

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-2017-01561

January 12, 2018

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

Mr. Frank Finlaw
c/o Passarella & Associates, Inc.
Sydni Redmond
505 Belle Hall Parkway, Suite 102
Mount Pleasant, South Carolina 29464

for a permit to discharge fill material in wetlands adjacent to

Norwell Creek

Located on the north of Forrest Drive and approximately 0.1 mile east of Clements Ferry Road, in Charleston, Berkeley County, South Carolina (Latitude: 32.8822 °N, Longitude: -79.9282 °W) (North Charleston 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 placement of fill material into 0.33 acre of freshwater non-tidal wetlands for the construction of a residential development. In detail, the proposed work involves discharge of fill material into 0.33 acres of freshwater non-tidal freshwater wetlands for the

construction of residential lots, internal roadways, associated infrastructure, utilities and stormwater management facilities. The purpose of the proposed project is for the construction of a residential development to serve the Charleston area. The applicant has avoided and minimized wetlands by designing the project to avoid 0.21 acres of freshwater non-tidal wetlands and 3.75 acres of saltmarsh. To compensate for the proposed 0.33 acres of impacts to freshwater non-tidal wetlands, the applicant is proposing to preserve the remaining 0.21 acres of freshwater non-tidal wetlands and to purchase 2.8 credits from an approved wetland mitigation bank with a primary service area encompassing the project site.

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 **0.33** acres of freshwater non-tidal wetlands adjacent to 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.

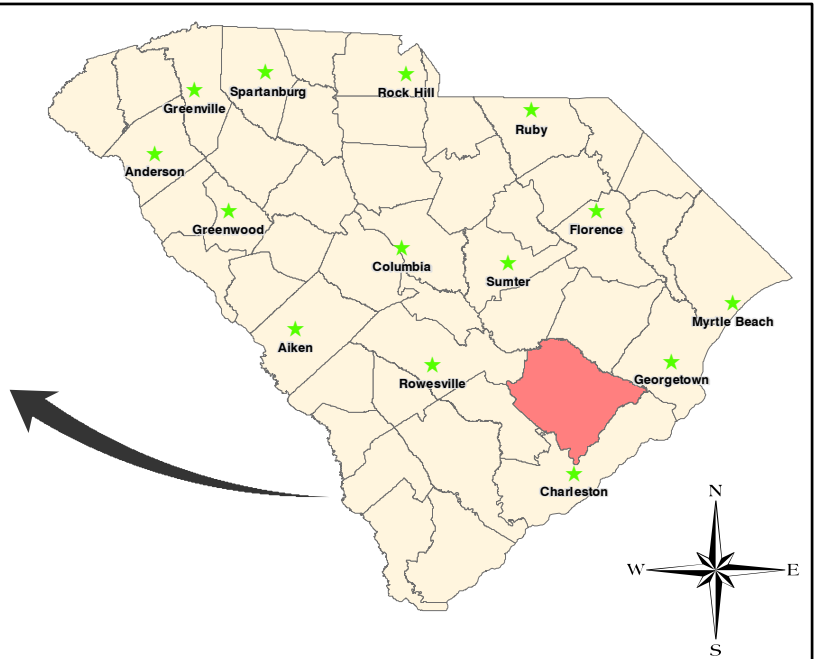
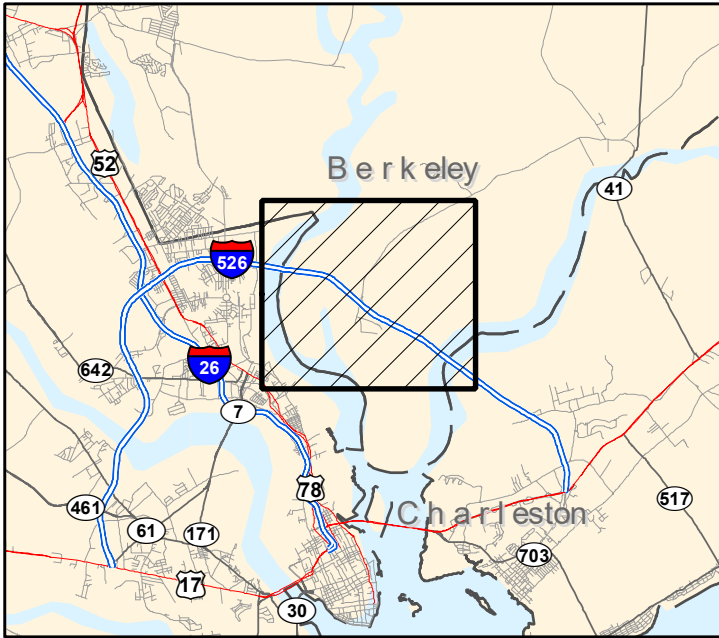
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section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

