

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 Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION

Refer to: P/N #SAC-2014-0972-SIR

18 DECEMBER 2014

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

MARC CHERRY
GRAMLING BROTHERS REAL ESTATE
C/O DERRICK MYERS
NEWKIRK ENVIRONMENTAL, INC.
P.O. BOX 746
MT. PLEASANT, SC 29465

for a permit to place fill material in jurisdictional waters near

MILL BRANCH

at a location near the existing terminus of Cane Bay Boulevard east of SC Highway 176 in Summerville, Berkeley County, South Carolina (Latitude 33.145347° - Longitude -80.082619°).

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

January 9, 2015.

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 placing 9,535 cubic yards of clean fill material in 3.94 acres of waters of the U.S. to modify the existing flow pathway for surface water and treated storm water as part of the on-going Cane Bay master planned residential development. The waters of the U.S. flow feature is a man-made/manipulated linear conveyance which has been heavily channelized and straightened to remove storm water and excess surface water from the 1,932.89-acre property as part of long-term silviculture operations. The proposed fill would eliminate this feature and re-route surface water flow on the property through a series of open water facilities to continue discharging runoff via existing outfalls to the north of Black Tom Road. As mitigation for the proposed impacts, the applicant proposes to purchase 20.1 mitigation credits from the Pigeon Pond Mitigation Bank.

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 South Carolina Coastal Zone Management Act (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. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 (3.94) acres (13,083 linear feet) of waters of the U.S. upstream and inland 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.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), 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 or result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request for written concurrence from the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service on this determination.

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 also 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. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

REGULATORY DIVISION

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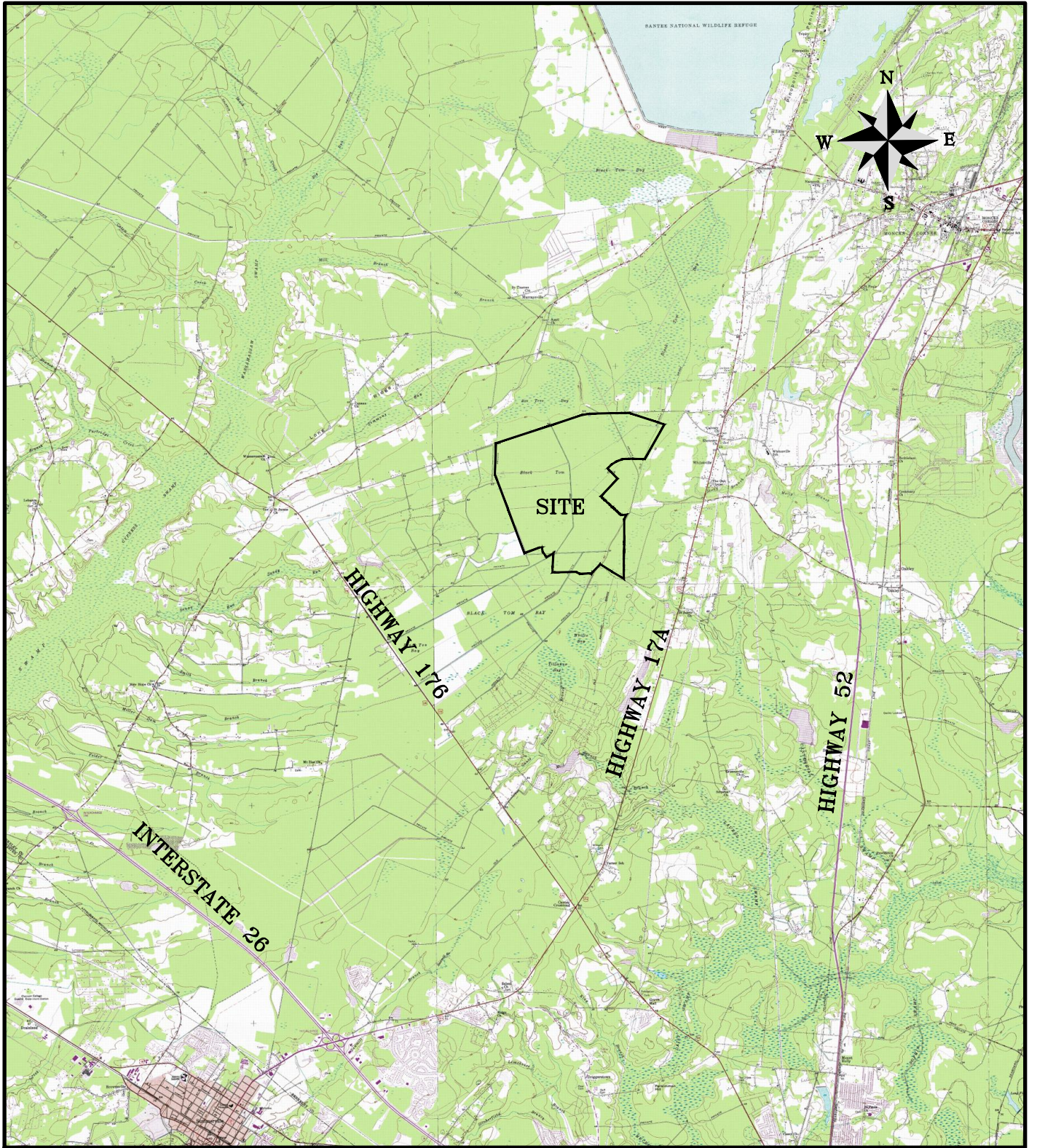
18 DECEMBER 2014

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 Dr. Richard Darden at 843-329-8044 or toll free at 1-866-329-8187.



CANE BAY RESIDUAL: WETLANDS MASTER PLAN

PROPOSED ACTIVITY:

VICINITY MAP

CLIENT:

GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.

LOCATION: BERKELEY COUNTY

DATE: DECEMBER 17, 2014

JOB NUMBER: J - 23390.0000

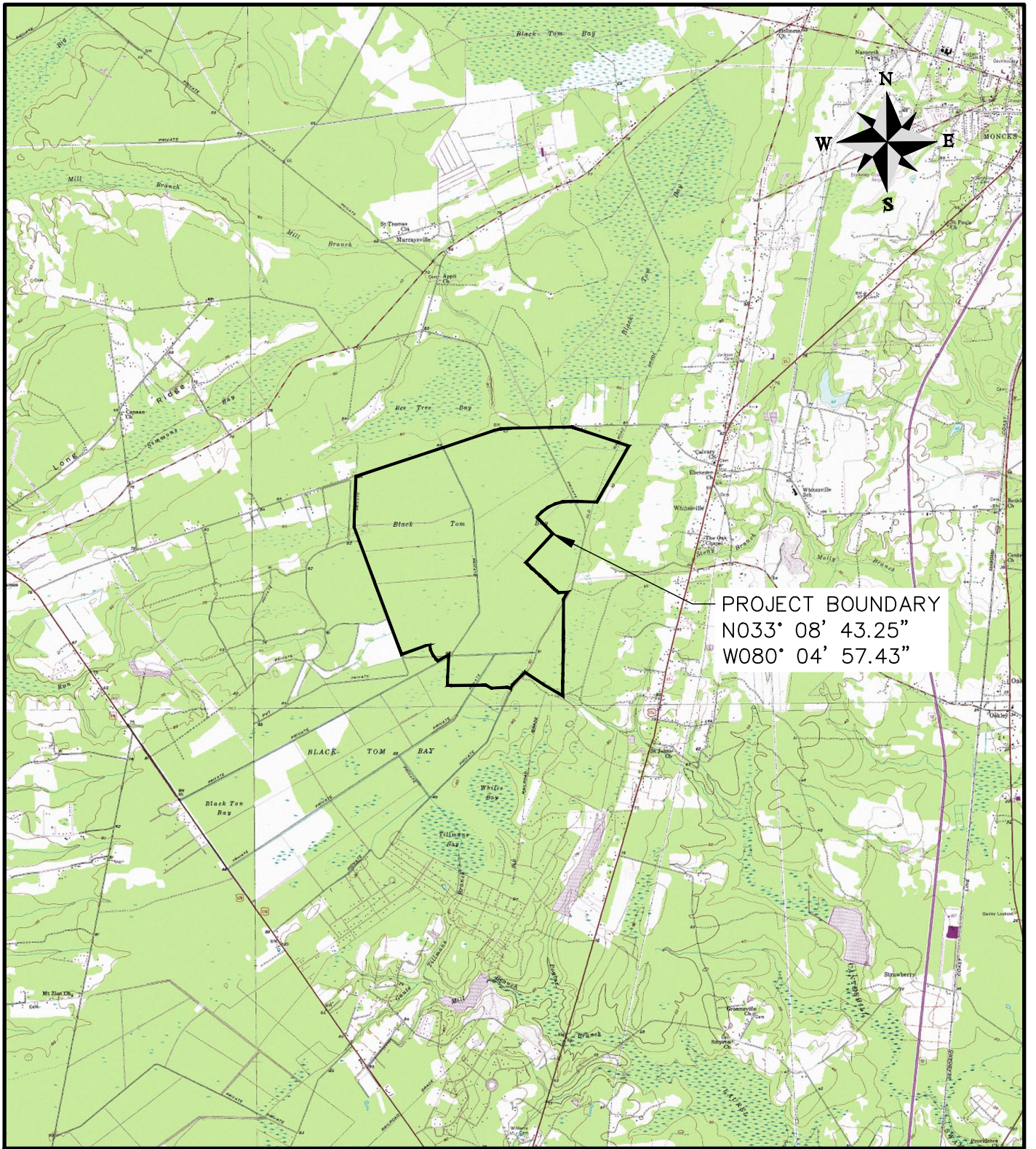
SHEET: 1 of 27

SCALE: N.T.S

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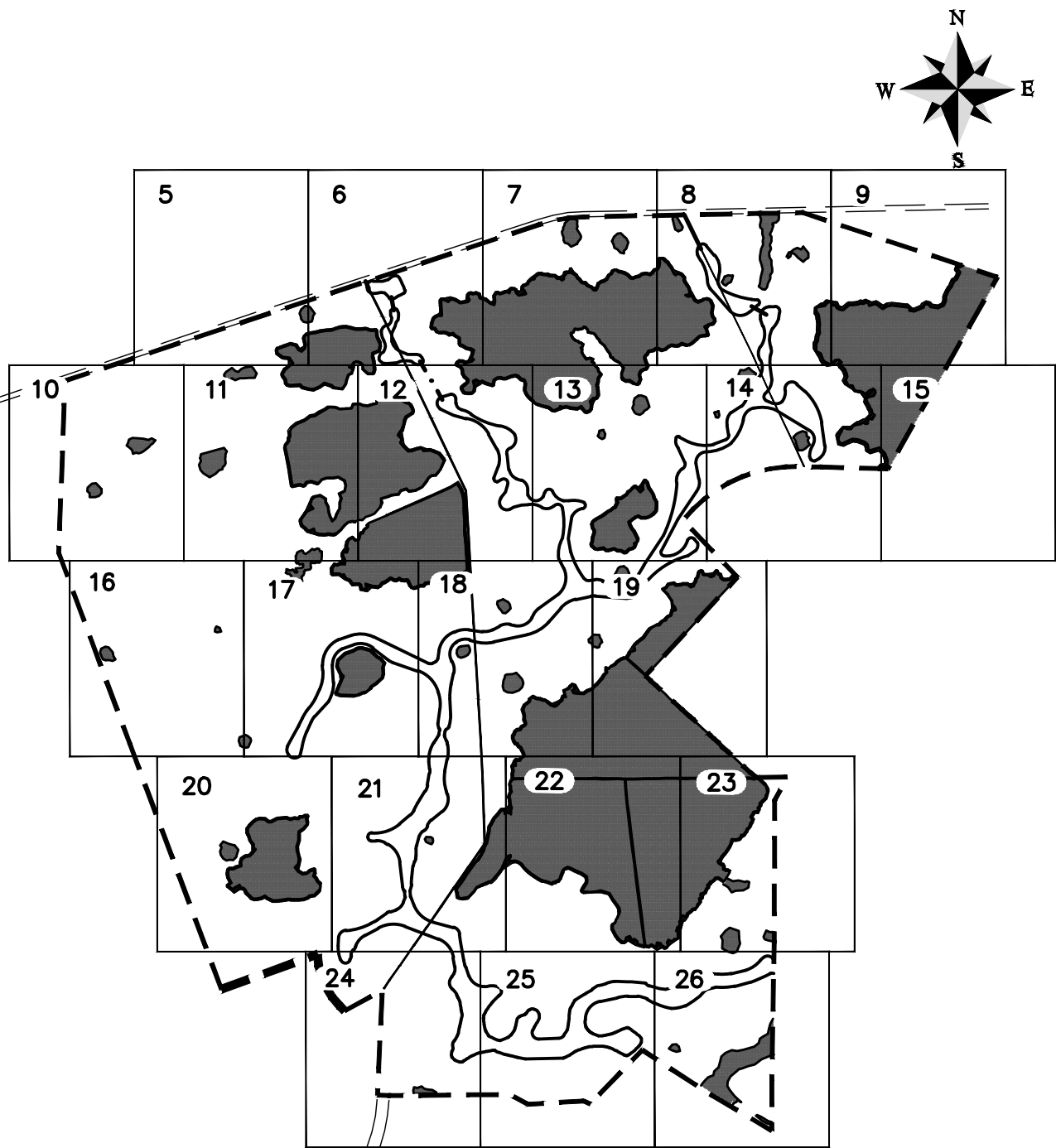
CANE BAY RESIDUAL: WETLANDS MASTER PLAN
 PROPOSED ACTIVITY:
 QUAD MAP
 CLIENT:
 GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
 LOCATION: BERKELEY COUNTY
 DATE: DECEMBER 17, 2014
 JOB NUMBER: J - 23390.0000

