

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69 A Hagood Avenue
Charleston, South Carolina 29403

and

THE S.C. DEPARTMENT OF ENVIRONMENTAL SERVICES
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: SAC-2023-00440

September 12, 2024

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 South Carolina Department of Environmental Services by

Mr. Alan Fromer
Crown Enterprises, LLC
12225 Stephens Road
Warren, Michigan 48089

C/O Ms. Laura Belanger
Blueline Environmental Consultants, LLC
710 Lowndes Hill Road
Greenville, South Carolina 29607

for a permit to expand a trucking facility in an unnamed tributary of the South Tyger River and adjacent wetlands, located at 1030 Rogers Bridge Road, Duncan, Spartanburg County, South Carolina (Latitude: 34.8918 °, Longitude: -82.1464°).

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 **SCDES** 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 expand an existing trucking and transport operation. The purpose of the proposed impacts is to construct the necessary truck parking for the expansion.

Project Description

The proposed work consists of placing fill material in 1.01 acres of freshwater wetlands and piping 545 linear feet of tributary in order to provide the necessary parking for the truck facility expansion.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment by expanding an existing facility versus constructing a completely new facility. The applicant is able to make use of the existing footprint, and extend impervious surface by approximately 50% of what would be required for new construction. In order to make it possible for the site to meet the necessary truck spaces required, the applicant is utilizing an underground stormwater system, as all acreage is needed for the expansion. Any minimization of onsite impact would result in the site not providing the necessary spaces needed for the expansion.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 11.62 wetland credits and 2,479.75 stream credits from a Corps approved mitigation bank. Wetland credits are proposed to be purchased from Two River Mitigation Bank, which is in the primary service area. Any balance of credits still required would be obtained through an out-of-service area purchase from Congaree Creek or Mill Creek Mitigation Banks. Stream credits will be purchased from Two Rivers Mitigation Bank and Grove Creek Ph3 Mitigation Bank.

South Carolina Department of Environmental Services

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 Environmental Services, 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 South Carolina Department of Environmental Services. 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 1.20 acres of freshwater stream bottom and 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the proposed project and based on location and available information, including IPaC Project Code 2024-0112085 information, the following species

have the potential to occur in the vicinity of the proposed work:

Dwarf-flowered Heartleaf (*Hexastylis naniflora*)

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

The project will have no effect on Dwarf-flowered Heartleaf (*Hexastylis naniflora*) 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: 2024-0112085) 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).

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.

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.

