

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
1949 Industrial Park Road Room 140
Conway, South Carolina 29526

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
Office of Ocean and Coastal Resource Management
1362 McMillan Avenue, Suite 400
North Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N SAC-2016-01271

January 27, 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.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

Mr. Tobey Wagner
c/o Dylan Horning
Insight Group
3359 Meeting Street, Suite 101
North Charleston, South Carolina 29405

for a permit to place fill material

IN FRESHWATER WETLANDS NEAR THE WANDO RIVER

at a location south of and adjacent to North Highway 17, Awendaw, Charleston County, South Carolina (Latitude: 32.9392 °, Longitude: -79.7013 °), **SEWEE BAY 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 construction of a roadway associated with the expansion of a residential development. In detail, the applicant proposes to discharge fill material into 1.5 acres of freshwater wetlands for the construction of four (4) road crossings associated with

the construction of Awendaw Village -Phase 2 residential development . The proposed crossings will connect phase 2 of the development with the upland developed phase 1 as well as provide access to uplands throughout the property The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 15.32 credits from Big Run Mitigation Bank. The project purpose as stated by the applicant is to provide housing for the residents of South Carolina.

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 1.5 acres of wetlands upstream from estuarine substrates and emergent wetlands utilized by various life stages of the species of comprising 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 that the project is not likely to adversely affect 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 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.

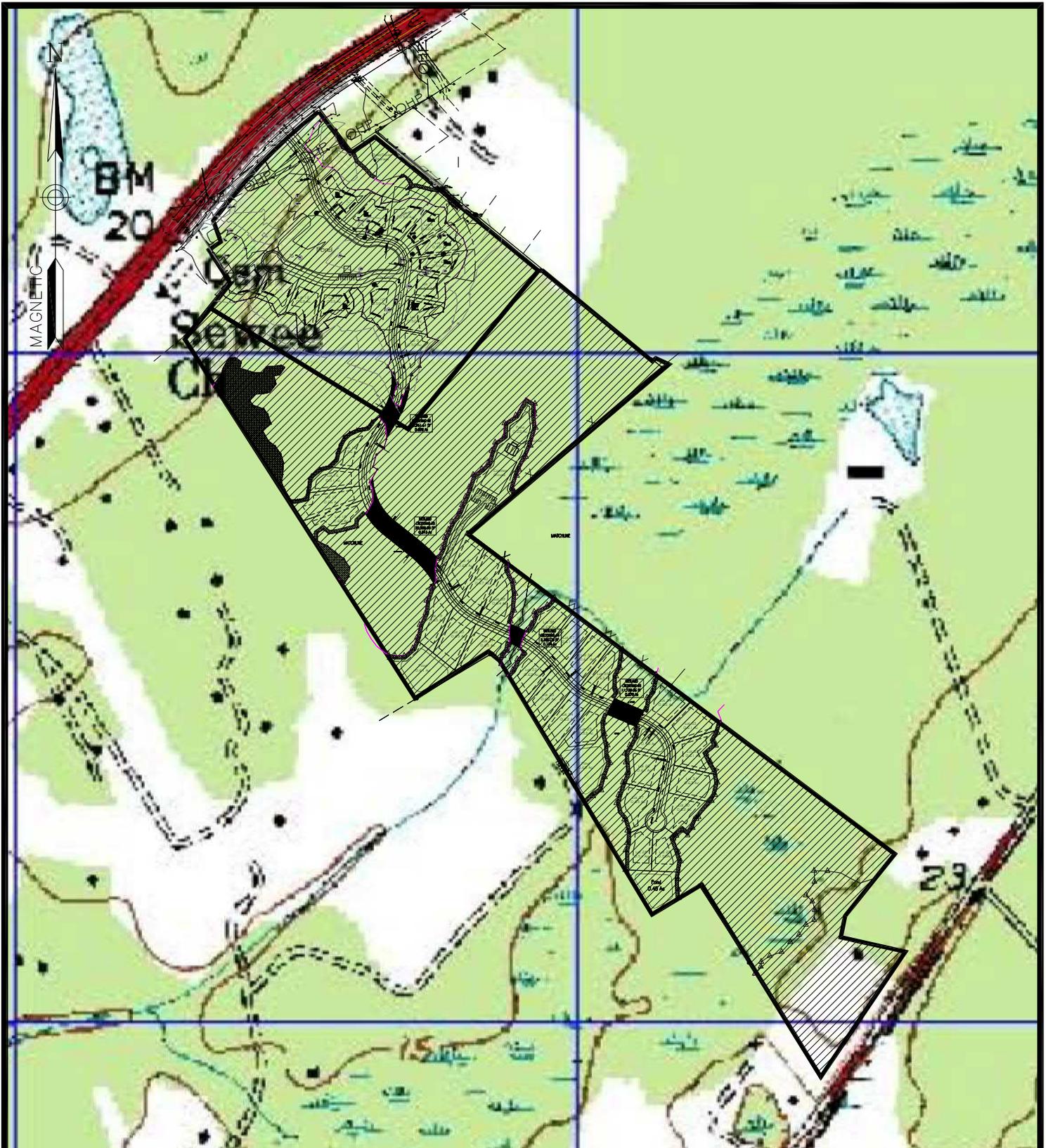
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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. 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 e-mail address: SAC.RD.Conway@usace.army.mil, or via USPS at the address below:**

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1949 Industrial Park Road Room 140
Conway, South Carolina 29526**

If there are any questions concerning this public notice, please contact Megan N. Jackson, Project Manager, at (843) 365-4239 or by email at Megan.N.Jackson@usace.army.mil.



