

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

January 9, 2012

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

CENTRE POINTE DEVELOPERS, LLC
C/O J. CRAIG MARSHALL
THE ANTONELLI ORGANIZATION
1725 DESALES STREET, NW, SUITE 300
WASHINGTON, DC 20036

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.

The proposed work consists of placing 525,000 cubic yards of fill material in 41.71 acres of wetlands and clearing 4.13 acres of wetlands associated with construction of a Town Center including roads and infrastructure, a transit facility, retail shops, restaurants, municipal office

space, commercial facilities, residential housing, and an outdoor events gathering space. As mitigation for the proposed impacts to aquatic resources, the applicant proposes to purchase 564.75 mitigation credits from a Corps-approved mitigation bank. In addition, the applicant proposes to preserve the remaining 73.35 acres of on-site wetlands under restrictive covenants. According to the applicant, the purpose of the proposed work is to 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 45.84 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.

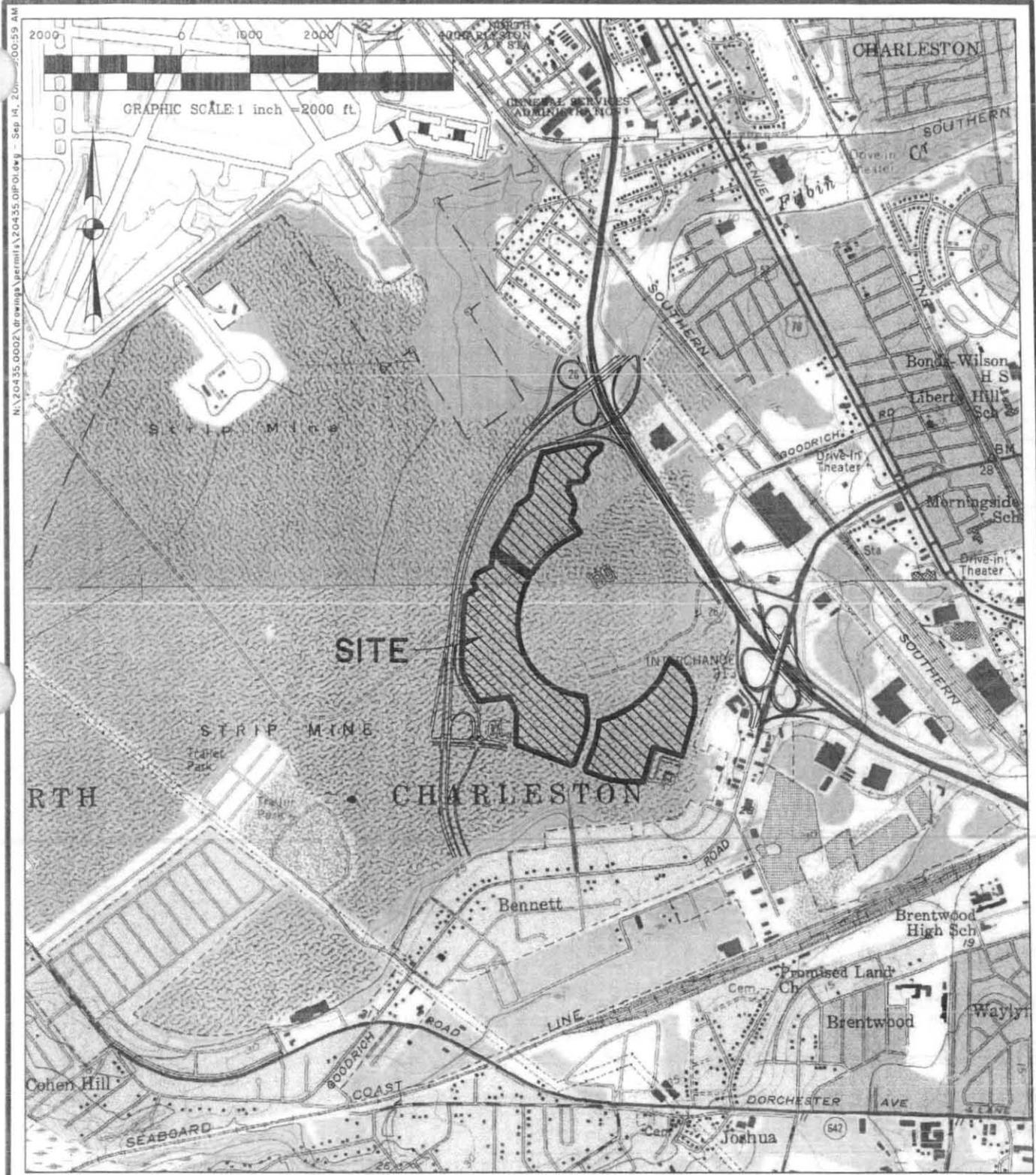
In accordance with the NHPA, the District Engineer has also consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered 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 **Andrea Hughes** at 843-329-8044 or toll free at 1-866-329-8187.



