

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

REGULATORY DIVISION

Refer to: P/N SAC-2015-01269

August 8, 2016

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

**MS. ALLISON TUCKER**  
**PULTEGROUP, INC.**  
**127 SUN CITY LSNR**  
**BLUFFTON, SOUTH CAROLINA 29909**

for a permit to expand an existing residential development near

**HABERSHAM CREEK**

at the existing Shadow Moss subdivision in the City of Beaufort, Beaufort County, South Carolina (Latitude: 32.4109 °N, Longitude: -80.7654 °W), Quad Sheet: Laurel Bay.

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 expanding an existing residential development. In detail the applicant proposes to impact 1.006 acres of wetlands and a ditch located within the 39.581 acre property. Specifically the proposed site plan includes impacts to 0.947 acres of jurisdictional wetlands and 0.059 acres of jurisdictional ditch. As depicted in the permit exhibits, the proposed impacts include 0.232 acres of wetland impact for road construction, 0.715 acres of impact for lot

development, and 0.059 acres of ditch fill for road and lot construction. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 9.6 wetland mitigation credits from the Sweetleaf Swamp Mitigation Bank. The project purpose is to expand the existing Shadow Moss Residential Development.

**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. Your request should be addressed to the**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, SC 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 1.006 acres 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)(1)(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 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. 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 cannot undertake to adjudicate rival claims.

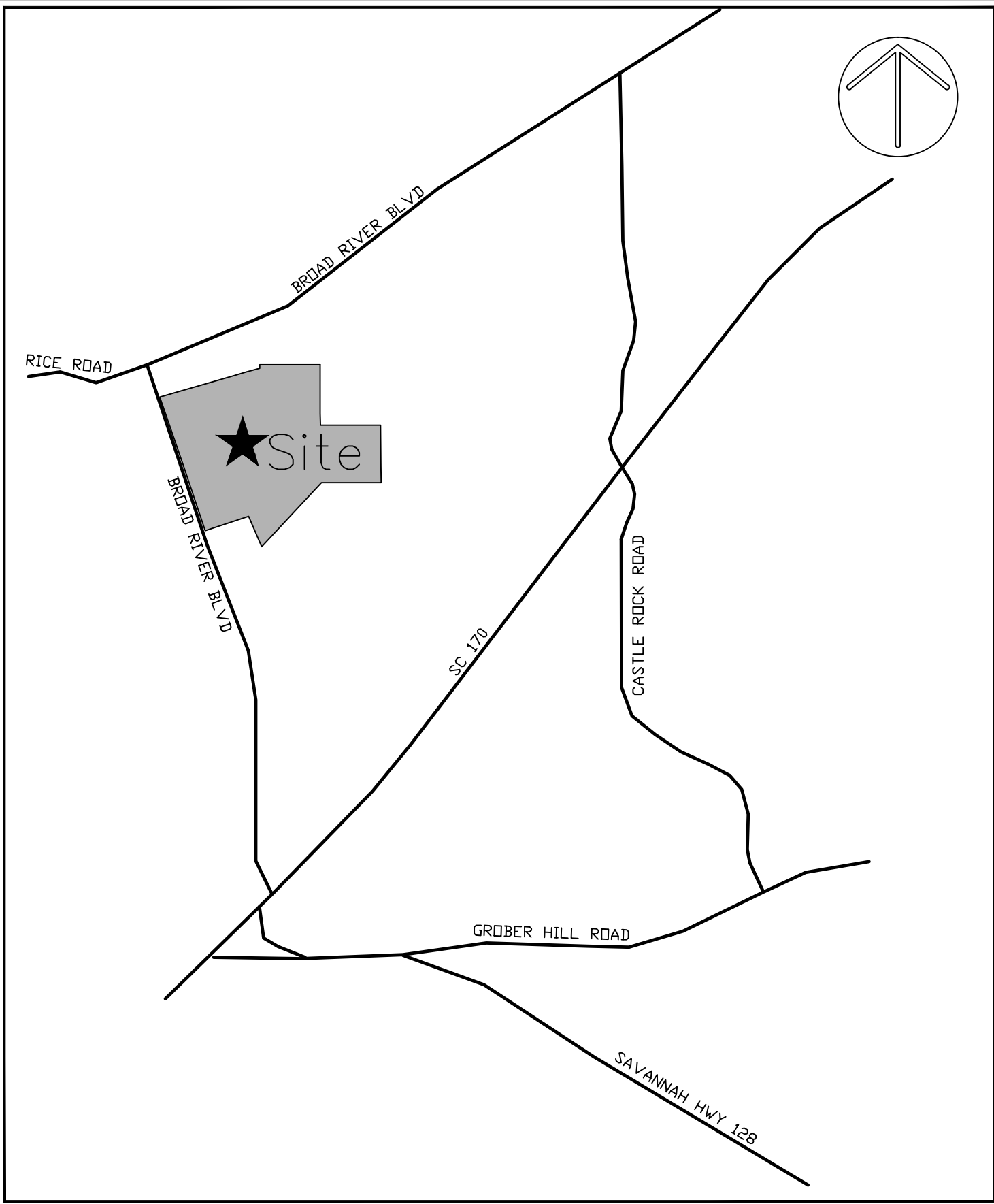
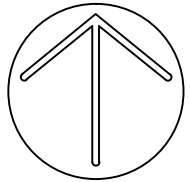
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify,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

