

**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**  
**Water Quality Certification and Wetlands Section**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION  
Refer to: SAC-2018-01257

DATE January 23, 2024

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), and Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

**Mr./Ms. Timothy Sedgwick**  
**AMH Development, LLC**  
**5955 Core Road Suite 510**  
**North Charleston, South Carolina 29406**

**Mr./Ms. Ryan Clarey**  
**Newkirk Environmental, Inc.**  
**P O Box 746**  
**Mt. Pleasant, South Carolina 29465**  
**ryan@newkirkenv.com**

for a permit the impacts associated with a Phase II of a master-planned residential community known as Salisbury Residential. Specifically, for the construction of a vehicular bridge over Rumph's Hill Creek to connect Phase I with Phase II

**Rumph's Hill Creek**

located TMS# 130-00-00-019, 133-00-00-004, Dorchester County, South Carolina (Latitude: 33.046667 °, Longitude: -80.187222 °), Summerville 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.

**NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .**

### **Applicant's Stated Purpose**

According to the applicant, the purpose of the proposed project is to expand a subdivision by facilitating a bridge connecting the two phases of development.

### **Project Description**

The proposed work consists of impacting 0.791 acres of wetland and stream for the installation of a bridge connecting the two phases of development. In detail, Phase I is a current subdivision of single-family homes. Phase II consists of 35.895 undeveloped acres within the larger parcel. The 240.255-acre parcel of undeveloped land had a jurisdictional determination letter issued February 25, 2019. A permit (SAC-2022-00991) was issued July 7, 2022, authorizing the placement of fill into 0.498-acre of wetland for the construction of Phase I residential development.

### **Avoidance and Minimization**

The applicant has stated that the proposed project avoids majority of remaining wetlands onsite and has minimized impacts to the aquatic environment by using a bridge to span the stream and is only impacting wetlands as only necessary for the construction on the bridge and roadway to cross Rumph's Hill Creek connecting Phase I to Phase II.

### **Proposed Compensatory Mitigation**

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 8.7 freshwater wetland mitigation credits from an established USACE-approved wetland mitigation bank to offset the impacts required for the site development.

### **South Carolina Department of Health and Environmental Control**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Health and Environmental Control, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator's determination of effects on neighboring jurisdictions.

### **Endangered Species**

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project and based on the location of the project and available information, the following species may be present in the County(s) where the work will occur: Red-cockaded woodpecker (*Picoides borealis*), Northern long-eared bat (*Myotis septentrionalis*), Tricolored Bat (*Perimyotis subflavus*), Monarch butterfly (*Danaus plexippus*), American Chaffseed (*Schwalbea americana*), Candy's Dropwort (*Oxypolis canbyi*), and Pondberry (*Lindera melissifolia*).

Based on all information provided by the applicant and the most recently available information, the District Engineer has determined the following:

The project will have no effect on Red-cockaded woodpecker (*Picoides borealis*), Monarch butterfly (*Danaus plexippus*), American Chaffseed (*Schwalbea americana*), Candy's Dropwort (*Oxypolis canbyi*), and Pondberry (*Lindera melissifolia*) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect Northern long-eared bat (*Myotis septentrionalis*), Tricolored Bat (*Perimyotis subflavus*), 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.

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.

### **Cultural Resources**

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)(I)(1)), and has initially determined that there are historic properties present nearby, but not within the project area or parcel. They will not be affected; therefore, there will be no effect on historic properties. A survey was completed bordering the parcel that had artifacts found but all found to be ineligible.

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.

### **Corps' Evaluation**

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed 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.

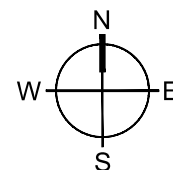
### **Solicitation of Public Comment**


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. 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.

**Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2018-01257), to [LChantelle.Carroll@usace.army.mil](mailto:LChantelle.Carroll@usace.army.mil) or the following address:**

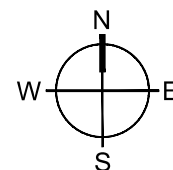
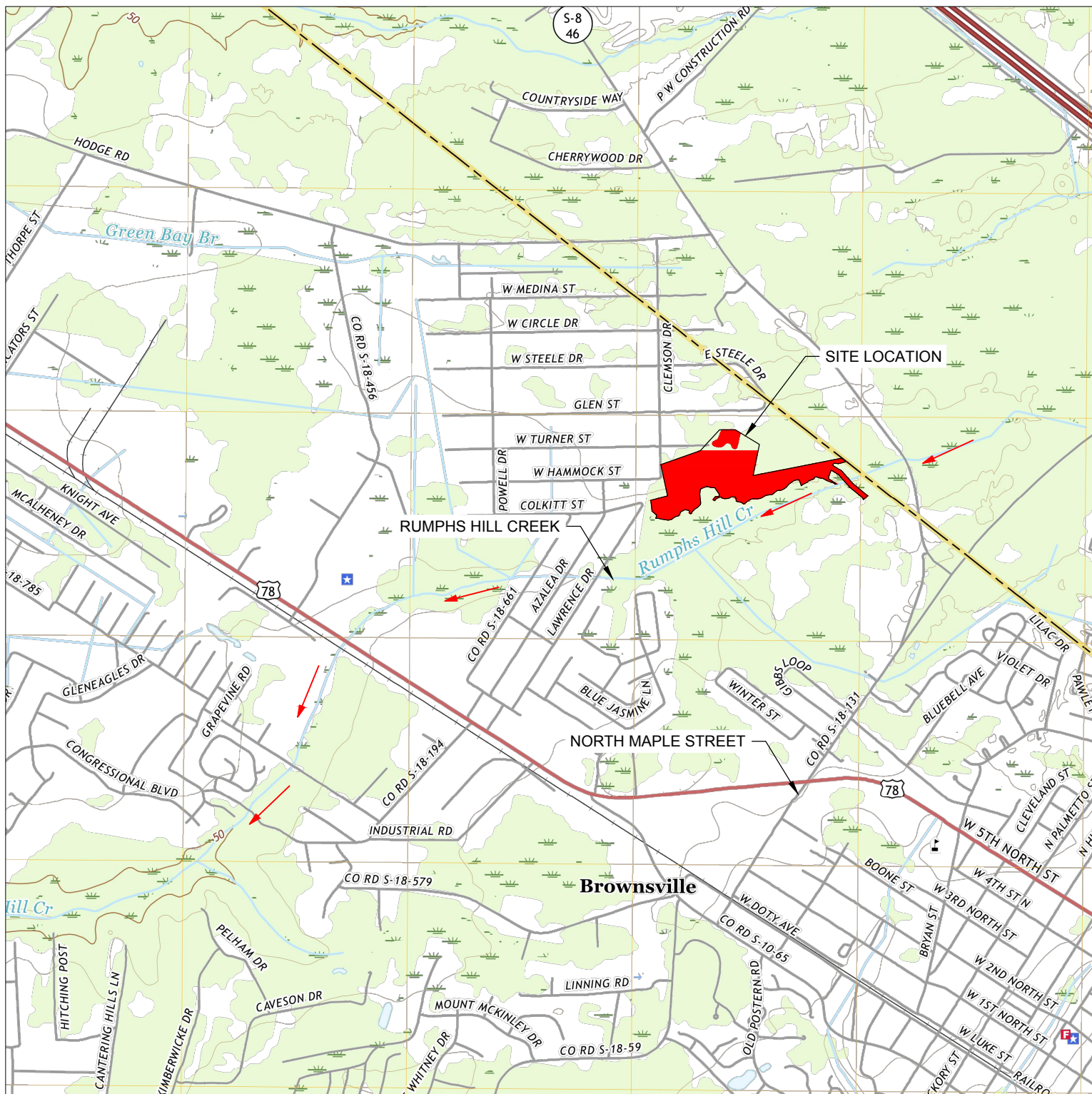
**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
69A Hagood Avenue  
Charleston, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact L. Chantelle Carroll, Project Manager, at 843-329-8190, toll free at 1-866-329-8187, or by email at [LChantelle.Carroll@usace.army.mil](mailto:LChantelle.Carroll@usace.army.mil).



