<u>JOINT</u> <u>PUBLIC NOTICE</u>

CHARLESTON DISTRICT, CORPS OF ENGINEERS 1835 Assembly Street, Room 865 B-1 Columbia, South Carolina 29201 and THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL Water Quality Certification and Wetlands Section 2600 Bull Street Columbia, South Carolina 29201

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Scott Bayliss Edenmoor Land Acquisition, LLC C/o: Mr. Paul Petitgout Lowrys Environmental & Ecological Services, LLC 1823 Quinn Road Chester, South Carolina 29706

for a permit to discharge fill material associated with the expansion of an existing residential subdivision in

UNNAMED TRIBUTARIES AND WETLANDS TO TWELVEMILE CREEK

at a location in the Walnut Creek Development (formerly Edenmoor Development), northeast of the intersection of Walnut Creek Parkway and U.S. Highway 521 and south of the intersection of Walnut Creek Parkway and Jim Wilson Road, in Lancaster County, South Carolina (Latitude: 34.9252° N, Longitude: 80.7976° W), Catawba NE.

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

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work 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 Corps has previously authorized work in the Walnut Creek Development, pursuant to NWP # 29, by a verification letter (SAC-2015-00125), dated September 2, 2015. The previously authorized work entailed permanent impacts to 0.03 acres of federally defined wetlands and

226.06 linear feet of tributaries. The proposed work consists of the discharge of fill material in waters of the United States for the construction of roads, sanitary sewer crossings, and fill slopes associated with residential development. In detail 0.38 acre of freshwater forested wetlands will be permanently filled by fill slopes to create the proper grade and elevation for residential development, 227 linear feet (115 linear feet and 112 linear feet) of perennial tributaries will be permanently culverted with a single barrel 72 inch reinforced concrete pipe for two interior access roads, and 45 linear feet of perennial streams will be temporarily impacted for construction of sanitary sewer crossings which will be returned to pre-construction contours once the crossings are complete and then stabilized without hard armoring of the crossings. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by the purchase of 965 (482.5 Restoration and 482.5 Non-Restoration) stream mitigation bank credits from Sandy Fork Mitigation Bank and as "there are no wetland mitigation credits available within any of the three banks that service the basin", the applicant has proposed a Permittee-Responsible Mitigation plan consisting of the on-site preservation of 5.09 acres of forested freshwater wetlands as described in the compensatory mitigation plan entitled "Permittee-Responsible Mitigation Plan Walnut Creek Phase 4 Lancaster County, South Carolina", dated 2016 September. The project purpose as stated by the applicant is "to provide residential housing in an area where demand exceeds supply".

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

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. State review, permitting and certification is conducted by the S.C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. 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 227 linear feet of tributary and 0.38 acre of non-tidal freshwater wetlands well inland 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 project will have <u>no effect</u> 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.

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)(l)(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.

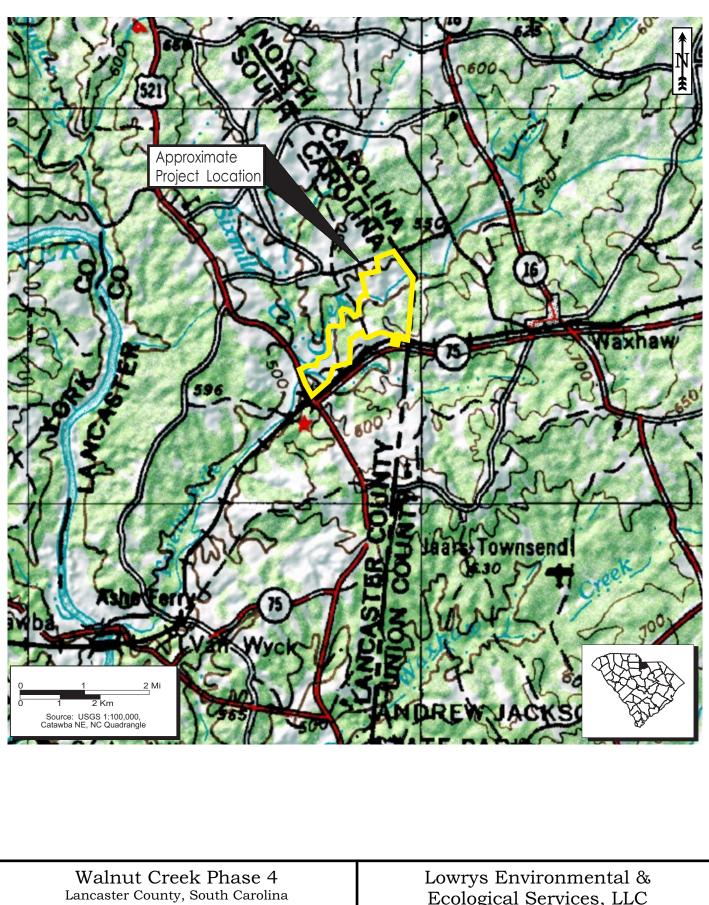
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. 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:

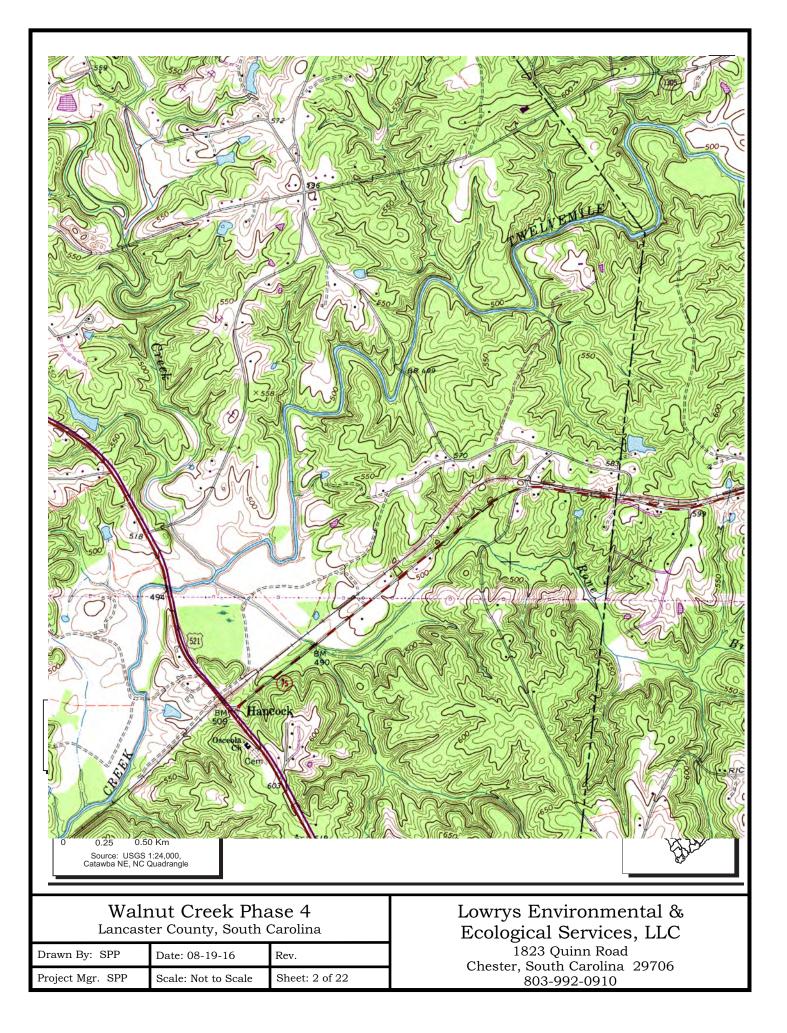
U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 1835 Assembly Street, Room 865 B-1 Columbia, South Carolina 29201

