

JOINT
PUBLIC NOTICE

**CHARLESTON DISTRICT, CORPS OF ENGINEERS
69 A HAGOOD AVENUE
CHARLESTON SC 29403-5107**

**and
THE S.C. DEPARTMENT OF ENVIRONMENTAL SERVICES
Water Quality Certification and Wetlands Section
2600 Bull Street
Columbia, South Carolina 29201**

REGULATORY DIVISION
Refer to: SAC-2023-00211

August 29, 2024

Pursuant to Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1341), an application has been submitted to the Department of the Army and the South Carolina Department of Environmental Services by

**Mr. Ryan Wehmann
Quality Technology Services, LLC
12851 Foster Street
Overland Park, Kansas 66213**

**C/O Mr. Chris Tinklenberg
Kimley-Horn
580 Kingsley Park Drive, Suite 125
Fort Mill, South Carolina 29715**

for a permit to construct a data center campus in

unnamed tributaries to Little Allison Creek

located southwest of the intersection of Campbell Road and Handsmill Highway, in York County, South Carolina (Latitude: 35.0343 °, Longitude: -81.1104 °), Lake Wylie 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 **SCDES** 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.

NOTE: This public notice and associated plans are available on the Corps' website at: <http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices> .

Applicant's Stated Purpose

According to the applicant, the purpose of the proposed project is "to build and maintain continuous operation(s) of twelve (12) data center facilities to meet the current and future demands of data storage within the United States."

Project Description

The proposed work consists of the construction of a data center campus in four phases and would include a total of twelve (12) data center buildings with dedicated equipment yards and a power corridor consisting of two substations with associated overhead power lines as well as access roads, an internal road network, parking, utilities, and thirteen (13) stormwater management facilities. In detail, the proposed project would include five (5) piped crossings of tributaries (279 lf, 191 lf, 182 lf, 235 lf, and 278 lf) for internal roads as well as the fill of two tributary headwaters (288 lf and 1043 lf) and one open water (0.15 ac), which would be filled for internal roads, fill slopes, and building pads. Total proposed impacts to aquatic resources would include 2,496 linear feet of streams and 0.15 acre of open water.

Avoidance and Minimization

The applicant has stated that the proposed project will avoid and/or minimize impacts to the aquatic environment to the maximum extent practicable based on the applicant's evaluation of the No Action Alternative and seven alternative sites, including the applicant's preferred site. Additionally, the applicant evaluated three on-site configurations which included the applicant's preferred configuration. The applicant states that, "the applicant and design team considered a variety of alternatives that would avoid and minimize impacts to streams to the greatest extent practicable while satisfying the overall project purpose. Through a comprehensive analysis of both off-site alternatives and on-site configurations, the applicant has been able to reduce the overall environmental impacts and demonstrate that the proposed site and design is the least environmentally damaging practicable alternative." The applicant further states that, "[a]ll development activities will be conducted using best management practices to

prevent incidental impacts to the remaining on-site aquatic resources.”

Proposed Compensatory Mitigation

The applicant has proposed to mitigate for impacts to wetlands and/or waters of the United States by purchasing 14501.7 stream credits from an approved mitigation bank. The applicant has submitted an out of service area request for the purchase of credits from Gregory’s Creek Mitigation Bank. The applicant does not propose compensatory mitigation for the proposed open water impacts. The applicant has proposed that the open water may not be subject to Corps regulation and has requested a currently pending approved jurisdictional determination on the open water.

South Carolina Department Environmental Services

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the certifying authority, South Carolina Department of Environmental Services, in accordance with provisions of Section 401 of the Clean Water Act (CWA). The CWA Section 401 Certification Rule (Certification Rule, 40 CFR 121), effective September 11, 2020, requires certification, or waiver, for any license or permit that authorizes an activity that may result in a discharge. The scope of a CWA Section 401 Certification is limited to assuring that a discharge from a Federally licensed or permitted activity will comply with water quality requirements. The applicant is responsible for requesting certification and providing required information to the certifying authority. In accordance with Certification Rule part 121.12, the Corps will notify the U.S. Environmental Protection Agency Administrator when it has received a Department of the Army (DA) permit application and the related certification. The Administrator is responsible for determining if the discharge may affect water quality in a neighboring jurisdiction. The DA permit may not be issued pending the conclusion of the Administrator’s determination of effects on neighboring jurisdictions.

State review, permitting and certification is conducted by the South Carolina Department of Environmental Services. 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.

Essential Fish Habitat

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 approximately 0.5 acre of freshwater stream bottom and open water well inland 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.

Endangered Species

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the proposed project and based on location and available information, including **IPaC Project Code 2024-0071750** information, the following species have the potential to occur in the vicinity of the proposed work:

Dwarf-flowered Heartleaf (*Hexastylis naniflora*)
Schweinitz's Sunflower (*Helianthus schweinitzii*)
Tricolored Bat (*Perimyotis subflavus*) Proposed Endangered

Based on all information provided by the applicant and the most recent available information, the District Engineer has determined the following:

The project will have no effect on Dwarf-flowered Heartleaf (*Hexastylis naniflora*) and will not result in the destruction or adverse modification of designated or proposed critical habitat.

The project is not likely to adversely affect Schweinitz's Sunflower (*Helianthus schweinitzii*) or result in the destruction or adverse modification of designated or proposed critical habitat.

Section 7(a)(4) of the ESA requires federal agencies to confer with the USFWS on any action that is likely to jeopardize the continued existence of proposed species or result in the destruction or adverse modification of proposed critical habitat. The proposed endangered Tricolored Bat (*Perimyotis subflavus*) may also be present within the project area. Because the southern portion of the tract has been recently cleared (2020) and because the Corps is not aware of any known roost trees nor hibernaculum on site, the Corps has determined that the proposed project is not likely to jeopardize the continued existence of the proposed species and conference with USFWS is not required.

This public notice serves as a request to the U.S. Fish and Wildlife Service (USFWS project code: 2024-0071750) 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.

Cultural Resources

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 reviewed information submitted by the applicant and 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 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.

Corps' Evaluation

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.

