

JOINT
PUBLIC NOTICE

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

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N SAC-2018-00244

February 17, 2022

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 S.C. Department of Health and Environmental Control by

Mr. Mark Williams
Luck Stone Corporation
PO Box 29682
Richmond, Virginia 23242

for a permit to expand the existing granite quarry in

wetlands and an unnamed tributary to Little Flat Rock Creek

at a location at the northeast corner of Quarry Road and State Road S-28-498, Kershaw County, South Carolina (Latitude: 34.4836 °, Longitude: -80.6225 °), Whiteoak Creek and Westville Quads.

In order to give all interested parties an opportunity to express their views

N O T I C E

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 the development, construction, and expansion of an existing granite mine. In detail, the work would include construction or modification of access roads, quarry pit, overburden storage, and relocation of a process plant. The applicant has requested a 25-year permit to complete proposed impacts to aquatic resources and anticipates that mining operations would be ongoing at this location for 50 years or more. The proposed project would impact 2,599 linear feet of stream and 4.32 acres of freshwater wetlands and would include excavation of a quarry pit with a maximum depth of 490 feet below ground surface. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States using an off-site permittee responsible mitigation plan. The proposed compensatory mitigation plan would enhance, restore, and/or preserve approximately 8,273 linear feet of stream and 46.65 acres of wetlands on a 117.42-acre tract in the Lake Wateree watershed. Following cessation of mining activities, the quarry would be reclaimed in accordance with applicable requirements from the South Carolina Department of Health and Environmental Control, Mining and Reclamation. The project purpose as stated by the applicant is to expand an existing granite quarry.

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. 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 Public Notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

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 4.56 acres of freshwater habitat well inland 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)(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 proposed 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.

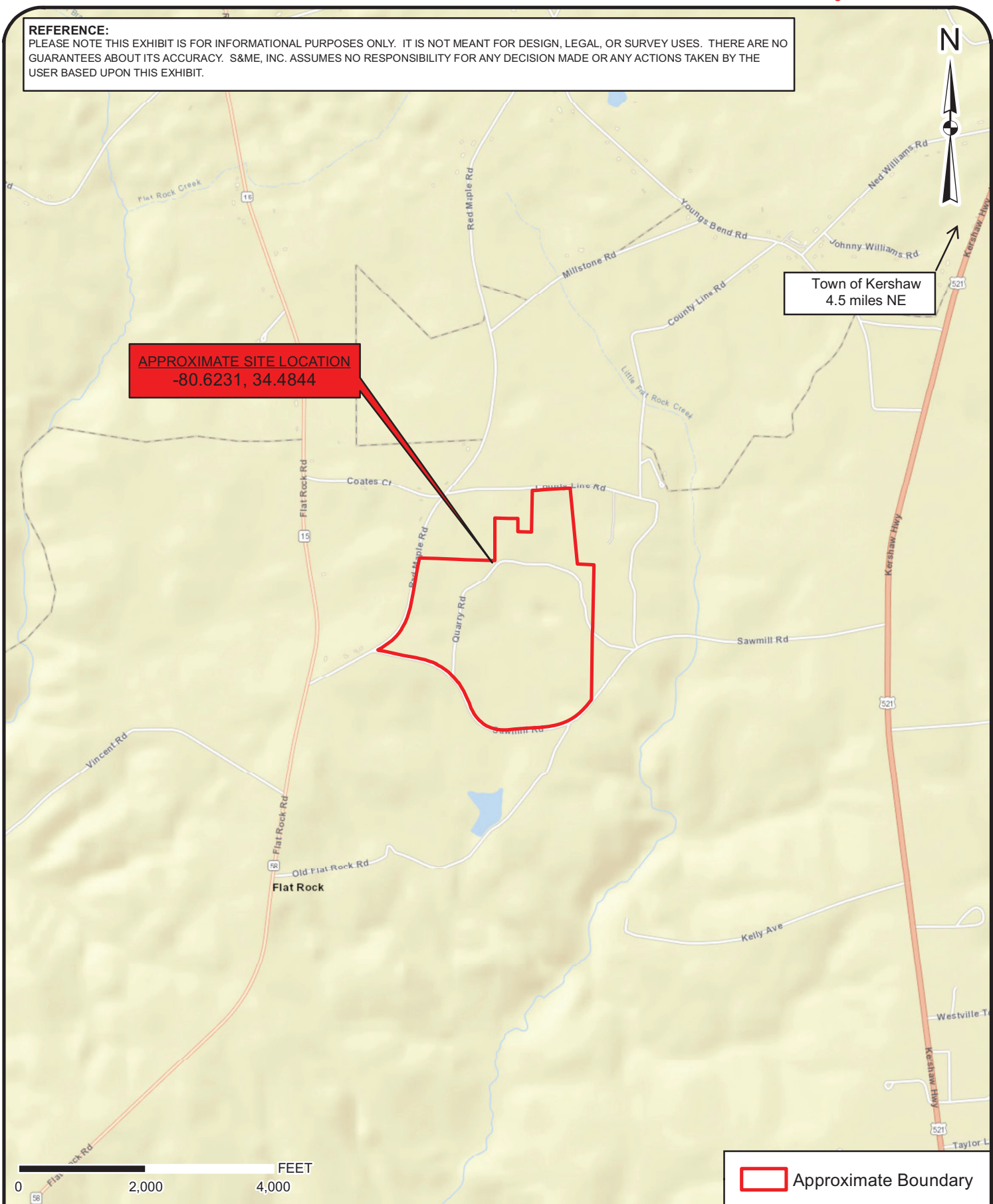
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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**

If there are any questions concerning this public notice, please contact Laura M. Boos Team Leader, at (803) 253-3902, or by email at Laura.M.Boos@usace.army.mil.

REFERENCE:

PLEASE NOTE THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR SURVEY USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON THIS EXHIBIT.



Approximate Boundary

Vicinity Exhibit

Kershaw Plant Expansion +/- 175 Acres

Kershaw, Kershaw County, South Carolina

Source: World Street Map

SCALE:
1" = 2,000'
DATE:
1-7-22
PROJECT NUMBER

FIGURE NO.

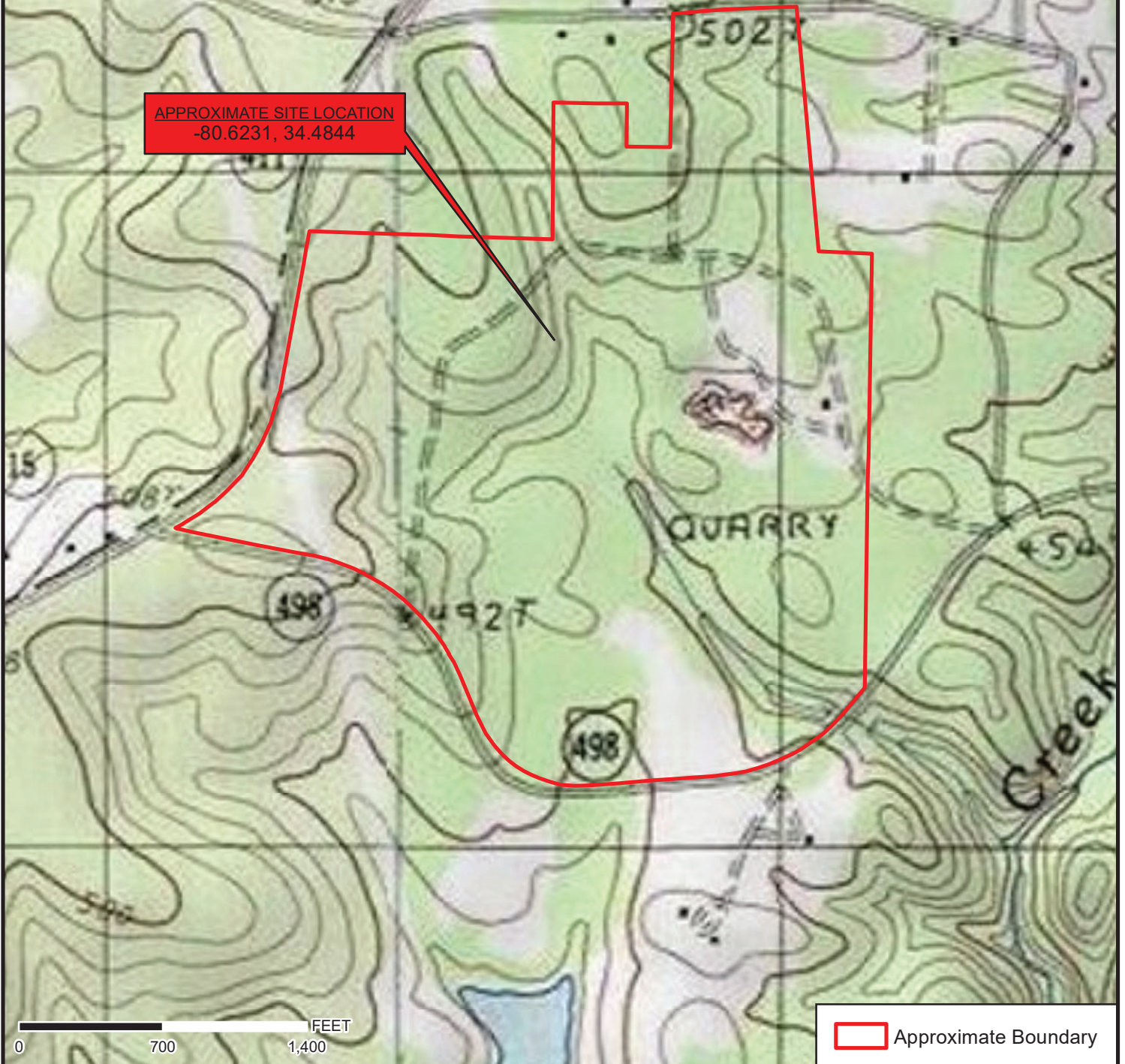
1

REFERENCE:

PLEASE NOTE THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR SURVEY USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON THIS EXHIBIT.



