

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 #2004-1B-358-P

3 DECEMBER 2004

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

STAFFORD PROPERTIES
C/O ANDREWS ENGINEERING COMPANY, INC.
40A SHANKLIN ROAD
BEAUFORT, SOUTH CAROLINA 29906

for a permit to excavate and place fill material in

WATERS OF THE UNITED STATES, INCLUDING FRESHWATER WETLANDS

at a location adjacent to and north of U.S. Highway 278 approximately 1.5 miles northeast of the Town of Bluffton, in Beaufort County, South Carolina.
Latitude 32° 15' 30" N, Longitude 80° 50' 58" W.

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 both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, 3 JANUARY 2005

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

The proposed work consists of filling 1.78 acres of jurisdictional freshwater wetlands and a existing retention/detention pond for access roads and filling 0.29 acres of non-jurisdictional freshwater wetlands to provide high ground for development. In addition, 1.67 acres of freshwater wetlands will be excavated to create new retention/detention ponds. As mitigation for adverse wetland impacts the applicant proposes to preserve the remaining 7.56 acres of on-site unaltered wetlands and 2.76 acres of upland buffers. As additional mitigation, the applicant proposes to purchase 29.6 credits from the Sweetleaf Swamp Mitigation Bank. The purpose of the proposed work, as stated by the applicant, is to provide a safe traffic signal intersection on U.S. Highway 278 and provide access to the proposed Johnson Tract development.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. 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 the Coastal Zone Management Program (15 CFR 930). 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 freshwater habitat upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, 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.

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 this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

The District Engineer has consulted the most recently available information and has determined 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 7(c) of the Endangered Species Act of 1973 (as amended).

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.

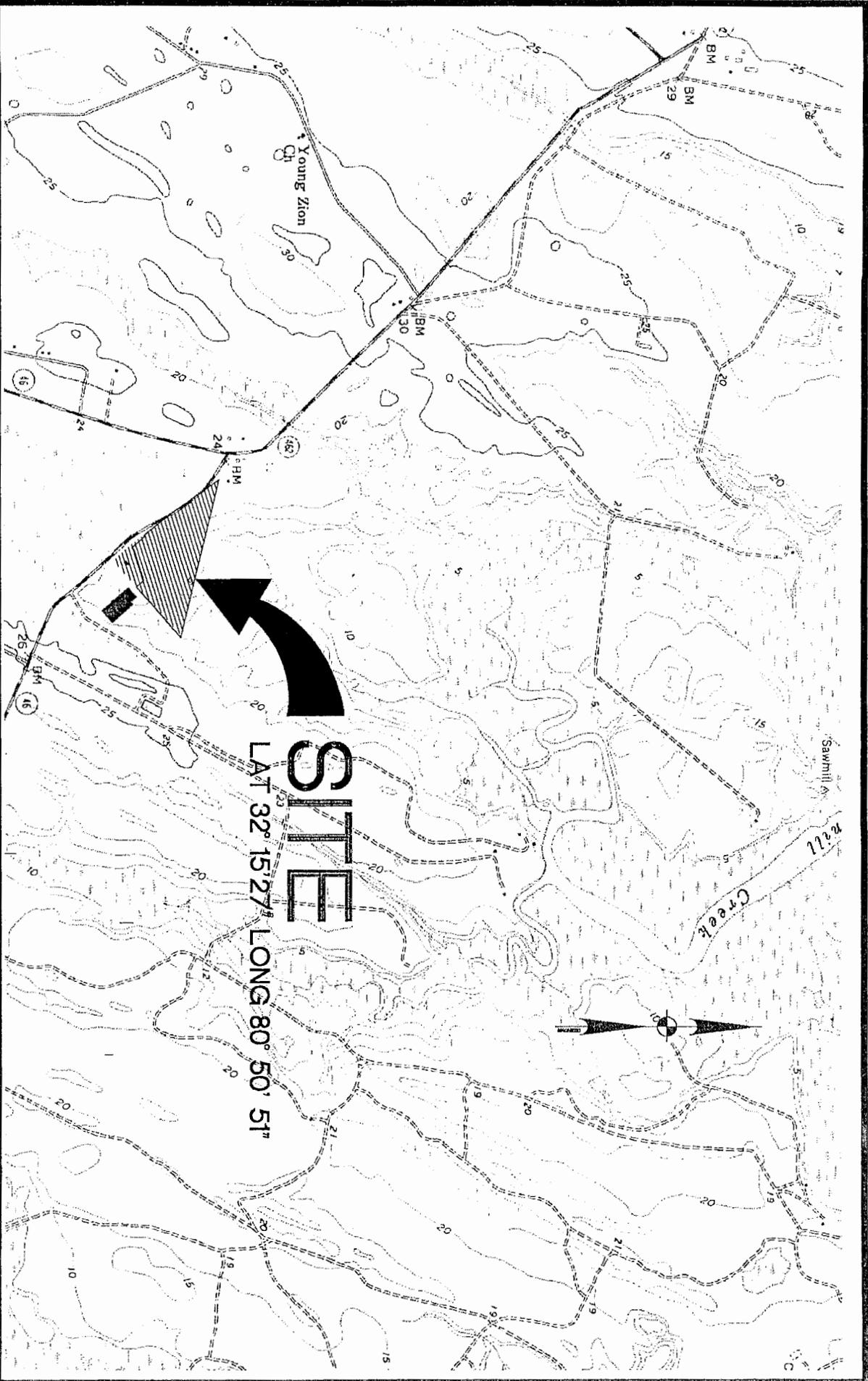
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 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 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 me at 843-329-8044 or toll free at 1-866-329-8187.



