

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 # 2011-0775-2C

February 25, 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

RLF FRENCH QUARTER CREEK, LLC
C/O: RYAN CLAREY
NEWKIRK ENVIRONMENTAL, INC.
PO BOX 746
MT. PLEASANT, SOUTH CAROLINA 29465

for a permit to construct a residential subdivision known as French Quarter Creek in

FRENCH QUARTER CREEK

Located off of Highway 41, in Berkeley County, South Carolina; Latitude: 33.0339, Longitude: -79.7996; Quad Sheet: Huger.

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 constructing a residential subdivision known as French Quarter Creek. In detail, the applicant has proposed to impact 2.73 acres of wetlands, of which

0.79 acres of impacts will be in the jurisdictional wetlands and 1.94 acres of impacts will be to non-jurisdictional, isolated wetlands. The work in waters of the U.S., including wetlands, consists of five road crossings and fill to provide residential building lots. The road crossings will be engineered with appropriately sized culverts to maintain functional flow characteristics at each road crossing and to accommodate post construction hydraulics. The applicant has avoided and minimized impacts by planning for the installation of the site's utilities without additional loss of wetlands. All applicable utility lines will be included in the footprints of the proposed wetland road crossings. The applicant is requesting a permit that will expire on December 31, 2058.

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by preserving 112.29 acres of on-site wetlands as well as 17.25 acres of upland buffers (average of 26' in width with a minimum of 25' in width) through deed restrictive covenants. In addition, the applicant will purchase 22.0 wetland mitigation credits from the Congaree Carton Mitigation Bank. The project purpose is to construct and complete a master-planned residential development project.

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, 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 0.79 acres of freshwater jurisdictional wetlands and 1.94 acres of freshwater, non-jurisdictional isolated 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. 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 Ms. Chelsea Bowman at 843-329-8044 or toll free at 1-866-329-8187.

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QUADRANGLE MAP

SCALE: 1" = 2000'

NATIONAL FOREST

Long Pond Savannah

Old Joe

Pinckney Reservoir

4 MI TO HWY 402

SITE

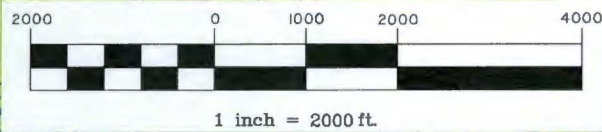
LAT: 33.0339
LONG: -79.7996

SC HWY 41

13 MI TO US 17

CHARIT

Collins Cem



FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC
DATE: 12/28/15
JOB NUMBER: J - 25814.0000

SHEET: 1 OF 15
SCALE: 1" = 2000'

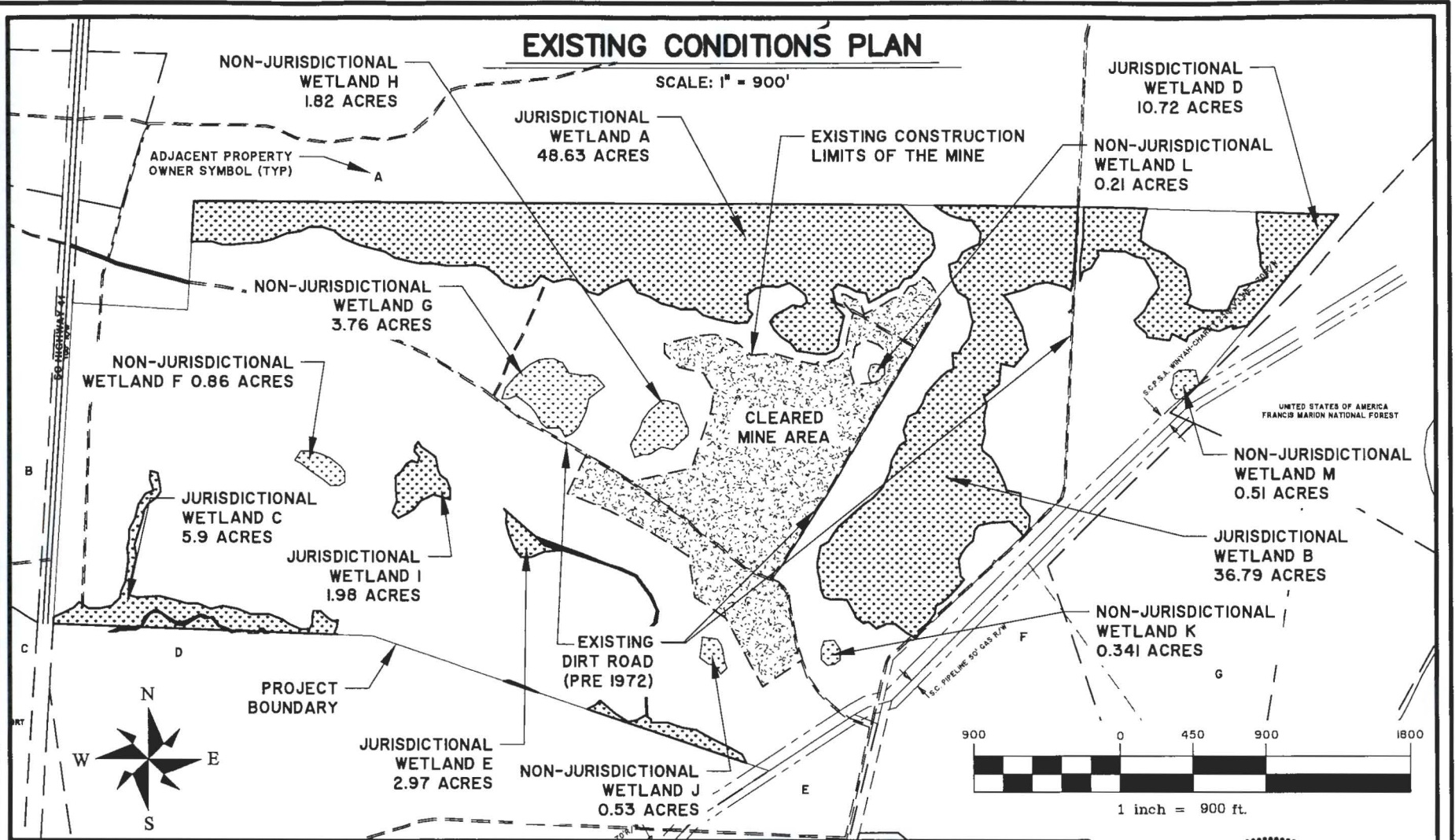
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EXISTING CONDITIONS PLAN

