

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 Ocean and Coastal Resource Management

1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2018-00509

February 12, 2019

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. 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

Ms. Rheta DiNovo
Environmental Banc & Exchange
c/o Resource Environmental Solutions
701 East Bay Street, Suite 306
Charleston, South Carolina 29403

for a permit to establish and operate the French Quarter Creek Mitigation Bank (FQCMB). The applicant seeks authorization to undergo restoration, enhancement, and preservation activities to generate net increases in aquatic resource functions and services. The FQCMB proposes to provide compensatory mitigation for unavoidable, adverse impacts to Waters of the United States. The project site has been proposed on

Pinckney Reserve Branch

at a location on SC-41, south of Highpoint Circle, Berkeley County, South Carolina (Latitude: 33.0466 °N, Longitude: 79.8031 °W), Huger USGS quadrangle.

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

15 Days from the Date of this Notice,
and **SCDHEC** will receive written statements regarding the proposed work 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 proposed work consists of both wetland and stream restoration, enhancement, enhancement by upland buffering, and preservation. In detail, the project proposes to restore

approximately 70.5 acres of bottomland hardwood forest by filling ditches and raising the water table of the affected area; enhance approximately 206 acres of various wetland habitats through planting of native species and land management practices; and approximately 1,200 feet of stream restoration. The project purpose is to provide compensatory mitigation for unavoidable, adverse impacts to Waters of the United States.

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 work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. 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.

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 0.0 acres of 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 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 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

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)), and has initially determined that no historic properties are 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 any 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).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

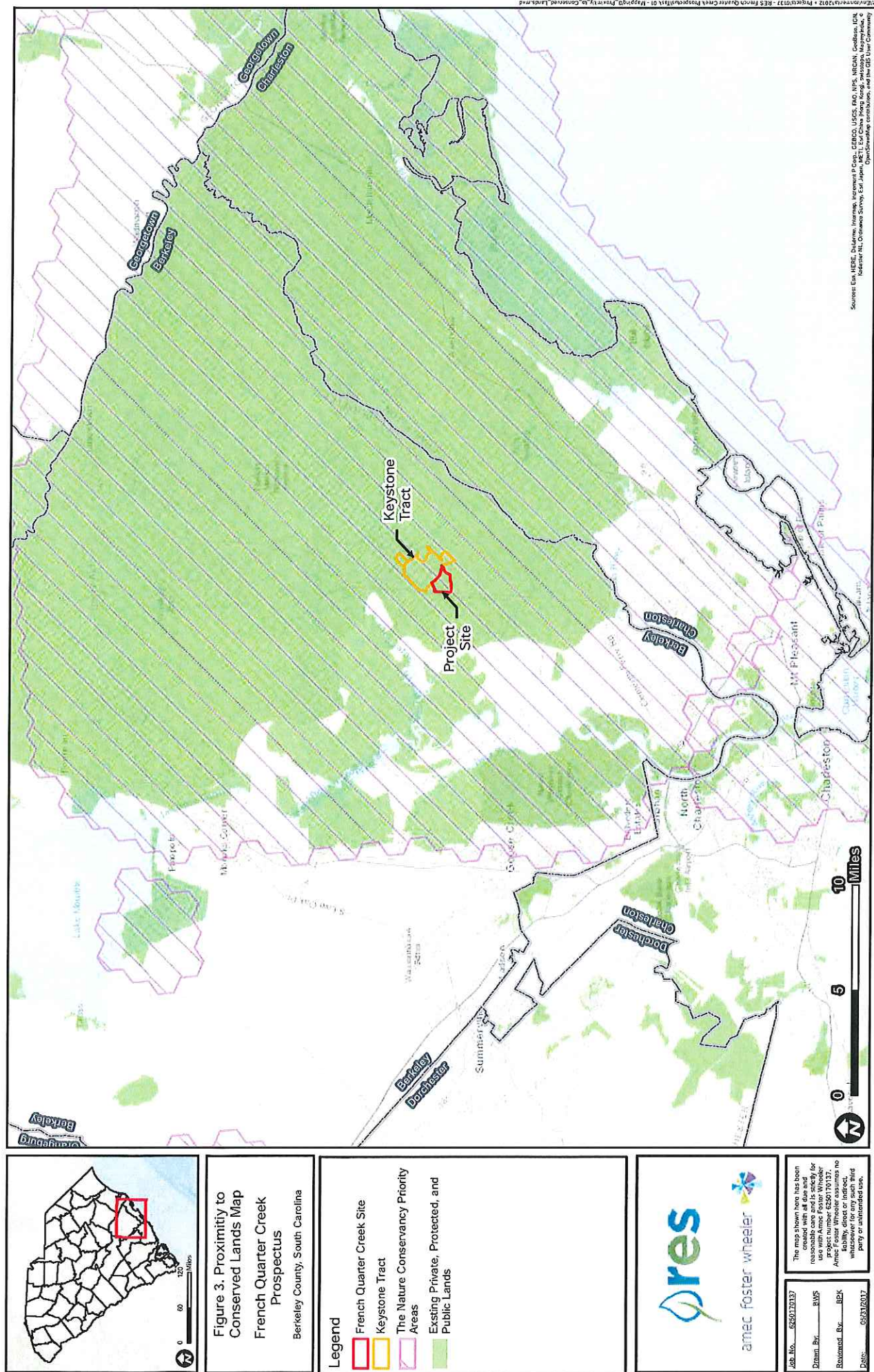
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 cannot undertake to adjudicate rival claims.

The Corps 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 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Shawn Boone, Project Manager, at (843) 329-8158 or toll free at 1-866-329-8187.



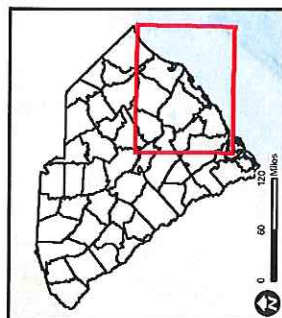


Figure 4. Service Area Map

French Quarter Creek Prospectus

Berkeley County, South Carolina

Legend

-  Level III Eco Region (Mitigation Boundary)
 French Quarter Creek Site
 Watershed Service
 Primary Service
 Secondary Service
 Tertiary Service



amc foster wheeler

The map shown here has been created with all due and reasonable care and is strictly for use with Amec Foster Wheeler project number 6250170137. Amec Foster Wheeler assumes no liability, direct or indirect, whatsoever for any such third party or unintended use.