	SITE LOCATION MAP		SCALE: 1" = 2000'	PROPOSED ACTIVITY: ROADWAY, DRAINAGE, & UTILITIES	
	PROJECT NAME: SALISBURY RESIDENTIAL - PHASE 2			COUNTY: DORCHESTER	
	DATE: 06/07/2023			APPLICANT: AMH DEVELOPMENT, LLC	
	SHEET: 1 OF 11			USACE PERMIT:	





USGS MAP

SCALE: 1" = 1000'

PROPOSED ACTIVITY:  
ROADWAY, DRAINAGE, & UTILITIES

PROJECT NAME:  
SALISBURY RESIDENTIAL - PHASE 2

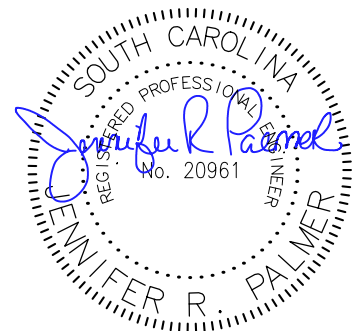
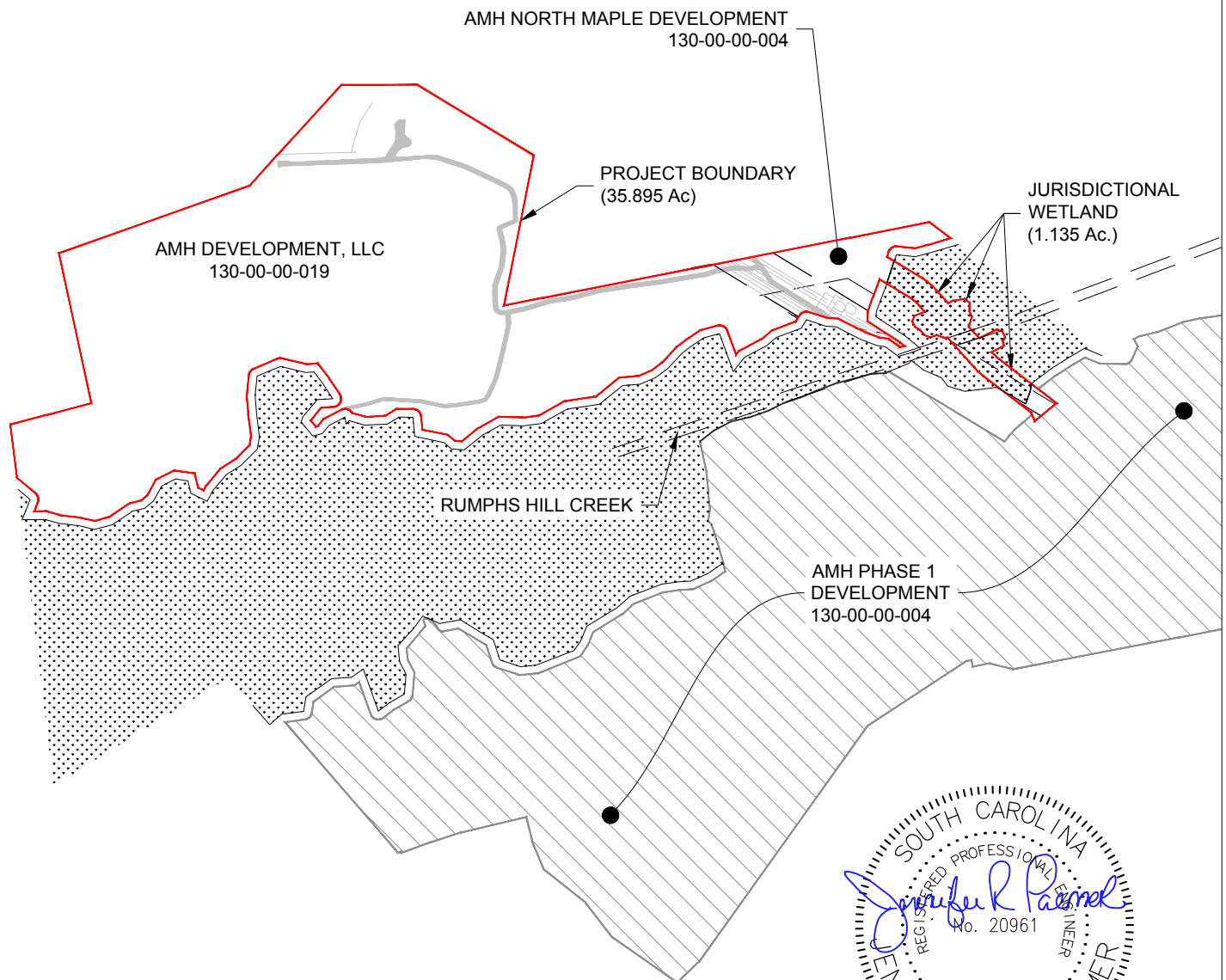
COUNTY: DORCHESTER