SCALE: 1" = 900'



FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC
DATE: 12/28/15
JOB NUMBER: J-25814.0000

DRAWN BY: TS
REVIEWED BY: TMW

SHEET: 2 OF 15
SCALE: 1" = 900'






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<u>LEGEND</u>	<u>WETLAND IMPACT SUMMARY</u>	<u>NON JURISDICTIONAL</u>	<u>JURISDICTIONAL</u>	<u>TOTAL</u>
	TOTAL SITE			439.44 ACRES
	EXISTING WETLANDS	8.03 ACRES	106.99 ACRES	114.32 ACRES
	UPLANDS			324.42 ACRES
	JURISDICTIONAL RPW		0.7 ACRES	0.7 ACRES
	SITE DEVELOPMENT FILL	1.77 ACRES		1.77 ACRES
	ROAD CROSSING FILL	0.168 ACRES	0.794 ACRES	0.962 ACRES
<u>ONSITE AVOIDANCE AND MINIMIZATION</u>				
	26' AVE BUFFER WIDTH	2.04 ACRES	15.21 ACRES	17.25 ACRES
	MIN. BUFFER WIDTH: 25'			
	WETLAND TO BE PRESERVED	6.09 ACRES	106.2 ACRES	112.29 ACRES

FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 3 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: N.T.S.



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900 0 450 900 1800



1 inch = 900 ft.

OVERALL LAYOUT PLAN

SCALE: 1" = 900'

