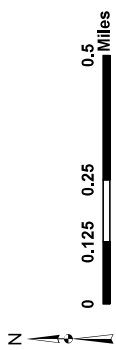
**10**

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, © OpenStreetMap contributors



Sources: Esri, HERE, Garmin,  
USGS, Intermap,  
INCREMENT P, NRCan, Esri  
Japan, METI, Esri China

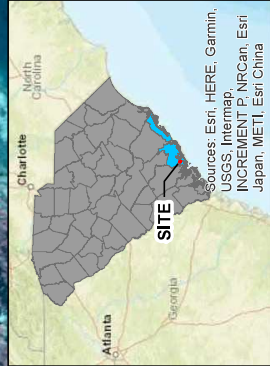
Legend  
 Approximate Site Boundary



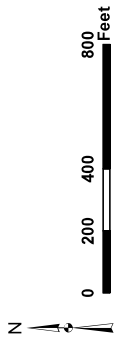
Project No. EBZ17440	1972 Edisto Island, SC-USGS Topographic Map	EXHIBIT NO. 11
PREP: JTM	Russell Creek Mitigation Bank Charleston County, South Carolina	
Drawn By: JTM		
Date: 1/20/2022		

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 Phone: 843.884.1234 Fax: 843.884.0244

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**Legend**  
 Approximate Site Boundary

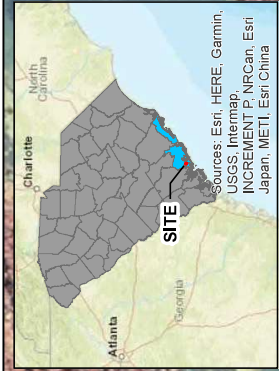


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Drawn By:	JTM
Date:	1/20/2022

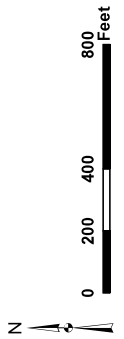
**Terracon**  
 1930 Reynolds Avenue N. Charleston, SC 29405  
 Phone: 843.884.1234 Fax: 843.884.0240

1994 Infrared Aerial  
 Russell Creek Mitigation Bank  
 Charleston County, South Carolina

EXHIBIT NO.  
**12**



**Legend**  
 Approximate Site Boundary

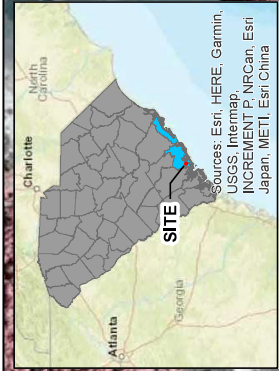



Project No.	EBZ171440
PRE:	JTM
Drawn By:	JTM
Date:	1/20/2022

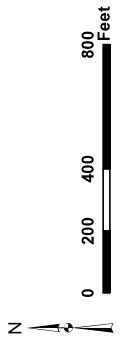
**Terracon**  
 1930 Reynolds Avenue N. Charlotte, NC 28205  
 Phone: 843.884.1234 Fax: 843.884.0240