Solicitation of Public Comment

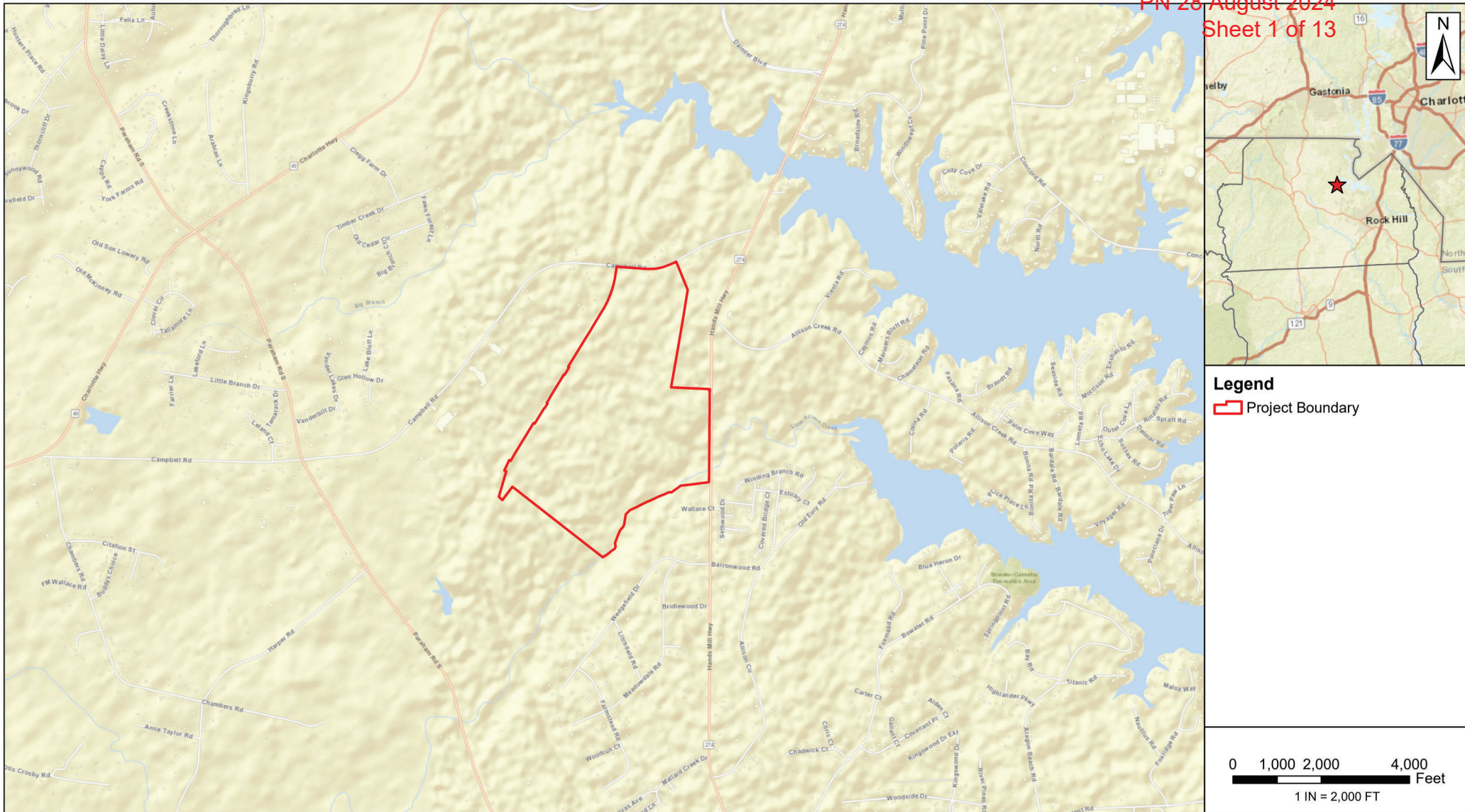
The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to

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. 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.

Please submit comments in writing, identifying the project of interest by public notice/file number (SAC-2023-00211), to Laura.M.Boos@usace.army.mil or the following address:

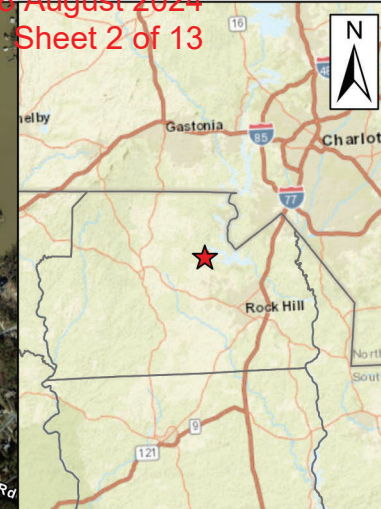
**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
1519 TAYLOR STREET
COLUMBIA SC 29201**

If there are any questions concerning this public notice, please contact Laura M. Boos, Team Leader, at (803) 253-3444, or by email at Laura.M.Boos@usace.army.mil.



