

**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- 1729-1IT

10 August 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

**TROY BAIRD**  
**C/O ECOLOGICAL ASSOCIATES, INC.**  
**4676 BEARS BLUFF ROAD**  
**WADMALAW ISLAND, SC 29487**

for a permit to place fill in freshwater wetlands at

**BOB DAM SWAMP**

Located in between Hwy 17 and I-95 just north of S-27-94 and US HWY 278 near Hardeeville in Jasper County, South Carolina (32.32823 Latitude/ 81.05525 Longitude).

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, SEPTEMBER 10, 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 within 6.73 acres of freshwater forested wetlands, which have been previously mechanically clear-cut, for the construction of a commercial trucking facility. The tract is 12.14 acres in size and contains 9.37 acres of wetlands. As mitigation, the applicant proposes to enhance the remaining 2.64 acres of clear-cut wetlands by planting, monitoring, and placing a under restrictive covenants. The remaining required mitigation will occur at either an approved wetland mitigation bank or at an undetermined offsite location, but will specifically include offsite wetland preservation, offsite wetland

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restoration, and offsite wetland enhancement by buffering.

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 ( 6.73 ) acres of freshwater wetlands 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and 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 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.

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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.

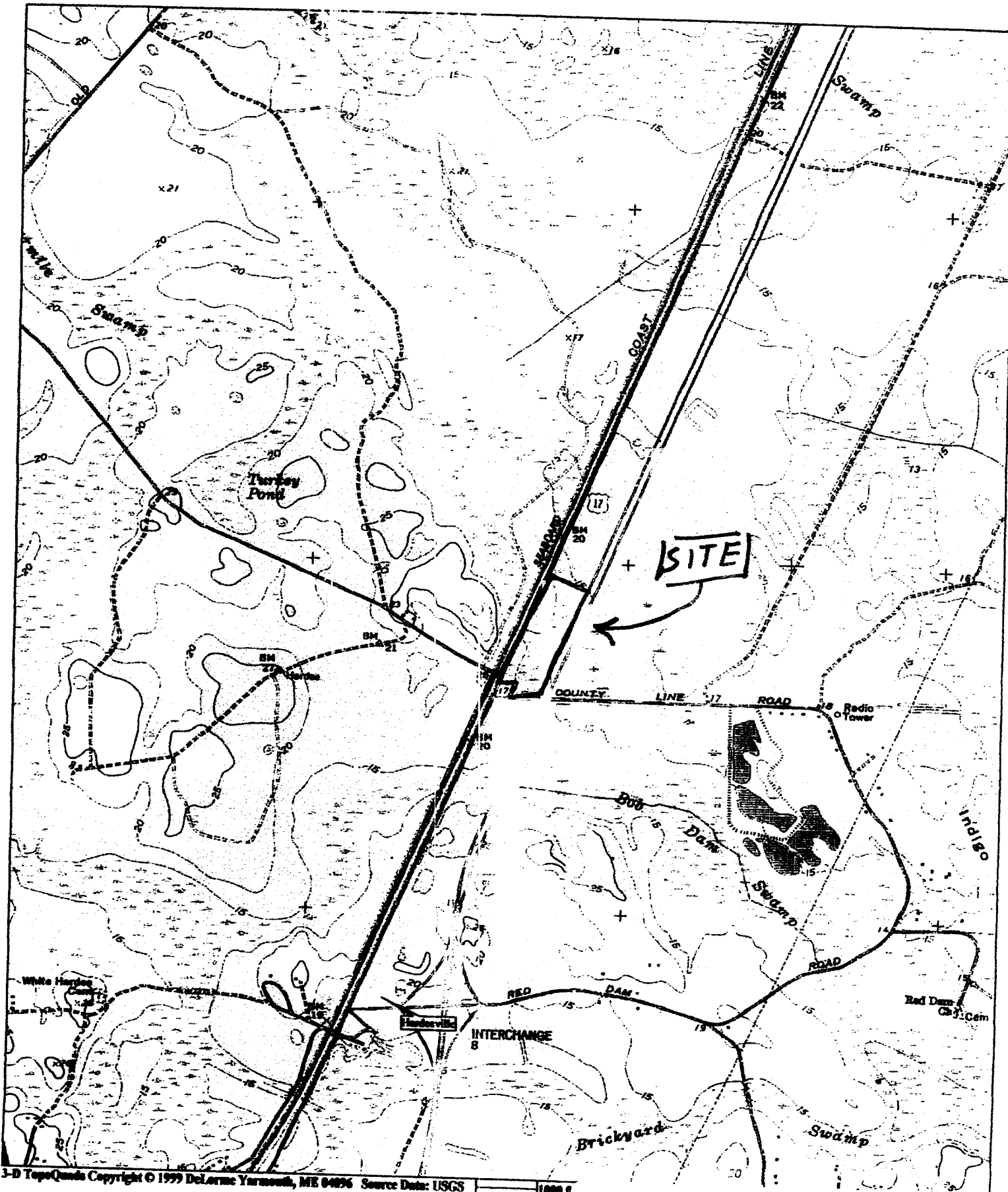
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may 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.



