

**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**  
**Office of Environmental Quality Control**  
**Water Quality Certification and Wetlands Programs Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION

Refer to: P/N # 2006-464-6 I

March 9, 2007

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 Health and Environmental Control by

**Reggie Porter**  
**Reggie Porter Construction**  
**315 West Main Street**  
**Lexington, South Carolina 29072**

for a permit to place fill material in an unnamed tributary to

**Fourteen Mile Creek**

located near the intersection of U.S. Highway 378 and Westside Drive, in the Town of Lexington, Lexington County, South Carolina (Latitude 33.984186° N, Longitude -81.267040°W).

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 both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, APRIL 9, 2007**

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

The proposed work consists of placing fill material in waters of the United States to facilitate construction associated with the development of a commercial tract. In detail, the applicant proposes to infill 0.98 acres of on site jurisdictional wetlands to facilitate the construction of attendant facilities associated with the commercial development of the tract. As mitigation for the adverse impacts to aquatic resources, the applicant proposes to preserve and buffer 6.17 acres of nearby wetlands and to purchase 1.4 mitigation credits from the Sandhills Mitigation Bank. The primary purpose of the proposed work is to facilitate the commercial development of the tract.

**NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt**

March 9, 2007

**of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

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. The District Engineer will not process this application to a conclusion until such certification is received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review. Persons wishing to comment or object to Water Quality Certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 0.98 acres of freshwater wetlands, well upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has made no determination of effect on any Federally endangered, threatened, or proposed species. 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 Federally listed or proposed to be listed endangered or threatened species and/or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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 the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

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

REGULATORY DIVISION

Refer to: P/N # 2006-464-6 I

March 9, 2007

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 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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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 Colt Bowles at 803-253-3400.

Lex. Co. Road Map

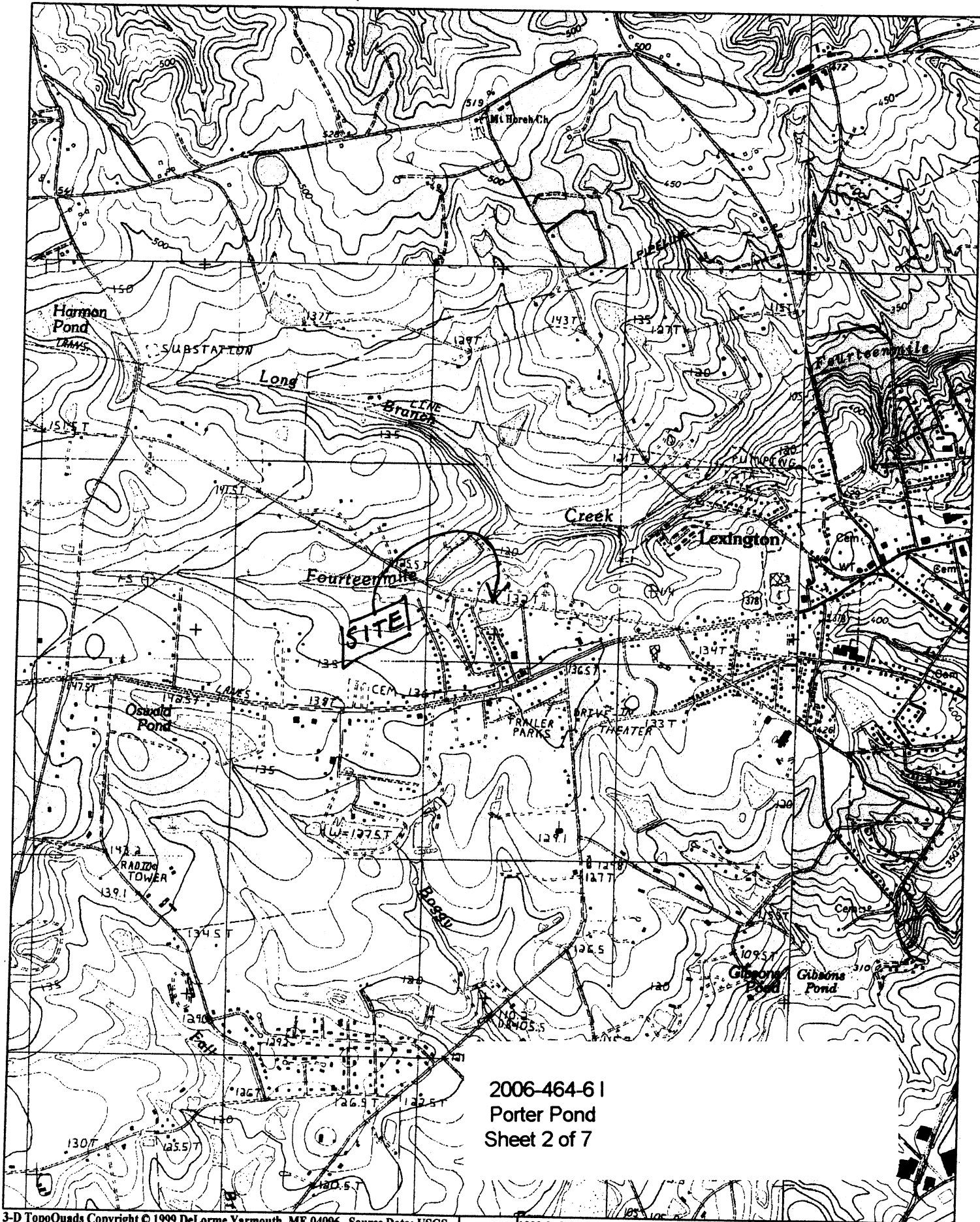
Hwy. 378 Commercial  
Site.

