

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, SC 29403-5107
and
THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N SAC-2016-01193

June 20, 2017

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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

Mr. Jim Bobo
Jim Bobo Real Estate
c/o Cygnus Environmental, LLC
Eric McClanahan
P.O. Box 905
Ladson, South Carolina 29456

for a permit to place fill in wetlands associated with the

STONO RIVER

at the end of Hollydale Court off of River Road on Johns Island, Charleston County, South Carolina (Latitude: 32.7365 °N, Longitude: -80.0575 °W), Legareville Quad Sheet.

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 the **Corps** until

15 Days from the Date of this Notice,

and **SCDHEC** will receive written statements regarding the proposed work until

30 Days from the Date of this Notice

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

The proposed work consists of the discharge of fill material into 1.077 acres of non-tidal wetlands and waters for the construction of a residential subdivision. In detail, the proposed work consists of the discharge of fill material into 1.031 acres non-tidal wetlands and 0.046 acre of non-tidal waters (borrow pit) for the construction of a connector road, a pump station for sanitary sewer and lot fills associated with a new 16-lot residential subdivision. According to the applicant, the purpose of the proposed project is to construct a residential subdivision to provide for the continuing needs for residential space on Johns Island. The wetland fills are necessary to create a useable site plan including ingress and egress of future owners, as well as to create sufficient development and building space to make the site financially feasible, with respect to development costs of the road and the properties. The applicant states that the configuration of the wetlands on the site do not allow for complete avoidance of impacts to wetlands and waters. The applicant has minimized impacts by proposing to preserve the remaining 1.027 acres of onsite wetlands through restrictive covenants. In addition, the applicant proposing to implement Best Management Practices (BMPs) including erosion control matting, mulch, silt fences, sediment tubes and other devices will be employed along cleared boundaries, points of release and open graded areas during and immediately after construction to reduce erosion and sedimentation into and adjacent to remaining wetlands. The applicant also intends to file and receive an approved Stormwater Pollution Prevention and Control Plan from SCDHEC/OCRM prior to commencing clearing and construction activities onsite. To compensate for the unavoidable wetland impacts, the applicant is proposing to purchase 10.8 credits from the Congaree Carton Mitigation Bank or Pigeon Pond Mitigation Bank.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

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 Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. 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.

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 **1.077** acres of freshwater wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's 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). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information 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 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 Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(f)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties 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 and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

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. 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 cannot undertake to adjudicate rival claims.

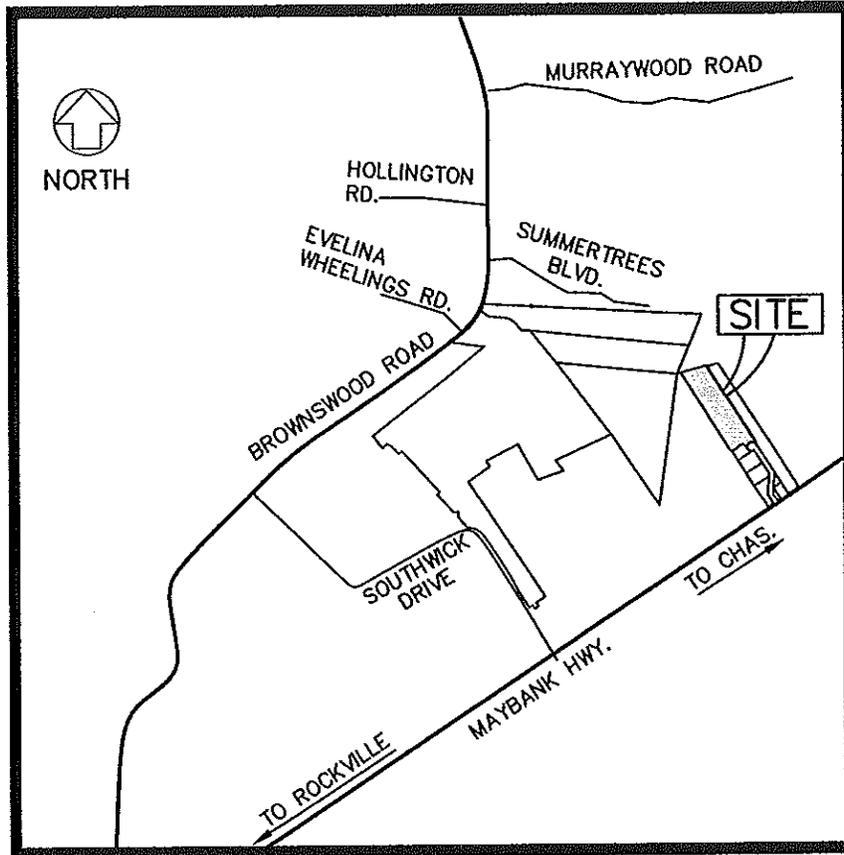
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, 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. **Please submit comments in writing, identifying the project of interest by public notice number, to the following address:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Tracy D. Sanders, Project Manager, at (843) 329-8190 or toll free at 1-866-329-8187.