SHEET: 2 of 27
 SCALE: 1" = 6000'

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SHEET LAYOUT

CANE BAY RESIDUAL

PROPOSED ACTIVITY:
WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 3 of 27
SCALE: 1"= 2000'




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SITE SUMMARY


LEGEND

	TOTAL TRACT ACREAGE	1932.89 AC
	RPW DITCH ACREAGE	3.94 AC
	TOTAL NON-JURISDICTIONAL WETLAND ACREAGE	24.91 AC
	TOTAL JURISDICTIONAL WETLAND ACREAGE	451.03 AC
	TOTAL FRESHWATER WETLAND ACREAGE	479.88 AC
	IMPACTED RPW DITCH	3.94 AC
	REMAINING FRESHWATER WETLAND ACREAGE	475.94 AC
	REMAINING NON-JURISDICTIONAL WETLAND ACREAGE	24.91 AC
	REMAINING JURISDICTIONAL WETLAND ACREAGE	451.03 AC

WETLAND IMPACT

	RPW DITCH PROPOSED TO BE FILLED	TOTAL ACREAGE OF RPW DITCH IMPACT	3.94 AC
		TOTAL LENGTH OF RPW DITCH IMPACT	13,083 LF
		TOTAL VOLUME OF RPW DITCH FILL	9,535 CY

AVOIDANCE AND MINIMIZATION

	WETLAND BUFFER	--	UNDISTURBED WETLAND BUFFER	35.83 AC
			TOTAL AVERAGE WIDTH	25 LF

NOTE: DEVELOPMENT TO BE DEVELOPED IN ACCORDANCE WITH THE CANE BAY PLANTATION DEVELOPMENT AGREEMENT, SIGNED OCT. 25, 2006

CANE BAY RESIDUAL: WELANDS MASTER PLAN

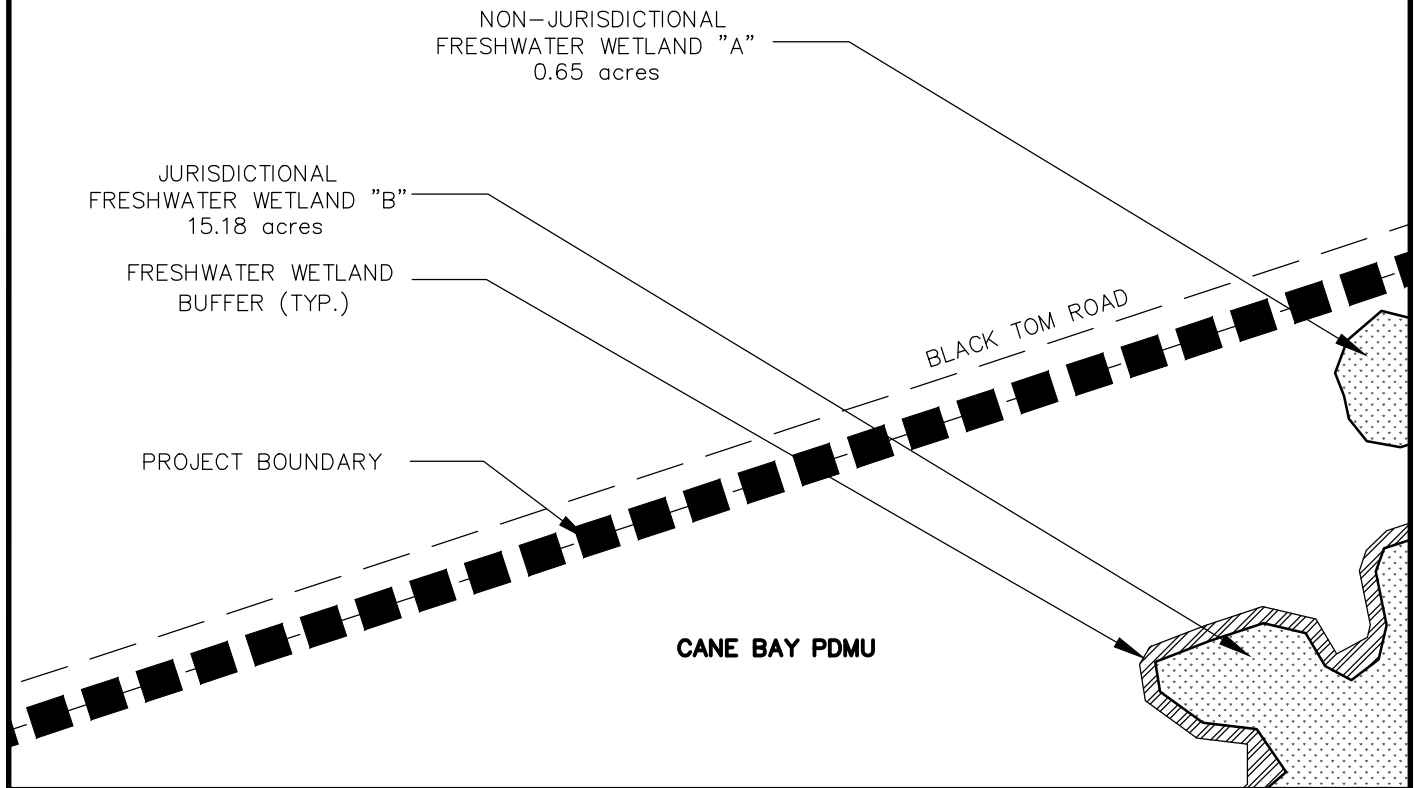
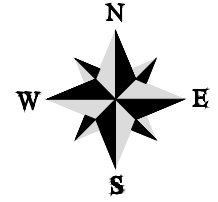
PROPOSED ACTIVITY:
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 CLIENT:
 GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
 LOCATION: BERKELEY COUNTY, SC
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 JOB NUMBER: J - 23390.0000

SHEET: 4 of 27
 SCALE: N.T.S.



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CANE BAY RESIDUAL

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CLIENT:
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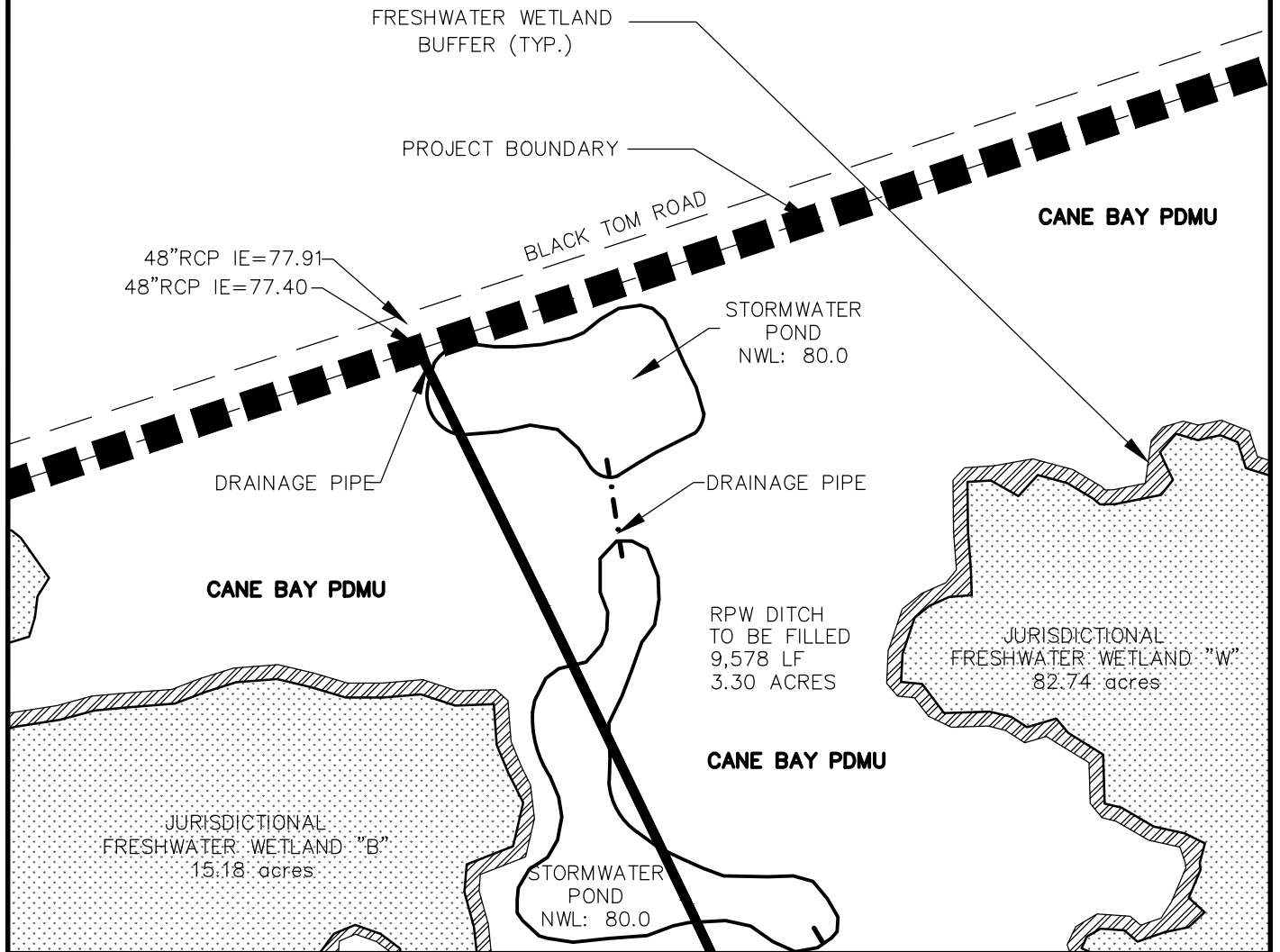
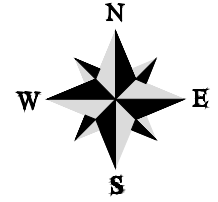
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 5 of 27
SCALE: 1" = 300'



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CANE BAY RESIDUAL

PROPOSED ACTIVITY:
WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT

CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.