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VICINITY MAP

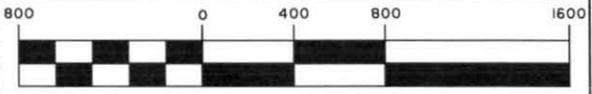
SOURCE: JOHNS ISLAND AND LADSON QUADRANGLE MAPS
 PROJECT: UPTOWN AT CENTRE POINT
 LOCATION: CITY OF NORTH CHARLESTON, SC
 LAT: 32°-52'-25.09" LONG: 80°-01'-30.65"

SHEET 1 of 7

COUNTY: CHARLESTON
 APPLICANT:
 UPTOWN DEVELOPERS, LLC
 WATERWAY: FILBIN CREEK

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EXISTING WEIR TO BE IMPROVED



GRAPHIC SCALE: 1 inch = 800 ft.



LEGEND

- JURISDICTIONAL WETLAND
- UPLAND
- PROPOSED FILL
- WETLANDS CLEARED; DRAINAGE WAYS
- SAND FILTER

10.76 ACRES JURISDICTIONAL WETLAND TO BE FILLED SEE SHEET 8

30.95 ACRES JURISDICTIONAL WETLAND TO BE FILLED SEE SHEET 8

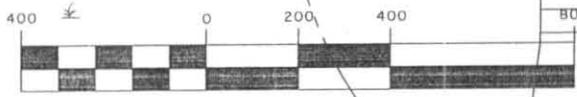
SUMMARY	
WETLANDS FILLED:	DEVELOPED AREA 41.71 ACRES
WETLANDS CLEARED:	DRAINAGE WAYS 4.13 ACRES
WETLANDS TO REMAIN:	73.35 ACRES
TOTAL JURISDICTIONAL WETLANDS:	119.19 ACRES
EXISTING UPLAND:	5.69 ACRES
TOTAL PROJECT AREA:	124.88 ACRES

