JOINT PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS 69A Hagood Avenue Charleston, South Carolina 29403-5107

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-2020-00832 June 8, 2023

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. Gabe Ebner Lennar Homes – Coastal Carolina 1941 Savage Road, Suite 100-C Charleston, South Carolina 29407

for the placement of fill in wetlands associated with the

Stono River

located adjacent to the intersection of Plow Ground Road and River Road in Johns Island, Charleston County, South Carolina (Latitude 32.7046°, Longitude -80.0357°), Legareville, SC Quad Sheet.

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 construct a residential community in Johns Island, South Carolina, to support increasing local housing demand.

Project Description

The proposed work consists of the discharge of fill material into and the excavation of material from wetlands for the construction of a single-family residential development. In detail, the proposed work would include the following impacts: discharge of fill material in 2.79 acres of wetlands for the grading and development of residential lots, internal roadways, and sidewalks; discharge of fill material into 0.09-acre of wetlands for an 8' wide asphalt pedestrian walkway; discharge of fill material into 0.07-acre of wetlands for the construction of three (3) stormwater outfall structures; and from the excavation of 0.47-acre of wetlands for a stormwater pond. In total, the project would impact 3.42 acres of freshwater wetlands.

Avoidance and Minimization

The applicant has stated that the proposed project was designed to avoid and minimize impacts to the aquatic environment to the greatest extent practicable. The proposed project would avoid impacts to 62.38 acres of forested wetlands, with a minimum upland buffer of 25'. Impacts were minimized by limiting culverted road crossings to the smallest amount required for development and locating the crossings on the narrowest portion of the contiguous wetlands. While road crossings which span aquatic resources provide greater hydrologic connectivity as opposed to culverted crossings, the applicant has concluded that due to the number of crossings needed and the width of the areas in question, constructing spanned road crossings is not financially feasible. Alternative site designs were explored, but due to space requirements for attendant features such as internal roadways and stormwater management features, impacts to waters of the U.S. were unavoidable. Furthermore, an alternatives analysis was provided in the permit application package which includes project constraints in more detail.

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the

United States by purchasing 28.067 wetland credits from a Corps approved Mitigation Bank. In addition, the applicant has proposed to preserve the remaining 62.38 acres of wetland and 17.14 acres of upland buffers through restrictive covenants. The proposed mitigation qualifies for the 25% reduction in amount of wetland credits to be purchased. The wetland credits are reduced from 37.442 to 28.067.

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). 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.

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.

Essential Fish Habitat

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 3.42 acres of freshwater 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.

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: Frosted flatwoods salamander, American wood stork, Eastern black rail, piping plover, red-cockaded woodpecker, Rufa red knot, Atlantic sturgeon, shortnose sturgeon, finback whale, humpback whale, Northern long-eared bat, North Atlantic right whale, sei whale, sperm whale, West Indian manatee, American chaffseed, Canby's dropwort, pondberry, seabeach amaranth, green sea turtle, Kemp's Ridley sea turtle, leatherback sea turtle, and loggerhead sea turtle.

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 <u>no effect</u> on frosted flatwoods salamander, Eastern black rail, piping plover, Rufa red knot, Atlantic sturgeon, shortnose sturgeon, the whales, West Indian Manatee, American chaffseed, Canby's dropwort, pondberry, seabeach amaranth, or the sea turtles, and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project <u>is not likely to adversely affect</u> northern long-eared bat 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 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 <u>may affect</u> the red-cockaded woodpecker and the American wood stork. A biological assessment (or other similar document) detailing our analysis of the potential effects of the action will be provided to the U.S. Fish and Wildlife Service and/or the National Marine Fisheries Service.

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 historic properties, are present; moreover, these 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.

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

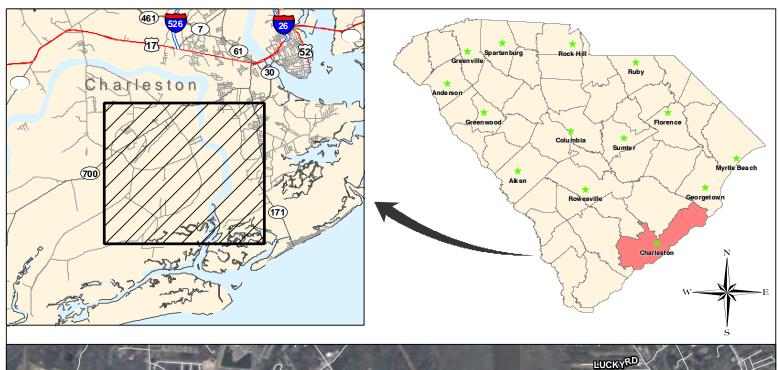
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to

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-2020-00832, to kelby.a.callahan@usace.army.mil or the following address:

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Ave Charleston, SC 29403-5017

If there are any questions concerning this public notice, please contact Kelby Callahan, Project Manager, at (843) 278-9536, toll free at 1-866-329-8187, or by email kelby.a.callahan@usace.army.mil.





