JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A HAGOOD AVENUE CHARLESTON, SOUTH CAROLINA 29403-5107

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-2015-00915

October 27, 2017

Pursuant to 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

Ms. Ann-Marie Altman SCDOT 955 Park Street Columbia, South Carolina 29202

for a permit to reconstruct and widen the existing Interstate Highway, I-85, from mile marker 77 to 98 (SCDOT PIN 27114), across

Pole Bridge Branch, Pacolet River, Little Thicketty Creek, Thicketty Creek, Cole Creek, Irene Creek, Providence Branch, unnamed tributaries to those waters, and associated wetland areas

at a location extending from mile marker 77 to mile marker 98, on the existing I-85, in Spartanburg and Cherokee Counties, South Carolina (Latitude: 35.01123 °N, Longitude: 81.9161 °W to Latitude: 35.1171 °N, Longitude: 81.5772 °W), Quads include Cowpens, Gaffney, and Blacksburg South.

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 proposed work is comprised of reconstructing approximately three miles of I-85 and widening approximately 18 miles of I-85. The work would tie in from an existing six lane section near Exit 80, Gossett Road (S-57), in Spartanburg County, and extend to approximately 1.5 miles north of Exit 96, Shelby Highway (SC 18) in Cherokee County, terminating prior to the crossing of the Broad River by I-85.

In detail, the work would consist of reconstructing three miles of I-85, from approximately mile marker (MM) 77 to MM 80 without widening the interstate in this section. The applicant proposes to widen I-85 from approximately MM 80 to MM 98. The widening would include the construction of a new 12-foot travel lane toward the inside median in both northbound and southbound directions, which would widen the existing highway from four lanes to six lanes in that section. The proposed project also includes other work along the project corridor including modifications to interchanges, replacement of overpasses, and minor bridge improvements. The total proposed impacts to waters of the United States associated with the project include 0.31 acre of freshwater wetlands, 1833 linear feet of stream, and 0.73 acre of open water impoundment.

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by implementing a permittee-responsible compensatory mitigation plan on a 144 acre portion of a 289 acre tract referenced as the Gilkey Creek Tract. The Gilkey Creek Tract is located at 34.9699 °N, 81.5764 °W. As described in the application, the proposed compensatory mitigation would include 1,438 linear feet of stream restoration, 1,681 linear feet of stream enhancement, 5,102 linear feet of stream preservation, 0.23 acre of wetland restoration, 3.43 acres of wetland enhancement (planting), 2.78 acres of wetland enhancement (hydrology), 5.37 acres of wetland preservation, and 85.76 acres of aquatic resource buffers. Aquatic resources on the compensatory mitigation site have not been verified by the Corps.

The submitted application states that "[t]he two primary purposes of the I-85 Reconstruction & Widening project are to address increasing traffic volumes by providing additional roadway capacity; and, to correct geometric and clearance deficiencies by bringing the roadway facility into compliance with current state and federal design standards. These improvements provide a third purpose, that of improved safety for the traveling public."

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 0.31 acre of freshwater wetlands, 1833 linear feet of stream, and 0.73 acre of open water impoundment 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 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.

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)(/J(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. 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

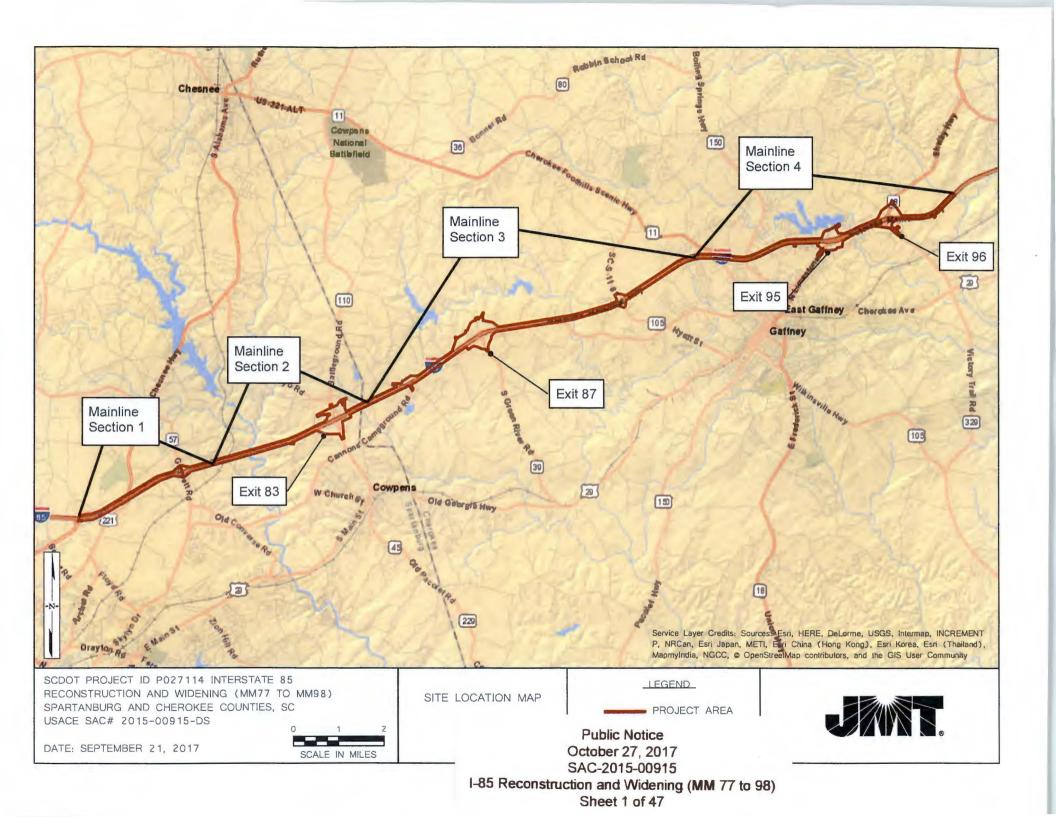
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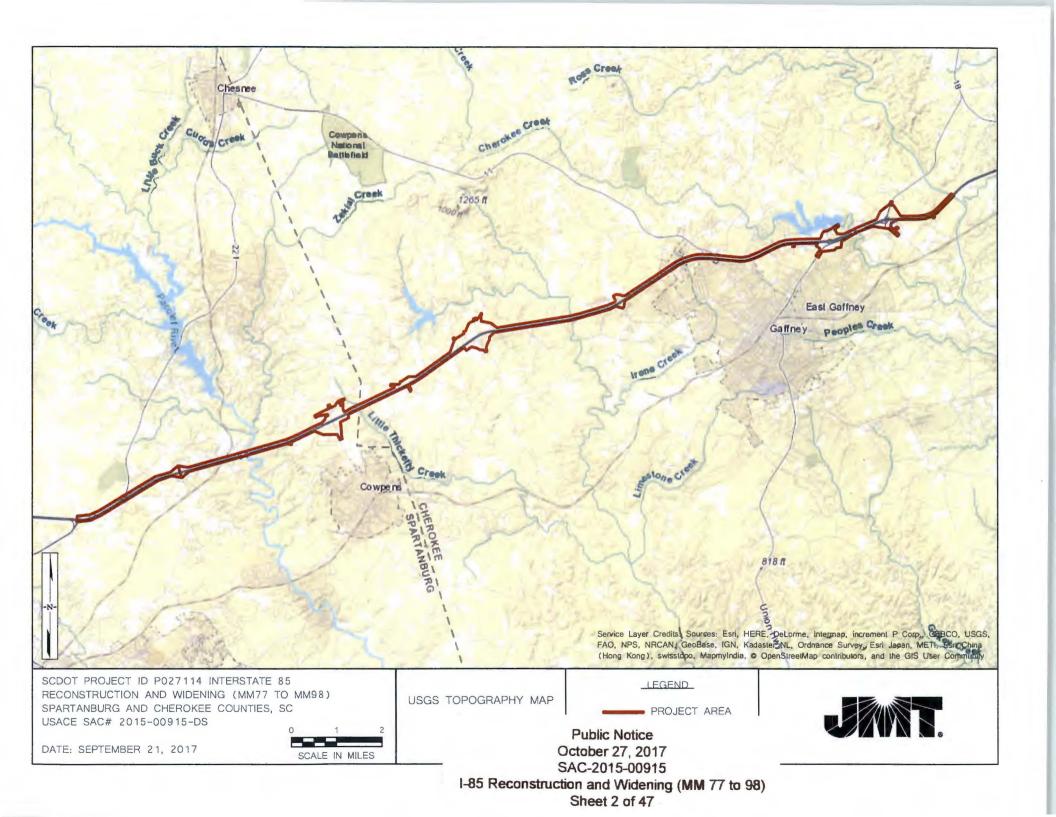
cannot undertake to adjudicate rival claims.

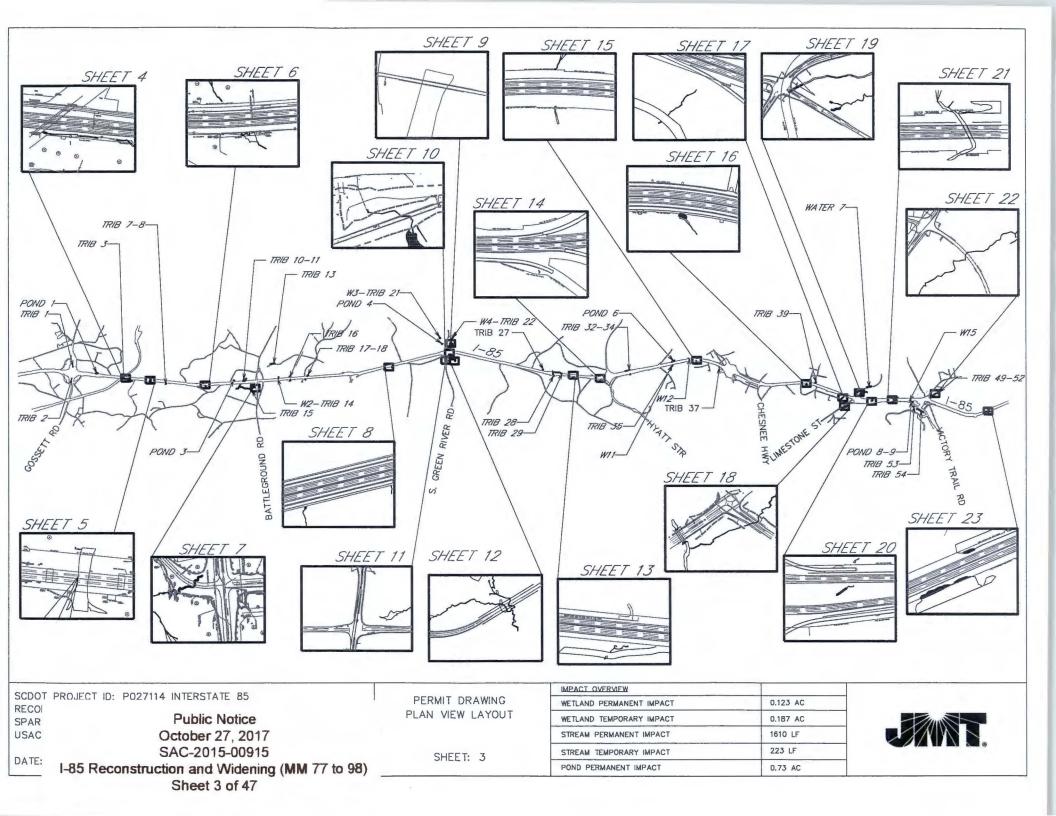
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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:

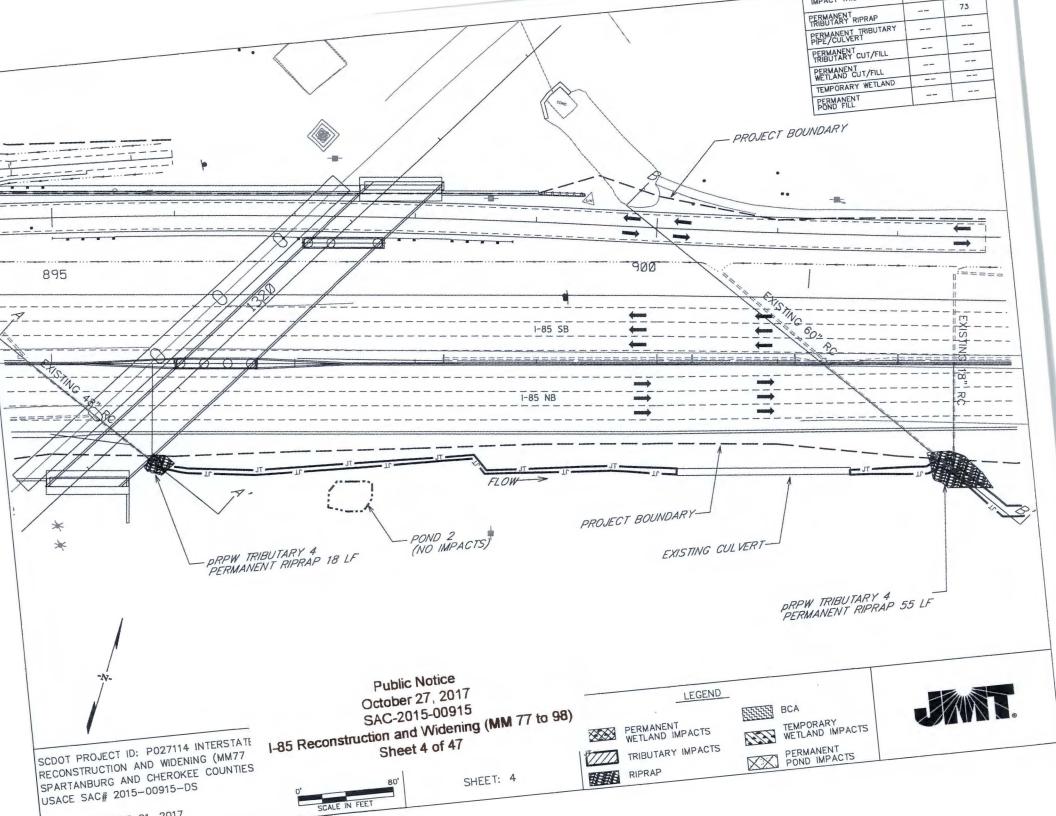
U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 1835 Assembly Street Room 865 B-1 Columbia, South Carolina 29201

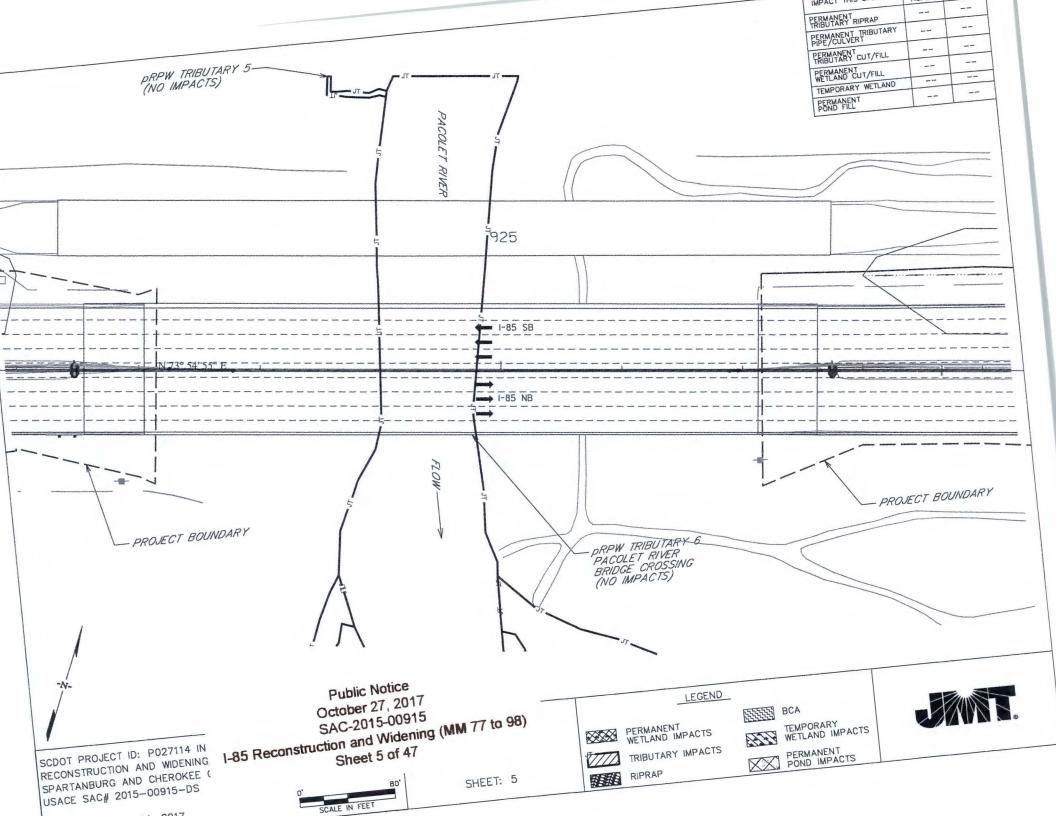
If there are any questions concerning this public notice, please contact Laura M. Boos, Project Manager, at (803) 253-3902.