APPLICANT: AMH DEVELOPMENT, LLC

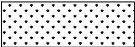

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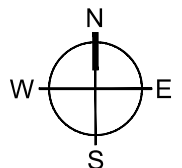
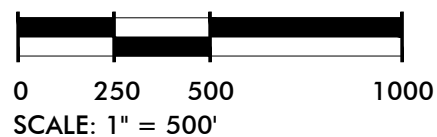
SHEET: 2 OF 11

USACE PERMIT:



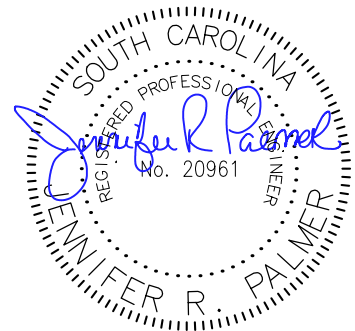
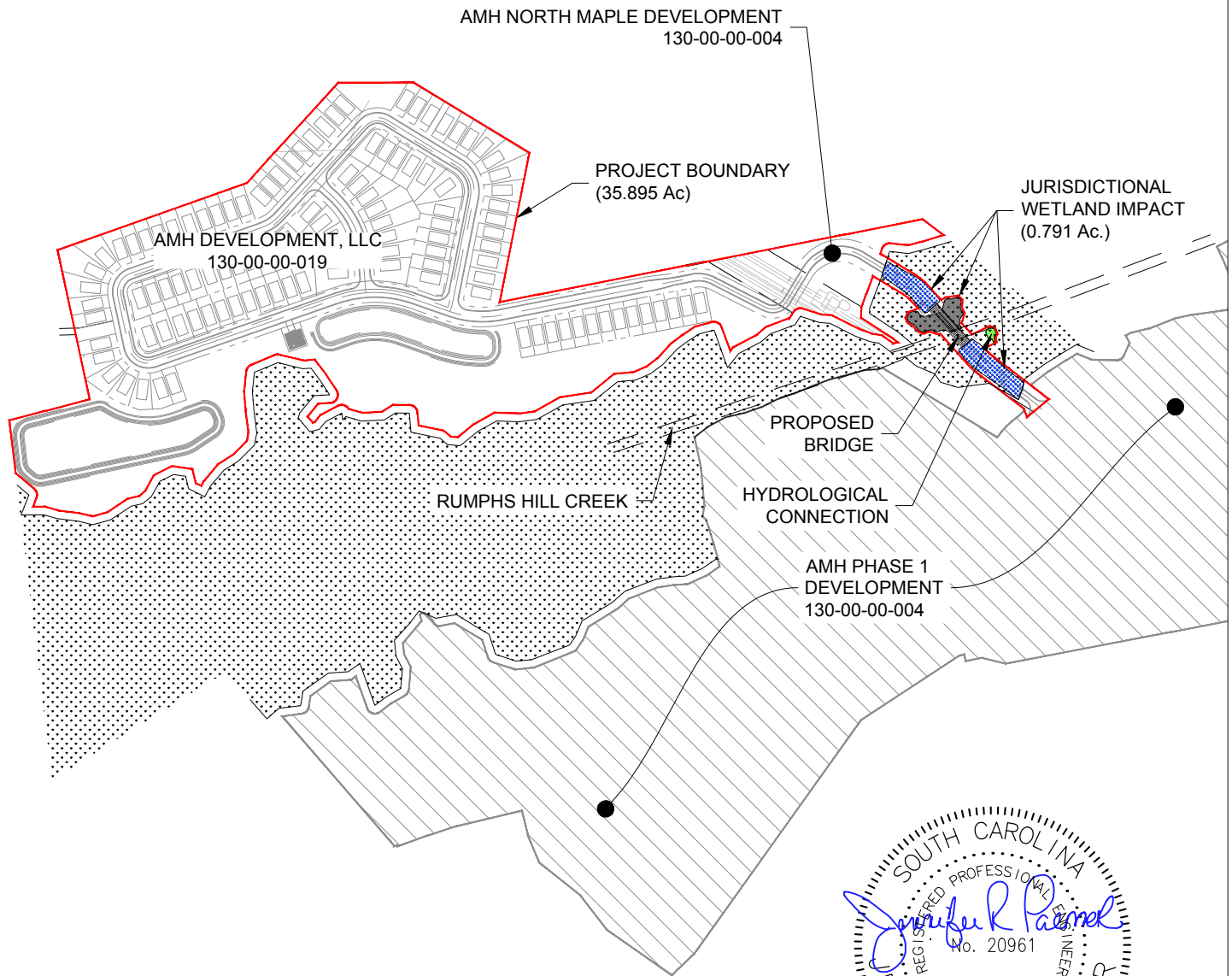
#### LEGEND

-  JURISDICTIONAL WETLAND  
(1.135 Ac.)
-  PROJECT BOUNDARY (35.895 Ac.)

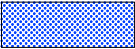





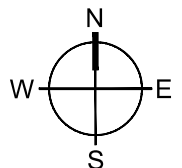
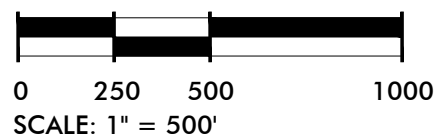
EXISTING CONDITIONS	SCALE: 1" = 500'	PROPOSED ACTIVITY: ROADWAY, DRAINAGE, & UTILITIES
PROJECT NAME: SALISBURY RESIDENTIAL - PHASE 2		COUNTY: DORCHESTER
DATE: 06/07/2023		APPLICANT: AMH DEVELOPMENT, LLC
SHEET: 3 OF 11		USACE PERMIT:





#### LEGEND

-  JURISDICTIONAL WETLAND TO BE FILLED (0.537 Ac.)
-  EXCAVATED COMPENSATORY STORAGE AREA (0.234 Ac.)
-  HYDROLOGICAL CONNECTION (0.020 Ac.)
-  PROJECT BOUNDARY (35.895 Ac.)



