

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**750 Executive Center Drive, Suite 103**  
**Greenville, South Carolina 29615**  
**and**  
**THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL**  
**Bureau of Water**  
**2600 Bull Street**  
**Columbia, South Carolina 29201**

REGULATORY DIVISION  
Refer to: SAC-2023-01560

March 14, 2024

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. Henry Munn**  
**HIC Morgan, LLC**  
**522 Lady Street**  
**Columbia, South Carolina 29201**

**Mr. Joel Price**  
**Sligh Environmental Consultants, Inc.**  
**31 Park of Commerce Way**  
**Savannah, Georgia 31405**  
**j\_price@slighec.com**

for a permit to place fill material for a mixed-use development in

**Wetlands Adjacent to Brickyard Swamp**

Located south of John Smith Road where it intersects with Pine Arbor Road, Jasper County, South Carolina (Latitude: 32.2927 °, Longitude: -81.0460 °), Hardeeville 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 construct a mixed-use development to provide additional housing, commercial development and public facilities in the quickly growing Hardeeville area.

**Project Description**

The proposed work consists of the placement of fill material in 8.53 acres of jurisdictional wetland to construct a mixed-use development. In detail, the wetlands will be filled to construct 1150 single family homes, 950 multifamily units, 122,000 square feet of commercial development, a school, and a combined fire/police station.

**Avoidance and Minimization**

The applicant has stated the following concerning avoidance and minimization measures, "... in an effort to avoid and minimize wetland impacts to the greatest extent practicable, the applicant has considered on-site alternatives. The applicant would like to avoid all jurisdictional areas located within the project area; however, due to the locations of jurisdictional areas and the design needed to produce a viable neighborhood design and adjacent facilities, complete avoidance of jurisdictional impacts is not practicable. The applicant has maximized the use of existing infrastructure and all applicable upland areas within the project site."

**Proposed Compensatory Mitigation**

The applicant is proposing to mitigate by preserving the remaining 332.48 acres of wetlands and 58.9 acres of upland buffer on-site and purchasing wetland credits. After applying the 25-percent reduction for preserving all remaining waters on-site the applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 67.2 wetland credits from an approved mitigation bank with a service area that covers the project area.

**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.

### **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 freshwater wetlands inland 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: Northern Long-eared Bat (*Myotis septentrionalis*), (*Eastern Black Rail Laterallus jamaicensis ssp. Jamaicensis*), Red-cockaded Woodpecker (*Picoides borealis*), Wood Stork (*Mycteria americana*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), 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 Northern Long-eared Bat (*Myotis septentrionalis*) (*Eastern Black Rail Laterallus jamaicensis ssp. Jamaicensis*), Piping Plover (*Charadrius*

melodus), Red-cockaded Woodpecker (*Picoides borealis*), Wood Stork (*Mycteria americana*), Green Sea Turtle (*Chelonia mydas*), Kemp's Ridley Sea Turtle (*Lepidochelys kempii*), Leatherback Sea Turtle (*Dermochelys coriacea*), Loggerhead Sea Turtle (*Caretta caretta*), American Chaffseed (*Schwalbea americana*), Canby's Dropwort (*Oxypolis canbyi*), 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 Piping Plover (*Charadrius melodus*) 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)(1)(1)), and has initially determined that there are historic properties present, but they will not be affected; 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 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.

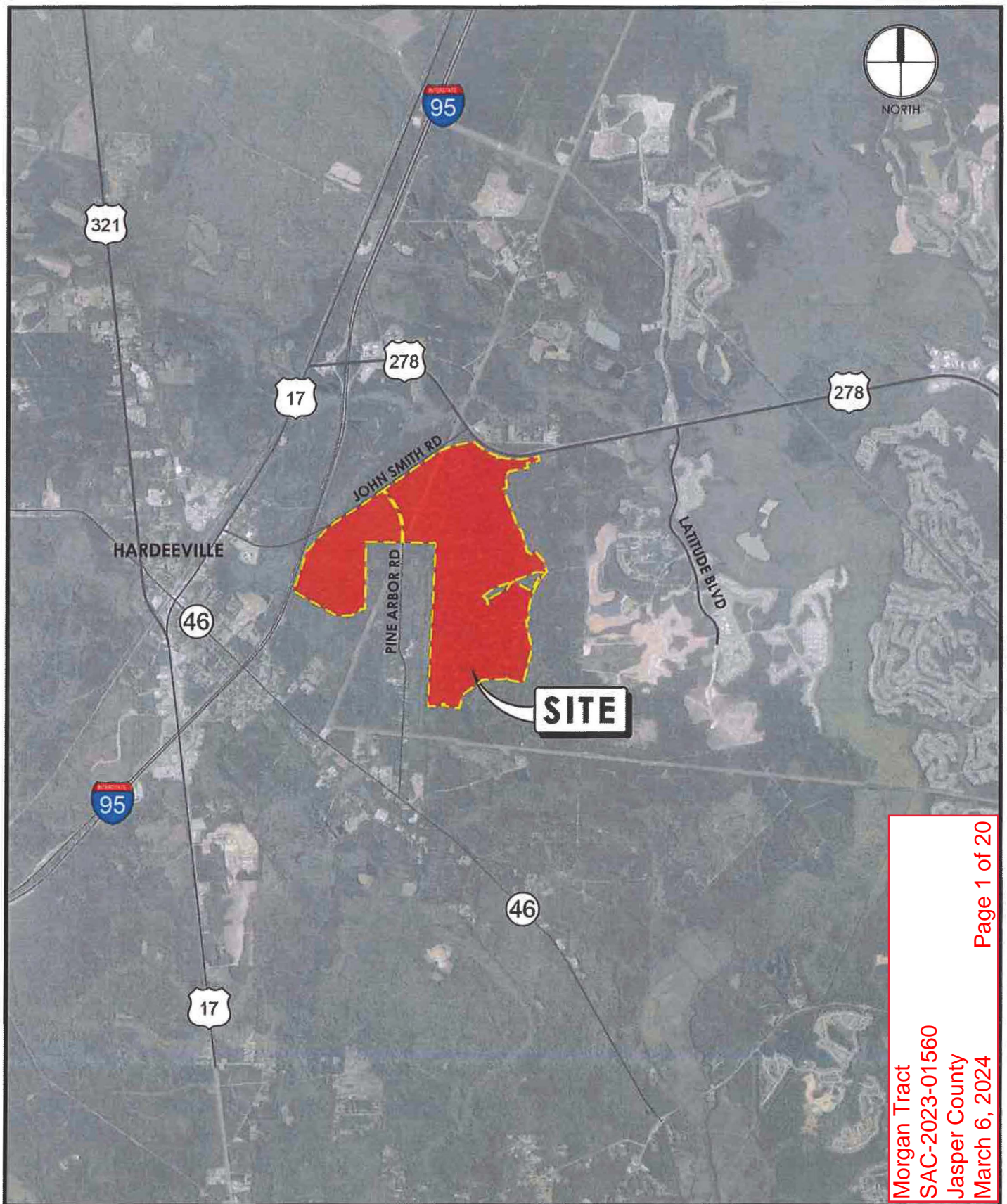
### **Solicitation of Public Comment**

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-2023-01560), to [Irvin.C.Ridgeway@usace.army.mil](mailto:Irvin.C.Ridgeway@usace.army.mil) or the following address:**

**U.S. Army Corps of Engineers  
ATTN: REGULATORY DIVISION  
750 Executive Center Drive, Suite 103  
Greenville South Carolina 29615**

If there are any questions concerning this public notice, please contact Chip Ridgeway, Project Manager, at 864-609-4326, or by email at [Irvin.C.Ridgeway@usace.army.mil](mailto:Irvin.C.Ridgeway@usace.army.mil).