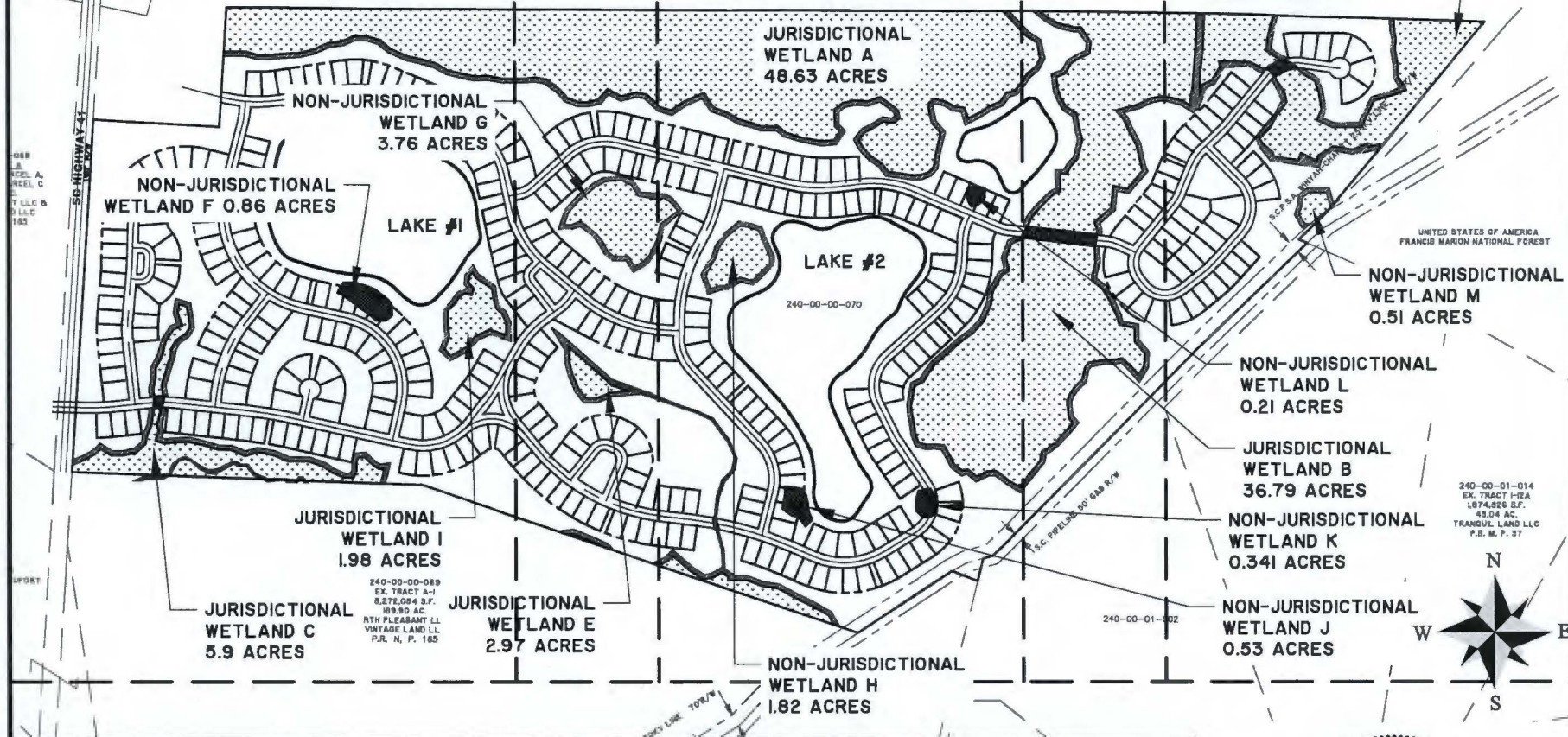
JURISDICTIONAL
WETLAND D
10.72 ACRES

240-00-00-0

SEE SHEET 5

SEE SHEET 6

SEE SHEET 7



FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 4 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: 1" = 900'



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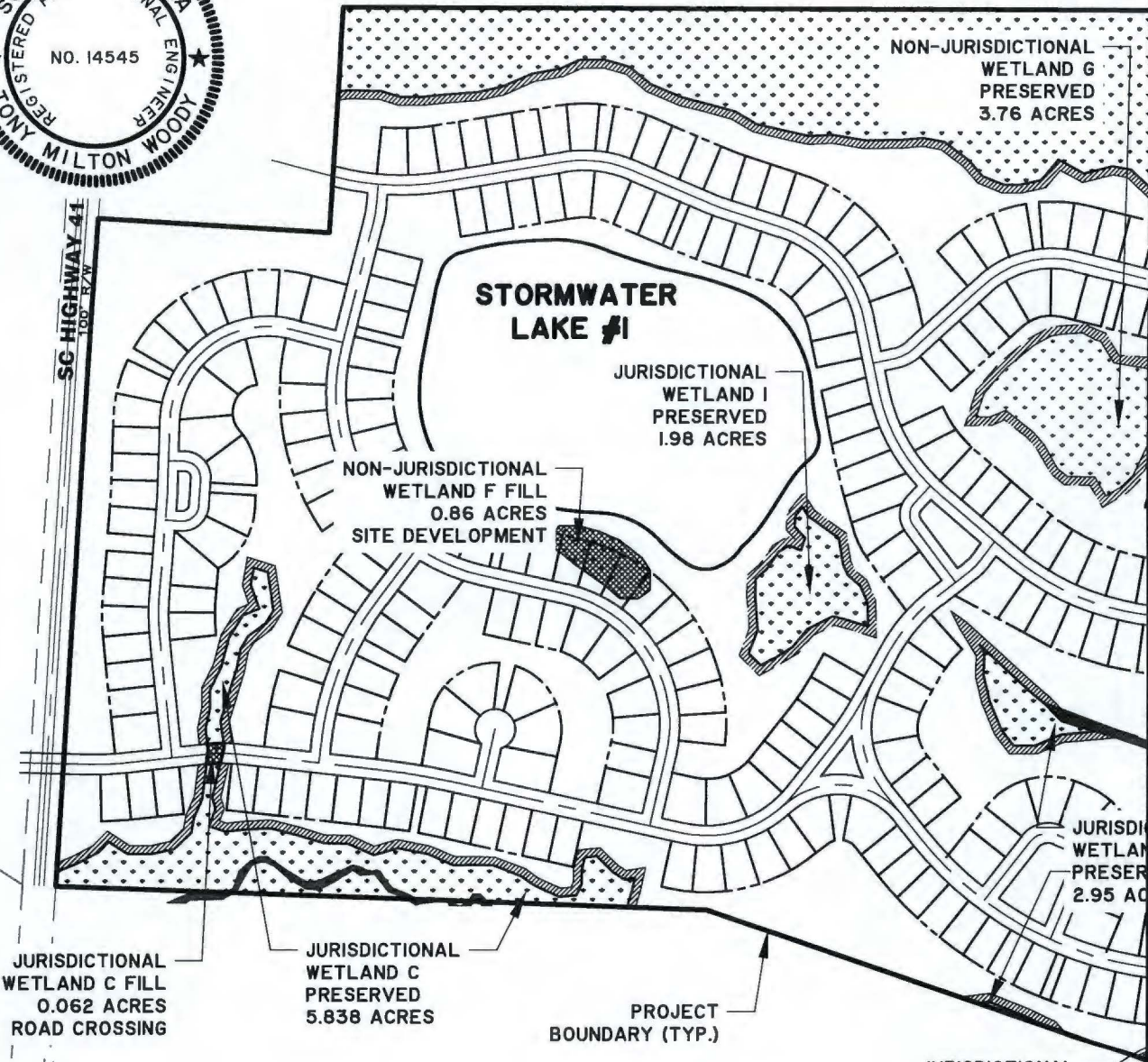