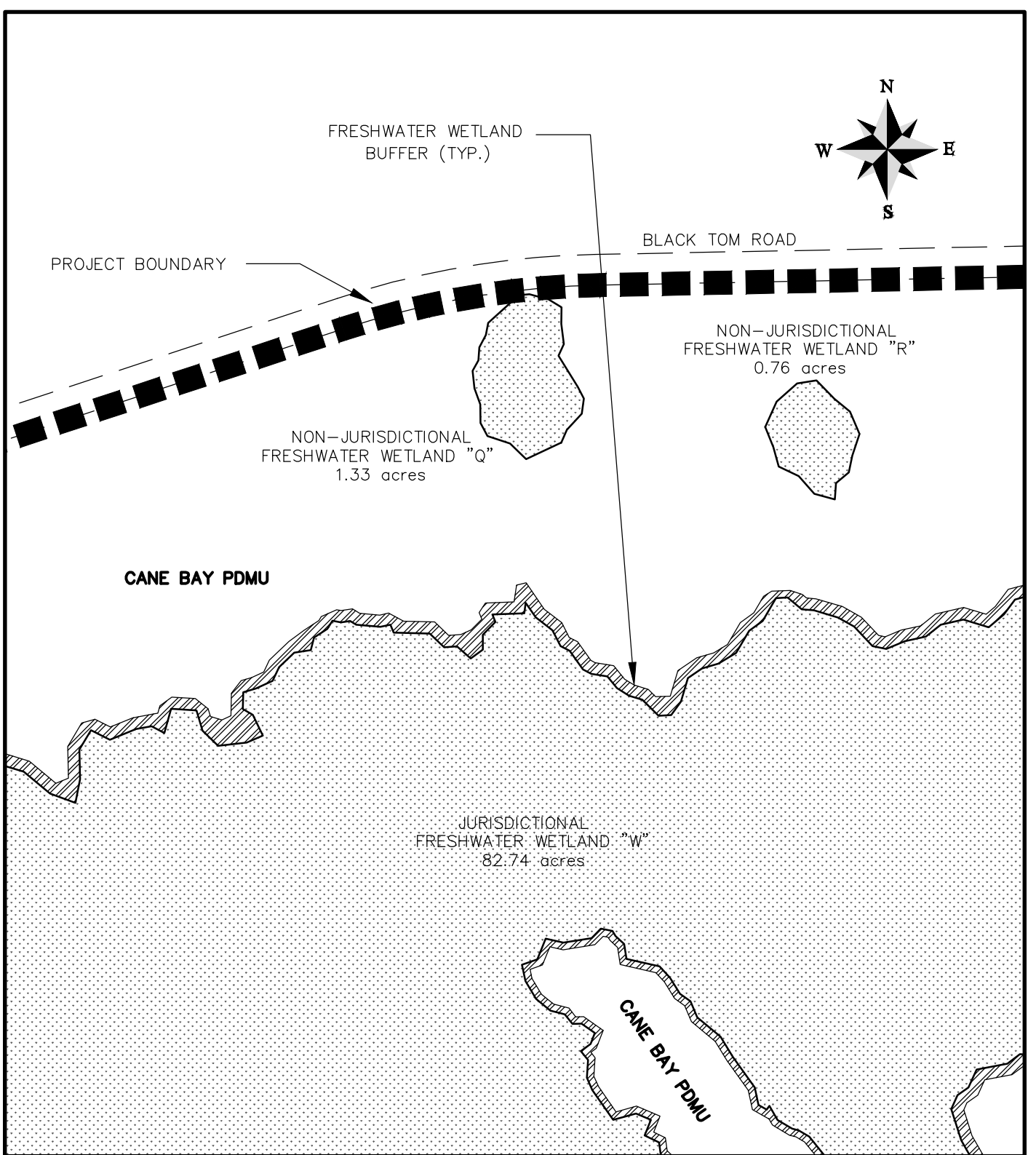
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
 DATE: DECEMBER 17, 2014
 JOB NUMBER: J - 23390.0000

SHEET: 6 of 27
 SCALE: 1" = 300'



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CANE BAY RESIDUAL

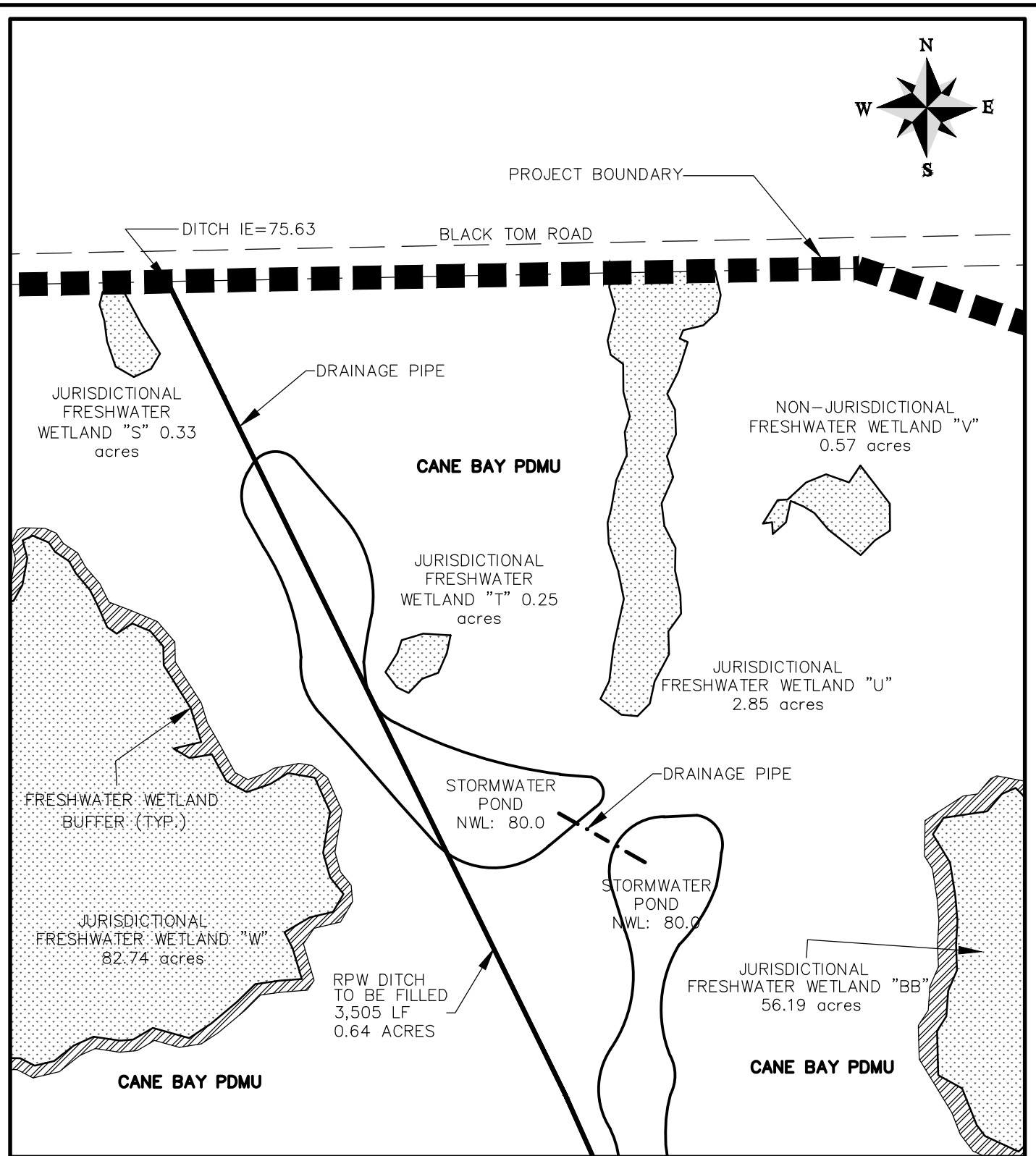
PROPOSED ACTIVITY:
 WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
 CLIENT:
 GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
 LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
 DATE: DECEMBER 17, 2014
 JOB NUMBER: J - 23390.0000

SHEET: 7 of 27
 SCALE: 1" = 300'

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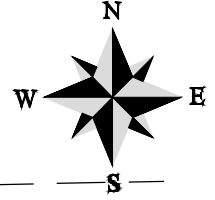
SHEET: 8 of 27
 SCALE: 1"= 300'



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BLACK TOM ROAD

PROJECT BOUNDARY

CANE BAY PDMU

FRESHWATER WETLAND
BUFFER (TYP.)

JURISDICTIONAL
FRESHWATER WETLAND "BB"
56.19 acres

CANE BAY RESIDUAL

PROPOSED ACTIVITY:
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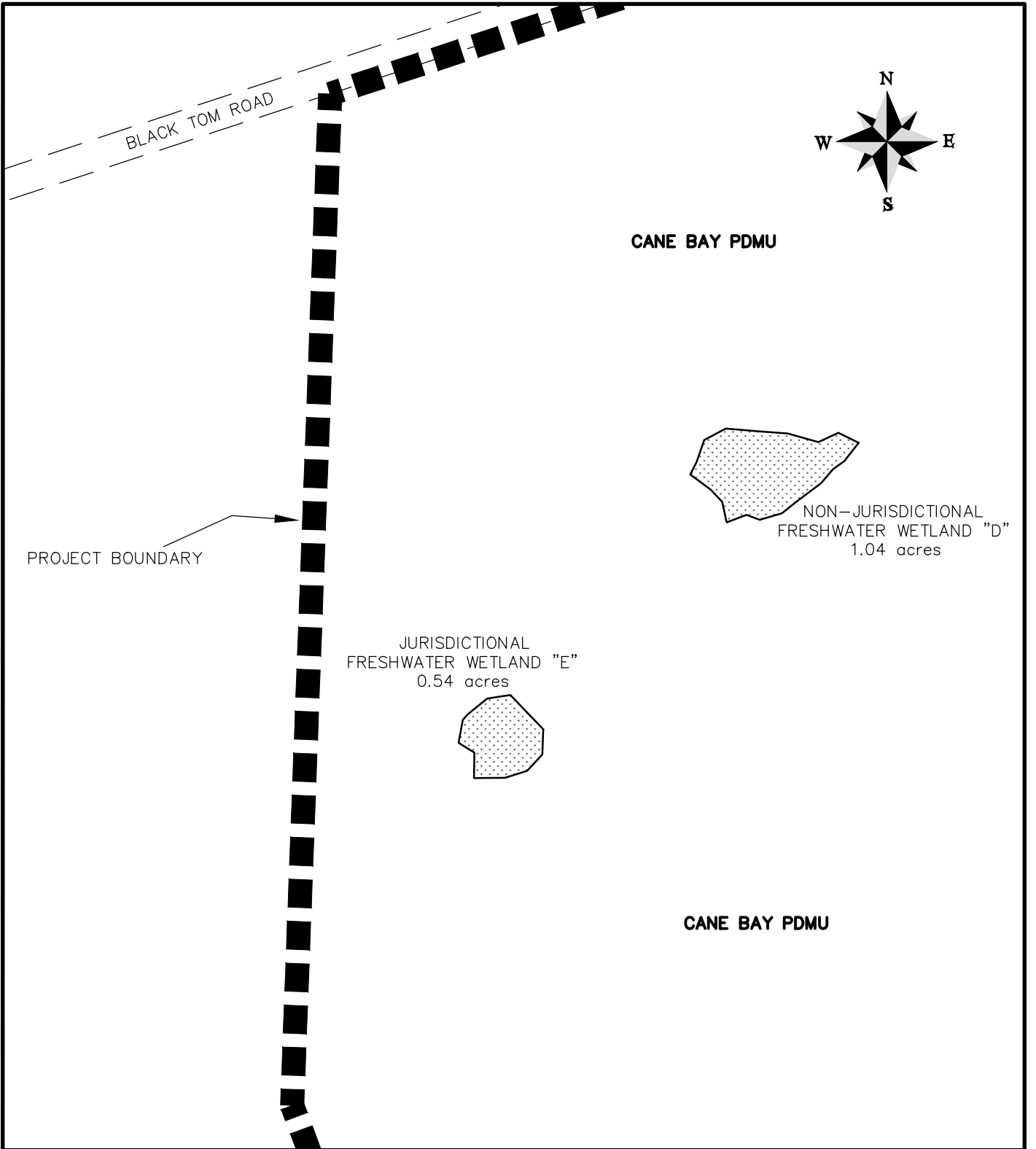
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
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SHEET: 9 of 27
SCALE: 1" = 300'