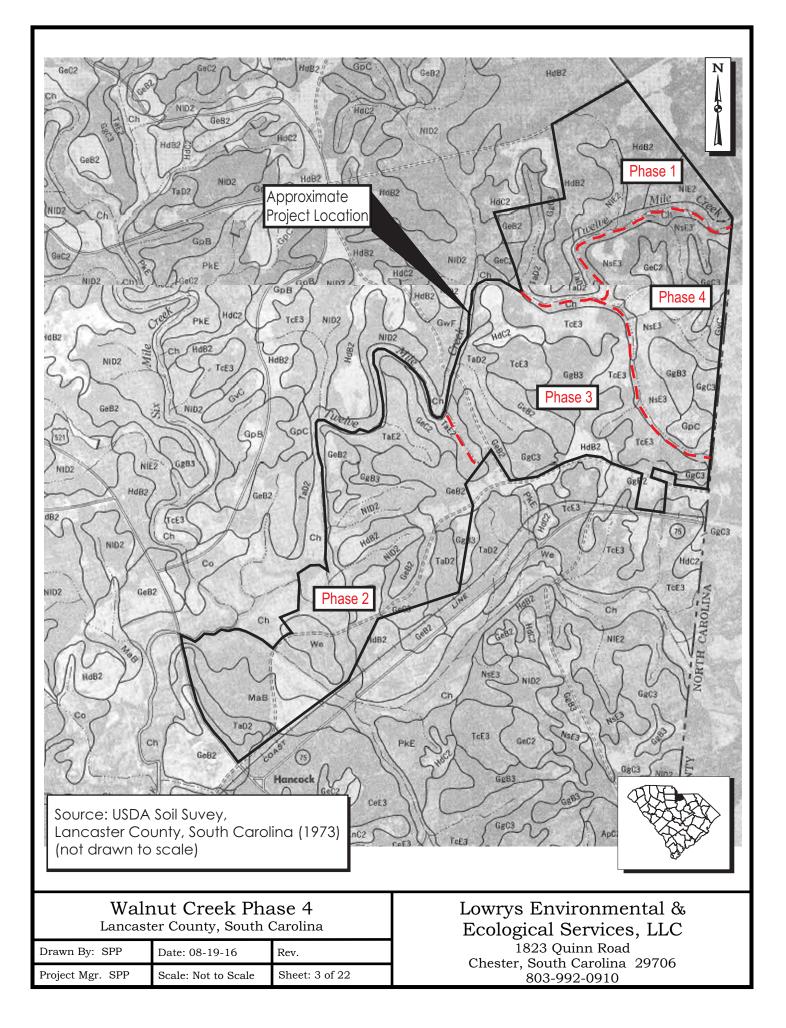
If there are any questions concerning this public notice, please contact Leslie L. Parker at (803) 253-3904.

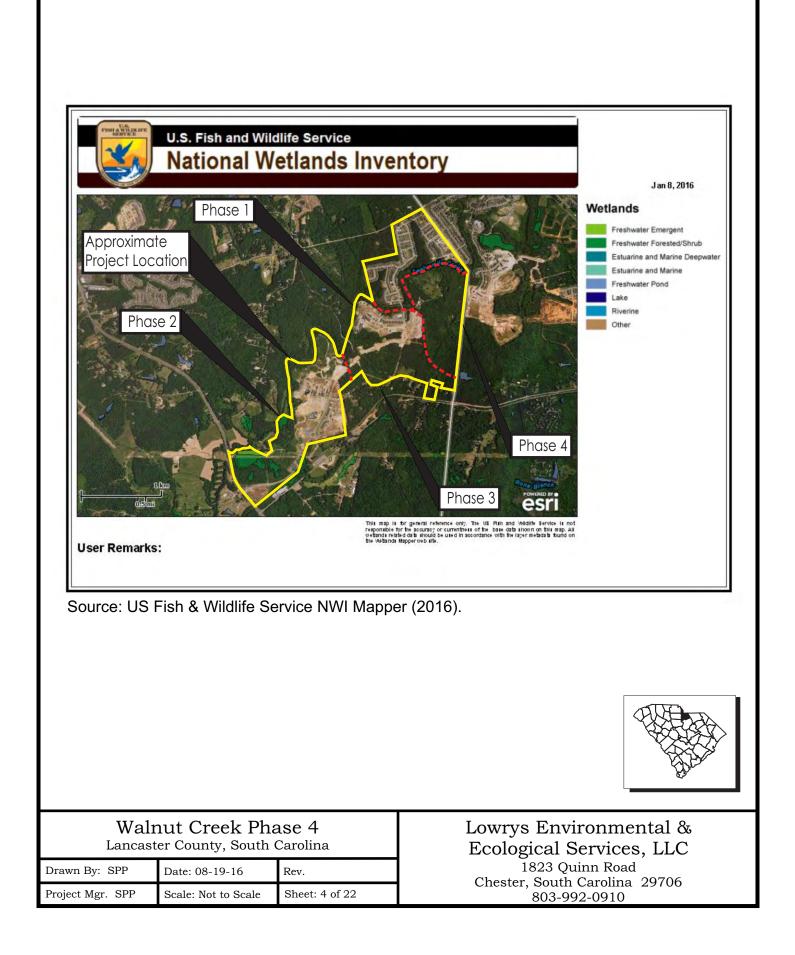


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Drawn By: SPP Date: 08-19-16		Rev.			
Project Mgr. SPP	Scale: Not to Scale	Sheet: 1 of 22			

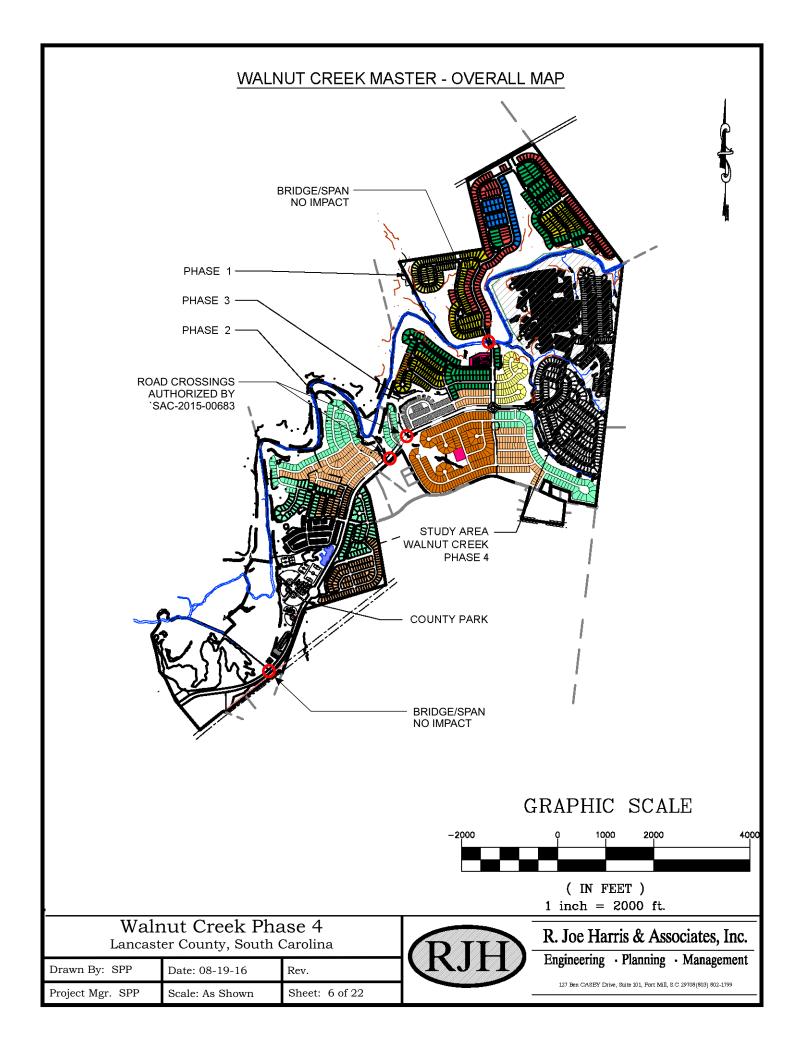
Ecological Services, LLC 1823 Quinn Road Chester, South Carolina 29706 803-992-0910