OVERALL SITE BOUNDARY

SCALE: 1" = 500'

PROJECT NAME:  
SALISBURY RESIDENTIAL - PHASE 2

DATE: 06/07/2023

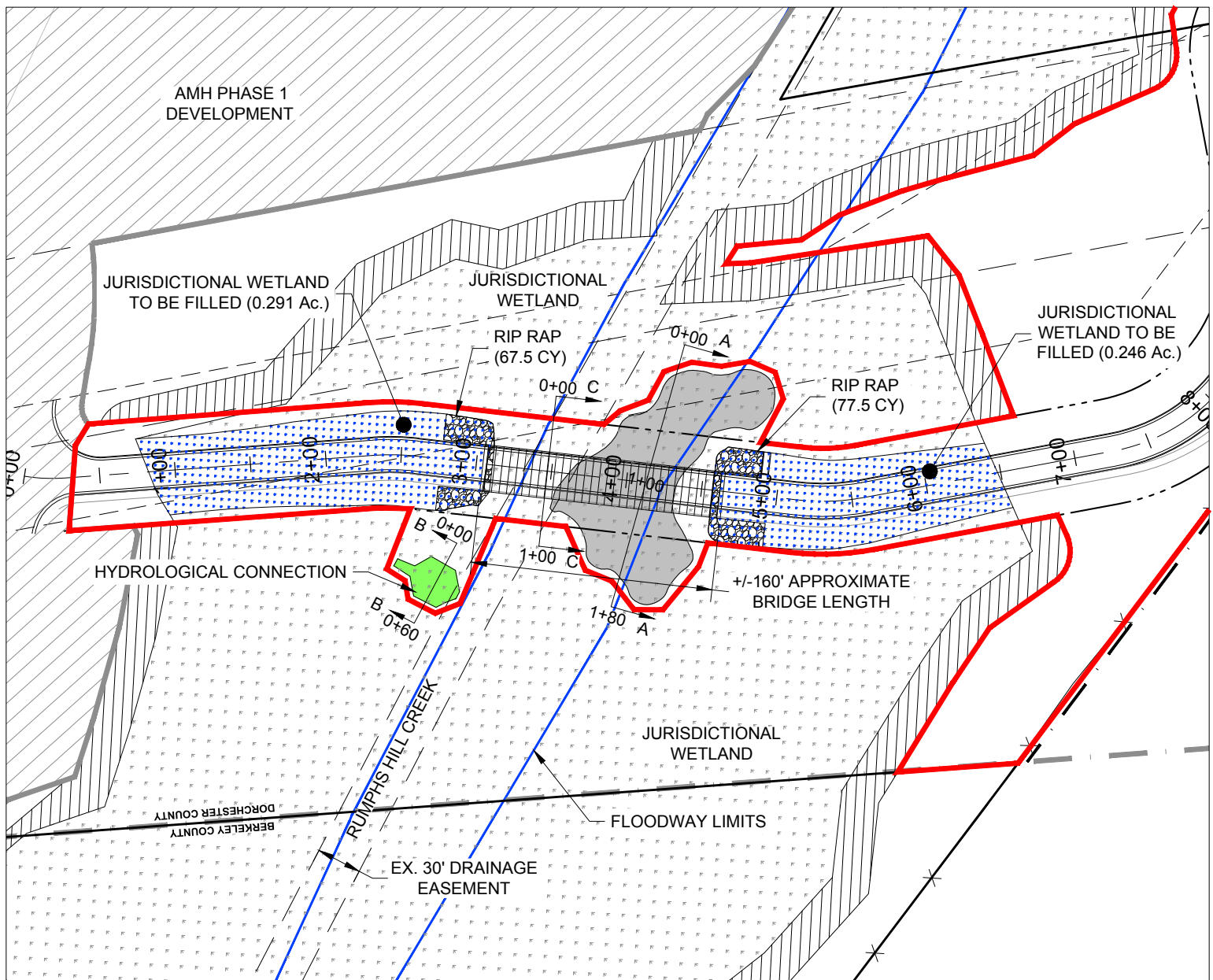
SHEET: 4 OF 11

PROPOSED ACTIVITY:  
ROADWAY, DRAINAGE, & UTILITIES

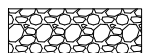
COUNTY: DORCHESTER

APPLICANT: AMH DEVELOPMENT, LLC

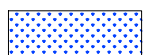
USACE PERMIT:



# LEGEND



RIP-RAP (+/- 145 CY.)



JURISDICTIONAL WETLAND TO BE FILLED (0.537 Ac.)



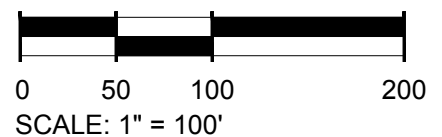
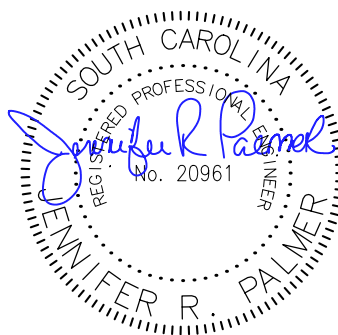
EXCAVATED COMPENSATORY STORAGE AREA (0.234 Ac.)



HYDROLOGICAL CONNECTION (0.020 Ac.)



PROJECT BOUNDARY (35.895 Ac.)



WETLAND IMPACTS PLAN

SCALE: 1" = 100'

