

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-2013-00097

December 28, 2018

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. Gabe Ebner
Lennar Homes
c/o William Wilson
Sabine and Waters, Inc.
P.O. Box 1072
Summerville, South Carolina 29484

for a permit to a discharge fill material in freshwater, non-tidal wetlands associated with the

BACK RIVER

North of Cypress Gardens Road and west of Old Highway 52 in Moncks Corner in Berkeley County, South Carolina (Latitude: 33.0928 °N, Longitude: -80.0206 °W) (Mount Holly Quad).

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 1.05 acres of wetlands for

construction of a single family and multifamily residential subdivision. In detail, the proposed work consists of the impacts to 0.44 acre of wetlands to widen the existing road right-of-way at two locations along Old Highway 52. The proposed work also consists of impacts to 0.33 acre of wetlands for the construction of two internal road crossings. In addition, the proposed work consists of impacts to 0.28 acre of wetlands for the installation of a 6-inch force main sewer line that will connect the proposed on-site pump station to the Berkeley County Water and Sewer gravity sewer line paralleling US Highway 52, west of the site. Temporary impacts associated with installation include open trench and backfill; however, the dominant impacts result from conversion of forested wetland to herbaceous wetland as BCWS requires the utility easement to be accessible for future maintenance. The purpose of the proposed project is to provide additional housing for a growing population. Wetland impacts have been minimized by locating wetland crossings (impacts #3 and #4) at narrow points of the wetlands. In addition, several locations for the proposed pump station were evaluated. The currently proposed location was decided to be the most ideal as it not only reduced the overall length of the force main, but limited wetland impacts by crossing the narrowest section of the adjacent wetland. Wetland impacts were further minimized by installing the utility line within the disturbance footprint of the adjacent internal road crossing (Impact 3). To compensate for unavoidable impacts, a total of 10 wetland mitigation credits are required. The applicant proposed to preserve the remaining 48.32 acres of wetlands with an average 25-foot width upland buffer. In addition, the applicant is proposing to purchase 7.5 wetland credits from an approved wetland 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 1.05 acres of freshwater, non-tidal 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 there are historic properties present, but they will not be affected; 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 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.

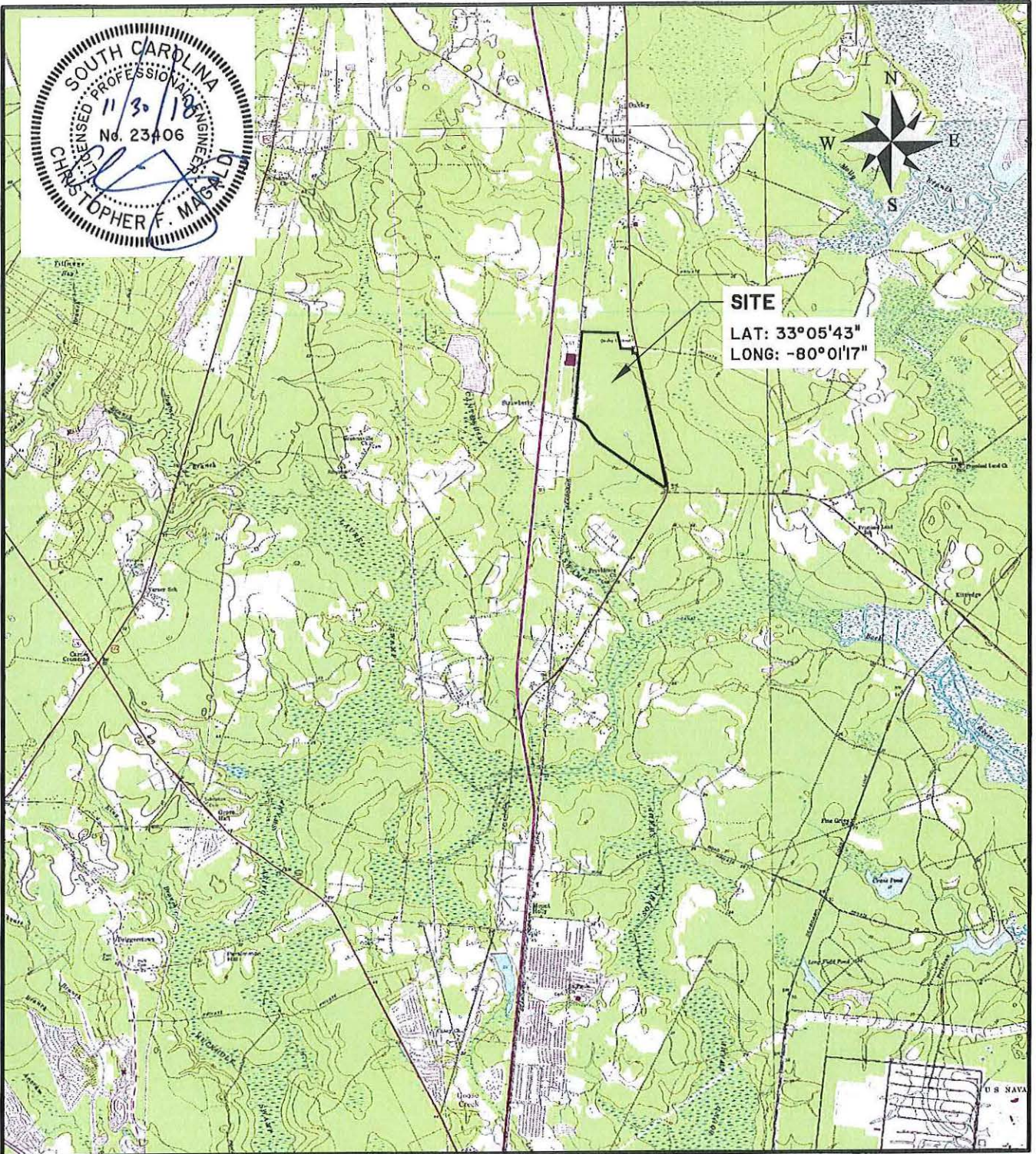
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act 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 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.