Randy Fowler
Project Manager
Regulatory Division
U.S. Army Corps of Engineers



TOPOGRAPHIC MAP

U.S.G.S TOPOGRAPHIC MAP — SPRING ISLAND QUADRANGLE
 SCALE: 1"=2000'

233001scdot.dwg

REVISED -----

PROP. ACTIVITY: WETLAND FILL FOR ACCESS & DEVELOPMENT

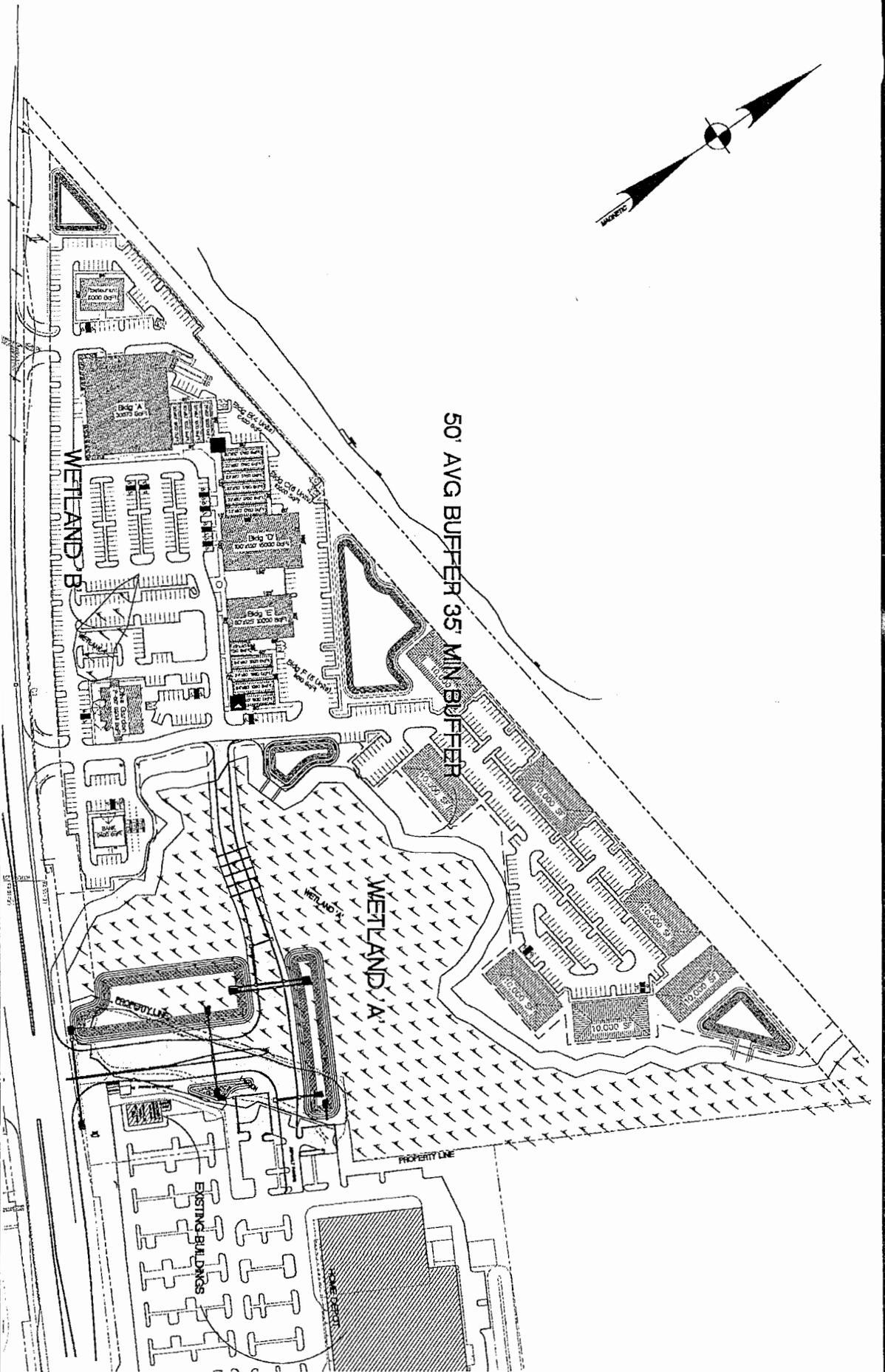
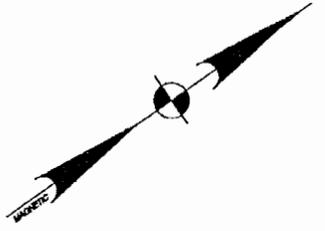
PROJECT NAME: JOHNSON TRACT

APPLICANT: ANDREWS ENGINEERING INC.

STAFFORD PROPERTIES INC.
 80 W. Wicuca Rd. NE Suite 302
 Atlanta GA 30342

DATE: 10/01/04

SHEET 1 OF 8



OVERALL DEVELOPMENT SITE

JOHNSON TRACT (PROPOSED) AND HOME DEPOT (EXISTING)
SCALE: 1" = 250'

