

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 Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N # 2014-00654-1T

19 May 2015

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

EASTWOOD CONSTRUCTION, LLC
C/O NEWKIRK ENVIRONMENTAL, INC.
RYAN CLAREY
P.O. BOX 746
MT. PLEASANT, SC 29465

for a permit to place fill in a freshwater wetland adjacent to an

UNNAMED TIDAL CREEK OF THE STONO RIVER

At 0 Brownswood Road adjacent to the intersection of Brownswood Road and Fickling Road on Johns Island, Charleston County, South Carolina (32.753546 Latitude/ -80.068916 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 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 placement of fill material in freshwater wetlands. In detail, the proposed work involves the placement of fill in 0.12 acre of a wetland for the construction of a road thoroughfare and placement of fill in 0.30 acre of the same wetland for lot development. The total fill impacts associated with the proposed project is 0.42 acre. The purpose of the proposed project is to establish a single-family residential development. As stated by the applicant, the wetland's position within the site's landscape makes it possible to avoid while creating a viable and logical layout of the proposed development. The remaining 6.11 acres of wetlands within the proposed project area have been avoided. The applicant is proposing to purchase 4.3 credits from the Pigeon Pond Mitigation bank as compensatory mitigation for the 0.42 acre of freshwater wetland impacts.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> . For those unable to access the website, a copy of this notice and the associated plans will be provided, upon receipt of a written request. 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 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 0.42 acres of freshwater wetlands adjacent to estuarine substrates and emergent wetlands utilized by various life stages of species comprising the 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 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 the NHPA, the District Engineer has 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 initially determined that no historic properties, nor properties eligible for inclusion in the National Register, are present; therefore, there will be no effect on 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 and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. 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.

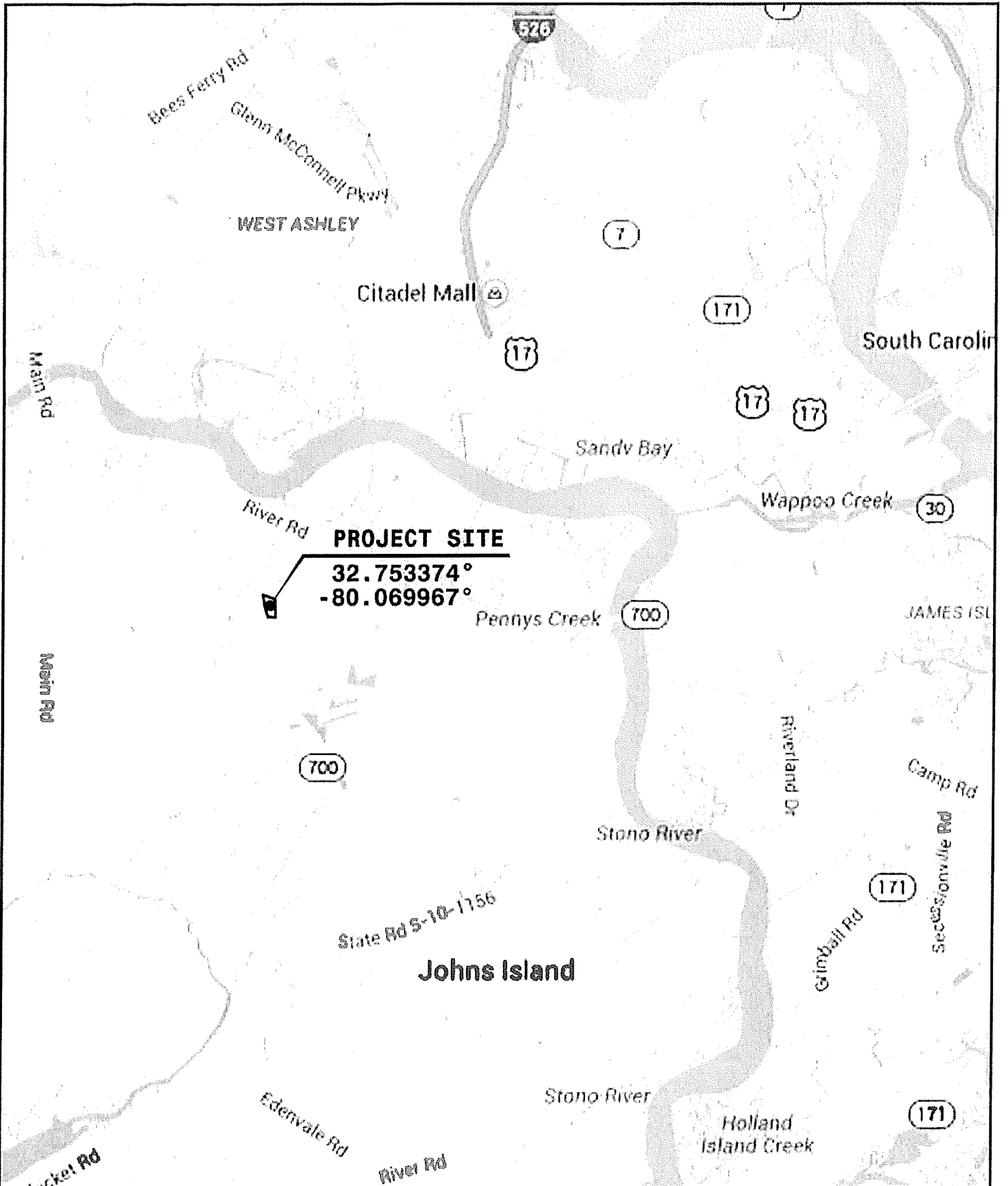
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine 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