SITE
LAT: 33°05'43"
LONG: -80°01'17"

FAIRMONT PINES NORTH - WETLAND IMPACTS

LOCATION MAP

CLIENT:

LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 11/15/2018

DRAWN BY: EBT

SHEET: 1

JOB NUMBER: J-27021.0000

REVIEWED BY: JDH

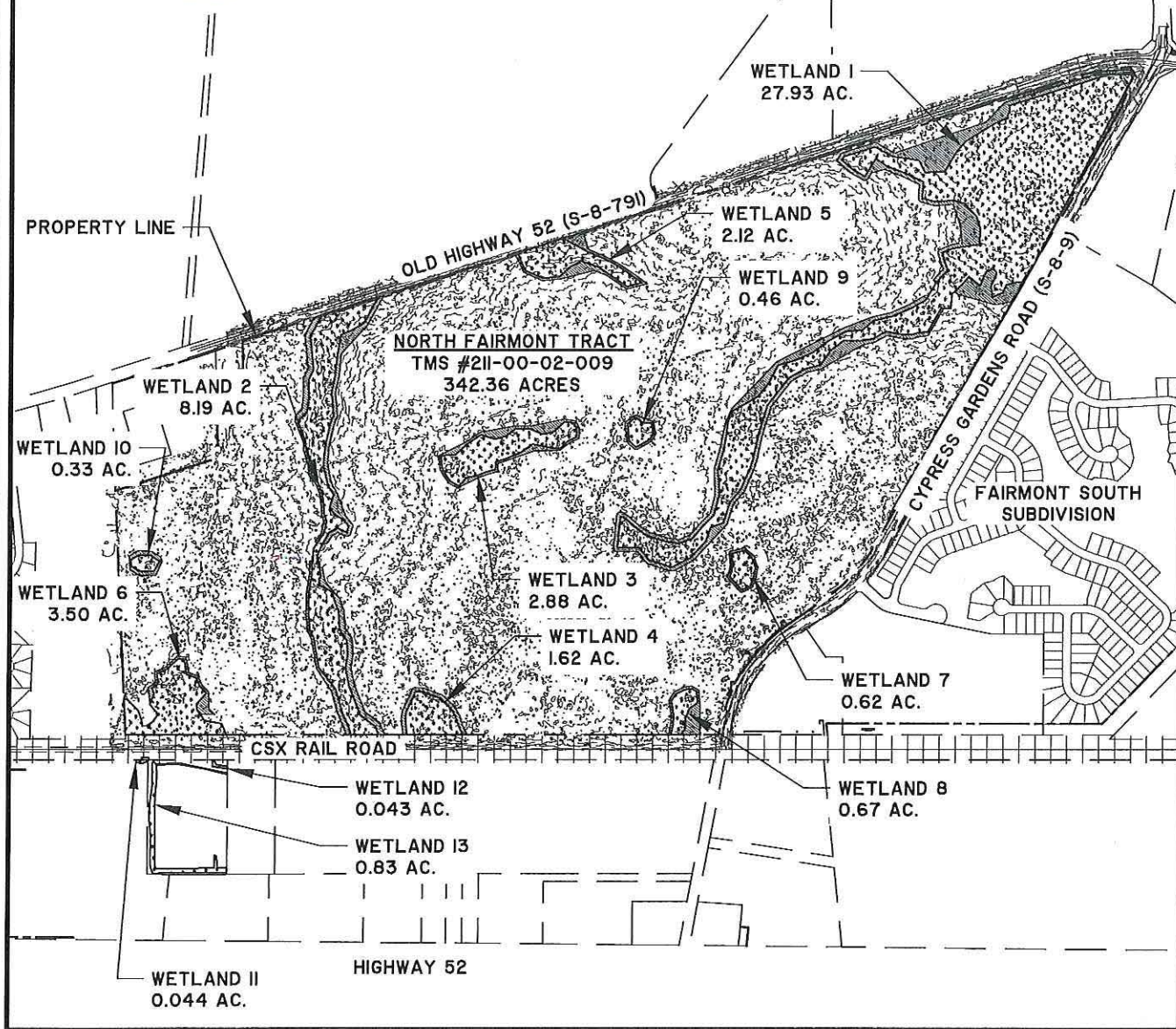
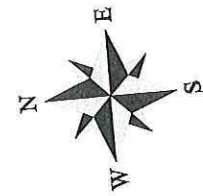
SCALE: 1" = 6000'