Legend
 Project Boundary

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 Feet
 1 IN = 2,000 FT



Legend

 Project Boundary

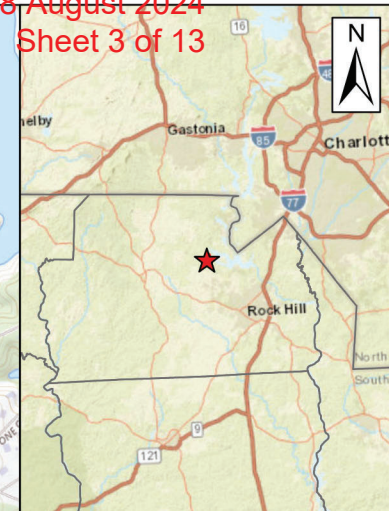
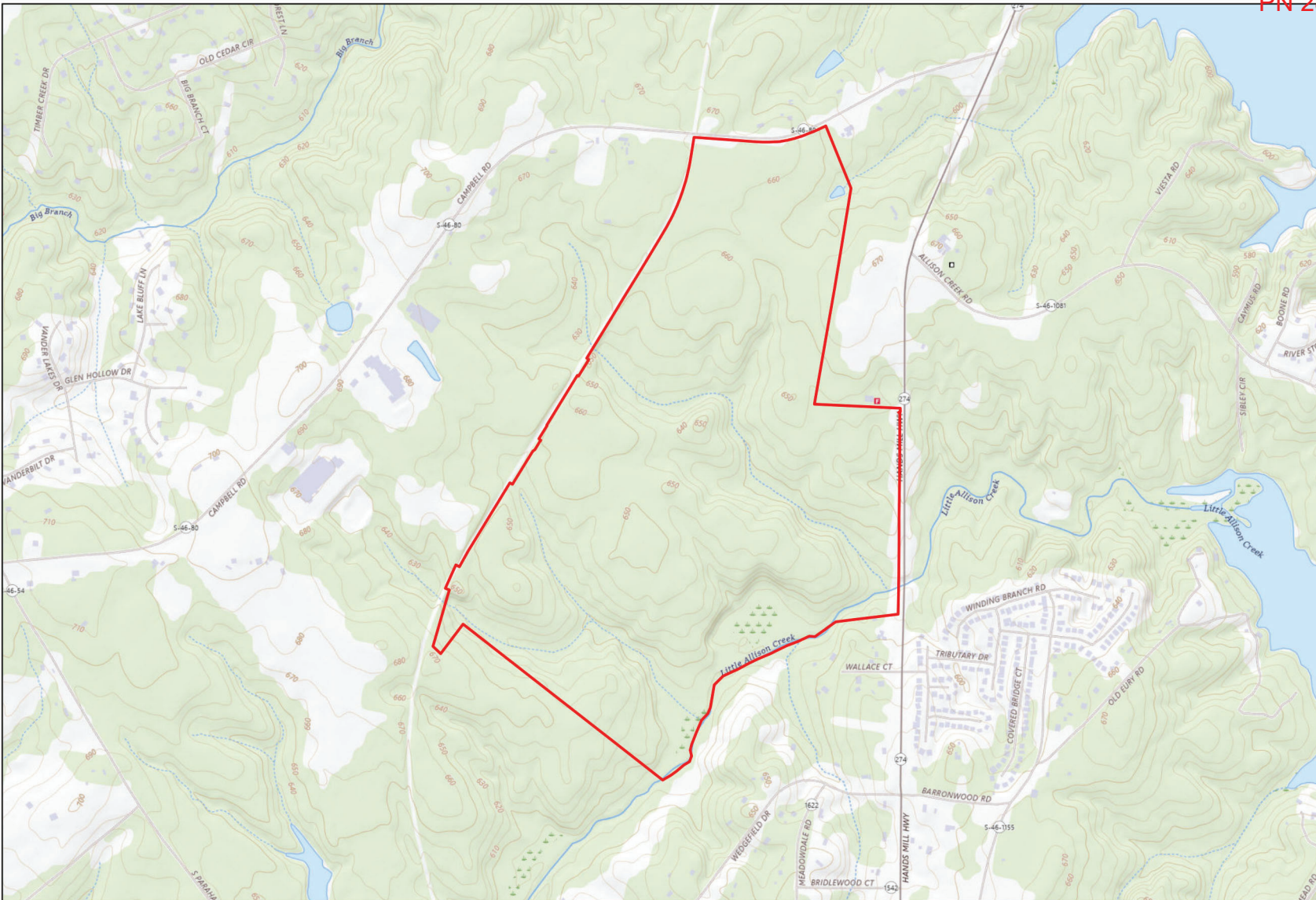
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Notes

Basemap source:
ESRI World Imagery

Figure 2: Aerial Map
York County Data Center
York County, SC

June 2024



Legend

Project Boundary

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 Feet
 1 IN = 1,000 FT

Figure 3: USGS Topographic (Lake Wylie) Map
 York County Data Center
 York County, SC

Notes
 Basemap source:
 USGS The National Map

SAC-2023-00211
York County Data Center
PN 28 August 2024
Sheet 4 of 13

PHASE 3

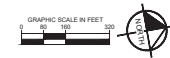
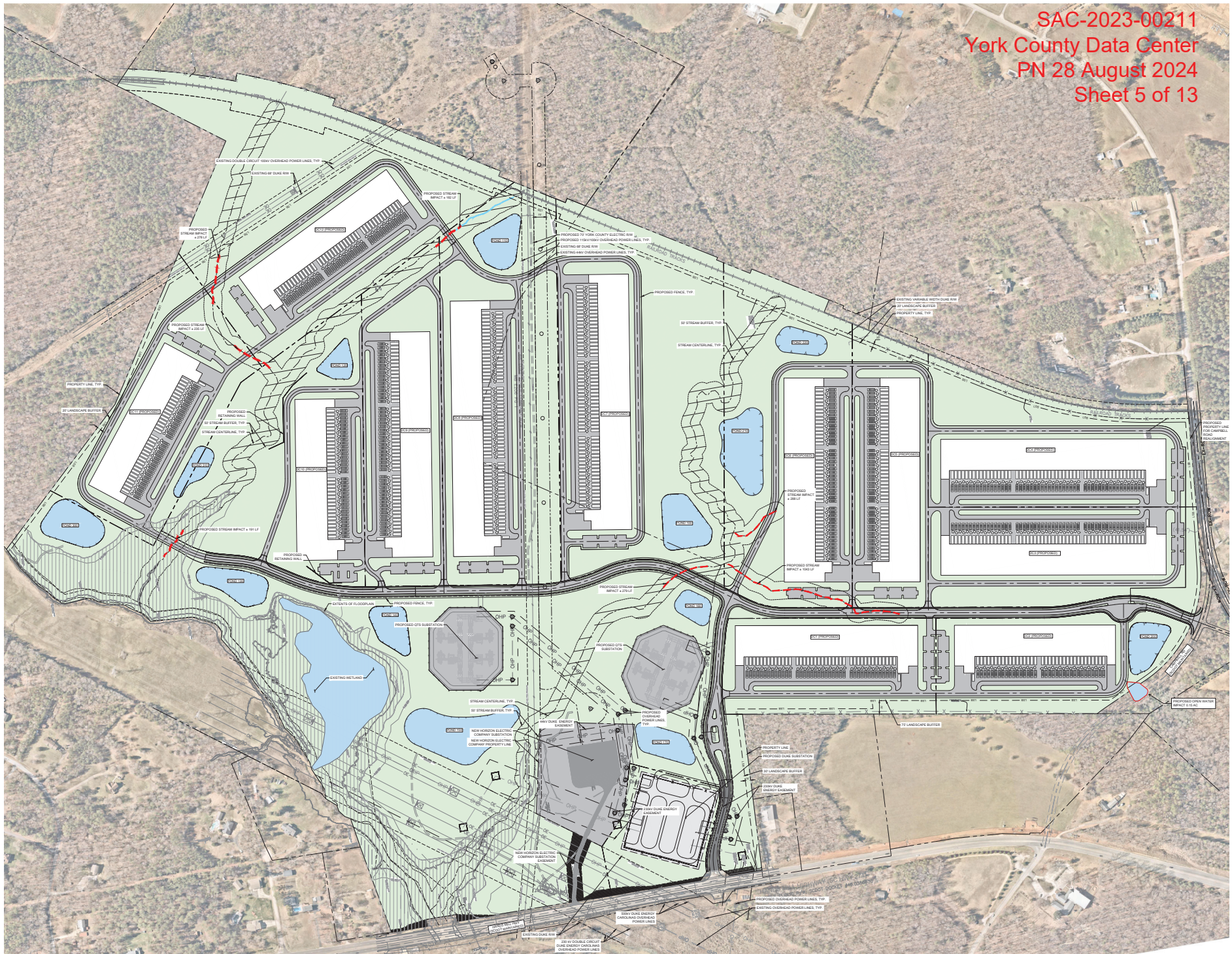
PHASE 2