APPROXIMATE SITE LOCATION
-80.6231, 34.4844



Approximate Boundary

Topographic Exhibit

Kershaw Plant Expansion +/- 175 Acres

Kershaw, Kershaw County, South Carolina

Source: USGS 7.5-Minute Topo Quads White Oak Creek and Westville, SC 1988

SCALE:
1" = 700'

DATE:
1-7-22

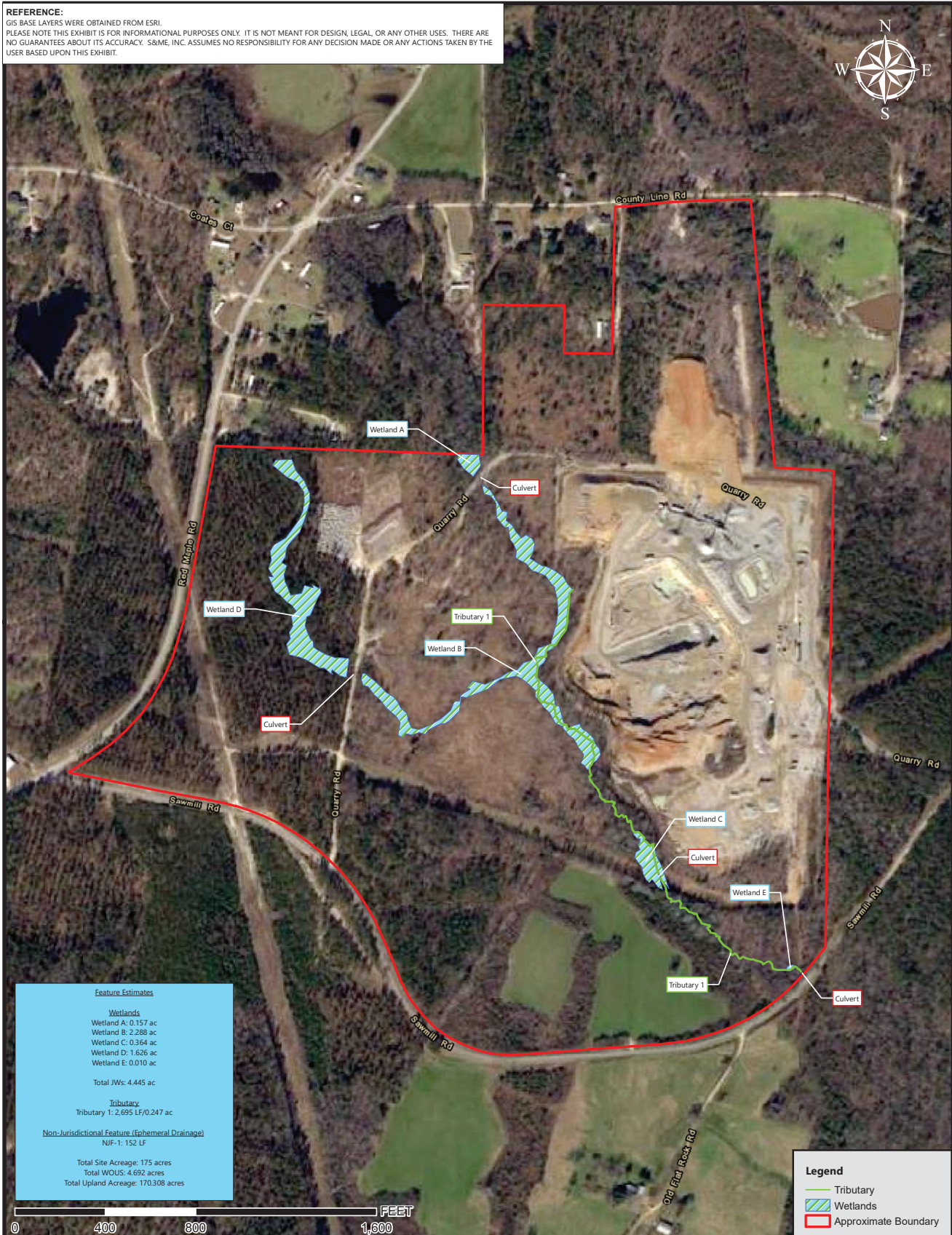
PROJECT NUMBER

FIGURE NO.

2

REFERENCE:

GIS BASE LAYERS WERE OBTAINED FROM ESRI.
PLEASE NOTE THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR ANY OTHER USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON THIS EXHIBIT.



SCALE: 1 inch = 400 feet

DATE: 12-17-21

PROJECT NO:

Existing Conditions Aerial Exhibit

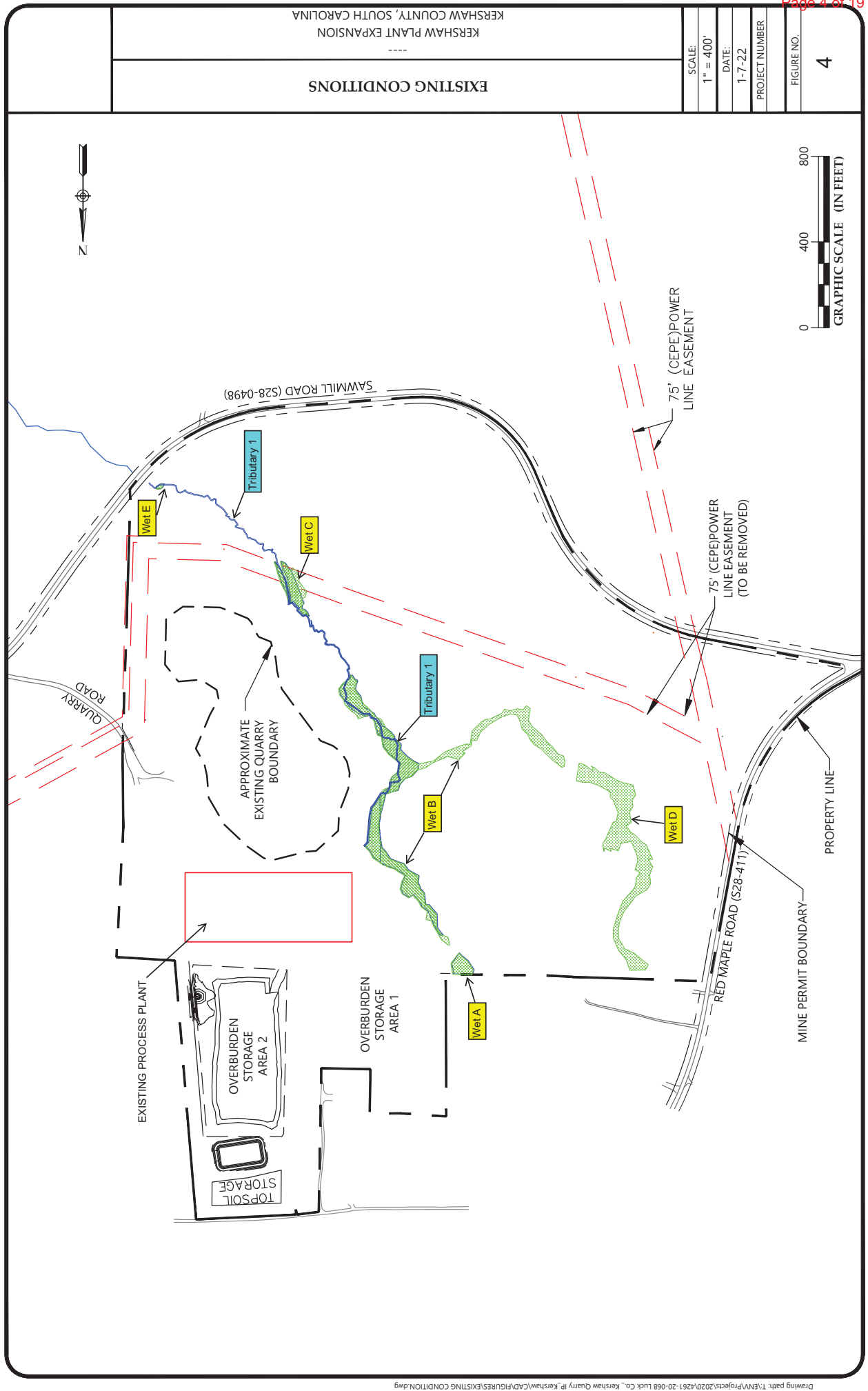
Kershaw Plant Expansion +/- 175 Acres

Kershaw, Kershaw County, South Carolina

Source: Kershaw Co. GIS 2020

FIGURE
NO.

