

**PUBLIC NOTICE**

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

REGULATORY DIVISION

Refer to: P/N SAC-2016-01867-MOD

May 30, 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), a proposed modification to the Palmetto Umbrella Mitigation Bank has been submitted to the Department of the Army (Corps) and the South Carolina Interagency Review Team (IRT) by

**WEYERHAEUSER NR COMPANY  
ATTENTION: DOUG HUGHES  
406 COLE ROAD  
HATTIESBURG, MISSISSIPPI 39402**

for a proposal to add a stream and wetland mitigation site to Palmetto Umbrella Mitigation Bank that is adjacent to the

**Broad River**

at a location 6.8 miles east of Union, SC, west of State Road S-44-86 (Latitude: 34.7156 °, Longitude: -81.4993 °), Union East and Leeds 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 site in the Lower Broad River watershed (8-digit Hydrologic Unit Code 03050106) located in the Level III Piedmont Ecoregion. The proposed 468-acre mitigation site includes approximately 53,371 linear feet of stream channels and 171 acres of wetlands.

The proposal is to preserve 24,375 linear feet of stream. In addition, 27,821 feet of streams will be enhanced by stabilizing stream channels and riparian buffer planting. Restoration of 1,175 linear feet of stream will be achieved by constructing a new channel along UT 6, rebuilding the dimension, pattern, and profile. Channels will be constructed using Natural channel design approaches to stabilize stream beds and banks, and improve stream channel

geometry. In-stream structures will be used to provide grade control and improve habitat. Riparian areas will be replanted with native species. Wetland enhancement will include establishing native vegetation where pine commercial pine plantations have encroached or where vegetation has been disturbed. Approximately 90 acres of wetlands will be preserved on site. 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 Lower Broad, Upper Broad, Tyger, 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. 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, 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.

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 no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties

May 30, 2019

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.

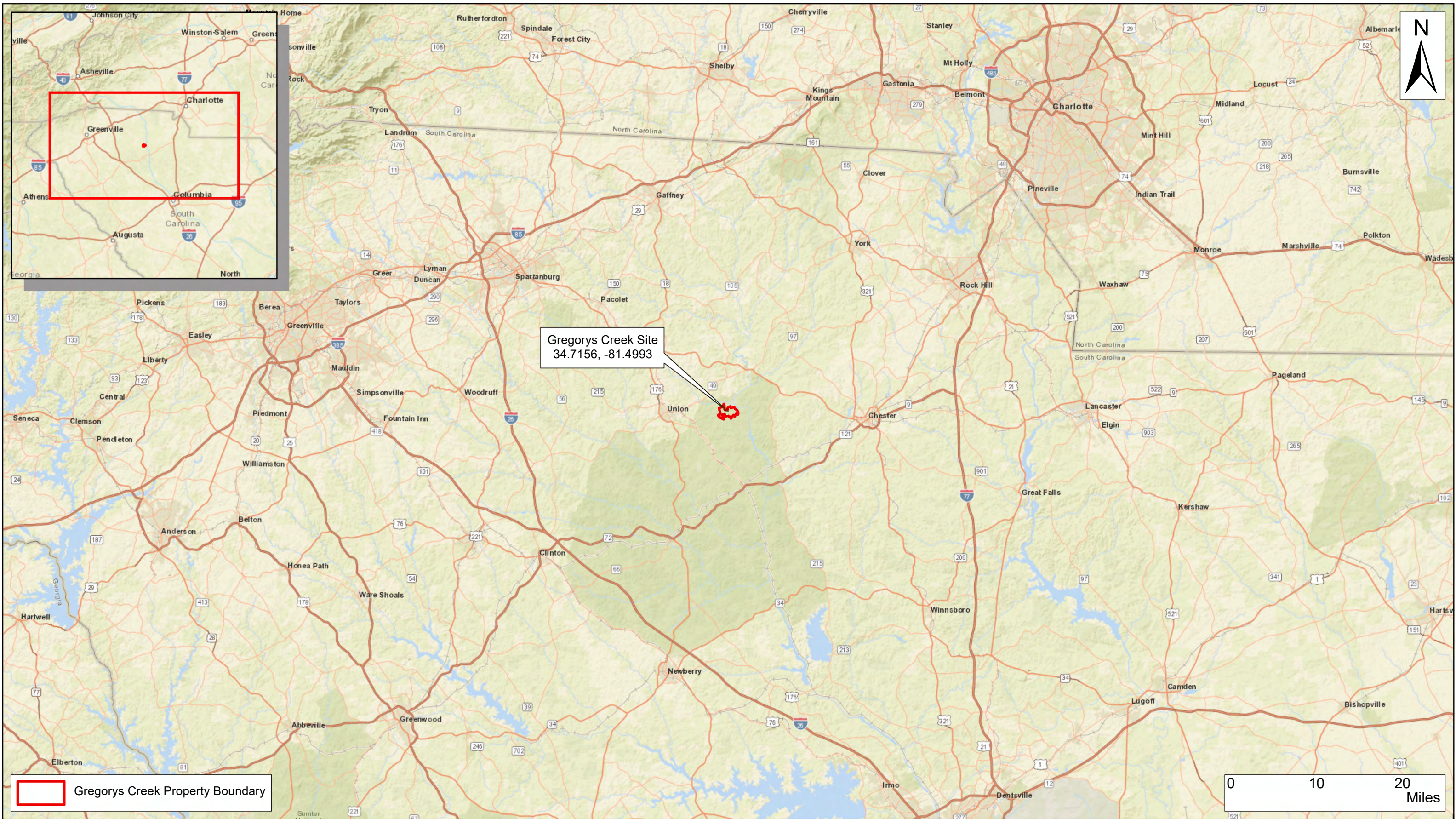
The decision whether to approve or deny the proposed mitigation bank site will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably 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.