Baird Site



3-D TopoQuad Copyright © 1999 DeLorme, Yorktown, ME 04096 Source Data: USGS

Hardeeville Quad.

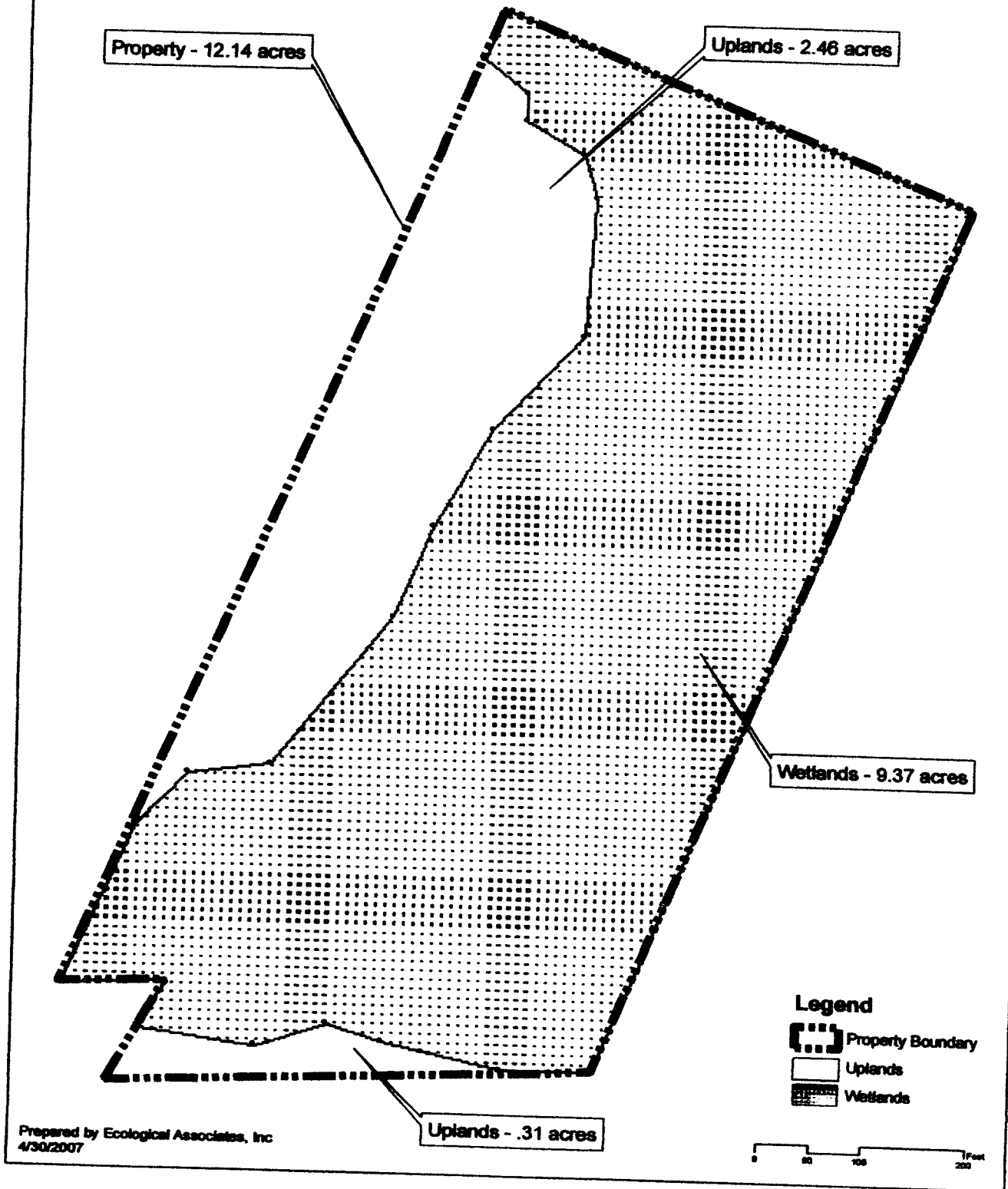
**BAIRD PROPERTY**

P/N 2007-1729-11T

August 10, 2007

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# Baird Property - Existing Conditions



