

**JOINT**  
**PUBLIC NOTICE**

**CHARLESTON DISTRICT, CORPS OF ENGINEERS**  
**69A Hagood Avenue**  
**Charleston, SC 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: P/N SAC-2019-00520

May 3, 2019

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), 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. Bright McConnell**  
**c/o Mr. Ryan Clarey**  
**Newkirk Environmental, Inc.**  
**PO Box 746**  
**Mt. Pleasant, South Carolina 29465**

for a permit to place fill material in wetlands adjacent to

**BULLS CREEK**

Located at the intersection of Ashley River Road and Ashley Hall Plantation Road, adjacent to I-526, in the West Ashley section of Charleston, Charleston County, South Carolina (Latitude: 32.8164 °, Longitude: -80.0316 °), (**Johns Island Quad**) .

In order to give all interested parties an opportunity to express their views

**N O T I C E**

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 discharge of fill material into 0.39 acre of freshwater, non-tidal wetlands, for the construction of a multi-family residential development. In detail, the proposed project involves the discharge of approximately 444 cubic yards of fill material into 0.39

acre of freshwater, non-tidal wetlands for the construction of a multi-family residential development that includes the residential units, parking and stormwater facilities. The purpose of the proposed project is to establish a multi-family residential development. The applicant has avoided impacts to the remaining 0.37 acre of freshwater wetlands located onsite and proposes to preserve these remaining wetlands in perpetuity through deed restrictive covenants. To compensate for the unavoidable wetland impacts, the applicant is proposing to purchase 4.4 credits from an approved wetland mitigation bank.

**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 0.39 acres freshwater wetlands adjacent to 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.

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)), 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

May 3, 2019

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.

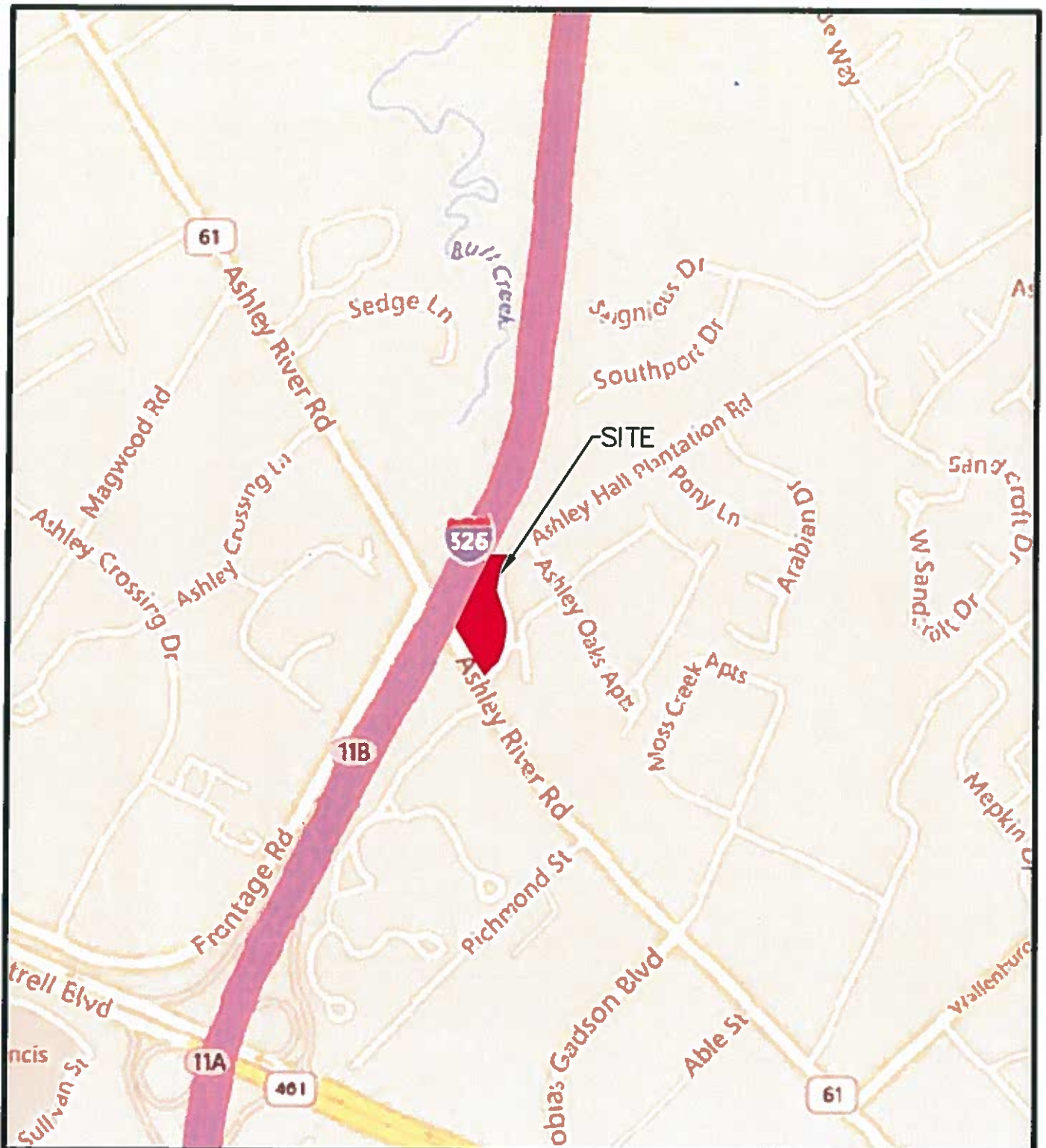
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency (EPA), under authority of Section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