Morgan Tract  
SAC-2023-01560  
Jasper County  
March 6, 2024  
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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**LOCATION MAP**

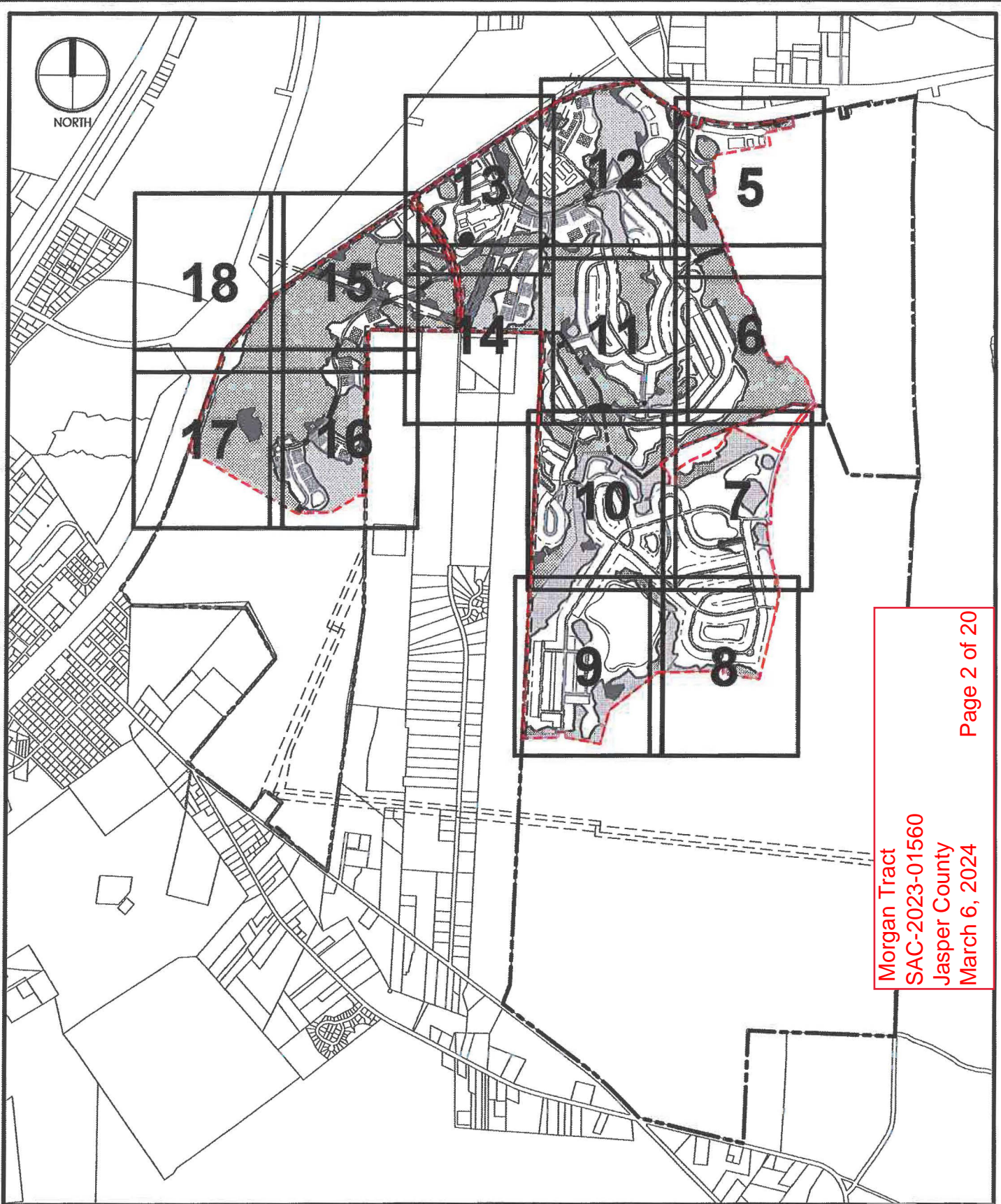
LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 1 OF 20

SCALE: 1" = 5000'

**THOMAS  
&  
HUTTON**





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Jasper County  
March 6, 2024  
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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**PROJECT MAP AND INDEX**

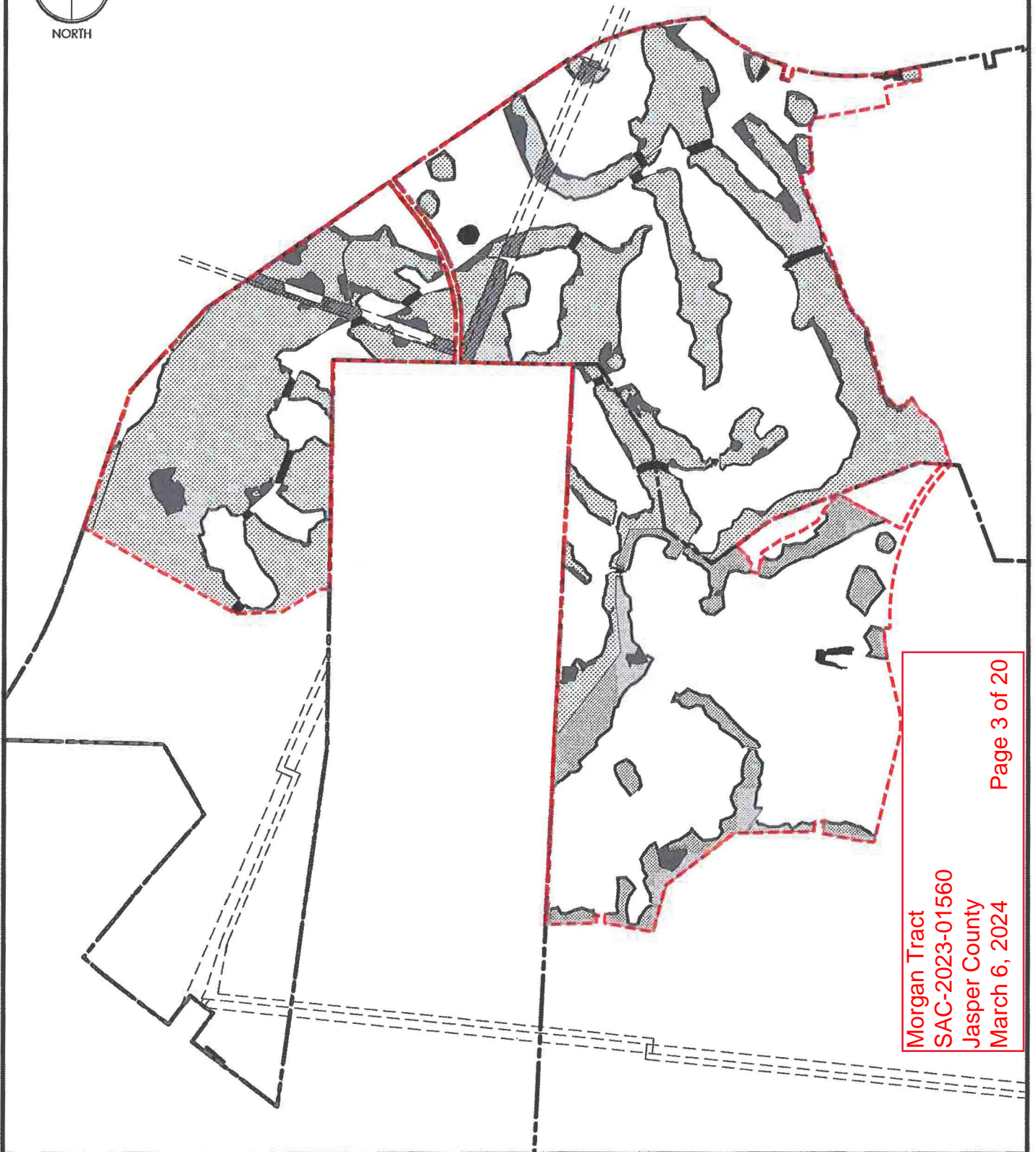
LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 2 OF 20

SCALE: 1" = 2000'

**THOMAS  
&  
HUTTON**





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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**OVERALL WETLAND MAP**










LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 3 OF 20

SCALE: 1" = 1500'



## LEGEND

USE	ACREAGE
 PROPERTY LINE	
 TOTAL PROJECT SITE/LIMIT OF PERMIT ACTIVITY	1,066.33 ACRES
 TOTAL WETLAND PRESERVE - PROPOSED	332.48 ACRES
 TOTAL WETLAND PRESERVE - RECORDED	54.92 ACRES
 *TOTAL WETLAND NON-PRESERVE	13.67 ACRES
 TOTAL WETLAND BUFFER - PROPOSED	58.90 ACRES
 TOTAL WETLAND BUFFER - RECORDED	14.75 ACRES
 TOTAL FILL	1.47 ACRES
 TOTAL ROAD CROSSING	7.06 ACRES

\* AREA LOCATED WITHIN DOMINION ENERGY (FKA/ AKA - SOUTH CAROLINA ELECTRIC AND GAS COMPANY) EASEMENT AND CENTRAL ELECTRIC POWER COOPERATIVE, INC. EASEMENT