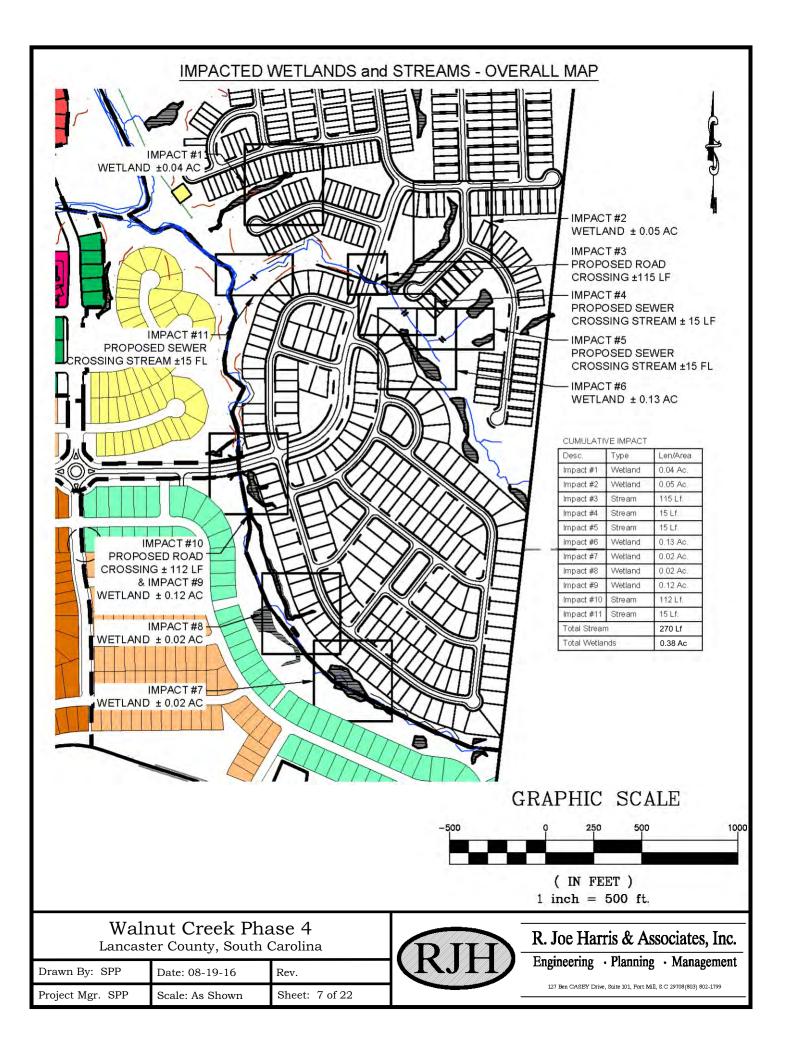


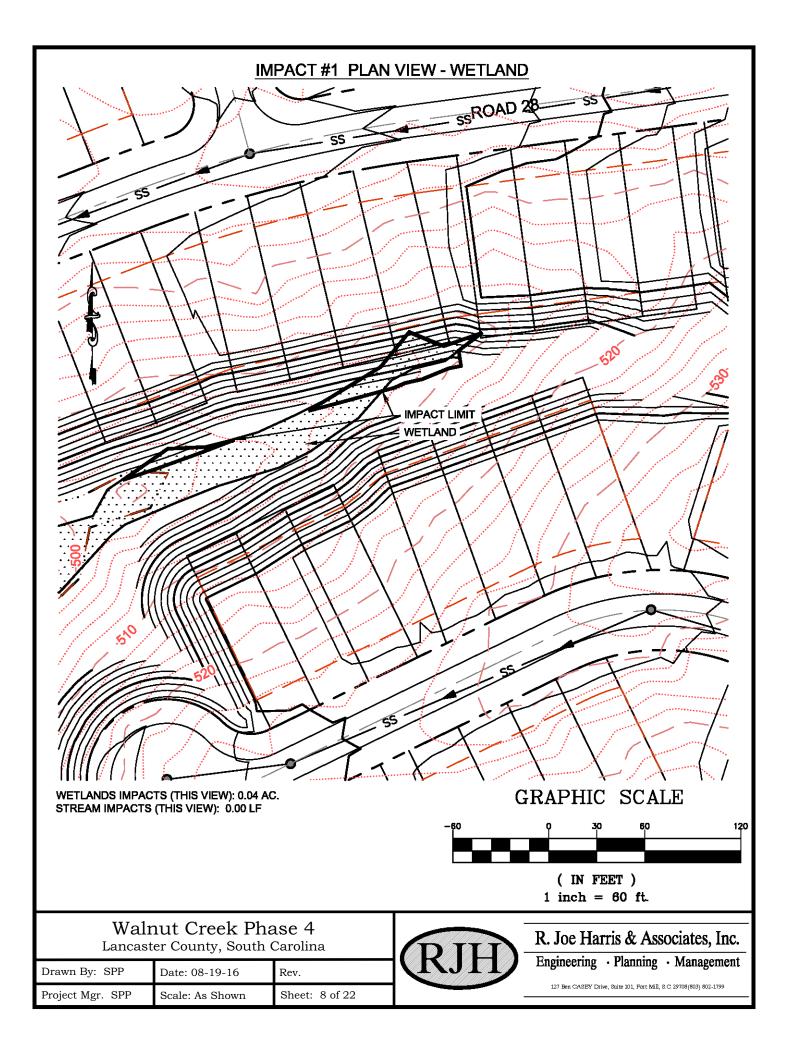


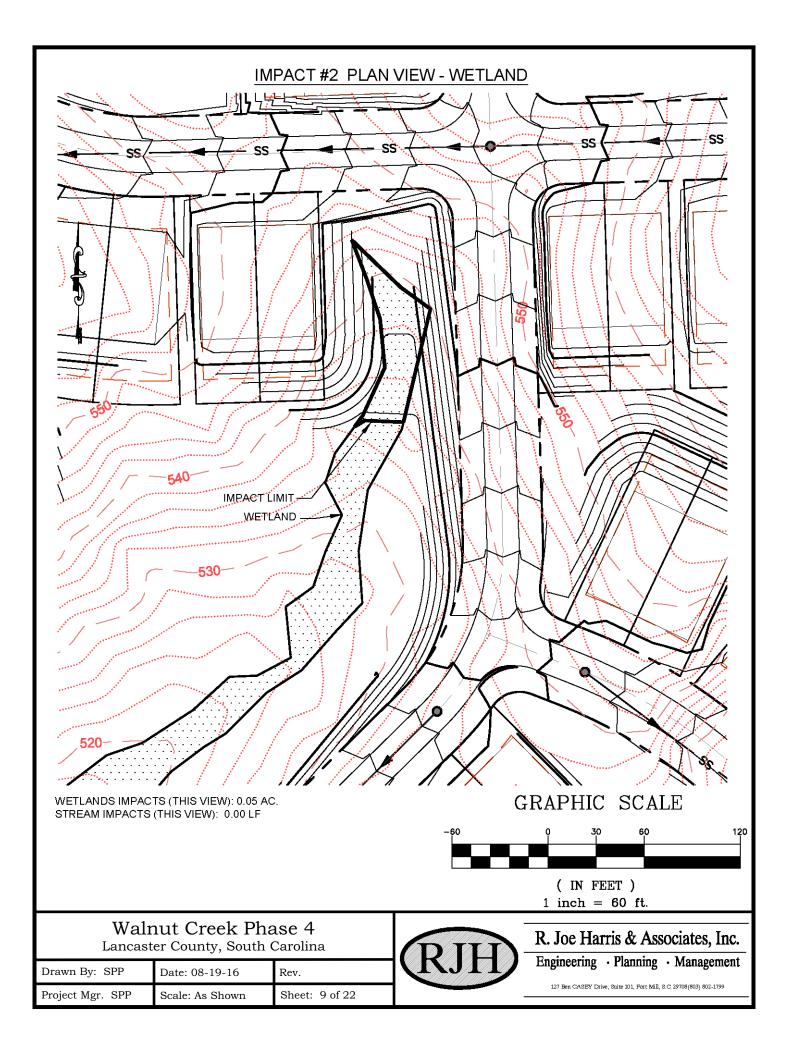


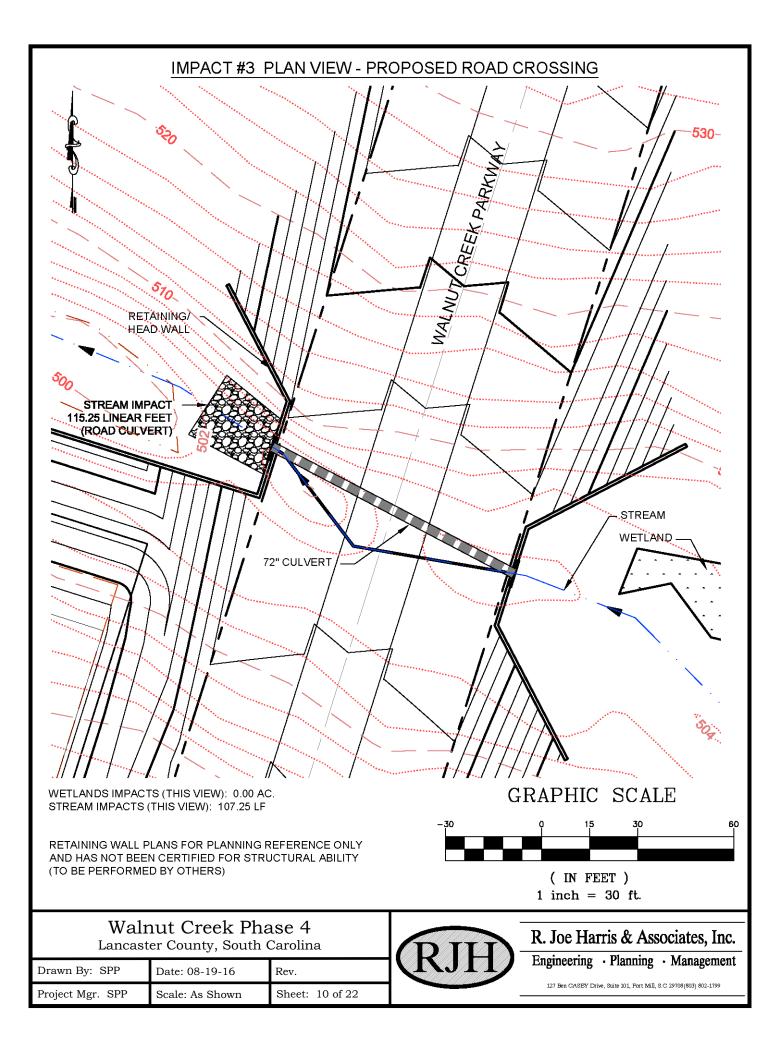
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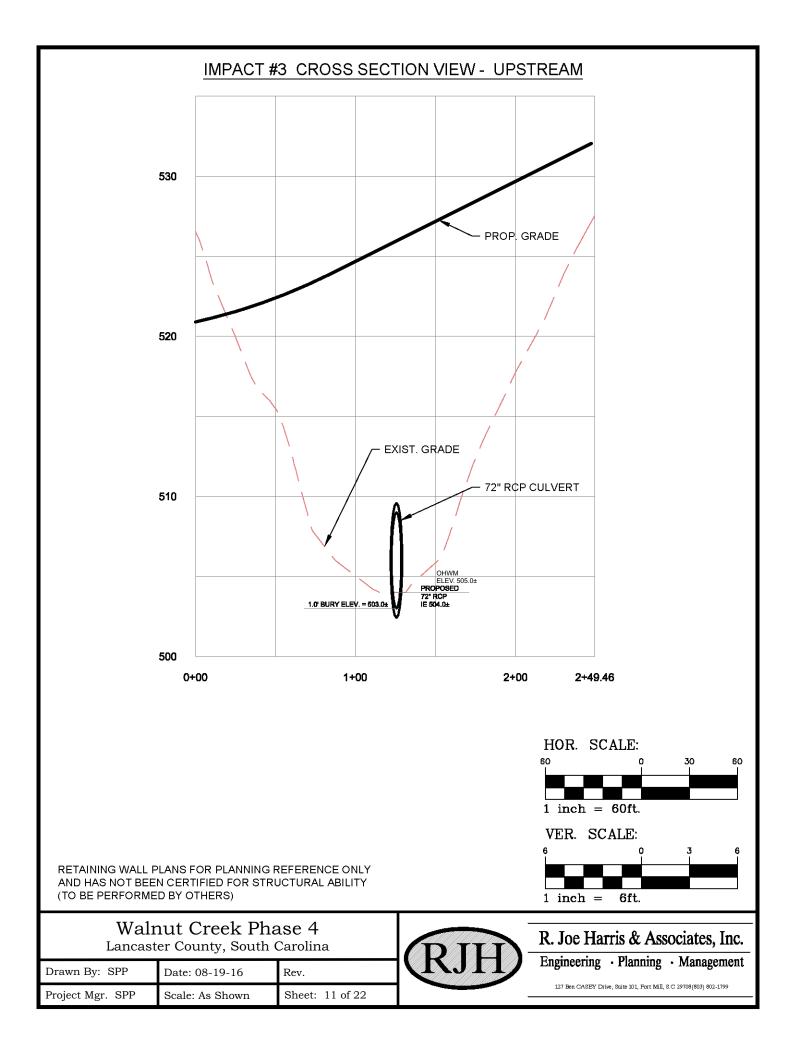