PROJECT NAME: WOODDALE

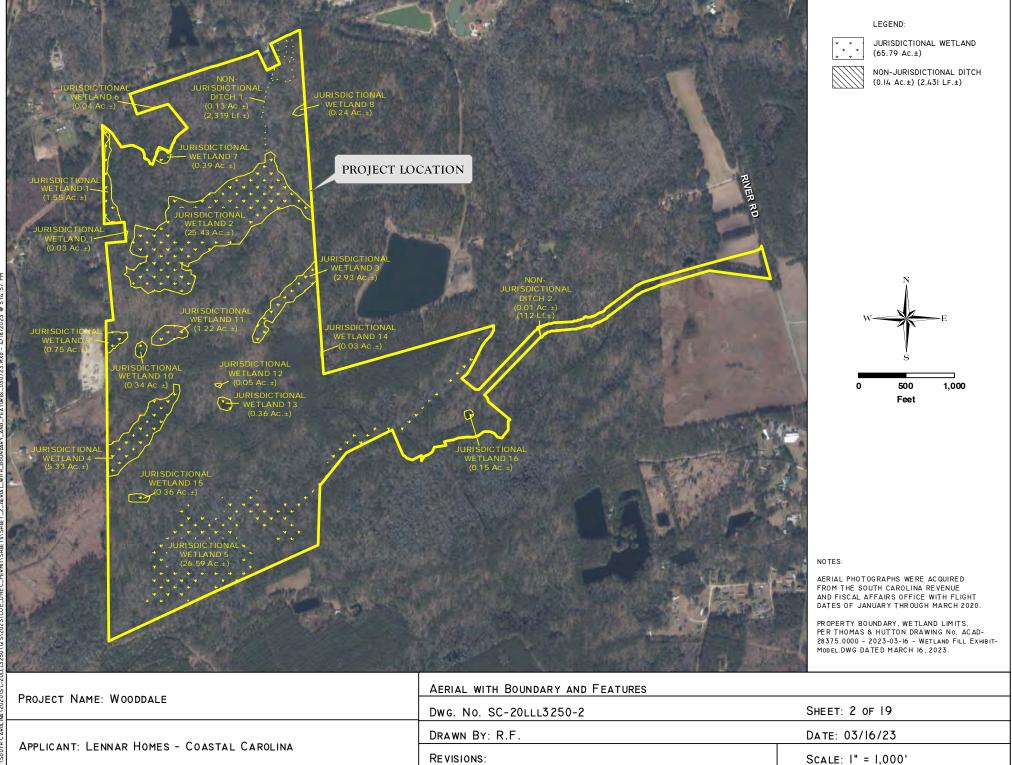
APPLICANT: LENNAR HOMES - COASTAL CAROLINA