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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.

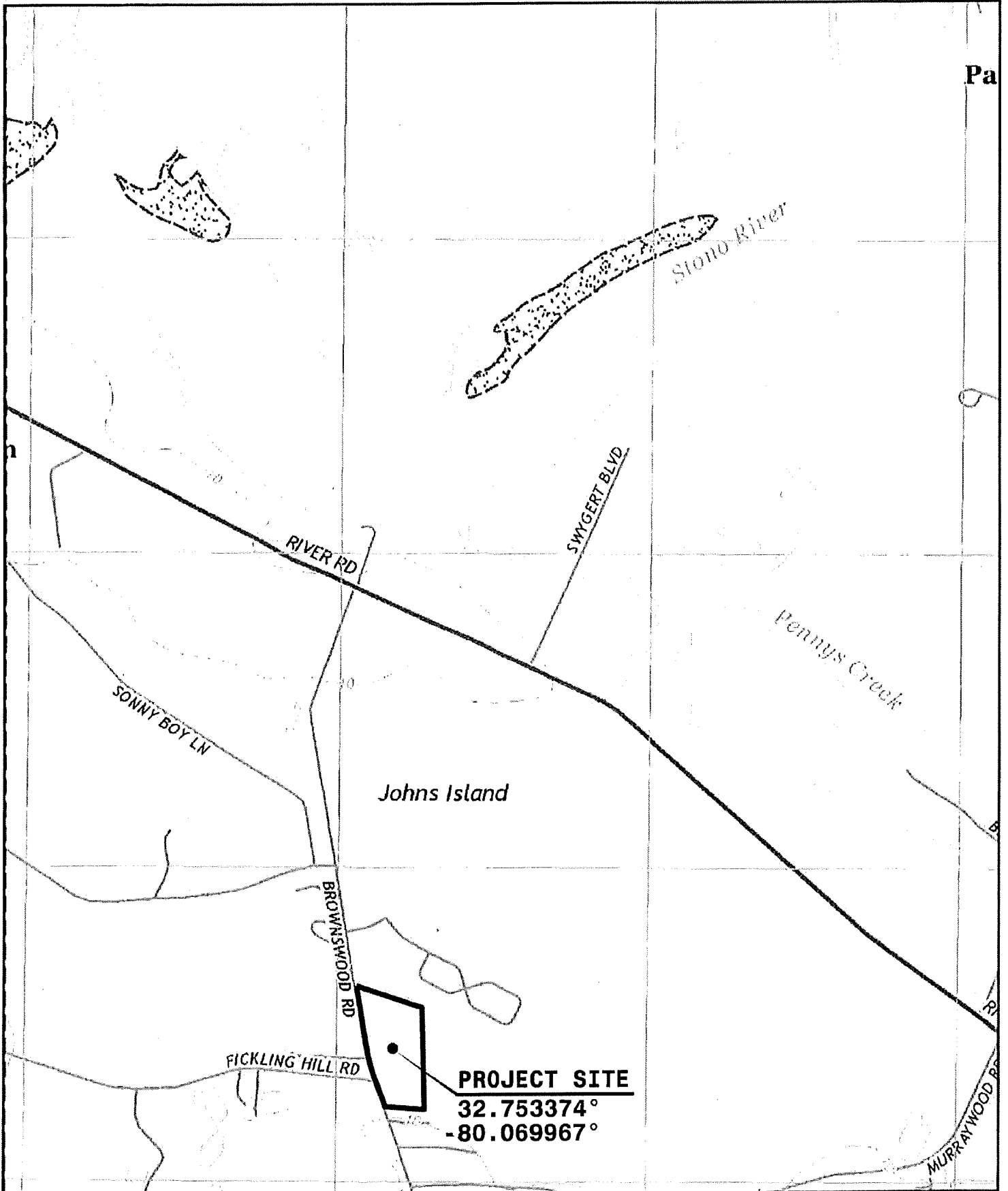
If there are any questions concerning this public notice, please contact **Tracy Sanders** at 843-329-8044 or toll free at 1-866-329-8187.