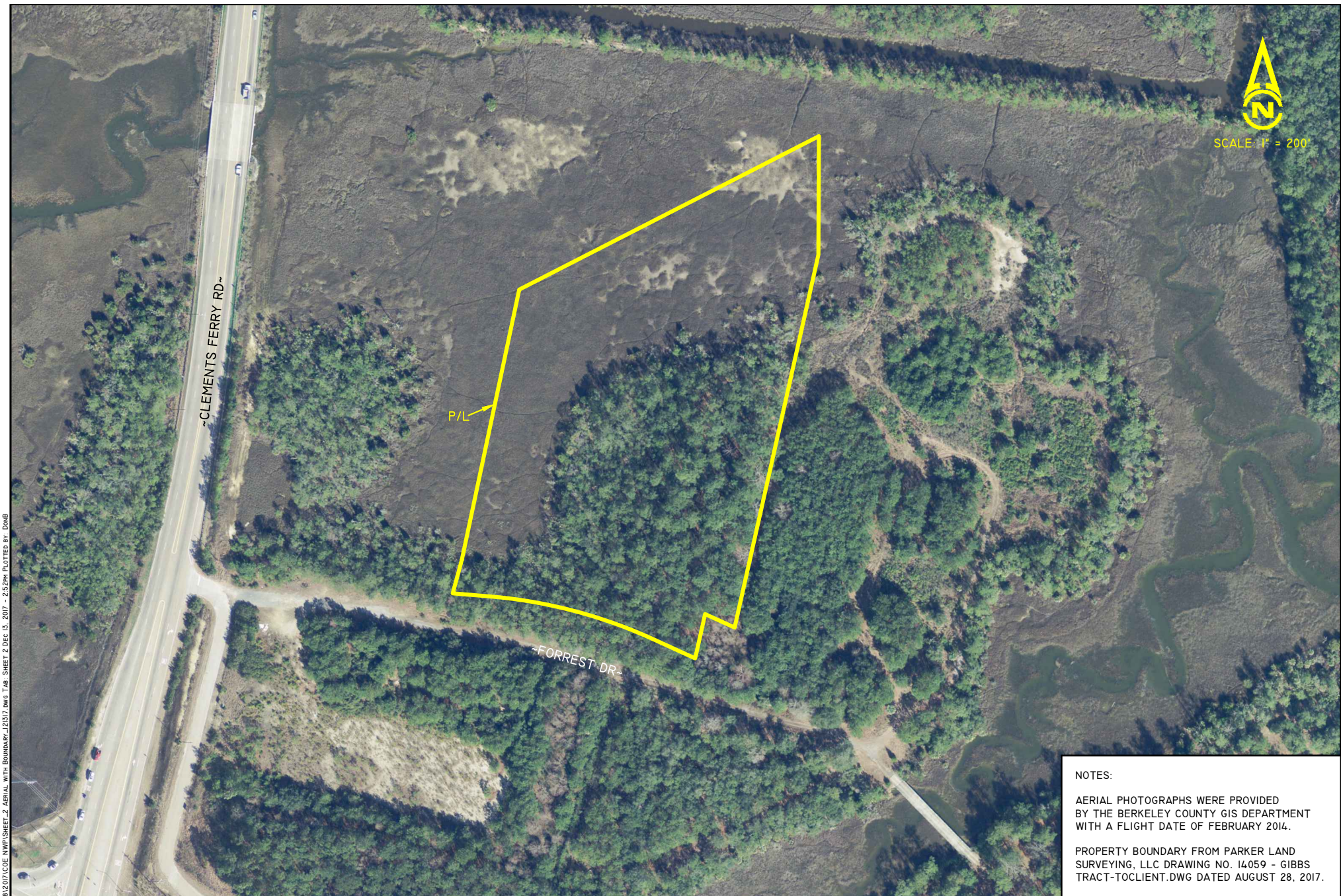
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, SC 29403-5107**