AWENDAW VILLAGE

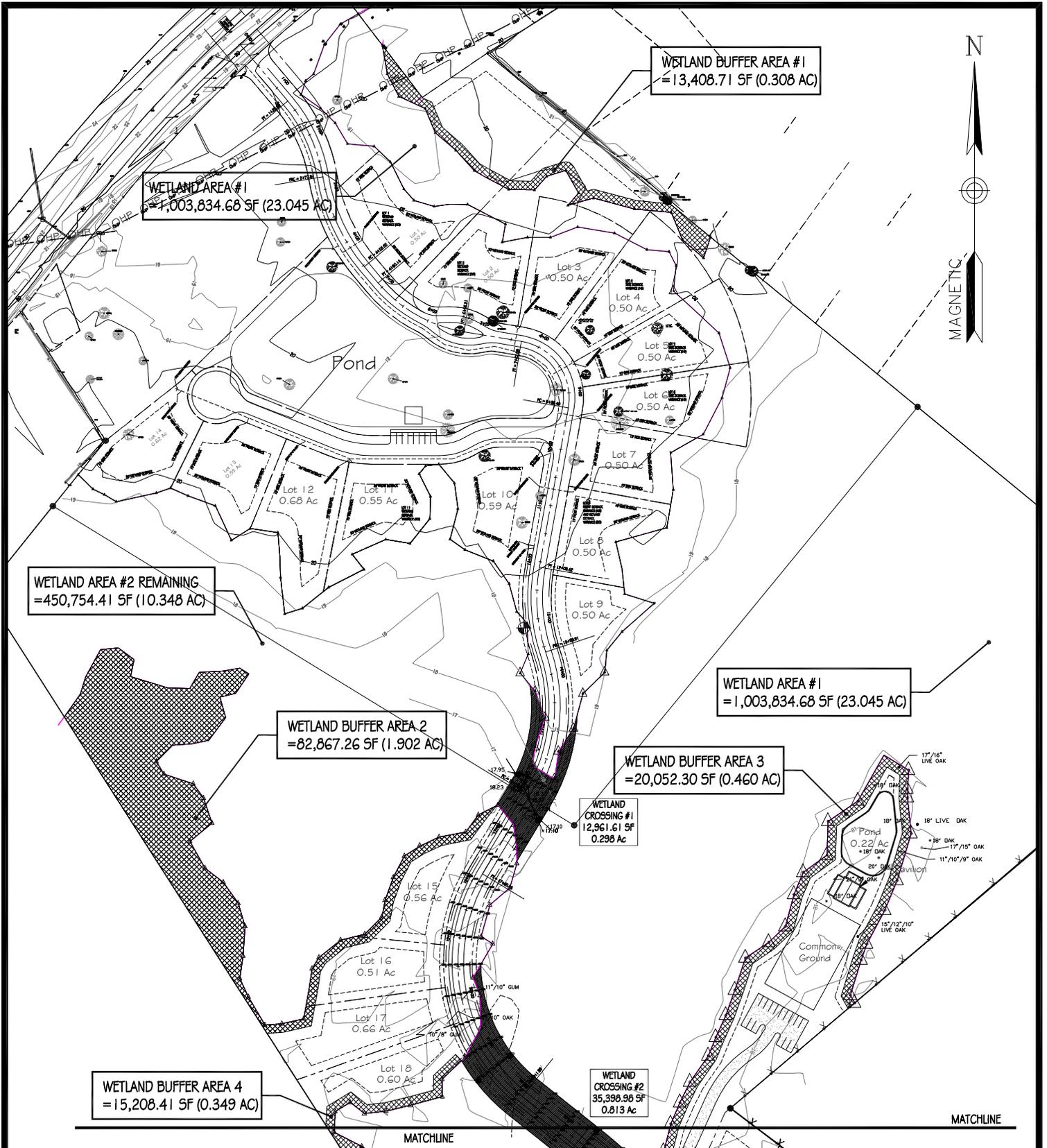
DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
OWNER: Wagner Development, LLC

USGS MAP

COUNTY OF: Charleston

SHEET 1 OF 12. DATE: 01.04.19 (Rev 12.12.20)



AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
OWNER: Wagner Development, LLC

