

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
Office of Environmental Quality Control
Water Quality Certification and Wetlands Programs Section
2600 Bull Street
Columbia, South Carolina 29201

REGULATORY DIVISION
Refer to: P/N # 2009-00052

May 23, 2014

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 Joint Applicants

SC NORTH CHARLESTON UPTOWN, LLC.
C/O LENN JEWEL
4975 CENTRE POINTE DRIVE
NORTH CHARLESTON, SC 29418

CITY OF NORTH CHARLESTON
KEITH SUMMY, MAYOR
2500 CITY HALL LANE
NORTH CHARLESTON, SC 29418

for a permit to place fill material in freshwater wetlands adjacent to

FILBIN CREEK

at a location near the intersection of Centre Pointe Boulevard and International Boulevard in North Charleston, Charleston County, South Carolina. (Latitude 32.873636°, Longitude -80.025181°)

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** and **SCDHEC** 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.

COMMENTS PREVIOUSLY RECEIVED FOR NOTICES UNDER P/N # 2009-00052 FOR PROJECTS AT THIS LOCATION WILL NOT BE CONSIDERED.

The proposed work consists of placing 380,134 cubic yards of fill material in 33.66 acres of wetlands and clearing 4.55 acres of wetlands associated with construction of a mixed-use town center including roads and infrastructure, a transit facility, retail shops, restaurants, municipal office space, commercial facilities, residential housing, and a sports field. Additionally, the project includes modifying an existing weir structure and installing a subsurface flow wetland filtration system. As mitigation for the proposed impacts to aquatic resources, the applicant proposes to purchase 395.9 mitigation credits from a Corps-approved mitigation bank. The applicant proposes to preserve another 80.98 acres of on-site wetlands under restrictive covenants and 112.4 acres off-site along Filbin Creek. In addition, the applicant has proposed the establishment of a 501(c) organization intended to foster water quality improvements in Filbin Creek with an initial contribution of \$400,000 and an additional \$5M in funding coming from Tax Increment Financing (TIF). According to the applicant, the purpose of the proposed work is to improve water quality in Filbin Creek as well as construct a town center for the city of North Charleston.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

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

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). 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 38.21 acres of freshwater wetlands upstream of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our 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). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended), the District Engineer has consulted the most recently available information and has determined that the project is not likely to adversely affect any Federally endangered, threatened, or proposed species 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 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 the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. To insure that other cultural resources 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 to provide any information it may have with regard to historic and cultural resources.

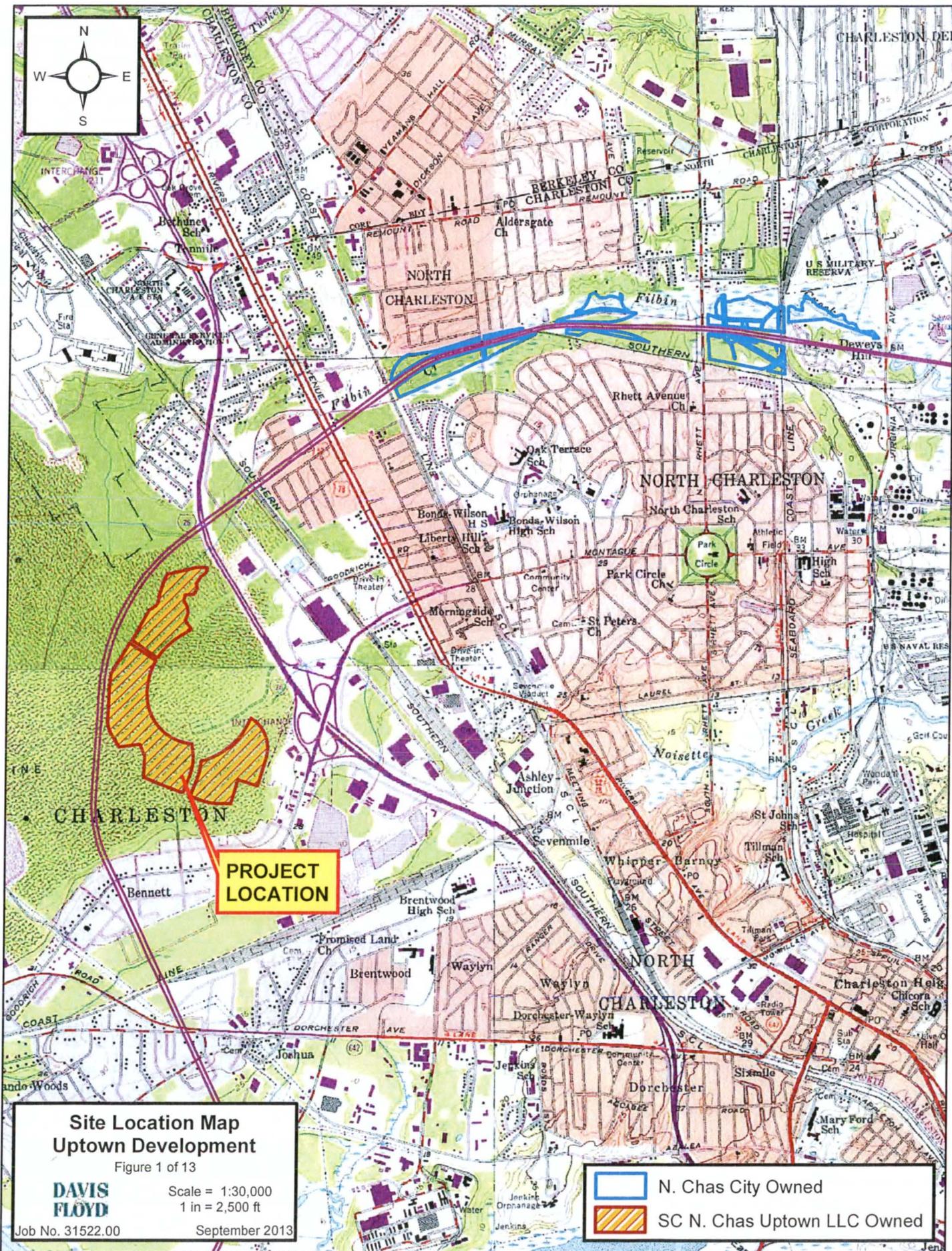
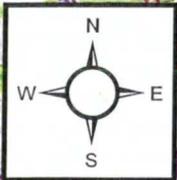
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers 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 of Engineers 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.

If there are any questions concerning this public notice, please contact **Shawn Boone** at 843-329-8158 or toll free at 1-866-329-8187.