MASTER PLAN

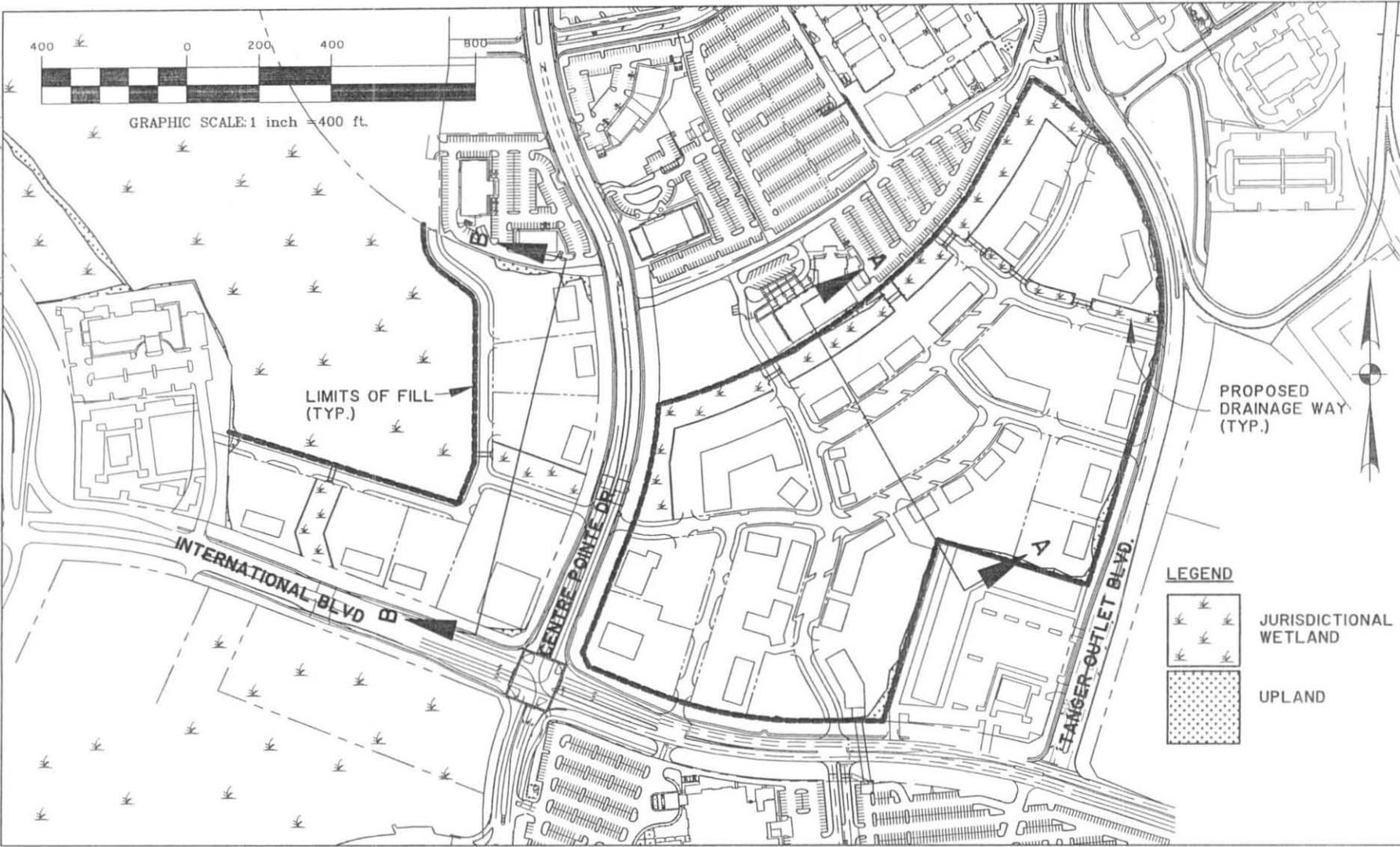
PROJECT: UPTOWN AT CENTRE POINTE
 LOCATION: CITY OF NORTH CHARLESTON, SC
 LAT: 32°-52'-25.09" LONG: 80°-01'-30.65"

COUNTY: CHARLESTON
 APPLICANT:
 UPTOWN DEVELOPERS, LLC
 WATERWAY: FILBIN CREEK

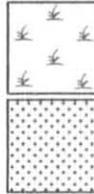
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GRAPHIC SCALE: 1 inch = 400 ft.