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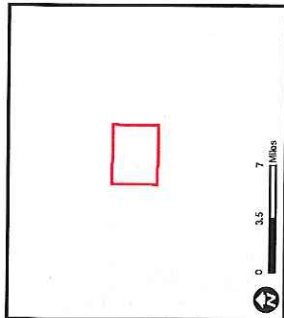


Figure 5. USGS Topographic Map
French Quarter Creek
Prospectus

Berkeley County, South Carolina

Legend

- French Quarter Creek Site
- USGS 24k Topo Map

References:
USGS Topographic Map, 7.5-minute
series, Huger, dated 1973



amac foster wheeler

Job No.	856070037
Drawn By	GLB
Reviewed By	BLK
Date	05/03/2017

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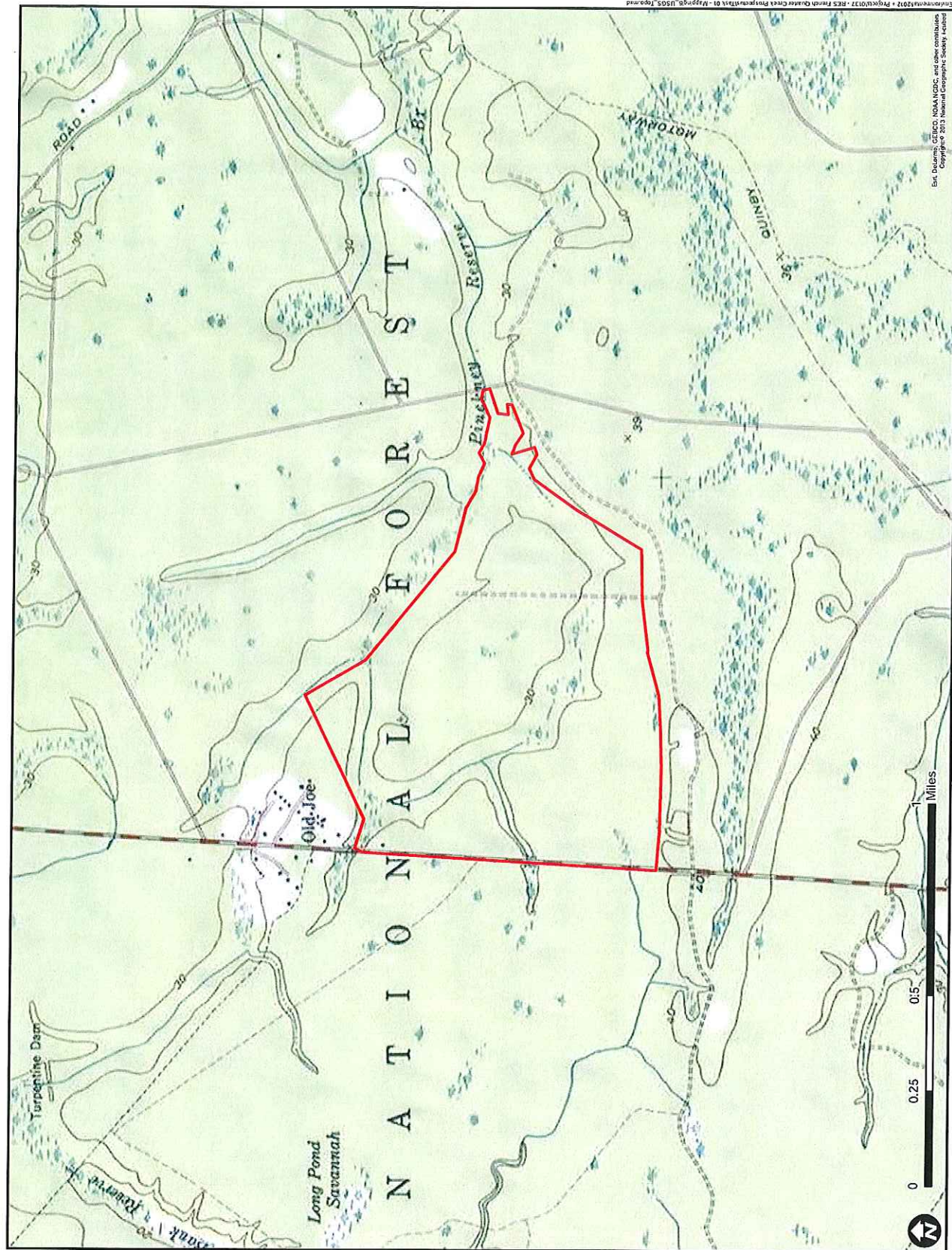




Figure 6a. 1958 Aerial Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

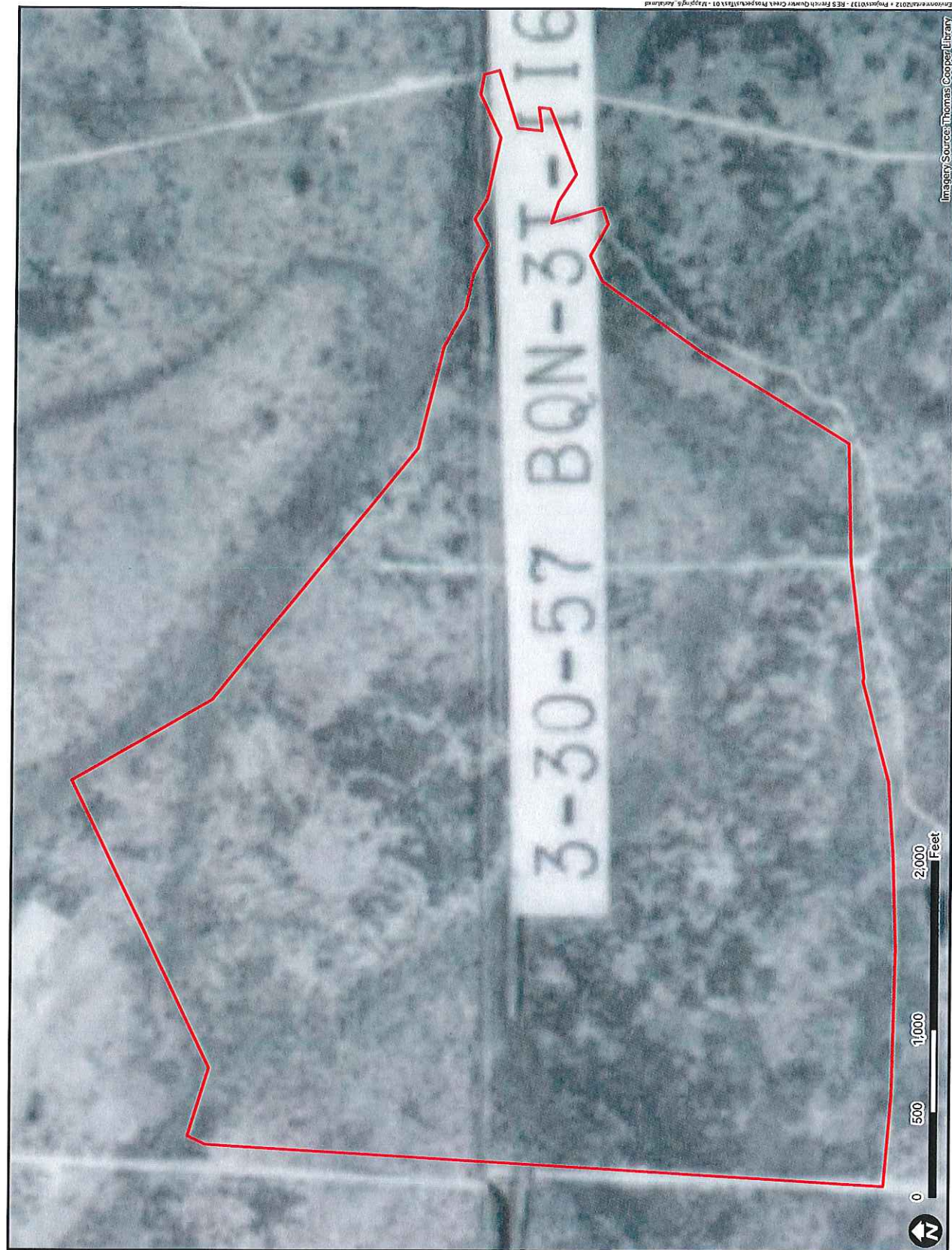
Legend

Approximate Project Boundary



Job No. 659010032
Drawn By: CLE
Reviewed By: BFK
Date: 05/01/2017

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Imagery Source: Thomas Cooper Library



