

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 # 2007-561-1IT

01 June 2007

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

I-95 PARTNERS, LLC
C/O NEWKIRK ENVIRONMENTAL, INC.
P.O. BOX 309
BLUFFTON, SC 29910

for a permit to place fill material in non-tidal wetlands and waters of

WHITE OAK NOOK SWAMP

located near the intersection of I-95 and US Highway 17 in the Town of Hardeesville, Jasper County, South Carolina (latitude 32.27068/ longitude 81.07782)

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, JULY 2, 2007

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

The proposed work consists of the placement of fill material in 0.60 acres of wetlands and 0.12 acres of a jurisdictional ditch for the construction of a new access road to an existing subdivision. Total impacts from the proposed project are 0.72 acres. The proposed road footprint is 50' X 667', with only 39' X 667' occurring in wetlands or waters.

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The applicant proposes to impact wetlands that are currently preserved by means of restrictive covenants, which occurred as part of the wetland mitigation for the construction of the Gateway Crossing subdivision. The Gateway Crossing subdivision and wetland mitigation was previously permitted by Nationwide Permit #39, SAC 2002-1273-W. To compensate for the proposed 0.72 acres of wetland and waters impacts, the applicant proposes to purchase 7.3 mitigation credits from the Sweetleaf Swamp Mitigation Bank. To compensate for the loss of these 0.72 acres of wetlands and waters that are currently preserved by restrictive covenants as part of the mitigation for the Gateway Crossing subdivision, the applicant proposes to purchase 6.3 mitigation credits from the Sweetleaf Swamp Mitigation Banks as well. The purpose of the proposed project is to provide additional vehicular access between Highway 17 and the subdivision.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt 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 work shown on this application must also be certified as consistent with applicable provisions of the South Carolina Coastal Zone Management Act (15 CFR 930). 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. Persons wishing to comment or object to State 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 0.72 acres 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 determined that the project will have no effect on any Federally endangered, threatened, or proposed species 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 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, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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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.

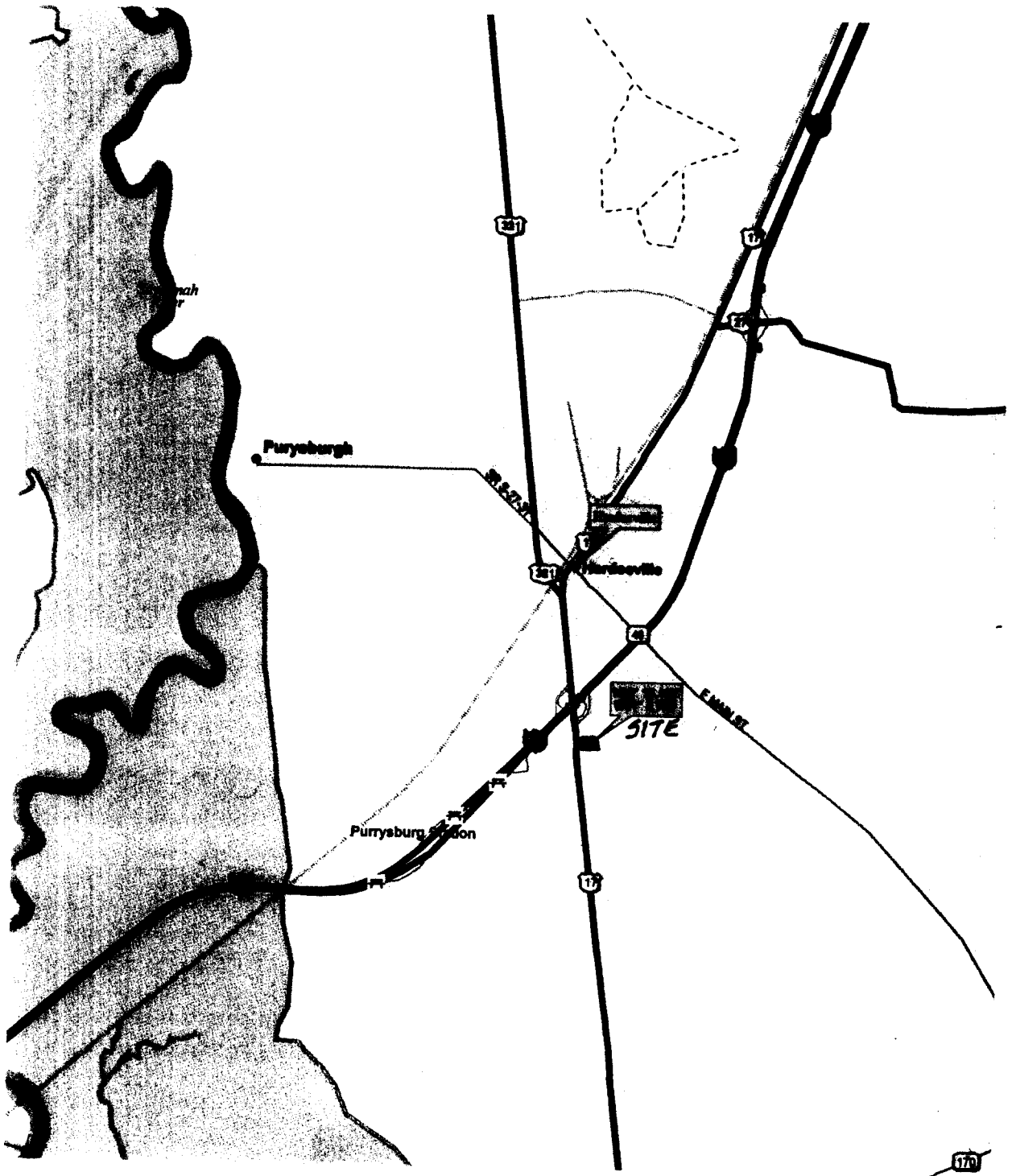
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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 reasons for holding a public hearing.

