

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69 A HAGOOD AVENUE
CHARLESTON SOUTH CAROLINA 29403
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 REVISED SAC 2020-01431 Peekson South

JANUARY 21, 2021

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.), REVISED application information has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Ms. Sidney Dudley
Pulte Home Company, LLC - Coastal Carolinas Division
4401 Leeds Avenue, Suite 400
North Charleston, South Carolina 29405

for a permit to a construct a single-family residential community in

wetlands adjacent to the Stono River

at a location east of Main Road, near the intersection of Main Road and Chisolm Road on Johns Island, Charleston County, South Carolina (Latitude: 32.731348 °, Longitude: -80.096294 °).

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 REVISED information provided by the applicant indicates that the initial project, the Peekson South project (public notice SAC 2020-01431 dated November 5, 2020), is a portion of a larger residential subdivision known as the Peekson Tract. According to the applicant, there are several phases that make up this development. The residential development will be

constructed under the Charleston County Conservation Subdivision guidelines and will preserve at least half of the open space, consisting mainly of wetlands.

The northern portion of the Peekson Tract was previously authorized by a Nationwide Permit authorizing 0.09 acre of impact to wetlands for an access road. This phase will be constructed independently from the other phases as it has a separate access off Main Road. (See Public Notice Drawing Sheet 7 of 7).

The central portion of the project requires no impacts to waters of the United States while the southern portion of the project requires impacts to 2.51 acres of wetlands for the construction of roadways and infrastructure. The overall Peekson Tract development will preserve approximately 294.56 acres of freshwater wetlands and 13.78 acres of upland buffers through the Charleston County Conservation Subdivision process. The applicant is no longer requesting the on-site preservation of wetlands to be considered part of their compensatory mitigation plan for impacts to wetlands. Instead, the applicant has revised their compensatory mitigation proposal to the purchasing 27.57 mitigation credits from an approved mitigation bank. The proposed impacts to waters of the United States remain the same as what was identified in the original public notice for SAC 2020-01431 dated November 5, 2020.

The applicant's stated project purpose is to construct a clustered, single-family residential development on Johns Island, South Carolina to support the increase in housing demand.

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 2.51 acres of 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 received new information indicating that historic properties may be present; moreover, these potential historic properties may be affected by the undertaking. This public notice serves to notify the State Historic Preservation Office that the Corps plans to initiate Section 106 consultation on these historic properties. Individuals or groups who would like to be consulting parties for the purposes of the NHPA should make such a request to the Corps in writing within 30 days of this public notice. 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.

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.

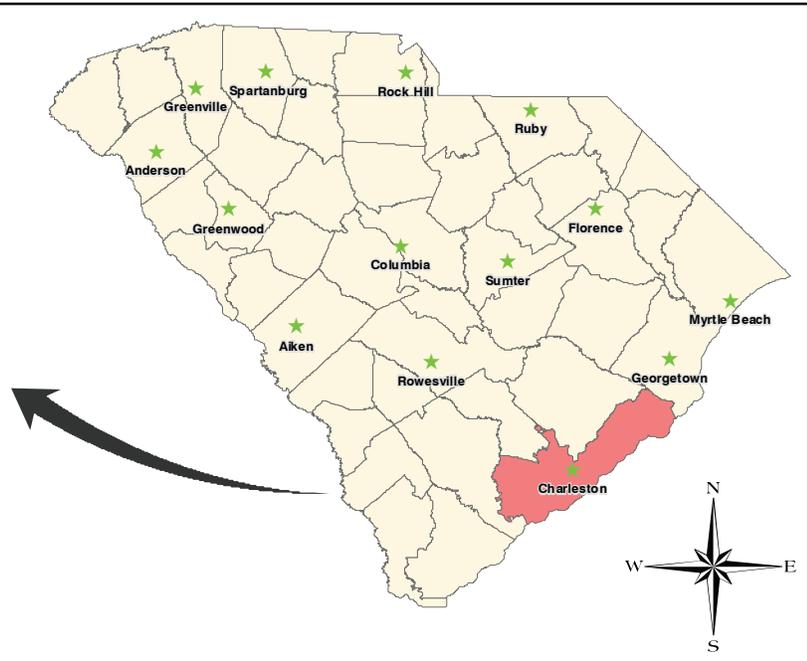
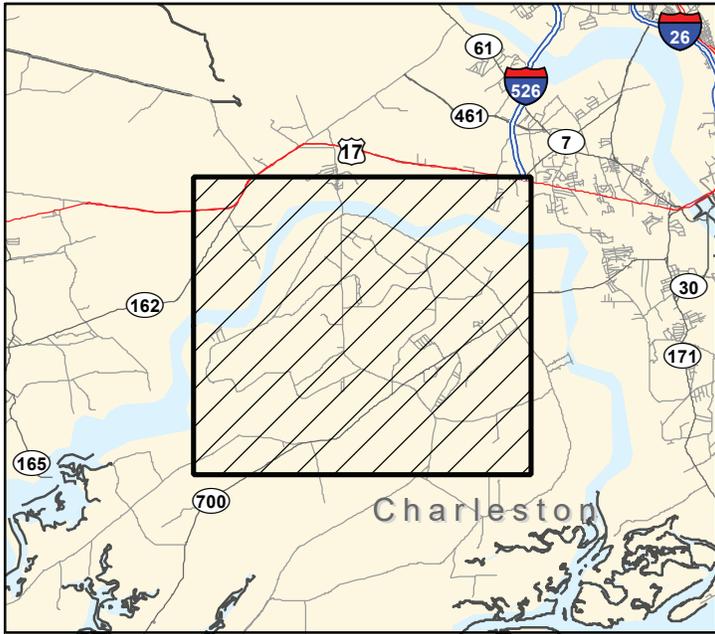
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate. The 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
69 A HAGOOD AVENUE
CHARLESTON SOUTH CAROLINA 29403**