2006-464-6T



2006-464-61  
Porter Pond  
Sheet 1 of 7

ny. 378 Commercial te



2006-464-6 I  
 Porter Pond  
 Sheet 2 of 7

2006-464-6 I

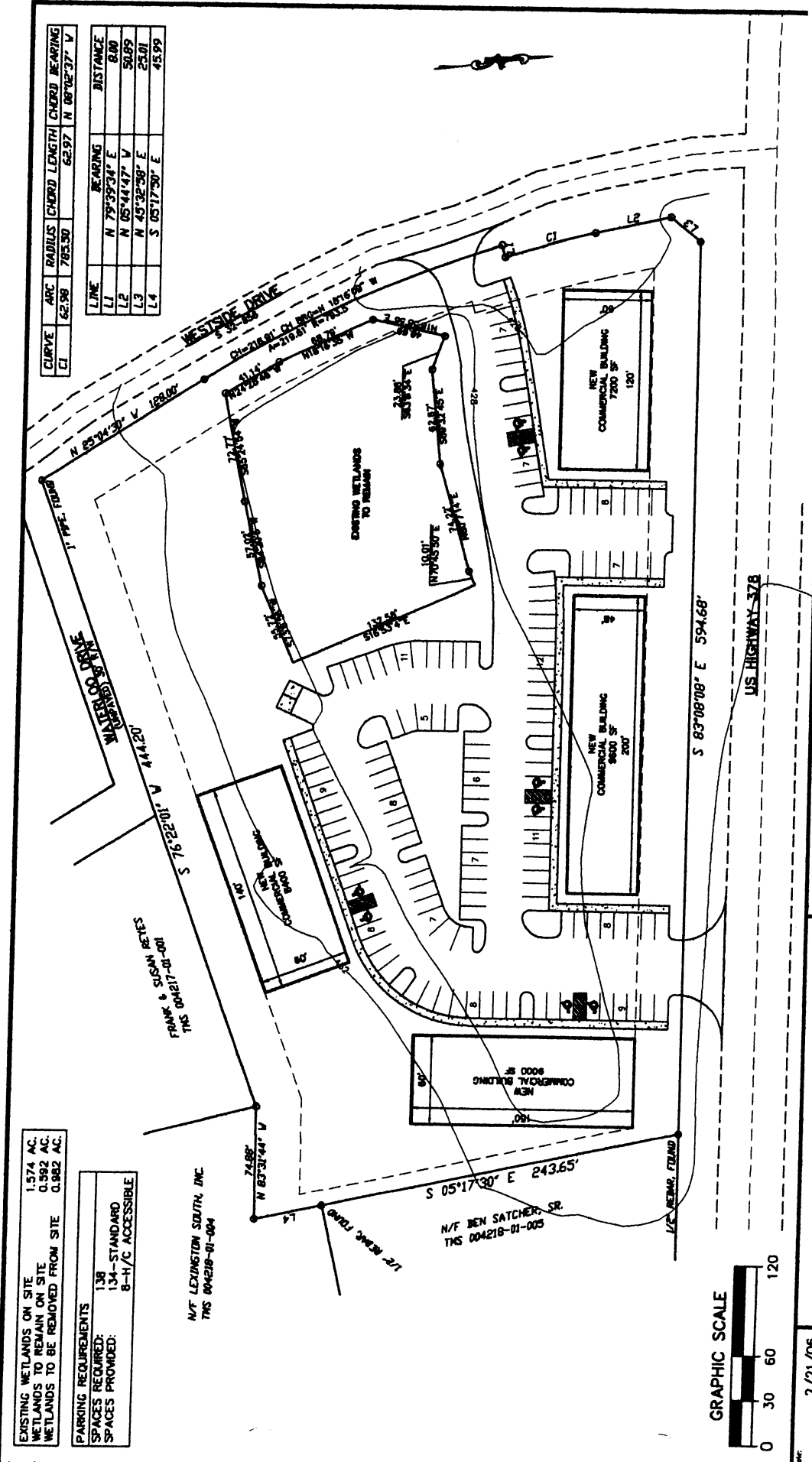
quad. - Barr Lake

EXISTING WETLANDS ON SITE  
 1.574 AC.  
 WETLANDS TO REMAIN ON SITE  
 0.592 AC.  
 WETLANDS TO BE REMOVED FROM SITE  
 0.982 AC.

PARKING REQUIREMENTS  
 138  
 SPACES REQUIRED:  
 134 STANDARD  
 SPACES PROVIDED:  
 8-1/2 ACCESSIBLE

CURVE	ARC	RADIUS	CHORD LENGTH	CHORD BEARING
CL	62.98	785.30	62.97	N 08°02'37" V

LINE	BEARING	DISTANCE
L1	N 79°39'24" E	8.00
L2	N 05°44'47" V	50.09
L3	N 43°32'58" E	23.01
L4	S 05°17'30" E	45.99



Date:	2/21/06
Drawn by:	MR
Scale:	1" = 60'
Project No.:	11Mkt
Drawing No.:	11Wp378

PROPOSED DEVELOPMENT

WESTSIDE/378 COMMERCIAL PARK  
 REGGIE PORTER CONSTRUCTION  
 LEXINGTON COUNTY, SC

2006-464-6 I  
 Porter Pond  
 Sheet 3 of 7

EXISTING WETLANDS ON SITE 1.574 AC.  
 WETLANDS TO REMAIN ON SITE 0.592 AC.  
 WETLANDS TO BE REMOVED FROM SITE 0.982 AC.

