

**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: P/N SAC-2022-00488

May 24, 2022

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. Roger Hunt**  
**Stanley Martin Homes**  
**502 Wando Park Blvd., Suite 101**  
**Mt. Pleasant, South Carolina 29464**

for a permit to construct a residential development in

wetlands adjacent to Pennys Creek

at a location off Maybank Highway on Johns Island, Charleston County, South Carolina (Latitude: 32.7452 °, Longitude: -80.0334 °), Legareville, SC USGS 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 impacting 0.54 acre of freshwater wetlands to construct phase two of the Indigo Grove residential development. The development would provide single family homes for the rapidly growing area of Johns Island. In detail, 0.5 acre of wetland would be filled/graded for access roads, residential lots, and stormwater features. In addition, 0.04 acre of wetland would be impacted to install a sewer line. The applicant has proposed to mitigate for impacts to waters of the U.S. by purchasing 5.9 freshwater wetland mitigation credits from a Corps approved mitigation bank. In addition, the applicant has also proposed to preserve the remaining 5.25 acres of on-site wetlands along with an approximately 10' wide upland buffer. The project purpose is to expand the existing Indigo Grove residential development to provide for the rising housing needs in the area.

**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 Public Notice will serve as the notification to the Administrator of the Environmental Protection Agency (EPA) pursuant to section 401(a)(2) of the Clean Water Act.

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 0.54 acre of freshwater wetlands located upstream from estuarine habitat 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 the frosted flatwoods salamander, Bachman's warbler, Eastern black rail, piping plover, red-cockaded woodpecker, Rufa red knot, Canby's dropwort, American chaffseed, and pondberry; the project is not likely to adversely affect the Northern long-eared bat and the American wood stork; and the project 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.

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 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.

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 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.

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, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Leslie Estill, Project Manager, at (843) 329-8039, or by email at [Leslie.A.Estill@usace.army.mil](mailto:Leslie.A.Estill@usace.army.mil).

# **INDIGO GROVE - PHASE 2**

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JOHNS ISLAND, CITY OF CHARLESTON, CHARLESTON, SC  
TMS# 345-00-00-217

## **WETLAND PERMIT PROJECT DRAWINGS**

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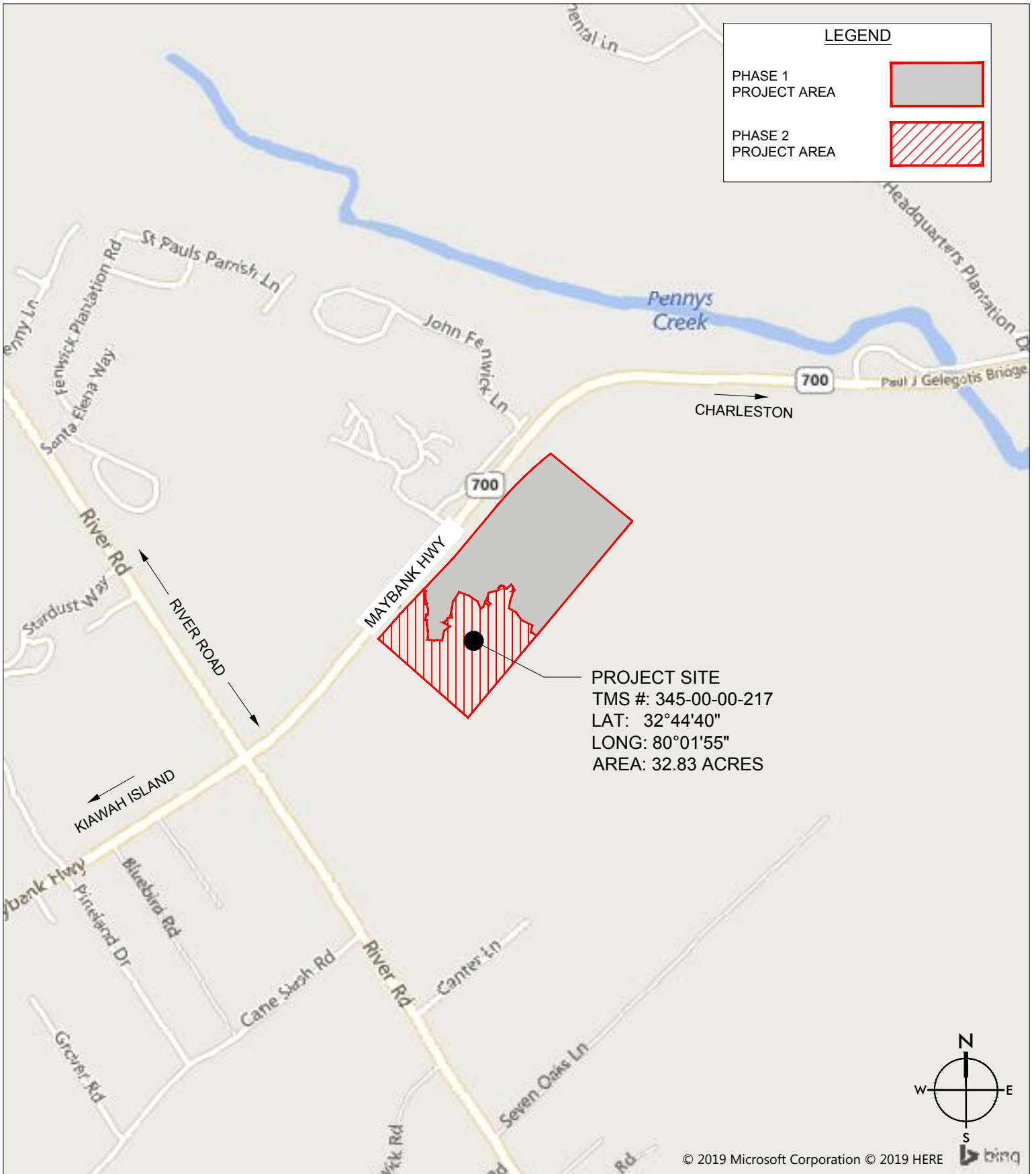
VICINITY MAP	1
USGS QUADRANGLE MAP	2
EXISTING CONDITIONS	3
WETLAND IMPACT SITE PLAN	4-7
WETLAND IMPACT CROSS-SECTION	8
WETLAND IMPACT PROFILE	9-10