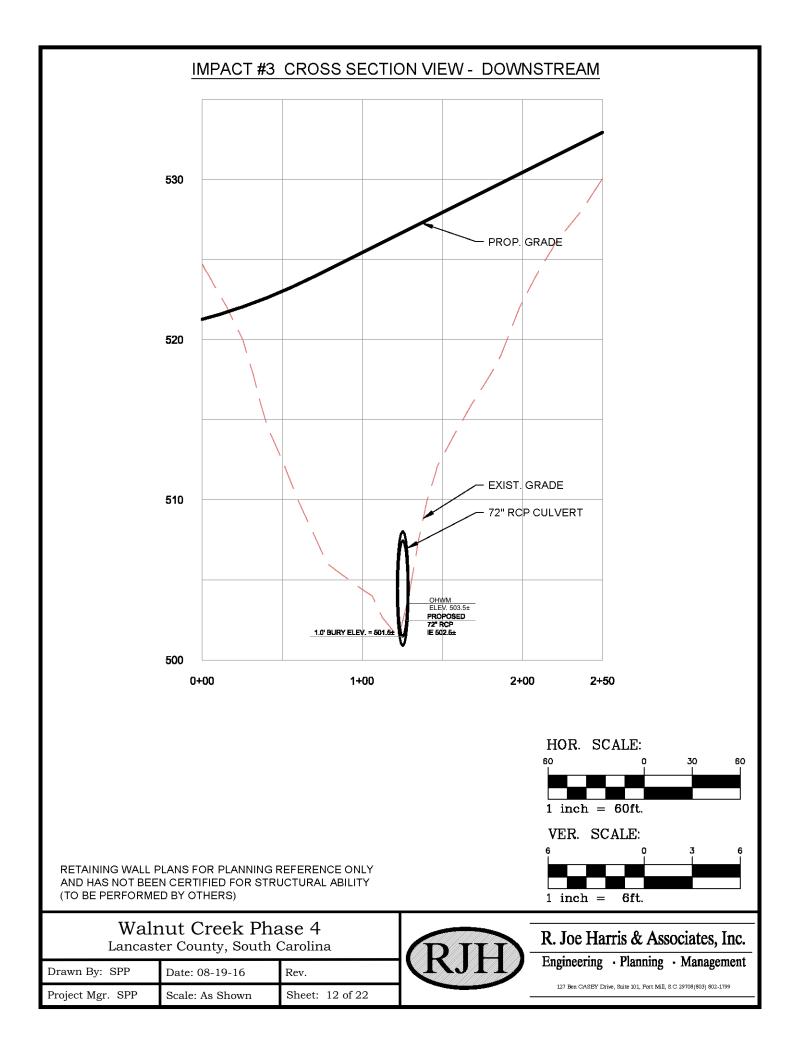


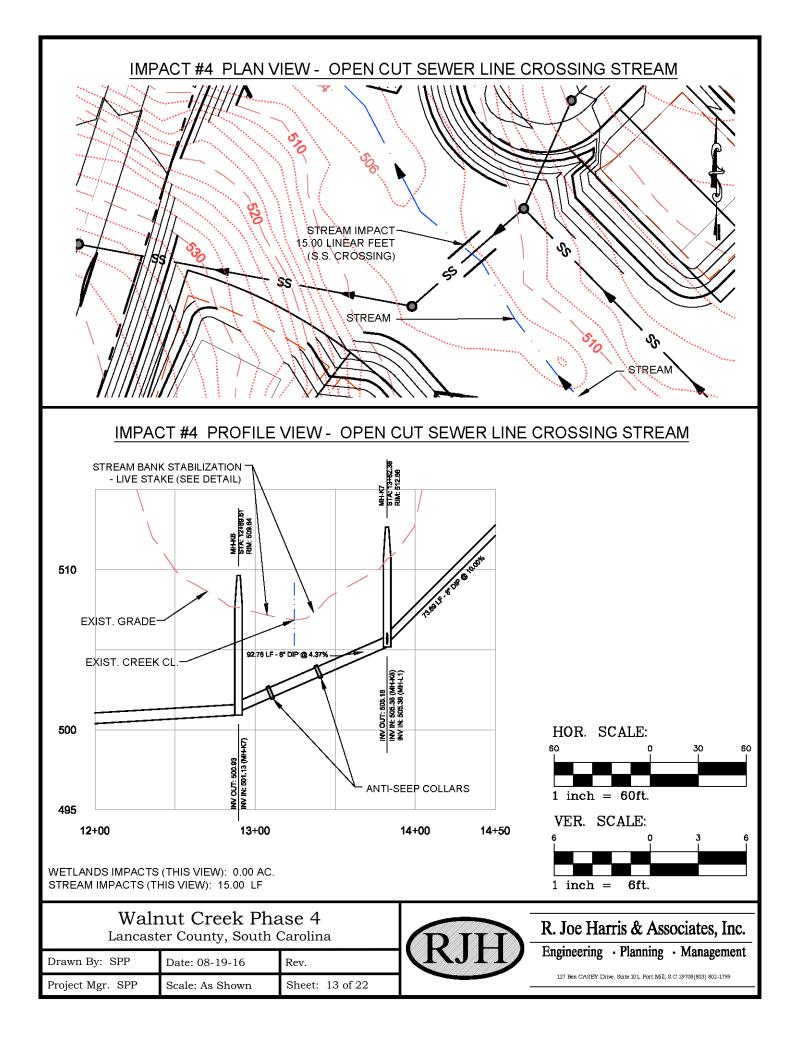


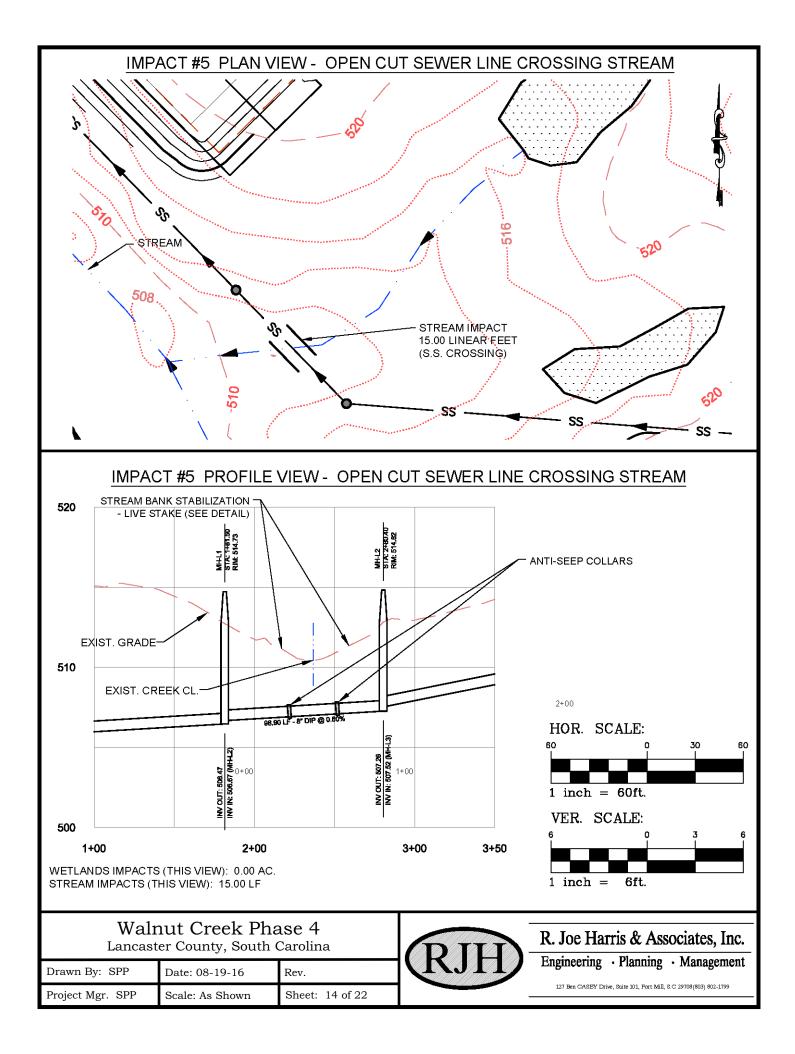


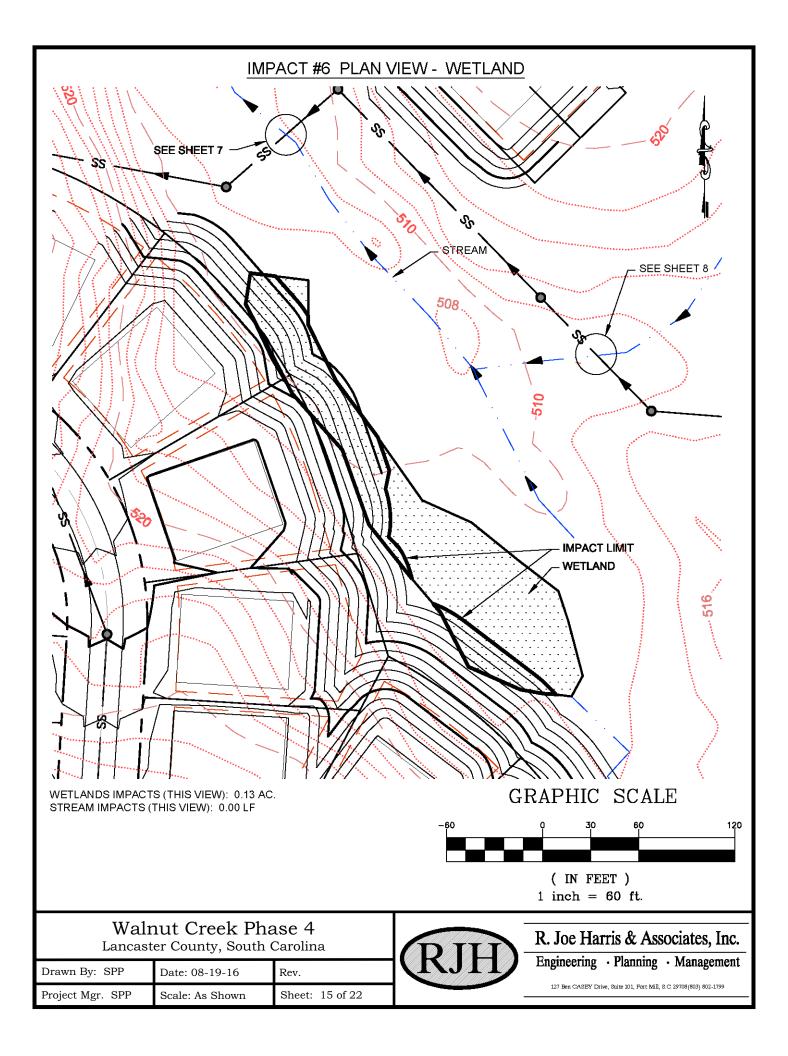


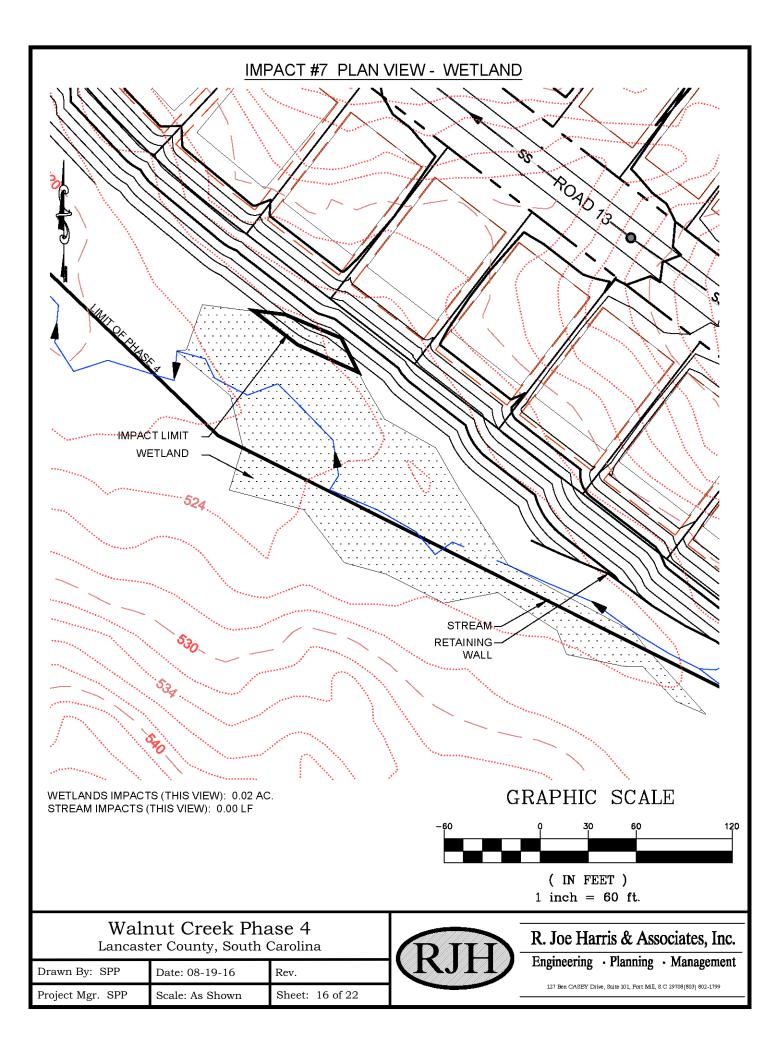


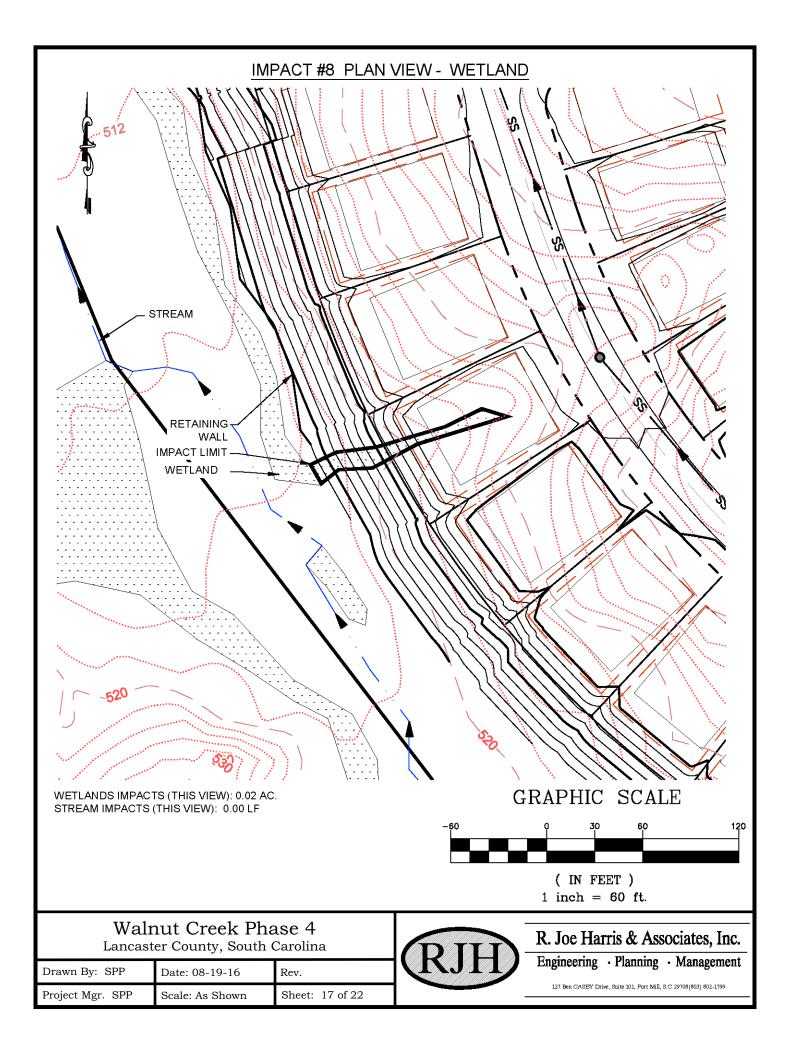


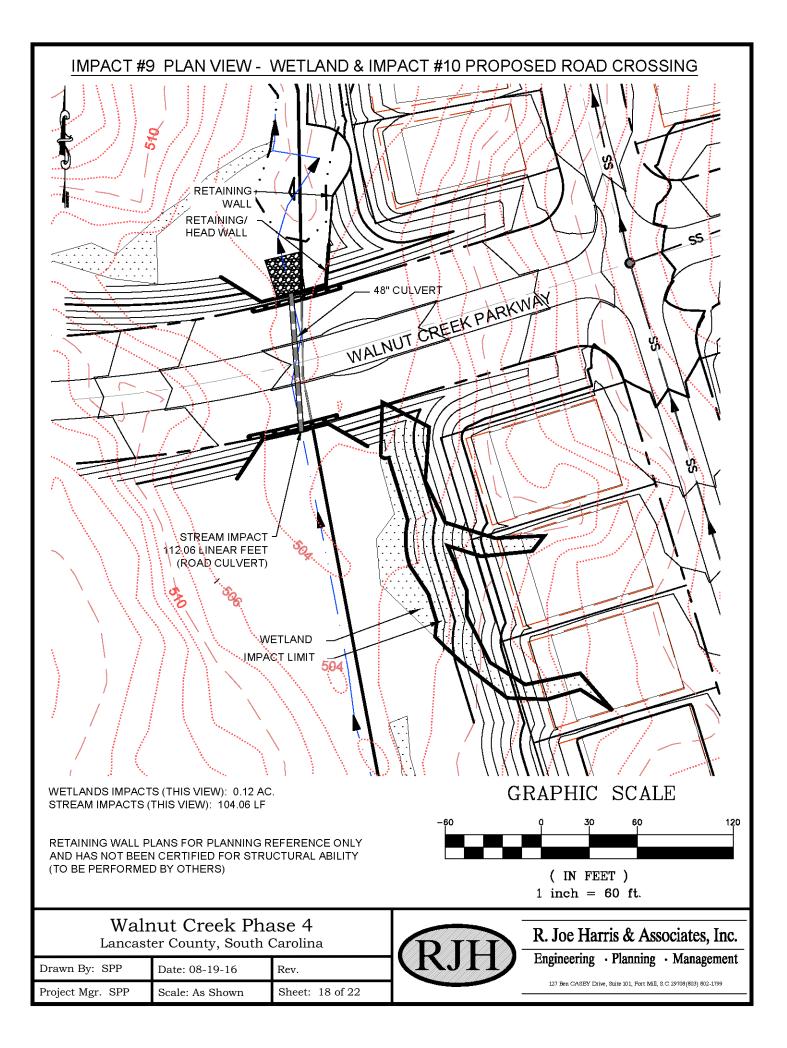




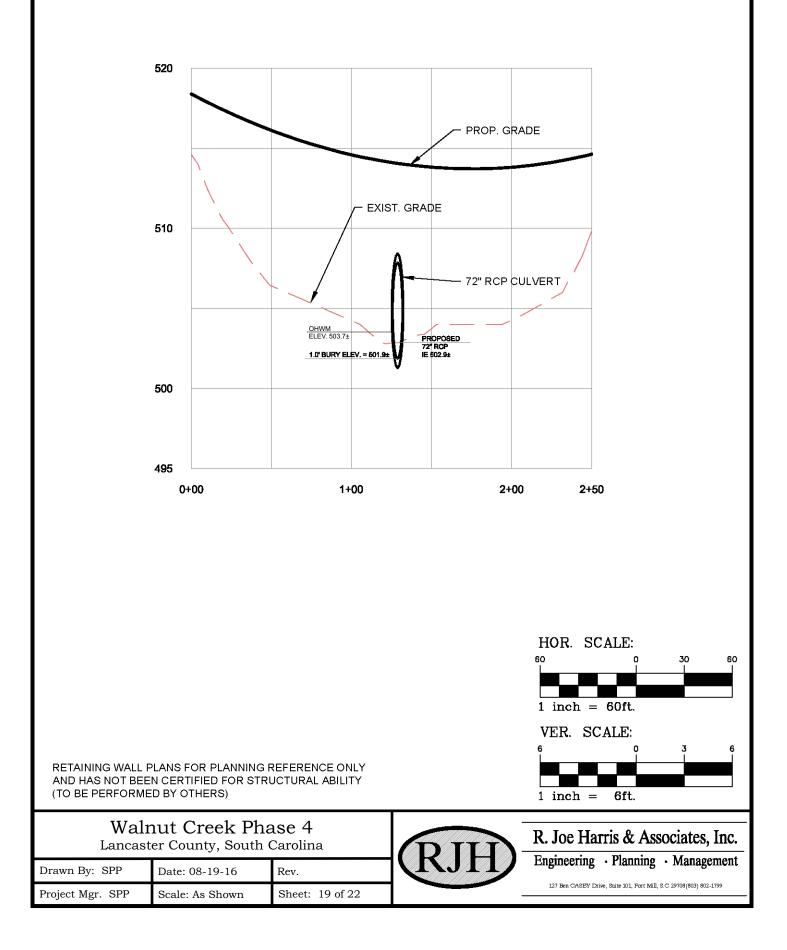




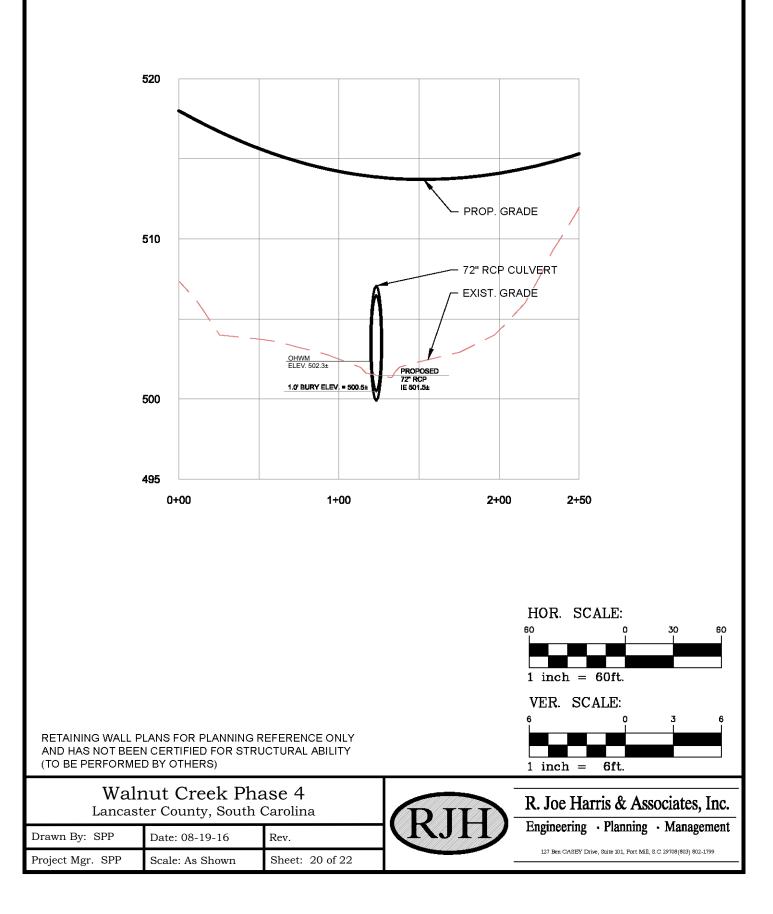


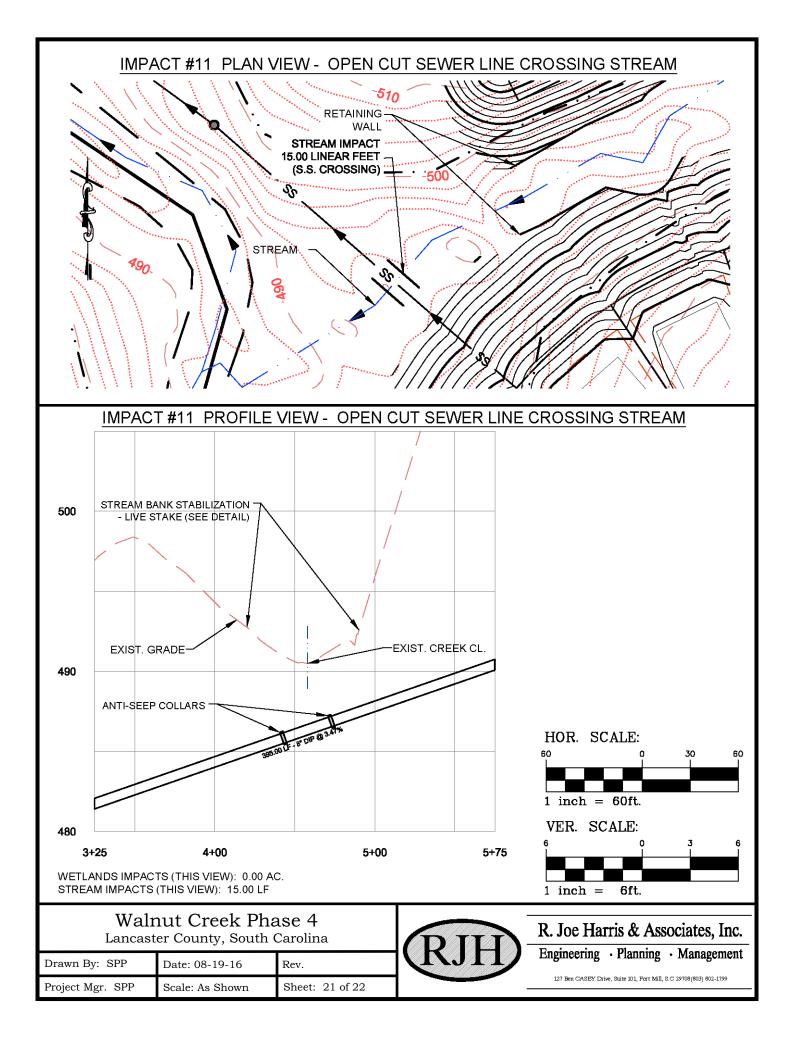


IMPACT #10 CROSS SECTION VIEW - UPSTREAM



IMPACT #10 CROSS SECTION VIEW - DOWNSTREAM





