

JOINT
PUBLIC NOTICE

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

REGULATORY DIVISION
Refer to: P/N SAC-2021-01056

June 23, 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

PALUSTRINE GROUP, LLC
ATTN: TORY GRAYSON
9 AVONDALE AVE
CHARLESTON, SC 29407

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

ASHEPOO RIVER

at a location approximately 4 miles from the intersection of US17 and US64 in Jacksonboro, SC., Colleton County, South Carolina (Latitude: 32.755187 °, Longitude: -80.522581 °), Neyles, Jacksonsboro, Green Pond, and Fenwick 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 Salkehatchie watershed (8-digit Hydrologic Unit Codes 03050207). The proposed 2,040.85 acre mitigation site includes approximately 1,958.76 acres of freshwater wetlands and 33,206 linear feet (lf) of non-wetland waters.

The proposal is to preserve approximately 26,581 lf of streams and 1,212.99 acres of palustrine forested wetlands through the permanent protection of a conservation easement. In addition, 472.59 acres of freshwater wetlands will be enhanced through removal of loblolly pine and replanted in native species. 10,060 lf of stream will be restored/enhanced through removal priority one restoration utilizing natural channel design techniques. This includes channel re-alignment, construction of new channels, and bank stabilization. An upland buffer will be placed around stream resources. The bank sponsor, using a conservation easement, will protect the entire 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 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.

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 American wood Stork, *Mycteria americana*, a federally threatened species, shortnose sturgeon, *Acipenser brevirostrum*, a Federally endangered species, and Eastern black rail, *Laterallus jamaicensis*, a federally threatened species, is present in the vicinity of the project. It has been determined that the project will have no effect on shortnose sturgeon, and will not result in the destruction or adverse modification of designated or proposed critical habitat of this species. Additionally, the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined that the project may affect, but is not likely to adversely affect the American wood Stork and Eastern Black Rail or result in the destruction or adverse modification of designated or proposed critical habitat of this species. 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)(1)), and has initially determined that **historic properties may be present; moreover, these historic properties may be affected by the undertaking.** 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 David B. Wilson at (843) 329-8026 or by email at David.B.Wilson@usace.army.mil.