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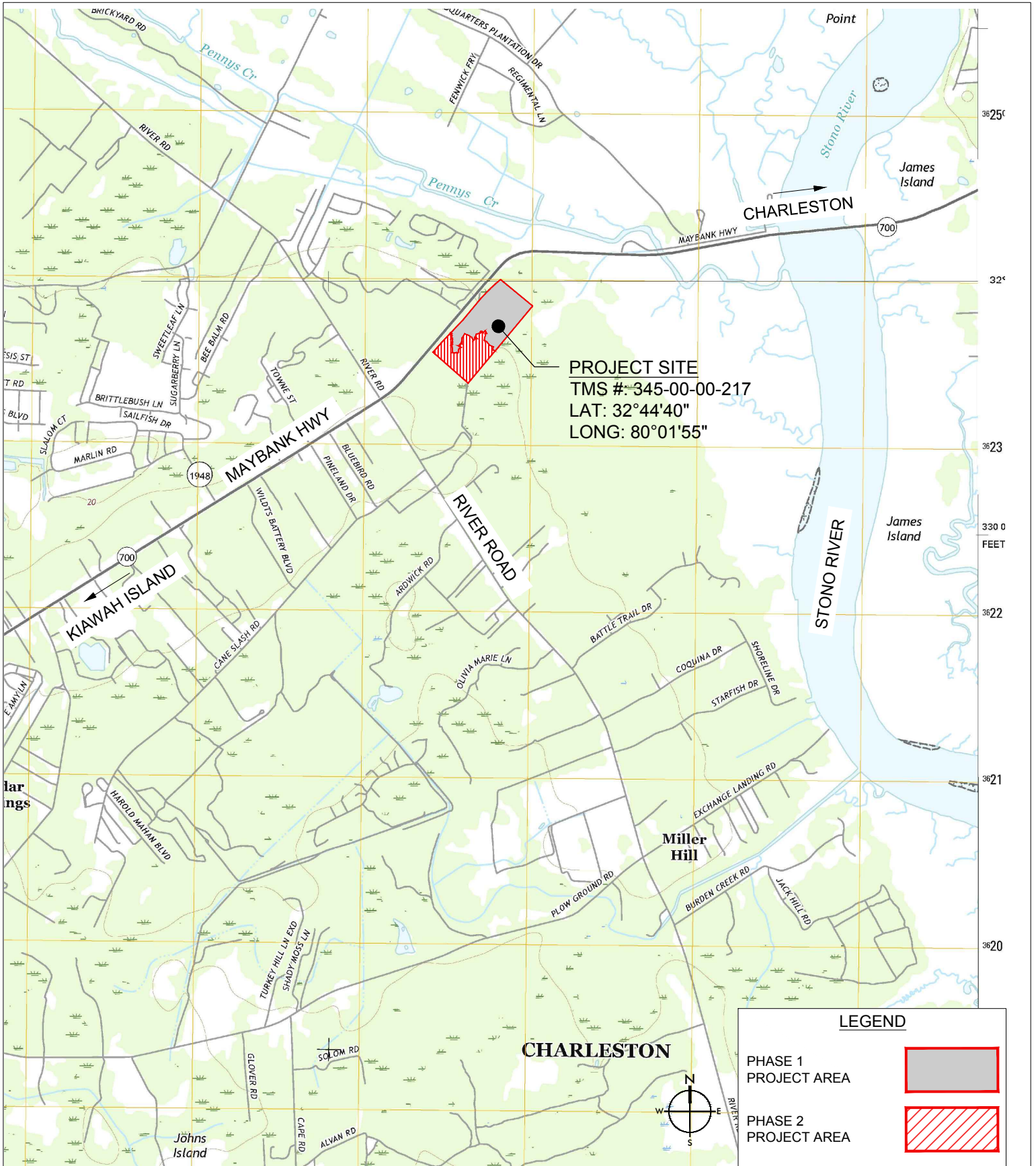


**INDIGO GROVE - PHASE 2**  
APPLICANT: STANLEY MARTIN, LLC  
PROJECT #: 8068  
DATE: 04/28/2022

COVER SHEET







## PLAN LEGEND

-  JD WETLAND AREA
-  WETLAND PERMIT BOUNDARY LINE

MAYBANK HIGHWAY  
(R/W VARIES)