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SITE PLAN

SCALE: 1" = 500'



JURISDICTIONAL WETLAND C FILL 0.062 ACRES ROAD CROSSING

JURISDICTIONAL WETLAND C PRESERVED 5.838 ACRES

PROJECT BOUNDARY (TYP.)

JURISDICTIONAL WETLAND E FILL 0.02 ACRES ROAD CROSSING

NON-JURISDICTIONAL WETLAND F FILL 0.86 ACRES SITE DEVELOPMENT

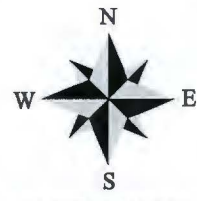
JURISDICTIONAL WETLAND I PRESERVED 1.98 ACRES

NON-JURISDICTIONAL WETLAND G PRESERVED 3.76 ACRES

SC HIGHWAY 41
100' R.W.



1 inch = 500 ft.



FRENCH QUARTER CREEK

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RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

JOB NUMBER: J-25814.0000

DRAWN BY: TS

REVIEWED BY: TMW

SHEET: 5 OF 15

SCALE: 1" = 500'

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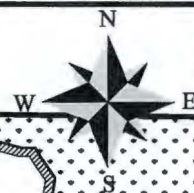
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SITE PLAN

SCALE: 1" = 500'



NON-JURISDICTIONAL
WETLAND G
PRESERVED
3.76 ACRES

JURISDICTIONAL
WETLAND A
PRESERVED
48.63 ACRES

STORMWATER
LAKE #3

NON-JURISDICTIONAL
WETLAND L FILL
0.21 ACRES
SITE DEVELOPMENT

STORMWATER
LAKE #2

NON-JURISDICTIONAL
WETLAND H
PRESERVED
1.82 ACRES

JURISDICTIONAL
WETLAND B
PRESERVED
36.241 ACRES

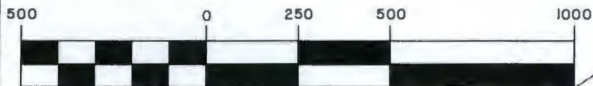
NON-JURISDICTIONAL
WETLAND K FILL
0.173 ACRES
SITE DEVELOPMENT

JURISDICTIONAL
WETLAND E
PRESERVED
2.95 ACRES

NON-JURISDICTIONAL
WETLAND K FILL
0.168 ACRES
ROAD CROSSING

JURISDICTIONAL
WETLAND E FILL
0.02 ACRES
ROAD CROSSING

NON-JURISDICTIONAL
WETLAND J FILL
0.53 ACRES
SITE DEVELOPMENT



1 inch = 500 ft.



FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 6 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: 1" = 500'