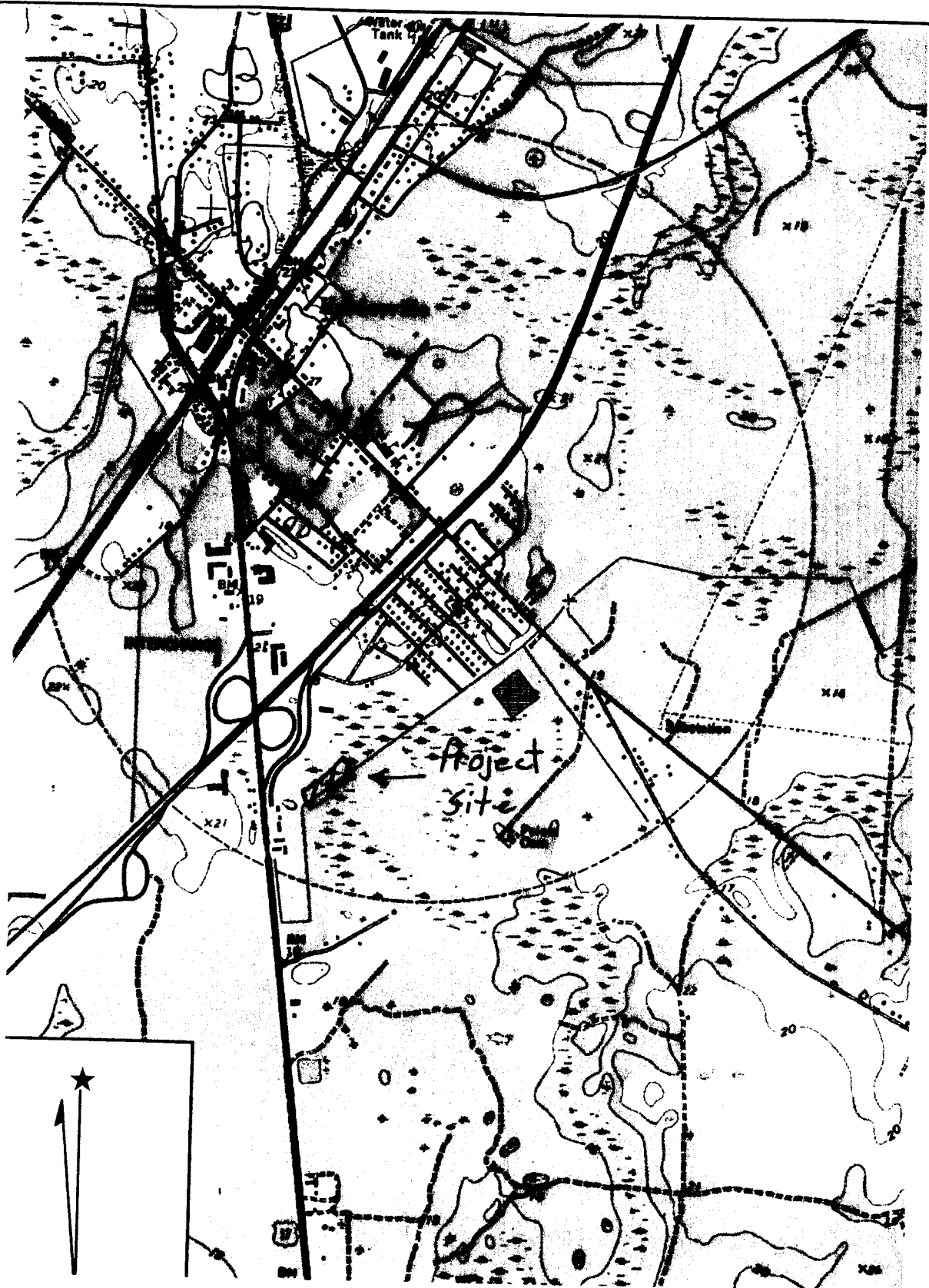
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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 Tracy C. Dotolo at 843-329-8044 or toll free at 1-866-329-8187.

