

**PUBLIC NOTICE**

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

REGULATORY DIVISION

Refer to: P/N SAC-2018-00951

January 11, 2019

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

**PALUSTRINE GROUP, LLC  
ATTENTION: CHRIS CARTER  
P.O. BOX 16091  
GREENVILLE, SC 29606**

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

**TYGER RIVER**

at a location approximately 15 miles South of Spartanburg, SC. The property is located west of SC Hwy 56, in Spartanburg County, South Carolina (Latitude: N 34.721°, Longitude: W -81.858°), Cross Anchor and Enoree U.S. Geological Service Quadrangle sheets.

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 proposed project consists of establishing a freshwater stream and wetland mitigation bank in the Tyger watershed (8-digit Hydrologic Unit Code 03050107) located in the Level III Piedmont Ecoregion. The proposed 405-acre mitigation site includes approximately 60,308 linear feet of stream channels and 10.89 acres of freshwater wetlands.

The proposal is to preserve 14,397 linear feet of stream, including 12,355 linear feet of the Tyger River and 2,042 linear feet of stable tributary streams and preserve 3.44 acres of functioning forested wetlands. In addition, 5,987 feet of streams will be enhanced by stabilizing stream channels by making adjustments to dimension, pattern, and profile and/or installing in stream habitat features. 0.163 acres of freshwater wetlands will be enhanced by re-planting native bottomland hardwood species and filling/plugging ditches. Restoration of 37,436 linear feet of Cane Creek, Motley Branch, and associated tributaries will be achieved by rebuilding the dimension, pattern, and profile to an existing reach. Channels will be constructed using Natural channel design

approaches to stabilize stream beds and banks, improve stream channel geometry, and reconnect streams to the floodplain. In-stream structures will be used to provide grade control, maintain channel dimensions and pattern, and improve habitat. In addition, 2,646 linear feet of seasonal flow stream will be re-established to reconnect isolated headwater streams to the main channel of Cane Creek, Motley Branch and associated tributaries. There are approximately 7.201 acres of low areas that potentially may become wetlands when these streams are reconnected to the floodplain. Once the mitigation work is complete, the bank sponsor proposes to monitor the mitigation site to ensure that the restoration areas are performing as expected and meeting the necessary performance standards. The bank sponsor, using a conservation easement, will protect the mitigation bank site.

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

Also, according to the Prospectus, the proposed mitigation bank will provide in-kind compensatory mitigation for authorized impacts to aquatic resources located within the Tyger, Upper Broad, Lower Broad, and Enoree 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 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 (Section 401 of the Clean Water Act). 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 will 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 mitigation bank actions would not have a substantial 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 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.

January 11, 2018

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 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.

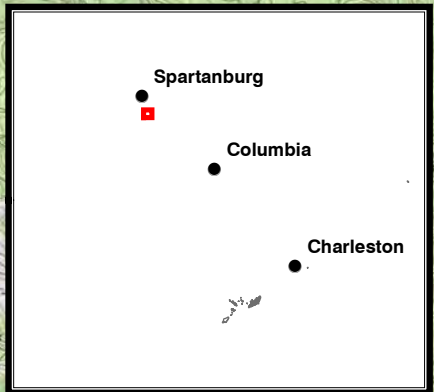
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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

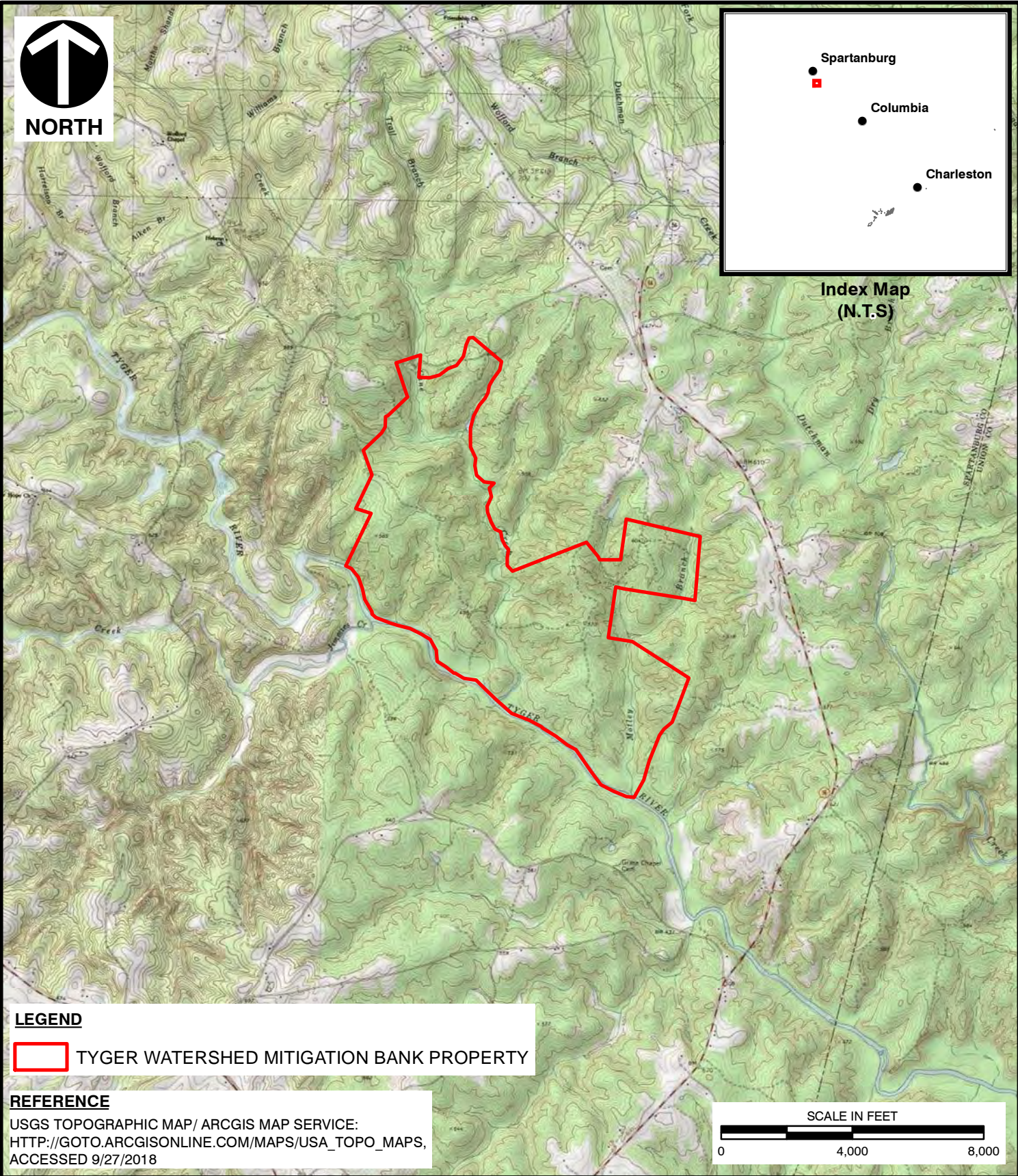
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to 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  
Attention: Regulatory Division  
69A Hagood Avenue  
Charleston, South Carolina 29403**

The Prospectus for the proposed mitigation bank is available for review by appointment between the hours of 9:00 am and 4:00 pm Monday through Friday at the address listed above. If there are any questions concerning the proposed mitigation bank or the information included in this public notice please contact David B. Wilson by e-mail at [david.b.wilson@usace.army.mil](mailto:david.b.wilson@usace.army.mil) or by telephone at 843-329-8044.