WETLAND PERMIT  
BOUNDARY LINE

TMS# 345-00-00-217  
32.83 ACRES

TMS# 345-00-00-091

PROPERTY  
BOUNDARY LINE

## SITE DATA

EXISTING CONDITIONS:	
UPLAND AREA	= 8.87 AC
JD WETLAND AREA	= 5.75 AC
TOTAL SITE AREA	= 14.62 AC

TMS# 345-00-00-090



**INDIGO GROVE - PHASE 2**  
PROJECT #: 8068  
DATE: 04/28/2022  
SCALE: 1"=150'

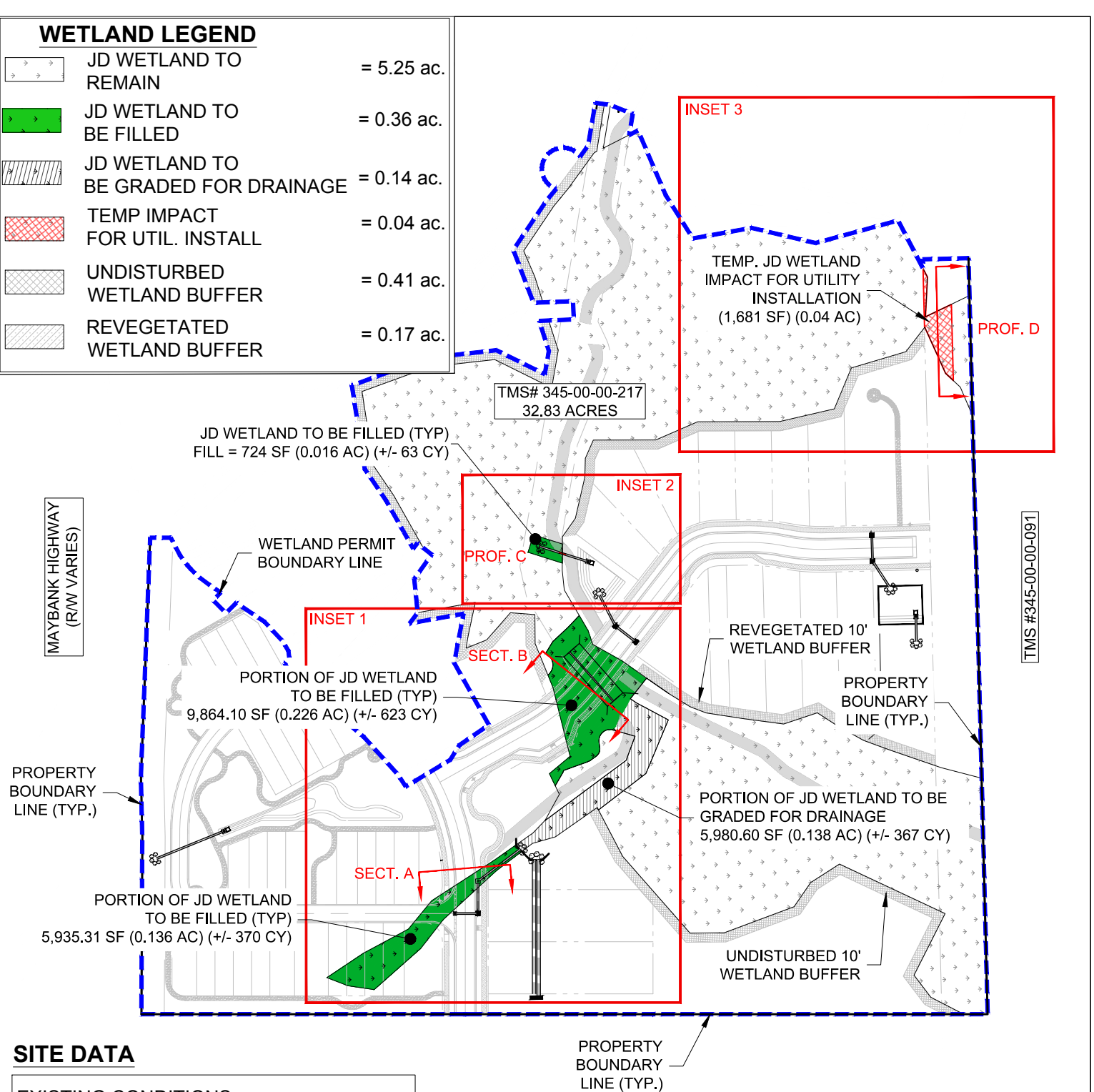
EXISTING CONDITIONS

SHEET #3



## WETLAND LEGEND

	JD WETLAND TO REMAIN	= 5.25 ac.
	JD WETLAND TO BE FILLED	= 0.36 ac.
	JD WETLAND TO BE GRADED FOR DRAINAGE	= 0.14 ac.
	TEMP IMPACT FOR UTIL. INSTALL	= 0.04 ac.
	UNDISTURBED WETLAND BUFFER	= 0.41 ac.
	REVEGETATED WETLAND BUFFER	= 0.17 ac.



## SITE DATA

### EXISTING CONDITIONS:

UPLAND AREA	= 8.87 AC
JD WETLAND AREA	= 5.75 AC
TOTAL SITE AREA	= 14.62 AC

### IMPACTS:

JD WETLAND IMPACT	= 0.50 AC
JD WETLAND TO REMAIN	= 5.25 AC

**INDIGO GROVE - PHASE 2**  
PROJECT #: 8068  
DATE: 04/28/2022  
SCALE: 1"=150'

WETLAND IMPACT  
OVERALL SITE PLAN

SHEET #4



## WETLAND LEGEND

	JD WETLAND TO REMAIN	= 5.25 ac.
	JD WETLAND TO BE FILLED	= 0.36 ac.
	JD WETLAND TO BE GRADED FOR DRAINAGE	= 0.14 ac.
	UNDISTURBED WETLAND BUFFER	= 0.41 ac.
	REVEGETATED WETLAND BUFFER	= 0.17 ac.