VICINITY MAP
 SCALE: N.T.S.
 DATE: MARCH 6, 2015
 SHEET 1 OF 5



PROPOSED ACTIVITY: WETLAND FILL PERMIT
 APPLICATION FOR RESIDENTIAL CONSTRUCTION
 COUNTY: CHARLESTON
 APPLICANT: EASTWOOD HOMES



USGS JOHNS ISLAND
 2014 QUAD MAP
 SCALE: N.T.S.
 DATE: MARCH 6, 2015
 SHEET 2 OF 5

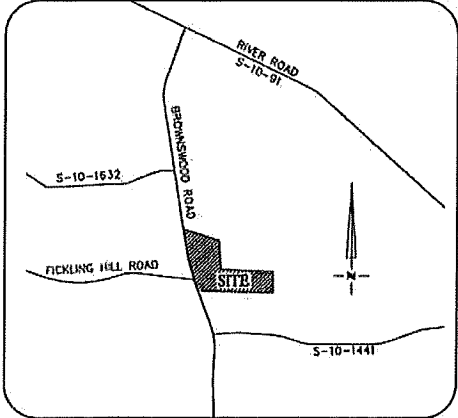


PROPOSED ACTIVITY: WETLAND FILL PERMIT
 APPLICATION FOR RESIDENTIAL CONSTRUCTION
 COUNTY: CHARLESTON
 APPLICANT: EASTWOOD HOMES

CRITICAL AREA "B"
TO REMAIN
(1.20 AC/52,272 SQ FT)

CRITICAL AREA "A"
TO REMAIN
(2.16 AC/94,089 SQ FT)

WETLAND AREA "A"
TO REMAIN
(1.52 AC/66,211 SQ FT)



VICINITY MAP
Not To Scale

SHEET 4

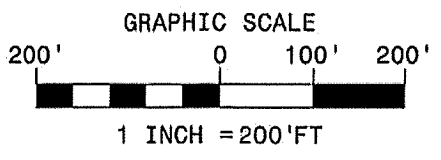
WETLAND AREA "D"
TO REMAIN
(0.15 AC/6,534 SQ FT)

WETLAND FILL AREA "C"
TO BE FILLED
(0.42 AC/18,295 SQ FT)

WETLAND AREA "B"
TO REMAIN
(0.52 AC/22,651 SQ FT)

WETLAND AREA "E"
TO REMAIN
(0.56 AC/24,393 SQ FT)