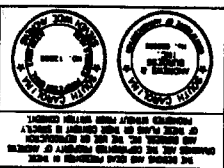


Project Title: Gateway Crossing	
Project Location: Jasper County, SC	
Title: Vicinity Map	Authorized Agent: Bobby Riggs, NEI
	Applicant: I-95 Partners, LLC
	Scale: Not To Scale Date: 2/28/07
	Page: 1 of 7



Title: Topographic Map	Project Title: Gateway Crossing	
	Project Location: Jasper County, SC	
	Authorized Agent: Bobby Riggs, NEI	
	Applicant: I-95 Partners, LLC	
	Scale: Not To Scale	Date: 2/28/07
Page: 2 of 7		

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Andrew Burgess Inc.
 Engineering & Surveying
 404 South Main Street
 Raleigh, NC 27601
 Phone: 919.833.8888
 Fax: 919.833.8889

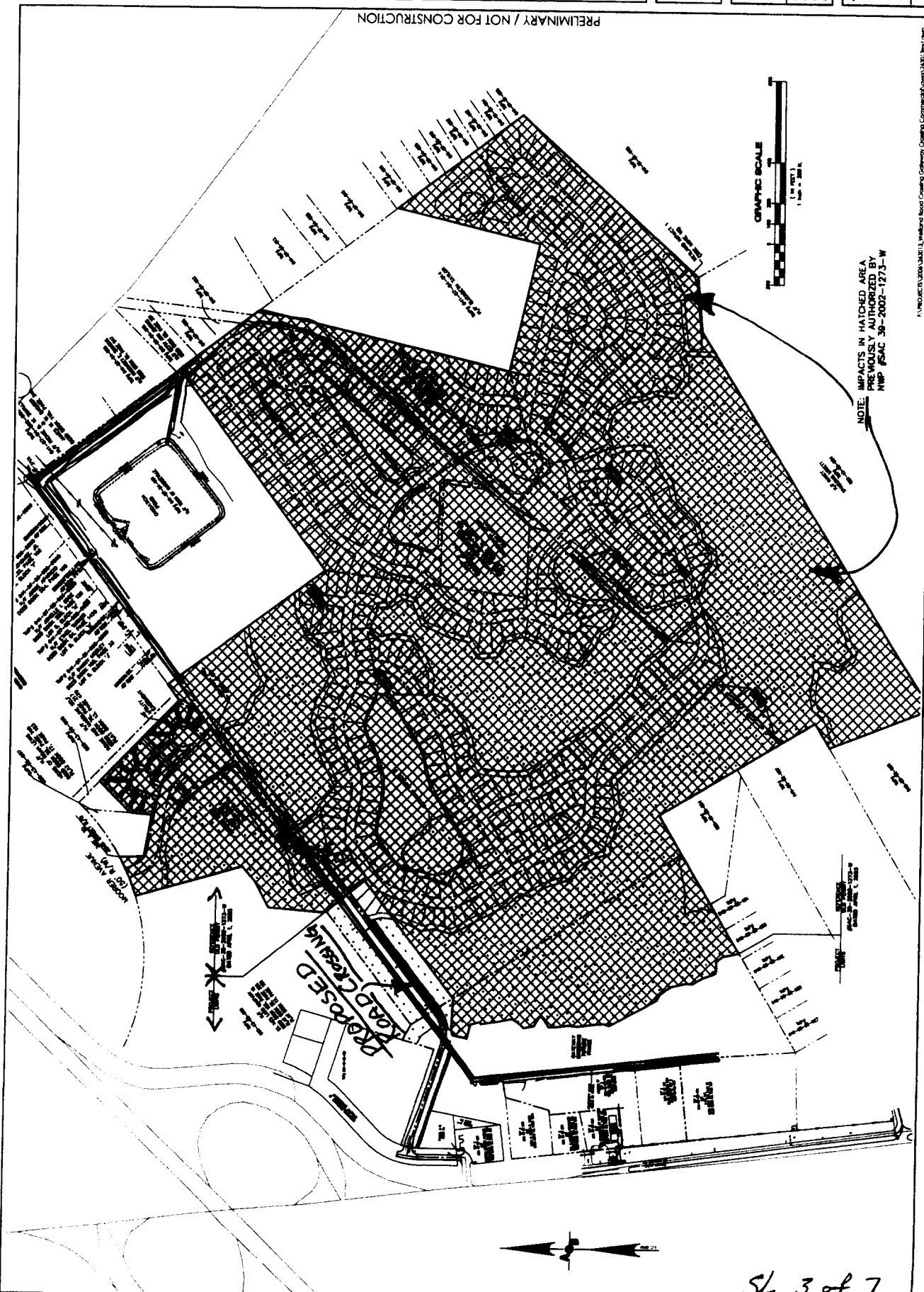
Wellford Crossing Plan
 For
 Gateway Crossing
 Hwy. 17 and I-95
 Hardensville
 Jasper County