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FAIRMONT PINES NORTH - WETLAND IMPACTS

EXISTING CONDITIONS

CLIENT:

LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 11/15/2018

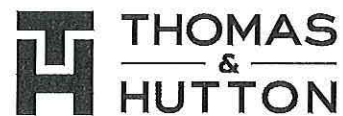
JOB NUMBER: J-27021.0000

DRAWN BY: EBT

REVIEWED BY: JDH

SHEET: 2

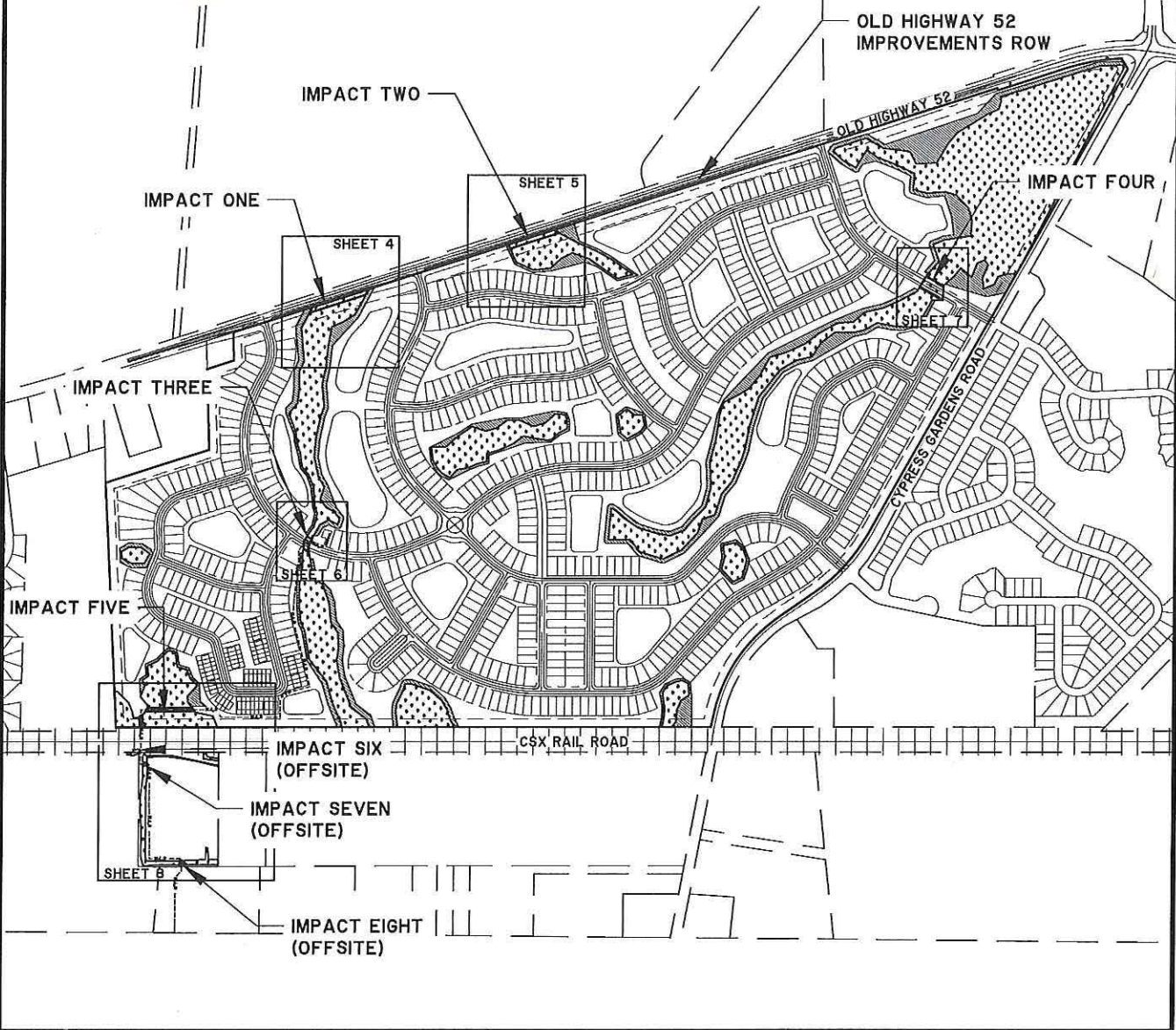
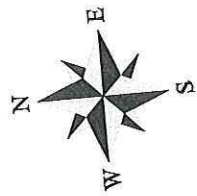
SCALE: 1" = 1000'



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FAIRMONT PINES NORTH - WETLAND IMPACTS