Prepared by Ecological Associates, Inc  
4/30/2007

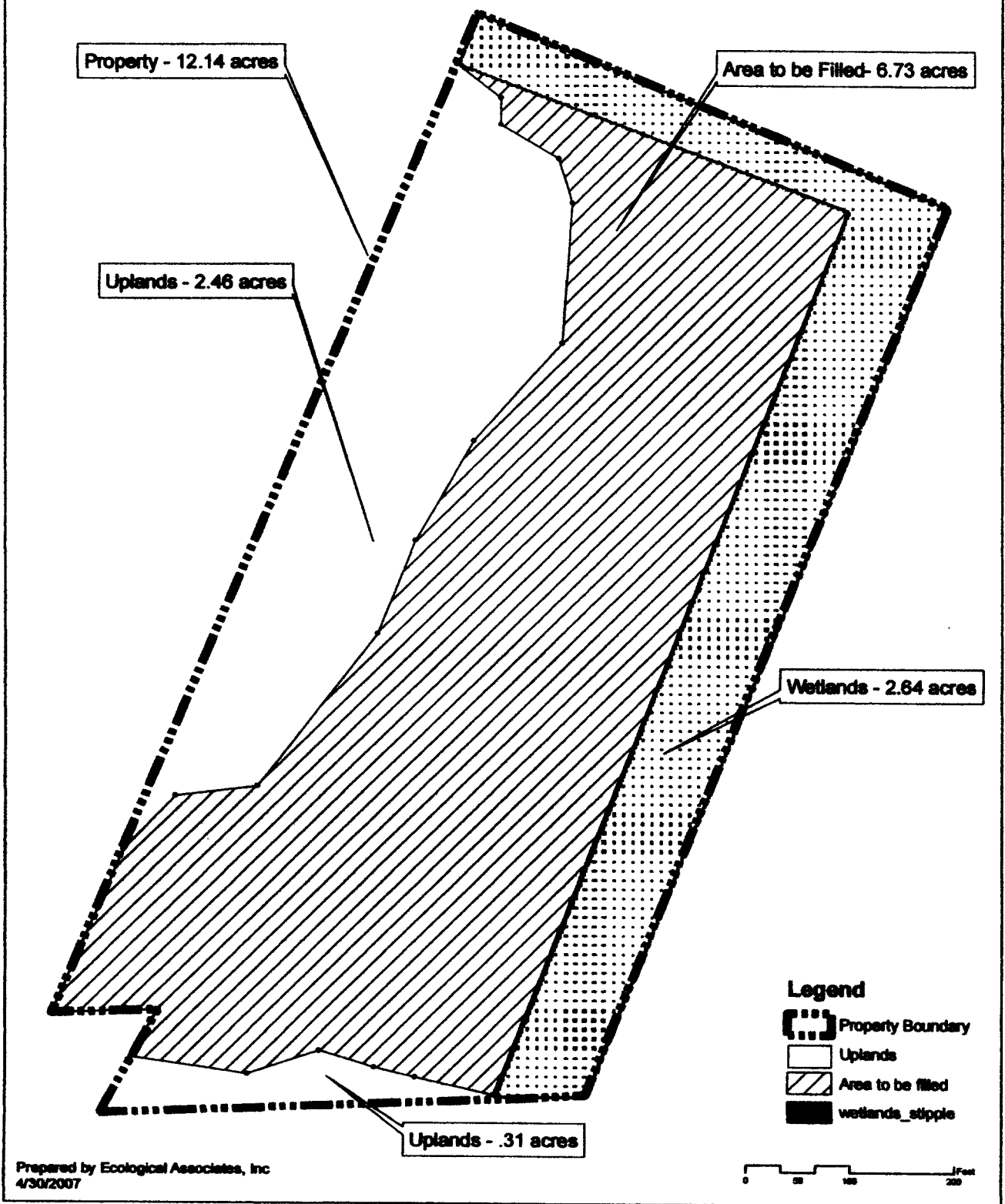
**BAIRD PROPERTY**

**P/N 2007-1729-1IT**

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# Baird Property - Proposed Conditions

