

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
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N SAC-2012-00822

October 5, 2017

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

Greenville County Redevelopment Authority
c/o Richard Bates
Environmental Permitting Consultants, Inc.
P.O. Box 3744
Greenville, South Carolina 29608

for a permit to place fill material in

an unnamed tributary of Brushy Creek

at a location adjacent to Martin Row, City of Greenville, Greenville County, South Carolina (Latitude: 34.8352°N, Longitude: -82.4178°W), Greenville Quad

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

N O T I C E

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.

PLEASE NOTE: THIS PROJECT WAS PREVIOUSLY PLACED ON PUBLIC NOTICE ON DECEMBER 20, 2012. THE IMPACTS REMAIN THE SAME, BUT THE MITIGATION PLAN HAS CHANGED. DUE TO THE LAG FROM THE ORIGINAL NOTICE, THE ENTIRE PROJECT IS BEING PLACED ON PUBLIC NOTICE AGAIN. ONLY COMMENTS RECEIVED IN RESPONSE TO THIS CURRENT PUBLIC NOTICE WILL BE CONSIDERED IN OUR EVALUATION.

October 5, 2017

The proposed work consists of the placement of fill material in a tributary to create an impoundment. In detail, the work consists of the placement of 138 linear feet of fill material to create an impoundment which will flood 607 linear feet of tributary. In addition, roadway improvements will be made to Martin Row to create the earthen embankment for the impoundment. This will require extending the existing culvert under Martin Row downstream by 20 linear feet and placing 40 linear feet of rip-rap below the culvert. The surface area of the pond will be approximately 0.88 acres. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by permittee-responsible mitigation that includes the purchase of some credits from Grove Creek Mitigation Bank and the restoration and enhancement of an Unnamed Tributary of Langston Creek. This plan is available upon request. The applicant stated that avoidance and minimization was implemented by locating the proposed earthen embankment on top of the existing road fill and culvert at the Martin Row crossing. According to the applicant, the project purpose is to create a community amenity pond while also providing a stormwater control feature.

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. This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. 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 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 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 applicant has provided a protected species survey for the property associated with the activity described above. Based upon this report, 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.

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)(f)(1)), and has initially determined that no historic properties are present;

October 5, 2017

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. 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 865B-1
Columbia, South Carolina 29201**

If there are any questions concerning this public notice, please contact Kristin B. Andrade, Watershed Manager, at (803) 253-3903.