## ACREAGE SUMMARY

LIMIT OF PERMIT ACTIVITY	1,066.33 ACRES
UPLAND	665.26 ACRES
WETLANDS	401.07 ACRES

## IMPACT SUMMARY

FILL	1.47 ACRES
ROAD CROSSING	7.06 ACRES
<b>TOTAL ACREAGE:</b>	<b>8.53 ACRES</b>

## MITIGATION SUMMARY

WETLAND PRESERVE	387.40 ACRES
UNDISTURBED WETLAND BUFFER	72.57 ACRES
RESTORATION	0.00 ACRES
<b>TOTAL ACREAGE:</b>	<b>459.97 ACRES</b>

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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

### SUMMARY OF QUANTITIES

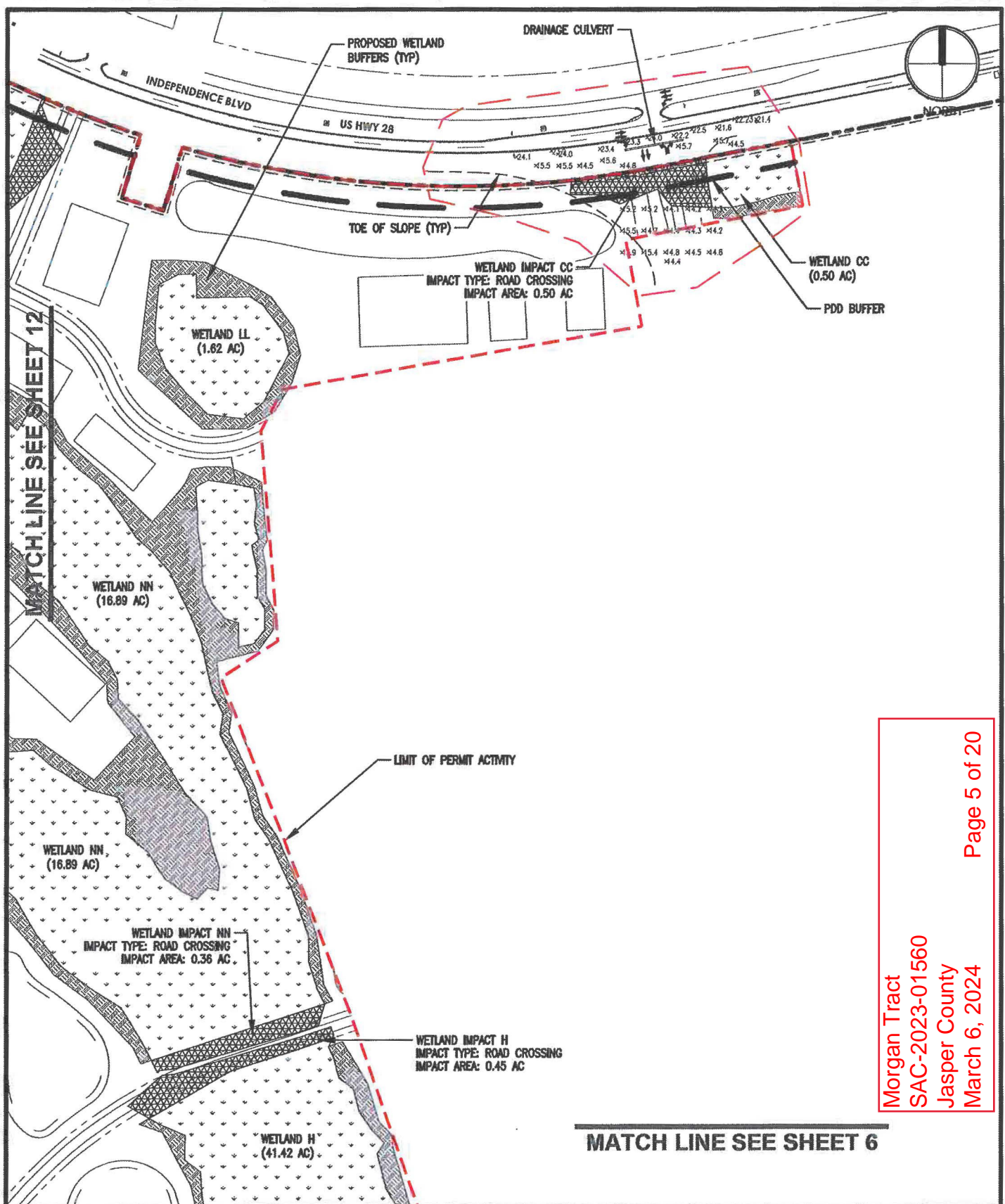
LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 4 OF 20

SCALE: NOT TO SCALE







Morgan Tract  
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Jasper County  
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# MORGAN TRACT WETLAND MANAGEMENT PLAN

**SHEET NAME:**

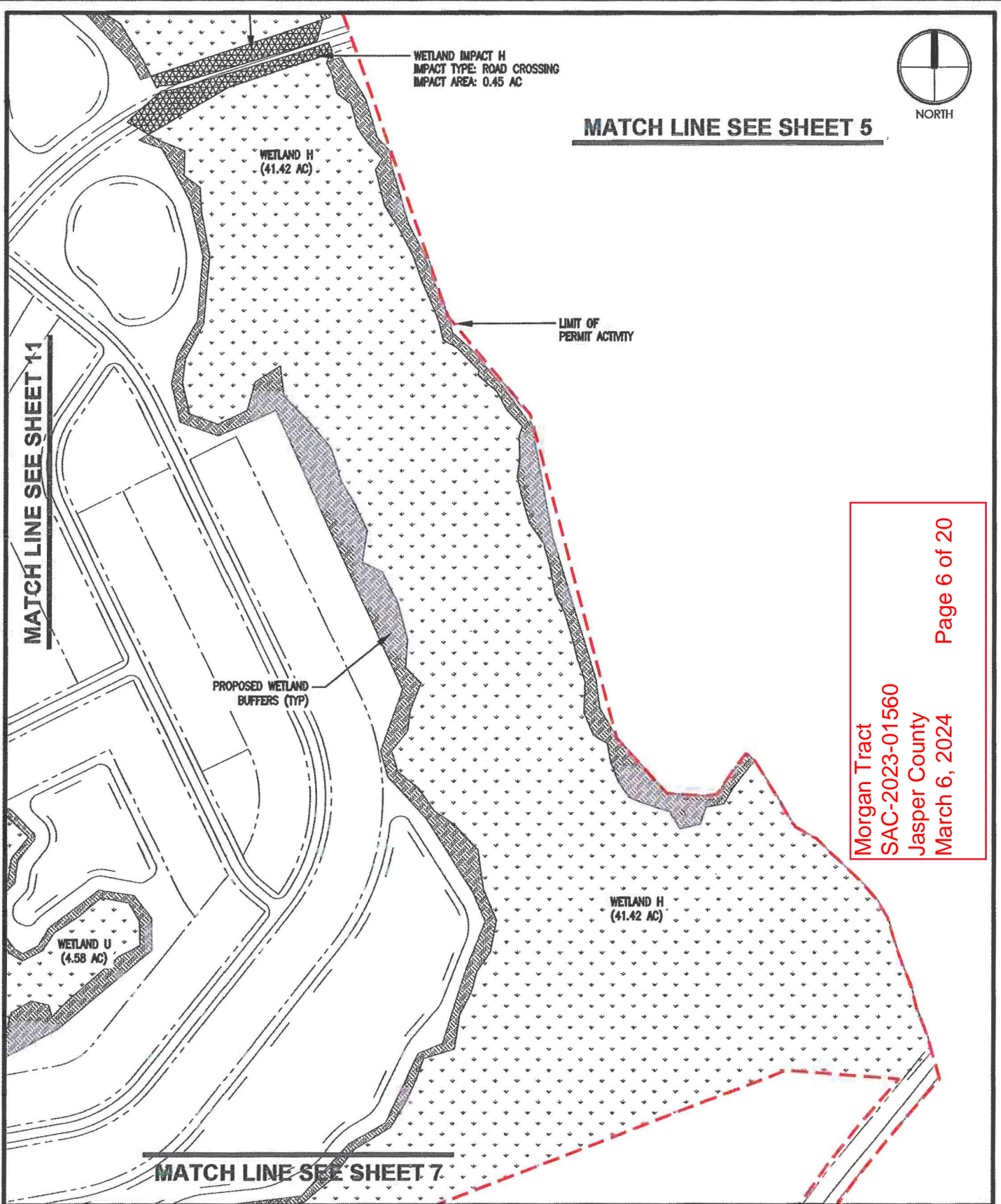
**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 5 OF 20

SCALE: 1" = 300'





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Jasper County  
March 6, 2024

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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