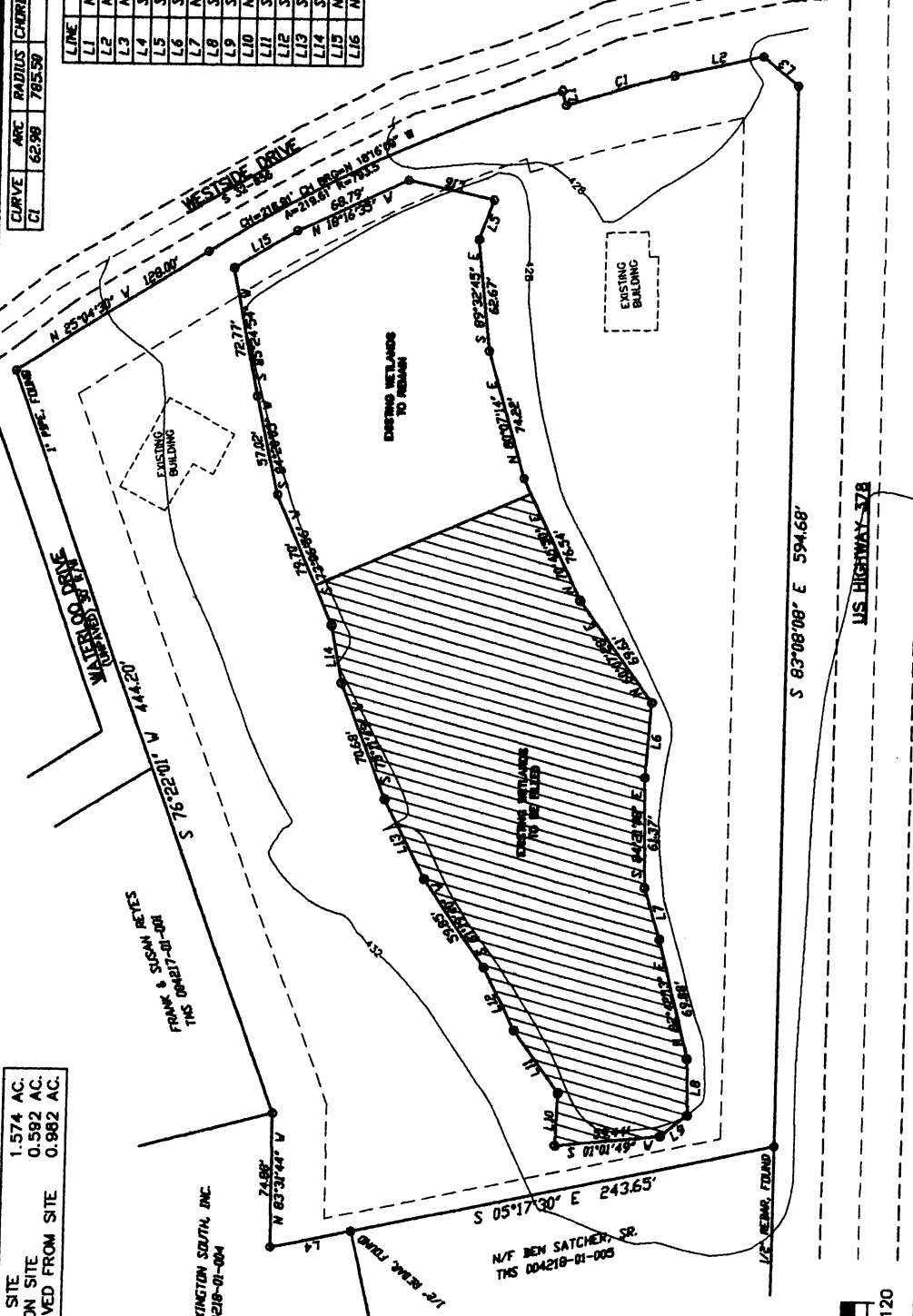
N/F LEXINGTON SOUTH, INC.  
 TMS 004218-01-004

N/F BEN SATCHEL, SR.  
 TMS 004218-01-005

CURVE	ARC	RADIUS	CHORD	LENGTH	CHORD BEARING
C1	62.98	785.59	62.97	N 08°02'37" V	

LINE	BEARING	DISTANCE
L1	N 79°39'34" E	6.00
L2	N 05°44'47" V	56.89
L3	N 45°32'38" E	25.01
L4	S 05°17'30" E	43.99
L5	S 63°08'34" E	23.88
L6	S 79°04'33" E	42.98
L7	N 79°09'48" E	29.92
L8	S 84°48'33" E	31.75
L9	S 31°34'17" E	19.11
L10	N 01°08'56" V	29.40
L11	S 60°07'46" V	43.65
L12	S 65°50'28" V	46.15
L13	S 68°50'28" V	45.68
L14	S 65°33'06" V	32.36
L15	N 24°28'46" V	41.14
L16	N 18°38'06" E	49.69