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:**

**US Army Corps of Engineers  
Attention: Regulatory Division  
69A Hagood Avenue  
Charleston, South Carolina 29403**

The Modification to 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.





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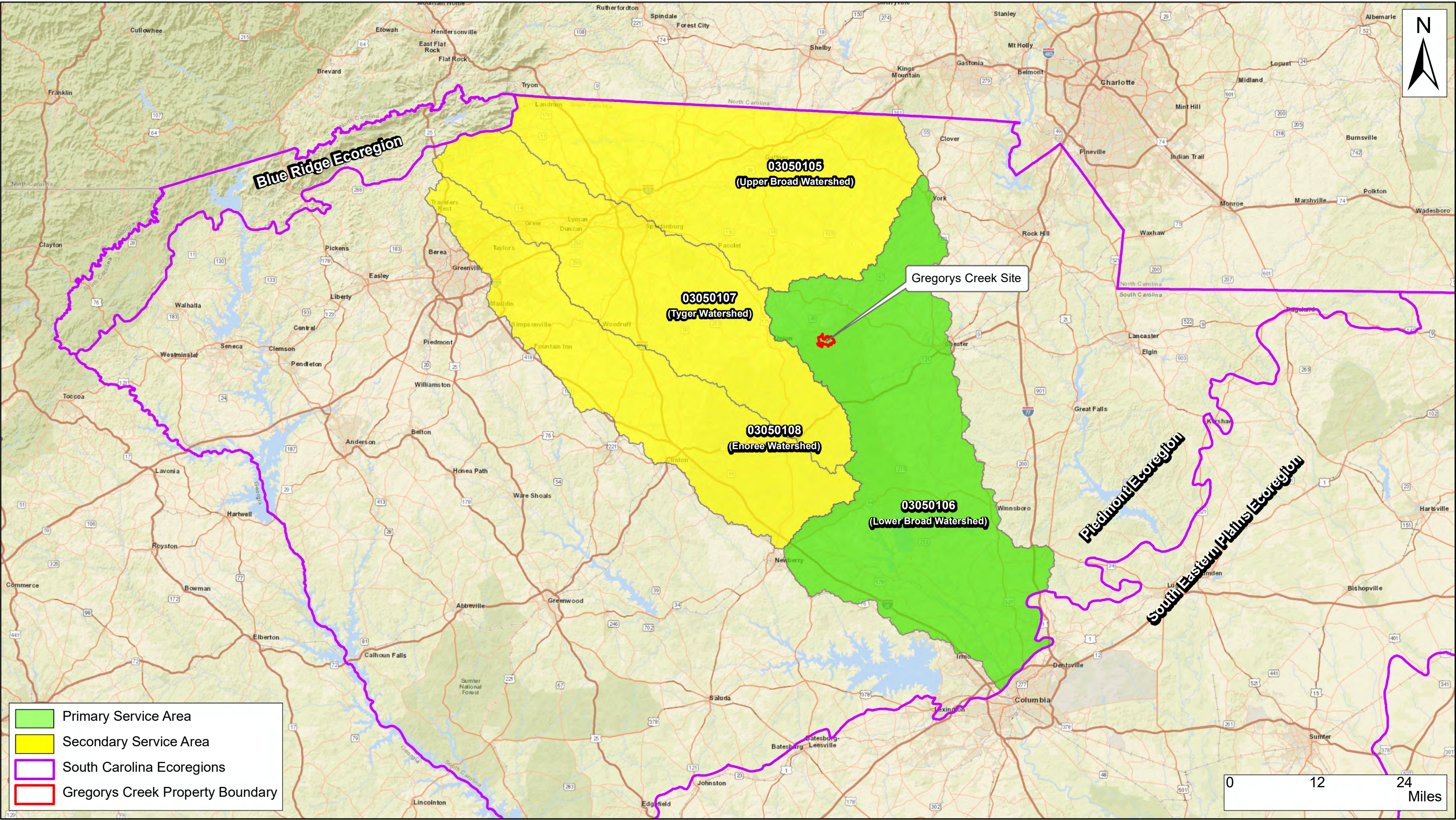