PHASE 1

POWER CORRIDOR

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SCALE: Scale as Noted



OWNER
10011 Fowler St
Clematis Park, NC
888.239.5000

ARCHITECT
131 East Randolph
Suite 110
Chicago, IL 60611
312.633.2000

CIVIL ENGINEER, LANDSCAPE ARCHITECT
285 Ringway Park Drive
Suite 125
Fort Mill, SC 29504
803.728.4736

STRUCTURAL ENGINEER
15381 Addison Road
Suite 110
Addicks, Texas 75001
214.925.7202

MEP ENGINEER
421 River Street
7th Floor
Tomb, NY 12160
518.577.0448

SECURITY, TELECOM ENGINEER
103 E. Haring St
Harris, TX 77446
803.426.4801

FOR YORK COUNTY USE ONLY
APPROVED
Signature of County Engineer
Date of Approval
County Engineer
Seal of York County, SC
Seal of Professional Engineer

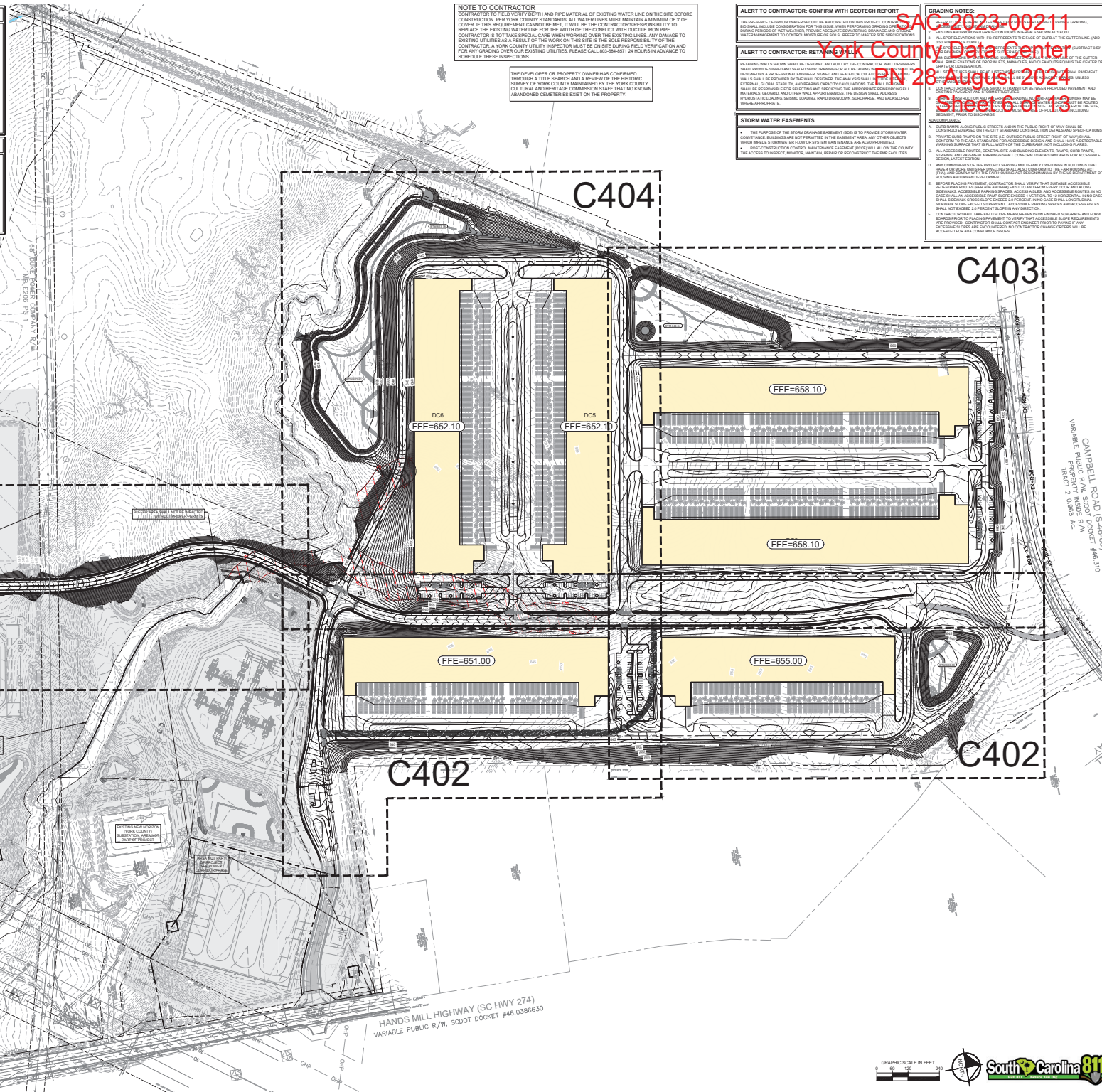
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1	Revision 1		Date 1