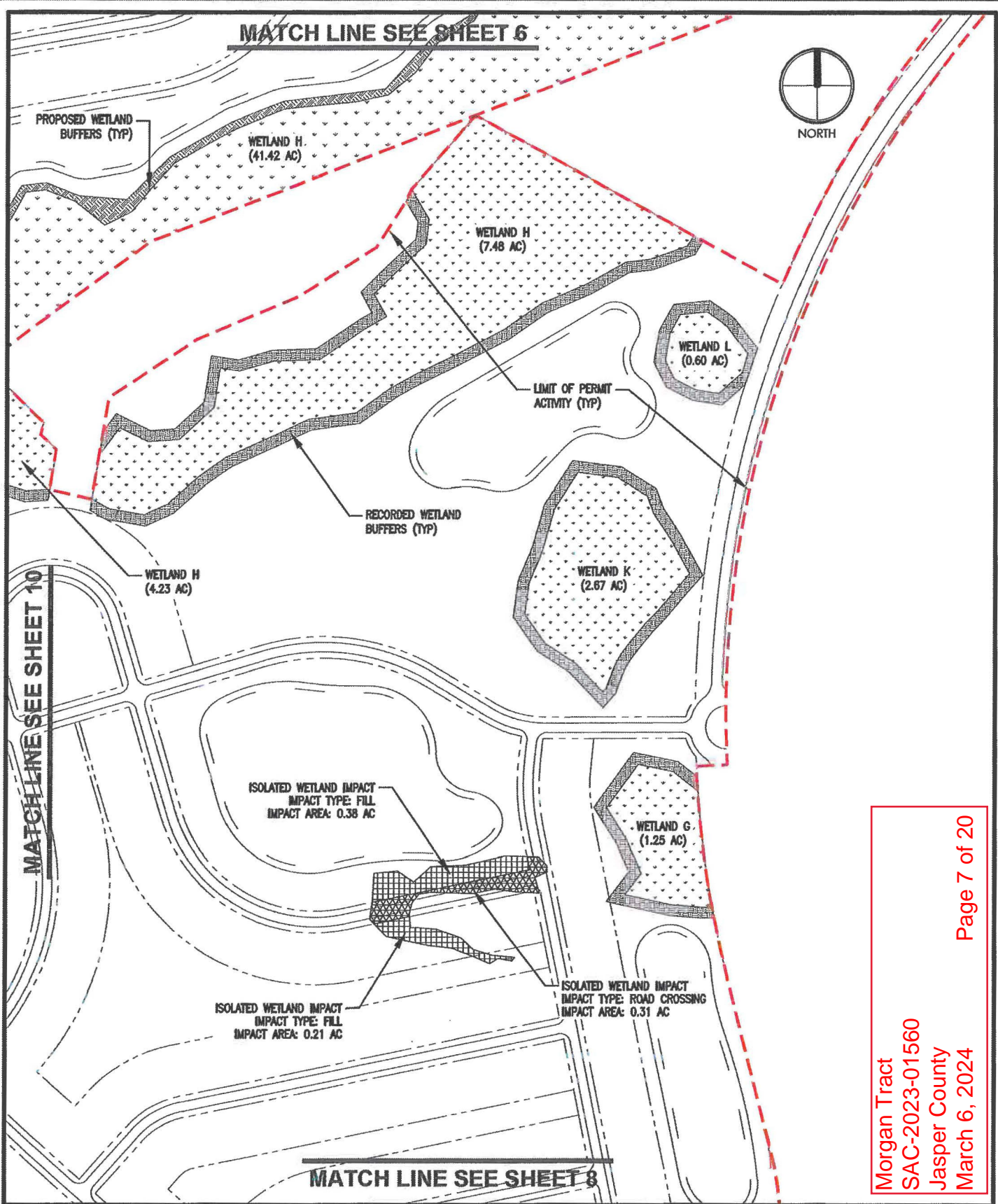
LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 6 OF 20

SCALE: 1" = 300'

**THOMAS  
&  
HUTTON**





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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023

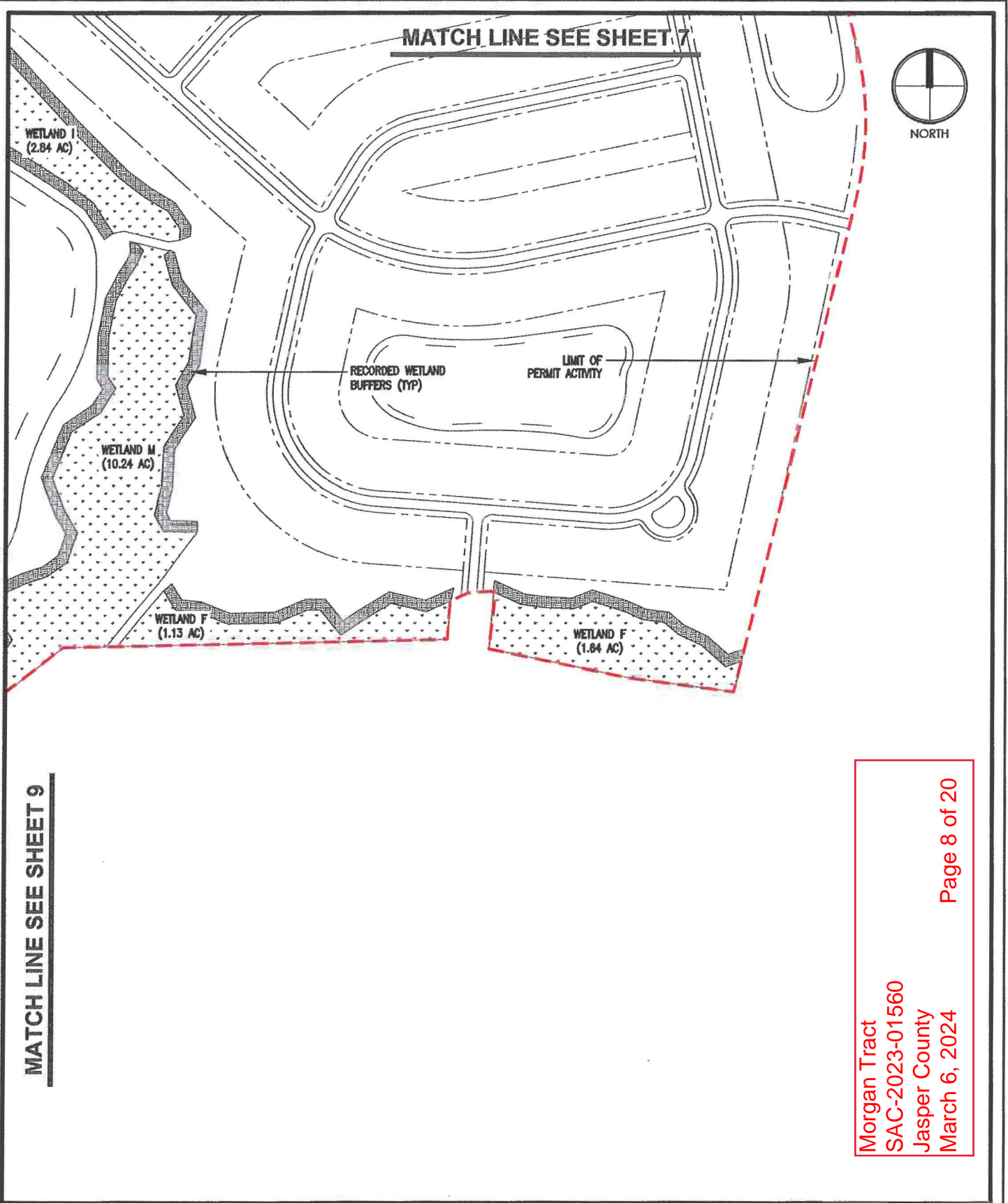
SHEET: 7 OF 20

SCALE: 1" = 300'



**THOMAS  
&  
HUTTON**





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March 6, 2024

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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