LEGEND



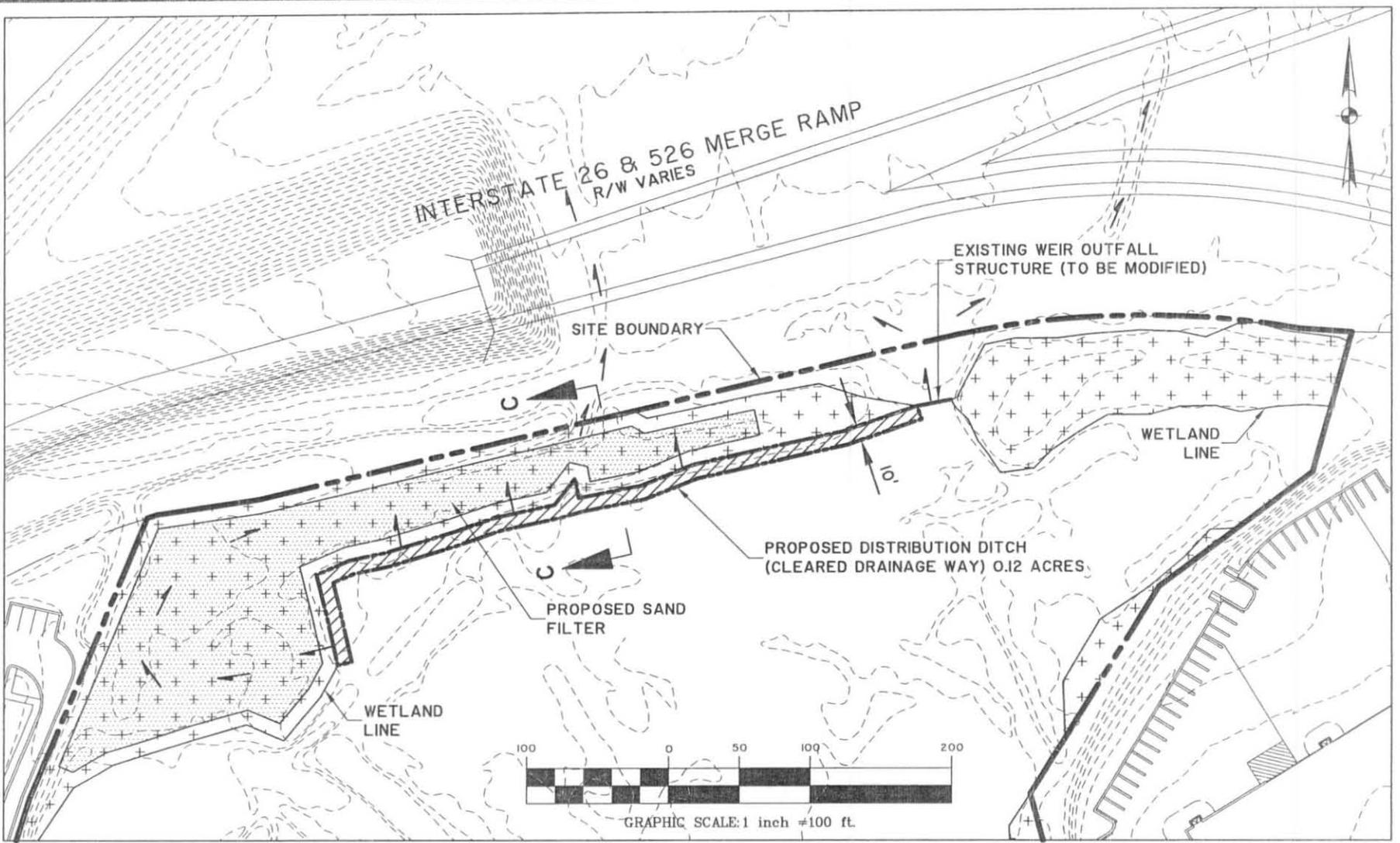
JURISDICTIONAL WETLAND
UPLAND

PROPOSED SITE PLAN

PROJECT: UPTOWN AT CENTRE POINTE
LOCATION: CITY OF NORTH CHARLESTON, SC
LAT: 32°-52'-25.09" LONG: 80°-01'-30.65"

