

JOINT  
PUBLIC NOTICE

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

REGULATORY DIVISION

Refer to: P/N #SAC-2015-01228-5Z

October 23, 2015

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**Hunter Edwards**  
**c/o Thomas G. Ballou**  
**Ballou Associates**  
**6326 Saint Andrews Road**  
**Columbia, South Carolina 29212**

for the placement of fill material to construct a box flashboard riser at an earthen embankment of a logging road to create an impoundment of a water of the U.S.,

**Unnamed Tributary of Dutchmans Creek**

at the intersection of River Road and Rochelle Creek Road, Ridgeway, in Fairfield County, South Carolina 34.403330 N, 80.884238 W, Flint Hill Quad

In order to give all interested parties an opportunity to express their views

**NOTICE**

is hereby given that written statements regarding the work will be received by the **Corps** until

**15 Days from the Date of this Notice,**

and **SCDHEC** will receive written statements regarding the work until

**30 Days from the Date of this Notice**

from those interested in the activity and whose interests may be affected by the work.

The proposed work will consist of the construction of a box flashboard riser which will be installed at an existing culvert under an existing earthen embankment of a logging road to create an impoundment of a water of the U.S., which the applicant proposes to manage as a Greentree Reservoir. In detail the applicant proposes to fill approximately 25 square feet of wetlands and 5 linear feet of stream for the box flashboard riser and utilize the existing earthen embankment of the

logging road to create an approximately 5 acre seasonal impoundment which will flood 3.1 acres of wetlands and 1200 linear feet of stream between November and March, three out of every four years. The applicant has not proposed a compensatory mitigation plan as the applicant states that the impoundment will be "sited, constructed, and managed in compliance with Charleston District guidance" for Greentree Reservoirs. The Corps has not verified the delineation of aquatic resources at this time. According to the applicant, the project purpose is to "construct a box flashboard riser to allow temporary detention of surface water".

**NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided. Your request should be addressed to the**

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

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. The project will impact freshwater habitat upstream 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 action will 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.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice 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 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 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).

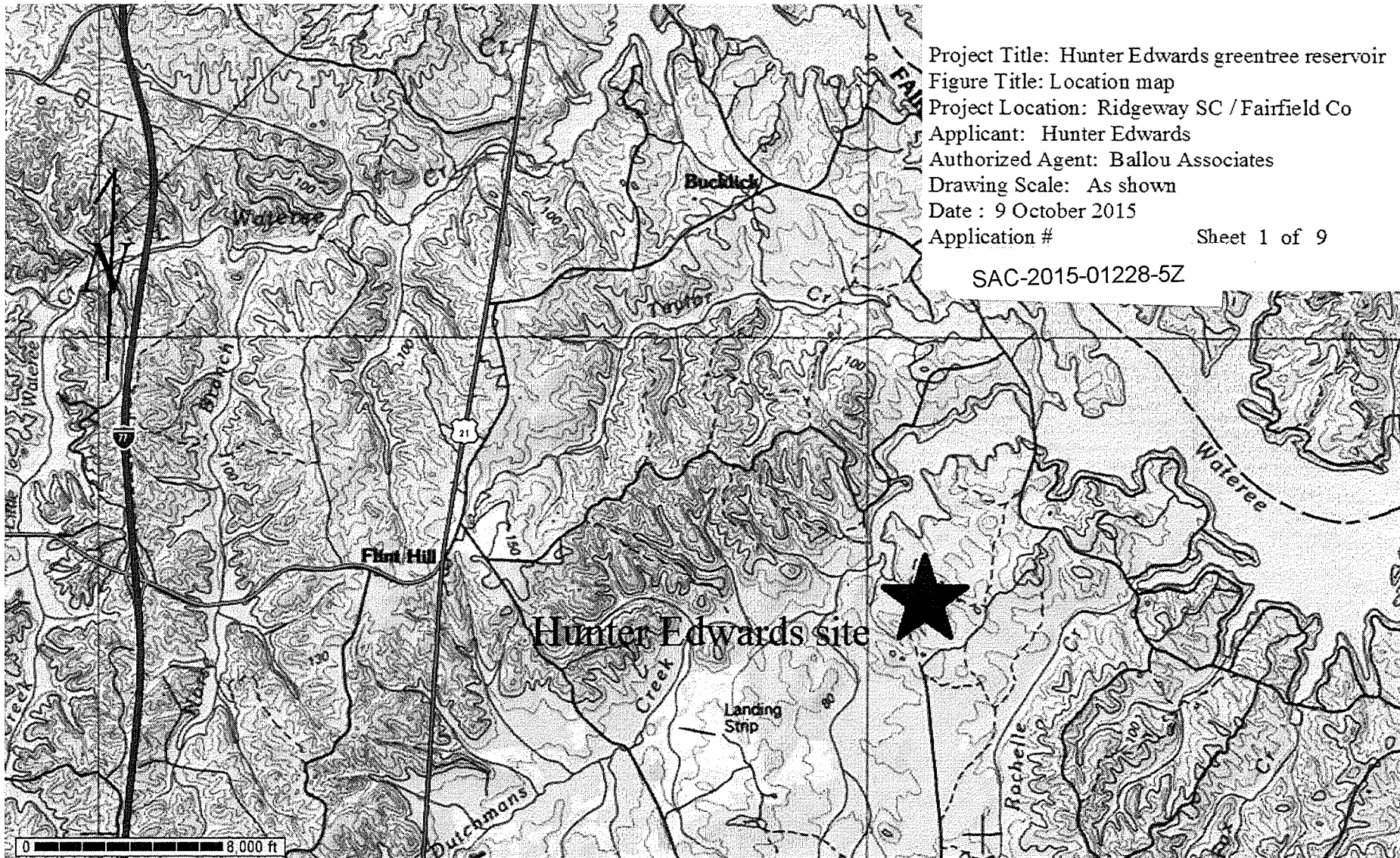
The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit 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.