NOTES FOR STREAM BANK STABILIZATION:

- UPON COMPLETION OF STREAM CROSSING WORK, CONTRACTOR SHALL BACKFILL AND MECHANICALLY TAMP (NO SPECIFIC DENSITY) SOILS INTO PLACE AND DRESS DISTURBED SURFACES. 1.
- BEGINNING AT A POINT 2' ABOVE WATER SURFACE FLEVATION. GRASS DISTURBED 2 AREAS (SEED, FERTILIZER & STRAW MULCH) STREAM BANK, TOP OF BANK AND DISTURBED AREAS UPLAND OF STREAM.
- INSTALL COIR FIBER NET/MAT STARTING MINIMUM 12" BELOW WATER SURFACE 3 INSTALL COUR PIDER NETWAT STARTING MINIMUM 12 BELOW WATER SURP ELEVATION AND EXTENDING A MINIMUM 5' BEYOND TOP OF BANK. MINIMIM SPECIFICATIONS FOR COIR FIBER NET/MAT AS FOLLOWS: - MIN, THICKNESS OF 0.30 INCHES - 100% COCONUT FIBER AND WOVEN INTO TWINE

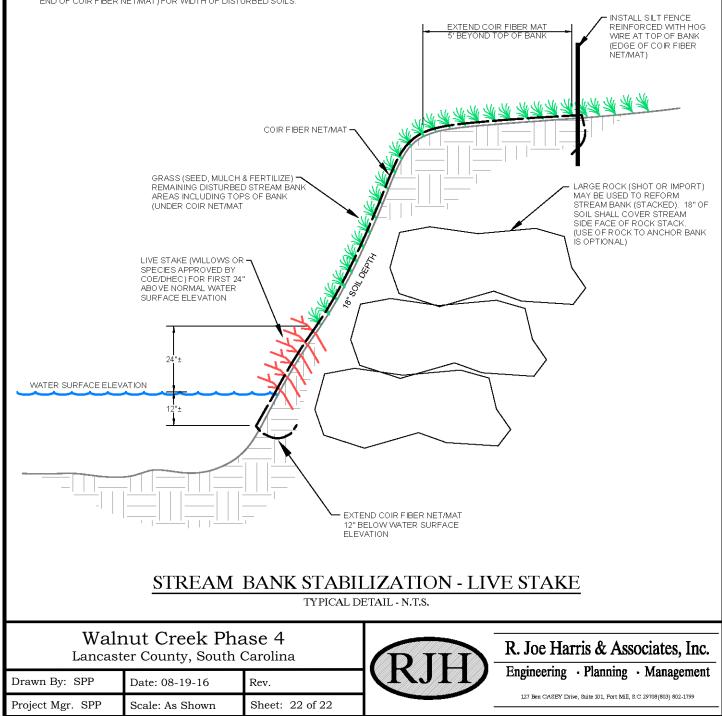
 - AVG. WEIGHTOF 20 OUNCES/SQ.YD
- COIR FIBER NET/MAT SHALL BE SECURELY HELD IN PLACE WITH USE OF WOODEN STAKES AND WIRE STAPLES (AS NEEDED). 4
- INSTALL LIVE STAKES BEGINNING AT WATER SURFACE ELEVATION AND EXTENDING 5 2 VERTICAL FEET UP THE STREAM BANK. SEE LIVE STAKE DETAIL FOR ADDITIONAL REQUIREMENTS.
