



DEPARTMENT OF THE ARMY
CHARLESTON DISTRICT, CORPS OF ENGINEERS
1835 ASSEMBLY STREET, ROOM 865 B-1
COLUMBIA, SOUTH CAROLINA 29201

OCT - 3 2016

Regulatory Division

Mr. Nick Roark
Ecological Associates
PO Box 357
Johns Island, South Carolina 29457

Dear Mr. Roark:

This letter is in response to your request for a Preliminary Jurisdictional Determination (SAC-2015-01566) received in our office on November 16, 2015, and a revised review area received on August 8, 2016, for a 521.82-acre site located the existing Manning Quarry off of Monticello Road, Richland County, South Carolina (Latitude: 34.0835 °N, Longitude: 81.0833 °W). The site in question is depicted on the sketch prepared by your office entitled "Manning Quarry, Approx. Wetland/,Waters Map, GPS Survey (Aerial)" and dated August 1, 2016. A Preliminary JD is used to indicate that this office has identified wetlands and/or other waters on the property, and that in lieu of making an Approved Jurisdictional Determination, relies on the presumption of jurisdiction pursuant to 33 CFR 328.3(a) for the purpose of expediting the request for a Preliminary JD.

Based on a review of aerial photography, topographic maps, National Wetlands Inventory maps, soil survey information, and Wetland Determination Data Forms, it has been concluded that the boundaries shown on the referenced sketch are a reasonable approximation of the wetlands and/or other waters found within the site. The site in question contains approximately 8.08 acres of federally defined wetlands and 14,913 linear feet of other waters. You are cautioned that the boundaries of the delineated wetlands and/or other waters depicted on the enclosed sketch are approximate and subject to change.

You should be aware that a permit from this office may be required for certain activities in the areas identified as wetlands and/or other presumed waters of the United States, and these areas may be subject to restrictions or requirements of other state or local government entities. In order for a definitive determination of jurisdiction to be provided, you must submit a request for an Approved Jurisdictional Determination (Approved JD). Enclosed is a Preliminary Jurisdictional Determination Form describing the areas in question and clarifying the option to request an Approved JD.

Please note that this is a Preliminary JD, and as such is not an appealable action under the Corps of Engineers administrative appeal procedures defined at 33 CFR 331. If a permit application is forthcoming as a result of this Preliminary JD, a copy of this letter, as well as the sketch should be submitted as part of the application. Otherwise, a delay could occur in confirming that a Preliminary JD was performed for the proposed project area.

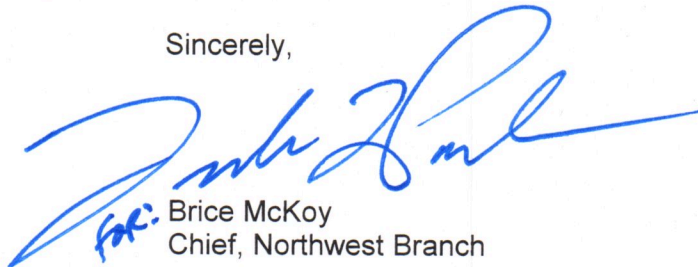
This Preliminary JD is a non-binding action and as such has no expiration until it is superseded by an Approved JD. If you intend to request an Approved JD in the future, you are advised not to commence work in these wetlands and/or waters prior to receiving the Approved JD.

This delineation/determination has been conducted pursuant to Corps of Engineers regulatory authority for the purpose of identifying the geographic extent of waters on the particular site identified in this request. This delineation/determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

Enclosed are two copies of the Preliminary Jurisdictional Determination Form signed by our office. Please sign both copies, retain one copy for your records and return one signed copy to this office in the enclosed self-addressed envelope.

Your cooperation in the protection and preservation of our navigable waters and natural resources is appreciated. In all future correspondence concerning this matter, please refer to file number SAC-2015-01566. A copy of this letter is being forwarded to certain State and/or Federal agencies for their information. If you have any questions concerning this matter, please contact Laura M. Boos, Project Manager, at 803-253-3902.