Index Map (N.T.S)

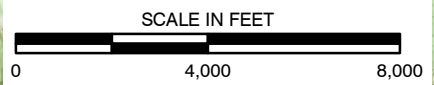


**LEGEND**

 TYGER WATERSHED MITIGATION BANK PROPERTY

**REFERENCE**

USGS TOPOGRAPHIC MAP/ ARCGIS MAP SERVICE:  
HTTP://GOTO.ARCGISONLINE.COM/MAPS/USA\_TOPO\_MAPS,  
ACCESSED 9/27/2018



**Civil & Environmental Consultants, Inc.**

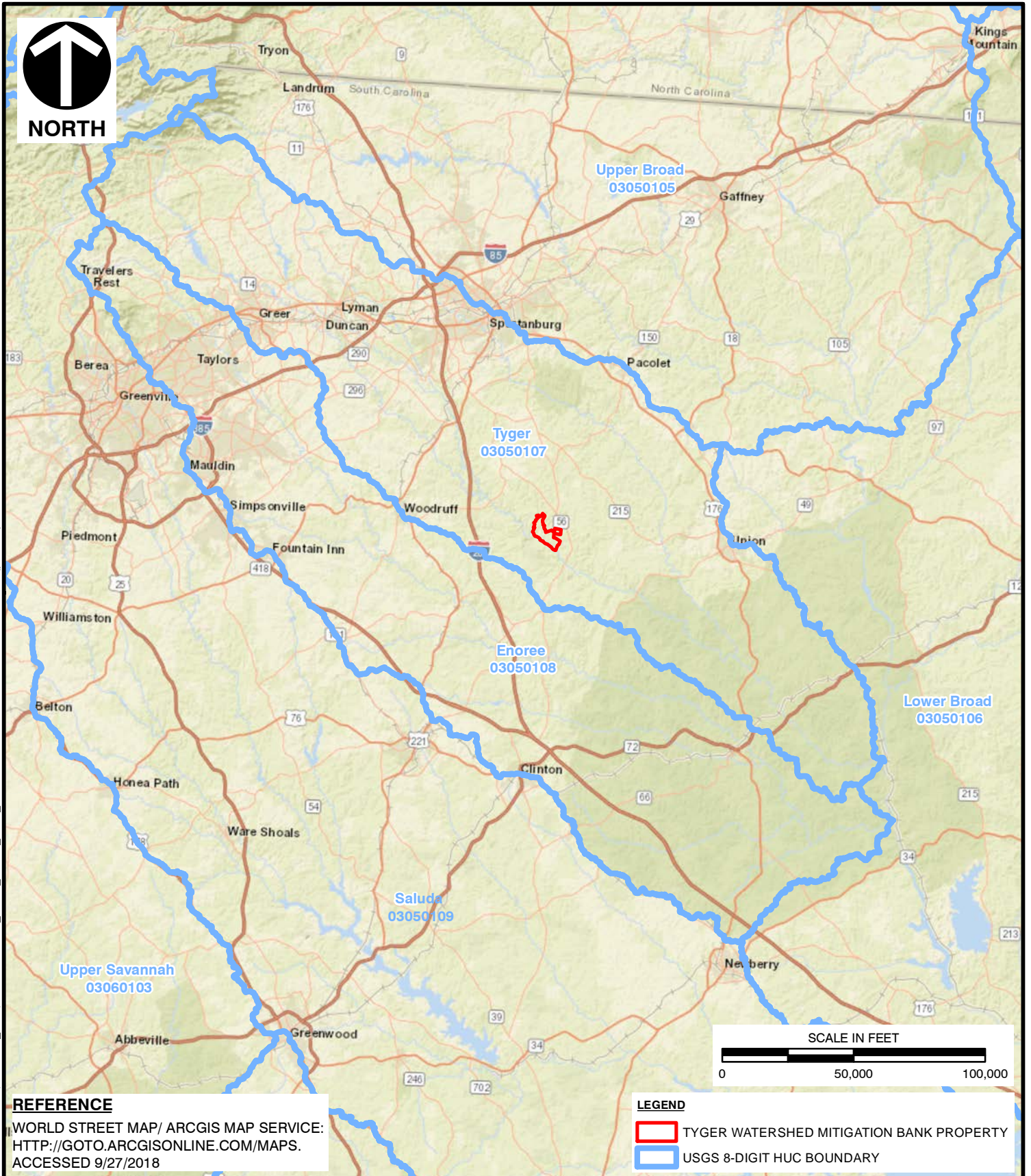
333 Baldwin Road - Pittsburgh, PA 15205-9072  
412-429-2324 · 800-365-2324  
www.cecinc.com

WILEY FORK LEGACY, LLC  
TYGER WATERSHED MITIGATION BANK  
SPARTANBURG COUNTY, SOUTH CAROLINA

**SITE LOCATION MAP**

DRAWN BY:	JLR	CHECKED BY:	MRH	APPROVED BY:	* Hand signature on file MRH*	FIGURE NO:	1
DATE:	9/27/2018	SCALE:	1" = 4,000'	PROJECT NO:	175-011		



\\SRV-BRIDGEPORT\Projects\2017\175-011-GIS\Maps\EC02\_Prospectus\175011\_EC02\_FIG01\_SITE\_LOCATION.mxd 9/27/2018 9:10 AM (jrokosz)



**REFERENCE**

WORLD STREET MAP/ ARCGIS MAP SERVICE:  
[HTTP://GOTO.ARCGISONLINE.COM/MAPS.](http://gto.arcgis.com/maps)  
 ACCESSED 9/27/2018