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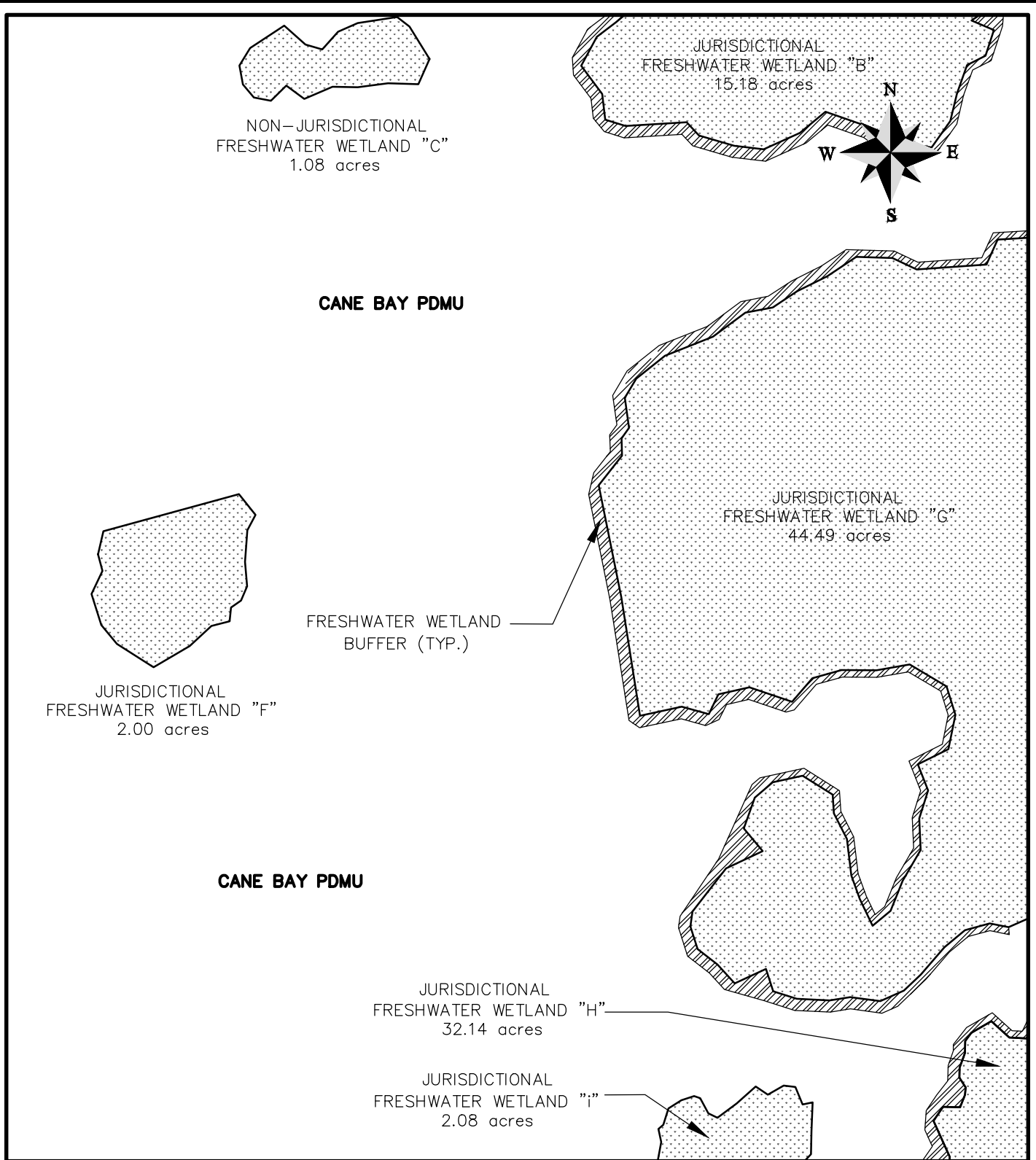
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SHEET: 10 of 27
 SCALE: 1"= 300'



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CANE BAY RESIDUAL

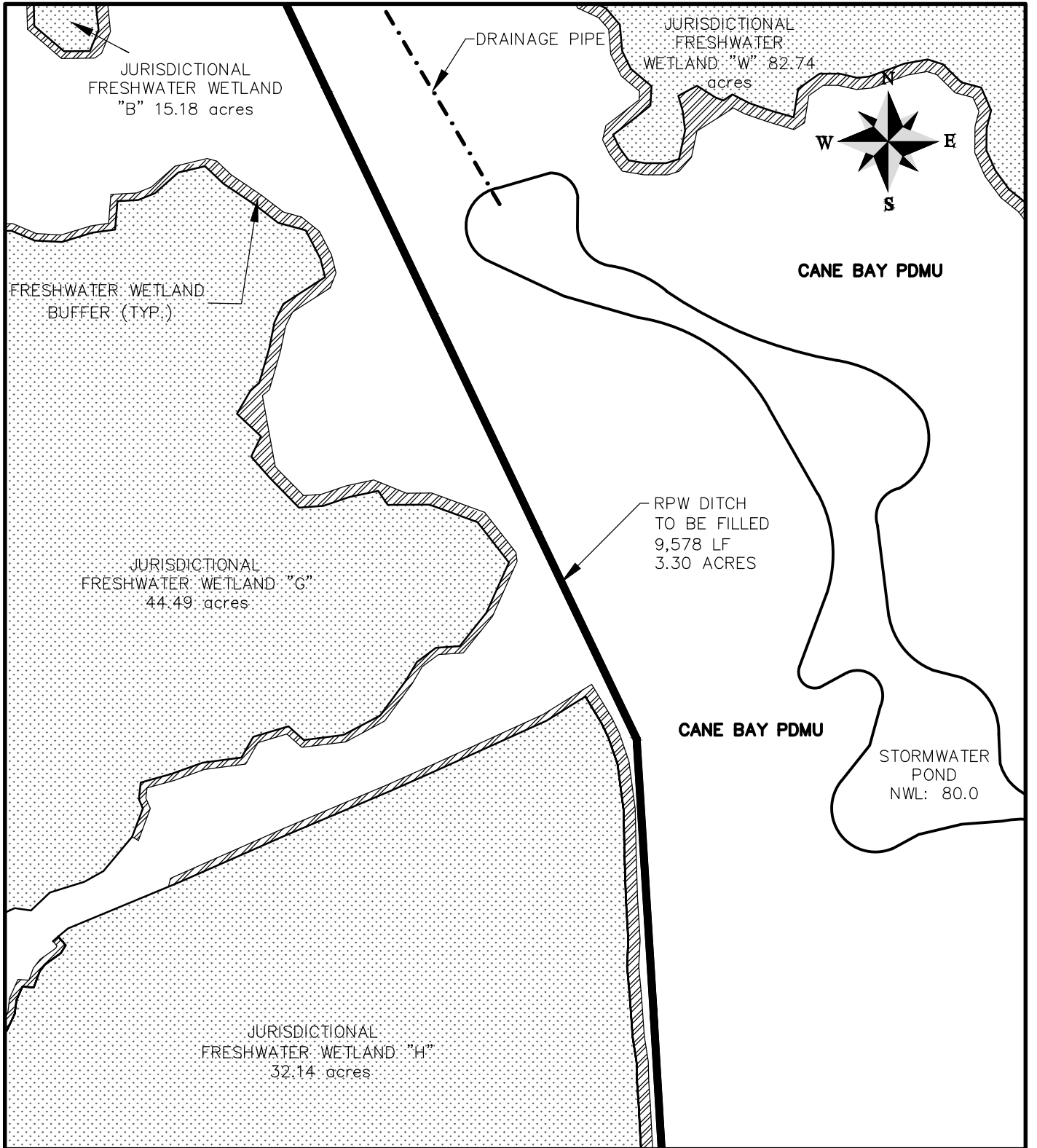
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 CLIENT:
 GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
 LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
 DATE: DECEMBER 17, 2014
 JOB NUMBER: J - 23390.0000

SHEET: 11 of 27
 SCALE: 1"= 300'



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CANE BAY RESIDUAL

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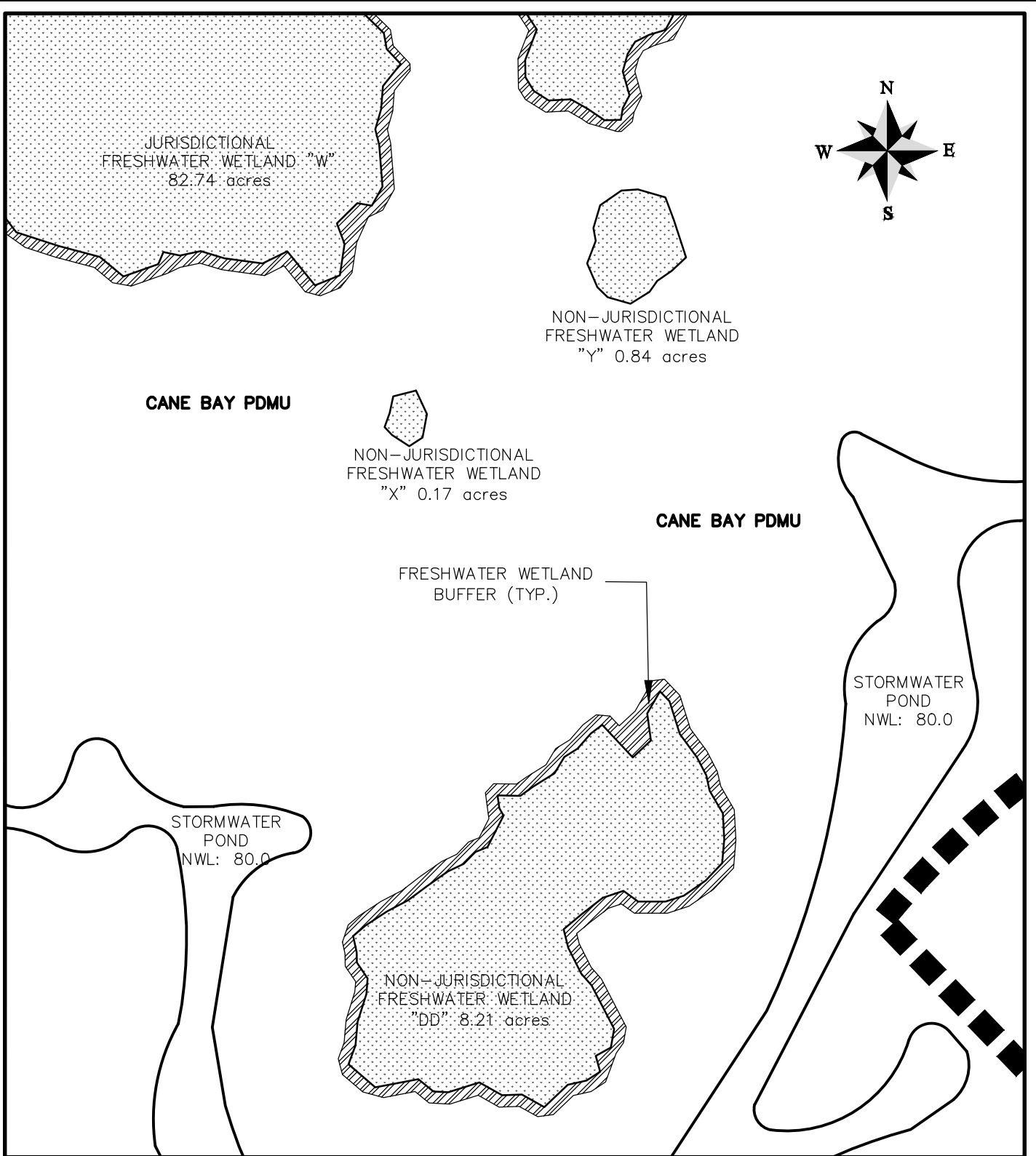
SHEET: 12 of 27
 SCALE: 1" = 300'



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CANE BAY RESIDUAL

PROPOSED ACTIVITY:
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CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.