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.



J:\SOUTH CAROLINA\2016\SC-16CAG2508\GIS\2017\COE_NWPI\SHEETS\SHEET_1_PROJECT_LOCATION_MAP.MXD - 12/15/2017 @ 2:46:23 PM

PROJECT NAME: GIBBS TRACT	PROJECT LOCATION MAP	
	DWG. No. SC-16CAG2508-1	SHEET: 1 OF 7
APPLICANT: CALATLANTIC GROUP, INC., c/o RON BULLMAN	DRAWN BY: W.C.	DATE: 9/15/17
	REVISIONS: 12/13/17	SCALE: N.T.S



SCALE: 1" = 200'

-CLEMENTS FERRY RD.-

P/L

-FORREST DR.-

NOTES:
 AERIAL PHOTOGRAPHS WERE PROVIDED BY THE BERKELEY COUNTY GIS DEPARTMENT WITH A FLIGHT DATE OF FEBRUARY 2014.
 PROPERTY BOUNDARY FROM PARKER LAND SURVEYING, LLC DRAWING NO. 14059 - GIBBS TRACT-TOCLIENT.DWG DATED AUGUST 28, 2017.

PROJECT NAME: GIBBS TRACT

AERIAL WITH BOUNDARY

DWG. No. SC-16CAG2508-2

SHEET: 2 OF 7

APPLICANT: CALANTLANTIC GROUP, INC., c/o RON BULLMAN

DRAWN BY: W.C.

DATE: 9/15/17

REVISIONS: 12/13/17

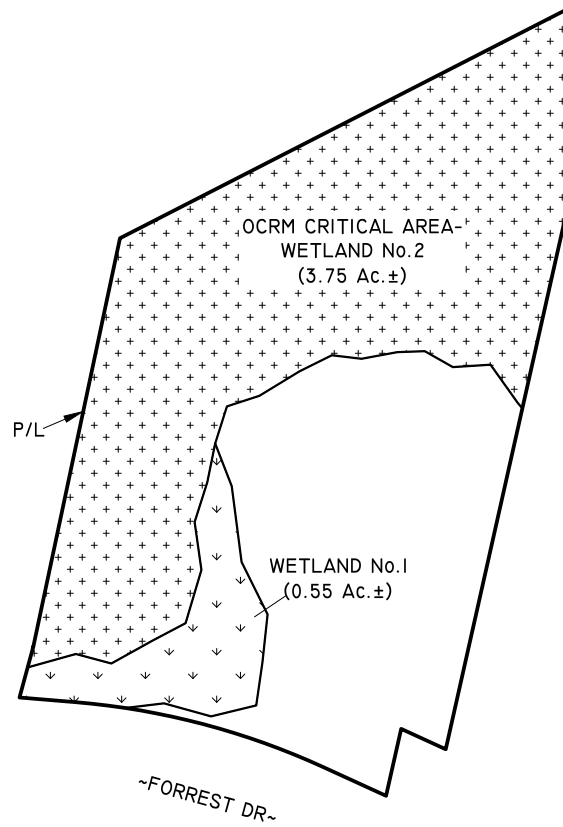
SCALE: 1"=200'