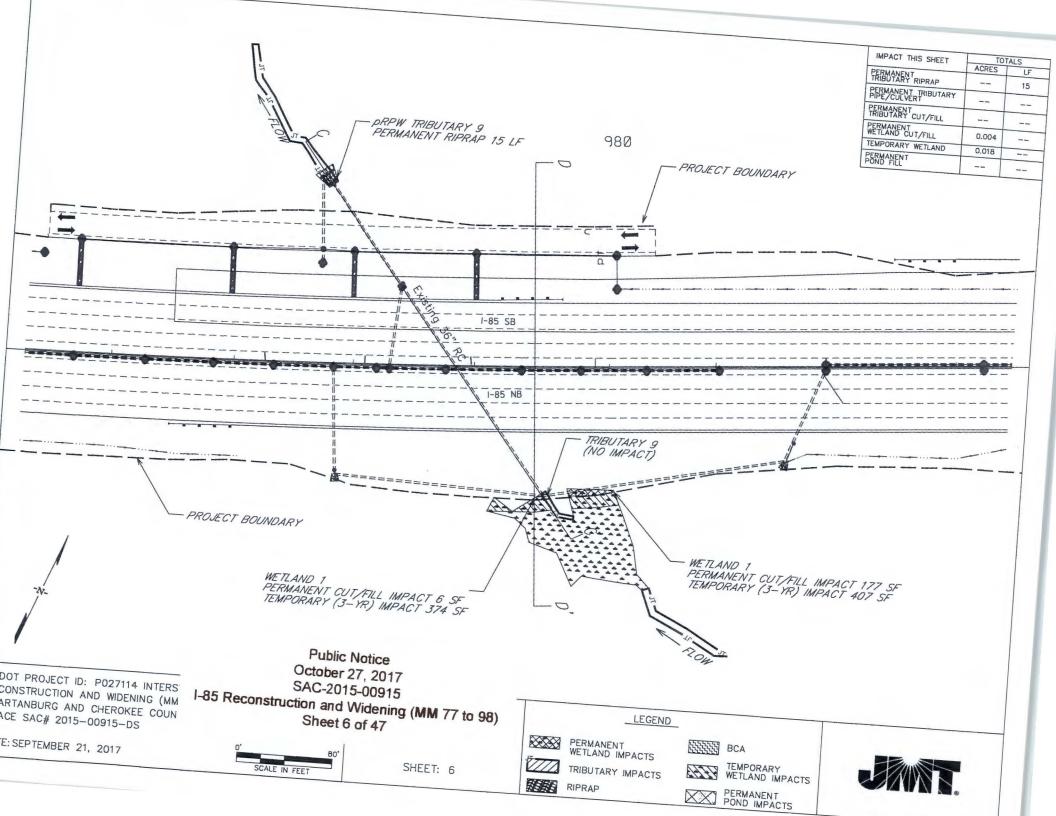


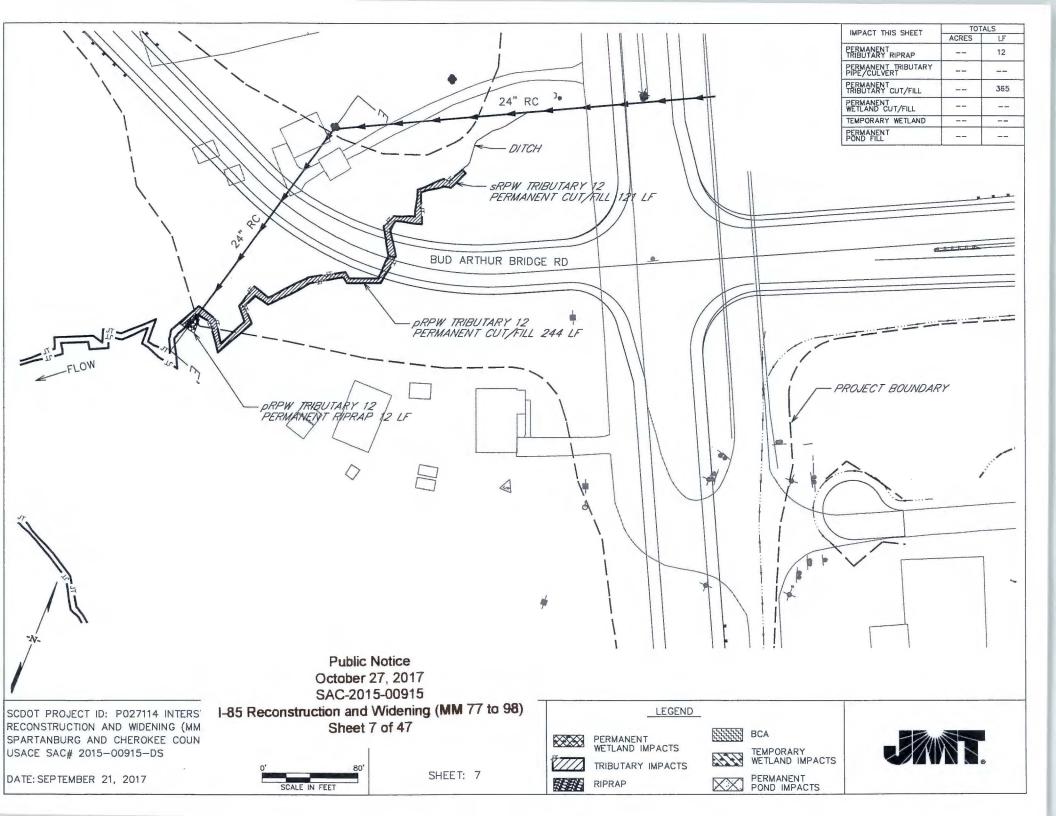


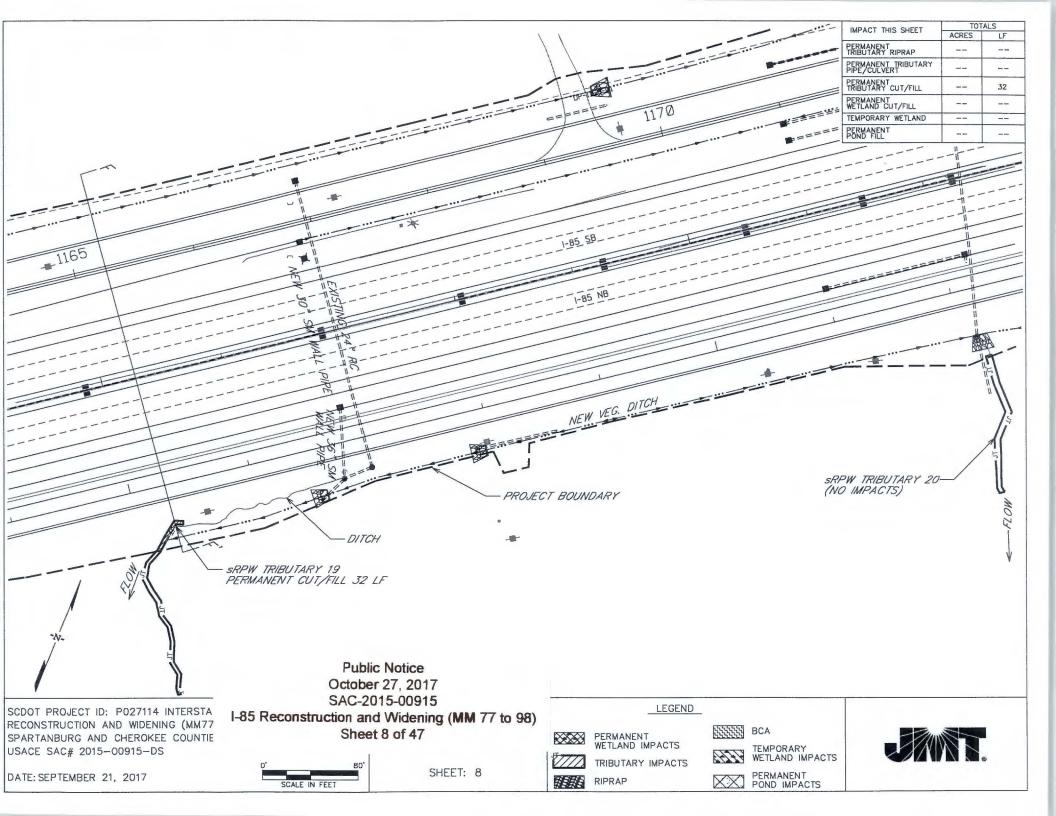


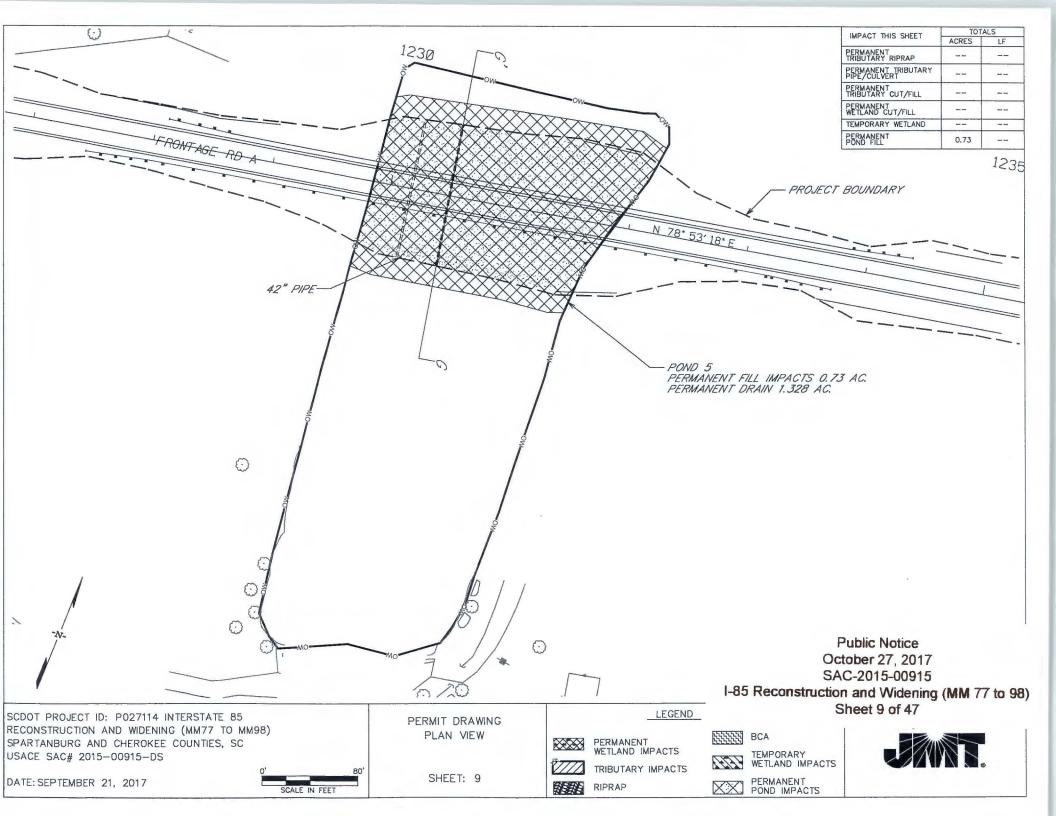


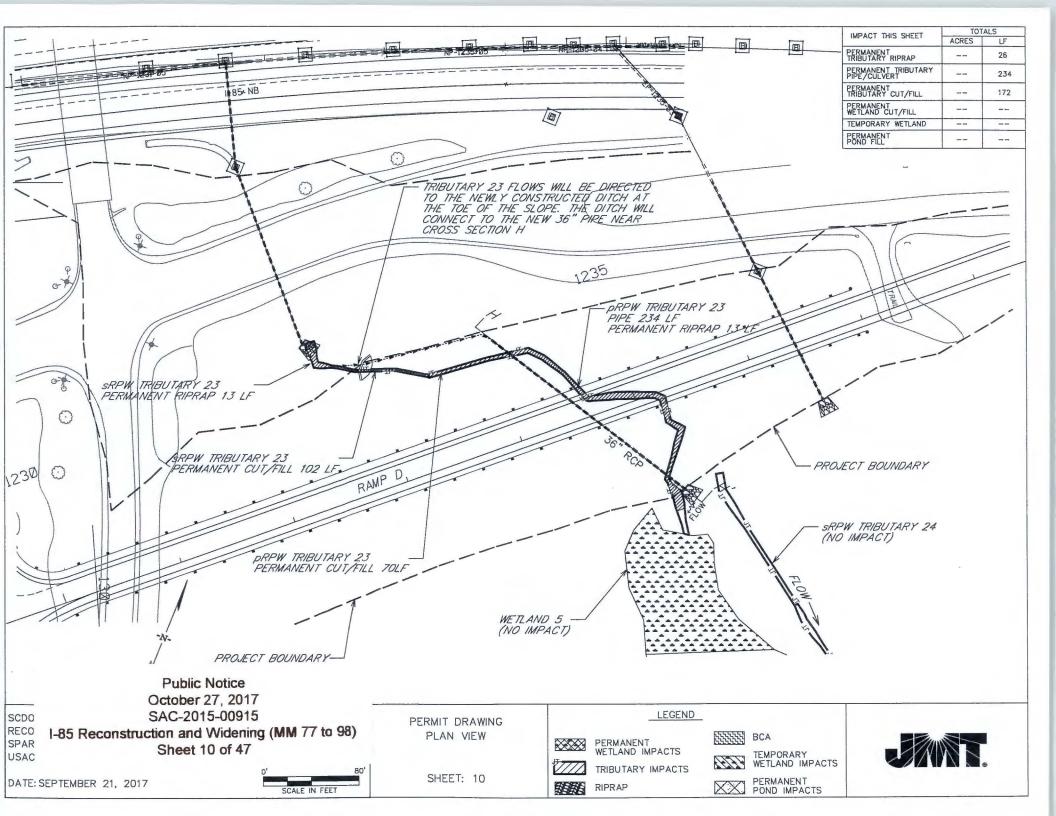


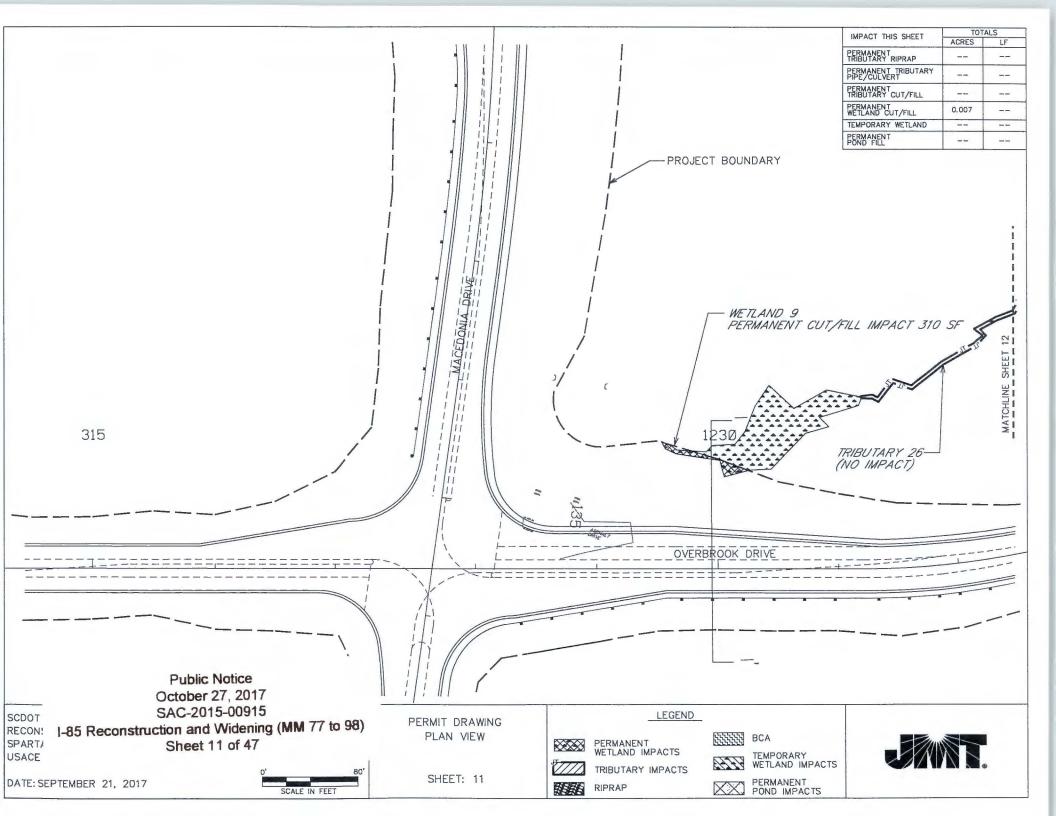


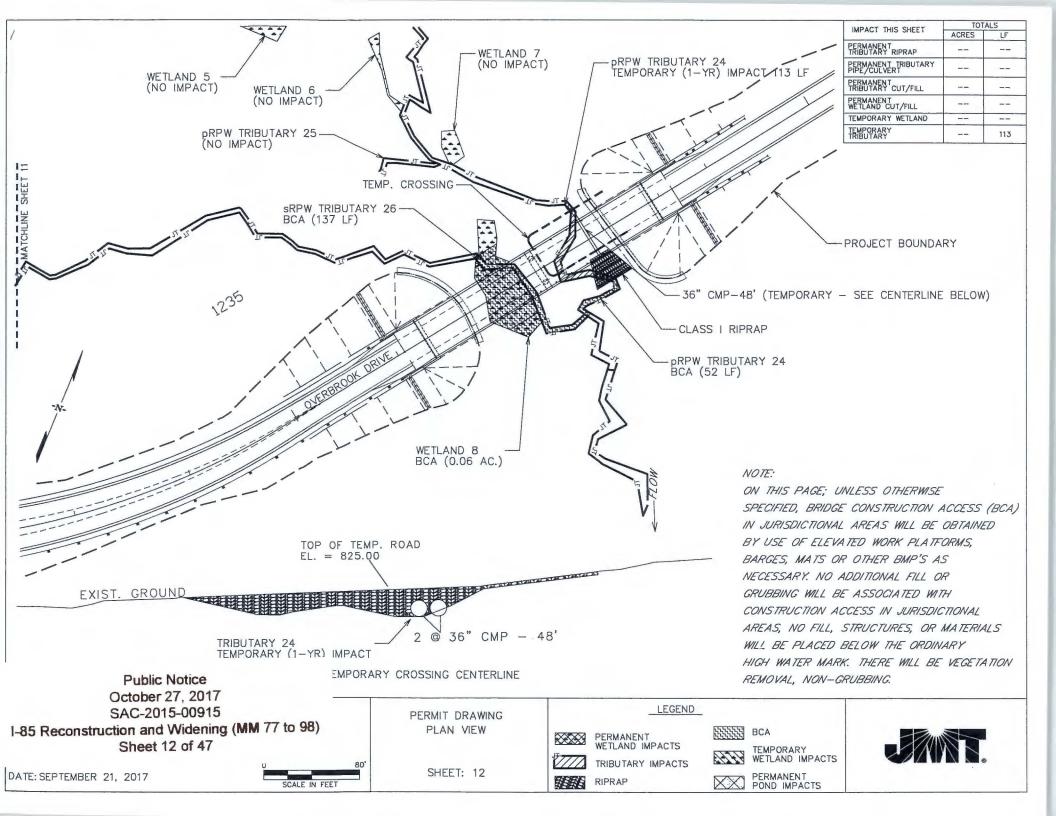