LOCATION: BERKELEY COUNTY, SOUTH CAROLINA

DATE: DECEMBER 17, 2014

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SHEET: 13 of 27

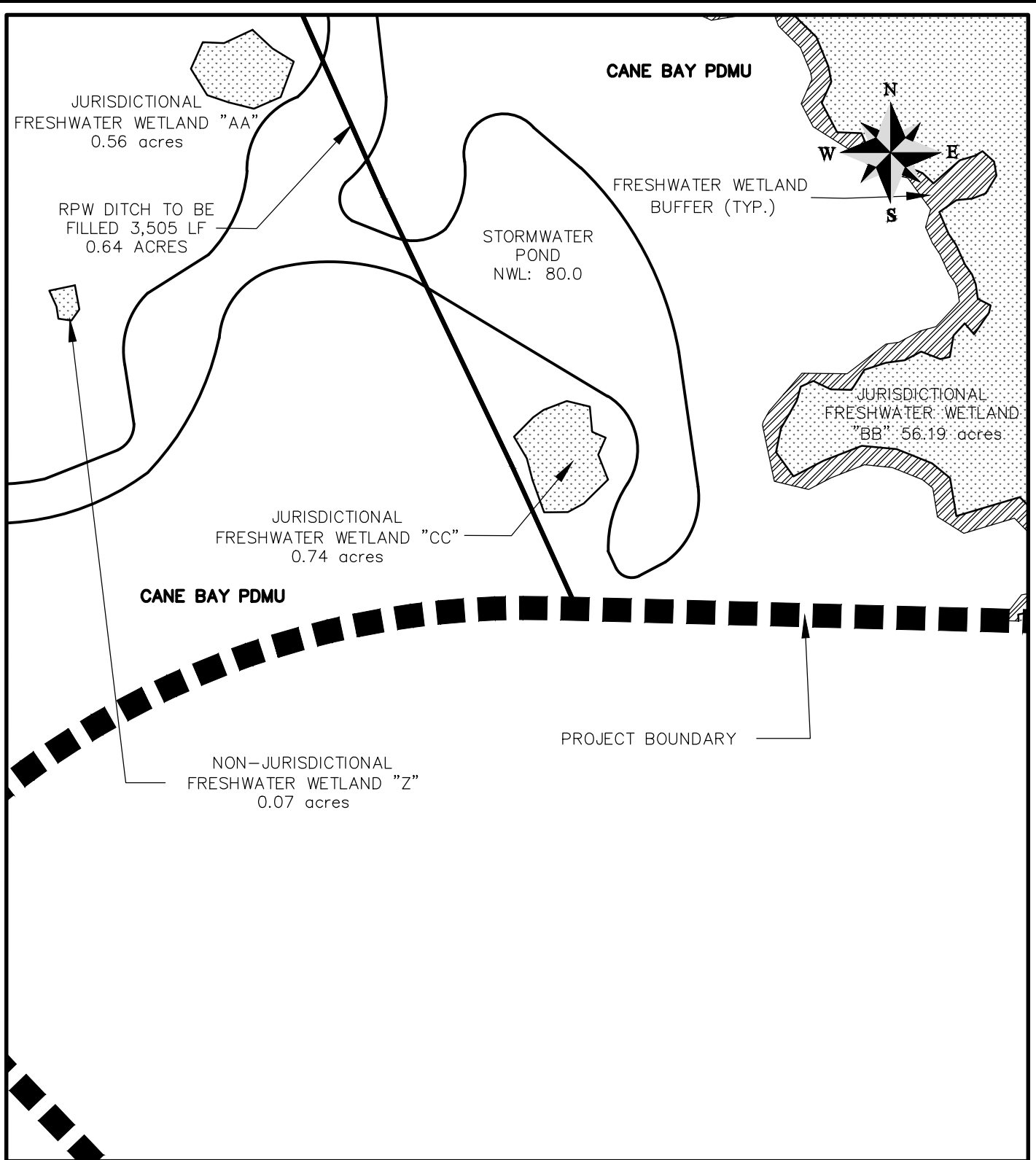
SCALE: 1" = 300'

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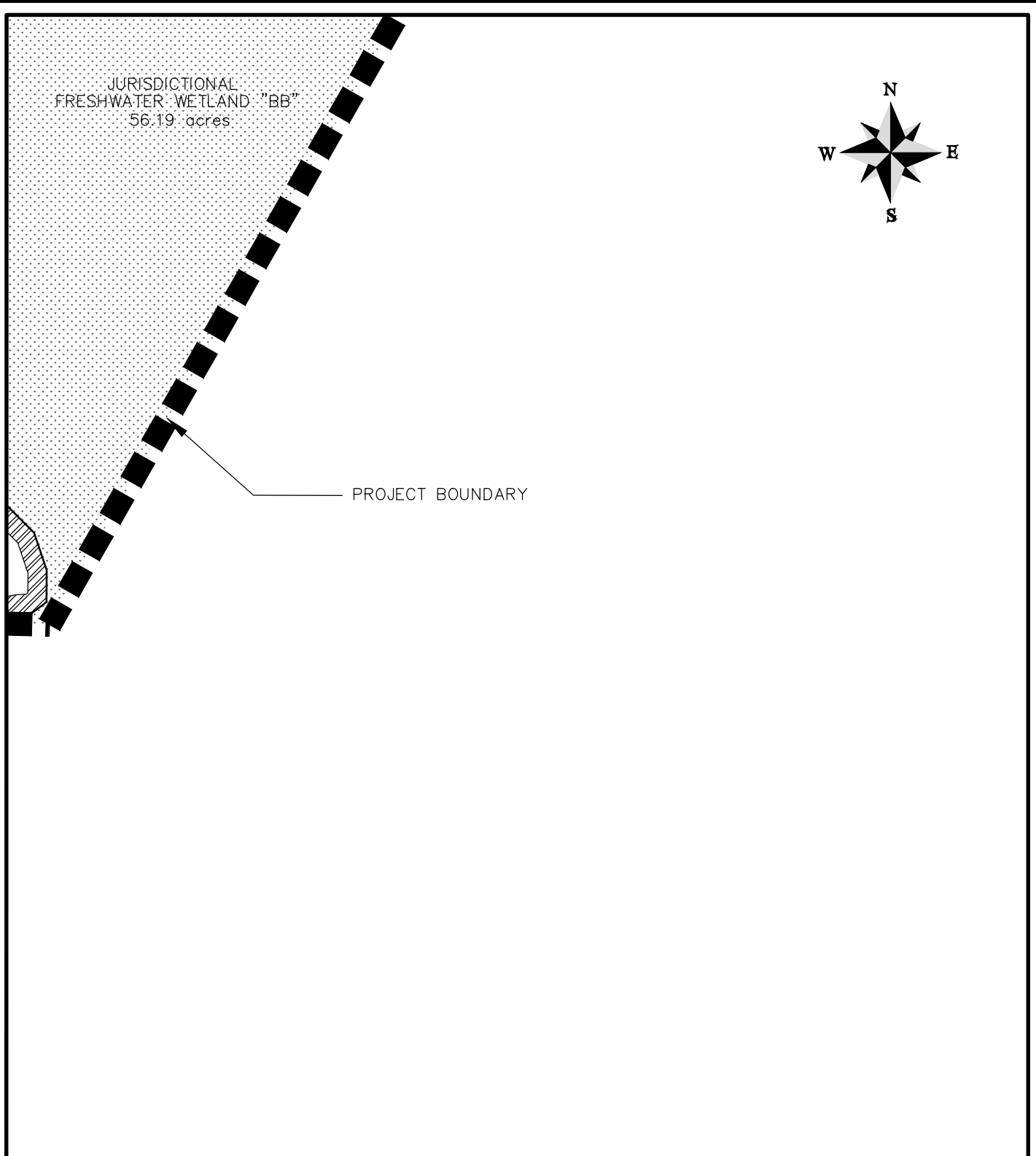
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LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 14 of 27
SCALE: 1" = 300'

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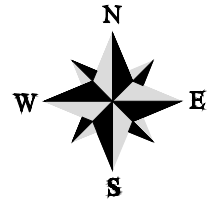
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SHEET: 15 of 27
SCALE: 1" = 300'

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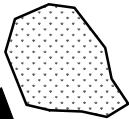


CANE BAY PDMU

JURISDICTIONAL
FRESHWATER WETLAND "J"
0.09 acres



JURISDICTIONAL
FRESHWATER WETLAND "K"
0.52 acres

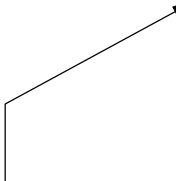


CANE BAY PDMU

JURISDICTIONAL
FRESHWATER WETLAND
"L" 0.42 acres



PROJECT BOUNDARY



CANE BAY RESIDUAL

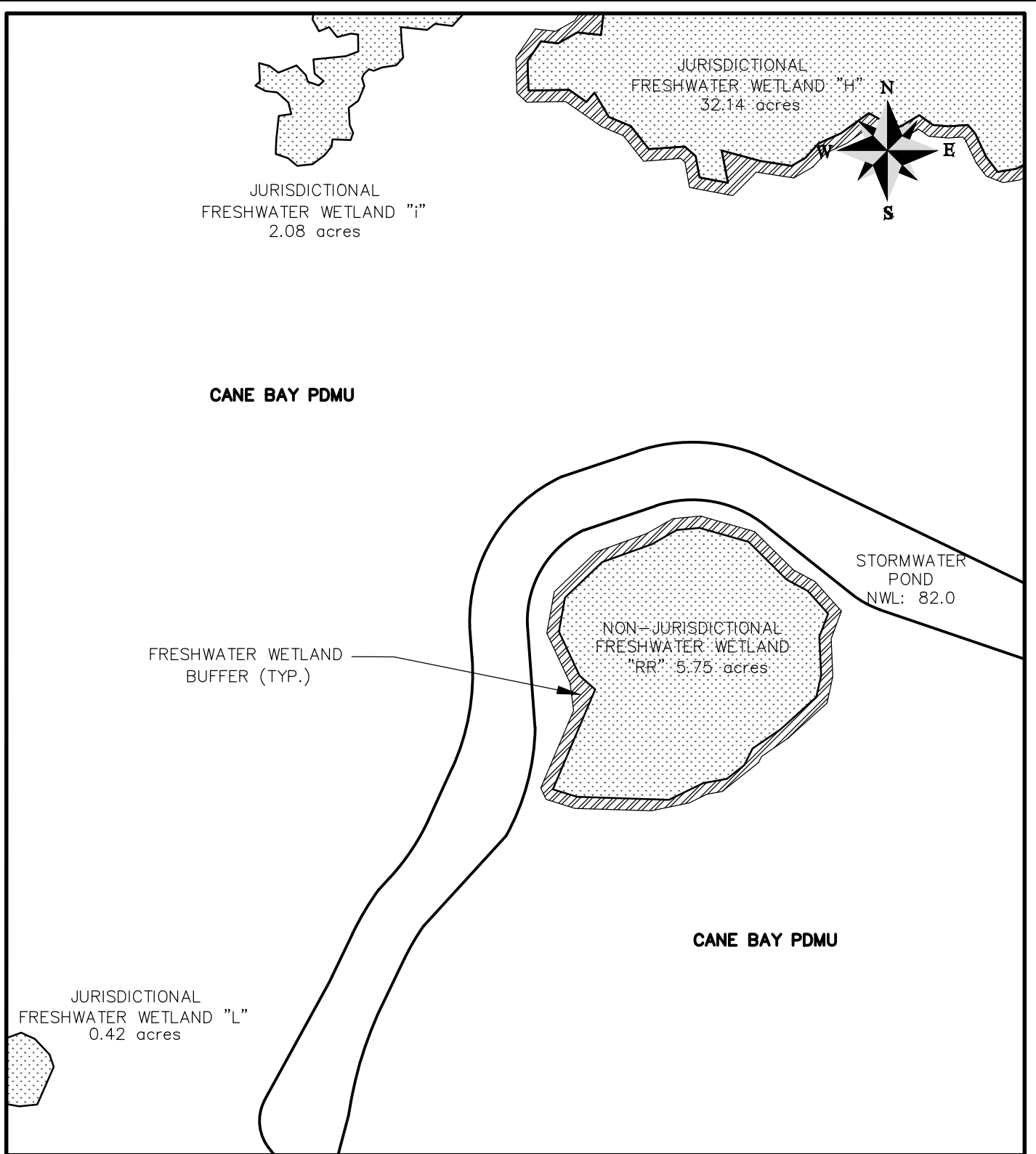
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SHEET: 16 of 27
SCALE: 1"= 300'