- INSTALL SILT FENCE W/WIRE REINFORCEMENT ALONG TOP OF BANK (ADJACENT TO 6 END OF COIR FIBER NET/MAT) FOR WIDTH OF DISTURBED SOILS.

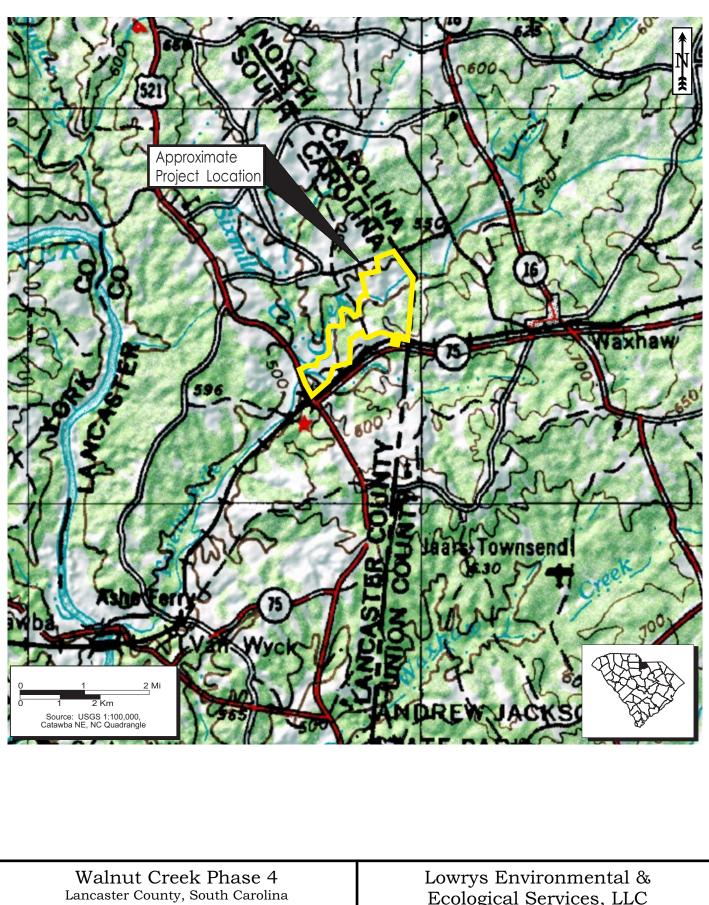




- LIVE STAKES SHALL BE 0.5" 1.5" IN DIAMETER AT TIME OF PLANTING
- LIVE STAKES SHALL BE BLACK WILLOW OR SPECIES SPECIFIED BY COE/DHEC OR CONSULTANT
- SPECIES SHALL BE DORMANT AT TIME OF ACQUISITION AND PLANTING AND LOCALLY GROWN/HARVESTED
- 5. LIVE STAKES SHALL BE SPACED 3' O.C
 - LIVE STAKES SHALL BE PLANTED A MINIMUM OF 18" IN DEPTH WITH NO MORE THAN 4"-6" OF STAKE EXPOSED