Figure 6b. 1975 Aerial Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

Legend

Approximate Project Boundary



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Job No.	625070137
Drawn By	CLB
Reviewed By	BPB
Date	05/21/2017

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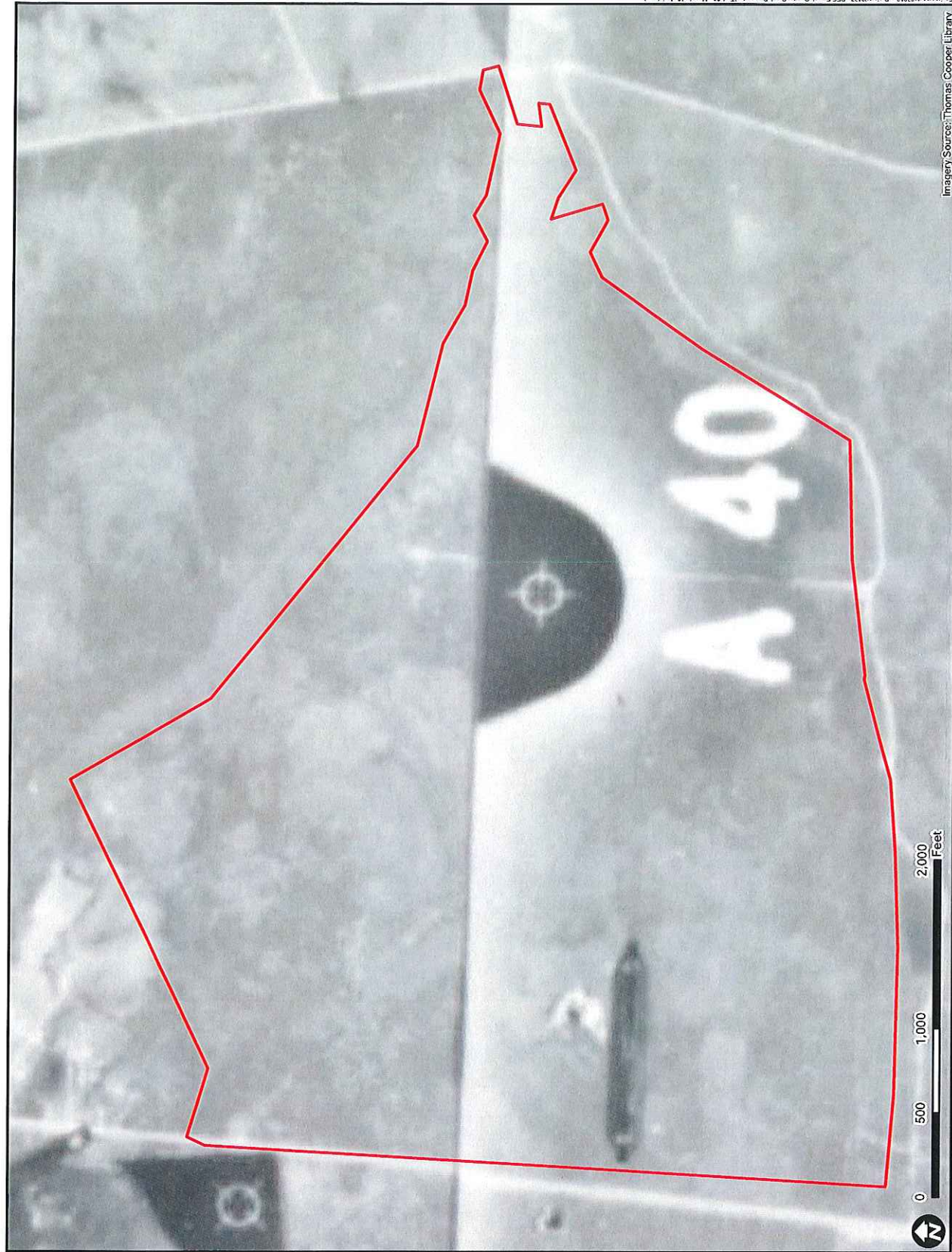




Figure 6c. 1989 Aerial Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

Legend

- Approximate Project Boundary



Job No.	0550170137
Drawn By	CUE
Reviewed By	BEK
Date	05/20/2017

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Imagery Source: USGS EarthExplorer



Figure 6d. 1994 Aerial Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

Legend

Approximate Project Boundary



Job No.	055017017
Drawn By	CLB
Reviewed By	BEK
Date	05/31/2017

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Imagery Source: USGS EarthExplorer



Figure 6e. 2000 Aerial Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

Legend

Approximate Project Boundary



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Job No. 65010012
Drawn By: CLB
Reviewed By: RBK
Date: 05/01/2012