**LEGEND**

-  TYGER WATERSHED MITIGATION BANK PROPERTY
-  USGS 8-DIGIT HUC BOUNDARY



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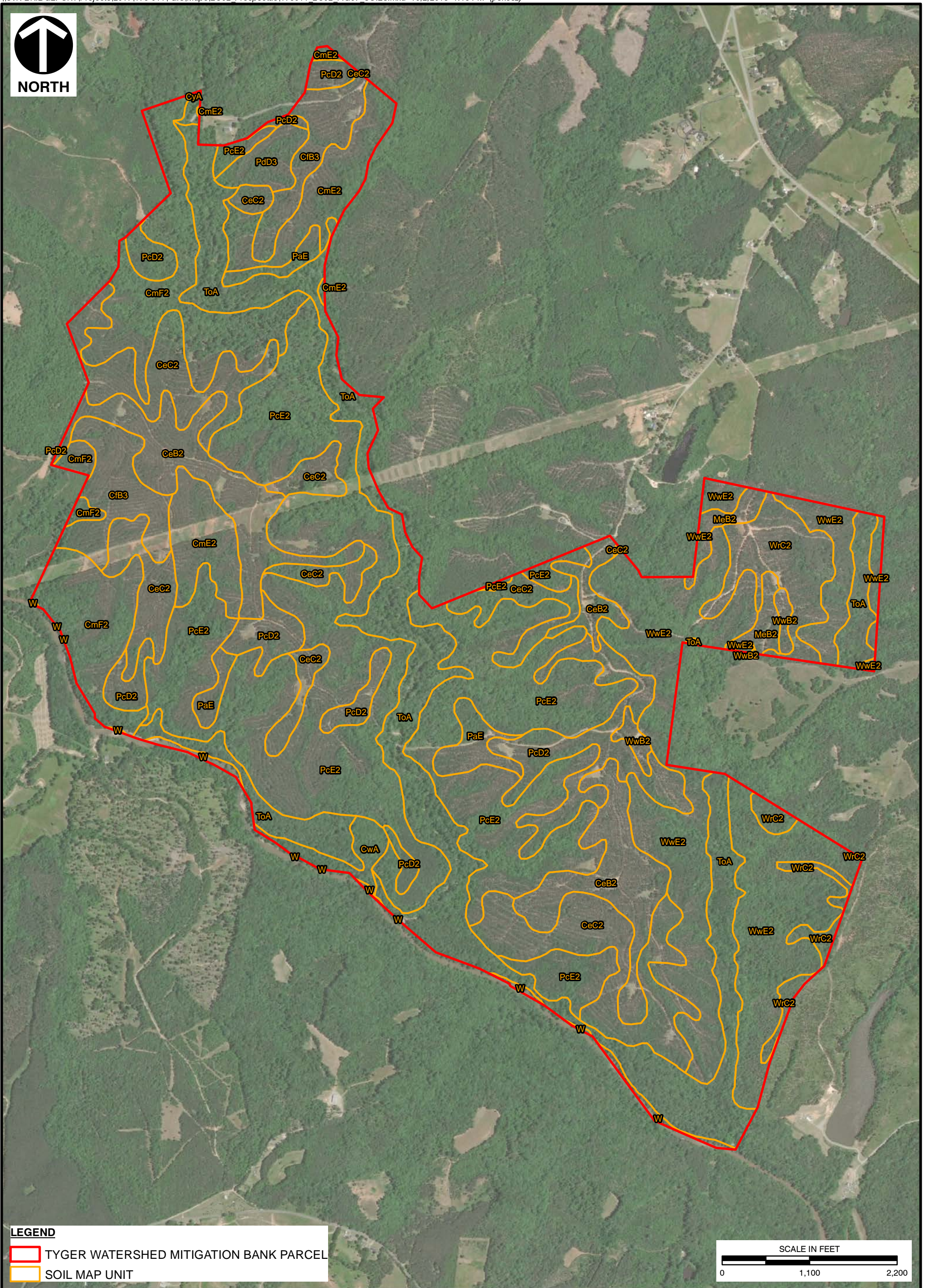
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 SPARTANBURG COUNTY, SOUTH CAROLINA

**HUC WATERSHEDS**

DRAWN BY:	JLR	CHECKED BY:	MRH	APPROVED BY:	<small>* Hand signature on file</small> MRH*	FIGURE NO:	<b>2</b>
DATE:	9/27/2018	SCALE:	1" = 50,000'	PROJECT NO:	175-011		

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**LEGEND**  
 TYGER WATERSHED MITIGATION BANK PARCEL  
 SOIL MAP UNIT



**REFERENCE**  
 U.S.D.A., N.R.C.S  
 SOIL SURVEY GEOGRAPHIC (SSURGO) DATABASE  
 FOR SPARTANBURG COUNTY, SC, 2017.  
 ESRI WORLD IMAGERY / ARCGIS MAP SERVICE:  
 HTTP://GOTO.ARCGISONLINE.COM/MAPS/WORLD\_  
 IMAGERY, ACCESSED 10/2/2018.



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WILEY FORK LEGACY, LLC  
 TYGER WATERSHED MITIGATION BANK  
 SPARTANBURG COUNTY, SOUTH CAROLINA

**SOILS MAP**

DRAWN BY: JLR	CHECKED BY: MRH	APPROVED BY: <small>* Hand signature on file</small> MRH*	FIGURE NO: <b>7</b>
DATE: 10/2/2018	SCALE: 1" = 1,100'	PROJECT NO: 175-011	