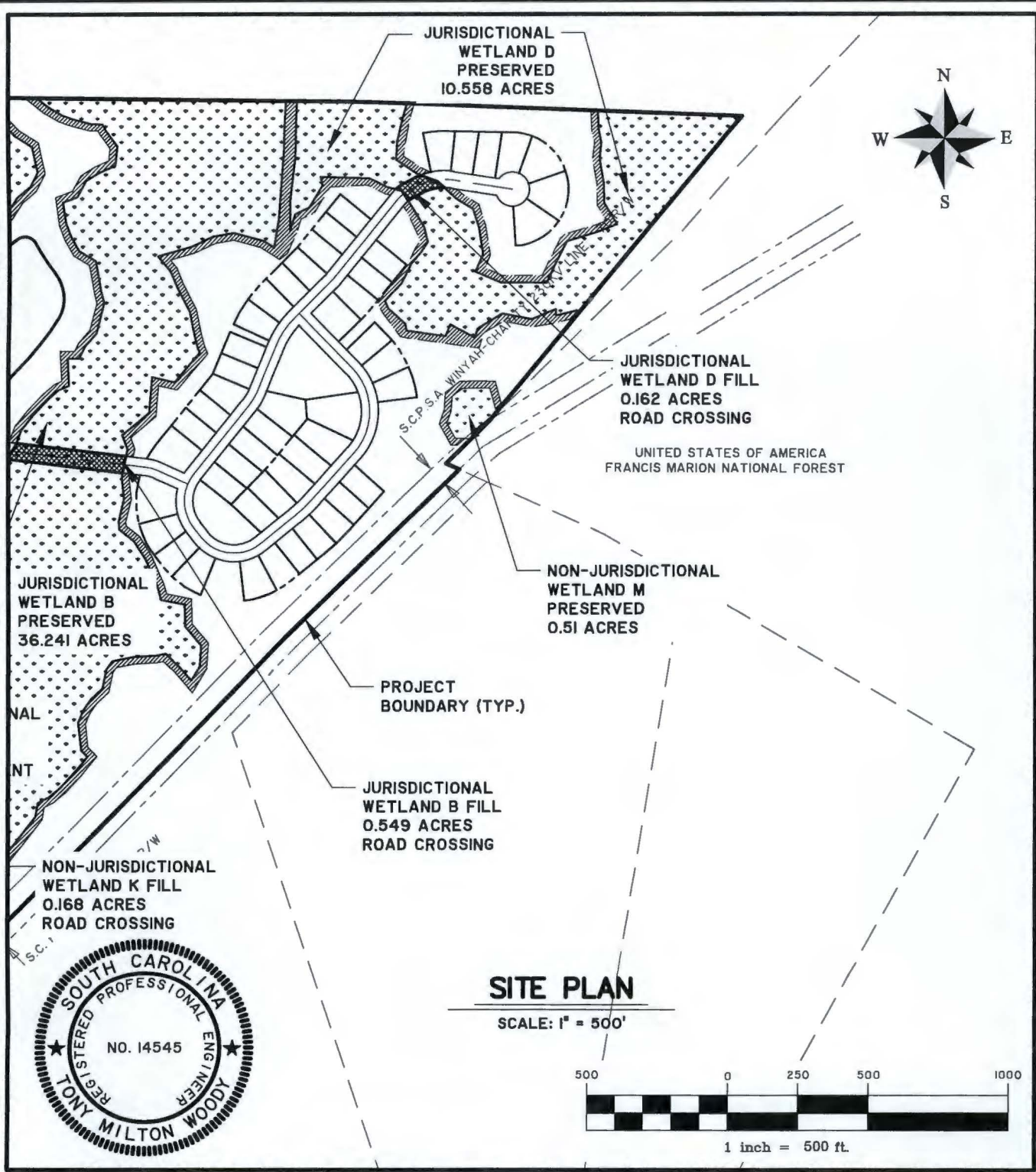


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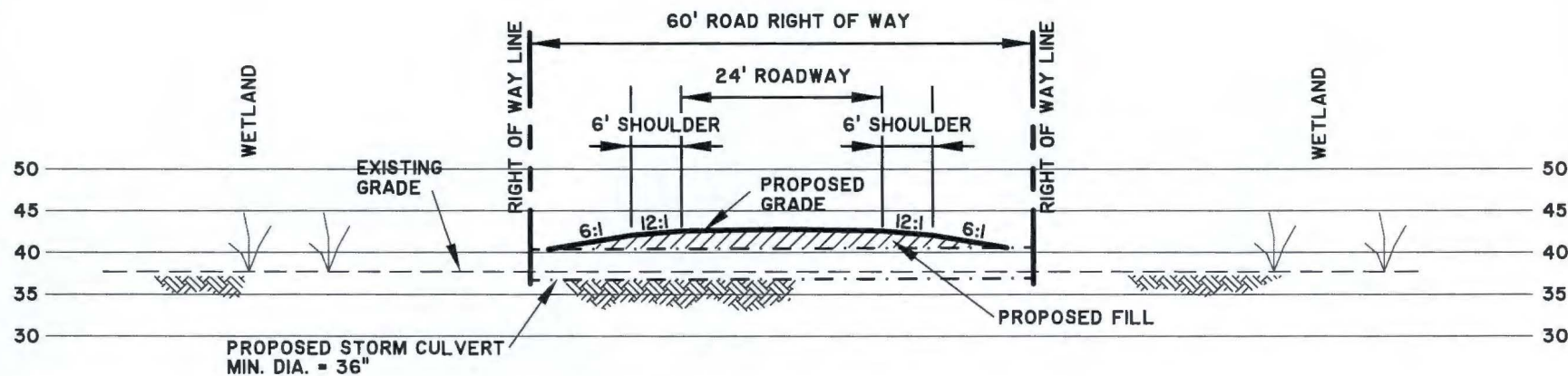