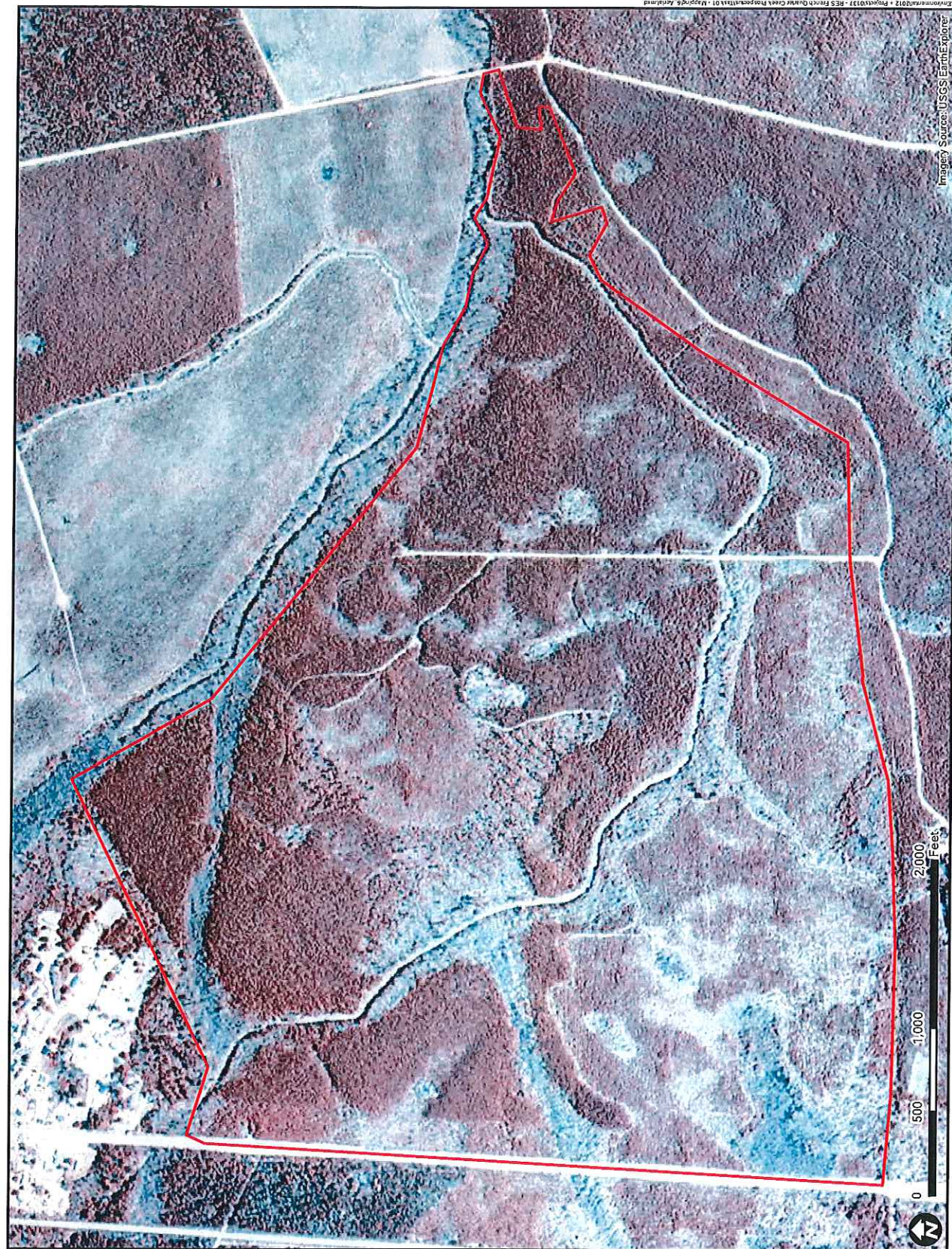


Image Source: USGS Earth Explorer



Figure 6f. 2006 Aerial Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

Legend

Approximate Project Boundary



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Job No.	625070337
Drawn By	GLE
Reviewed By	REK
Date	05/21/2017

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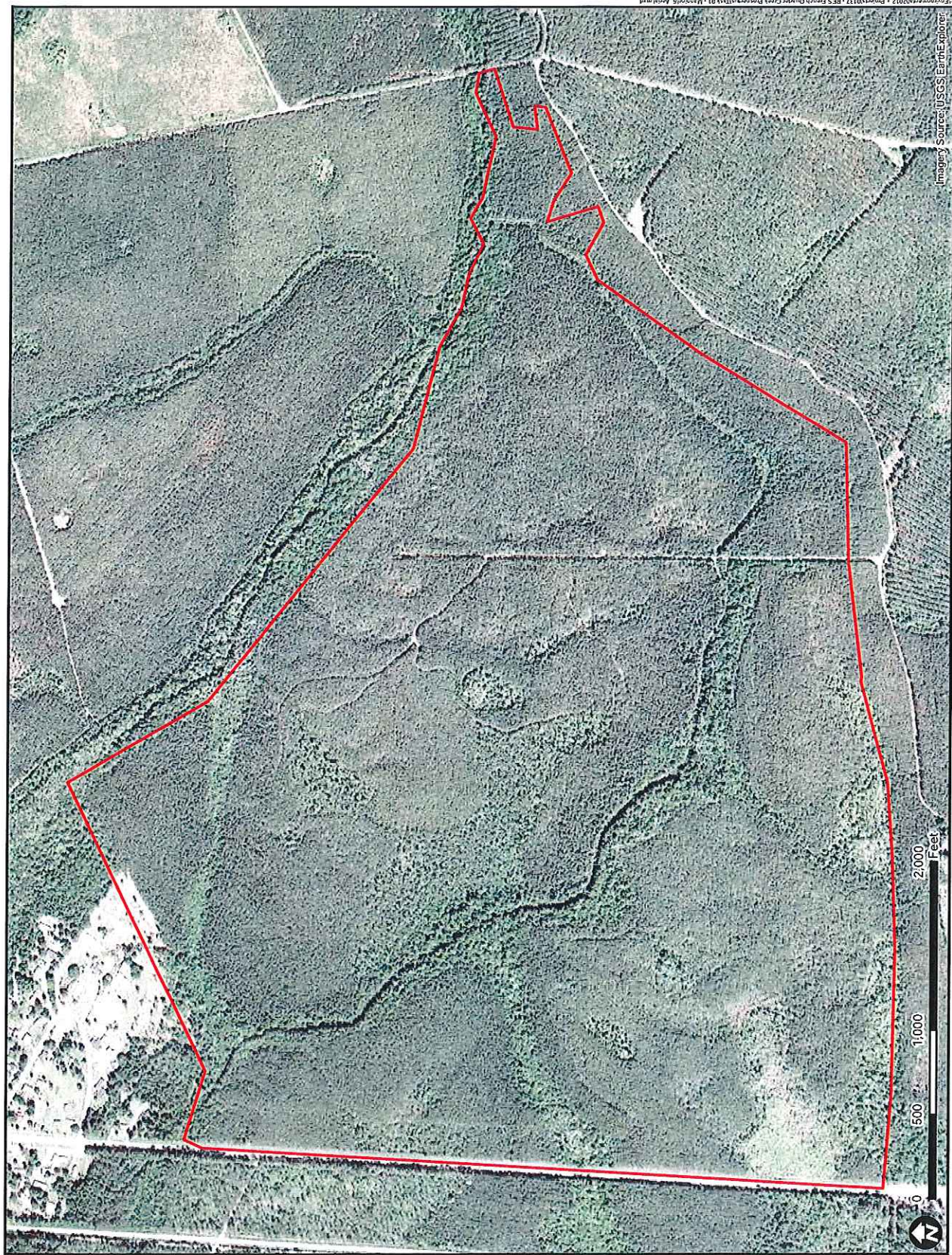




