

PUBLIC NOTICE

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

REGULATORY DIVISION
Refer to: P/N SAC-2024-01169

January 16, 2025

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

**Davey Mitigation, a Division of Davey Resource Group, Inc.
ATTENTION: TJ Mascia, Director Davey Mitigation
5300 Wellington Branch Drive, Suite 100
Gainsville, Virginia 20155**

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

Lower Pee Dee Sub-Basin

at a location north of Rogers Lake Drive, west of Elberry Road, and south of Pocosin Road in Dillon County, South Carolina (Latitude 34.338896, Longitude: -79.592619), Oak Grove 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 proposed project consists of establishing a freshwater wetland mitigation bank in the Lower Pee Dee Sub-basin (8-digit Hydrologic Unit Code 03040201) located in the Southeastern Plains Region near Mallory, Dillon County (34.338896, -79.592619). The proposed 566-acre mitigation site includes approximately 536 acres of wetlands. According to the Prospectus, the mitigation work plan is to preserve 42 acres of wetlands and to enhance 494 acres of wetlands by removing existing pine plantation and re-establishing native hardwood vegetative communities. 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.

According to the Prospectus, the proposed mitigation bank will provide in-kind compensatory mitigation for authorized impacts to aquatic resources located within the

Southeastern Plains 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 a Department of the Army permit after reviews by the Corps, the South Carolina Department of Environmental Services, 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>.

South Carolina Department of Environmental Services

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 Environmental Services 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.

Essential Fish Habitat

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 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. 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 Federally listed or proposed to be listed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity.

Cultural Resources

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)(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.

Corps' Evaluation

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. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

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.

Solicitation of Public Comment

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:**

**U.S. Army Corps of Engineers
Columbia Regulatory Field Office
1519 Taylor Street
Columbia, SC 29201**

The Prospectus for the proposed mitigation bank is available for review upon request. If there are any questions concerning this public notice, please contact Tom Daniel at Newell.T.Daniel@usace.army.mil or (843) 329-8044.