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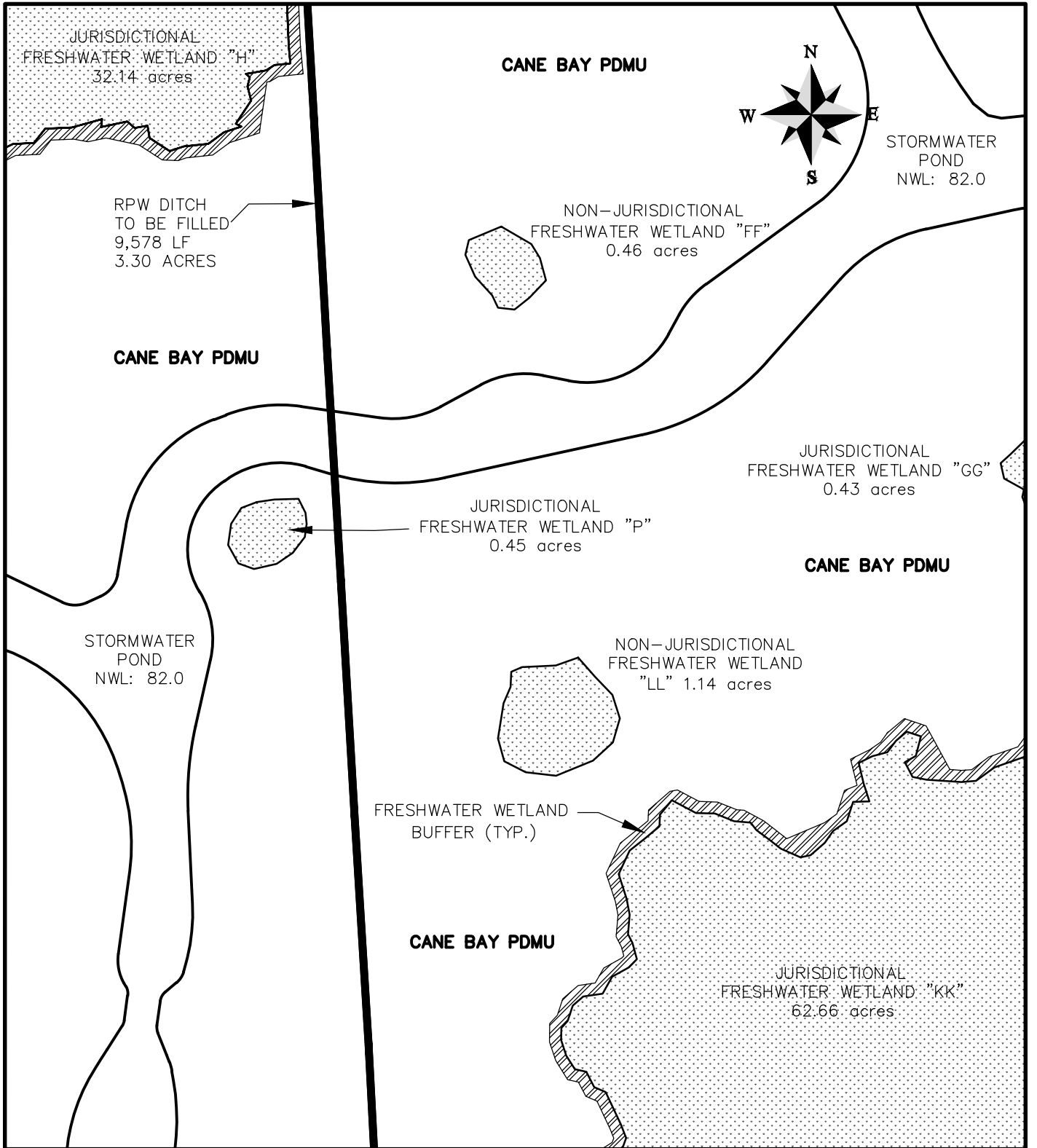
SHEET: 17 of 27
SCALE: 1" = 300'

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CANE BAY RESIDUAL

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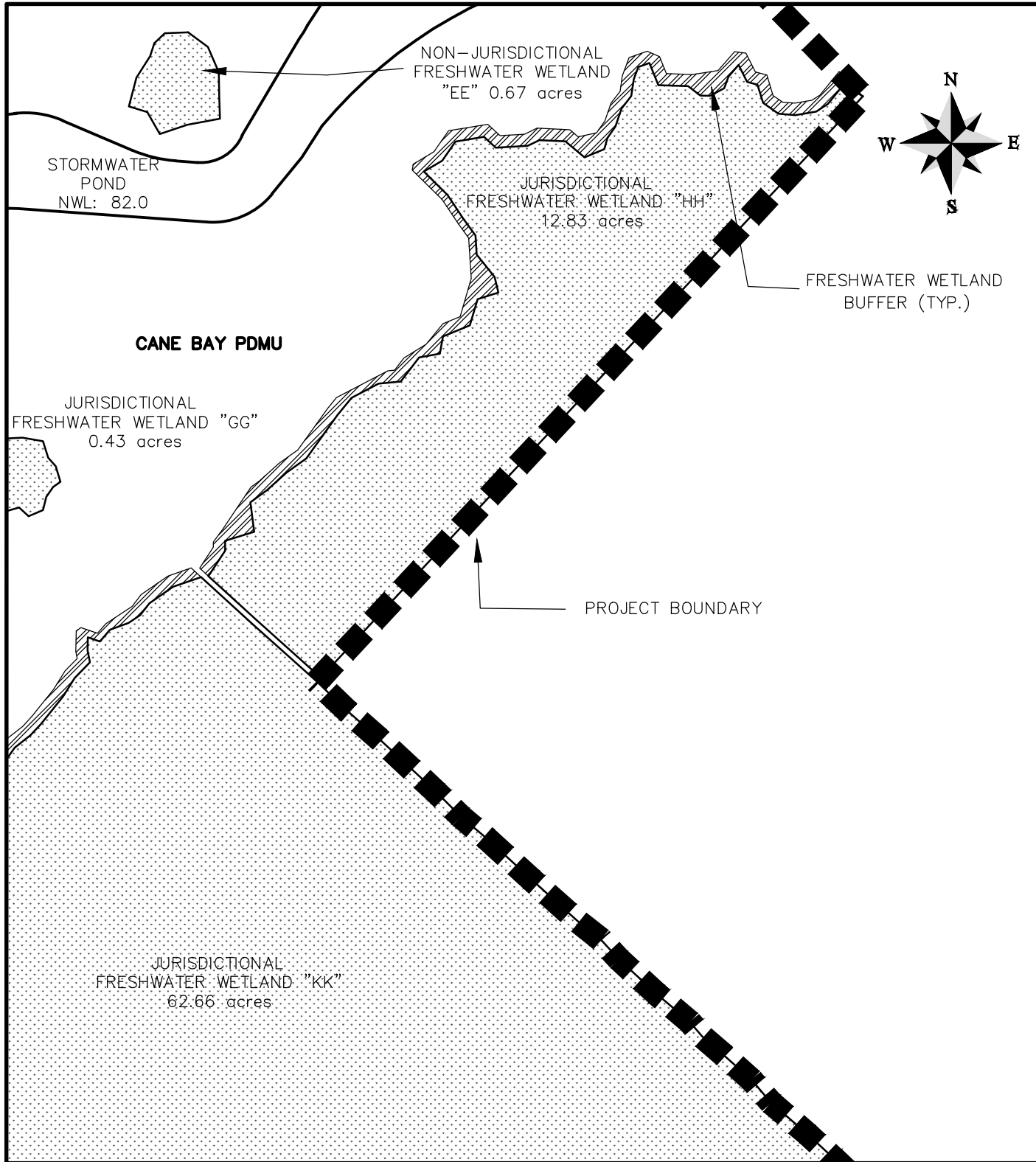
SHEET: 18 of 27
SCALE: 1" = 300'

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CANE BAY RESIDUAL

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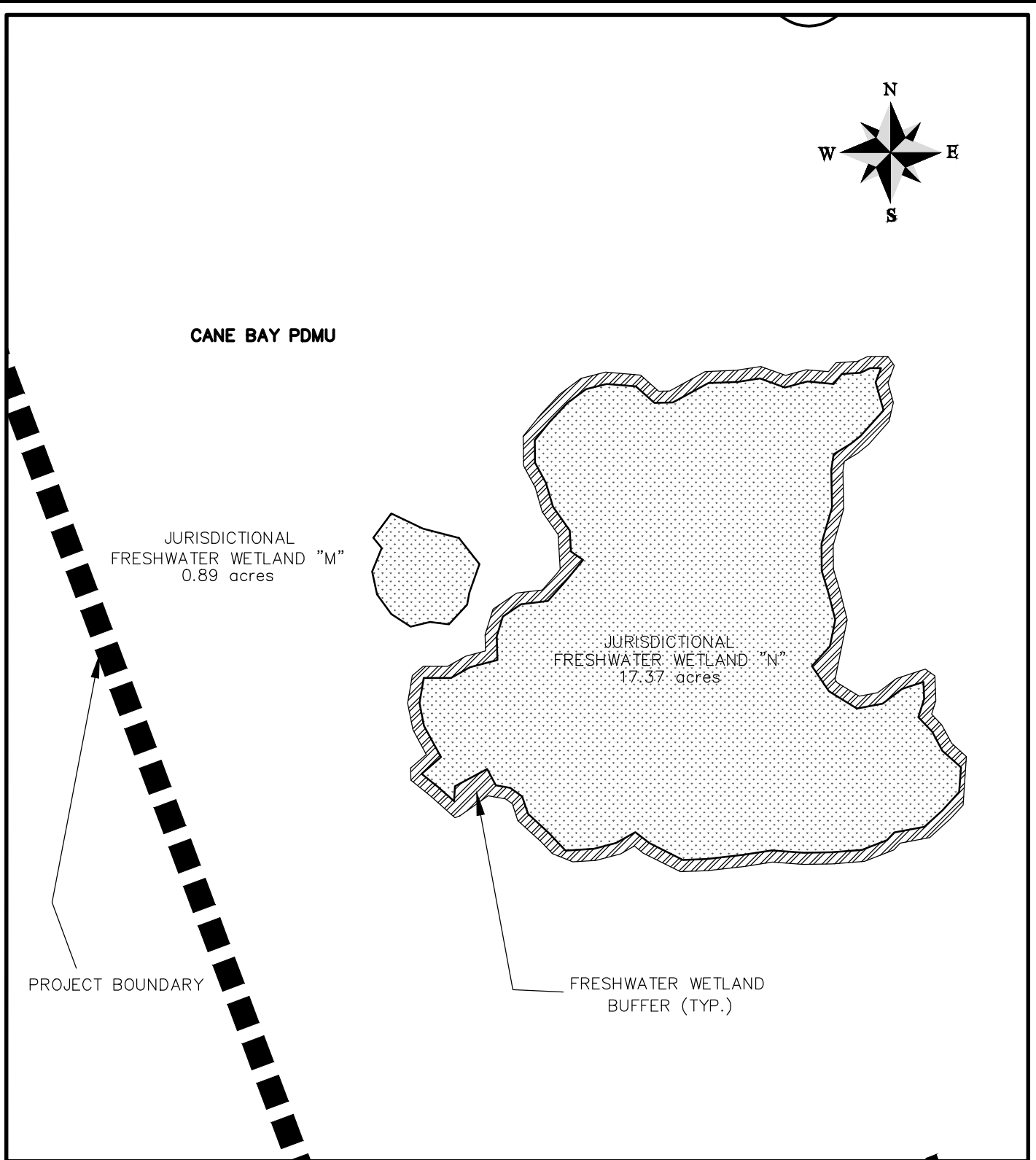
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 19 of 27
SCALE: 1" = 300'

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CANE BAY RESIDUAL

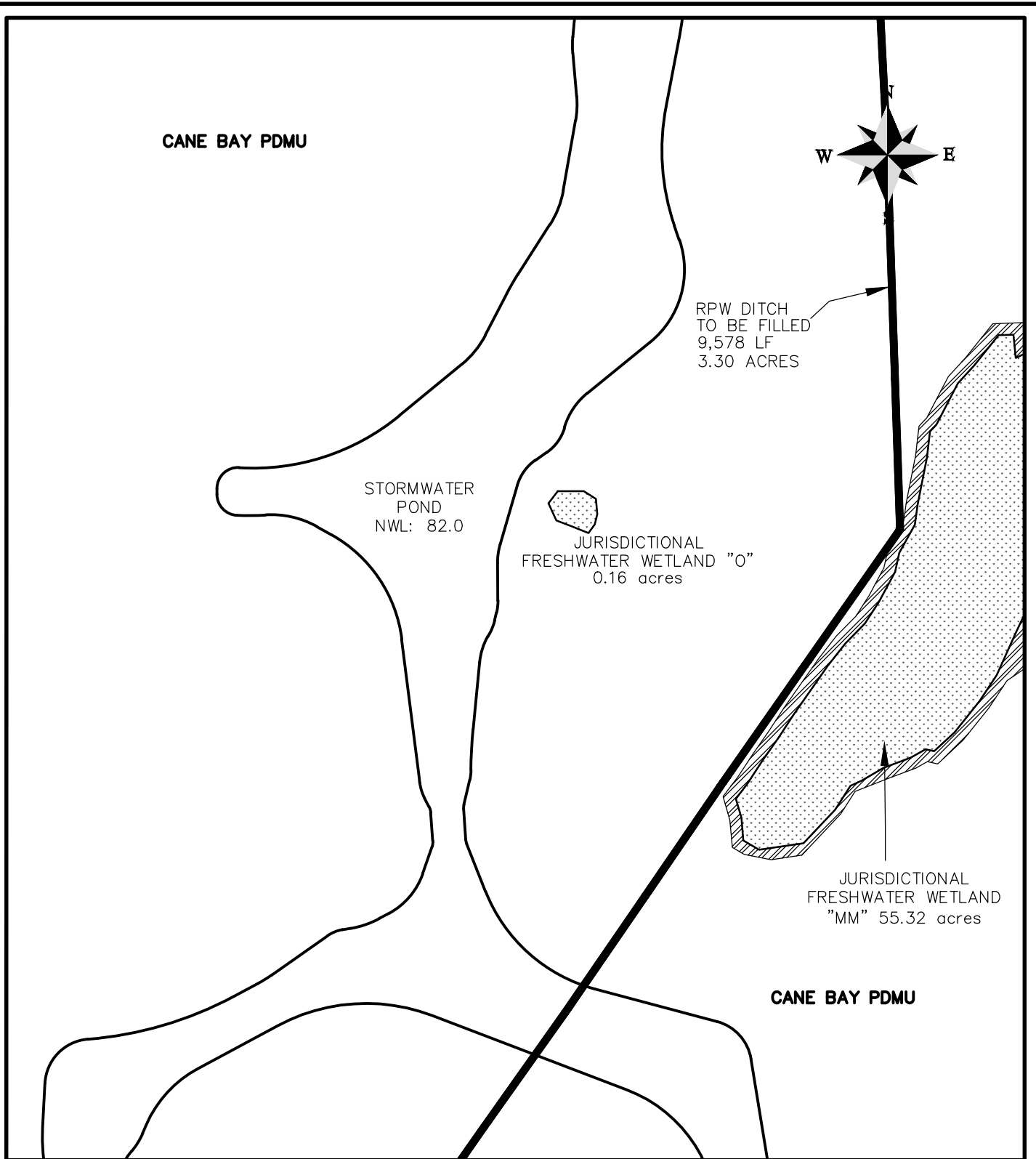
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SHEET: 20 of 27
SCALE: 1"= 300'