OVERALL SITE PLAN

CLIENT:

LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 11/15/2018

JOB NUMBER: J-27021.0000

DRAWN BY: EBT

REVIEWED BY: JDH

SHEET: 3

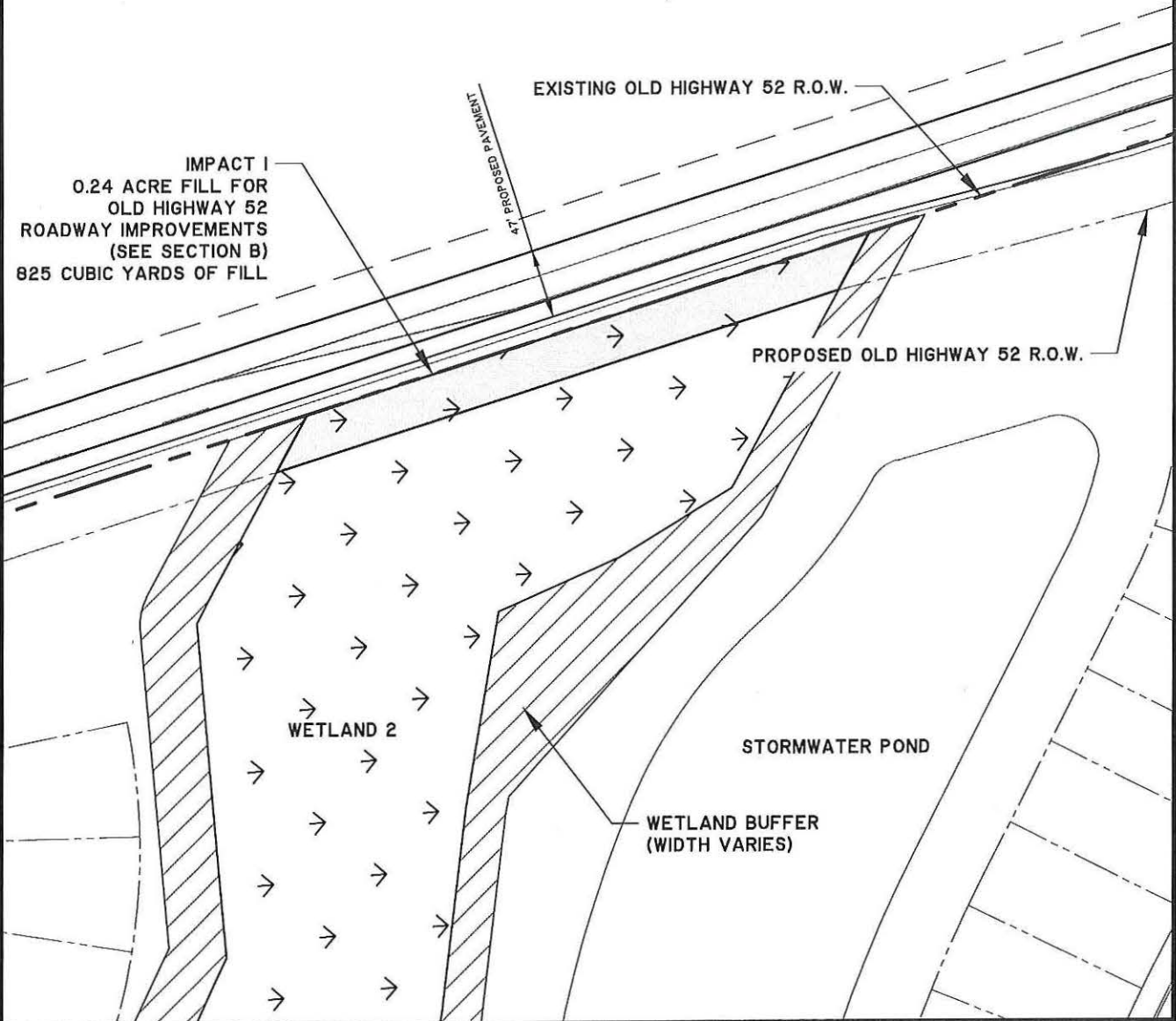
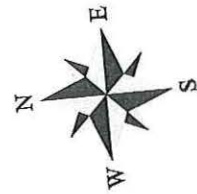
SCALE: 1" = 1000'



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IMPACT I
0.24 ACRE FILL FOR
OLD HIGHWAY 52
ROADWAY IMPROVEMENTS
(SEE SECTION B)
825 CUBIC YARDS OF FILL

EXISTING OLD HIGHWAY 52 R.O.W.

4' PROPOSED PAVEMENT

PROPOSED OLD HIGHWAY 52 R.O.W.