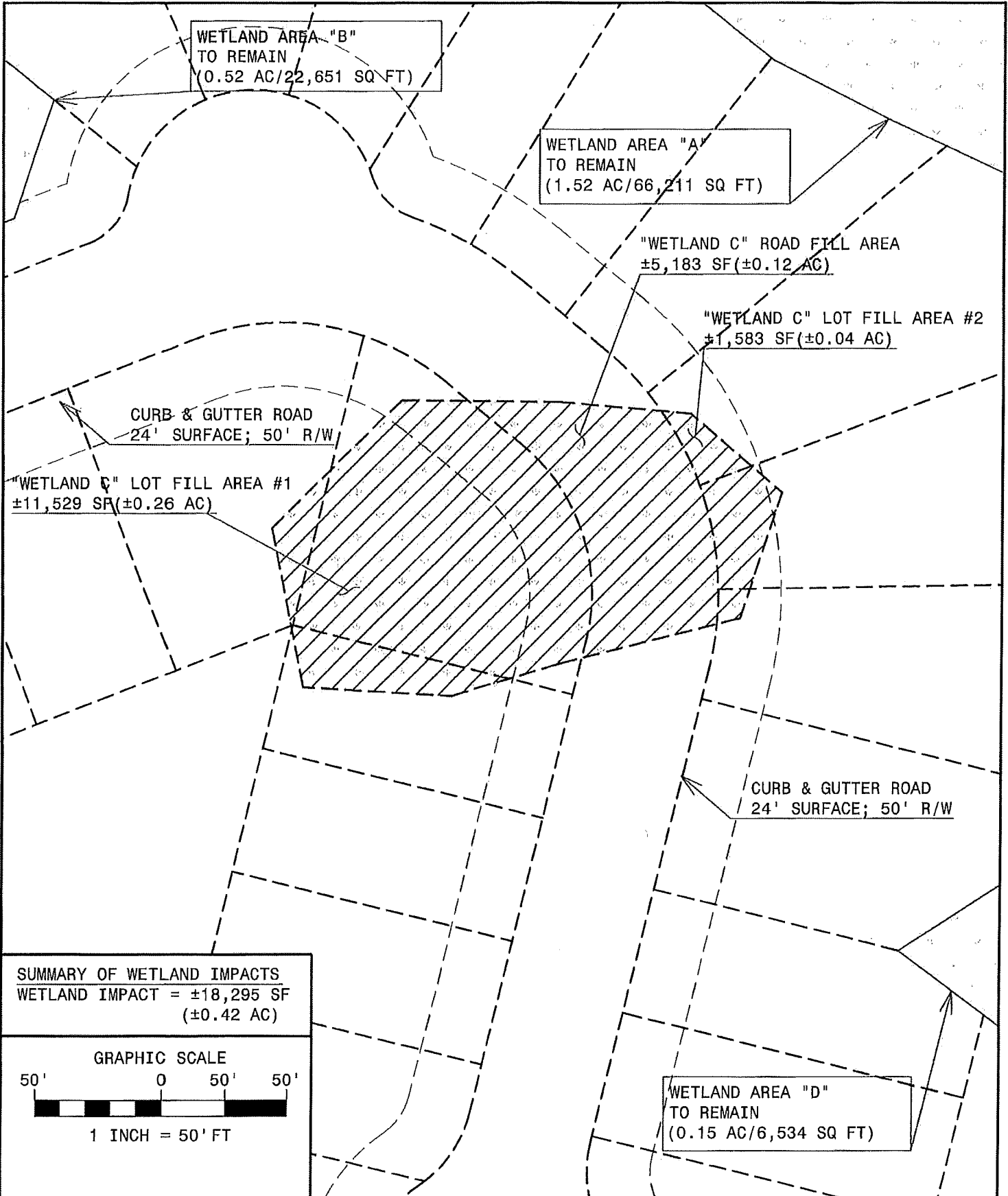
SUMMARY OF WETLAND IMPACTS	
TOTAL PROJECT AREA =	±662,547 SF (±15.21 AC)
UPLAND AREA =	±361,983 SF (±8.31 AC)
WETLAND IMPACT =	±18,295 SF (±0.42 AC)
WETLAND FILL VOLUME =	±678 CU YDS