233001scdot.dwg

REVISED -----

DATE: 10/01/04

SHEET 2 OF 8

PROP. ACTIVITY: WETLAND FILL FOR ACCESS & DEVELOPMENT

PROJECT NAME: JOHNSON TRACT

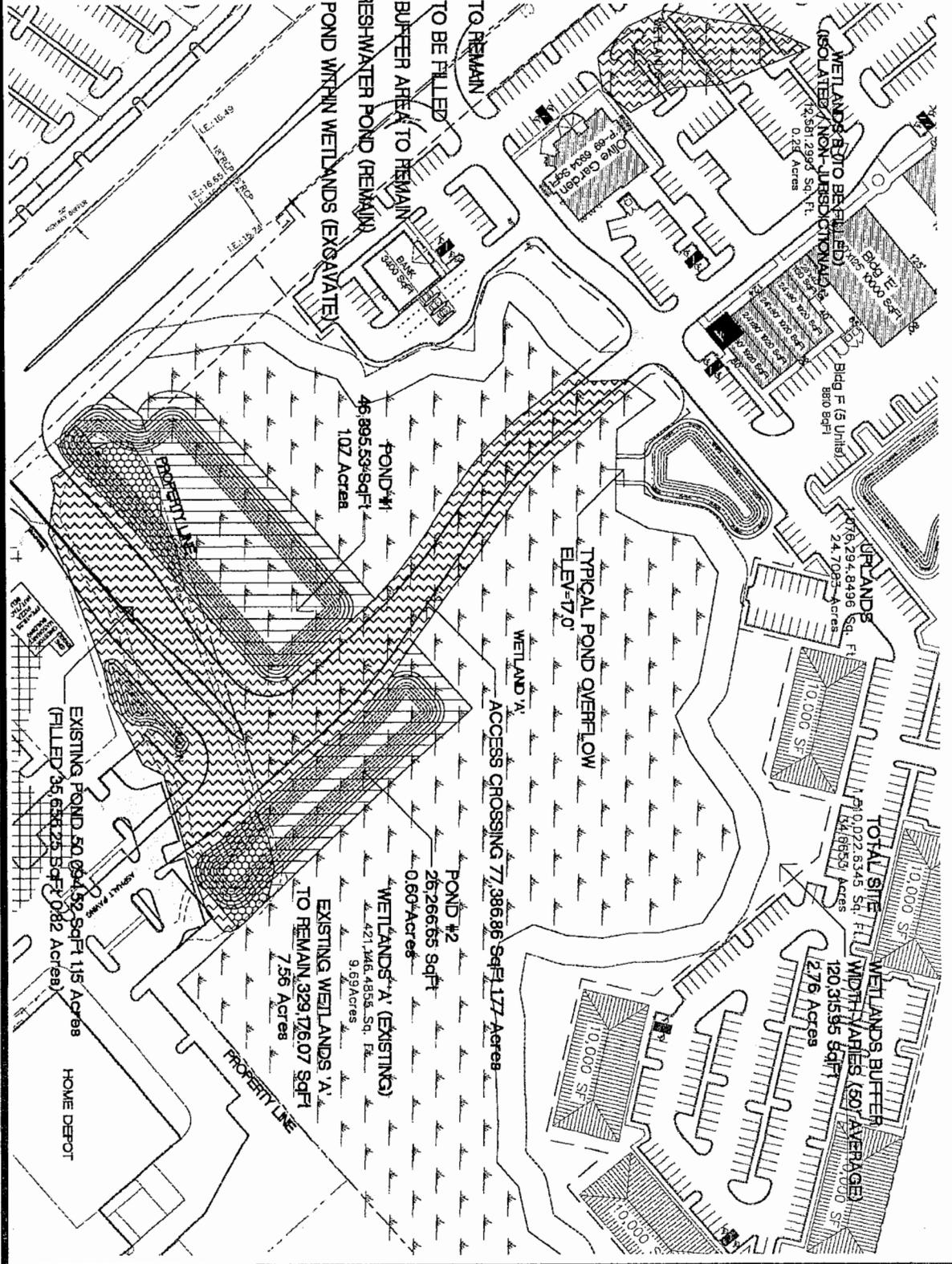
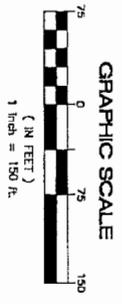
APPLICANT: ANDREWS ENGINEERING INC.