FRENCH QUARTER CREEK
 PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT
 APPLICANT:
RLF FRENCH QUARTER CREEK LLC
 LOCATION: BERKELEY COUNTY, SC
 DATE: 12/28/15 DRAWN BY: TS SHEET: 7 OF 15
 JOB NUMBER: J-25814.0000 REVIEWED BY: TMW SCALE: 1" = 500'

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NOTE: FINAL PIPE SIZES
ARE TO BE DETERMINED
DURING SITE DESIGN

WETLAND C FILL SECTION AT ROAD CROSSING

SCALE: 1" = 20'

FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 8 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: 1" = 20'

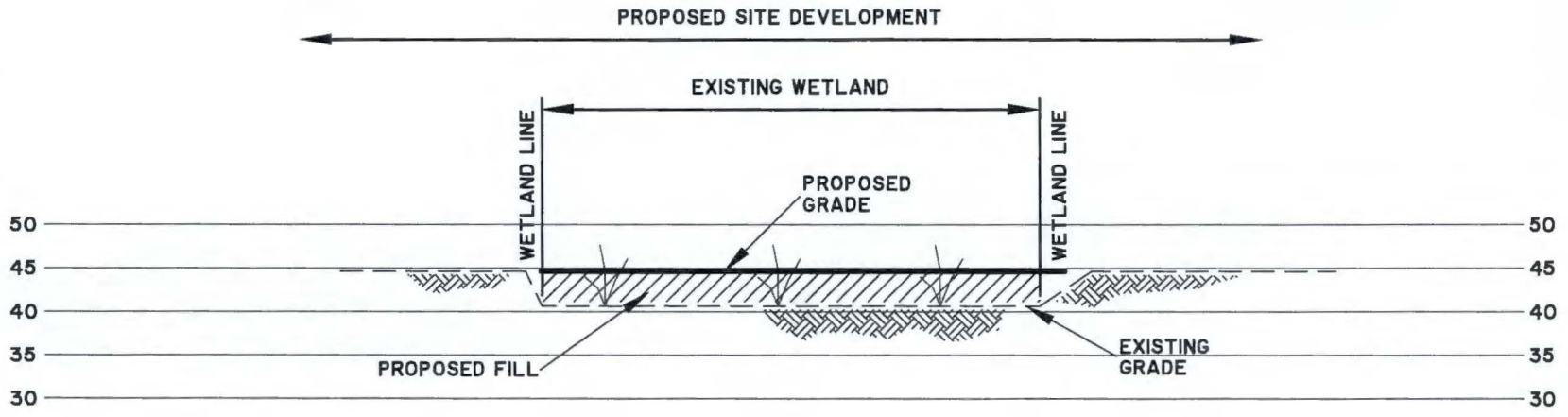


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ISOLATED WETLAND F FILL SECTION

SCALE: 1" = 20'

FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

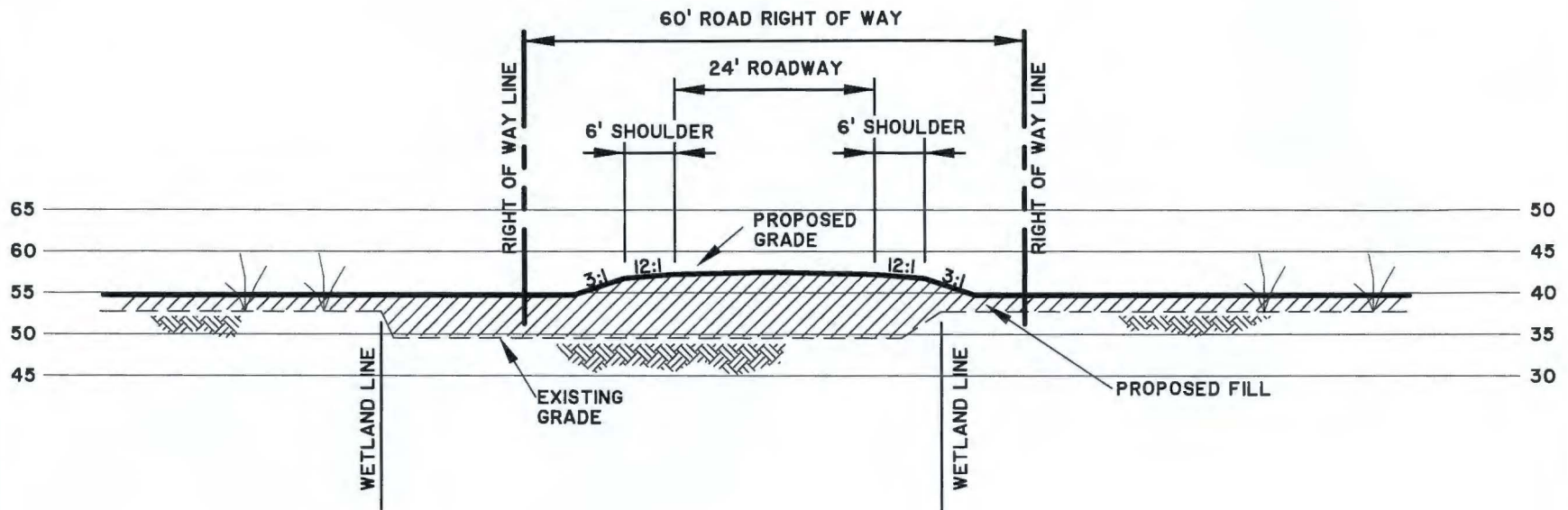
LOCATION: BERKELEY COUNTY, SC
 DATE: 12/28/15 DRAWN BY: TS SHEET: 9 OF 15
 JOB NUMBER: J-25814.0000 REVIEWED BY: TMW SCALE: 1" = 20'