PROJECT NAME:  
SALISBURY RESIDENTIAL - PHASE 2

DATE: 06/07/2023

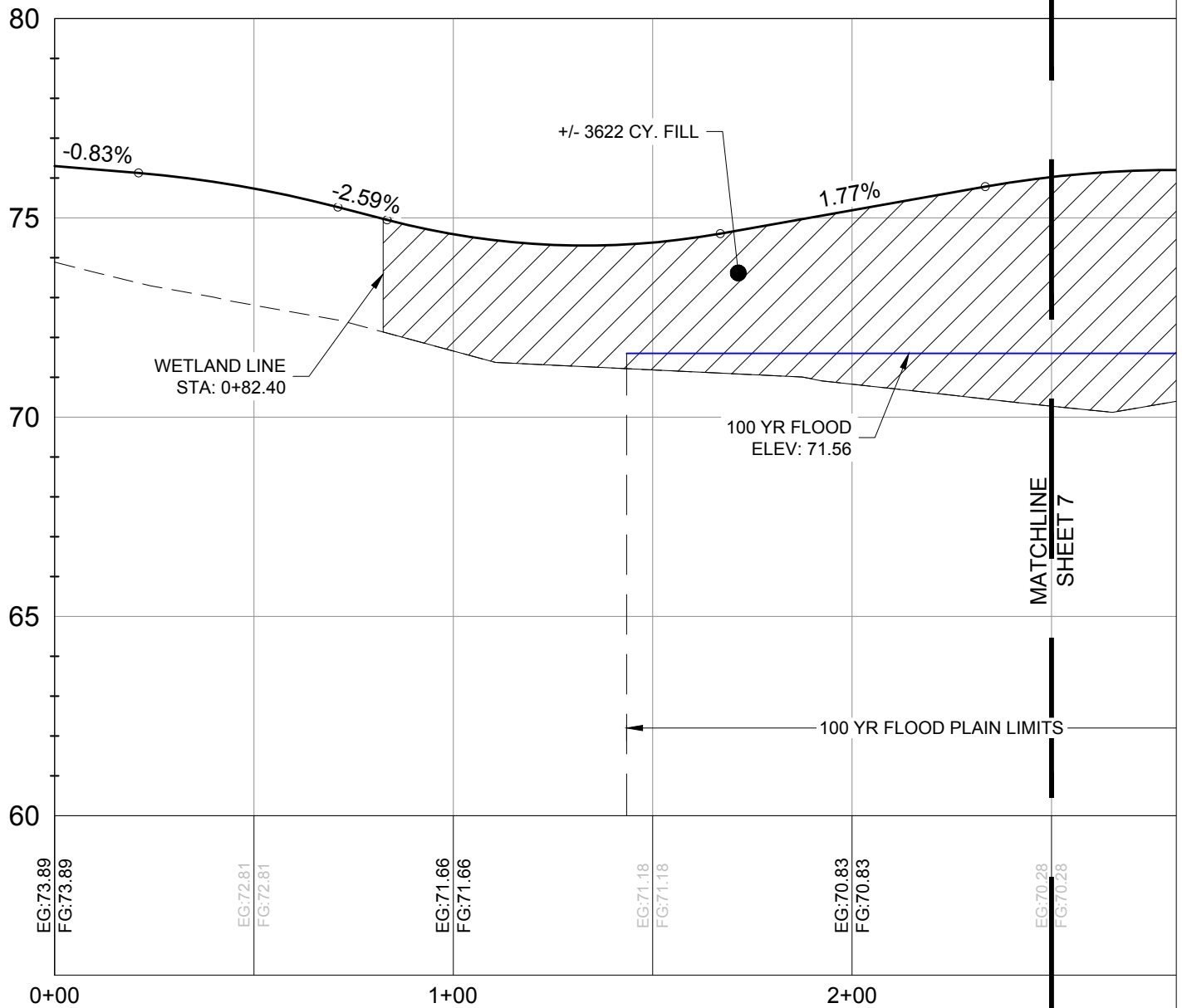
SHEET: 5 OF 11

PROPOSED ACTIVITY:  
ROADWAY, DRAINAGE, & UTILITIES

COUNTY: DORCHESTER

APPLICANT: AMH DEVELOPMENT, LLC

USACE PERMIT:

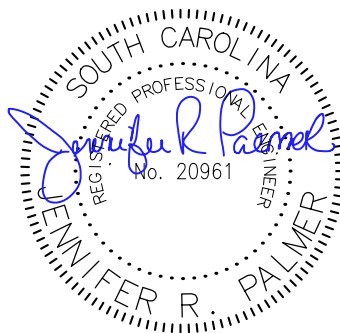


WETLAND FILL PROFILE

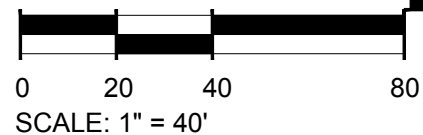
LEGEND

- FINISHED GRADE  
 - - - - - EXISTING GRADE

NOTE: STATION 0+00 IS AT THE INTERSECTION OF THE AH4R PHASE 1 ROAD.



TOTAL APPROXIMATE  
 FILL VOLUME = 6022 CY



WETLAND IMPACTS PLAN

SCALE: 1" = 40'

PROJECT NAME:  
 SALISBURY RESIDENTIAL - PHASE 2

DATE: 06/07/2023

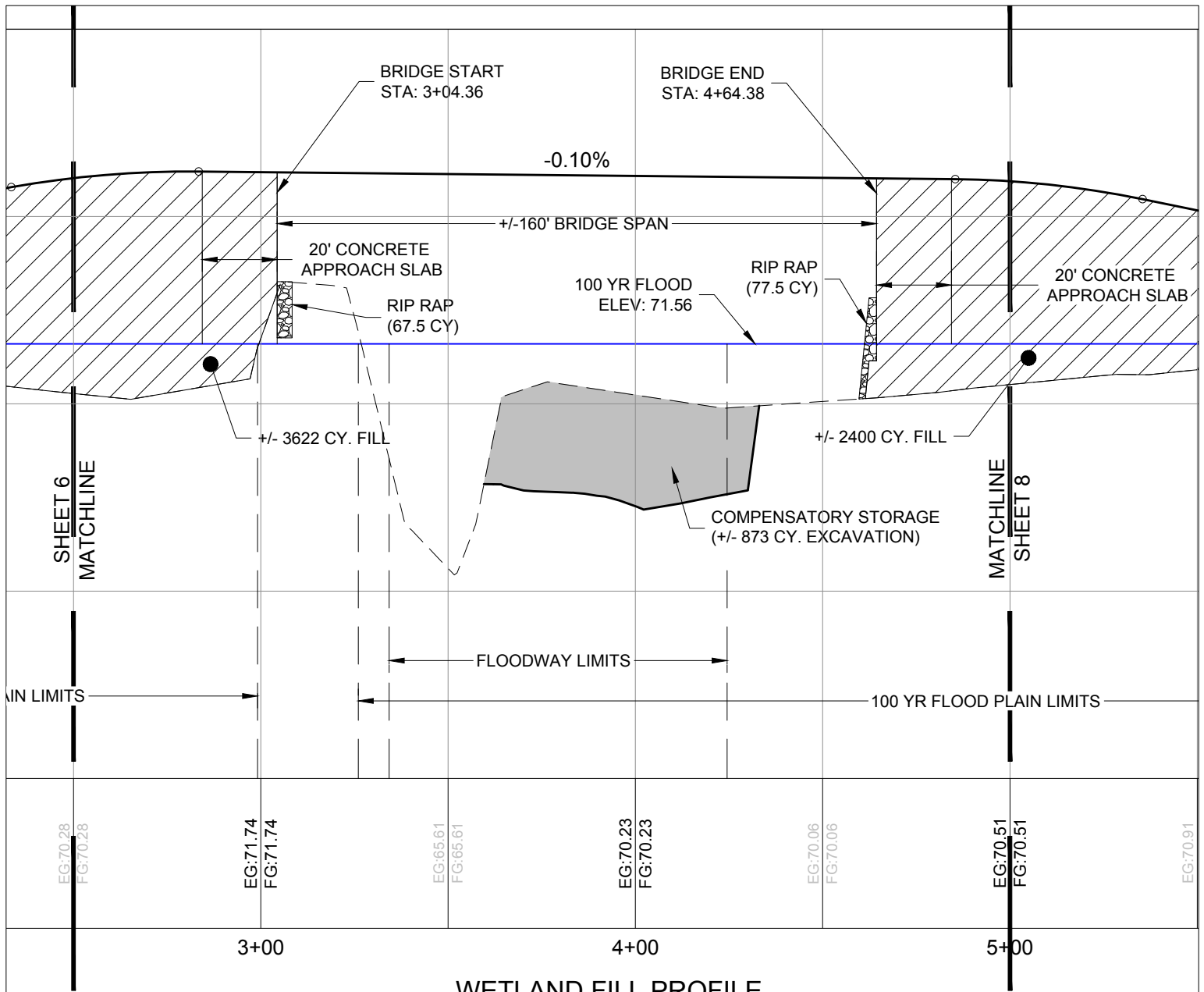
SHEET: 6 OF 11

PROPOSED ACTIVITY:  
 ROADWAY, DRAINAGE, & UTILITIES

COUNTY: DORCHESTER

APPLICANT: AMH DEVELOPMENT, LLC

USACE PERMIT:

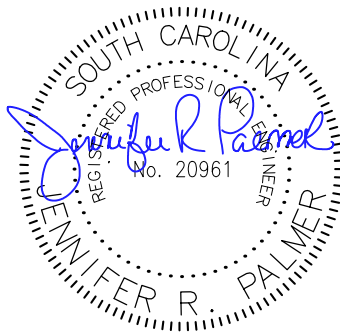


## WETLAND FILL PROFILE

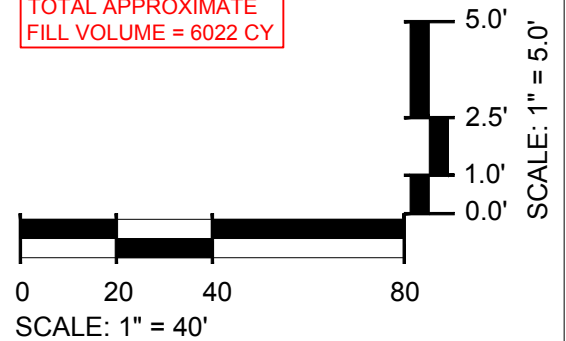
### LEGEND

- FINISHED GRADE
- - - EXISTING GRADE

NOTE: SEE BRIDGE PLAN AND PROFILE FOR BRIDGE PIER LOCATIONS



TOTAL APPROXIMATE FILL VOLUME = 6022 CY



WETLAND IMPACTS PLAN

SCALE: 1" = 40'

PROJECT NAME:  
SALISBURY RESIDENTIAL - PHASE 2

DATE: 06/07/2023

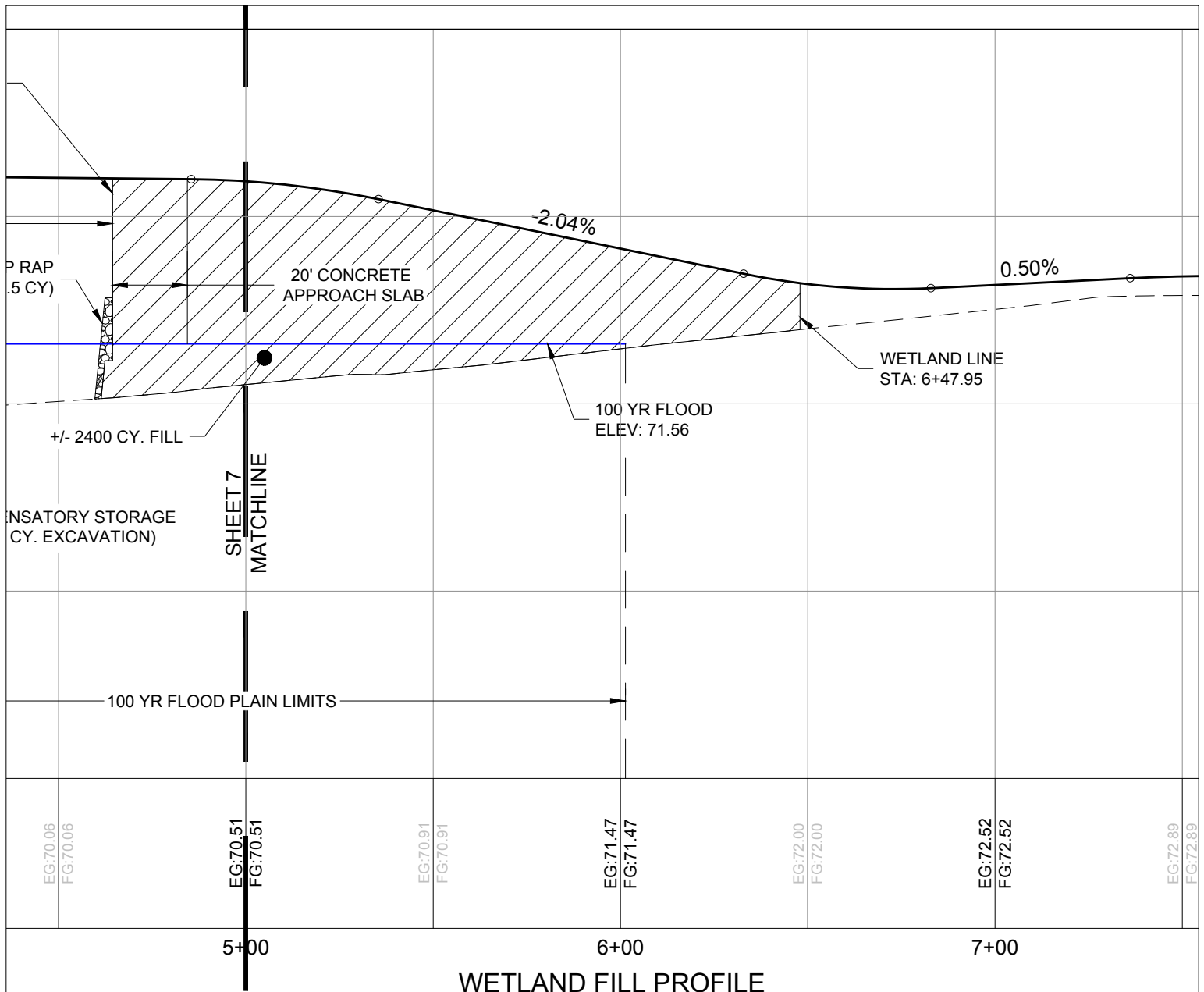
SHEET: 7 OF 11

PROPOSED ACTIVITY:  
ROADWAY, DRAINAGE, & UTILITIES

COUNTY: DORCHESTER

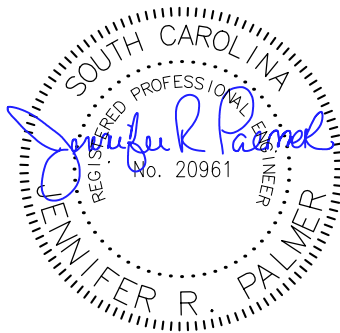
APPLICANT: AMH DEVELOPMENT, LLC

USACE PERMIT:

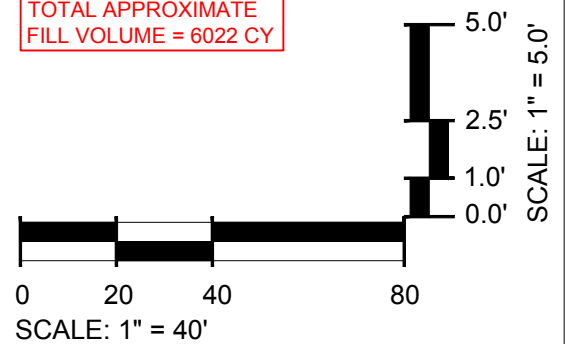


#### LEGEND

- FINISHED GRADE
- - - EXISTING GRADE



TOTAL APPROXIMATE  
FILL VOLUME = 6022 CY



WETLAND IMPACTS PLAN

SCALE: 1" = 40'

PROJECT NAME:  
SALISBURY RESIDENTIAL - PHASE 2

DATE: 06/07/2023

SHEET: 8 OF 11

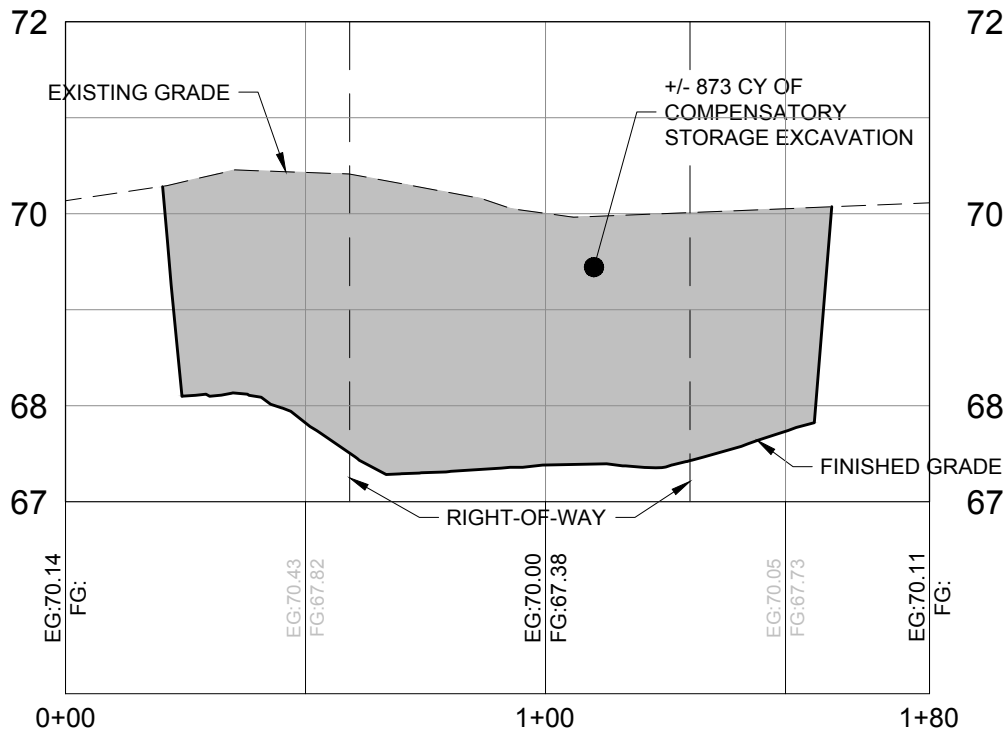
PROPOSED ACTIVITY:  
ROADWAY, DRAINAGE, & UTILITIES

COUNTY: DORCHESTER

APPLICANT: AMH DEVELOPMENT, LLC

USACE PERMIT:

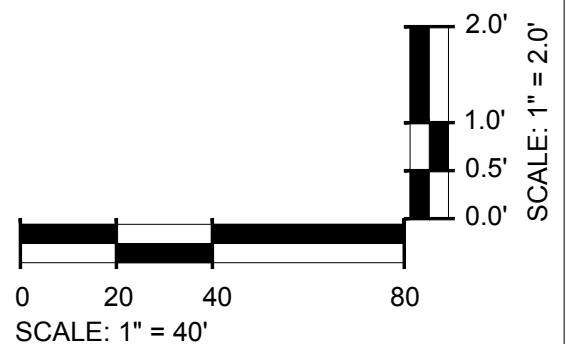
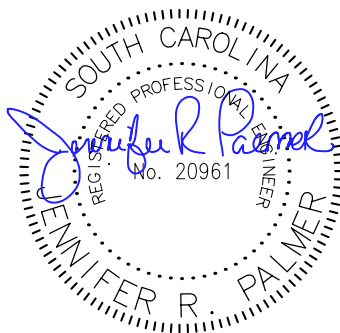




SECTION A-A

**LEGEND**

- FINISHED GRADE**: Represented by a solid line.
- EXISTING GRADE**: Represented by a dashed line.



COMPENSATORY STORAGE

SCALE: 1" = 40'