OVERALL PLAN - SHEET 1 OF 2

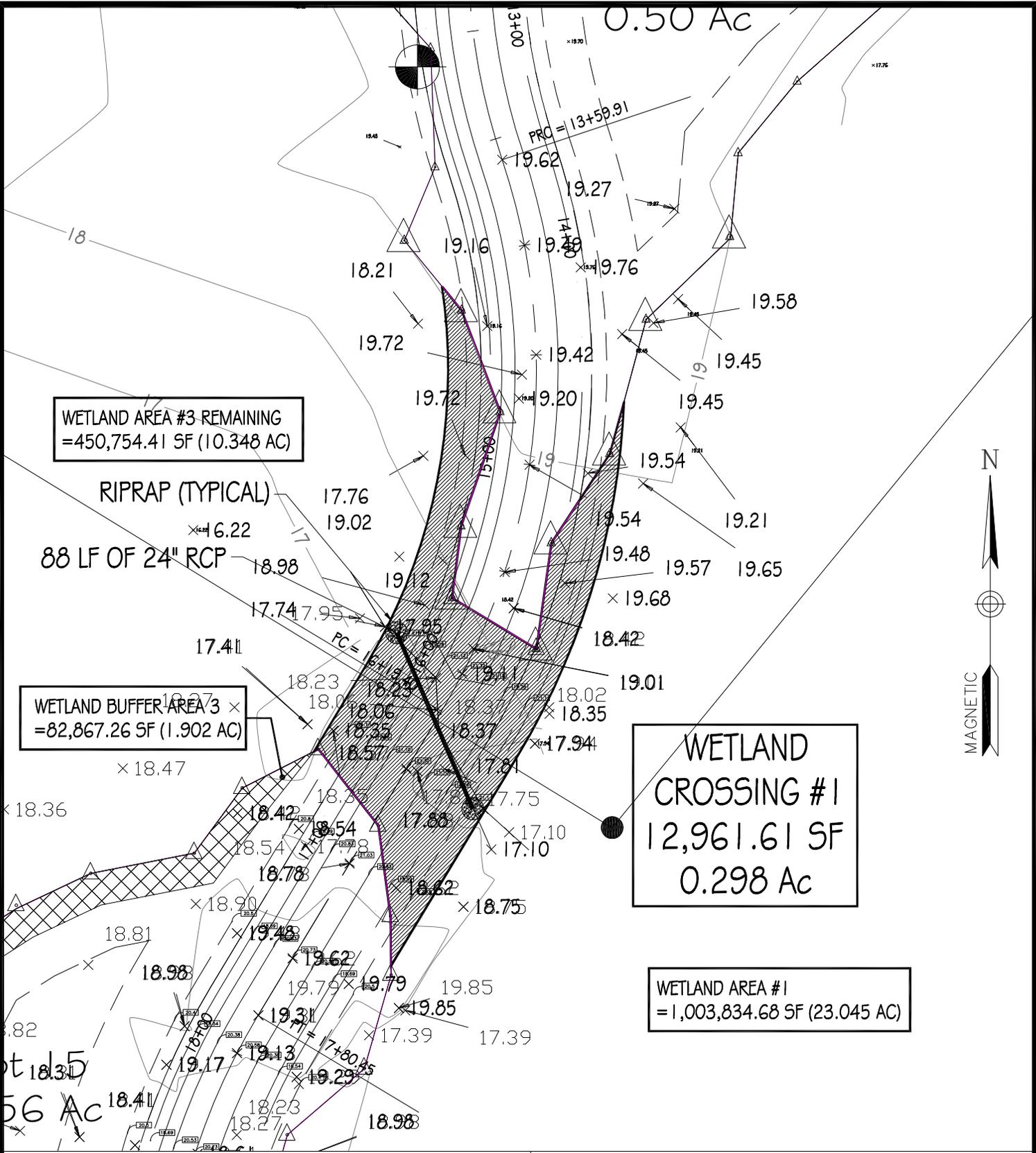
COUNTY OF: Charleston



(IN FEET)

SHEET 2 OF 12. DATE: 01.04.19 (Rev 12.12.20)

1 inch = 400 ft.



AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
 OWNER: Wagner Development, LLC