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  
69A Hagood Avenue  
Charleston, SC 29403-5107**

If there are any questions concerning this public notice, please contact Tracy D. Sanders, Project Manager, at (843) 329-8190, toll free at 1-866-329-8187, or by email at Tracy.D.Sanders@usace.army.mil.





LATITUDE: 32° 48' 57.4" N    LONGITUDE: 80° 1' 54.1" W

Activity:  
TOWNHOUSES

Project:  
ASHLEY HALL PLANTATION TOWNHOMES

Location:  
CHARLESTON, SC

Applicant:

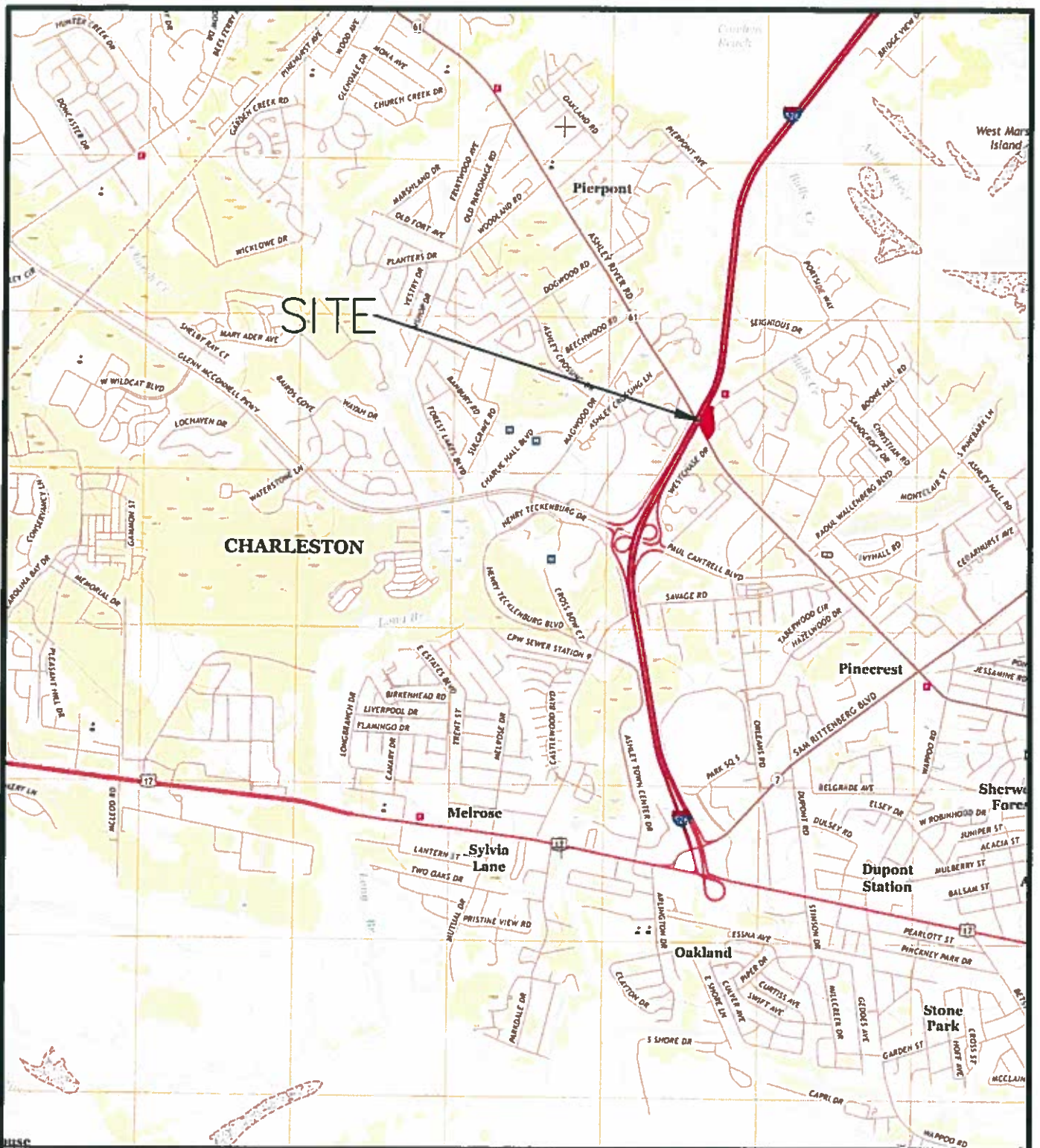
DR. BRIGHT MCCONNELL, II  
M. PAMELA HOLLINGS MCCONNELL TRUST  
JULIE HOLLINGS-BOWER - TRUSTEE  
117 WOODHAVEN DRIVE  
CHARLESTON, SC 29407