COUNTY: CHARLESTON
APPLICANT:
UPTOWN DEVELOPERS, LLC
WATERWAY: FILBIN CREEK

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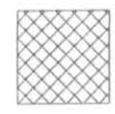
SAND FILTER PLAN

SOURCE: FUSS & O'NEILL/THOMAS & HUTTON
 PROJECT: UPTOWN AT CENTRE POINTE
 LOCATION: CITY OF NORTH CHARLESTON, SC
 LAT: 32°-52'-25.09" LONG: 80°-01'-30.65"

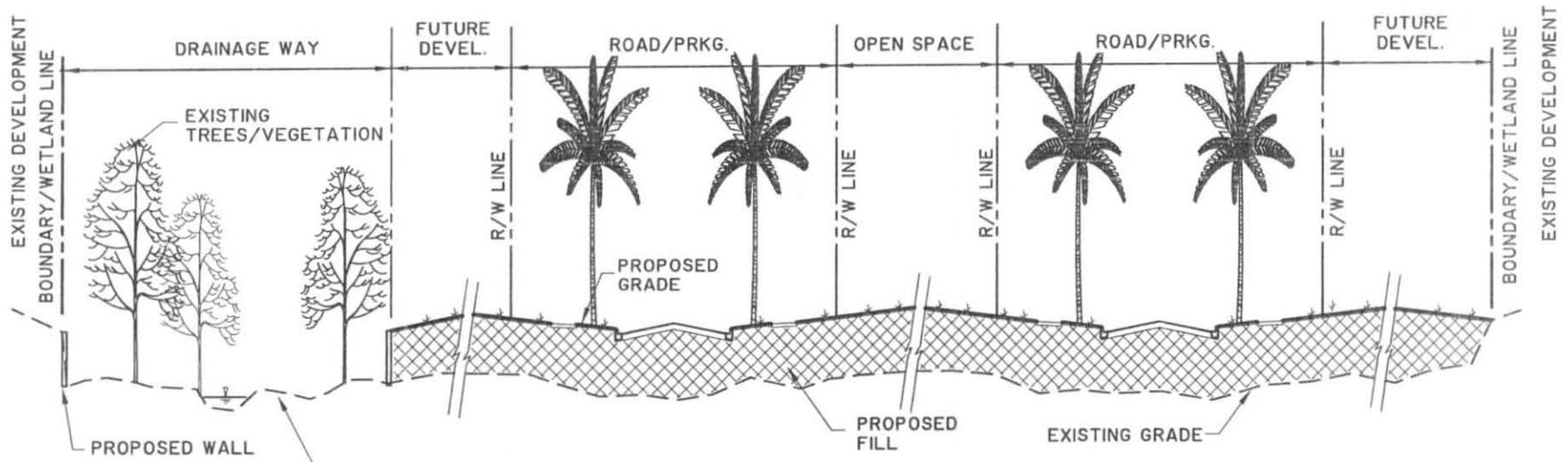
COUNTY: CHARLESTON
 APPLICANT:
 UPTOWN DEVELOPERS, LLC
 WATERWAY: FILBIN CREEK

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LEGEND



PROPOSED FILL



ANY WORK REQD. TO IMPROVE FLOW IN DRAINAGE WAY SHALL BE DONE BY HAND AND MATERIAL SHALL BE REMOVED FROM DRAINAGE WAY

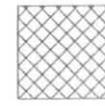
SECTION A-A

PROJECT: UPTOWN AT CENTRE POINTE
LOCATION: CITY OF NORTH CHARLESTON, SC
LAT: 32°-52'-25.09" LONG: 80°-01'-30.65"