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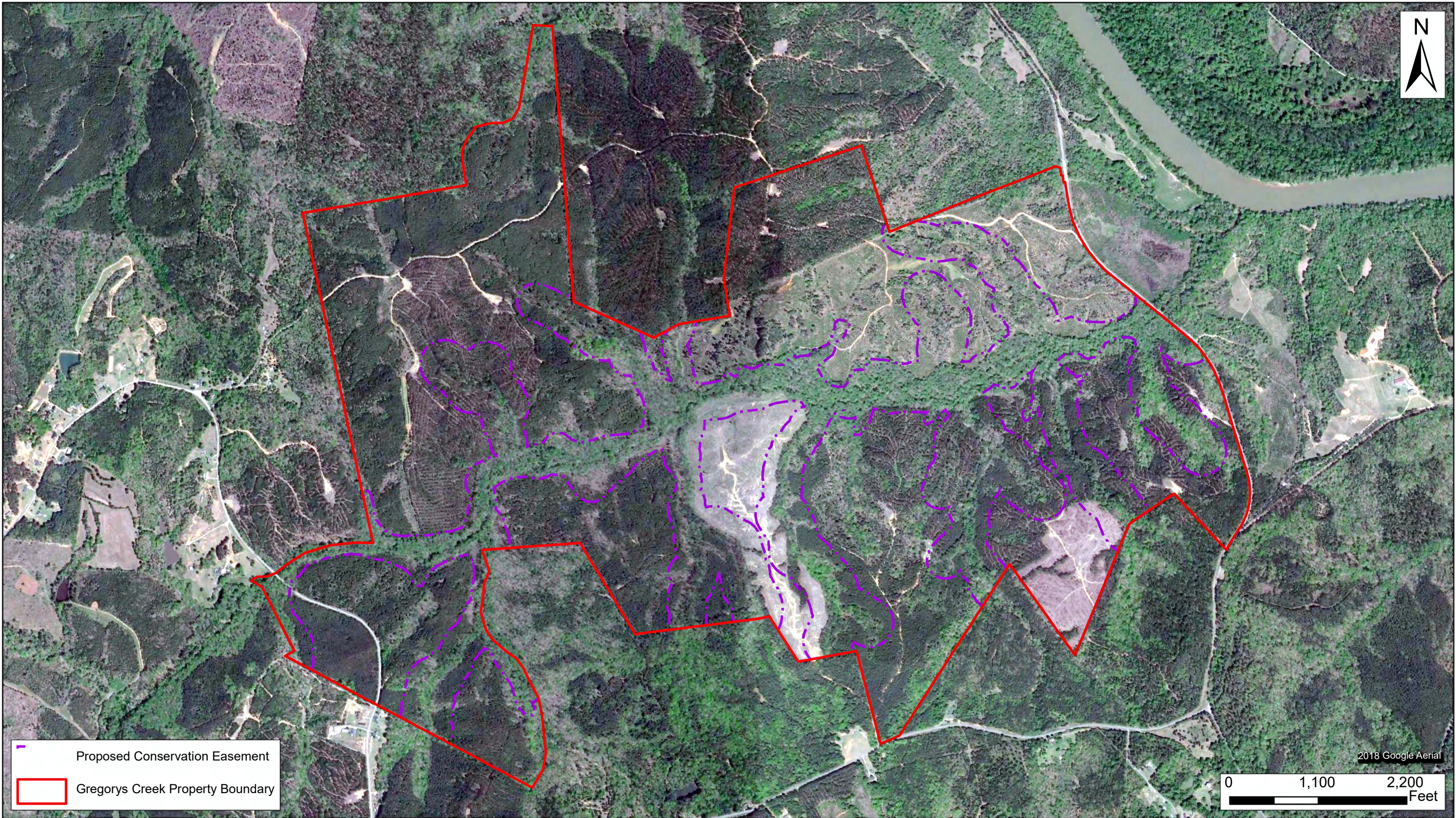


**Figure 1. Site Vicinity**  
Palmetto Umbrella Mitigation Bank  
Instrument Modification Document  
Appendix B. Gregorys Creek Site  
Union County, SC









