

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
750 Executive Center Drive, Suite 103
Greenville, South Carolina 29615
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: SAC-2023-00948

October 13, 2023

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. Elliott Botzis
Vulcan Construction Materials, LLC
201 Brown Road
Piedmont, South Carolina 29673

Mr. Brandon Wall
Sligh Environmental Consultants, Inc
31 Park of Commerce Way, Suite 200B
Savannah, Georgia 31405
b_wall@slighec.com

for a permit to a place fill material for overburden and fines storage at an existing quarry in

wetlands and streams associated with the Saluda River

located at 201 Brown Road, between Interstate 185 and Brown Road, Greenville, Greenville County, South Carolina (Latitude: 34.7754 °, Longitude: -82.4399 °), Greenville Quad.

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.

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

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is to provide overburden and fines storage area to facilitate the continued operation of an existing granite mining operation.

Project Description

The proposed work consists of the placement of fill material in a stream, wetland, and pond to create an overburden and fines storage area. In detail, 993 linear feet or 0.16 acre of stream, 0.53 acre of wetlands and 0.4 acre of pond will be filled to create an overburden and fines storage area for an existing quarry. This new area will support the ongoing granite mining operation.

Avoidance and Minimization

The applicant has stated that the proposed project was designed to avoid and/or minimize impacts to the aquatic environment by evaluating three basic alternatives: selling the material, storing the material at an off-site location, or storing the material on-site. Regarding selling the material, the applicant stated the facility is not equipped to process the material and sell it. Additionally, the market is extremely limited and not all overburden material is suitable for construction or topsoil. Regarding storing the material at an offsite location, the applicant stated this is no feasible because they would have to purchase additional property and would make future reclamation difficult.

The applicant also evaluated undeveloped areas on-site and found four potential alternatives to the proposed project. The applicant stated their proposed project would result in the least environmentally damaging practicable alternative of the four on-site alternatives considered. To further minimize impacts, the applicant stated side slopes of 3:1 will be utilized to minimize the footprint of the expansion areas while still providing stable slopes. A settling pond has been incorporated into the site plan to treat stormwater produced by the site and to protect downstream water quality. Furthermore, all discharge material will be natural material taken from the project site and re-deposited on the project site and will be free of pollutants. It is anticipated that these measures will minimize the effect of the project on avoided wetlands.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 4,816 stream credits and 7.94 wetland credits from an approved mitigation bank that covers the project area. If available, the applicant has proposed to buy the stream credits from Saluda Mitigation Bank and the wetland credits from Arrowhead Farms Mitigation Bank.

South Carolina Department of Health and Environmental Control

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

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.

Essential Fish Habitat

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 well upstream of 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur: Bunched Arrowhead (*Sagittaria fasciculata*), Dwarf-flowered Heartleaf (*Hexastylis naniflora*), Bog Turtle (*Glyptemys muhlenbergii*), Mountain Sweet Pitcher-plant (*Sarracenia rubra* ssp. *Jonesii*), Rock Gnome Lichen (*Gymnoderma lineare*), Small Whorled Pogonia (*Isotria medeoloides*), Swamp Pink (*Helonias bullata*), White Fringeless Orchid (*Platanthera integrilabia*).

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on Bunched Arrowhead (*Sagittaria fasciculata*), Dwarf-flowered Heartleaf (*Hexastylis naniflora*), Bog Turtle (*Glyptemys muhlenbergii*), Mountain Sweet Pitcher-plant (*Sarracenia rubra* ssp. *Jonesii*), Rock Gnome Lichen (*Gymnoderma lineare*), Small Whorled Pogonia (*Isotria medeoloides*), Swamp Pink (*Helonias bullata*), White Fringeless Orchid (*Platanthera integrilabia*) 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 (USFWS project code: 2024-0003828) 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.

Cultural Resources

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)(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).

Corps' Evaluation

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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.

