

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 20403-5107

REGULATORY DIVISION

Refer to: P/N SAC-2021-00848

June 2, 2021

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

SCP BLACK GUM
ATTN: WADE WALTMYER
2570 COMMERCE PARKWAY
NORTH PORT, FLORIDA 34289

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

LITTLE LYNCHES RIVER

at a location approximately 4 miles west of Bethune, SC. The property is located to the east of Porter Road, approximately 1.1 miles north of its intersection with Old CC Road, Kershaw County, South Carolina (Latitude: 34.415914 °, Longitude: -80.438341 °), Mayesville 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 wetland and stream mitigation bank in the Lynches River watershed (8-digit Hydrologic Unit Codes 03040202). The proposed 654-acre mitigation site includes approximately 616.3 acres of freshwater wetlands, 29,935 linear feet (lf) of perennial streams, and 11,066 lf of non-wetland waters (manmade ditches).

The proposal is to restore approximately 7,602 lf of Beaverdam Creek Reach 2 by redirecting flows to the Beaverdam relic channel (4,029 lf). Approximately 467 lf of UT 1 will also be enhanced by correcting existing hydrologic drainage alterations that currently prevent flows from reaching the Little Lynches River. Approximately 532.6 acres of wetlands will be enhanced through plugging/filling ditches, breaching and/or culverting existing bermed roads, and clearing pines to replace them with native wetland hardwoods. These activities will enhance existing hydrology and vegetation on the property. The bank sponsor, using a conservation easement, will protect the resulting 616.3 acres of wetlands and 26,362 lf of streams located on the 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. 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. 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 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 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 that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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.

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 historic properties are present. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate

Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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.

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.

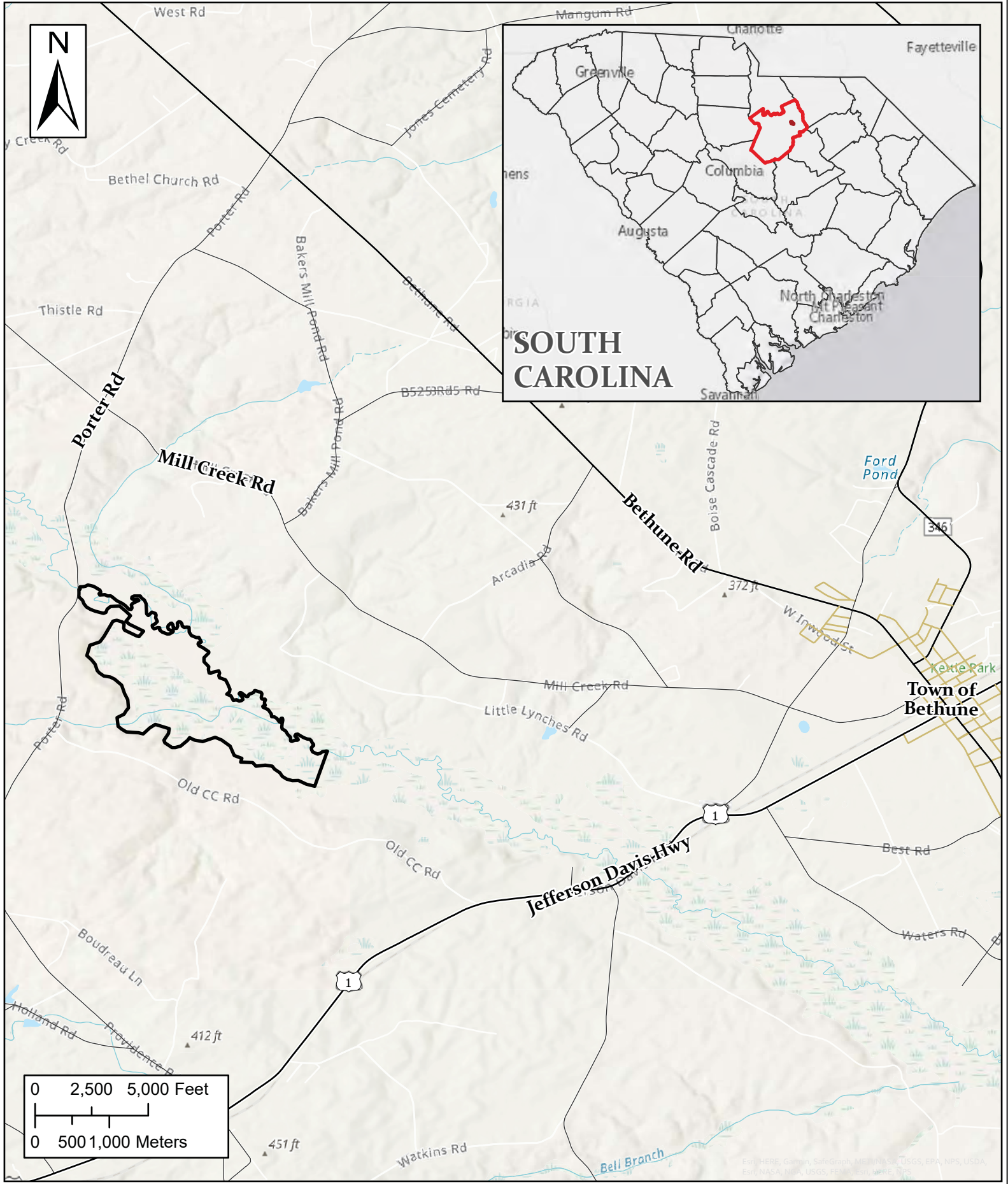
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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**

The Prospectus for the proposed mitigation bank is available for review upon request. If there are any questions concerning this public notice, please contact Katelyn M. Rainville at (978) 318-8677 or by email at Katelyn.M.Rainville@usace.army.mil.