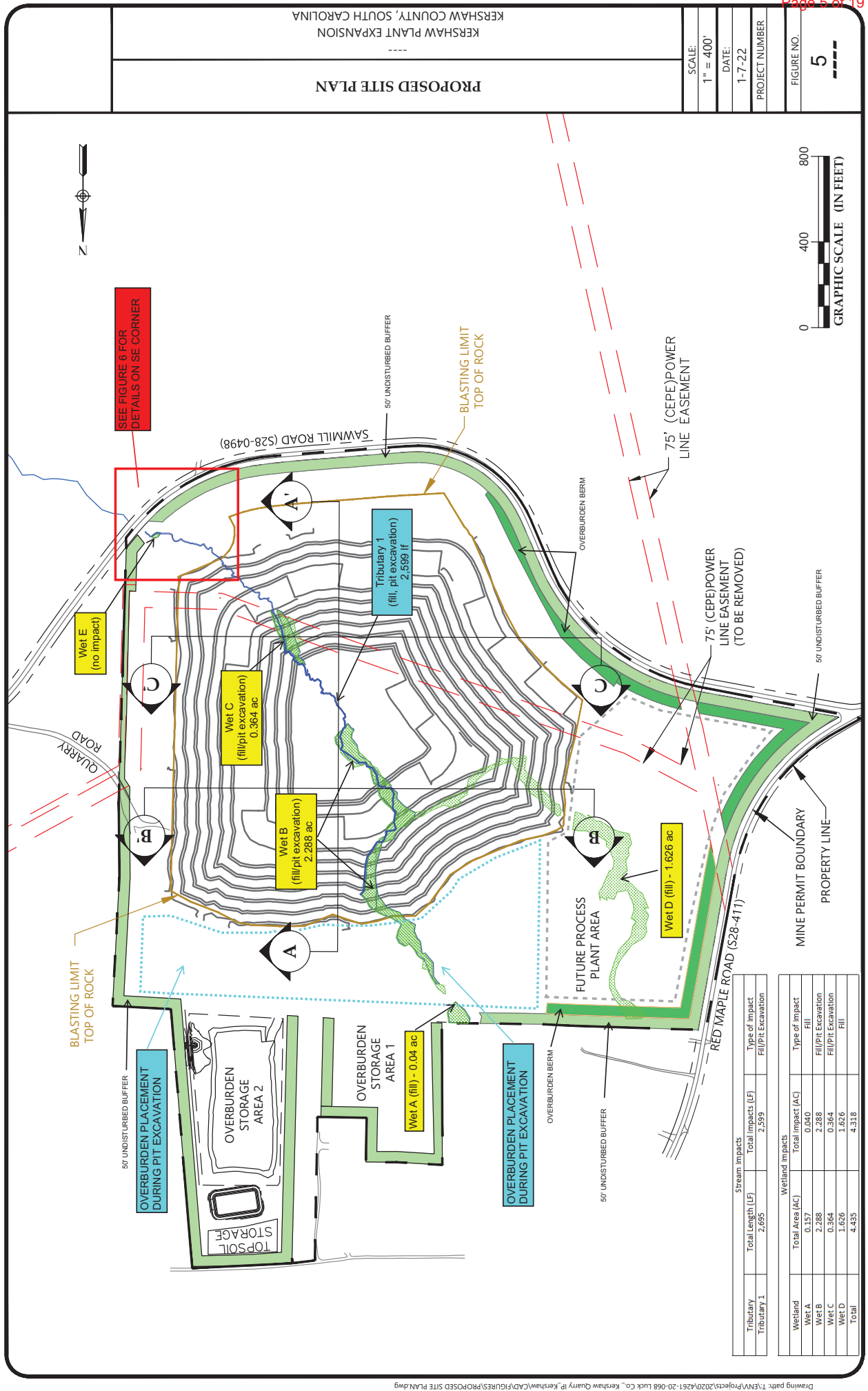
3



EXISTING CONDITIONS

KERSHAW PLANT EXPANSION
KERSHAW COUNTY, SOUTH CAROLINA

SCALE:	1" = 400'
DATE:	1-7-22
PROJECT NUMBER:	
FIGURE NO.:	4



PROPOSED SITE PLAN

KERSHAW PLANT EXPANSION
KERSHAW COUNTY, SOUTH CAROLINA

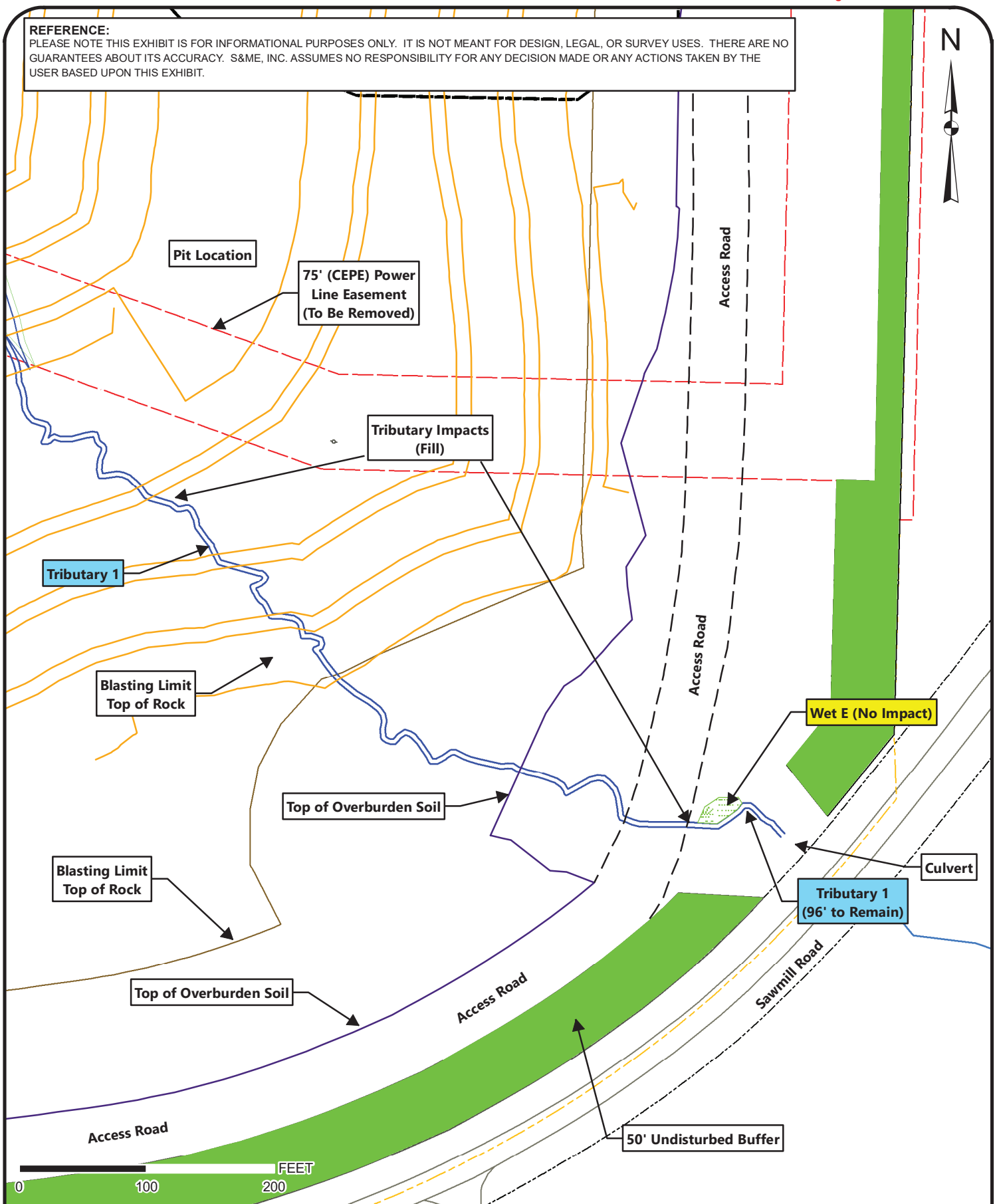
SCALE:	1" = 400'
DATE:	1-7-22
PROJECT NUMBER:	
FIGURE NO.:	5



SEE FIGURE 6 FOR
DETAILS ON SE CORNER

REFERENCE:

PLEASE NOTE THIS EXHIBIT IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT MEANT FOR DESIGN, LEGAL, OR SURVEY USES. THERE ARE NO GUARANTEES ABOUT ITS ACCURACY. S&ME, INC. ASSUMES NO RESPONSIBILITY FOR ANY DECISION MADE OR ANY ACTIONS TAKEN BY THE USER BASED UPON THIS EXHIBIT.



Proposed Site Plan-Southeast Corner

Kershaw Plant Expansion

Kershaw, Kershaw County, South Carolina

SCALE:
1" = 100'

DATE:
1-7-22

PROJECT NUMBER

FIGURE NO.

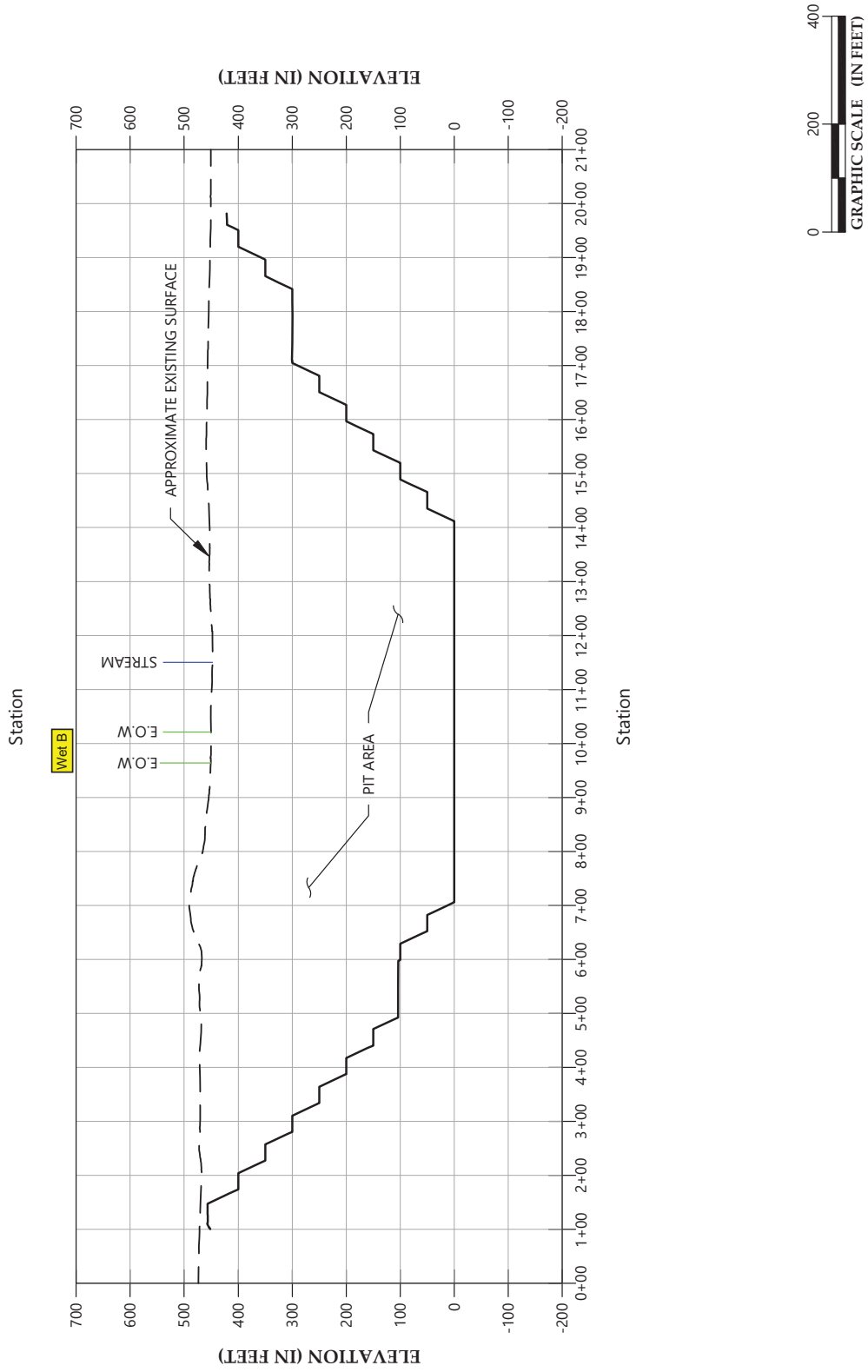
6

KERSHAW PLANT EXPANSION
KERSHAW COUNTY, SOUTH CAROLINA

CROSS SECTION A-A'