Figure 6g. 2009 Aerial Map

**French Quarter Creek
Prospectus**
Berkeley County, South Carolina

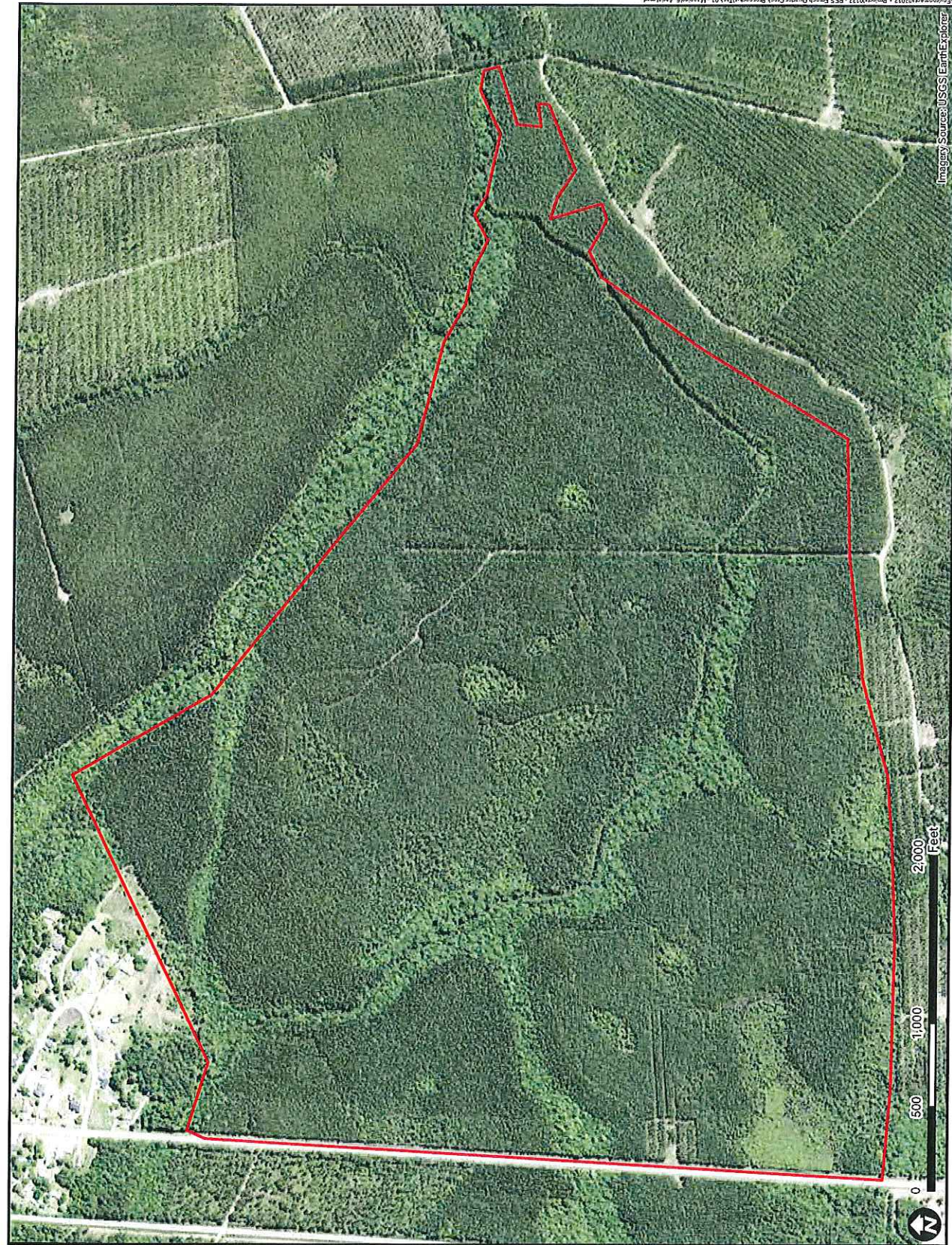
Legend

Approximate Project Boundary



Job No.	625070137
Client	CLB
Project No.	625070137
Project Name	French Quarter Creek Prospectus
Project Location	Berkeley County, South Carolina
Project Date	05/21/2012

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Imagery Source: USGS Earth Explorer

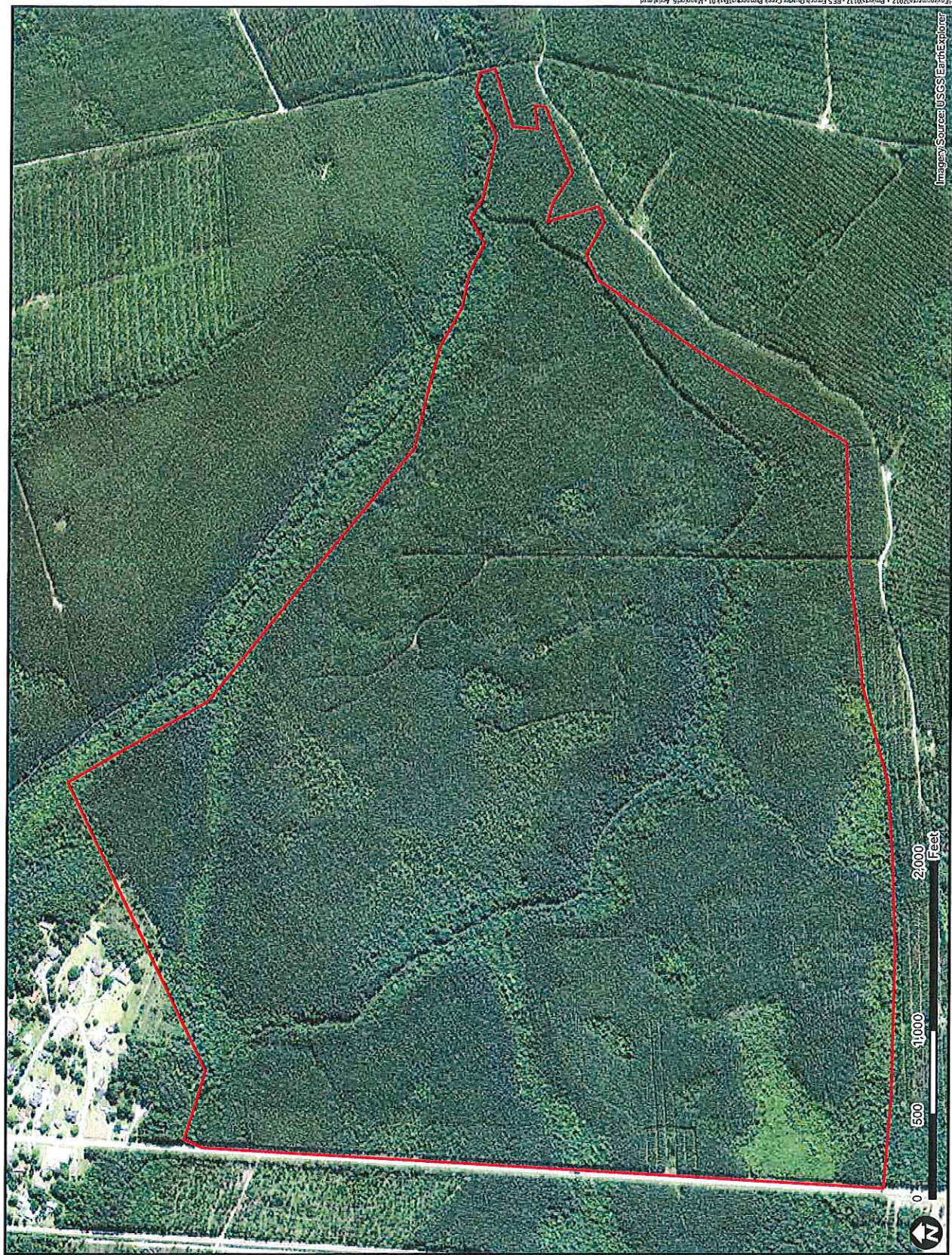


Figure 6h. 2011 Aerial Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

Legend

Approximate Project Boundary



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Job No. 6250170137
Drawn By: CLE
Reviewed By: BDK
Date: 05/21/2017