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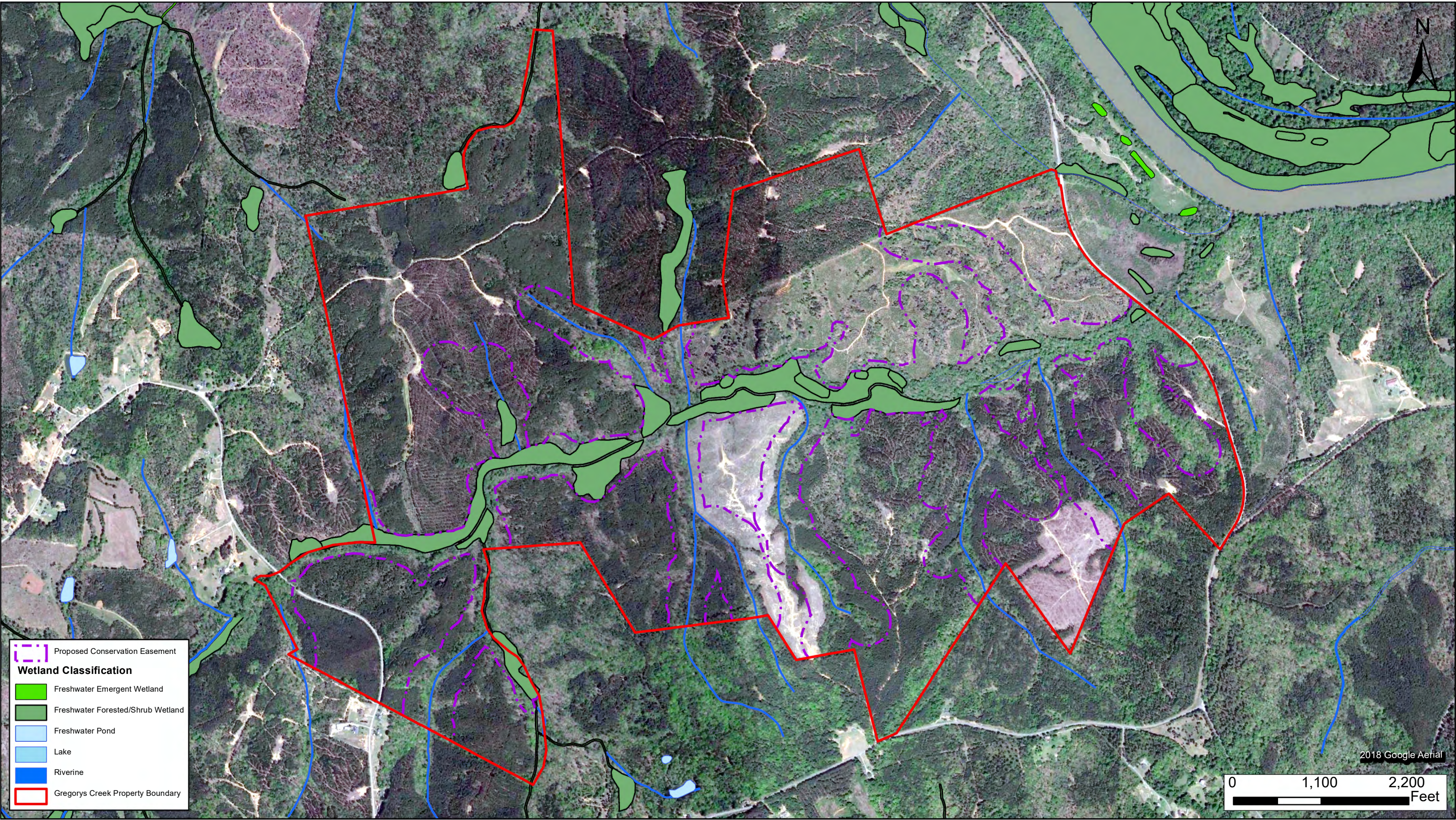


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**Figure 3. Aerial Imagery - 2018**  
Palmetto Umbrella Mitigation Bank  
Instrument Modification Document  
Appendix B. Gregorys Creek Site  
Union County, SC





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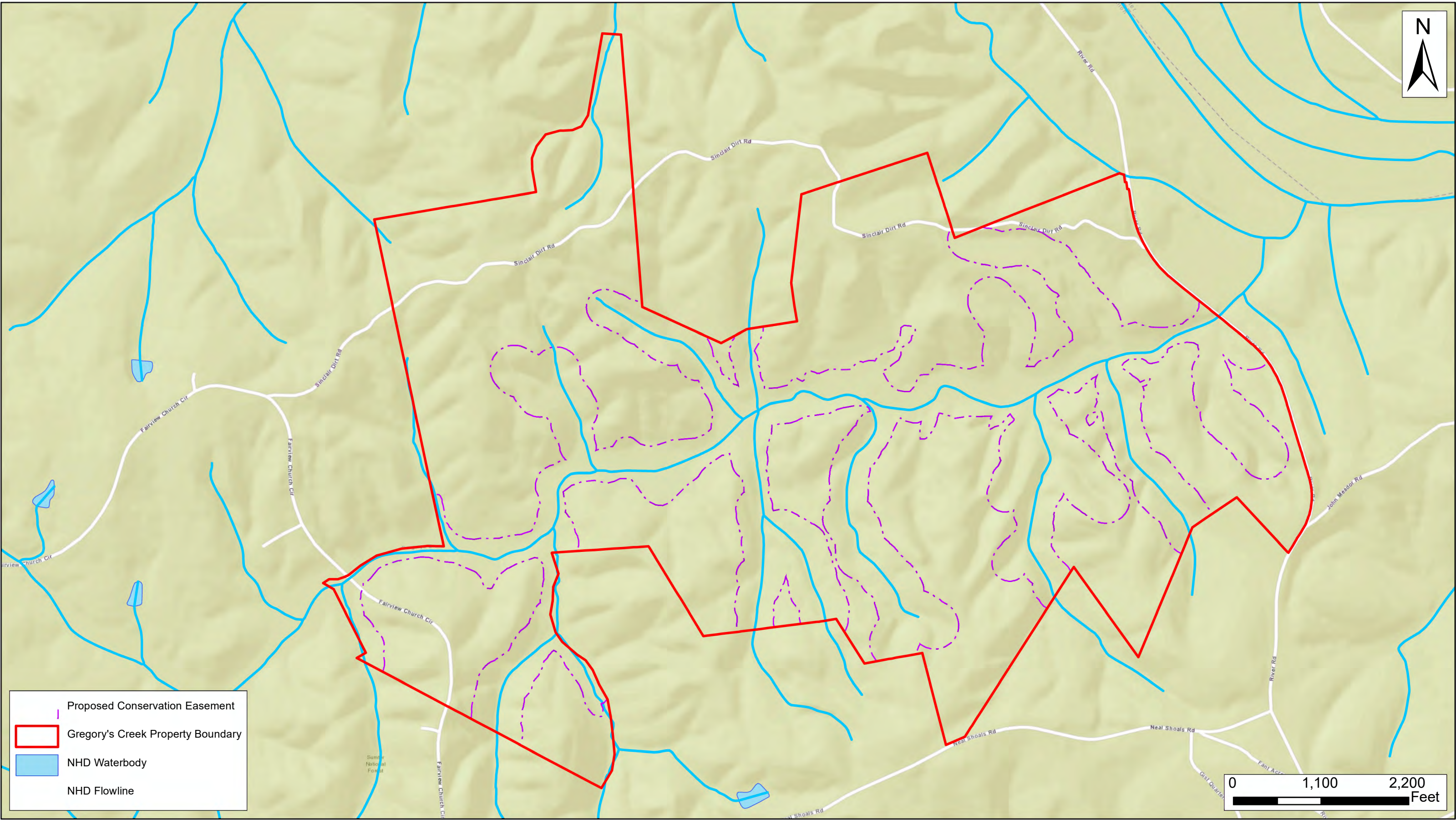