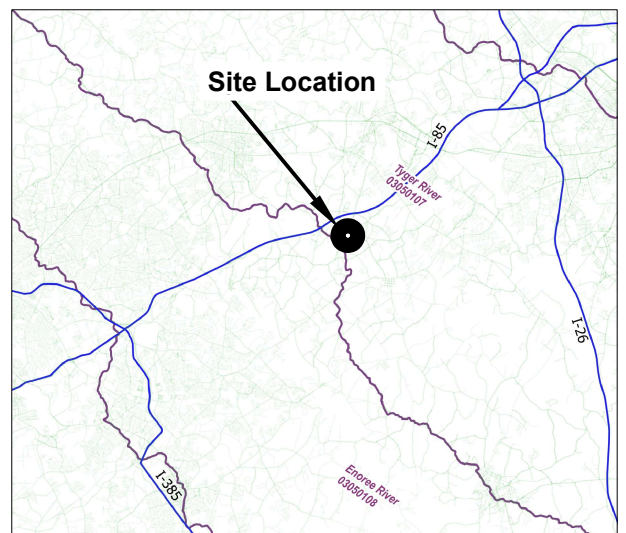
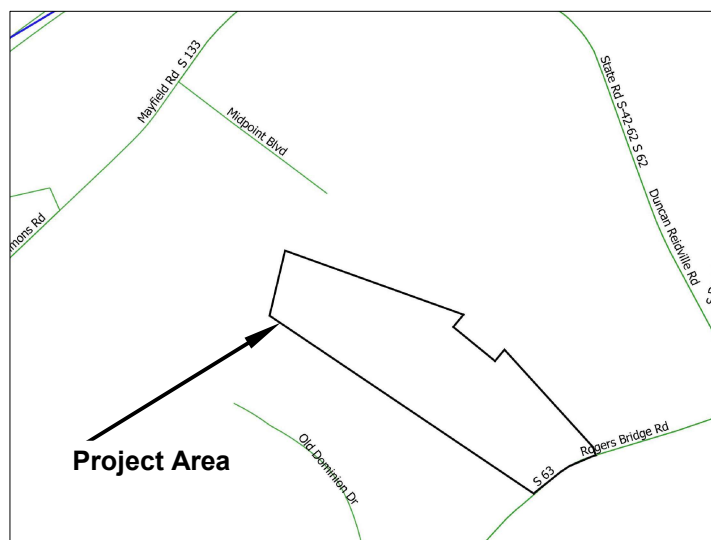
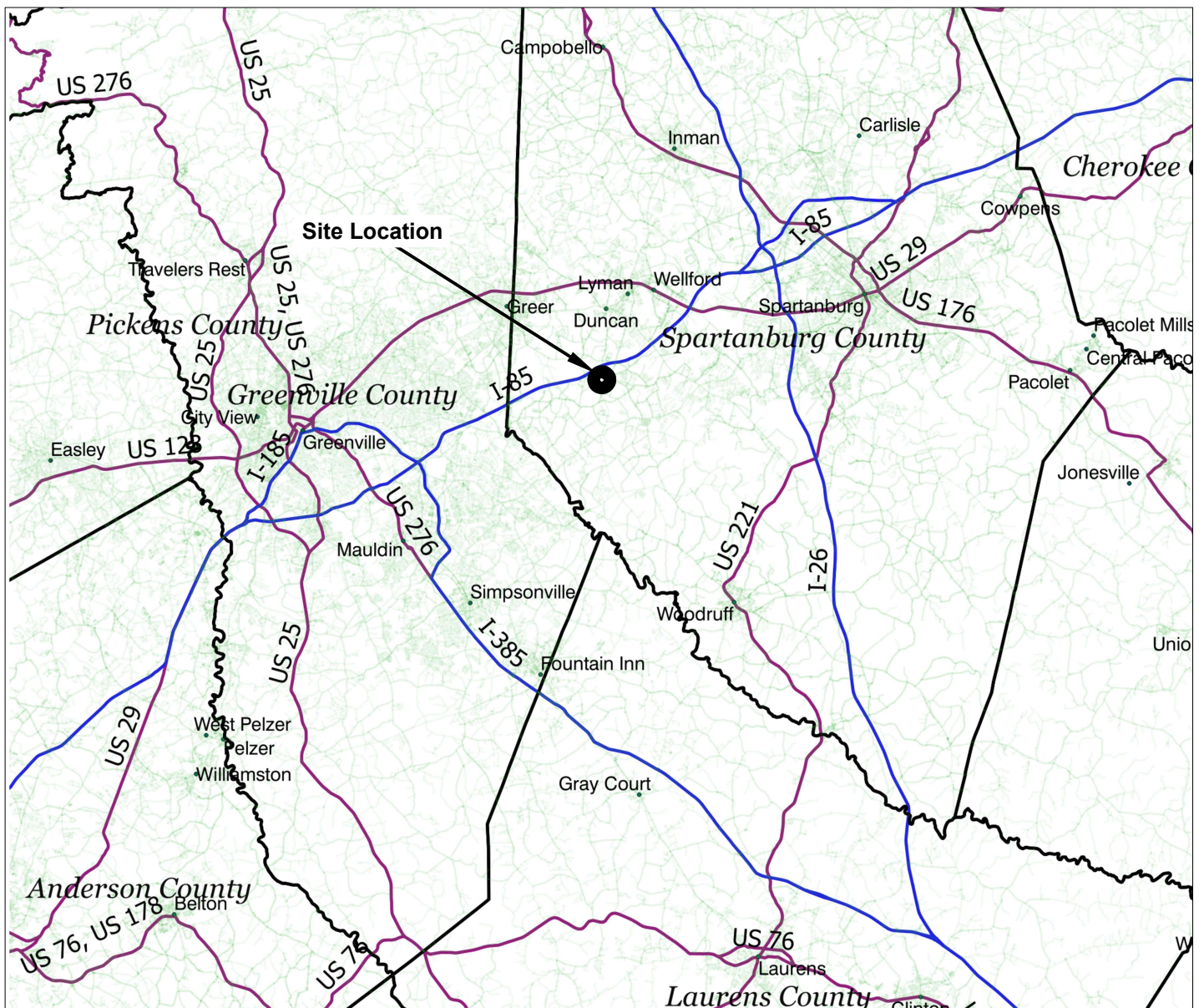
Solicitation of Public Comment

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-2023-00440), to Jessica.H.Baldwin@usace.army.mil or the following address:

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

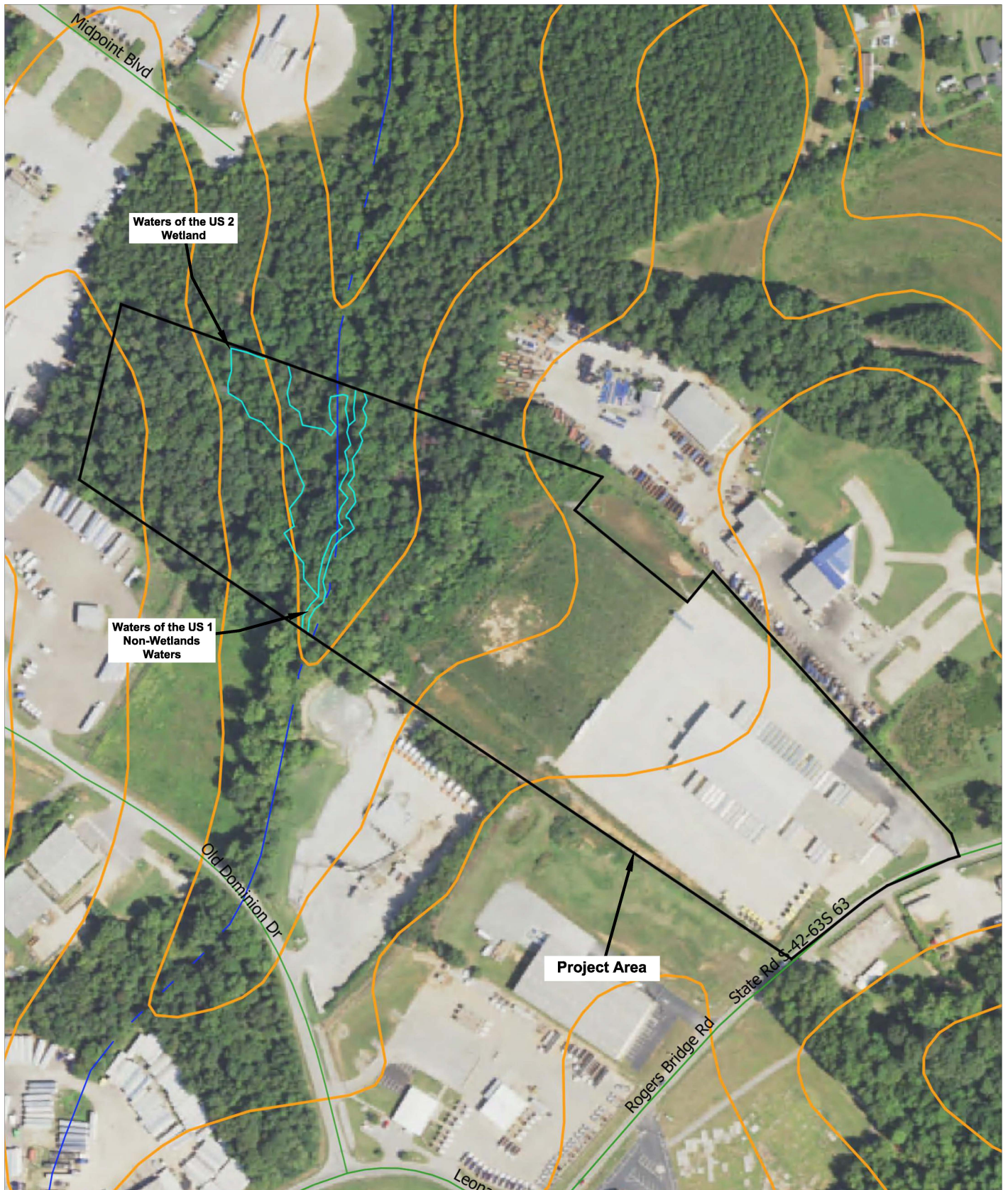
If there are any questions concerning this public notice, please contact Jessica Baldwin, Project Manager, at 864-824-1172, or by email at Jessica.H.Baldwin@usace.army.mil.



Source: SC DNR GIS and Tiger Streets 2016
Survey Data Provided by: Arbor Land Design, LLC

GRAPHIC SCALE

1 inch = NTS feet



Source: USGS 7.5' Topographic Series for: SC Spartanburg 20140309
 Survey Data Provided by: Arbor Land Design, LLC



GRAPHIC SCALE

1 inch = 600 feet

710 Lowndes Hill Rd.
 Greenville, SC 29607
 Rachelle Torres, PM
 rachelle.torres@bluelineenviro.com
 Laura Belanger, President
 laura.belanger@bluelineenviro.com

DRAWN BY:	RNT
DATE:	20230323
Blueline PROJECT NO.:	2143

USGS Topo
 Rogers Bridge Road
 Arbor Land Design, LLC
 Spartanburg County, South Carolina

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Rogers Bridge Road
PN September 12, 2024
Sheet 2 of 5

IMPACT AREA #W1
WETLAND
FILL
1.01 AC.