Sincerely,



Brice McKoy
Chief, Northwest Branch

Enclosures:

Preliminary Jurisdictional Determination Form
Notification of Appeal Options
Self-addressed envelope

Copies Furnished:

Mr. Jack Garvey
Hanson Aggregates
2101 Gateway Ctr. Blvd
Morrisville, North Carolina 27560

Mr. Chuck Hightower
South Carolina Department of
Health and Environmental Control
Bureau of Water
2600 Bull Street
Columbia, South Carolina 29201

ATTACHMENT

PRELIMINARY JURISDICTIONAL DETERMINATION FORM

BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR PRELIMINARY JURISDICTIONAL DETERMINATION (JD): September 30, 2016

B. NAME AND ADDRESS OF PERSON REQUESTING PRELIMINARY JD:

Applicant:

Mr. Jack Garvey
Hanson Aggregates
2101 Gateway Ctr. Blvd
Morrisville, North Carolina 27560

Consultant:

Mr. Nick Roark
Ecological Associates
PO Box 357
Johns Island, South Carolina 29457

C. DISTRICT OFFICE, FILE NAME, AND NUMBER: SAC-2015-01566 Manning Mine Site - Hanson Aggregates SE

D. PROJECT LOCATION(S) AND BACKGROUND INFORMATION: The project is located on at the existing Manning Quarry off of Monticello Road
(USE THE ATTACHED TABLE TO DOCUMENT MULTIPLE WATERBODIES AT DIFFERENT SITES)

State: South Carolina County/parish/borough: Richland County City: Columbia
Center coordinates of site (lat/long in degree decimal format): Lat. 34.0835° N, Long. 81.0833° W.

Universal Transverse Mercator: NAD 83

Name of nearest waterbody: UT to Broad River

Identify (estimate) amount of waters in the review area:

Non-wetland waters: tributary: 14,913 linear feet: 1-8 width (ft) and impoundment: 0.72 acres.

Cowardin Class: Riverine and lacustrine

Stream Flow: Perennial and intermittent

Wetlands: 8.08 acres.

Cowardin Class: Forested

Name of any water bodies on the site that have been identified as Section 10 waters:

Tidal:

Non-Tidal:

E. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

Office (Desk) Determination. Date: September 30, 2016

Field Determination. Date(s):

1. The Corps of Engineers believes that there may be jurisdictional waters of the United States on the subject site, and the permit applicant or other affected party who requested this preliminary JD is hereby advised of his or her option to request and obtain an approved jurisdictional determination (JD) for that site. Nevertheless, the permit applicant or other person who requested this preliminary JD has declined to exercise the option to obtain an approved JD in this instance and at this time.

2. In any circumstance where a permit applicant obtains an individual permit, or a Nationwide General Permit (NWP) or other general permit verification requiring "pre-construction notification" (PCN), or requests verification for a non-reporting NWP or other general permit, and the permit applicant has not requested an approved JD for the activity, the permit applicant is hereby made aware of the following: (1) the permit applicant has elected to seek a permit authorization based on a preliminary JD, which does not make an official determination of jurisdictional waters; (2) that the applicant has the option to request an approved JD before accepting the terms and conditions of the permit authorization, and that basing a permit authorization on an approved JD could possibly result in less compensatory mitigation being required or different special conditions; (3) that the applicant has the right to request an individual permit rather than accepting the terms and conditions of the NWP or other general permit authorization; (4) that the applicant can accept a permit authorization and thereby agree to comply with all the terms and conditions of that permit, including whatever mitigation requirements the Corps has determined to be necessary; (5) that undertaking any activity in reliance upon the subject permit authorization without requesting an approved JD constitutes the applicant's acceptance of the use of the preliminary JD, but that either form of JD will be processed as soon as is practicable; (6) accepting a permit authorization (e.g., signing a proffered individual permit) or undertaking any activity in reliance on any form of Corps permit authorization based on a preliminary JD constitutes agreement that all wetlands and other water bodies on the site affected in any way by that activity are jurisdictional waters of the United States, and precludes any challenge to such jurisdiction in any administrative or judicial compliance or enforcement action, or in any administrative appeal or in any Federal court; and (7) whether the applicant elects to use either an approved JD or a preliminary JD, that JD will be processed as soon as is practicable. Further, an approved JD, a proffered individual permit (and all terms and conditions contained therein), or individual permit denial can be administratively appealed pursuant to 33 C.F.R. Part 331, and that in any administrative appeal, jurisdictional issues can be raised (see 33 C.F.R. 331.5(a)(2)). If, during that administrative appeal, it becomes necessary to make an official determination whether CWA jurisdiction exists over a site, or to provide an official delineation of jurisdictional waters on the site, the Corps will provide an approved JD to accomplish that result, as soon as is practicable. This preliminary JD finds that there "may be" waters of the United States on the subject project site, and identifies all aquatic features on the site that could be affected by the proposed activity, based on the following information:

SUPPORTING DATA. Data reviewed for preliminary JD (check all that apply) -

checked items should be included in case file and, where checked and requested, appropriately reference sources below):

- Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: Ecological Associates, Inc..
- Data sheets prepared/submitted by or on behalf of the applicant/consultant.
 - Office concurs with data sheets/delineation report. Concur with findings.
 - Office does not concur with data sheets/delineation report.
- Data sheets prepared by the Corps:
- Corps navigable waters' study: 1977 Navigability Survey.
- U.S. Geological Survey Hydrologic Atlas: HA 730-G, 1990 (03050106-07).
 - USGS NHD data.
 - USGS 8 and 12 digit HUC maps.

- U.S. Geological Survey map(s). Cite scale & quad name: 1:24,000 (Columbia North).
- USDA Natural Resources Conservation Service Soil Survey. Citation: Richland County Soils Map 26 (Georgeville, Nason, Chewacla).
- National wetlands inventory map(s). Cite name: U43, PFO1A.
- State/Local wetland inventory map(s):
- FEMA/FIRM maps:
- 100-year Floodplain Elevation is: (National Geodetic Vertical Datum of 1929)
- Photographs: Aerial (Name & Date): 1999/11202:104.
or Other (Name & Date): Photos 1-6 of 6 dated September 22, 2015.
- Previous determination(s). File no. and date of response letter:
- Other information (please specify):

IMPORTANT NOTE: The information recorded on this form has not necessarily been verified by the Corps and should not be relied upon for later jurisdictional determinations.