**1999 Infrared Aerial**  
 Russell Creek Mitigation Bank  
 Charleston County, South Carolina

EXHIBIT NO.  
**13**



**Legend**  
 Approximate Site Boundary



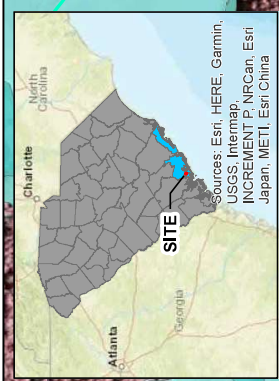
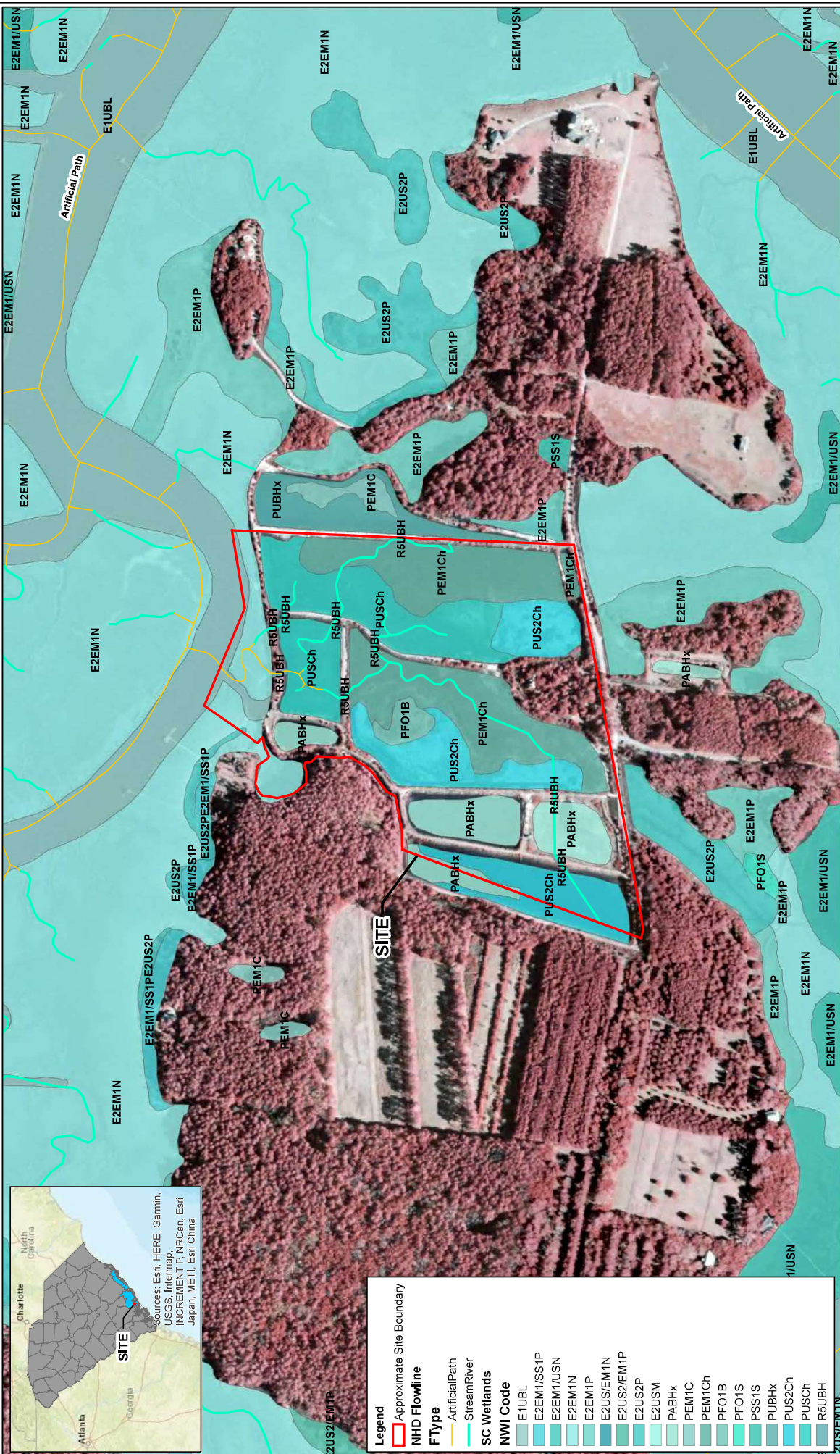
Project No.	EB271440
PR:	JTM
Drawn By:	JTM
Date:	1/20/2022

**Terracon**  
 1930 Reynolds Avenue N. Charleston, SC 29405  
 Phone: 843.884.1234 Fax: 843.884.0240

2006 Infrared Aerial  
 Russell Creek Mitigation Bank  
 Charleston County, South Carolina

EXHIBIT NO.  
**14**

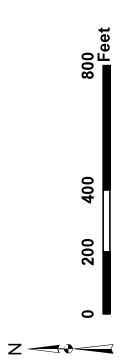


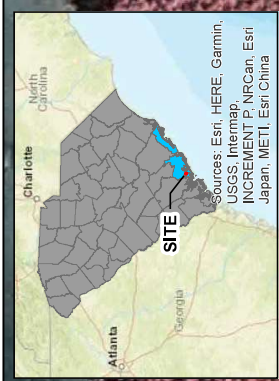


Sources: Esri, HERE, Garmin,  
USGS, Intermap,  
INCREMENT P, NRCAn, Esri  
Japan, METI, Esri China