Legend

- Property Boundary
- HUC 8 Watersheds

**Five Jitneys
Mitigation Bank**

Town of Latta
Dillon County, SC

DAVEY 
Resource Group

3101 Poplarwood Ct, Suite 120
Raleigh, NC 27604

0 12,500 25,000 50,000 Feet

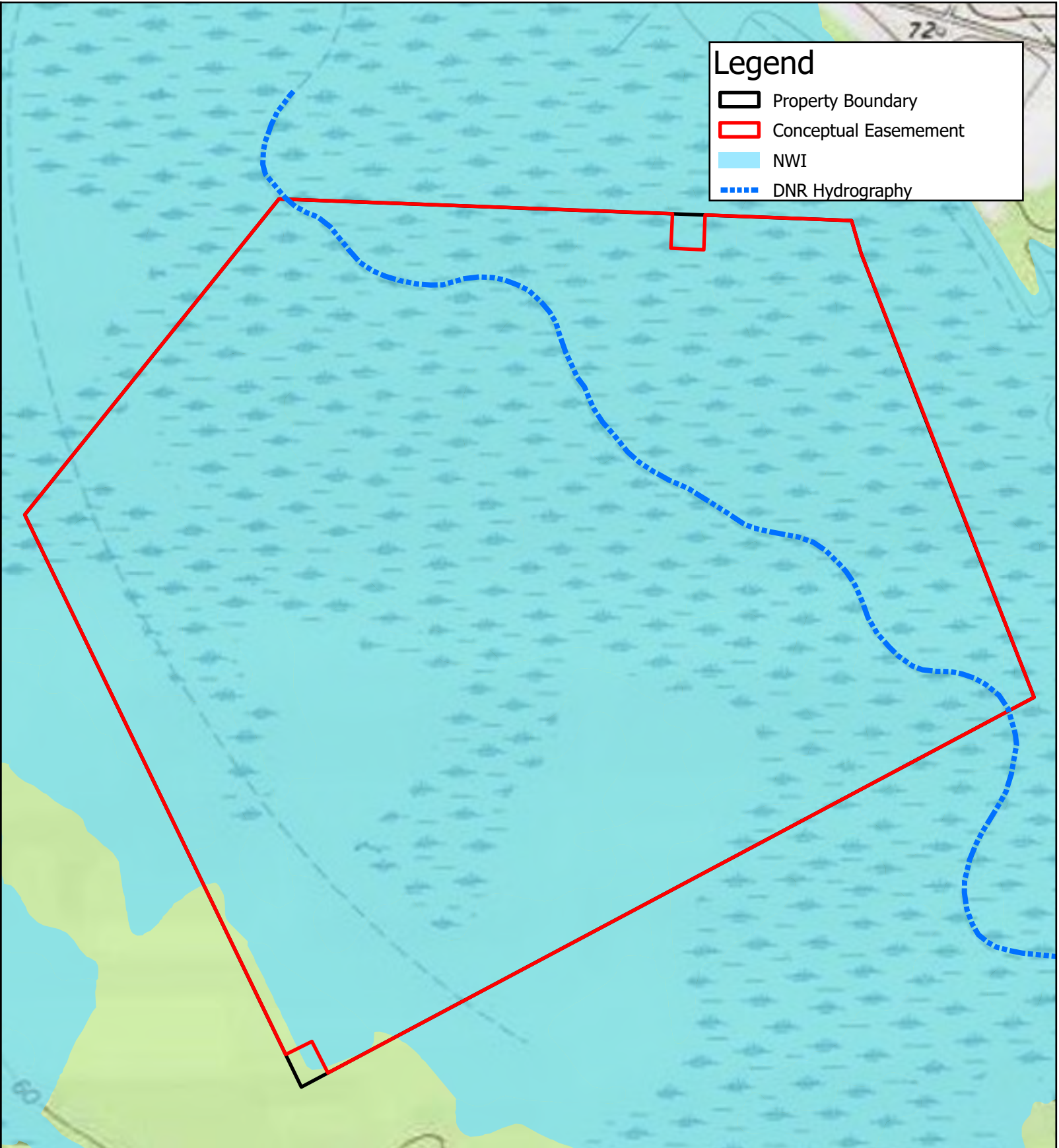
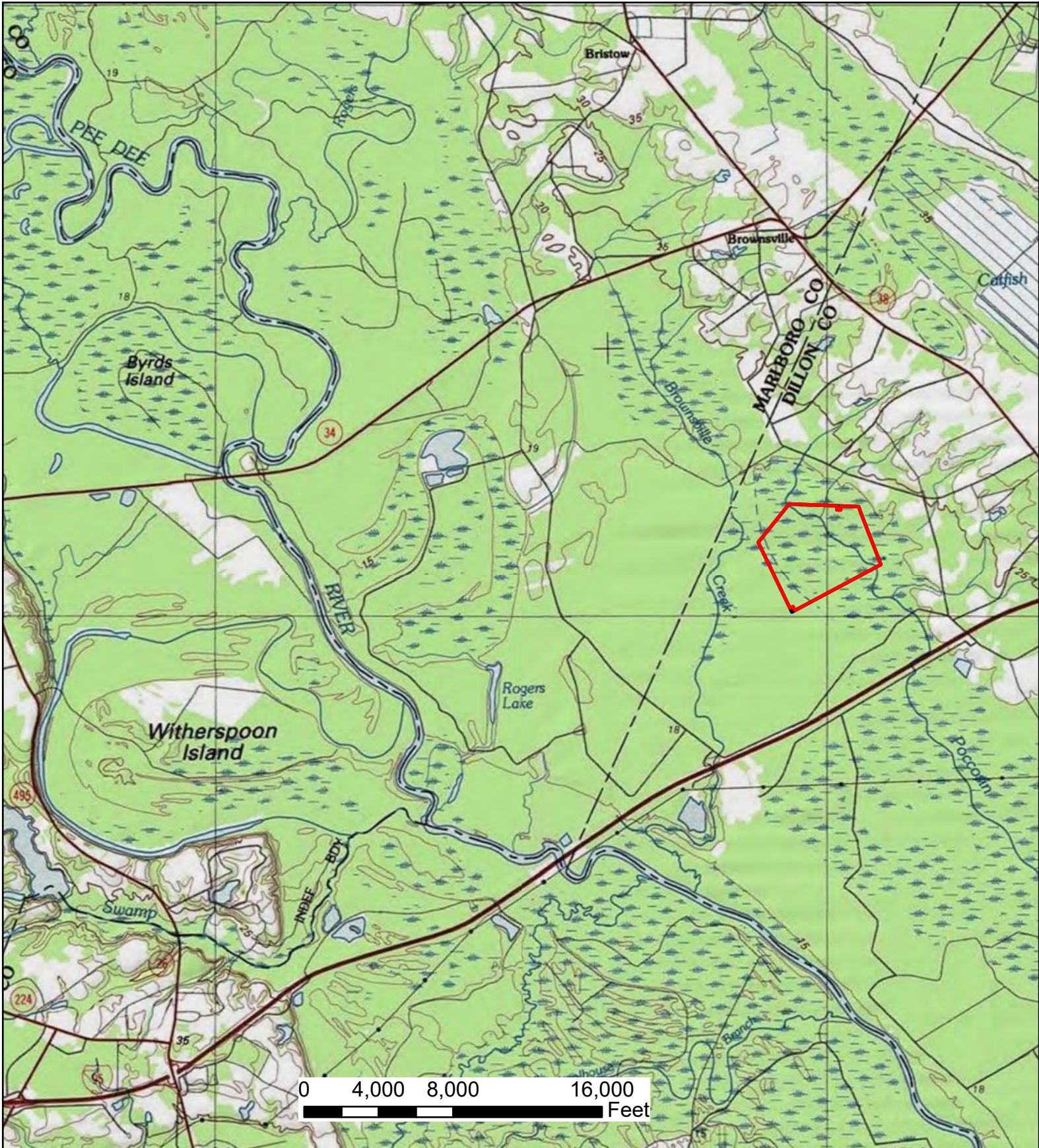
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Figure 1: Location Map