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LOCATION MAP

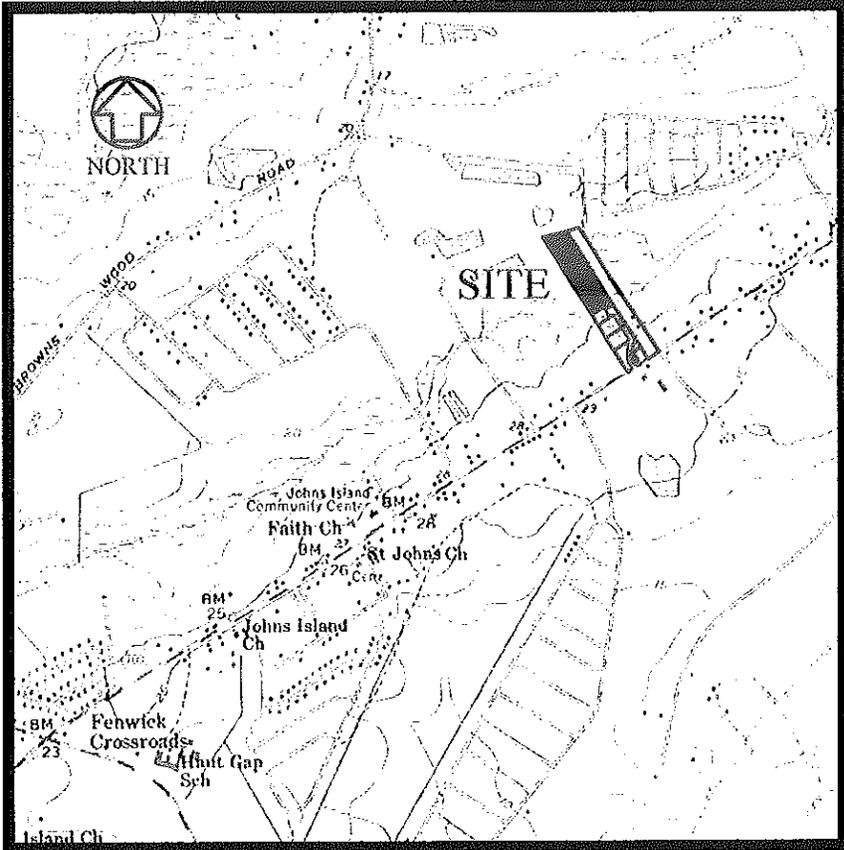
NOT TO SCALE

PROPOSED ACTIVITY:
 WETLAND FILL IMPACT FOR REQUIRED
 INFRASTRUCTURE AND LOT
 DEVELOPMENT.

Revisions	
Date	Initials

Project Title: BOBO TRACT	
Project Location: Lat. 32.736944 N, Long. 80.057778 W HOLLYDALE COURT, CHARLESTON COUNTY	
Applicant: FIVE LAKES, LLC	
Date: MAY 22, 2017	Scale: NONE
Application #	Sheet 1 of 14

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USGS MAP
NOT TO SCALE

PROPOSED ACTIVITY:
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Applicant: FIVE LAKES, LLC	
Date: MAY 22, 2017	Scale: NONE
Application #	Sheet 2 of 14

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<u>SUMMARY</u>	
SITE AREA	5.700 ACRES
JURISDICTIONAL WETLANDS	2.058 ACRES
JURISDICTIONAL BORROW PIT	0.046 ACRES
SITE HIGHLANDS	3.596 ACRES
<u>JURISDICTIONAL WETLAND IMPACTS</u>	
"A" (0.175 AC.) + "B" (0.082 AC.) +	
"C" (0.004 AC.) + "D" (0.007 AC.) +	
"E" (0.013 AC.) + "F" (0.379 AC.) +	
"G" (0.079 AC.) + "H" (0.052 AC.) +	
"I" (0.240 AC.) =	
	TOTAL IMPACT = 1.031 ACRES
PRESERVED WETLANDS	1.027 ACRES

SITE SUMMARY

SCALE: NONE

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Date: MAY 22, 2017	Scale: NONE
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TROPHY LAKES
DEVELOPMENT GROUP
TMS NO. 313-00-00-242

LOT 16-F
JAMES B. BOBO JR.
TMS NO. 313-00-00-023
5.700 TOTAL ACRES
2.058 JURISDICTIONAL WETLAND ACRES
0.046 NON-JURISDICTIONAL
BORROW POND ACRES
3.596 HIGHLAND ACRES

LIZZIE SUGGS TRUST
TMS NO. 313-00-00-021

JURISDICTIONAL
WETLAND "D"
(0.328 AC.)

JURISDICTIONAL
WETLAND "C"
(1.362 AC.)

STEPHEN R. LITTLE
IRREVOCABLE TRUST
TMS NO. 313-00-00-025

JURISDICTIONAL
WETLAND "B"
(0.082 AC.)

JURISDICTIONAL
BORROW PIT
(0.046 AC.)

JURISDICTIONAL
WETLAND "A"
(0.286 AC.)

LOT 16-E
HOLLY POND, LLC
TMS NO. 313-00-00-029

HOLLYDALE CT.
(50 FT/W)

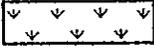
JAMES B. BOBO
TMS NO. 313-00-00-028

CAROLINA RESORT
PROPERTIES, LLC
TMS NO. 313-00-00-022

WETLAND MASTERPLAN

SCALE: 1" = 200'

LEGEND

-  WETLANDS
-  UPLANDS

PROPOSED ACTIVITY:
WETLAND FILL IMPACT FOR REQUIRED
INFRASTRUCTURE AND LOT
DEVELOPMENT.