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GIS: 2019 EarthBalance@gsprehn/ahalstead
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Exhibit 1
Black Gum Mitigation Bank
Location Map


www.earthbalance.com
Corporate Office
2570 Commerce Parkway
North Port, FL 34289
(941) 426-7878



 Surveyed Boundary (654.01 Acres)



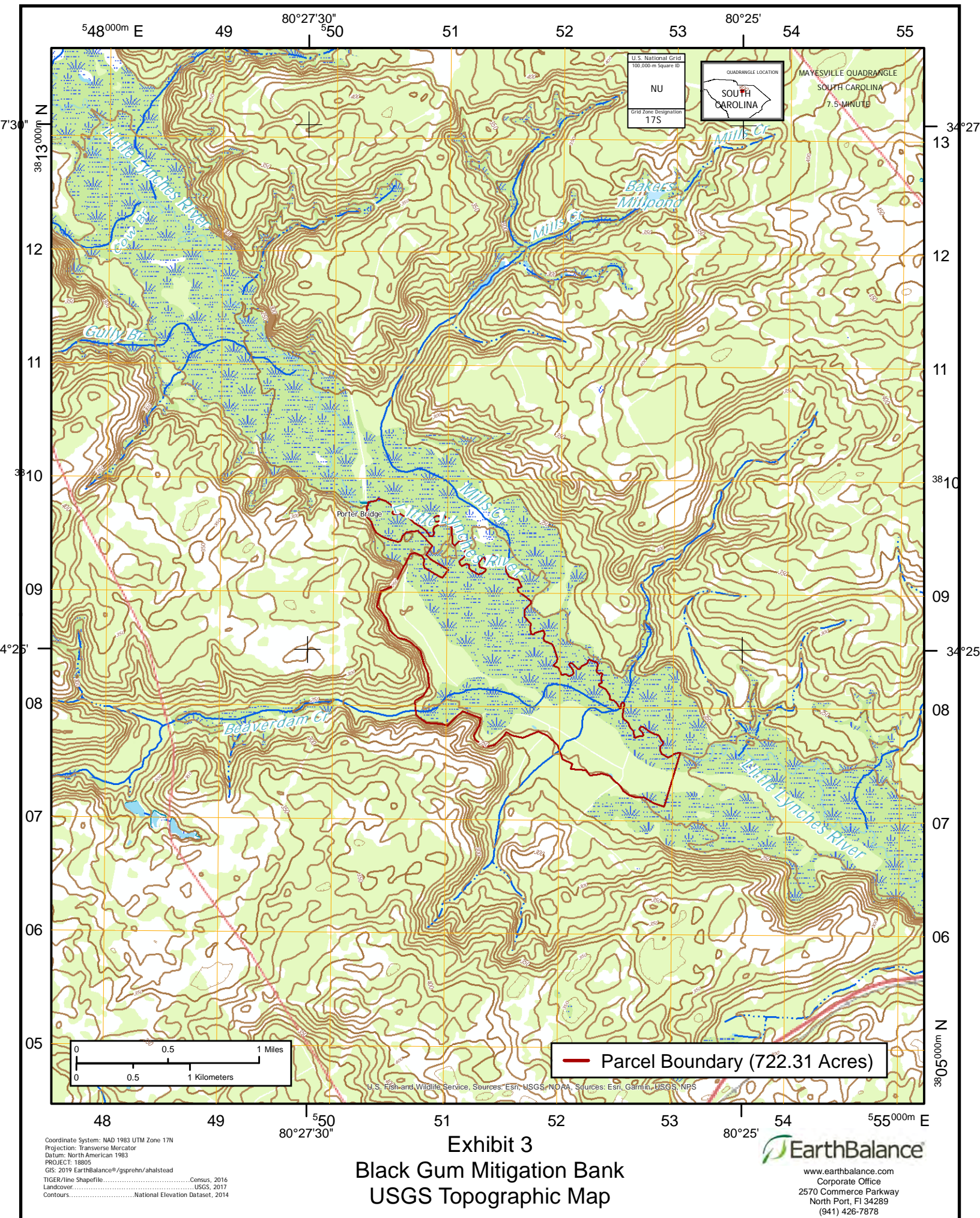
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APP: ArcGIS 10.7.1 Pro 2.4.1
GIS: 2019 EarthBalance@/gsprehn/ahalstead

Exhibit 2 Black Gum Mitigation Bank 2019 Aerial



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| | |
|------------------------|------------------------|
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| 2570 Commerce Parkway | 1320 Jersey Avenue |
| North Port, FL 34289 | Saint Cloud, FL 34769 |
| (941) 426-7878 | (407) 518-5592 |
| Fort Myers: Luckett Rd | Nursery: Nocatee, FL |