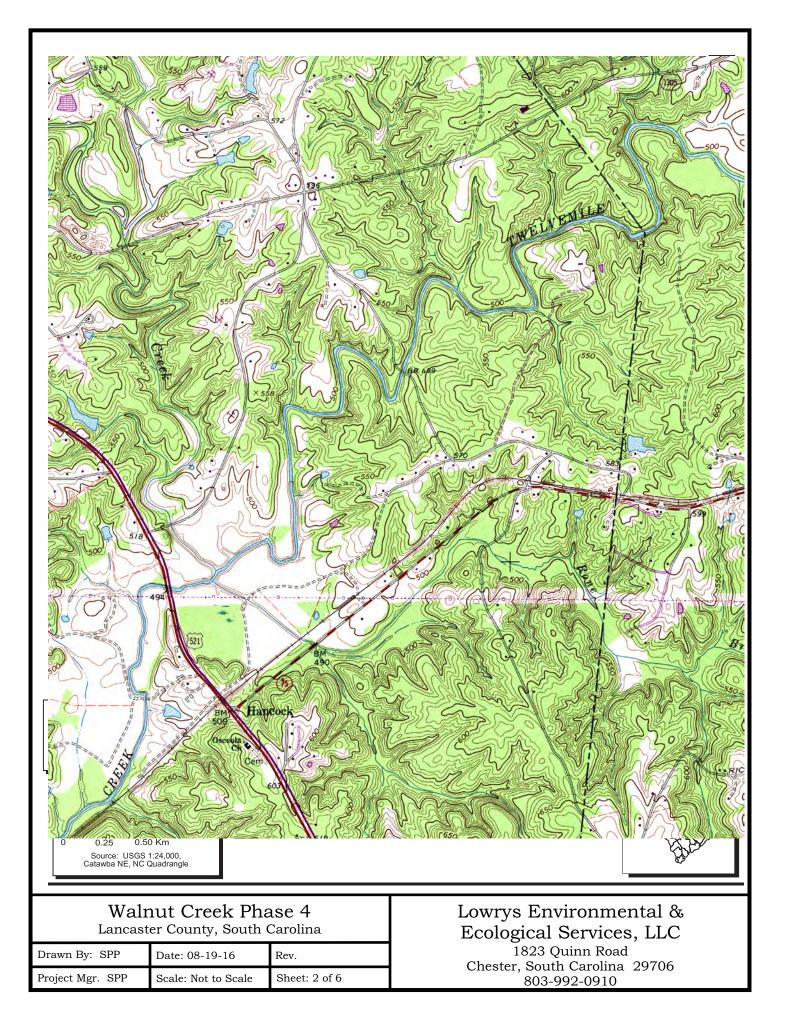
LIVE STAKE DETAIL

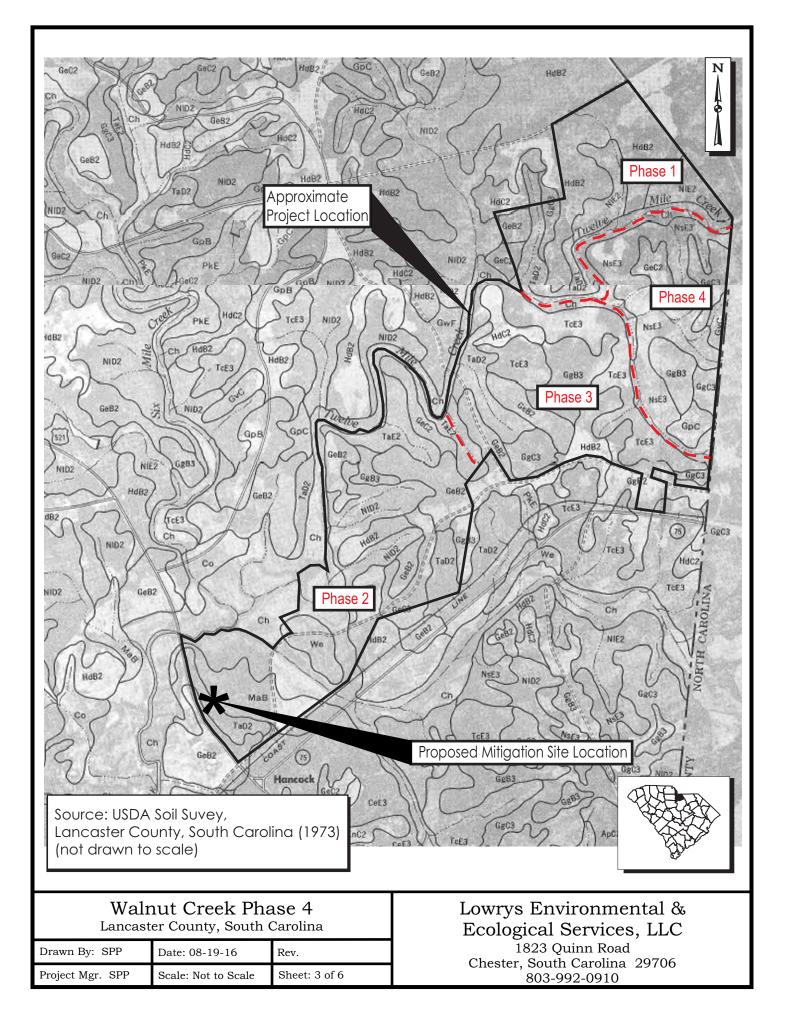


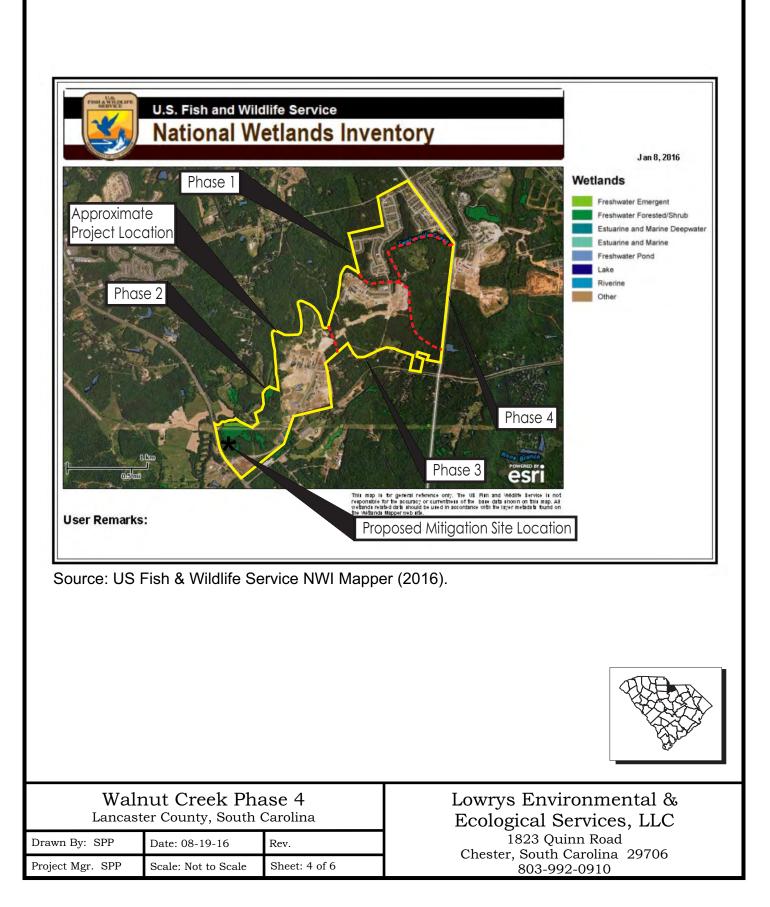


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