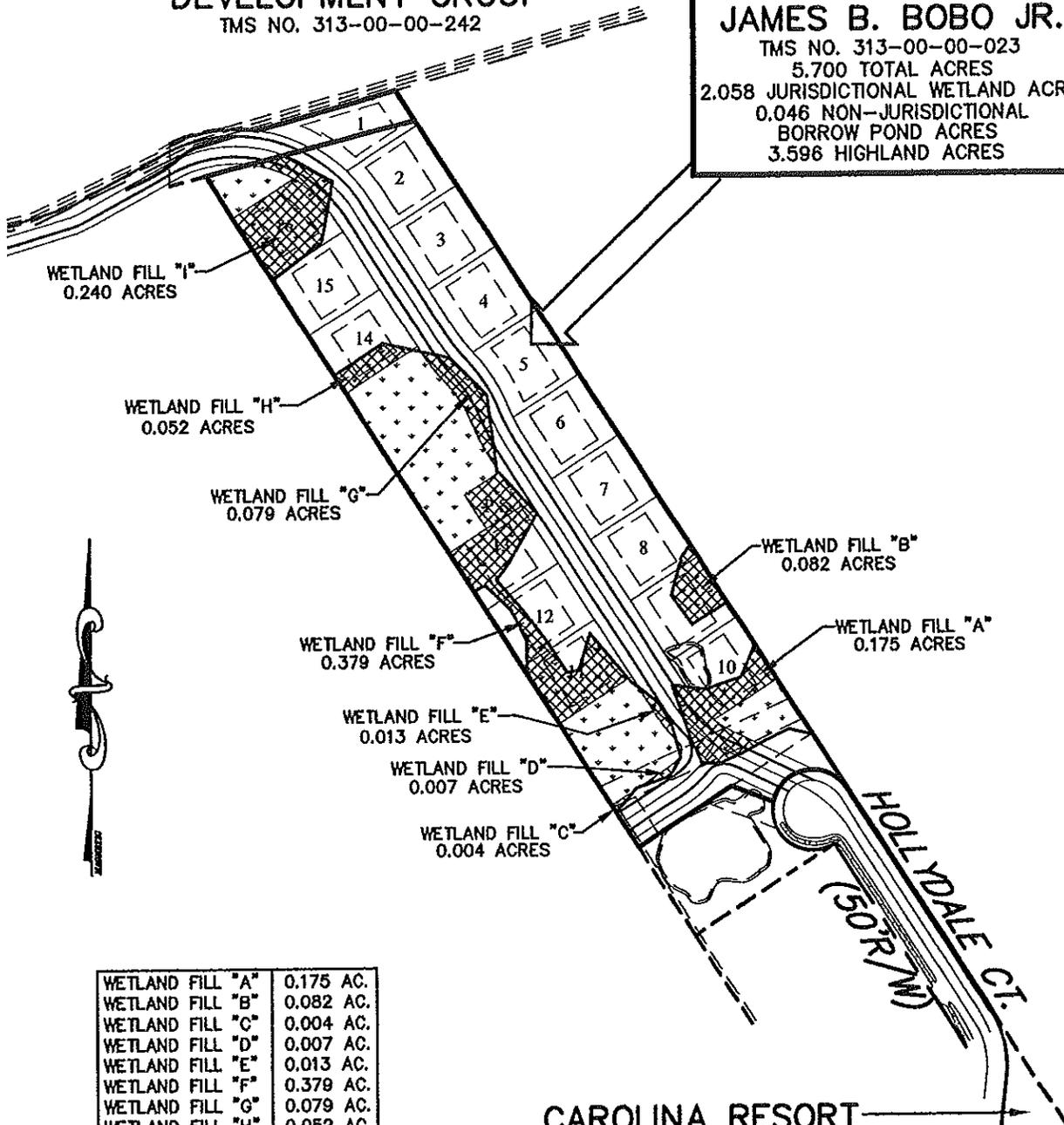
Revisions	
Date	Initials

Project Title: BOBO TRACT	
Project Location: Lat. 32.736944 N, Long. 80.057778 W HOLLYDALE COURT, CHARLESTON COUNTY	
Applicant: FIVE LAKES, LLC	
Date: MAY 22, 2017	Scale: 1" = 200'
Application #	Sheet 4 of 14

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**TROPHY LAKES
DEVELOPMENT GROUP**
TMS NO. 313-00-00-242

**LOT 16-F
JAMES B. BOBO JR.**
TMS NO. 313-00-00-023
5.700 TOTAL ACRES
2.058 JURISDICTIONAL WETLAND ACRES
0.046 NON-JURISDICTIONAL
BORROW POND ACRES
3.596 HIGHLAND ACRES



WETLAND FILL "I"
0.240 ACRES

WETLAND FILL "H"
0.052 ACRES

WETLAND FILL "G"
0.079 ACRES

WETLAND FILL "B"
0.082 ACRES

WETLAND FILL "A"
0.175 ACRES

WETLAND FILL "F"
0.379 ACRES

WETLAND FILL "E"
0.013 ACRES

WETLAND FILL "D"
0.007 ACRES

WETLAND FILL "C"
0.004 ACRES



WETLAND FILL "A"	0.175 AC.
WETLAND FILL "B"	0.082 AC.
WETLAND FILL "C"	0.004 AC.
WETLAND FILL "D"	0.007 AC.
WETLAND FILL "E"	0.013 AC.
WETLAND FILL "F"	0.379 AC.
WETLAND FILL "G"	0.079 AC.
WETLAND FILL "H"	0.052 AC.
WETLAND FILL "I"	0.240 AC.
TOTAL	1.031 AC.