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Boundaries are
approximate and not
meant to be absolute.



**Five Jitneys
Mitigation Bank**

Town of Latta
Dillon County, SC

DAVEY 
Resource Group

3101 Poplarwood Ct, Suite 120
Raleigh, NC 27604

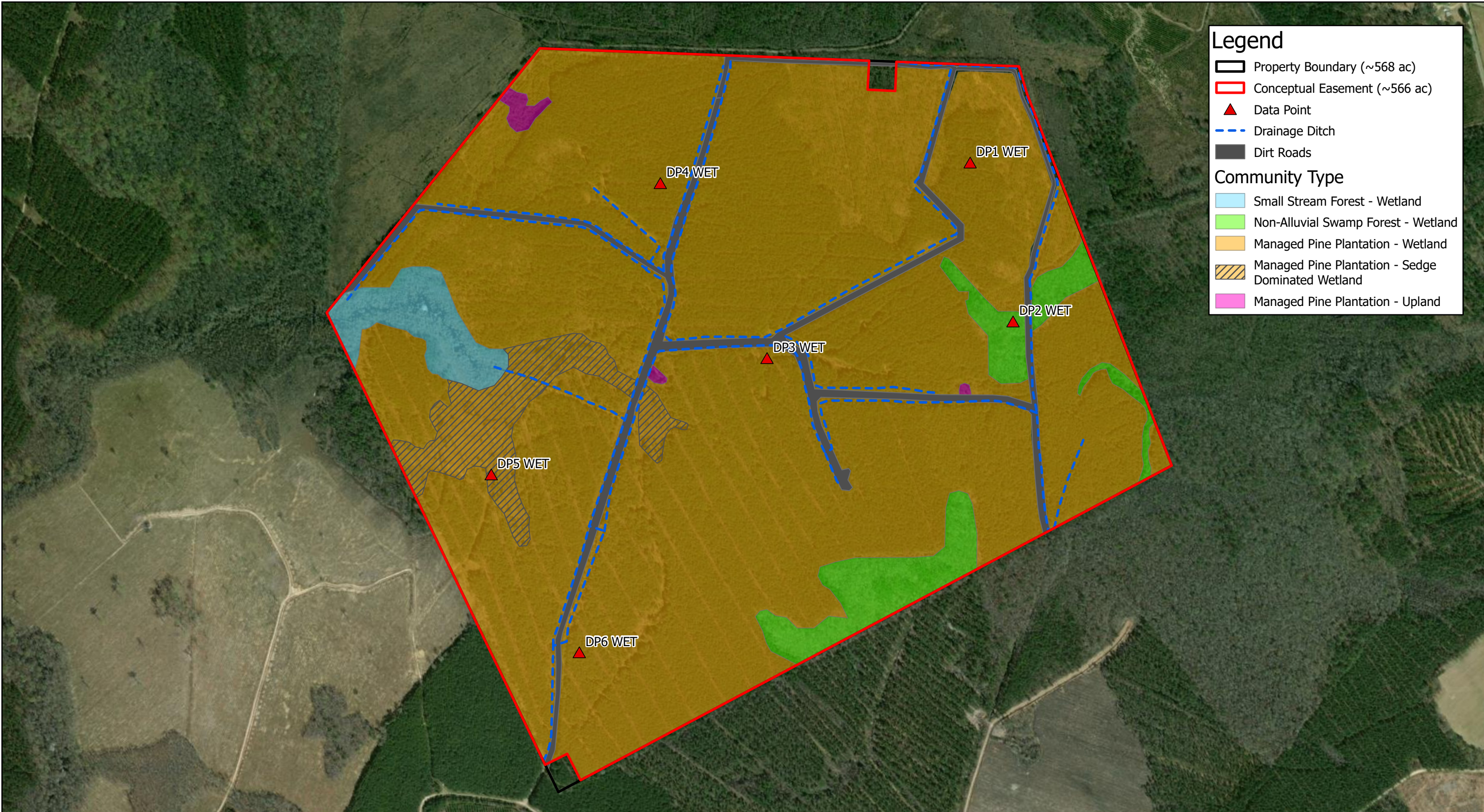
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Feet
Scale applies to map zoomed to
extent of Boundary



**Figure 2: USGS, NWI, and
Hydrography Map**

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Boundaries are
approximate and not
meant to be absolute.