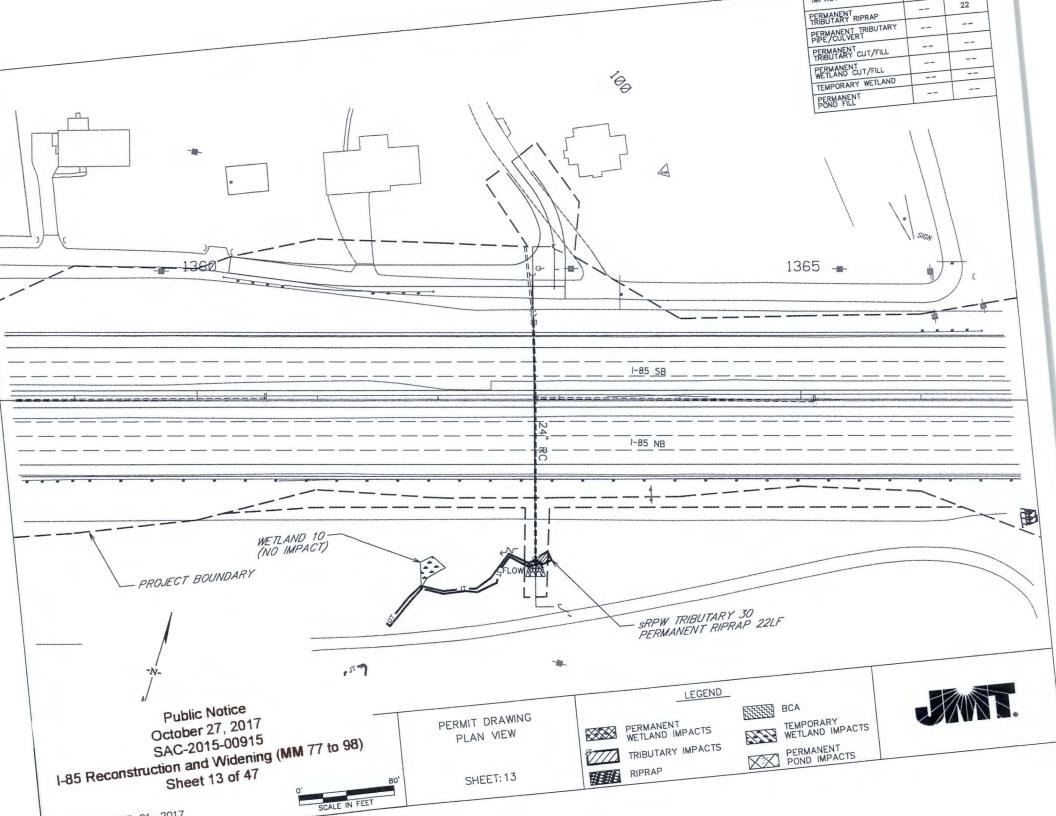


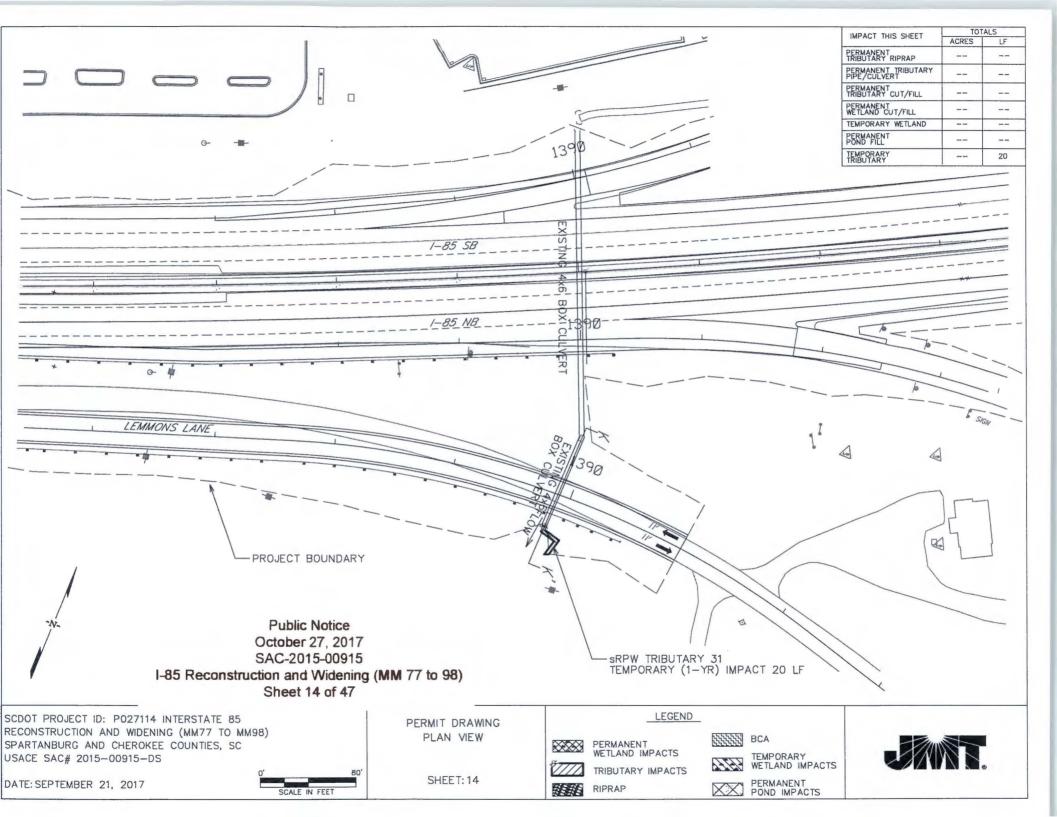


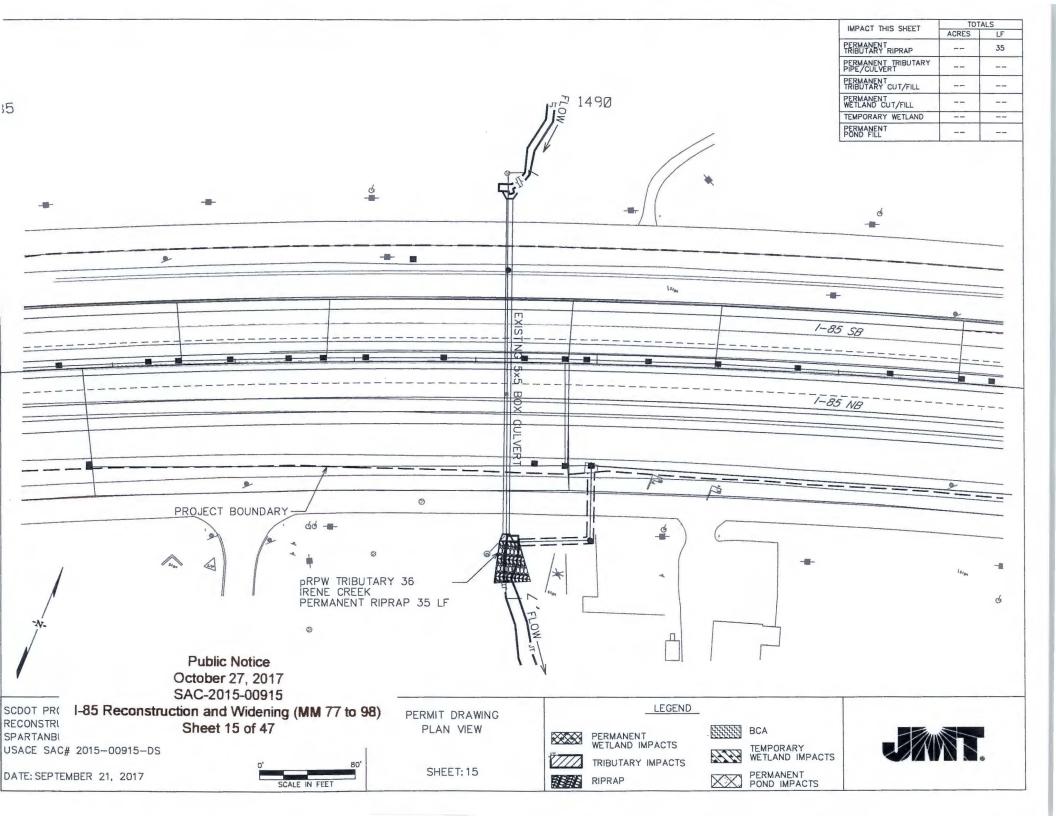


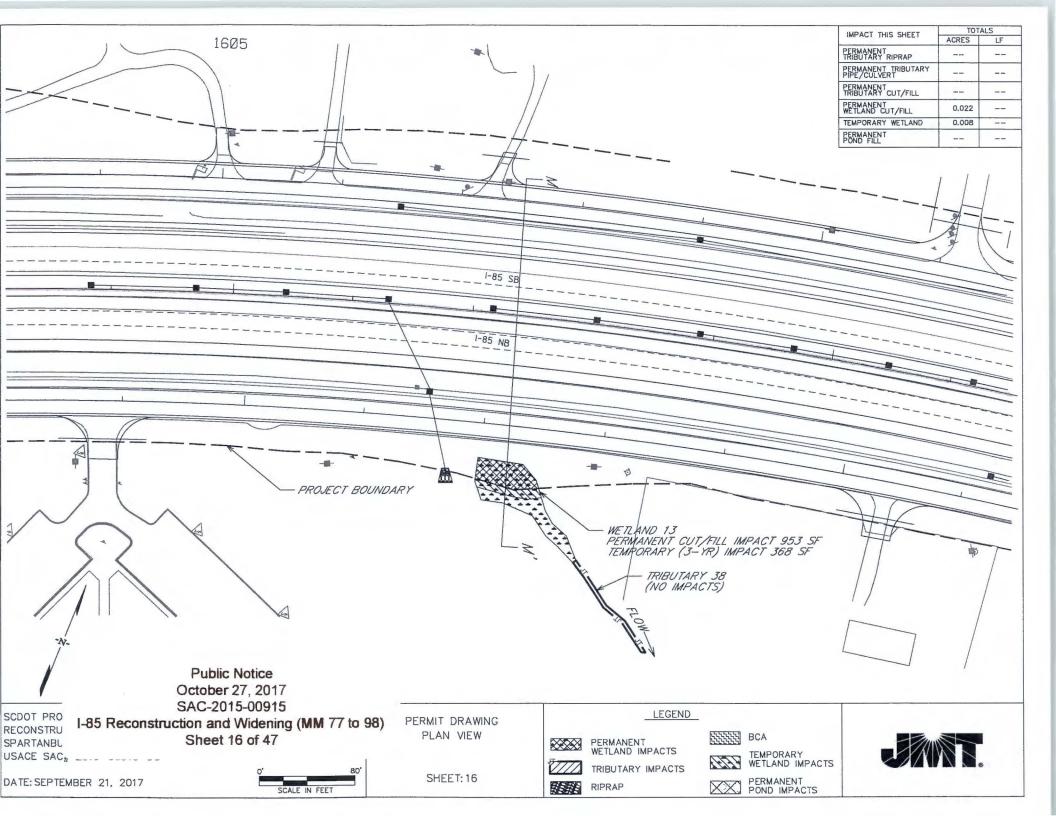


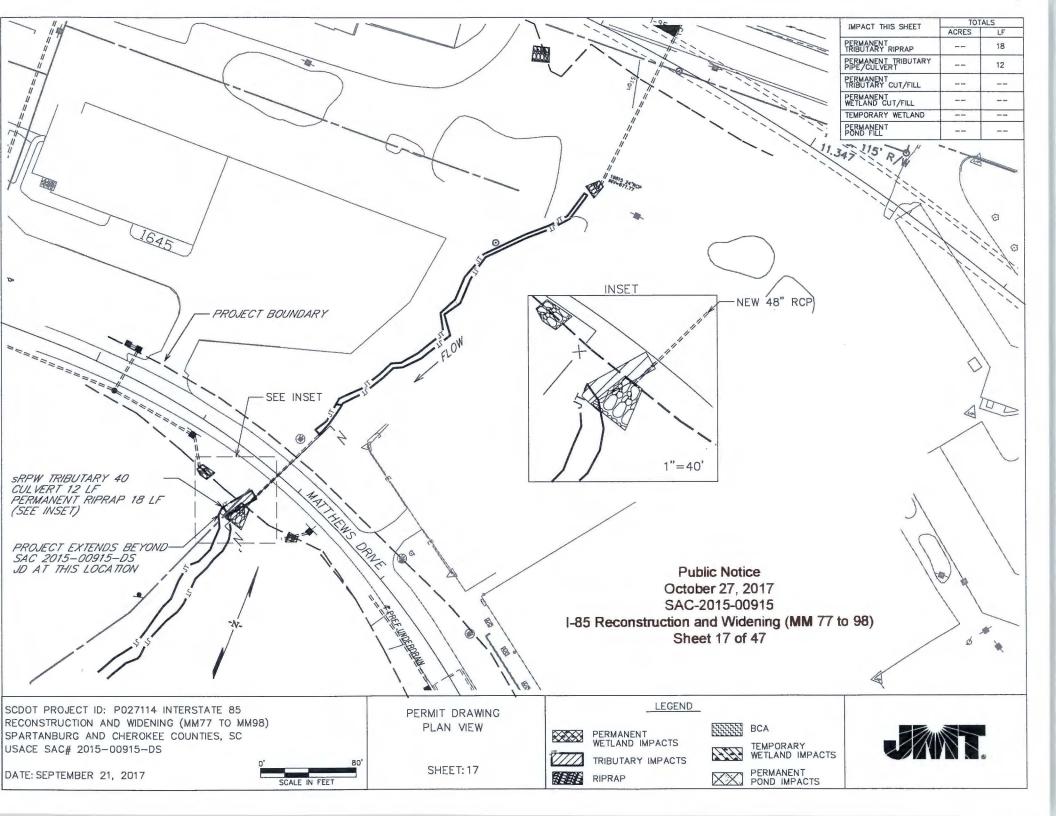


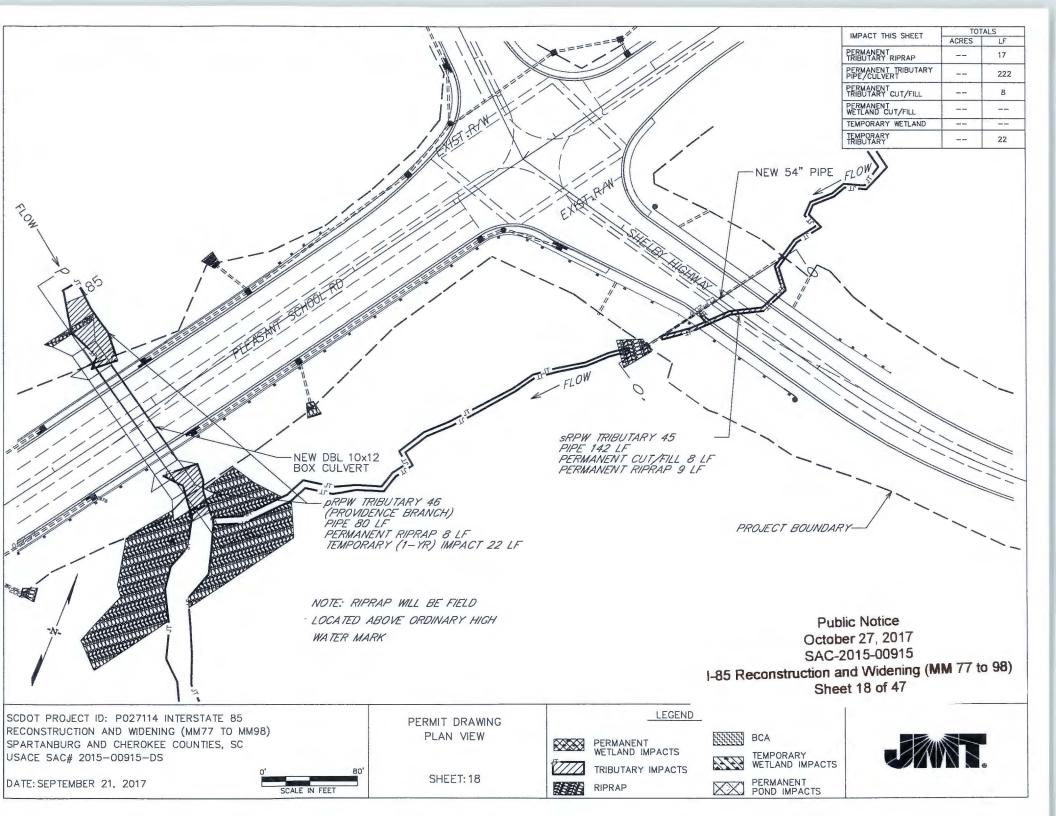


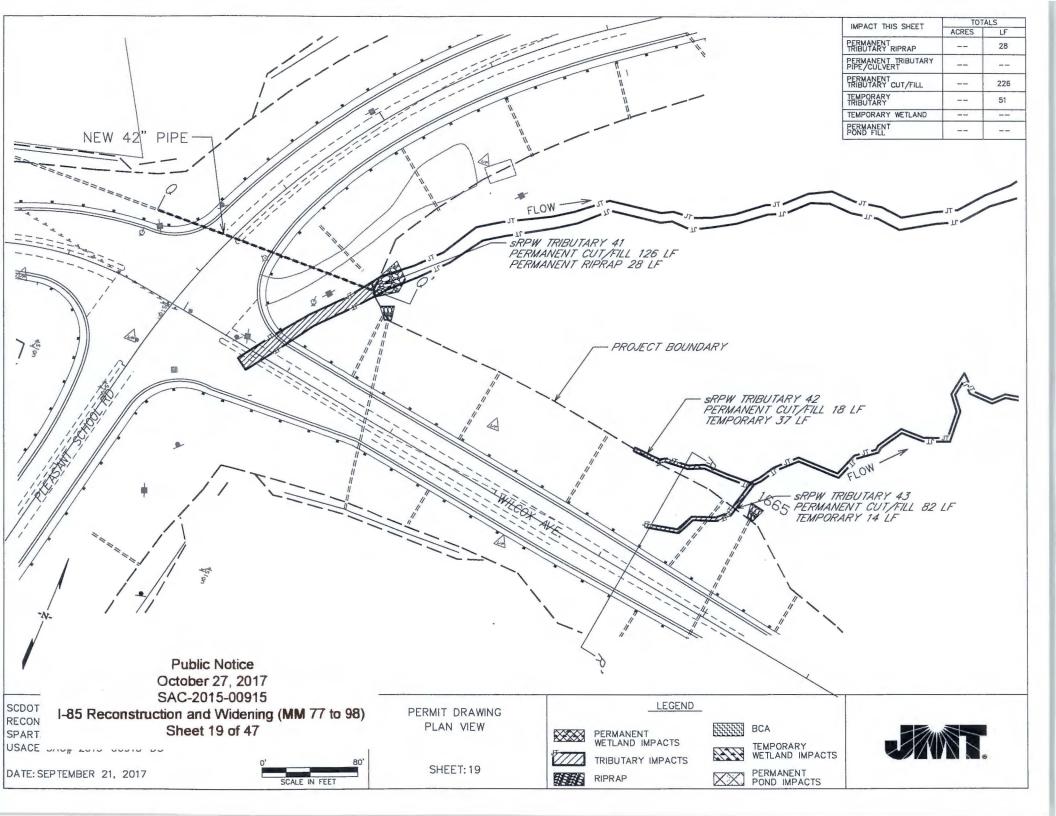


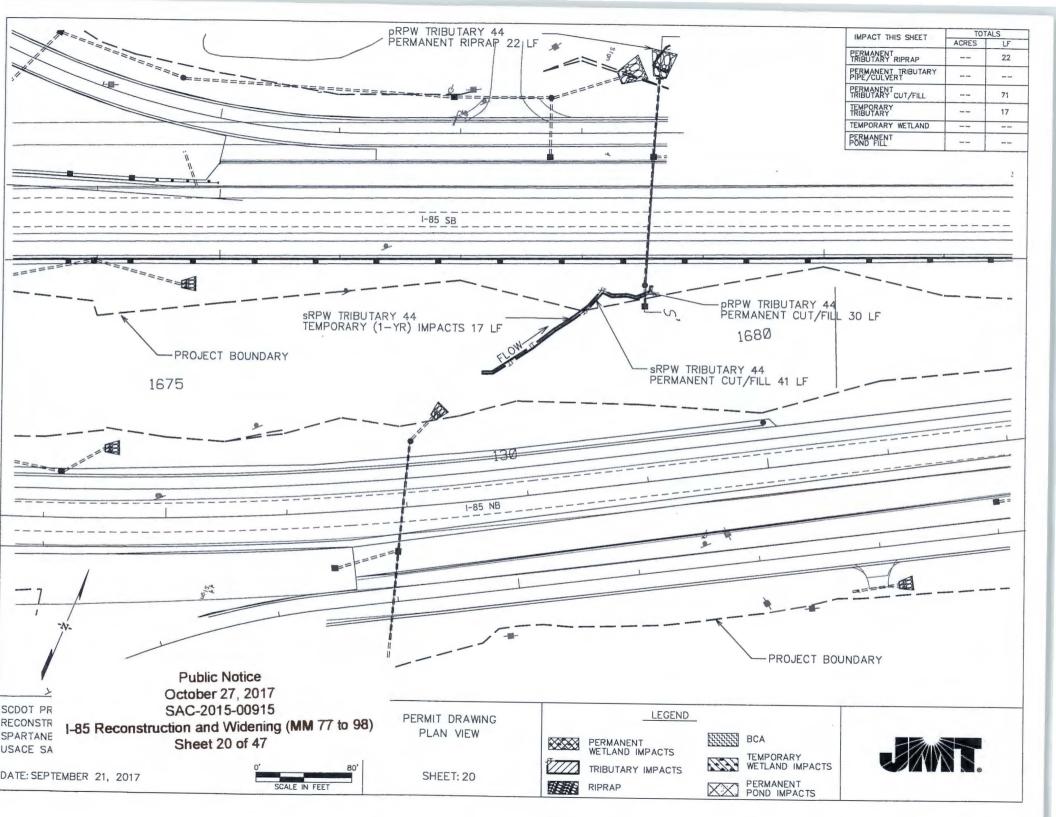