**CAROLINA RESORT
PROPERTIES, LLC**
TMS NO. 313-00-00-022

WETLAND MASTERPLAN

SCALE: 1" = 200'

LEGEND

- WETLANDS
- UPLANDS
- PROPOSED FILL

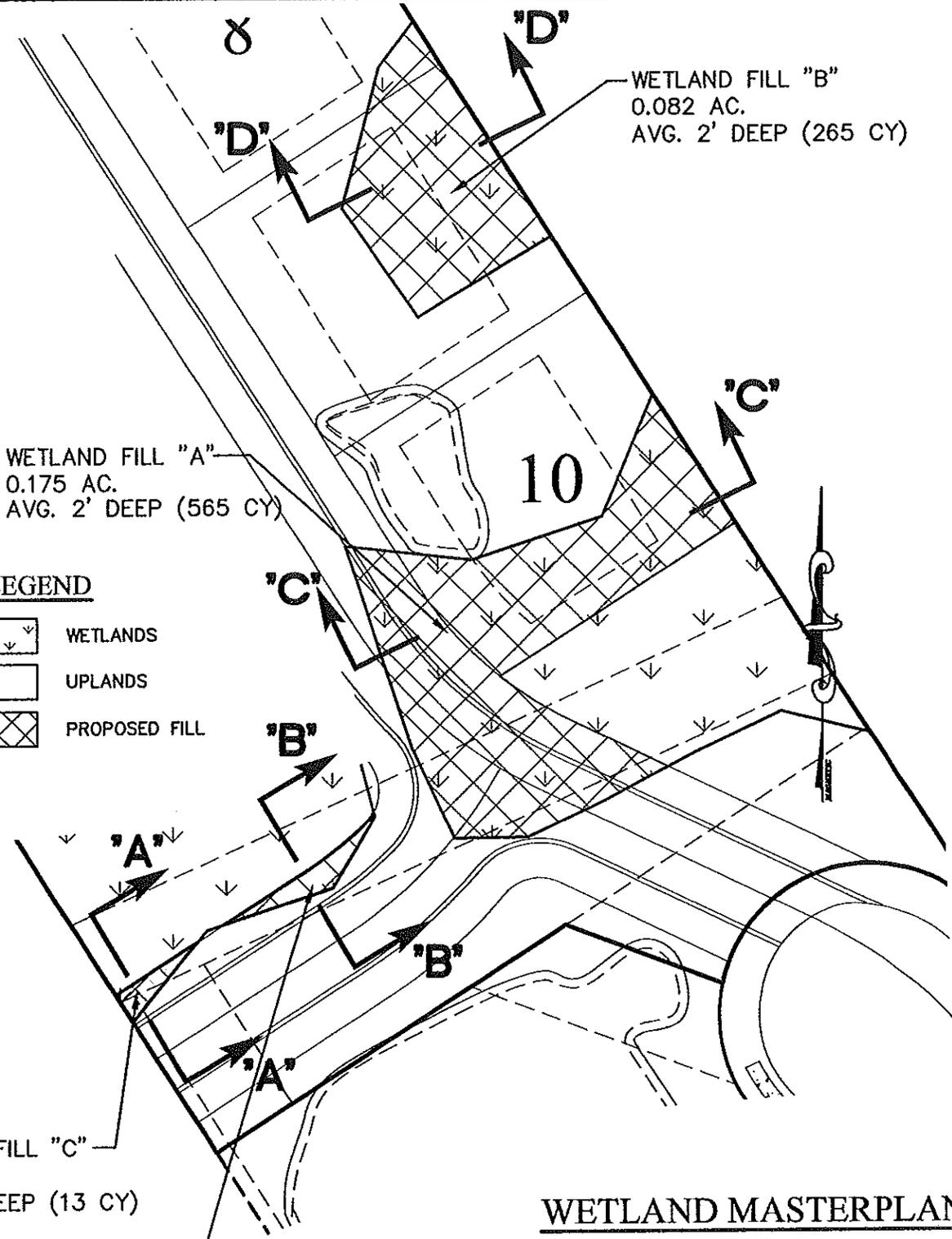
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Project Location: Lot. 32.736944 N, Long. 80.057778 W HOLLYDALE COURT, CHARLESTON COUNTY	
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Date: MAY 22, 2017	Scale: 1" = 200'
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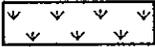
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WETLAND FILL "A"
0.175 AC.
AVG. 2' DEEP (565 CY)

WETLAND FILL "B"
0.082 AC.
AVG. 2' DEEP (265 CY)

LEGEND

-  WETLANDS
-  UPLANDS
-  PROPOSED FILL

WETLAND FILL "C"
0.004 AC.
AVG. 2' DEEP (13 CY)

WETLAND FILL "D"
0.007 AC.
AVG. 2' DEEP (23 CY)