**Gemstone
Mitigation Bank**

Town of Latta
Dillon County, SC

DAVEY 
Resource Group

3101 Poplarwood Ct, Suite 120
Raleigh, NC 27604

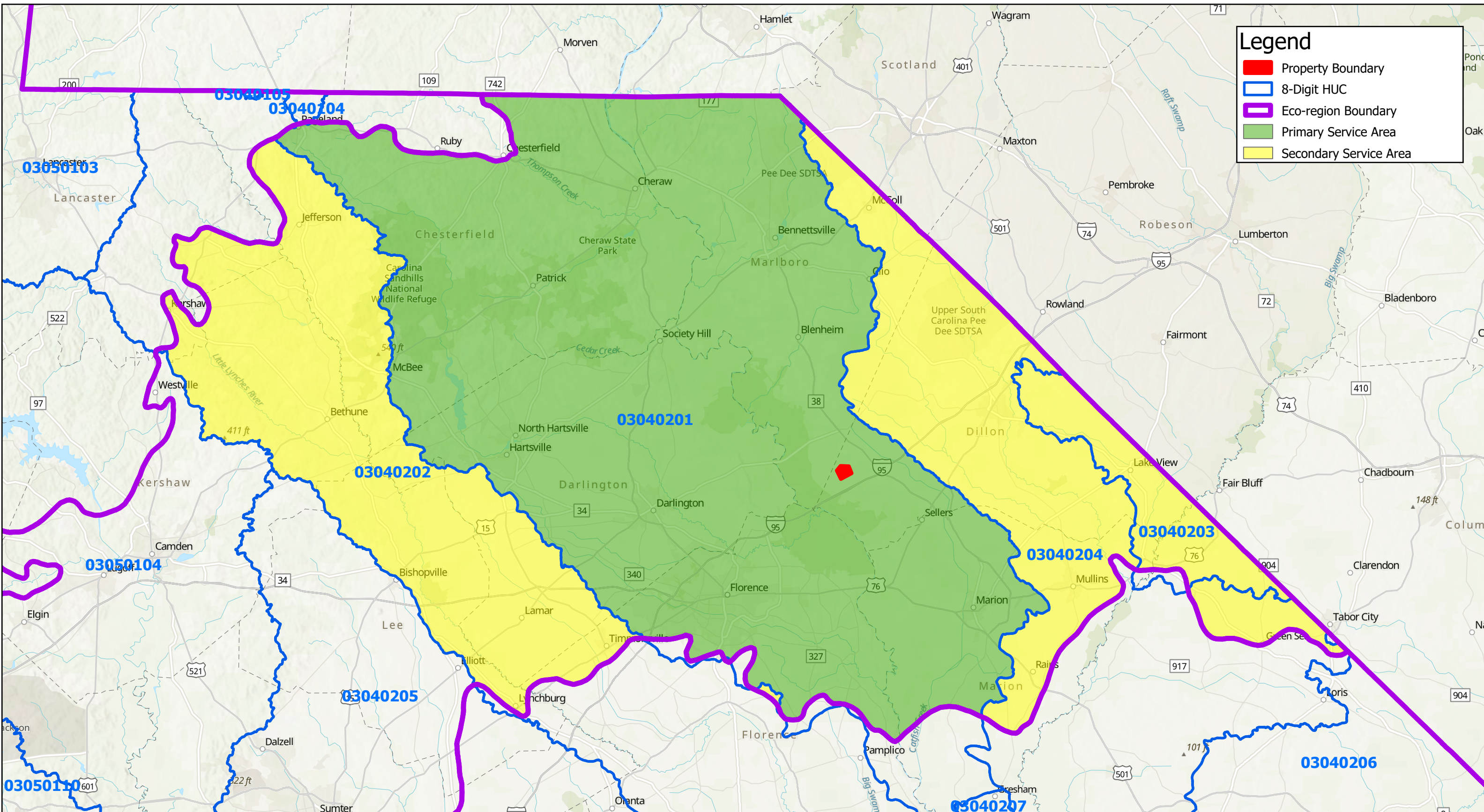
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**Figure 3: Baseline
Conditions Aerial Map**

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Boundaries are
approximate and not
meant to be absolute.



Legend

Property Boundary

8-Digit HUC

Eco-region Boundary

Primary Service Area

Secondary Service Area

Five Jitneys
Mitigation Bank

Town of Latta
Dillon County, SC

DAVEY

Resource Group

3101 Poplarwood Ct, Suite 120
Raleigh, NC 27604

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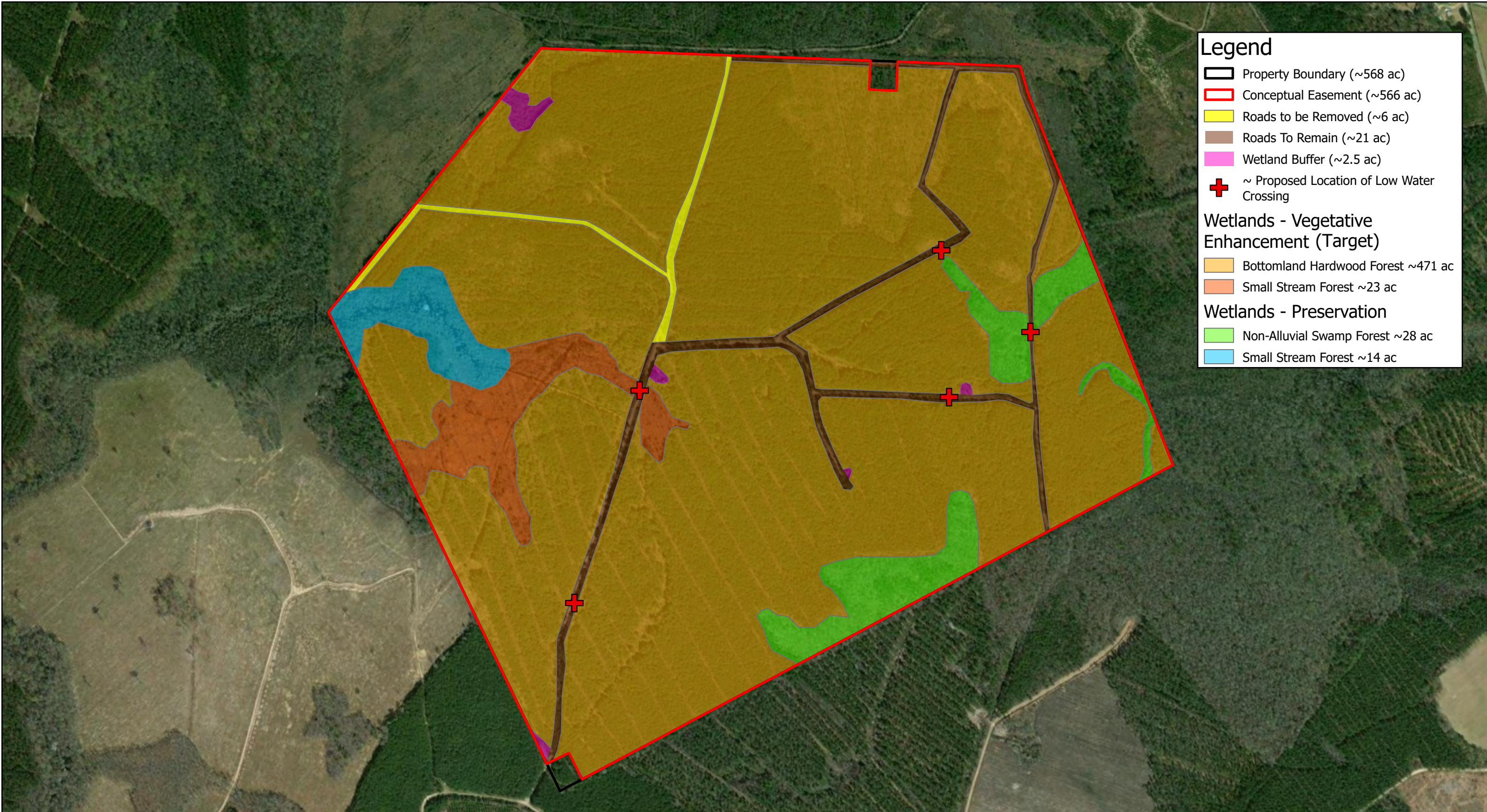
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Figure 5: Watershed and
Service Area Map

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Boundaries are
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meant to be absolute.



Legend

- Property Boundary (~568 ac)
- Conceptual Easement (~566 ac)
- Roads to be Removed (~6 ac)
- Roads To Remain (~21 ac)
- Wetland Buffer (~2.5 ac)
- ~ Proposed Location of Low Water Crossing

Wetlands - Vegetative Enhancement (Target)

- Bottomland Hardwood Forest ~471 ac
- Small Stream Forest ~23 ac

Wetlands - Preservation

- Non-Alluvial Swamp Forest ~28 ac
- Small Stream Forest ~14 ac

**Gemstone
Mitigation Bank**

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Dillon County, SC

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3101 Poplarwood Ct, Suite 120
Raleigh, NC 27604

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Scale applies to 11"x17" print



**Figure 8: Mitigation
Components Map**

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Boundaries are
approximate and not
meant to be absolute.