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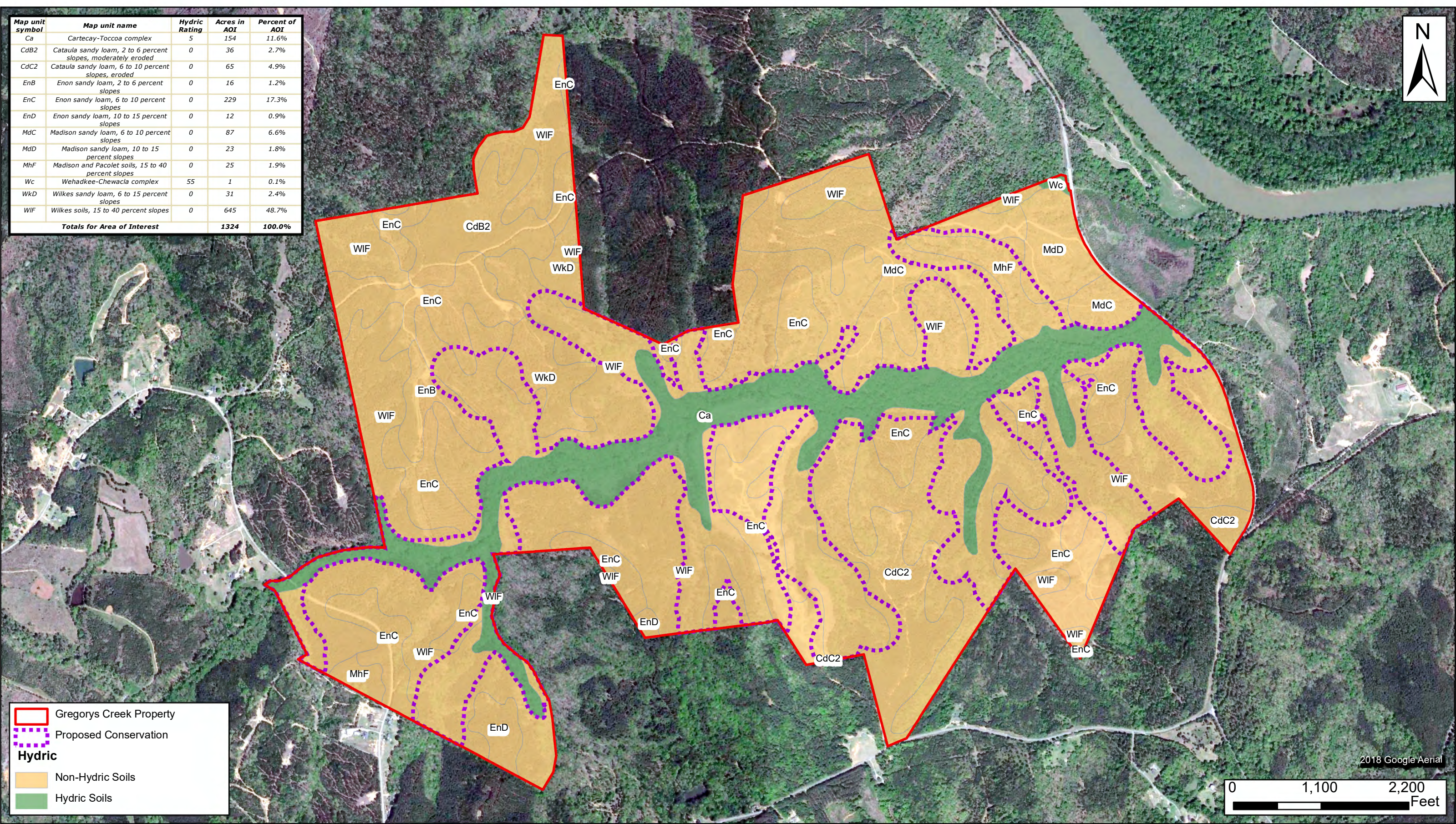