Legend	
	Approximate Site Boundary
<b>NHD Flowline</b>	
	Artificial Path
	Stream/River
<b>SC Wetlands</b>	
	E1UBL
	E2EM1/SS1P
	E2EM1/USN
	E2EM1N
	E2EM1P
	E2US/EM1N
	E2US/EM1P
	E2US2P
	E2USM
	PABHX
	PEM1C
	PEM1Ch
	PFO1B
	PSS1S
	PUBHX
	PUSCh
	R5UBH
	R5UBHCh

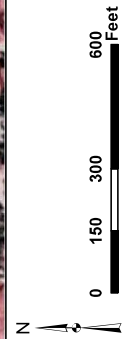
Project No. EBZ17440	Scale JTM
Drawn By: JTM	Date: 1/20/2022
1930 Regency Avenue N Charleston, SC 29405 Phone: 843.884.1234 Fax: 843.884.0240	
2006 Infrared Aerial / USGS NHD / USFWS NWI Map Russell Creek Mitigation Bank Charleston County, South Carolina	
Exhibit No. <h1 style="text-align: center;">15</h1>	



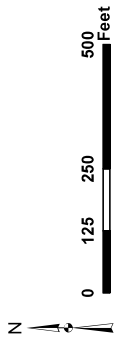
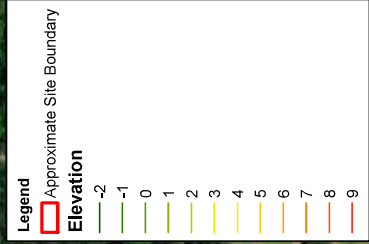


Sources: Esri, HERE, Garmin,  
USGS, Intermap,  
INCREMENT P, NRCAn, Esri  
Japan, METI, Esri China

Legend	
<span style="border: 1px solid red; display: inline-block; width: 10px; height: 10px;"></span>	Approximate Site Boundary
<span style="background-color: red; display: inline-block; width: 10px; height: 10px;"></span>	<b>Soils Code and Hydric Rating %</b>
<span style="background-color: orange; display: inline-block; width: 10px; height: 10px;"></span>	(Cg) Capers silty clay loam / 100%
<span style="background-color: yellow; display: inline-block; width: 10px; height: 10px;"></span>	(Ch) Charleston loamy fine sand / 3%
<span style="background-color: lightgreen; display: inline-block; width: 10px; height: 10px;"></span>	(Ed) Edisto loamy fine sand / 0%
<span style="background-color: green; display: inline-block; width: 10px; height: 10px;"></span>	(St) Stono fine sandy loam / 100%
<span style="background-color: darkgreen; display: inline-block; width: 10px; height: 10px;"></span>	(Ts) Tidal marsh, soft / 100%
<span style="background-color: black; display: inline-block; width: 10px; height: 10px;"></span>	(Yo) Yonges loamy fine sand / 100%



Project No. EBZ17440	PH: JTM	Drawn By: JTM	Date: 1/20/2022
 1930 Reynolds Avenue, N. Charleston, SC 29405 Phone: 843.884.1234 Fax: 843.884.0244			
2006 Infrared Aerial / USDA NRCS Soils Map Russell Creek Mitigation Bank Charleston County, South Carolina			
			EXHIBIT NO. <b>16</b>



Project No.	EBZ17440
PR:	JTM
Drawn By:	JTM
Date:	1/20/2022

1930 Reynolds Avenue  
N. Charleston, SC 29405  
Phone: 843.884.1234 Fax: 843.884.0243

2021 Aerial View / 2017 SCDNR LIDAR Map	EXHIBIT NO.
Russell Creek Mitigation Bank Charleston County, South Carolina	17

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri, HERE, Garmin, © OpenStreetMap contributors