WETLAND 2

STORMWATER POND

WETLAND BUFFER
(WIDTH VARIES)

FAIRMONT PINES NORTH - WETLAND IMPACTS

IMPACT AREA 1

CLIENT:

LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 11/15/2018

DRAWN BY: EBT

SHEET: 4

JOB NUMBER: J-27021.0000

REVIEWED BY: JDH

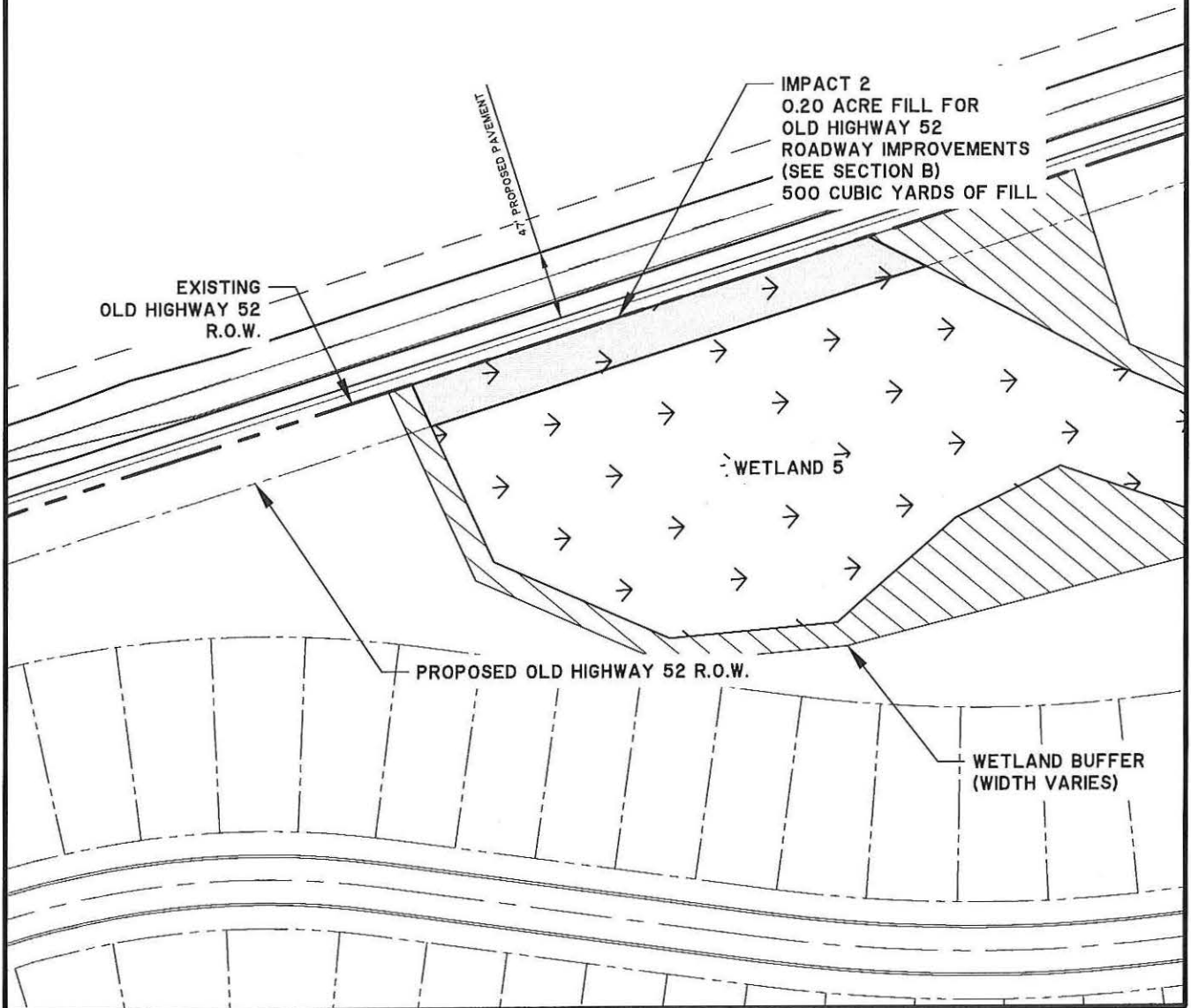
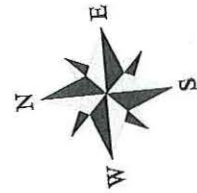
SCALE: 1" = 100'



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FAIRMONT PINES NORTH - WETLAND IMPACTS

IMPACT AREA 2

CLIENT:

LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 11/15/2018

JOB NUMBER: J-27021.0000

DRAWN BY: EBT

REVIEWED BY: JDH

SHEET: 5

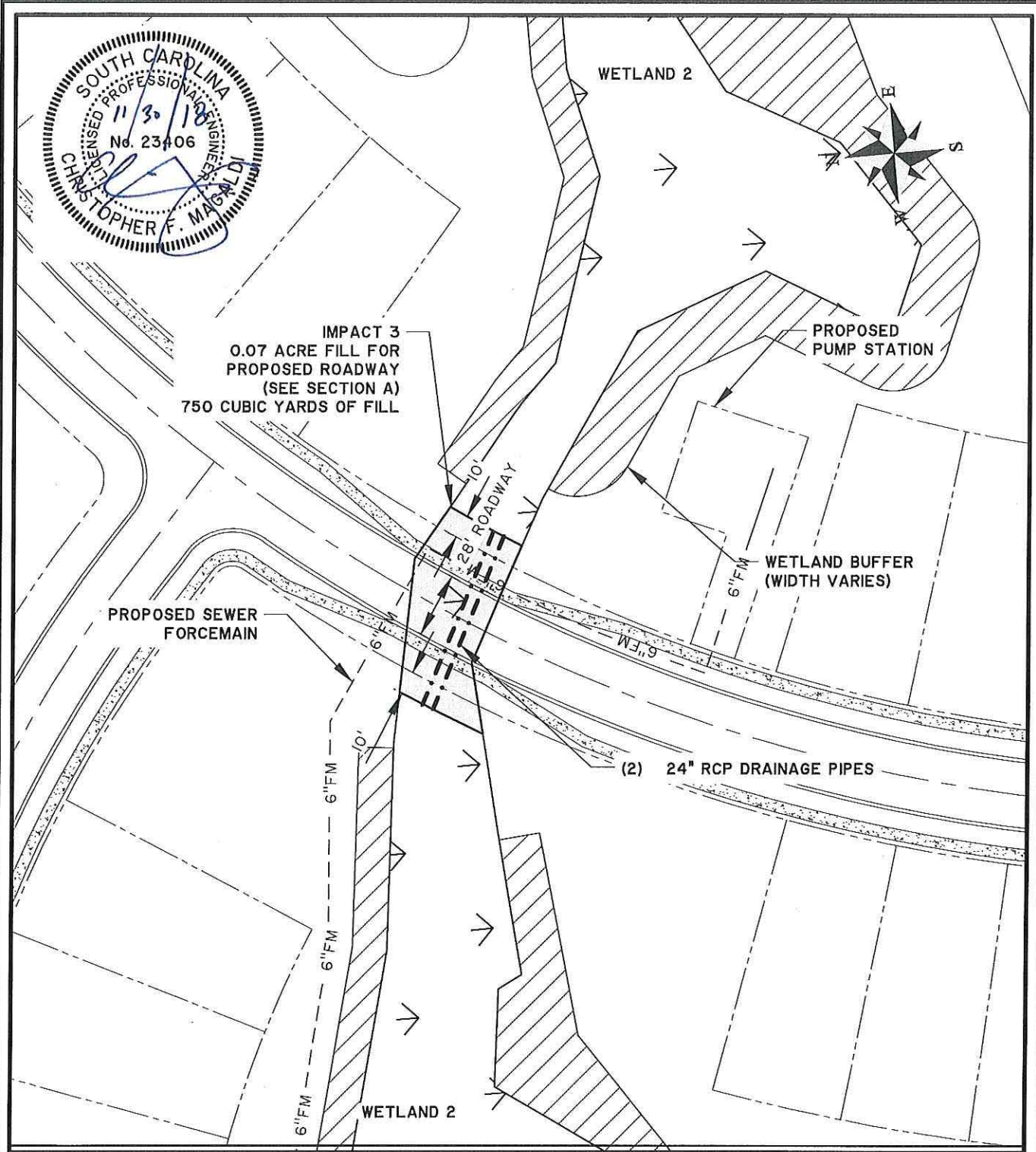
SCALE: 1" = 100'



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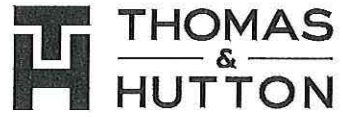


FAIRMONT PINES NORTH - WETLAND IMPACTS

IMPACT AREA 3

CLIENT:
LENNAR CAROLINAS, LLC

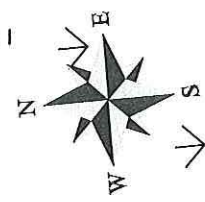
LOCATION: BERKELEY COUNTY, SC
DATE: 11/15/2018
JOB NUMBER: J-27021.0000
DRAWN BY: EBT
REVIEWED BY: JDH
SHEET: 6
SCALE: 1" = 60'



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WETLAND I

IMPACT 4
0.26 ACRE FILL FOR
PROPOSED ROADWAY
(SEE SECTION A)
1,750 CUBIC YARDS OF FILL

WETLAND BUFFER
(WIDTH VARIES)

(2) 24" RCP DRAINAGE PIPES

28' ROADWAY

WETLAND I

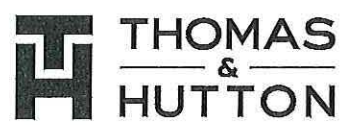
FAIRMONT PINES NORTH - WETLAND IMPACTS

IMPACT AREA 4

CLIENT:
LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC
DATE: 11/15/2018
JOB NUMBER: J-27021.0000