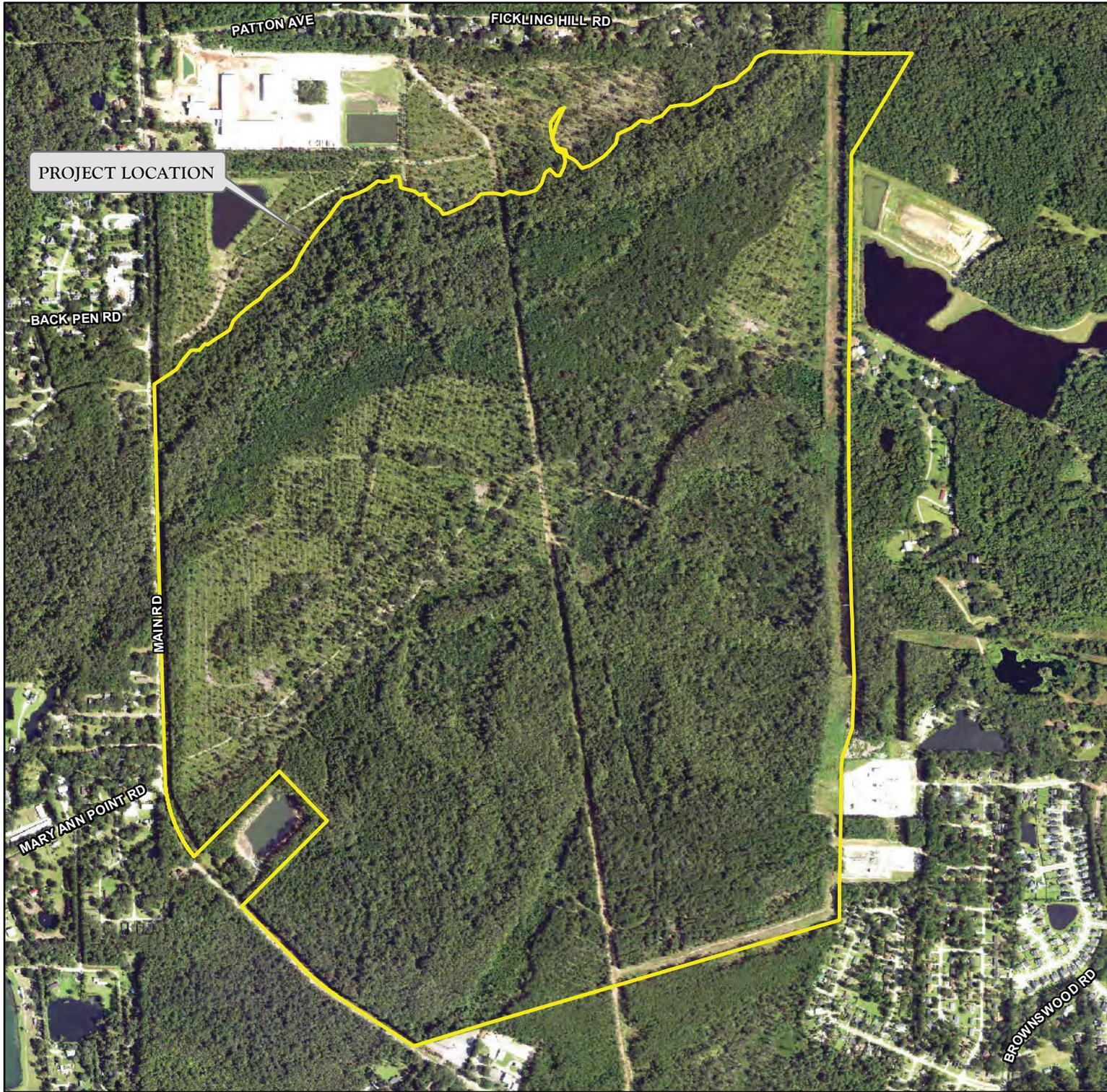
PLEASE NOTE: Comments provided in response to the original public notice on November 5, 2020 will be considered in addition to any comments received in response to this revised public notice.