WETLAND MASTERPLAN

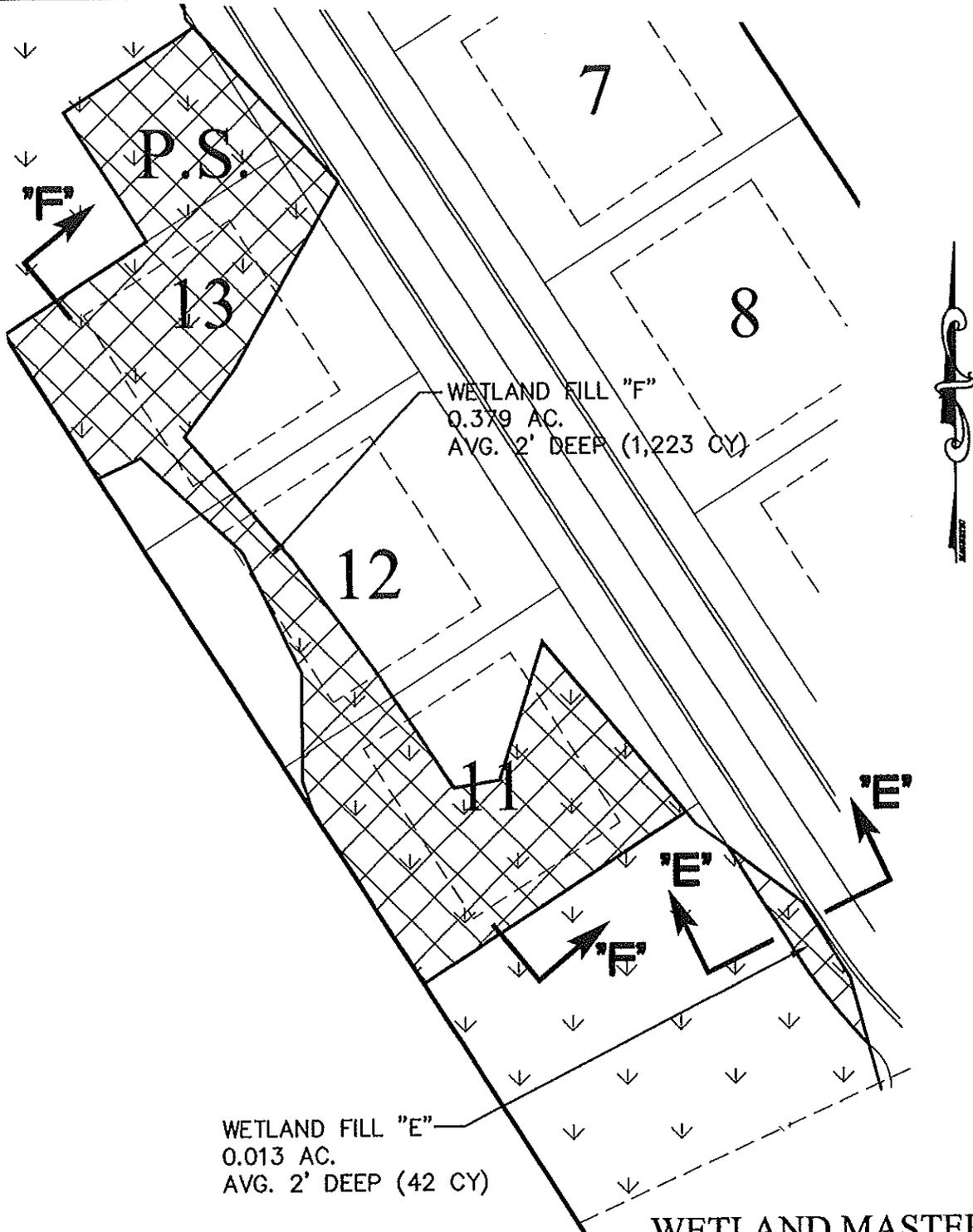
SCALE: 1" = 50'

PROPOSED ACTIVITY:
WETLAND FILL IMPACT FOR REQUIRED
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DEVELOPMENT.

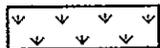
Revisions	
Date	Initials

Project Title: BOBO TRACT	
Project Location: Lat. 32.736944 N, Long. 80.057778 W HOLLYDALE COURT, CHARLESTON COUNTY	
Applicant: FIVE LAKES, LLC	
Date: MAY 22, 2017	Scale: 1" = 50'
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LEGEND

