

May 15, 2019

Thank you to all who attended the WILPC meeting last night. The Wadmalaw Community was well represented and DHEC certainly received a sense of how special the Island is and the lengths we all go to protect it. I want to stress the continued importance of sending comments to DHEC. Do not be discouraged by the DHEC presentation regarding what information they will consider. While it is important to focus on the denial criteria from the mining act, all comments and concerns are important to grow the record of opposition. To review the updated application and mine documents, please go to the following link: <https://apps.dhec.sc.gov/Environment/PublicNotices/SearchAndDisplay/Display/9657>.

Following are issues, suggestions, and points of contact. **We urge everyone to get involved and be heard.**

Issue 1 - Extensive Dewatering

Refer to the posted Notice of Intent for Mine Dewatering and Stormwater as discussed last night. For every 3.1 acres of mine there is a calculated load of 240,000 gallons of water per day. It is important to note the water table in the area of the mine is approximately 2 feet while the depth of the pit is planned for 15 feet.

Write DHEC expressing your concern questioning the merits of extensive dewatering, the potential impacts to shallow wells, and the chance of water discharge into federally protected wetlands and watersheds. Request an actual on-site soil survey be conducted as opposed to the general soil report provided in the "Notice of Intent No Discharge Submittal." Please send DHEC correspondence to: Ryan Knott at knotttrs@dhec.sc.gov referencing the proposed Bears Bluff Mine.

Issue 2 - Federal/State Endangered or Threatened Species not adequately considered in the application

For those who have observed Federal/State Endangered or Threatened species near the mine or have concerns regarding the impacts to wildlife, please send correspondence to the Fish and Wildlife Service Charleston referencing FWS Log No. 2018-I-1057. Copy DHEC's POC when contacting FWS and provide any pictures/video evidence of the sightings if available. The Field Supervisor responsible for the FWS endorsement is Thomas McCoy, thomas_mccoy@fws.gov. If you have questions regarding the FWS report, contact Ms. Melanie Olds at [\(843\) 727-4707, ext 205](tel:(843)727-4707).

Endangered or threatened animals in the Lowcountry include: Amphibians - Frosted Flatwood Salamander, Gopher Frog; Birds - American Wood Stork, Bachman's Warbler, Bald Eagle, Black-capped petrel, Eastern Black Rail, MacGillivray's Seaside Sparrow, Piping Plover, Red-cockaded woodpecker, and Red Knot.

Issue 3 - Increased Commercial Traffic on Wadmalaw

For those who have questions/concerns regarding the impacts of additional commercial truck traffic on Wadmalaw please contact: Arnold Blanding, SC DOT Region 6 Resident Maintenance Engineer, at (843) 740-1655.

Issue 4 - Wadmalaw Agricultural Preservation District

"The S.C. Mining Act does not supersede local zoning ordinances; consequently, mining operations will need to conform to local zoning or land use ordinance."

Should the permit be approved by DHEC our next discussion will be with Charleston County Zoning and Planning. The applicant is intending to perform industrial mining on land that is zoned AG-15. AG-15 zoning requires the applicant to seek a Special Exception from Charleston County Board of Zoning Appeals (BZA). The applicant must submit a completed application to county planning staff. Planning staff will make a recommendation to the BZA to approve or disapprove the application based on the approval criteria for

special exception listed below. When the applicant makes a presentation at the Board of Zoning Appeals hearing, please be prepared to attend, speak, and write about your opposition to the project, countering each of the approval criteria below.

Comments to the county should be focused on countering the approval criteria for a Special Exception.

- Special Exceptions may be approved only if the Board of Zoning Appeals finds that the proposed use:
 1. Is consistent with the recommendations contained in the Charleston County *Comprehensive Plan* and the character of the underlying zoning district “Purpose and Intent”;
 2. Is compatible with existing uses in the vicinity and will not adversely affect the general welfare or character of the immediate community;
 3. Adequate provision is made for such items as: setbacks, buffering (including fences and/or landscaping) to protect adjacent properties from the possible adverse influence of the proposed use, such as noise, vibration, dust, glare, odor, traffic congestion and similar factors;
 4. Where applicable, will be developed in a way that will preserve and incorporate any important natural features;
 5. Complies with all applicable rules, regulations, laws and standards of this Ordinance, including but not limited to any use conditions, zoning district standards, or Site Plan Review requirements of this Ordinance; and
 6. Vehicular traffic and pedestrian movement on adjacent roads shall not be hindered or endangered.
- In granting a Special Exception, the Board of Zoning Appeals may attach to it such conditions regarding the location, character, or other features of the proposed building or structure as the Board may consider advisable to protect established property values in the surrounding area or to promote the public health, safety, or general welfare. Does not protect established property values or promote health safety or general welfare for the reasons mentioned above.

Michael Regan
WILPC Environmental Chair

Address Comments to:
Ryan Knott
DHEC – BLWM
2600 Bull Street
Columbia, SC 29201
Phone: (803) 898-1367
E-Mail: knottrs@dhec.sc.gov
re: Permit Application I-002231