**Figure 4. National Wetland Inventory**  
Palmetto Umbrella Mitigation Bank  
Instrument Modification Document  
Appendix B. Gregorys Creek Site  
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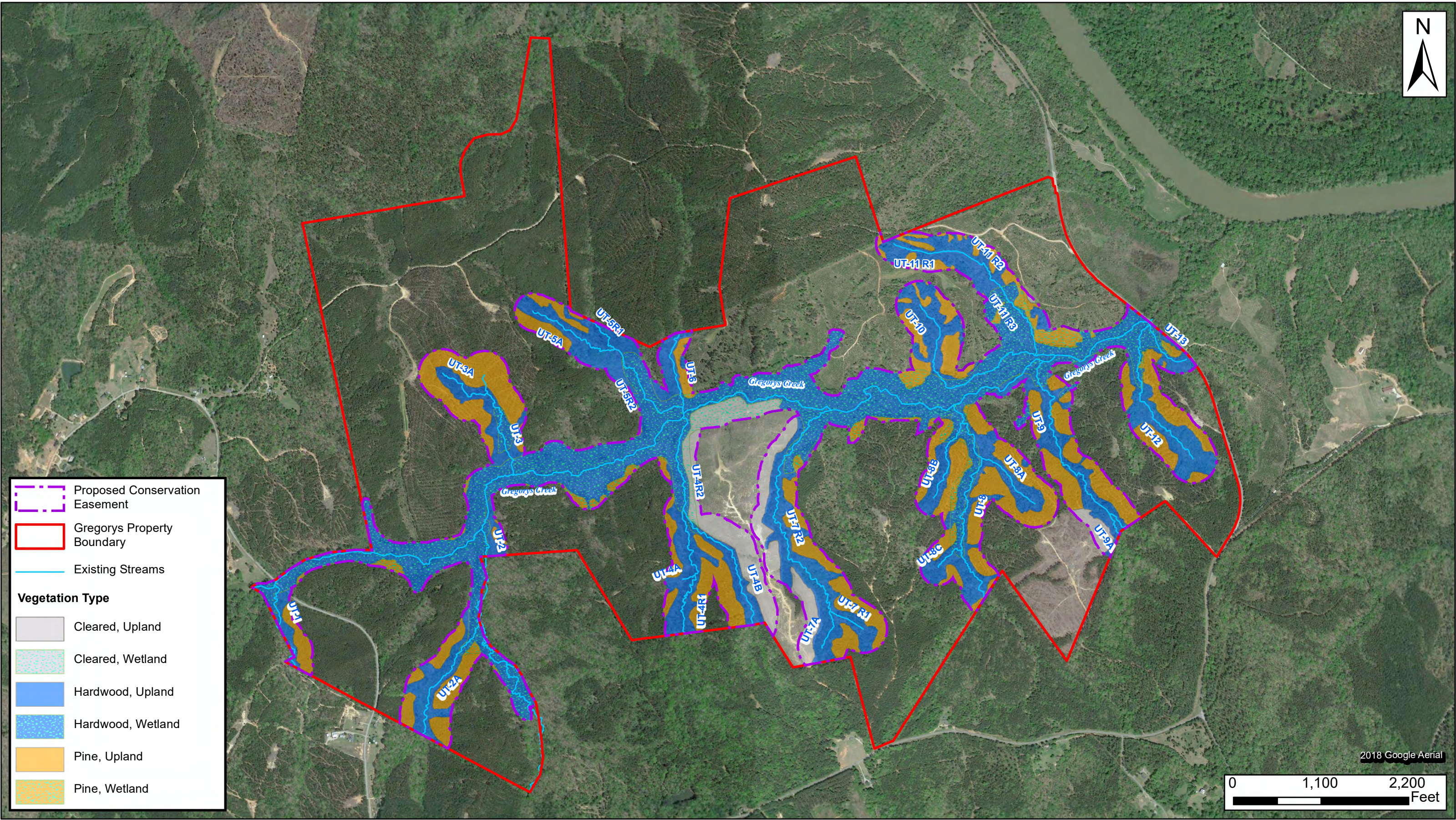