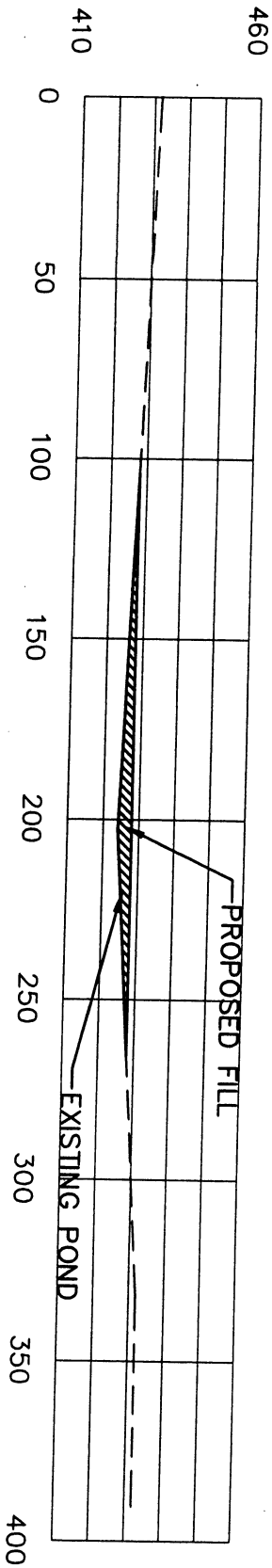
WESTSIDE/378 COMMERCIAL PARK  
 REGGIE PORTER CONSTRUCTION  
 LEXINGTON COUNTY, SC

EXISTING CONDITIONS

2006-464-6 I  
 Porter Pond  
 Sheet 4 of 7

Date:	2/21/06
Drawn by:	MR
Scale:	1"=60'
Project No.:	11Mkkt
Drawing No.:	11WY378