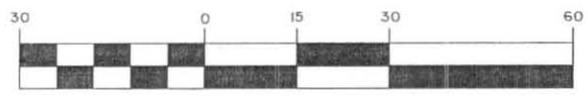
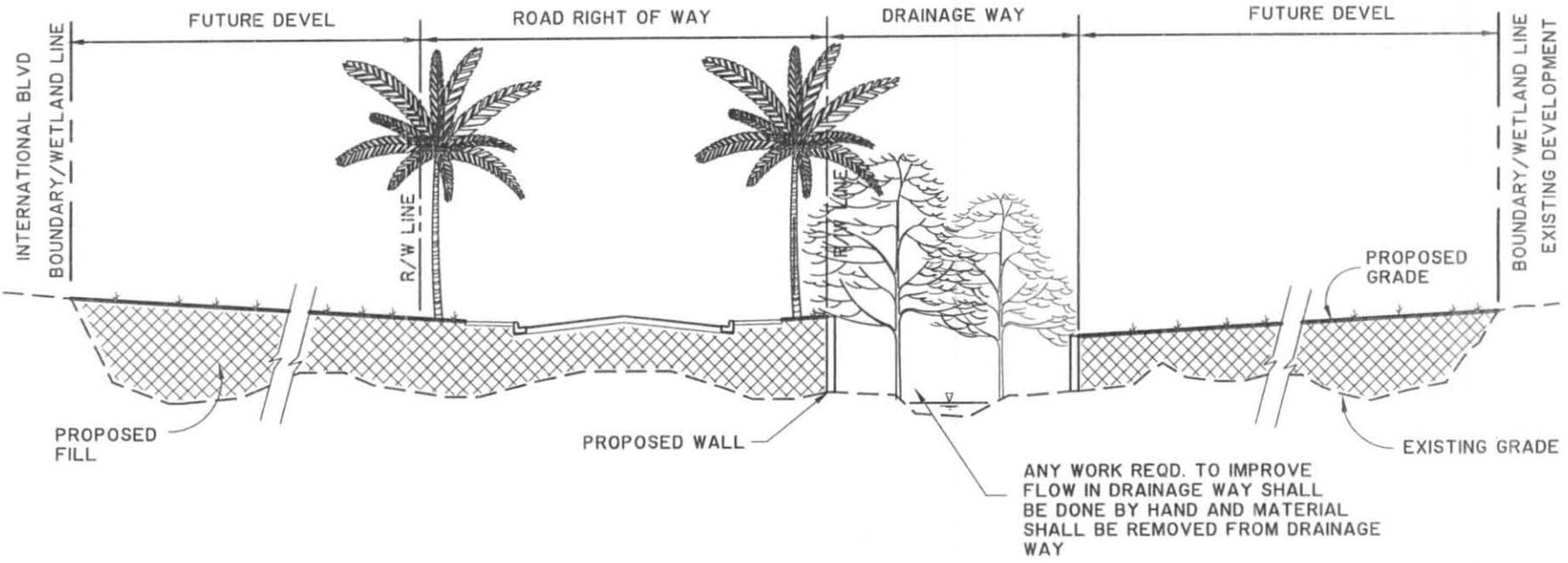
COUNTY: CHARLESTON
APPLICANT:
UPTOWN DEVELOPERS, LLC
WATERWAY: FILBIN CREEK