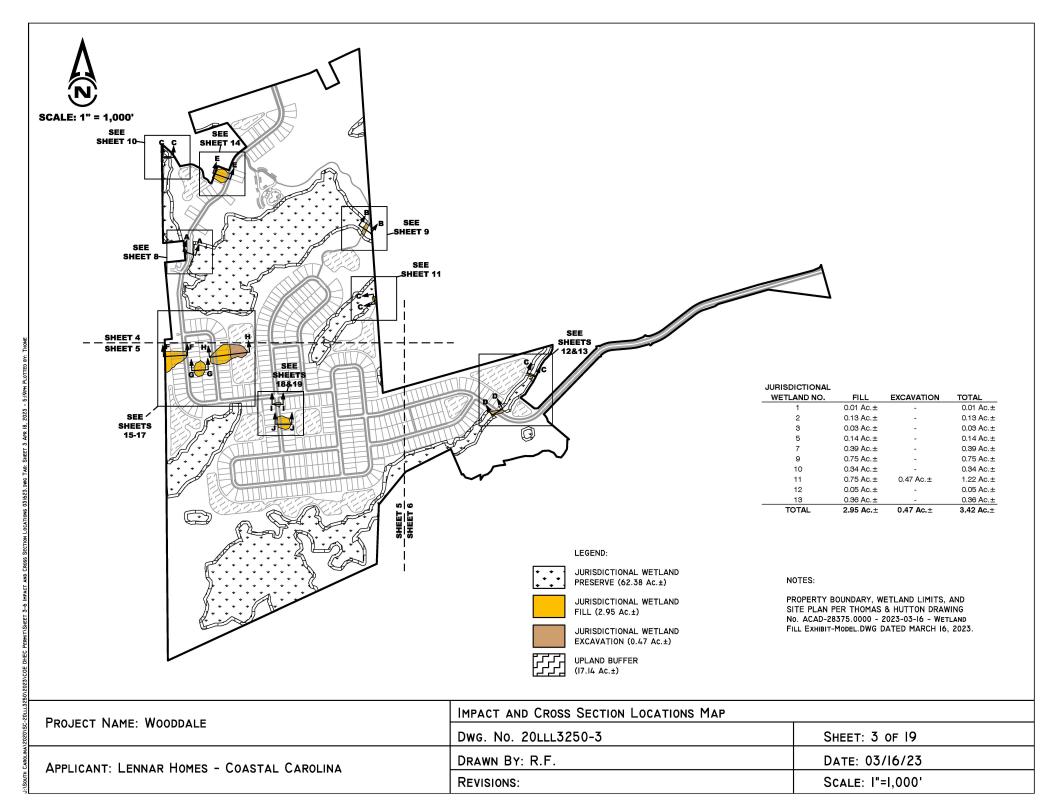
 PROJECT LOCATION MAP

 DWG. No. SC-20LL3250-I
 SHEET: I of I9

 DRAWN BY: R.F.
 DATE: 03/I6/23

 REVISIONS:
 SCALE: N.T.S







LEGEND:

JURISDICTIONAL WETLAND PRESERVE (62.38 Ac.±)



JURISDICTIONAL WETLAND FILL (2.95 Ac.±)



JURISDICTIONAL WETLAND EXCAVATION (0.47 Ac.±)



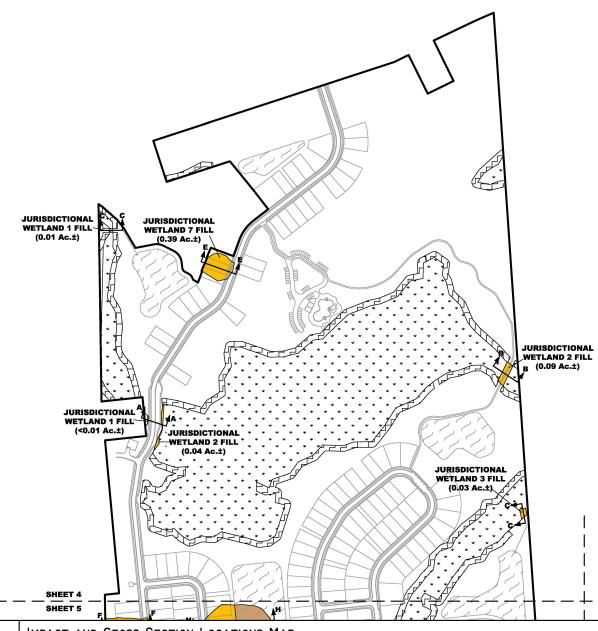
UPLAND BUFFER (17.14 Ac.±)

JURISDICTIONAL

WETLAND NO.	FILL	EXCAVATION	TOTAL
1	0.01 Ac.±	-	0.01 Ac.±
2	0.13 Ac.±	-	0.13 Ac.±
3	0.03 Ac.±	-	0.03 Ac.±
5	0.14 Ac.±	-	0.14 Ac.±
7	0.39 Ac.±	-	0.39 Ac.±
9	0.75 Ac.±	-	0.75 Ac.±
10	0.34 Ac.±	-	0.34 Ac.±
11	0.75 Ac.±	0.47 Ac.±	1.22 Ac.±
12	0.05 Ac.±	-	0.05 Ac.±
13	0.36 Ac.±	-	0.36 Ac.±
TOTAL	2.95 Ac.+	0.47 Ac.+	3.42 Ac.+

NOTES:

PROPERTY BOUNDARY, WETLAND LIMITS, AND SITE PLAN PER THOMAS & HUTTON DRAWING No. ACAD-28375.0000 - 2023-03-16 - WETLAND FILL EXHIBIT-MODEL.DWG DATED MARCH 16, 2023.



PROJECT NAME: WOODDALE

APPLICANT: LENNAR HOMES - COASTAL CAROLINA

IMPACT AND CROSS SECTION LOCATIONS MAP

 DWG. No. 20LLL3250-4
 SHEET: 4 of 19

 DRAWN BY: R.F.
 DATE: 03/16/23

 REVISIONS:
 SCALE: I"=500'



WETLAND 9 FILL-(0.75 Ac.±)

SHEET 4 SHEET 5

JURISDICTIONAL

LEGEND:

JURISDICTIONAL WETLAND PRESERVE (62.38 Ac.±)



JURISDICTIONAL WETLAND FILL (2.95 Ac.±)



JURISDICTIONAL WETLAND EXCAVATION (0.47 Ac.±)



UPLAND BUFFER (17.14 Ac.±)

JURISDICTIONAL

WETLAND NO.	FILL	EXCAVATION	TOTAL
1	0.01 Ac.±	-	0.01 Ac.±
2	0.13 Ac.±	-	0.13 Ac.±
3	0.03 Ac.±	-	0.03 Ac.±
5	0.14 Ac. ±	-	0.14 Ac. ±
7	0.39 Ac.±	-	0.39 Ac.±
9	0.75 Ac.±	-	0.75 Ac.±
10	0.34 Ac.±	-	0.34 Ac. ±
11	0.75 Ac. ±	0.47 Ac.±	1.22 Ac.±
12	0.05 Ac.±	-	0.05 Ac.±
13	0.36 Ac.±	-	0.36 Ac.±
TOTAL	2.95 Ac.+	0.47 Ac.+	3.42 Ac.+

NOTES:

PROPERTY BOUNDARY, WETLAND LIMITS, AND SITE PLAN PER THOMAS & HUTTON DRAWING No. ACAD-28375.0000 - 2023-03-16 - WETLAND FILL EXHIBIT-MODEL.DWG DATED MARCH 16, 2023. SCALE: 1"=500"

URISDICTIONAL WETLAND 11 EXCAVATION

(0.47 Ac.±)

JURISDICTIONAL WETLAND 12 FILL (0.05 Ac.±)

JURISDICTIONAL

WETLAND 13

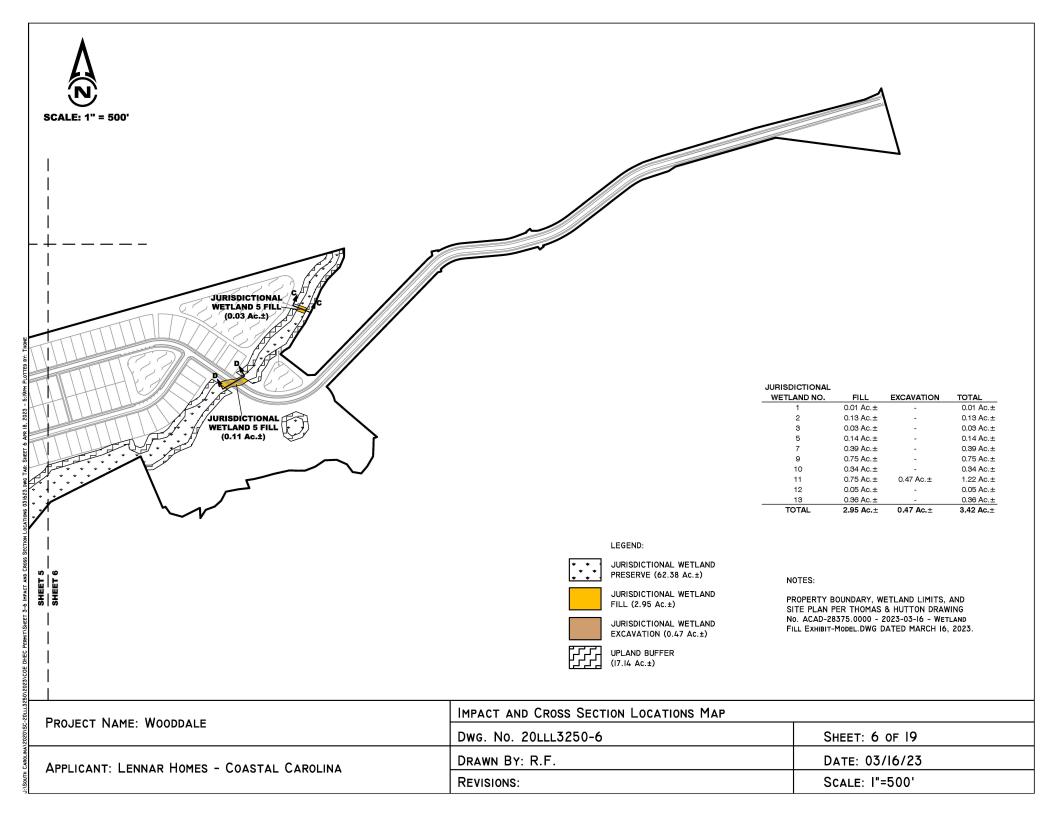
FILL (0.36 Ac.±)

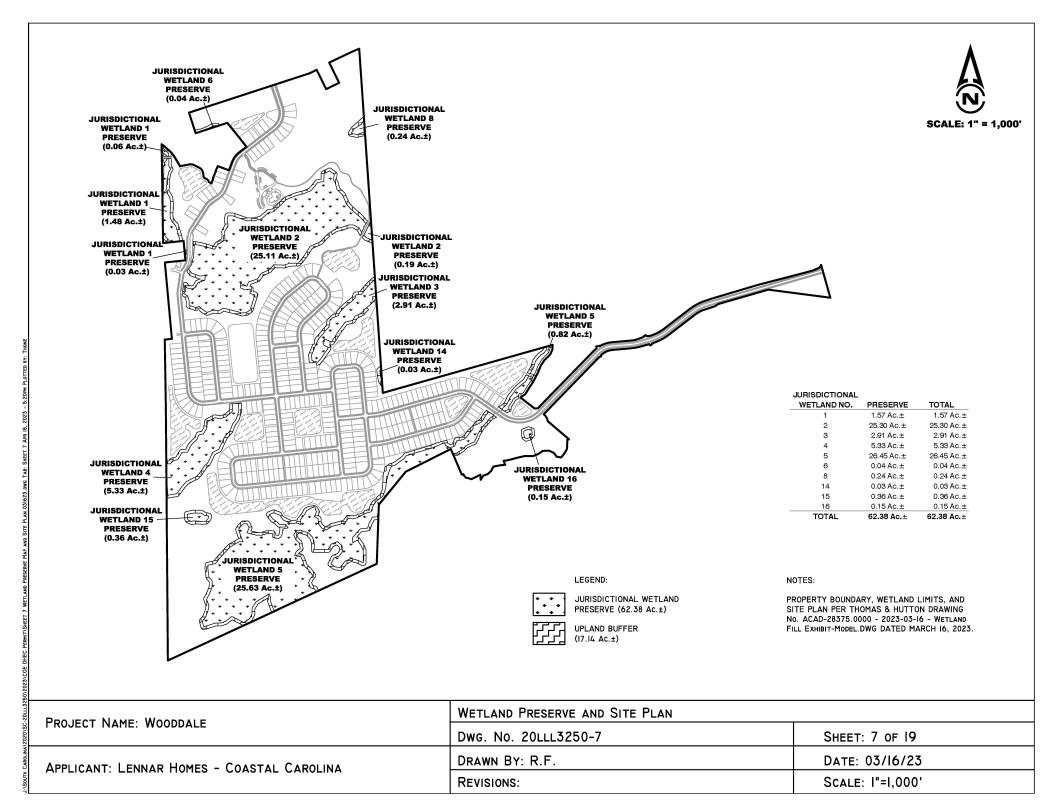
JURISDICTIONAL

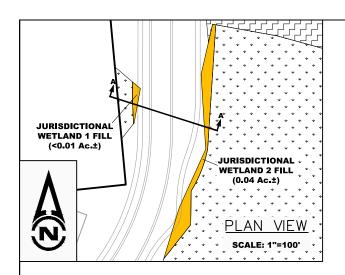
WETLAND 11 FILL (0.75 Ac.±)

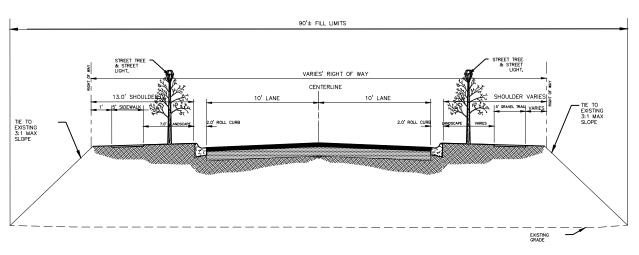
JURISDICTIONAL WETLAND 10 FILL (0.34 Ac.±)

DO JECT NAME, WOODDALE	IMPACT AND CROSS SECTION LOCATIONS MAP		
PROJECT NAME: WOODDALE	Dwg. No. 20LLL3250-5	SHEET: 5 OF 19	
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23	
	REVISIONS:	Scale: I"=500'	







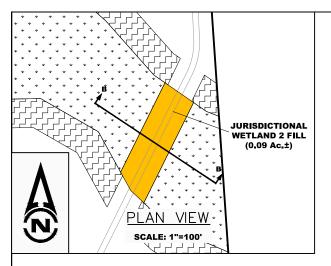


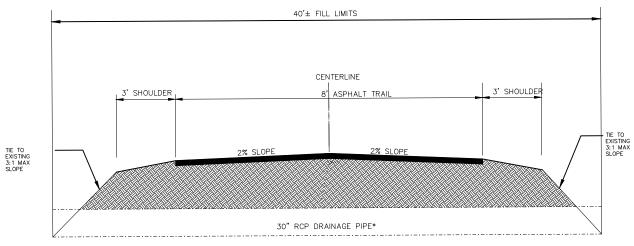
CROSS SECTION "A-A"

N.T.S.

NOTES:

PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION A-A		
OS PROJECT NAME. WOODDALE	Dwg. No. 20LLL3250-8	SHEET: 8 OF 19	
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23	
AFFLICANT. LENNAR HOMES - COASTAL CAROLINA	REVISIONS:	SCALE: N.T.S.	

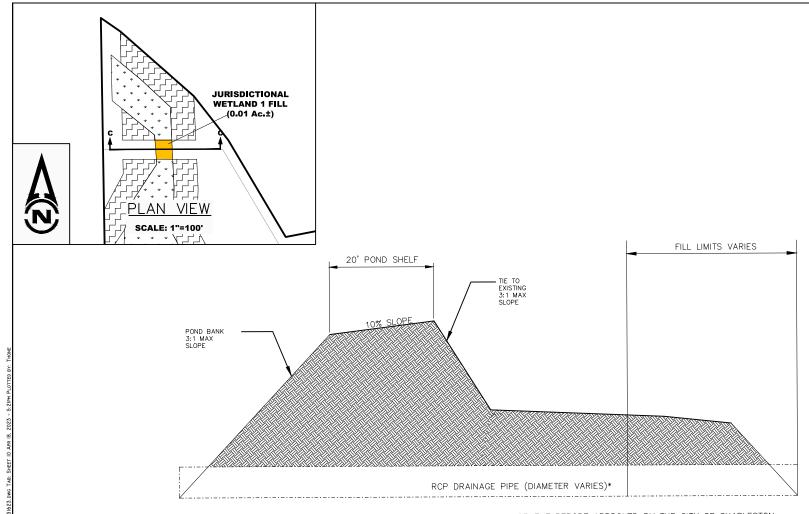




CROSS SECTION "B-B"
N.T.S.

NOTES:

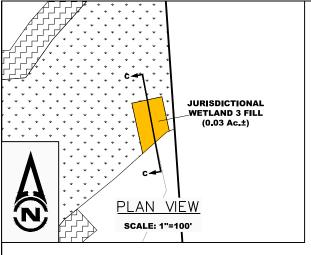
PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION B-B	TYPICAL CROSS-SECTION B-B		
	Dwg. No. 20LLL3250-9	SHEET: 9 OF 19		
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23		
	REVISIONS:	Scale: N.T.S.		

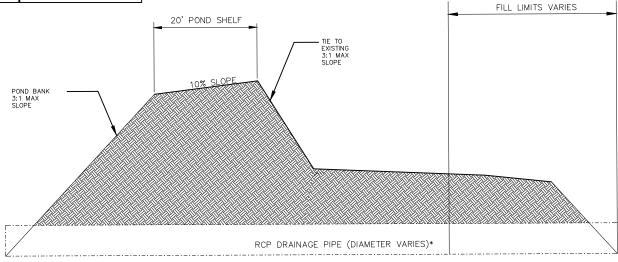


CROSS SECTION "C-C"
N.T.S.

NOTES:

PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION C-C	
	Dwg. No. 20LLL3250-10	SHEET: 10 OF 19
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23
	REVISIONS:	Scale: N.T.S.

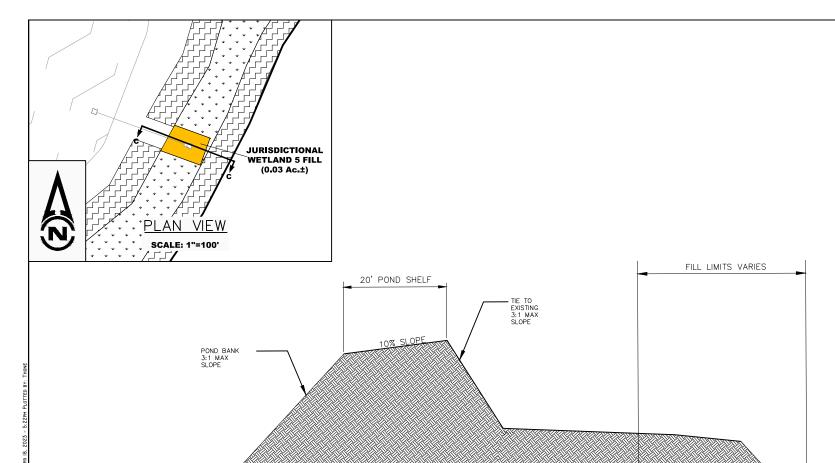




CROSS SECTION "C-C"
N.T.S.

NOTES:

PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION C-C	TYPICAL CROSS-SECTION C-C		
	Dwg. No. 20LLL3250-II	SHEET: II OF 19		
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23		
ATTEICANT. ELINAK TIOTIES COASTAL CAROLINA	REVISIONS:	Scale: N.T.S.		

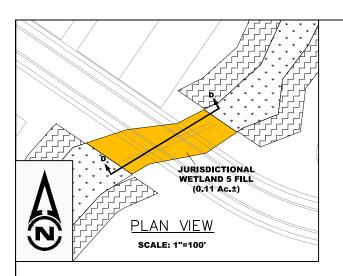


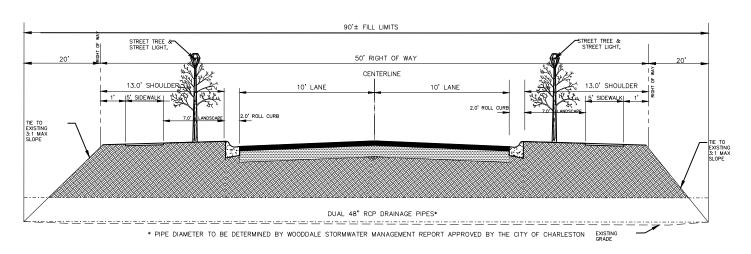
CROSS SECTION "C-C"
N.T.S.

RCP DRAINAGE PIPE (DIAMETER VARIES)*

NOTES:

-201172	PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION C-C	
\2020\SC		Dwg. No. 20LLL3250-12	SHEET: 12 OF 19
CAROLINA	APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23
AFFLICANT. LENNAR HOMES - COASTAL CAROLINA	REVISIONS:	SCALE: N.T.S.	



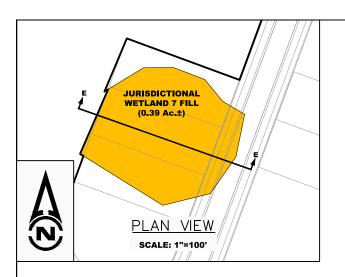


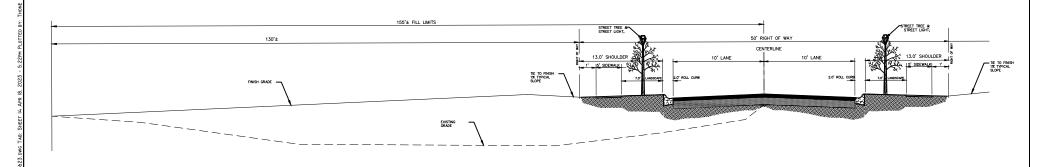
CROSS SECTION "D-D"

N.T.S.

NOTES:

2020\SC-20LL5	PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION D-D	
		Dwg. No. 20LLL3250-13	SHEET: 13 OF 19
CAROLINA	APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23
\South	AFFLICANT. LENNAR HOPES - COASTAL CAROLINA	REVISIONS:	SCALE: N.T.S.



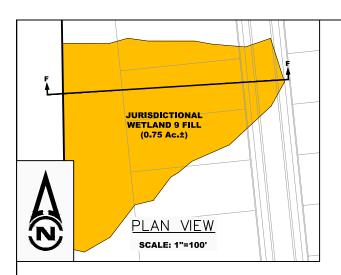


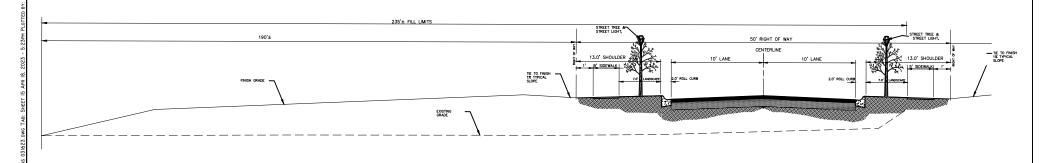
CROSS SECTION "E-E"

N.T.S.

NOTES:

-2011	PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION E-E	
\2020\SC	TROJECT NAME. WOODDALE	Dwg. No. 20LLL3250-14	SHEET: 14 OF 19
CAROLINA	APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23
J:\South	ATTEMANT. LEMAN HOTES GOASTAL CANCEINA	REVISIONS:	SCALE: N.T.S.



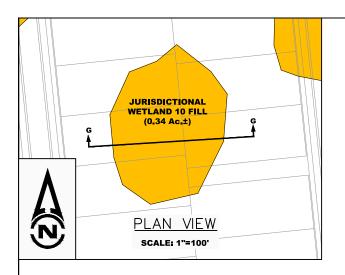


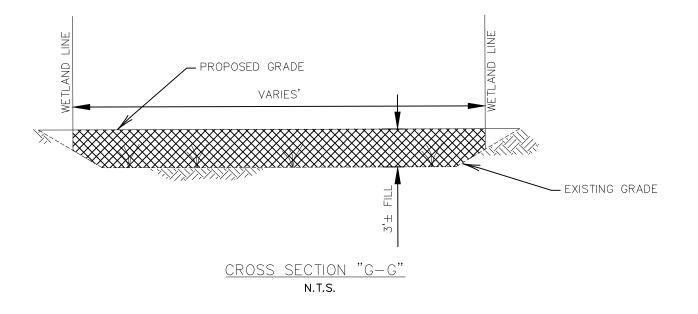
CROSS SECTION "F-F"

N.T.S.

NOTES:

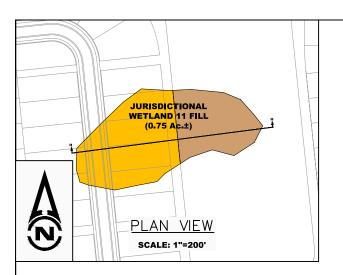
75020\SC-20LLL	PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION F-F		
		Dwg. No. 20LLL3250-I5	SHEET: 15 OF 19	
CAROLINA	APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23	
л.∖Ѕо∪тн	ATTEMANT. PENNAN TIOTIES CONSTRE CANCELLA	REVISIONS:	SCALE: N.T.S.	