If there are any questions concerning this public notice, please contact Chelsea B.

REGULATORY DIVISION  
SAC-2015-01269

August 8, 2016

Bowman, Project Manager, at 843-329-8044 or toll free at 1-866-329-8187.



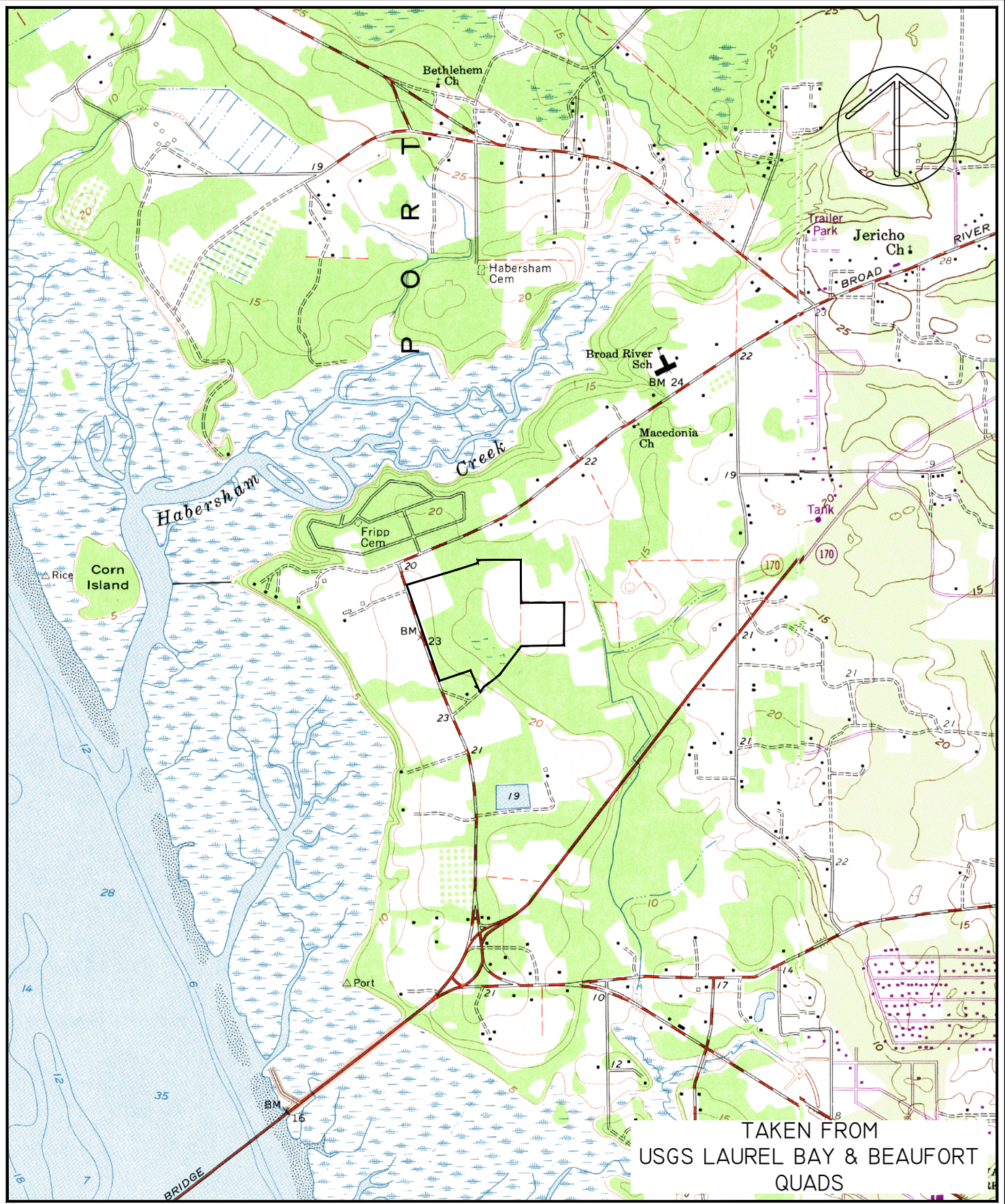
P.O. BOX 381  
BLUFFTON, SC 29910  
PH (843) 837-5250  
FAX (843) 837-2558  
WWW.WARDEDWARDS.COM