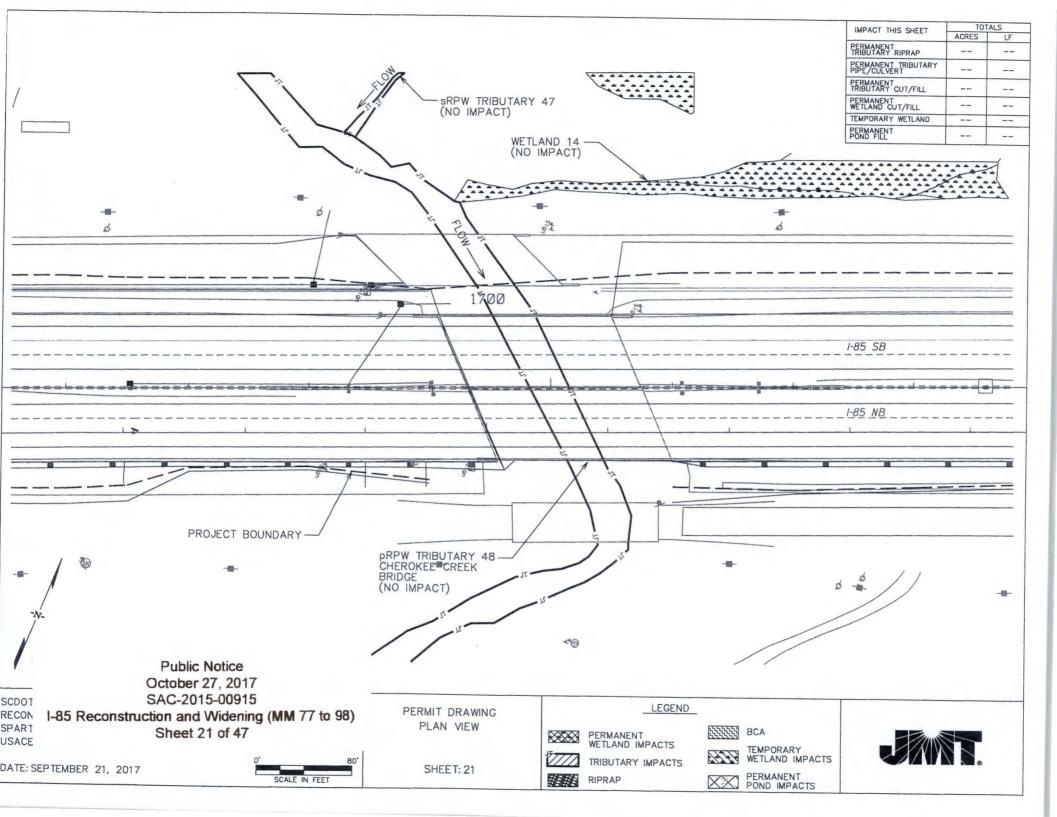


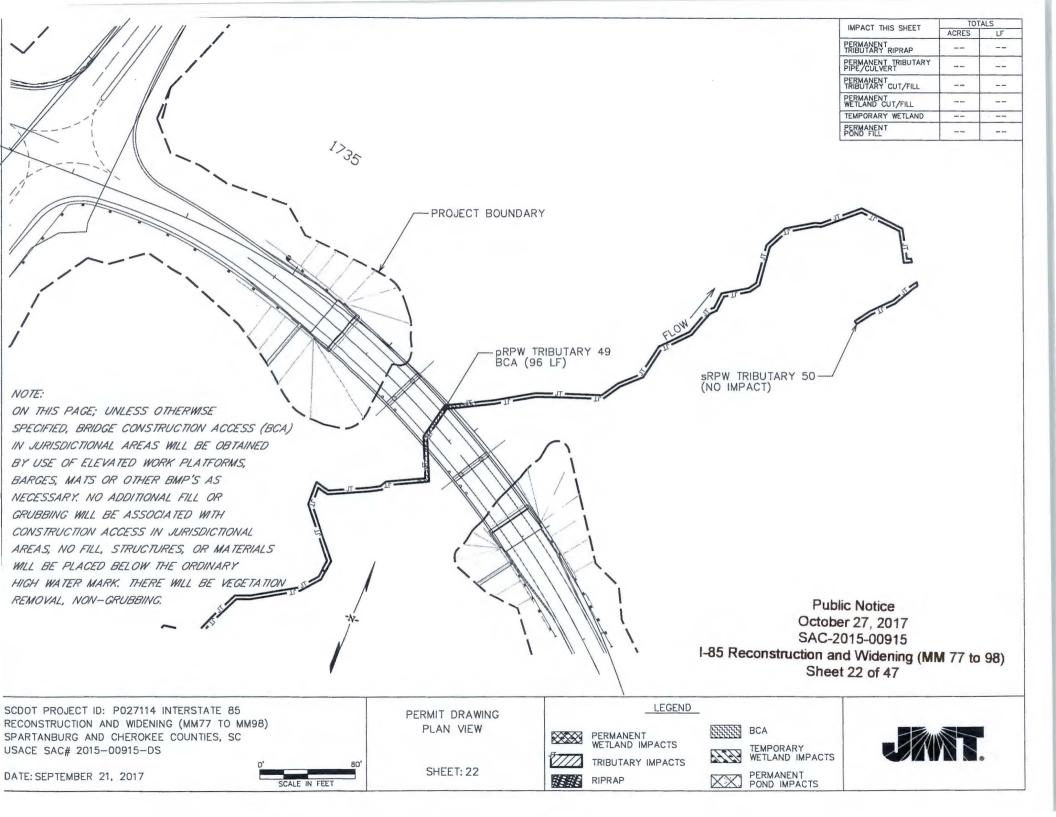


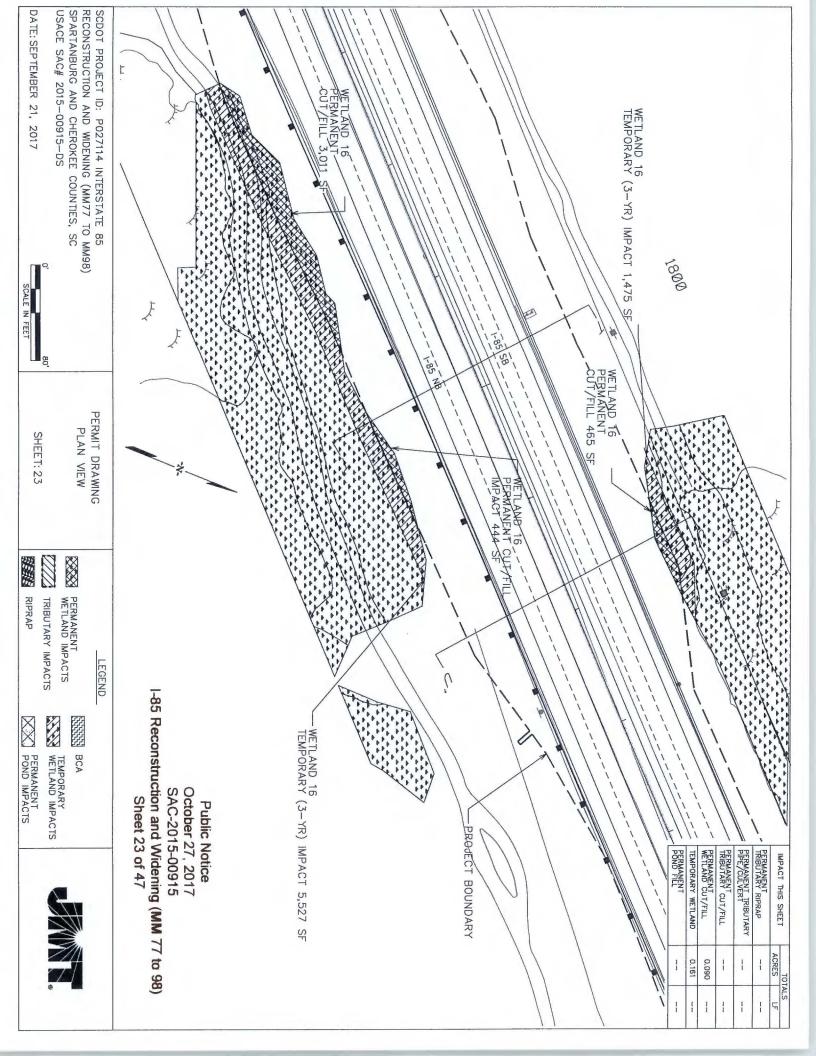


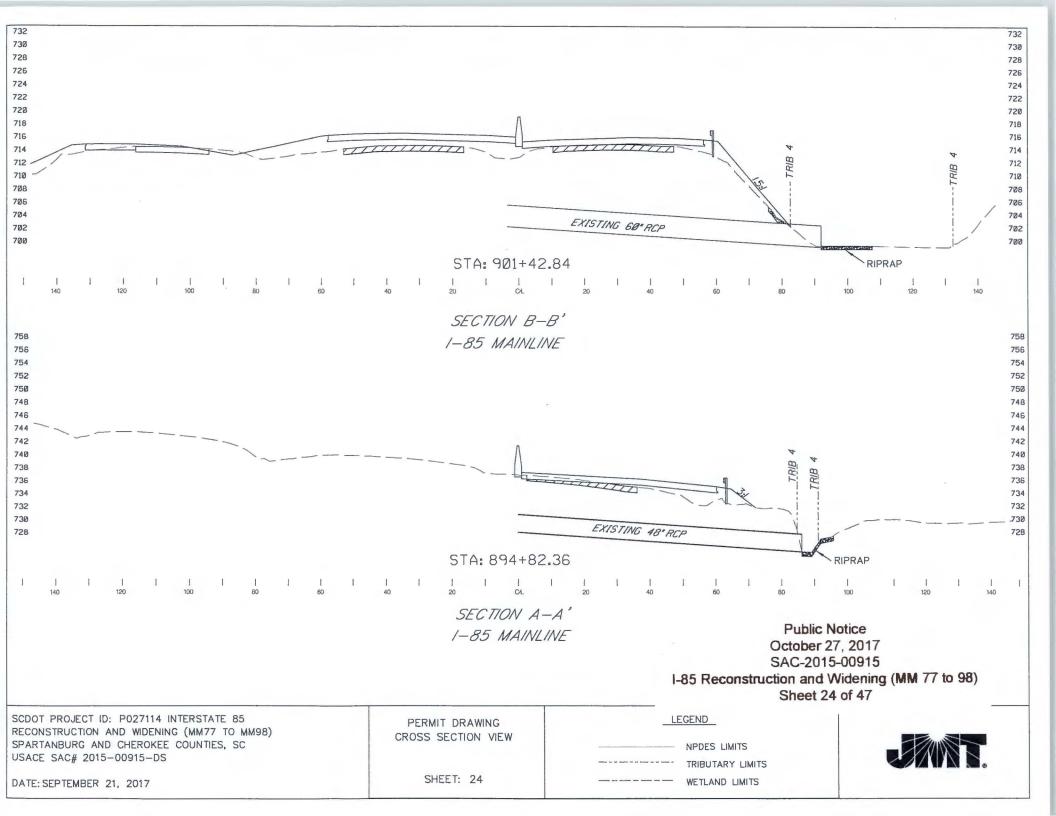


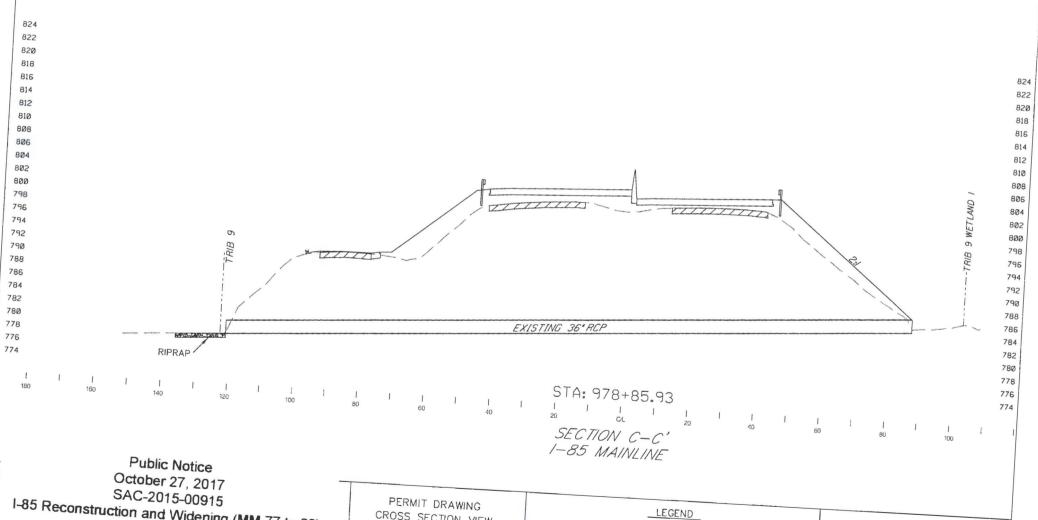










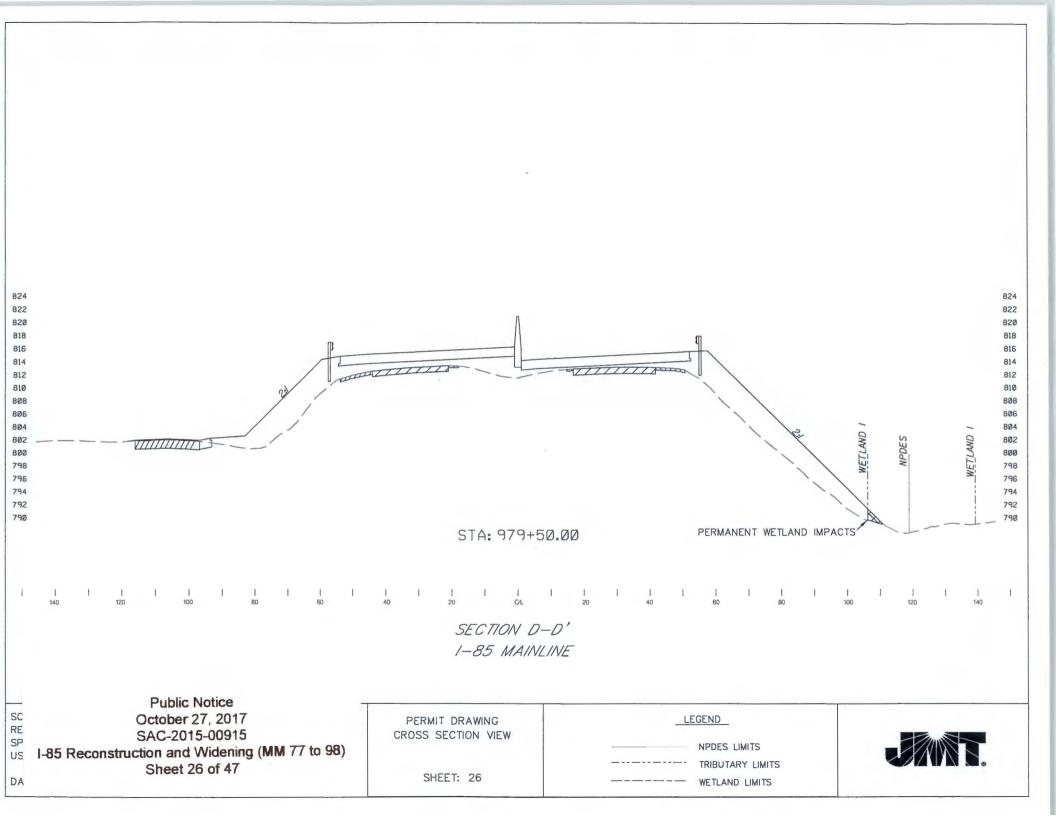


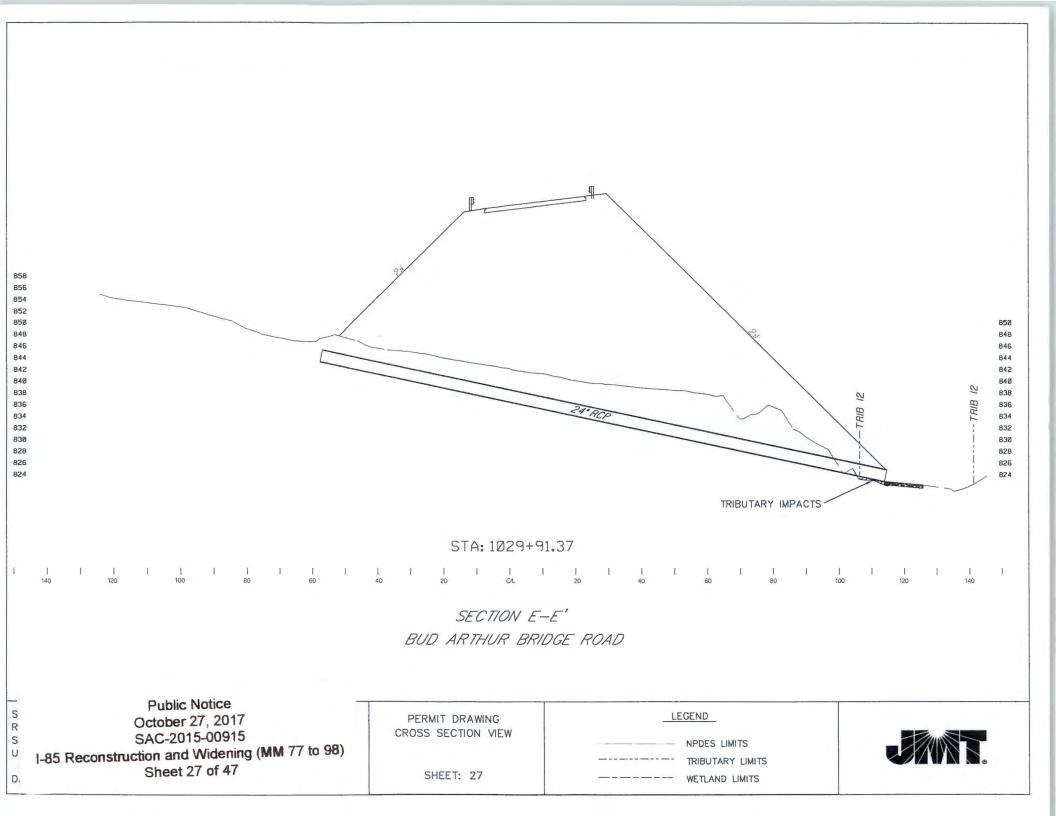