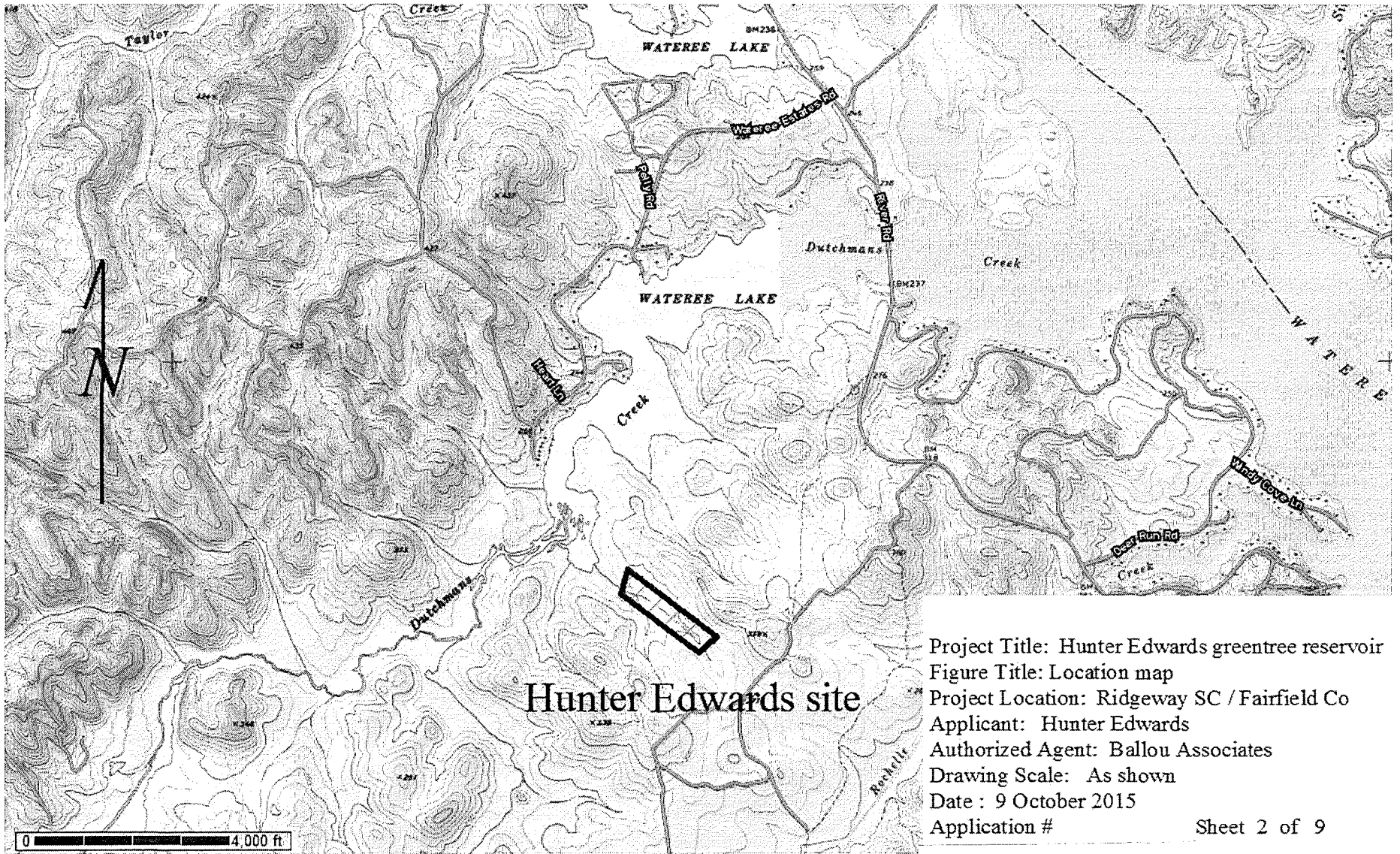
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act. 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.