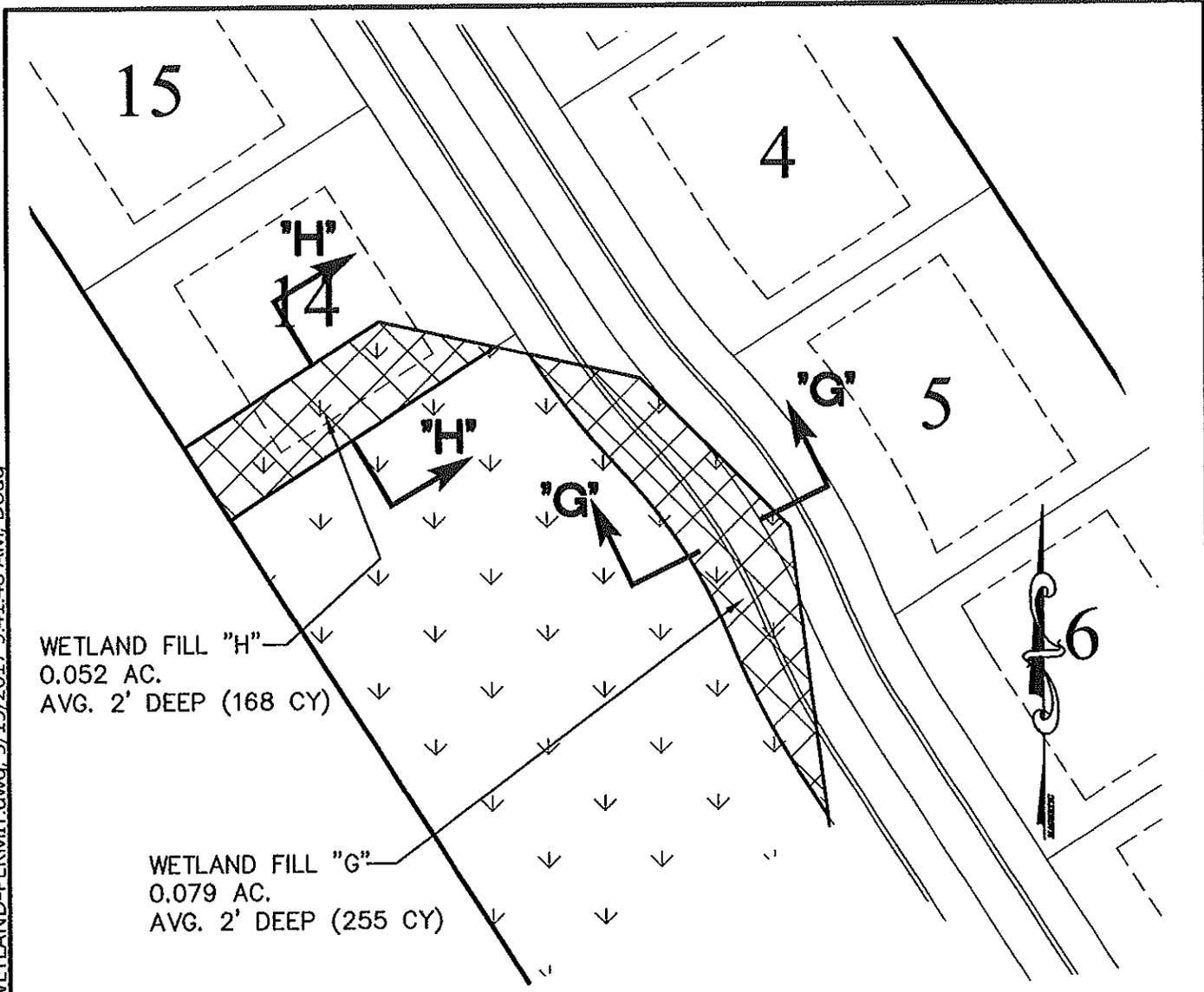
-  WETLANDS
-  UPLANDS
-  PROPOSED FILL

PROPOSED ACTIVITY:
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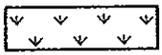
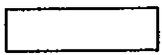
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WETLAND FILL "H"
0.052 AC.
AVG. 2' DEEP (168 CY)

WETLAND FILL "G"
0.079 AC.
AVG. 2' DEEP (255 CY)

LEGEND

-  WETLANDS
-  UPLANDS
-  PROPOSED FILL

PROPOSED ACTIVITY:
WETLAND FILL IMPACT FOR REQUIRED
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DEVELOPMENT.

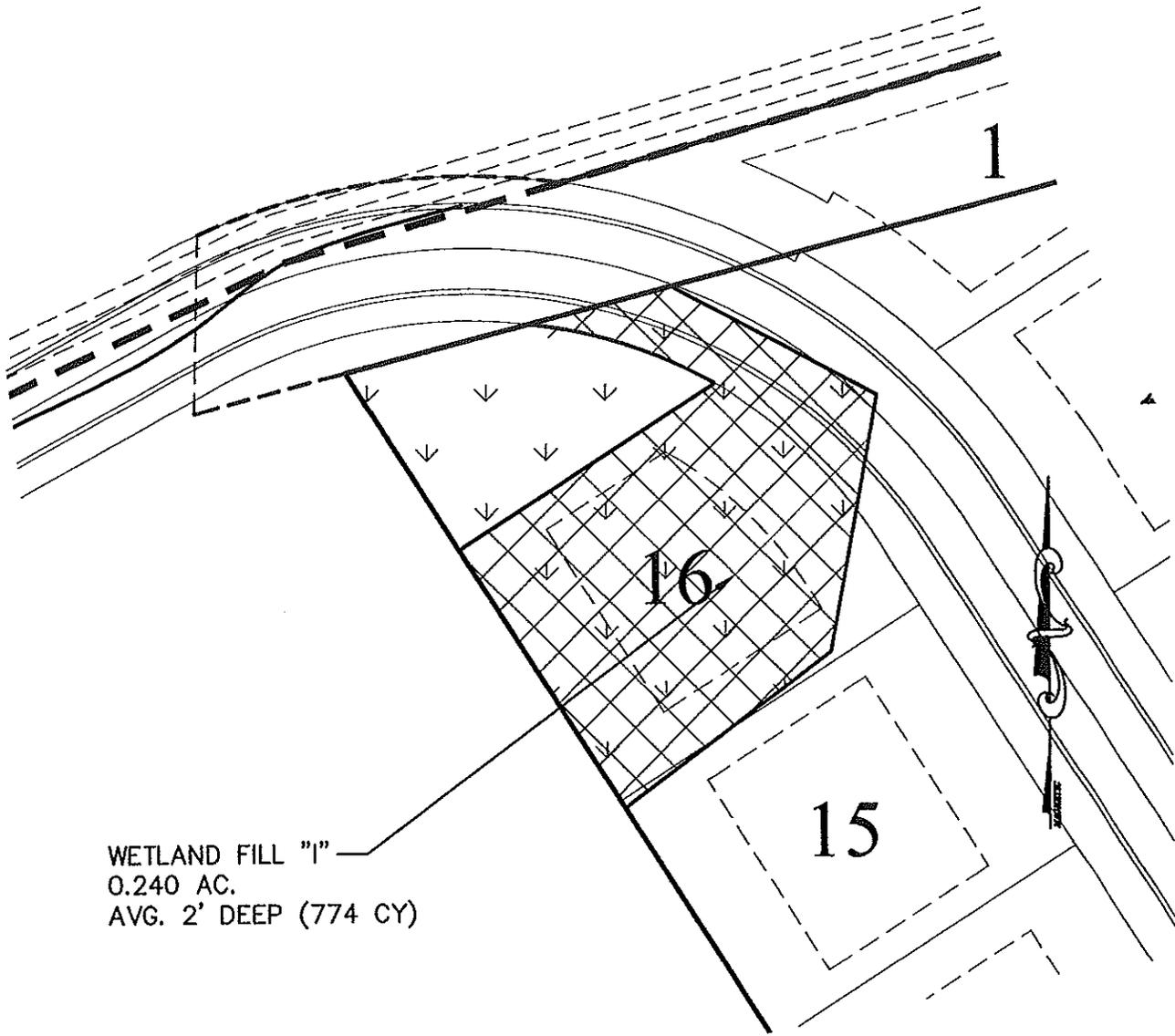
Revisions	
Date	Initials

WETLAND MASTERPLAN

SCALE: 1" = 50'