- PROJECT LOCATION



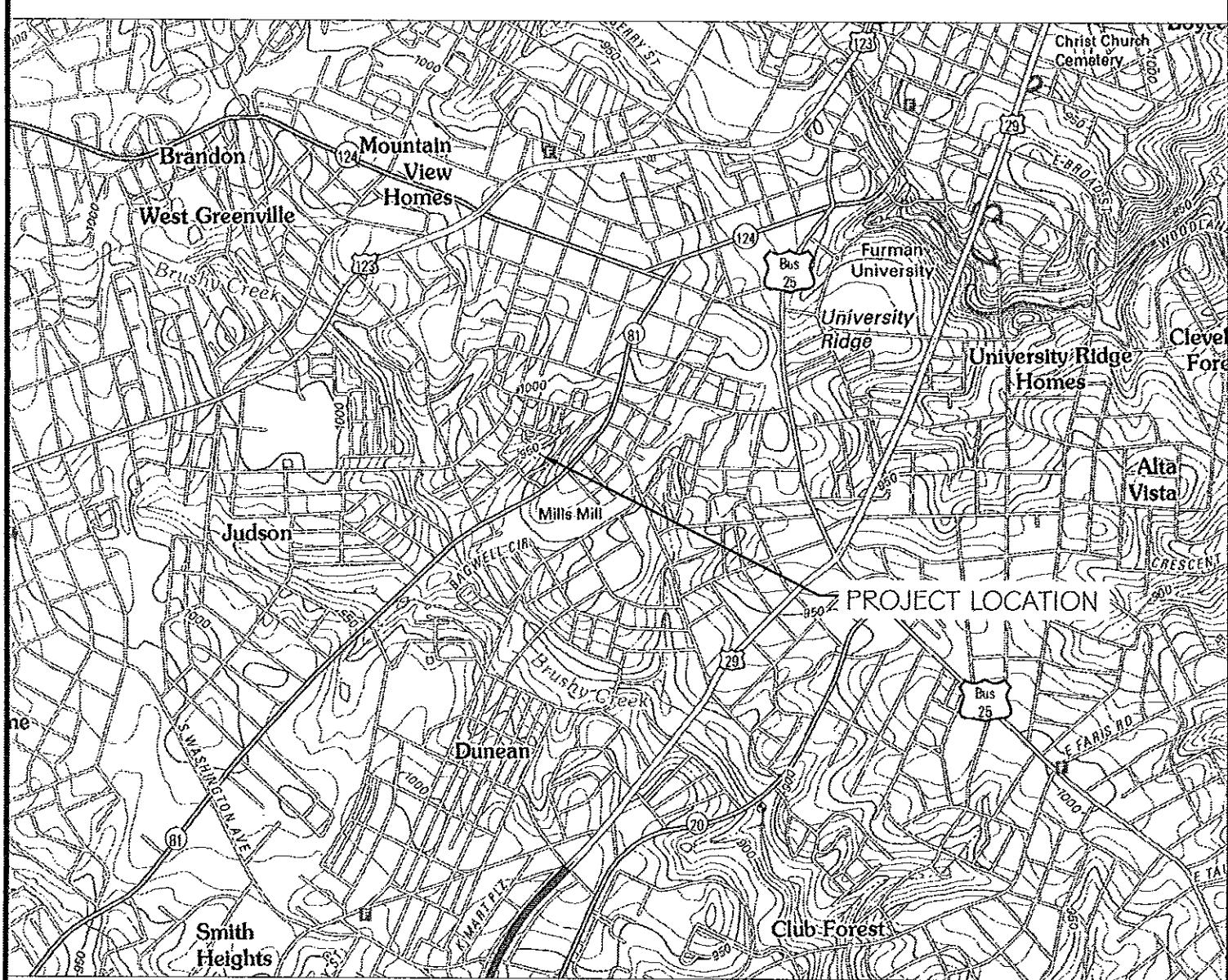
SCALE

1 inch = 2000 feet

Post Office Box 37444
Greenville, SC 29668
Phone: (864) 271-3040
Fax: (864) 235-9293

**SAC-2012-00822-6H
STERLING COMMUNITY POND
GREENVILLE COUNTY, SC
DECEMBER 20, 2012
SHEET 1 OF 6**

SHEET NO.



SOURCE: USGS Topographic Series
Greenville Quad, SC (2011)



SCALE

1 inch = 2000 feet

Post Office Box 5744
Greenville, SC 29603
Phone: (864) 271-5040
Fax: (864) 239-9299

DRAWN BY: csg
DATE: 05dec2012
EPC PROJECT NO.: 1156

SAC-2012-00822-6H
STERLING COMMUNITY POND
GREENVILLE COUNTY, SC
DECEMBER 20, 2012
SHEET 2 OF 6

SHEET NO.

2



Environmental Formations
Consultants, Inc.