If there are any questions concerning this public notice, please contact **Laura Boos at 803-253-3902.**

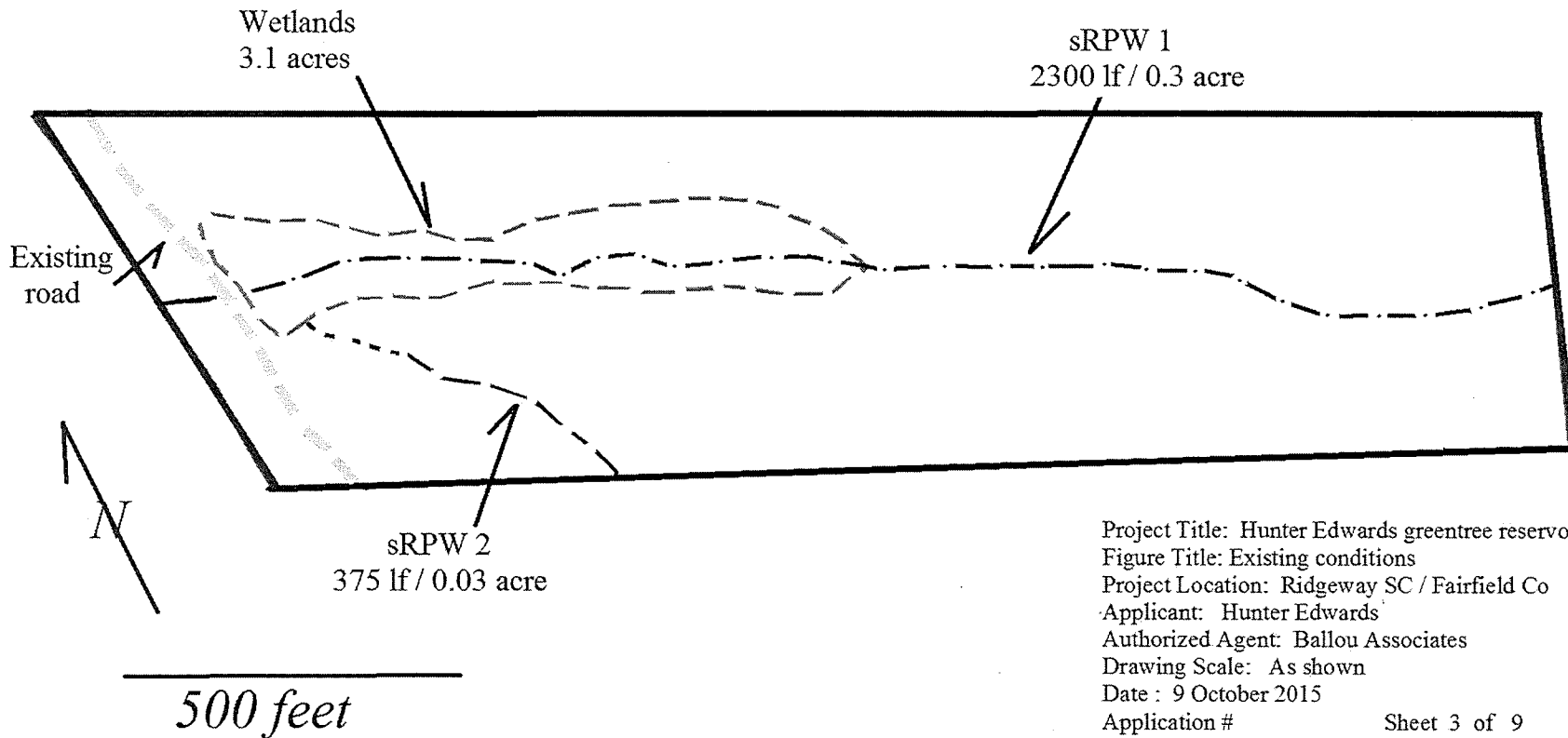


Project Title: Hunter Edwards greentree reservoir  
Figure Title: Location map  
Project Location: Ridgeway SC / Fairfield Co  
Applicant: Hunter Edwards  
Authorized Agent: Ballou Associates  
Drawing Scale: As shown  
Date : 9 October 2015  