U.S. GEOLOGICAL SURVEY MAP AND  
SITE LOCATION  
JOHNS ISLAND QUADRANGLE  
CHARLESTON, SC

SHEET 2 OF 6

March 6, 2019





LATITUDE: 32° 48' 57.4" N    LONGITUDE: 80° 1' 54.1" W

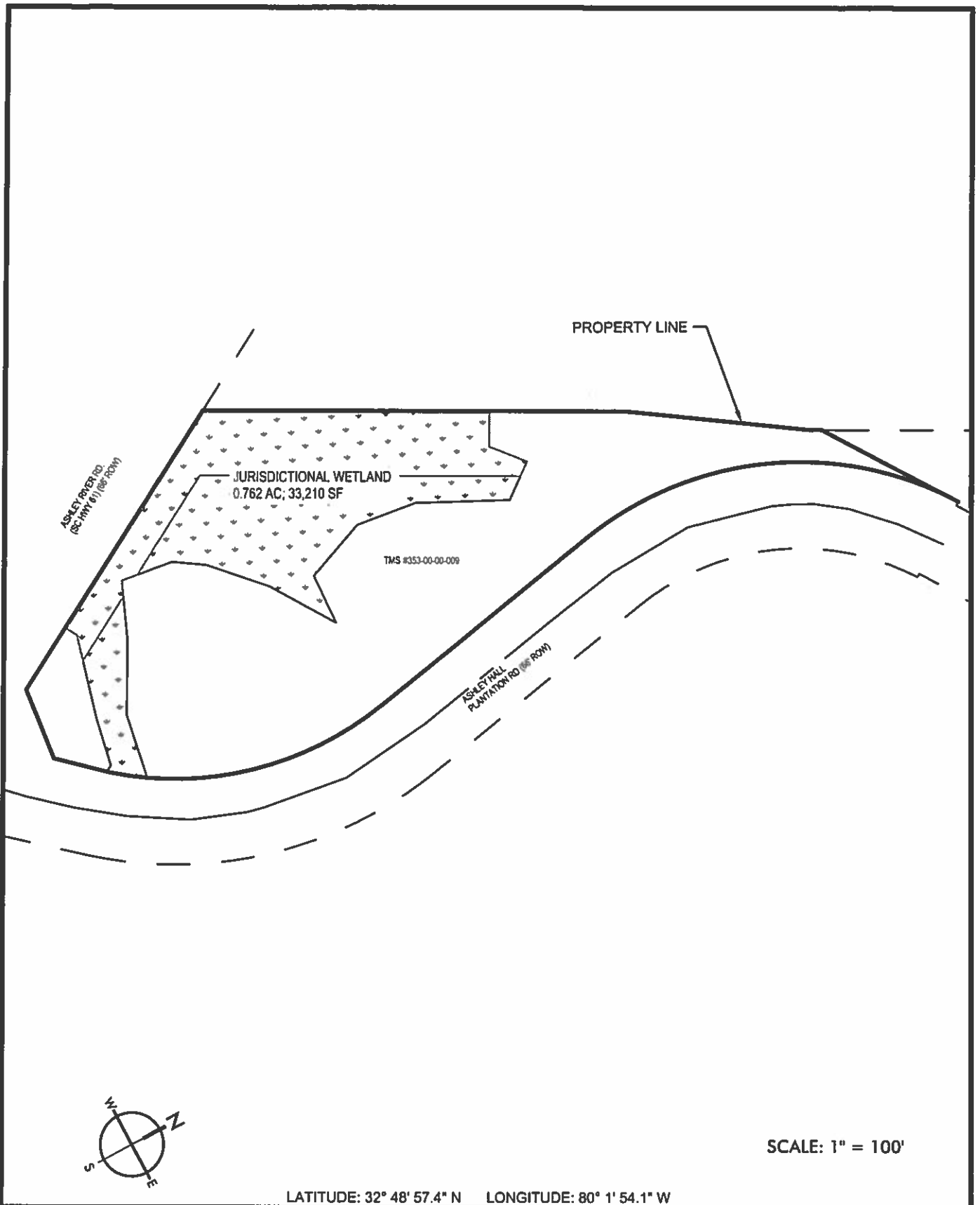
Activity:  
TOWNHOUSES  
Project:  
ASHLEY HALL PLANTATION TOWNHOMES  