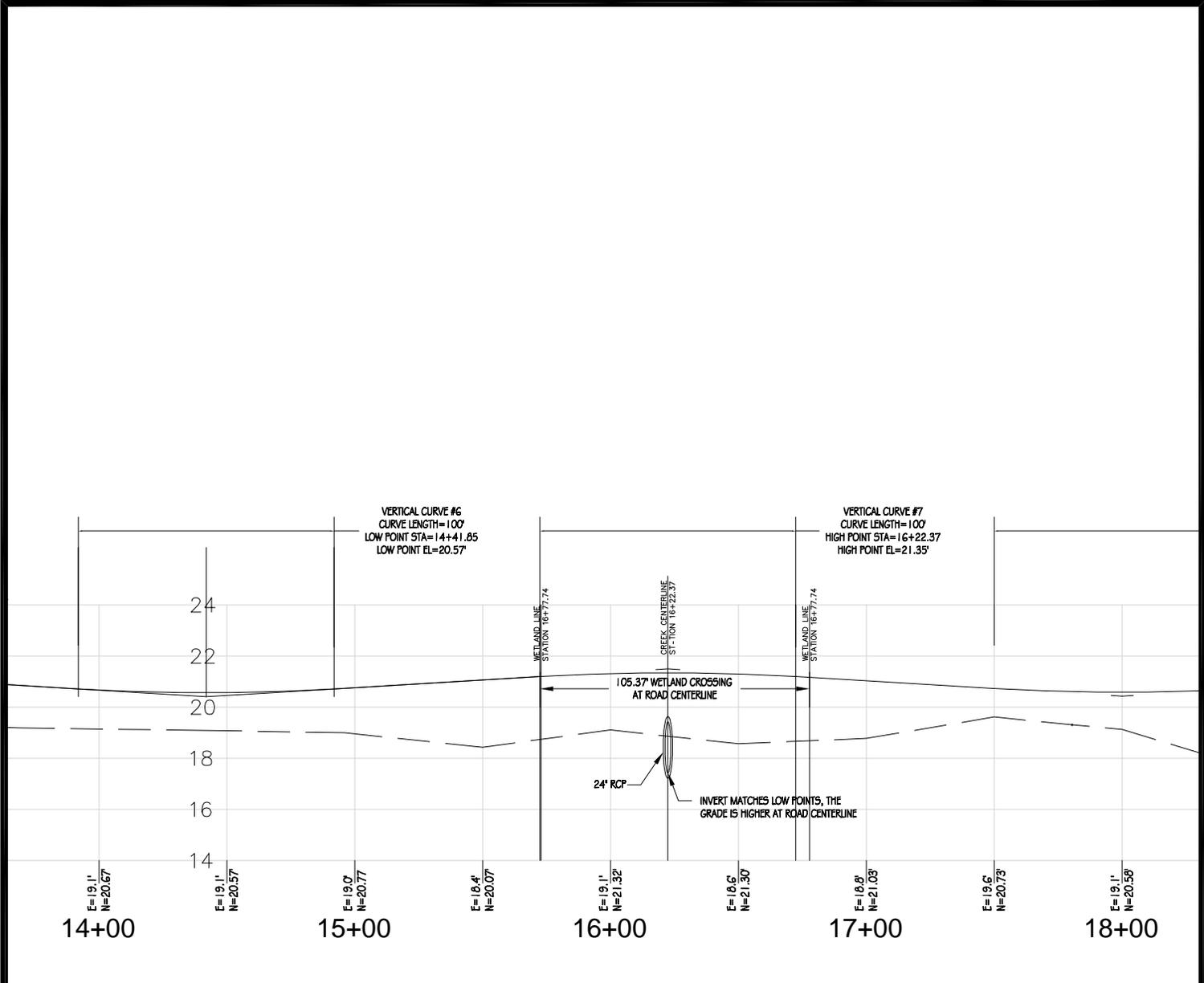
WETLAND CROSSING #1

COUNTY OF: Charleston



SHEET 4 OF 12. DATE: 01.04.19 (Rev 12.12.20)

(IN FEET)
 1 inch = 60 ft.



WETLAND CROSSING #1 PROFILE

AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
 OWNER: Wagner Development, LLC