J:\SOUTH CAROLINA\2016\SC-16CAG2508\2017\COE\WP\SHEET-2 AERIAL WITH BOUNDARY_12317.dwg TAB SHEET 2 Dec 13, 2017 - 2:52PM PLOTTED BY: DONB



SCALE: 1" = 200'

~CLEMENTS FERRY RD~



LEGEND:



WETLAND
(0.55 Ac.±)



WETLAND - OCRM CRITICAL AREA
(3.75 Ac.±)



SURVEYED WETLAND LINE

NOTE:

PROPERTY BOUNDARY AND SURVEYED WETLAND
LINES FROM PARKER LAND SURVEYING, LLC
DRAWING NO. 14059 - GIBBS TRACT-TOCLIENT.DWG
DATED AUGUST 28, 2017.

PROJECT NAME: GIBBS TRACT

COE WETLAND MAP

DWG. No. SC-16cag2508-3

SHEET: 3 OF 7

APPLICANT: CALATLANTIC GROUP, INC., c/o RON BULLMAN

DRAWN BY: W.C.

DATE: 9/15/17

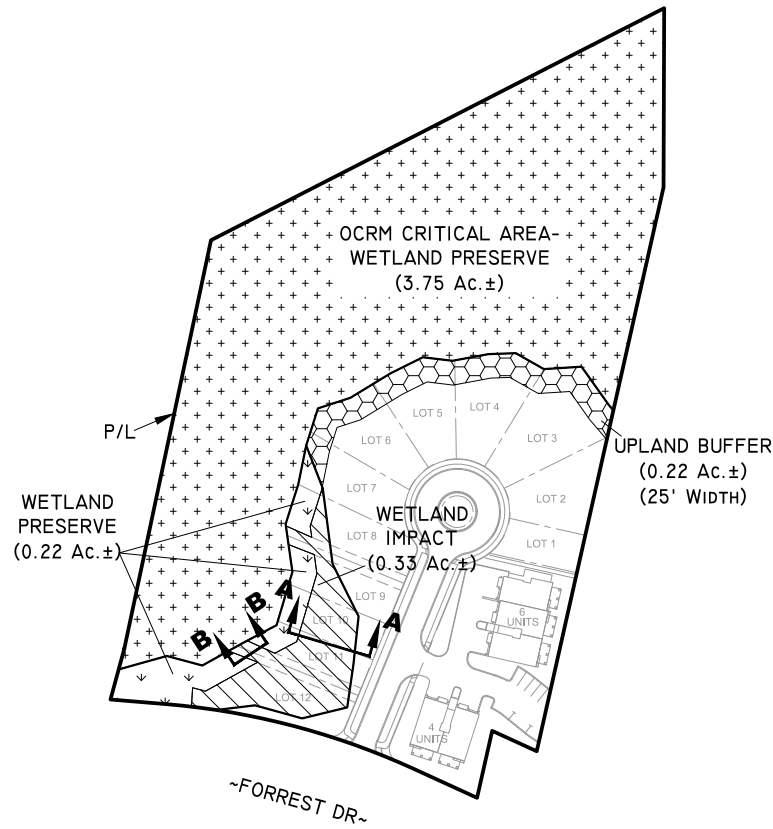
REVISIONS: 12/13/17

SCALE: 1"=200'



SCALE: 1" = 200'

~CLEMENS FERRY RD~



LEGEND:



WETLAND PRESERVE
(0.22 Ac. ±)



WETLAND PRESERVE - OCRM CRITICAL AREA
(3.75 Ac. ±)



WETLAND IMPACT
(0.33 Ac. ±)



UPLAND BUFFER
(0.22 Ac. ±)



SURVEYED WETLAND LINE

NOTES:

PROPERTY BOUNDARY AND SURVEYED WETLAND LINES FROM PARKER LAND SURVEYING, LLC DRAWING NO. 14059 - GIBBS TRACT-TOCLIENT.DWG DATED AUGUST 28, 2017.