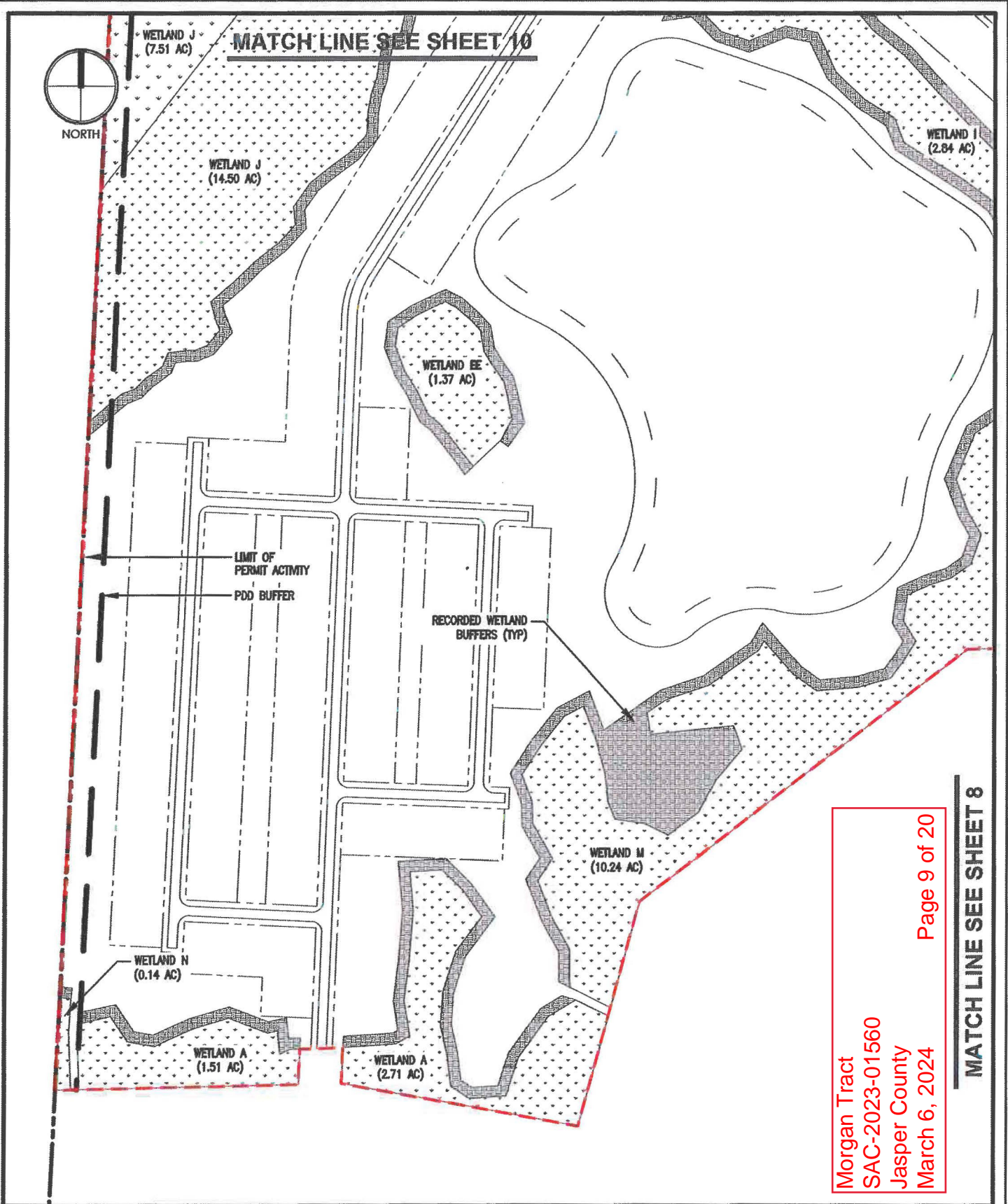
**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 8 OF 20

SCALE: 1" = 300'





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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

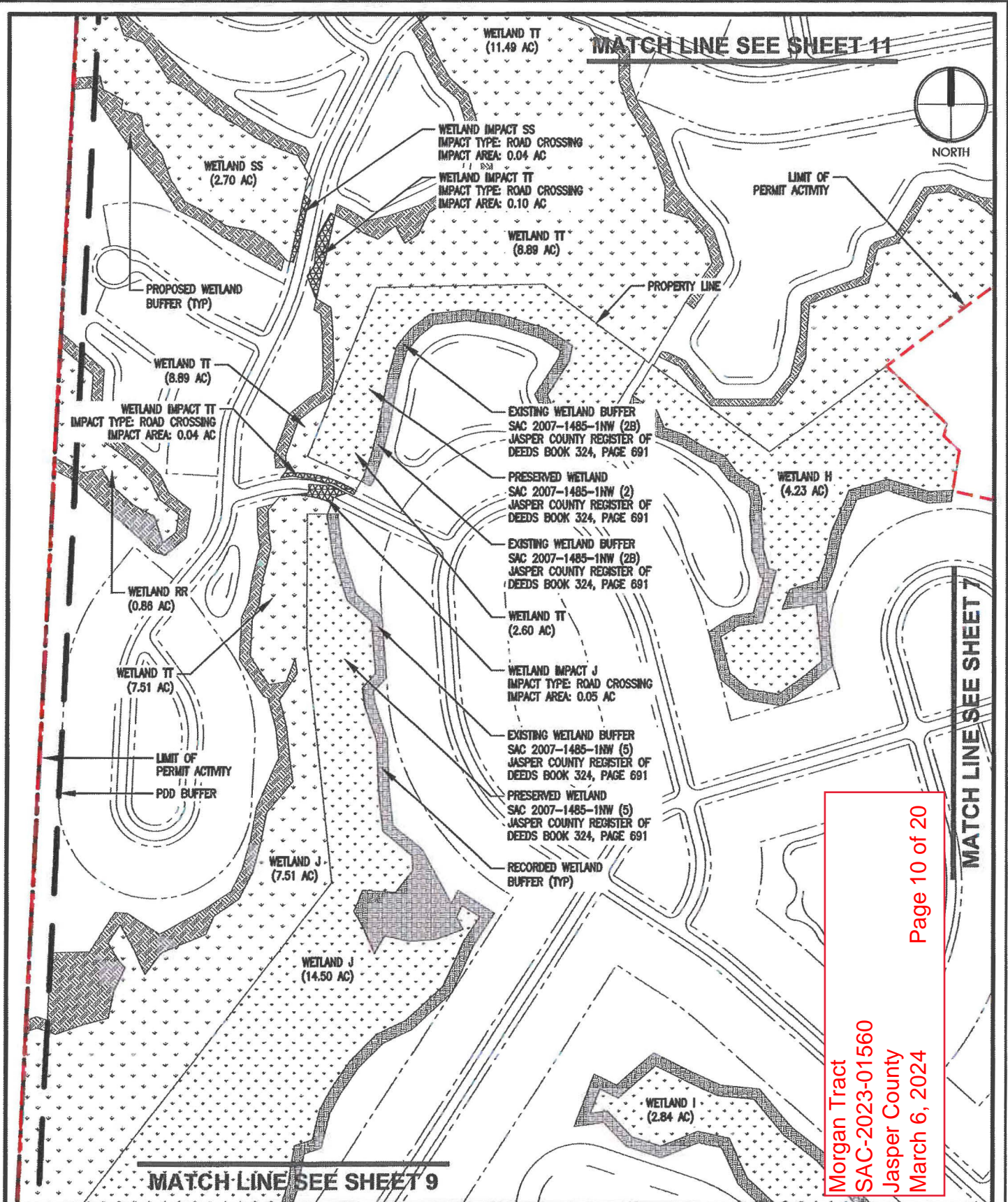
LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 9 OF 20

SCALE: 1" = 300'

**THOMAS  
&  
HUTTON**





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Jasper County  
March 6, 2024  
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# MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