I-85 Reconstruction and Widening (MM 77 to 98) Sheet 25 of 47 TIE: SEPTEMBER ZI, ZUIT

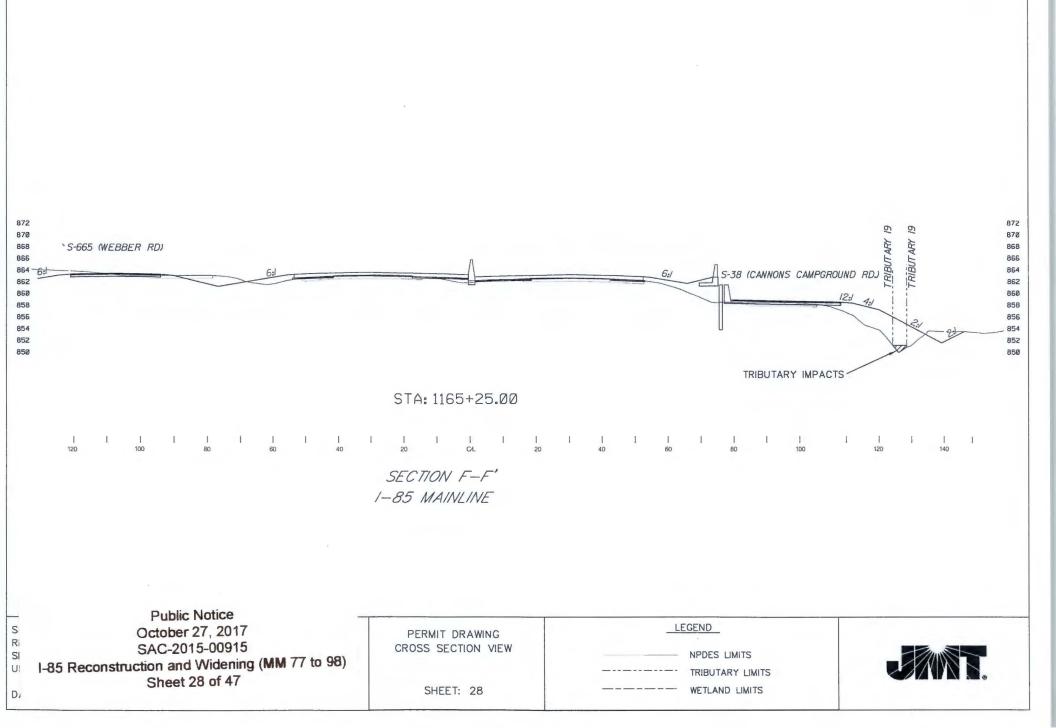
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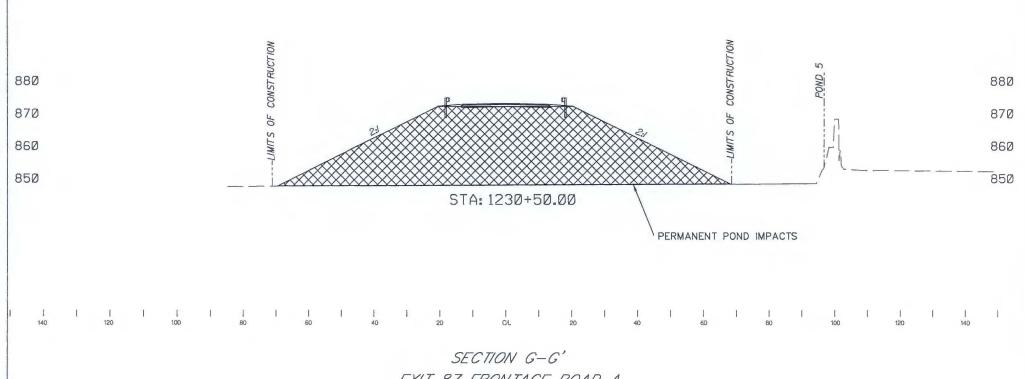
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EXIT 87 FRONTAGE ROAD A