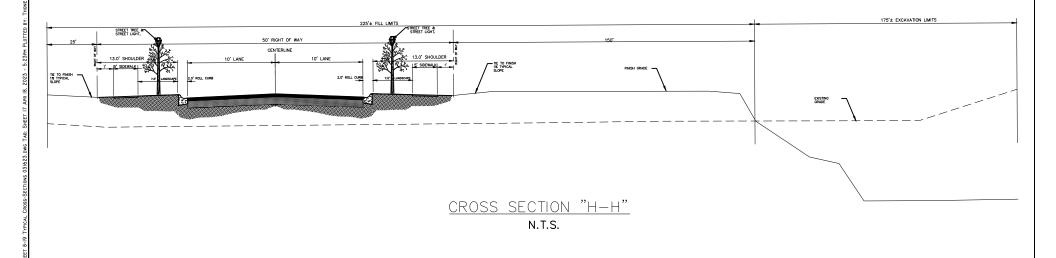
NOTES:

PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION G-G		
	Dwg. No. 20LLL3250-16	SHEET: 16 OF 19	
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23	
AFFLICANT. LENNAR HOMES - COASTAL CAROLINA	REVISIONS:	Scale: N.T.S.	



PROJECT NAME: WOODDALE

APPLICANT: LENNAR HOMES - COASTAL CAROLINA



TYPICAL CROSS-SECTION H-H

Dwg. No. 20LLL3250-I7

DRAWN BY: R.F.

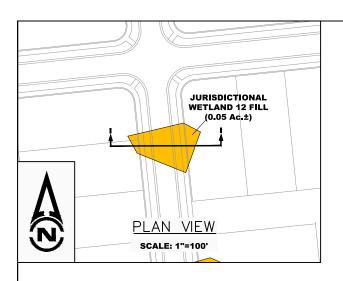
REVISIONS:

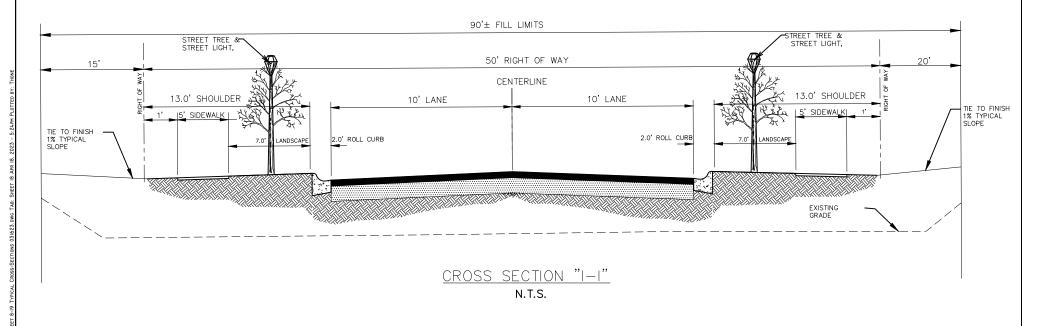
NOTES:

SHEET: 17 OF 19

DATE: 03/16/23

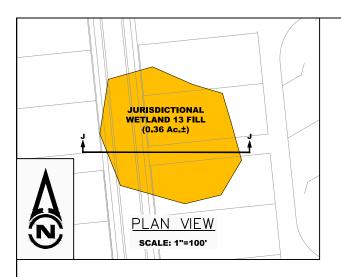
SCALE: N.T.S.

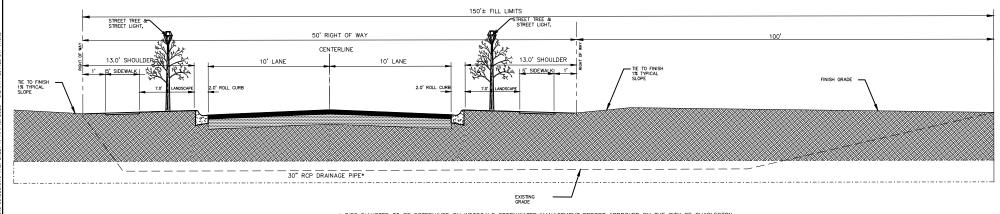




NOTES:

PROJECT NAME: WOODDALE	Typical Cross-Section I-I	
	Dwg. No. 20LLL3250-18	SHEET: 18 OF 19
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23
	REVISIONS:	SCALE: N.T.S.





CROSS SECTION "J-J"
N.T.S.

NOTES:

PROJECT NAME: WOODDALE	TYPICAL CROSS-SECTION J-J	
	Dwg. No. 20LLL3250-19	SHEET: 19 OF 19
APPLICANT: LENNAR HOMES - COASTAL CAROLINA	DRAWN BY: R.F.	DATE: 03/16/23
	REVISIONS:	Scale: N.T.S.