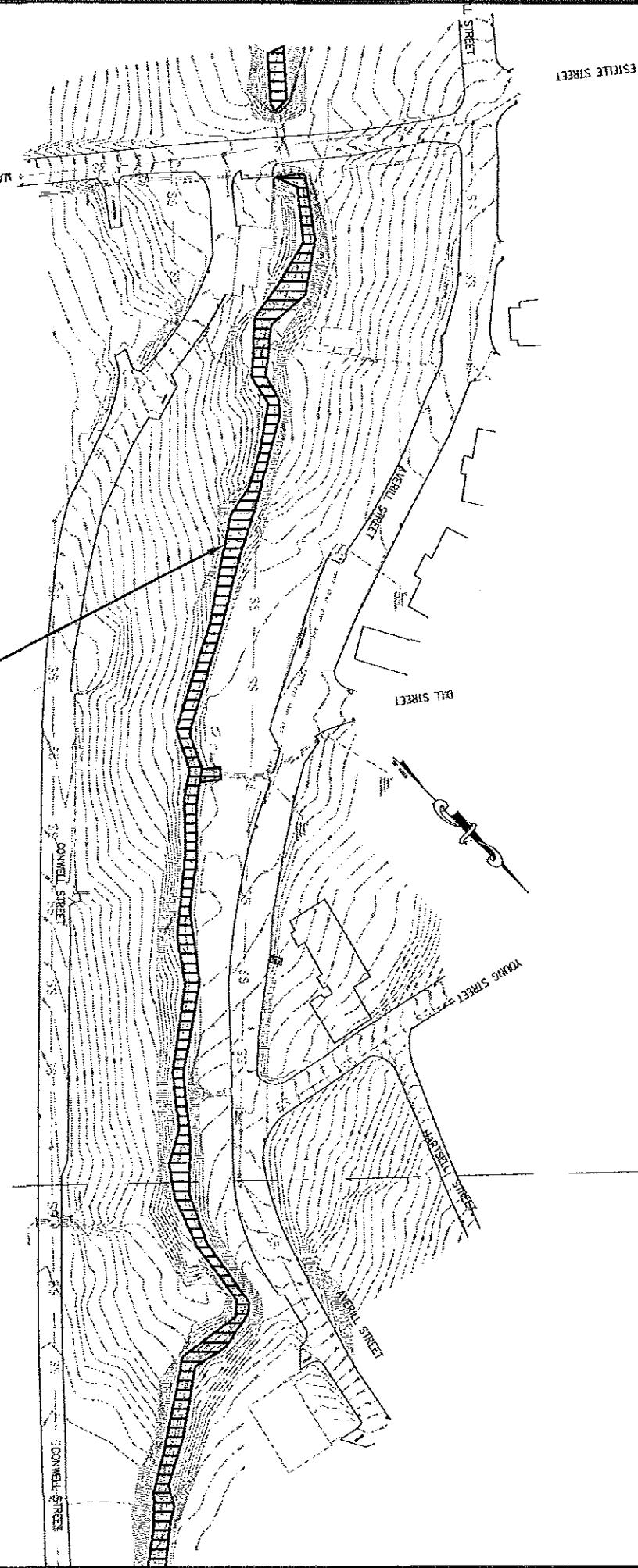
Post Office Box 5724 Greenville, SC 29603 Phone (864) 251-9200 Fax (864) 251-9200	DRAWN BY: DATE: EPC PROJECT NO.:	1 inch = 100 feet SAC-2012-821 1156
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SAC-2012-821