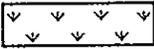
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Applicant: FIVE LAKES, LLC	
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WETLAND FILL "1"
 0.240 AC.
 AVG. 2' DEEP (774 CY)

LEGEND

-  WETLANDS
-  UPLANDS
-  PROPOSED FILL

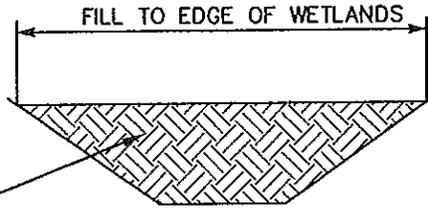
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 DEVELOPMENT.

WETLAND MASTERPLAN

SCALE: 1" = 50'

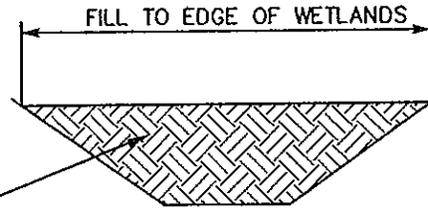
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		Date: MAY 22, 2017	Scale: NONE
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WETLAND FILL "C"
 0.004 AC.
 AVG. 2' DEEP (13 CY)

CROSS SECTION "A-A"
 N.T.S.



WETLAND FILL "D"
 0.007 AC.
 AVG. 2' DEEP (23 CY)

CROSS SECTION "B-B"
 N.T.S.

CROSS SECTIONS

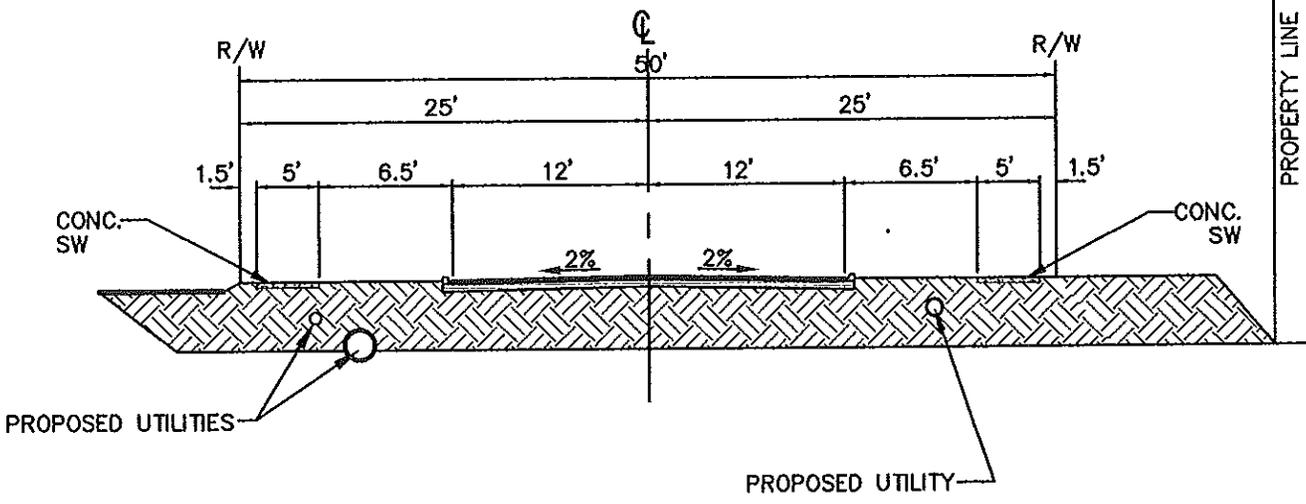
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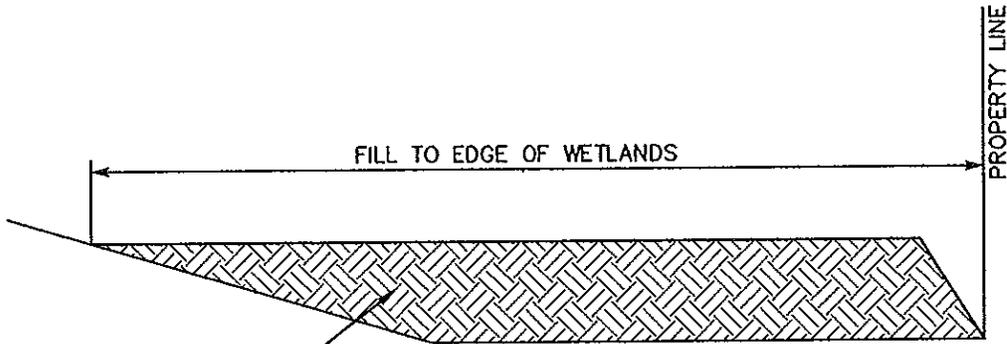
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CROSS SECTION "C-C"
N.T.S.



WETLAND FILL "B"
0.082 AC.
AVG. 2' DEEP (265 CY)

CROSS SECTION "D-D"
N.T.S.