Location:  
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Applicant:  
DR. BRIGHT MCCONNELL, II  
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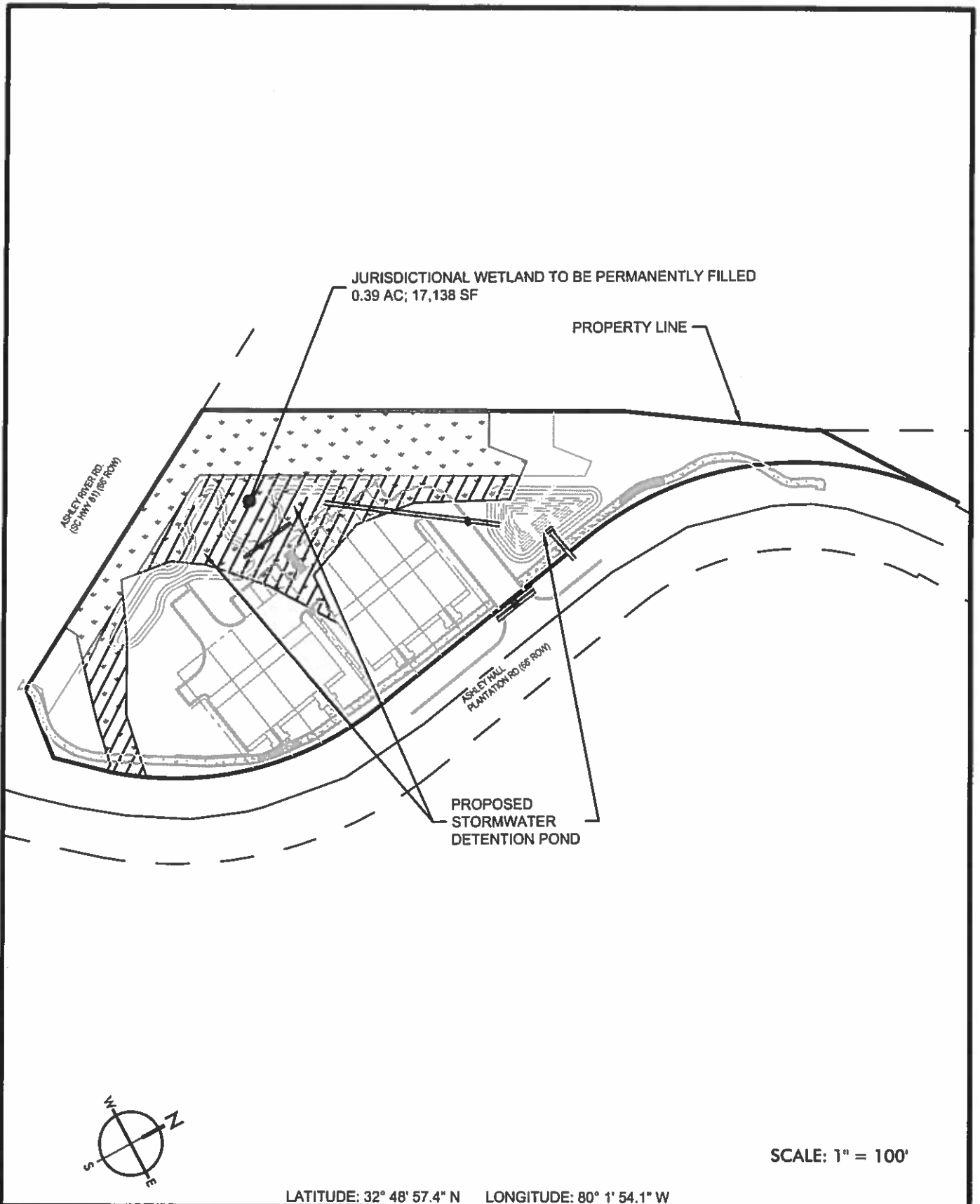
U.S. GEOLOGICAL SURVEY MAP AND  
SITE LOCATION  
JOHNS ISLAND QUADRANGLE  
CHARLESTON, SC