Application #                      Sheet 1 of 9  
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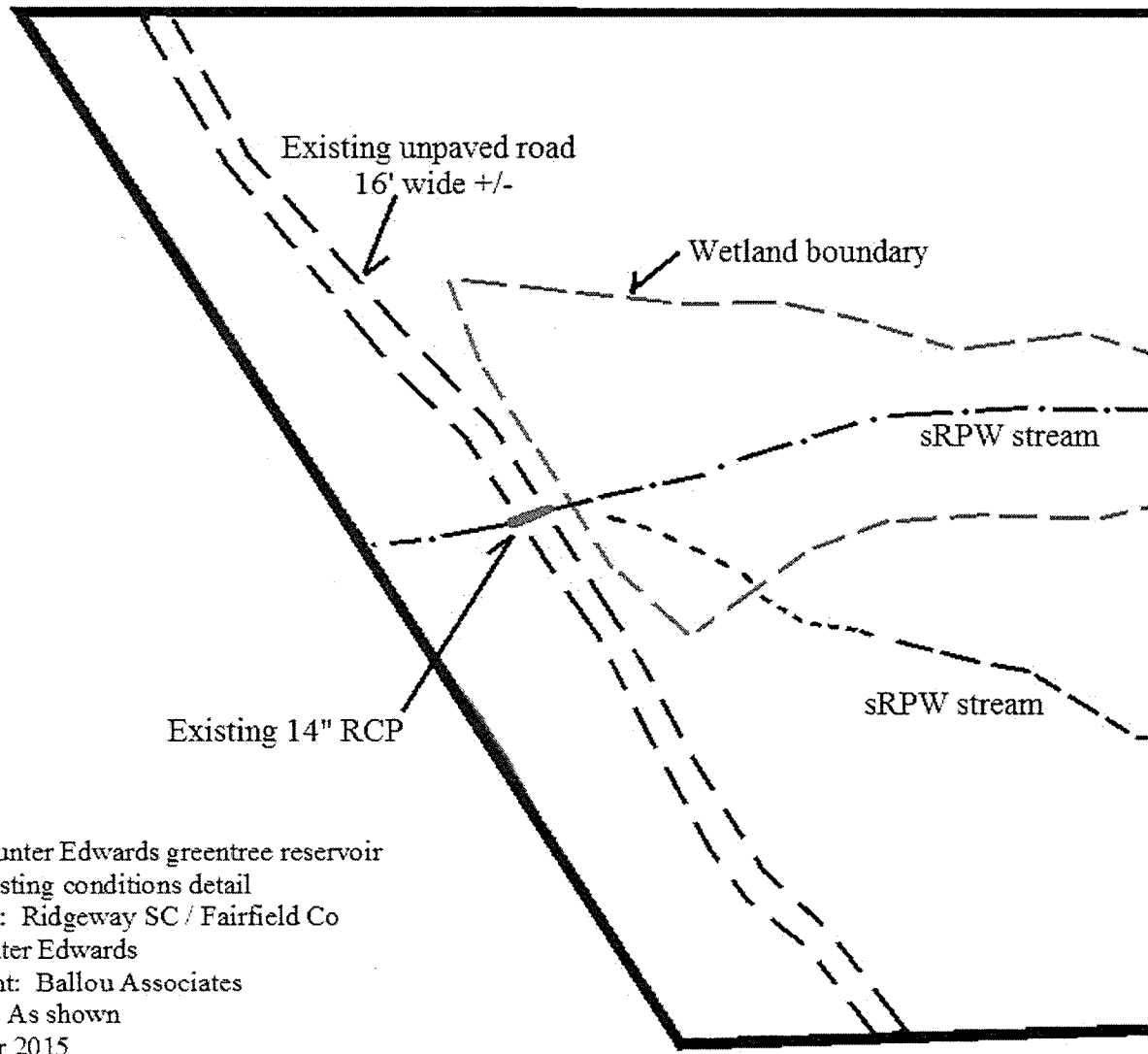


Project Title: Hunter Edwards greentree reservoir  
 Figure Title: Existing conditions  
 Project Location: Ridgeway SC / Fairfield Co  
 Applicant: Hunter Edwards  
 Authorized Agent: Ballou Associates  
 Drawing Scale: As shown  
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100 ft



Project Title: Hunter Edwards greentree reservoir  
Figure Title: Existing conditions detail  
Project Location: Ridgeway SC / Fairfield Co  
Applicant: Hunter Edwards  
Authorized Agent: Ballou Associates  
Drawing Scale: As shown  
Date: 9 October 2015  
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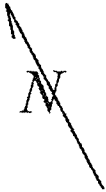
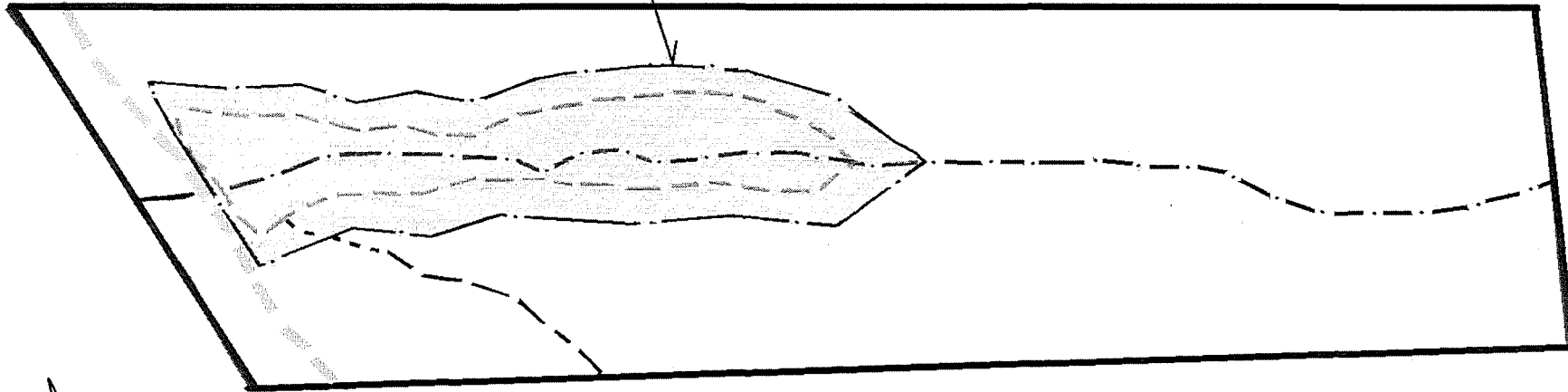
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**Impact summary**

Temporary seasonal flooding - 3.1 acres of wetlands and 1200 lf of sRPW stream between November and March three out every four years.

Permanent fill - 25 sq ft (0.0006 ac) wetlands and 5 LF sRPW stream

Area affected by temporary seasonal shallow flooding (5 acres +/-)

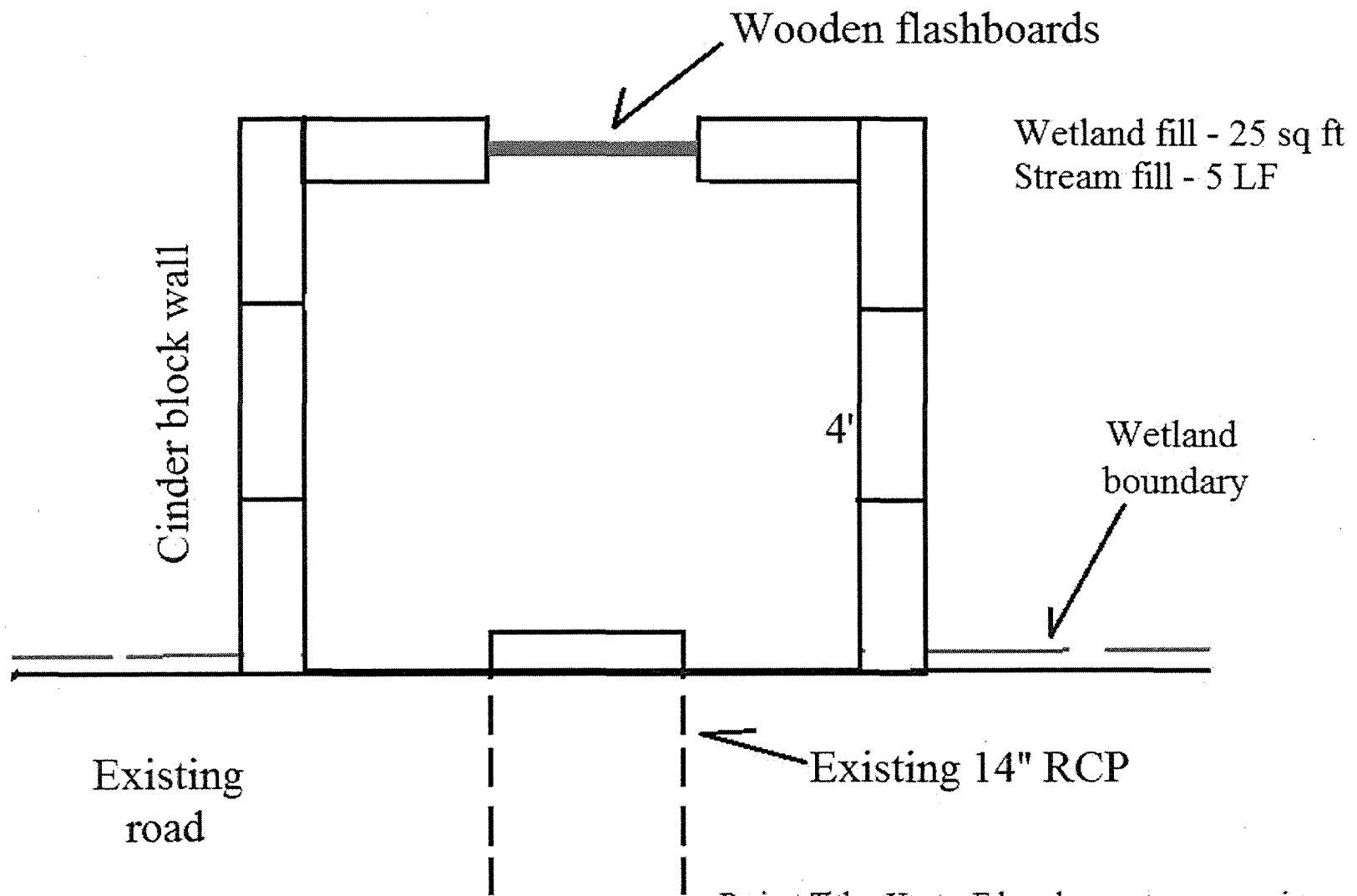


500 feet

Project Title: Hunter Edwards greentree reservoir  
Figure Title: Proposed greentree reservoir  
Project Location: Ridgeway SC / Fairfield Co  
Applicant: Hunter Edwards  
Authorized Agent: Ballou Associates  
Drawing Scale: As shown  
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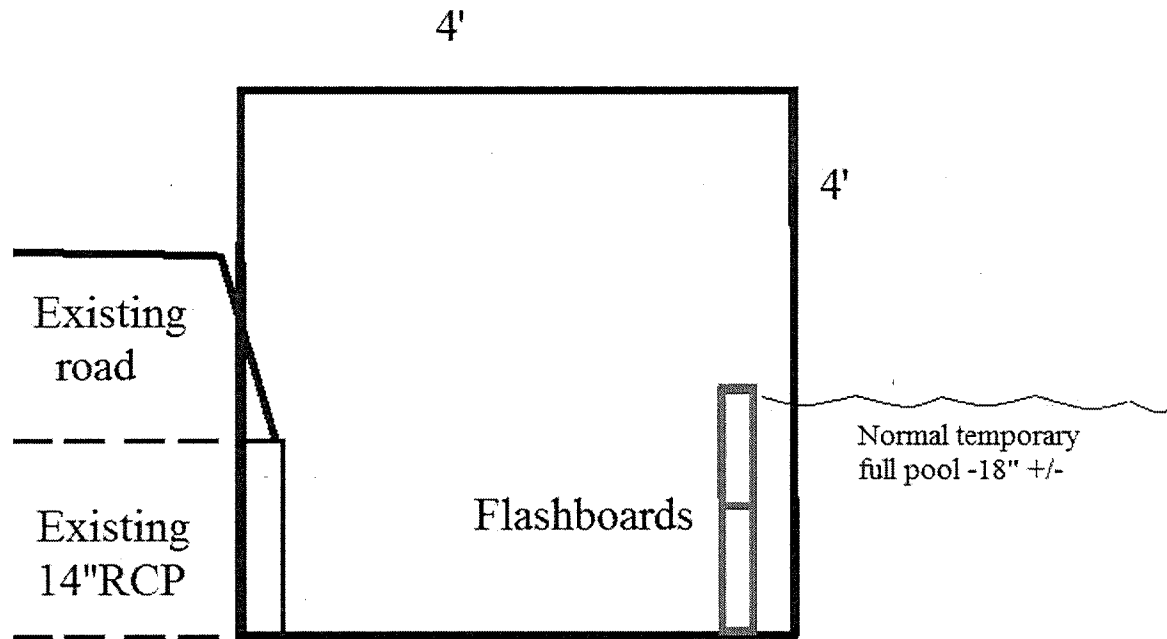