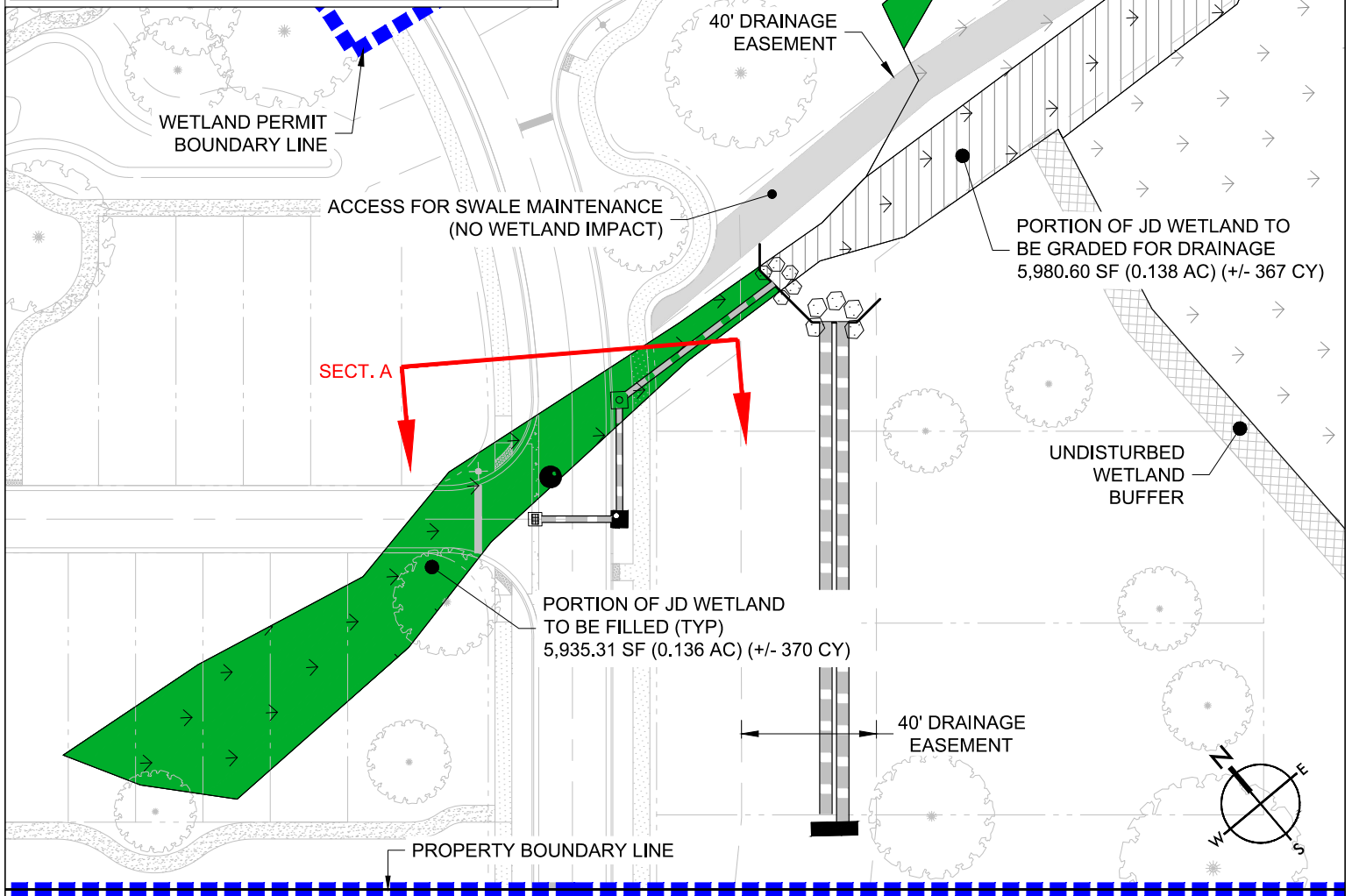
## SITE DATA

### EXISTING CONDITIONS:

UPLAND AREA	= 8.87 AC
JD WETLAND AREA	= 5.75 AC
<b>TOTAL SITE AREA</b>	<b>= 14.62 AC</b>

### IMPACTS:

JD WETLAND IMPACT	= 0.50 AC
JD WETLAND TO REMAIN	= 5.25 AC



## INDIGO GROVE - PHASE 2

PROJECT #: 8068






DATE: 04/28/2022

SCALE: 1"=50'