IMPACT AREA #S1
STREAM
PIPE
545 L.F., 0.19 AC.

PROPOSED EXPANSION

EXISTING FACILITY



GRAPHIC SCALE

1 inch = 250 feet

710 Lowndes Hill Road
Greenville, SC 29607
(828) 553-9548

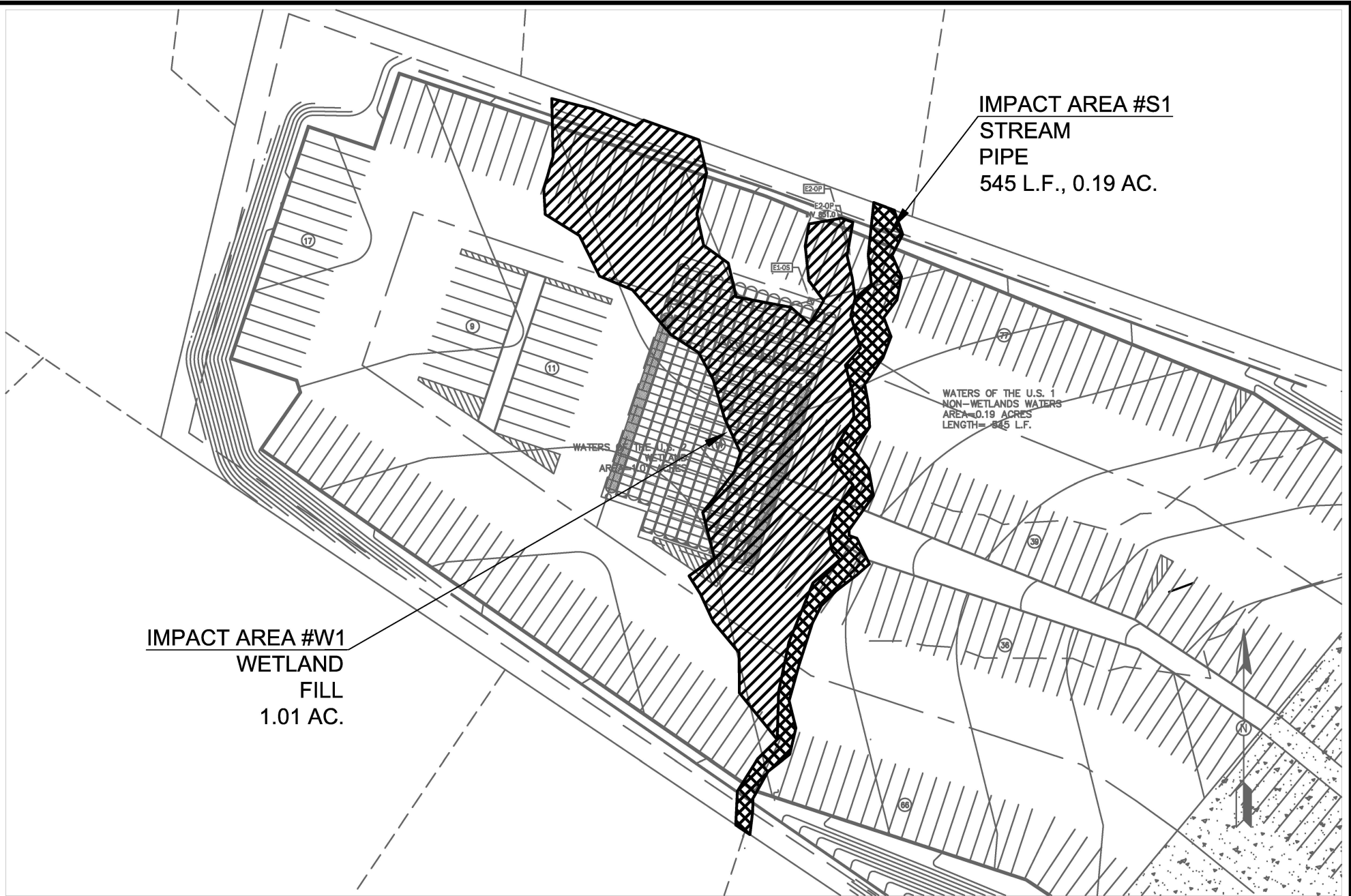
DRAWN BY: LHB
DATE: 8may2024
PROJECT NO.: 2143