SHADOW MOSS SUBDIVISION  
**VICINITY MAP**

TOWN OF PORT ROYAL, SOUTH CAROLINA

DATE: 04-11-16  
REVISED: 07-11-16  
SCALE: NONE  
PROJECT # 150239

SHEET 1 OF 5



TAKEN FROM  
 USGS LAUREL BAY & BEAUFORT  
 QUADS



P.O. BOX 381  
 BLUFFTON, SC 29910  
 PH (843) 837-5250  
 FAX (843) 837-2558  
 WWW.WARDEDWARDS.COM

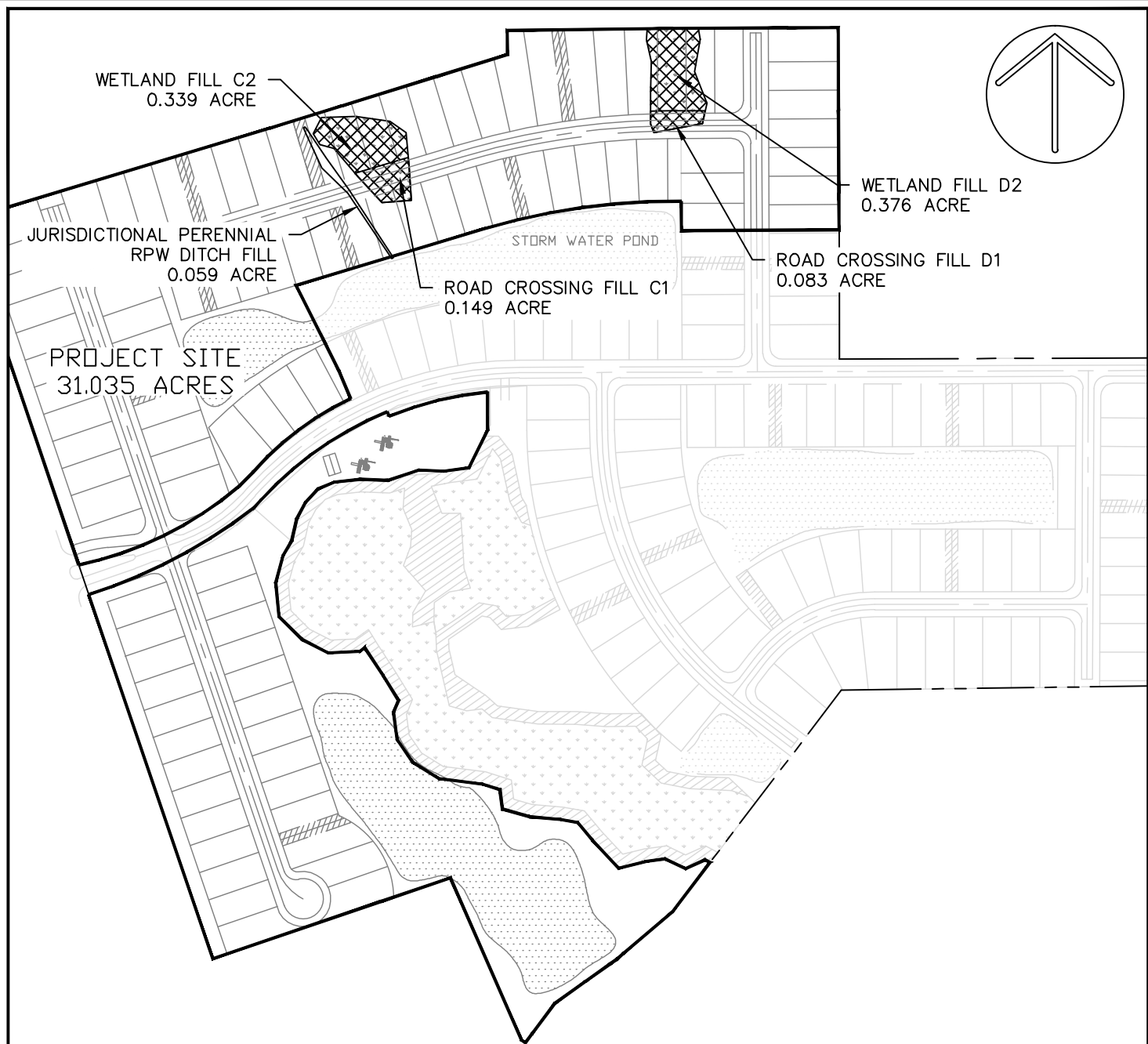
SHADOW MOSS SUBDIVISION

**USGS MAP**

TOWN OF PORT ROYAL, SOUTH CAROLINA

DATE: 04-11-16  
 REVISED: 07-11-16  
 SCALE: 1"=2000'  
 PROJECT # 150239