MANAGEMENT PLAN

LOCATION: HARDEEVILLE, SOUTH CAROLINA

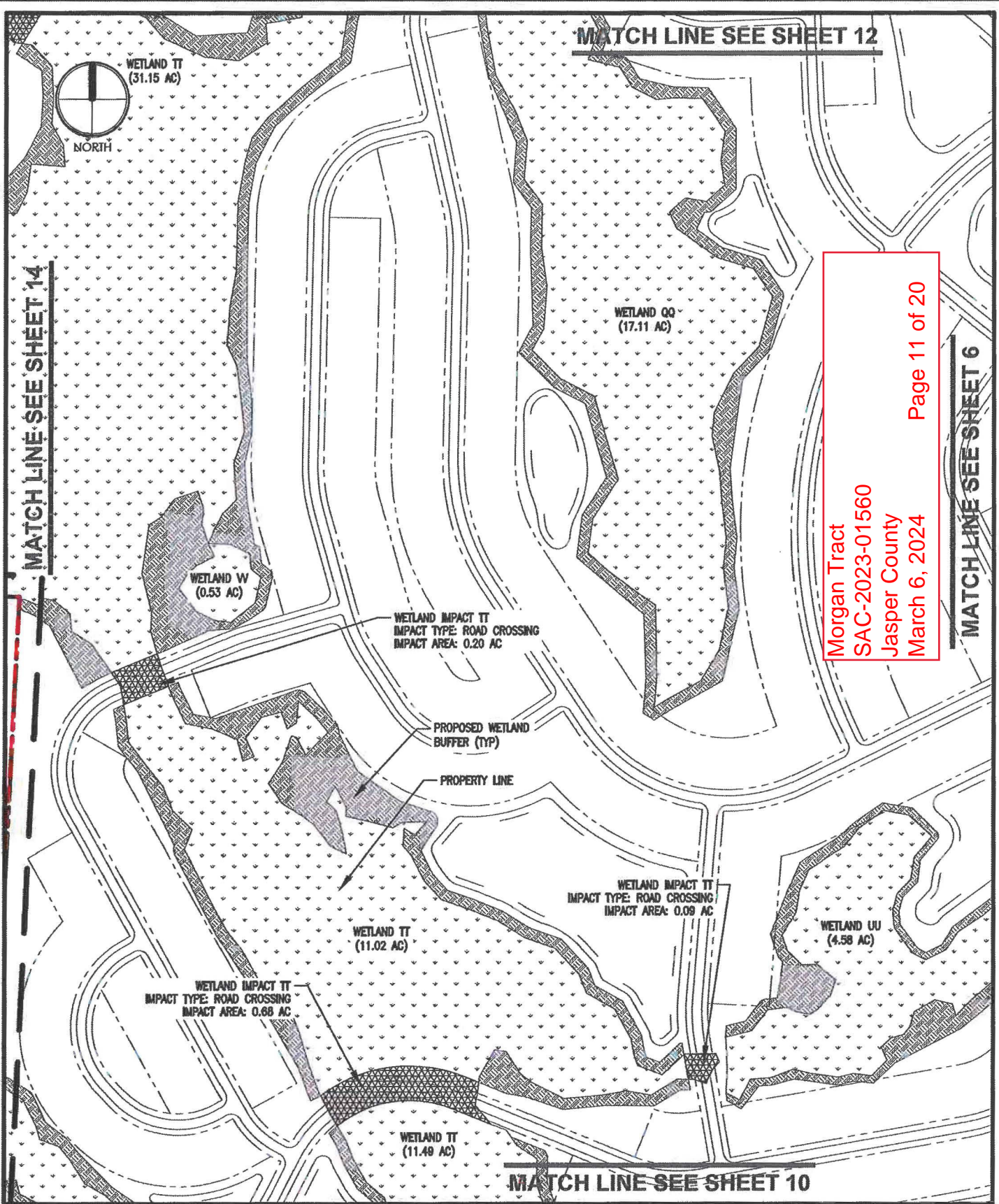
DATE: SEPTEMBER 2023

SHEET: 10 OF 20

SCALE: 1" = 300'

**THOMAS & HUTTON**





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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

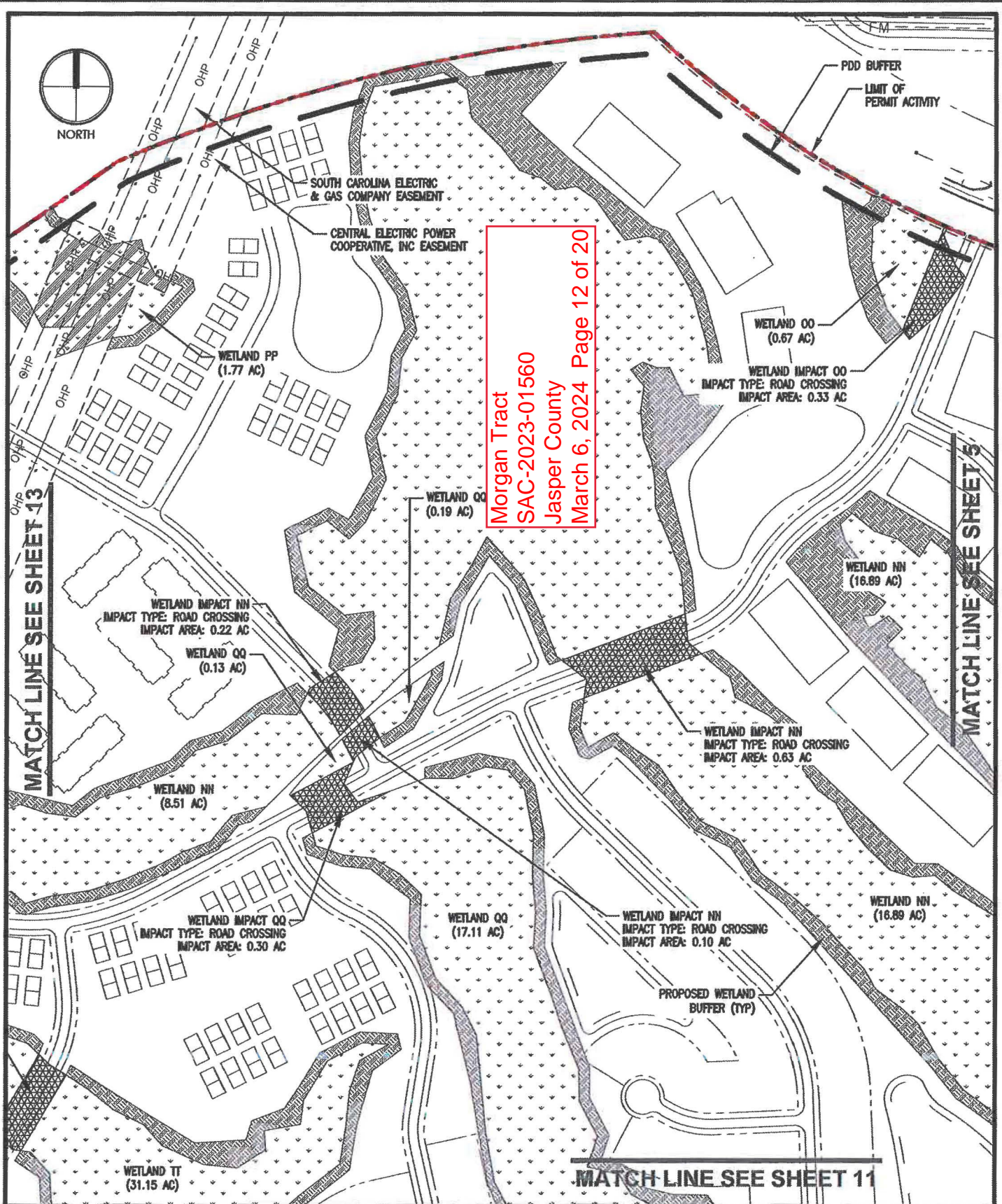
DATE: SEPTEMBER 2023

SHEET: 11 OF 20

SCALE: 1" = 300'

**THOMAS  
&  
HUTTON**





## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023

SHEET: 12 OF 20

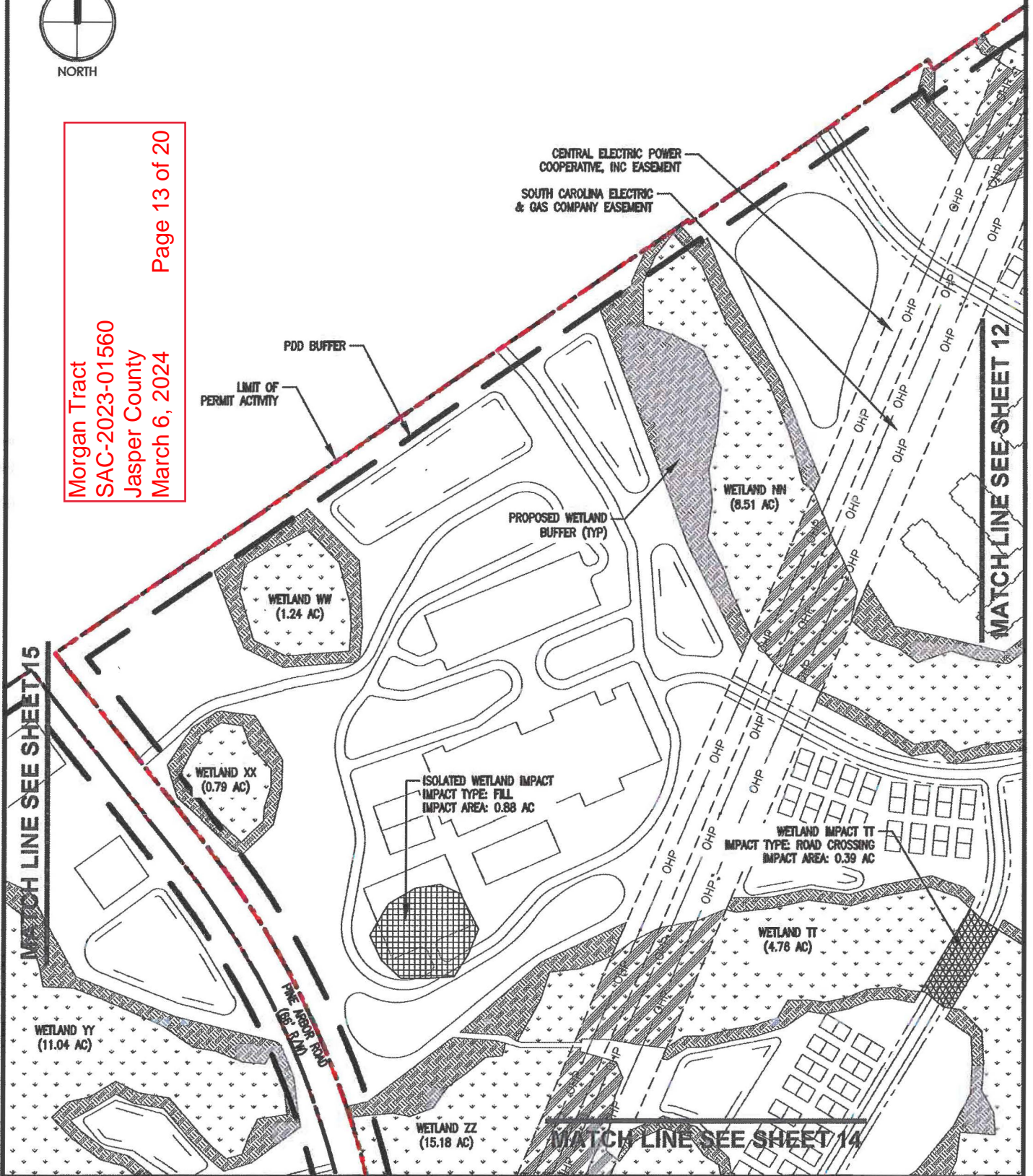
SCALE: 1" = 300'