Figure 7. LiDAR Map

French Quarter Creek Prospectus

Berkeley County, South Carolina

Legend

- French Quarter Creek Site**
- Named Roads**
- Elevation (ft)**
- High : 40
 - Low : 21

LiDAR Source: SCDNR 2009



Job No.	6250770137
Drawn By	BWS
Reviewed By	REP
Date	06/31/2017



Figure 8. Soil Survey Map

French Quarter Creek
Prospectus
Berkeley County, South Carolina

Legend

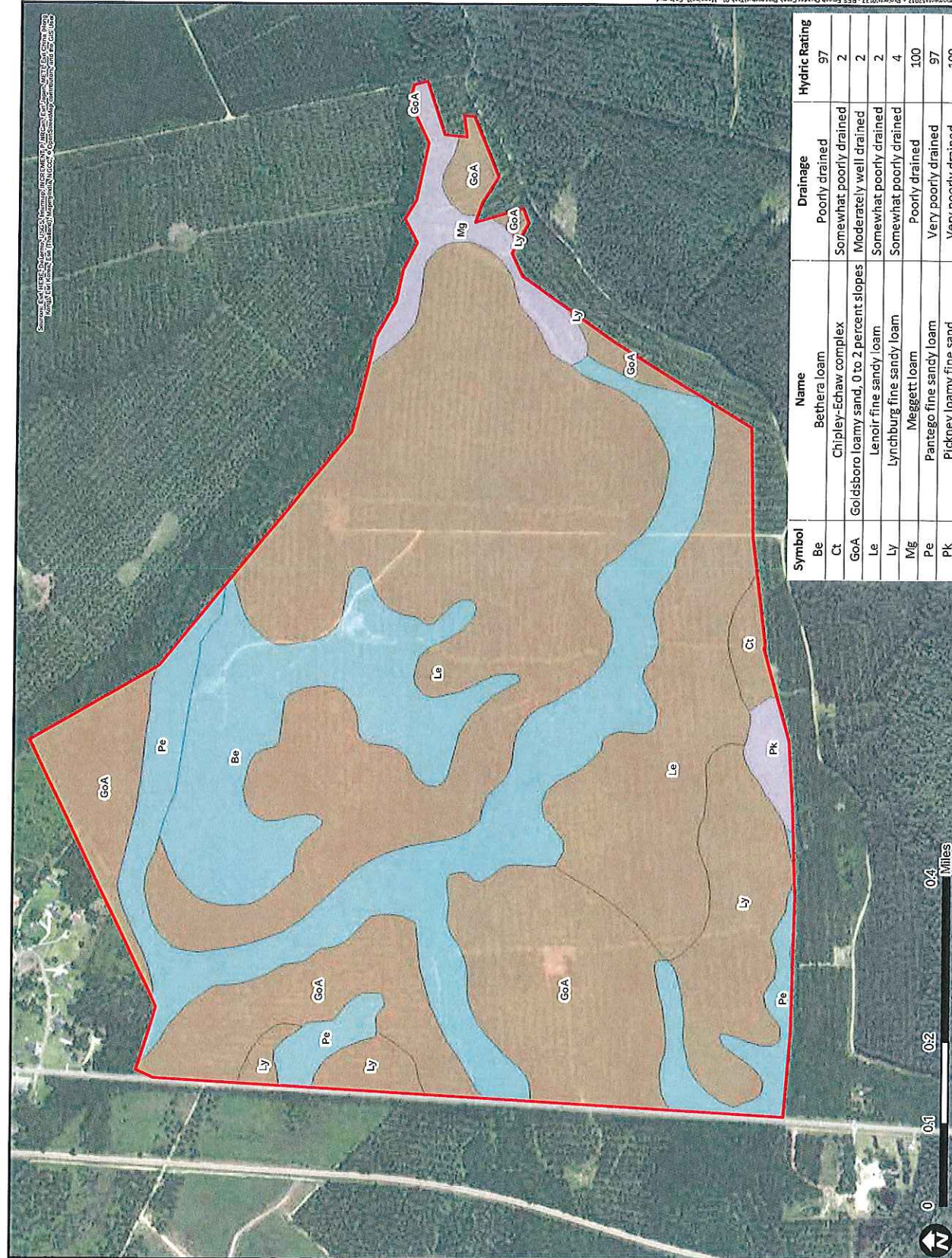
- French Quarter Creek Site
- Predominantly Nonhydic
- Predominantly Hydric
- Hydric



amec foster wheeler

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Job No. 6250170137
Drawn By: CLP
Reviewed By: BDK
Date: 05/01/2017



Symbol	Name	Drainage	Hydric Rating
Be	Bethera loam	Poorly drained	97
Ct	Chipley-Echaw complex	Somewhat poorly drained	2
GoA	Goldsboro loamy sand, 0 to 2 percent slopes	Moderately well drained	2
Le	Lenoir fine sandy loam	Somewhat poorly drained	2
Ly	Lynchburg fine sandy loam	Somewhat poorly drained	4
Mg	Megett loam	poorly drained	100
Pe	Pantego fine sandy loam	Very poorly drained	97
PK	Pickney loamy fine sand	Very poorly drained	100