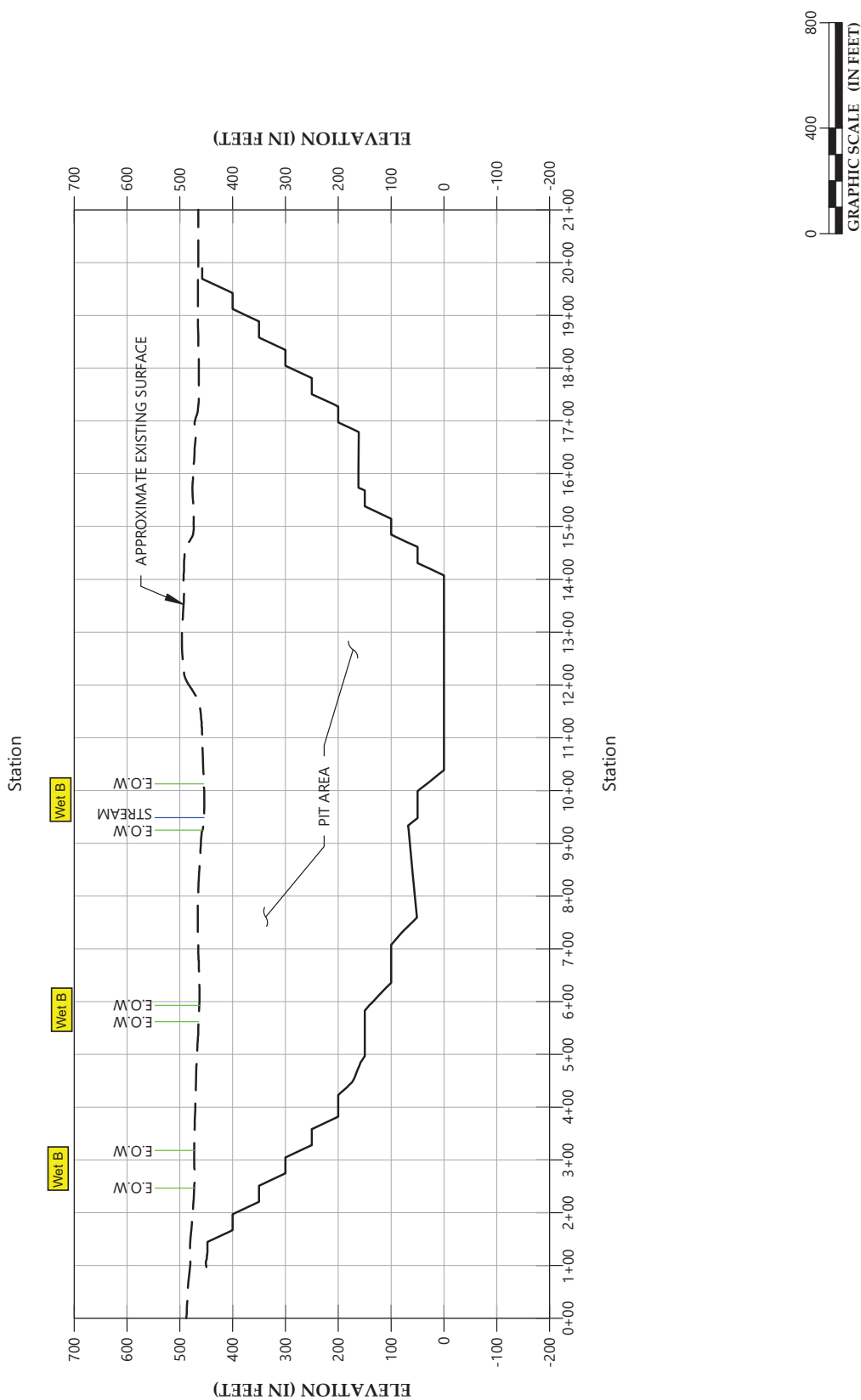
SCALE:
1" = 200'
DATE:
1-7-22
PROJECT NUMBER:
FIGURE NO.
7

Profile View of A-A'



Drawing path: T:\ENV\Projects\2020\261-20-068 Luk Co., Kershaw Quarry IP\Kershaw/CAD\FIGURES\CROSS SECTION B-B'.dwg

Profile View of B-B'



CROSS SECTION B-B'

KERSHAW PLANT EXPANSION
KERSHAW COUNTY, SOUTH CAROLINA

SCALE:
1" = 200'
DATE:
1-7-22
PROJECT NUMBER:
FIGURE NO.

8

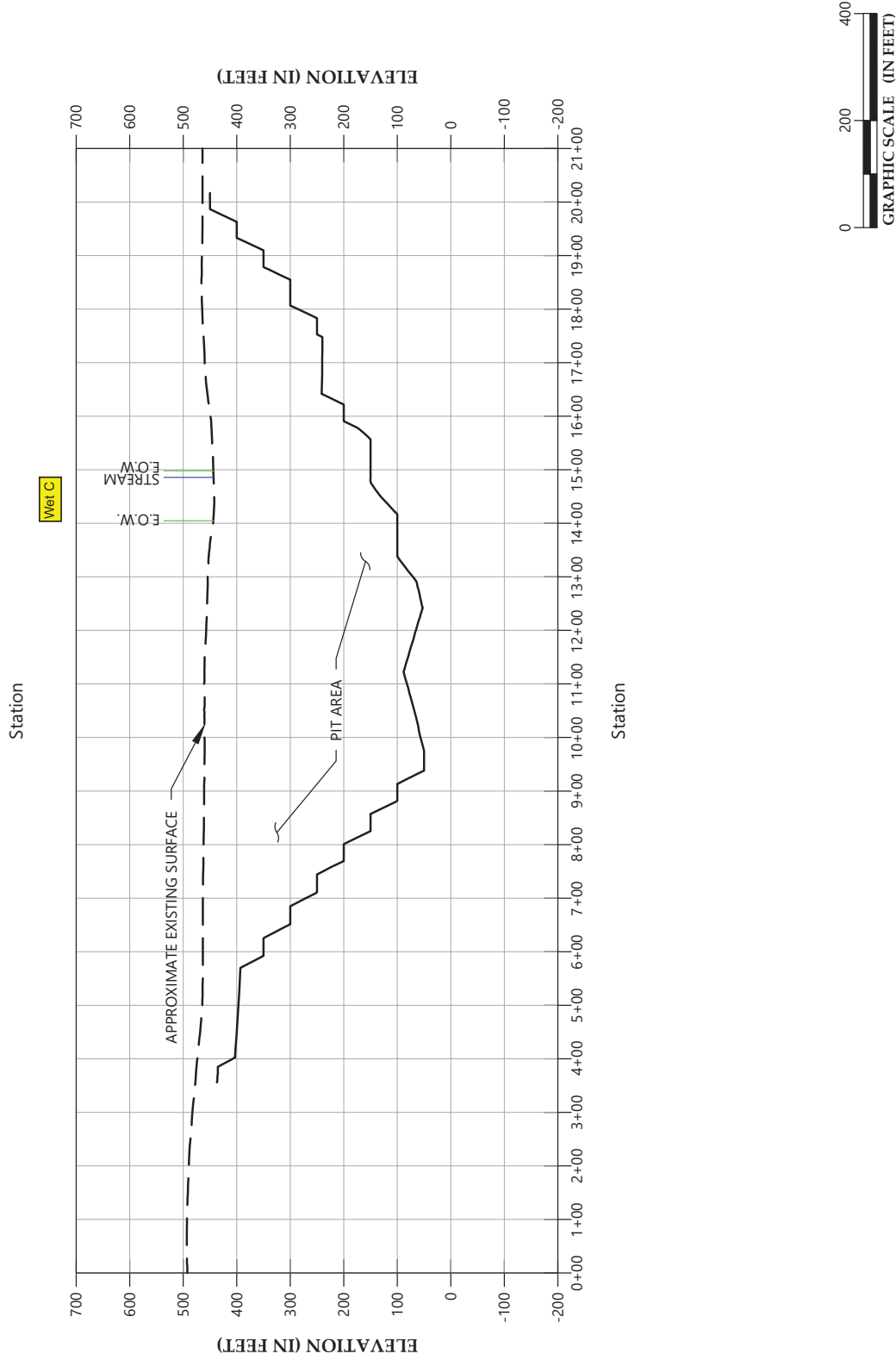
KERSHAW PLANT EXPANSION
KERSHAW COUNTY, SOUTH CAROLINA

CROSS SECTION C-C'

SCALE:
1" = 200'
DATE:
1-7-22
PROJECT NUMBER:
FIGURE NO.

9

Profile View of C-C'