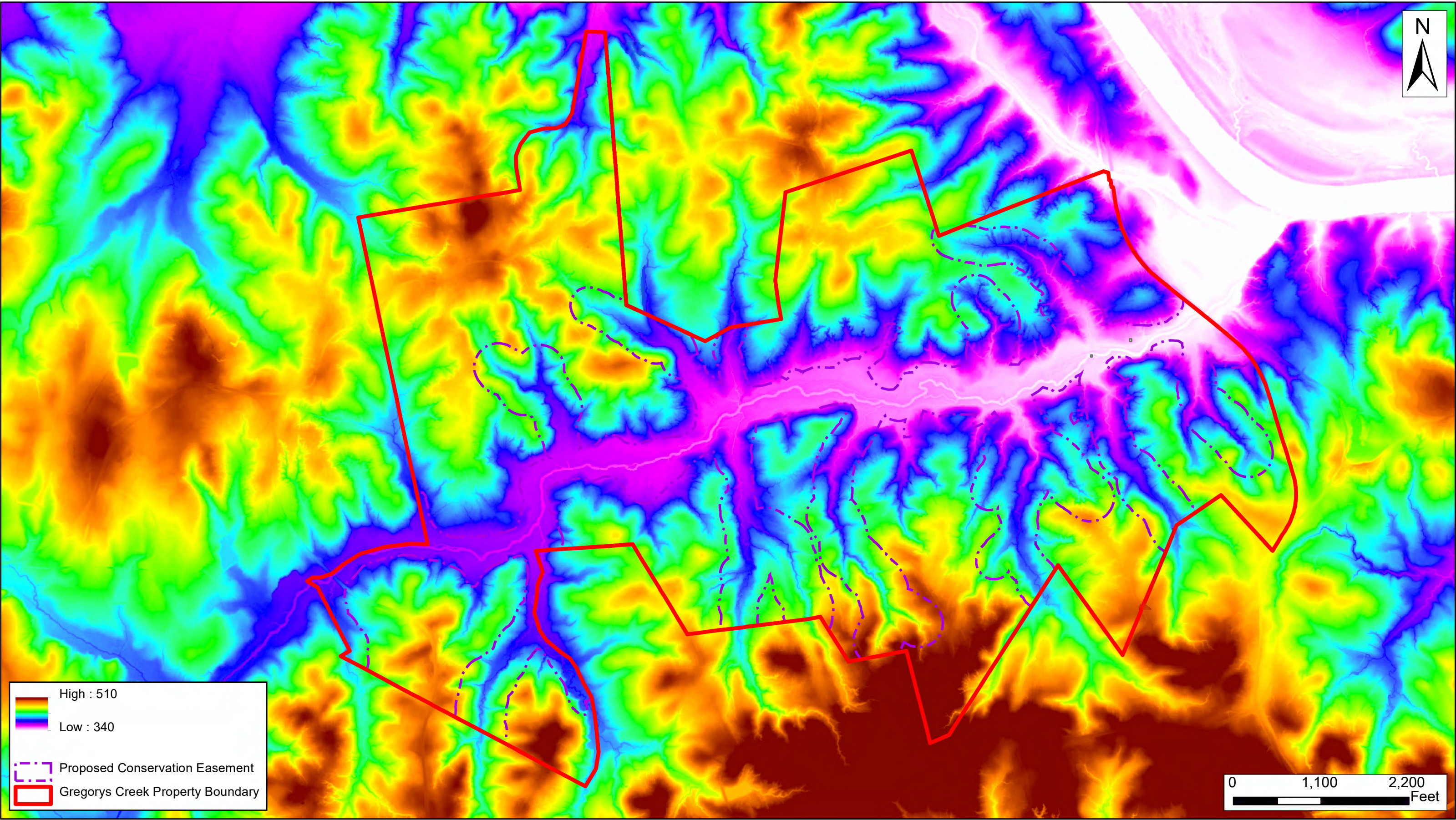












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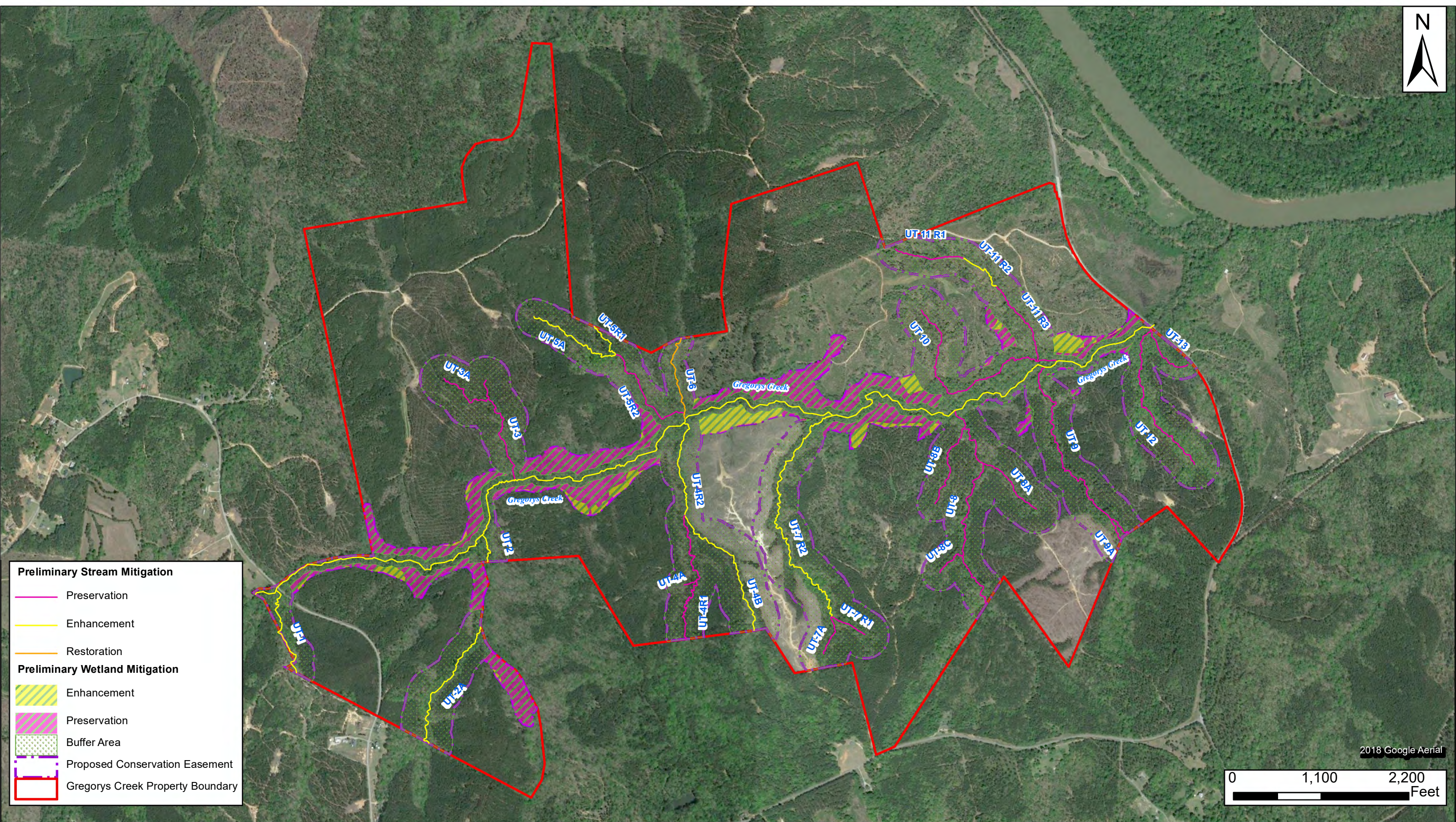