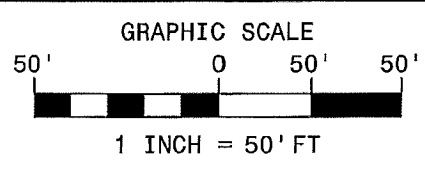
OVERALL SITE PLAN
SCALE: 1" = 200'
DATE: MARCH 6, 2015
SHEET 3 OF 5



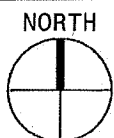
PROPOSED ACTIVITY: WETLAND FILL PERMIT
APPLICATION FOR RESIDENTIAL CONSTRUCTION
COUNTY: CHARLESTON
APPLICANT: EASTWOOD HOMES



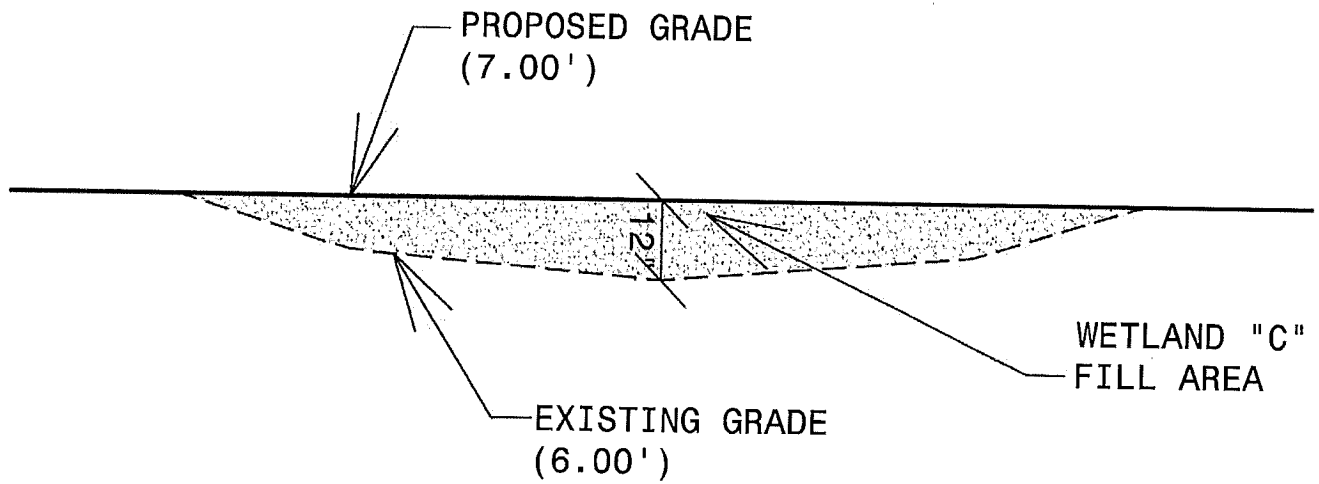
SUMMARY OF WETLAND IMPACTS
 WETLAND IMPACT = ±18,295 SF
 (±0.42 AC)



WETLAND AREA #1
 SITE PLAN
 SCALE: 1" = 50'
 DATE: MARCH 6, 2015
 SHEET 4 OF 5



PROPOSED ACTIVITY: WETLAND FILL PERMIT
 APPLICATION FOR RESIDENTIAL CONSTRUCTION
 COUNTY: CHARLESTON
 APPLICANT: EASTWOOD HOMES



TYPICAL WETLAND FILL



WETLAND AREA #1
CROSS SECTION
SCALE: AS SHOWN
DATE: MARCH 6, 2015
SHEET 5 OF 5

PROPOSED ACTIVITY: WETLAND FILL PERMIT
APPLICATION FOR RESIDENTIAL CONSTRUCTION
COUNTY: CHARLESTON
APPLICANT: EASTWOOD HOMES