QTS CLT1
York County, South Carolina

MASTER PLAN

EX-01

SCALE: As Shown





QTS
 4051 Fowler St
 Cleveland Park, NC
 888.235.0000

ARCHITECT

**SHEEHAN
 INGLE
 HARTZ**
 ARCHITECTS

130 East Randolph
 Suite 310
 Raleigh, NC 27601
 Tel: 919.233.0000

CIVIL ENGINEER, LANDSCAPE ARCHITECT

Kimley-Horn

800 Higgins Park Drive
 Suite 125
 PO Box 112, 2000
 603.728.4736

STRUCTURAL ENGINEER

AGE

15200 Appleton Road
 Suite 310
 Ashburn, VA 20146
 Tel: 703.577.2200

MEP ENGINEER

KW

405 River Street
 7th Floor
 Tel: 919.277.0440

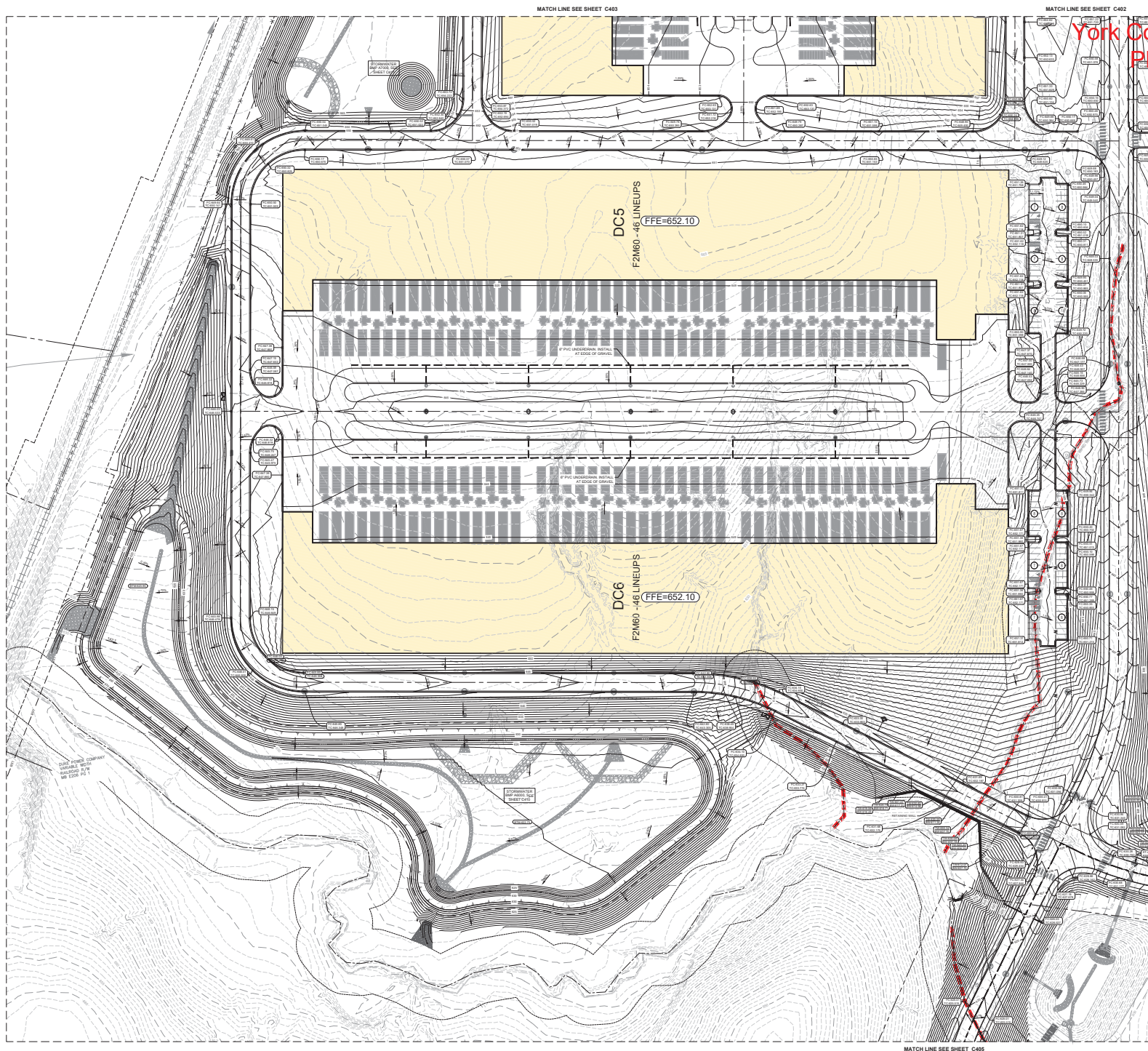
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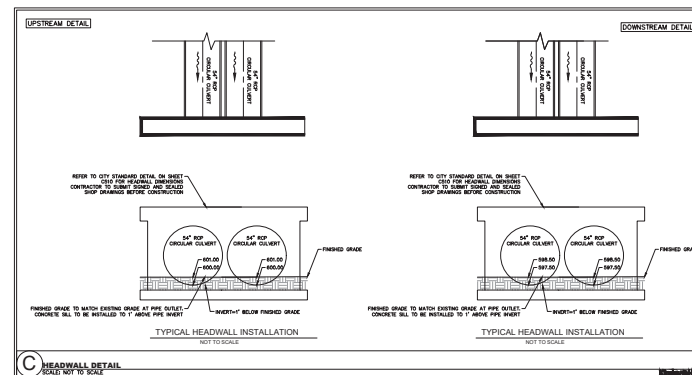
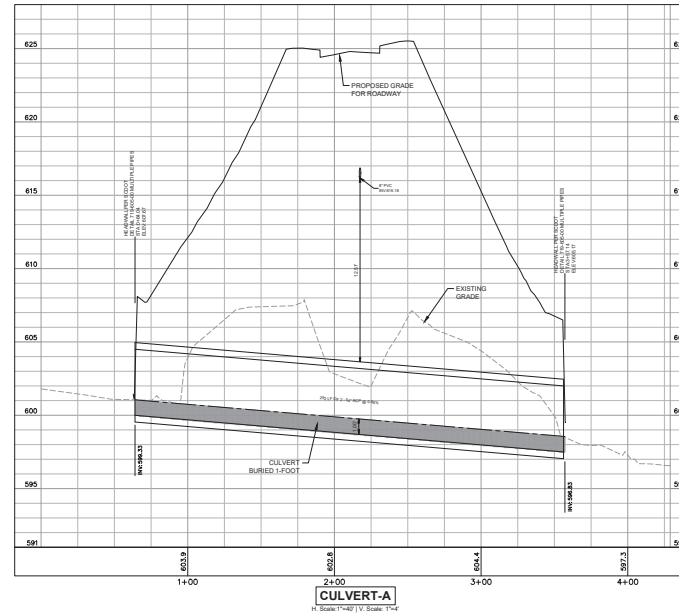
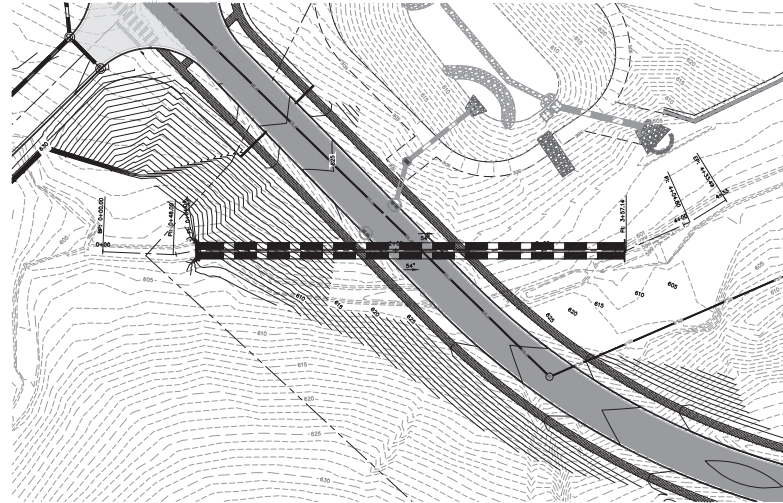
102 E Hargett St
 Suite 1700
 404.455.4551