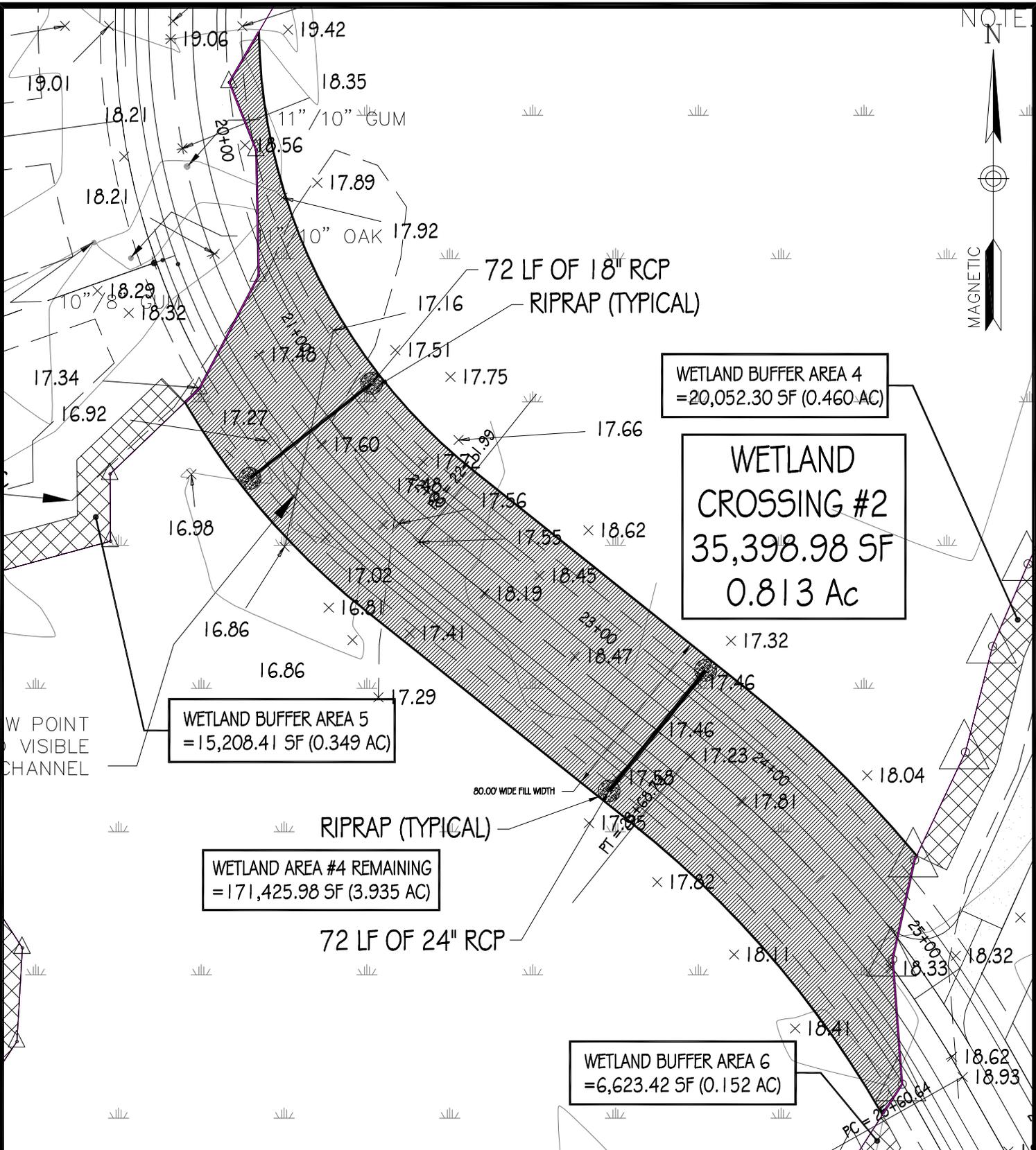
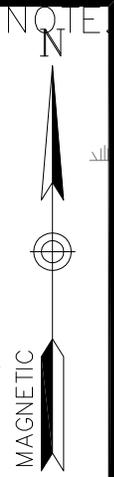
WETLAND CROSSING #1

COUNTY OF: Charleston



(IN FEET)

SHEET 5 OF 12. DATE: 01.04.19 (Rev 12.12.20) 1 inch = 60 ft.



AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
 OWNER: Wagner Development, LLC

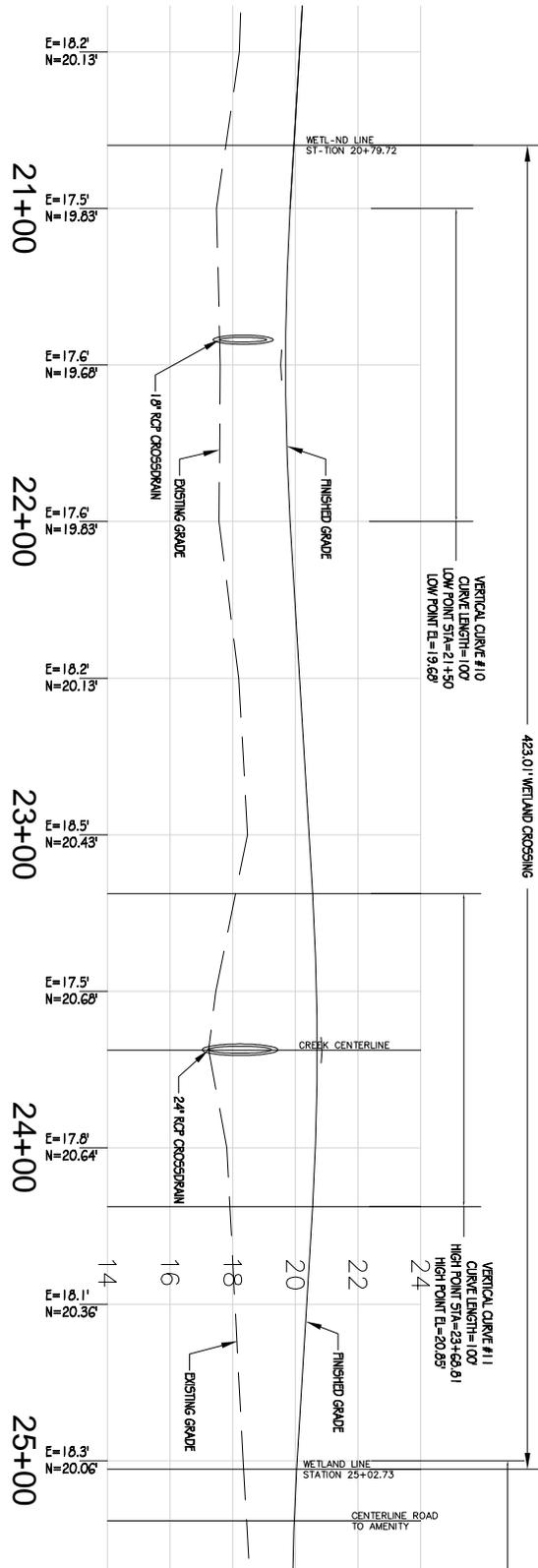
WETLAND CROSSING #2

COUNTY OF: Charleston



(IN FEET)
 SHEET 6 OF 12. DATE: 01.04.19 (Rev 12.12.20) 1 inch = 60 ft.