WETLAND IMPACT  
INSET 1

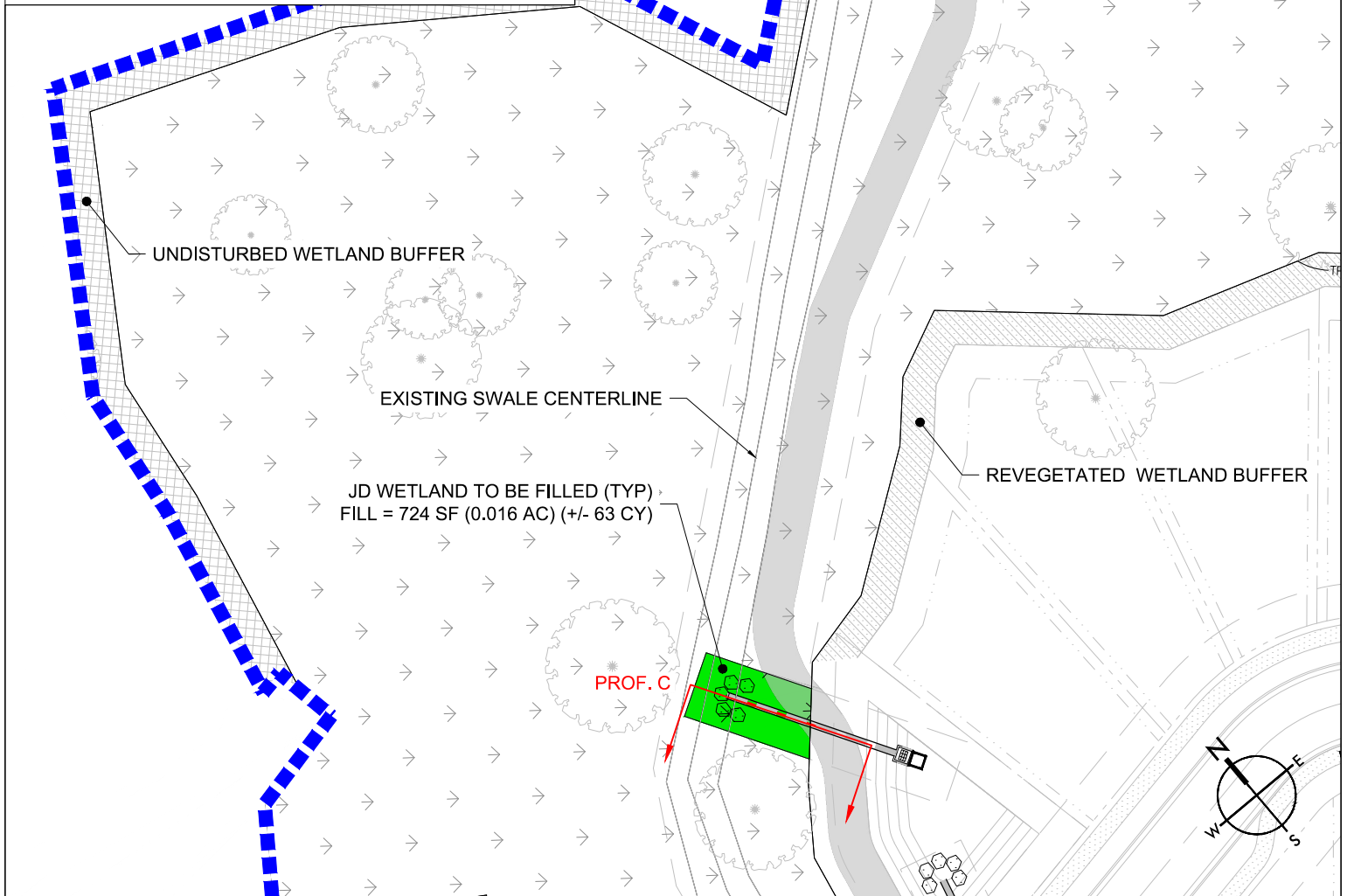
SHEET #5

## WETLAND LEGEND






	JD WETLAND TO REMAIN	= 5.25 ac.
	JD WETLAND TO BE FILLED	= 0.36 ac.
	JD WETLAND TO BE GRADED FOR DRAINAGE	= 0.14 ac.
	UNDISTURBED WETLAND BUFFER	= 0.41 ac.
	REVEGETATED WETLAND BUFFER	= 0.17 ac.

## SITE DATA

EXISTING CONDITIONS:	
UPLAND AREA	= 8.87 AC
JD WETLAND AREA	= 5.75 AC
TOTAL SITE AREA	= 14.62 AC
IMPACTS:	
JD WETLAND IMPACT	= 0.50 AC
JD WETLAND TO REMAIN	= 5.25 AC



## WETLAND LEGEND

	JD WETLAND TO REMAIN	= 5.25 ac.
	JD WETLAND TO BE FILLED	= 0.50 ac.
	TEMP. JD WETLAND IMPACT	= 0.04 ac.
	UNDISTURBED WETLAND BUFFER	= 0.41 ac.
	REVEGETATED WETLAND BUFFER	= 0.17 ac.