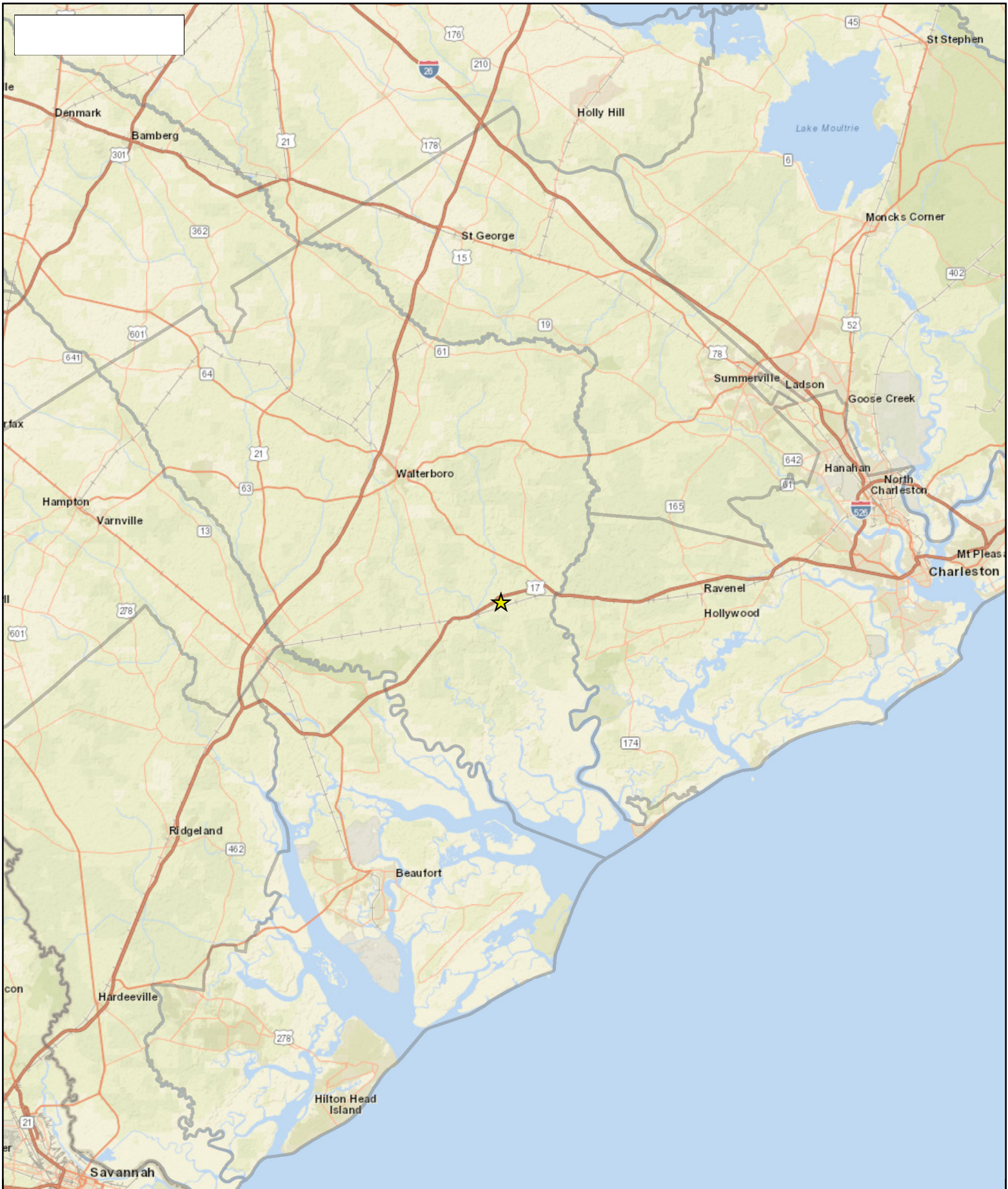
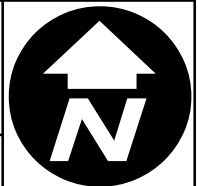




Figure 1: Vicinity Map

Salkehatchie Mitigation Bank
 Portion of Parcel ID 262-00-00-011.000
 Colleton County, SC
 Source: ESRI
 Date: March 2021

Notes:



 Parcel 262-00-00-011.000 ± 5,211 AC
 Project Area ± 2,023.41 AC

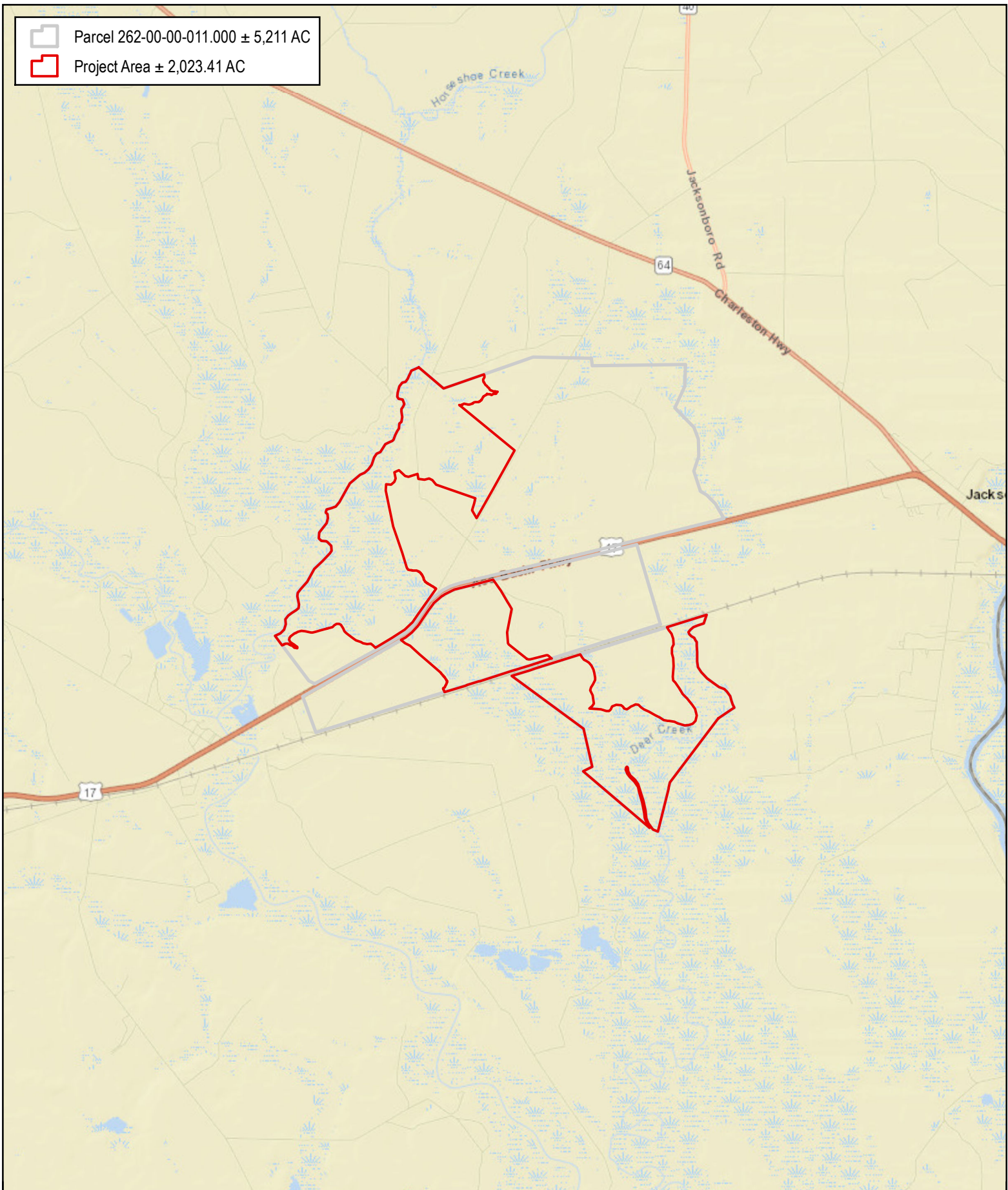
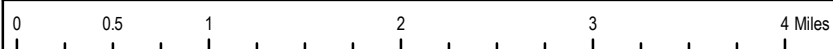


Figure 2: Location Map
Salkehatchie Mitigation Bank
Portion of Parcel ID 262-00-00-011.000
Colleton County, SC
Source: ESRI
Date: April 2021

Notes:



1 in = 1 miles



Parcel 262-00-00-011.000 ± 5,211 AC
Project Area ± 2,023.41 AC

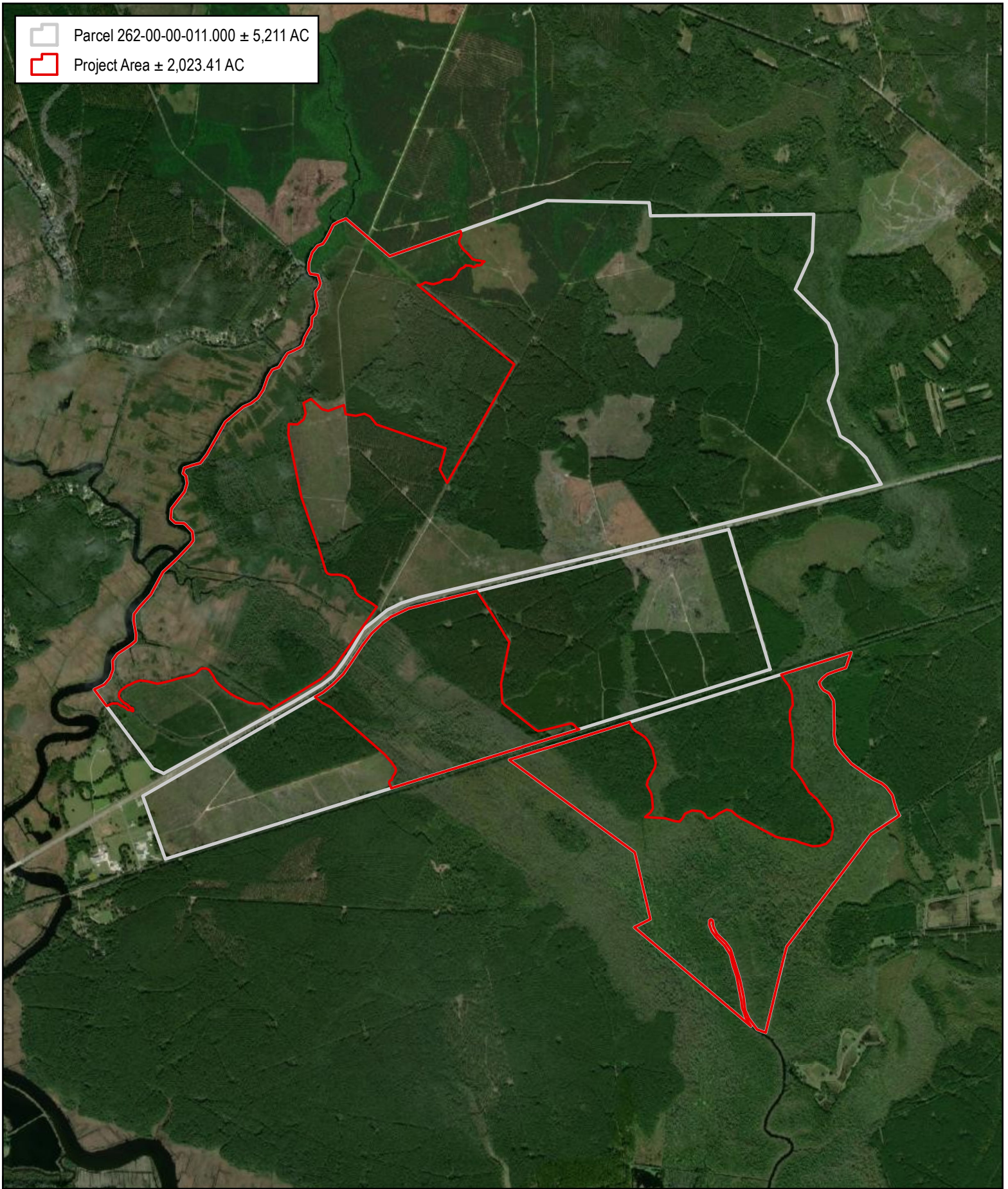


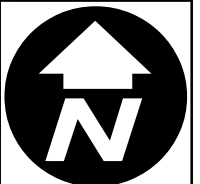
Figure 3: Mitigation Site Map

Salkehatchie Mitigation Bank
Portion of Parcel ID 262-00-00-011.000
Colleton County, SC
Source: ESRI
Date: April 2021

Notes:

0 1,500 3,000 6,000 9,000 12,000 Feet

1 in = 3,000 feet



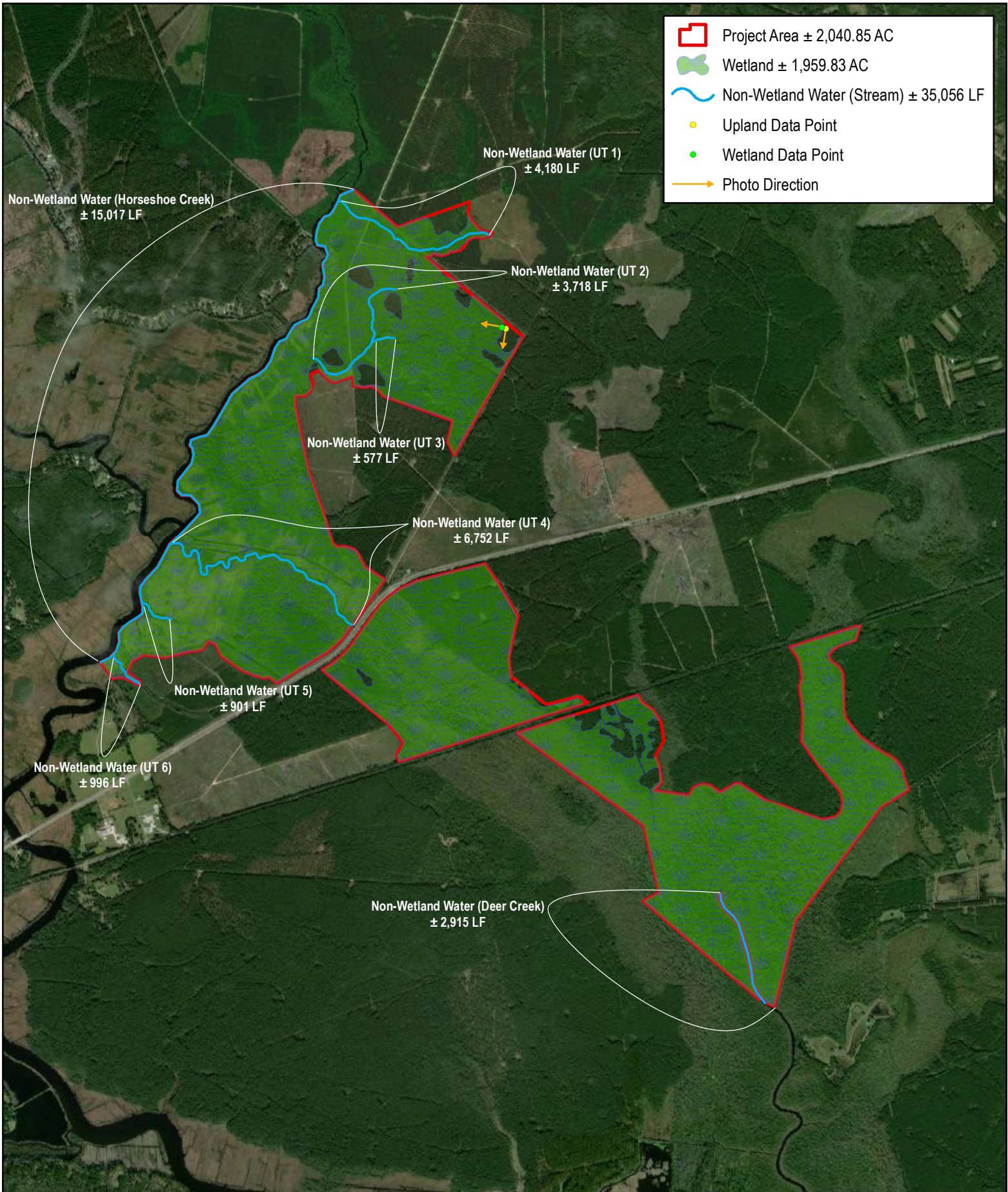
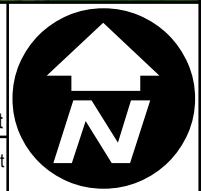


Figure 8: Delineation Map
 Salkehatchie Mitigation Bank
 Portion of Parcel ID 262-00-00-011.000
 Colleton County, SC
 Source: ESRI
 Date: April 2021

Notes:

1 in = 3,000 feet



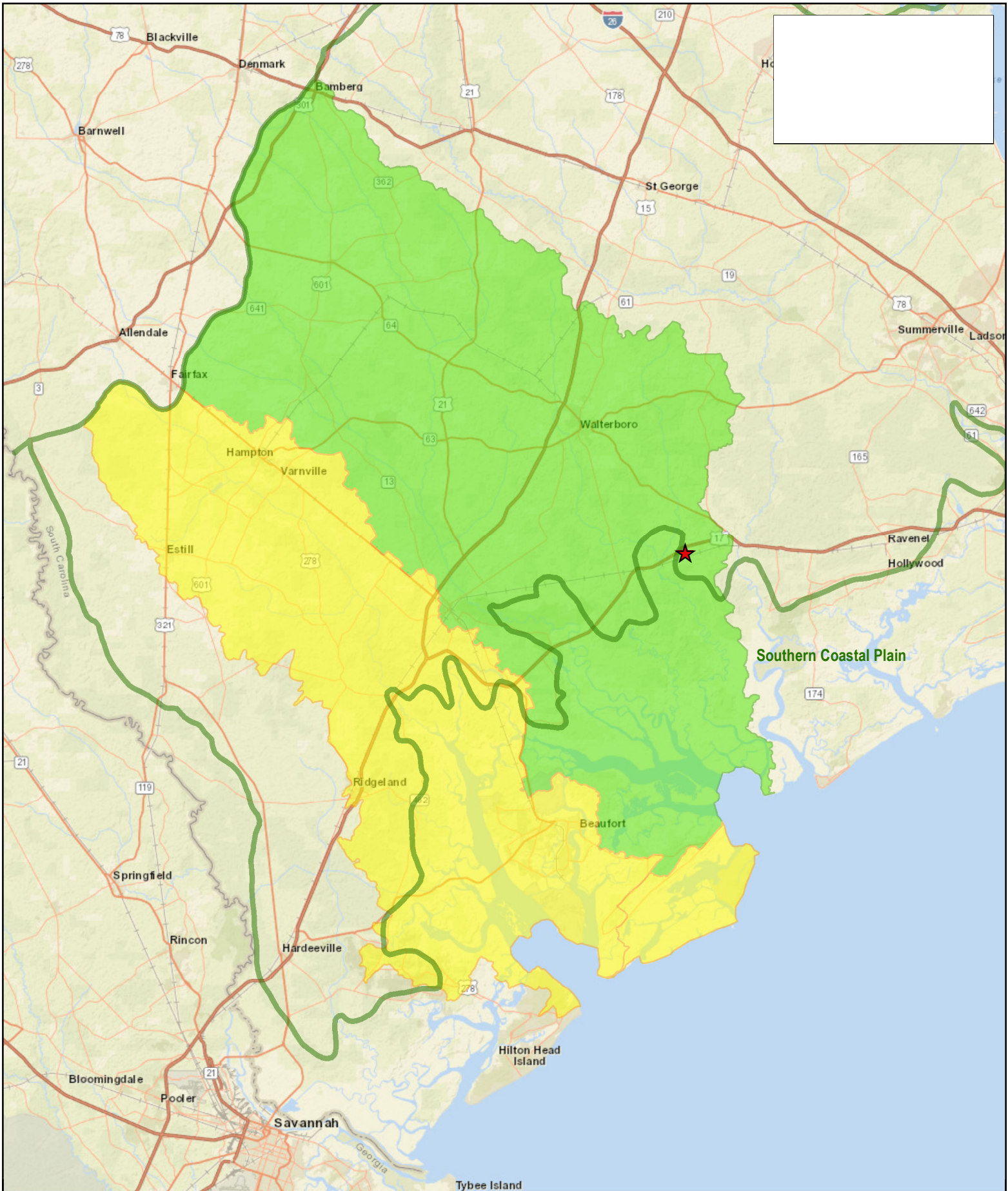
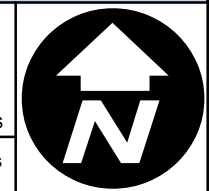


Figure 9: Service Area Map
 Salkehatchie Mitigation Bank
 Portion of Parcel ID 262-00-00-011.000
 Colleton County, SC
 Source: ESRI, USACE, USGS, EPA
 Date: April 2021

Notes:

1 in = 10 miles



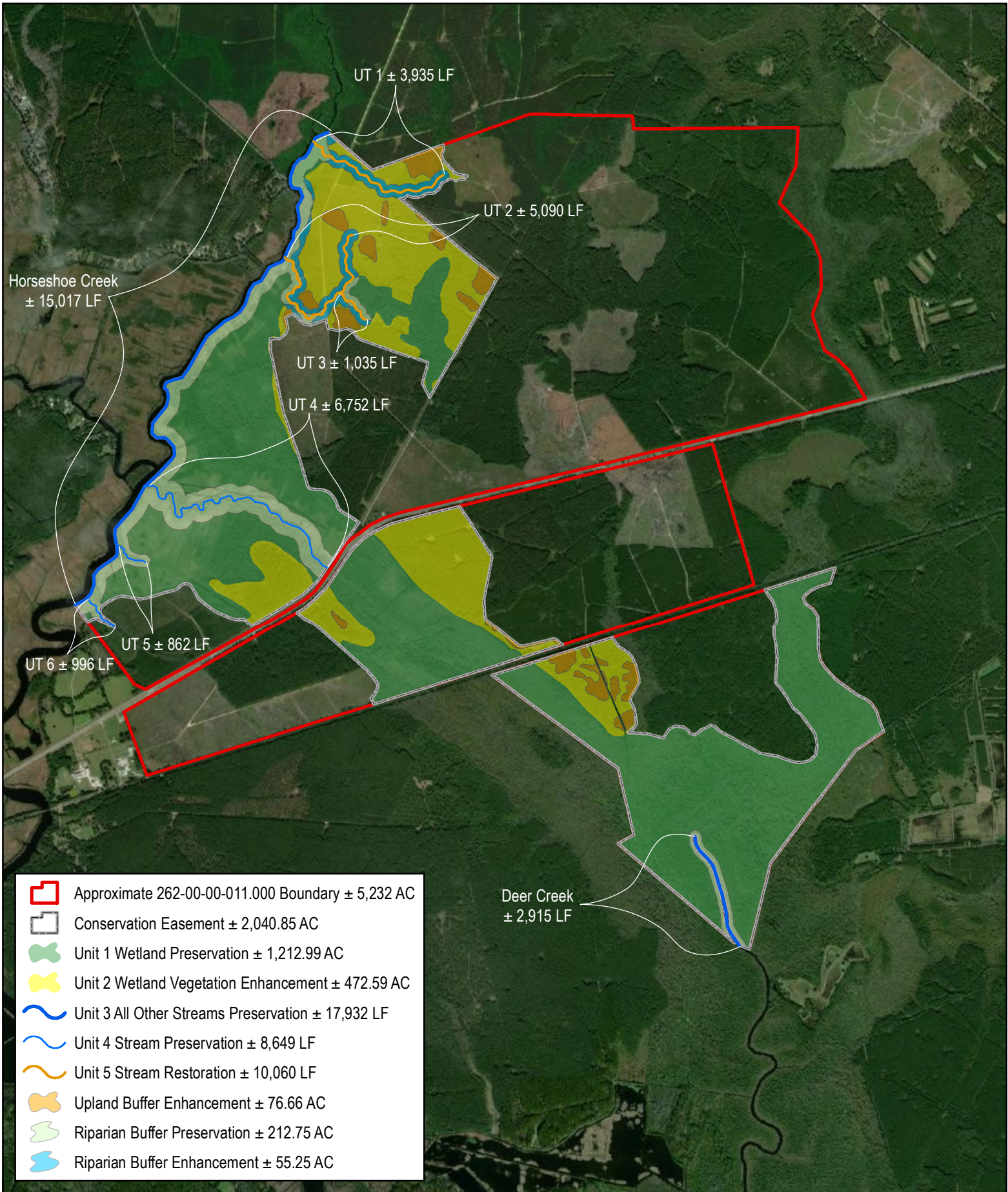


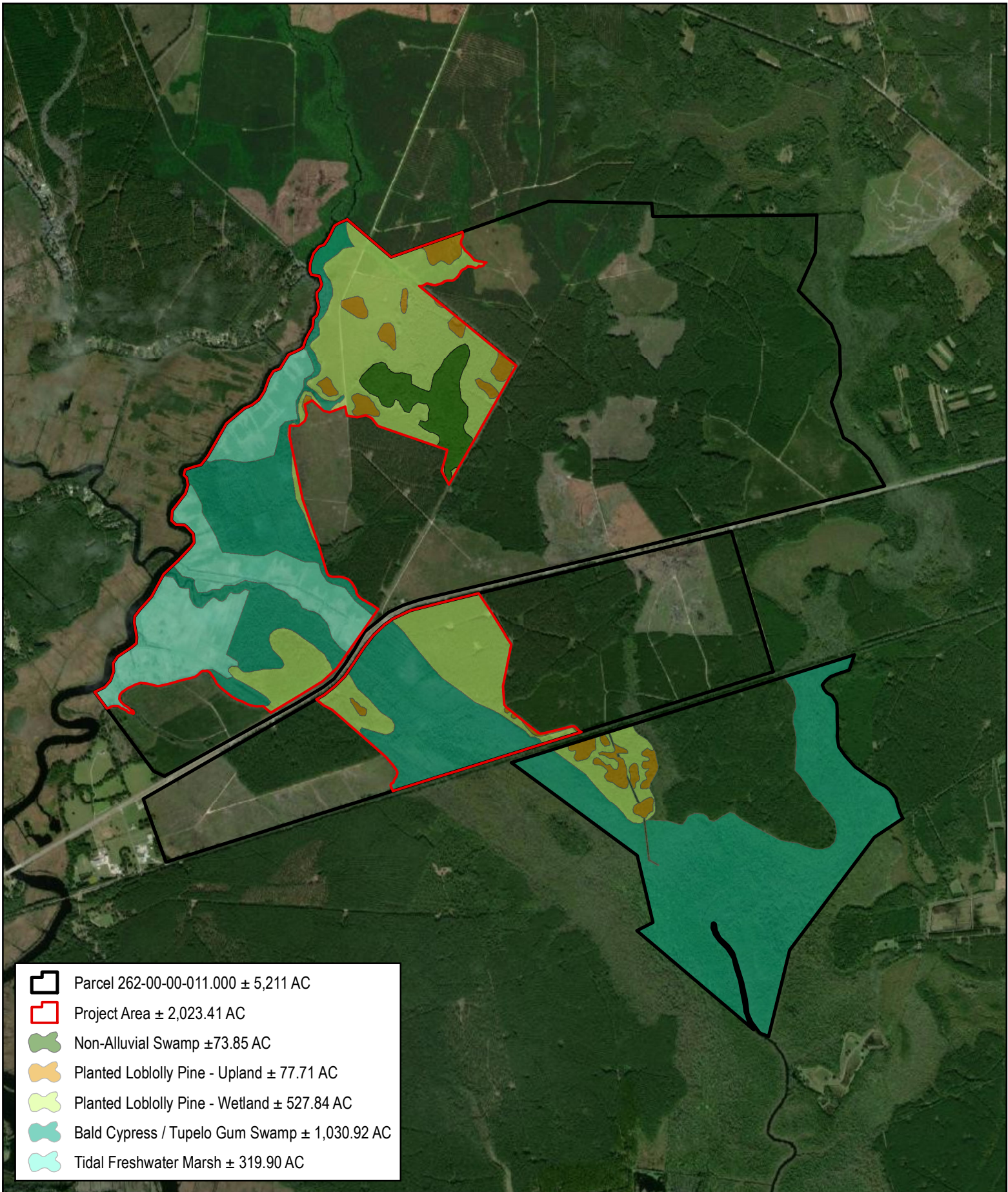
Figure 10: Mitigation Unit Map
 Salkehatchie Mitigation Bank
 Portion of Parcel ID 262-00-00-011.000
 Colleton County, SC
 Source: ESRI
 Date: April 2021

Notes:

1 in = 3,000 ft

0 1,500 3,000 6,000 9,000 12,000 Feet












-  Parcel 262-00-00-011.000 ± 5,211 AC
-  Project Area ± 2,023.41 AC
-  Non-Alluvial Swamp ± 73.85 AC
-  Planted Loblolly Pine - Upland ± 77.71 AC
-  Planted Loblolly Pine - Wetland ± 527.84 AC
-  Bald Cypress / Tupelo Gum Swamp ± 1,030.92 AC
-  Tidal Freshwater Marsh ± 319.90 AC



Figure 26: Vegetation Community Map
 Salkehatchie Mitigation Bank
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 Colleton County, SC
 Source: ESRI
 Date: April 2021

Notes:

1 in = 3,000 feet