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LEGEND



PROPOSED FILL



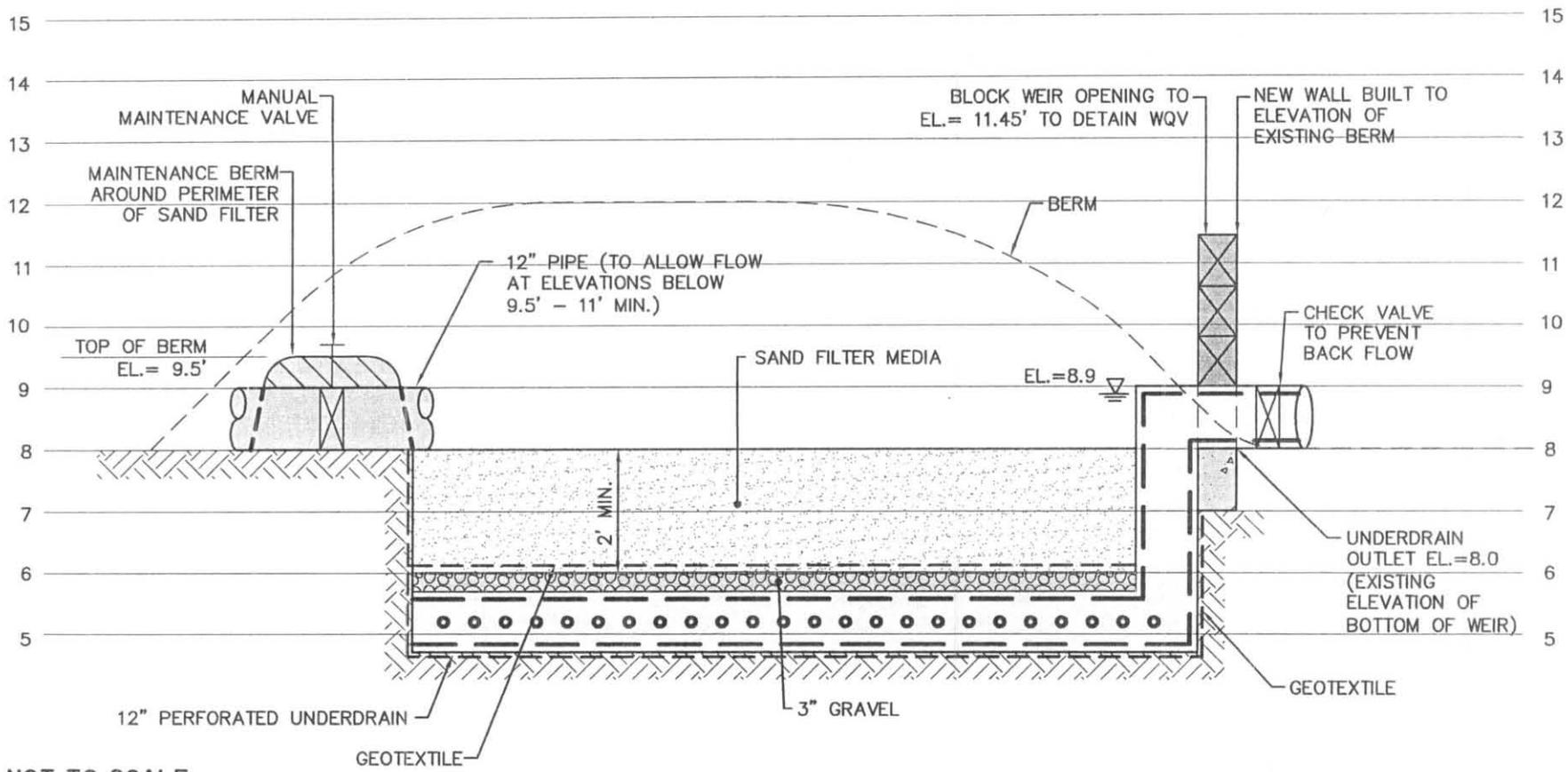
GRAPHIC SCALE: 1 inch = 30 ft.

SECTION B-B

PROJECT: UPTOWN AT CENTRE POINTE
 LOCATION: CITY OF NORTH CHARLESTON, SC
 LAT: 32°-52'-25.09" LONG: 80°-01'-30.65"

COUNTY: CHARLESTON
 APPLICANT:
 UPTOWN DEVELOPERS, LLC
 WATERWAY: FILBIN CREEK

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SECTION C-C

SOURCE: FUSS AND O'NEILL
PROJECT: UPTOWN AT CENTRE POINTE
LOCATION: CITY OF NORTH CHARLESTON, SC
LAT: 32°-52'-25.09" LONG: 80°-01'-30.65"

COUNTY: CHARLESTON
APPLICANT:
UPTOWN DEVELOPERS, LLC
WATERWAY: FILBIN CREEK