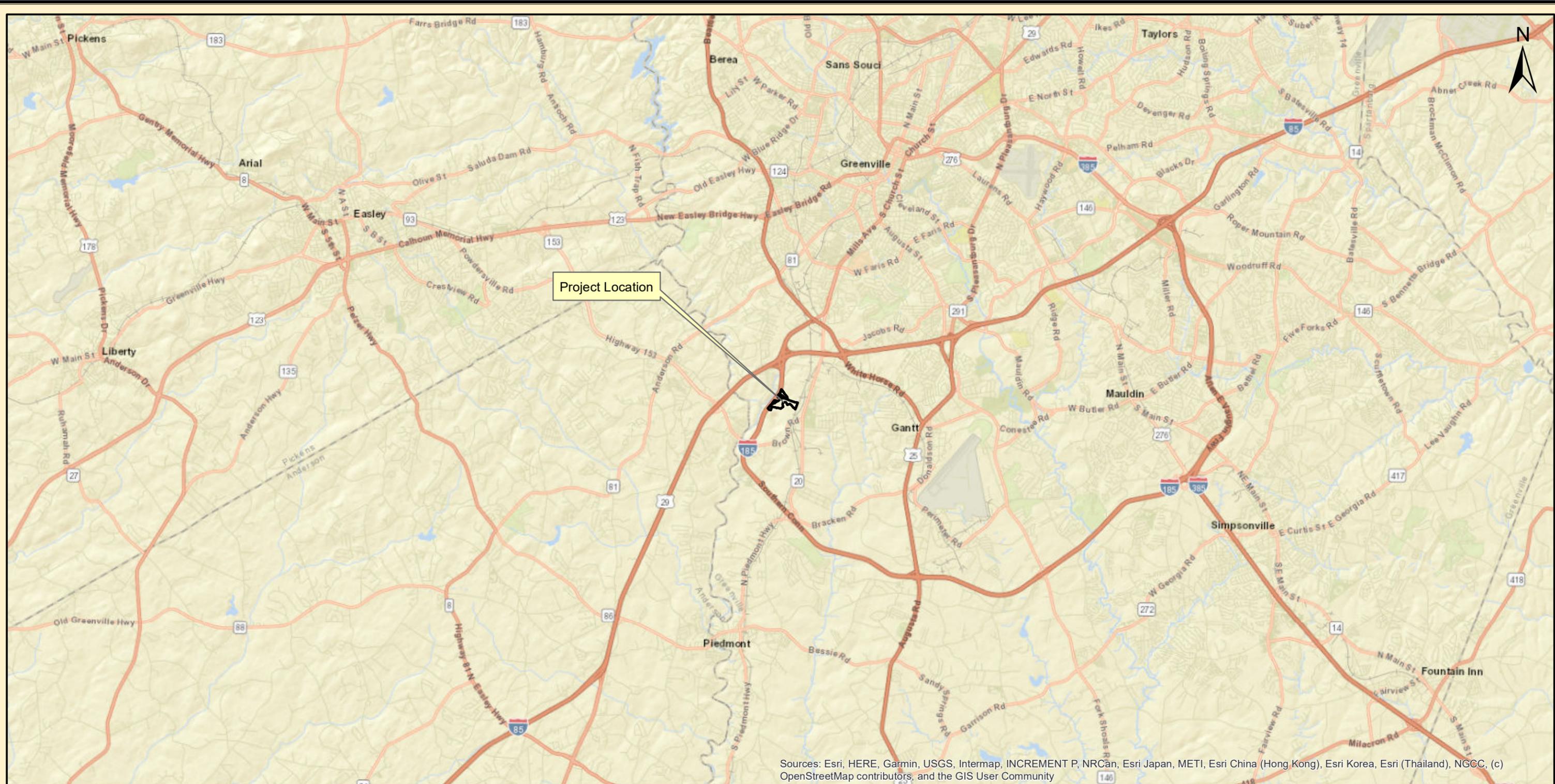
Solicitation of Public Comment

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. 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.

Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2023-00948), to Kristin.B.Andrade@usace.army.mil or the following address:

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
750 Executive Center Drive, Suite 103
Greenville, South Carolina 29615**

If there are any questions concerning this public notice, please contact Kristin B. Andrade, Team Leader, at (864) 992-0713, or by email at Kristin.B.Andrade@usace.army.mil.



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community

 Project Limits (+/- 54.2 acres)

Prepared By:
sligh environmental consultants, inc.
 31 Park of Commerce Way, Suite 200B
 Savannah, Georgia 31405
 phone (912) 232-0451
 fax (912) 232-0453

Location Map
 Lakeside Quarry
 Greenville County, South Carolina

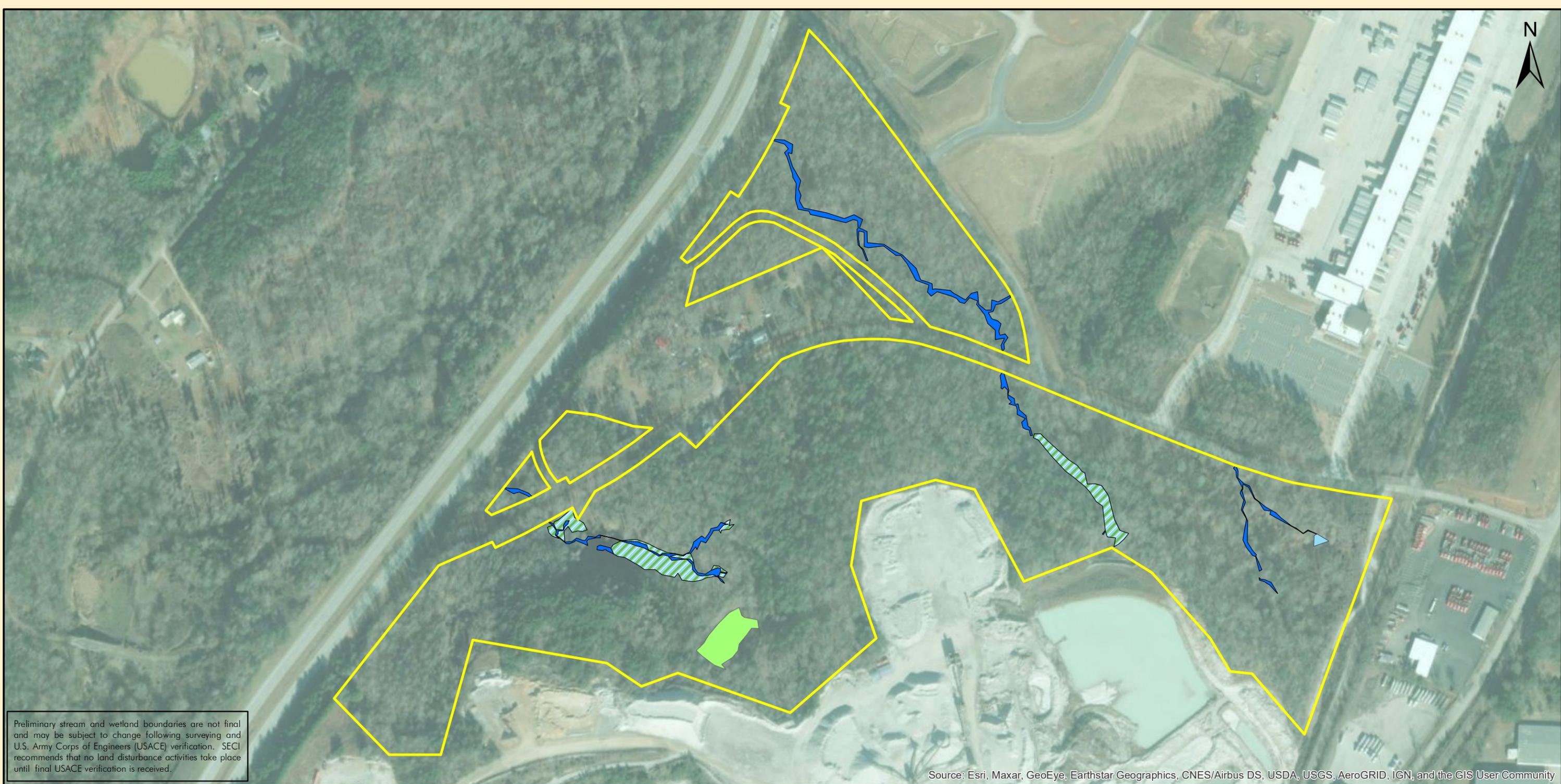
0 1 2
 Miles

Exhibit Date: June 31, 2023

Drawn By: TCT

Reviewed By: BWW

Job Number : 01-16-047.2



Preliminary stream and wetland boundaries are not final and may be subject to change following surveying and U.S. Army Corps of Engineers (USACE) verification. SECI recommends that no land disturbance activities take place until final USACE verification is received.

Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



Prepared By:
sligh environmental consultants, inc.
 31 Park of Commerce Way, Suite 200B
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 phone (912) 232-0451
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Wetland & Stream Delineation Sketch
 Lakeside Quarry
 Greenville County, South Carolina

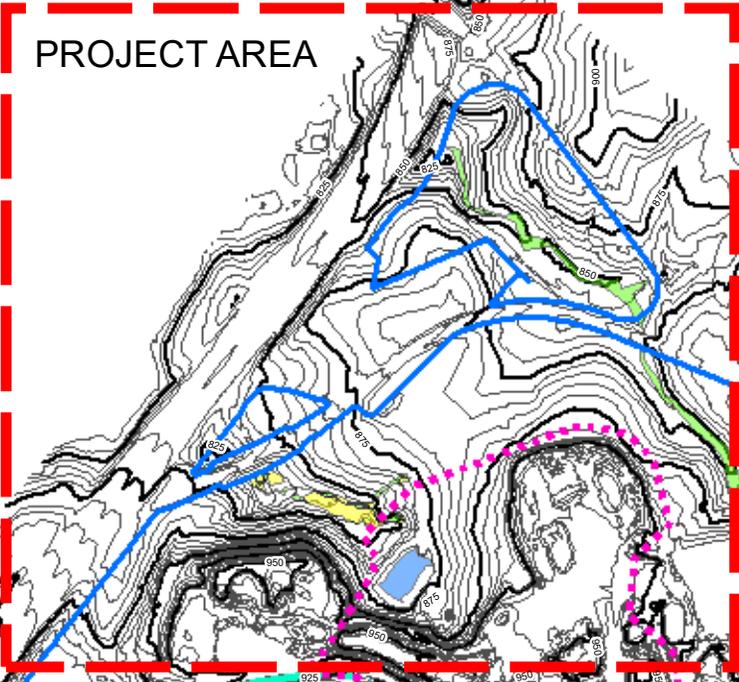
0 150 300
 Feet
 Scale: 1 inch = 300 Feet

Exhibit Date: June 6, 2022

Drawn By: TCT

Reviewed By: BWW

Job Number : 01-16-047.2



PROJECT AREA

PLANT AND STOCKPILES

OFFICE

PIT

OVERBURDEN STORAGE

Legend

- POND TO BE FILLED
- PROPERTY BOUNDARY
- STREAMS
- WETLANDS
- 9-8-20 MINOR CONTOURS
- 9-8-20 MAJOR CONTOURS

GRAPHIC SCALE: 1" = 700'

W 700 350 0 700 E Feet

PLOTTED: LAST UPDATE:



PROJECT LOCATION MAP

DIVISION	EAST	
DRAWN BY	DATE	CHECK BY
JAW	10/4/2023	
AERIAL DATE:	1/20/23	SCALE
		1" = 700'
TOPO DATE:	1/20/23	PATH:

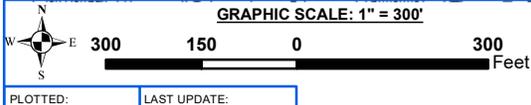
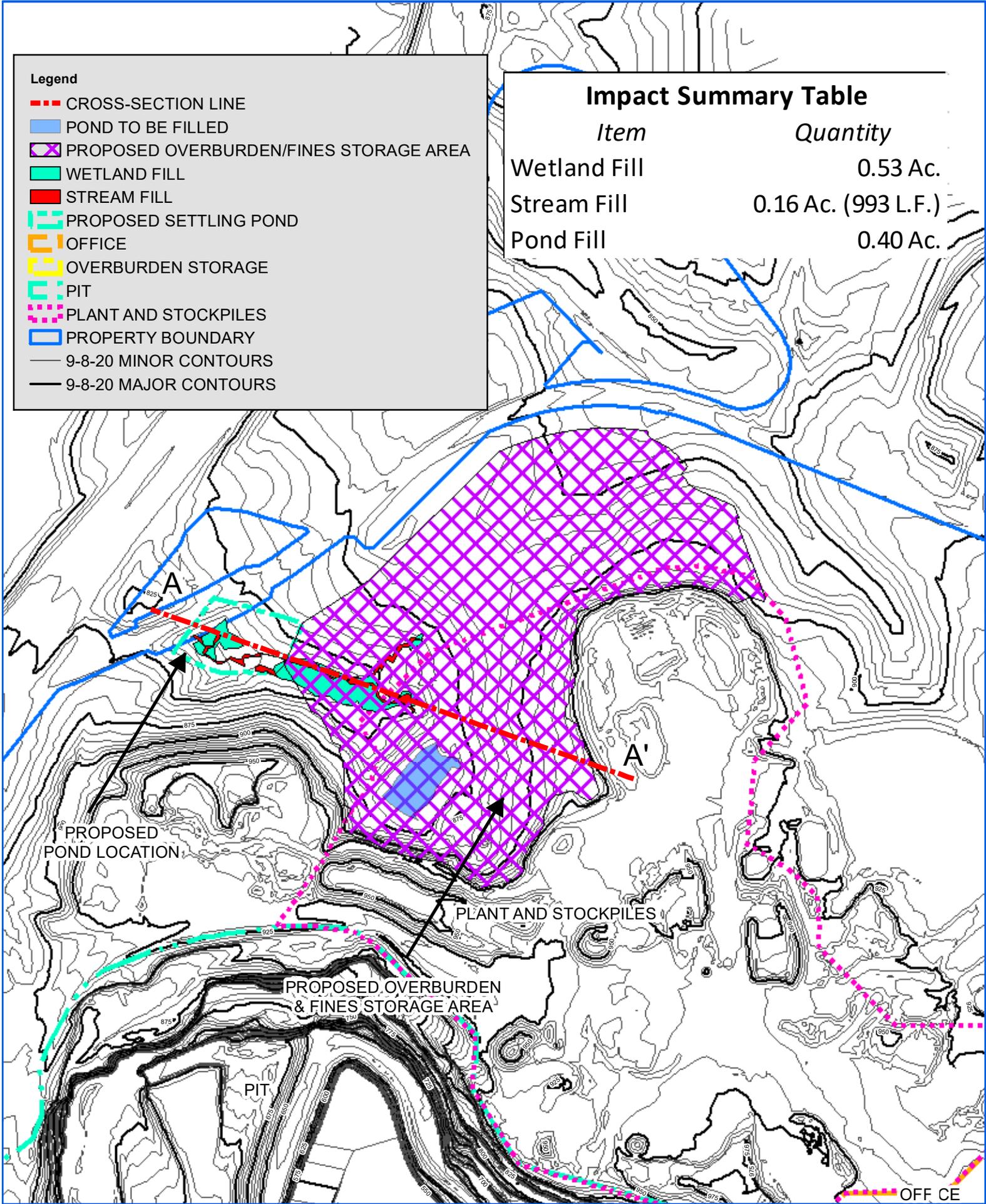
PLANT	LAKESIDE
DWG. NO.	WET-1