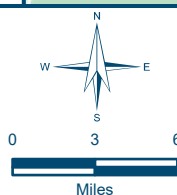
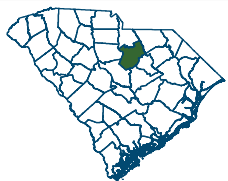
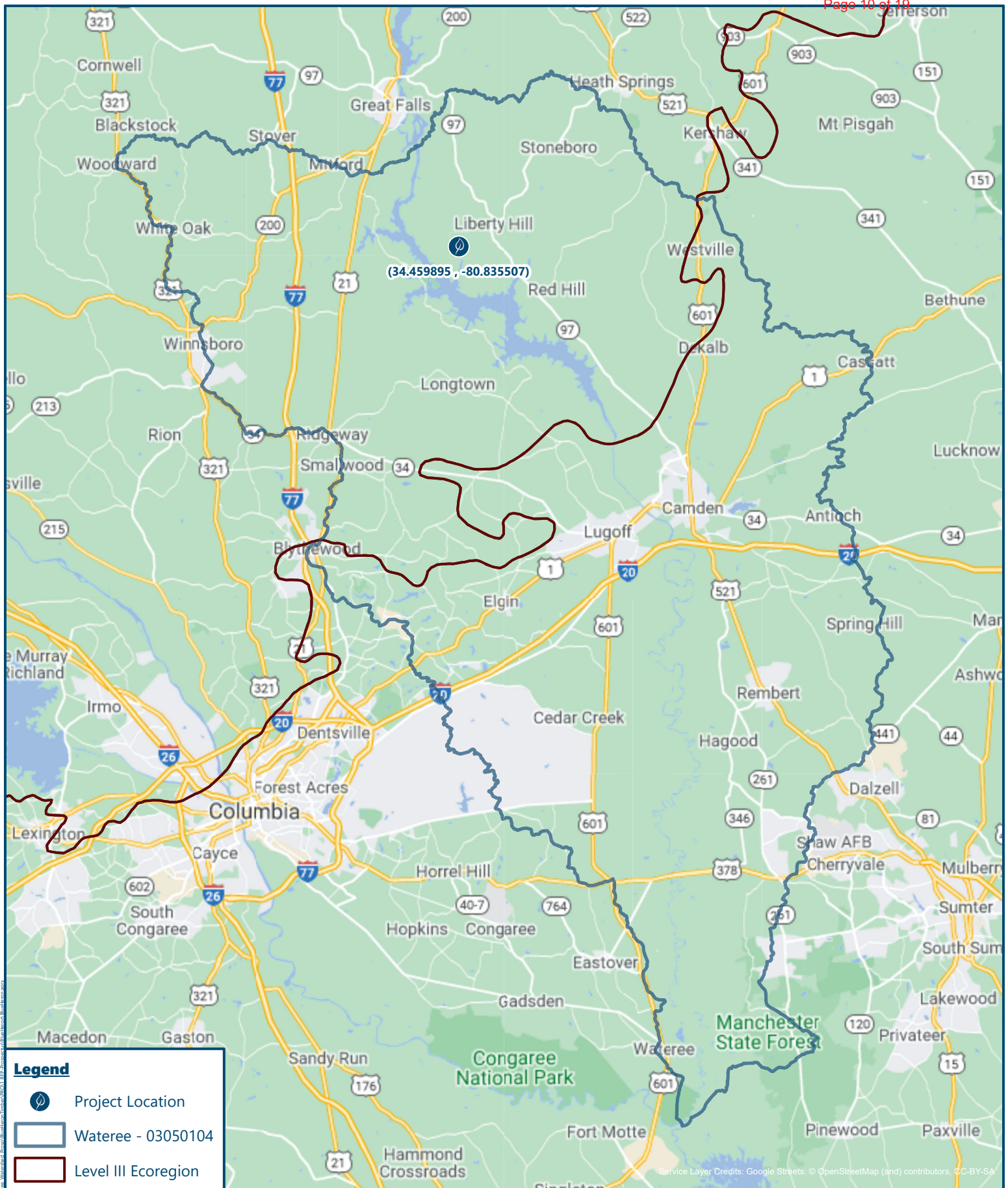


Figure 1 - Project Watershed
Blue Heron Mitigation Project
Kershaw County, South Carolina

Date: 12/20/2021

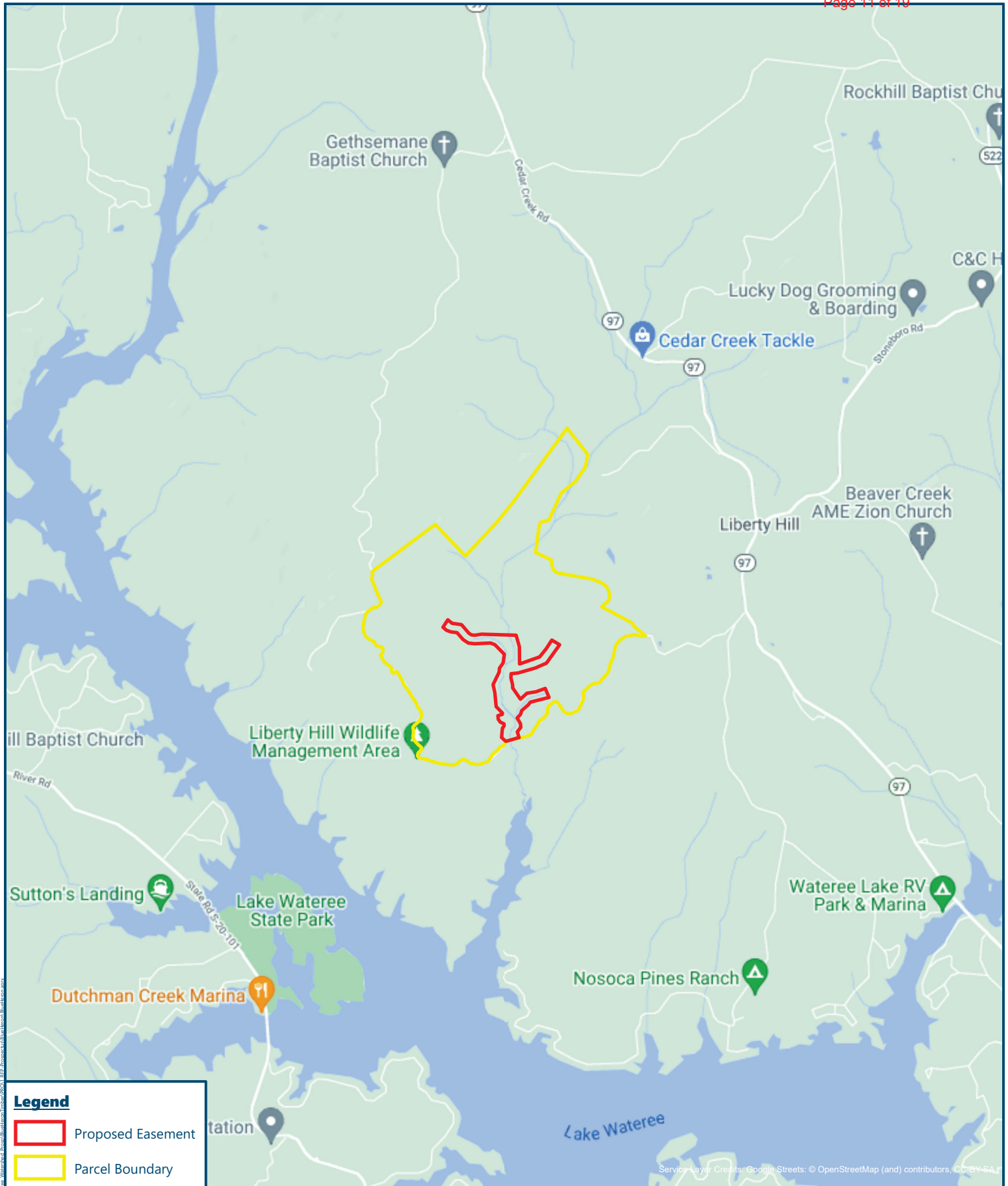
Drawn by: MDE

Checked by: CR

1 inch = 7 miles



Restoring a resilient earth for a modern world



		<p align="center">Figure 2 - Project Vicinity</p> <p align="center">Blue Heron Mitigation Project</p> <p align="center">Kershaw County, South Carolina</p>	<p>Date: 12/15/2021</p> <p>Drawn by: MDE</p> <p>Checked by: CR</p> <p>1 inch = 5,000 feet</p>	
--	--	---	---	--

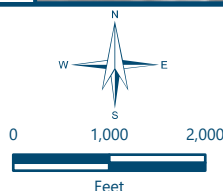
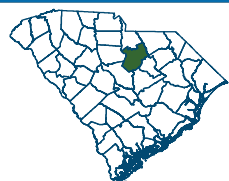
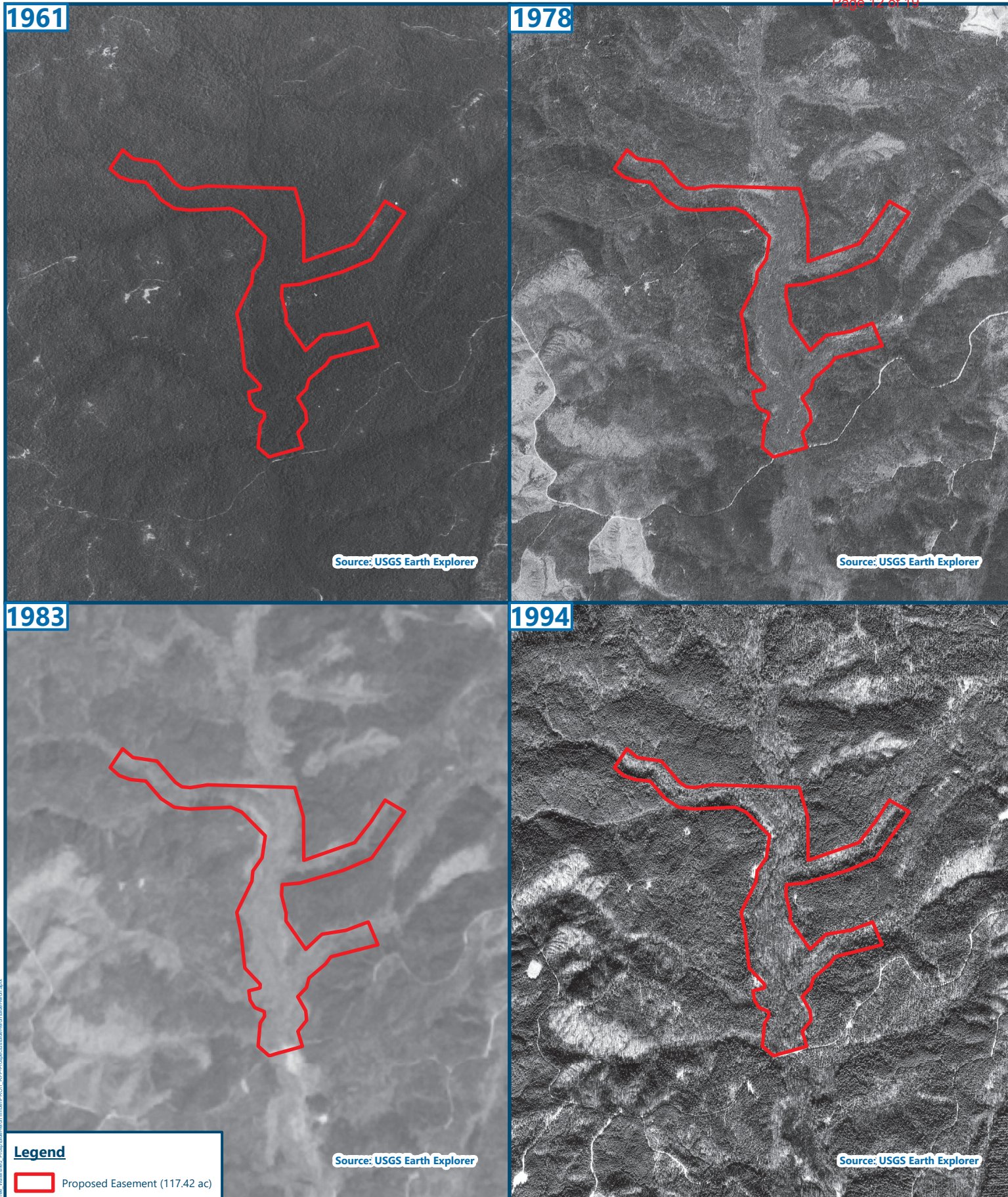