**Figure 8. LiDAR Imagery**  
Palmetto Umbrella Mitigation Bank  
Instrument Modification Document  
Appendix B. Gregorys Creek Site  
Union County, SC

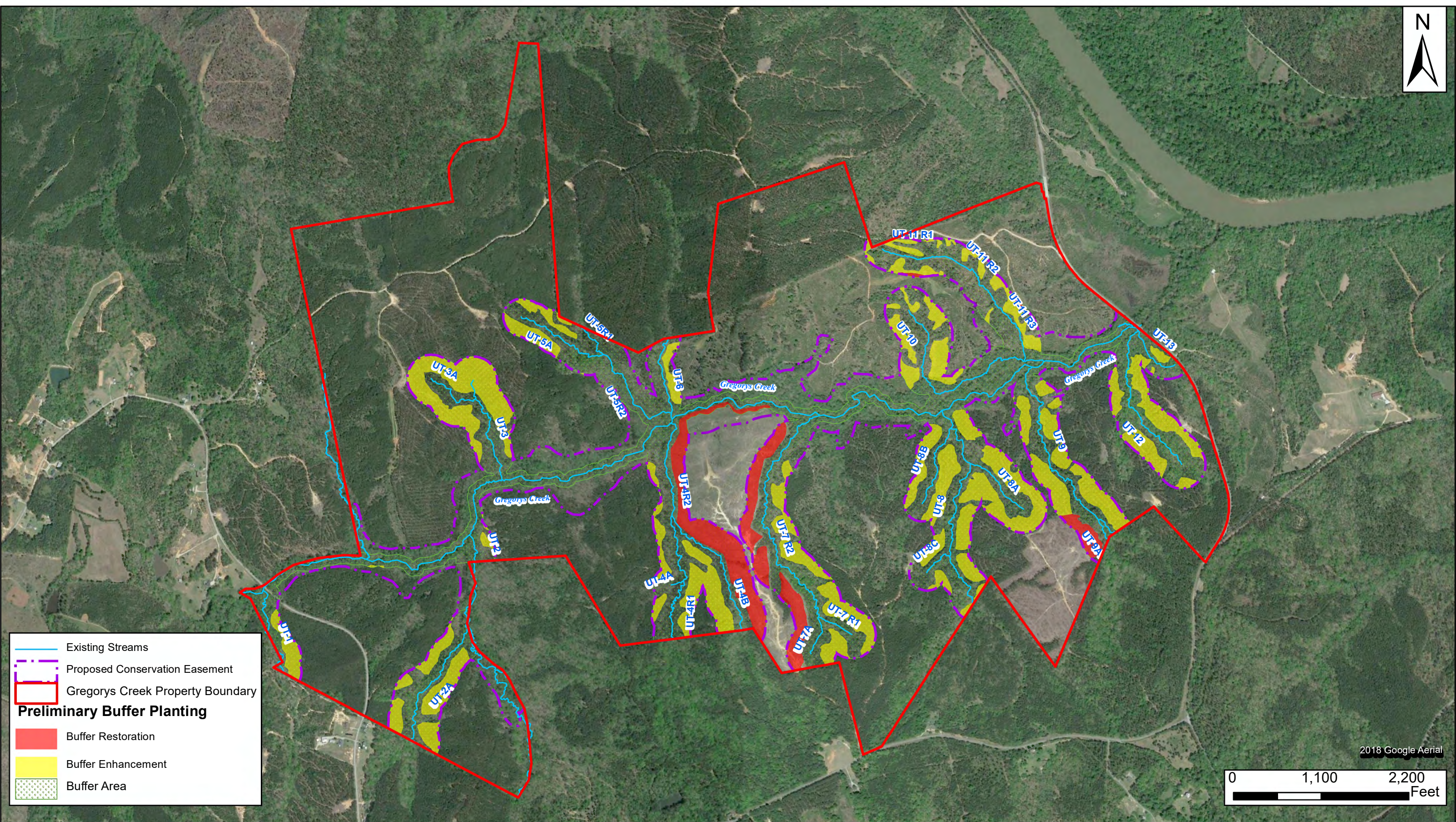












Existing Streams

Proposed Conservation Easement

Gregorys Creek Property Boundary

**Preliminary Buffer Planting**

Buffer Restoration

Buffer Enhancement

Buffer Area