UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

August 9, 2016

Lt. Colonel Matthew Luzzatto
District Engineer
Attn: Mr. Stephen Brumagin
U.S. Army Corps of Engineers
69A Hagood Avenue
Charleston, South Carolina 29403-5107

SUBJECT: Interstate 73, SAC 2008-1333-DIS

Dear Lt. Colonel Luzzatto:

This is in response to your request for comments on the above referenced joint public notice (JPN). South Carolina Department of Transportation (SCDOT) ("Applicant") seeks a permit to place fill, to construct, and to maintain bridges and culverts associated with the construction of a new four lane Interstate roadway approximately 80 miles in length on new alignment within wetlands adjacent to and within waters of the United States in South Carolina. The Project was originally placed on public notice on January 26, 2011. Pursuant to the August 1992 Memorandum of Agreement (MOA) between the EPA and the Department of the Army, Part IV, Paragraphs 3(a) and 3(b), the Environmental Protection Agency timely notified the U.S. Army Corps of Engineers, Charleston District (Corps), that in the opinion of the EPA the project may and will have substantial and unacceptable impacts to aquatic resources of national importance. Under the MOA, the next step would be a response from the Corps pursuant to Paragraph 3(c) of the MOA notifying the EPA how the Corps addressed the issues raised. The EPA understands that the project was fully withdrawn and therefore the Corps did not send a letter pursuant to Paragraph 3(c). The project has now been resubmitted with a revised mitigation plan, and the EPA plans to review this as a new project consistent with the timelines set out in the field-level procedures outlined in the MOA. The revised public notice was dated July 8, 2016.

The applicant proposes permanent placement of fill materials/structures in a total of 4,643 linear feet of stream and a total of 324.1 acres of other waters, including wetlands. The impacts to wetlands include: 254.28 acres from fill, 48.67 acres from temporary clearing, 16.75 acres from permanent clearing, and 4.4 acres from excavation. These project impacts will occur within 17 separate streams, 139 separate wetlands, and 5 separate ponds/impoundments.

The revised mitigation plan for the I-73 project will no longer include the Joiner Bay wetland mitigation site and the Long Branch stream mitigation site. The proposed compensatory mitigation plan consists of the permittee responsible mitigation site referred to as the "Gunter's Island" site located in Horry County, South Carolina. The proposed mitigation plan states that the Gunter's Island mitigation site is a large scale mitigation opportunity with regional importance based on a watershed approach to protect water quality and aquatic resources. Gunter's Island is a 6,134 acre tract on the east side of the Little Pee Dee River approximately four miles north of the US 378 crossing of the Little Pee Dee River. Based

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upon information provided by the applicant, this tract contains 89,836 linear feet of tributaries, 4,583 acres of wetlands, and includes an eleven mile long corridor along the east side of Little Pee Dee River. The applicant is proposing to purchase and preserve this tract (including an intact Carolina Bay) and conduct enhancement activities by replacing/removing existing culverts/bridges/roads, stabilizing stream banks, and supplemental planting along floodplains within wetlands and buffers. The applicant indicates that preservation of this tract will prevent habitat fragmentation caused by land conversion from typical agricultural practices to non-traditional uses, development, and poor land management practices. The long term steward of this site will be the South Carolina Department of Natural Resources (for management and inclusion into the Heritage Trust Program).

The Environmental Protection Agency, Region 4 has partially reviewed the JPN, dated July 8, 2016. We would like to further evaluate the applicant's information and collect additional information related to the project and impacts. Due to the large scale and complexity of the project, the EPA requests a 30-day extension of the comment period. Thank you for your consideration of this request. If you have any questions, please contact Mr. Kelly Laycock of my staff at (404) 562-9132 or at laycock.kelly@epa.gov.

Sincerely,

Tony Able
Chief
Wetlands and Streams Regulatory Section

cc: Mr. Stephen Brumagin, Corps

Mr. Travis Hughes, Corps

Mr. Mark Caldwell, U.S. Fish and Wildlife Service

Mr. Pace Wilber, National Marine and Fisheries Service

Ms. Susan Davis, South Carolina Department of Natural Resources

Ms. Heather Preston, South Carolina Department of Health and Environmental Control

Mr. Chuck Hightower, South Carolina Department of Health and Environmental Control