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WETLAND K FILL SECTION AT ROAD CROSSING

SCALE: 1" = 20'

FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 10 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: 1" = 20'

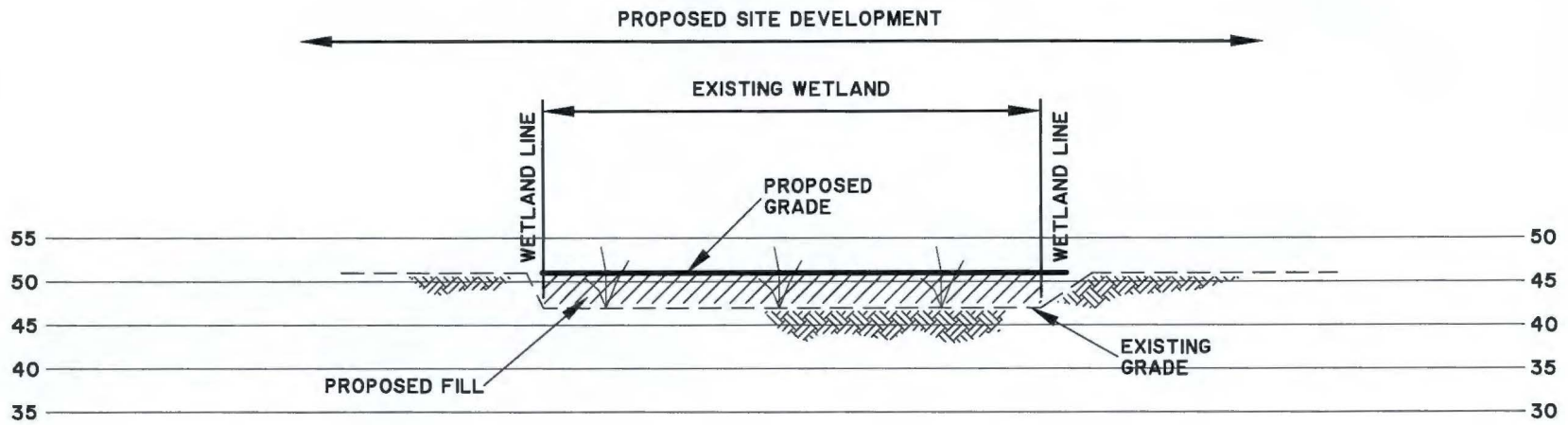


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ISOLATED WETLAND L FILL SECTION

SCALE: 1" = 20'

FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
P11-SECTION

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 11 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: 1" = 20'