2006-464-6 I  
 Porter Pond  
 Sheet 5 of 7



2006-464-6 I

Date:	12/15/05
Drawn by:	JW
Scale:	1"=50'
Project No.	!MRKT
Drawing No.	

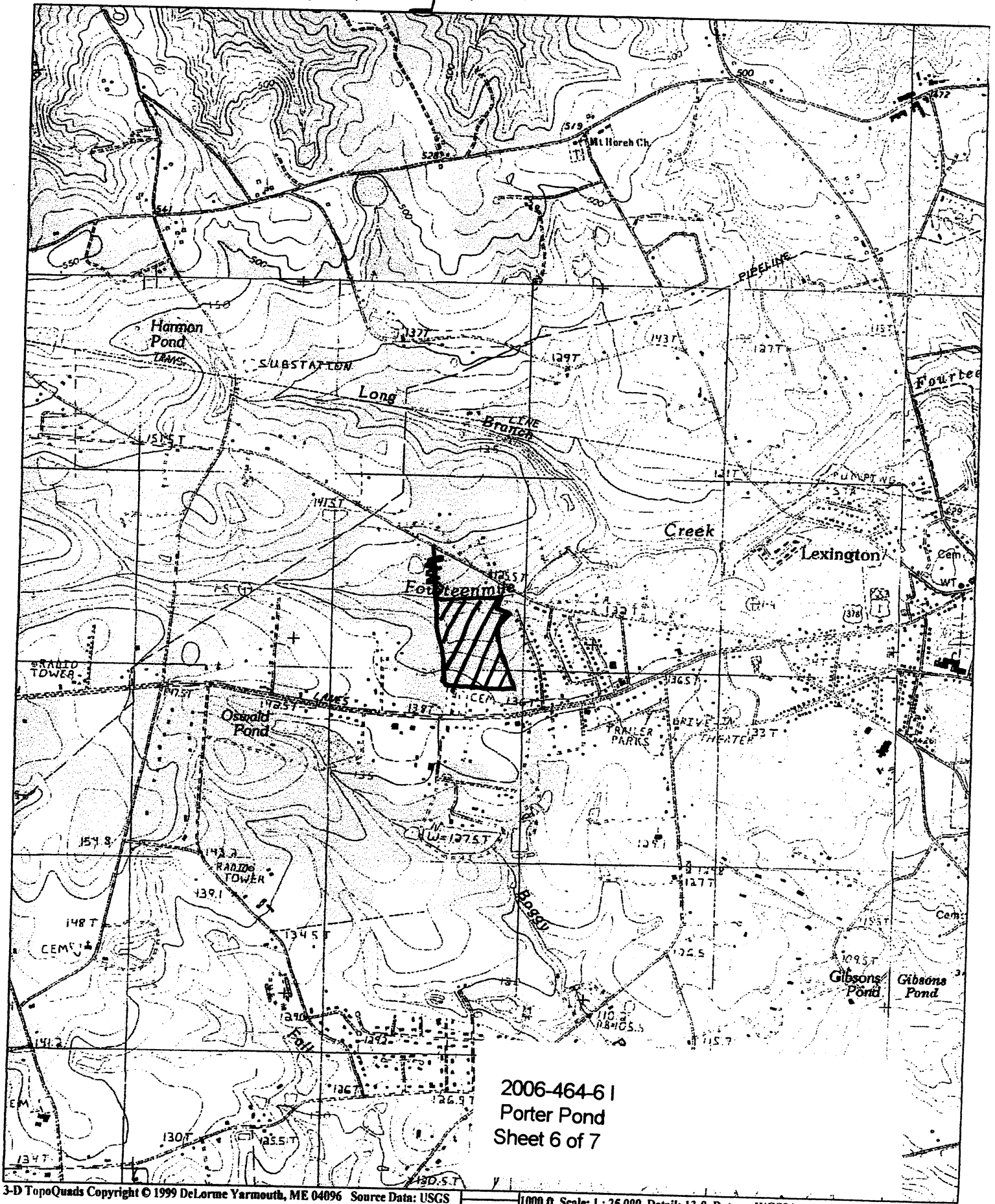
POND CROSS SECTION  
 HIGHWAY 378 COMMERCIAL SITE  
 REGGIE PORTER CONSTRUCTION  
 LEXINGTON COUNTY, SC