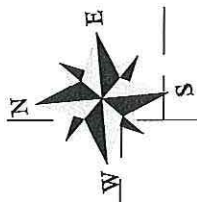
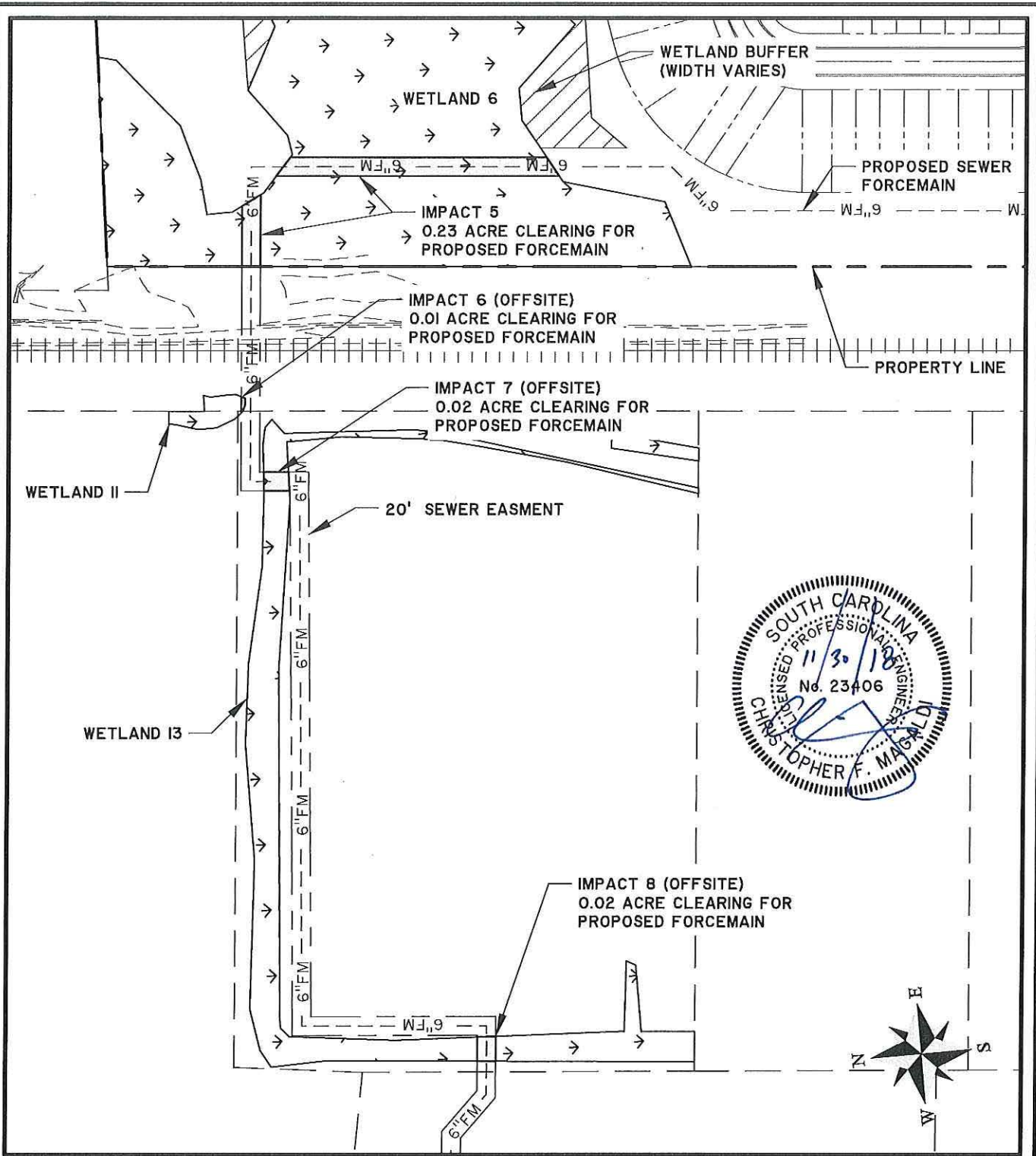
DRAWN BY: EBT
REVIEWED BY: JDH
SHEET: 7
SCALE: 1" = 60'



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FAIRMONT PINES NORTH - WETLAND IMPACTS

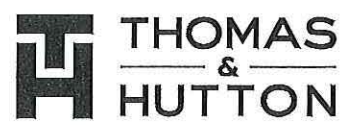
IMPACT AREA 5, 6 & 7

CLIENT:
LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC
 DATE: 11/15/2018
 JOB NUMBER: J-27021.0000