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Project Title: Hunter Edwards greentree reservoir  
 Figure Title: Flashboard riser detail plan view  
 Project Location: Ridgeway SC / Fairfield Co  
 Applicant: Hunter Edwards  
 Authorized Agent: Ballou Associates  
 Drawing Scale: As shown  
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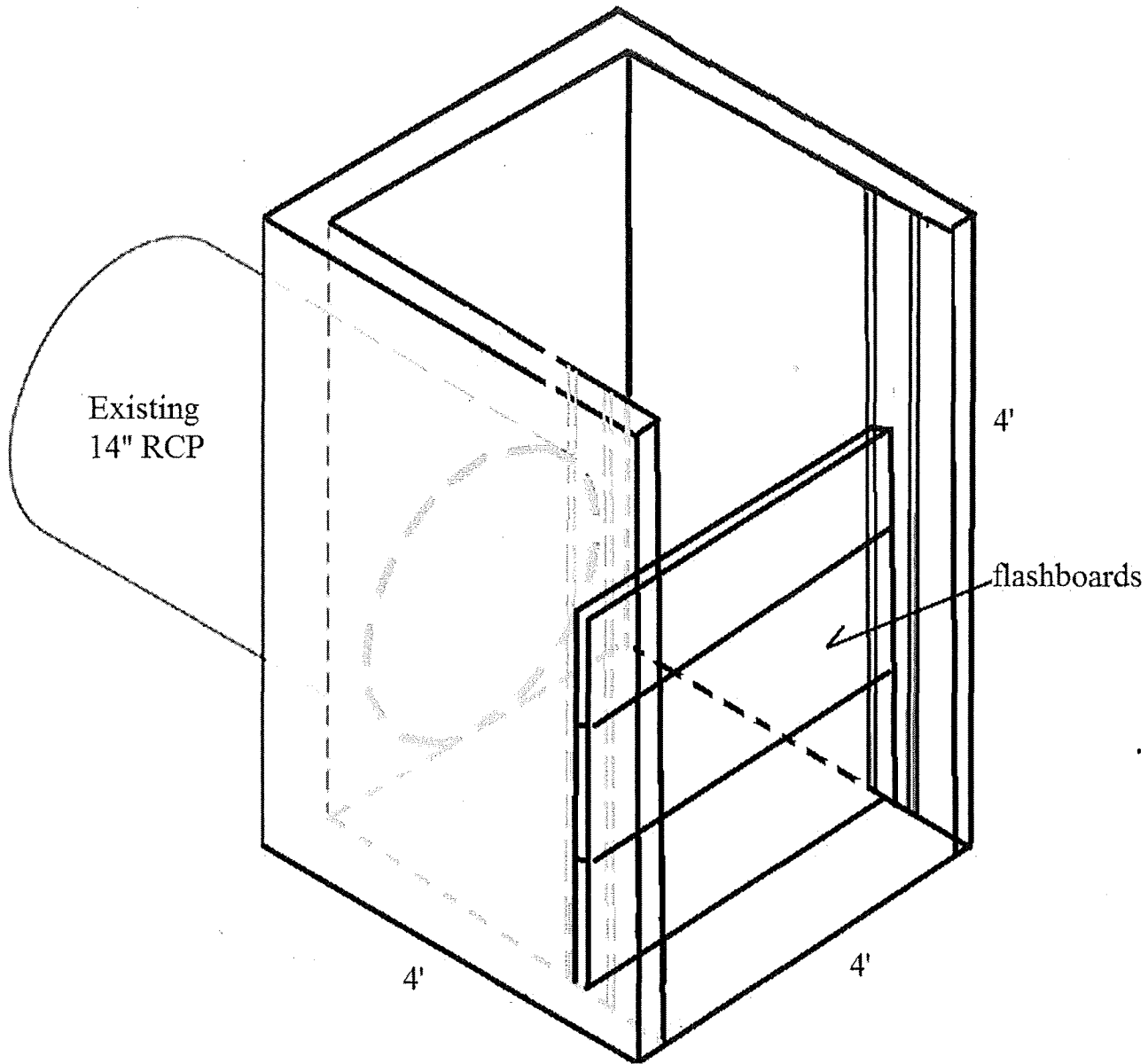