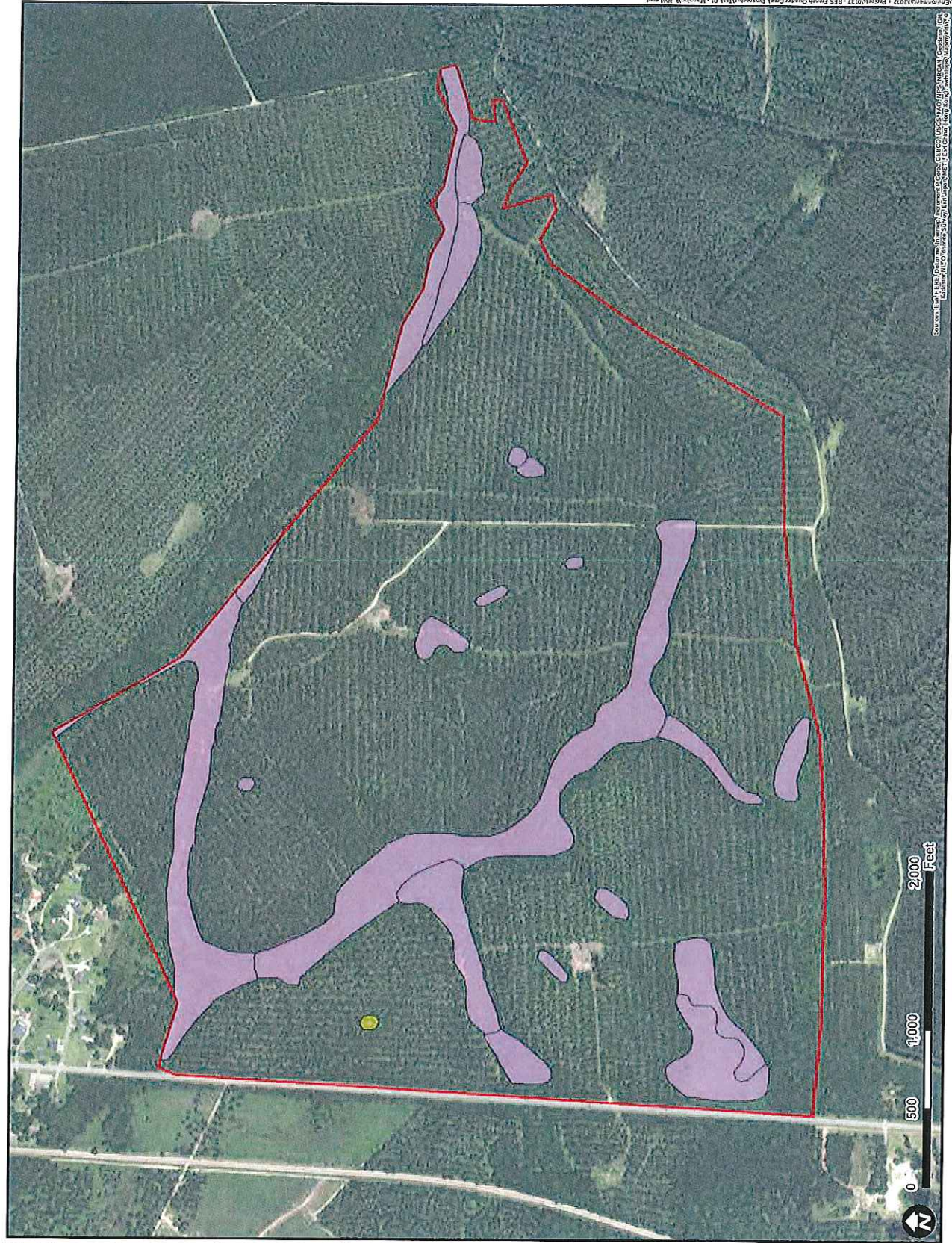
Figure 9. National Wetland Inventory
French Quarter Creek Prospectus
Berkeley County, South Carolina

- Legend**
- FrenchQuarterCreekSite
 - Freshwater Emergent Wetland
 - Freshwater Forested/Shrub Wetland



This map shown here has been created with all due and reasonable care and for use with Aneec Foster Wheeler Project number 0250770137. Aneec Foster Wheeler assumes no liability for any such third party or unintended use.

Job No. 0503120137
Drawn By: RMS
Reviewed By: RBK
Date: 05/31/2012



Source: USGS, National Wetland Inventory, 1984-1986, 1987-1990, 1991-1994, 1995-1998, 1999-2001, 2002-2004, 2005-2008, 2009-2011, 2012-2014, 2015-2017, 2018-2020, 2021-2023, 2024-2026, 2027-2029, 2030-2032, 2033-2035, 2036-2038, 2039-2041, 2042-2044, 2045-2047, 2048-2050, 2051-2053, 2054-2056, 2057-2059, 2060-2062, 2063-2065, 2066-2068, 2069-2071, 2072-2074, 2075-2077, 2078-2080, 2081-2083, 2084-2086, 2087-2089, 2090-2092, 2093-2095, 2096-2098, 2099-2101, 2102-2104, 2105-2107, 2108-2110, 2111-2113, 2114-2116, 2117-2119, 2120-2122, 2123-2125, 2126-2128, 2129-2131, 2132-2134, 2135-2137, 2138-2140, 2141-2143, 2144-2146, 2147-2149, 2150-2152, 2153-2155, 2156-2158, 2159-2161, 2162-2164, 2165-2167, 2168-2170, 2171-2173, 2174-2176, 2177-2179, 2180-2182, 2183-2185, 2186-2188, 2189-2191, 2192-2194, 2195-2197, 2198-2199, 2200-2201, 2202-2203, 2204-2205, 2206-2207, 2208-2209, 2210-2211, 2212-2213, 2214-2215, 2216-2217, 2218-2219, 2220-2221, 2222-2223, 2224-2225, 2226-2227, 2228-2229, 2230-2231, 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Figure 10. Aquatic Resources Map