SHEET 2 OF 5



TOTAL SITE	31.035 AC	
WETLANDS TO BE FILLED		
FILL C1	0.149 AC	485 CU YD
FILL C2	0.339 AC	1,095 CU YD
FILL D1	0.083 AC	260 CU YD
FILL D2	0.376 AC	1,215 CU YD
DITCH FILL	0.059 AC	540 CU YD
<b>TOTAL WETLANDS TO BE FILLED</b>	<b>1.006 AC</b>	<b>3,595 CU YD</b>



**Ward  
Edwards**  
ENGINEERING

P.O. BOX 381  
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PH (843) 837-5250  
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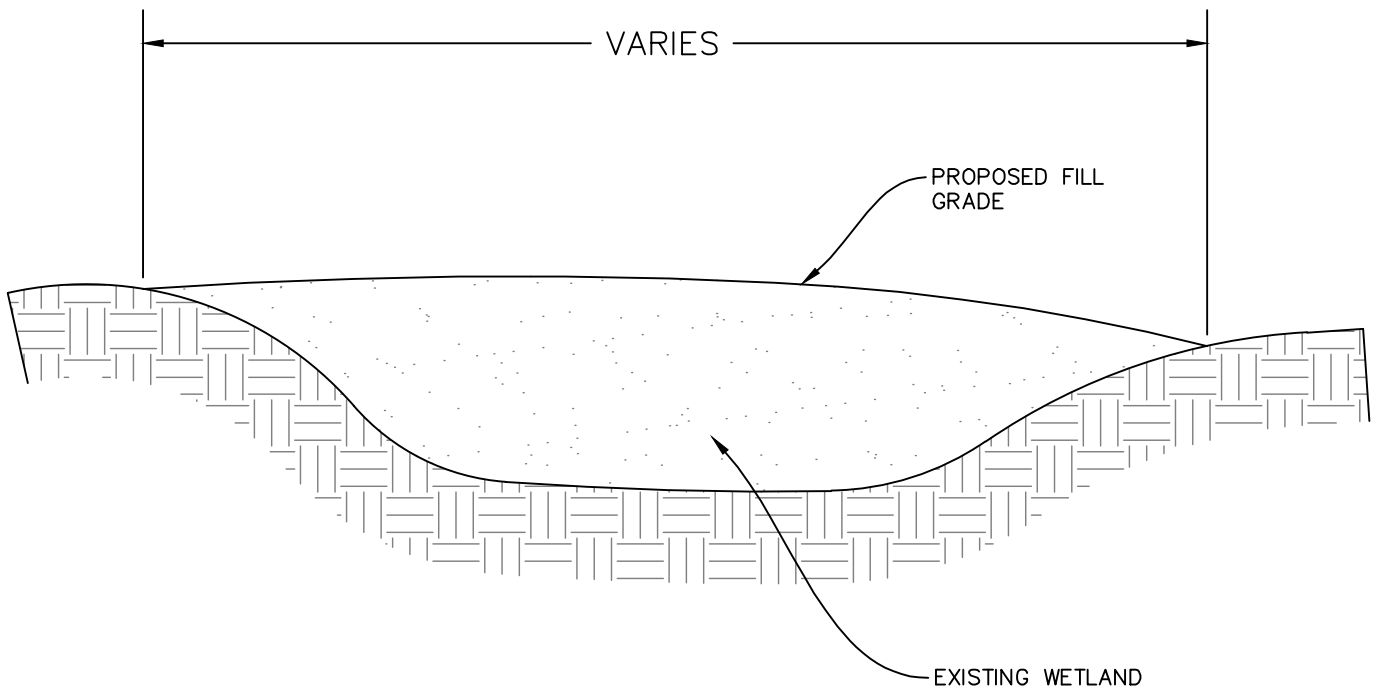
SHADOW MOSS SUBDIVISION