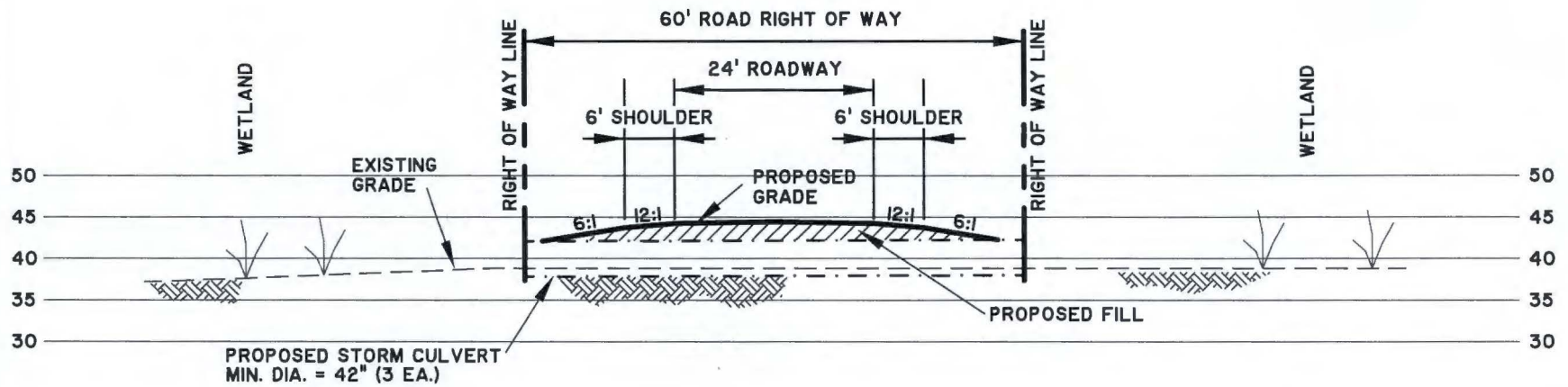


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NOTE: FINAL PIPE SIZES
ARE TO BE DETERMINED
DURING SITE DESIGN

WETLAND B FILL SECTION AT ROAD CROSSING

SCALE: 1" = 20'

FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
P12-SECTION

APPLICANT:

RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 12 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: 1" = 20'

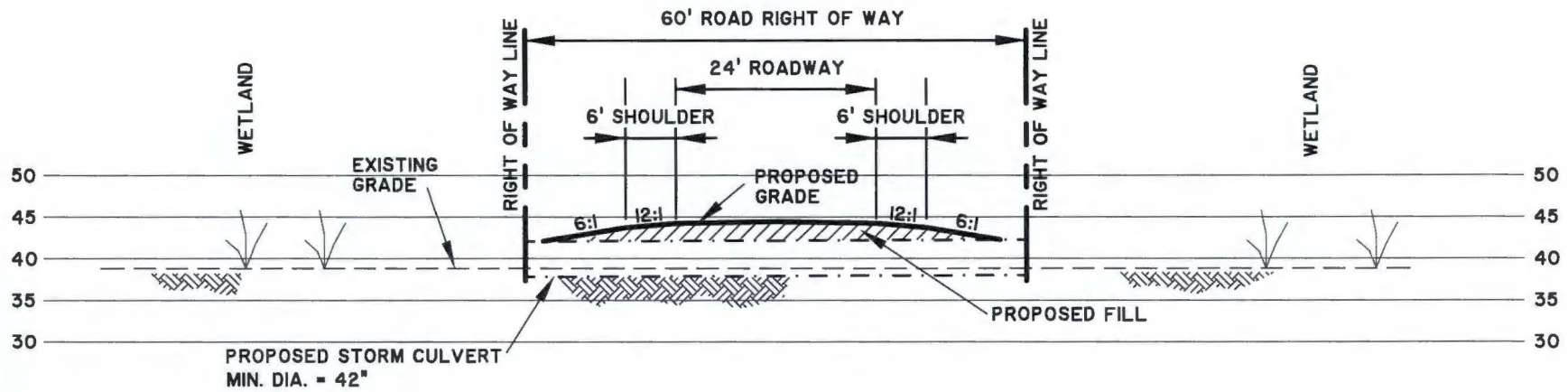


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ARE TO BE DETERMINED
DURING SITE DESIGN

WETLAND D FILL SECTION AT ROAD CROSSING

SCALE: 1" = 20'

FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
P13-SECTION

APPLICANT:

RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC

DATE: 12/28/15

DRAWN BY: TS

SHEET: 13 OF 15

JOB NUMBER: J-25814.0000

REVIEWED BY: TMW

SCALE: 1" = 20'



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**Wetland Information Chart
Berkeley County Keystone Tract**

Prepared For: Applicant
Prepared By: Thomas & Hutton
Date: December 23, 2015

Item	Wetland Number	Wetland Size (acres)	FILL (acres)	PRESERVE (acres)	BUFFER (acres)	FILL (CY)
1	A (JD)	48.63	0	48.63	3.89	0
2	B (JD)	36.79	0.549	36.241	4.48	1771
3	C (JD)	5.9	0.062	5.838	2.09	200
4	D (JD)	10.72	0.162	10.558	2.27	523
5	E (JD)	2.97	0.02	2.95	1.61	65
6	F (NJD)	0.86	0.86	0	0	2775
7	G (NJD)	3.76	0	3.76	1.07	0
8	H (NJD)	1.82	0	1.82	0.7	0
9	I (JD)	1.98	0	1.98	0.87	0
10	J (NJD)	0.53	0.53	0	0	1710
11	K (NJD)	0.341	0.341	0	0	1100
12	L (NJD)	0.21	0.21	0	0	678
13	M (NJD)	0.51	0	0.51	0.27	0
Total		115.02	2.73	112.29	17.25	8,822



FRENCH QUARTER CREEK

PROPOSED ACTIVITY:
RESIDENTIAL DEVELOPMENT

APPLICANT:
RLF FRENCH QUARTER CREEK LLC

LOCATION: BERKELEY COUNTY, SC
DATE: 12/28/15 DRAWN BY: TS SHEET: 14 OF 15
JOB NUMBER: J-25814.0000 REVIEWED BY: TMW SCALE: N.T.S.



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