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CANE BAY RESIDUAL

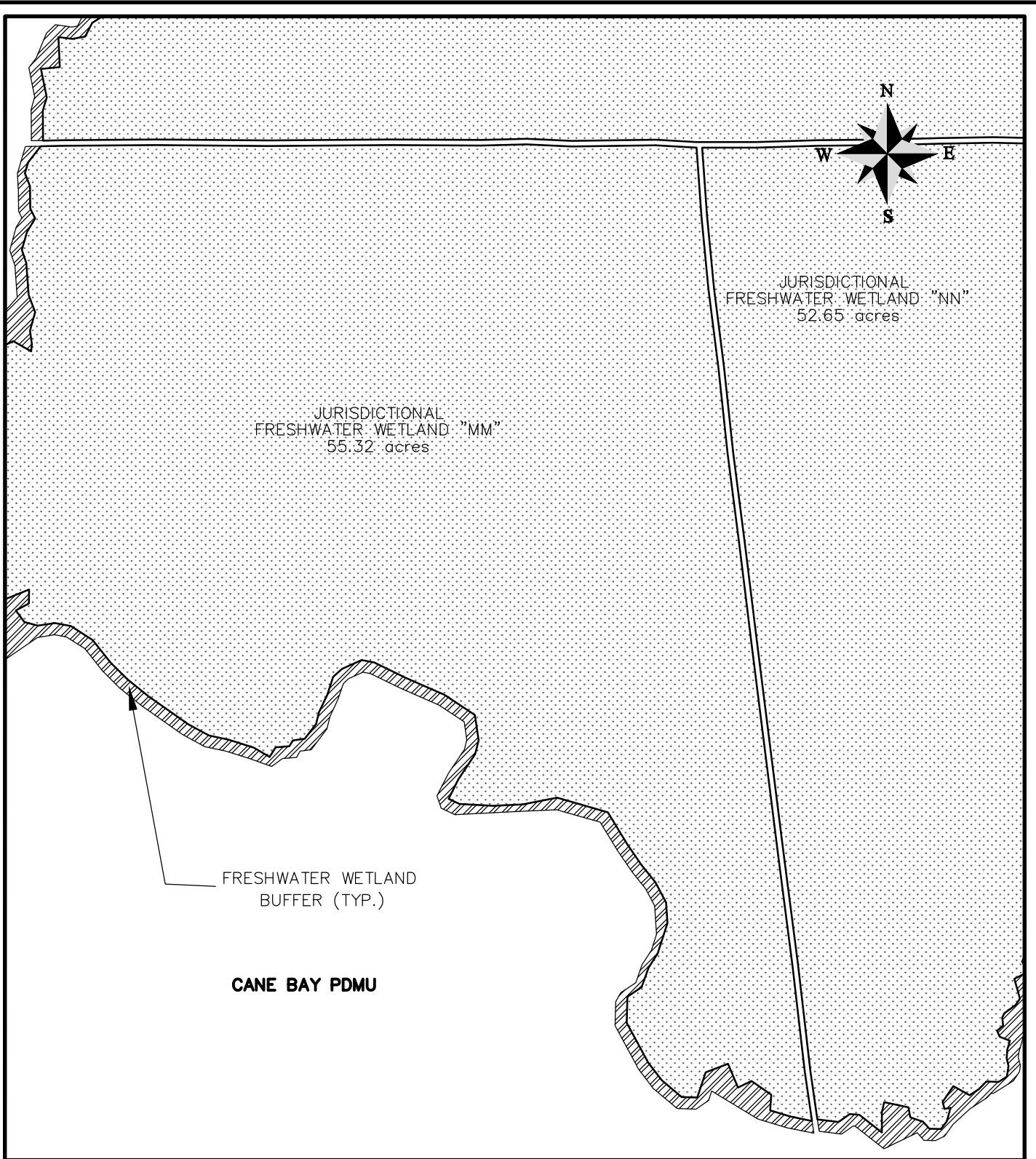
PROPOSED ACTIVITY:
 WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
 CLIENT:
 GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
 LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
 DATE: DECEMBER 17, 2014
 JOB NUMBER: J - 23390.0000

SHEET: 21 of 27
 SCALE: 1" = 300'

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CANE BAY RESIDUAL

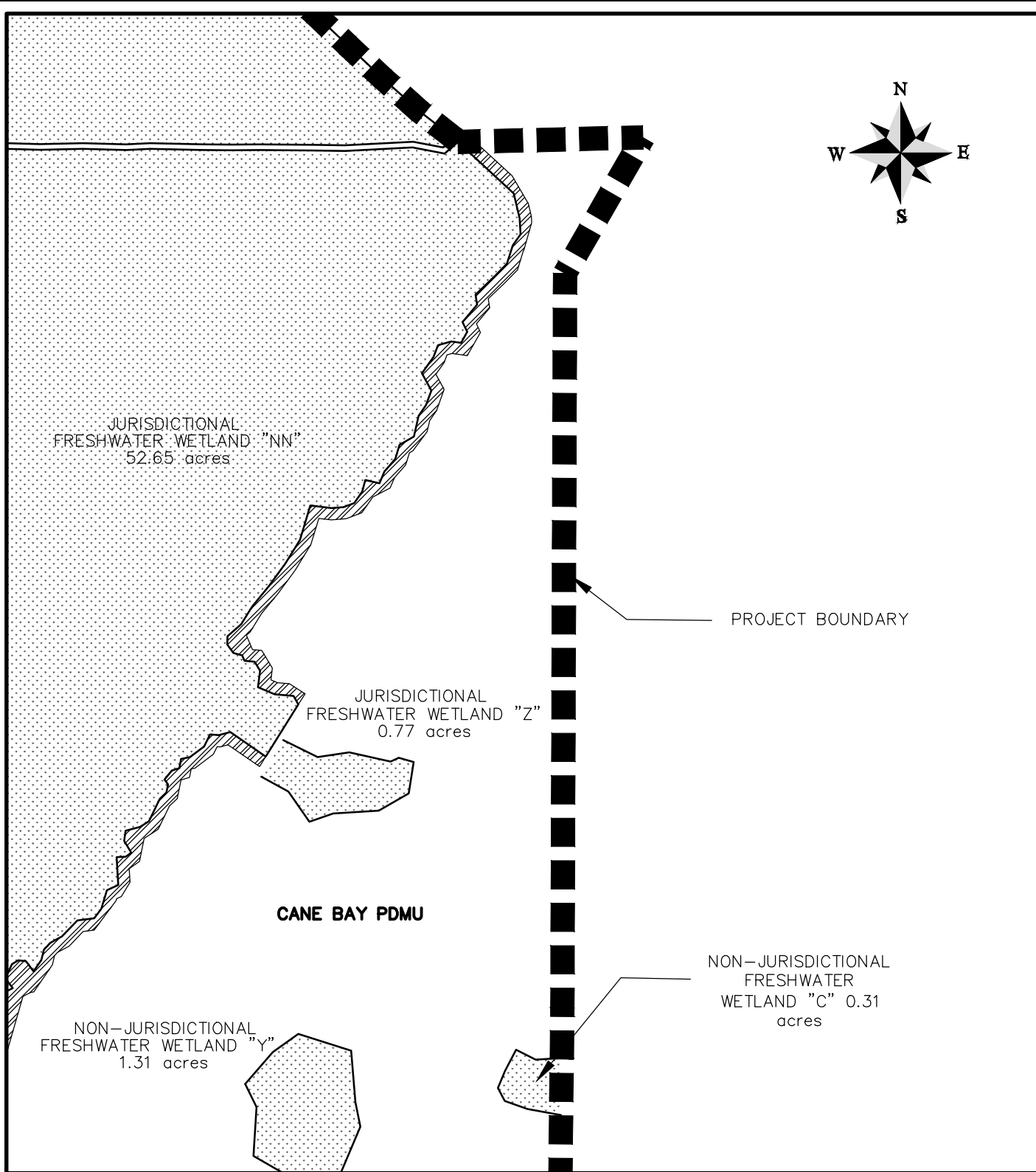
PROPOSED ACTIVITY:
WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 22 of 27
SCALE: 1" = 300'



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CANE BAY RESIDUAL

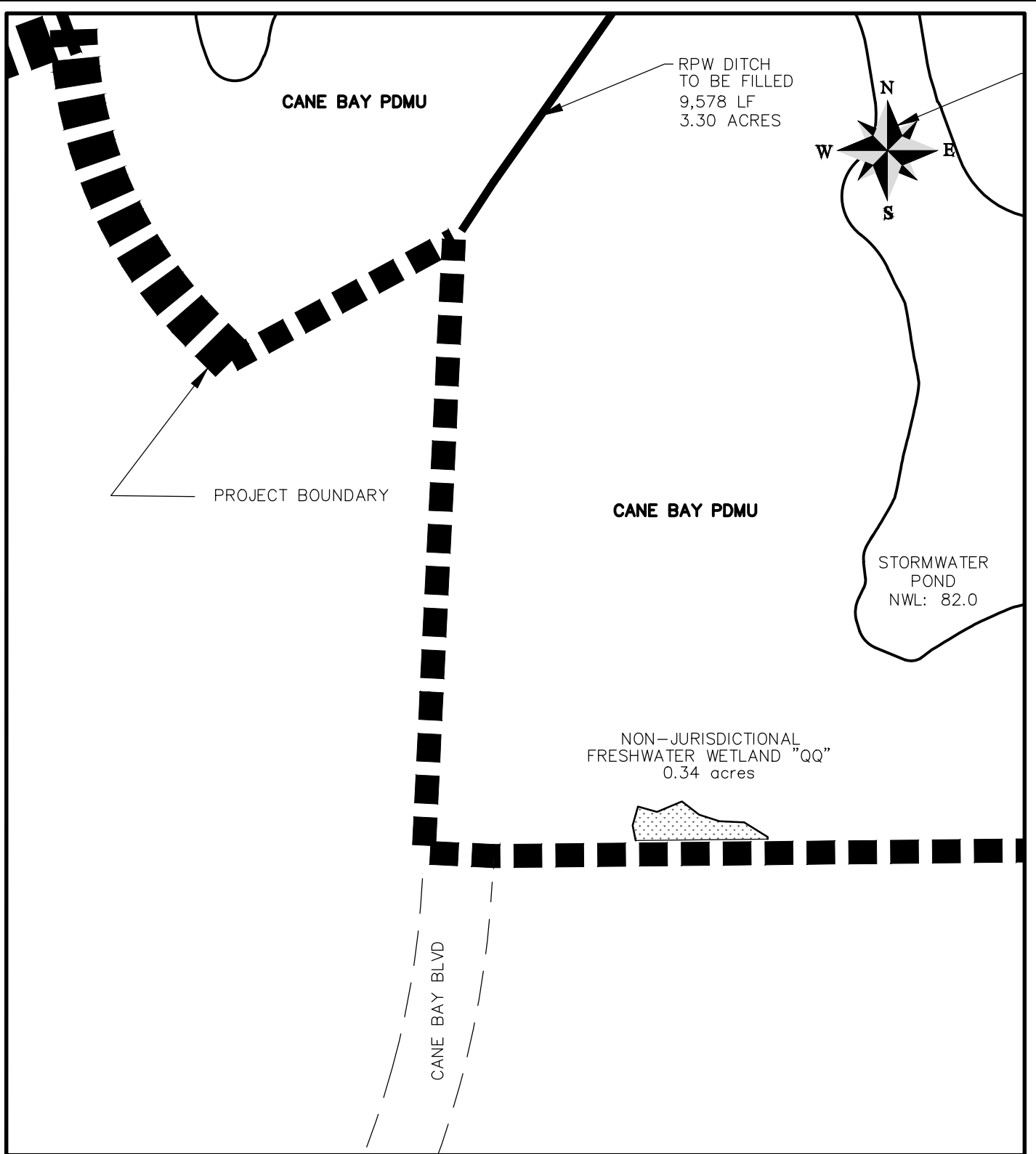
PROPOSED ACTIVITY:
WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 23 of 27
SCALE: 1" = 300'