**WETLAND IMPACTS**

TOWN OF PORT ROYAL, SOUTH CAROLINA

DATE: 04-11-16  
 REVISED: 07-11-16  
 SCALE: 1"=300'  
 PROJECT # 150239

SHEET 3 OF 5



P.O. BOX 381  
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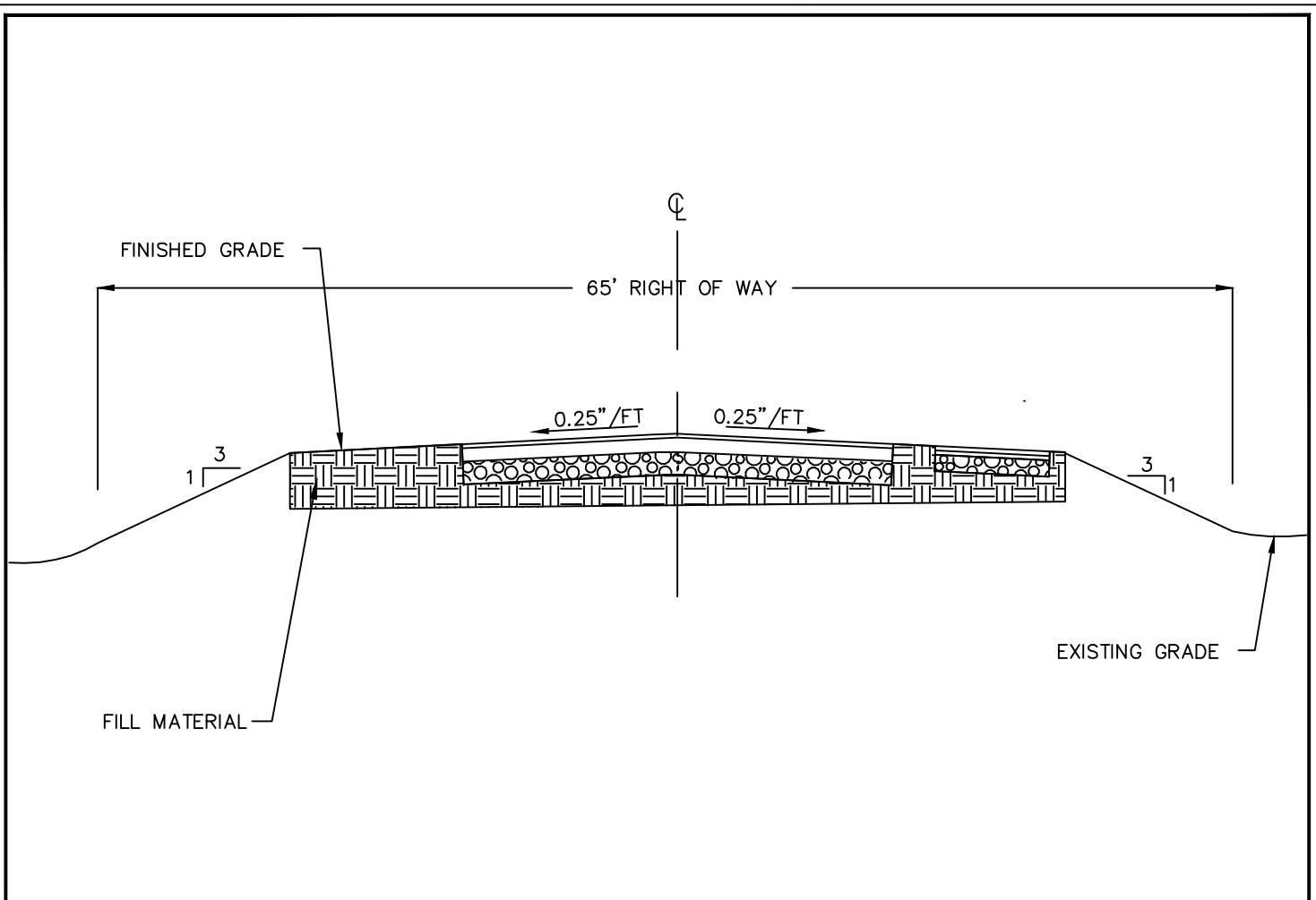
SHADOW MOSS SUBDIVISION  
TYPICAL WETLAND FILL