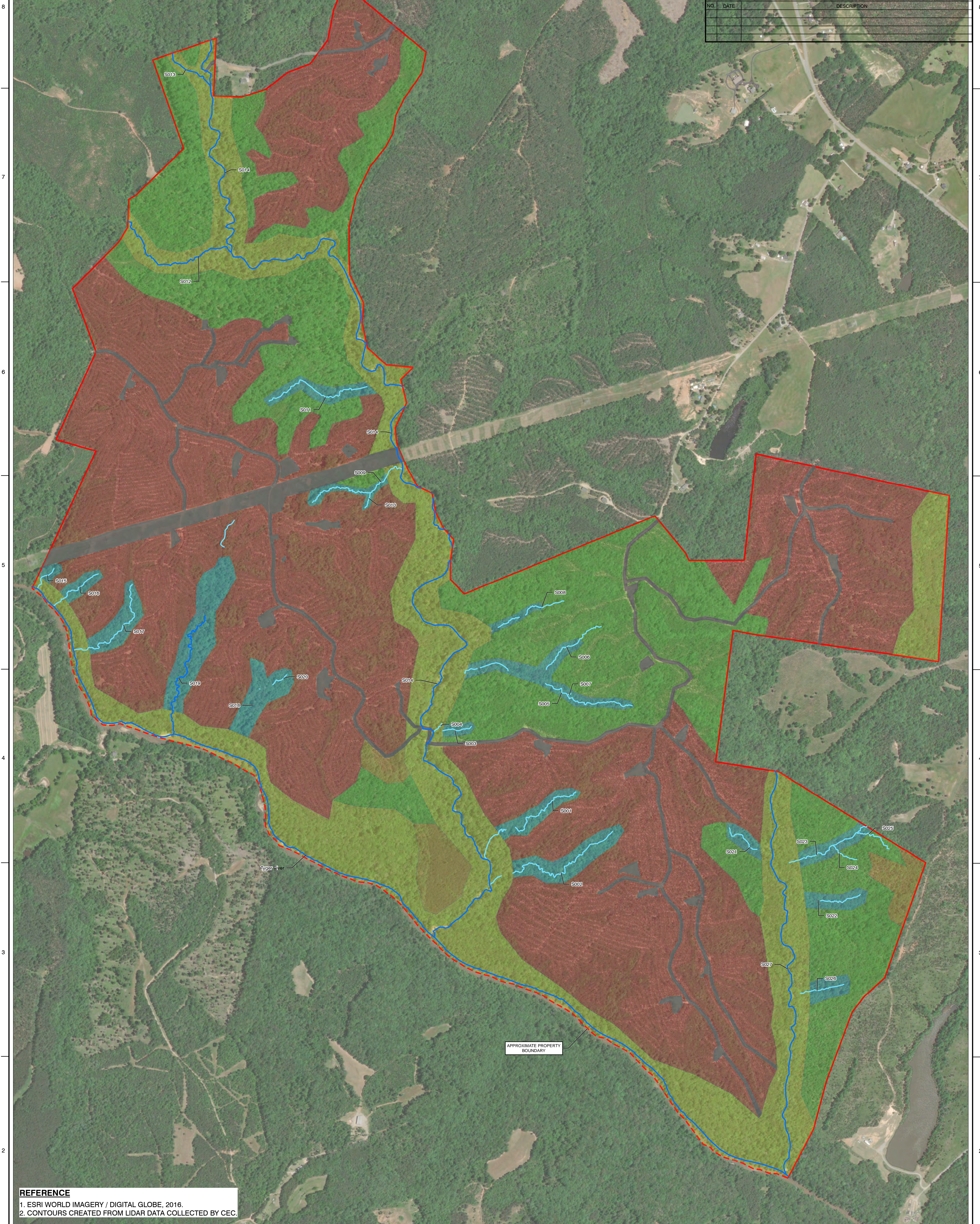
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REVISION RECORD		
NO.	DATE	DESCRIPTION

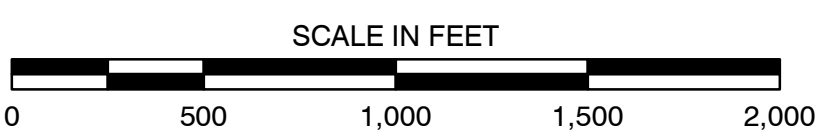
SUBMITTAL RECORD		
NO.	DATE	DESCRIPTION



**REFERENCE**  
 1. ESRI WORLD IMAGERY / DIGITAL GLOBE, 2016.  
 2. CONTOURS CREATED FROM LIDAR DATA COLLECTED BY CEC.

**LEGEND**

	PERENNIAL STREAM (37,266 FT)		PROPERTY BOUNDARY (1,458 ACRES)
	SEASONAL STREAM (20,911 FT)		APPROXIMATE PROPERTY BOUNDARY
	BOTTOMLAND HARDWOODS		
	CHESTNUT OAK FOREST		
	LOBLOLLY PINE FOREST		
	OAK HICKORY FOREST		
	SMALL STREAM FOREST		
	UTILITY RIGHT OF WAY		



**CEC**  
**Civil & Environmental Consultants, Inc.**  
 333 Baldwin Road - Pittsburgh, PA 15205-9072  
 Ph: 412.429.2324 - 800.365.2324 - Fax: 412.429.2114  
 www.cecinc.com