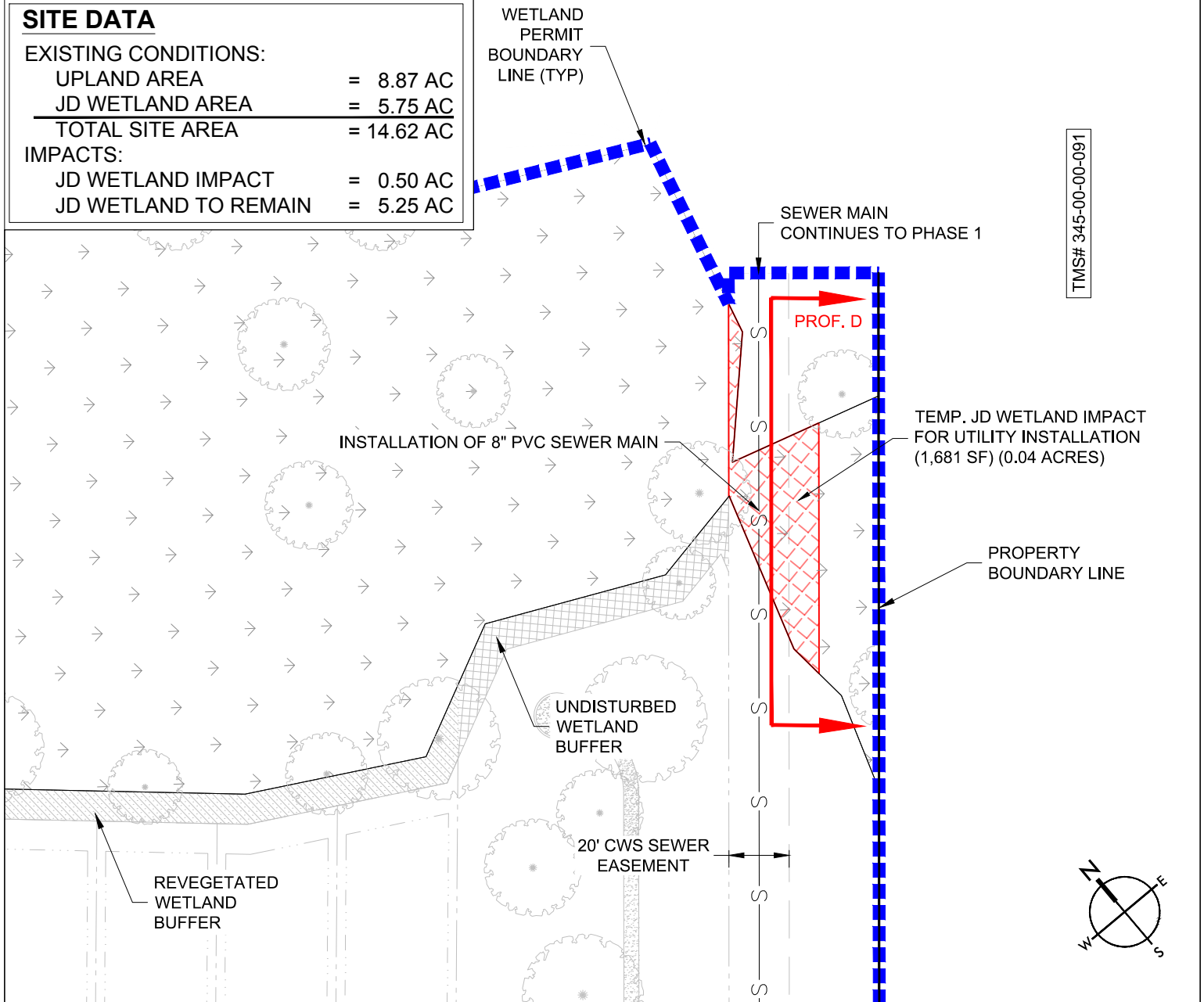
## SITE DATA

### EXISTING CONDITIONS:

UPLAND AREA	= 8.87 AC
JD WETLAND AREA	= 5.75 AC
<b>TOTAL SITE AREA</b>	<b>= 14.62 AC</b>