Figure 3a - Historic Imagery
Blue Heron Mitigation Project
Kershaw County, South Carolina

Date: 12/20/2021

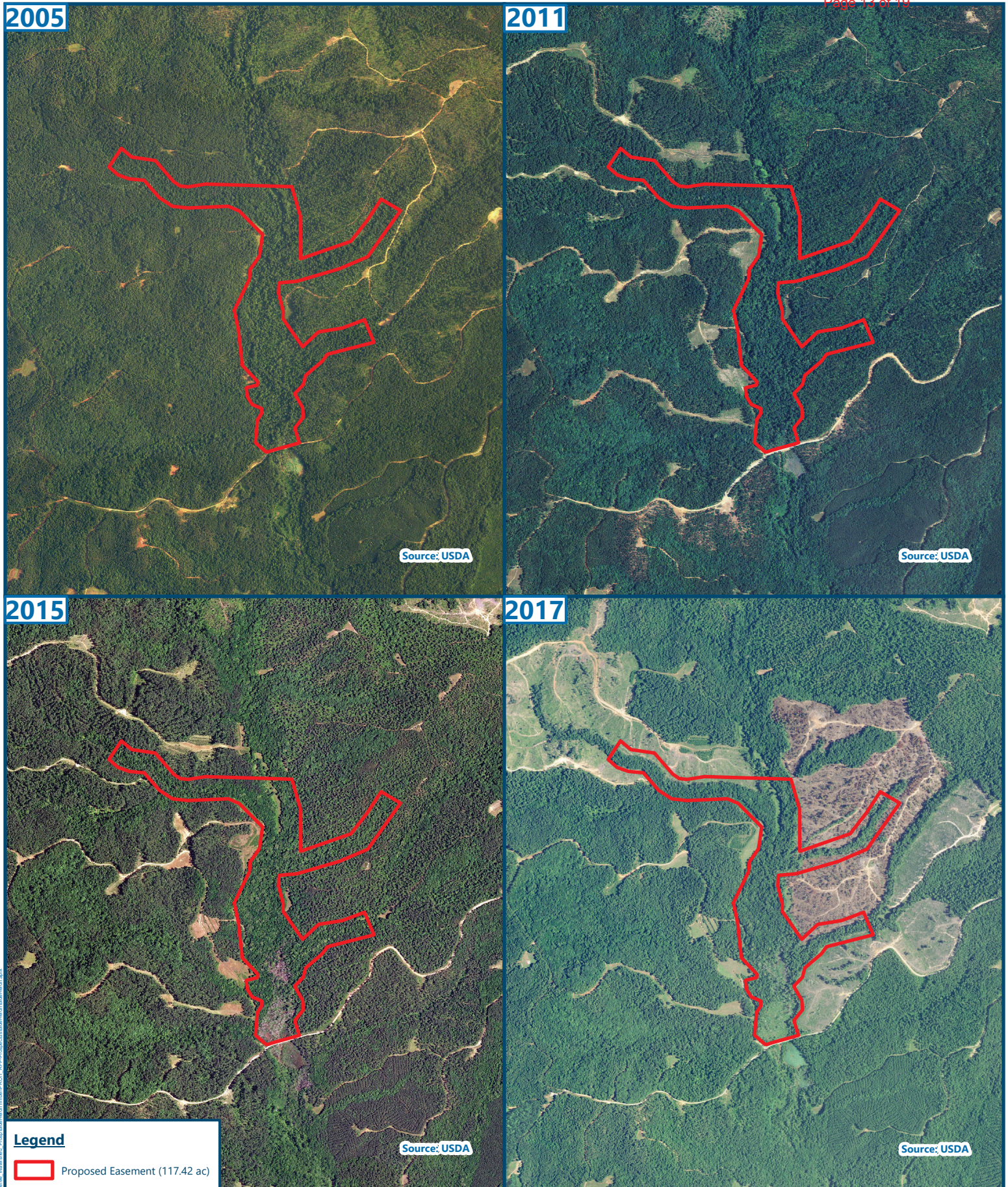
Drawn by: MDE

Checked by: CR


1:24,000



Restoring a resilient earth for a modern world



Legend

 Proposed Easement (117.42 ac)

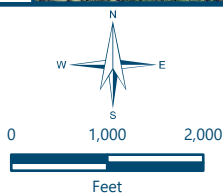
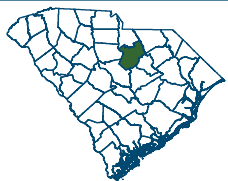