If there are any questions concerning this public notice, please contact Elizabeth Williams at (843) 329-8044, toll free at 1-866-329-8187, or by email at eizabeth.g.williams@usace.army.mil.



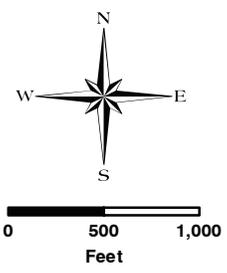
J:\SOUTH CAROLINA\2019\SC-19PG13196\00_PEEKSON_SOUTH\GIS\2020\COE_PERMIT_DRAWINGS\FIGURES\SHEET_L_COE_PROJECT_LOCATION_MAP_122820.MXD

PROJECT NAME: PEEKSON SOUTH	PROJECT LOCATION MAP	
	DWG. No. SC-19PG13196-1	SHEET: 1 OF 6
APPLICANT: PULTE HOME COMPANY, LLC	DRAWN BY: D.B., W.C.	DATE: 9/24/20
	REVISIONS: 11/02/20, 12/28/20	SCALE: N.T.S



J:\SOUTH CAROLINA 2019\SC-19PG13196\00_PEEKSON_TRACT_SOUTH\GIS\2020\COE_PERMIT_DRAWINGS\FIGURES\SHEET_2_AERIAL_WITH_BOUNDARY_122820.MXD

LEGEND
 PEEKSON SOUTH

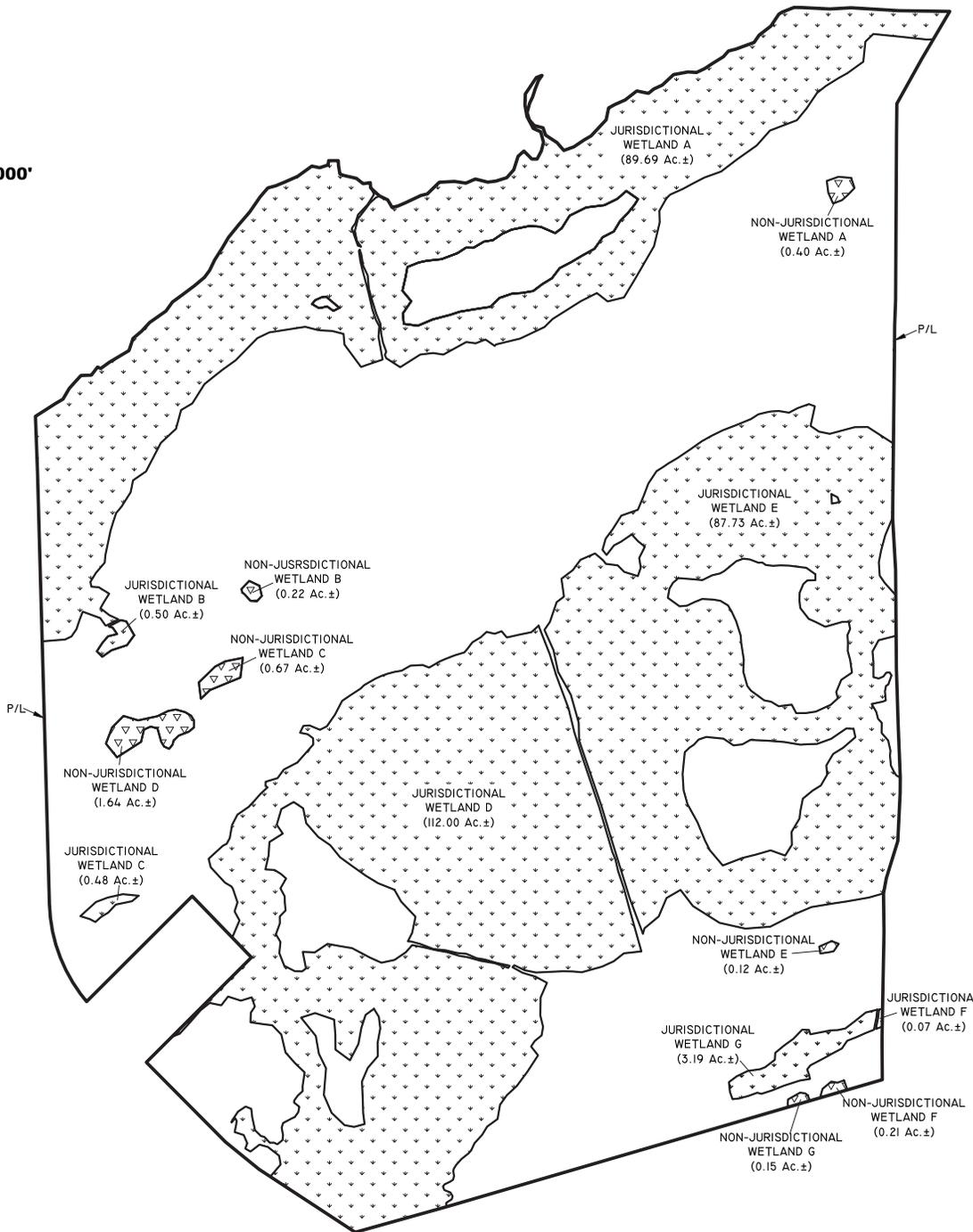


NOTES:
 AERIAL PHOTOGRAPHS WERE ACQUIRED FROM THE USDA AERIAL PHOTOGRAPHY FIELD OFFICE AND WERE FLOWN IN 2019.
 PROPERTY BOUNDARY PER SEASON WHITESIDE DRAWING No. 8257 X - XEXISTING.DWG DATED SEPTEMBER 10, 2020.

PROJECT NAME: PEEKSON SOUTH	AERIAL WITH BOUNDARY	
	DWG. No. SC-19PG13196-2	SHEET: 2 OF 6
APPLICANT: PULTE HOME COMPANY, LLC	DRAWN BY: D.B., W.C.	DATE: 9/24/20
	REVISIONS: 11/02/20, 12/28/20	SCALE: 1" = 1,000'



SCALE: 1" = 1000'



JURISDICTIONAL WETLAND	ACREAGE
A	89.69 Ac.±
B	0.50 Ac.±
C	0.48 Ac.±
D	112.00 Ac.±
E	87.73 Ac.±
F	0.07 Ac.±
G	3.19 Ac.±
TOTAL	293.66 Ac.±

NON-JURISDICTIONAL WETLAND	ACREAGE
A	0.40 Ac.±
B	0.22 Ac.±
C	0.67 Ac.±
D	1.64 Ac.±
E	0.12 Ac.±
F	0.21 Ac.±
G	0.15 Ac.±
TOTAL	3.41 Ac.±

LEGEND:

-  COE JURISDICTIONAL WETLANDS (293.66 Ac.±)
-  COE NON-JURISDICTIONAL WETLANDS (3.41 Ac.±)
-  SURVEYED WETLAND LINE

NOTES:

PROPERTY BOUNDARY AND WETLAND LINES PER SEAMON WHITESIDE DRAWING No. 8257 X - XEXISTING.DWG DATED SEPTEMBER 10, 2020.

PROJECT NAME: PEEKSON SOUTH

COE WETLAND MAP

DWG. No. SC-19PG13196-3

SHEET: 3 OF 6

APPLICANT: PULTE HOME COMPANY, LLC

DRAWN BY: D.B., W.C.

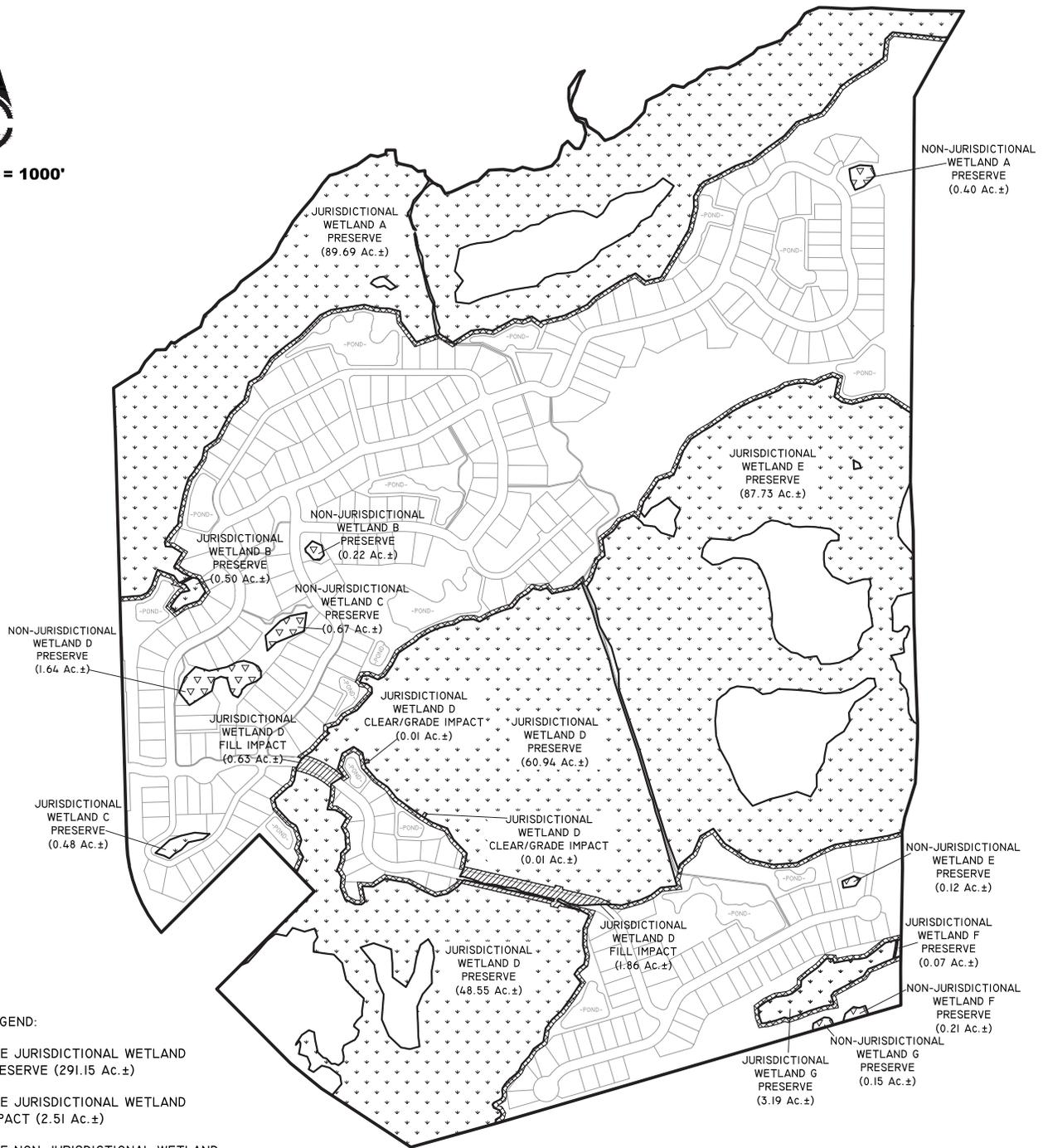
DATE: 9/24/20

REVISIONS: 11/02/20, 12/28/20

SCALE: 1" = 1,000'



SCALE: 1" = 1000'



LEGEND:

- COE JURISDICTIONAL WETLAND PRESERVE (291.15 Ac.±)
- COE JURISDICTIONAL WETLAND IMPACT (2.51 Ac.±)
- COE NON-JURISDICTIONAL WETLAND PRESERVE (3.41 Ac.±)
- UPLAND BUFFER (13.78 Ac.±)
- SURVEYED WETLAND LINE

NOTES:

PROPERTY BOUNDARY AND WETLAND LINES PER SEASON WHITESIDE DRAWING NO. 8257 X - XEXISTING.DWG DATED SEPTEMBER 10, 2020.

SITE PLAN PER SEASON WHITESIDE DRAWING NO. 8257 X - SITE 2020-09-22.DWG DATED SEPTEMBER 22, 2020.

WETLANDS LABELED PER COE APPROVED JURISDICTIONAL DETERMINATION SAC-2018-01779.

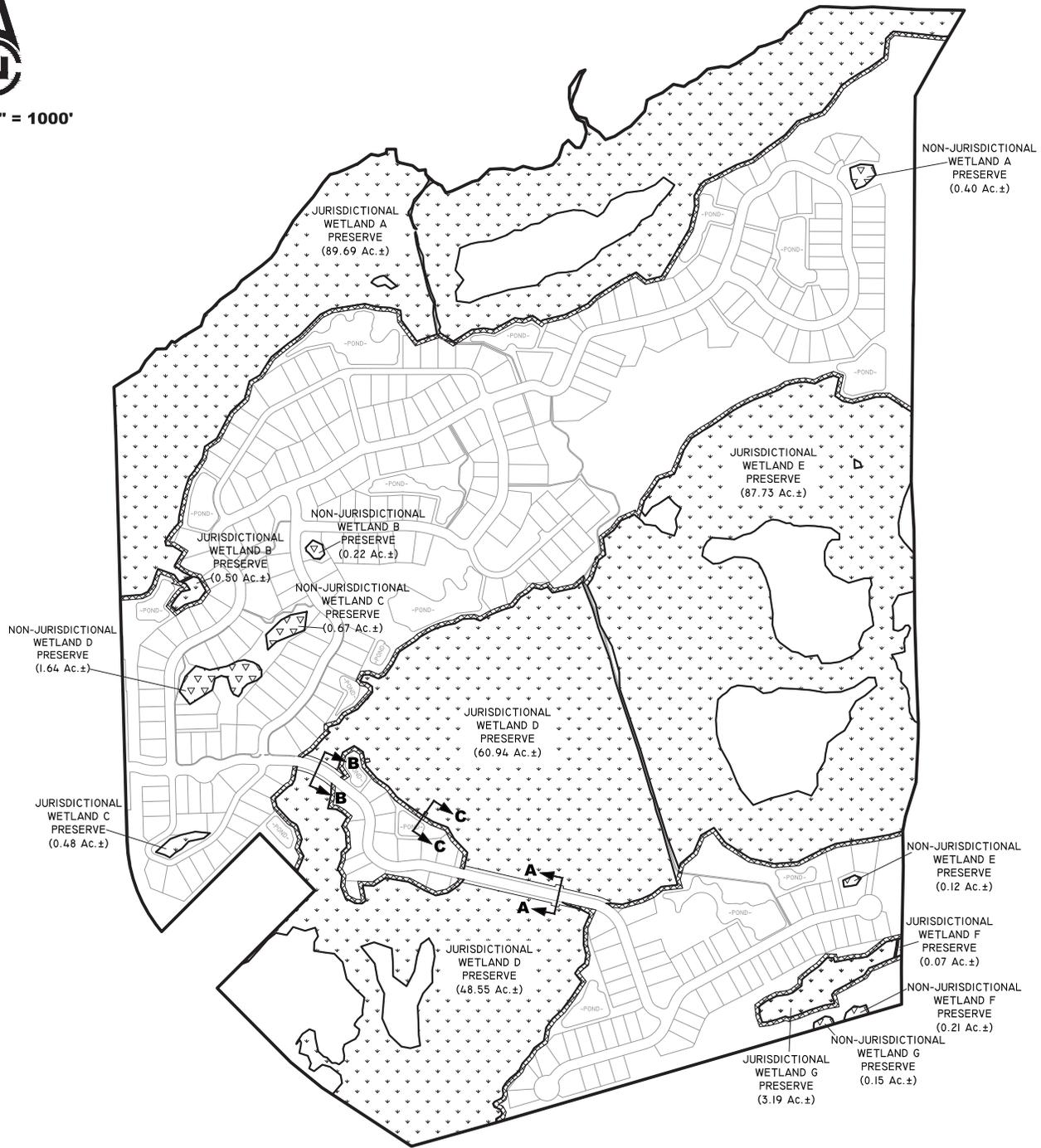
JURISDICTIONAL WETLAND	PRESERVE	IMPACT	TOTAL
A	89.69 Ac.±	-	89.69 Ac.±
B	0.50 Ac.±	-	0.50 Ac.±
C	0.48 Ac.±	-	0.48 Ac.±
D	109.49 Ac.±	2.51 Ac.±	112.00 Ac.±
E	87.73 Ac.±	-	87.73 Ac.±
F	0.07 Ac.±	-	0.07 Ac.±
G	3.19 Ac.±	-	3.19 Ac.±
TOTAL	291.15 Ac.±	2.51 Ac.±	293.66 Ac.±

NON-JURISDICTIONAL WETLAND	PRESERVE	TOTAL
A	0.40 Ac.±	0.40 Ac.±
B	0.22 Ac.±	0.22 Ac.±
C	0.67 Ac.±	0.67 Ac.±
D	1.64 Ac.±	1.64 Ac.±
E	0.12 Ac.±	0.12 Ac.±
F	0.21 Ac.±	0.21 Ac.±
G	0.15 Ac.±	0.15 Ac.±
TOTAL	3.41 Ac.±	3.41 Ac.±

PROJECT NAME: PEEKSON SOUTH	WETLAND IMPACT MAP	
	DWG. No. SC-19PG13196-4	SHEET: 4 OF 6
APPLICANT: PULTE HOME COMPANY, LLC	DRAWN BY: D.B., W.C.	DATE: 9/24/20
	REVISIONS: 11/02/20, 12/28/20	SCALE: 1" = 1,000'



SCALE: 1" = 1000'



LEGEND:

- COE JURISDICTIONAL WETLAND PRESERVE (291.15 Ac.±)
- COE NON-JURISDICTIONAL WETLAND PRESERVE (3.41 Ac.±)
- UPLAND BUFFER (13.78 Ac.±)
- SURVEYED WETLAND LINE

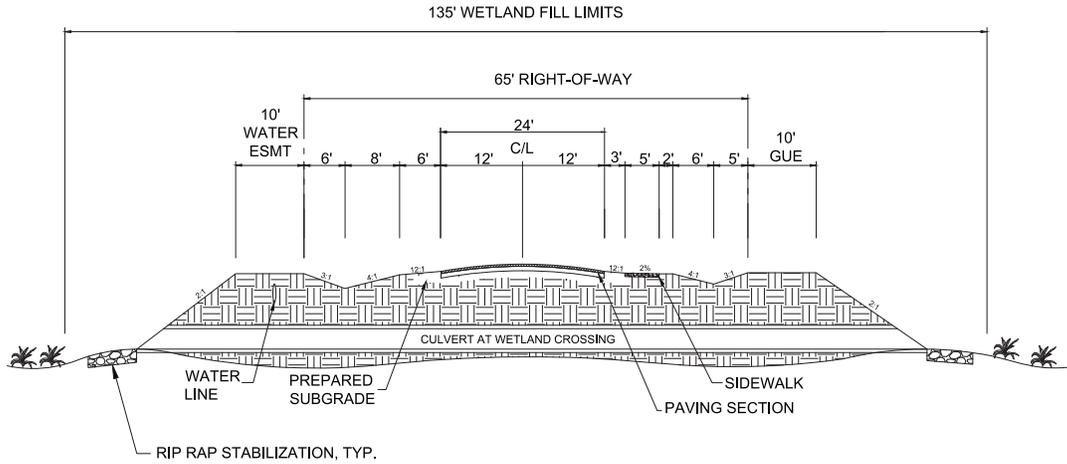
NOTES:

PROPERTY BOUNDARY AND WETLAND LINES PER SEAMON WHITESIDE DRAWING NO. 8257 X - XEXISTING.DWG DATED SEPTEMBER 10, 2020.

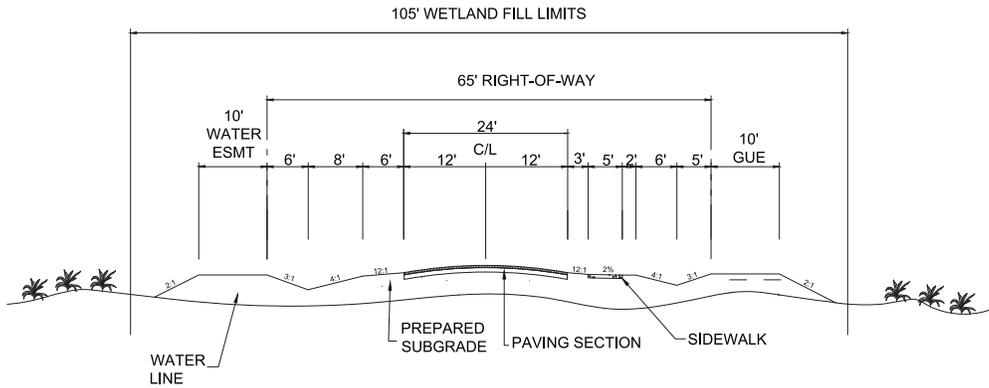
SITE PLAN PER SEAMON WHITESIDE DRAWING NO. 8257 X - SITE 2020-09-22.DWG DATED SEPTEMBER 22, 2020.

WETLANDS LABELED PER COE APPROVED JURISDICTIONAL DETERMINATION SAC-2018-01779.

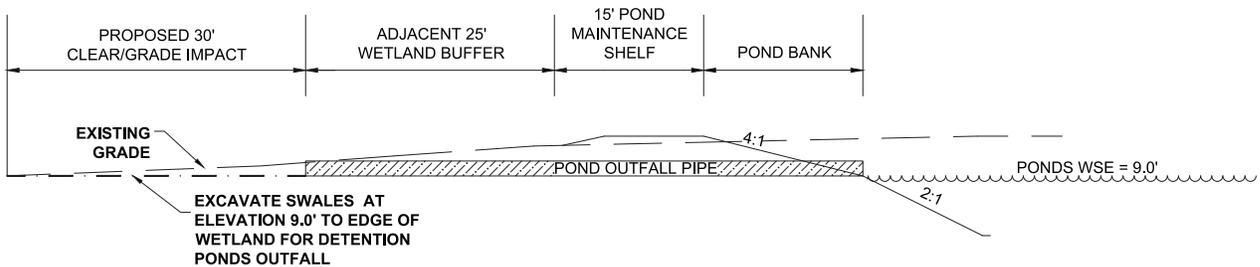
PROJECT NAME: PEEKSON SOUTH	SITE PLAN WITH CROSS SECTION LOCATIONS	
	DWG. No. SC-19PGI3196-5	SHEET: 5 OF 6
APPLICANT: PULTE HOME COMPANY, LLC	DRAWN BY: D.B., W.C.	DATE: 9/24/20
	REVISIONS: 11/02/20, 12/28/20	SCALE: 1" = 1,000'



CROSS SECTION A-A



CROSS SECTION B-B



CROSS SECTION C-C

PROJECT NAME: PEEKSON SOUTH	CROSS SECTIONS	
	DWG. No. SC-19PGI3196-6	SHEET: 6 OF 6
APPLICANT: PULTE HOME COMPANY, LLC	DRAWN BY: D.B., W.C.	DATE: 9/24/20
	REVISIONS: 10/12/20, 12/28/20	SCALE: N.T.S.

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SCALE: 1" = 1000'

PEEKSON NORTH P/L

PEEKSON SOUTH P/L

NWP 18-SAC-2020-00277

CURRENTLY UNDER REVIEW-SAC-2020-1431

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED FROM THE USDA AERIAL PHOTOGRAPHY FIELD OFFICE AND WERE FLOWN IN 2019.

PEEKSON SOUTH PROPERTY BOUNDARY PER SEAMON WHITESIDE DRAWING No. 8257 X - XEXISTING.DWG DATED SEPTEMBER 10, 2020.

PEEKSON SOUTH SITE PLAN PER SEAMON WHITESIDE DRAWING No. 8257 X - SITE 2020-09-22.DWG DATED SEPTEMBER 22, 2020.

PEEKSON NORTH PROPERTY BOUNDARY AND SITE PLAN ESTIMATED PER SEAMON WHITESIDE DRAWING No. 8257 X - SITE.DWG DATED JANUARY 28, 2020.

PEEKSON DEVELOPMENT PLAN
PEEKSON SOUTH

DRAWN BY	DATE
R.F.	01/04/21
REVIEWED BY	DATE
S.R.	01/04/21
REVISED	DATE



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