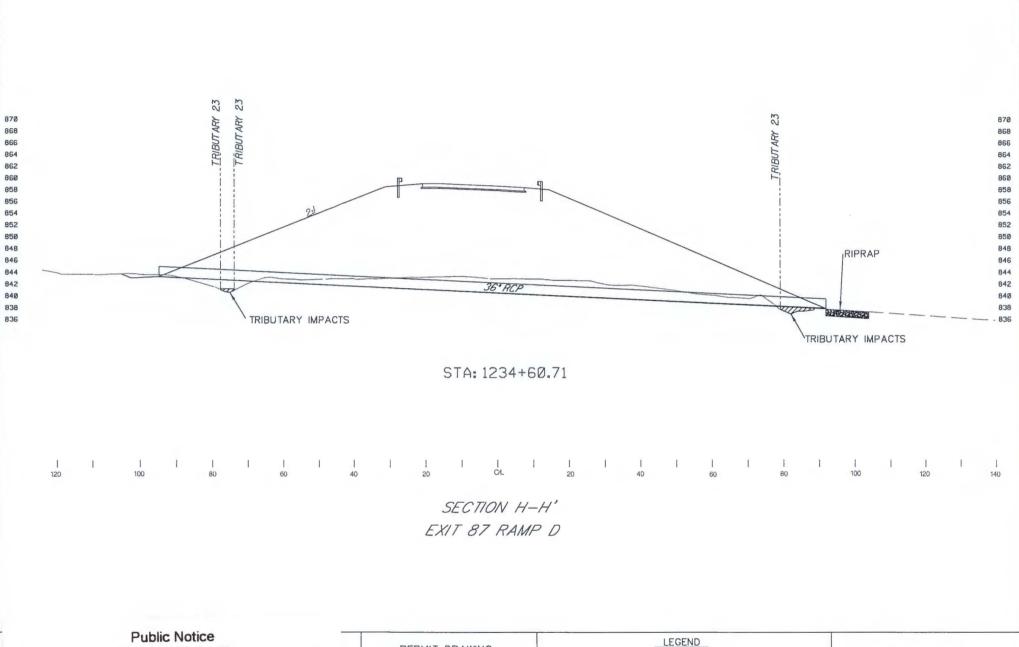
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PERMIT DRAWING CROSS SECTION VIEW

SHEET: 29

LEGEND

NPDES LIMITS TRIBUTARY LIMITS WETLAND LIMITS

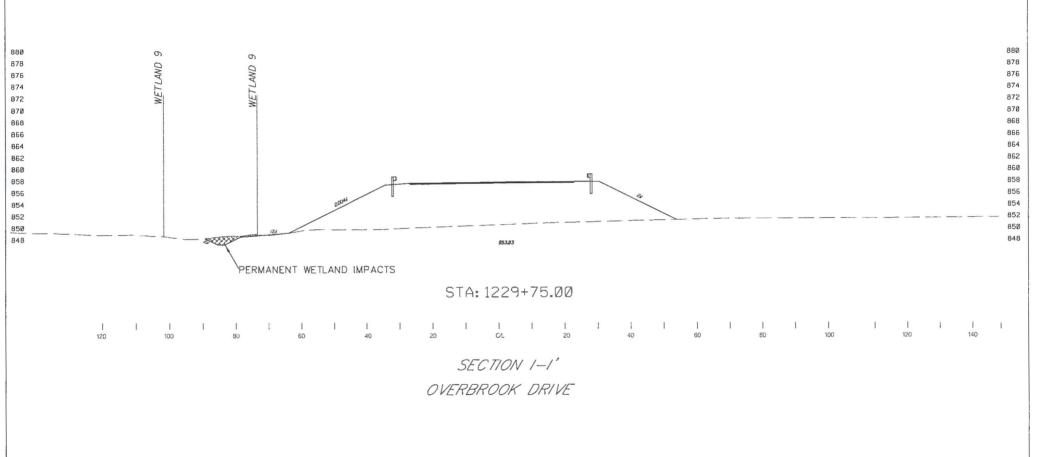


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PERMIT DRAWING CROSS SECTION VIEW

SHEET: 30

NPDES LIMITS
TRIBUTARY LIMITS
WETLAND LIMITS



PERMIT DRAWING

CROSS SECTION VIEW

SHEET: 31

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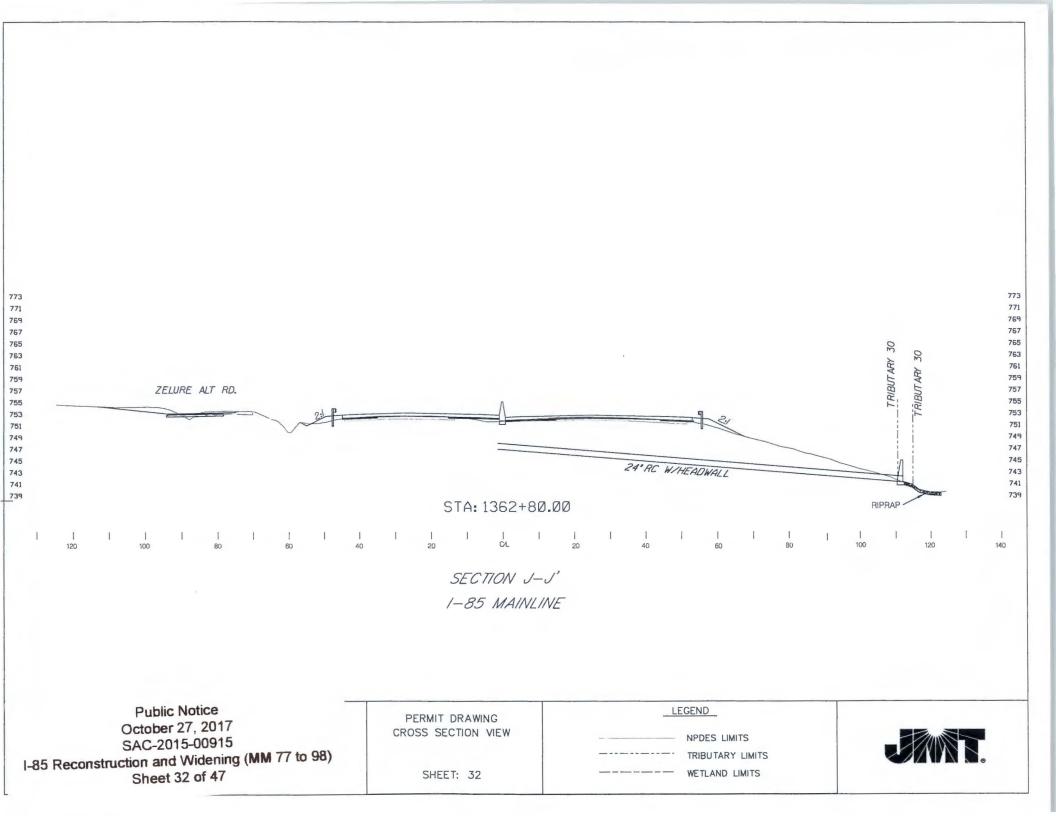
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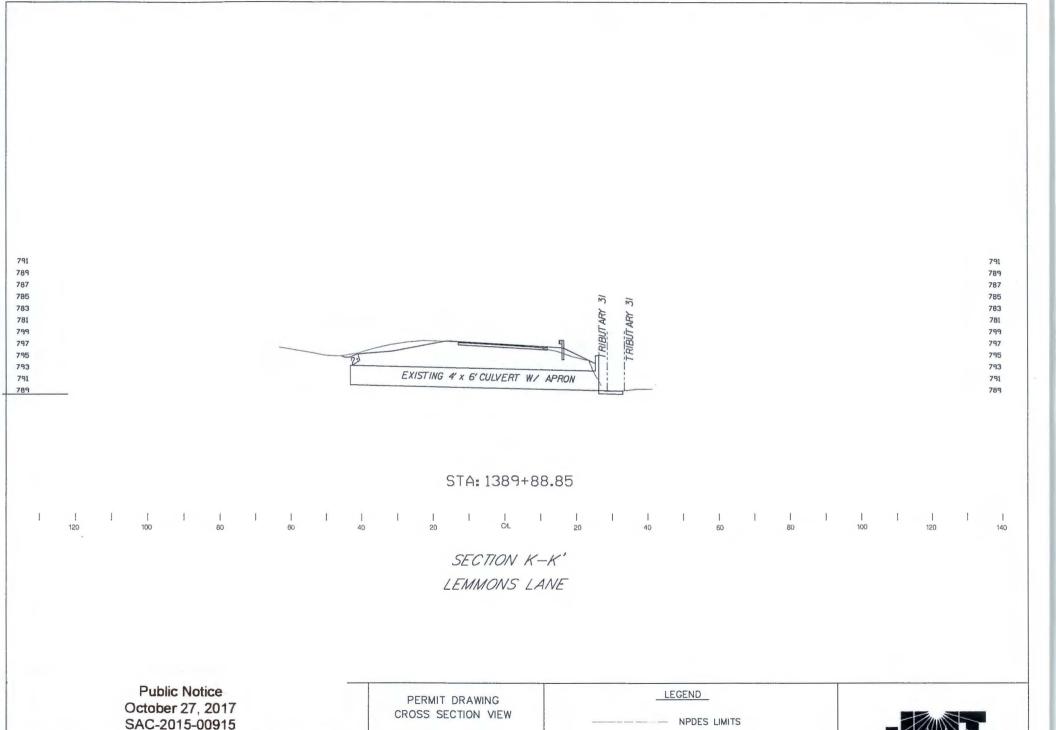
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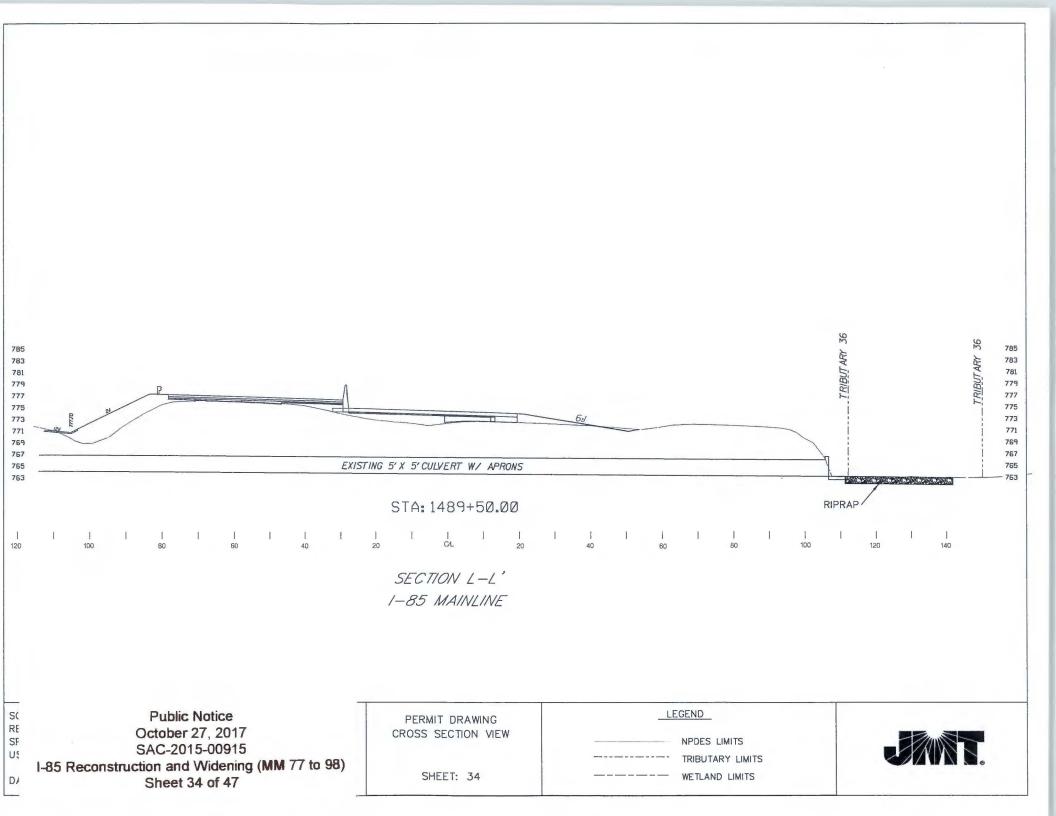
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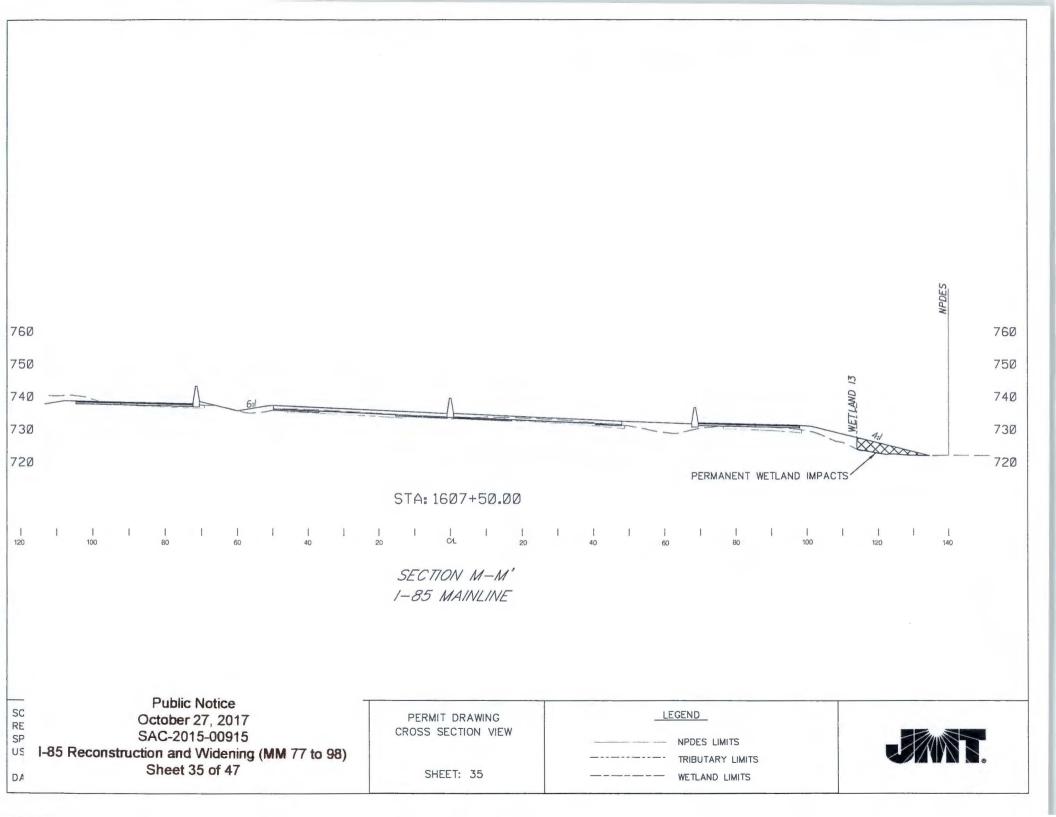
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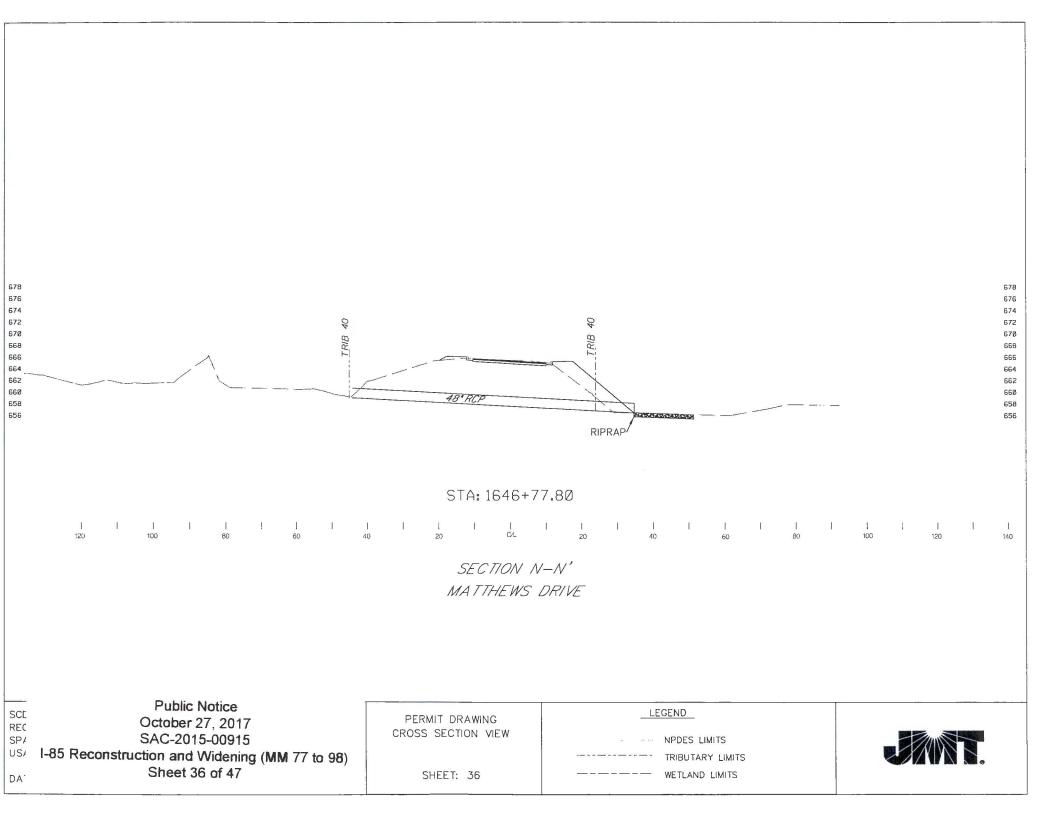
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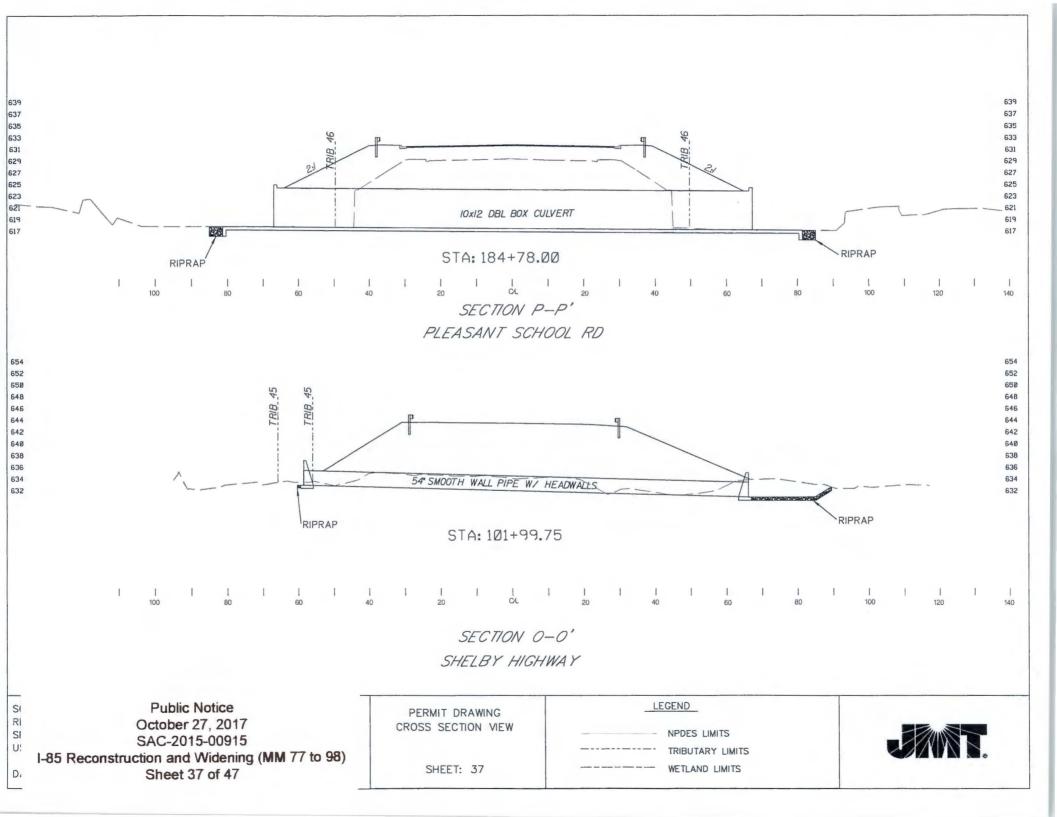
I-85 Reconstruction and Widening (MM 77 to 98)