**HB Engineering**  
 SITE AND ENVIRONMENTAL CONSULTANTS

720 OLD CHEROKEE ROAD  
 LEXINGTON, SOUTH CAROLINA 29072  
 803-957-7027 FAX 803-957-1800

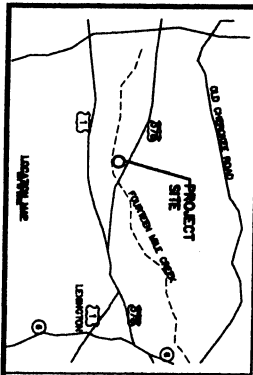


# Cambridge Place II



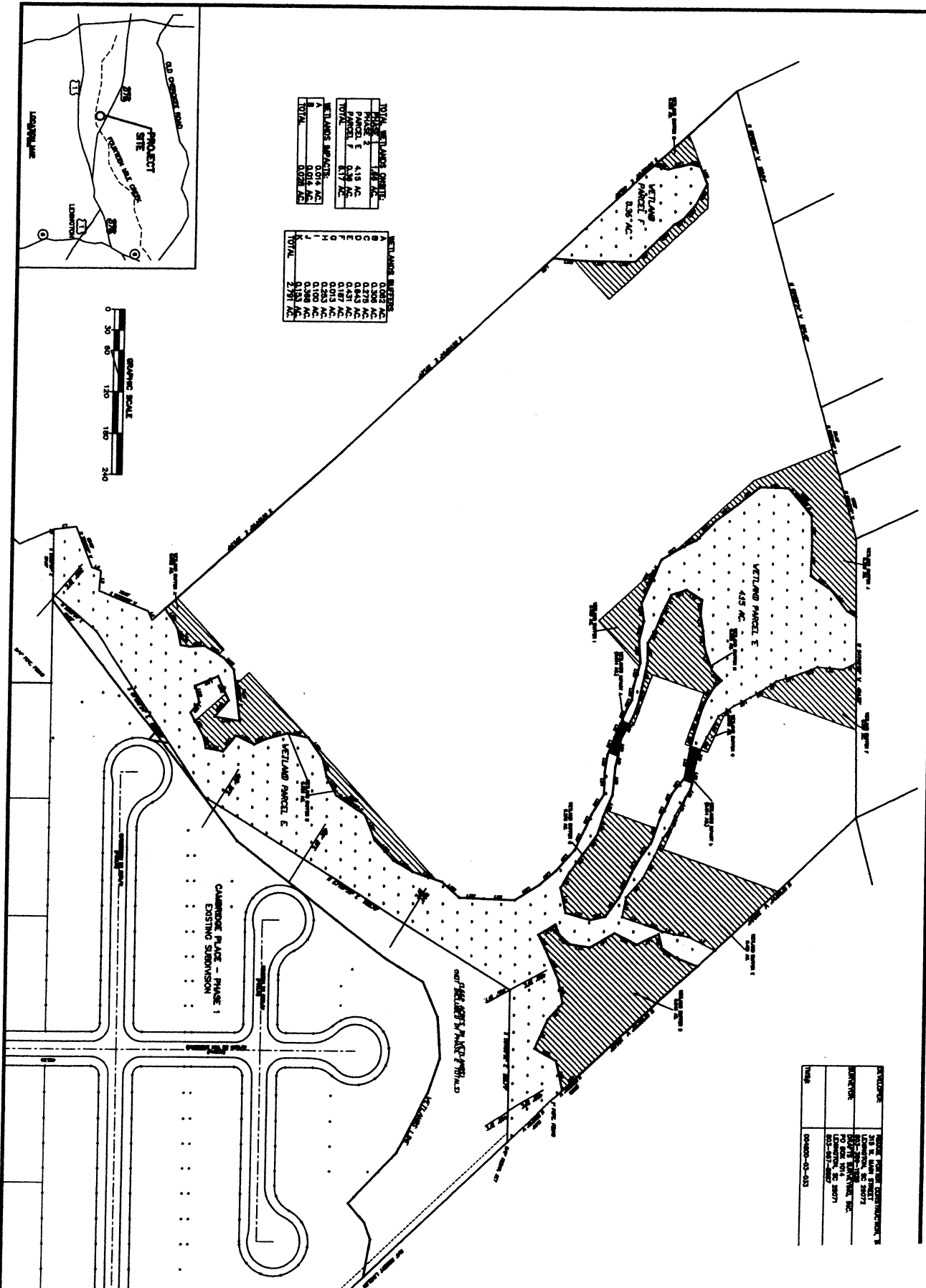
2006-464-6 I  
Porter Pond  
Sheet 6 of 7

Barr lake Quad



TOTAL WETLANDS PARCELS	
PARCEL 1	418 AC
PARCEL 2	418 AC
PARCEL 3	418 AC
PARCEL 4	418 AC
PARCEL 5	418 AC
TOTAL	2090 AC

WETLANDS IMPACTS	
A	0.019 AC
B	0.019 AC
C	0.019 AC
D	0.019 AC
E	0.019 AC
F	0.019 AC
G	0.019 AC
H	0.019 AC
I	0.019 AC
J	0.019 AC
K	0.019 AC
L	0.019 AC
M	0.019 AC
N	0.019 AC
O	0.019 AC
P	0.019 AC
Q	0.019 AC
R	0.019 AC
S	0.019 AC
T	0.019 AC
U	0.019 AC
V	0.019 AC
W	0.019 AC
X	0.019 AC
Y	0.019 AC
Z	0.019 AC
TOTAL	2.791 AC



PROJECT:	2006-464-61
DATE:	04-03-03
SCALE:	AS SHOWN
DESIGNER:	PORTER POND DEVELOPMENT, INC.
ENGINEER:	LIBERTY ENGINEERING, INC.
PROJECT NO.:	03-001-0001
DATE:	04-03-03

NO.	DATE	DESCRIPTION
1	1/29/03	WETLANDS MITIGATION PLAN

CAMBRIDGE PLACE  
PHASE 2  
LEXINGTON  
SOUTH CAROLINA

2006-464-61  
Porter Pond  
Sheet 7 of 7