Figure 3b - Historic Imagery

Blue Heron Mitigation Project

Kershaw County, South Carolina

Date: 12/20/2021

Drawn by: MDE

Checked by: CR

1:24,000



Restoring a resilient earth for a modern world

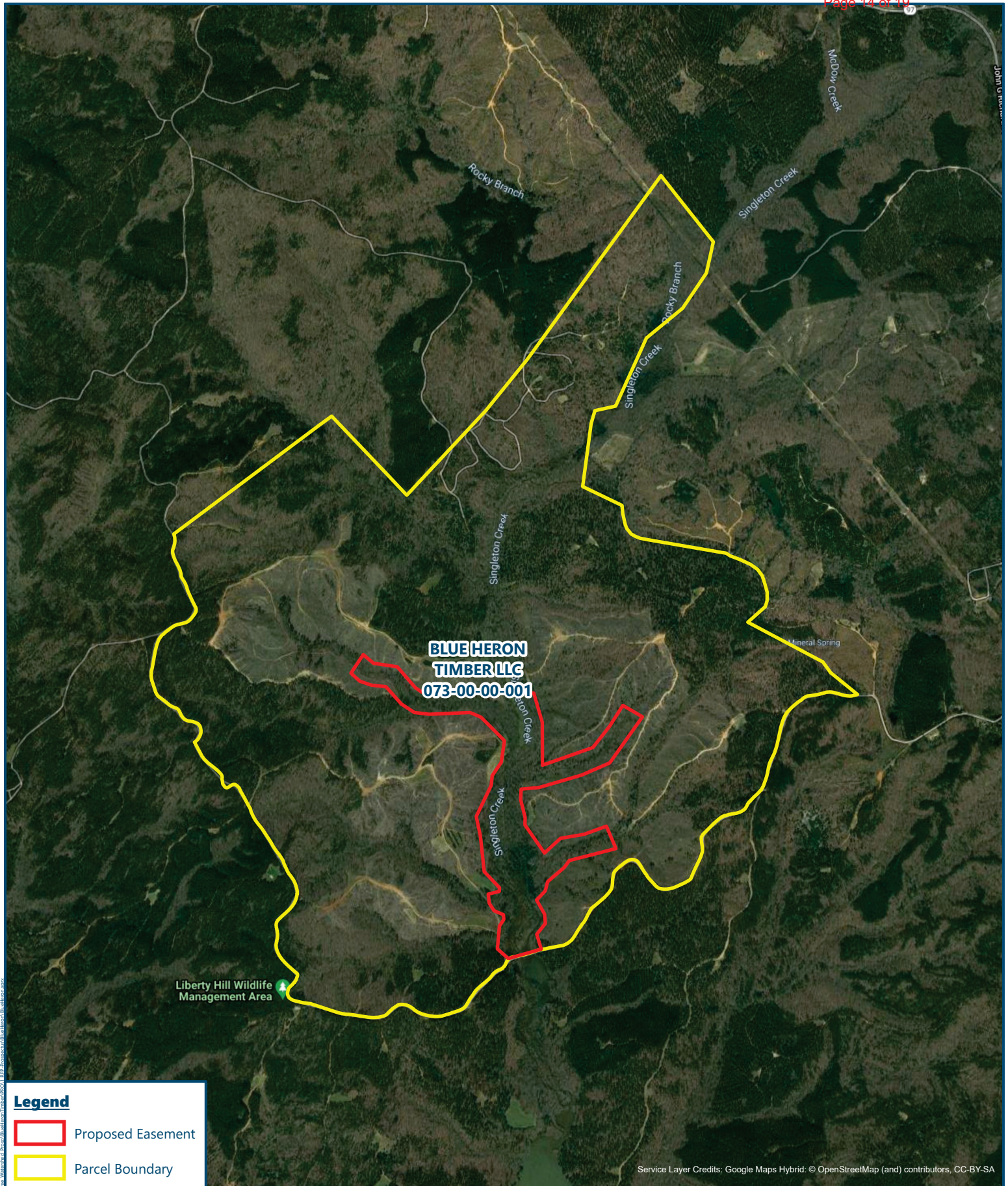
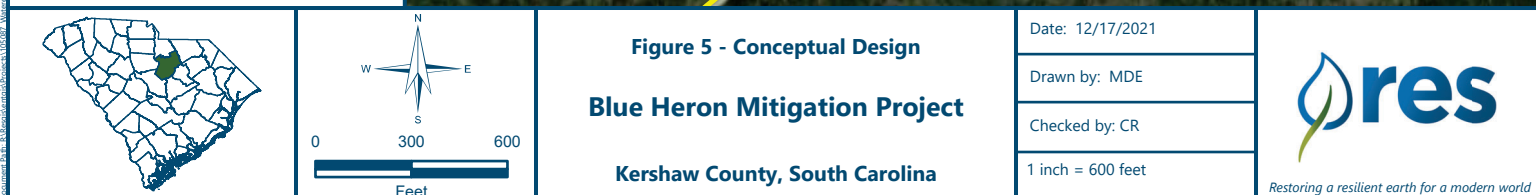
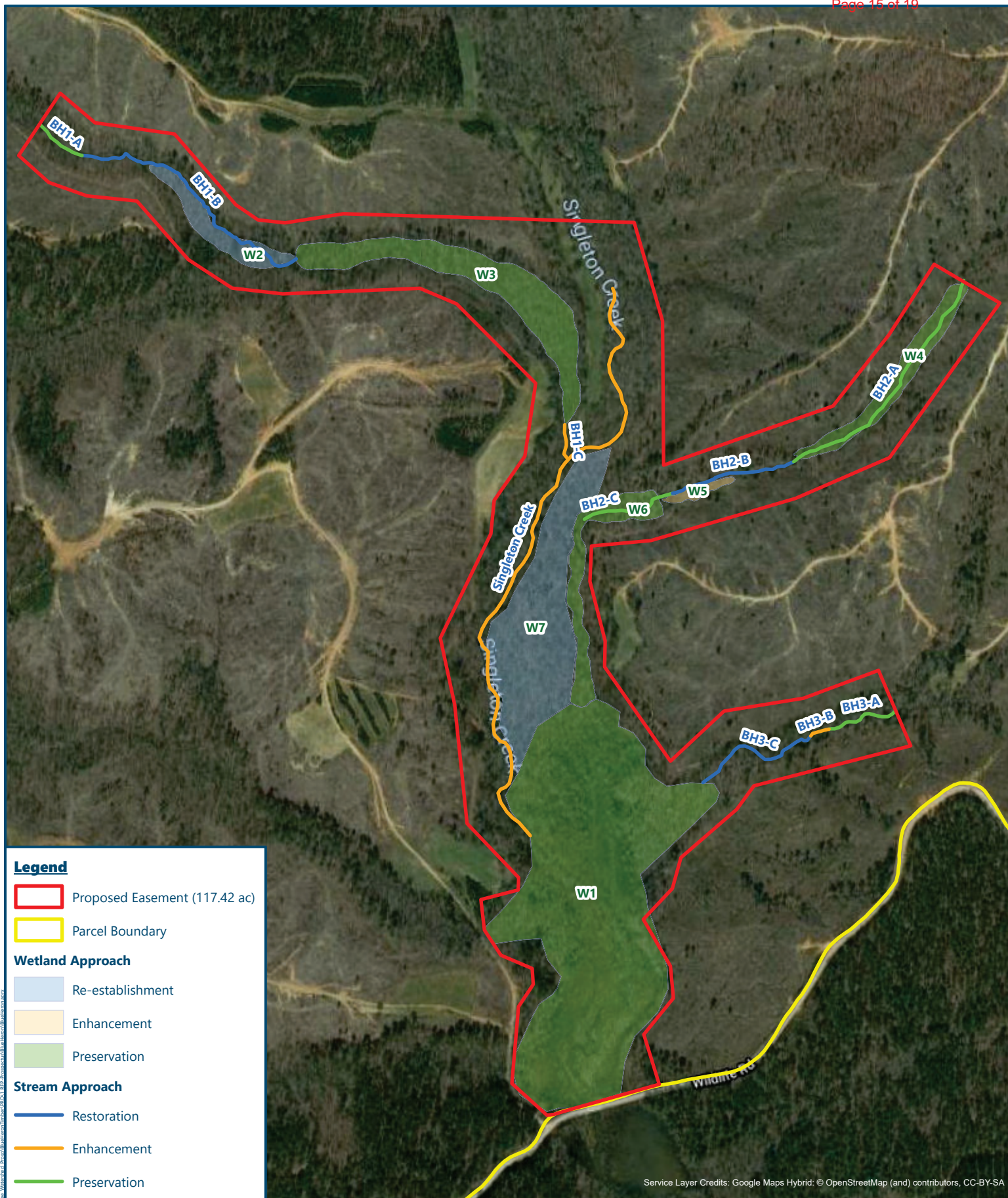
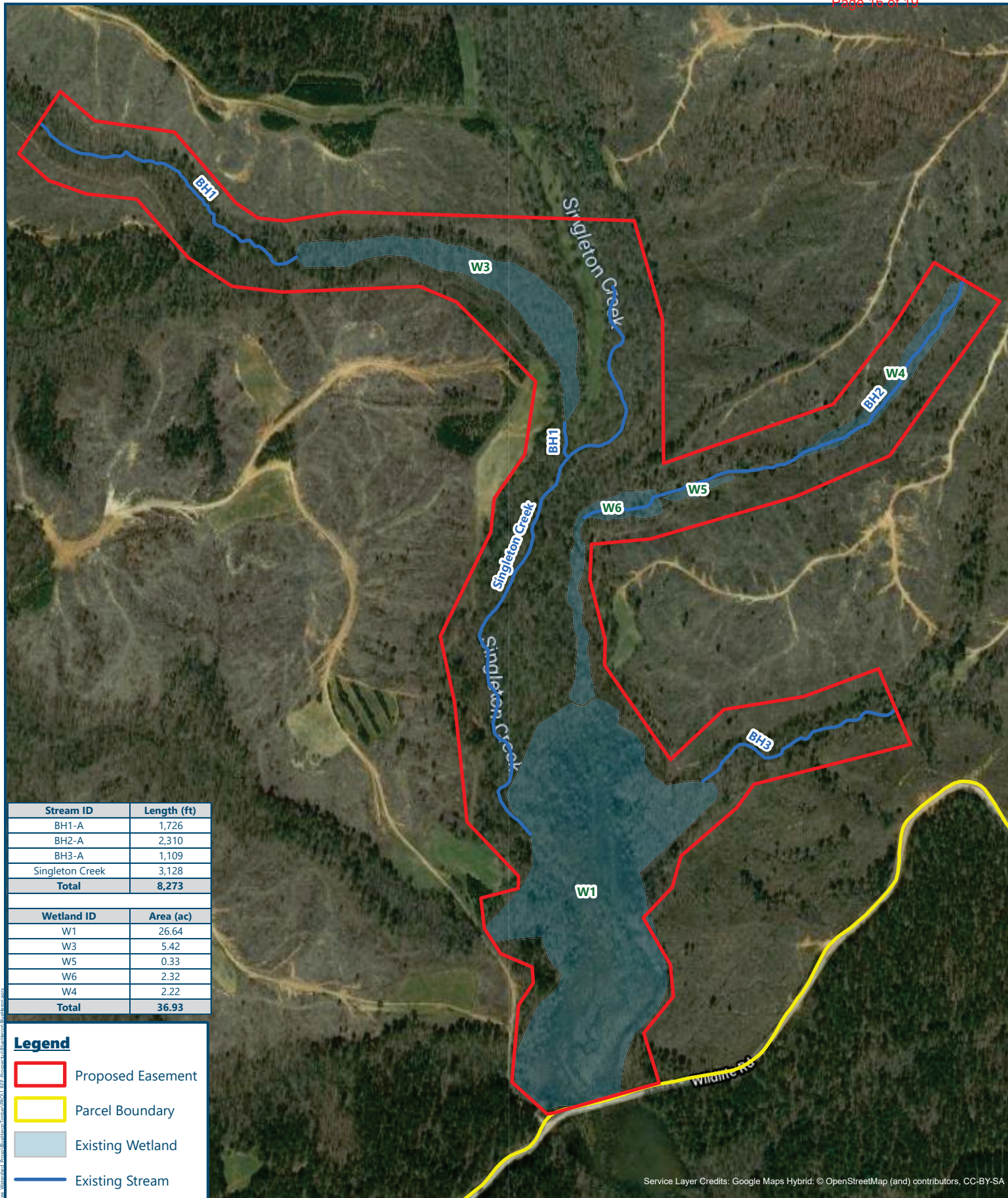


		Figure 4 - Property Owner Overview Blue Heron Mitigation Project Kershaw County, South Carolina		Date: 12/15/2021
				Drawn by: MDE
				Checked by: CR
				1 inch = 2,000 feet
		Restoring a resilient earth for a modern world		





0 300 600
Feet

Figure 6 - Preliminary Aquatic Resources

Blue Heron Mitigation Project

Kershaw County, South Carolina

Date: 12/20/2021

Drawn by: MDE

Checked by: CR

1 inch = 600 feet

Restoring a resilient earth for a modern world

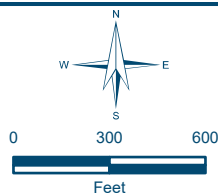
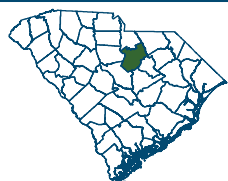
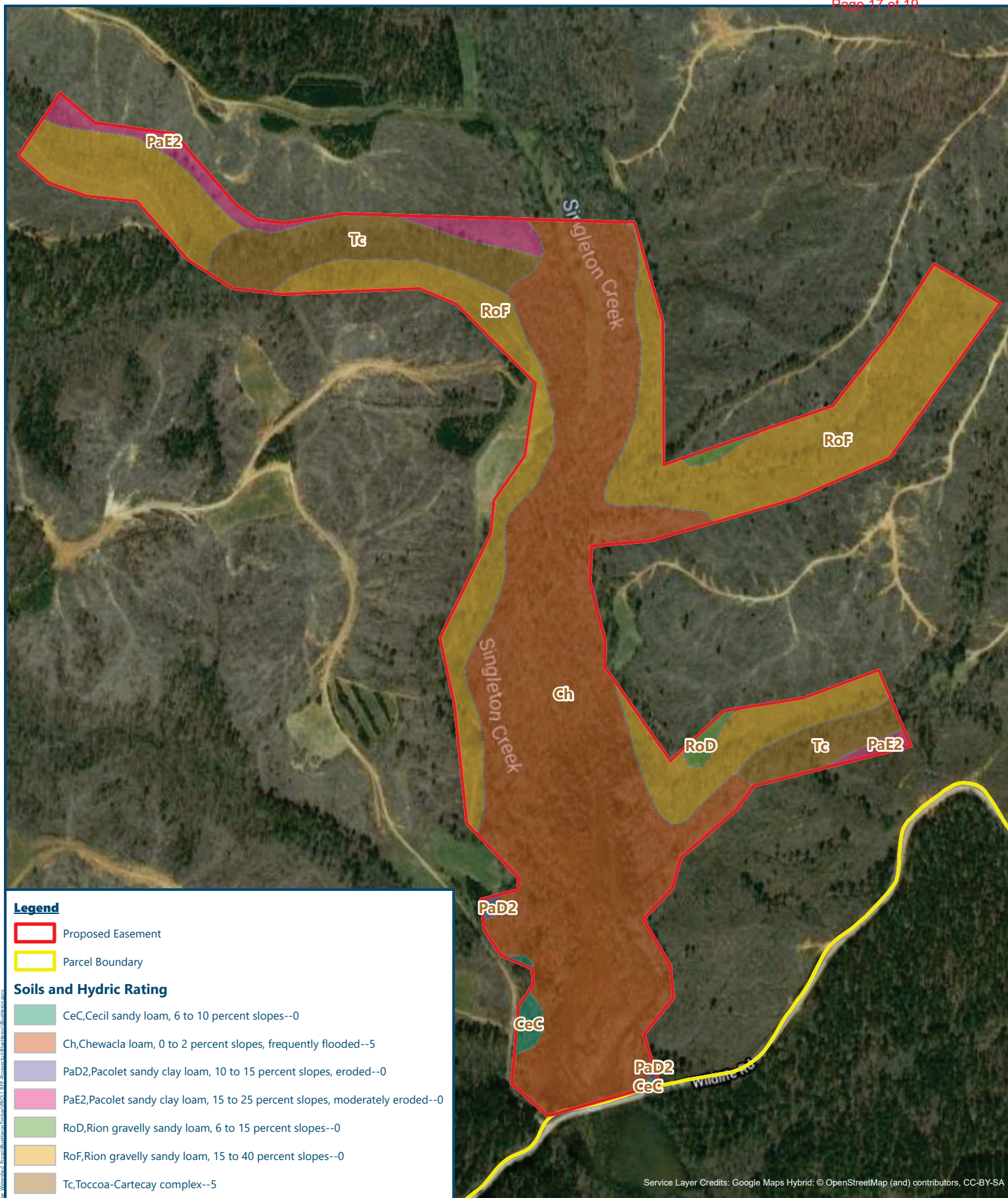