SITE PLAN FROM STANTEC DRAWING NO. 758 _GIBBS_DB.DWG DATED AUGUST 21, 2017 AND LIMITS OF DISTURBANCE FROM DRAWING NO. 20170914_GIBBS_WETLAND_IMPACTS.DWG DATED SEPTEMBER 14, 2017.

PROJECT NAME: GIBBS TRACT

WETLAND IMPACT MAP

DWG. No. SC-16CAG2508-4

SHEET: 4 OF 7

APPLICANT: CALATLANTIC GROUP, INC., c/o RON BULLMAN

DRAWN BY: W.C.

DATE: 9/15/17

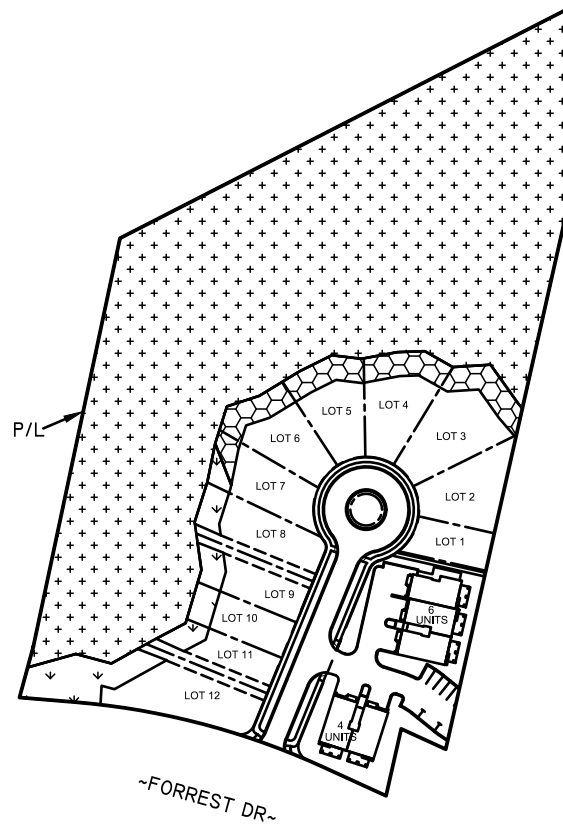
REVISIONS: 12/13/17

SCALE: 1"=200'








SCALE: 1" = 200'

~CLEMENTS FERRY RD~



LEGEND:

-  WETLAND PRESERVE (0.22 Ac.±)
-  WETLAND PRESERVE - OCRM CRITICAL AREA (3.75 Ac.±)
-  UPLAND BUFFER (0.22 Ac.±)
-  STORM WATER EASEMENT LINE
-  SURVEYED WETLAND LINE

NOTES:

PROPERTY BOUNDARY AND SURVEYED WETLAND LINES FROM PARKER LAND SURVEYING, LLC DRAWING NO. 14059 - GIBBS TRACT-TOCLIENT.DWG DATED AUGUST 28, 2017.

SITE PLAN FROM STANTEC DRAWING NO. 758 _GIBBS_DB.DWG DATED AUGUST 21, 2017 AND LIMITS OF DISTURBANCE FROM DRAWING NO. 20170914_GIBBS_WETLAND_IMPACTS.DWG DATED SEPTEMBER 14, 2017.