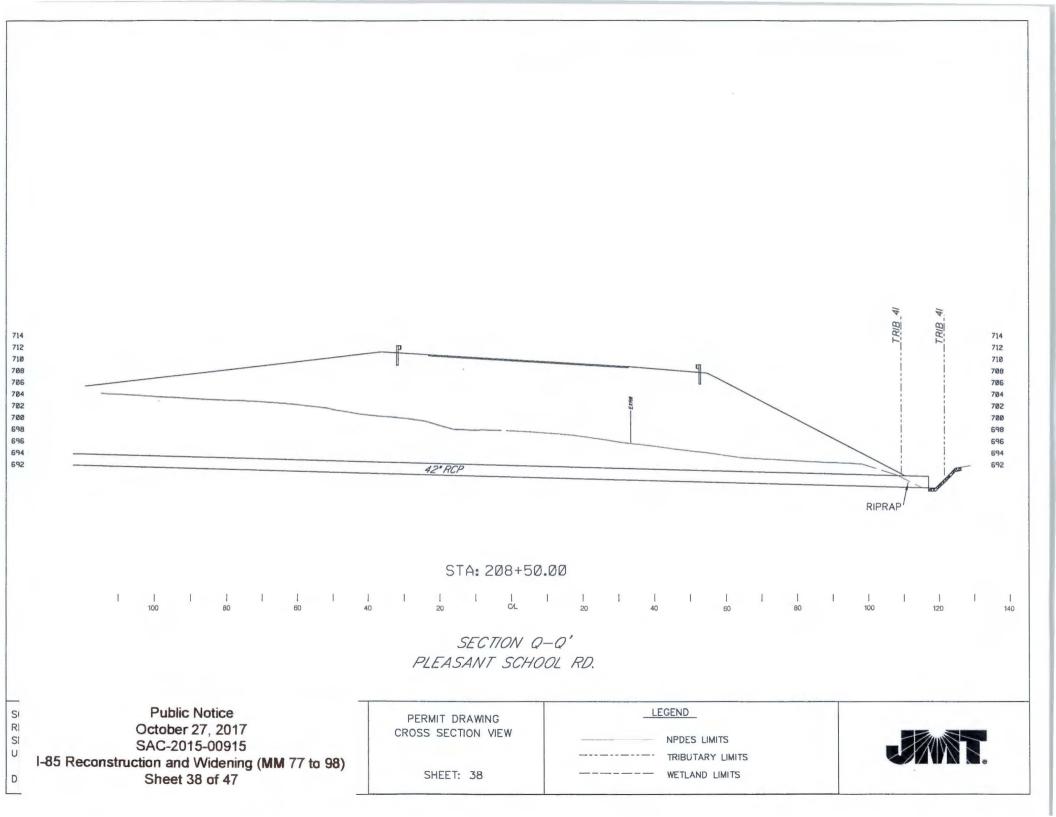
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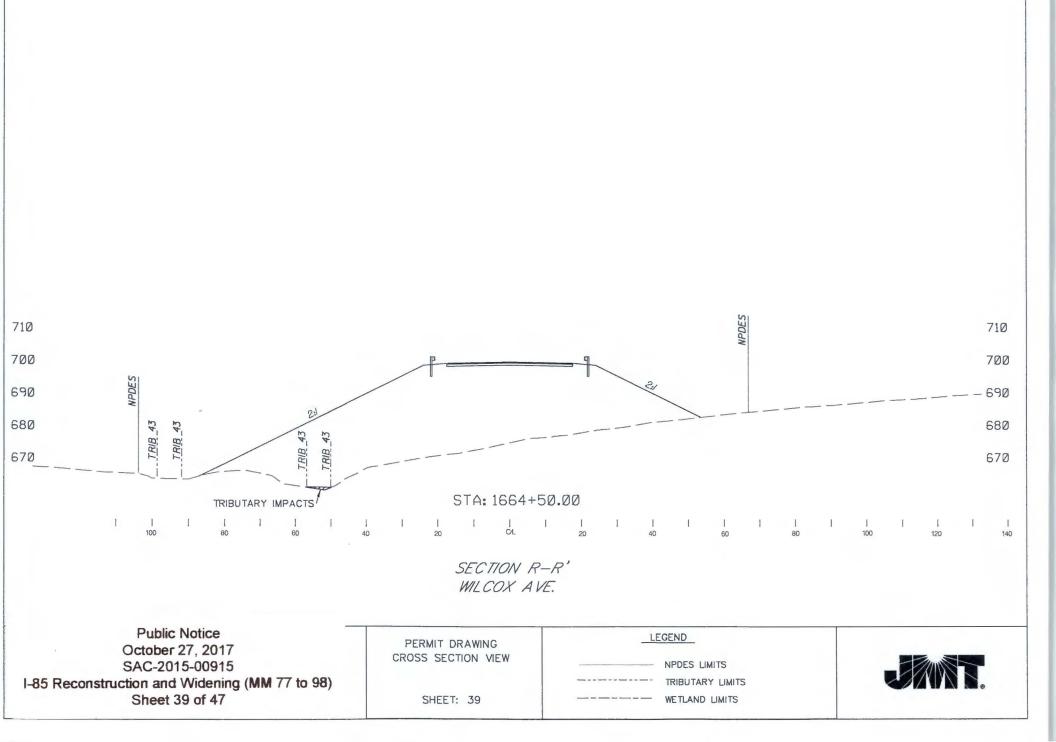


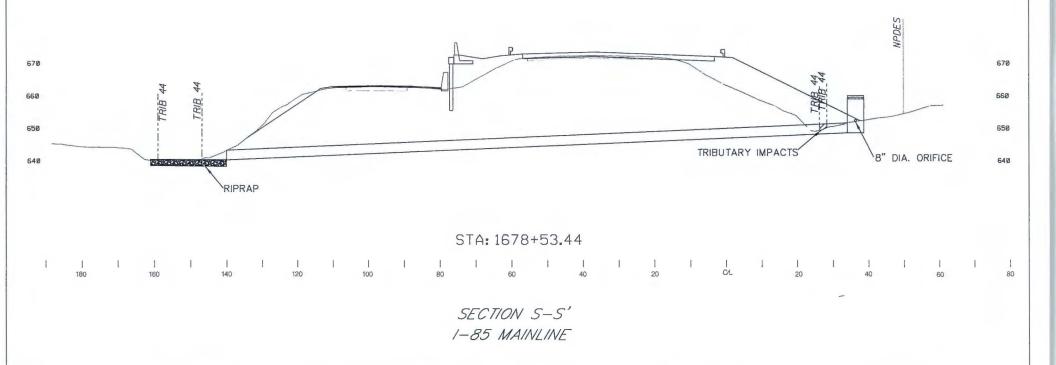












PERMIT DRAWING

CROSS SECTION VIEW

SHEET: 40

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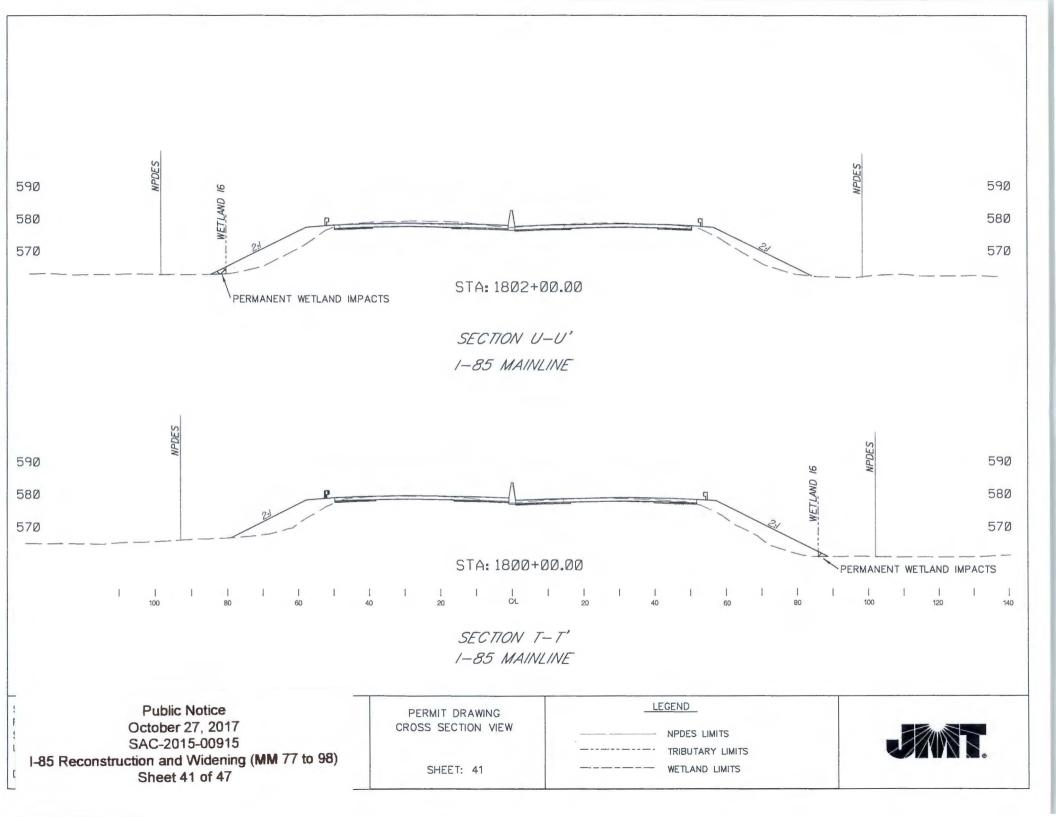
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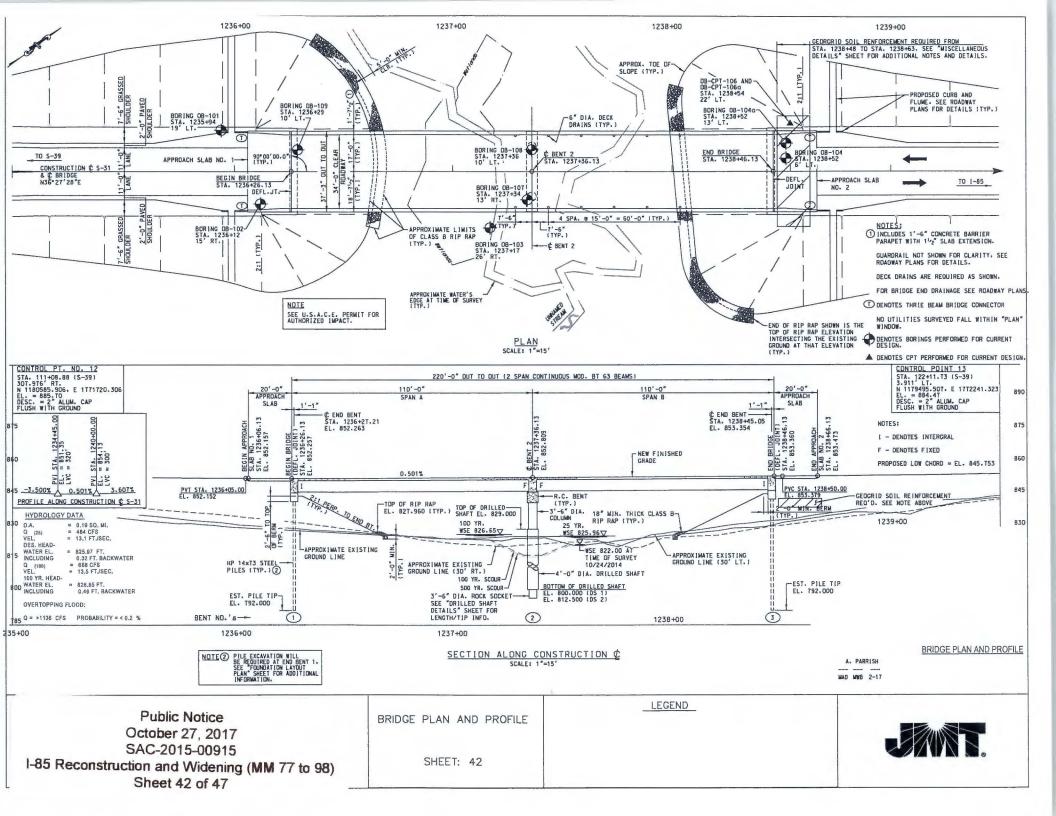
October 27, 2017