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CANE BAY RESIDUAL

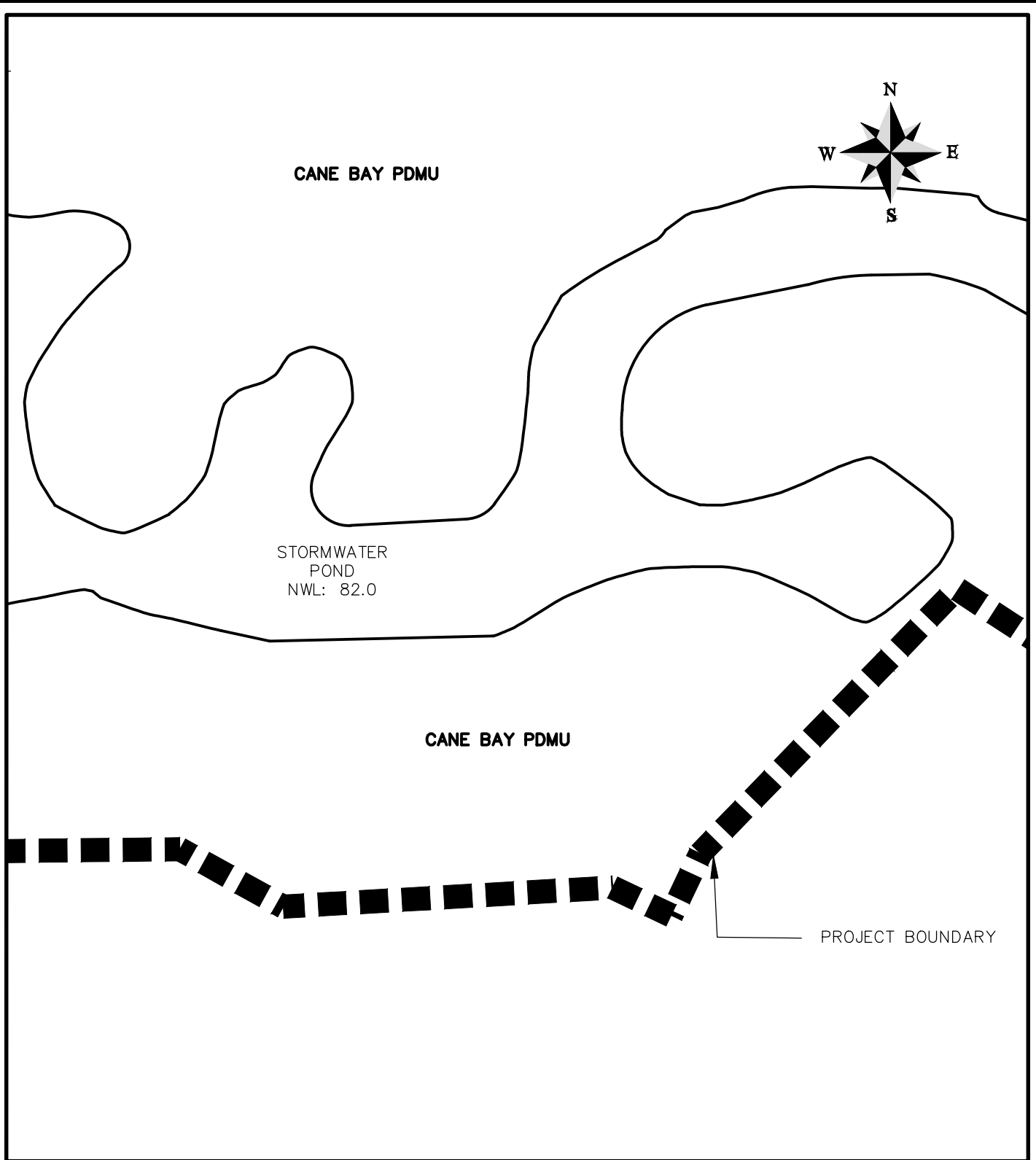
PROPOSED ACTIVITY:
WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 24 of 27
SCALE: 1"= 300'

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CANE BAY RESIDUAL

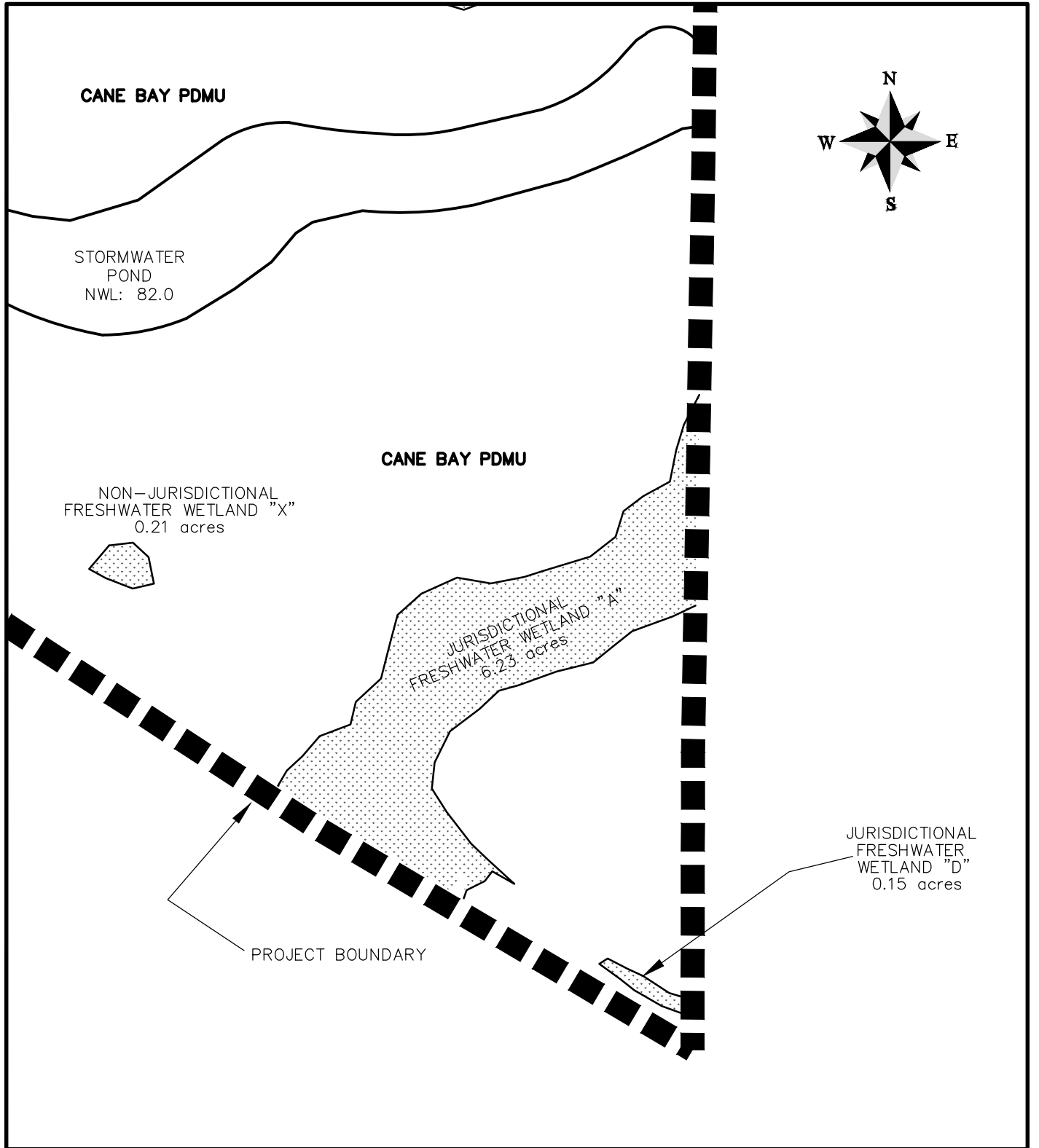
PROPOSED ACTIVITY:
WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 25 of 27
SCALE: 1" = 300'

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CANE BAY RESIDUAL

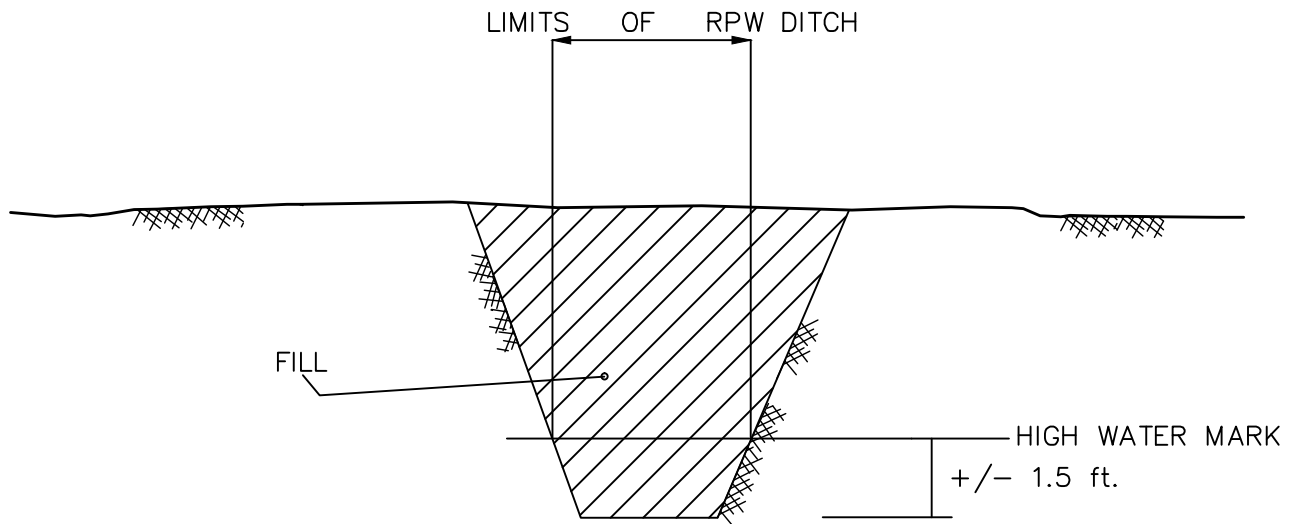
PROPOSED ACTIVITY:
 WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
 CLIENT:
 GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
 LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
 DATE: DECEMBER 17, 2014
 JOB NUMBER: J - 23390.0000

SHEET: 26 of 27
 SCALE: 1" = 300'



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TYPICAL
RPW DITCH FILL DETAIL

CANE BAY RESIDUAL

PROPOSED ACTIVITY:
WETLANDS MODIFICATION FOR PROPOSED DEVELOPMENT
CLIENT:
GRAMLING BROTHERS REAL ESTATE AND DEVELOPMENT, INC.
LOCATION: BERKELEY COUNTY, SOUTH CAROLINA
DATE: DECEMBER 17, 2014
JOB NUMBER: J - 23390.0000

SHEET: 27 of 27
SCALE: N.T.S

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