SAC-2012-00822-6H
STERLING COMMUNITY POND
GREENVILLE COUNTY, SC
DECEMBER 20, 2012
SHEET 3 OF 6

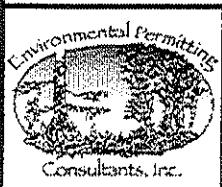
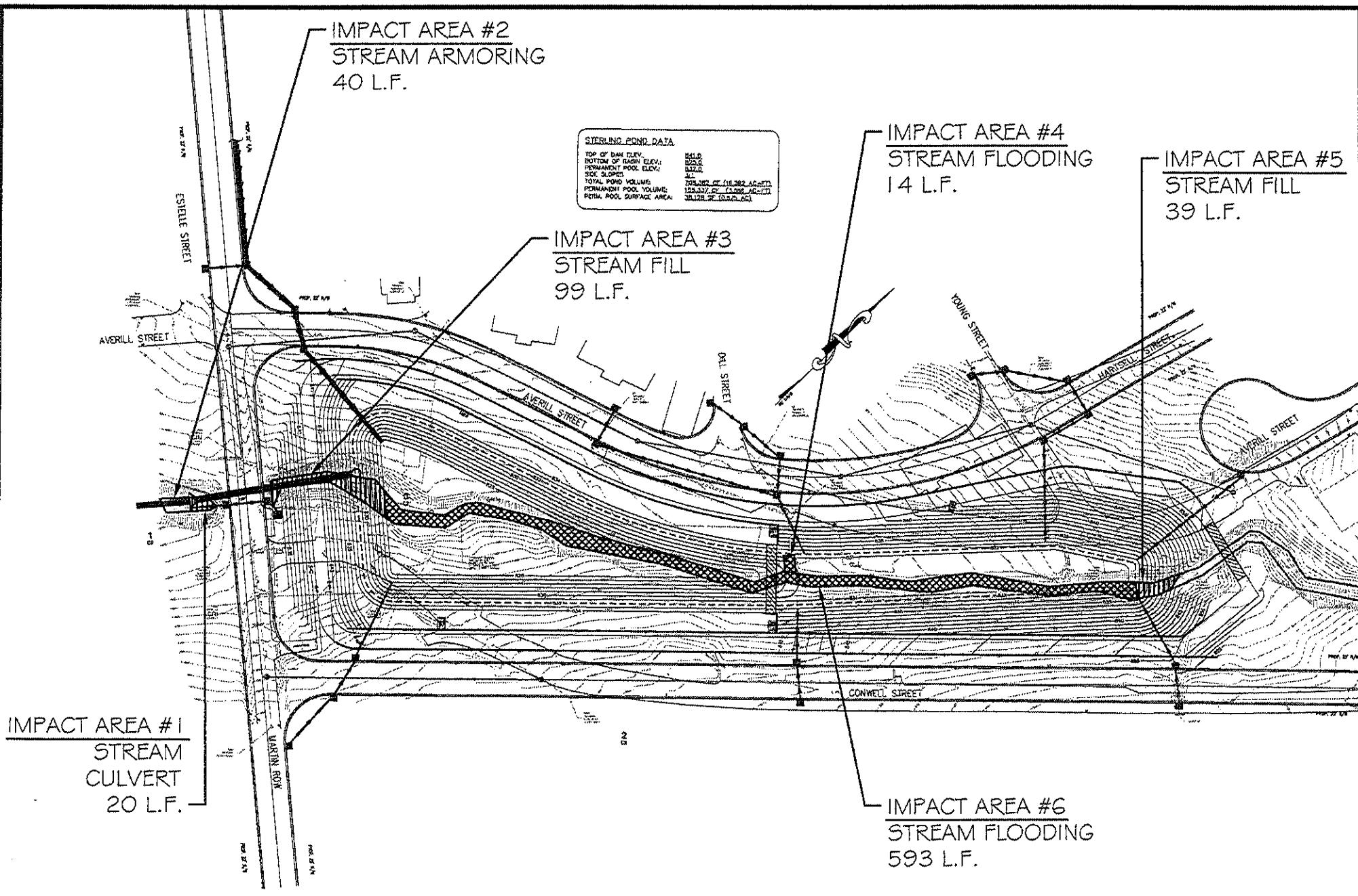
WATERS OF THE US
1,154 L.F.

111



SHEET NO.

3

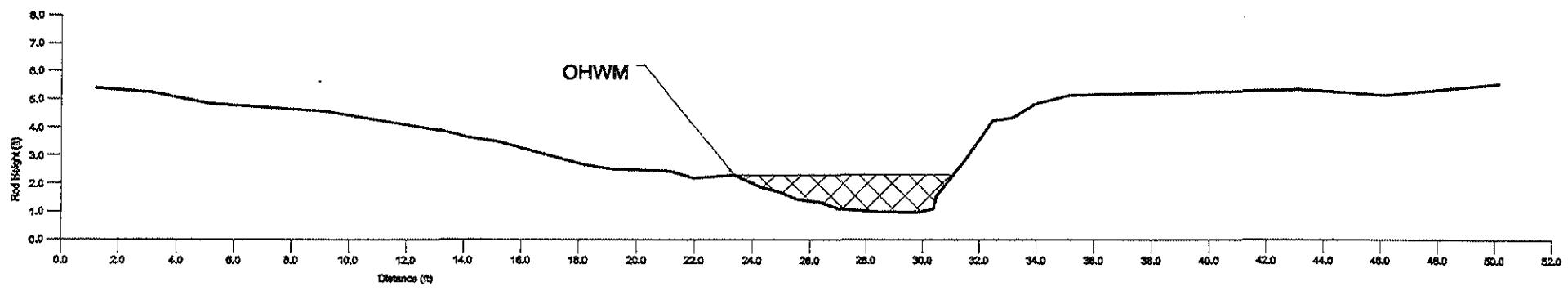


SCALE	
1 inch = 100 feet	
Plant Office Box 3744 Greenville, SC 29609 Phone (864) 271-3040 Fax (864) 235-0252	DRAWN BY: csg DATE: 05dec2012 EPC PROJECT NO.: 1156

SAC-2012-822

Proposed Overview
Sterling Community Pond
Greenville Redevelopment Authority
Greenville County, SC