STAFFORD PROPERTIES INC
80 W. Wicard Rd. NE Suite 302
Atlanta GA 30342



LEGEND

	WETLANDS TO REMAIN
	WETLANDS TO BE FILLED
	WETLANDS BUFFER AREA TO REMAIN
	EXISTING FRESHWATER POND (REMAIN)
	PROPOSED POND WITHIN WETLANDS (EXCAVATE)



WETLANDS IMPACT

PROP. ACTIVITY: WETLAND FILL FOR ACCESS & DEVELOPMENT

PROJECT NAME: JOHNSON TRACT

APPLICANT: ANDREWS ENGINEERING INC. STAFFORD PROPERTIES INC

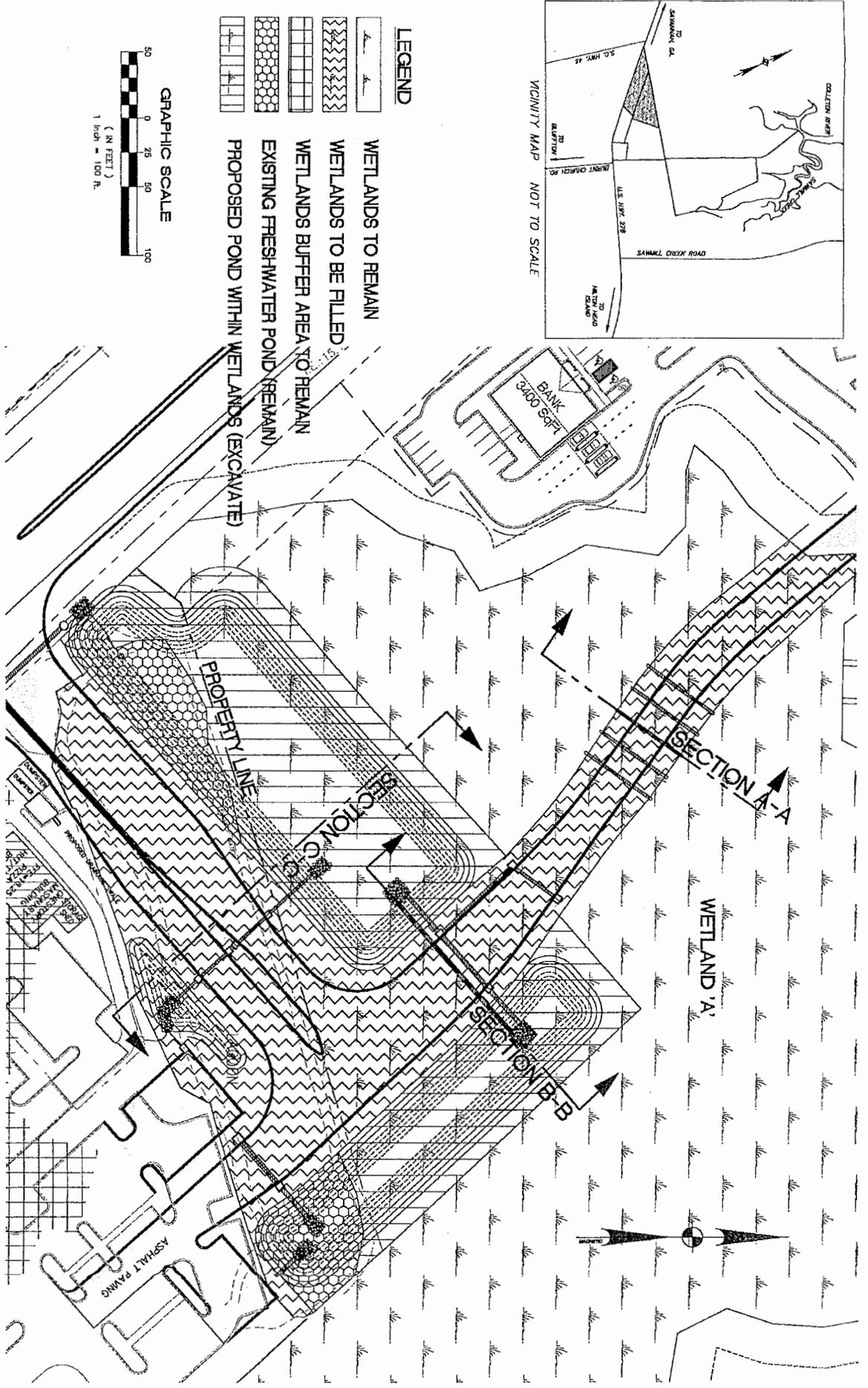
80 W. Wicuca Rd. NE Suite 302
Atlanta GA 30342