**WILEY FORK LEGACY LLC**  
**TYGER WATERSHED MITIGATION BANK**  
**SPARTANBURG COUNTY, SOUTH CAROLINA**

DRAWN BY: JLR	CHECKED BY: MRH	APPROVED BY: MRH*
DATE: 10/12/2018	SCALE: 1" = 500'	PROJECT NO: 175-011

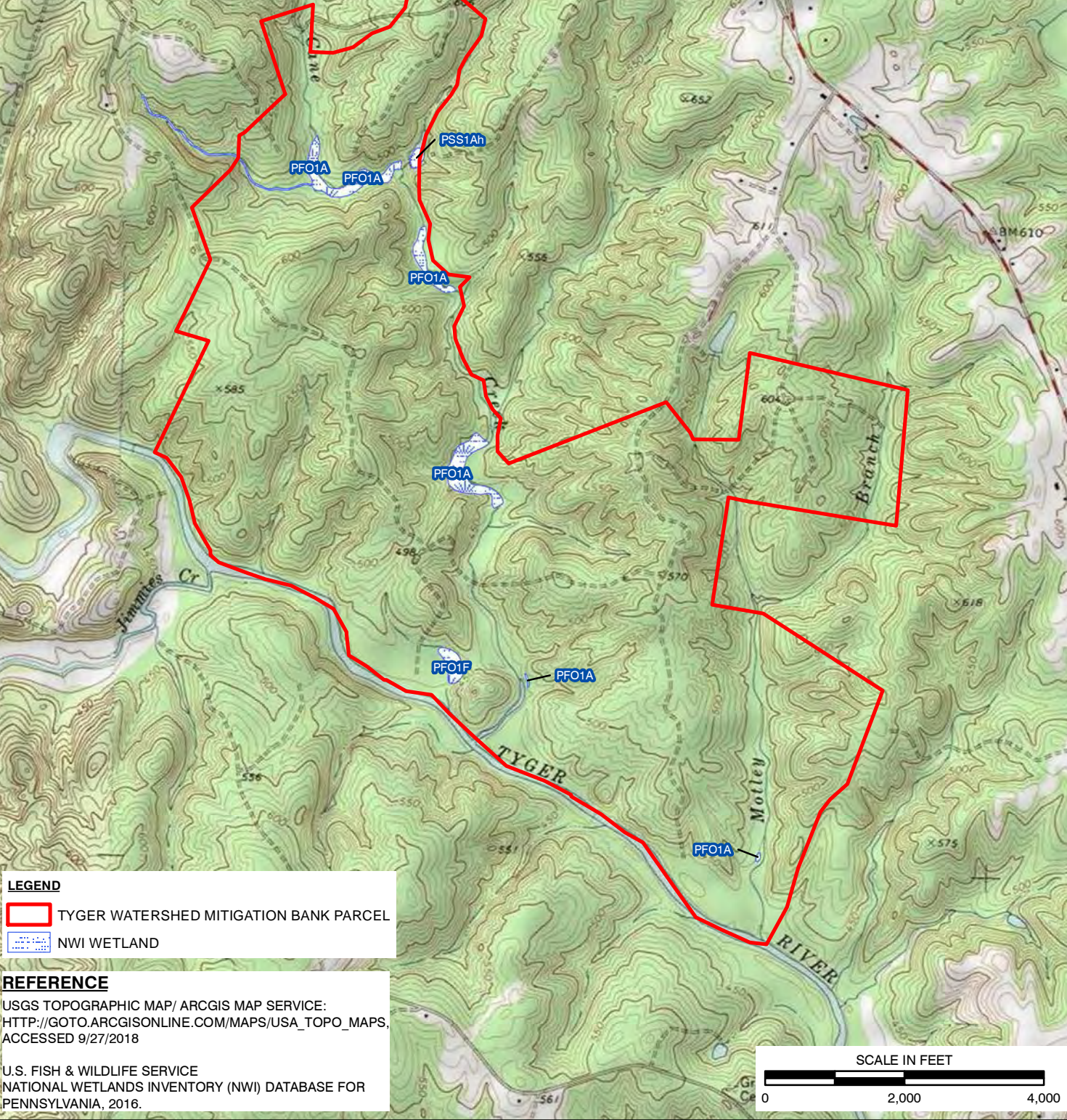
**PLANT COMMUNITIES MAP** **8**

\\SRV-BRIDGEPORT\Projects\2017\175-011\GIS\Map\EC02\_Prop\Plant\_Communities.mxd 10/12/2018 5:50 PM (jokca)

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**LEGEND**

- TYGER WATERSHED MITIGATION BANK PARCEL
- NWI WETLAND

**REFERENCE**

USGS TOPOGRAPHIC MAP/ ARCGIS MAP SERVICE:  
[HTTP://GOTO.ARCGISONLINE.COM/MAPS/USA\\_TOPO\\_MAPS](http://gto.arcgis.com/maps/usa_topo_maps),  
 ACCESSED 9/27/2018

U.S. FISH & WILDLIFE SERVICE  
 NATIONAL WETLANDS INVENTORY (NWI) DATABASE FOR  
 PENNSYLVANIA, 2016.



**Civil & Environmental Consultants, Inc.**  
 99 Cambridge Place - Bridgeport, WV 26330-2820  
 Ph: 304-933-3119 • Toll: 855-488-9539 • Fax: 304-933-3327  
[www.cecinc.com](http://www.cecinc.com)

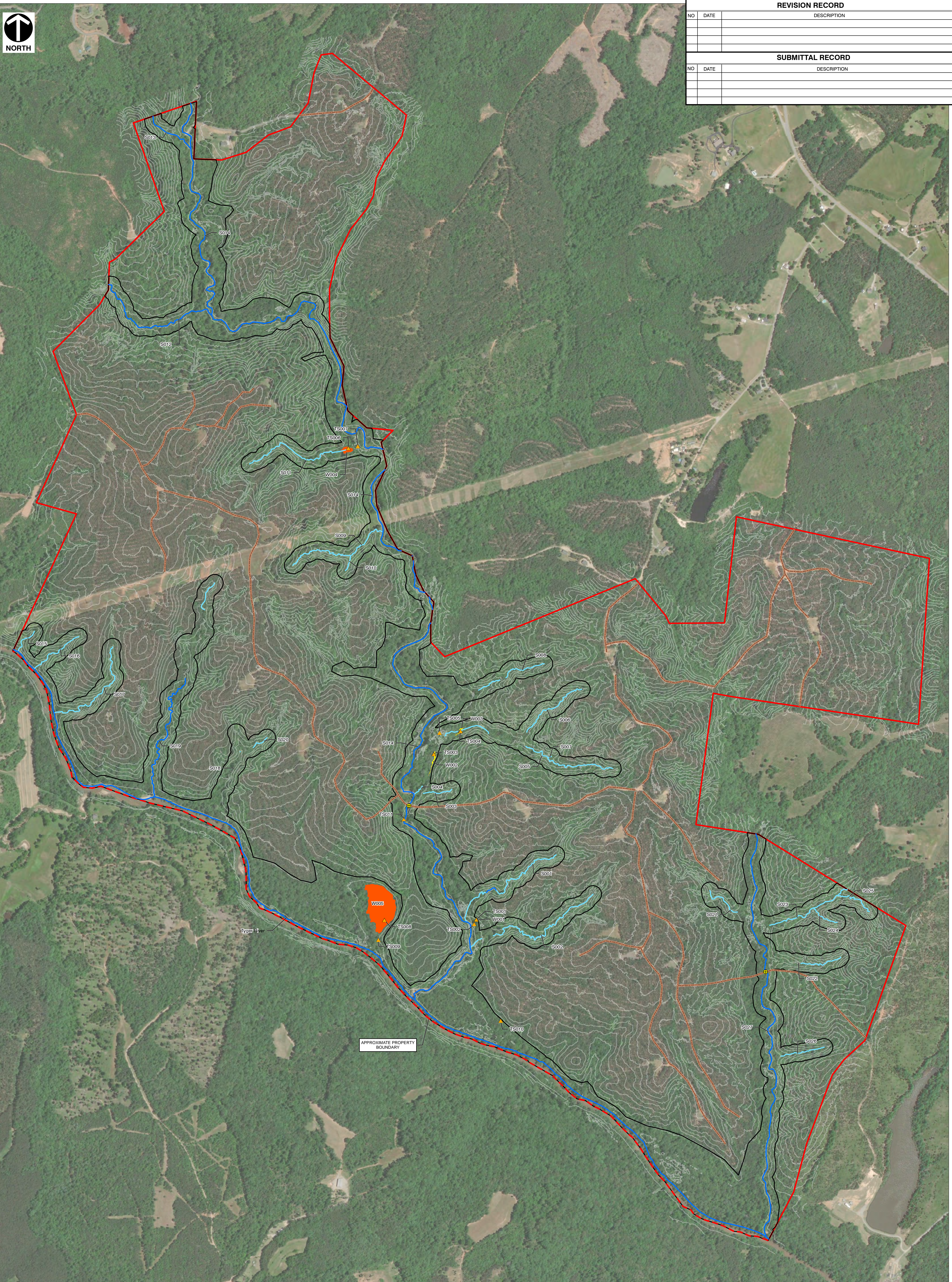
WILEY FORK LEGACY LLC  
 TYGER WATERSHED MITIGATION BANK  
 SPARTANBURG COUNTY, SOUTH CAROLINA