SAC-2012-00822-6H
STERLING COMMUNITY POND
GREENVILLE COUNTY, SC
DECEMBER 20, 2012
SHEET 4 OF 6



SCALE
1 inch = NTS feet

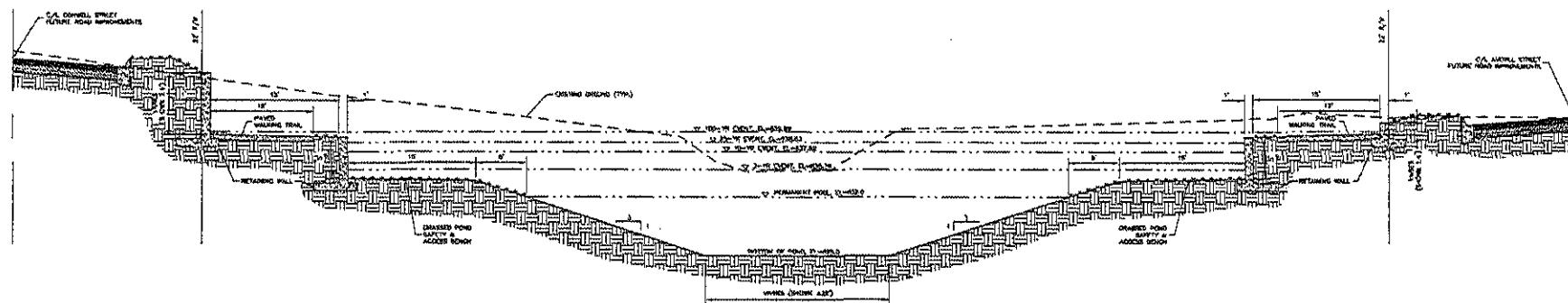
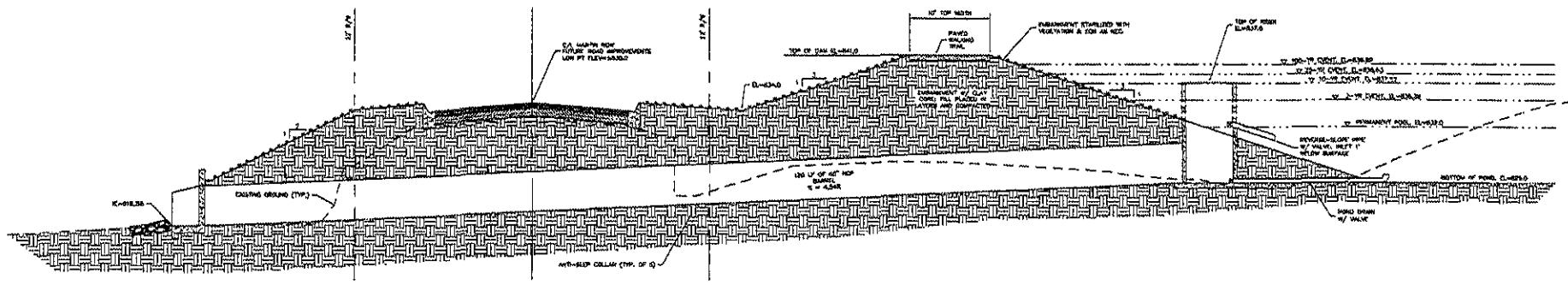
Post Office Box 3744
Greenville, SC 29603
Phone: (864) 271-3040
Fax: (864) 235-5299

DRAWN BY: *[Signature]*
DATE: 23Jul2012
EPC PROJECT NO.: 1156

SAC-2012-822

Existing Cross Section
Sterling Community Pond
Greenville Redevelopment Authority
Greenville County, SC

SAC-2012-00822-6H
STERLING COMMUNITY POND
GREENVILLE COUNTY, SC
DECEMBER 20, 2012
SHEET 5 OF 6



SCALE

1 inch = NTS feet

Post Office Box 3744
Greenville, SC 29606
Phone (864) 271-3040
Fax (864) 235-9295

DRAWN BY: csa
DATE: 05dec2018
PROJ. PROJECT NO.: 1154

SAC-2012-822

Proposed Sections

Sterling Community Pond
Greenville Redevelopment Auth
Greenville County, SC

SAC-2012-00822-6H
STERLING COMMUNITY POND
GREENVILLE COUNTY, SC
DECEMBER 20, 2012
SHEET 6 OF 6