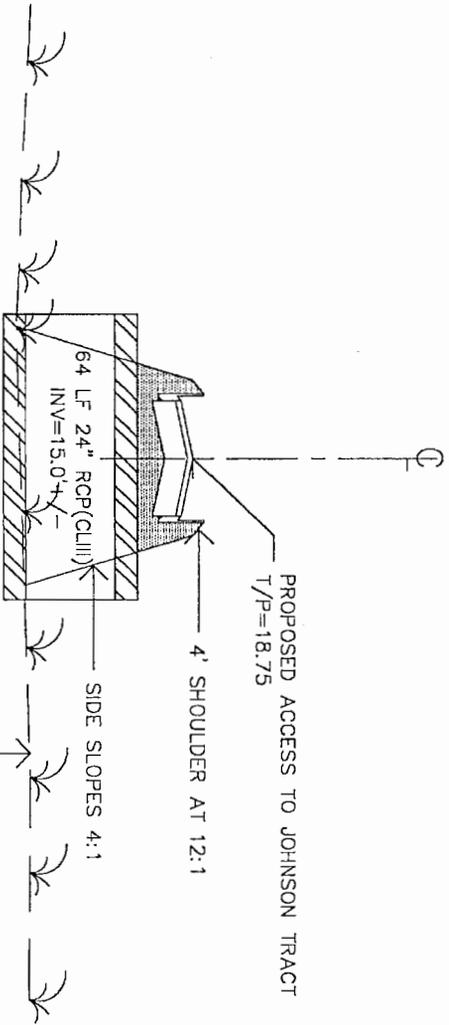
WETLAND 'A' CROSS SECTION PLAN

REVISED -----

PROP. ACTIVITY: WETLAND FILL FOR ACCESS & DEVELOPMENT
 PROJECT NAME: JOHNSON TRACT
 APPLICANT: ANDREWS ENGINEERING INC.
 STAFFORD PROPERTIES INC
 80 W. Wicuga Rd. NE Suite 302
 Atlanta GA 30342

DATE: 10/01/04
 SHEET 4 OF 8





SECTION A-A

SCALE: HORIZONTAL 1"=40'
VERTICAL 1"=4'