Project:
 Limits
 Map

Date Drawn: 11/15/02
 Last Revised: 2/28/03
 Drawn By: S. Cobby
 Engineer: S. Andrews

SHEET # **3**

JOB: 263013

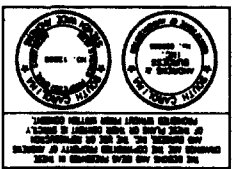


NOTE: IMPACTS IN HATCHED AREA
 PREVIOUSLY AUTHORIZED BY
 NMP #SAC 36-2002-1273-W

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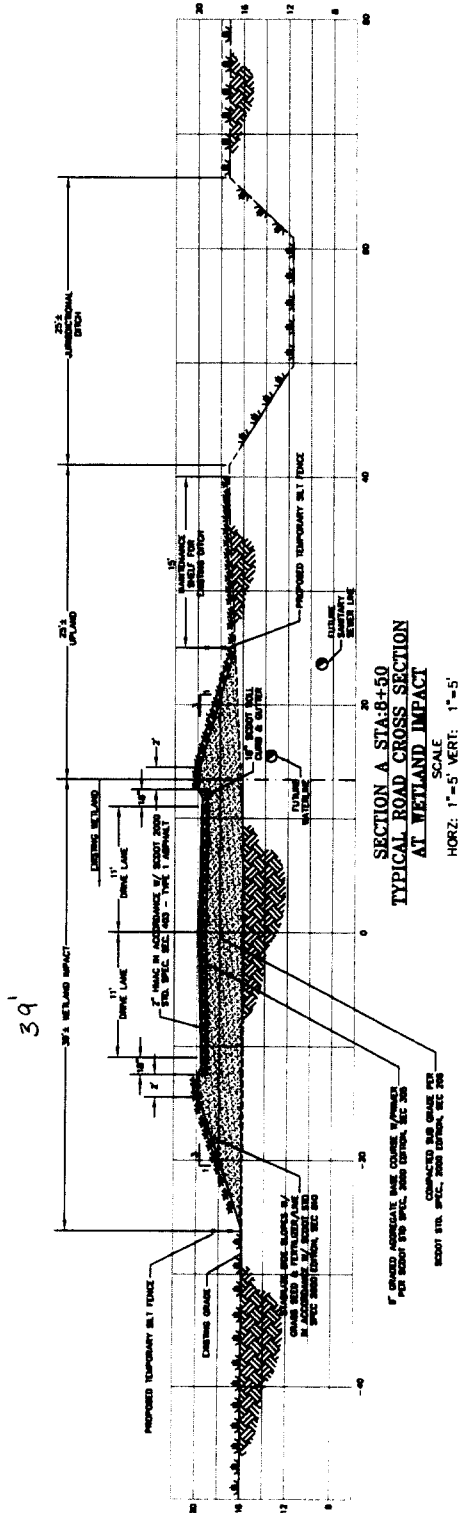
Andrews & Burgess Inc.
 Engineering & Surveying
 404 Southwood Road
 Raleigh, NC 27605
 Tel: 919.466.9795

Weekend Crossing Plan
 For
 Gateway Crossing
 Hwy. 17 and I-95
 Hardenville
 Jasper County

Section A
 Road
 Cross-Section
 Date Drawn: 1/15/07
 Last Revised: 2/28/07
 Drawn By: F. Coody
 Engineer: J. Adams