WETLAND CROSSING #2 PROFILE



AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
 OWNER: Wagner Development, LLC

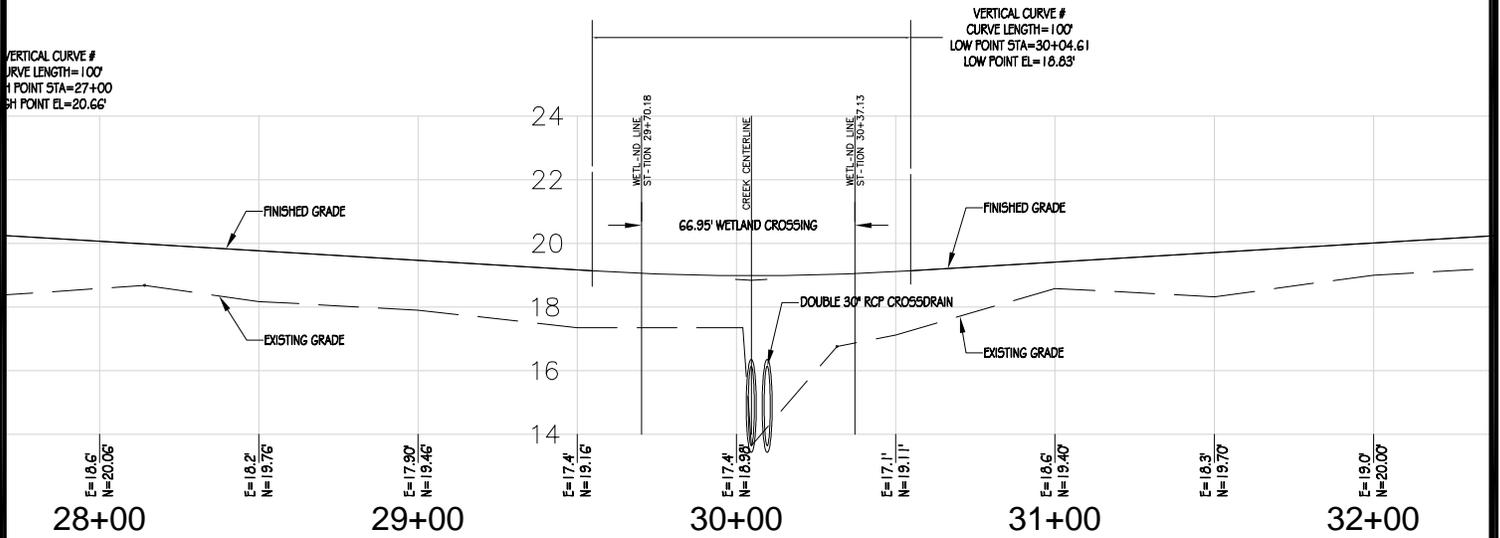
WETLAND CROSSING #2

COUNTY OF: Charleston



(IN FEET)
 1 inch = 60 ft.

SHEET 7 OF 12. DATE: 01.04.19 (Rev 12.12.20)



WETLAND CROSSING #3 PROFILE

AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
 OWNER: Wagner Development, LLC