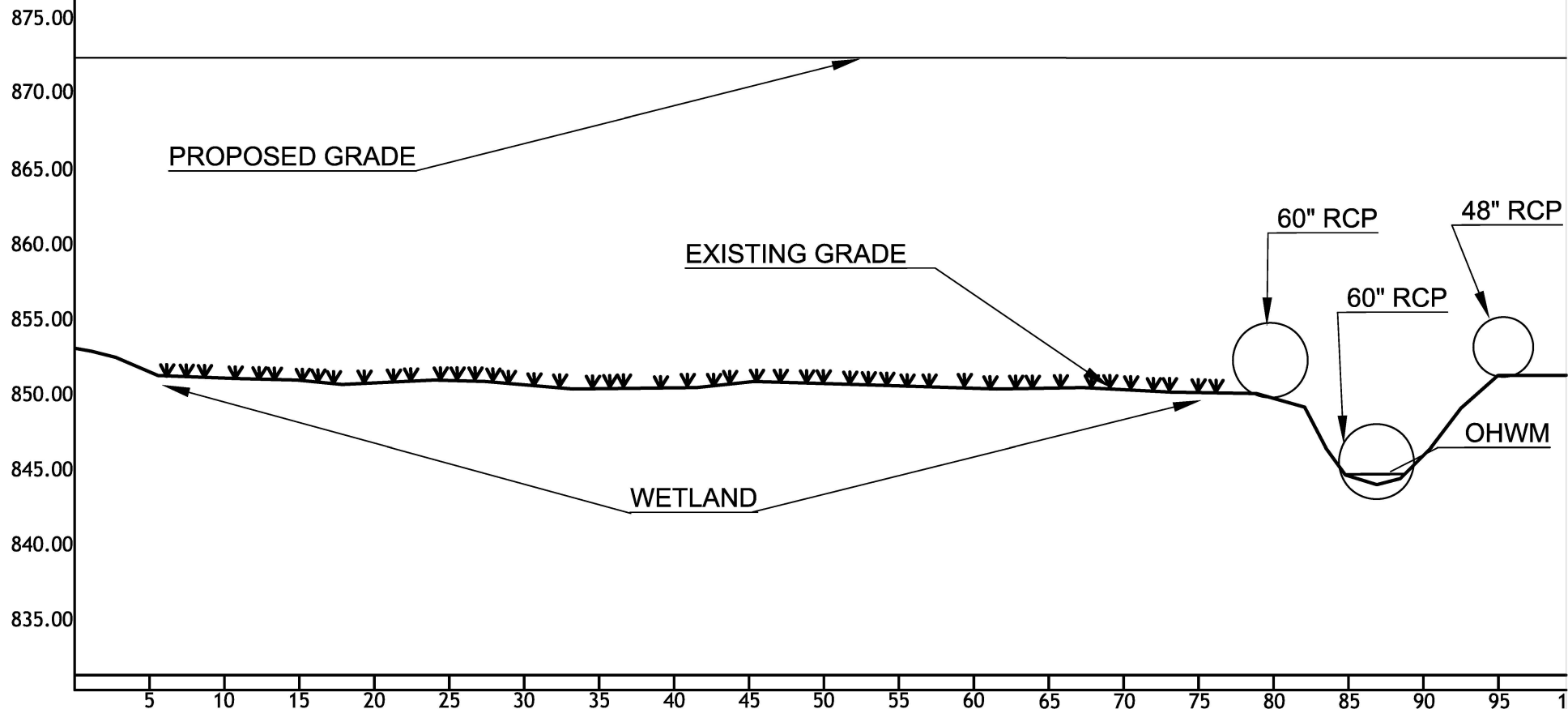
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OVERVIEW

ROGERS BRIDGE ROAD
CENTRAL TRANSPORT
SPARTANBURG COUNTY

SAC-2023-00440
Rogers Bridge Road
PN September 12, 2024
Sheet 3 of 5





GRAPHIC SCALE

1 inch = nts feet

710 Lowndes Hill Road
 Greenville, SC 29607
 (828) 553-9546

DRAWN BY: LHB
 DATE: 8aug2024
 PROJECT NO.: 2143

SAC 2023-00440

S1 W1 CROSS SECTION

ROGERS BRIDGE ROAD
 CENTRAL TRANSPORT
 SPARTANBURG COUNTY

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 Rogers Bridge Road
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