**THOMAS  
&  
HUTTON**





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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 13 OF 20

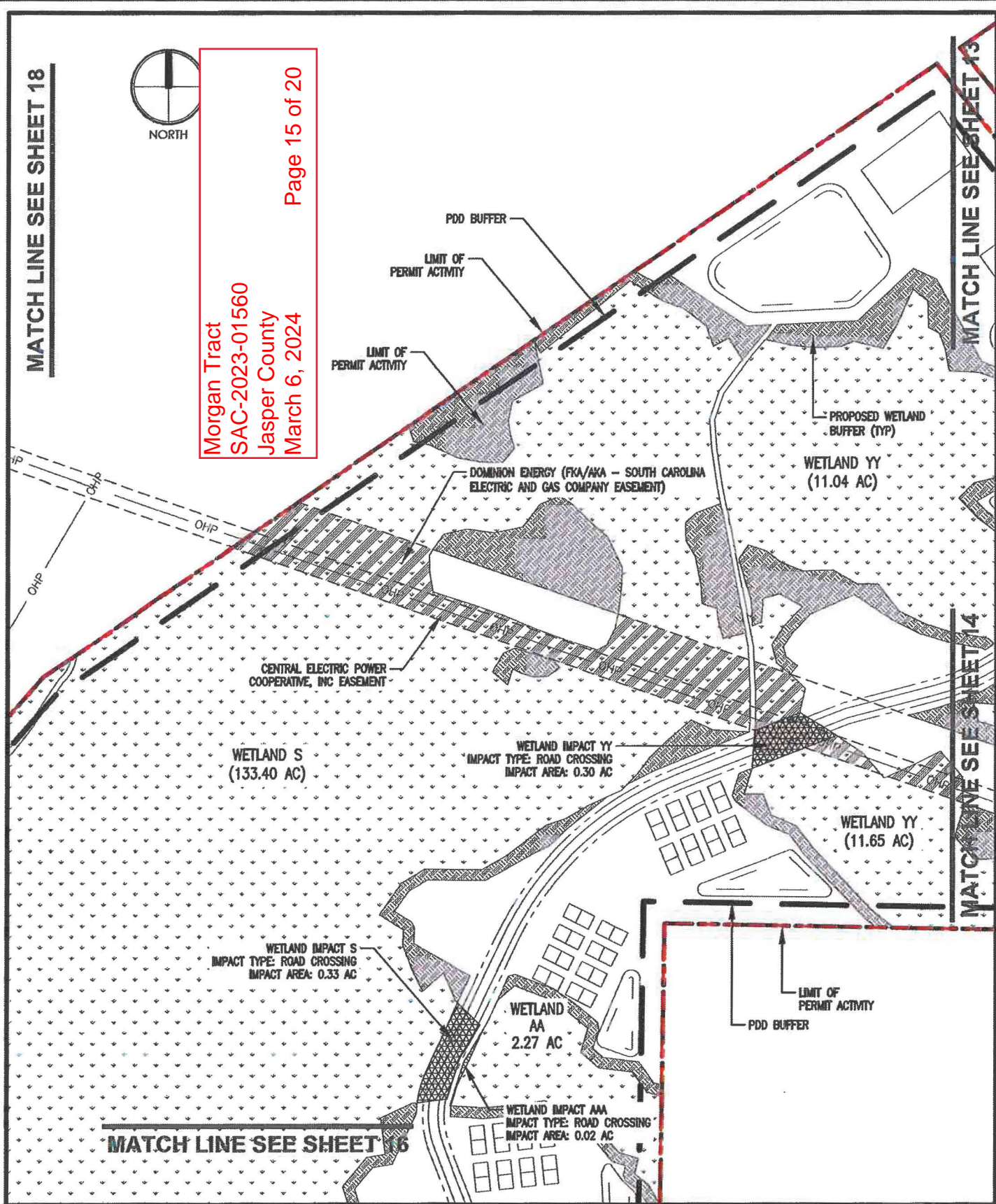
SCALE: 1" = 300'











# MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

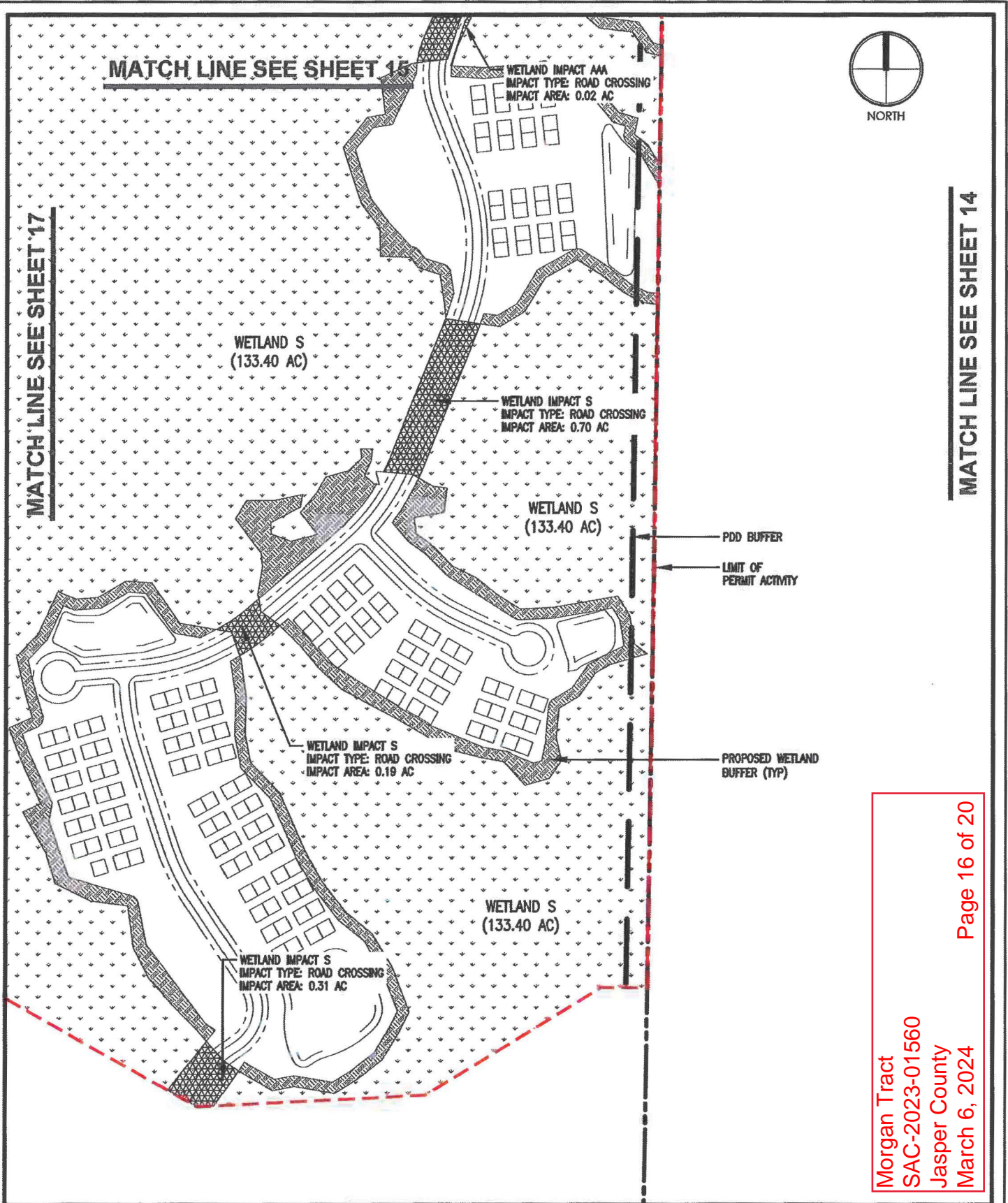
DATE: SEPTEMBER 2023

SHEET: 15 OF 20

SCALE: 1" = 300'







## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023

SHEET: 16 OF 20

SCALE: 1" = 300'



**THOMAS  
&  
HUTTON**

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March 6, 2024

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MATCH LINE SEE SHEET 18

LIMIT OF  
PERMIT ACTIVITY



WETLAND S  
(133.40 AC)

PROPOSED WETLAND  
BUFFER (TYP)

MATCH LINE SEE SHEET 16

## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 17 OF 20

SCALE: 1" = 300'







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MATCH LINE SEE SHEET 15

MATCH LINE SEE SHEET 17

LIMIT OF  
PERMIT ACTIVITY

PDD BUFFER

WETLAND S  
(133.40 AC)

## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:

**MANAGEMENT PLAN**

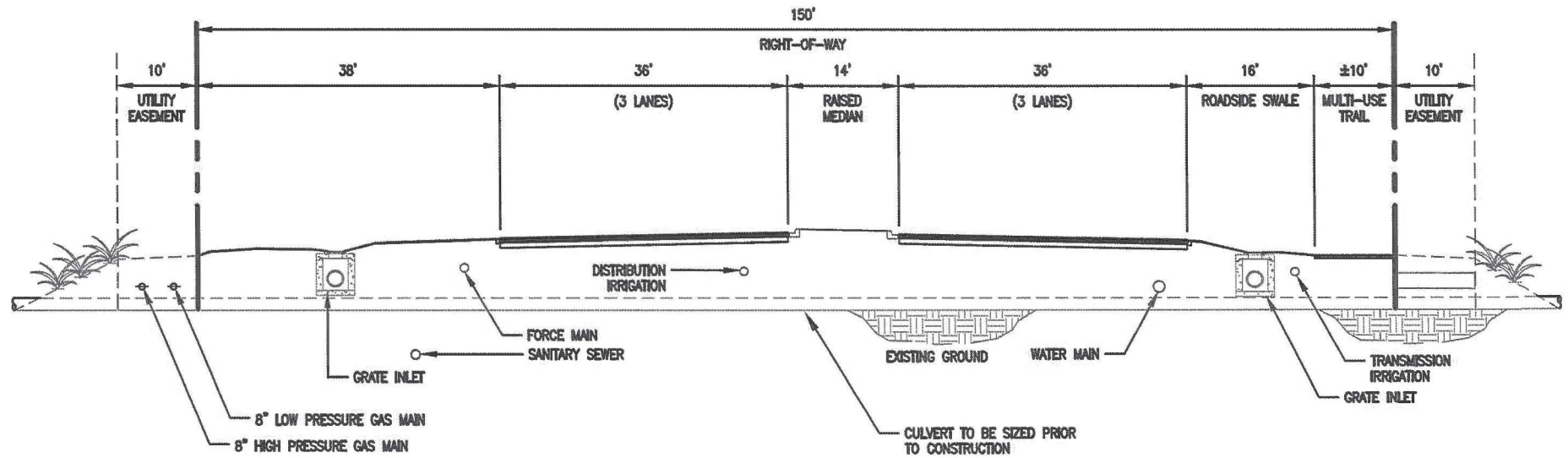
LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023

SHEET: 18 OF 20

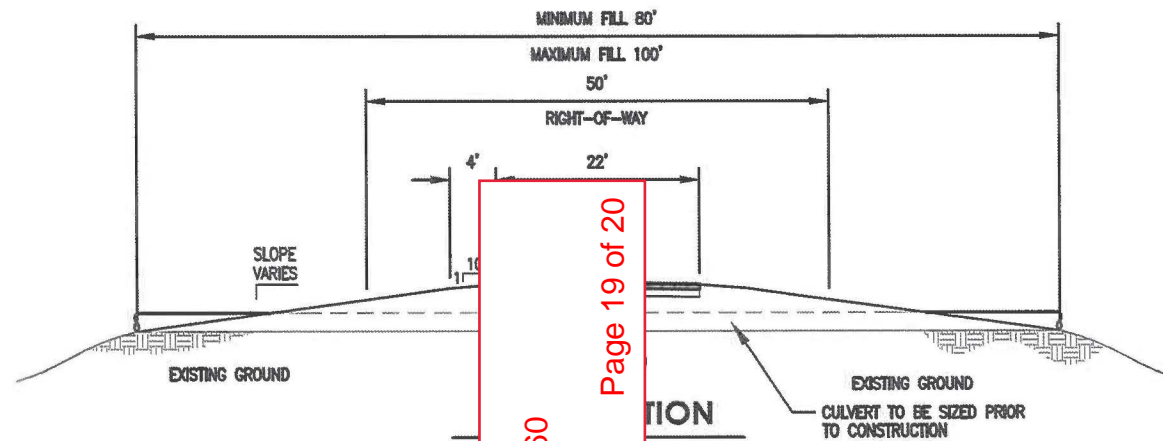
SCALE: 1" = 300'





### SPINE ROAD SECTION ROAD SECTION WITH MEDIAN FULL DEVELOPMENT

NOT TO SCALE



## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:  
TYPICAL SECTION

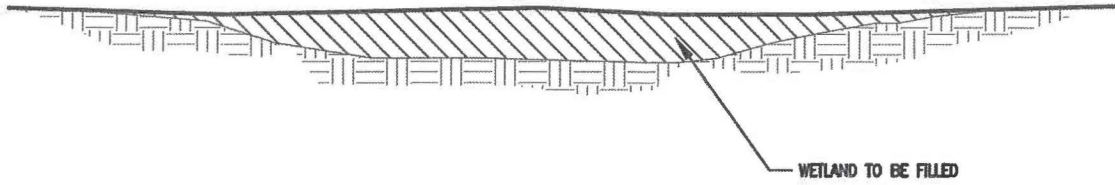
LOCATION: HARDEEVILLE, SOUTH CAROLINA

DATE: SEPTEMBER 2023 SHEET: 19 OF 20

SCALE: AS SHOWN

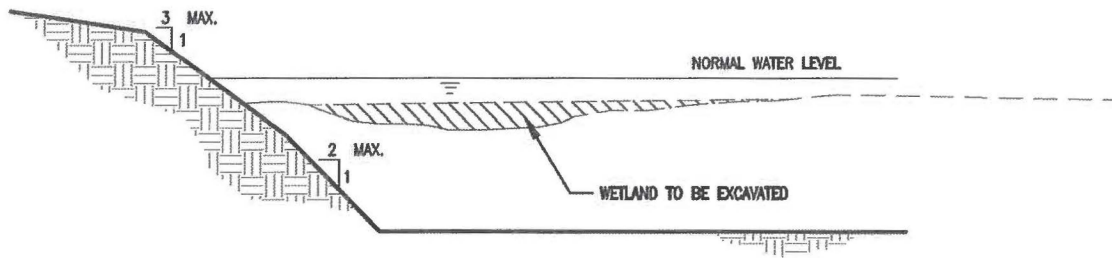
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**THOMAS  
&  
HUTTON**



### TYPICAL WETLAND FILL SECTION

NOT TO SCALE



### TYPICAL WETLAND EXCAVATION SECTION

NOT TO SCALE

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## MORGAN TRACT WETLAND MANAGEMENT PLAN

SHEET NAME:  
**TYPICAL SECTION**

LOCATION: HARDEEVILLE, SOUTH CAROLINA  
DATE: SEPTEMBER 2023 SHEET: 20 OF 20

SCALE: AS SHOWN

