

**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 #SAC-2008-440-2IG

11 APRIL 2008

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

**RA KEMP & SONS**  
**C/O NEWKIRK ENVIRONMENTAL**  
**PO BOX 746**  
**MT. PLEASANT, SOUTH CAROLINA 29465**

for a permit to place fill material in

**FRESHWATER WETLANDS**

At a location, at the terminus of Tile Drive, in Charleston County, South Carolina.  
(Latitude 32°50'52.4" – Longitude 80°00'56.4")

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 both of the above mentioned offices until

**12 O'CLOCK NOON, MONDAY, MAY 12, 2008**

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of placing approximately 4,878 cubic yards of fill material in 1.01 acres of freshwater wetlands and excavating 0.13 acres of freshwater wetlands to create high ground and a stormwater pond for commercial development of the site. As mitigation for the proposed impacts, the applicant proposes to preserve the remaining 0.62 acres of wetlands onsite and purchase 12.7 credits from the Pigeon Pond Mitigation Bank. The purpose of the proposed work is to establish a commercial office warehouse facility that will accommodate local area businesses.

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 South Carolina Coastal Zone Management Act (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. Persons wishing to comment or object to State certification must submit all comments in writing to the S.C. Department of Health and Environmental Control at the above address within thirty (30) days of the date of this notice.

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 1.14 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.

The District Engineer has consulted the most recently available information and has determined 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, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

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.

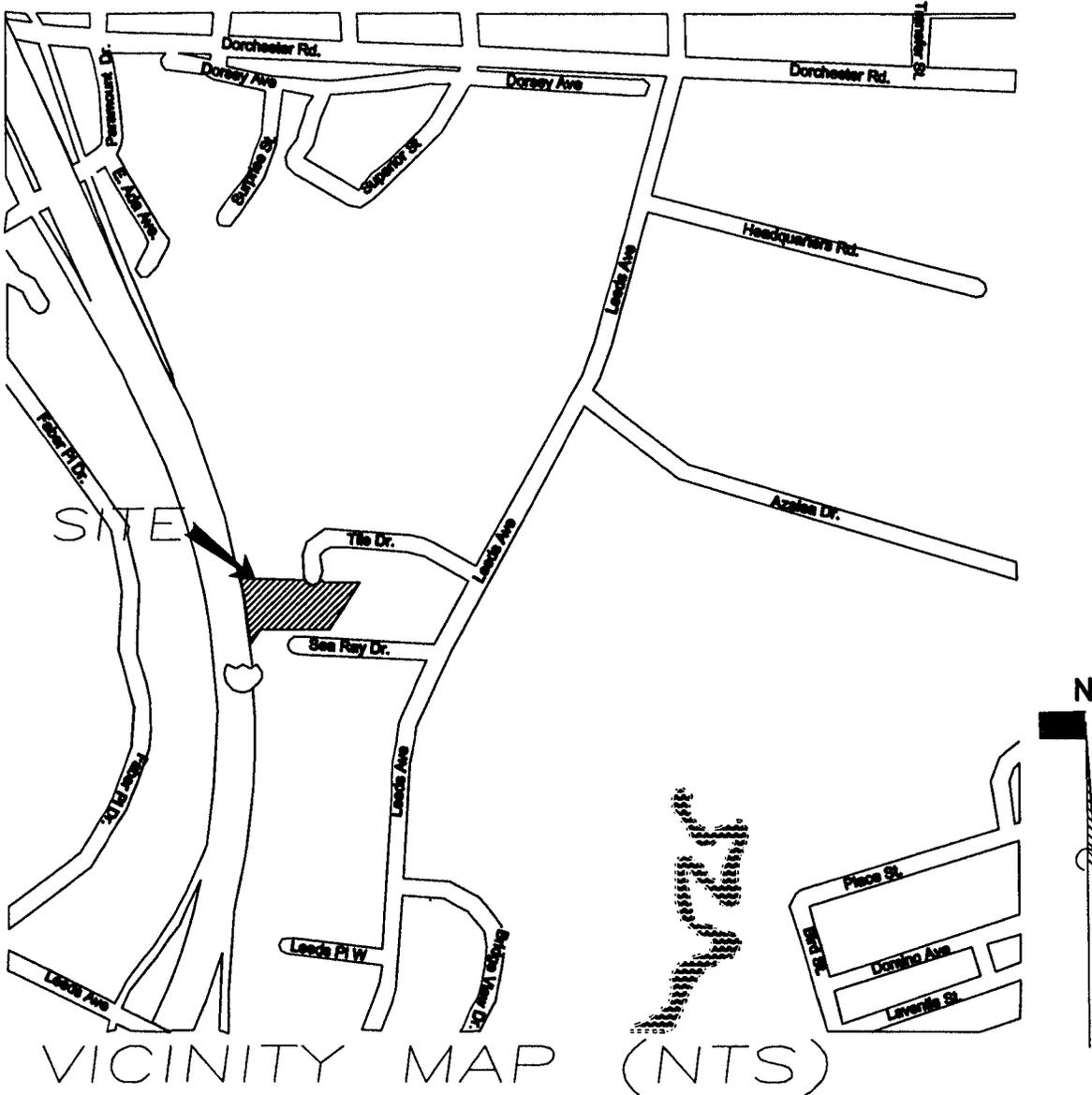
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

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 Mary Hope Glenn at 843-329-8044 or toll free at 1-866-329-8187.

# LOCATION MAP (NTS)



Project Title:

RA KEMP & SONS OFFICE  
WAREHOUSE

TILE DRIVE (CHARLESTON COUNTY)  
NORTH CHARLESTON, SC 29405

Revisions

Date:  
03-25-08  
Initials:  
JWO

Applicant:

MR. ROBERT KEMP

Date: 08-20-07

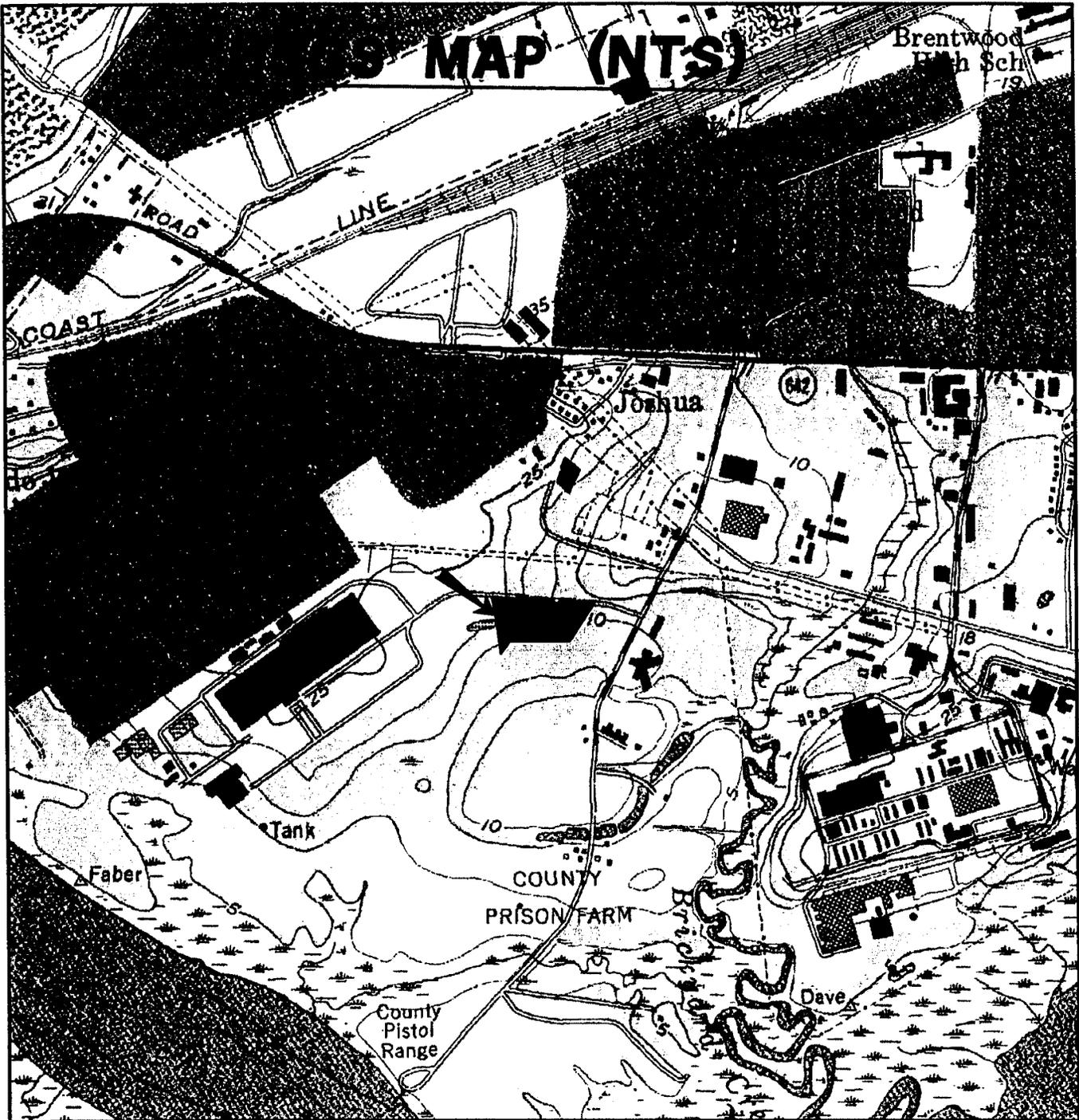
Scale: N/A

Application #:

**SAC-2008-440-2IG**

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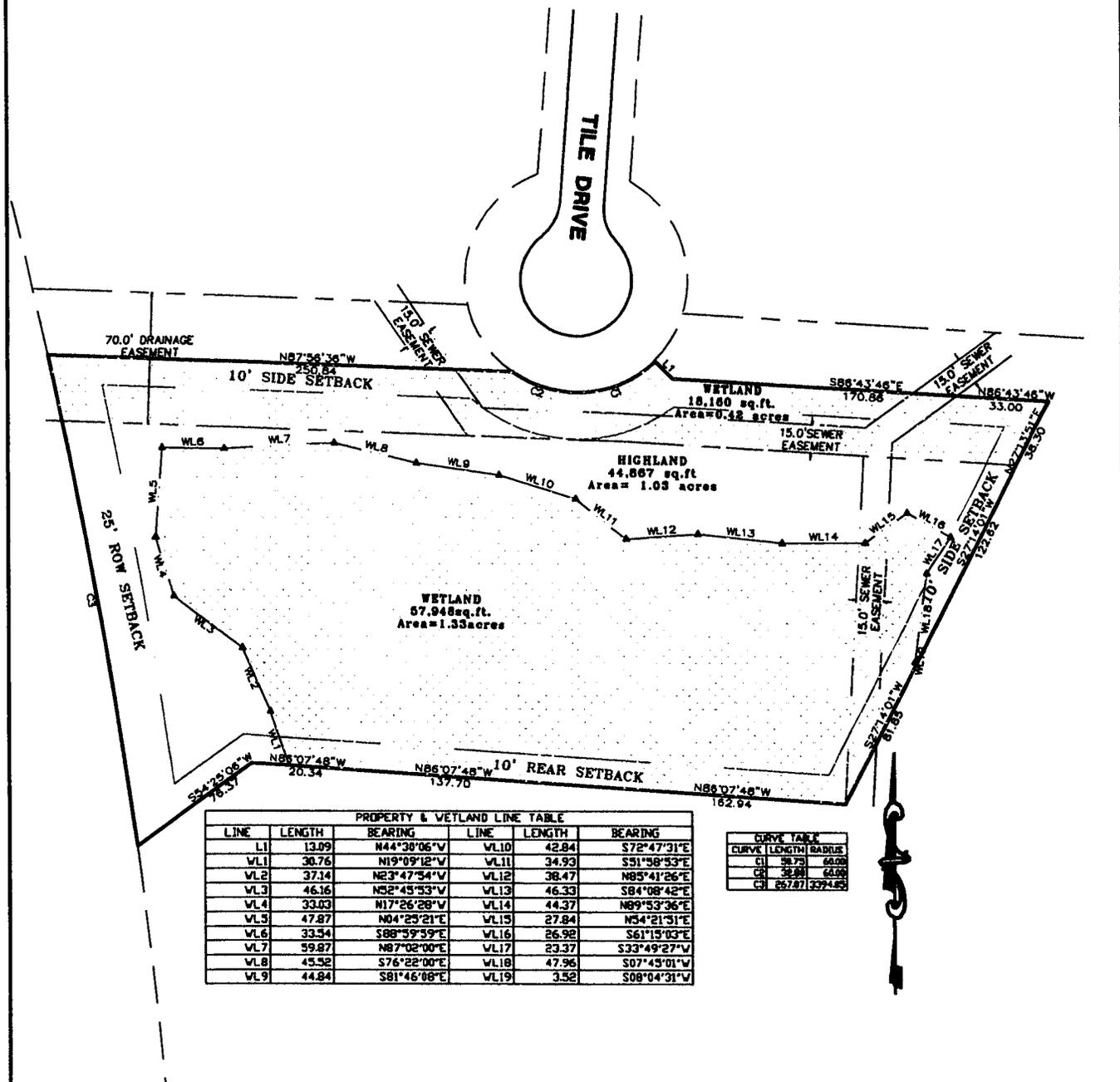


**QUAD MAP INFORMATION:**  
 JOHN'S ISLAND (SC)-QUAD TOPO  
 ORIG DATE: 1979  
 QUAD SERIES: 7.5'  
 PAPER SOURCE: 1:24,000  
 COVERAGE: BERKELEY, CHARLESTON,  
 DORCHESTER COUNTY  
 VENDOR: USGS  
 LATITUDE: N32° 50' 52.4"  
 LONGITUDE: W80° 0' 56.4"

Revisions  
 Date: 03-25-08  
 Initials:  
 JWO

Project Title:	
RA KEMP & SONS OFFICE WAREHOUSE	
TILE DRIVE(CHARLESTON COUNTY) NORTH CHARLESTON, SC 29405	
Applicant:	
MR. ROBERT KEMP	
Date: 08-20-07	Scale: N/A
Application #:	Sheet Of
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# EXISTING SITE



PROPERTY & WETLAND LINE TABLE					
LINE	LENGTH	BEARING	LINE	LENGTH	BEARING
L1	13.09	N44°38'06"W	VL10	42.84	S72°47'31"E
VL1	30.76	N19°09'12"W	VL11	34.93	S51°58'53"E
VL2	37.14	N23°47'54"W	VL12	38.47	N85°41'26"E
VL3	46.16	N52°45'53"W	VL13	46.33	S84°08'42"E
VL4	33.03	N17°26'28"W	VL14	44.37	N89°53'36"E
VL5	47.87	N04°23'21"E	VL15	27.84	N54°21'51"E
VL6	33.34	S88°39'39"E	VL16	26.98	S61°15'03"E
VL7	59.87	N87°02'00"E	VL17	23.37	S33°49'27"W
VL8	45.52	S76°22'00"E	VL18	47.96	S07°43'01"W
VL9	44.84	S81°46'08"E	VL19	3.52	S08°04'31"W

CURVE TABLE		
CURVE	LENGTH	RADIUS
C1	38.73	660
C2	32.81	660
C3	267.87	3394.60



- LEGEND**
- PROPERTY LINE
  - ADJACENT PROPERTY LINE
  - WETLANDS BOUNDARY FLAG
  - DRAINAGE EASEMENT
  - SEWER EASEMENT
  - WETLAND BOUNDARY
  - SETBACK
  - JURISDICTIONAL WETLANDS

Project Title:  
**RA KEMP & SONS OFFICE WAREHOUSE**

TILE DRIVE (CHARLESTON COUNTY)  
 NORTH CHARLESTON, SC 29405

Applicant:  
**MR. ROBERT KEMP**

Date: 08-20-07      Scale: 1" = 80'

Application #: **SAC-2008-440-2IG**      Sheet of **3** / **8**

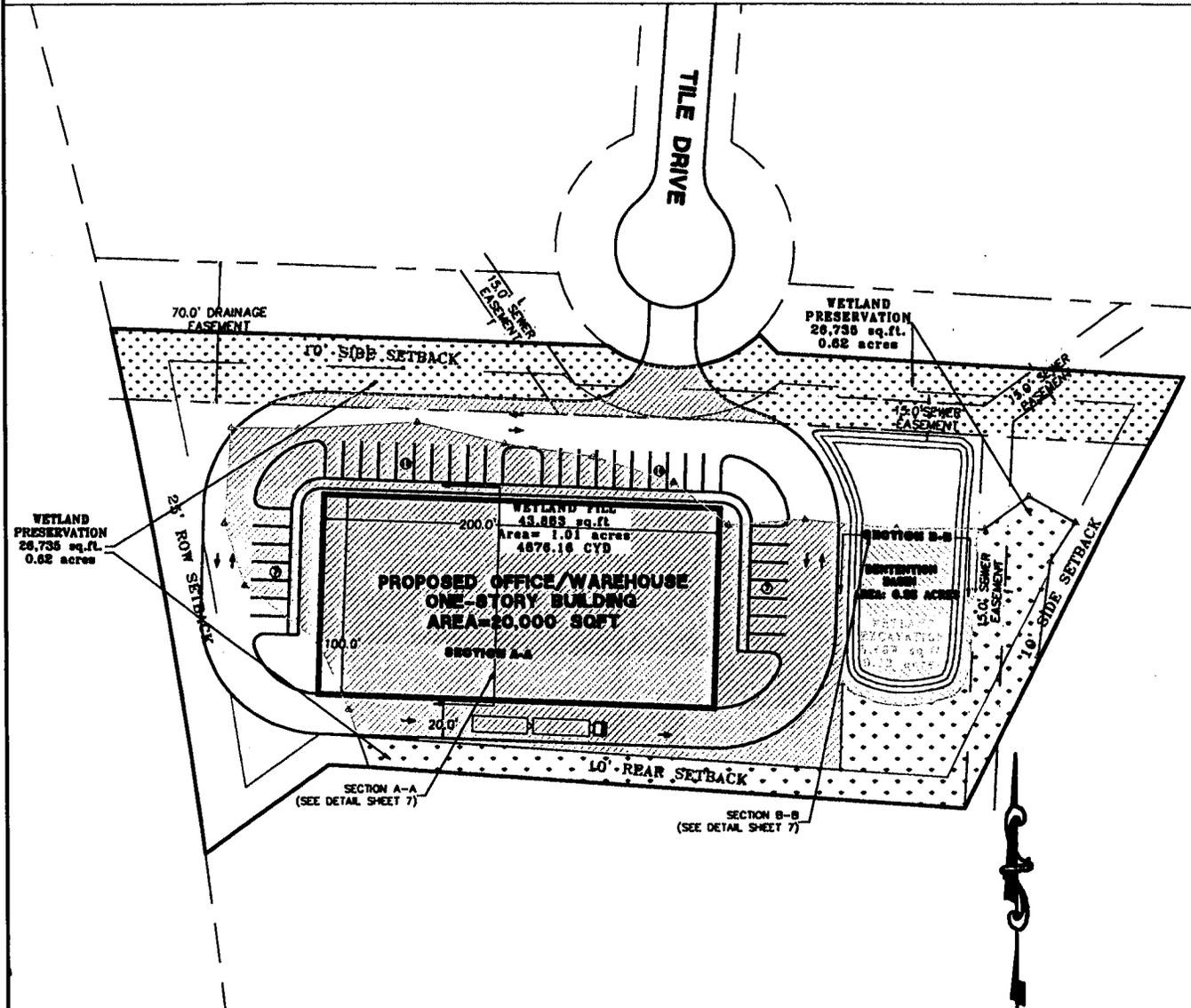
Revisions  
 Date: 03-25-08  
 Initials: JWO

# PROPOSED SITE PLAN

JURISDICTIONAL WETLANDS PRESERVATION: 26,735 sq.ft. (0.62 acres)

JURISDICTIONAL WETLAND FILL: 43,833 sq.ft. (1.01 acres)

JURISDICTIONAL WETLAND EXCAVATION: 5,487 sq.ft. (0.13 acres)



## LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- WETLANDS BOUNDARY FLAG
- SEWER EASEMENT
- WETLAND BOUNDARY
- SETBACK
- JURISDICTIONAL WETLANDS PRESERVATION
- JURISDICTIONAL WETLAND FILL
- JURISDICTIONAL WETLAND EXCAVATION

Project Title:

RA KEMP & SONS OFFICE WAREHOUSE

TILE DRIVE (CHARLESTON COUNTY)  
NORTH CHARLESTON, SC 29405

### Revisions

Date: 03-25-08  
Initials: JWO

Applicant:

MR. ROBERT KEMP

Date: 08-20-07

Scale: 1"=80'

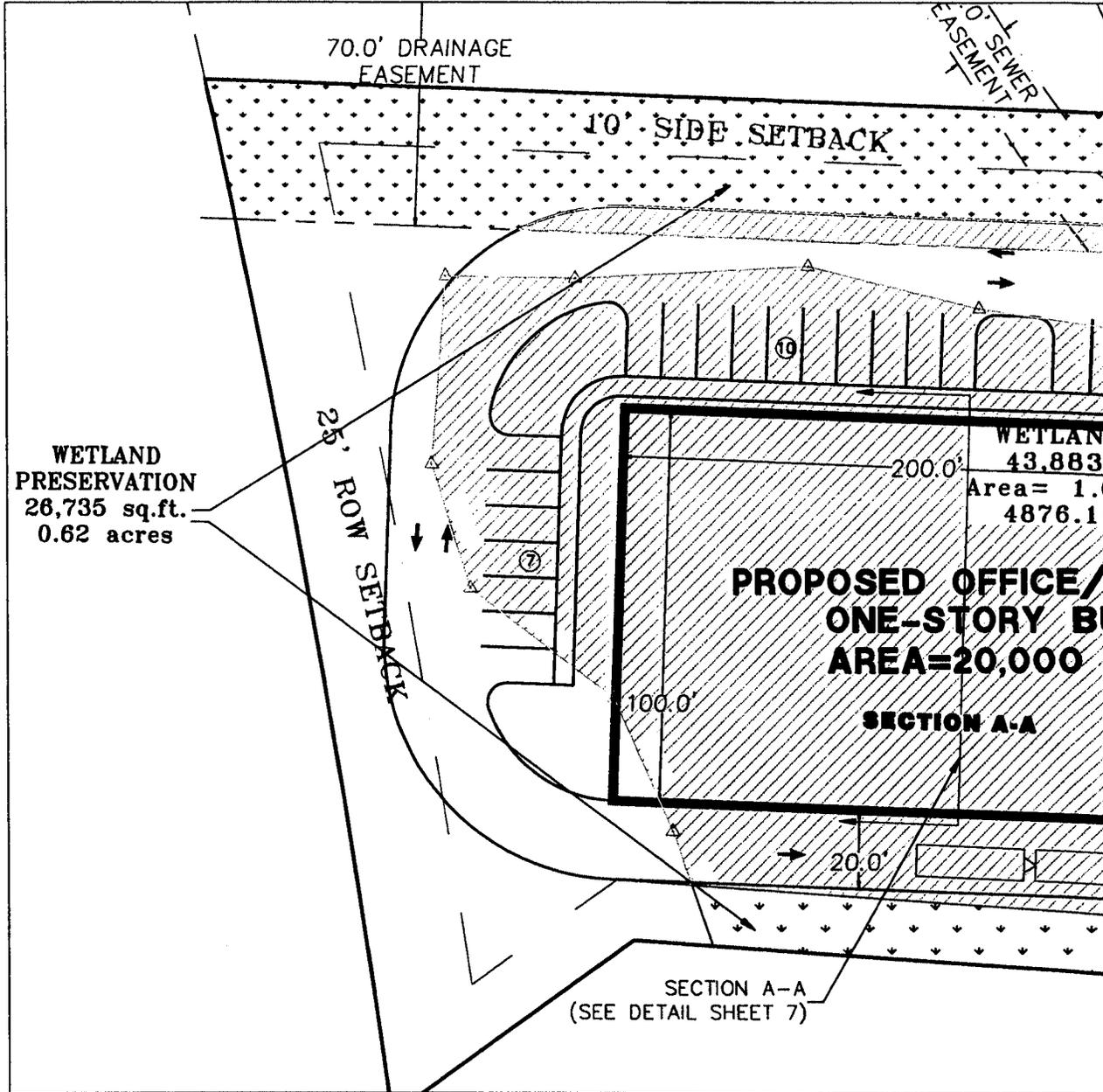
Application #:

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# WETLAND FILL 'A'



## LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- WETLANDS BOUNDARY FLAG
- SEWER EASEMENT
- WETLAND BOUNDARY
- SETBACK
- JURISDICTIONAL WETLANDS
- JURISDICTIONAL WETLAND FILL
- JURISDICTIONAL WETLAND EXCAVATION

Project Title:

RA KEMP & SONS OFFICE WAREHOUSE

TILE DRIVE (CHARLESTON COUNTY)  
NORTH CHARLESTON, SC 29405

### Revisions

Date: 03-25-08  
Initials: JWO

Applicant:

MR. ROBERT KEMP

Date: 08-20-07

Scale: 1" = 40'

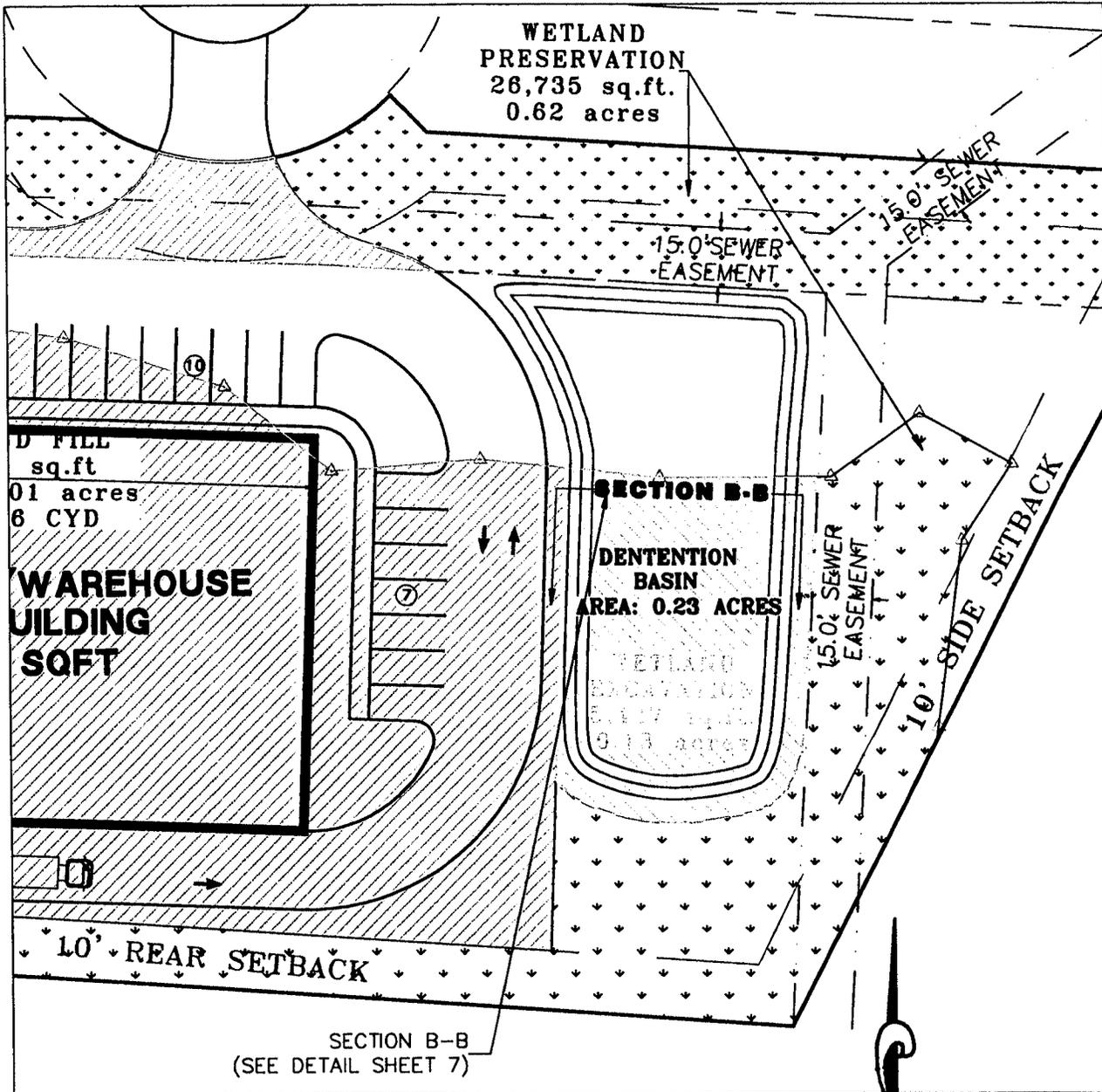
Application #:

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# WETLAND FILL 'B'



**LEGEND**

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- WETLANDS BOUNDARY FLAG
- SEWER EASEMENT
- WETLAND BOUNDARY
- SETBACK
- JURISDICTIONAL WETLANDS
- JURISDICTIONAL WETLAND FILL
- JURISDICTIONAL WETLAND EXCAVATION

Project Title:

RA KEMP & SONS OFFICE  
WAREHOUSE

TILE DRIVE (CHARLESTON COUNTY)  
NORTH CHARLESTON, SC 29405

Applicant:

MR. ROBERT KEMP

Date: 08-20-07

Scale: 1" = 40'

Application #:

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Revisions

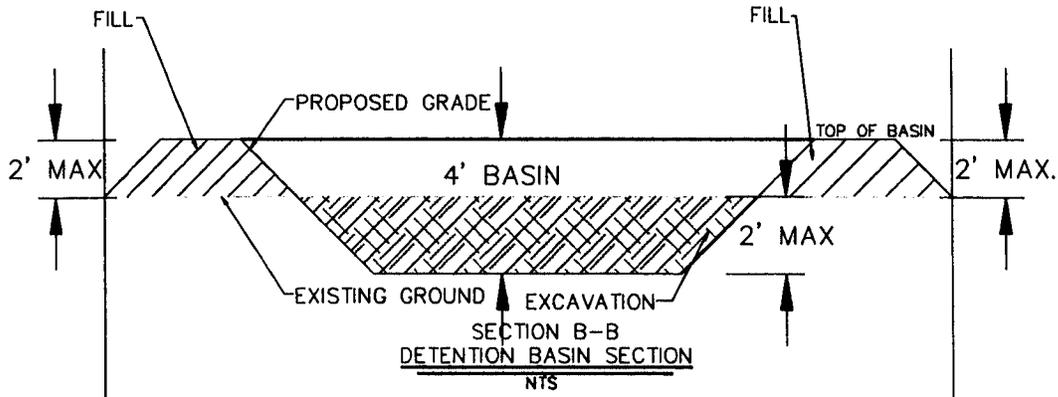
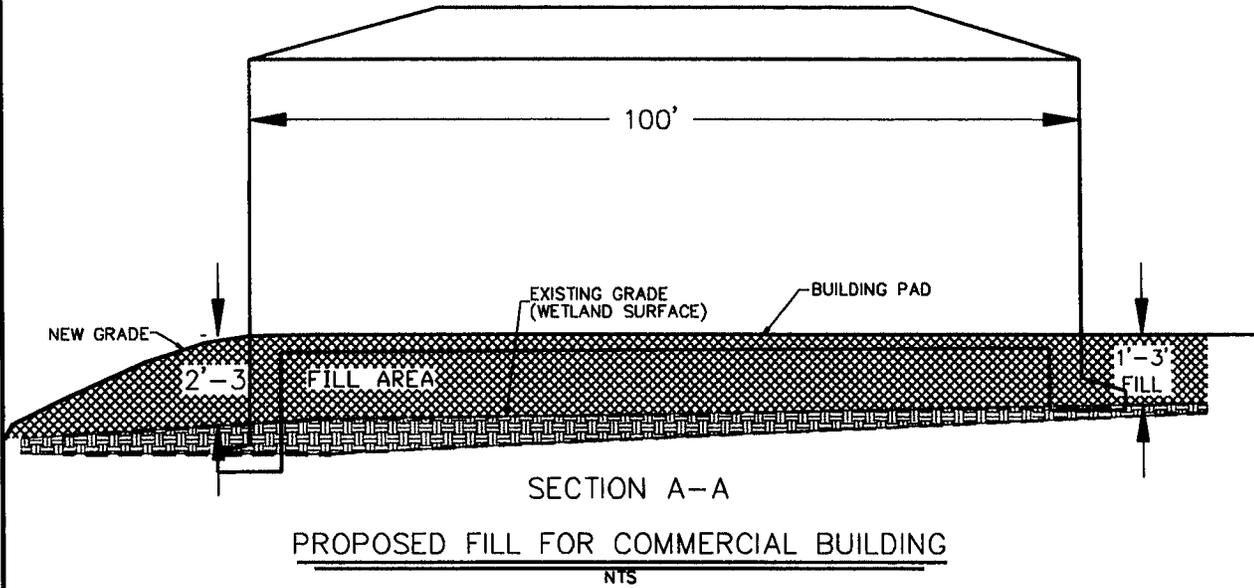
Date: 03-25-08

Initials:

JWO

# WETLAND FILL & CLEARING OF DETENTION POND

## TYPICAL CROSS SECTION



Project Title:

RA KEMP & SONS OFFICE  
WAREHOUSE

TILE DRIVE (CHARLESTON COUNTY)  
NORTH CHARLESTON, SC 29405

Revisions

Date: 03-25-08  
Initials: JWO

Applicant:

MR. ROBERT KEMP

Date: 08-20-07

Scale: NTS

Application #:

SAC-2008-440-2IG

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# WETLAND IMPACT SUMMARY

SITE AREA: 2.36 ACRES  
 HIGHLAND AREA: 0.61 ACRES  
 JURISDICTIONAL WETLAND AREA: 1.75 ACRES

JURISDICTIONAL WETLAND FILL:  
 FILL SITE: 1.01 ACRES  
 4876.16 CUBIC YARDS

JURISDICTIONAL WETLAND EXCAVATION:  
 EXCAVATION SITE: 0.13 ACRES

JURISDICTIONAL FRESHWATER WETLAND PRESERVATION:  
 JURISDICTIONAL: 0.62 ACRES

Project Title:

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 WAREHOUSE

TILE DRIVE (CHARLESTON COUNTY)  
 NORTH CHARLESTON, SC 29405

Revisions

Date: 03-25-08  
 Initials:  
 JWO

Applicant:  
 MR. ROBERT KEMP

Date: 08-20-07

Scale: N/A

Application #:  
**SAC-2008-440-2IG**

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**RA Kemp & Sons  
Office Warehouse  
February 2008**

The following definition is reproduced here for ready reference.

**Cumulative impact** is an evaluation of the cumulative adverse impacts to aquatic sites for the overall project. This factor is proportional to the areas of impact. The formula used to calculate this value is  $0.05 \times \sum AA$ , where  $\sum AA$ , stands for the sum of the acres of adverse impacts to aquatic areas for the overall project. When computing this value, round to the nearest tenth decimal place using even number rounding. Thus 0.01 and 0.050 are rounded down to give a value of zero while 0.051 and 0.09 are rounded up to give 0.1 as the value for the cumulative impact factor.

**Note:** The cumulative impact factor for the overall project must be used in each area column on the Required Mitigation Credits Worksheet below.

**Required Mitigation Credits Worksheet**

<b>Factor</b>	<b>Area 1</b>	<b>Area 2</b>	<b>Area 3</b>	<b>Area 4</b>	<b>Area 5</b>
Lost Type	3.0	3.0			
Priority Category	0.5	0.5			
Existing Condition	2.0	2.0			
Duration	2.0	2.0			
Dominant Impact	3.0	1.5			
Cumulative Impact	0.1	0.1			
Sum of R Factors	$R_1 = 10.6$	$R_2 = 9.1$	$R_3 =$	$R_4 =$	$R_5 =$
Impacted Area (AA)	$AA_1 = 1.01$	$AA_2 = 0.13$	$AA_3 =$	$AA_4 =$	$AA_5 =$
$R \times AA =$	10.7	1.2			
<b>Total Required Credits = <math>\sum (R \times AA) =</math></b>					<b>11.9</b>

**Area 1= Jurisdictional Fill**

**Area 2= Jurisdictional Excavation**

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February 2008**

**Note:** Preservation credit should generally be limited to those areas that qualify as Fully Functional or Slightly Impaired. Impaired sites should be candidates for enhancement or restoration credit, not preservation credit. In special circumstances when Impaired sites are allowed preservation credit (e.g. within the scope of some OCRM wetland master planned projects), a negative factor will be used to calculate credits as per the matrix table.

**Proposed Preservation Mitigation Worksheet**

<b>Factor</b>	<b>Area 1</b>	<b>Area 2</b>	<b>Area 3</b>	<b>Area</b>	<b>Area</b>
Priority Category	<b>0.1</b>				
Existing Condition	<b>0.1</b>				
Degree of Threat	<b>0.1</b>				
Control	<b>0.1</b>				
Kind	<b>0.3</b>				
Location	<b>0.3</b>				
Sum of m Factors	<b>M<sub>1</sub> = 1.0</b>	M <sub>2</sub> =	M <sub>3</sub> =	M <sub>4</sub> =	M <sub>5</sub> =
Mitigation Area	<b>A<sub>1</sub> = 0.62</b>	A <sub>2</sub> =	A <sub>3</sub> =	A <sub>4</sub> =	A <sub>5</sub> =
M x A =	<b>0.6</b>				

**Total Preservation Credits =  $\sum (M \times A) =$  0.6**

**Area 1= Wetland Preservation**

*SAC - 2008-440-21*

**RA Kemp & Sons  
Office Warehouse  
February 2008**

**WETLANDS AND OTHER WATERS OF THE U.S. EXCLUDING STREAMS  
Mitigation Summary Worksheet For Permit Application # \_\_\_\_\_**

**I. Required Mitigation**

A. Total Required Mitigation Credits = <b>11.9</b>
--

**II. Non-Banking Mitigation Credit Summary**

	Credits	Acres
B. Creation		
C. Restoration and/or Enhancement (non-Buffer Enhancement)		
D. Restoration and/or Enhancement (Buffer Enhancement)		
E. Total No Net Loss Non-Bank Mitigation = B + C + D		
F. Preservation	<b>0.6</b>	<b>0.62</b>
G. Total Proposed Non-Bank Mitigation = E + F	<b>0.6</b>	<b>0.62</b>

**III. Banking Mitigation Credit Summary**

	Credits	Acres
H. Creation		
I. Restoration and/or Enhancement (non-Buffer Enhancement)	<b>11.3</b>	<b>Determined By Bank</b>
J. Restoration and/or Enhancement (Buffer Enhancement)		
K. Total No Net Loss Bank Mitigation = H + I + J	<b>11.3</b>	<b>Determined By Bank</b>
L. Preservation		
M. Total Proposed Bank Mitigation = K + L	<b>11.3</b>	<b>Determined By Bank</b>

**IV. Grand Totals**

	Credits	Acres
N. Total Preservation Mitigation = F + L	<b>0.6</b>	<b>0.62</b>
O. Total Non-Preservation Mitigation = E + K	<b>11.3</b>	<b>Determined By Bank</b>
P. Total Creation = B + H		
Q. Total Restoration and/or Enhancement (Non-Buffer Enhancement) = C + I	<b>11.3</b>	<b>Determined By Bank</b>
R. Total Proposed Mitigation = G + M	<b>11.9</b>	<b>Determined By Bank + 0.62</b>

*SAC 2008-440-216*

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Office Warehouse  
February 2008**

The Total Mitigation Credits (Row R) should be equal to or greater than the total Required Mitigation Credits (Row A) for the proposed mitigation to be acceptable. The other requirements given in the SOP must also be satisfied, e.g., in the credits column, Row O must equal at least 50% of Row A and the addition of Row P and Row Q must equal at least 25% of Row A. If the answer to any of the questions below is no, then the proposed mix and/or quantity of mitigation is not in compliance with the policy and the plan should be revised or rejected, unless a variance is approved.

	Yes	No
$PMC \geq RMC$ or in words Are the credits in Row R greater than or equal to Row A?	<b>X</b>	
$PMC_{\text{Non Preservation}} \geq \frac{1}{2} RMC$ or in words Are the credits in Row O greater than or equal to 50% of Row A?	<b>X</b>	
$PMC_{\text{Creation + Restoration/Enhancement (Non-Buffer Enhancement)}} \geq \frac{1}{4} RMC$ or in words Are the credits in Row P plus the credits in Row Q greater than or equal to 25% of Row A?	<b>X</b>	

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