**Site Location Map
Uptown Development**

Figure 1 of 13

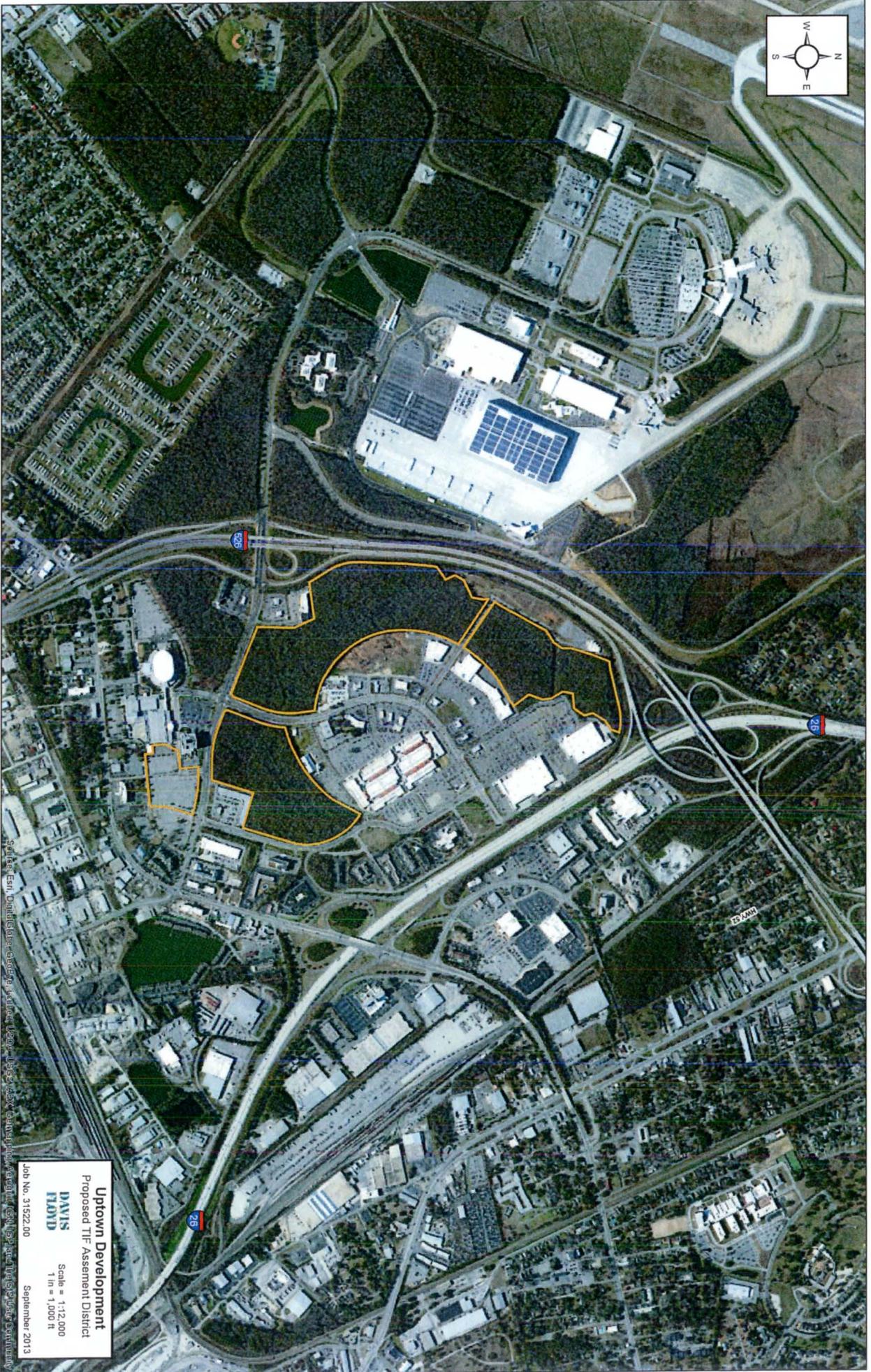
**DAVIS
FLOYD**

Scale = 1:30,000
1 in = 2,500 ft

Job No. 31522.00

September 2013

-  N. Chas City Owned
-  SC N. Chas Uptown LLC Owned



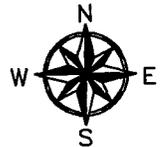
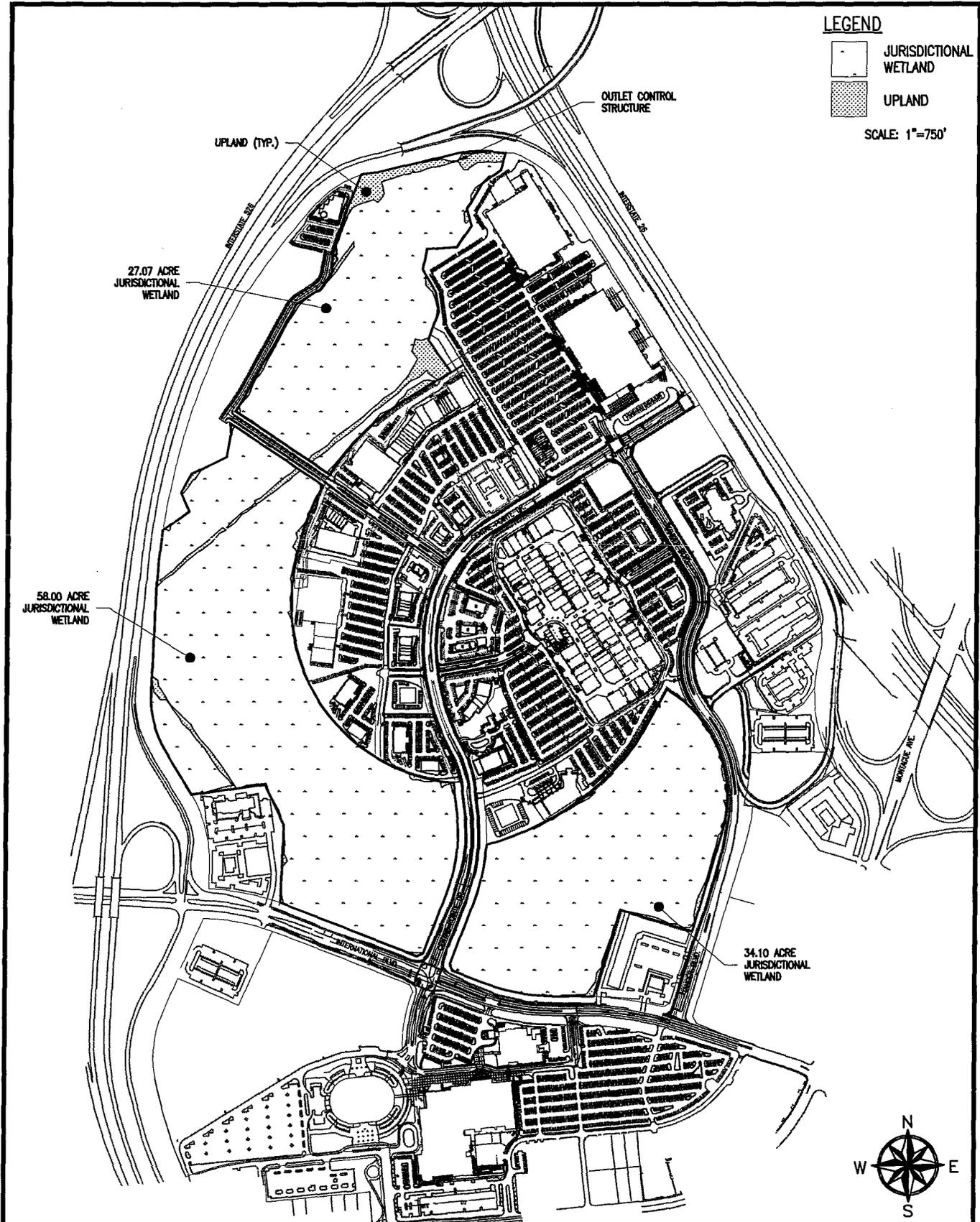
Source: Esri, DigitalGlobe, GeoEye, IGN, Aerotech, Aero, USDA, Swire, GEBCO, CNES/Airbus DS, USDA, AeroGRID, IGN, Esri, User Contributed Data

Uptown Development
Proposed TIF Assessment District
DAVIS
BLVD
Scale = 1:112,000
1 in = 1,000 ft
Job No. 31522.00
September 2013

LEGEND

-  JURISDICTIONAL WETLAND
-  UPLAND

SCALE: 1"=750'



DAVIS Engineering
& FLOYD Architecture
 Environmental & Laboratory Services

P.O. BOX 61599
 CHARLESTON, SC 29419
 843-554-8602

GREENWOOD, SC • CHARLESTON, SC • COLUMBIA, SC • GIBSONVILLE, SC • FLORENCE, SC • MCKEY, SC

Owner
 SC N. CHARLESTON UPTOWN, LLC

Drawing Title
 EXISTING CONDITIONS IMPROVEMENT AREA

Sketch Reference

Project Title
 UPTOWN AT CENTRE POINTE

Project Location
 NORTH CHARLESTON, SC

Date
 SEPT 2013

Job No.
 31522.00

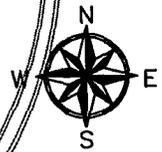
FIG-2

Sht. 2 of 13

LEGEND

-  JURISDICTIONAL WETLAND
-  UPLAND

SCALE: 1"=400'



OUTLET CONTROL STRUCTURE

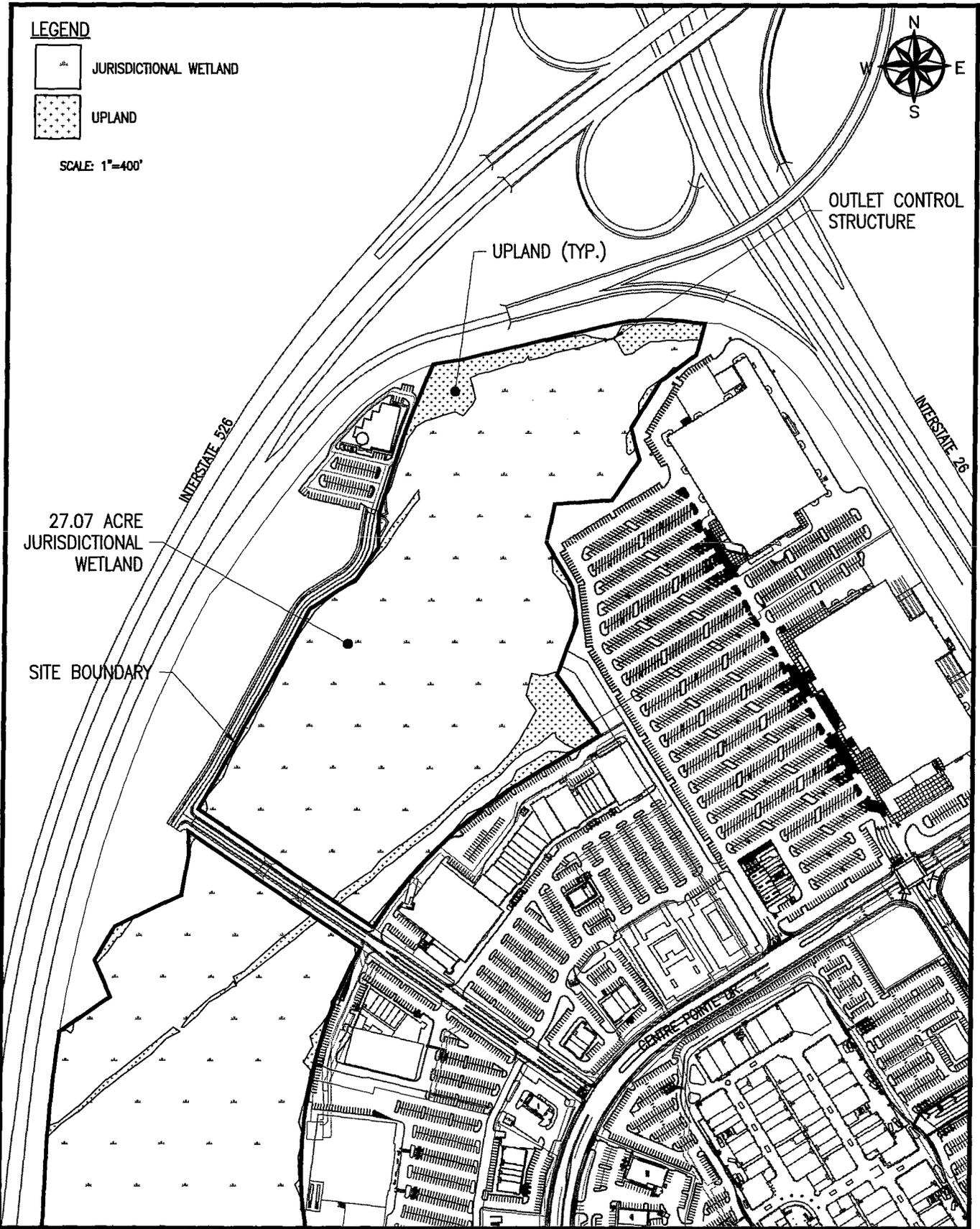
UPLAND (TYP.)

INTERSTATE 226

INTERSTATE 26

27.07 ACRE JURISDICTIONAL WETLAND

SITE BOUNDARY



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 843-554-8602

Owner
SC N. CHARLESTON UPTOWN, LLC
 Drawing Title
EXISTING CONDITIONS IMPROVEMENT AREA
 Sketch Reference

Project Title
UPTOWN AT CENTRE POINT
 Project Location
NORTH CHARLESTON, SC

Date
SEPT 2013
 Job No.
31522.00
FIG-3
 Sht. 3 of 13

LEGEND

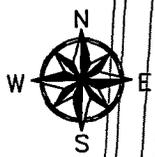
-  JURISDICTIONAL WETLAND
-  UPLAND

SCALE: 1"=400'

58.00 ACRE JURISDICTIONAL WETLAND

UPLAND (TYP.)

SITE BOUNDARY



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Owner
 SC N. CHARLESTON UPTOWN, LLC

Drawing Title
 EXISTING CONDITIONS IMPROVEMENT AREA

Sketch Reference

Project Title
 UPTOWN AT CENTRE POINT

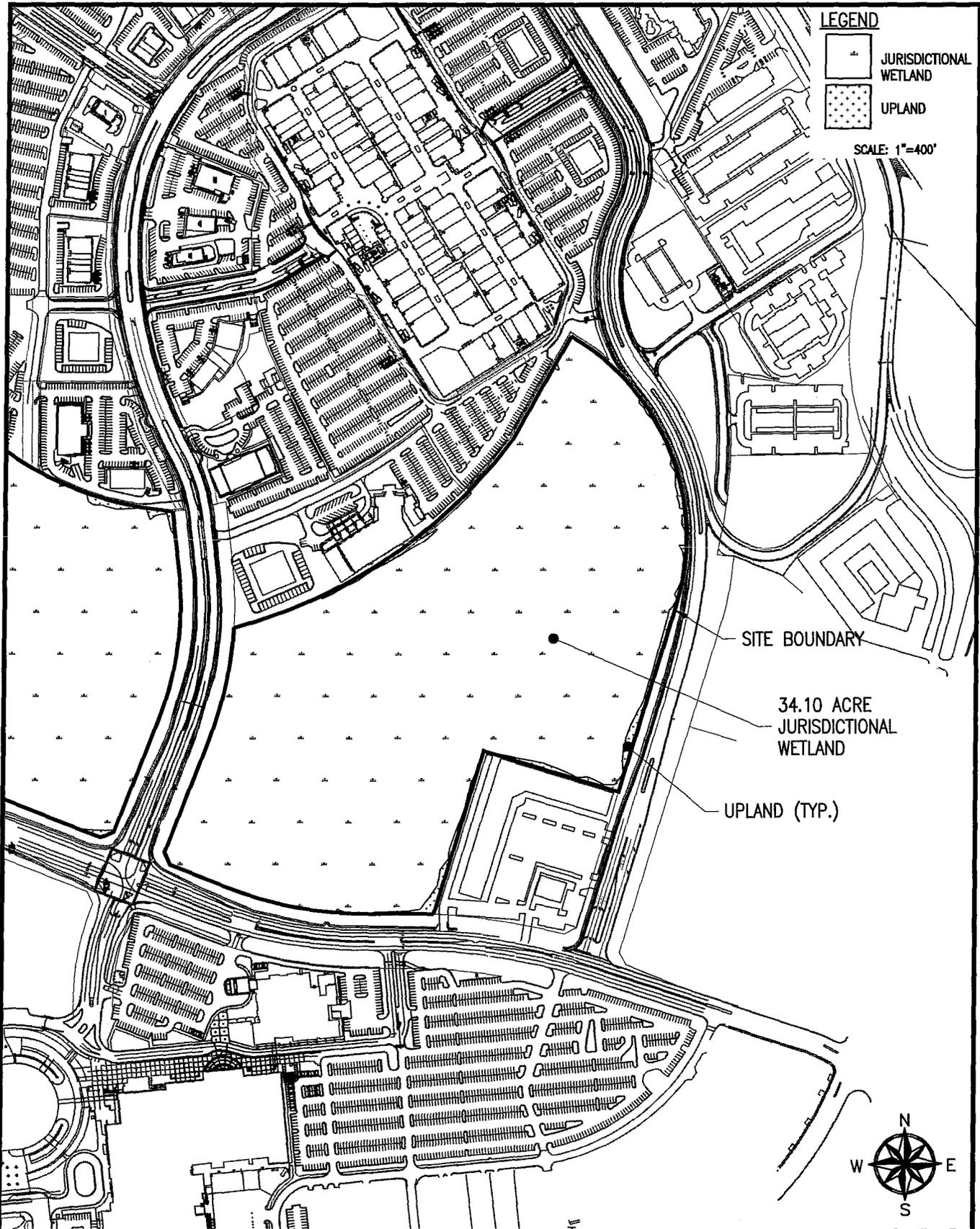
Project Location
 NORTH CHARLESTON, SC

Date
 SEPT 2013

Job No.
 31522.00

FIG-4

Sht. 4 of 13



LEGEND

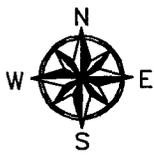
-  JURISDICTIONAL WETLAND
-  UPLAND

SCALE: 1"=400'

SITE BOUNDARY

34.10 ACRE
JURISDICTIONAL
WETLAND

UPLAND (TYP.)



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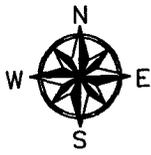
P.O. BOX 61599
CHARLESTON, SC 29419
843-554-8602

Owner
SC N. CHARLESTON UPTOWN, LLC
Drawing Title
EXISTING CONDITIONS IMPROVEMENT AREA
Sketch Reference

Project Title
UPTOWN AT CENTRE POINTE
Project Location
NORTH CHARLESTON, SC

Date
SEPT 2013
Job No.
31522.00

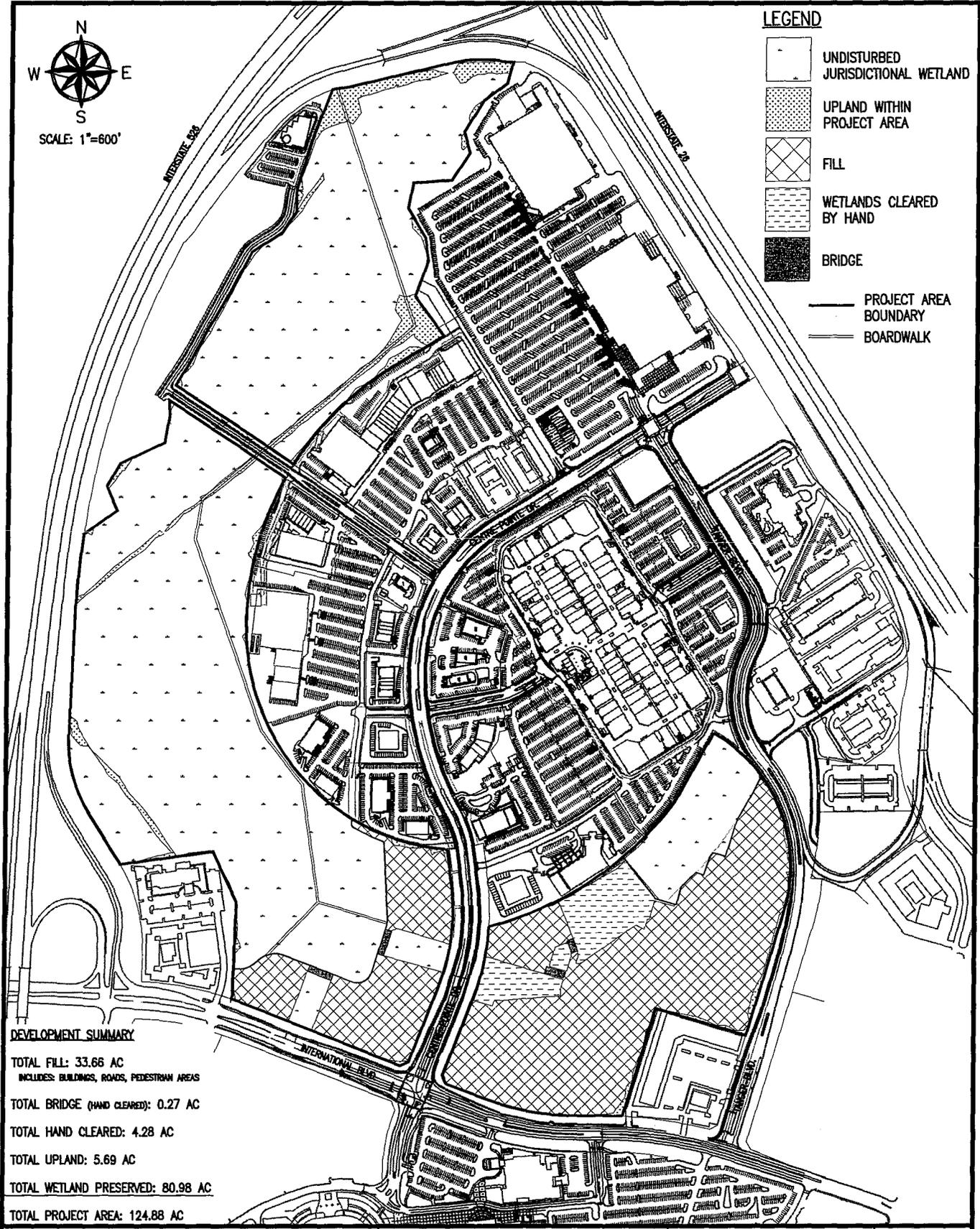
FIG-5
Sht. 5 of 13



SCALE: 1"=600'

LEGEND

-  UNDISTURBED JURISDICTIONAL WETLAND
-  UPLAND WITHIN PROJECT AREA
-  FILL
-  WETLANDS CLEARED BY HAND
-  BRIDGE
-  PROJECT AREA BOUNDARY
-  BOARDWALK



DEVELOPMENT SUMMARY

TOTAL FILL: 33.66 AC
 INCLUDES: BUILDINGS, ROADS, PEDESTRIAN AREAS

TOTAL BRIDGE (HAND CLEARED): 0.27 AC

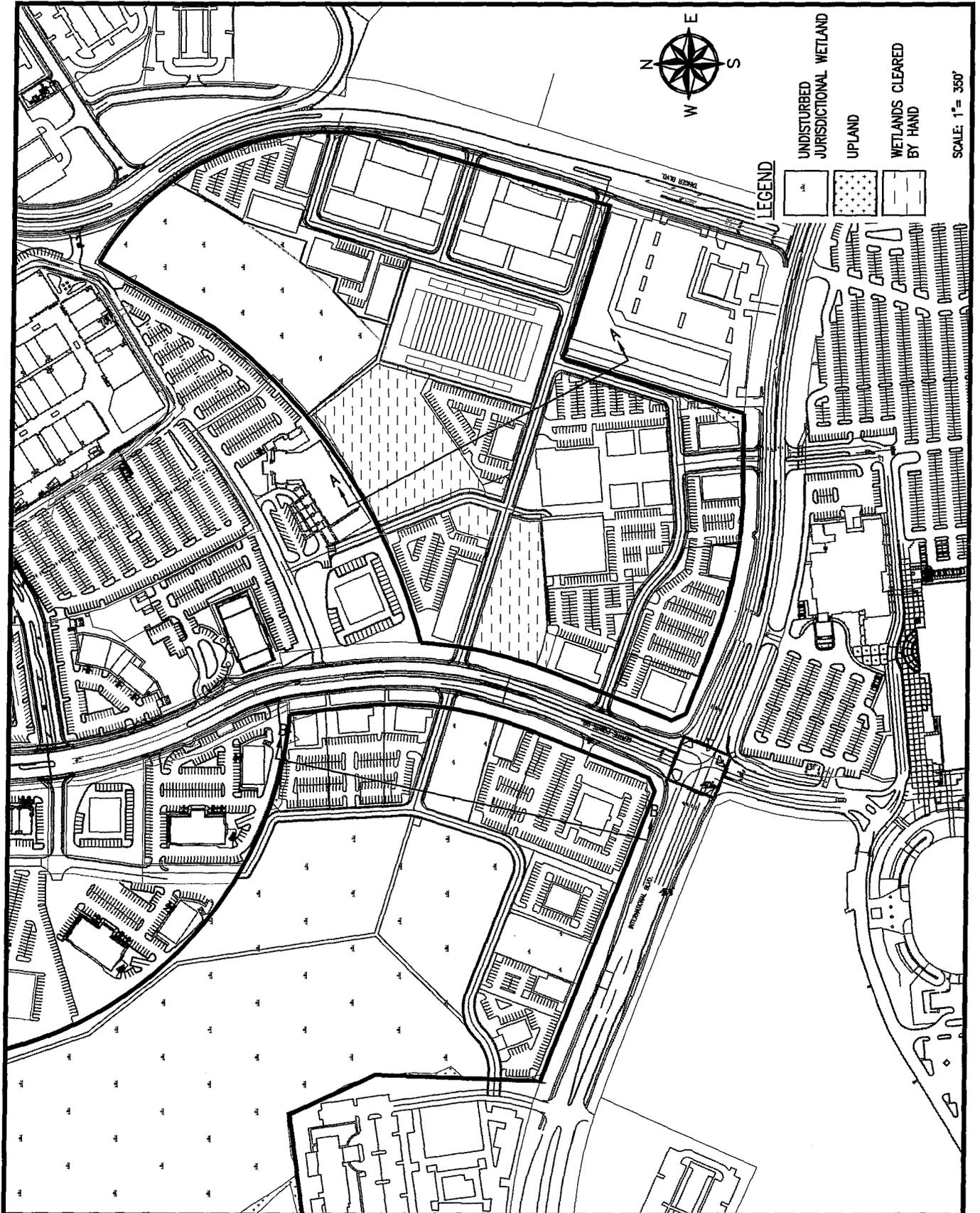
TOTAL HAND CLEARED: 4.28 AC

TOTAL UPLAND: 5.69 AC

TOTAL WETLAND PRESERVED: 80.98 AC

TOTAL PROJECT AREA: 124.88 AC

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		Drawing Title MASTER PLAN DEVELOPMENT	Project Location NORTH CHARLESTON, SC	Job No. 31522.00
		Sketch Reference		FIG-6



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Owner
 SC N. CHARLESTON UPTOWN, LLC

Drawing Title
 PROPOSED SITE PLAN

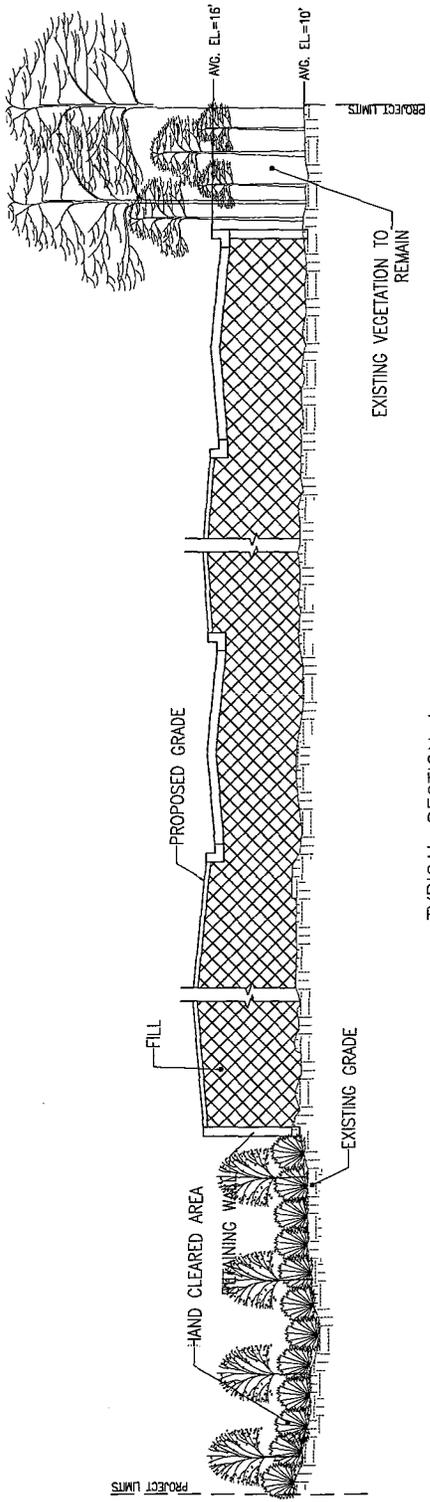
Sketch Reference

Project Title
 UPTOWN AT CENTRE POINTE

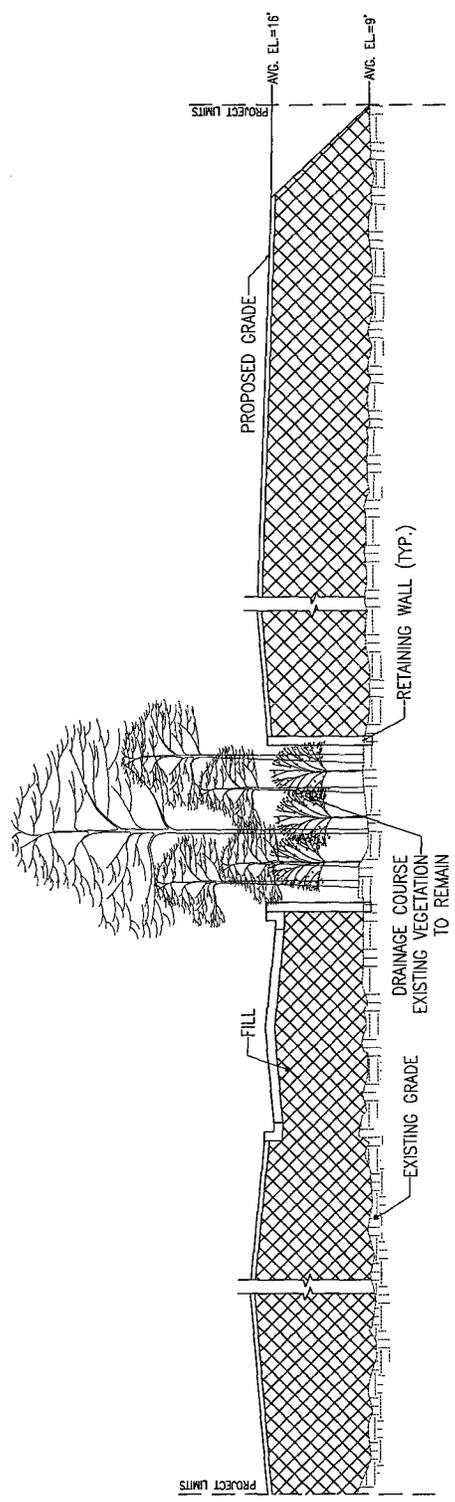
Project Location
 NORTH CHARLESTON, SC

Date
 SEPT 2013
 Job No.
 31522.00

FIG-7
 Sht. 7 of 13



TYPICAL SECTION A
N.T.S.



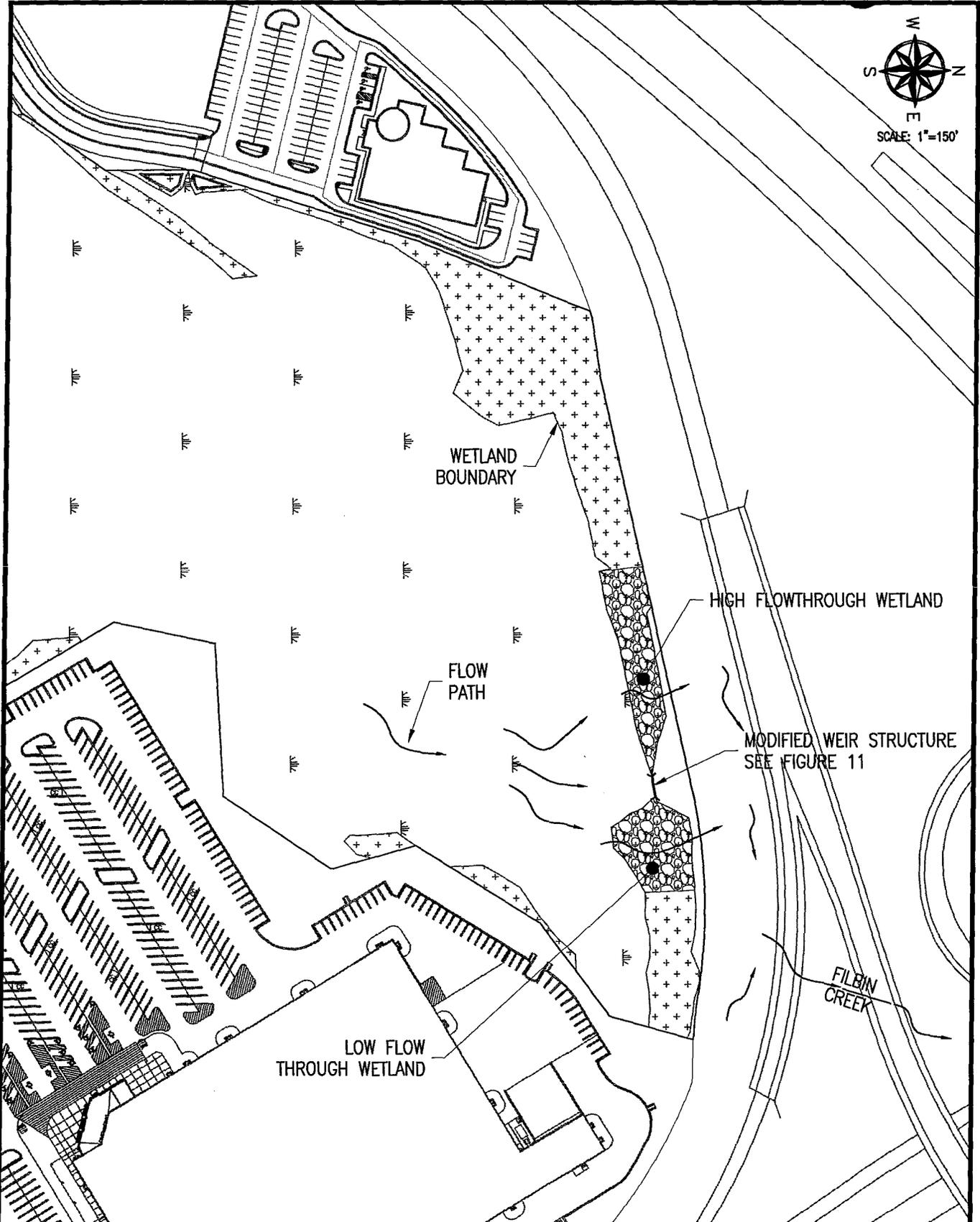
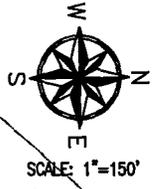
TYPICAL SECTION B
N.T.S.

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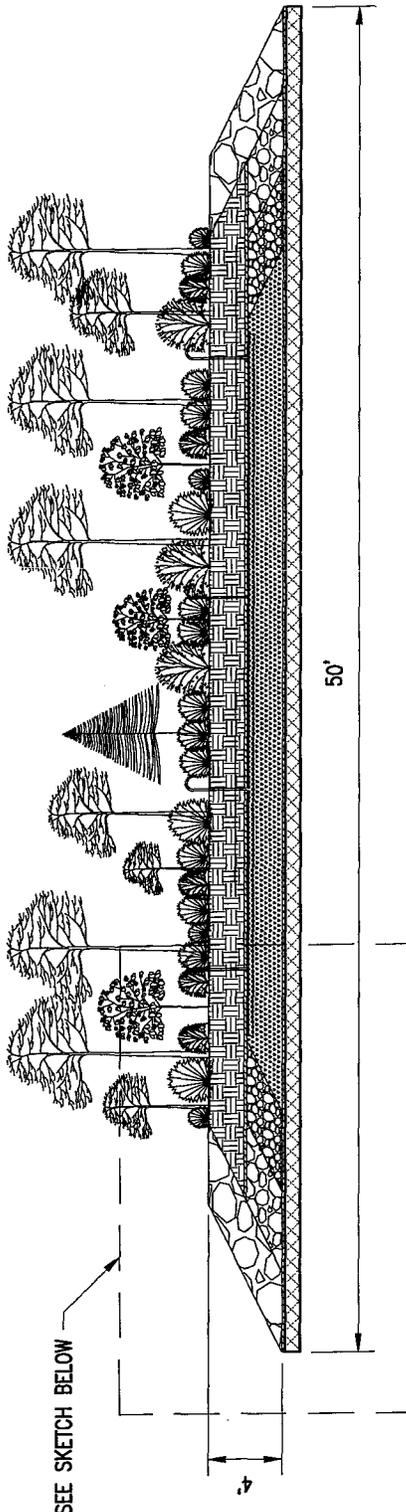
Owner	SC N. CHARLESTON UPTOWN, LLC
Drawing Title	TYPICAL SECTIONS
Sketch Reference	

Project Title	UPTOWN AT CENTRE POINTE
Project Location	NORTH CHARLESTON, SC

Date	SEPT 2013
Job No.	31565.00
FIG-8	
Sht. 8 of 13	

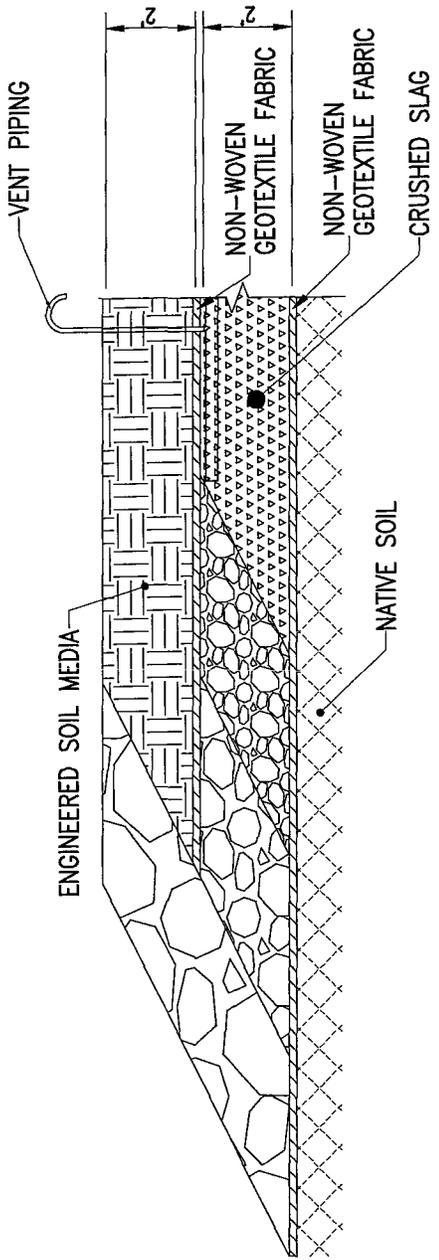


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		Drawing Title FLOW THROUGH WETLANDS		Job No. 31522.00
	Sketch Reference	Project Location NORTH CHARLESTON, SC	FIG-9	Sht. 9 of 13



LOW FLOW THROUGH WETLAND CROSS SECTION

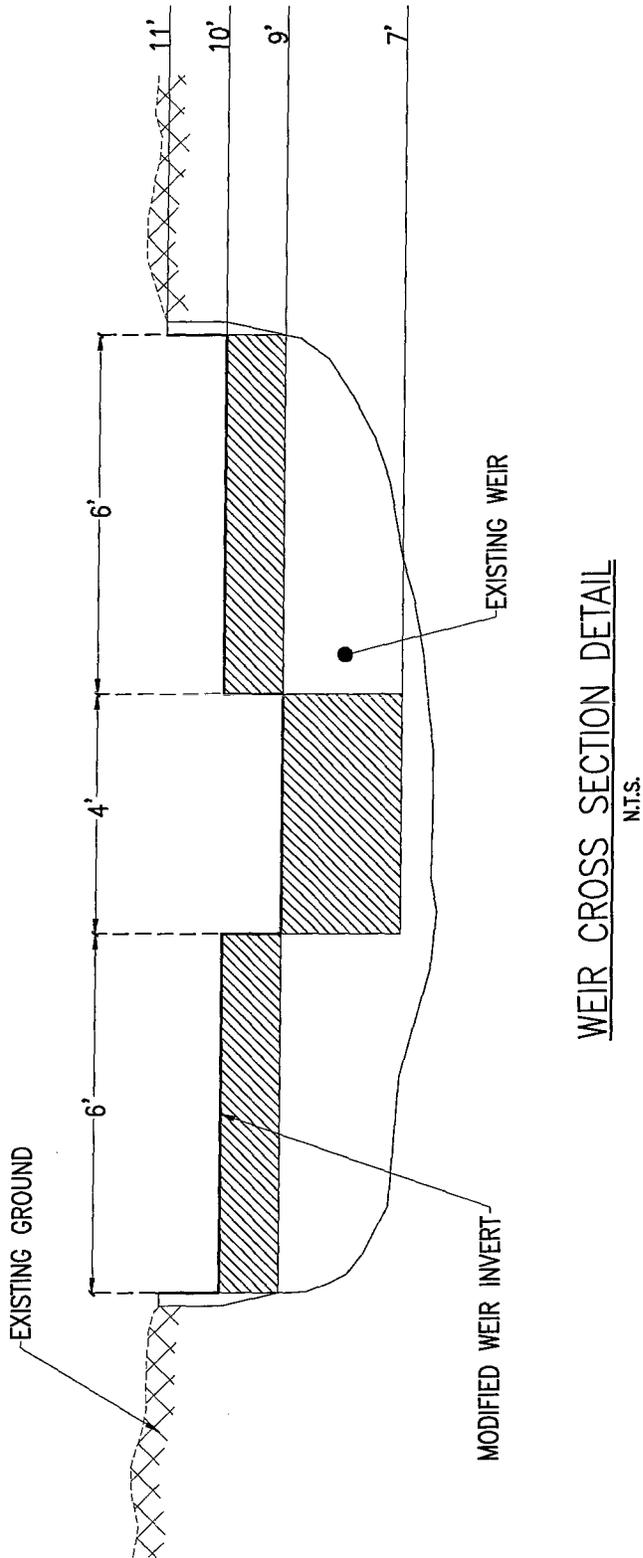
N.T.S.



TYPICAL CROSS SECTION DETAIL

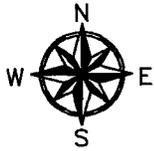
N.T.S.

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		Drawing Title FLOW THROUGH WETLAND CROSS SECTION		Job No. 31522.00
		Sketch Reference	Project Location NORTH CHARLESTON, SC	FIG-10 Sht. 10 of 13



WEIR CROSS SECTION DETAIL
N.T.S.

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		SC N. CHARLESTON UPTOWN, LLC	UPTOWN AT CENTRE POINTE	SEPT 2013
		Drawing Title		Job No.
		PROPOSED WEIR MODIFICATIONS		31522.00
		Sketch Reference	Project Location	FIG-11
		REFERENCE DRAWING	NORTH CHARLESTON, SC	Sht. 11 of 13



SCALE 1"=600'



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Owner
 SC N. CHARLESTON UPTOWN, LLC

Drawing Title
 ADJACENT PROPERTY OWNERS

Sketch Reference

Project Title
 UPTOWN AT CENTRE POINTE

Project Location
 NORTH CHARLESTON, SC

Date
 SEPT 2013
 Job No.
 31522.00

FIG-12
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