DRAWN BY: EBT
 REVIEWED BY: JDH

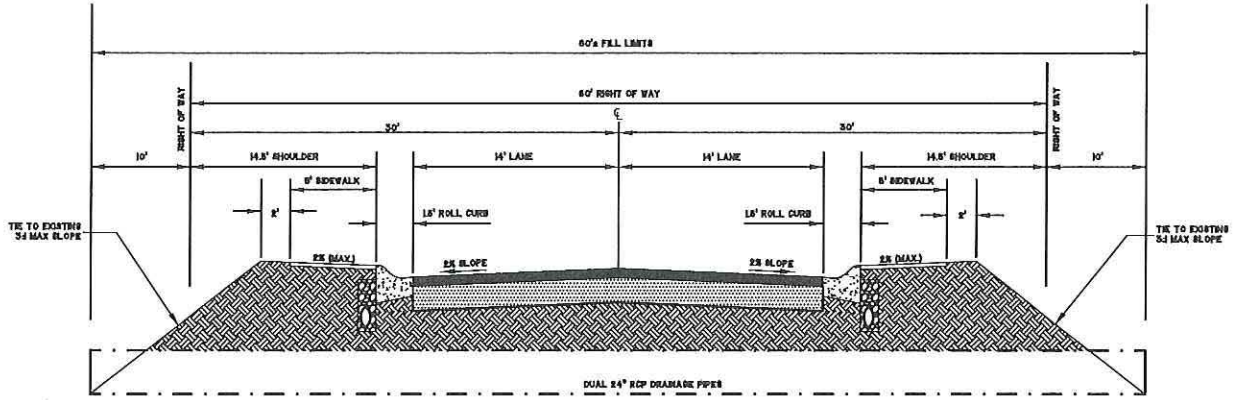
SHEET: 8
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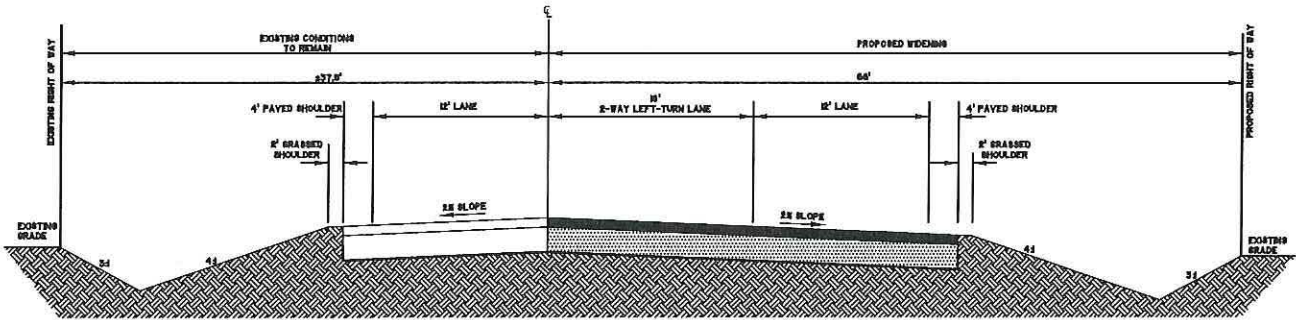
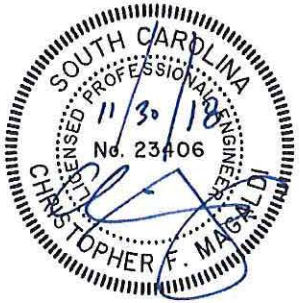
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SECTION A
60' R/W TYPICAL WETLAND CROSSING SECTION
 NOT TO SCALE



SECTION B
OLD HIGHWAY 52 IMPROVEMENTS
 NOT TO SCALE

FAIRMONT PINES NORTH - WETLAND IMPACTS

TYPICAL ROADWAY SECTIONS

CLIENT:

LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 11/15/2018

DRAWN BY: EBT

SHEET: 9

JOB NUMBER: J-27021.0000

REVIEWED BY: JDH

SCALE: NTS



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JURISDICTIONAL WETLAND IMPACT SUMMARY

OFFSITE ROADWAY IMPROVEMENT IMPACTS:

IMPACT 1 0.24 ACRE
IMPACT 2 0.20 ACRE

INTERNAL ROAD CROSSING IMPACTS:

IMPACT 3 0.07 ACRE
IMPACT 4 0.26 ACRE

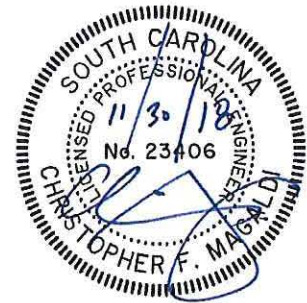
UTILITY IMPACTS

IMPACT 5 0.23 ACRE (ONSITE)
IMPACT 6 0.01 ACRE (OFFSITE)
IMPACT 7 0.02 ACRE (OFFSITE)
IMPACT 8 0.02 ACRE (OFFSITE)

TOTAL IMPACT: 1.05 ACRES

WETLAND BUFFER SUMMARY

TOTAL LF OF WETLAND: 28,611
TOTAL BUFFER PROVIDED: 720,036 S.F.
AVERAGE BUFFER WIDTH: 25.17'

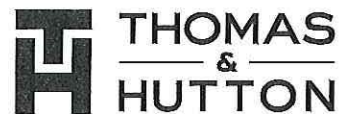


FAIRMONT PINES NORTH - WETLAND IMPACTS

IMPACT SUMMARY

CLIENT:
LENNAR CAROLINAS, LLC

LOCATION: BERKELEY COUNTY, SC
DATE: 11/15/2018 DRAWN BY: EBT SHEET: 10
JOB NUMBER: J-27021.0000 REVIEWED BY: JDH SCALE: NTS



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