Coordinate System: NAD 1983 UTM Zone 17N
Projection: Transverse Mercator
Datum: North American 1983
PROJECT: 18805
GIS: 2019 EarthBalance®/gsprehn/ahalstead
TIGER/line Shapefile.....Census, 2016
Landcover.....USGS, 2017
Contours.....National Elevation Dataset, 2014

Exhibit 3
Black Gum Mitigation Bank
USGS Topographic Map

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(941) 426-7878



Lower Catawba
03050103

- Bank Location
- Mainstem of River
- Tributary
- 8-Digit HUC
- Watershed Name
- Catawba
- PeeDee
- Saluda
- Santee

Lower Pee Dee
03040201

Lynches
03040202

Wateree
03050104

Congaree
03050110

Black River
03040205

Lake Marion
03050111

0 4 8 Miles
0 5 10 Kilometers

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EXHIBIT 4
BLACK GUM MITIGATION BANK
8-DIGIT HUC AND MAJOR RIVER BASIN

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On-Site Blue Line Streams

- Little Lynches River (20,438')
- UT 1 (467')
- Beaverdam Creek - Reach 1 (1,428')
- Beaverdam Creek - Relic Channel (4,029')
- - - Beaverdam Creek - Reach 2, Channelized (7,602')

Ditches

- Ditches (11,066')
- - - Shallow Ditches (<1') (7,057')

- Wetland Data Points

- Photostations

- ▭ Surveyed Boundary (654.01 Acres)

- P - Hardwood Preservation (83.9 Acres)

- E1 - Hydrologic Enhancement (292.9 Acres)

- E2 - Hydrologic Enhancement - Significantly Drained (88.3 Acres)

- E3a - Hydrologic Enhancement - Significantly Drained / Pine Clearcut (14.1 Acres)

- E3b - Hydrologic Enhancement - Pine Clearcut (23.9 Acres)

- E4 - Hydrologic Enhancement - Planted Pine (98.5 Acres)

- E5 - Vegetative Enhancement - Planted Pine (14.9 Acres)

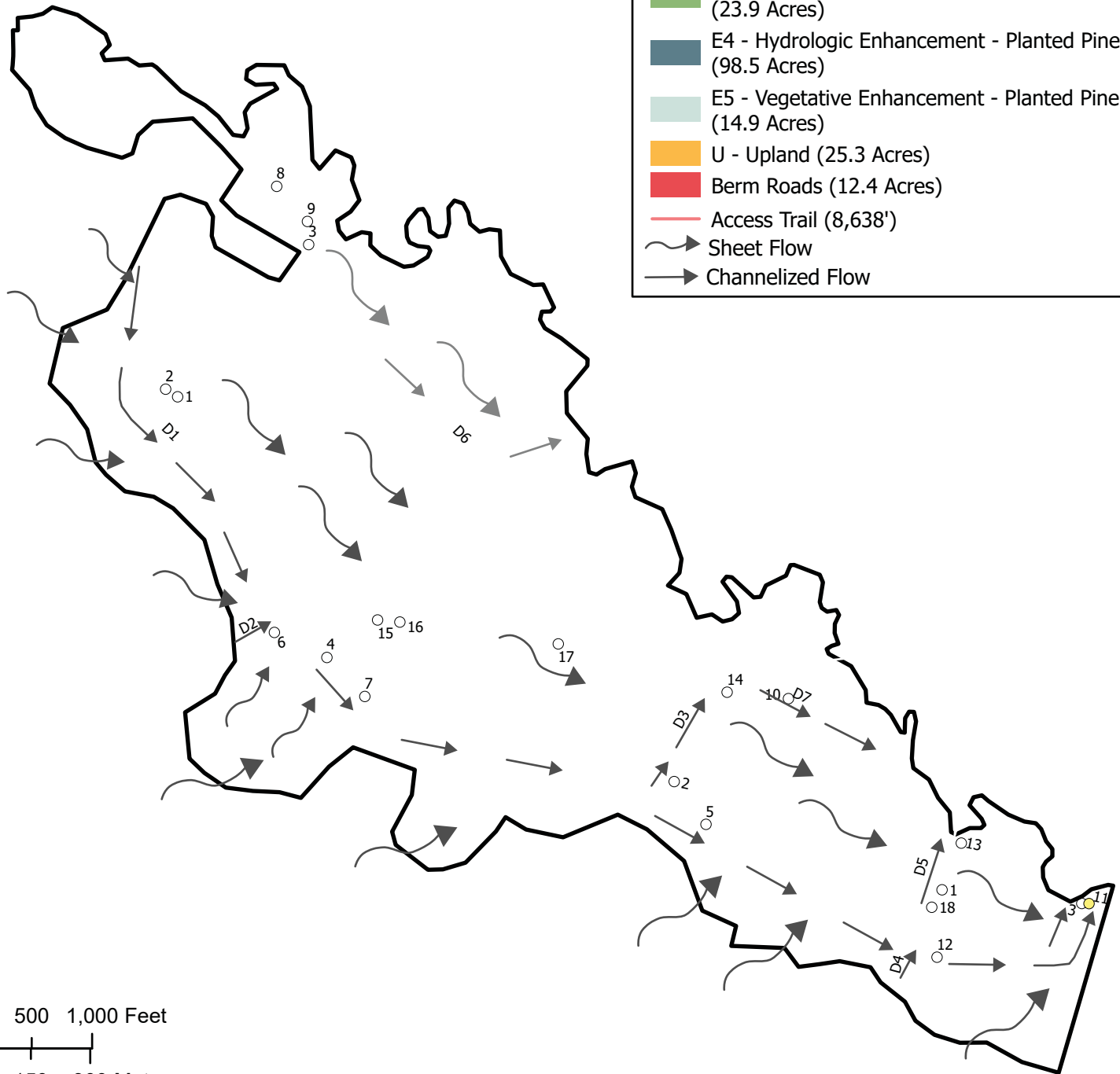
- U - Upland (25.3 Acres)