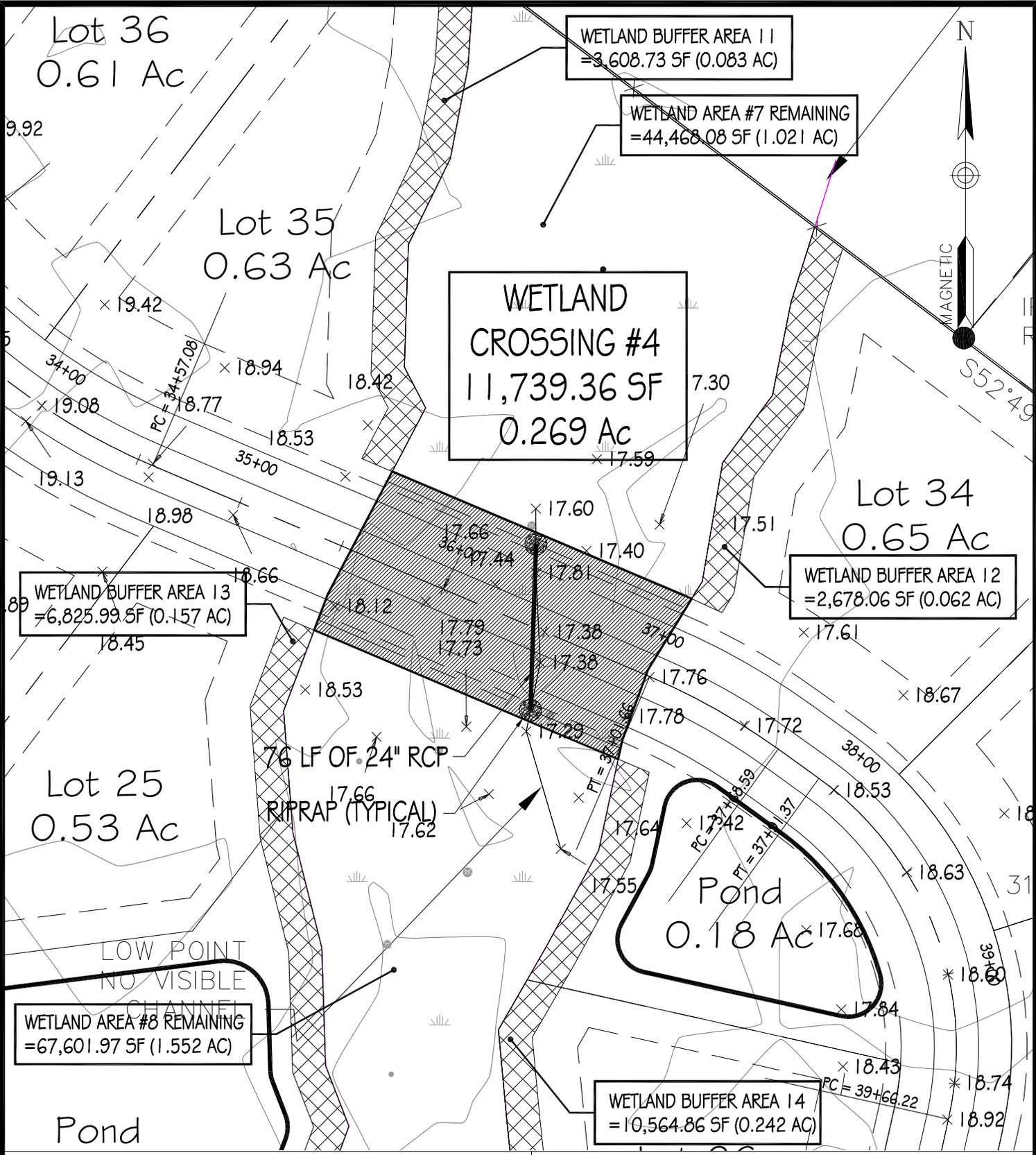
WETLAND CROSSING #3

COUNTY OF: Charleston



(IN FEET)

SHEET 9 OF 12. DATE: 01.04.19 (Rev 12.12.20) 1 inch = 60 ft.



AWENDAW VILLAGE

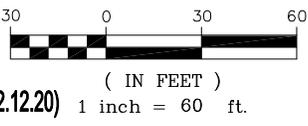
DATUM: MEAN SEA LEVEL

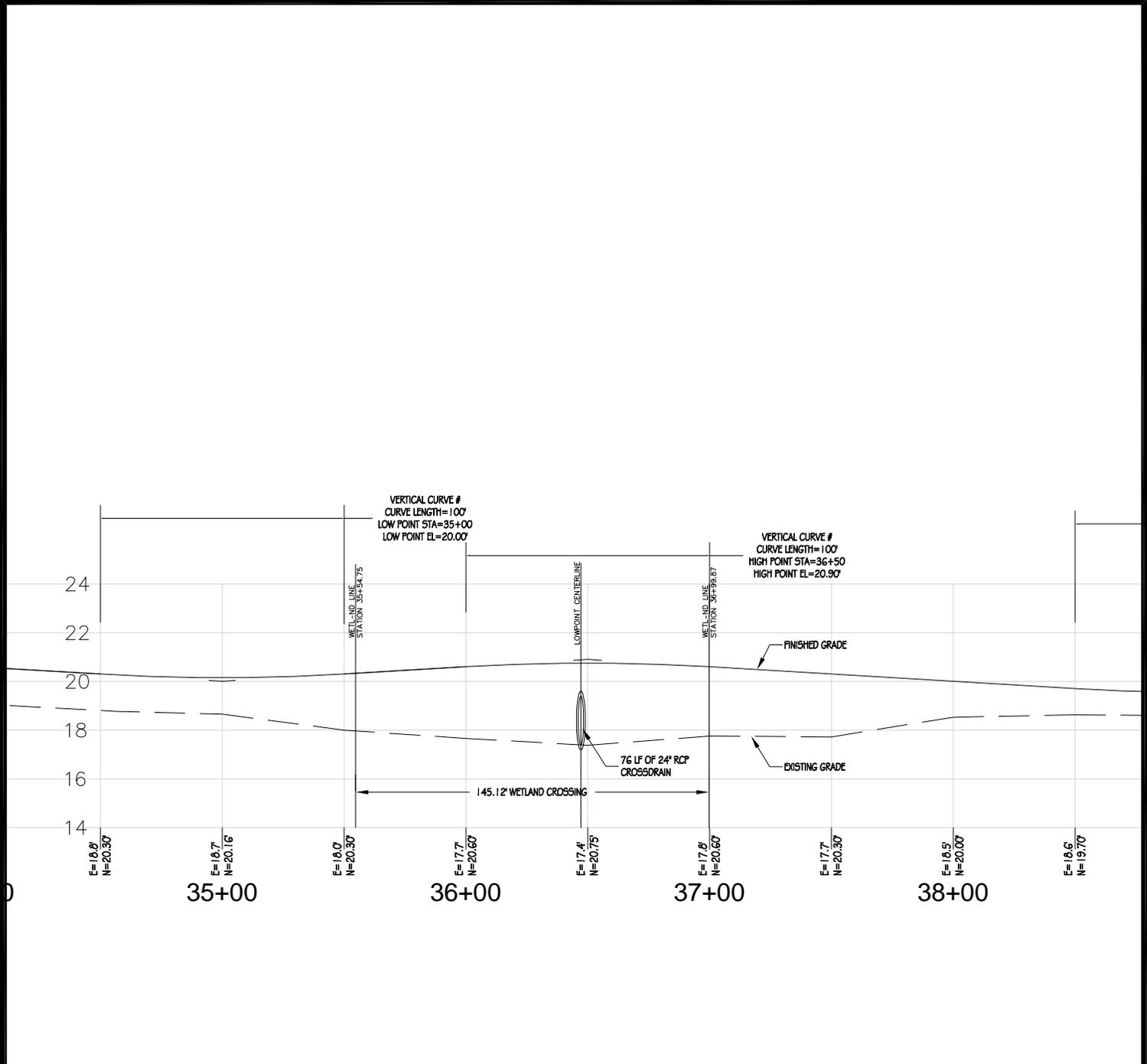
APPLICATION BY: Wagner Development, LLC (Developer)
OWNER: Wagner Development, LLC