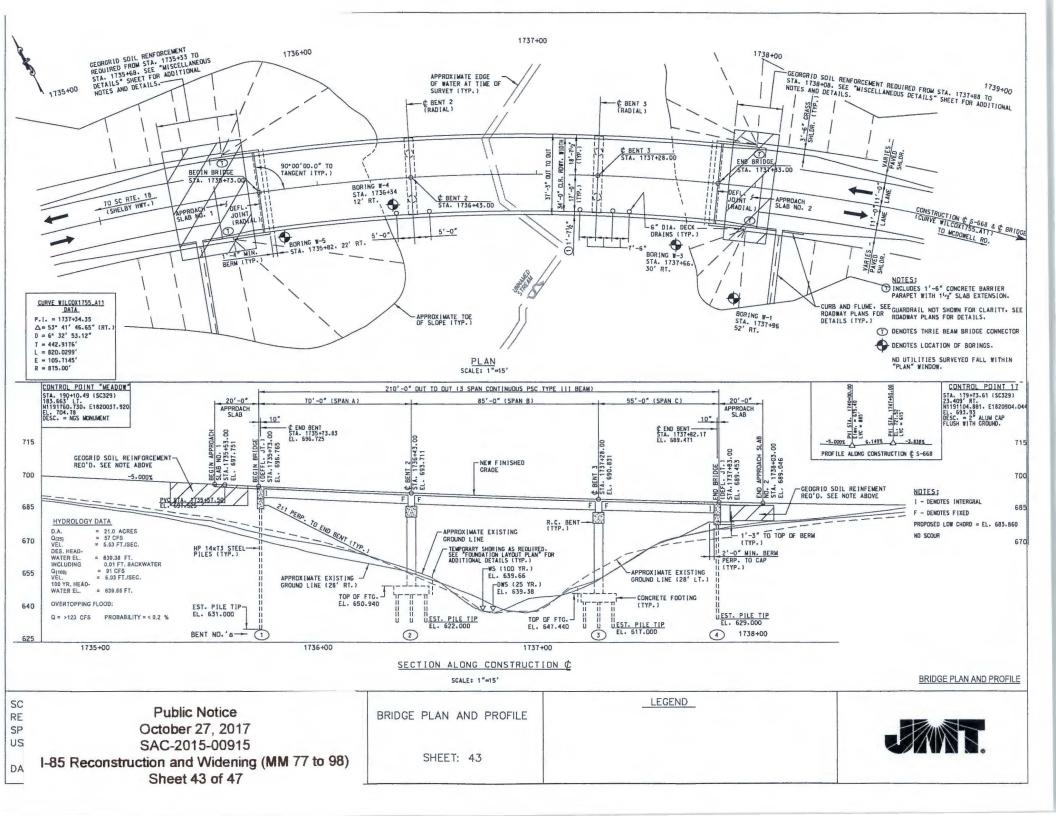
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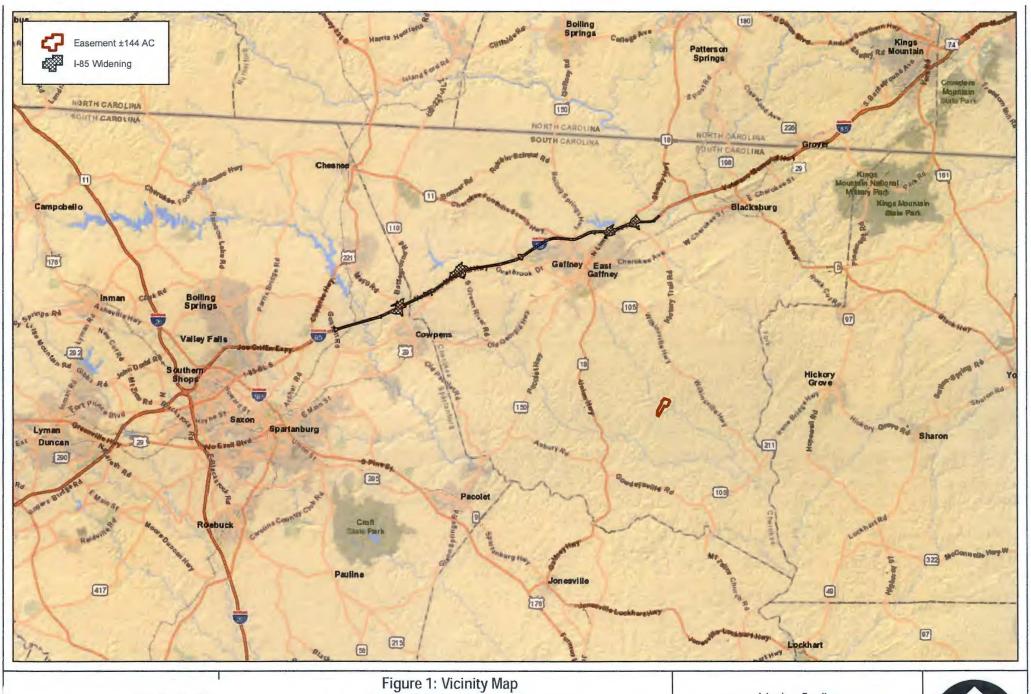
I-85 Reconstruction and Widening (MM 77 to 98)

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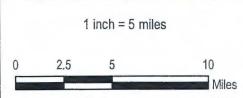




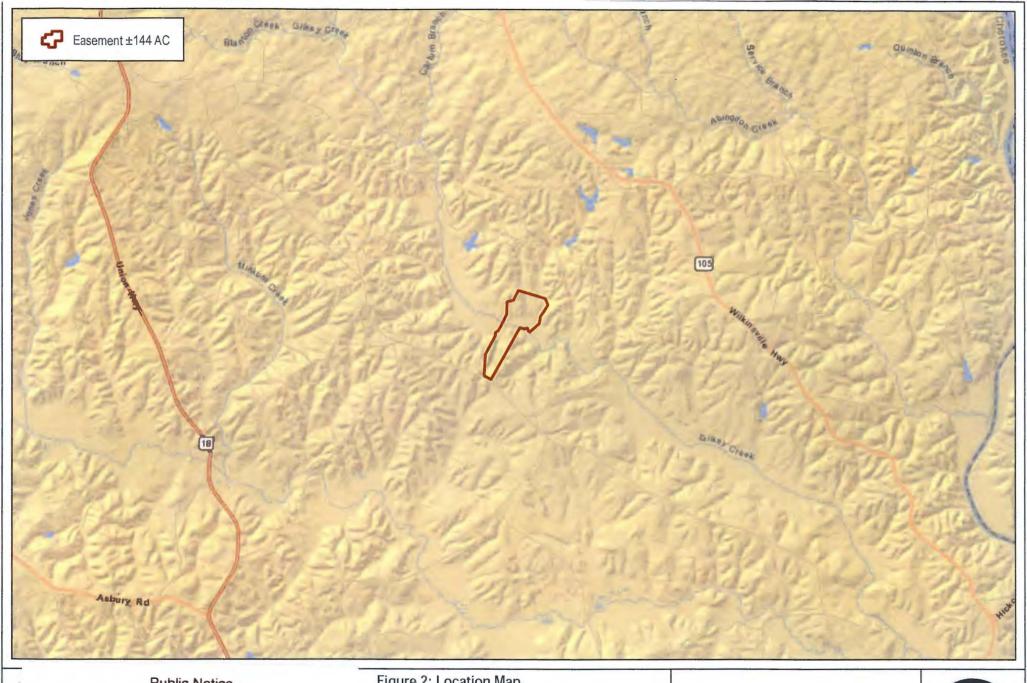
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Figure 1: Vicinity Map

I-85 Conceptual Mitigation Plan
Gilkey Creek Tract
Cherokee County, South Carolina
Irce: ESRI, USGS, SCDOT, Cherokee County
Date: August 2017

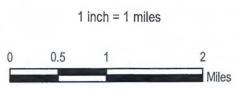




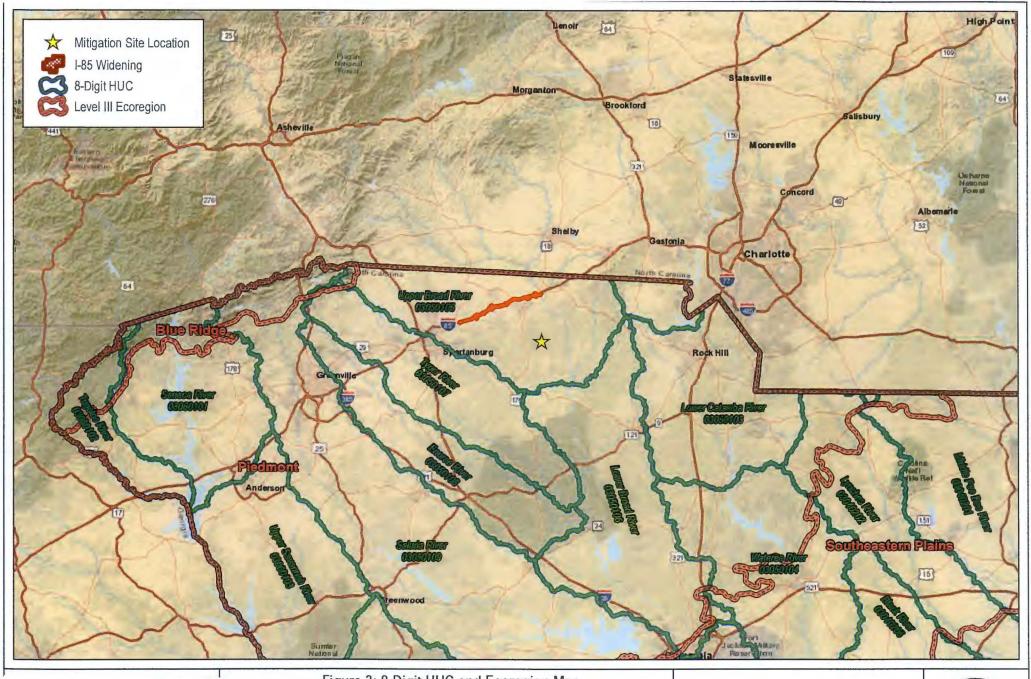


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Figure 2: Location Map
I-85 Conceptual Mitigation Plan
Gilkey Creek Tract
Cherokee County, South Carolina
Source: ESRI, Cherokee County
Date: August 2017



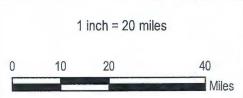




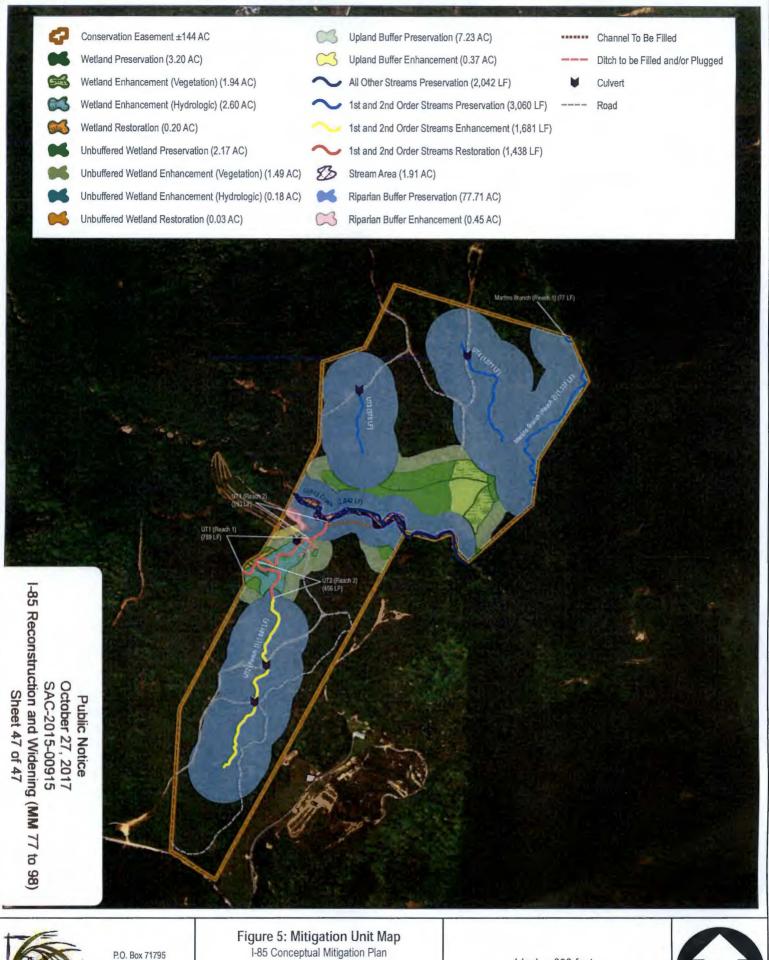
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Eigure 3: 8-Digit HUC and Ecoregion Map

I-85 Conceptual Mitigation Plan
Gilkey Creek Tract
Cherokee County, South Carolina
urce: ESRI, USGS, SCDOT, Cherokee County
Date: August 2017









P.O. Box 71795 North Charleston, SC 29415 Phone: 843-408-8733 www.palustrinegroup.com Gilkey Creek Tract
Cherokee County, South Carolina
Source: ESRI, Cherokee County
Date: August 2017

1 inch = 800 feet

400 800



1,600