French Quarter Creek Prospectus

Berkeley County, South Carolina

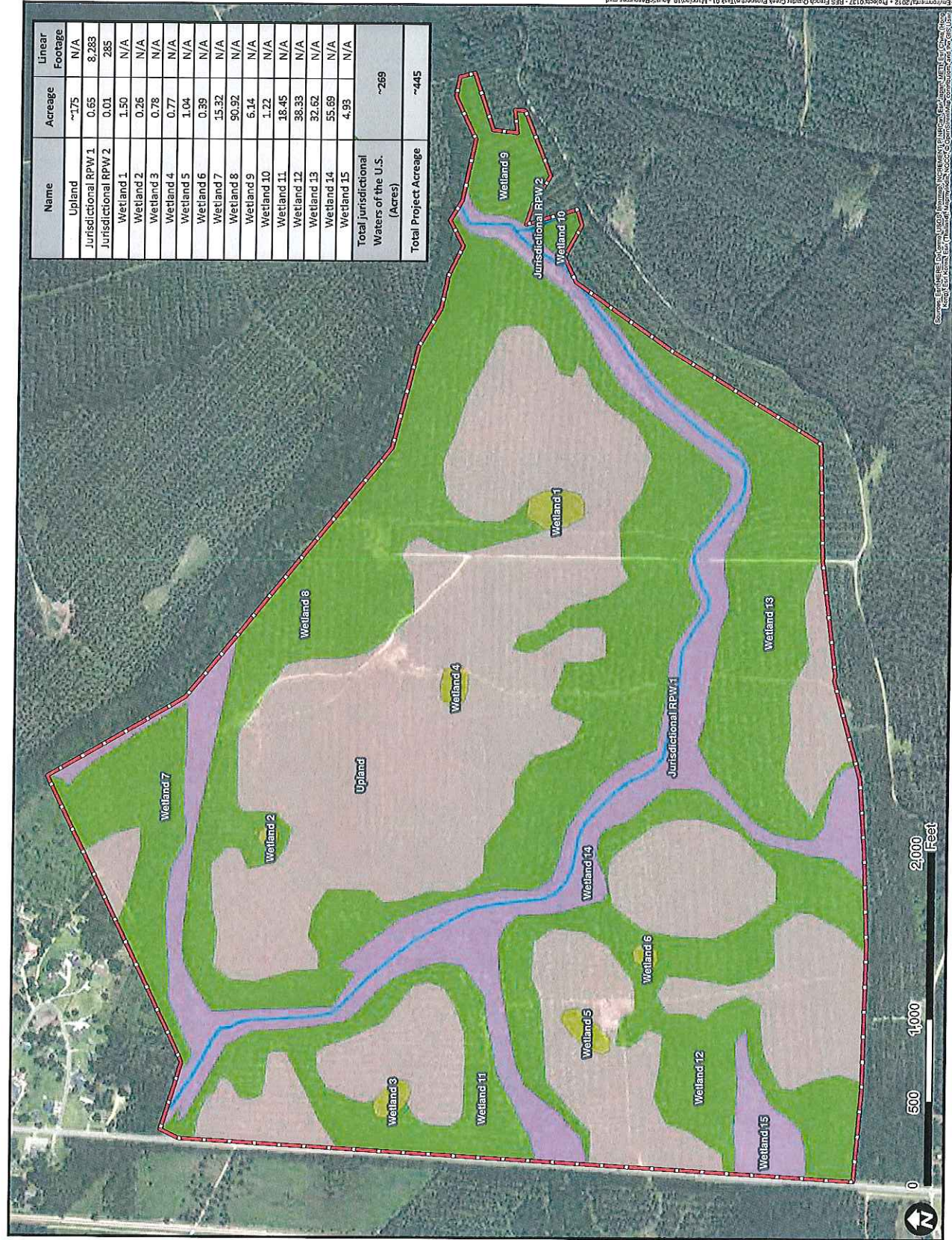
Legend

- Approximate Project Boundary
- Upland
- Pine Plantation Wetland
- Bottomland Hardwood Wetland
- Gum Pond
- Jurisdictional RPW

Waters of the U.S. Disclaimer: This drawing represents the jurisdictional waters boundary identified in the field by Amec Foster Wheeler Environment & Infrastructure. All jurisdictional boundaries are subject to verification by the U.S. Army Corps of Engineers (USACE). This map should be used for preliminary planning purposes only.



The map shown here has been created with all due and reasonable care and is strictly for informational purposes only. Amec Foster Wheeler assumes no liability for any errors or omissions, and disclaims any warranty for any such third party or unintended use.



Name	Acreage	Linear Footage
Upland	~175	N/A
Jurisdictional RPW 1	0.85	8,283
Jurisdictional RPW 2	0.01	285
Wetland 1	1.50	N/A
Wetland 2	0.26	N/A
Wetland 3	0.78	N/A
Wetland 4	0.77	N/A
Wetland 5	1.04	N/A
Wetland 6	0.39	N/A
Wetland 7	15.32	N/A
Wetland 8	90.92	N/A
Wetland 9	6.14	N/A
Wetland 10	1.22	N/A
Wetland 11	18.45	N/A
Wetland 12	38.33	N/A
Wetland 13	32.62	N/A
Wetland 14	55.69	N/A
Wetland 15	4.93	N/A
Total jurisdictional Waters of the U.S. (Acres)	~269	
Total Project Acreage	~445	

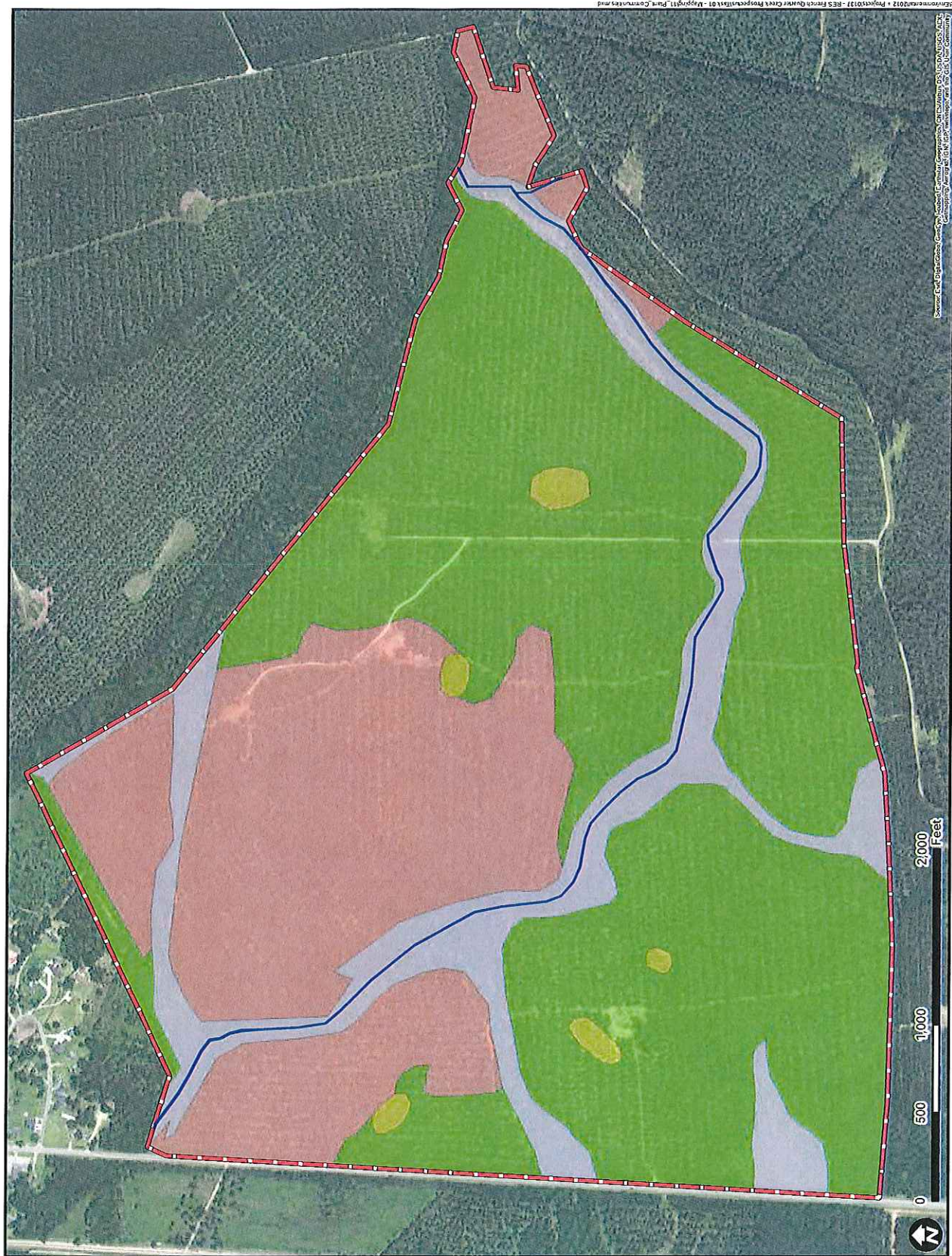


Figure 11. Existing Plant Communities Map

Legend

- Approximate Project Boundary
- Jurisdictional RPWS
- Approximate Existing Plant Communities
- Loblolly Pine Plantation
- Clear Cut
- Bottomland Hardwood
- Gum Pond



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**Figure 12. Photograph
Locations Map
French Quarter Creek
Prospectus**
Berkeley County, South Carolina

Legend



Job No. 656010137
Drawn By: CLB
Reviewed By: BJK
Date: 05/01/2017

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