SECTION A-A

PROP. ACTIVITY: WETLAND FILL FOR

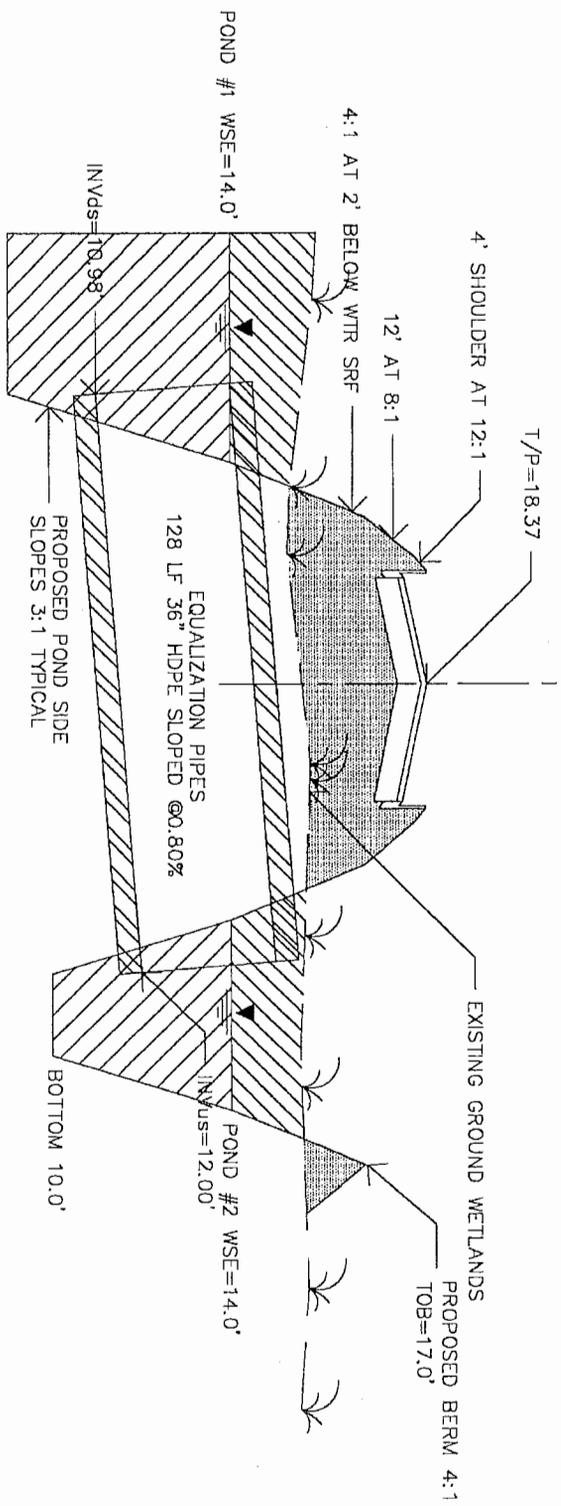
ACCESS & DEVELOPMENT

PROJECT NAME: JOHNSON TRACT

APPLICANT: ANDREWS ENGINEERING INC.

STAFFORD PROPERTIES INC.