PROJECT NAME: GIBBS TRACT

SITE PLAN

DWG. No. SC-16cag2508-5

SHEET: 5 OF 7

APPLICANT: CALATLANTIC GROUP, INC., c/o RON BULLMAN

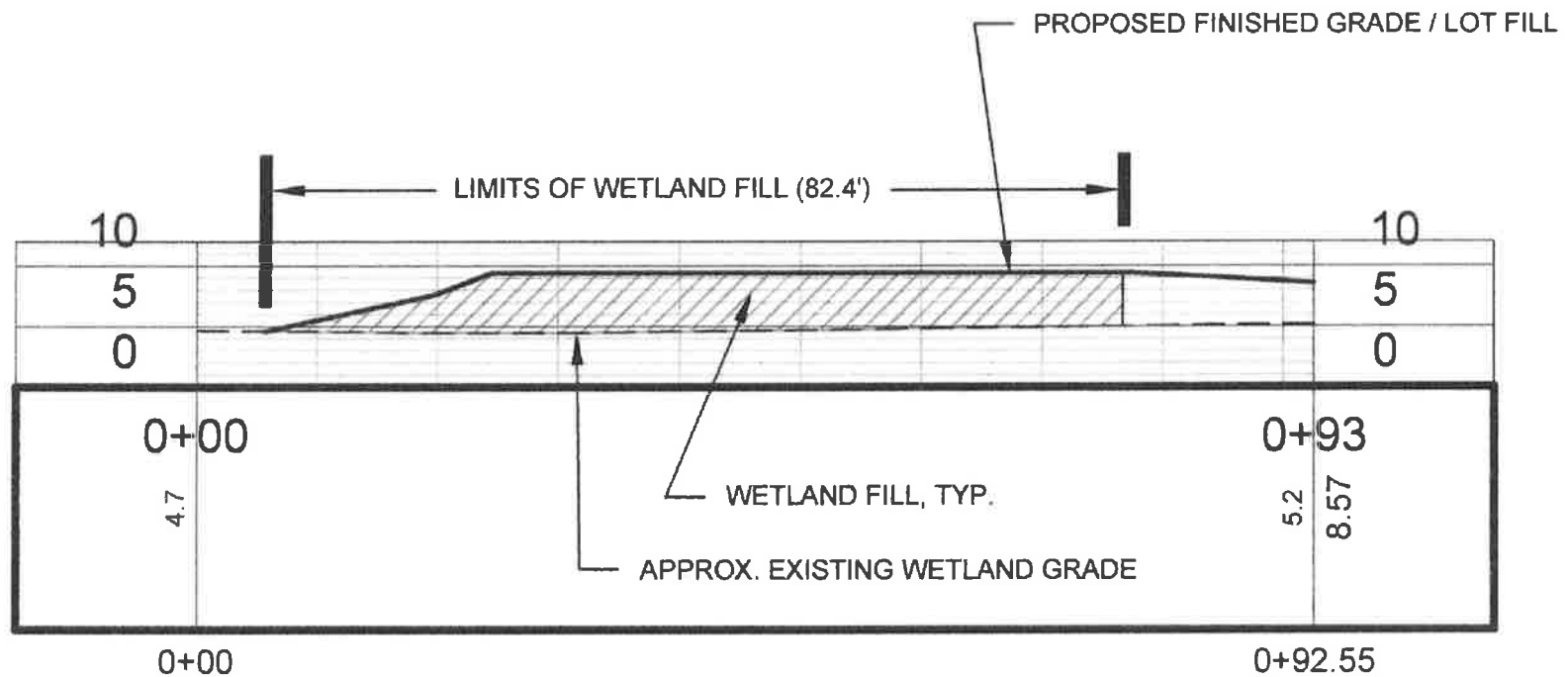
DRAWN BY: W.C.

DATE: 9/15/17

REVISIONS: 12/13/17

SCALE: 1"=200'

CROSS SECTION A
WETLAND A FILL SECTION
(JURISDICTIONAL)



NOTES:

CROSS SECTION A-A PER STANTEC
DRAWING No. GIBBS_TRACT_WETLAND_
SECTIONS.DWG DATED DECEMBER 13, 2017.

PROJECT NAME: GIBBS TRACT

CROSS SECTION A-A

DWG. No. SC-16CAG2508-6

SHEET: 6 OF 7

APPLICANT: CALATLANTIC GROUP, INC., c/o RON BULLMAN

DRAWN BY: D.B.