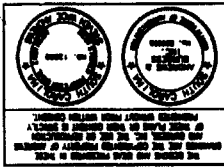
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 JOB: 263013

PRELIMINARY / NOT FOR CONSTRUCTION



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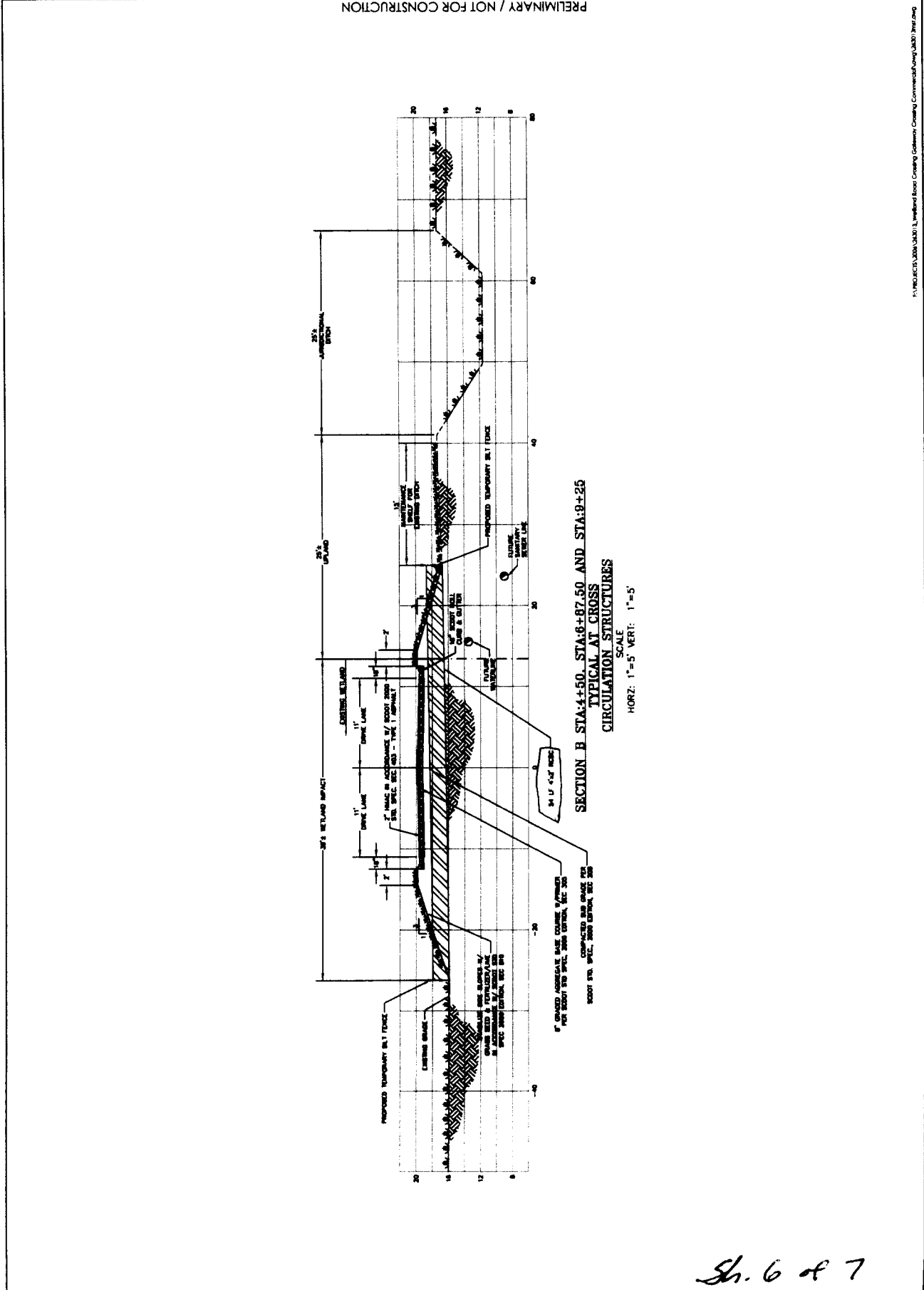


Andrews Burgess Inc.
 Engineering & Surveying
 404 Southside Road
 Raleigh, NC 27608
 Tel: 919.876.7766
 Fax: 919.876.7766

Welland Crossing Plan
 For
 Gateway Crossing
 Highway 75
 Henderson
 Jasper County

Section B
 Date Drawn: 11/5/07
 Date Revised: 12/20/07
 Drawn By: E. Cobb
 Engineer: S. Adams

SHEET #:
6
 JOB: 263013



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Sht. 6 of 7