SHEET 1 OF 6

March 6, 2019



<p>Activity: TOWNHOUSES</p> <p>Project: ASHLEY HALL PLANTATION TOWNHOMES</p> <p>Location: CHARLESTON, SC</p>	<p>Applicant:</p> <p>DR. BRIGHT MCCONNELL, II M. PAMELA HOLLINGS MCCONNELL TRUST JULIE HOLLINGS-BOWER - TRUSTEE 117 WOODHAVEN DRIVE CHARLESTON, SC 29407</p>	<p>WETLAND EXISTING CONDITIONS EXHIBIT</p> <p>SHEET 3 OF 6</p> <p>March 6, 2019</p>
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Activity:  
TOWNHOUSES  
Project:  
ASHLEY HALL PLANTATION TOWNHOMES  
Location:  
CHARLESTON, SC

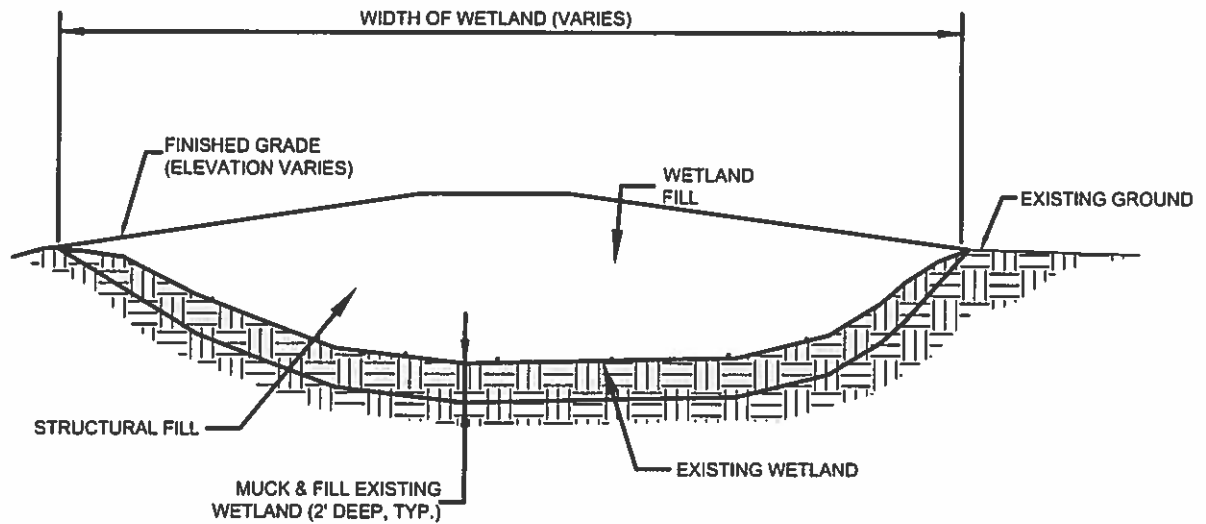
Applicant:  
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M. PAMELA HOLLINGS MCCONNELL TRUST  
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WETLAND IMPACT EXHIBIT

SHEET 4 OF 6

March 6, 2019





**TYPICAL WETLAND FILL DETAIL**  
(NOT TO SCALE)

WETLAND CUT/FILL CALCULATIONS				
	AREA (SF)	AREA (AC)	VOLUME (CF)	VOLUME (CY)
CUT	2800	.064	2600	96
FILL	14200	0.33	12000	444
TOTAL	17000	0.39	9400	348

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Activity:  
TOWNHOUSES

Project:  
ASHLEY HALL PLANTATION TOWNHOMES

Location:  
CHARLESTON, SC

Applicant:

DR. BRIGHT MCCONNELL, II  
M. PAMELA HOLLINGS MCCONNELL TRUST  
JULIE HOLLINGS-BOWER - TRUSTEE  
117 WOODHAVEN DRIVE  
CHARLESTON, SC 29407

**DETAILS**

SHEET 6 OF 6

March 12, 2019

#### SITE SUMMARY

TMS#353-00-00-009 = 2.18 AC

TOTAL SITE = 2.18 AC

TOTAL ONSITE JURISDICTIONAL WETLANDS =  
0.762 AC = 33,210 SF

#### JURISDICTIONAL WETLANDS

JURISDICTIONAL WETLAND = 0.762 AC

TOTAL = 0.762 AC = 33,210 SF

#### IMPACTS

IMPACT 1:  
PERMANENT JURISDICTIONAL WETLAND TO BE FILLED

TOTAL DISTURBANCE = 0.39 AC  
= 17,138 SF

#### AVOIDANCE/MINIMIZATION

PRESERVED BUFFER = 0.086 AC

PRESERVED WETLANDS = 0.37 AC

Activity:  
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## SUMMARY