- Berm Roads (12.4 Acres)

- Access Trail (8,638')

- ~ Sheet Flow

- Channelized Flow



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 APP: ArcGIS 10.7.1 Pro 2.4.1
 GIS: 2019 EarthBalance@gsprehn/ahalstead

Exhibit 5 Black Gum Mitigation Bank Current Conditions



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 Fort Myers: Luckett Rd Nursery: Nocatee, FL

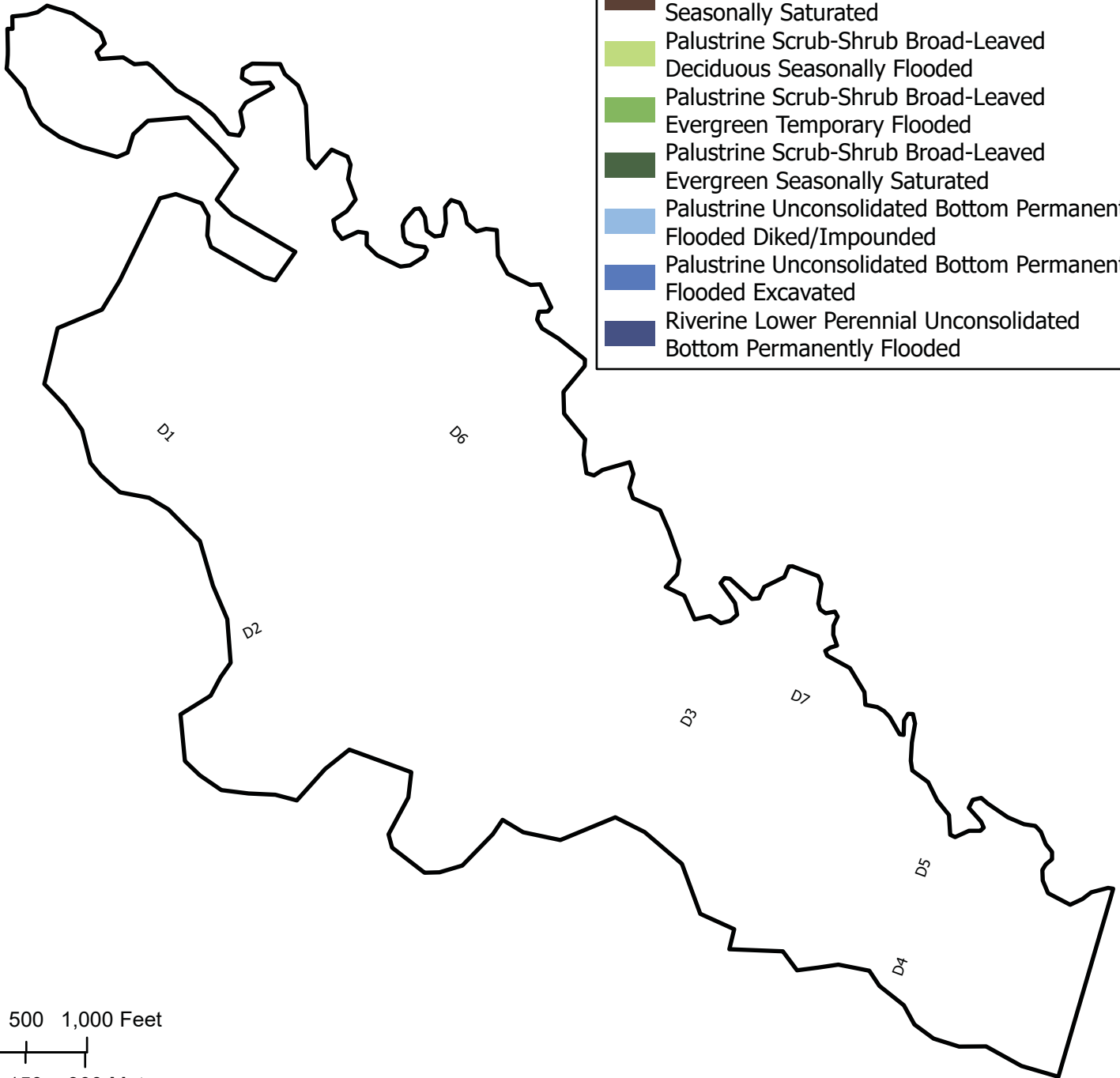
On-Site Blue Line Streams

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 - UT 1 (467')
 - Beaverdam Creek - Reach 1 (1,428')
 - Beaverdam Creek - Relic Channel (4,029')
 - - Beaverdam Creek - Reach 2, Channelized (7,602')
- Ditches**
- Ditches (11,066')
 - - Shallow Ditches (<1') (7,057')

 Surveyed Boundary (654.01 Acres)

NWI Classification

-  Palustrine Forested Broad-Leaved Deciduous/
-  Needle-Leaved Evergreen Temporary Flooded
-  Palustrine Forested Broad-Leaved Deciduous/
-  Needle-Leaved Evergreen Seasonally Saturated
-  Palustrine Forested Broad-Leaved Deciduous
-  Temporary Flooded
-  Palustrine Forested Broad-Leaved Deciduous
-  Seasonally Flooded
-  Palustrine Forested Needle-Leaved Evergreen
-  Seasonally Saturated
-  Palustrine Scrub-Shrub Broad-Leaved
-  Deciduous Seasonally Flooded
-  Palustrine Scrub-Shrub Broad-Leaved
-  Evergreen Temporary Flooded
-  Palustrine Scrub-Shrub Broad-Leaved
-  Evergreen Seasonally Saturated
-  Palustrine Unconsolidated Bottom Permanently
-  Flooded Diked/Impounded
-  Palustrine Unconsolidated Bottom Permanently
-  Flooded Excavated
-  Riverine Lower Perennial Unconsolidated
-  Bottom Permanently Flooded



0 500 1,000 Feet
0 150 300 Meters

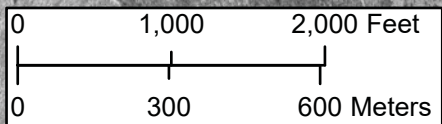
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Exhibit 6 Black Gum Mitigation Bank National Wetland Inventory



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Nursery: Nocatee, FL



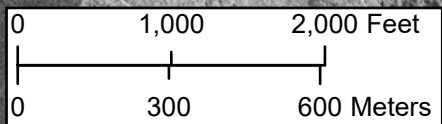
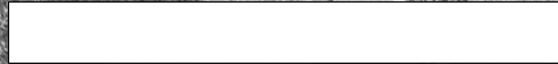
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GIS: 2019 EarthBalance@/gsprehn/ahalstead

Exhibit 7A Black Gum Mitigation Bank 1964 Aerial



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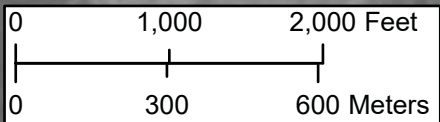
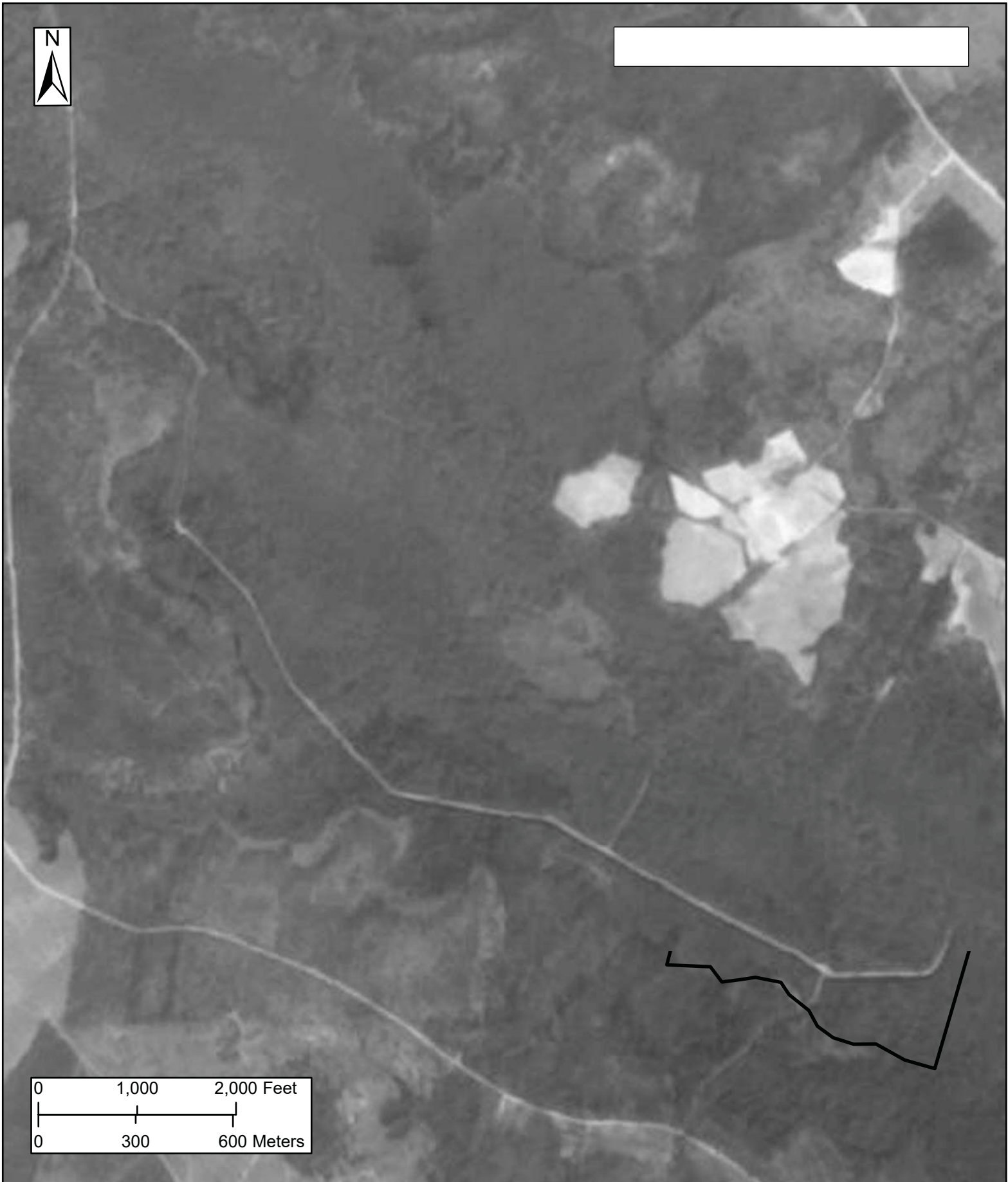
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GIS: 2019 EarthBalance@gsprehn/ahalstead

Exhibit 7B
Black Gum Mitigation Bank
1978 Aerial



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Exhibit 7C
Black Gum Mitigation Bank
1983 Aerial

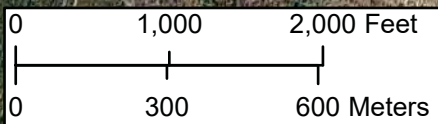
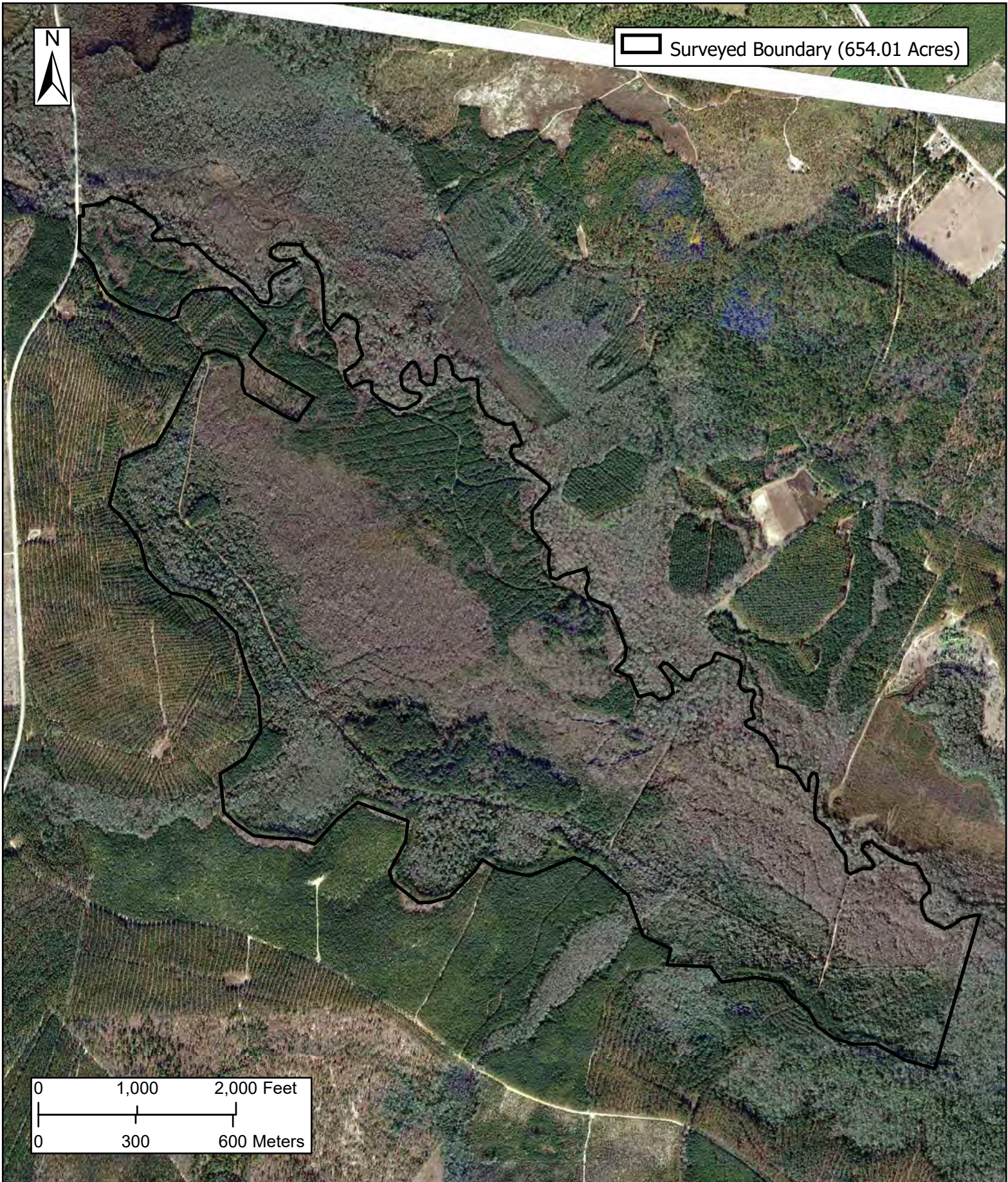


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 Surveyed Boundary (654.01 Acres)



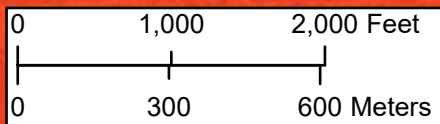
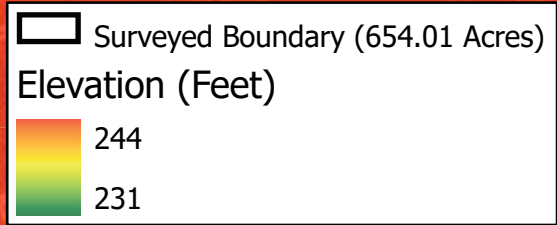
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GIS: 2019 EarthBalance@/gsprehn/ahalstead

Exhibit 7D Black Gum Mitigation Bank 2013 Aerial



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Exhibit 8 Black Gum Mitigation Bank LIDAR

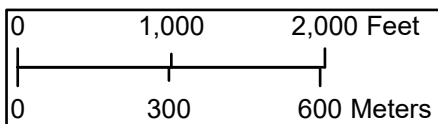
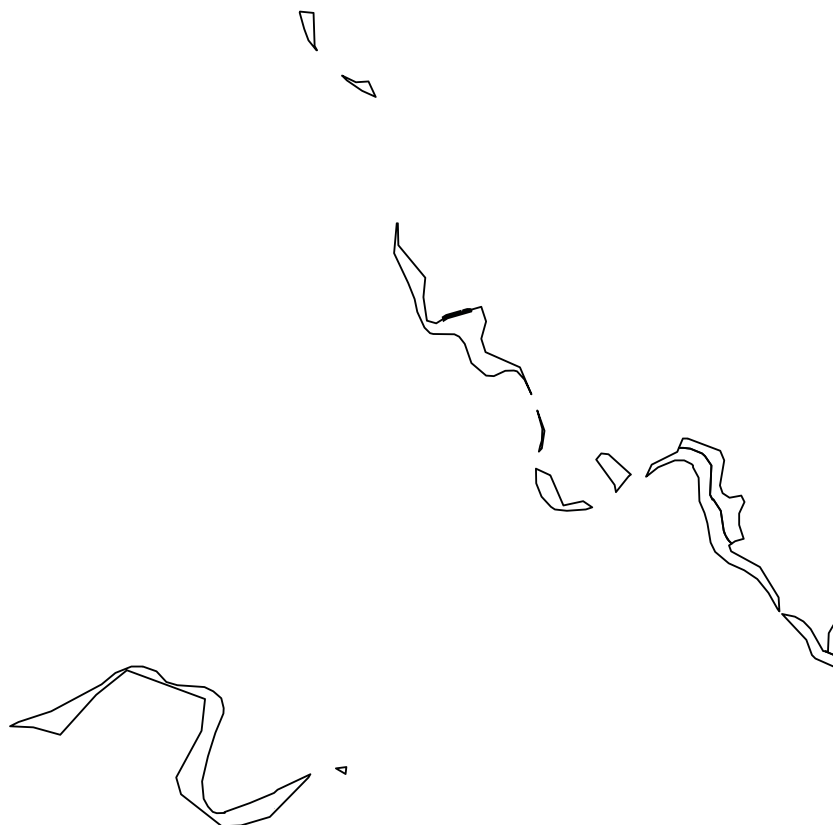


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| Fort Myers: Luckett Rd | Nursery: Nocatee, FL |



| | |
|---|--|
|  | Surveyed Boundary (654.01 Acres) |
|  | AeC - Ailey sand, 6 to 10 percent slopes (10.07 Acres) |
|  | AtA - Altavista loam, 0 to 2 percent slopes (0.03 Acres) |
|  | BaB - Blanton sand, 0 to 6 percent slopes (1.37 Acres) |
|  | Ch - Chewacla loam, 0 to 2 percent slopes, frequently flooded (144.48 Acres) |
|  | Do - Dorovan muck (426.99 Acres) |
|  | GoA - Goldsboro loamy sand, 0 to 2 percent slopes (11.67 Acres) |
|  | Gr - Grady loam (6.09 Acres) |
|  | LaD - Lakeland sand, 10 to 15 percent slopes (4.84 Acres) |
|  | W - Wagram sand, 0 to 6 percent slopes (21.57 Acres) |
|  | We - Wehadkee silt loam (26.90 Acres) |

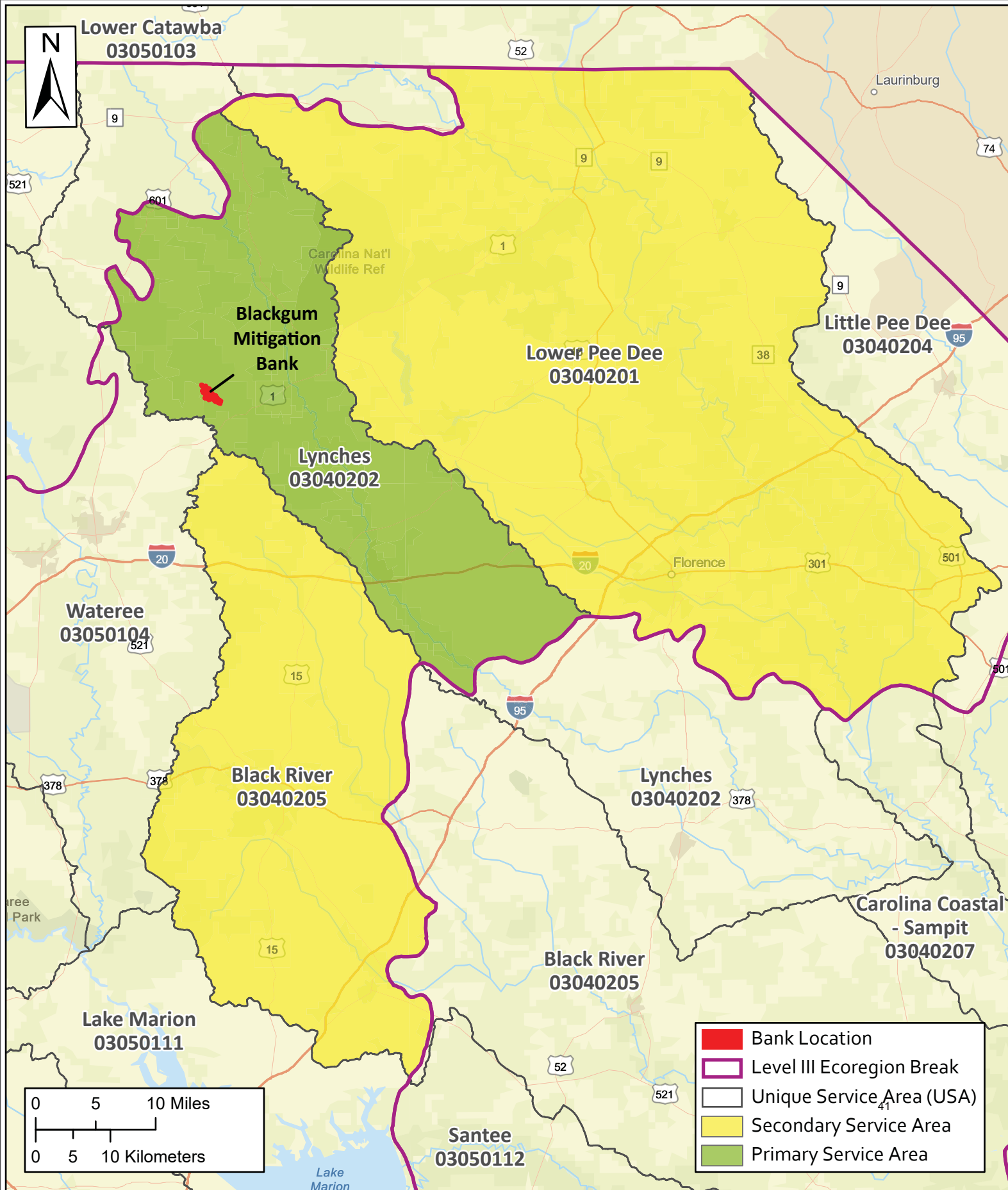


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Exhibit 9
Black Gum Mitigation Bank
Natural Resources Conservation Service Soil Map



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Nursery: Nocatee, FL



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Exhibit 10

Black Gum Mitigation Bank Proposed Service Area

EarthBalance
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 Corporate Office
 2570 Commerce Parkway
 North Port, FL 34289
 (941) 426-7878

Stream Preservation

— Little Lynches River (20,438')

— UT 1 (467')

— Beaverdam Creek - Reach 1 (1,428')

Total Preserved Streams: 22,333'

- - - Beaverdam Creek - Reach 2, Abandoned (7,602')

— Beaverdam Creek - Restored Relic Channel (4,368')

Ditches

— Ditches Eliminated (10,727')

- - - Shallow Ditches (<1') (7,057')

■ Low Water Crossing

● Ditch Plug

— Access Trail (8,638')

▭ Surveyed Boundary (654.01 Acres)

■ P - Hardwood Preservation (83.9 Acres)

■ E1 - Hydrologic Enhancement (292.9 Acres)

■ E2 - Hydrologic Enhancement - Significantly Drained (88.3 Acres)

■ E3a - Hydrologic Enhancement - Significantly Drained / Pine Clearcut (14.1 Acres)

■ E3b - Hydrologic Enhancement - Pine Clearcut (23.9 Acres)

■ E4 - Hydrologic Enhancement - Planted Pine (98.5 Acres)

■ E5 - Vegetative Enhancement - Planted Pine (14.9 Acres)

■ U - Upland (25.3 Acres)

■ Berm Roads (12.4 Acres)

0 500 1,000 Feet
0 150 300 Meters

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Exhibit 11 Black Gum Mitigation Bank Conceptual Construction Plan



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