### IMPACTS:

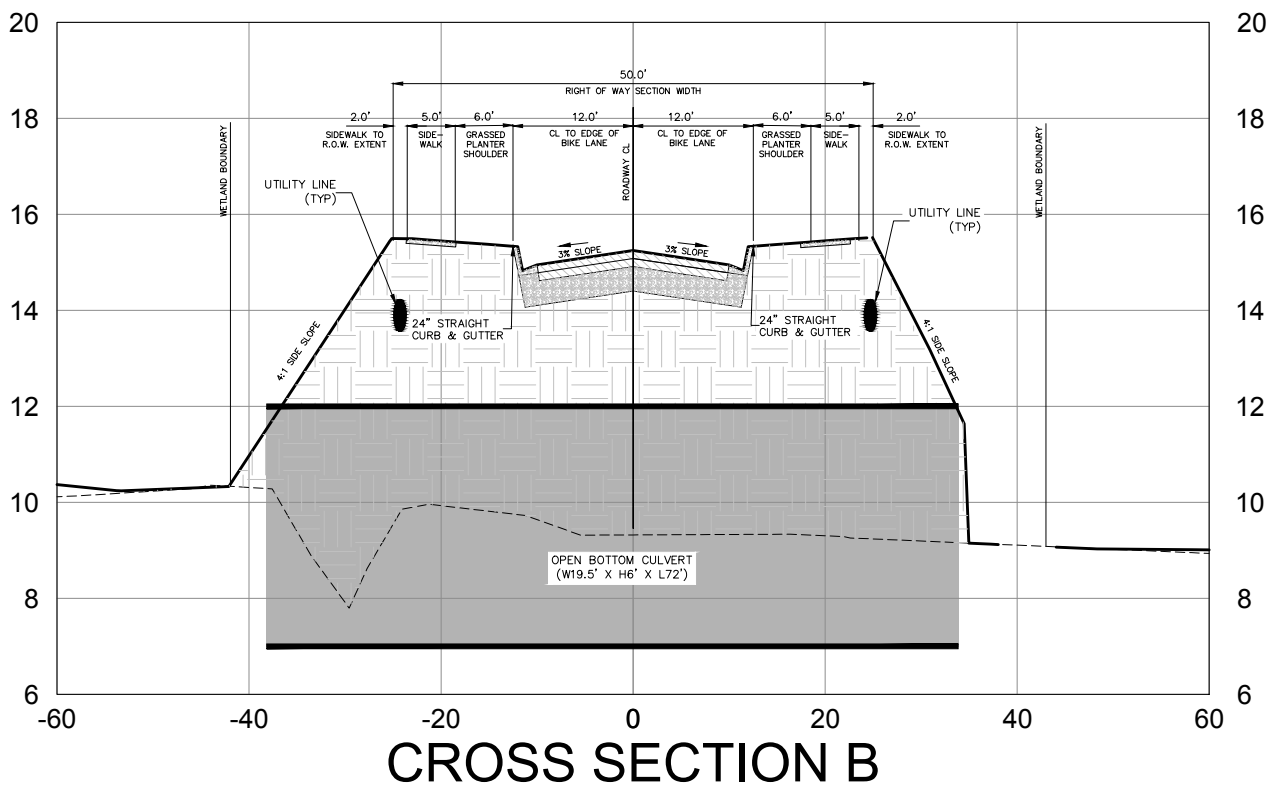
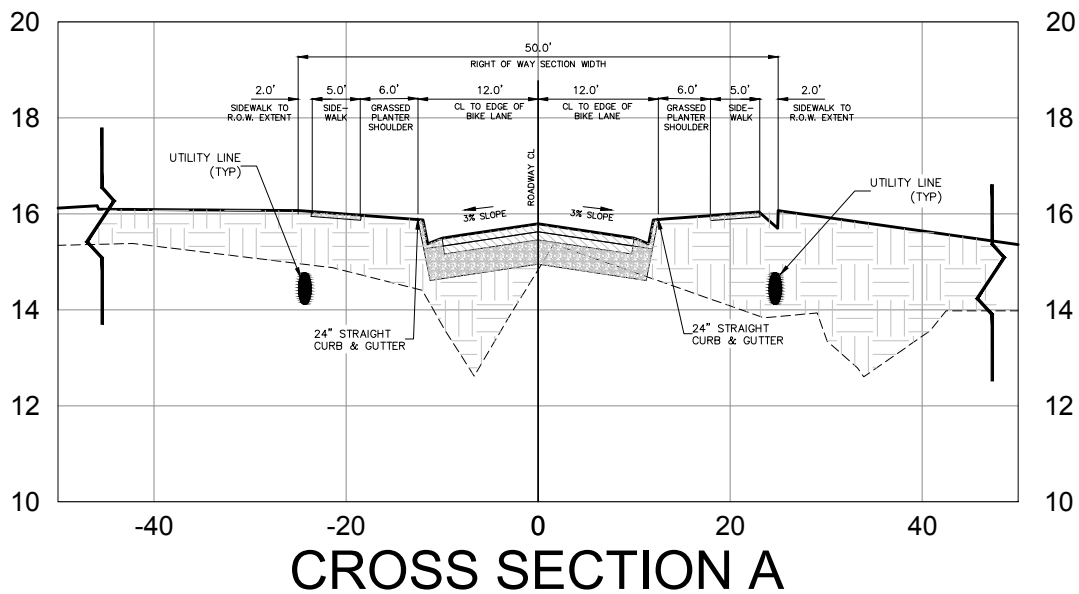
JD WETLAND IMPACT	= 0.50 AC
JD WETLAND TO REMAIN	= 5.25 AC