CROSS SECTIONS

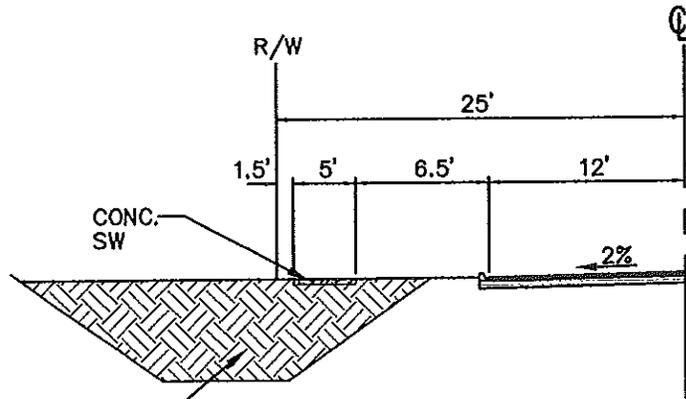
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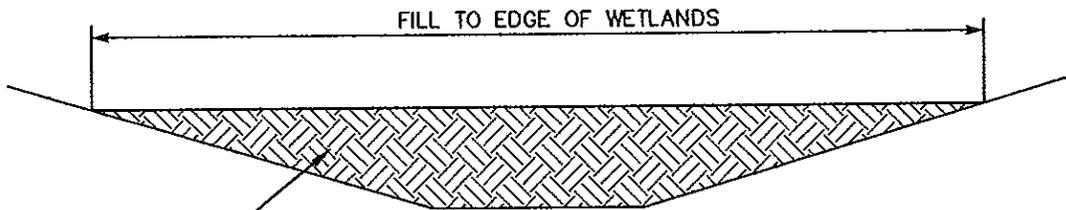
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WETLAND FILL "E"
 0.013 AC.
 AVG. 2' DEEP (42 CY)

CROSS SECTION "E-E"
 N.T.S.



WETLAND FILL "F"
 0.379 AC.
 AVG. 2' DEEP (1,223 CY)

CROSS SECTION "F-F"
 N.T.S.

CROSS SECTIONS

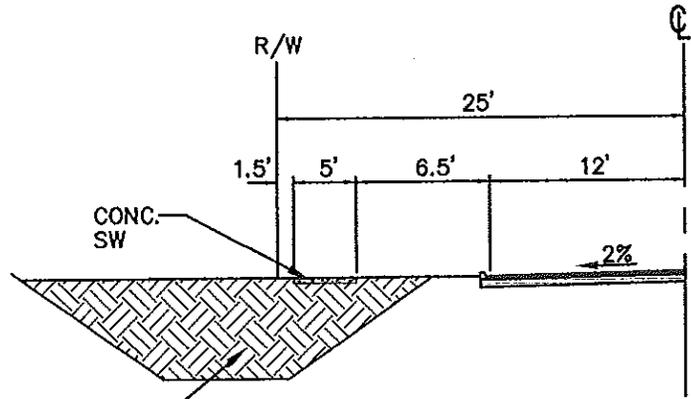
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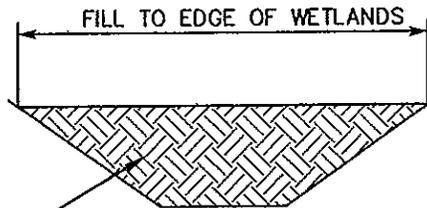
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WETLAND FILL "G"
0.079 AC.
AVG. 2' DEEP (255 CY)

CROSS SECTION "G-G"
N.T.S.



WETLAND FILL "H"
0.052 AC.
AVG. 2' DEEP (168 CY)

CROSS SECTION "H-H"
N.T.S.

CROSS SECTIONS

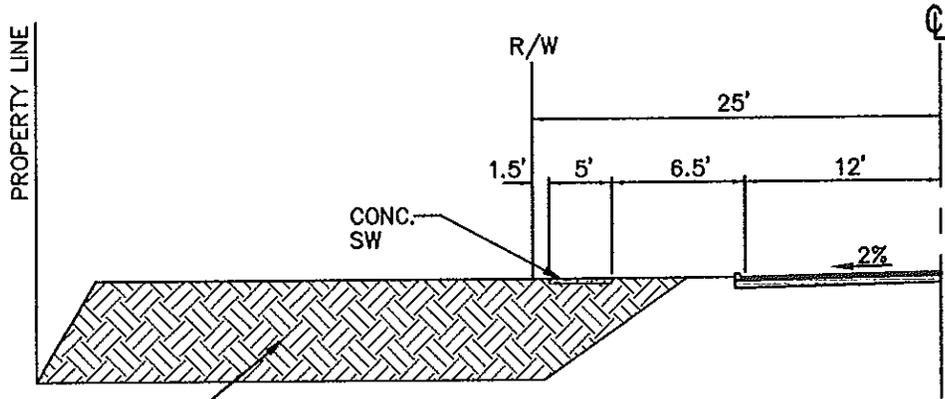
SCALE: NONE

PROPOSED ACTIVITY:
WETLAND FILL IMPACT FOR REQUIRED
INFRASTRUCTURE AND LOT
DEVELOPMENT.

Revisions	
Date	Initials

Project Title: BOBO TRACT	
Project Location: Lat. 32.736944 N, Long. 80.057778 W HOLLYDALE COURT, CHARLESTON COUNTY	
Applicant: FIVE LAKES, LLC	
Date: MAY 22, 2017	Scale: NONE
Application #	Sheet 13 of 14

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WETLAND FILL "I"
 0.240 AC.
 AVG. 2' DEEP (774 CY)

CROSS SECTION "I-I"
 N.T.S.

SCALE: NONE

PROPOSED ACTIVITY:
 WETLAND FILL IMPACT FOR REQUIRED
 INFRASTRUCTURE AND LOT
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Revisions	
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