PROJECT NAME:  
SALISBURY RESIDENTIAL - PHASE 2

DATE: 06/07/2023

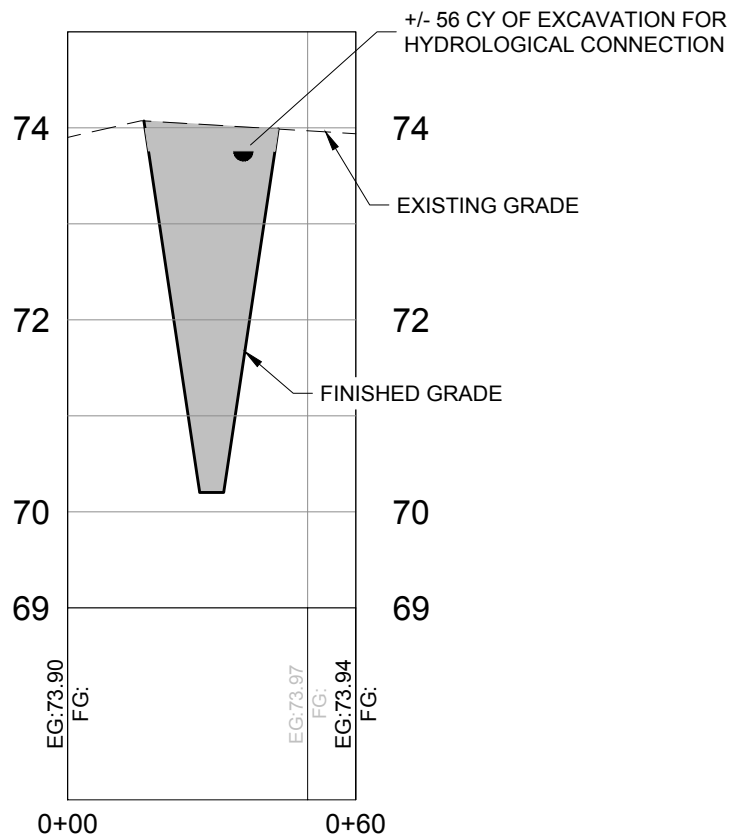
SHEET: 9 OF 11

PROPOSED ACTIVITY:  
ROADWAY, DRAINAGE, & UTILITIES

COUNTY: DORCHESTER

APPLICANT: AMH DEVELOPMENT, LLC

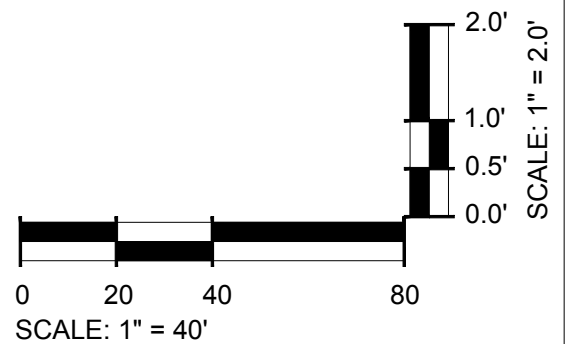
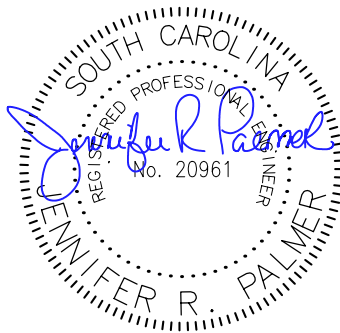
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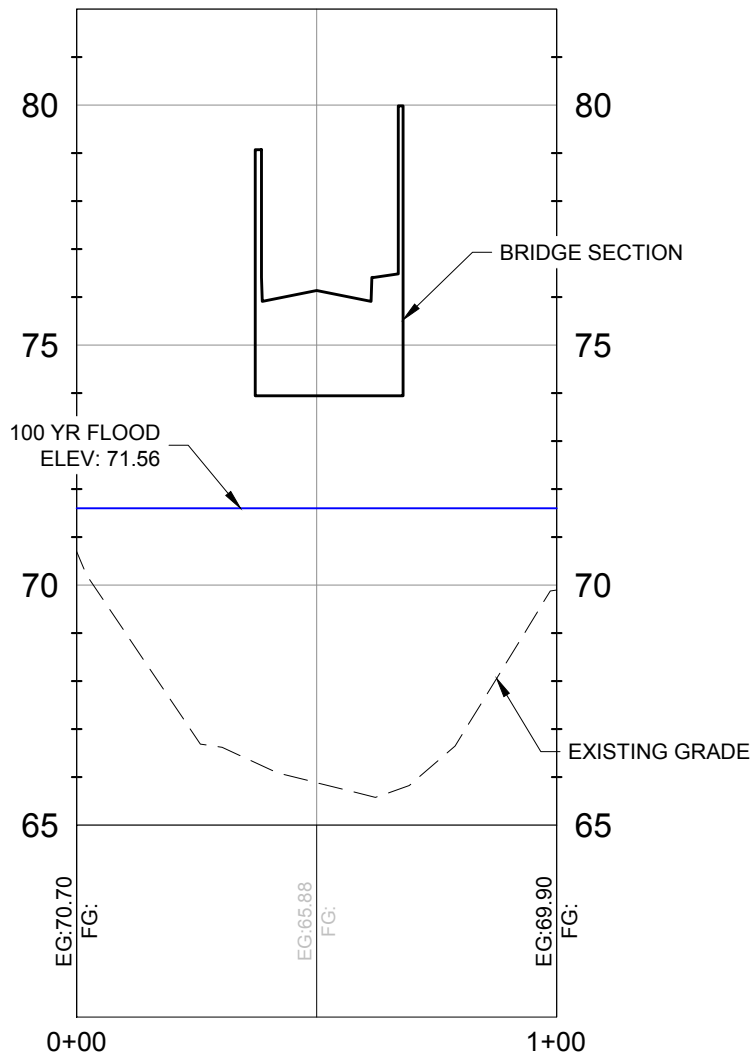
SECTION B-B

LEGEND

———— FINISHED GRADE  
 - - - - - EXISTING GRADE



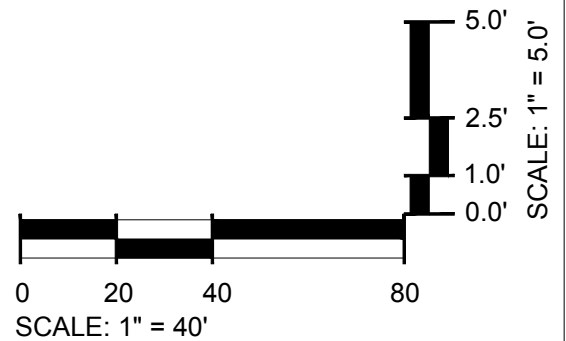
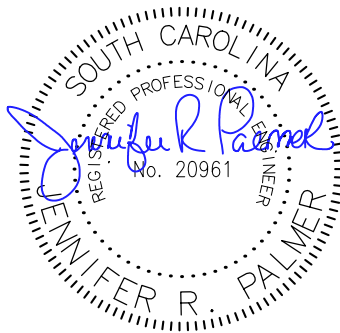
HYDROLOGICAL CONNECTION	SCALE: 1" = 40'	PROPOSED ACTIVITY: ROADWAY, DRAINAGE, & UTILITIES
PROJECT NAME: SALISBURY RESIDENTIAL - PHASE 2		COUNTY: DORCHESTER
DATE: 06/07/2023	SHEET: 10 OF 11	APPLICANT: AMH DEVELOPMENT, LLC
		USACE PERMIT:



SECTION C-C

LEGEND

- FINISHED GRADE
- EXISTING GRADE



BRIDGE SECTION

SCALE: 1" = 40'

PROJECT NAME:  
SALISBURY RESIDENTIAL - PHASE 2

PROPOSED ACTIVITY:  
ROADWAY, DRAINAGE, & UTILITIES

COUNTY: DORCHESTER

APPLICANT: AMH DEVELOPMENT, LLC

DATE: 06/07/2023

SHEET: 11 OF 11

USACE PERMIT: