

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-2016-00298

DATE: August 7, 2018

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. Krishan Gandhi
Charleston Element, LLC
1000 Towne Center Blvd, Suite 503
Pooler, Georgia 31322

to construct a hotel in freshwater wetlands adjacent and contiguous with

Filbin Creek

at a location north of I-26 exit ramp 213A and east of Tanger Outlet Blvd in Charleston, Charleston County, South Carolina (Latitude: 32.8707 °N, Longitude: -80.0144 °W), Johns Island 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.

The proposed work consists of constructing a hotel. In detail, the applicant proposes filling 0.85 acre of forested freshwater wetlands with 4,017 cubic yards of fill to construct the hotel. The hotel will have 5 stories, contain 131 rooms, a walkway around the hotel, and parking spaces. There will be 137 parking spaces to accommodate one parking space per guest room and 6 employee parking spaces. Stormwater retention will be underground due to the size limitations of

the site and existing traffic configurations. The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 8.245 compensatory mitigation credits from an approved mitigation bank. The project purpose is to provide additional hotel space within the increasingly busy Tanger Outlet/Airport area of Charleston/North Charleston.

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 0.85 acre 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.

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 that the project will have no effect on the Red-Cockaded woodpecker (*Picooides borealis*), American wood stork (*Mycteria Americana*), piping plover (*Charadrius melodus*), red knot (*Calidris canutus rufa*), and frosted flatwoods salamander (*Ambystoma cingulatum*); and that the project is not likely to adversely affect the Northern long-eared bat (*Myotis septentrionalis*) and Bachman's warbler (*Vermivora bachmanii*) 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 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)(j)(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 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, South Carolina 29403-5107**

If there are any questions concerning this public notice, please contact Leslie Estill, Project Manager, at (843) 329-8039 or toll free at 1-866-329-8187.

05-22-18

LOCATION MAP (NTS)



Project Title:
ELEMENT SUITES NORTH ARCO
NORTH ARCO LANE
NORTH CHARLESTON, SC 29418

Revisions

Applicant:
CHARLESTON ELEMENT LLC

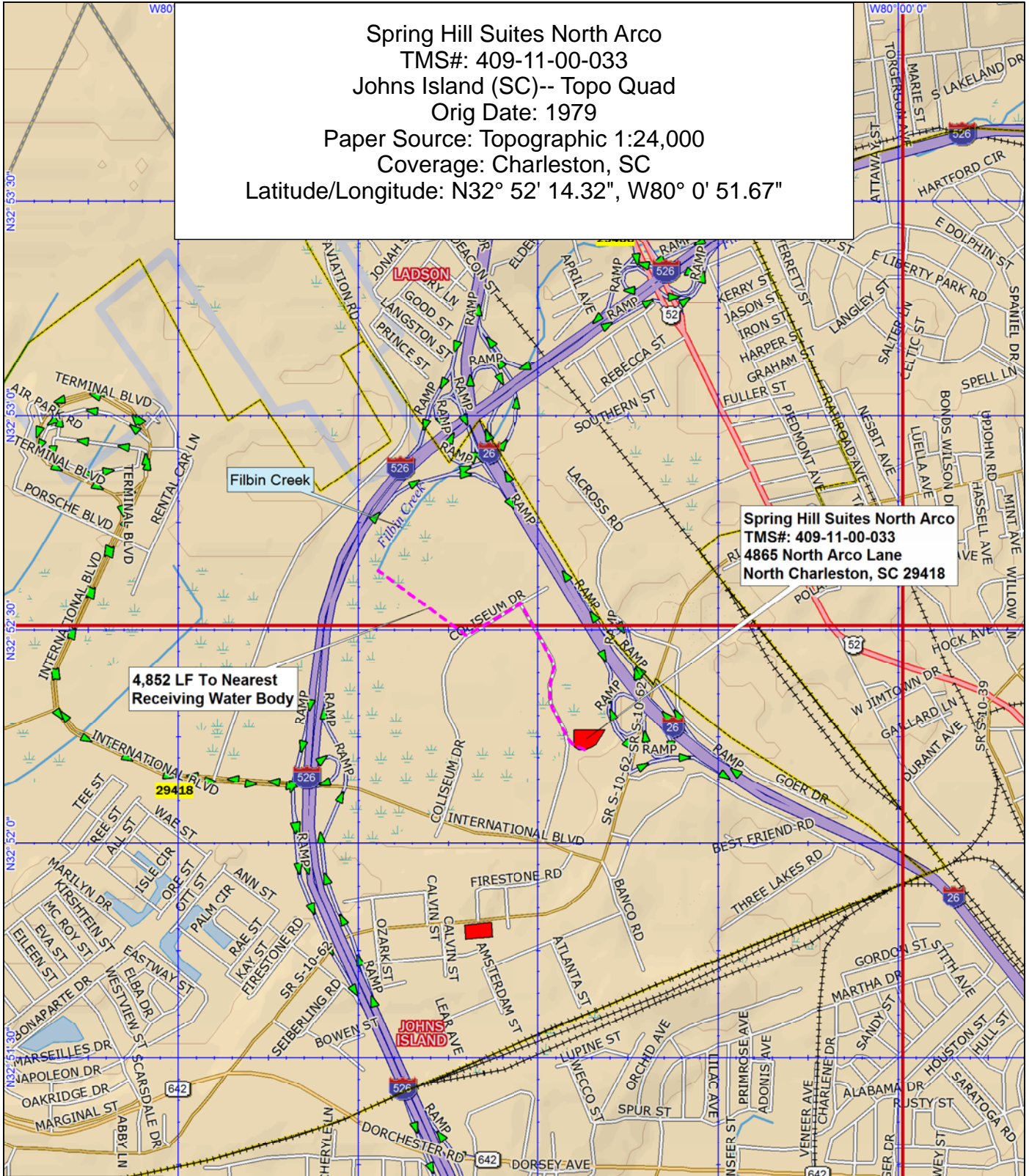
Date: 05-22-18

Scale: N/A

Application #:

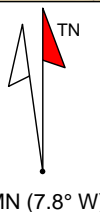
Sheet Of
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Spring Hill Suites North Arco
 TMS#: 409-11-00-033
 Johns Island (SC)-- Topo Quad
 Orig Date: 1979
 Paper Source: Topographic 1:24,000
 Coverage: Charleston, SC
 Latitude/Longitude: N32° 52' 14.32", W80° 0' 51.67"



Spring Hill Suites North Arco
 TMS#: 409-11-00-033
 4865 North Arco Lane
 North Charleston, SC 29418

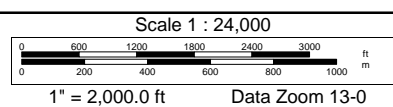
4,852 LF To Nearest Receiving Water Body



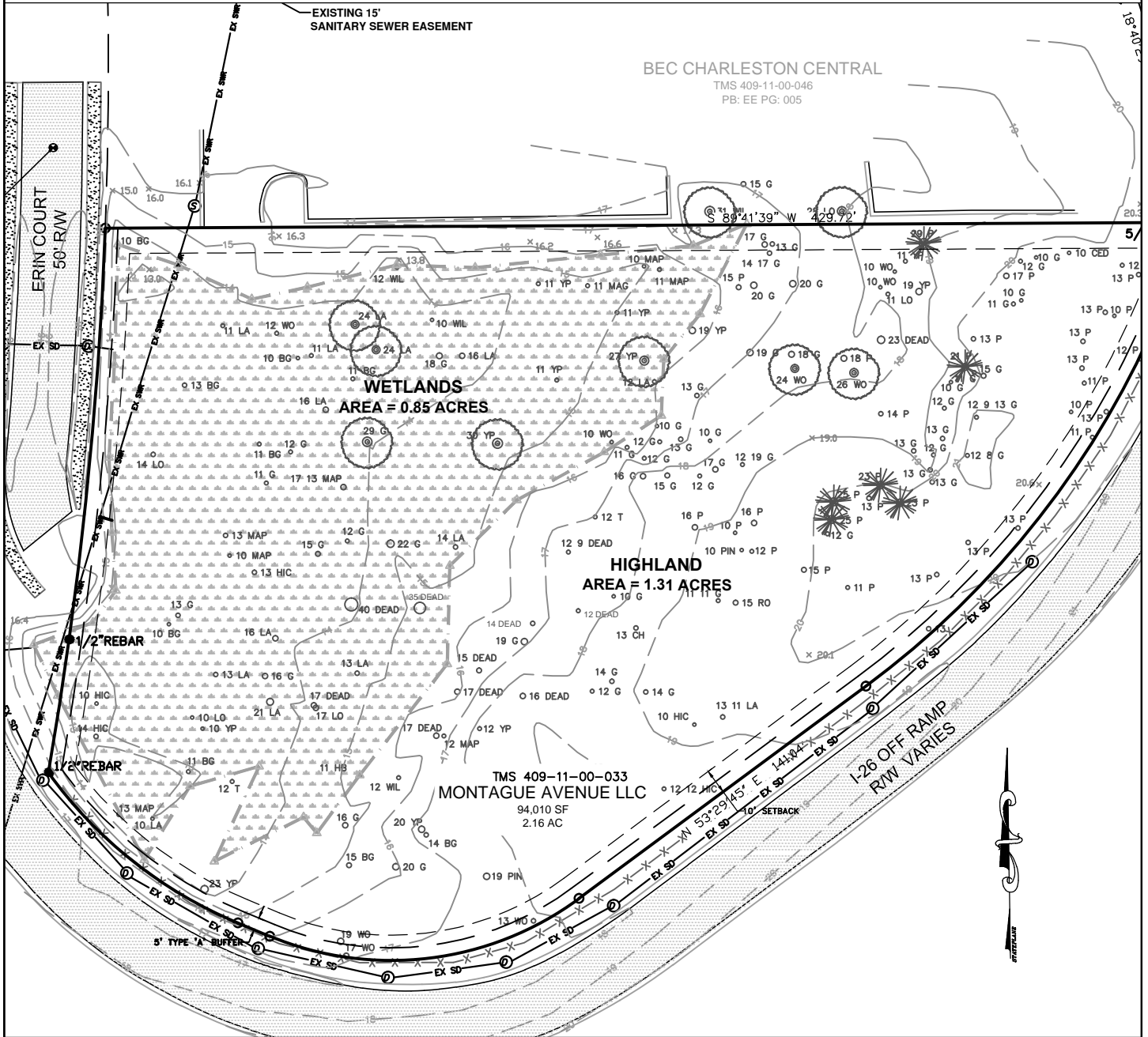
EARTHSOURCE ENGINEERING

Civil Engineering, Site Planning, & Landscape Design





p: 843.881.0525 - f: 843.881.2477



EXISTING CONDITIONS



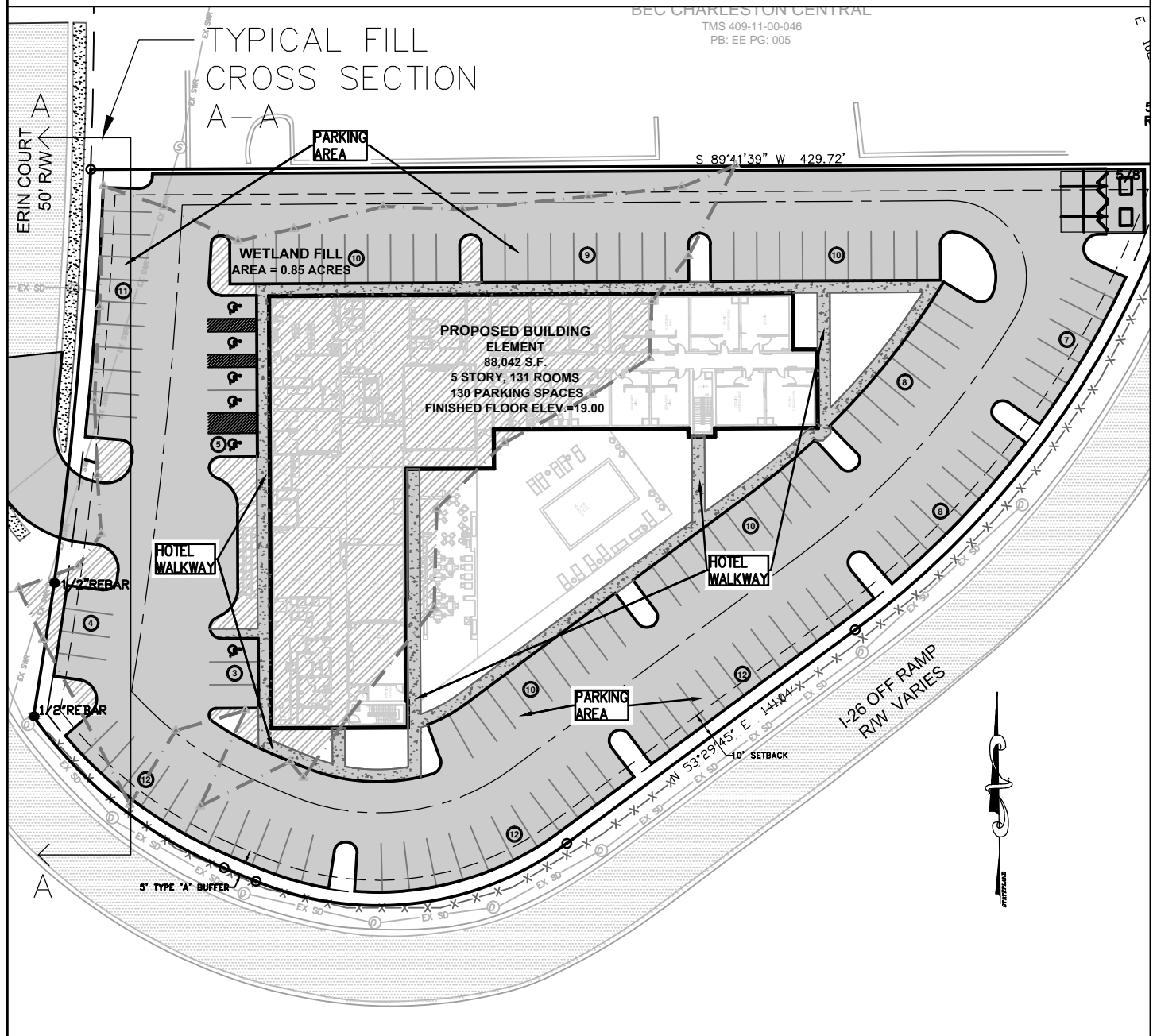
LEGEND

-  PROPERTY LINE
-  WETLANDS BOUNDARY FLAG
-  WETLANDS
-  PROJECT LIMITS

Revisions





Project Title: ELEMENT SUITES NORTH ARCO NORTH ARCO LANE NORTH CHARLESTON, SC 29418	
Applicant: CHARLESTON ELEMENT LLC	
Date: 05-22-18	Scale: 1"=60'
Application #:	Sheet Of 3 7

OVERALL LAYOUT & WETLAND FILL



BEC CHARLESTON CENTRAL
 TMS 409-11-00-046
 PB: EE PG: 005

LEGEND

-  PROPERTY LINE
-  WETLANDS BOUNDARY FLAG
-  WETLANDS TO BE FILLED
-  PROJECT LIMITS

Project Title:
 ELEMENT SUITES NORTH ARCO
 NORTH ARCO LANE
 NORTH CHARLESTON, SC 29418

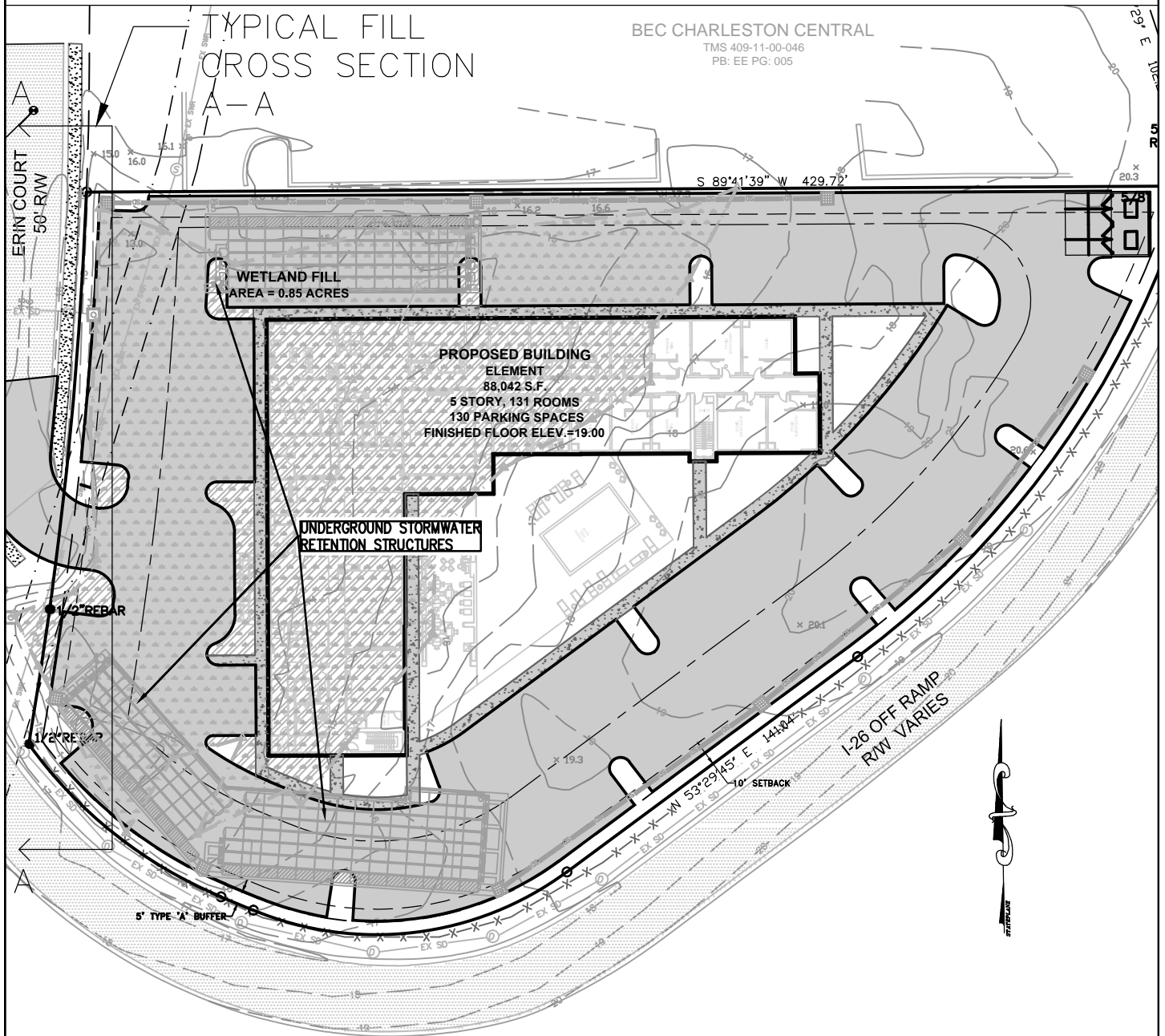
Revisions

Applicant:
 CHARLESTON ELEMENT LLC

Date: 05-22-18 Scale: 1"=60'

Application #: Sheet Of
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GRADING, DRAINAGE, & WETLAND FILL



- LEGEND**
- PROPERTY LINE
 - PROJECT LIMITS

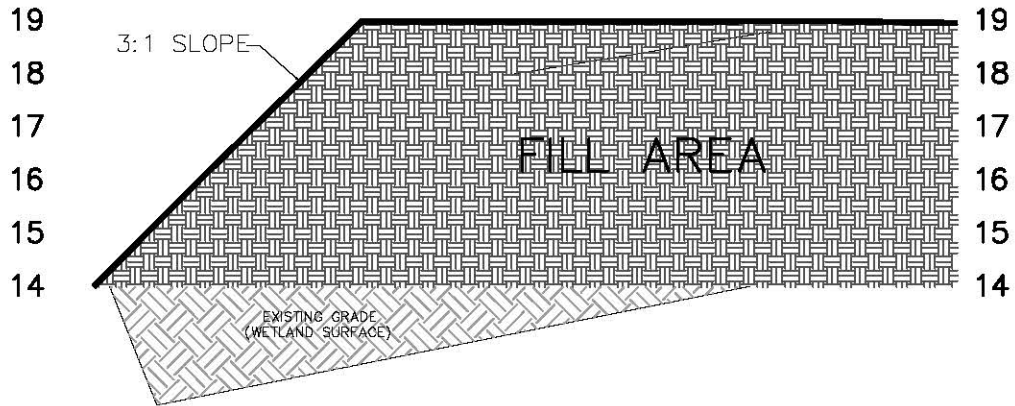
Project Title:
ELEMENT SUITES NORTH ARCO
NORTH ARCO LANE
NORTH CHARLESTON, SC 29418

Revisions

Applicant: CHARLESTON ELEMENT LLC	
Date: 05-22-18	Scale: 1"=60'
Application #:	Sheet Of 5 7

EXTENT OF WETLAND FILL

VARIES



TYPICAL FILL CROSS SECTION A-A

Revisions	Project Title:	
	ELEMENT SUITES NORTH ARCO	
	NORTH ARCO LANE	
	NORTH CHARLESTON, SC 29418	
	Applicant:	
CHARLESTON ELEMENT LLC		
Date: 05-22-18		Scale: N/A
Application #:		Sheet Of
		6 7

WETLAND IMPACT SUMMARY

SITE AREA:	2.16 ACRES
HIGHLAND AREA:	1.31 ACRES
WETLAND AREA:	0.85 ACRES
TOTAL FILL:	0.85 ACRES
TOTAL REMAINING WETLANDS:	0.00 ACRES
TOTAL FILL VOLUME:	4,017 CY

Revisions	Project Title:	
	ELEMENT SUITES NORTH ARCO	
	NORTH ARCO LANE	
	NORTH CHARLESTON, SC 29418	
Applicant:		
CHARLESTON ELEMENT LLC		
Date: 05-22-18	Scale: N/A	
Application #:	Sheet	Of
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