**NATIONAL WETLANDS INVENTORY (NWI) MAP**

DRAWN BY:	JLR	CHECKED BY:	MRH	APPROVED BY:	MRH*	FIGURE NO:	<b>9</b>
DATE:	9/27/2018	SCALE:	1" = 2,000'	PROJECT NO:	175-011		



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REVISION RECORD		
NO	DATE	DESCRIPTION

SUBMITTAL RECORD		
NO	DATE	DESCRIPTION

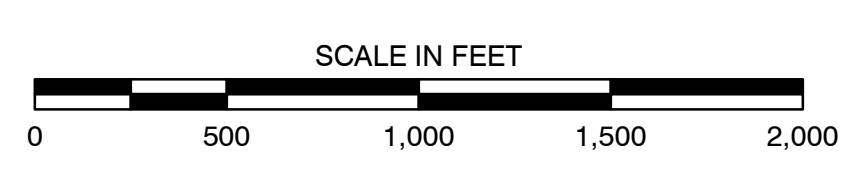
I:\BRIDGE\PROJECTS\2017\175-011\GIS\Map\EC02\_Proposed\175011\_EC02\_FIG10\_EXISTING\_AQUATIC\_RESOURCES.mxd 10/12/2018 9:54 PM (jokoz)

**LEGEND**

	PERENNIAL STREAM (37,266 FT)		STUDY BOUNDARY
	SEASONAL STREAM (20,911 FT)		PROPERTY BOUNDARY (1,458 ACRES)
	EXISTING STREAM CROSSING		APPROXIMATE PROPERTY BOUNDARY
	PEM WETLAND (0.163 ACRES)		EXISTING ACCESS ROAD
	PFO WETLAND (3,439 ACRES)		10 FT ELEVATION CONTOUR
	TEST SITE		

**REFERENCE**

- ESRI WORLD IMAGERY / DIGITAL GLOBE, 2016.
- TOPOGRAPHIC CONTOURS CREATED FROM LIDAR DATA COLLECTED BY CEC IN APRIL 2018.



  
**Civil & Environmental Consultants, Inc.**  
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**WILEY FORK LEGACY LLC**  
**TYGER WATERSHED MITIGATION BANK**  
**SPARTANBURG COUNTY, SOUTH CAROLINA**

DRAWN BY:	JLR	CHECKED BY:	JWR	APPROVED BY:	MRH*
DATE:	10/12/2018	SCALE:	1" = 500'	PROJECT NO.:	175-011

<b>EXISTING AQUATIC RESOURCES</b>	<b>10</b>
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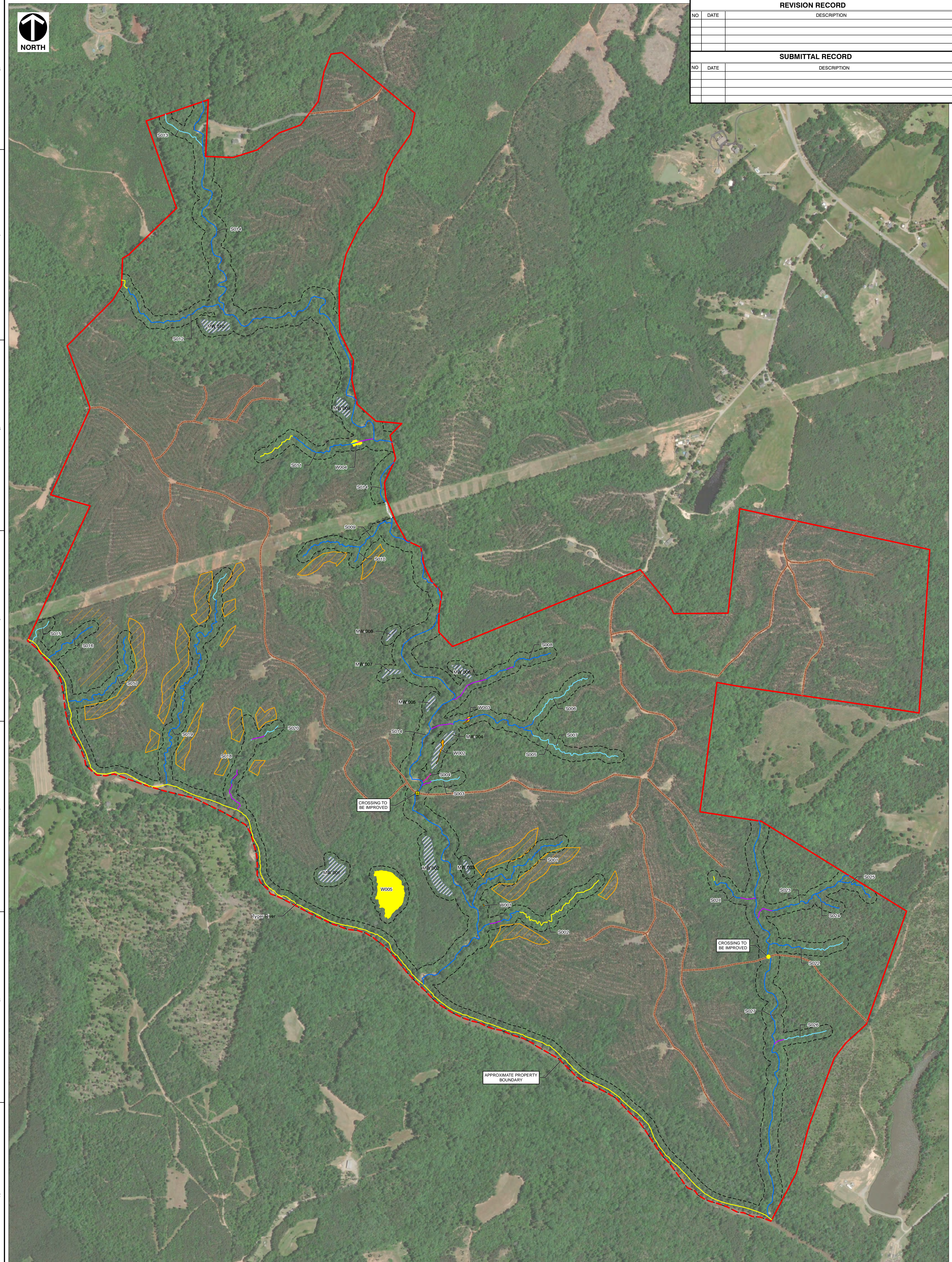
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REVISION RECORD		
NO	DATE	DESCRIPTION