Wetland fill - 25 sq ft  
 Stream fill - 5 LF

Project Title: Hunter Edwards greentree reservoir  
 Figure Title: Flashboard riser detail profile view  
 Project Location: Ridgeway SC / Fairfield Co  
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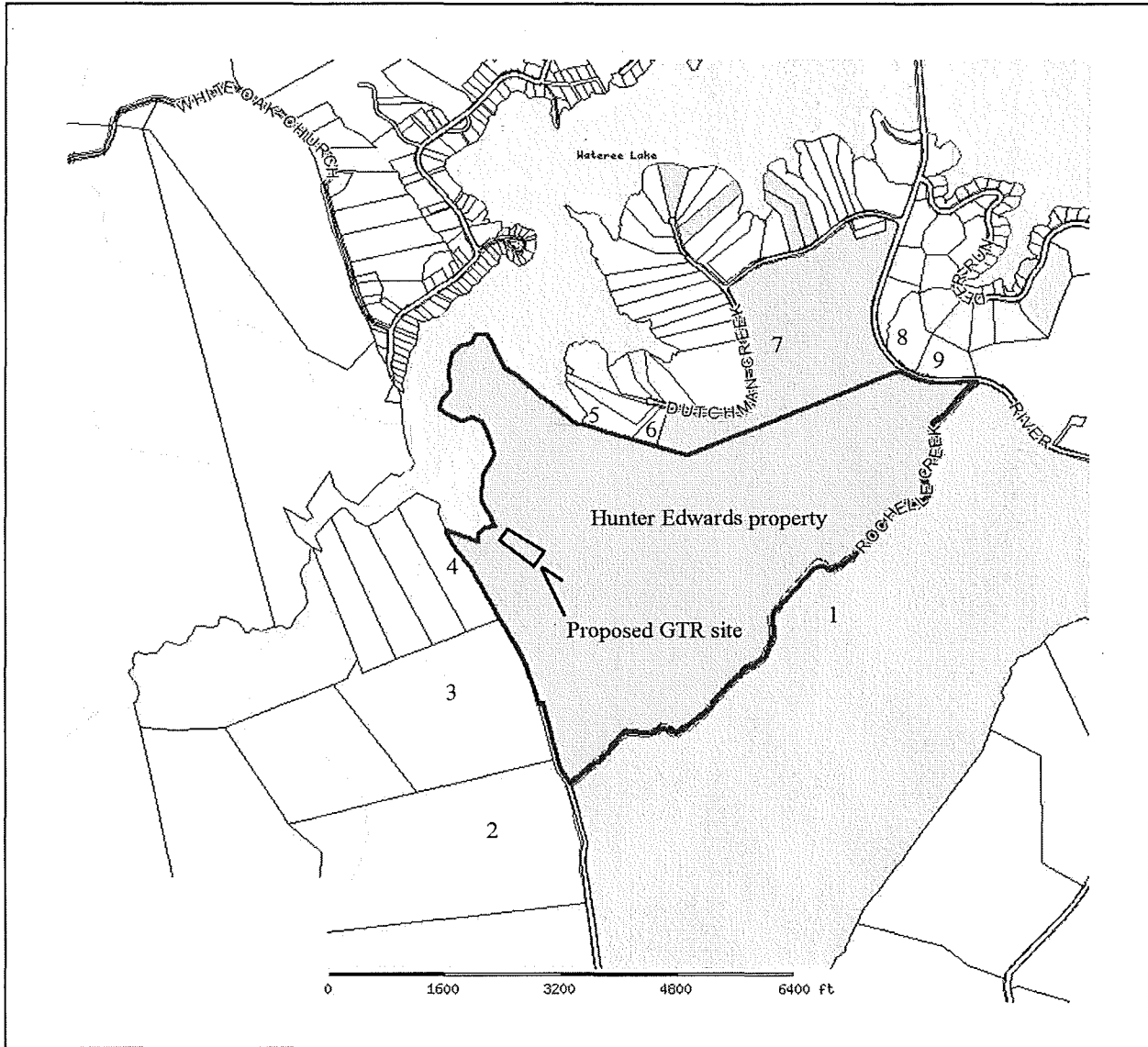
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Project Title: Hunter Edwards greentree reservoir  
 Figure Title: Flashboard riser detail view  
 Project Location: Ridgeway SC / Fairfield Co  
 Applicant: Hunter Edwards  
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Project Title: Hunter Edwards greentree reservoir  
 Figure Title: Adjacent property owners  
 Project Location: Ridgeway SC / Fairfield Co  
 Applicant: Hunter Edwards  
 Authorized Agent: Ballou Associates  
 Drawing Scale: As shown  
 Date : 9 October 2015  
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