WETLAND CROSSING #4

COUNTY OF: Charleston

SHEET 10 OF 12. DATE: 01.04.19 (Rev 12.12.20)





WETLAND CROSSING #4 PROFILE

AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
 OWNER: Wagner Development, LLC

WETLAND CROSSING #4

COUNTY OF: Charleston



SHEET 11 OF 12. DATE: 01.04.19 (Rev 12.12.20) 1 inch = 60 ft.

Awendaw Village Wetland Fill Summary Table

| Description | Area (SF) | Area (Acres) |
|-------------------------------------|---------------------|--------------|
| Wetland Fill Crossings | | |
| Wetland Fill Crossing #1 | 12,961.61 | 0.298 |
| Wetland Fill Crossing #2 | 35,398.98 | 0.813 |
| Wetland Fill Crossing #3 | 5,380.08 | 0.124 |
| Wetland Fill Crossing #4 | 11,739.36 | 0.269 |
| Total Wetland Fill Area | 65,480.03 | 1.50 |
| Wetland Buffer Areas | | |
| Wetland Buffer Area #1 | 13,408.71 | 0.308 |
| Wetland Buffer Area #2 | 82,867.26 | 1.902 |
| Wetland Buffer Area #3 | 20,052.30 | 0.460 |
| Wetland Buffer Area #4 | 15,208.41 | 0.349 |
| Wetland Buffer Area #5 | 6,623.42 | 0.152 |
| Wetland Buffer Area #6 | 1,570.21 | 0.036 |
| Wetland Buffer Area #7 | 2,285.43 | 0.052 |
| Wetland Buffer Area #8 | 4,442.82 | 0.102 |
| Wetland Buffer Area #9 | 3,229.96 | 0.074 |
| Wetland Buffer Area #10 | 3,608.73 | 0.083 |
| Wetland Buffer Area #11 | 2,678.06 | 0.061 |
| Wetland Buffer Area #12 | 6,825.99 | 0.157 |
| Wetland Buffer Area #13 | 10,564.86 | 0.243 |
| Wetland Buffer Area #14 | 14,633.25 | 0.336 |
| Total Wetland Buffer Area | 187,999.41 | 4.32 |
| Wetland Areas to Remain | | |
| Wetland Area #1 | 1,003,834.68 | 23.045 |
| Wetland Area #2 | 450,754.41 | 10.348 |
| Wetland Area #3 | 171,425.98 | 3.935 |
| Wetland Area #4 | 7,558.23 | 0.174 |
| Wetland Area #5 | 30,907.96 | 0.710 |
| Wetland Area #6 | 44,468.08 | 1.021 |
| Wetland Area #7 | 67,601.97 | 1.552 |
| Wetland Area #8 | 535,017.47 | 12.282 |
| Total Wetland Area Remaining | 2,311,568.78 | 53.07 |

AWENDAW VILLAGE

DATUM: MEAN SEA LEVEL

APPLICATION BY: Wagner Development, LLC (Developer)
OWNER: Wagner Development, LLC

WETLAND SUMMARY TABLE

COUNTY OF: Charleston



(IN FEET)

SHEET 12 OF 12. DATE: 01.04.19 (Rev 12.12.20) 1 inch = 60 ft.