DATE: 12/13/17

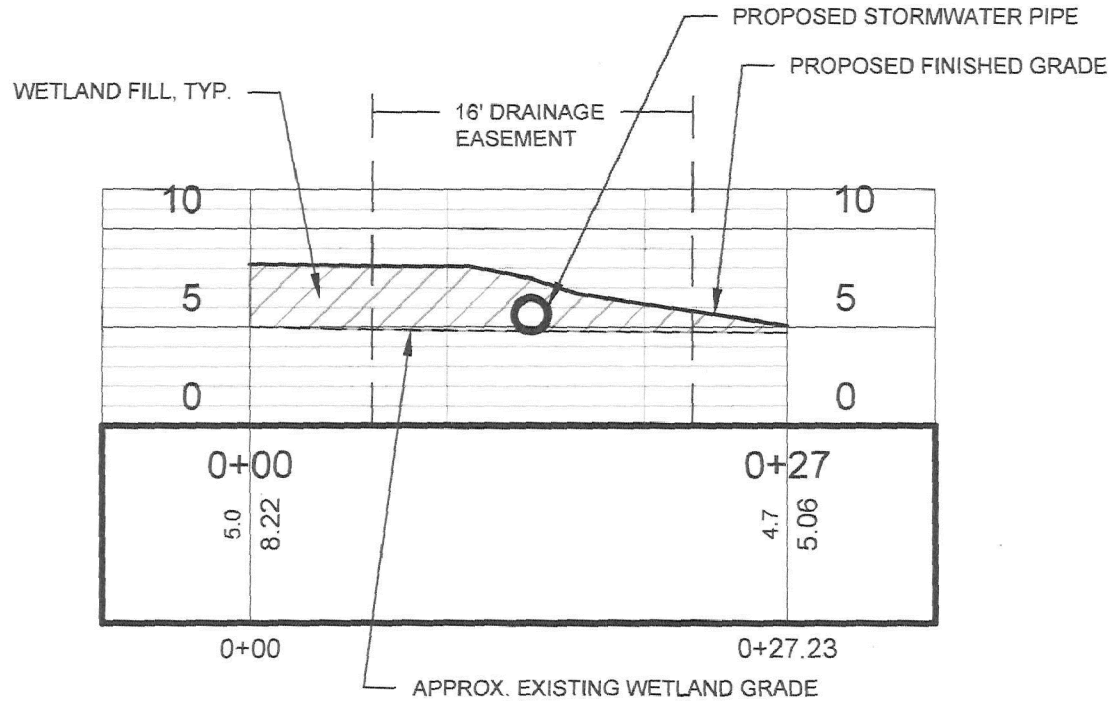
REVISIONS:

SCALE: N.T.S.

C:\Users\ronbullman\OneDrive\Documents\GIBBS TRACT\SC-16CAG2508-6\CROSS SECTION A-A PER STANTEC DRAWING No. GIBBS_TRACT_WETLAND_SECTIONS.DWG DATED DECEMBER 13, 2017

J:\South Carolina\2016\SC-16cag2508\2017\CD\NWP\SHEET_7 CROSS SECTION B-B.DWG TAB SHEET 7 DEC 13, 2017 - 2:52pm PLOTTED BY: DMB

CROSS SECTION B
WETLAND FILL SECTION AT
DRAINAGE EASEMENT
(JURISDICTIONAL)



NOTES:

CROSS SECTION B-B PER STANTEC
DRAWING No. GIBBS_TRACT_WETLAND_
SECTIONS.DWG DATED DECEMBER 13, 2017.

PROJECT NAME: GIBBS TRACT

CROSS SECTION B-B

DWG. No. SC-16cag2508-7

SHEET: 7 OF 7

APPLICANT: CALATLANTIC GROUP, INC., c/o RON BULLMAN

DRAWN BY: D.B.

DATE: 12/13/17

REVISIONS:

SCALE: N.T.S.