TOWN OF PORT ROYAL, SOUTH CAROLINA

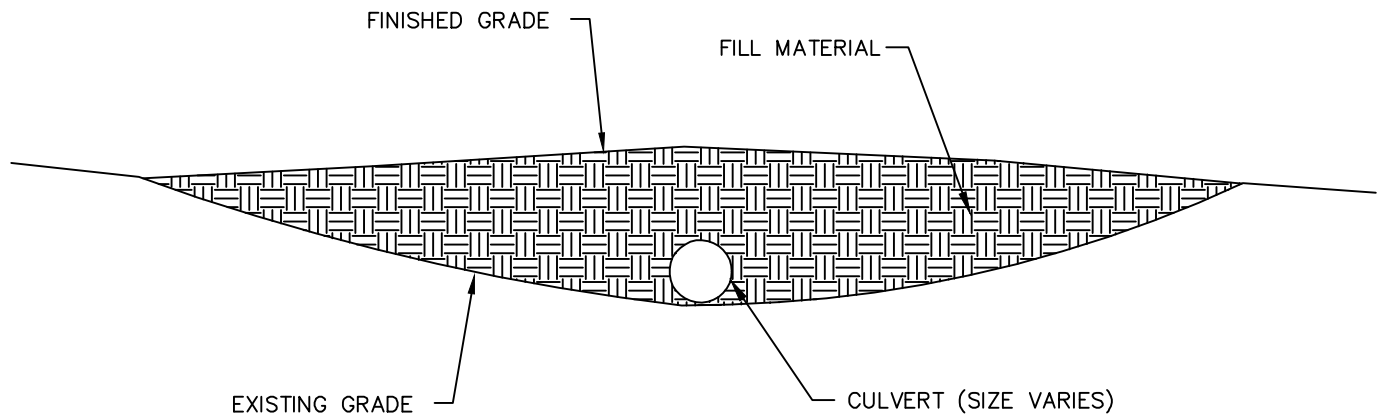
DATE: 04-11-16  
REVISED: 07-11-16  
SCALE: NONE  
PROJECT # 150239

SHEET 4 OF 5





CROSS SECTION



PROFILE

TYPICAL ROAD FILL IMPACT

NOT TO SCALE



P.O. BOX 381  
BLUFFTON, SC 29910  
PH (843) 837-5250  
FAX (843) 837-2558  
WWW.WARDEDWARDS.COM

SHADOW MOSS SUBDIVISION  
**TYPICAL ROAD CROSSING**

TOWN OF PORT ROYAL, SOUTH CAROLINA

DATE: 04-11-16  
REVISED: 07-11-16  
SCALE: NONE  
PROJECT # 150239

SHEET 5 OF 5