SUBMITTAL RECORD		
NO	DATE	DESCRIPTION



**LEGEND**

EXISTING STREAM CROSSING	PROPOSED MITIGATION WETLAND (7.20 ACRES)	PROPERTY BOUNDARY (1,458 ACRES)
RESTORATION STREAM (37,436 FT)	ENHANCEMENT WETLAND (0.163 ACRES)	APPROXIMATE PROPERTY BOUNDARY
REESTABLISHMENT STREAM (2,636 FT)	PRESERVATION WETLAND (3.44 ACRES)	EXISTING ACCESS ROAD
ENHANCEMENT STREAM (5,987 FT)	PRIMARY BUFFER	
PRESERVATION STREAM (14,397 FT)	SECONDARY BUFFER	
FILL (148 FT)	PROPOSED BUFFER ENHANCEMENT	
STREAM NOT PROPOSED FOR MITIGATION (209 FT)		

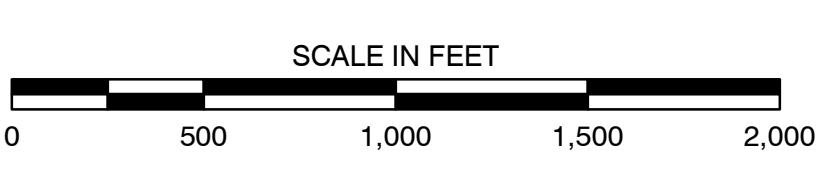
  
**Civil & Environmental Consultants, Inc.**  
 333 Baldwin Road - Pittsburgh, PA 15205-9072  
 Ph: 412.429.2324 - 800.365.2324 - Fax: 412.429.2114  
[www.cecinc.com](http://www.cecinc.com)

**WILEY FORK LEGACY LLC**  
**TYGER WATERSHED MITIGATION BANK**  
**SPARTANBURG COUNTY, SOUTH CAROLINA**

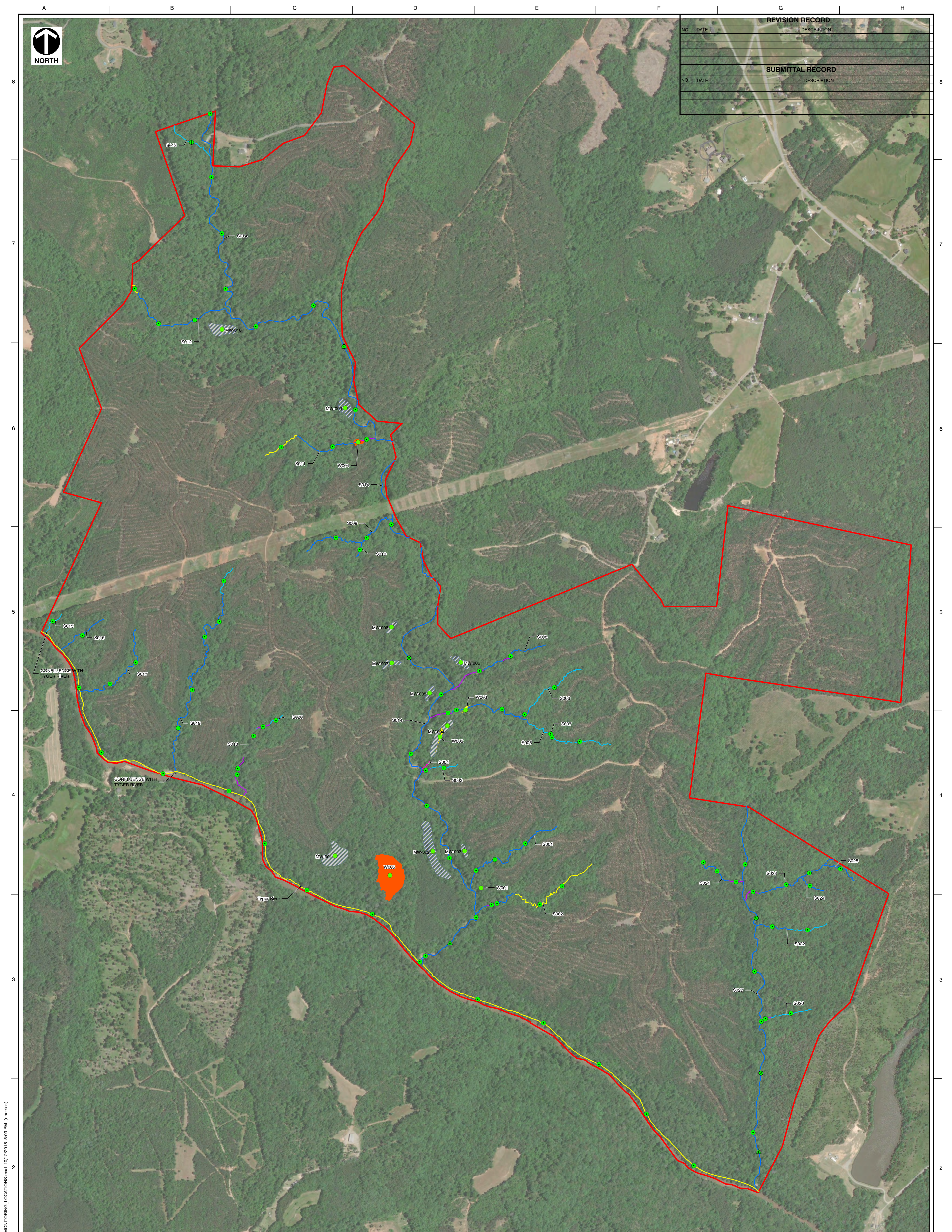
DRAWN BY: JLR	CHECKED BY: MRH	APPROVED BY: MRH*
DATE: 10/12/2018	SCALE: 1" = 500'	PROJECT NO: 175-011

**CONCEPTUAL MITIGATION PLAN MAP** **12**

**REFERENCE**  
ESRI WORLD IMAGERY / DIGITAL GLOBE, 2016.



\\SRV-BRIDGEPORT\Projects\2017\175-011\GIS\Map\EC02\_Proposed\175011\_EC02\_FIG12\_MITIGATION\_PLAN.mxd 10/12/2018 3:57 PM (gpkcaz)



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SUBMITTAL RECORD		
NO.	DATE	DESCRIPTION

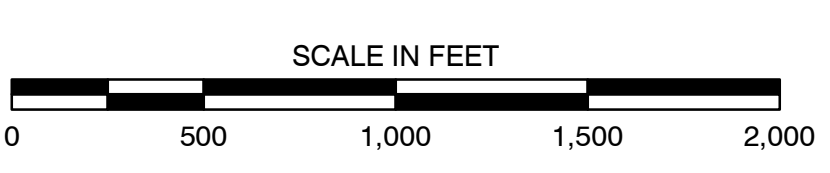
- LEGEND**
- WETLAND ASSESSMENT
  - RESTORATION
  - PROPOSED MITIGATION WETLAND
  - STREAM ASSESSMENT
  - RE-ESTABLISHMENT
  - EXISTING WETLAND (PEM)
  - STREAM ASSESSMENT AND MACROINVERTEBRATES
  - ENHANCEMENT
  - EXISTING WETLAND (PFO)
  - STREAM ASSESSMENT AND MACROINVERTEBRATES / FISH
  - PRESERVATION
  - TYGER WATERSHED MITIGATION BANK PROPERTY (1,458 ACRES)
  - ▲ STREAM DISCHARGE GAGE
  - FILL

**CEC**  
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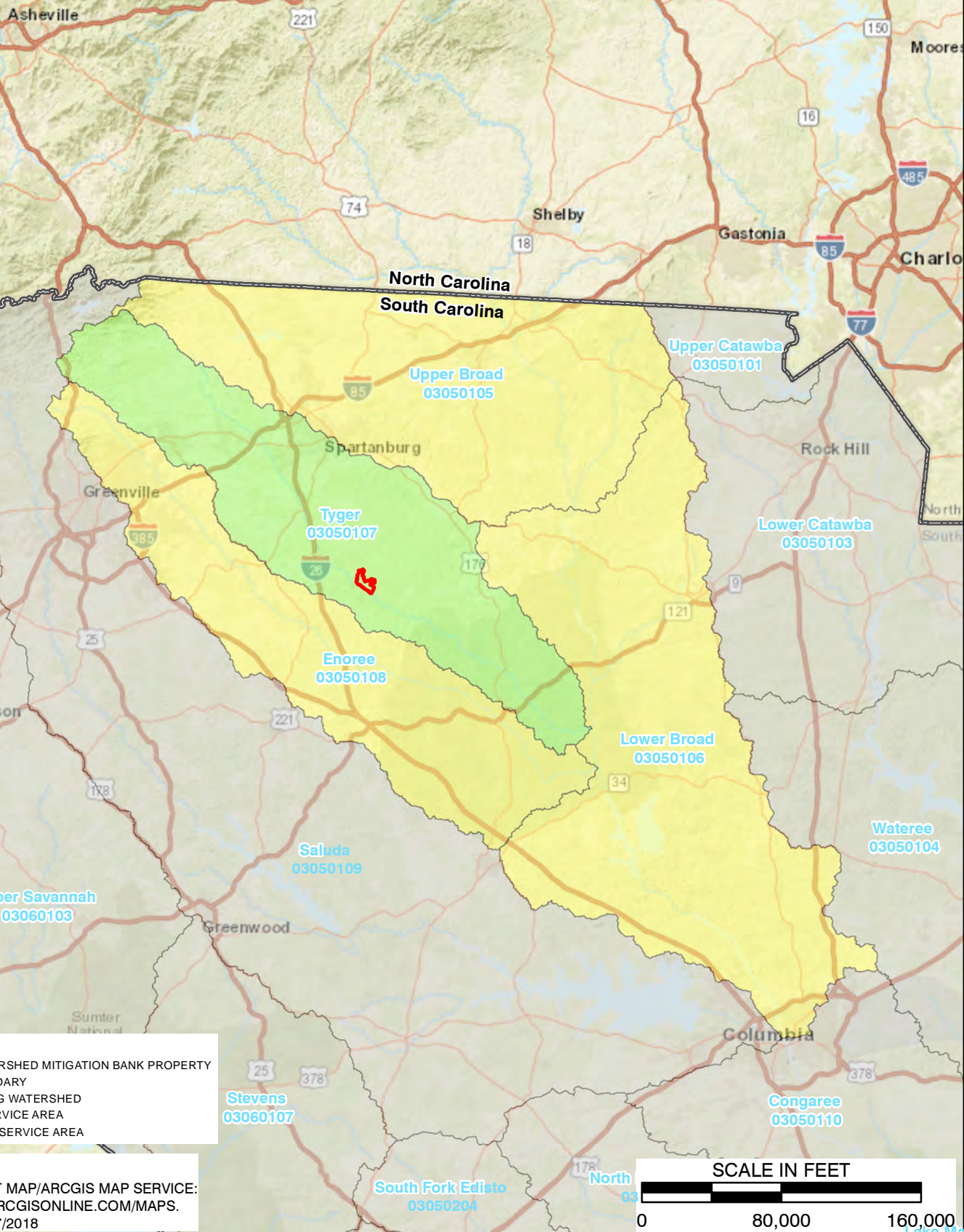
**WILEY FORK LEGACY LLC**  
**TYGER WATERSHED MITIGATION BANK**  
**SPARTANBURG COUNTY, SOUTH CAROLINA**

DRAWN BY: NJH	CHECKED BY: MRH	APPROVED BY: MRH*	PROJECT NO: 175-011
DATE: 10/12/2018	SCALE: 1" = 500'	FIGURE NO: 13	

**REFERENCE**  
 ESRI WORLD IMAGERY / DIGITAL GLOBE, 2016.



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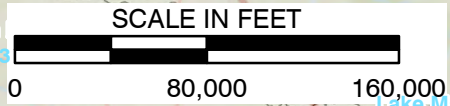


**LEGEND**

- TYGER WATERSHED MITIGATION BANK PROPERTY
- STATE BOUNDARY
- NEIGHBORING WATERSHED
- PRIMARY SERVICE AREA
- SECONDARY SERVICE AREA

**REFERENCE**

WORLD STREET MAP/ARCGIS MAP SERVICE:  
[HTTP://GTO.ARCGISONLINE.COM/MAPS.](http://gto.arcgis.com/maps)  
 ACCESSED 9/27/2018



**Civil & Environmental Consultants, Inc.**

99 Cambridge Place - Bridgeport, WV 26330-2820  
Ph: 304-933-3119 • Toll: 855-488-9539 • Fax: 304-933-3327  
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WILEY FORK LEGACY LLC  
TYGER WATERSHED MITIGATION BANK  
SPARTANBURG COUNTY, SOUTH CAROLINA

**SERVICE AREAS MAP**

DRAWN BY:	JLR	CHECKED BY:	MRH	APPROVED BY:	MRH*	FIGURE NO:	<b>14</b>
DATE:	02/21/18	SCALE:	1" = 80,000'	PROJECT NO:	175-011		

\\Svr-bridgeport\Projects\2017\175-011-GIS\Maps\EC02\_Prospectus\175011\_EC02\_FIG13\_SERVICE\_AREAS.mxd 1/1/2015 1:52 PM (last name)