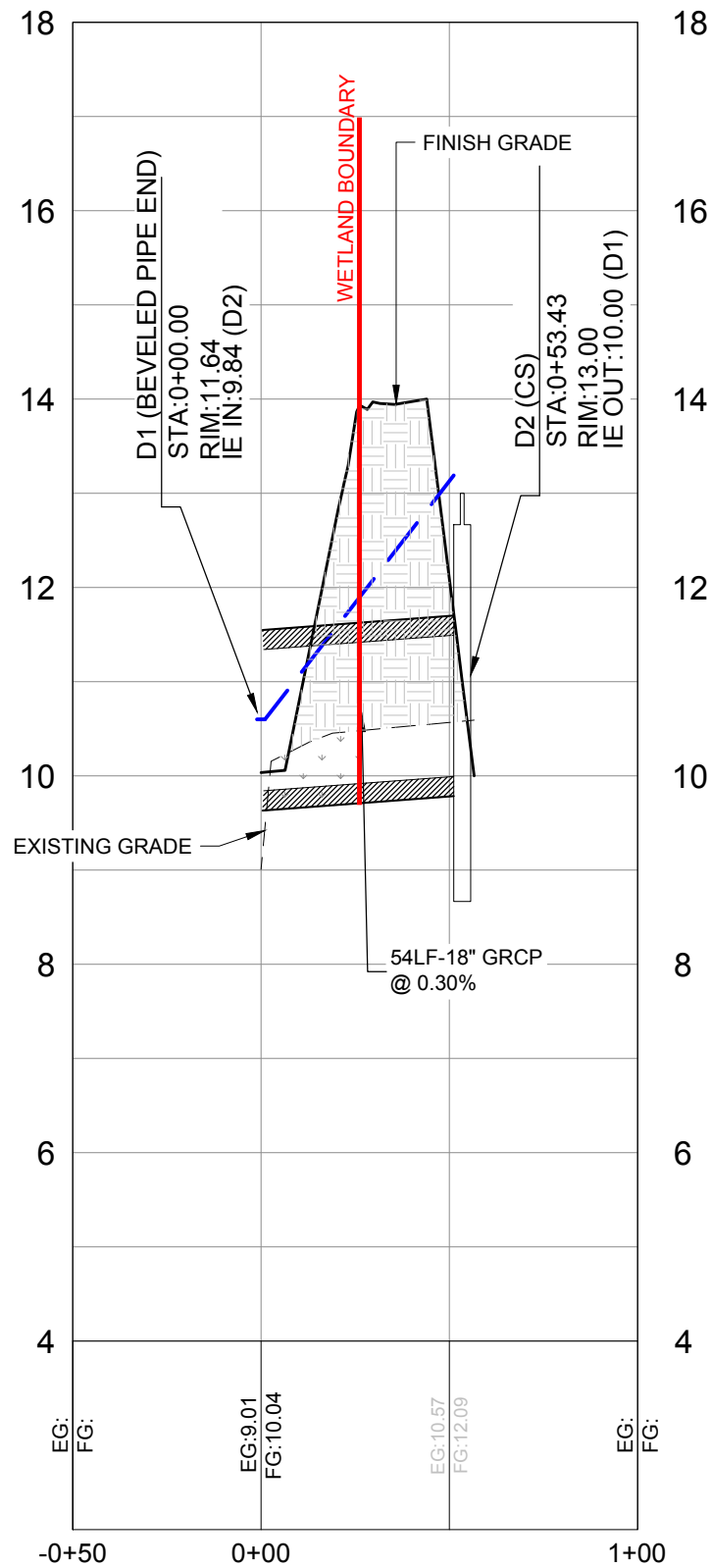


**INDIGO GROVE - PHASE 2**  
 PROJECT #: 8068  
 DATE: 04/28/2022  
 SCALE: 1"=50'

WETLAND IMPACT  
 INSET 3

SHEET #7





## PROFILE C

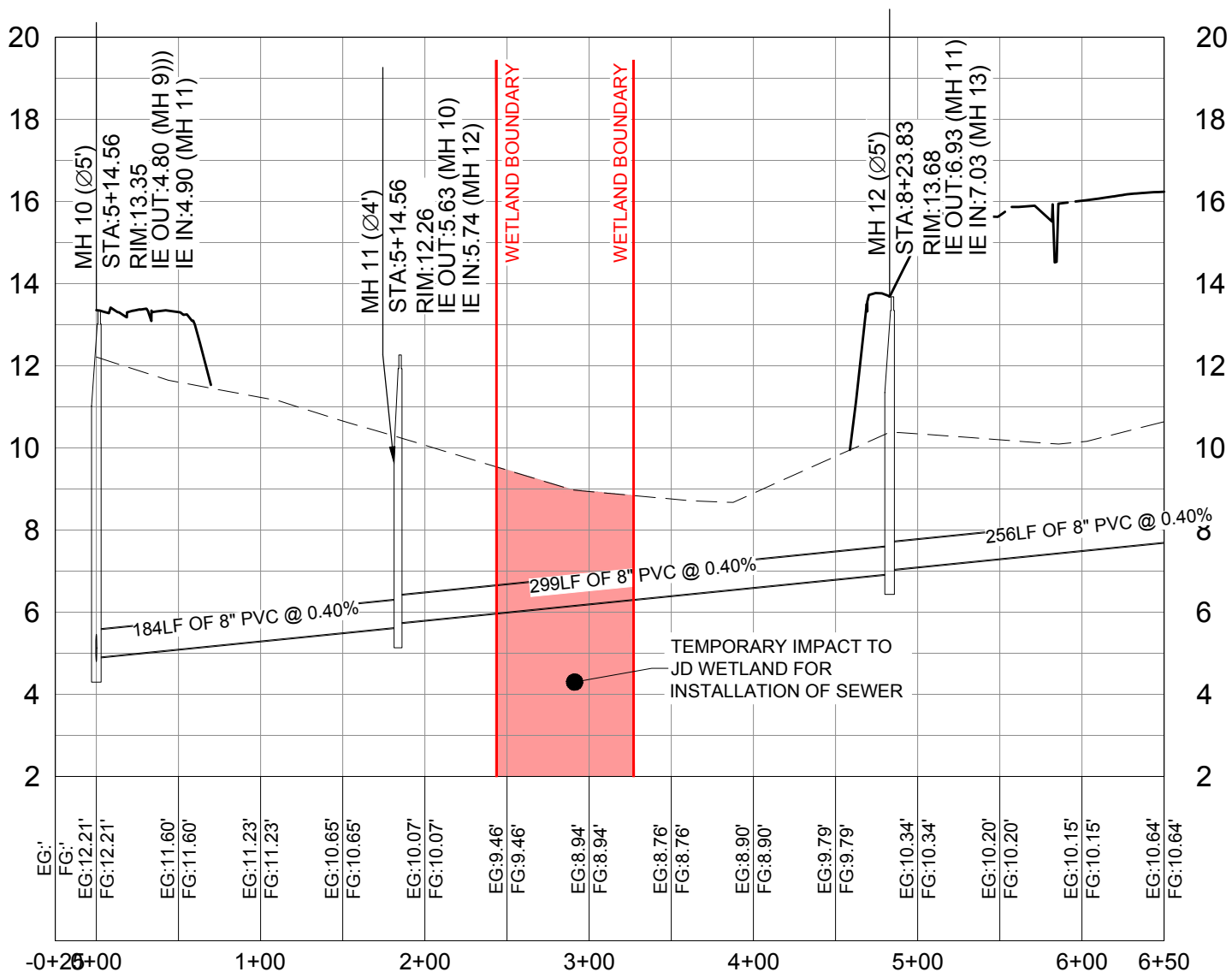


**INDIGO GROVE - PHASE 2**  
 PROJECT #: 8068  
 DATE: 04/28/2022

**WETLAND IMPACT  
 PROFILE C**

**SHEET #9**





## PROFILE D



**INDIGO GROVE - PHASE 2**  
PROJECT #: 8068  
DATE: 04/28/2022

**WETLAND IMPACT  
PROFILE D**

**SHEET #10**