Legend

- - - CROSS-SECTION LINE
- POND TO BE FILLED
- PROPOSED OVERBURDEN/FINES STORAGE AREA
- WETLAND FILL
- STREAM FILL
- PROPOSED SETTLING POND
- OFFICE
- OVERBURDEN STORAGE
- PIT
- PLANT AND STOCKPILES
- PROPERTY BOUNDARY
- 9-8-20 MINOR CONTOURS
- 9-8-20 MAJOR CONTOURS

Impact Summary Table

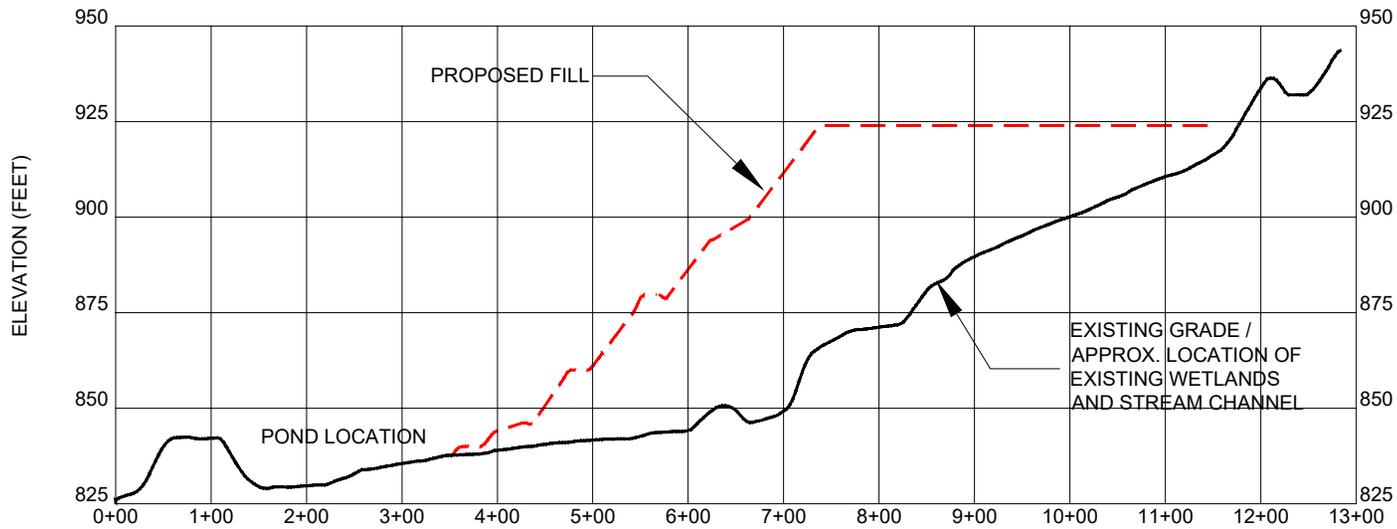
<i>Item</i>	<i>Quantity</i>
Wetland Fill	0.53 Ac.
Stream Fill	0.16 Ac. (993 L.F.)
Pond Fill	0.40 Ac.



DETAILED MAP

DIVISION	EAST	
DRAWN BY	DATE	CHK BY
JAW	10/4/2023	
AERIAL DATE	SCALE	
1/20/23	1" = 300'	
TOPG DATE	PATH	
1/20/23		

PLANT	LAKESIDE
DWG. NO.	WET-2



CROSS-SECTION A-A'
 HORIZONTAL SCALE: 1" = 200'
 VERTICAL SCALE: 1" = 50'

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LAKESIDE FILL CROSS-SECTION

DIVISION:
EAST

SITE NAME:
LAKESIDE

DRAWN BY: JAW DATE: 6/12/23

TOPO DATE: 2023 AERIAL DATE:

SCALE: N/A

DWG NO:
CS-1