Figure 7 - NRCS Mapped Soils
Blue Heron Mitigation Project
Kershaw County, South Carolina

Date: 12/17/2021

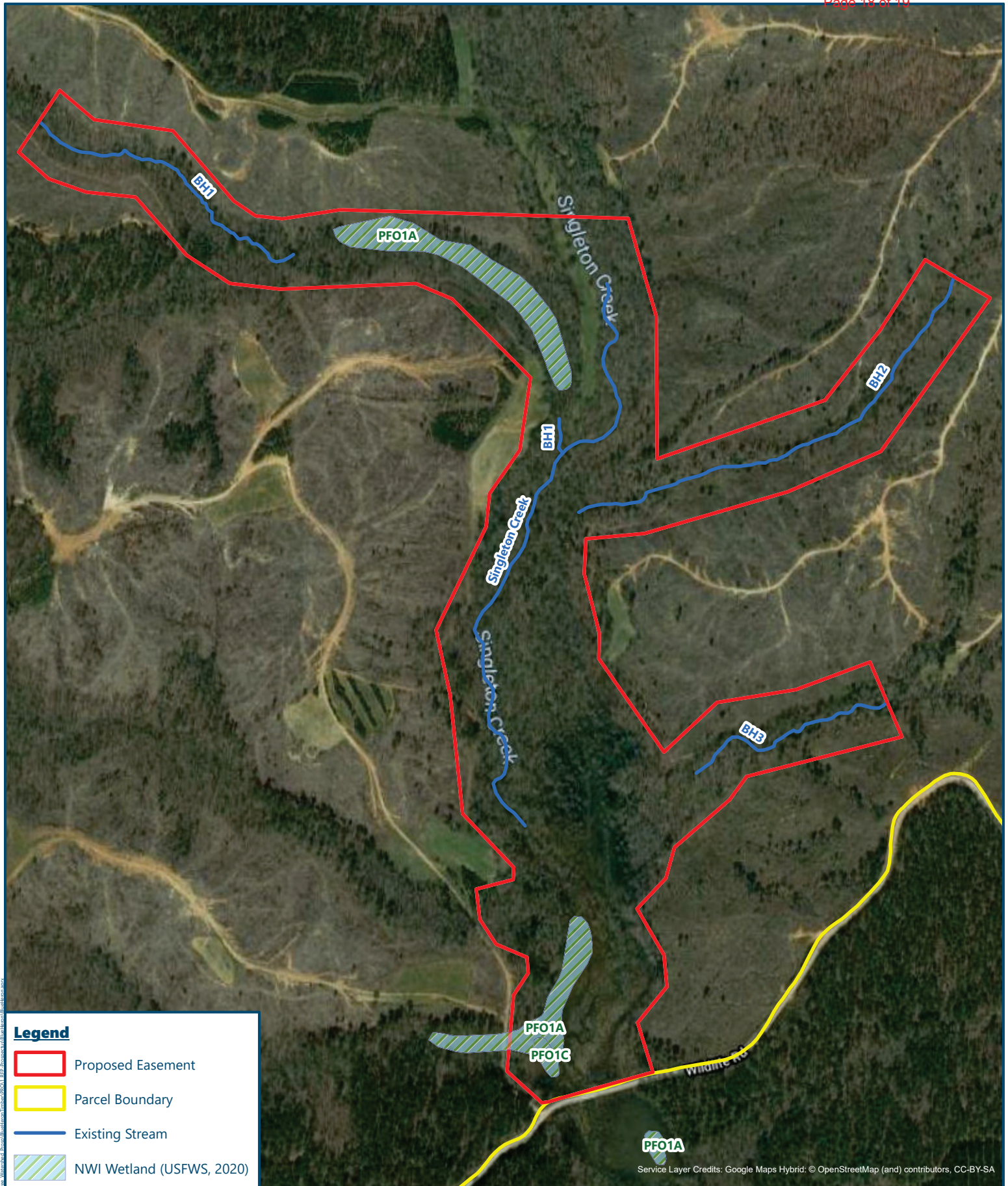
Drawn by: MDE

Checked by: CR

1 inch = 600 feet



Restoring a resilient earth for a modern world



Legend

- Proposed Easement
- Parcel Boundary
- Existing Stream
- NWI Wetland (USFWS, 2020)

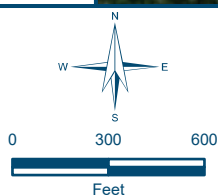
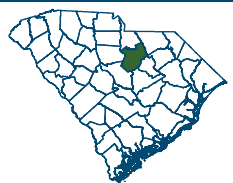


Figure 8 - National Wetland Inventory
Blue Heron Mitigation Project
Kershaw County, South Carolina

Date: 12/17/2021

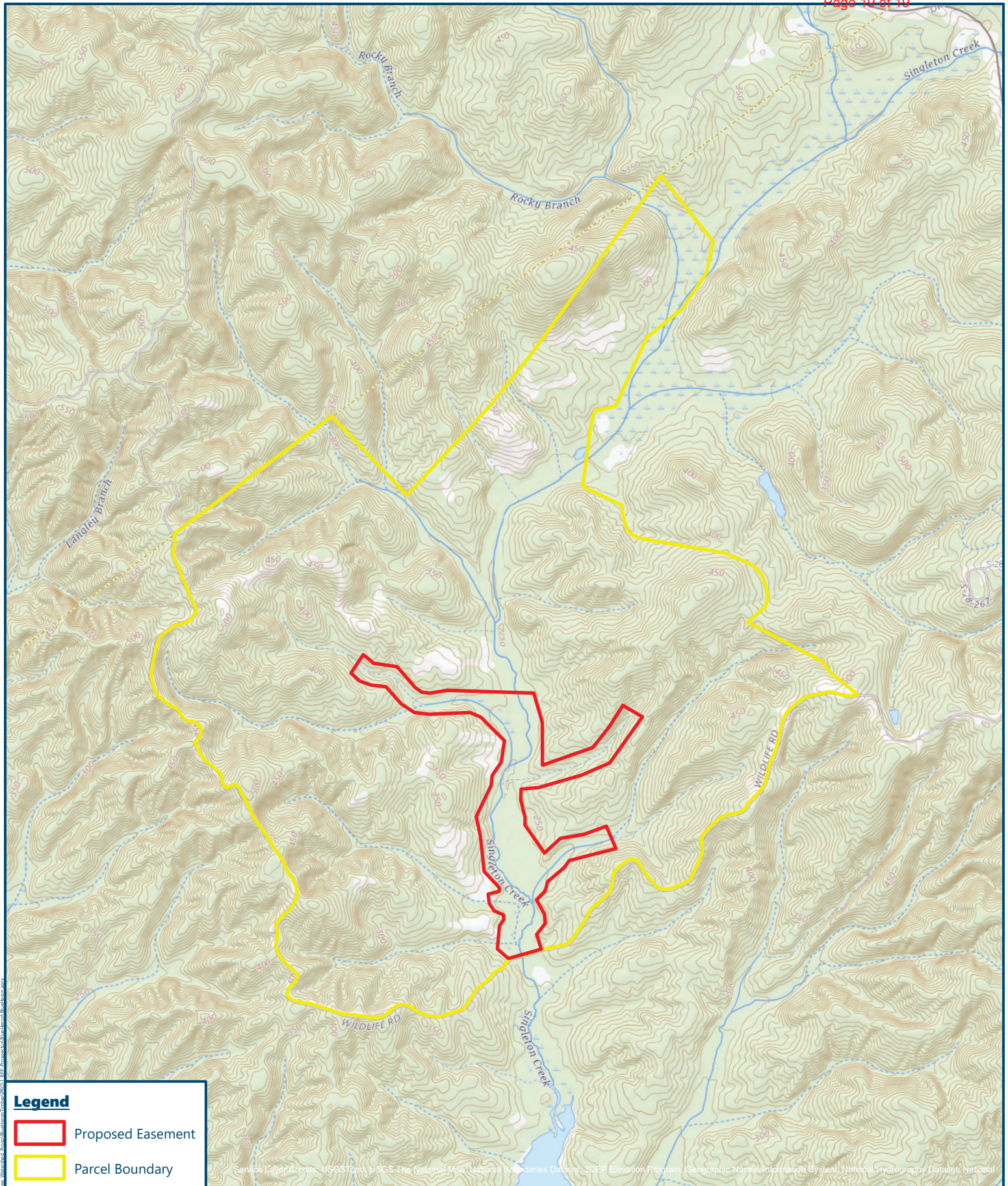
Drawn by: MDE

Checked by: CR

1 inch = 600 feet

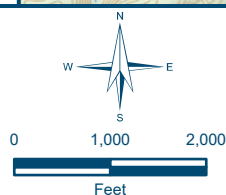
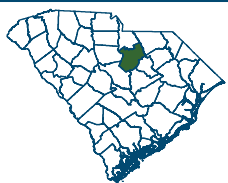


Restoring a resilient earth for a modern world



Legend

- Proposed Easement
- Parcel Boundary



**Figure 9 - USGS Quadrangle
Liberty Hill (2020)**

Blue Heron Mitigation Project

Kershaw County, South Carolina

Date: 12/20/2021

Drawn by: MDE

Checked by: CR

1 inch = 2,000 feet



Restoring a resilient earth for a modern world