80 W. Wecua Rd. NE Suite 302
Atlanta GA 30342



SECTION B-B

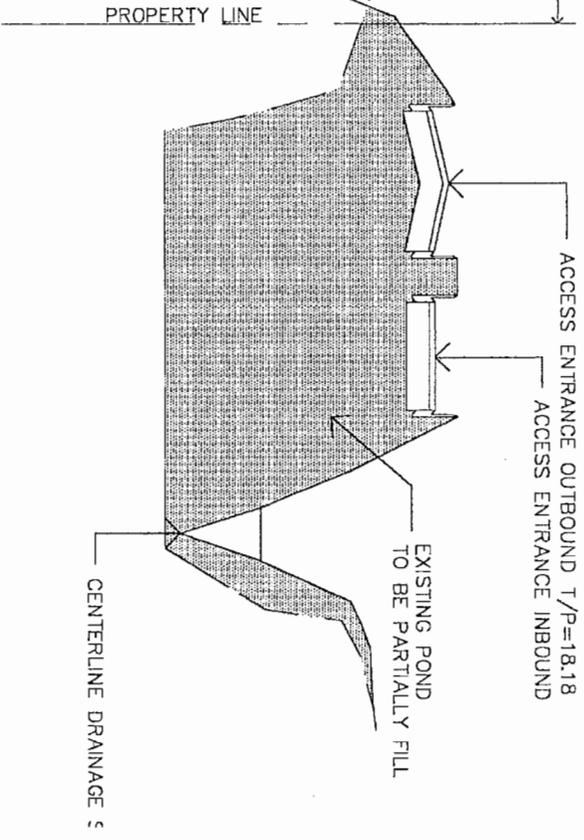
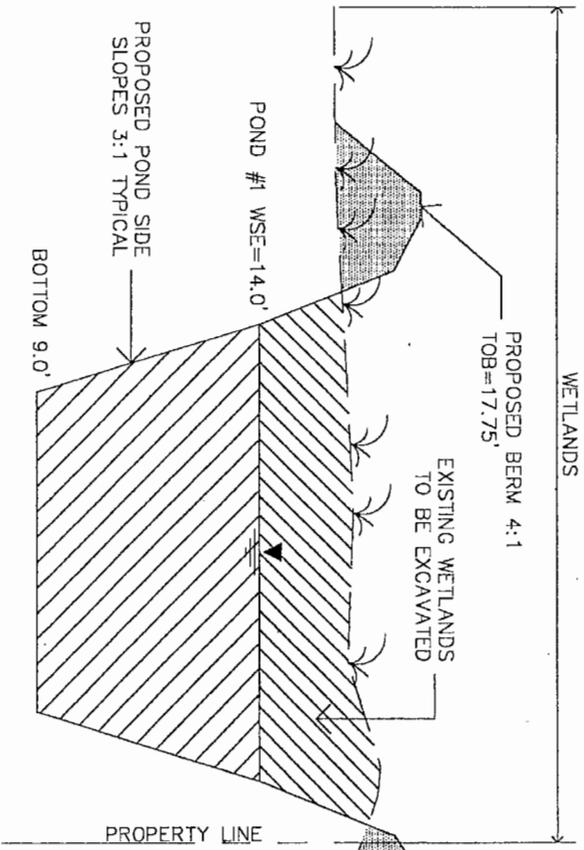
SCALE: HORIZONTAL 1"=40'
 VERTICAL 1"=4'