DESIGN LICENSE NO. 001

FOR YOUR COUNTY, USE (ONLY)
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SAC-2023-00211
York County Data Center
PN 28 August 2024
Sheet 11 of 13



OWNER	
	1001 Fowler St. Columbia, SC 29201 803.233.5000
ARCHITECT	
	100 East Randolph Suite 100 Columbia, SC 29201 712.623.2000
CIVIL ENGINEER, LANDSCAPE ARCHITECT	
	300 Kingsley Park Drive Suite 125 Columbia, SC 29210 803.728.4736
STRUCTURAL ENGINEER	
	10000 Addison Road Suite 110 Addicks, Texas 75001 214.333.7000
MEP ENGINEER	
	401 River Street 7th Floor Columbia, SC 29201 803.257.0440
SECURITY, TELECOM ENGINEER	
	103 E. Hunting St. Florence, SC 29505 803.426.4801

FOR YORK COUNTY USE ONLY
APPROVED
Subject: York County Clerk of
Ordinances By
and date before
Reviewed Date
Juring: _____
Engineering: _____
Evan Camp: _____
Changes/Modifications to the plan may
result from the plan.



No.	Revision	Description	Date
1	Revision 1		Date 1

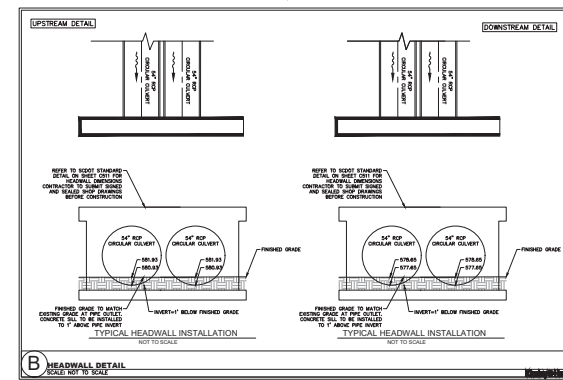
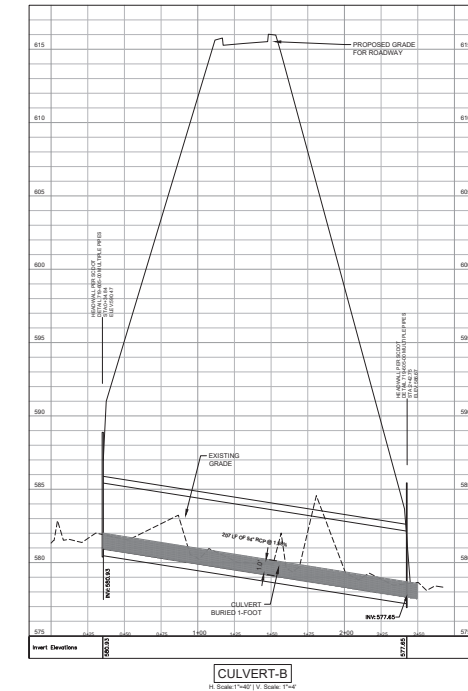
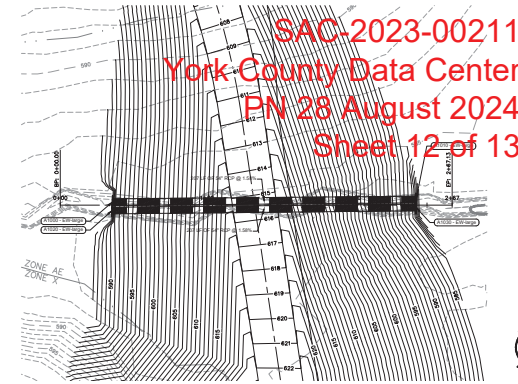
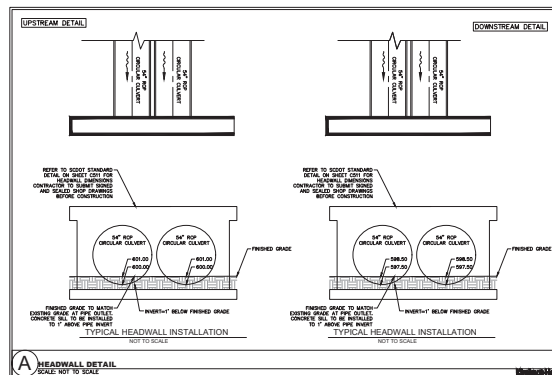
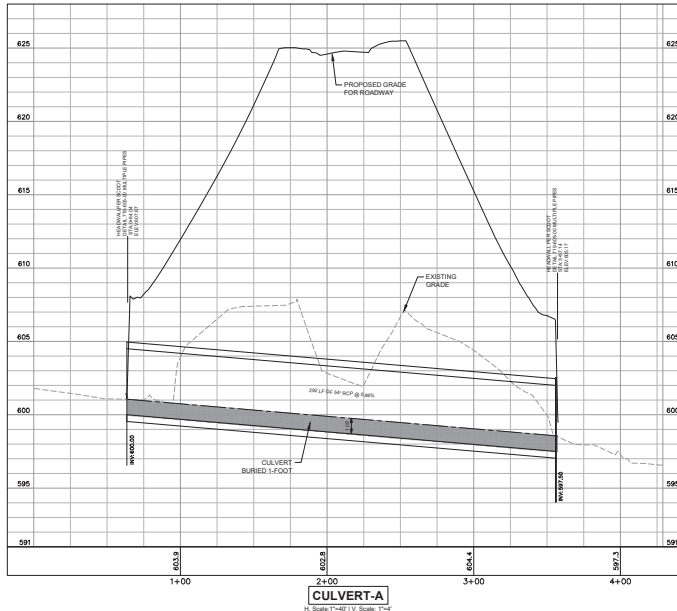
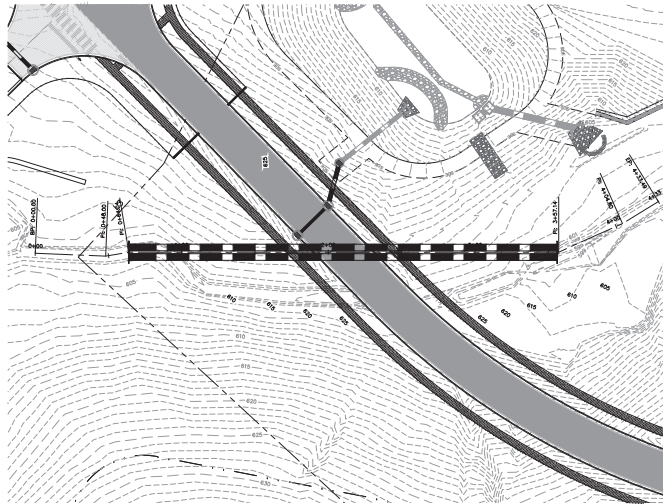
QTS
CLT1
York County,
South Carolina

PROJECT MCFLY - QTS
CLT 1 - PH01 PLANS

CULVERT
DESIGN

C506





KEY MAP FOR CULVERT LOCATIONS



SAC-2023-00211
York County Data Center
PN 28 August 2024
Sheet 12 of 13

OWNER
QTS
10011 Powder Mill
Charlotte, NC 28215
800.230.5000

ARCHITECT
BREITMAN
HAGLE
HARTMAN
ARCHITECTS
131 East Randolph
Suite 310
Charlotte, NC 28203
771.623.2000

CIVIL ENGINEER, LANDSCAPE ARCHITECT
Kimley+Horn
300 Gregory Park Drive
Suite 125
Fayetteville, NC 28533
910.728.4736

STRUCTURAL ENGINEER
AGT
10201 Appleton Road
Suite 110
Jacksonville, Florida 32216
904.420.1000

MEP ENGINEER
K&W Engineering
401 River Street
7th Floor
Fayetteville, NC 28533
910.577.0440

SECURITY, TELECOM ENGINEER
TCD
103 E. Haining St.
Fayetteville, NC 28533
910.426.4801

FOR YORK COUNTY USE ONLY
APPROVED
Subject to York County Code of Ordinances by
initials and date below
Reviewed: _____
Date: _____
Engineering: _____
Evan Camp: _____
Changes/Revisions to the plan may
only be made by the engineer.



No.	Revision	Description	Date
1	Revision 1		Date 1

QTS
CLT1
York County,
South Carolina

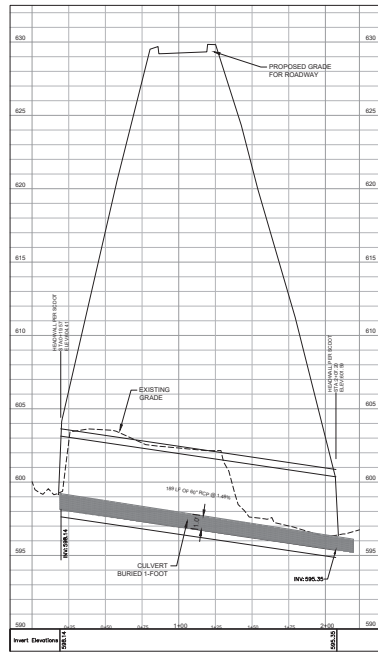
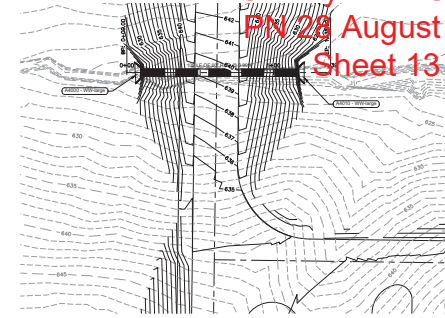
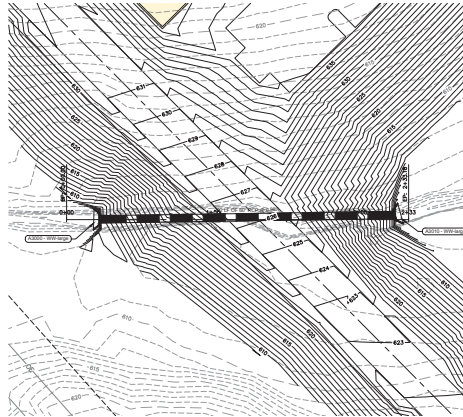
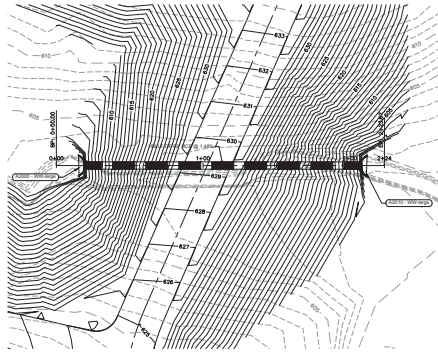
PROJECT MCFLY - QTS
CLT 1 - PH01 PLANS

CULVERT
DESIGN

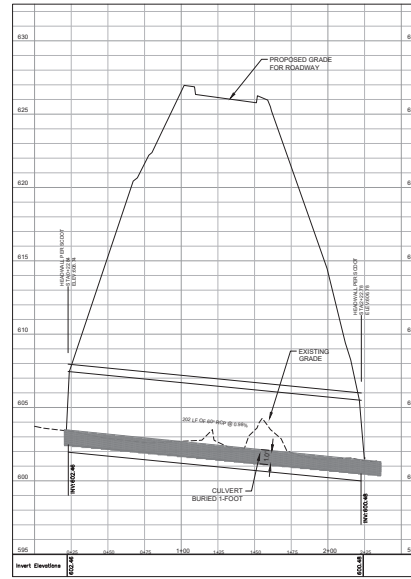
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SCALE: As Shown

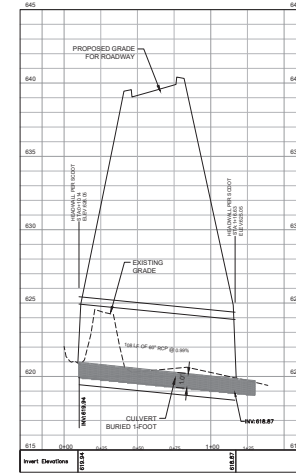
SAC-2023-00211
York County Data Center
PN 28 August 2024
Sheet 13 of 13



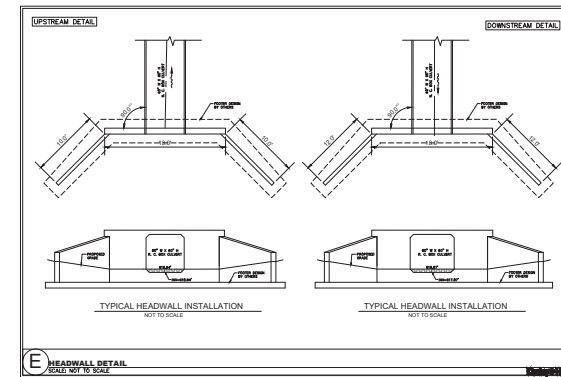
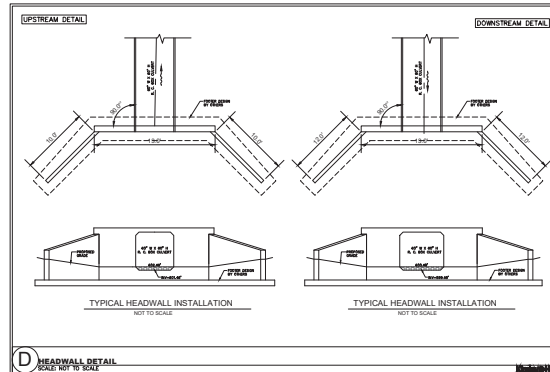
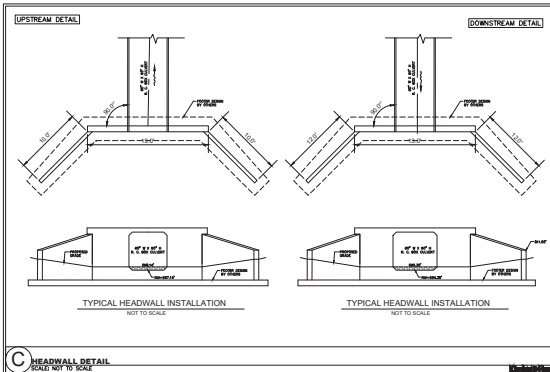
CULVERT-C
H Scale 1"=40' V Scale 1"=4'



CULVERT-D
H Scale 1"=40' V Scale 1"=4'



CULVERT-E
H Scale 1"=40' V Scale 1"=4'



OWNER
QTS
10011 Parker Rd
Charlotte, NC 28213
888.235.5000

ARCHITECT
STREETMAN
HARTRAY
ARCHITECTS
130 East Randolph
Suite 310
Charlotte, NC 28203
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CIVIL ENGINEER, LANDSCAPE ARCHITECT
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Jefferson, NC 28551
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MEP ENGINEER
K&W
401 River Street
7th Floor
Fayetteville, NC 28533
910.727.0440

SECURITY, TELECOM ENGINEER
TCD
103 E Haining St
Fayetteville, NC 28533
910.426.6801

FOR YORK COUNTY USE ONLY
APPROVED
Subject to York County Clerk of
Ordinances By
Ordinance No. _____ Date _____
Engineering _____
Evan Camp _____
Changes/Modifications to this plan may
only be made by _____

No.	Revision	Description	Date
1	Revision 1		Date 1

QTS
CLT1
York County,
South Carolina

PROJECT MCFLY - QTS
CLT 1 - PH01 PLANS

CULVERT
DESIGN

C507

SCALE: As Shown