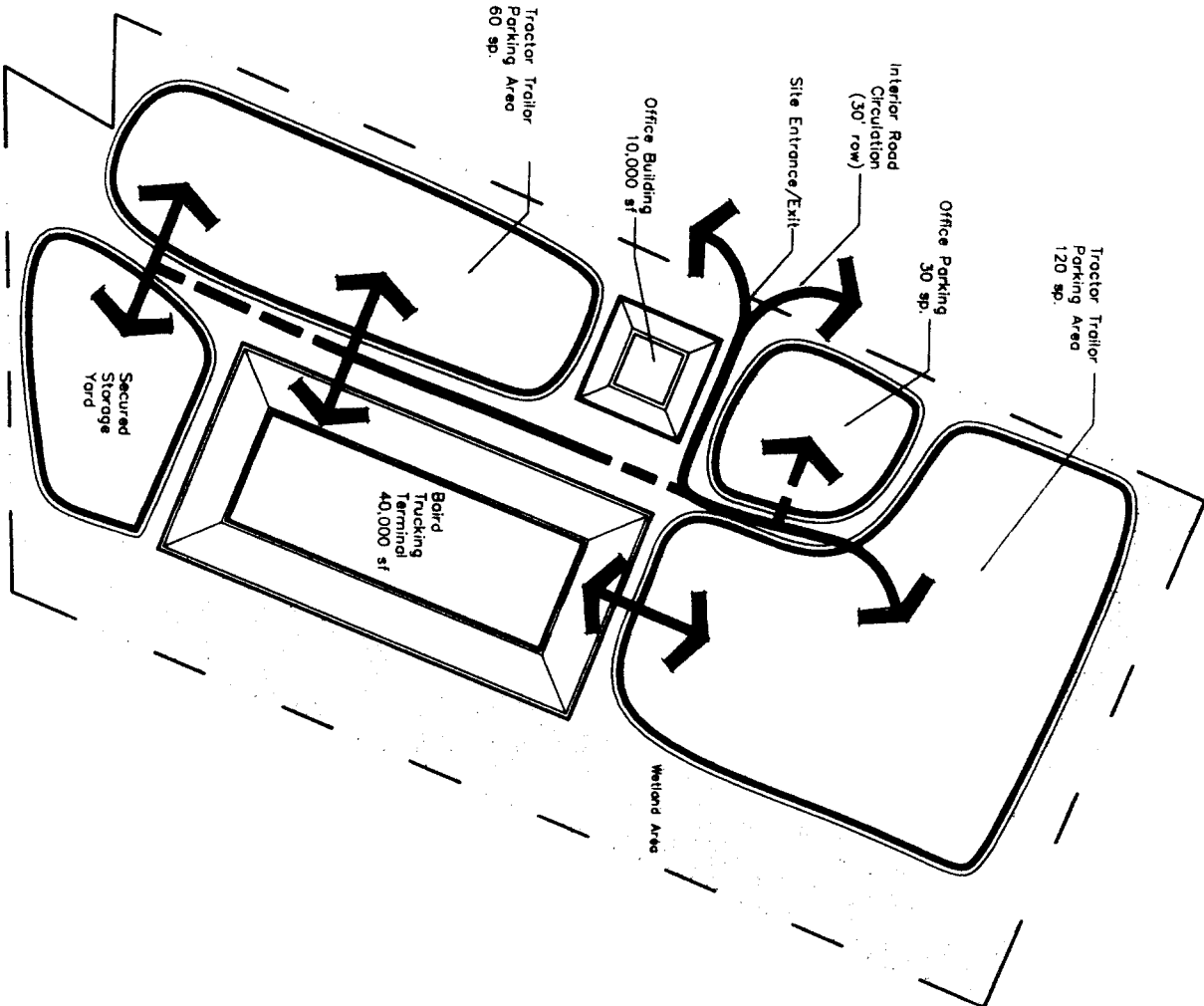


**BAIRD PROPERTY**

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**BAIRD PROPERTY**

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Baird Site  
Land Use Concept Plan

Date: 7/13/07 Scale: N.T.S.	Land Use Concept Plan Sheet: 1	Employer Association, Inc. 4876 Bays Blvd. Floor Northwood, Tenn., SC 29487 (P) 843.598.4127 (F) 843.598.1864
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Sheet Number

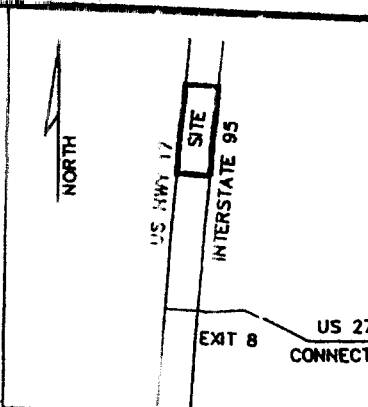


- CMF - CONCRETE FOUND
- RBF - REBAR FOUND
- IPF - IRON PIPE FOUND
- TP - TELEPHONE PEDESTAL
- OPL - OVERHEAD POWER
- NTS - NOT TO SCALE
- R/W - RIGHT OF WAY
- TM - TAX MAP
- PB - PLAT BOOK
- DB - DEED BOOK
- WV - WATER VALVE
- HYD - FIRE HYDRANT
- FOP - FIBER OPTICS
- PO - POWER POLE
- SM - SANITARY SEWER MANHOLE

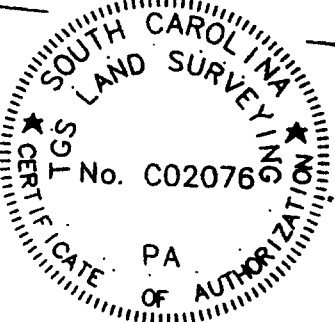
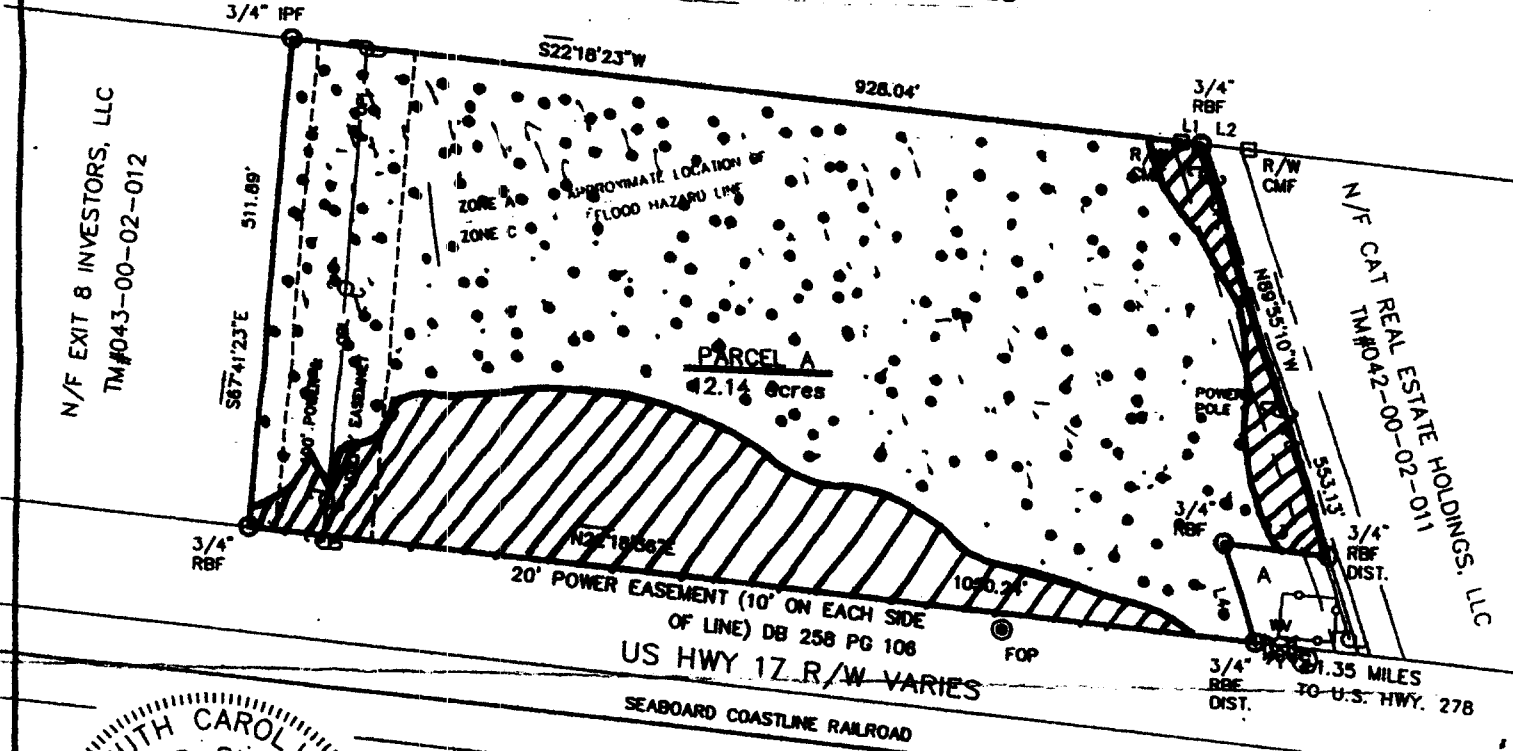
NOTE: THIS PLAT DOES NOT INDICATE THE PRESENCE OR ABSENCE OF WETLANDS ON THIS PARCEL





LINE	LENGTH	BEARING
L1	21.20'	S22°01'26"W
L2	49.46'	S22°01'26"W
L3	108.38'	N22°37'16"E
L4	107.89'	N89°51'08"W



INTERSTATE 95 R/W VARIES

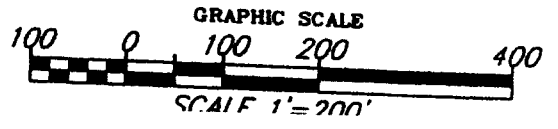


 = *Hab. 1 - upland*  
 = *Hab. 2 - wetland*

**REFERENCE**

1. PLAT BOOK 25 PAGE 432
2. PLAT BOOK 25 PAGE 467
3. DEED BOOK 258 PAGE 106
4. PLAT BOOK 27 ● PAGE 462
5. PLAT BOOK 27 ● PAGE 375-379

(A) JASPER COUNTY PUMP STATION  
TM#042-00-02-006



**NOTE:** BY GRAPHICAL DETERMINATION This Lot Appears To Lie In A Federal Flood Pl... Zone C & A Minimum Required Elevation NA FI FIRM # 450112 0175 B

**BAIRD PROPERTY**

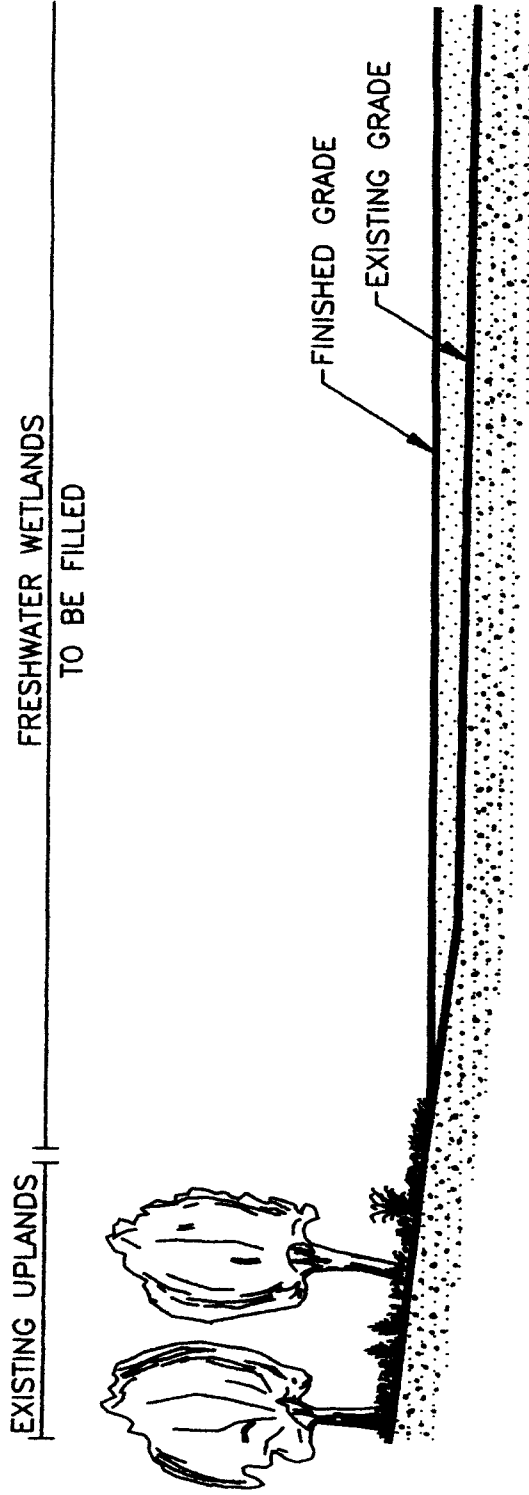
THIS PLAT PREPARED AT P/N 2007-1729-11T

DONNIE MALP

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A BOUNDARY SURVEY OF TAX MAP # 042-00-02-006, FORMERLY A PORTION OF THE...



**BAIRD PROPERTY**

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Baird Site

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CONCEPTUAL CROSS-SECTION  
OF FILLED WETLAND

NOT TO SCALE

FIGURE