SECTION B-B

PROP. ACTIVITY: WETLAND FILL FOR ACCESS & DEVELOPMENT

PROJECT NAME: JOHNSON TRACT

APPLICANT: ANDREWS ENGINEERING INC.
 STAFFORD PROPERTIES INC.
 80 W. Wicuco Rd. NE Suite 302
 Atlanta GA 30342



SECTION C-C

SCALE: HORIZONTAL 1"=40'
VERTICAL 1"=4'

SECTION C-C

PROP. ACTIVITY: WETLAND FILL FOR ACCESS & DEVELOPMENT
 PROJECT NAME: JOHNSON TRACT
 APPLICANT: ANDREWS ENGINEERING INC.
 STAFFORD PROPERTIES INC.
 80 W. Wecua Rd. NE Suite 302
 Atlanta GA 30342

DATE: 10/01/04

IMPACT SUMMARY

TOTAL SITE AREA AND WETLAND AREA (ONSITE ONLY)

TOTAL UPLAND AREA	1,076,294.850 SqFt	24.71 AC
TOTAL WETLAND AREA	433,727.785 SqFt	9.98 AC
TOTAL AREA	1,510,022.635 SqFt	34.69 AC

WETLAND IMPACTS

FRESHWATER POND #1		1.07 AC
WETLAND (EXCAVATE)	.901 AC	
EXISTING POND (REMAIN)	.165 AC	
FRESHWATER POND #2		.60 AC
WETLAND (EXCAVATE)	.466 AC	
EXISTING POND (REMAIN)	.137 AC	
WETLAND A (FILLED ALONG ROAD CROSSING)		1.78 AC
WETLAND B (ISOLATED NON-JURISDICTIONAL)		.29 AC
TOTAL IMPACTED AREA		3.74 AC

TOTAL PRESERVATION AREA:

WETLAND 'A' TO REMAIN (ONSITE ONLY)		7.56 AC
UPLAND BUFFER (ONSITE ONLY)		2.76 AC
TOTAL PRESERVATION AREA	449,492.02 SqFt	10.32 AC

ESTIMATED FILL MATERIAL FOR WETLAND IMPACTS (COMBINED SITES)

PONDS (EXCAVATE)	13,454 CY
ACCESS CROSSING (FILLED)	13,844 CY
TOTAL WETLAND FILL	390 CY

IMPACT SUMMARY

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ACCESS & DEVELOPMENT
PROJECT NAME: JOHNSON TRACT
APPLICANT: ANDREWS ENGINEERING INC.
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SHEET 8 OF 8