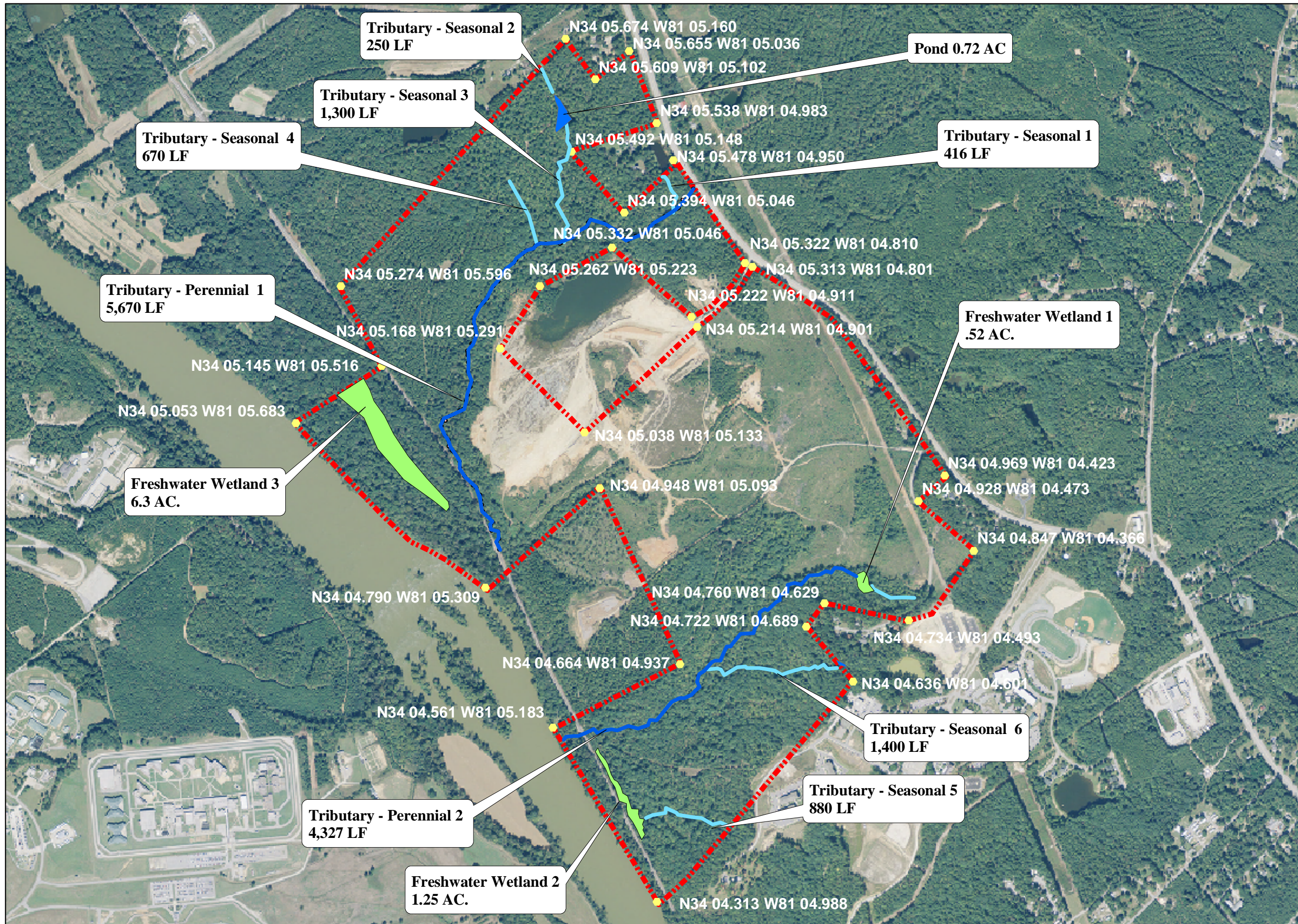
Lawson 9-30-16

Signature and date of
Regulatory Project Manager
(REQUIRED)

Jim Rouse 10/10/16

Signature and date of
person requesting preliminary JD
(REQUIRED, unless obtaining the
signature is impracticable)

Site Number	Latitude	Longitude	Cowardin Class	Estimated amount of aquatic resource in review area	Class of aquatic resource
pond	34.09251	-81.0861	L-LACUSTRINE	.72 ACRES	non-section 10 – non-wetland
trib p1	34.08526	-81.08576	R-RIVERINE	5670 FEET	non-section 10 – non-wetland
trib p2	34.07852	-81.08129	R-RIVERINE	4327 FEET	non-section 10 – non-wetland
trib s1	34.09054	-81.08289	R-RIVERINE	416 FEET	non-section 10 – non-wetland
trib s2	34.09319	-81.08632	R-RIVERINE	250 FEET	non-section 10 – non-wetland
trib s3	34.09078	-81.08582	R-RIVERINE	1300 FEET	non-section 10 – non-wetland
trib s4	34.09027	-81.08799	R-RIVERINE	670 FEET	non-section 10 – non-wetland
trib s5	34.07468	-81.08295	R-RIVERINE	880 FEET	non-section 10 – non-wetland
wetland 1	34.08097	-81.07651	P-PALUSTRINE	.53 ACRES	non-section 10 – wetland
wetland 2	34.07538	-81.08472	P-PALUSTRINE	1.25 ACRES	non-section 10 – wetland
wetland 3	34.08321	-81.09116	P-PALUSTRINE	6.3 ACRES	non-section 10 – wetland



Ecological Associates, Inc
P.O. Box 357
Johns Island, SC 29457

(p) 843.412-6616

**Manning Quarry
Approx. Wetland/
Waters Map
GPS Survey
(Aerial)**

**Richland County
South Carolina**

LEGEND:

Approx. Study Boundary - 521.82 AC

Wetlands - 8.08 AC
Wetland 1 - .53 AC
Wetland 2 - 1.25 AC
Wetland 3 - 6.3 AC

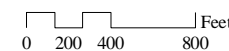
Ponds - .72 AC

Trib. Perennial 1 - 5,670 LF
Trib. Perennial 2 - 4,327 LF
Total - 9,997 LF

Trib. Seasonal 1 - 416 LF
Trib. Seasonal 2 - 250 LF
Trib. Seasonal 3 - 1,300 LF
Trib. Seasonal 4 - 670 LF
Trib. Seasonal 5 - 880 LF
Trib. Seasonal 6 - 1,400 LF
Total - 4,916 LF

Image Source:
2013 NAIP

SCALE:



DATE: 8.1.16